

**331**  
**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**

**Appeal No. 31/2024**

**(I.A. No. 392/2024)**

**In the matter of:**

Naresh Kumar Yadav

Appellant

Versus

Union of India & Ors.

Respondent(s)

**Index**

<b>Sr. No.</b>	<b>Particular's</b>	<b>Page No.</b>
<b>1.</b>	<b>Short Reply</b> on behalf of Central Pollution Control Board (CPCB) respondent no. 3 in compliance to Hon'ble NGT order dated 27.08.2024 in Appeal No. 31/2024 (I.A No. 392/2024)	
<b>2.</b>	<b>Annexure- I</b> A copy of directions issued by CAQM dated 29.09.2023 u/s 12 of the Commission for Air Quality Management in National Capital Region and Adjoining Area Act, 2021 and amended direction dated 22.02.2024.	
<b>3.</b>	<b>Annexure- II</b> A copy of letter dated 09.10.2024, issued by CPCB to State Environment Impact Assessment Authority, Haryana	
<b>4.</b>	<b>Annexure- III</b> A copy of letter dated 09.10.2024, issued by CPCB to Haryana State Pollution Control Board.	
<b>5.</b>	<b>Annexure- V</b> A copy of Hon'ble NGT order dated 27.08.2024 in OA No. Appeal No. 31/2024 (I.A No. 392/2024).	



**Filed by Adv. Atif Suhrawardy**  
**(On behalf on Central Pollution Control Board)**

**Place: Delhi**

**Dated: 22.11.2024**

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

**Appeal No. 31/2024**

**(I.A. No. 392/2024)**

**In the matter of:**

Naresh Kumar Yadav

Appellant

Versus

Union of India & Ors.

Respondent(s)

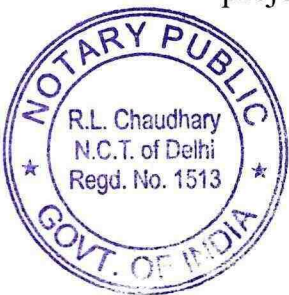
**SHORT REPLY ON BEHALF OF RESPONDENT NO. 3, CENTRAL  
POLLUTION CONTROL BOARD (CPCB)**

1. That, Hon'ble NGT vide notice dated 13.09.2024 has sought the reply of CPCB in the instant matter wherein the requirement of filing the reply/response is expressly provided as per the directions of the Hon'ble Tribunal vide Order dated 27.08.2024. Thereby, the reply is made in succeeding paragraphs accordingly.
2. That at the very outset the answering respondent deny all claims, contentions, allegations and averments against answering respondent CPCB in the above Appeal contrary to anything stated or submitted in this reply. Nothing in the Appeal may be deemed to have been accepted or admitted by the answering Respondent for want of a specific denial, save and except any averment which has been expressly admitted hereinafter.
3. 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.

4. That the Appeal under reference has been filed by the appellant under section 16 (h) of the National Green Tribunal Act, 2010, challenging the Environmental Clearance (EC) dated 18.07.2024 granted by Ministry of Environment, Forest and Climate Change (herein referred to as **MoEF & CC**) to Respondent No. 5 in the matter i.e. M/s Conscient Infrastructure Private Limited.
5. That, the Clause 2 of the Environmental Impact Assessment Notification, 2006 (hereinafter referred to as **EIA Notification, 2006**) provides for the “Requirements of prior Environmental Clearance (hereinafter referred to as **EC**)” and as per the above mentioned clause, the projects or activities which are falling under the **category ‘A’** of the Schedule of the EIA Notification, 2006; the project proponent shall obtain the EC from the **Ministry of Environment, Forest and Climate Change** (hereinafter referred to as ‘MoEF&CC’) and the projects which are falling under the **‘B’ category** of the Schedule of the EIA Notification, 2006; the project proponent shall obtain EC from the **State Environment Impact Assessment Authority** (hereinafter referred to as ‘**SEIAA**’) before carrying out the construction works.
6. That, CPCB has classified building and construction project based on their sewage generation potential into red/orange category. Projects generating sewage between 50 to 100 KLD are categorized as orange, however, project generating more than 100 KLD sewage are categorized as red. All



projects under red and orange categories are required to obtain consent from respective SPCB/PCC. It is worth mentioning that even building and construction projects generating sewage less than 50 KLD are also required to treat/manage sewage with appropriate systems such as soak pit, septic tank, STP etc. or direct discharge into sewer connected with terminal STP etc., as per the prescribed guidelines/norms such as "Manual on Sewerage and Sewage Treatment System" (2013), published by the Central Public Health and Environmental Engineering Organization (CPHEEO).

