

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOLKATA**

Original Application No 24 of 2025

**IN THE MATTER OF:-**

**YOGESH KUMAR**

.....Applicant

**VERSUS**

**M/s GUPTA FOOD PRODUCTS AND OTHERS.....Respondent**

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*Pankaj Kumar Prasad*

Pankaj Kumar Prasad)

Counsel for the applicant

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Apartment, Shanti Colony Steel Gate

Saraidhela, Dhanbad-828127

E-mail : [pankaj026@gmail.com](mailto:pankaj026@gmail.com).

Mob. No.-8092070026

Date: 31/01/2025

**SYNOPSIS:-**

That in the instant Original Application, Applicant prays for issuance of an order directing and commanding upon the concerned Respondents to take action against Respondent No. 1 for running illegal food plant without obtaining necessary Government Registration, NOC from Local Body, Consent to Establish and Consent to Operate from Pollution Control Board in the midst of Residential Area, just in the neighbourhood of the applicant causing serious damage to local Environment, polluting the local water table by releasing effluents and creating air pollution by releasing obnoxious poisonous smoke emanating during the process of manufacturing of food products.

**LIST OF DATES:-**

	<b>Events</b>	<b>Dates</b>
1	RTI filed by the Applicant	21.06.2022
2	Information under RTI provided by the Civil Surgeon Cum Food Safety officer, Dhanbad.	14.07.2022
3	Dates on which Applicant made representation to different authorities.	28.03.2022
	(i) Letter to Deputy Commissioner, Dhanbad	14.04.2022
	(ii) Letter to SDPO Baghmara, Dhanbad	14.10.2022
	(iii) Letter to Deputy Commissioner, Dhanbad	03.09.2024
	(iv) Letter to Deputy Commissioner, Dhanbad	03.09.2024
	(v) Letter to Inspector of Factories (Bokaro)	03.09.2024
	(vi) Letter to Regional Officer, Jharkhand State Pollution Control Board Dhanbad.	06.09.2024
	(vii) Letter to SSP Dhanbad.	
4	Order Passed by High Court of Jharkhand at Ranchi in W.P. (C) 4198 of 2023	14.05.2024

योगेश्वर  
21/11/2025

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOLKATA**  
[Under Section 18 (1) read with Sections 14, 15 of the  
National Green Tribunal Act, 2010]

**Original Application No.        of 2025**

Yogesh Kumar,  
S/o Nand Lal Kumar,  
Aged about- 30 years,  
R/o- Pandit Niwas, Chaita Road Chamara Godam,  
Gomoh, P.O.- Gomoh, P.S.- Hariharpur,  
Dist- Dhanbad (Jharkhand)  
Pin code-828401  
Email id -yogeshvpts@gmail.com  
Mobile no-8438588917

.....Applicant

Versus

1. M/s Gupta Food Products  
Represented through its proprietor Rupesh Gupta,  
S/o Kanhai Ram Gupta  
having its Registered office at  
Chamra Godam, Gomoh,  
P.O.- Gomoh, P.S.- Hariharpur,  
Dist- Dhanbad (Jharkhand), Pin code-828401  
Email id - guptafoodproductsg@gmail.com  
Mobile no-7250782250, 7004889592
  
2. The Member Secretary,  
Jharkhand State Pollution Control Board,  
having office at Information Bhawan Campus,  
Dhurwa, P.O.- Dhurwa, Pin -834004  
P.S. - Jagarnathpur, Dist- Ranchi (Jharkhand).  
Email id - ranchijspcb@gmail.com

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31/1/2025

3. The Regional Officer,  
Jharkhand State Pollution Control Board,  
Having office at HIG-I, Sardar Patel Nagar,  
Hirapur, Dhanbad, P.O. & P.S.-Dhanbad,  
Dist- Dhanbad (Jharkhand). Pin-826001  
Email id - [ro\\_dhanbad@jharkhandspcb.in](mailto:ro_dhanbad@jharkhandspcb.in)
4. Deputy Commissioner, Dhanbad  
Collectorate Building,  
Near Head Post Office,  
Dhanbad (Jharkhand) -826001  
Email id - [dc-dha@nic.in](mailto:dc-dha@nic.in)

.....Opp. Parties

- (1) The addresses of the Applicant is given above for the service of notices of this application and that of their representative
- (2) The addresses of the Respondents are given above for the service of notices of the application
- (3) The Applicant above named begs to present the Memorandum of application against the Respondents on the grounds set out hereunder:

**01. FACTS IN BRIEF:-**

1. That in the instant Original Application, Applicant prays for issuance of an order directing and commanding upon the concerned Respondents to take action against Respondent No. 1 for running illegal food plant without obtaining necessary Government Registration, NOC from Local Body, Consent to Establish and Consent to Operate from Pollution Control Board in the midst of Residential Area, just in the neighbourhood of the applicant causing serious damage to local Environment, polluting the local water table by releasing effluents and creating air pollution

Yogesh K. J.  
21/11/16

by releasing obnoxious poisonous smoke emanating during the process of manufacturing of food products.

