

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

INDEX

IN

Original Application No. 06 of 2026

In

Sanjeev Kumar

Appellant

Vs

Uttarakhand Pollution Control Board & Ors.

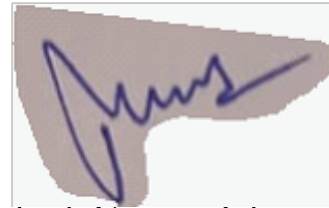
Respondent(s)

RESPONSE AFFIDAVIT ON BEHALF OF
UTTARAKHAND POLLUTION CONTROL BOARD
(RESPONDENT NO.1)

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5.	Annexure No. 3: (Copy of Show cause notice issued on dated 29.08.2025)	

Date: 02.04.2026

Place: New Delhi



Mukesh Verma, Advocate
(Counsel for Respondent)
Chamber No. 50,
Supreme Court of India, New Delhi
Mobile No. 9810108098
E-mail: mvermadv@gmail.com



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 06 of 2026

In

Sanjeev Kumar

Appellant

Vs

Uttarakhand Pollution Control Board & Ors.

Respondent(s)

**RESPONSE AFFIDAVIT ON BEHALF OF UTTARAKHAND
POLLUTION CONTROL BOARD (RESPONDENT NO.1)**

AFFIDAVIT of Dr. Rajendra Singh, aged about 53 years S/o Shri Balbir Singh Presently posted as Regional Officer, Uttarakhand Pollution Control Board, Roorkee, Uttarakhand.



Deponent

I, the above-named deponent does hereby solemnly affirm and state on oath as under: -

1. That the deponent is presently posted as the Regional Officer, Uttarakhand Pollution Control Board, Roorkee, District Haridwar and has been duly authorized/nominated by the Member Secretary to file the present affidavit on his behalf and as such is fully conversant with the facts of the case and is competent to sign and swear the instant affidavit. In this connection, a copy of the nomination letter dated 27.03.2026 is being marked and filed as **Annexure no.1** to this affidavit.

PARAGRAPH WISE NARRATIVES:

2. That the content of Paragraph No. 1 of this application is the about the application and limitation of the present application. As such no reply is warranted in this paragraph.
3. That the content of Paragraph No. 2, 3 & 4 of this application are the matter of record and admitted only to the extent that they are the matter of record. Rest of the contents are vehemently denied.
4. That the contents of Paragraph No. 5 of this application are the matter of record and admitted only to the extent that they are the matter of record. Rest of the contents are vehemently denied. It is pertinent to mention that an inspection was carried out by the Regional Office, UKPCB, Roorkee on 03.11.2022. Based on the observations made during the inspection, the matter was placed for initiating punitive action.
5. That the contents of Paragraph No. 6, 7, 8, 9, 10 & 11 of this application are matter of record and admitted only to the extent that



01.04.2026

[Handwritten Signature]

they are a matter of record. It is to state that after expiry of Consolidated Consent & authorization (CCA) validity on dated 31.03.2020, the project proponent had made an application for renewal on dated 17.04.2024 (Application ID-57027778) which was refused *inter alia* non operation of Sewage Treatment Plant (STP) provided in the premises. Further inspection was done on dated 04.04.2025 and STP found operational. STP outlet sample quality was also found within the prescribed discharge limit. Copy of analysis report of sample collected on 04.04.2025 is marked and filed as **Annexure No. 2.**

6. Further, inspection was done on 02.07.2025 and observed that STP is not being operated and untreated wastewater is being directly disposed outside the premise i.e. road widening area where some plantation is done. Based on inspection carried out from time to time and reply submitted by the project proponent, Show Cause Notice for imposition of an environmental compensation and filing complaint case before the designated court against the occupier was issued on dated 29.08.2025 under section-33(A) of the Water (Prevention and control of Pollution) act, 1974. The matter is currently under consideration for the imposition of Environmental Compensation for the violation. Copy of Show cause notice issued on dated 29.08.2025 is being marked and filed as **Annexure No. 3.**
7. That the contents of Paragraph No. 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 & 32 of this application are primarily not related to the replying respondent. However, considering the non-compliance observed from time to time, action



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has been initiation against the violator(s), which are evident from preceding paragraphs. Therefore, the allegation of collusion made by applicant is baseless and hence vehemently denied.