7. With regard to the submission of Appellant in respect of genset, it is submitted that, the diesel gensets installed in National Capital Region and Adjoining areas, should comply the conditions/norms as prescribed by direction no. 76 dated 29.09.2023 amended on 22.02.2024 issued by Commission for Air Quality Management in National Capital Region and Adjoining areas. True Copy is annexed herein and marked as **Annexure-I**.
8. Central Pollution Control Board vide letters dated October 09, 2024 has requested State Environment Impact Assessment Authority, Haryana and Haryana State Pollution Control Board to take necessary actions on the grievance mentioned in Appeal and communicate latest status to CPCB. Response is awaited. Copy annexed herein and marked as **Annexure-II** and **Annexure-III**.
9. It is humbly submitted that the violations, as alleged by the applicant in his Appeal, under EIA notification, 2006, are to be dealt by the respective agency as per provisions stipulated under the concerned rules / notification.



10. The answering respondent No. 3 craves leave of this Hon'ble Tribunal for filing additional reply, if required, in future.

11. That in view of the above submissions, it is respectfully prayed that the CPCB/Respondent No. 3 shall abide by any orders or directions passed by Hon'ble NGT.

*Sharandeep*

**(Sharandeep Singh)**  
Scientist 'E'

Central Pollution Control Board



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

**Appeal No. 31/2024**

**(I.A. No. 392/2024)**

**In the matter of:**

Naresh Kumar Yadav

Appellant

Versus

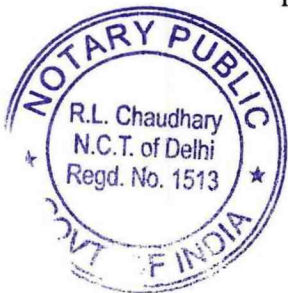
Union of India & Ors.

Respondent(s)

**AFFIDAVIT**

I, Sharandeep Singh, working as Scientist 'E' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, the Respondent No. 3, in the above matter, do hereby solemnly affirm, declare on oath and state as under :-

1. That I, the deponent herein and am 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 short reply may be read part and parcel of the present affidavit.
3. That the accompanying short 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.

*Sharandeep*

**DEPONENT**  
 शरणदीप सिंह / Sharandeep Singh  
 वैज्ञानिक 'ई' / Scientist 'E'  
 केंद्रीय प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
 (Mo Environment, Forest & Climate Change, Govt. of India)  
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

### VERIFICATION

Verified at Delhi on this day of 22<sup>ND</sup> NOV 2024 2024 that the contents of the above reply are correct and true on the basis of the record of the cases as mentioned in the day to day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

*Sharandeep*



**ATTESTED**  
*[Signature]*  
 NOTARY PUBLIC  
 GOVT. OF INDIA  
 22 NOV 2024

**DEPONENT**  
 शरणदीप सिंह / Sharandeep Singh  
 वैज्ञानिक 'ई' / Scientist 'E'  
 केंद्रीय प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
 (Mo Environment, Forest & Climate Change, Govt. of India)  
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

**Direction No. 76****COMMISSION FOR AIR QUALITY MANAGEMENT  
IN NATIONAL CAPITAL REGION AND ADJOINING AREAS**

17th Floor, Jawahar Vyapar Bhawan (STC Building)  
Tolstoy Marg, New Delhi-110001

F. No. A-11018/01/ 2021-CAQM/15322-15331 Dated: 29.09.2023

**Subject: Directions under Section 12 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 – Review of regulations for use of DG sets in NCR.**

WHEREAS, Ministry of Environment, Forest and Climate Change, Government of India, in exercise of the powers conferred under Section 3 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act 2021, has constituted the Commission for Air Quality Management in National Capital Region and Adjoining Areas (hereinafter referred to as the Commission);

WHEREAS, under Section 12 (1) of the Act, the Commission is vested with powers to take all such measures, issue directions, etc., as it deems necessary or expedient for the purpose of protecting and improving the quality of the air in the National Capital Region and Adjoining Areas;

