

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

INDEX

IN

**RESPONSE AFFIDAVIT ON BEHALF OF MEMBER
SECRETARY, UTTARAKHAND POLLUTION CONTROL BOARD**

(Respondent No. 2)

in

Original Application No. 392/2025



Dev Bhoomi Manav Sansadhan Vikas Samiti

Applicant

Versus

Union Of India & Ors.

Respondents

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Date: 4 September, 2025

Place: Dehradun

MUKESH VERMA

(Counsel for Respondent No. 2-UKPCB)

Chamber No. 50, Old Block,

Supreme Court of India, New Delhi

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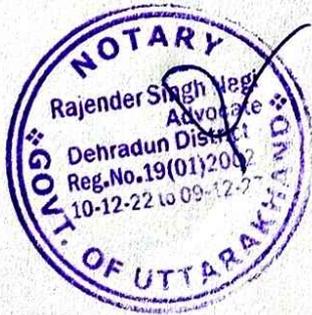


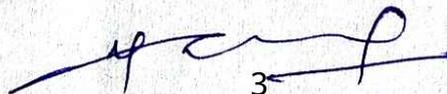
Affidavit of Shri Parag Madhukar
 Dhakate, aged about 48 years, S/o Shri M.B.
 Dhakate presently posted as Member
 Secretary, Uttarakhand Pollution Control
 Board, Gaura Devi Paryavaran Bhawan, IT
 Park, Dehradun.

Deponent

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

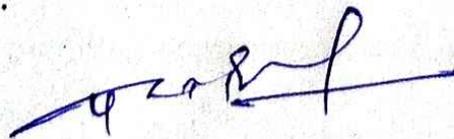
1. That the deponent is presently posted as the Member Secretary and is duly authorized to sign and file the instant affidavit on behalf of respondent no. 2 and as such he is well acquainted with the facts and circumstances of the case.
2. That the deponent has read and understood the contents of the original application filed by the applicant (hereinafter referred to as 'the said application') and is in a position to reply the same.
3. That the contents of paragraph no. 1 of the said application do not call for any reply from the answering respondent.
4. That the contents of paragraph no. 2 of the said application pertain to the details of the applicant and hence do not call for any reply from the answering respondent.
5. That the contents of paragraph no. 3 to 5 of the said application are admitted only insofar as they are a matter of record. Anything contrary thereto is vehemently denied.
6. That the contents of paragraph no. 6 of the said application are admitted only insofar as they are matter of record. Anything contrary thereto is vehemently denied. However, it is pertinent to mention that the Doon Valley Notification states that the industries falling under the "Red Category" include those that discharge effluents of a polluting nature at a rate exceeding 500 kiloliters per day, where no natural course for sufficient dilution is available and the effluents cannot be controlled through suitable technology; industries employing more than 500 persons per day; and industries where the



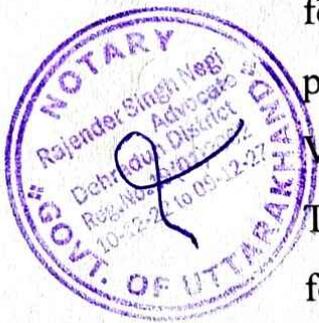

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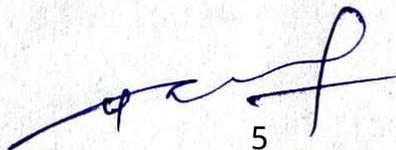
daily consumption of coal or fuel exceeds 24 metric tons. These criteria are used to classify highly polluting industries under the said notification.

7. That the contents of paragraph no. 7 of the said application are admitted only in so far as they are a matter of record. Rest of the contents are wrong, false and vehemently denied. It is pertinent to mention that as per new industrial classification of 2025 issued by the CPCB u/s 18 (1)(B) of the Water (Prevention and Control of Pollution) Act, 1974 on 12.02.2025, CPCB's 2016 direction regarding categorization was incorporated in the amended Doon Valley Notification, 2020. The concept of classifying industries into different pollution categories originated in 1989 with the Doon Valley (Uttarakhand Notification issued by Ministry of Environment and Forests. Subsequently the concept of pollution index was developed by Central Pollution Control Board (CPCB) during 2016 to classify the sectors into different category. The 2016 classification helped State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) in streamlining consent management, prioritizing regulatory oversight and environmental monitoring, taking decision related to siting of units, etc. However, a necessity was felt for refining the concept of calculating Pollution Index to overcome certain limitations and to bifurcate sub-sectors based on pollution load, scale of operation etc. In this connection a copy of the directions dated 12.02.2025 are already on record as Annexure A/16 to the original application.



