

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH NEW DELHI  
Original Application No.444/2023**

**IN THE MATTER OF**

Paryavaran Vikash Sangh

.....APPLICANT

Versus

State of Haryana & Ors.

.....RESPONDENT(S)

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*Ausora*  
RESPONDENT NO. 8

NEW DELHI  
28.01.2025

THROUGH  
*Rahul Rathore*  
(RAHUL RATHORE) (RASHI CHOUDHARY)

*Rashi Choudhary*

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**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH NEW DELHI  
Original Application No.444/2023**

**IN THE MATTER OF**

Paryavaran Vikash Sangh

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**REPLY ON BEHALF OF RESPONDENT NO. 8.  
(RAMPRASTHA PROMOTERS & DEVELOPER PVT. LTD.)  
TO JOINT COMMITTEE REPORT, SUBMITTED IN  
COMPLIANCE OF THE ORDER DATED 03.10.2024 ISSUED  
BY THE NATIONAL GREEN TRIBUNAL, PRINCIPAL  
BENCH NEW DELHI IN ORIGINAL APPLICATION  
NO.444/2023**

We, Ramprastha Promoters & Developer Pvt. Ltd. do hereby solemnly affirm and declare as under:

1. That we are one of the Respondents (hereinafter called the "Answering Respondent") in the present Original Application. Based on the available record, we are well conversant with the facts and circumstances of the present case. We are filing the instant reply in compliance of the order dated 26.07.2023 passed by this Hon'ble Tribunal in the present Original Application.
2. That we have gone through the contents of the Joint Committee Report of 07.11.2023 and, pursuant to the liberty granted by this



*Handwritten signature*

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Hon'ble Tribunal vide its order dated 03.10.2024, we set out below our response thereto.

3. That it is respectfully submitted that our project, i.e., Group Housing Colony "Primera," has been substantially completed, comprising four residential towers (A, B, C & D), for which an Occupation Certificate has been obtained from the Directorate of Town and Country Planning, Haryana ("DTCP"). The only exception is Tower E, which is currently under construction.
4. That it is further submitted that the license for the said group housing colony was granted by DTCP with the approval for three basements. During the construction of basements of the towers, underground subsoil water was encountered at a depth of approximately 4 to 5 meters below ground level. This subsoil water is primarily caused by the presence of unlined outfall drains in the vicinity, which carry saline water. Additionally, effluent channels of various Sewage Treatment Plants (STPs) located nearby have further contributed to the rise in subsoil water levels.
5. That the subsoil water in the area is highly brackish and is not suitable for any practical use, as evidenced by the water test report, copy of which is annexed with the answering respondent's main reply as Annexure R-8/8. Consequently, a tube well, along with a sump well, became essential to extract and dispose of the subsoil water into a nearby drain. The extraction and disposal of this water is solely aimed at preventing potential damage to the basement structure.
6. That the Joint Committee's observation that answering respondent has not applied for NOC from Haryana Water Resources Authority ("HWRA") is not correct. It is submitted that the application for

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NOC for the project has already been registered on the HWRA portal on 07.11.2023. A copy of the said application is attached with the answering respondent's main reply as Annexure R-8/10.

7. That the Joint Committee's proposal to seal the tube well and sump well is unreasonable and unwarranted. As mentioned earlier, the subsoil water in the area is at a high level (4 to 5 meters below ground level) and is highly brackish. This water serves no beneficial purpose and must be regularly removed not only to protect the basement structure from damage but also for the protecting environment, soil quality, and preventing pollution. The rise in subsoil water levels is attributed to factors beyond our control, as explained above.
8. That the findings of the Joint Committee themselves acknowledge that the groundwater quality in the area is highly saline, with a Total Dissolved Solids (TDS) level of 12,800 mg/L. The report further concludes that the underground subsoil water is unsuitable for drinking or domestic purposes. Despite these findings, the recommendation to seal the tube well contradicts the Committee's own conclusions.
9. That it is submitted that the only feasible solution is to dispose of the brackish subsoil water into a nearby storm water drain, which is installed as per GMDA approval of 15.09.2023, copy of which annexed with the main reply of answering respondent as Annexure R-8/9. Allowing this water to accumulate could have detrimental effects on the basement structure, potentially jeopardizing its safety and posing health risks to residents. Its removal is encouraged as a matter of policy, as a measure of environmental protection.



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10. That in light of the above, it is humbly prayed that the Hon'ble Tribunal consider the necessity of dewatering the subsoil water for safeguarding the project's structural integrity and for public safety. The recommendation to seal the tube well and sump well should be set aside as it is neither reasonable nor justified.

*Audhish*  
RESPONDENT NO. 8

THROUGH

NEW DELHI  
28.01.2025

*Rahul Kulkarni*  
**(RAHUL RATHORE) (RASHI CHOUDHARY)**

*Rashi Choudhary*  
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ATTESTED

*Ram Niwas Malik*  
**RAM NIWAS MALIK, ADVOCATE**  
**NOTARY, GURUGRAM (HR.) INDIA**

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.....RESPONDENT(S)

**AFFIDAVIT**

I, Arvind Walia son of Sh. Harbhagwan Singh, aged 64 years, Director of RAMPRASTHA PROMOTERS AND DEVELOPERS PVT. LTD., having its registered office at having its office Plot 114, Sector 44, Gurugram, Haryana do hereby solemnly affirm and state on oath as under:-

1. I say that I am the authorized signatory on behalf of the Respondent No.8 in the above captioned matter and as such I am competent to execute the present affidavit. I am conversant with the facts of the case based on the records.
2. I say that I have read the contents of the accompanying Reply behalf of Respondent No. 8 (Ramprastha Promoters & Developer Pvt. Ltd.) to joint Committee Report, submitted in compliance of the order dated 03.10.2024 issued by the National Green Tribunal, Principal Bench, New Delhi in Original Application No. 444/2023.

*Arvind Walia*



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3. I say that the contents of the said Reply on behalf of Respondent No.8 are true and correct to my knowledge as per records. No part of it is false and nothing has been concealed therefrom.

*Ausadh*  
DEPONENT

### VERIFICATION

Verified at Gurguram on this 28<sup>th</sup> day of January, 2025, that the contents of the above affidavit are true and correct to my knowledge and belief as per record and nothing material has been concealed therefrom.

*Ausadh*  
DEPONENT



ATTESTED

*(Signature)*  
RAM NIWAS MALIK, ADVOCATE  
NOTARY, GURUGRAM (HR.) INDIA

723



Vijay Kumar <vijay3312@gmail.com>

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**O.A. No. 444 of 2023 Reply on behalf of the Respondent no. 8**

1 message

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**Vijay Kumar** <vijay3312@gmail.com>

Wed, Jan 29, 2025 at 9:54 AM

To: "clapjuris.legal@gmail.com" <clapjuris.legal@gmail.com>, juris\_consult@rediffmail.com, "law.in.square@gmail.com" <law.in.square@gmail.com>, advprakashpande@gmail.com, Pravartak Pathak <pravartak@gmail.com>, Consultant Judicial <judicial-ngt@gov.in>, filing.bpl-ngt@gov.in

O.A. No. 444 of 2023 Reply on behalf of the Respondent no. 8

VIJAY KUMAR

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**Paryavaran Vikas Sangh Reply Respondent No. 8\_0001.pdf**  
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