WHEREAS, Section 12 (2) (ix) of the Act empowers the Commission to issue directions in writing to any person, officer, or any authority and such person, officer or authority shall be bound to comply with such directions;

WHEREAS, Section 12(2)(iv) of the Act empowers the Commission to lay down parameters for discharge of emissions from various sources whatsoever that have implications on the air quality in the region;

3emd

WHEREAS, Section 12(2)(v) of the Act also empowers the Commission to impose restrictions and regulate operations or processes that have implications on air quality in the region;

WHEREAS, the Commission has repeatedly taken up the matter relating to air pollution with the State governments of Haryana, Rajasthan, Punjab, Uttar Pradesh and Government of NCT of Delhi and various organizations concerned of the Central and State Governments/ GNCTD and has issued various Directions, Advisories and Orders for effective implementation of measures for abating air pollution in NCR, from time to time;

WHEREAS, the Commission has observed and has been sensitizing all stakeholders that, amongst others, large-scale unregulated use of Diesel Generator (DG) sets is a major contributing factor for deterioration of air quality in the region;

WHEREAS, in wake of generally prevailing adverse air quality in NCR during the winter season, the Commission, through directions No. 54-57 dated 08.02.2022, followed by Direction No. 68 dated 14.09.2022 and its related orders called for regulated use of DG Sets in the NCR, particularly during the periods of restrictions under the GRAP, subject to adopting emission control measures /devices/ systems such as retrofitted Emission control devices (ECDs) and dual fuel mode (gas and diesel), amongst other means of emission control;

WHEREAS, large number of DG sets operating in the region, even during the periods other than restrictions under the GRAP, cause heavy air pollution and are a matter of concern and thus, with a view to regulating the use of DG Sets even for such periods, the Commission issued Direction No. 71 for expeditious conversion of DG Sets to dual fuel mode, in areas where gas infrastructure and supply is available;

WHEREAS, the Commission from time to time reviewed the progress and status in this matter, in line with various directions issued by it;

*3end*

WHEREAS, the Commission revisited / reviewed some provisions of the extant directions on the regulated use of DG sets and issued a revised Direction No. 73 dated 02.06.2023, to be applicable across all sectors in the NCR including Industrial, Commercial, Residential and Office establishments etc., as well as permitting more time to implement the schedule w.e.f. 01.10.2023.

WHEREAS, preparatory actions were initiated by various stakeholders towards emission control from DG sets through retro-fitted ECDs and / or dual fuel systems, a number of representations were still being made to the Commission, including deliberations / meetings with various stakeholders in this context, wherein the following were highlighted:

- i. Issues related to availability of certified RECDs and agencies for all capacity ranges and vintages of DG sets.
- ii. Issues related to availability / delays in PNG infrastructure and supply, purely for DG sets.
- iii. Techno-commercial issues, logistics and time involved for fitment of RECDs / conversion to dual fuel mode.
- iv. Issues related to availability of DG sets to the latest standards as in MoEFCC notification No. GSR 804(E) dated 03.11.2022 (CPCB-IV).
- v. No means for emission control in under 19 kW capacity range of DG sets (neither RECDs nor dual fuel mode are available / suited).
- vi. Issues related to use of DG sets for emergency services.

Owing to the above, a number of stakeholders broadly requested for the following:

- (a) Extension of the deadline of 30.09.2023, as laid down in Direction No. 73, by about 3 months.
- (b) Stipulating a condition of '**OR**' instead of '**AND**' towards fitment of RECDs and conversion to dual fuel system, for all categories of DG sets above 19kW capacity.
- (c) Permitting DG Sets of >800 kW capacity to be run uninterruptedly for the durations of power supply failure, subject to compliance of

*2amp*

standards as in Direction No. 73 dated 02.06.2023, even during restrictions under GRAP.

- (d) Permitting such DG sets of < 125 kW capacity to be run for emergency services, even during the restrictions under the GRAP, where either certified ECDs are presently not available at all or where gas infrastructure and supply is also not available to enable running them in a dual fuel mode.

