

क्षेत्रीय कार्यालय-उ०प्र० प्रदूषण नियंत्रण बोर्ड, गाजियाबाद  
Regional Office, U.P. Pollution Control Board, Ghaziabad

संदर्भ संख्या :

3185/0A-11 975/18/19

दिनांक

29-8-19

To,

The Registrar,  
The National Green Tribunal,  
Principal Bench,  
New Delhi  
E-mail- [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) & [ngt.filling@gmail.com](mailto:ngt.filling@gmail.com)

**Sub: Compliance of directions issued by Hon'ble National Green Tribunal in OA No. 975/2018 Dr. Devi Charan Shetty, I.T.S Centre for Dental Studies & Research Vs State of Uttar Pradesh in order dated 22.04.2019**

Sir,

With reference to the above subject mentioned above, this is to inform you that in compliance of order issued on 22.04.2019 by Hon'ble National Green Tribunal, New Delhi, in in OA No. 975/2018 Dr. Devi Charan Shetty, I.T.S Centre for Dental Studies & Research Vs State of Uttar Pradesh the compliance report is submitted for your kind perusal and necessary action please.

Yours Sincerely,

(Utsav Sharma)  
Regional Officer

Copy to :

1. Member Secretary, U.P. Pollution Control Board, Lucknow for information.
2. Shri Pradeep Misra, Advocate, Hon'ble Supreme Court/NGT, New Delhi for perusal and necessary action please.
3. Chief Law Officer, U.P. Pollution Control Board, Lucknow for information.
4. Chief Environmental Officer (Circle - 1), U.P. Pollution Control Board, Lucknow for information

Regional Officer

क्षेत्रीय कार्यालय : आई०एन०एस०-२, सेक्टर-१६, वसुन्धरा, गाजियाबाद-२०१०१२ फोन-०१२०-४१६०१०८

मुख्यालय : TC-12V, विभूति खण्ड, गोमती नगर, लखनऊ २२६०१०

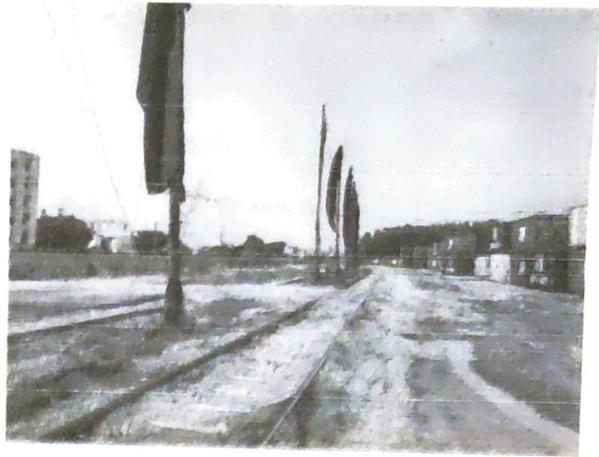
Website- [www.uppcb.com](http://www.uppcb.com), e-mail: [roghaziabad@uppcb.com](mailto:roghaziabad@uppcb.com)

**Report in compliance of directions issued by Hon'ble National Green Tribunal in  
OA No. 975/2018 Dr. Devi Charan Shetty, I.T.S Centre for Dental Studies &  
Research Vs State of Uttar Pradesh**

The matter is regarding consideration of remedial measures against violation of law by M/s Palogix Infrastructure Pvt. Ltd. engaged in activities of unloading and loading of cement etc. thereby causing air pollution in the area. Hon'ble Tribunal in its order dated 22.04.2019 in aforementioned matter has passed following orders:

*"....Learned counsel for the UPPCB states that on 21.04.2019, compensation of Rs. 1.40 lakhs has been assessed and sought to be recovered and show cause notice for closure has been given. The UPPCB may indicate the basis of calculation of the amount and if the amount is not adequate to recover the cost of restoration and is not deterrent, the revised assessment and recovery may be made accordingly. If the pollution is still continuing, the polluting activities must be immediately closed, apart from initiating prosecution for the offence, if any, committed. Let a further report be filed in the matter within two months by e-mail at [ngt.filing@gmail.com](mailto:ngt.filing@gmail.com)....."*

In compliance of orders of Hon'ble Tribunal, M/s Palogix Infrastructure Pvt Ltd, Modinagar, Ghaziabad was inspected by Mr. Ankit Singh, Assistant Environmental Engineer and Mr. Ranjeet Singh, Junior Engineer from Regional Office, Ghaziabad of Uttar Pradesh Pollution Control Board on 05.08.2019. During inspection no activity of loading/ unloading was found; storage of clinkers, aggregates, sand etc on the railway yard was not found which indicated that the loading/ unloading of materials have not been done; JCBs were not found in the premises. Thus, it is evident that M/s Palogix Infrastructure Pvt Ltd has not been operating and thereby not causing pollution as on date, same can be seen in photographs taken on site at the time of inspection.



