

224

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

Original Application No. 677 of 2025

In the matter of:

Surya Prakash Mishra

Applicant

Versus

Ultra Tech Cement, Dalla Unit & Ors.

Respondent (s)

**INDEX**

<b>Sr. No.</b>	<b>Particulars</b>	<b>Page No.</b>
1.	<b>Response</b> on behalf of Central Pollution Control Board (CPCB) respondent no. 4 in O.A No. 677 of 2025, in compliance to Hon'ble NGT order dated 06.01.2026.	1 – 7



**Filed by Adv. Vikrant Pachnanda  
(On behalf on Central Pollution Control Board)**

**Place: Delhi**

**Dated: 20.04.2026**

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

Original Application No. 677 of 2025

In the matter of:

Surya Prakash Mishra

Applicant

Versus

Ultra Tech Cement, Dalla Unit & Ors.

Respondent (s)

**RESPONSE OF CENTRAL POLLUTION CONTROL BOARD (CPCB)  
RESPONDENT NO. 4**

1. That the Hon'ble National Green Tribunal (hereinafter referred to as "NGT") vide order dated 06.01.2026 in the instant Original Application (hereinafter referred to as "OA") No. 677 of 2025 directed the issuance of Notice to Respondents including the Answering Respondent Namely Central Pollution Control Board (hereinafter referred as "CPCB"). Thereby, the response is made in this instant OA in succeeding paragraphs.
  
2. That, it is humbly submitted that the Answering Respondent No. 4 denies all claims, contentions, allegations and averments made against the Answering Respondent CPCB in the above OA contrary to anything stated or submitted in this reply. Nothing in the OA may be deemed to have been accepted or admitted by the Answering Respondent for want of a specific denial or on the ground of non-traverse, save and any averment which has been expressly admitted hereinafter.

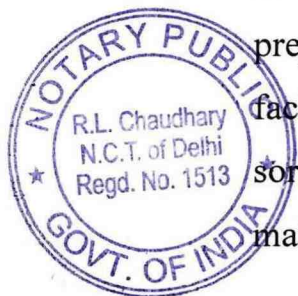


3. It is humbly submitted that CPCB is constituted under Section 3 of The Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred as Water Act 1974). It performs the functions under The Water Act 1974, The Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred as Air Act,1981) and The Environment (Protection) Act, 1986 (hereinafter referred as EPA, 1986).
4. That the OA has been filed by the Applicant raising the alleged issue of collection and storage of unsegregated solid waste by Respondent No. 1 namely Ultra Tech Cement at its Dalla Unit. As per the OA, the collected waste is allegedly not being managed properly resulting into foul and toxic odour in the vicinity thereby impacting the residents.
5. That, it is humbly submitted that Ministry of Environment, Forest and Climate Change (MoEF&CC) in exercise of the powers conferred under the Environment (Protection) Act, 1986 notified the Solid Waste Management Rules, 2016 (hereinafter referred to as "SWM Rules, 2016") vide Gazette Notification dated 08.04.2016. The said Rules provided a comprehensive regulatory framework for the generation, segregation, collection, storage, transportation, processing and disposal of solid waste. SWM Rules, 2016 delineate the duties and responsibilities of various stakeholders including CPCB, State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs), Urban Development Department (UDDs), Urban Local bodies (ULBs), State Governments and other agencies involved in the management of solid waste. These obligations aimed at ensuring environmentally sound and legally compliant mechanisms for solid waste management. Copy of SWM Rules,



2016 is also available on CPCB website at link [https://cpcb.nic.in/uploads/MSW/SWM\\_2016.pdf](https://cpcb.nic.in/uploads/MSW/SWM_2016.pdf).

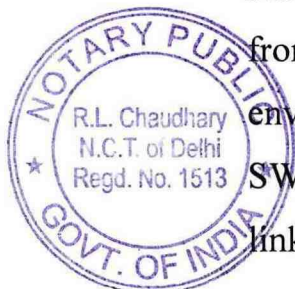
6. That, as per Rule 4 (1) of SWM Rule, 2016, Every waste generator shall segregate and store the waste generated by them in three separate streams namely bio-degradable, non-biodegradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorized waste pickers or waste collectors as per the direction or notification by the local authorities from time to time.
7. That, as per Rule 15 (b) of SWM Rule, 2016, The local authorities and Panchayats shall arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location.
8. That, as per Rule 21 (2) of SWM Rule, 2016, high calorific wastes shall be used for co-processing in cement or thermal power plants.
9. That, it is humbly submitted that, preparation of State policy and strategy on solid waste management, including waste reduction, reuse, recycling, recovery and optimum utilization of various components of solid waste, preparation of a solid waste management plan, setting up material recovery facilities (MRFs) or secondary storage facilities with sufficient space for sorting of recyclable materials and facilitate construction and operation and maintenance of solid waste processing facilities and associated



infrastructure on their own or with private sector participation or through any agency adopting suitable technology such as: bio-methanation, microbial composting, vermi-composting & waste to energy processes including refused derived fuel (RDF) for combustible fraction of waste or supply as feedstock to solid waste-based power plants or cement kilns are collective mandated responsibility of UDDs, ULBs under Rule 11& 15 of SWM, Rules, 2016. Further concerned SPCBs/PCCs is mandated to enforce the provisions of these rules under Rule 16 of SWM, Rules, 2016.

