

To,
The Registrar,
National Green Tribunal
Principal Bench, New Delhi

Subject :- Factual report in compliance of order dated 11-07-2019 MA No. 82/2019,143/2019,144/2019 in OA No. 452/2018(earlier OA No. 671/2018) Manoj Chaudhary Versus Union of India and others.

Respected Sir,

In the above noted case, Hon'ble Tribunal has given direction as below :-

“Since it is stated by the applicant that even after the report of the Commissioner, Meerut, the generator sets are still operating and the air pollution was being caused by the vehicles visiting in a thickly populated residential area without any safeguard which was not being looked into, we direct a fresh detailed report to be furnished by a Joint Committee comprising representatives of the Uttar Pradesh State PCB, Commissioner, Meerut and the District Magistrate, Meerut. Such report may be filled within one month by email at judicial-ngt@gov.in after site inspection. The nodal agency for compliance and coordination will be the District Magistrate, Meerut.”

In the compliance of above directions an inspection of the schools mentioned in the order of Hon'ble Tribunal, was carried out by a joint inspection team comprising of the officials from the offices of Commissioner Meerut, District Magistrate, Meerut and UP Pollution Control Board, Meerut on dated 08-08-2019.

Accordingly a factual report is being submitted along with the present letter for kind perusal and further action in this regard.

Ranjana
R.O.
UP PCB, Meerut

Your faithfully,

(Anil Dhingra)
District Magistrate
Meerut

C.C :-

1. Commissioner, Meerut Division, Meerut.
2. Member Secretary, UP Pollution Control Board, Lucknow.
3. Regional Officer, UP Pollution Control Board, Meerut.

/
District Magistrate

Report regarding Hon'ble NGT Dated 11-07-2019 in OA No. 452/2018

Pursuant to the direction given by Hon'ble NGT in the order passed on dated 11-07-2019 in MA No. 82/2019,143/2019,144/2019 under OA No. 452/2018. The main relevant contents of the order are as under :-

“Since it is stated by the applicant that even after the report of the Commissioner, Meerut. The generator sets are still operating and the air pollution was being caused by the vehicles visiting in a thickly populated residential area without any safeguard which was not being looked into, we direct a fresh detailed report to be furnished by a Joint Committee comprising representatives of the Uttar Pradesh State PCB, Commissioner, Meerut and the District Magistrate, Meerut. Such report may be filed within one month by email at judicial-ngt@gov.in after site inspection. The nodal agency for compliance and coordination will be the District Magistrate, Meerut.”

In compliance of the above order, the following officials from the offices of Commissioner, Meerut, District Magistrate, Meerut and UP Pollution Control Board, Meerut inspected the schools mentioned in the order on dated 08/08/2019.

1. **Mr. Udayee Ram** - **Additional Commissioner, Meerut**
2. **Mr. Mahesh Chand Sharma** - **ADM(City),Meerut**
3. **Dr. Yogendra Kumar** - **ASO,UP Pollution Control Board, Meerut**

There are four schools situated at Mission Compound, Meerut in the vicinity of the complainant Shri Manoj Chaudhary's house. The names of the schools are as below :-

- a. **LRA Kids School** - Situated at in front of complainant's house.
- b. **JP Academy** - Situated at approx. 50 meter distance from the Complainant's house.
- c. **The Shivalik Public School** - Situated at approx. 70 meter distance from the Complainant's house.
- d. **Little Scholar School** - Situated at approx. 100 meter distance from the Complainant's house.

It is pertinent to mention that the name M/s Little Scholar School has appeared two times in the order dated 11.07.2019 while this is one school. In addition to that another school M/s Shivalik Public School is situated at Mission Compound approx 70 meter away from complainant's house.