**Photocopy of order dated 14.05.2024 passed by the High Court of Jharkhand in WP(C) No.- 4198/2023 is Annexed herewith as Annexure -1.**

2. That in the immediate neighborhood of the applicant, the private Respondent No. 1 (Plant) is situated. This plant, in process of manufacturing various kinds of food products is releasing obnoxious smoke, discharging polluted and swilled water effluents produced during the manufacturing process in the open land, just near the house of the Applicant. These are adversely affecting the life of the local residents especially of the Applicant, the immediate neighbour.

**Photographs of the effluents drained by the private Respondent is being annexed herewith and marked as Annexure-2, to this Application.**

3. That it is stated that the concerned plant is being run by the its proprietor without obtaining any kind of permission, N.O.C from Jharkhand Mineral Area Development Area (J.M.A.D.A), from the State Pollution Control Board, Food Safety Officer or from the Labour Department of the Jharkhand Government.
4. It is stated that the food processing plant is generating effluent which is toxic by-product of industrial processes which includes massive amounts of waste water contaminated with organic pollutants, chemicals and

Yogesh KJ  
31/1/2025

pathogens. Since these are released into Mother Earth without treatment, it has posed threat to lives of the residents of the area. It is submitted that such pollutants present in effluent are food colour, pesticides and pathogens such as bacteria, viruses and parasites. These combinedly contaminate the underground water as well. Despite several requests and reminders, the Respondent No.-1 has not taken any step for treatment of the same before releasing into mother earth. The statutory bodies like Respondent Nos. 2, 3 and 4 have also not taken any step to prohibit the same. Curiously, Respondent No.1 has constructed a safety tank to preserve the Industrial effluents but when its gets full, the effluents are taken out with help of pumping machine and again released in open, making mockery of the environmental laws.

5. That because of the act and action of Respondent No.1 the Applicant's normal life has been adversely affected and the local Residential Environment has almost been destroyed because of the illegal operation of Respondent No.1 by its proprietor and the most valuable fundamental right of the applicant, Right to life is being infringed.
6. That the Applicant has made numerous representations before the concerned Respondents but no conscionable and apparent action has been taken over the applications. The applicant in year 2022 made an application under RTI before the Sub Divisional Officer, Dhanbad and short information over the status of his application. By letter No.

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31/1/2025

626 dated 14.07.2022, the applicant was provided inspection report of the concerned plant under the RTI. From the inspection report it is apparent that Respondent No.1 is polluting the land, underground water by disposing the waste and that the disposal of effluent is not as per the Environmental Law. But no action has been taken for reasons better known to the Respondent Nos. 2 & 3.

**Photocopy of the RTI is being annexed herewith and marked as Annexure-3, to this Application.**

7. That it is worth to mention here that Applicant's complaint made to the concerned Respondent for taking appropriate actions against the Respondent No.1 have not been answered, but because of these complaints the Applicant has been attacked by and at the behest of the Respondent No.1 for which Applicant had written complaint to Hariharpur Police station and Superintendent of Police, Dhanbad.

**Photocopies of all written complaints are being annexed herewith and marked as Annexure-4 (Colly), to this Application.**

## **02. GROUNDS:-**

1. For that the Respondent No. 1 is running illegal food manufacturing plant without obtaining necessary Government Registration, NOC from Local Body, Consent to Establish and Consent to Operate from Pollution Control Board in the midst of Residential Area just in the neighborhood of the applicant causing serious damage to local Environment; polluting the local water table by releasing effluents and creating air pollution by releasing

yogesh ksh  
31/1/2025

obnoxious poisonous smoke emanating during the process of manufacturing of food products.

2. For that concerned plant is being run by its proprietor violating all environmental laws including The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981 and The Environment (Protection) Act, 1986 and in contravention of laws laid down by local bodies.
3. For that applicant has made numerous representations before the concerned respondents but no conscionable and apparent action has been taken over the applications.
4. For that failure of respondent is violative of several environmental laws which are against the concept of Sustainable Development.

### **03. LIMITATION :-**

It is submitted that, the Respondent No.1 continuously pollutes the environment by releasing the effluents generated from the food processing plant till date. Accordingly, there is a continuous cause of action and hence, the instant Original Application is well within the period of limitation as per National Green Tribunal Act, 2010.

### **04. PRAYER:-**

It is, therefore, prayed that this Hon'ble Tribunal may be pleased to grant the following reliefs:-

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- (a) An order may be passed to direct the Respondent No.1 to cease and desist from releasing effluents generated from the food processing plant into the Mother Earth without installing and treating them in Sewage Treatment Plant/Effluent Treatment Plant.
- (b) An order may be passed to direct the Respondent No.1 to prepare and implement a comprehensive plan to remove contamination from the effluents coming out of the plant.
- (c) An order may be passed to direct Respondent Nos. 2 to 4 to carry out necessary inspection/inquiry and submit an Action Taken Report regarding the violations by Respondent 1 and action taken if any, before this Hon'ble Tribunal to ensure compliance of the statutory provisions.
- (d) An order may further be passed to direct Respondent Nos. 2 to 4 to conduct regular monitoring and inspection of the industrial plant and site in question, waste disposal facilities to ensure strict compliance with the laws.
- (e) An order may be passed to impose environmental compensation on the Respondent No. 1 for its failure to comply with Environmental Regulation and Laws.
- (f) Pass any order or orders as this Hon'ble Tribunal deems fit & proper.