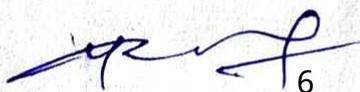
8. That in reply to the contents of paragraph no. 8 of the said application it is stated that the applicant has annexed the wrong office order dated 04.07.2005.
9. That the contents of paragraph no. 9 ,10 ,11, 12 ,13, 14 and 15 of the said application are admitted only in so far as they are a matter of record. Anything contrary thereto is vehemently denied.
10. That the contents of paragraph no. 16 of the said application are wrong, false and vehemently denied. It is pertinent to mention that CPCB direction 2016 regarding categorization was incorporated in amended Doon Valley Notification Year 2020. Accordingly, categories under CPCB direction were equally applied in Doon Valley. CPCB has also issued directions for identification of non-industrial operation in different categories in the year 2020. As CPCB has issued direction for identification of the process for non-industrial operation for the purpose of regulating illegally operated slaughterhouse in Doon Valley was purposed to the categories as Non-industrial Red operation. The proposal of SPCB also includes to notify the competent authority for granting Environment Clearance to Non-industrial category operation. As far as recommendation of Doon Valley Notification is concerned it was communicated to the State Government in respect of discussion held during the meeting of Planning Commission of India. Subsequently on 04.07.2023, Government of Uttarakhand has submitted a proposal to the Government of India to repeal the Doon Valley Notification with reference to discussion, held during the meeting of planning commission of Government of India.




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11. That the contents of paragraph no. 17 and 18 of the said application are admitted only in so far as they are a matter of record. Anything contrary thereto is vehemently denied.
12. That the contents of paragraph no. 19 of the said application are admitted only in so far as they are a matter of record. Anything contrary thereto is vehemently denied. True facts have already been stated in the preceding paragraphs and therefore, are not being repeated for the sake of brevity.
13. That the contents of paragraph no. 20 of the said application are admitted only in so far as they are a matter of record. Anything contrary thereto is vehemently denied. It is pertinent to mention that there has been improvement in the last three years and the value of PM10 has improved in the last three years. In this connection a copy of the data of Air quality under NCAP of Dehradun is being filed and marked as Annexure no. 1 to this affidavit.
14. That the contents of paragraph no. 21 to 25 of the said application are admitted only in so far as they are a matter of record. Anything contrary thereto is vehemently denied.
15. That the contents of paragraph no. 23 and 24 of the said application do not pertain to the answering respondent. Hence, do not call for any reply.
16. That the contents of paragraph no. 26 of the said application are not admitted as stated. Any insinuation directed against the answering respondent is vehemently denied.




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17. That the deponent is a responsible government servant having the highest regard for the Hon'ble Tribunal and orders passed by them. The deponent has always made his sincerest efforts to carry out the orders passed by this Hon'ble tribunal in its letter and spirit and shall continue to do so in response.

[Signature]
Deponent

Verification: -

Verified at Dehradun on the 4.... day of September 2025, that the contents of the response affidavit are true and correct to the best of my knowledge and belief based on the official record and nothing is false, and no material has been concealed therein.



[Signature]

[Signature]
Deponent

S.No- 4398/25

This affidavit is sworn before me by
Shri..... *Ranjit Madhwan Dhabal*
who is identified by Shri
at Dehradun on.....

[Signature]
(Rajender Singh Negi)
Advocate & Notary, Dehradun

Status of PM10 in Rishikesh and Dehradun City

City	PM10 Conc. 2017- 18 ($\mu\text{g}/\text{m}^3$)	Base Year PM10 Conc. (FY 2018- 19) ($\mu\text{g}/\text{m}^3$)	PM10 Conc. (FY 2019- 20) ($\mu\text{g}/\text{m}^3$)	PM10 Conc. (FY 2020- 21) ($\mu\text{g}/\text{m}^3$)	PM10 Conc. (FY 2021- 22) ($\mu\text{g}/\text{m}^3$)	PM10 Conc. (FY 2022- 23) ($\mu\text{g}/\text{m}^3$)	PM10 Conc. (FY 2023- 24) ($\mu\text{g}/\text{m}^3$)	PM10 Conc. (FY 2024- 25) ($\mu\text{g}/\text{m}^3$)
Dehradun	250	192	166	144	146	117	109	107
Rishikesh	129	133	136	77	117	103	76	84



(Naresh Goswami)

Asst. Environment Engineer