NOW, THEREFORE, in due consideration of the contentions and submissions made by various stakeholders, issues in ground level implementation, availability of RECDs / dual fuel systems / new gensets to CPCB -IV standards and various other techno-commercial considerations put forth by them, the Commission, pursuant to a comprehensive review and in supersession of all extant directions / orders / guidelines on the regulations for DG sets, now directs for adoption of the following Schedule for regulated operations of DG sets (only as a backup against regular power supply failures) across all sectors in NCR including Industrial, Commercial, Residential and Office establishments etc.:

<b>S. No.</b>	<b>Capacity Range of DG sets</b>	<b>System to be adopted for control of emissions</b>	<b>Regulations for use</b>
1.	Power generating sets of all capacities running on LPG/ Natural Gas/ Bio-gas/Propane/Butane	None	No restrictions (Even during periods under GRAP)
2.	Power generating sets of all capacities up to 800 kW to standards as per MoEFCC notification No. GSR 804(E) dated 03.11.2022	None	No restrictions. (Even during periods under GRAP)

*2and*

3.	800 kW and above	Any emission control mechanism, strictly subject to compliance of emission standards as indicated below. *	No restrictions (Even during periods under GRAP)
4.	125 kW to less than 800 kW	Dual fuel mode <b>OR</b> Retro-fitted ECDs through certified vendors / agencies	No restrictions (Even during periods under GRAP)
5.	19 kW to less than 125 kW	Dual fuel mode	No restrictions (Even during periods under GRAP)  DG Sets not working in a dual fuel mode, only owing to non-availability of gas infrastructure and supply, shall be permitted only for emergency services as stipulated in this direction.
6.	Portable DG sets (below 19 kW)	Presently no specific means of emission control are available in this category / capacity range of DG sets.	No restrictions during the periods, other than restrictions under GRAP.  Not to be generally permitted during periods of restriction under GRAP. These shall, however, be permitted even during periods under GRAP only for emergency services as stipulated in this direction.

*2014*

**\*Standards for stack emissions for 800 kW and above capacity DG sets**

S.No	Parameter	Emission Standards
i.	PM (at 15% O <sub>2</sub> )	50 mg / Nm <sup>3</sup>
ii.	NO <sub>x</sub> (at 15% O <sub>2</sub> )	650 mg / Nm <sup>3</sup>
iii.	CO (at 15% O <sub>2</sub> )	100 mg / Nm <sup>3</sup>
iv.	Minimum DG Stack height	<p>30 meters <b>OR</b> minimum 6 meters above the height of the building where DG set is installed, whichever is higher.</p> <p><b>For example</b>, if the building height where such DG set is installed is 20 meters, minimum stack height for DG set should be 30 meters from ground level;</p> <p>While, if the building height itself is 27 meters, the minimum stack height for the DG set should be 33 meters from the ground level.</p>

The regulated schedule for operation of DG sets issued vide Direction No. 73 dated 02.06.2023 comes to effect from 01.10.2023. The revised schedule as above further eases out the means of implementation and addresses practical difficulties and techno-commercial concerns of various stakeholders and thus the revised schedule for regulation of DG sets would be in force in the entire NCR w.e.f. 01.10.2023.

Notwithstanding the revised schedule as above, in the interest of not disrupting emergency services and permitting sufficient time for adopting the stipulated emission control mechanism in such existing DG Sets, the Commission, hereby, as a one-time exception, permits DG Sets for all capacity ranges (which have still not been equipped with emission control devices / systems as per the above noted schedule), to be run only for emergency services in the NCR as listed below, even under periods of restrictions under the GRAP, **only up to 31.12.2023** and strictly subject to adherence to the above noted schedule / measures for emission control thereafter:

- (i) Elevators / Escalators / Travelators etc. in various installations; Commercial entities / residential societies shall, however, ensure that operation of DG sets and supply

and

therefrom is purely limited to operation of elevators / escalators / travelators etc. and not for any other activities of commercial entities / residential societies.

- (ii) Medical Services (Hospital/Nursing Home/Health care facilities) including units involved in manufacturing of life saving medical equipment/devices, drugs and medicines.
- (iii) Railway Services / Railway Stations.
- (iv) Metro Rail Corporation & MRTS Services, including trains and stations.
- (v) Airports and Inter-State Bus Terminals (ISBTs).
- (vi) Sewage Treatment Plants.
- (vii) Water pumping Stations.
- (viii) Projects related to national security, defence & of national importance.
- (ix) Telecommunications and IT/ data services.