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21/1/2025



I, Yogesh Kumar, S/o Nand Lal Kumar, Aged about- 30 years, by faith-Hindu, by occupation- Serviceman, R/o-Pandit Niwas, Chaita Road Chamara Godam, Gomoh, P.O.-Gomoh, P.S.- Hariharpur, Dist- Dhanbad (Jharkhand) do hereby solemnly affirm on oath and declare as follows:-

1. That I am the Applicant in this Memorandum of Application
2. That the statements made in the foregoing paragraphs 01 to 04 in the Memorandum of Application are true and correct to best of my knowledge and belief.
3. That the statements read over to me by my counsel and I have understood the same.

10 DEC 2024

S No. .... Date: .....

(Signature)

VERIFICATION

The statements made above are true and correct to the best of my knowledge and belief. I sign this verification here at Dhanbad on. 10/12/2024.

(Signature)  
10/12/2024

NOTARY  
DHANBAD



Authorised  
to act as a Notary Public under the  
Act No. 19 of 1956 (Section 8) of  
Act No. 31 of 1952

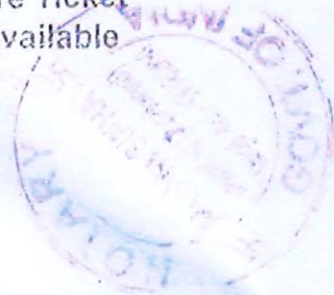
Yogesh Kumar

Deponent  
Identified by

(Signature)  
Advocate



Welfare Ticket  
Not Available



NOTARY  
DHANBAD  
Authorized  
by the Council of the Cr.P.C. 1973  
Act No. 73 of 1973

10/2/24

ENRL. NO. ....



12445



DHANBAD BAR ASSOCIATION

ANNEXURE - I

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
W.P. (C) No.4198 of 2023

Yogesh Kumar ..... Petitioner

Versus

1. The State of Jharkhand through its Chief Secretary,  
Dhurwa, Ranchi
2. The Deputy Commissioner, Dhanbad
3. The Civil Surgeon-cum-Food Safety Officer, Dhanbad
4. The Assistant Labour Commissioner, Dhanbad
5. The Managing Director, Jharkhand Mineral Area  
Development, Dhanbad
6. The Member Secretary, State Pollution Control Board, Dhanbad
7. The Regional Officer State Pollution Control Board, Dhanbad
8. M/s Gupta Food Products, through its Proprietor Rupesh Gupta

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Petitioner : Mr. Amritansh Vats, Adv.  
For the Resp.-State : Mr. J.F. Toppo, GA-V  
: Mr. N.A. Toppo, AC to GA V  
For the JSPCB : Ms. Richa Sanchita, Adv.  
: Ms. Pinky Shaw, Adv.  
For the Resp. No.5 : Mr. Mahavir Pd. Sinha, Adv.  
: Mr. Santosh Kr. Jha, Adv.

04/Dated: 14<sup>th</sup> May, 2024

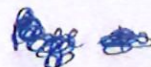
1. Heard learned counsel for the parties.
2. The present writ petition has been filed for following reliefs:-  
"That, the instant writ petition, petitioner prays for issuance of writ/writs, Order / Orders, direction/directions in the nature of Mandamus directing and commanding upon the concerned Respondents to take action against private Respondent No.8 for running illegal food plant without obtaining necessary Government Registration, Environmental Clearance, Food Licence in the midst of Residential Area just in the neighbourhood of the petitioner causing serious damage to local Environment, Polluting the local Water table by releasing obnoxious of positions smoke emanating from spurious wiles being a used a manufacturing of food products."

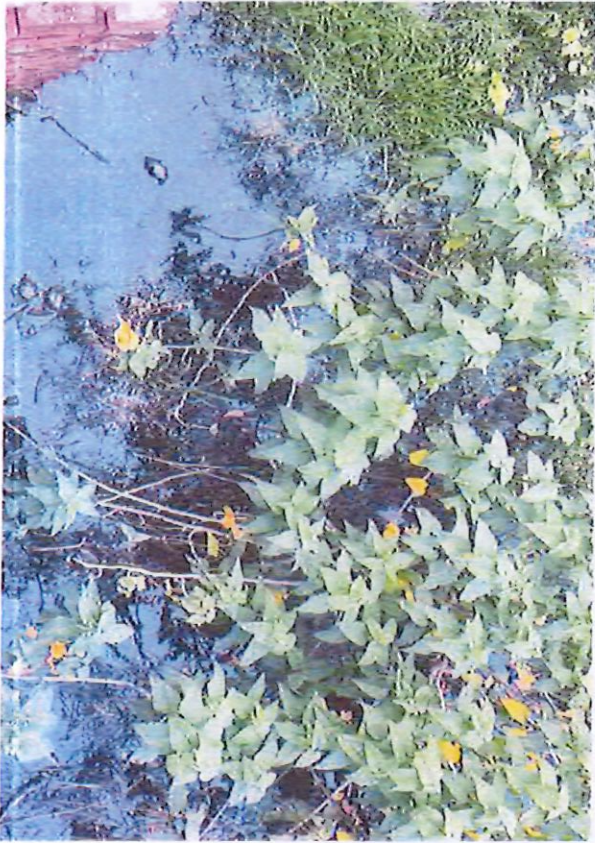


3. After some argument, learned counsel for the petitioner seeks permission to withdraw the present writ petition with a liberty to work out his remedy in accordance with law.
4. Permission is accorded.
5. Accordingly, the present writ petition stands disposed of with the aforesaid liberty.