The factual report for each schools on the basis of inspection are as under:-

- i. **LRA Kids School** - This school is situated at Mission Compound Meerut which is a residential area. At the time of inspection, Shri Gopal Agarwal-Owner cum operator was present as a school representative. It is revealed through discussion that this school is running on this place since last 10 years. This school is a play group kids school and has strength of total 93 kids in this school. The timing schedule of school is from 08:00 am to 11:30 am. This school does not have its own transport facility and all these kids belong to this school are brought by their guardians by their own vehicles. This school does not have D.G. set but has installed an inverter of capacity 2 KW for power supply in case of power failure. The school could not provide the relevant approvals from the competent authorities such as education department, fire department, PWD Department etc.
- ii. **JP Academy** - This school is situated at Mission Compound Meerut which is a residential area. At the time of inspection, Mrs. Ekta Chaddha-Principal was present as a school representative. It is revealed through discussion that this school is running since 1996. This school is only for Nursery to Vth Standard and has a strength of total 125 students study in this school. The timing schedule of school is from 08:00 am to 01:00 pm. This school does not have its own transport facility and all these kids belong to this school are brought by their guardians by their own vehicle. This school has a D.G. set of capacity 25 KVA in school premises. The D.G set is equipped with acoustic enclosure. Noise monitoring of this D.G. set has been done before and after operation of D.G. set. The monitoring report of noise is Annexure-I. The school could not provide the relevant approvals from the competent authorities such as education department, fire department, PWD Department etc.
- iii. **The Shivalik Public School** - This school is situated at Mission Compound Meerut which is a residential area. At the time of inspection, Dr. Seema Tyagi-Principal was present as a school representative. It is revealed through discussion that this school is running since 1976. This school is

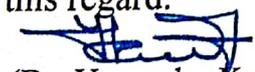
only for Nursery to Vth Standard and has strength of total 440 students study in this school. The timing schedule of school is from 08:00 am to 12:00 pm. This school does not have its own transport facility and all these kids belong to this school are brought by their guardians by their own vehicle. This school has a D.G. set of capacity 20 KVA in school premises. The D.G set is equipped with aquastic encloser. Noise monitoring of this D.G. set has been done before and after operation of D.G. set. The monitoring report of noise is Annexure-II. This school could provide the relevant approvals obtained from the competent authorities such as education department (Basic Shiksha Department), Fire and PWD Department is Annexure-III.

- iv. **Little Scholar School** - This school is situated at Mission Compound Meerut which is a residential area. At the time of inspection, Mrs. Sunita Kapoor-Principal was present as a school representative. It is revealed through discussion that this school is running since 1985. This school is only for Pre-nursery to U.K.G and has a strength of total 488 kids in this school. The timing schedule of school is from 08:00 am to 12:00 pm. This school does not have its own transport facility and all these kids belong to this school are brought by their guardians by their own vehicle. This school does not have D.G. set but has installed an inverter of capacity 4.7 KW for power supply in case of power failure but the school representative informed that school had a D.G. set of capacity 15 KVA in school premises but due to the disorder of D.G. set was removed in the month of July,2019. At the time of inspection it was observed that no D.G. set was found in school premises. The school could provide the relevant approval obtained from competent authorities such as fire department is Annexure- IV and could not provide the relevant approvals obtained from the competent authority such as education department (Basic Shiksha Department), PWD Department etc.

Observations :-

1. The schools mentioned in the report are situated and running in thickly populated area and a situation of traffic jam arises at the time of school break and causing inconvenience to the peoples residing in the area.
2. The noise level was monitored in front of complainant's house before operation of D.G. sets and during operation of D.G. sets situated in M/s J.P. Academy and M/s. Shivalik Public School, Mission Compound Meerut. During both situations, noise level was found beyond prescribed limit for residential area(55dBA for day time) but in post D.G. set operation the noise level was marginally higher (57.7 dBA before D.G. sets operation and - 61.2 dBA during D.G. sets operation). Report attached (Annexure-V). The reason for higher level of noise before D.G. sets operation may be due to heavy traffic on Meerut Hapur road, which is approximately 60-70meters away from the complainant's house. In addition, another to that there is a link road approximately 20 meters away from complainant's house. This road is also having light traffic.
3. Ambient Air Quality was done from opening of schools till end of schools and the results were found as per norms prescribed for residential area report attached (Annexure-VI).
4. None of the schools has not obtained approval from Meerut Development Authority (MDA),Meerut.