It is further reiterated that appropriate emission control mechanism shall be put in place on or before 31.12.2023, in respect of DG sets being used in above listed emergency services, to avoid action under the relevant provisions of laws / rules / regulations / directions etc., thereafter.

NCR State PCBs/ DPCC shall ensure compliance of above noted directions and regularly monitor the field level implementation.

— sd —  
(Arvind Nautiyal)  
Member- Secretary

To

1. The Chief Secretary, Government of NCT of Delhi
2. The Chief Secretary, Government of Haryana
3. The Chief Secretary, Government of Rajasthan
4. The Chief Secretary, Government of Uttar Pradesh

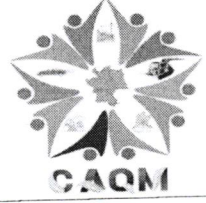
Copy to:

1. Chairman, DPCC
2. Chairman, HSPCB
3. Chairman, RSPCB
4. Chairman, UPPCB
5. Chairman, CPCB.
6. The Chairperson and all Members, CAQM.

— sd —  
(Arvind Nautiyal)  
Member- Secretary



राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्र  
वायु गुणवत्ता प्रबंधन आयोग  
Commission for Air Quality Management in  
National Capital Region and  
Adjoining Areas



F. No.11O16/01/ 2022-CAQM.Vol-III - 787

Dated: 22.02.2024

**Subject: Amendments to Direction No. 76 dated 29.09.2023- Regulated use of DG Sets-reg**

Pursuant to a comprehensive review and in supersession of all extant directions / orders / guidelines on the regulations for DG sets, Direction No. 76 dated 29.09.2023 was issued by the Commission under section 12 of the Commission for Air Quality Management in NCR & Adjoining Area, Act, 2021, directing for adoption of the Schedule for regulated operations of DG sets (only as a backup against regular power supply failures) across all sectors in NCR including Industrial, Commercial, Residential and Office establishments etc.

2. As certified Retrofitted Emission Control Devices (RECD) are now also available for 61 to 125 KW capacity range of DG sets, Sr. No 4 & 5 in said Direction No. 76 dated 29.09.2023 are hereby amended as under:

S. No.	DG set Capacity range as mentioned in Direction No. 76	DG Set Capacity range as amended now
4.	125 KW to less than 800 KW	<b>61 KW to less than 800 KW</b>
5.	19 KW to less than 125 KW	<b>19 KW to less than 61 KW</b>

3. All other stipulations under the Direction No 76 dated 29.09.2023 will remain unaltered.

*Arvind Nautiyal*  
( Arvind Nautiyal)

To,

1. The Chief Secretary, Government of NCT of Delhi
2. The Chief Secretary, Government of Haryana
3. The Chief Secretary, Government of Rajasthan
4. The Chief Secretary, Government of Uttar Pradesh

Copy to:

1. Chairman, DPCC
2. Chairman, HSPCB
3. Chairman, RSPCB
4. Chairman, UPPCB
5. Chairman, CPCB.
6. The Chairperson and all Members, CAQM

*Arvind Nautiyal*  
( Arvind Nautiyal)  
Member- Secretary



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

No.: CM-13011/230/2024-LAW-HO-CPCB-HO 5461

October 09, 2024

To

**The Member Secretary,**  
**State Environment Impact Assessment Authority, Haryana**  
Bay's No. 55-58, 1<sup>ST</sup> Floor, Prayatan Bhawan,  
Sector-2, Panchkula, Haryana - 134115

**Subject: Hon'ble NGT Appeal No. 31/2024 (I.A. No. 392/2024) titled Naresh Kumar Yadav Versus Union of India & Ors.**

*Ref.: Hon'ble NGT (PB) Order dated 27.08.2024 in above said matter.*

Sir/Madam,

This has reference to above cited Hon'ble National Green Tribunal (NGT) order dated 27.08.2024 in Appeal No. 31/2024 (I.A. No. 392/2024) titled Naresh Kumar Yadav Versus Union of India & Ors. (copies of Hon'ble NGT order dated 27.08.2024 and Appeal are enclosed).