(Rajesh Kumar, J.)

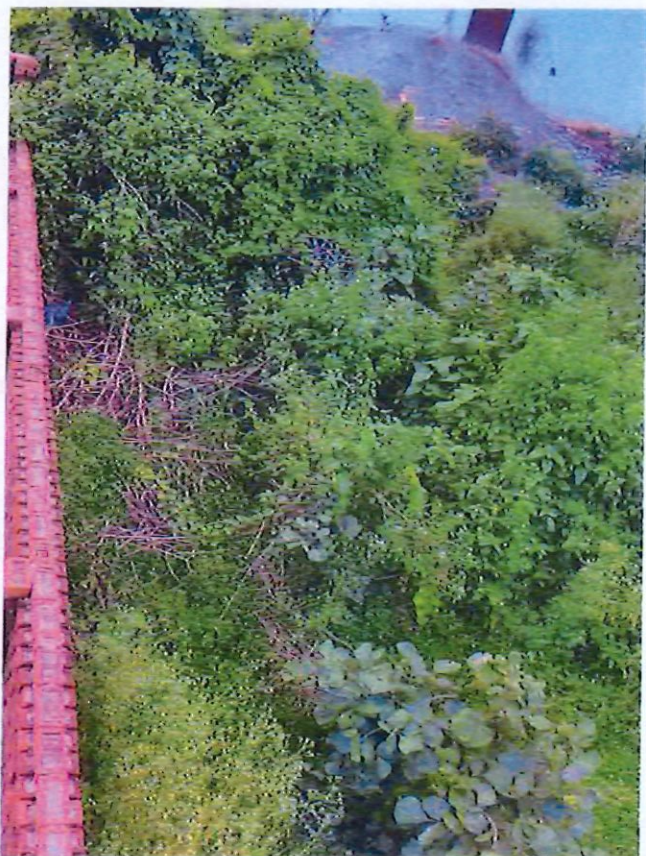
Shahid-  
Uploaded

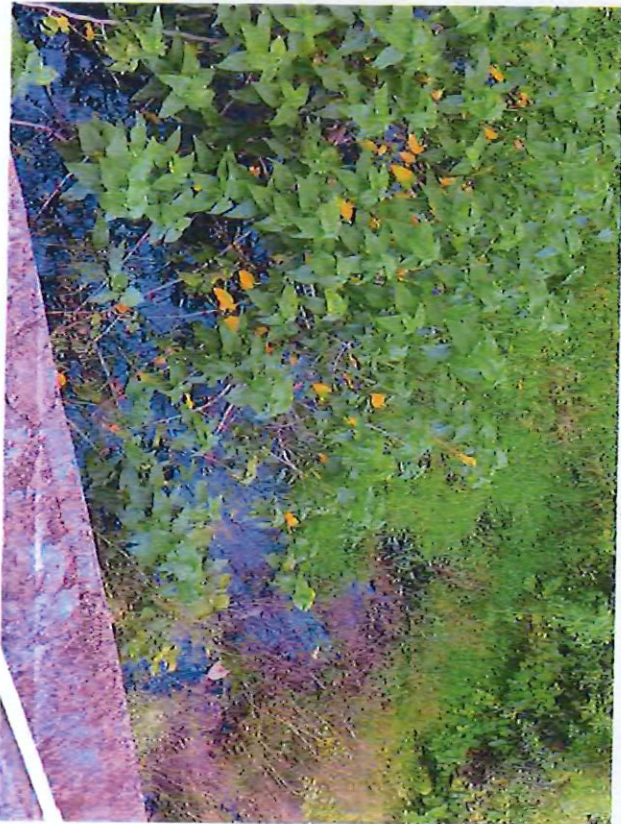
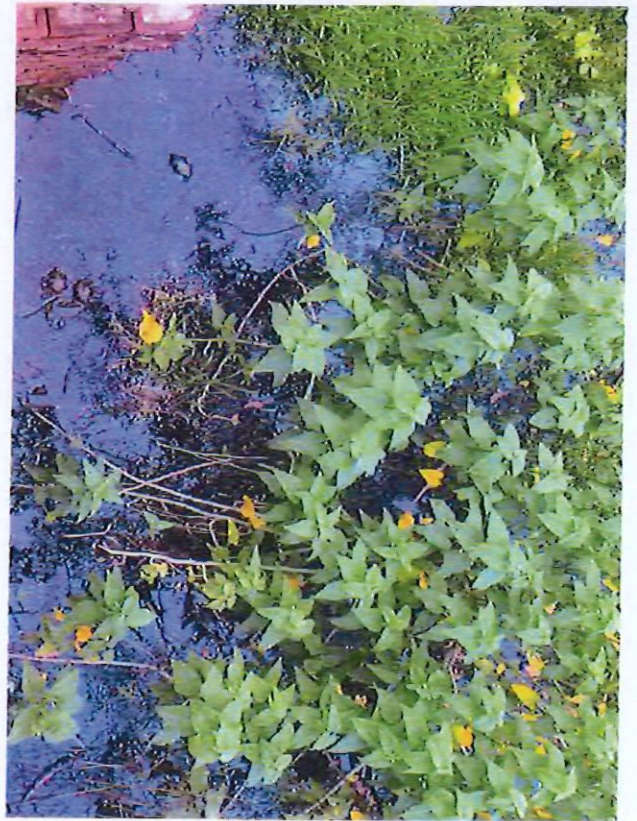