The unit was earlier inspected by the officials of Regional Office, UPPCB, Ghaziabad on 26/03/2019. As per the violations found during the inspection, UPPCB had issued a show cause notice under Section 31A read with Section 21(4) of the Air(Prevention and Control of Pollution) Act, 1981 vide letter no H-34971/C-1/Show Cause Notice/ Sa-17/2019 dated 21.4.2019 and imposed an environmental compensation of Rs. 1,40,063/- against the unit.

In reference to the show cause notice issued to the unit, unit has submitted reply dated 17.06.2019 along with proof of submission of payment of environmental compensation. As per the reply submitted by the unit, the unit has stopped the handling of clinkers since 23.01.2019 and same was seen on site at the time of inspection on 05.08.2019.

The Consent to Operate issued to the industry vide Board's letter dated 23.06.2018 for handling of clinkers was issued with following specific conditions at serial number 1 and serial number 6 (Copy annexed as *Annexure I*)

Condition No. 1: "The unit shall install latest mechanized techniques along with conveyors within 03 months for loading/ unloading of clinker/ cement etc as per feasibility report submitted by the unit, failing which this consent shall be revoked automatically"

Condition No 6. "Proper automatic water sprinkling shall be done in such a way that there is no air pollution from the activity".

During previous inspection on 26.03.2019 and present inspection dated 05.08.2019, it has been found that the unit has not complied with the said conditions

of Consent to Operate issued under laid provisions of Air(Prevention and Control of Pollution) Act, 1981.

With regards to issue of calculation of Environmental Compensation, same has been reassessed as per directions of Hon'ble Tribunal and calculated on basis of Central Pollution Control Board's Guidelines dated 08.02.2019 and compensation has been calculated to be Rs 12,53,906.25/- (Rupees Twelve Lakhs Fifty Three Thousand Nine Hundred and Six and Twenty Five Paise only). Same has been imposed on M/s Palogix Infrastructure Pvt Ltd, Modinagar, Ghaziabad vide Board's letter dated 22/08/2019, copy of same is annexed as *Annexure II* and is yet to be recovered/deposited.

The action taken report is hereby put up for your perusal and necessary action please.



(Ranjeet Singh)  
Junior Engineer  
Regional Office  
Uttar Pradesh Pollution Control Board  
Ghaziabad



(Ankit Singh)  
Assistant Environmental Engineer  
Regional Office  
Uttar Pradesh Pollution Control Board  
Ghaziabad

Regional Officer



U.P. Pollution Control Board

**ANNEXURE-1**

CONSENT ORDER

Ref No. -  
25918/UPPCB/Ghaziabad(UPPCBRO)/CTO/air/GHAZIABAD/2018

Dated : 23/06/2018

To ,

Shri Vikas Paliwal  
M/s PALOGIX INFRASTRUCTURE PVT. LTD.  
Khasra No-16, Village Mahiuddin Hisali, Modinagar, Ghaziabad.  
GHAZIABAD

Sub : **Consent under section 21/22 of the Air (Prevention and control of Pollution) Act, 1981 (as amended) to M/s. PALOGIX INFRASTRUCTURE PVT. LTD.**

Reference Application No. 2060083

Dated : 23/06/2018

1. With reference to the application for consent for emission of air pollutants from the plant of M/s PALOGIX INFRASTRUCTURE PVT. LTD. . under Air Act 1981. It is being authorised for said emissions, as per the standards, in environment, by the Board as per enclosed conditions .
2. This consent is valid for the period from 24/05/2018 to 31/12/2019 .
3. In spite of the conditions and provisions mentioned in this consent order UP Pollution Control Board reserves its right and powers to reconsider/amend any or all conditions under section 21 (6) of the Air (Prevention and Control of Pollution) Act, 1981 as amended.

This consent is being issued with the permission of competent authority .

