

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION No. 444 of 2023

Paryavaran Vikash Sangh

Applicant

Versus

State of Haryana & Ors

Respondent(s)

Index

Sr. No.	Particulars	Page No.
1.	Response on behalf of Central Pollution Control Board (CPCB) in Original Application No. 444/2023, Paryavaran Vikash Sangh Vs. State of Haryana & Ors.	1-6
2.	Annexure-I A copy of Hon'ble NGT order dated 23.04.2025.	7-10
3.	Annexure- II A Copy of the CPCB letter dated 13.05.2025 and reminder dated 05.06.2025 to Haryana Water Resources Authority and Central Ground Water Authority (CGWA).	11-18



Filed by: Adv. Amit Singh Chauhan

On behalf of Central Pollution Control Board

Place: Delhi

Date: 04.07.2025

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****ORIGINAL APPLICATION No. 444 of 2023****Paryavaran Vikash Sangh****Applicant****Versus****State of Haryana & Ors****Respondent(s)****RESPONSE ON BEHALF OF CENTRAL POLLUTION CONTROL BOARD**

1. That the Hon'ble National Green Tribunal Principal Bench (hereinafter referred to as the "Hon'ble NGT") vide Order dated 23.04.2025 in Original Application (hereinafter referred to as "OA") No. 444/2023 has sought the reply of CPCB in the instant matter. Thereby the reply is made in the succeeding paragraphs. A copy of the Order dated 23.04.2025 is annexed herewith as **ANNEXURE- I**.
2. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981, and The Environment (Protection) Act, 1986.



3. The issue raised in this application concerns with extraction of groundwater by construction companies without permission leading to violation of CGWA guidelines issued on 24.09.2020. The contention of the applicant is that the respondent construction companies in Gurugram are extracting millions of gallons of drinking water through unauthorized borewell and flushing it in an open area without any provision of treatment facility. Further, the respondents have not installed any flow meter for assessment of water consumption and waste water generation in violation of Water (Prevention and Control of Pollution) Act, 1974. The Respondent listed is shown below:

- a. The State of Haryana
- b. The Ministry of Environment, Forest and Climate Change
- c. The Central Pollution Control Board
- d. The Haryana State Pollution Control Board
- e. The Haryana Water Resources (Conservation Regulation and Management) Authority
- f. V S Joyville Shapoorji Housing Pvt. Ltd (Shahpoor Ji Palonji)
- g. Real projects Pvt. Ltd. (Amb Selfie Square)
- h. Ramprastha Promoters and Developers Pvt Ltd.
- i. Neco Centra

4. That in the subject matter, the Hon'ble National Green Tribunal vide order dated 26.07.2023 had constituted a joint committee comprising of below mentioned authorities;

- i. Collector, Gurugram



- ii. One representative from State Pollution Control Board (SPCB)
 - iii. One representative from Central Ground Water Authority (CGWA)
5. The Joint Committee was directed to visit the relevant site and submit a factual and action taken report. The Committee duly submitted its report to the Tribunal on 07.11.2023 about five project sites. The Joint committee found that the illegal extraction of ground water for dewatering during construction was done at four sites.
6. That, the Hon'ble NGT Principal Bench vide order dated 23.04.2025 in the aforesaid matter noted the reply filed by Haryana Water Resources Authority on 22.04.2025 and inter alia directed as below:

“4. Respondent Authorities are expected at least to take action keeping in view the observations made above within one week and submit a report within four weeks.

5. Respondents are permitted to file their response keeping in view the observations made above”

7. Haryana State has constituted Haryana Water Resources (Conservation, Regulation and Management) Authority under The Haryana Water Resources (Conservation, Regulation and Management) Authority, Act 2020 (amendment Act 2022) for conservation, management and regulation of water resources i.e. ground water and surface water within the State of Haryana.



8. CPCB had requested Haryana Water Resources Authority and Central Ground Water Authority (CGWA) vide letter dated 14.05.2025 for providing CPCB with the status report / action taken report for compliance of the aforesaid order. Further, a reminder letter dated 06.06.2025 was also forwarded to Haryana Water Resources Authority and Central Ground Water Authority (CGWA) in this regard. However, the status report/ action taken report of the matter is still awaited. Copy of the letter dated 13.05.2025 and reminder dated 05.06.2025 are annexed herewith as **ANNEXURE-II**.

8. That, the answering respondent no. 6 craves leave of the Hon'ble Tribunal to file additional reply, if required, in future.

9. That, in the light of the above submissions, it is respectfully submitted that this Answering Respondent, i.e., CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble Court in the instant OA.