ANNEXURE - 2

18/10-15







## झारखण्ड सरकार

अनुमण्डल पदाधिकारी का कार्यालय (सामान्य शाखा), धनबाद।

Email-sdc.dhanbad@gmail.com, दूरभाष संख्या:-0326-2312409

पत्रांक.....626/सा० (प्र.सं.) - 14.07.2022

प्रेषित,

श्री योगेश कुमार,  
सां० क्वार्टर नं० 172/ab,  
साहेब कॉलोनी सुभाष नगर  
गोमोह, जिला-धनबाद, (828401)

विषय:- सूचना अधिकार अधिनियम -2005 के तहत सूचना उपलब्ध कराने के संबंध में।  
प्रसंग :- जन सूचना पदाधिकारी, सामान्य शाखा, धनबाद के पत्रांक-119 (मु०)/सा०,  
दिनांक-21.06.2022

उपर्युक्त विषयक आपके द्वारा मांगी गई बिन्दुवार सूचना निम्न प्रकार है:-

क्र०	मांगी गई सूचना	अनुपालन
1.	Furnish the Application Status of YOGESH KUMAR.	खाद्य सुरक्षा पदाधिकारी, धनबाद द्वारा जांच की गई।
2.	Furnish the Investigation Report of Gupta Food Factory, Gomoh.	जांच प्रतिवेदन संलग्न।

14/7/22  
जनसूचना पदाधिकारी  
-सह-  
अनुमण्डल पदाधिकारी,  
धनबाद।

## Auto Generated Inspection Report

Report Id 205042  
 Inspection Date 01-04-2022  
 FBO License Number 11119016000144  
 FBO Name M/S GUPTA FOOD PRODUCTS, At- Chamra Godown Chaita Road Gomo, Po- Gomo, Dist-Dhanbad  
 Address Mr. Rupesh Kumar S/o Kanhai Ram ,At- Chamra Godown Chaita Road Gomo, Po- Gomo, Dist-Dhanbad, Topchachi, Dhanbad, Jharkhand, 828401  
 FSO Name Aditi Singh  
 FSO UserId 15346  
 Kind of Business Manufacturer - General Manufacturing  
 Start Date Time of Inspection 01-04-2022  
 End Date Time of Inspection 22-04-2022  
 Category of Inspection POST  
 Final Score Total Marks :- 74 Obtained Marks :- 50 Obtained Percentage :- 68

## Design

S.No	Group Name	Parameters	Inspection	Max Score	Score Obtained
1	General Manufacturing	Adequate ventilation is provided within the premise.	Partial-Compliance	2	1
2	General Manufacturing	An adequate and separate storage facility is in place for food products; chemicals & other hazardous substances; personal items etc.	Partial-Compliance	2	1
3	General Manufacturing	Ante room is available with frozen room maintaining temperature below 4 degree Celsius for picking of frozen product.	Not Applicable	2	2
4	General Manufacturing	Facility capable of achieving & maintaining temperature is available (such as freezer, chillers etc.) for storing products requiring temperature control.	Not Applicable	4	4
5	General Manufacturing	Food establishment has an updated FSSAI license and is displayed at a prominent location.	Partial-Compliance	2	1
6	General Manufacturing	Personnel hygiene facilities are available. (Adequate number of hand washing facilities, toilets, change rooms, rest & refreshment room etc).	Partial-Compliance	2	1
7	General Manufacturing	Premise has sufficient lighting. Lighting fixtures are covered to protect food from contamination (especially where unpacked food is stored).	Partial-Compliance	2	1
8	General Manufacturing	The design and layout of warehouse permit adequate maintenance and cleaning and do not provide harbourage	Partial-Compliance	2	1

		to pests.			
9	General Manufacturing	There is adequate facility for drainage & waste disposal.	Non-Compliance	2	0
10	General Manufacturing	There is adequate facility for potable & non-potable water supply.	Partial-Compliance	2	1

Observation	1. FSSAI license available but not displayed at prominent location. 2. Drainage facility is not available. 3. The sewage water is pumped out and then taken in tanks to dispose off.
Comment	Improvement required on above non-conformance observations.
Submission date	01-04-2022

## Control of operation

S.No	Group Name	Parameters	Inspection	Max Score	Score Obtained
1	General Manufacturing	Chilled products are received at 5 degree Celsius or below. Frozen products are received at -18 degree Celsius or below.	Not Applicable	2	2
2	General Manufacturing	Cold room and frozen room are maintained neat and clean, free from mold growth and any unwanted materials.	Partial-Compliance	2	1
3	General Manufacturing	Food material is stored on pallets or racks off the floor and away from walls.	Non-Compliance	2	0
4	General Manufacturing	Frozen products are stored in frozen rooms maintained at -18 degree Celsius or below. Chilled products are stored in cold rooms maintained at 5 degree Celsius or below. Records of temperature monitoring are maintained.	Not Applicable	4	4
5	General Manufacturing	Products handled with care at receiving picking and dispatch of material not lying on floor or in an unorganized manner or allowed to accumulate.	Non-Compliance	2	0
6	General Manufacturing	Stock rotation is practiced through FIFO or FEFO and no expired product is available on shelf for sale.	Compliance	2	2