**10.** That, it is humbly submitted that, SPCBs/PCCs have been constituted in States/UTs under Water Act, 1974 and Air Act, 1981 and empowered to perform the functions & implement the provisions of Act under section 25 of Water Act, 1974 & under section 21 of Air Act, 1981. Applicable establishment discharging wastewater/emission, which includes cement plant also, shall take prior Consent to Establish (CTE)/ Consent to Operate (CTO) from respective SPCB/PCC and operate as per the consent conditions. SPCB/PCC is also empowered to monitor and enforce consent conditions.

**11.** Further, MoEF&CC notified the Solid Waste Management Rules, 2026 (SWM, Rule 2026) under the Environmental (Protection) Act, 1986 Vide Notification No. S.O. 388(E) dated 27.01.2026 which come into effect from 01.04.2026, in supersession of SWM, Rules, 2026, to ensure environmentally sound management of solid waste in the country. Copy of SWM Rules, 2026 is also available on CPCB website at link [https://cpcb.nic.in/uploads/MSW/SWM\\_2026.pdf](https://cpcb.nic.in/uploads/MSW/SWM_2026.pdf).



12. That, provisions w.r.t. preparation of State policy and strategy on solid waste management, setting up MRFs or secondary storage facilities and enforcement of the provisions of the rules are also laid down under SWM, Rules, 2026 and are collective responsibility of the State's agency- UDDs, ULBs and concerned SPCBs/PCCs under Rule 35, 39 & 41 of SWM, Rules, 2026 respectively.

13. Further SWM, Rules, 2026 also stipulate new responsibilities & duties of the District Magistrate or District Collector or Deputy Commissioner to undertake inspection or audit of solid waste processing or recycling facilities, ensure operation of sanitary landfill and any other common waste management facility in their jurisdiction under Rule 37 of SWM, Rules 2026.

14. That, it is humbly submitted that, response from concerned SPCB i.e. Uttar Pradesh State Pollution Control Board (UPPCB) and concerned Municipal Corporation may be helpful to adjudicate matter by the Hon'ble NGT. Further as per the Hon'ble NGT order dated 06.01.2026 in instant matter, Respondent no.5 i.e. UPPCB has also been directed to carry out the spot inspection and verify the facts and submit the comprehensive report.

15. That, in view of above and of the facts indicated in earlier paras, it is respectfully prayed that necessary directions may be passed in the interest of justice and the Answering Respondent submits that it shall abide by all orders or directions, passed by this Hon'ble Tribunal in the instant matter.

  
**Anil C. Ranveer**  
**Scientist 'F'**  
**Central Pollution Control Board**

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

Original Application No. 677 of 2025

In the matter of:

Surya Prakash Mishra

Applicant

Versus

Ultra Tech Cement, Dalla Unit & Ors.

Respondent (s)

**AFFIDAVIT**

I, Anil C. Ranveer, aged about 44 Years in the capacity of Scientist 'F', having office at the Delhi, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, do hereby solemnly affirm and sincerely state on oath as follows: -

1. That I, the deponent herein, is well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit.
3. That the accompanying reply has been drafted and filed under my instructions, the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.



  
**DEPONENT**  
 अनिल सी. रणवीर / Anil C. Ranveer  
 वैज्ञानिक 'च' / Scientist 'F'  
 केंद्रीय प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार  
 M/o Env. Forest & Climate Change, Govt. of India  
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

**VERIFICATION**

I, Anil C. Ranveer, working as Scientist 'F' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032, do hereby verify that the contents of the above paragraphs are true and correct to the best of my knowledge, information and belief.

17 APR 2026

Verified at Delhi on this the ..... Day of....., 2026.



**DEPONENT**

अनिल सी. रणवीर/Anil C. Ranveer  
वैज्ञानिक 'च'/Scientist 'F'  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार  
M/o Env. Forest & Climate Change, Govt. of India  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

**ATTESTED**

NOTARY PUBLIC  
GOVT. OF INDIA

17 APR 2026