A factual report is being submitted for kind perusal and further action in this regard.


(Dr. Yogendra Kumar)

ASO

UP Pollution Control Board
Meerut


(Mahesh Chand Sharma)
ADM(City)
Meerut


(Udayee Ram)
Additional Commissioner
Meerut



**Regional Office & Laboratory
U.P.POLLUTION CONTROL BOARD
MEERUT
NOISE MONITORING REPORT**

2. Name of Industry/Place : M/s J.P. Academy School, Dev Nagar, Mission Compound, Meerut
1. Date of Sampling : 08-08-2019
3. Sample Collected by : Shri A.K.Mishra (SA), Shri Basudev (MA)
4. Sampling Details : Sampling Time 08:30 am to 09:00 am
Respectively.

Sl. No.	SAMPLING LOCATION	Observed Value (dB)A	Noise Level Standard for D.G. Set from 01 Meter Distance Decided By CPCB/UPPCB
1.	Sample Taken From 01 Meter Distance of D.G. Set	72.1	75 dB(A)


Analysed By:
Scientific Assistant


Checked By:
Assistant Scientific Officer

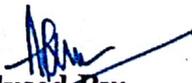
Counter Signed By:
Regional Officer




Regional Office & Laboratory
U.P. POLLUTION CONTROL BOARD
MEERUT
NOISE MONITORING REPORT

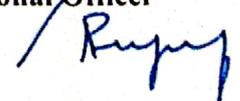
1. Name of Industry/Place : M/s Shivalik Public School, Dev Nagar, Mission Compound, Meerut
2. Date of Sampling : 08-08-2019
3. Sample Collected by : Shri A.K.Mishra (SA), Shri Basudev (MA)
4. Sampling Details : Sampling Time 07:30 am to 08:00 am
Respectively.

Sl. No.	SAMPLING LOCATION	Observed Value (dB)A	Noise Level Standard for D.G. Set from 01 Meter Distance Decided By CPCB/UPPCB
1.	Sample Taken From 01 Meter Distance of D.G. Set	70.4	75 dB (A)


Analysed By:
Scientific Assistant


Checked By:
Assistant Scientific Officer

Counter Signed By:
Regional Officer



जिला बेसिक शिक्षा अधिकारी,
मेरठ ।

सेवा में,

प्रबन्धक,

श्रीवाणिज्य पाठशाला

17 मिशन रोड, मेरठ - 1

क्रमांक सं. शि.स. / 54

/89-90 दिनांक 2-4-91

विषय:- प्राइमरी स्तर की स्थायी मान्यता की स्वीकृति ।

होदय,

जिला मान्यता समिति की बैठक दिनांक 15-1-91 में लिये गये निर्णय के अनुसार आपके विद्यालय को जौलाई 90 से प्राइमरी स्तर की कक्षा 1 से 5 तक की स्थायी मान्यता निम्नांकित प्रतिबन्धों के साथ प्रदान की जाती है ।

यदि आपके द्वारा विभागीय आदेशों का पालन नहीं किया गया या विद्यालय के प्रति कोई शिकायत प्राप्त होती है तो मान्यता समाप्त करने का अधिकार दोहस्ताक्षर कर्ता को सुरक्षित होगा ।

- समिति का समयानुसार नवीनीकरण कराया जाय ।
- छात्रों से विभाग द्वारा स्वीकृत निर्धारित शुल्क लिया जाय ।
- विभाग द्वारा स्वीकृत पुस्तके ही विद्यालय में पढ़ायी जाय ।
- किसी भी प्रशिक्षित अध्यापक/ अध्यापिकाओं को बिना विभाग की पूर्व स्वीकृति प्राप्त किये न हटाया जाय ।
- विद्यालय के विरुद्ध शिकायत होने पर विवाद होने पर मान्यता समाप्त कर दी जायेगी ।
- शिक्षा विभाग में कार्यरत कर्मचारियों के बच्चों को निःशुल्क शिक्षा प्रदान की जाय ।
- विभागीय आदेशों का पालन किया जाय ।
- अप्रशिक्षित अध्यापक/ अध्यापिकाओं के स्थान पर प्रशिक्षित अध्यापक/ अध्यापिकाओं की नियुक्ति की जाय ।
- विद्यालय की प्रगति प्रतिवर्ष कार्यालय में उपलब्ध करायी जाय ।