Observation	1. Food material not stored on pallets and were stacked with the wall. 2. The finished product were lying directly on the floor. 3.
Comment	Needs improvement on above non-conformance observations
Submission date	01-04-2022

## Maintenance &amp; Sanitation

S.No	Group Name	Parameters	Inspection	Max Score	Score Obtained
1	General Manufacturing	Cleaning of equipment, food premises is done as per cleaning schedule & cleaning programme.	Partial-Compliance	2	1

2	General Manufacturing	Disposal of sewage and effluents is done in conformity with standards laid down under Environment Protection Act, 1986.	Non-Compliance	2	0
3	General Manufacturing	Drains are designed to meet expected flow loads and equipped with traps to capture contaminants.	Partial-Compliance	2	1
4	General Manufacturing	Food waste and other refuse are removed periodically from food handling areas to avoid accumulation.	Compliance	2	2
5	General Manufacturing	Measuring & monitoring devices are calibrated periodically.	Compliance	2	2
6	General Manufacturing	No signs of pest activity or infestation in premises (eggs, larvae, faeces etc.)	Compliance	2	2
7	General Manufacturing	Pest control program is available Only approved pest control chemicals or fumigants (in case of food grains) are used. Check for records.	Compliance	4	4
8	General Manufacturing	Preventive maintenance of equipment and machinery are carried out regularly as per the instructions of the manufacturer.	Partial-Compliance	2	1

Observation	Disposal of sewage needs to be improved
Comment	Satisfactory compliance
Submission date	01-04-2022

### Personal Hygiene

S.No	Group Name	Parameters	Inspection	Max Score	Score Obtained
1	General Manufacturing	Annual medical examination & inoculation of food handlers against the enteric group of diseases as per recommended schedule of the vaccine is done. Check for records.	Compliance	2	2
2	General Manufacturing	Food handlers equipped with suitable aprons, gloves, headgear, shoe cover etc; wherever necessary.	Partial-Compliance	2	1
3	General Manufacturing	Food handlers maintain personal cleanliness (clean clothes, trimmed nails & water proof bandage etc) and personal behaviour (hand washing, no loose jewellery, no smoking, no spitting etc).	Partial-Compliance	4	2
4	General Manufacturing	No person suffering from a disease or illness or with open wounds or burns is involved in handling of food or materials which come in contact with food.	Compliance	2	2

Observation	Personnel cleanliness and hygiene needs to be improved.
Comment	Satisfactory compliance
Submission date	01-04-2022

### Training & Record keeping

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S.No	Group Name	Parameters	Inspection	Max Score	Score Obtained
1	General Manufacturing	Appropriate documentation & records are available and retained for specific period.	Compliance	4	4
2	General Manufacturing	Food business has an effective customer complaints redressal mechanism.	Partial-Compliance	2	1
3	General Manufacturing	Food handlers have the necessary knowledge and skills & trained to handle food safety. Check for training records.	Compliance	2	2
4	General Manufacturing	Internal or External audit of the system is done periodically. Check for records.	Partial-Compliance	2	1

Observation	Records are maintained properly.
Comment	Satisfactory compliance
Submission date	01-04-2022

## Upload Documents

S.No	Document Descriptions	Action
1	Final product storage	View
2	Production area	View
3	Unit photograph	View
4	Photo of the premise	View
5	Frying or production area	View

- NOC from local body or municipality and state Pollution Control Board is mandatory which was not produced at the time of inspection

*[Signature]*  
11/04/22

## Sample Details

Name of the Outlet  
KOB  
Address  
State  
District  
Sub-district  
Name of the Contact person  
Contact No  
Email

## Verify OTP

Status
Inspection Verified Through OTP

ANNEXURE - 4

From,

Yogesh Kumar

Pandit Niwas, Near Chamara Godaam, Chaita Road Gomoh ,

Po- Gomoh, Dist- Dhanbad, Jharkhand, Pin- 828401

Forwarded to,

1. The Deputy Commissioner of Dhanbad
  2. Food Inspector of Dhanbad
  3. The Factory Inspector of Dhanbad/Bokaro
  4. Block Development Officer, Topchanchi
  5. The Hariharpur Police Station, Gomoh
  6. M.D. J.M.A.D.A, Luby Circular Road, Dhanbad
- Sub - Complaint against the sewerage water draining from Gupta food factory.

Dear Sir/Madam,

I would like to inform you that I am Yogesh Kumar, resident of Chamara Godaam Near Chaita Road Gomoh. Since from long time we are facing problem with polluted water which is coming out through Gupta food factory even there is no proper mechanism to store that polluted factory water and factory owner Mr. Rupesh Gupta he never tried to find alternate way to store that wastage water. I requested many times that owner but he is never taken my word and the way of talking is not good he always talking in rude manner and showing the power of industrialist.