ASHOK  
KUMAR  
TIWARI

Digitally signed  
by ASHOK  
KUMAR TIWARI  
Date: 2018.06.23  
20:05:35 +05'30'

**For and on behalf of U.P. Pollution Control Board**

**REGIONAL OFFICE**

**Enclosed : As above  
(condition of consent):**

Copy to: CEO 1, UPPCB, Lucknow

ASHOK  
KUMAR  
TIWARI

Digitally signed  
by ASHOK  
KUMAR TIWARI  
Date:  
2018.06.23  
20:05:50  
+05'30'

**REGIONAL OFFICE**

**CONDITIONS OF CONSENT**

1. This consent is valid only for the approved production capacity of Yard involved in loading and unloading of Gitti, Aggregate, Rohri, Sand, Clinker through utilization of rail terminal - 10-15 racks/ Month.
- 2(a). The maximum rate of emission of flue gas should not be more than the emission norms for the stacks.

<b>Air Pollution Source Details</b>					
<b>S.No</b>	<b>Air Pollution Source</b>	<b>Type of Fuel</b>	<b>Stack No.</b>	<b>Parameters</b>	<b>Height</b>
1	DG SET 5 KVA	HSD	1	Particulate Matter	As per CPCB guidelines

- 2(b). The emissions by various stacks into the environment should be as per the norms of the Board .

<b>Emission Quality Details Detail</b>			
<b>S.No</b>	<b>Stack No</b>	<b>Parameter</b>	<b>Standard</b>

3. Quantity of other pollutants should also be as per the norms prescribed by the Board/MOEF & CC/or otherwise mandatory .
4. The equipment for air pollution control system and monitoring ,as proposed by the industry and approved by the Board should be installed in their premises itself .
5. The modification or installation in the existing pollution control equipments should be done only by prior approval of Board .
6. The operation of air pollution control system and maintenance be done in such a way that the quantity of pollutants should be in accordance with the standards prescribed by the Board/MoEF & CC/or otherwise mandatory .
7. Unit should do provisions for fugitive emissions chimney/stack as per the norms of the Board/MOEF & CC/or otherwise mandatory .
8. The unit should submit the stack emissions monitoring report within one month from issuance of consent order along with the point wise compliance report of the consent order . Further quarterly monitoring report should be submitted .

**Specific Conditions:**

- 1) The unit shall install latest mechanized techniques along with conveyors within 03 months for loading/ unloading of clinker/ cement etc as per feasibility report submitted by the unit, failing which this consent shall be revoked automatically.
2. This consent is granted in view of ammended revoking order of the unit by HO letter no H21884/C-1/ Jal-17/2018 dated 13/6/2018
- 3) The unit shall comply with all the conditions of HO letter H21884/C-1/ Jal-17/2018 dated 13/6/2018
- 4) No activity shall be carried out in the nigh time (from 10:00pm till 6:00 am) which shall create noise pollution
- 5) Dust barriers shall be of appropriate height and shall be properly maintained
- 6) Proper automatic water sprinkling shall be done in such a way that there is no air pollution from the activity
- 7) JCB for unloading of material shall have proper sound suppression equipments like muffler and silencer as per proposal submitted
8. Industry shall provide the NOC from CGWA for extracting ground water within 01 month.
9. Industry shall comply the provisions of EP Act, 1986, Water (Prevention and Control of Pollution) Act, 1974 as amended, Air (Prevention and Control of Pollution) Act, 1981 as amended.
- 10 No effluent shall be discharged outside the premises. Water usage is only permitted for domestic purpose and for automatic sprinkling on yard
11. Any unpaved section of the yard shall be completely paved.
12. Industry shall comply the order passed by Hon'ble NGT time to time.
13. This consent is valid for the production and production capacity of above mentioned product.
14. The unit shall submit the compliance of construction of mechanized machines for loading/ unloading of material every month to UPPCB
15. The unit shall operate in such a way that complaint of pollution of air/ sound/ water is not raised. If the complaint is found valid after inspection, necessary action shall be initiated against the unit

Issued with the permission of competent authority .

ASHOK Digitally signed  
by ASHOK  
KUMAR KUMAR TIWARI  
Date: 2018.06.23  
20:06:09 +05'30'  
TIWARI

For and on behalf of U.P. Pollution Control Board .