(Nazimuddin)

Scientist 'F'

Central Pollution Control Board



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION No. 444 of 2023

Paryavaran Vikash Sangh

Applicant

Versus

State of Haryana & Ors

Respondent(s)

AFFIDAVIT

I, **Nazimuddin**, working as Scientist 'F' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, in the above matter, do hereby solemnly affirm, declare on oath and state as under: -

1. That, I, the deponent herein is the authorized representative to represent the Respondent CPCB in the present case, and as such, I am 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 as part and parcel of the present affidavit.
3. That, the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the records 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

VERIFICATION

04 JUL 2025

Verified at Delhi on this day of _____ 2025 that the contents reply are correct and true on the basis of the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis- stated.



ATTESTED
NOTARY PUBLIC
GOVT. OF INDIA

04 JUL 2025

DEPONENT

नाज़िमउद्दीन / Nazimuddin
वैज्ञानिक 'एफ' / Scientist 'F'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Mo Environment, Forest And Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Item No. 09

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 444/2023

Paryavaran Vikash Sangh
Through Parmanand Rana

Applicant

Versus

State of Haryana & Ors.

Respondent(s)

Date of hearing: 23.04.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Prakash Pandey, Adv. for Applicant (Through VC)

Respondents: Mr. T.N. Subramaniam, Senior Advocate with Mr. Rubin Vakil, Mr. Nilesh Gala & Mr. Pranathak Pathak, Advs. for R - 6
Mr. Rahul Khurana, Adv. for R - 1, 4 & 5
Mr. Tushar Agarwal, Ms. Roopsee Pandita & Mr. Arun Kumar, Advs. for R - 7 (Through VC)
Ms. Pallavi Hooda, Adv. for R - 8
Ms. Shilpa Chohan & Mr. Jitender Chaudhary, Adv. for R - 9
Mr. Amit Singh Chauhan, Adv. for CPCB (Through VC)

ORDER

1. In this Original Application (OA), the Applicant had made a complaint that the Respondents No. 6 to 9 and other construction companies in Gurgaon are extracting the groundwater without permission and in violation of the CGWA Guidelines dated 24.09.2020. The Tribunal, by order dated 26.07.2023 had appointed the joint Committee, which has submitted the report dated 04.11.2023 disclosing as under:-

S. No.	Infrastructure Project	Environmental clearance/CTE/CTO status	Construction status/ status of HWRA permission
1.	JOYVILLE SHAPOORJI	• Environmental clearance obtained vide letter No.	• Partly project completed and operational. Part

	HOUSING PVT. LTD.(SHAHPOOR JI PALONJI), Sec 102, Gurugram	SEIAA/HR/2018/10 77 dated 20.08.2018. <ul style="list-style-type: none"> • CTE obtained vide letter No. HSPCB/Consent/ : 329962318GUNOC TE5671401 dated 30.10.2018. • First CTO (part) vide letter No HSPCB/Consent/ : 329962323GUNOC TO35203072 dated 01.06.2023. • Parameters of STP outlet are within prescribed norms as per analysis report No.1156 dated 06.10.2023. • Part CTO renewal vide letter No. HSPCB/Consent/ : 329962323GUNOC TO43774768 dated 09.10.2023 Annexure-1 colly. 	CTO has also been obtained by the unit. <ul style="list-style-type: none"> • Partly project under construction (as on dated construction activity stopped for the want of dewatering permission from HWRA. • Unit has applied for HWRA permission vide application dated 28.07.2023. • Unit has obtained permission from GMDA for using STP treated water for construction activities. • Unit has obtained permission from GMDA vide Memo No ZP 1257/JD(NK)/2023/1446 dated 16.01.2023 and water sewerage bill are attached as Annexure II Colly.
2.	Neocentra, Sec 103,Gurugram Near Dharampur village Haryana	<ul style="list-style-type: none"> • Environmental clearance obtained vide letter No. SEIAA/HR/2020/28 4 dated 17.07.2020. • CTE has been obtained vide letter No HSPCB/Consent/: 313116318GUNOC TE5697275 dated 15.10.2018. • Obtained No objection certificate from the office of administration, HUDA, Gurugram. Memo No. A 1/Admn./2017/NOC dated 18.04.2017. 	<ul style="list-style-type: none"> • CTE obtained but no construction activity going on as on date due to internal reasons of the unit. • HWRA permission obtained valid upto 24.08.2023. Annexure-III colly.
3.	VS REAL PROJECTS PVT. LTD. (AMB SELFIE SQUARE), Sec 37 D, Gurugram	<ul style="list-style-type: none"> •Environmental clearance obtained vide letter No. SEIAA/HR/2014/14 95 dated 26-11 2014. CTE has been obtained vide letter No HSPCB/Consent/28 21215GUSOCTE18 75387 Dated:02/05/2015. • Afterward unit obtained Extension in validity period vide HSPCB/consent/32 9962317GUSOCTE 3793385 dated 28/03/2017 and CTE vide letter no. HSPCB/Consent/: 329962319GUSOC TE6556177 Dated:14/06/2019. Annexure-IV colly 	No construction activity. One tube well and one sump well is present within the complex. Two tube wells which were electrified by the project proponent are present outside the complex. These four structures need to be sealed.