भवदीय,

श्रीवतीश चन्द्र मनादुली
जिला बेसिक शिक्षा अधिकारी,
मेरठ ।

सं० शि.स. /

/89-90 दिनांक

प्रतिलिपि निम्नांकित अधिकारियों की सेवा में सूचनार्थ प्रेषित ।

सहायक शिक्षा निदेशक, बेसिक प्रथम मण्डल, मेरठ ।

उप विद्यालय निरीक्षक/ उप बालिका विद्यालय निरीक्षिका, मेरठ ।

शिक्षा अधीक्षक/ अधीक्षिका नगर क्षेत्र मेरठ मवाना बडौत ।

समस्त क्षेत्रीय प्रति उ. वि. नि. / सा. बा. वि. नि., मेरठ ।

श्रीवतीश चन्द्र मनादुली
जिला बेसिक शिक्षा अधिकारी,
मेरठ ।

भवन प्रमाण-पत्र

प्रमाणित किया जाता है कि शिवालयिक पब्लिक स्कूल, 17, मिशन कम्पाउन्ड, मेरठ-(30300) नामक विद्यालय जो अंग्रेजी माध्यम से जूनियर हाई स्कूल स्तरीय संचालित हो रहा है। विद्यालय निरीक्षण के अनुसार विद्यालय का भवन "नेशनल बिल्डिंग कोड" के अनुसार निर्मित है।

[Signature]
30-11-2019
सहायक अभियंता
रिजिस्ट्रार
लोनिवि0/अभियंता
ग्रामीण अभियंत्रण सेवा
अधिकारी

डी एस साहिब
क्रि. नि. मर/भ. नि. ड.
कमांडर 22 गी. स. वा. नि. क्रि. नि. ड.
Cdr 22 Army Bde

कार्यालय मुख्य अग्निशमन
पत्रांक:- म-156/सीएफओ-शैक्षिक भवन-18

अधिकारी

जनपद मेरठ 1
दिनांक सितम्बर 29, 2018

प्रारूप:-छ

अग्नि एवं जीवन सुरक्षा प्रमाण-पत्र (Fire & Life Safety Certificate)

यूआईडी संख्या:2018 / 51919 / एमआरटी / मेरठ / 1037 / सीएफओ
दिनांक 26.09.2018

प्रमाणित किया जाता है कि डा0 सीमा त्यागी, स्वामी "दा शिवालिक पब्लिक स्कूल" 17, मिशन कम्पाउण्ड / 07 देवनगर, जनपद मेरठ द्वारा निर्मित शैक्षिक भवन "दा शिवालिक पब्लिक स्कूल" 17, मिशन कम्पाउण्ड / 07 देवनगर, जनपद मेरठ जिसमें भूतल, प्रथम तल, तथा बेसमेन्ट की संख्या शून्य है, जिसकी ऊँचाई 06.00 मीटर तथा प्लॉट एरिया 564.49 वर्ग मीटर है। भवन का अधिभोग डा0 सीमा त्यागी, स्वामी "दा शिवालिक स्कूल पब्लिक स्कूल" 17, मिशन कम्पाउण्ड / 07 देवनगर, जनपद मेरठ द्वारा किया जा रहा है। इनके द्वारा भवन में अग्नि निवारण एवं अग्नि सुरक्षा व्यवस्थाएँ एन0बी0सी0 एवं तत्सम्बन्धी भारतीय मानक ब्यूरो के आई0एस0 के अनुसार भवन में स्थापित व्यवस्थाओं का अनुरक्षण किया जा रहा है। जिसका निरीक्षण श्री योगेन्द्र प्रसाद प्रभारी अग्निशमन अधिकारी घण्टाघर, मेरठ द्वारा दिनांक 29.09.2018 को भवन स्वामी के प्रतिनिधि श्री राजीव त्यागी, के साथ किया गया तथा भवन में अधिष्ठापित अग्नि एवं जीवन सुरक्षा व्यवस्थाओं को मानको के अनुसार यथास्थिति में पाया गया। अतः प्रश्नगत भवन को अग्नि एवं जीवन सुरक्षा प्रमाण-पत्र (Fire & Life Safety Certificate) एन0बी0सी0-2005 के एजुकेशनल श्रेणी बी-1(1) के अर्न्तगत वैद्यता तिथि दिनांक 29.09.2018 से 28.09.2021 तक 03 वर्ष के लिये इस शर्त के साथ दिया जा रहा है कि भवन में सभी मानको का अनुपालन किया जायेगा तथा नवीनीकरण निर्धारित समयवधि के अर्न्तगत पुनः कराया जायेगा तथा नवीनीकरण से पूर्व भवन में स्थापित अग्निशमन व्यवस्थाओं को क्रियाशील रखने की जिम्मेदारी आपकी होगी।