8. That the contents of Paragraph No. 33 & 34 of this application, it is to mention that Consent to Establish (CTE) was granted to project proponent based on documents submitted before the respondent Board and CTE was accorded for Group Housing -272 Nos. of flats having total built-up area less than 20,000 Sq. Meter. As per documents provided at the time of CTE application, a total built-up area was 17,595.68 Sq. Meter.
9. That the contents of Paragraph No. 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45 & 46 of this application are primarily not related to the replying respondent. However, it is further reiterated that considering the non-compliance observed from time to time, action has been initiation against the violator(s), which are evident from preceding paragraphs.
10. That the content of Paragraph No. 47, 48, 49, 50, 51 & 52 of this application are about the legal status and referred the order passed by the Hon'ble Court and as such no reply is warranted from the respondent Board. It is further reiterated that considering the non-compliance observed from time to time, action has been initiation against the violator(s), which are evident from preceding paragraphs.



- 11. It is submitted that the said grounds do not take significance as the said grounds are not maintainable, in view of the fact that the Original Application is liable to be dismissed with cost.
- 12. That in the abovementioned facts and circumstances of the case the Original application of the petitioner is liable to be dismissed.

DEPONENT

VERIFICATION: -

I the deponent do hereby verify that the contents of this reply Affidavit believed to be, which is based on the information derived from the record of the present case and nothing material has been concealed therein.

Verified at Roorkee on 1st day of April, 2026.

DEPONENT



IDENTIFIED BY

Padam Kumar
Advocate

Reg No.-UK 330/10, UP 14524/99
Civil Court, Roorkee

Contents affirmed and sworn before me

N.R. Sr. No. ... 197/I
TIME... 4:15 P.M./P.M.
Dated 01.04.2026

IQBAL AHMED
M.A (English) LL.B.
Advocate & Notary
Regd. No. - UP 3231/81
UA-913/04
Notary Regd. No.-22(05)2003
ROORKEE
Distt Haridwar (UK) INDIA

01.04.2026



मुख्यालय
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड

“गौरा देवी पर्यावरण भवन”

46बी, आई.टी. पार्क, सहरस्रधारा रोड़, देहरादून

E-mail : ukpcblegalcell@gmail.com, दूरभाष : 0135-2607092

पत्रांक : यूकेपीसीबी / एच.ओ. / सा0-183-998 / 2026 / 2044

दिनांक 27.03.2026

एन0जी0टी0 मैटर

सेवा में,

क्षेत्रीय अधिकारी

क्षेत्रीय कार्यालय

उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड,

सिंचाई परिकल्प भवन परिसर, रुड़की।

विषय:- मा0 हरित अधिकरण में योजित मूल आवेदन सं0 06 / 2026 Sanjeev Kumar Vs. Uttarakhand Environment Protection and Pollution Control Board & Ors. में राज्य बोर्ड की ओर से प्रतिशपथ पत्र दिये जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक मा0 हरित अधिकरण द्वारा पारित आदेश दिनांक 12.01.2026 के अनुपालन में प्रदूषण नियंत्रण बोर्ड की ओर से समन्वय एवं अनुपालन हेतु आपको नोडल अधिकारी नामित किया गया है। तत्क्रम आपके द्वारा प्रेषित आख्या के आधार पर बोर्ड अधिवक्ता द्वारा तैयार शपथ पत्र इस आशय के साथ प्रेषित किया जा रहा है कि मा0 हरित अधिकरण में बोर्ड के अधिवक्ता श्री मुकेश वर्मा से सम्पर्क स्थापित कर शपथ पत्र दिया जाना सुनिश्चित करें।

भवदीय

(डा0 पराग मधुकर धकाते)

सदस्य सचिव

प्रतिलिपि:- श्री मुकेश वर्मा, एडवोकेट, सुप्रीम कोर्ट आफ इंडिया, 50 वकील कक्ष, सुप्रीम कोर्ट, नई दिल्ली-110001 को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