4.	RAMPRASTHA PROMOTERS AND DEVELOPERS PVT.LTD, Sec 37 D,Gurugram	<ul style="list-style-type: none"> • Environmental clearance obtained vide letter No. EC22B039HR1768 22 dated 25-09 2022. • CTE has been obtained vide letter no. HSPCB/Consent/32 996232GUSOCTE3 0438739 dated 07 12-2022. Annexure-V colly 	Project is having around 4.57 Acres total area in which 5 – Residential Towers (A,B,C,D & E) are there, out of which 4-Towers (A,B,C & D) are completed. Only Tower-E is constructed up to Basement (Approximate area 2444.17 Square Meters). One tube well and one sump is present within the complex, these need to be sealed.
5.	BPTP complex	<ul style="list-style-type: none"> • Environmental clearance obtained vide letter No. SEIAA/HR/2022/22 0 dated 09.06.2023. • CTE has been obtained vide letter No HSPCB/Consent/: 329962323GUNOC TE38896447 dated 28.07.2023. • CTO has been obtained vide letter No. HSPCB/Consent/: 329962323GUNOC TO40147903dated 28.07.2023. • Parameters of STP outlet are within prescribed norms as per analysis report No.582 dated 18.07.2023. • Water connection has been obtained from the office executive engineer HUDA DIV No. III Gurgaon vide Memo No.14839 dated 11.10.2012 Annexure- Colly. 	<ul style="list-style-type: none"> • No construction activity. • Dewatering activities observed outside, no permission obtained from HRWA. • No sewage connection has been provided to the unit and treated water is used within the unit premises of the unit for gardening/ flushing etc.

2. Though the joint Committee in November, 2023 itself had found that the illegal extraction of ground water was being done by some of the Project Proponents but we find that till now the State Authorities have not taken any effective action. The latest reply dated 22.04.2025 filed by the CEO, Haryana Water Resource Authority only mentions that the show cause notices dated 04.03.2025 and the reminder notice dated 09.04.2025 were issued. In fact to ascertain if the borewells are existing with due permission, only the permission was required to be verified. We

are surprised simple exercise has taken about 1 ½ years and till now the action against illegally operating of borewells has not been completed. By delaying the action infact, the Respondent Authorities have permitted/allowed illegal extraction of ground water from the borewells which exist without permission.

3. Thus, in the circumstances of the case, we direct the Chairperson of the Haryana Water Resource (Conservation, Regulation and Management) Authority, who is of the rank of Additional Chief Secretary to Government of Haryana, to hold an enquiry and find out the officer concerned responsible for delaying action and take appropriate action against the said officer for permitting illegal extraction of ground water due to dereliction of his duties or for any other unknown reason.

4. Respondent Authorities are expected atleast to take action keeping in view the observations made above within one week and submit a report within four weeks.

5. Respondents are permitted to file their response keeping in view the observations made above.

6. List on 07.07.2025.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

April 23, 2025
Original Application No. 444/2023
A..



केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

Speed Post/Email

CM-13011/109/2023-LAW-HO-CPCB-HO (OA No. 444 of 2023) / 137

Dated: 13.05.2025

To,

(1) The Member Secretary
Central Ground Water Authority
Ministry of Jal Shakti,
CSMRS Campus, Old of Palme Marg,
Hauz Khas, New Delhi-110016

(2) Chief Executive Officer
The Haryana Water Resources Authority
Rear Building, 3rd Floor, HSVP,
Sector-6 Panchkula,
Haryana 134109

Subject: NGT directions in the matter Original Application No. 444/2023, titled; Paryavaran Vikash Sangh, an Applicant Versus State of Haryana & Ors as Respondent -Reg

Sir,

The Hon'ble National Green Tribunal vide order dated 23.04.2025 directed as below:

Para 4"*Respondent Authorities are expected at least to take action keeping in view the observations made above within one week and submit a report within four weeks.*".

It is requested that action taken report in the above matter may kindly be provided at the earliest, for filling appropriate response by CPCB before the Hon'ble Tribunal.

Your faithfully,

(Nazimuddin)
Divisional Head
WQM-I, CPCB

Encl: As Above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली - 110032.