मुख्य अग्निशमन अधिकारी
मुख्य अग्निशमन अधिकारी
मेरठ।

प्रतिलिपि:-निम्नांकित को शासनादेश संख्या:1765/छ:-पु0-08-2017-905(34)/2016गृह(पुलिस)अनुभाग-8
दिनांक 16.02.2018 के क्रम में सादर सूचनार्थ एवं अग्रिम कार्यवाही हेतु।

- डा0 सीमा त्यागी, स्वामी "दा शिवालिक स्कूल पब्लिक स्कूल" 17, मिशन कम्पाउण्ड / 07 देवनगर, जनपद मेरठ को उपरोक्तानुसार अनुपालनार्थ।
- अग्निशमन अधिकारी पुलिस लाईन मेरठ को उपरोक्तानुसार अनुपालनार्थ एवं अभिलेखीयकरण हेतु।

कार्यालय मुख्य अग्निशमन
पत्रांक:- भ-157/सीएफओ-शैक्षिक भवन-18

अधिकारी

जनपद मेरठ ।
दिनांक सितम्बर 29, 2018

126
प्रारूप:-छ

अग्नि एवं जीवन सुरक्षा प्रमाण-पत्र (Fire & Life Safety Certificate)

यूआईडी संख्या:2018/51922/एमआरटी/मेरठ/1038/सीएफओ
दिनांक 26.09.2018

प्रमाणित किया जाता है कि श्रीमति सुनिता कपूर, स्वामी "दा लिटिल स्कोलर (किंडरगार्डन स्कूल)" 16, मिशन कम्पाउण्ड, जनपद मेरठ द्वारा निर्मित शैक्षिक भवन "दा लिटिल स्कोलर (किंडरगार्डन स्कूल)" 16, मिशन कम्पाउण्ड, जनपद मेरठ जिसमें भूतल, प्रथम तल, तथा बेसमेन्ट की संख्या शून्य है, जिसकी ऊँचाई 06.00 मीटर तथा प्लाट एरिया 523.87 वर्ग मीटर है। भवन का अधिभोग श्रीमति सुनिता कपूर, स्वामी "दा लिटिल स्कोलर (किंडरगार्डन स्कूल)" 16, मिशन कम्पाउण्ड, जनपद मेरठ द्वारा किया जा रहा है। इनके द्वारा भवन में अग्नि निवारण एवं अग्नि सुरक्षा व्यवस्थाएँ एन0बी0सी0 एवं तत्सम्बन्धी भारतीय मानक ब्यूरो के आई0एस0 के अनुसार भवन में स्थापित व्यवस्थाओं का अनुरक्षण किया जा रहा है। जिसका निरीक्षण श्री योगेन्द्र प्रसाद प्रभारी अग्निशमन अधिकारी घण्टाघर, मेरठ द्वारा दिनांक 29.09.2018 को भवन स्वामी के प्रतिनिधि श्रीमति सुनिता कपूर, के साथ किया गया तथा भवन में अधिष्ठापित अग्नि एवं जीवन सुरक्षा व्यवस्थाओं को मानको के अनुसार यथास्थिति में पाया गया। अतः प्रश्नगत भवन को अग्नि एवं जीवन सुरक्षा प्रमाण-पत्र (Fire & Life Safety Certificate) एन0बी0सी0-2005 के एजुकेशनल श्रेणी बी-1(1) के अर्न्तगत वैद्यता तिथि दिनांक 29.09.2018 से 28.09.2021 तक 03 वर्ष के लिये इस शर्त के साथ दिया जा रहा है कि भवन में सभी मानको का अनुपालन किया जायेगा तथा नवीनीकरण निर्धारित समयवधि के अर्न्तगत पुनः कराया जायेगा तथा नवीनीकरण से पूर्व भवन में स्थापित अग्निशमन व्यवस्थाओ को क्रियाशील रखने की जिम्मेदारी आपकी होगी।