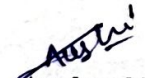
सदस्य सचिव




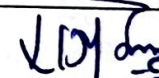
Industrial Waste Water Test Report

Test report no:	UKPCB/LR/54/25/ROR/WW-54
Code allotted:	UKPCB/LR/54/25/ROR/WW-54
Sample Source (S.T.P./ any other specify):	STP Outlet
Sampling point:	M/s Brazon Arrow Copany (P) Ltd. (Mantra Happy Home), Salempur Mahdood, Distt- Haridwar
Type of sample: Grab/Composite/Integrated:	Grab
Sample collected by:	1. Dr. Rajendra Singh (RO)
Quantity & Packing: (HDPE/LDPE/P/G/Any Other):	1 Ltr. HDPE
Date of sample collection:	04.04.2025
Date of sample receipt in the laboratory:	04.04.2025
Duration of analysis:	04.04.2025-09.04.2025
Date of issue of report:	16.04.2025

S.No.	Parameters	Results	Standards	Test Method	Unit
1.	Colour	Colourless	-	-	-
2.	Odour	Faint	-	-	-
2.	pH (@25°C)	7.58	6.5-9.0	APHA 4500 H ⁺ B: Electrometric Method.	-
4.	Biochemical Oxygen Demand	9.6	30	IS 3025 (Part44) Azide Modification.	mg/l
5.	Chemical Oxygen Demand	50	-	IS 3025 (Part 58): 2023, Open Reflux Method.	mg/l
6.	Total Suspended Solids	19	<100	APHA 2540 D Total Suspended Solids Dried at 103-105°C	mg/l
7.	Total Dissolved Solids (TDS)	312	-	APHA 2540 C: Total Dissolved Solids Dried at 180 °C	mg/l
8.	Total Solids (TS)	331	-	APHA 2540 C: Total Solids Dried at 103-105 °C	mg/l


Analysed by:
(Aayushi Gusain)


Checked by:
(Dr. Ajeet Singh)


Counter Sign: 22.04.2025
(Dr. Rajendra Singh)

*****End of Test Report*****

Note:

1. The results in the Test Report relate only to the items tested.
2. The Test Report pertains to the sample as received in lab.
3. Report shall not be reproduced without approval of laboratory.
4. Sample will be retained for only 10 days after issuing the report.
5. Sewage Treatment Final Effluent Standards as notified by MoEF&CC.

B-1531

Annexure No. 3



HEAD OFFICE

Uttarakhand Pollution Control Board

"Gaura Devi Paryavaran Bhawan"

46B, IT Park, Sahastradhara Road, Dehra Dun

E-mail : msukpcb@yahoo.com, Phone No.-0135-2607092

UKPCB/HO/Con/B-164/2025/ 53

Date: 29.8.2025

Speed Post

To,

M/s Brazen Arrow Company Pvt. Ltd.,
Vill-Salempur Mahdood-2, Sector-2
Distt- Haridwar.

Directions under Section 33(A) of Water (Prevention and Control of Pollution) Act – 1974.

WHEREAS, the Central Government has made the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981; and vide provisions of these acts every water/air polluting industry/unit/ operation/process is required to obtain consent to establish and consent to operate from the State Pollution Control Board; and

WHEREAS, it is mandatory on the part of industry to obtain the prior consent of the Board to establish/operate/process an industrial plant under Section-25 of the Water (Prevention and Control of Pollution) Act, 1974; and

WHEREAS, it is mandatory on the part of industry to obtain the prior consent of the Board to establish/operate/process an industrial plant under Section-21 of the Air (Prevention and Control of Pollution) Act, 1981; and

WHEREAS, for the purposes of protecting and improving the quality of environment and preventing and abating environmental pollution, the standards for discharge of environmental pollutants from the industries, operations or processes, have been specified under the Environment (Protection) Rules, 1986; and it is mandatory to every industries, operations or processes to keep their effluent/emission quality within the specified norms; and