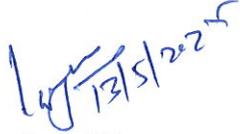
Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट/Website: www.cpcb.nic.in

C.C

1. The Member Secretary,
Haryana Pollution Control Board
C-11, Sector-6, Panchkula,
Haryana - 134109, Haryana

For necessary actions, please


(Nazimuddin)

Speed Post/Email

CM-13011/109/2023-LAW-HO-CPCB-HO (OA No. 444 of 2023) /137

Dated: 13.05.2025

To,

(1) The Member Secretary
Central Ground Water Authority
Ministry of Jal Shakti,
CSMRS Campus, Old of Palme Marg,
Hauz Khas, New Delhi-110016

(2) Chief Executive Officer
The Haryana Water Resources Authority
Rear Building, 3rd Floor, HSVP,
Sector-6 Panchkula,
Haryana 134109

Subject: NGT directions in the matter Original Application No. 444/2023, titled;
Paryavaran Vikash Sangh, an Applicant Versus State of Haryana & Ors as
Respondent -Reg

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Your faithfully,

(Nazimuddin)
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Encl: As Above

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14

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

924

Speed Post/Email

CM-13011/109/2023-LAW-HO-CPCB-HO (OA No. 444 of 2023) / 137

Dated: 13.05.2025

To,

(1) The Member Secretary
Central Ground Water Authority
Ministry of Jal Shakti,
CSMRS Campus, Old of Palme Marg,
Hauz Khas, New Delhi-110016

(2) Chief Executive Officer
The Haryana Water Resources Authority
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Sector-6 Panchkula,
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The Hon'ble National Green Tribunal vide order dated 23.04.2025 directed as below:

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It is requested that action taken report in the above matter may kindly be provided at the earliest, for filling appropriate response by CPCB before the Hon'ble Tribunal.

Your faithfully,

(Nazimuddin)
Divisional Head
WQM-I, CPCB

Encl: As Above

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष / Tel : 43102030, 22305792, वेबसाइट / Website: www.cpcb.nic.in

Speed Post/Email

CM-13011/109/2023-LAW-HO-CPCB-HO (OA No. 444 of 2023) /164

05.06.2025

Reminder 1

To,

(1) ~~The Member Secretary~~
~~Central Ground Water Authority~~
~~Ministry of Jal Shakti,~~
~~CSMRS Campus, Old of Palme Marg,~~
~~Hauz Khas, New Delhi-110016~~

(2) ~~Chief Executive Officer~~
~~The Haryana Water Resources Authority~~
~~Rear Building, 3rd Floor, HSVP,~~
~~Sector-6 Panchkula, Haryana 134109~~

Subject: NGT directions in the matter Original Application No. 444/2023, titled;
Paryavaran Vikash Sangh, an Applicant Versus State of Haryana & Ors
as Respondent -Reg

Ref: *CPCB letter no.* CM-13011/109/2023-LAW-HO-CPCB-HO (OA No. 444 of 2023)
Dated :13.05.2025

Sir,

Kindly refer to CPCB's letter dated 13.05.2025 wherein it was requested to provide the action taken report in reference to NGT's directions in order dated 23.04.2025 in the matter Original Application No. 444/2023, titled; Paryavaran Vikash Sangh Versus State of Haryana & Ors. The request ATR is still awaited.

It is requested to kindly provide your action taken report at an early date, please.

Your faithfully,

(Nazimuddin)
Divisional Head
WQM-I, CPCB

Encl: As Above

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट /Website: www.cpcb.nic.in

C.C

1. The Member Secretary,
Haryana Pollution Control Board
C-11, Sector-6, Panchkula,
Haryana - 134109, Haryana

: For necessary actions, please

WJF 5/6/2025
(Nazimuddin)

Speed Post/Email

CM-13011/109/2023-LAW-HO-CPCB-HO (OA No. 444 of 2023) /164

05.06.2025

Reminder 1

To,

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Central Ground Water Authority
Ministry of Jal Shakti,
CSMRS Campus, Old of Palme Marg,
Hauz Khas, New Delhi-110016

(2) Chief Executive Officer
The Haryana Water Resources Authority
Rear Building, 3rd Floor, HSVP,
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Paryavaran Vikash Sangh, an Applicant Versus State of Haryana & Ors
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Ref: CPCB letter no. CM-13011/109/2023-LAW-HO-CPCB-HO (OA No. 444 of 2023)
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(Nazimuddin)

Divisional Head
WQM-I, CPCB

Encl: As Above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट /Website: www.cpcb.nic.in



18

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

928

Speed Post/Email

CM-13011/109/2023-LAW-HO-CPCB-HO (OA No. 444 of 2023) /163

05.06.2025

Reminder 1

To,

(1) The Member Secretary
Central Ground Water Authority
Ministry of Jal Shakti,
CSMRS Campus, Old of Palme Marg,
Hauz Khas, New Delhi-110016

(2) Chief Executive Officer
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Subject: NGT directions in the matter Original Application No. 444/2023, titled;
Paryavaran Vikash Sangh, an Applicant Versus State of Haryana & Ors
as Respondent -Reg

Ref: CPCB letter no. CM-13011/109/2023-LAW-HO-CPCB-HO (OA No. 444 of 2023)
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Encl: As Above

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