मुख्य अग्निशमन अधिकारी
मुख्य अग्निशमन अधिकारी
मेरठ।

प्रतिलिपि:-निम्नांकित को शासनादेश संख्या:1765/छ:-पु0-08-2017-905(34)/2016गृह(पुलिस)अनुभाग-8
दिनांक 16.02.2018 के क्रम में सादर सूचनार्थ एवं अग्रिम कार्यवाही हेतु ।

1. श्रीमति सुनिता कपूर, स्वामी "दा लिटिल स्कोलर (किंडरगार्डन स्कूल)" 16, मिशन कम्पाउण्ड, जनपद मेरठ को उपरोक्तानुसार अनुपालनार्थ ।
3. अग्निशमन अधिकारी पुलिस लाईन मेरठ को उपरोक्तानुसार अनुपालनार्थ एवं अभिलेखीयकरण हेतु।



Regional Office & Laboratory
U.P. POLLUTION CONTROL BOARD
MEERUT
NOISE MONITORING REPORT

Phone & Fax : 0121-2577676
 Email ID - labmeerut@gmail.com

1. Date of Sampling : 14-08-2019
 2. Sample Collected by : Shri A.K. Mishra (SA)
 3. Sampling Details : Sampling Time 01:30 pm to 03:00 pm

S.N.	SAMPLING LOCATION	Observed Value (dB)A		Standard Value (dB)A		Remark
		Day	Night	Day	Night	
1.	In Front of Complainant House, Dev Nagar, Mission Compound, Meerut	57.7		B. Residential Area 55	45	Noise Level Monitored. when D.G.Set did not operate in J.P. Academy School & Shivalik Public School
2.	In Front of Complainant House, Dev Nagar, Mission Compound, Meerut	59.4				Noise Level Monitored. when D.G.Set was operating in J.P. Academy School.
3.	In Front of Complainant House, Dev Nagar, Mission Compound, Meerut	58.6				Noise Level Monitored. when D.G.Set was operating in Shivalik Public School.
4.	In Front of Complainant House, Dev Nagar, Mission Compound, Meerut	61.2				Noise Level Monitored when both D.G.Sets of J.P. Academy School & Shivalik Public School were operating.

Analysed By:
 Scientific Assistant

Checked By:
 Assistant Scientific Officer

Counter Signed By:
 Regional Officer

**Regional Office
U.P. Pollution Control Board
Meerut**

AMBIENT AIR QUALITY STATUS

Sampling Point - Shivalik Public School, Dev Nagar, Mission Compound, Meerut

Date	PM 2.5 $\mu\text{g}/\text{m}^3$	PM10 $\mu\text{g}/\text{m}^3$	Sulpher Dioxide (SO ₂) $\mu\text{g}/\text{m}^3$	Oxides of Nitrogen (NO _x) $\mu\text{g}/\text{m}^3$
07/08/19	42.8	66.5	6.3	9.1
Standard Limit (24 hours avg.)	60	100	80	80


Analysed By:
Scientific Assistant


Checked By:
Assistant Scientific Officer

Counter Signed by:
Regional Officer