WHEREAS, the complaint received on CM Helpline and from other various sources against M/s Brazen Arrow Company Pvt. Ltd., (Mantra Happy Homes) located at Vill-Salempur Mahdood-2, Sector-2, Haridwar, the following points are raised in the complaints:-

- स्थापनार्थ सहमति (Consent to Establish) आदेश के बिन्दु सं०-12 के अनुपालन में M/s Brazen Arrow Company Pvt. Ltd. द्वारा तीन कतारों वाली हरित पट्टिका विकसित नहीं की गयी है।
- Sewage Treatment Plant (STP) का नियमानुसार संचालन नहीं किया जा रहा है तथा दूषित जल से भू-जल को दूषित किया जा रहा है।
- M/s Brazen Arrow Company Pvt. Ltd. द्वारा विकसित "Mantra Happy Homes" का संचालन राज्य प्रदूषण नियंत्रण बोर्ड से वांछित सहमति के बिना किया जा रहा है।

WHEREAS in the above context, the inspection of M/s Brazen Arrow Company Pvt. Ltd., (Mantra Happy Homes) located at Vill-Salempur Mahdood-2, Sector-2, Haridwar was carried out by the officials of Regional Office, Roorkee of this Board on dated 04.04.2025 in presence of representative of the Housing Society, Shri Satish Kumar & 02.07.2025 in presence of