Referred appeal has been filed by the appelliant under section 16 (h) of the National Green Tribunal Act, 2010, challenging the Environmental Clearance (EC) dated 18.07.2024 granted by Ministry of Environment, Forest and Climate Change (MoEF &CC) to Respondent No. 5 in the matter i.e. M/s Conscient Infrastructure Private Limited.

In view of above, it is requested that the matter may be examined at appropriate level and action as required, may please be taken. The status of the same may please be provided to this office at the earliest.

**Encl.: As above**

Yours faithfully,

*Sharandeep*  
09.10.2024

(Sharandeep Singh)  
Divisional Head-UPC-I

42/UPC-I  
09/10/2024

o/c

केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
निर्गत... K. Singh  
दिनांक... 11/10/2024

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

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

347



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

No.: CM-13011/230/2024-LAW-HO-CPCB-HO 5460

October 09, 2024

To

The Member Secretary  
Haryana State Pollution Control Board  
C-11, Sector-6, Panchkula, Haryana – 134109

Subject: Hon'ble NGT Appeal No. 31/2024 (I.A. No. 392/2024) titled Naresh Kumar Yadav Versus Union of India & Ors.

Ref.: Hon'ble NGT (PB) Order dated 27.08.2024 in above said matter.

Sir/Madam,

This has reference to above cited Hon'ble National Green Tribunal (NGT) order dated 27.08.2024 in Appeal No. 31/2024 (I.A. No. 392/2024) titled Naresh Kumar Yadav Versus Union of India & Ors. (copies of Hon'ble NGT order dated 27.08.2024 and Appeal are enclosed).

Referred appeal has been filed by the appellants under section 16 (h) of the National Green Tribunal Act, 2010, challenging the Environmental Clearance (EC) dated 18.07.2024 granted by Ministry of Environment, Forest and Climate Change (MoEF &CC) to Respondent No. 5 in the matter i.e. M/s Conscient Infrastructure Private Limited.

In view of above, it is requested that the matter may be examined at appropriate level and action as required, may please be taken. The status of the same may please be provided to this office at the earliest.

Encl.: As above

Yours faithfully,

*Sharandeep*  
09.10.2024

(Sharandeep Singh)  
Divisional Head-UPC-I

41/UPC-I  
09/10/2024

o/c

केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
निर्दिष्ट  
दिनांक 11/10/2024

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

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

Item No. 01

Court No. 1

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

Appeal No. 31/2024  
(I.A. No. 392/2024)

Naresh Kumar Yadav

Appellant

Versus

Union of India &amp; Ors.

Respondent(s)

Date of hearing: 27.08.2024

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

Appellant: Mr. Rahul Choudhary &amp; Ms. Sruthi K., Advs.

Respondent: Mr. Rahul Khurana, Adv. for R – 2 &amp; 4

**ORDER**

1. In this appeal filed under section 16 (h) of the National Green Tribunal Act, 2010, appellant has challenged the Environmental Clearance (EC) dated 18.07.2024 granted by Ministry of Environment, Forest and Climate Change to Respondent No. 5 i.e. M/s Conscient Infrastructure Private Limited.

2. Submission of counsel for the appellant is that the project work had started prior to the issuance of EC in violation of the Office Memorandum (O.M) dated 29.03.2022 and Standard Operating Procedure (SOP) dated 07.07.2021. He has submitted that EC was granted on 18.07.2024 and has referred to the photographs (Annexure A-8) and has submitted that the construction work had started much prior to April, 2024. Challenging the EC, the appellant has also raised the ground of violation of norms in setting up the DG sets and some other grounds have also been raised.

3. Issue notice of Appeal No. 31/2024 and I.A No. 392/2024 to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing. If any respondent directly files the reply without routing it through his advocate then the said respondent will remain virtually present to assist the Tribunal. Appellant is directed to serve the respondents and file affidavit of service at least one week before the next date of hearing.

4. Mr. Rahul Khurana, Adv. accepts notice on behalf of respondent no. 2 & 4 and seeks four weeks' time to file the reply. Respondent no. 1 is directed to produce the original record leading to the passing of the order under challenged and also to file the reply in the form of affidavit enclosing therewith all the relevant documents.

5. List on 25.11.2024

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 27, 2024  
Appeal No. 31/2024  
(I.A. No. 392/2024)  
AS.