He is a member of the Chamber of Commerce that's why he is showing the power of the chamber and he is getting good support from them. I have no issue with the chamber of commerce but after knowing everything about the polluted water which is stored in the open place even the road is passing through the factory and polluted water day by day increasing near my house and nearby house are badly affected. Nearest the factory house already boring water has been affected and knows that family unable to drink even ground water. I am scared about the issuing hearing after all thing, if one house is affected then definitely the polluted water store near my house will affect and polluted drainage water is smellier and more hazardous to health for everyone who residing nearby factory.

I am requesting all the concerned officers to take some appropriate action against the factory owner not to spread the polluted wastage water in an open place.

Below I am attaching some pictures of the wastewater which is stored near my house and the open place.

Thanking you,

Notes-

1. Gupta Food Factory Near Chamara Godaam Chaita Road Gomoh.
2. Fssai License No- FSSLI1114016000259
3. Document Attached.

Date : 28/3/2022

Yours faithfully

yogesh kumar  
(YOGESH KUMAR)

उपायुक्त का कार्यालय, धनबाद  
(जनता दरवार)  
दिनांक 14/10/22  
क्रमांक 2097

213405 ए  
कामिल  
by  
14.10.22

(9)

सेवा में,

श्रीमान् उपायुक्त महोदय,  
धनबाद।

विषय:- मेसर्स गुप्ता फूड प्रोडक्ट्स चमड़ा गोदाम, चैता रोड, गोमो, थाना-हरिहरपुर, जिला-धनबाद द्वारा उत्पादित सामान की जाँच एवं परिसर की जाँच विधि अनुरूप करने के सम्बन्ध में।

महाशय,

सविनय निवेदन है कि मेसर्स गुप्ता फूड प्रोडक्ट्स चमड़ा गोदाम, चैता रोड, गोमो, थाना-हरिहरपुर, जिला-धनबाद द्वारा मिक्सचर, सेव, गठिया, निमकी, पापड़ी, नमकीन और मीठा मिक्सचर इत्यादि का निर्माण किया जाता है तथा उसे पैकेट में भरकर बाजार में बिक्री किया जाता है।

उक्त उत्पादन में साफ सफाई की व्यवस्था समुचित ढंग से विधि अनुरूप नहीं किया जाता है तथा अच्छी गुणवत्ता वाला तेल का उपयोग नहीं कर पाम तेल का उपयोग किया जाता है। उसी प्रकार उत्पादन परिसर की साफ सफाई विधि अनुरूप नहीं किया जाता है। उत्पादन परिसर का गन्दा जल पाईप के द्वारा बाहर निकाला जाता है जो मेरी जमीन पर आ जाता है जिससे दुर्गन्धयुक्त जल का जमाव मेरी जमीन पर हो जाता है तथा राख/छाई को भी डम्प लगाकर ढेर कर दिया गया है जो डस्ट उड़ता रहता है।

उत्पादन परिसर की गन्दगी पर्यावरण सुरक्षा अधिनियम 1986 के अनुरूप नहीं किया जाता है।

उत्पादन परिसर में गन्दा पानी के निकासी हेतु ड्रेन/नाली का समुचित ढंग से निर्माण नहीं किया गया है। मिक्सचर निर्माण हेतु मशीन का देख-रेख

नियमानुसार नहीं किया जाता है। पूर्व में सूचना अधिकार अधिनियम 2005 के अन्तर्गत सूचना की माँग की गयी थी। जिसमें मांगी गई सूचना और उसका जाँच प्रतिवेदन जिसमें कई प्रकार की त्रुटी पायी गयी। उक्त जाँच प्रतिवेदन की छायाप्रति श्रीमान् के अवलोकनार्थ संलग्न है।

अतः श्रीमान् से नम्र निवेदन है कि मेसर्स गुप्ता फूड प्रोडक्ट्स द्वारा उत्पादित सामग्री एवं परिसर की जाँच करने की कृपा करें, जिसमें गुणवत्तपूर्ण सामग्री का उत्पादन हो और परिसर की साफ सफाई निर्धारित मानक के अनुरूप हो सके।

श्रीमान् के उक्त कार्य हेतु मैं सदा आभारी रहूँगा।

Date = 14/10/22

आपका विश्वासी

Yogesh K

(योगेश कुमार)

साहेब कॉलोनी,

सुभाष नगर, गोमो,

मो0 नं0-9431799430

प्रतिलिपि :

1. मुख्यमंत्रीजी,  
भारत सरकार
2. जिलाध्यक्ष,  
भा0 मु0 मो0  
धरमद

From,

Yogesh Kumar,  
Pandit Niwas, Near Chamra Godaam,  
Chaita Road, PO- Gomoh, PS- Hariharpur,  
Dist- Dhanbad, Jharkhand, Pin- 828401

To,

1. S.D.P.O. Baghmara, Dhanbad.  
2. The Superintendent of Police, Dhanbad.  
3. The Hariharpur Police Station, Gomoh.

**Subject – FIR Against the Rupesh Gupta and Pankaj Agarwal including Gupta food factory Staff.**

Respected sir/Madam.