Clean Environment and Healthy Life Style

स्वच्छ पर्यावरण व स्वस्थ जीवन शैली

20/8/25
20/8/25
10/09

1. प्राप्त शिकायती पत्रों एवं उद्योग के Consolidated Consent & Authorization (CCA) के दृष्टिगत M/s Brazen Arrow Company Pvt. Ltd., ग्राम-सलेमपुर महदूद-2, सेक्टर-2 के सामने (राजा बिस्कुट चौक के निकट), हरिद्वार द्वारा विकसित Township "Mantra Happy Homes" का निरीक्षण इस कार्यालय द्वारा दिनांक 04.04.2025 एवं दिनांक 02.07.2025 को किया गया। दिनांक 04.04.2025 को निरीक्षण के समय शिकायतकर्ता श्री संजीव कुमार एवं "Mantra Happy Homes" के प्रतिनिधि श्री सतीश कुमार एवं दिनांक 02.07.2025 को निरीक्षण के समय "Mantra Happy Homes" के प्रतिनिधि श्री सत्यपाल उपस्थित थे। आख्या निम्नवत् है:-
2. M/s Brazen Arrow Company Pvt. Ltd., द्वारा राज्य प्रदूषण नियंत्रण बोर्ड से जल अधिनियम एवं वायु अधिनियम के अन्तर्गत खसरा नं-1411, 1412, 1413 एवं 1414 सलेमपुर महदूद, राजा बिस्कुट चौक, हरिद्वार में Group Housing Units-272 Nos. & Residential Plots-68 Nos. हेतु स्थापनार्थ सहमति (Consent to Establish) प्राप्त की गयी है। Group Housing Project का कुल बिल्डअप एरिया-17595.689 Square Meter है, अतः EIA Notification, 2006 के अन्तर्गत आच्छादित नहीं था।
3. M/s Brazen Arrow Company Pvt. Ltd., द्वारा राज्य प्रदूषण नियंत्रण बोर्ड के पत्र सं-UEPPCB/HO/Con-B-164/2019/387 दिनांक 28.06.2019 द्वारा Consolidated Consent & Authorization (CCA) प्राप्त की गयी थी, जिसकी वैधता अवधि दिनांक 31.03.2020 तक थी। अग्रेतर सी0सी0ए0 नवीनीकरण हेतु दिनांक 17.04.2024 को आवेदन किया गया, जिसे अनुपालन न पाये जाने के कारण अस्वीकृत किया गया एवं ईकाई द्वारा पुनः सी0सी0ए0 हेतु दिनांक 28.09.2024 को आवेदन किया गया, जिसको अस्वीकृत किया गया।
4. M/s Brazen Arrow Company Pvt. Ltd. द्वारा "Mantra Happy Homes" के नाम से ग्राम-सलेमपुर महदूद-2, सेक्टर-2 के सामने (राजा बिस्कुट चौक के निकट), हरिद्वार में ग्रुप हाउसिंग प्रोजेक्ट का निर्माण किया गया है, जिसमें Residential Flats- 272 Nos का निर्माण एवं Residential Plots- 68 Nos सम्मिलित हैं। 68 Residential Plots में से लगभग- 50 Plots में निर्माण कार्य किया गया है।
5. M/s Brazen Arrow Company Pvt. Ltd. के पत्र दिनांक 25.10.2024 के अनुसार विषयगत हाउसिंग प्रोजेक्ट को "Resident Welfare Association Mantra Happy Homes (Regd.)" को स्थानान्तरित किया जा चुका है।
6. "Mantra Happy Homes" से जनित उत्प्रवाह के शुद्धिकरण हेतु 200 के0एल0डी0 क्षमता का सीवेज ट्रीटमेंट प्लांट (एस0टी0पी0) स्थापित है। दिनांक 04.04.2025 को निरीक्षण के समय एस0टी0पी0 संचालन में पाया गया। निरीक्षण के समय एकत्र एस0टी0पी0 के अंतिम उत्प्रवाह की विश्लेषण आख्या मानकों के अनुरूप पायी गयी।
7. दिनांक 02.07.2025 में "Mantra Happy Homes" के निरीक्षण के समय परिसर में स्थापित एस0टी0पी0 संचालन में नहीं पाया गया, जिसका कारण Power failure बताया गया। एवं एस0टी0पी0 के Inlet Collection Tank से Raw Waste Water को सीधे Sump Pump के माध्यम से बाउन्ड्रीवाल से लगी Hages में निस्तारित किया जा रहा है जहां से वेस्ट वाटर ओवर फ्लो होकर रेन वाटर हार्वेस्टिंग हेतु बनायी गयी नालियों में जाता हुआ पाया गया। एस0टी0पी0 के वेस्ट वाटर को निस्तारित करने के लिए पाईप लाईन लगायी गयी हैं, जिनके द्वारा वेस्ट वाटर शुद्धिकृत/अशुद्धिकृत निस्तारित किया जाता है। ग्रुप हाउसिंग प्रोजेक्ट से बाहर के क्षेत्र में तथा Road Widening Area में भी वेस्ट वाटर निस्तारण हेतु पाईप लाईन लगायी गयी है। निरीक्षण के समय एस0टी0पी0 Outlet का जल नमूना एकत्र किया गया। विश्लेषण आख्या मानकों के अन्तर्गत नहीं पायी गयी।
8. M/s Brazen Arrow Company Pvt. Ltd. द्वारा राज्य प्रदूषण नियंत्रण बोर्ड से निर्गत स्थापनार्थ सहमति आदेश के बिन्दु सं-12 के अनुपालन में हरित पट्टिका विकसित नहीं की गयी है।

AS SUCH, it is evident from the above observations that the housing society is violating the provisions of Water (Prevention and Control of Pollution) Act- 1974 and Air (Prevention and Control of Pollution) Act – 1981; and

NOW THEREFORE, in exercise of the power conferred under Section 33(A) of Water (Prevention and Control of Pollution) Act- 1974 as amended and with approval of the competent authority of the Board, you are hereby directed to Show Cause within 30 days of time from issue of the following directions:-

1. Why not the Environment compensation of Rs. 6000/- per day (from 01.04.2020 to 04.04.2025) and further Rs. 6000/- per day (From 02.07.2025 till compliance) shall be imposed on your housing society for violation of Environment norms.
2. Why not the complaint case be filed before the Hon'ble designated court under Water (Prevention and Control of Pollution) Act- 1974.

(Dr. Parag Madhukar Dhakate)
Member Secretary

Letter No. :UKPCB/HO/Con/B-164/2025/

Dated: as above

Copy to :-

1. Regional Officer, Uttarakhand Pollution Control Board, Roorkee for information and necessary compliance.
2. Account Section.
3. Group Incharge (Garhwal), UKPCB to keep the copy of this order in concerned consent file.
4. Guard File.


Member Secretary