

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH AT NEW DELHI**  
**ORIGINAL APPLICATION NO. 630 OF 2023**

**IN THE MATTER OF:**

Anand Arya

...Applicant

Versus

Union of India & Ors.

... Respondents

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Through



**AKASH VASHISHTHA**

(Advocate for the Applicant)

490, Lawyers' Chambers, Block-II,  
Delhi High Court, New Delhi-10003

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**Place:- Delhi**

**Dated:-12.02.2024**

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**REJOINDER AND RESPONSE ON BEHALF OF THE  
APPLICANT TO COUNTER AFFIDAVIT FILED BY  
RESPONDENT NO. 1 – MINISTRY OF ENVIRONMENT,  
FOREST AND CLIMATE CHANGE**

The Applicant Above-named

**MOST RESPECTFULLY SHOWETH:**

1. That the Counter Affidavit filed by Respondent No. 1. – Ministry of Environment and Forest and Climate Change (hereinafter referred to as MOEF) lacks substance and is devoid of any merits.
2. That it is submitted that the Respondent No. 1 has made no reference at all in the Rejoinder as to the Environment Clearance granted for construction of Jewar International Greenfield Project that includes the most critical clause that the conservation plan for Jewar Airport would be implemented in letter and spirit. The Applicant seeks reference to Annexure A-10, PP 132-144 of the O.A.
3. That it has been emphasized in the O.A. as also the Additional Submissions made by the Applicant that the Conservation

Plan requires for Dhanauri Wetland to be declared as Wildlife Sanctuary or a Conservation Report.

4. That the Respondent No. 1 has been asking for Proposal for Dhanauri Wetlands to be declared as a Ramsar Site and a Sarus Sanctuary since 29.05.2019. The Applicant seeks reference to Annexures A-12 to A-14.
5. That a Time-Line, as extracted from Wetland (Conservation and Management) Rules 2017, is clear that all the Wetlands – in particular at least the 201503 Wetlands of 2.25 Ha or more Granted Protection by Hon'ble Supreme Court – should have been Notified by 29.05.2019. The Applicant seeks reference to ANNEXURE A-1.
6. That the Respondent No. 1, MOEF&CC has failed to take necessary and required Action to ensure Notification and Protection of Wetlands except 2 Wetlands (out of 757060 inventoried by SAC-ISRO) and the Ramsar Wetlands so declared.
7. That the Respondent No. 1, MOEF&CC has failed to show any interest in Protection of Dhanauri Wetlands despite it asking the State of Uttar Pradesh to submit proposals.
8. That the Respondent No. 1, MOEF&CC has also failed to take adequate steps to ensure compliance of the EC that requires inter-alia Conservation of Dhanauri Wetlands.
9. That the Respondent No. 1, MOEF&CC has all the Powers under Sections 5 & 15 of the Environment (Protection) Act, 1986 to ensure compliance of its directions.

**PARAWISE RESPONSE:**

10. That the contents of Para 1 of the Counter Affidavit are a matter of record and warrants no denial.
11. That the contents of Para 3 of the Counter Affidavit are a matter of record and are universally acknowledged and warrants no denial.
12. That the contents of Para 4 of the Counter Affidavit are a matter of record and warrants no denial.

13. That the contents of Para 5 of the Counter Affidavit are a matter of record and warrants no denial.
14. That the contents of Para 6 of the Counter Affidavit are a matter of record and warrants no denial.
15. That the contents of Para 7 of the Counter Affidavit are a matter of record and warrants no denial.
16. That the contents of Para 8 of the Counter Affidavit are a matter of record and warrants no denial.
17. That the contents of Para 9 of the Counter Affidavit are a matter of record and warrants no denial.
18. That the contents of Para 10 of the Counter Affidavit are a matter of record and warrants no denial.
19. That the contents of Para 11 of the Counter Affidavit admit the contentions made by the Applicant in the Original Application.

**PRAYER**

It is, therefore, most humbly prayed that the reliefs sought in the present O.A. be granted, in the interest of justice. Such other order may also be passed as deemed fit and proper in the facts and circumstances of the case.



**APPLICANT**

Through



**AKASH VASHISHTHA**

(Advocate for the Petitioners)

490, Lawyers' Chamber Block-II,  
Delhi High Court, New Delhi-110002

Place:- Delhi, Dated:- 12.02.2024

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**AFFIDAVIT**

I, Anand Arya, S/o. Lt. Sh. Mohan LaL Arya, aged about 78 years, R/o: 353, Sector-15A, Noida, Gautam Budh Nagar (Uttar Pradesh) – 201301, do hereby solemnly affirm states as under;-

1. That I am the Applicant in the above titled Original Application and am conversant with the facts and circumstances described in the present case and as such, I am competent to swear this affidavit,
2. That the contents of the accompanying Rejoinder are true and correct and nothing material has been concealed therefrom.



**DEPONENT**

I, IDENTIFIED THE  
DEPONENT WHO HAS  
SIGNED IN MY PRESENCE

**VERIFICATION**

Verified on this 12<sup>th</sup> February.2024, that the contents of the above mentioned affidavit are true and correct and nothing material has been concealed therefrom.



**ATTESTED**  
  
**NOTARY PUBLIC**



**DEPONENT**