REGIONAL OFFICE



# उ० प्र० प्रदूषण नियंत्रण बोर्ड,

टी०सी०-12 वी, विभूति खण्ड,

गोमती नगर, लखनऊ

पत्रांक :

H40337

/सी-1/सा०-17/2019

सेवा में,

मैसर्स पॉलोजिक्स इन्फ्रास्ट्रक्चर प्रा०लि०,  
खसरा नम्बर-16, ग्राम-महीउद्धीनपुर हिसाली,  
मोदी नगर, गाजियाबाद

दिनांक :

22-8-19  
पंजीकृत

Mail

विषय : उद्योग के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के संबंध में।

महोदय,

कृपया मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली के आदेशों के अनुपालन में बोर्ड के क्षेत्रीय कार्यालय, गाजियाबाद के प्राधिकृत अधिकारियों द्वारा उद्योग का पूर्व निरीक्षण दिनांक-26.03.2019 को किया गया था तत्कम में बोर्ड द्वारा पत्र संख्या-एच-34971/ सी-1/का०ब०नो०/सा०-17/2019, दिनांक-21.04.2019 द्वारा पर्यावरणीय अधिनियम का अनुपालन न किये जाने के कारण उद्योग के विरुद्ध कारण बताओ नोटिस जारी करते हुए रूपया-1,40,063/- मात्र की पर्यावरणीय क्षतिपूर्ति अधिरोपित करते हुए उक्त धनराशि को बोर्ड के खाते में जमा किये जाने के निर्देश दिये गये थे।

क्षेत्रीय अधिकारी द्वारा पुनः अपने पत्र दिनांक-05.08.2019 द्वारा ओ०ए०संख्या-975/2018 में पारित आदेश दिनांक-22.04.2019 के अनुपालन में Revised Assessment हेतु उद्योग के विरुद्ध पर्यावरणीय क्षतिपूर्ति प्रशमन की गणना केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली के पत्र दिनांक-08.02.2019 द्वारा जारी गाइड लाइन के अनुसार करते हुए पर्यावरणीय क्षतिपूर्ति का संशोधित प्रस्ताव प्रेषित किया गया है तथा इकाई को दिनांक-23.06.2018 से 23.01.2019 तक (कुल 214 दिन) डिफाल्टर मानते हुए इकाई के विरुद्ध रूपया-12,53,906.25/- (रूपया बारह लाख तिरपन हजार नौ सौ छः पैसे पच्चीस मात्र) पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने की संस्तुति की गयी है।

अतः मा० एन०जी०टी० के आदेशों एवम् बोर्ड के क्षेत्रीय कार्यालय, गाजियाबाद से प्राप्त आख्या एवम् संस्तुति के आधार तथा बोर्ड मुख्यालय में पर्यावरणीय क्षतिपूर्ति के अधिरोपण के संबंध में कार्यालय द्वारा सख्या-30857/सी-6/सा-454/2019, दिनांक-09.08.2019 द्वारा गठित समिति की संस्तुति एवम् सक्षम स्तर पर अनुमोदन के उपरान्त उद्योग के विरुद्ध दिनांक-23.06.2018 से 23.01.2019 तक (कुल 214 दिन) डिफाल्टर मानते हुए इकाई के विरुद्ध पूर्व में अधिरोपित पर्यावरणीय क्षतिपूर्ति रूपया-1,40,063/- (एक लाख चालीस हजार तिरसठ) मात्र को समायोजित करते हुए अवशेष क्षतिपूर्ति रूपया-11,13,843/- (रूपया ग्यारह लाख तेरह हजार आठ सौ तेतालीस मात्र) मात्र की पर्यावरणीय क्षतिपूर्ति अधिरोपित की जाती है एवम् निर्देशित किया जाता है कि उक्त धनराशि को उ०प्र०प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक आफ इण्डिया, विभूति खण्ड, गोमती नगर, लखनऊ स्थित बैंक के खाता संख्या-701502010002104 आईएफसी कोड-UBIN 0570150 में 15 दिन के अन्दर जमा करते हुए साक्ष्य सहित बोर्ड को सूचित करें अन्यथा नियमानुसार अग्रिम कार्यवाही की जायेगी।

भवदीय,

( ए० के० तिवारी )  
मुख्य पर्यावरण अधिकारी, वृत्त-1

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवम् आवश्यक कार्यवाही हेतु प्रेषित :-

1. जिलाधिकारी, गाजियाबाद।

2. क्षेत्रीय अधिकारी, उ०प्र०प्रदूषण नियंत्रण बोर्ड, गाजियाबाद को सूचनार्थ एवम् आवश्यक कार्यवाही हेतु प्रेषित।

मुख्य पर्यावरण अधिकारी, वृत्त-1