I would like to inform you that I am Yogesh Kumar S/O of Mr. Nandlal Kumar, Residing at Pandit Niwas which is located Near Chamra Godam Chaita Road Gomoh. On 26/03/2022 I have been attacked by Gupta food factory Staff in the presence of the Gupta Food Factory owner Mr. Rupesh Gupta and Pankaj Agarwal who is owner of Agarwal Cloth. Rupesh Gupta and Pankaj Agarwal they are member of the Chamber of Commerce and they only misusing the power of chamber of commerce. Both person targeted Me onwards December last year. Because I had made complaint against the Gupta Food Factory Owner Mr. Rupesh Gupta Regarding Drainage of Industrial wastage water Near My house and I also Submitted Written Application to my Nearest Police Station Gomoh and that time officer Mr. Roshan Barnwal who is incharge in office who receive my letter on the Advice of DSP madam Bagmara via Contact Number. I informed her about the situation and I had also asked about receiving letter but she told me to submit the letter without taking the receiving letter.

After submitting my Complaint Application to the Deputy Commissioner of Dhanbad as well as all the concerned Department related with the complaint including with all Document attachment then after I went Delhi For my Higher Studies and Few days before I came my home to see My Grandfather who is in bad heath condition.

I never thought that while coming home my Life is in danger only I realized after incident happen near my house where the Construction work is going on which is located near the Gupta Food Factory . At the construction site I am only alone there and some of construction workers they are busy at work during the incident.

During Attacked I had capture some pictures of that Culprits who are abusing and Food factory staff they came with the Iron rod and some of carrying sticks and owner of the factory threatening me and telling to stop the work because without my permission you cannot do anything here and that moment I made silent I called my family member even in the presence my father who is working at Government of railway he also received threats from these both person including Rupesh Gupta And Pankaj Agarwal at that time they gave also warning to us . If you make complaint then again we will attacked on you and really they attacked on us Onwards last year. Both person they are getting good support from the Circle Officer Topchanchi and also Gomoh Police Twice they stopped Construction Work without giving any notice to Us .

While asking the officer what is the reason for stopping Construction works the officer told me that they are getting order From the circle Officer Topchanchi and the officer only Misusing his Law and order Power even Gomoh police also obeying his order but Gomoh Police also never asked about the notice nor they given to Us.

So I am requesting you take legal action against the culprits who attacked on me and also made record on my FIR about my previous letter which is Received by Officer Roshan Barnwal and what action should be taken by Gomoh Police till now.

If any Violence will create again or they will attacked on my family member including Me then all the incident responsible will go to the Rupesh Gupta as well as Pankaj agarwal and Including Food Factory Staff who are in the photos.

And some of his Factory staff member names I knew and remaining I can identified through their faces who attacked on me and one worker from jitpur Mr. Shibu Mahto only person who carries iron rod who came to attack on me and also he slapped on me.

I am going to file this complain Online because Local Police and Circle officer both they are not working under the Law .They only working under the influence of politics and chamber of Commerce.

Again I am requesting to higher Official to take Strict Action Against this Officer and factory Owner including their Staff.

**Notes :-**

1. On FIR including my all previous complain against the factory Owner and remaining Staff.
2. Again I am submitting all the current incident application as well as my previous letter with all document attachment

**Culprits Name :-**

1. RUPESH GUPTA (Owner of Gupta Food Factory )
2. PANKAJ AGARWAL ( Owner of Agarwal Cloth)
3. SHIBU MAHTO (worker)

Thanking you.

Date: 14/4/2022

Yours faithfully

*Yogesh Kumar*

(Yogesh Kumar)  
8438588917

3/9/2024

7/5/24  
23-9

- 1. DEPUTY COMMISSIONER OF DHANBAD
- 2. FOOD SAFETY COMMISSIONER OF JHARKHAND
- 3. FOOD SAFETY OFFICER DHANBAD
- 4. SSP DHANBAD
- 5. INSPECTOR OF FACTORIES, BOKARO CIRCLE NO1, BOKARO
- 6. REGIONAL OFFICER, STATE POLLUTION CONTROL BOARD, DHANBAD

Recd  
6/9/24

Yogesh Kumar  
3/9/2024

Dear Team,

I would like to inform you that I am Yogesh Kumar residing at the Chaita road beside the Gupta food factory. Since 2022 onwards I have made a lot of complaints to DC Dhanbad including BDO Topchanchi, Harihapur police against the Gupta food factory for the violation of pollution act and food safety standards.

Beside of my house there are two food factory plant namely Gupta food factory which is operating by Rupesh Kumar Gupta and other one is Thirumurthi enterprises which is operating by the Rakesh Kumar Gupta, both are brother and Both Factory owner illegally operating this factory onwards 2003 without taking any license from the state government of Jharkhand nor they follow any guidelines of Pollution Act, Factory act including labour and food safety standard.

Both the proprietor does not have any drainage system management for the discharge of industrial water and other material like raw packing plastic burning, coal Ash deposition and open water logging which is affecting the society as well as nearby houses.

In our society very few people are educated and they are afraid of this person because whoever is raising voice against the factory owner they are getting threatened by Rupesh Kumar Gupta and Rakesh Kumar Gupta and me too one of the victim for the rising of voice against the Gupta food Factory.

Gupta food factory and Tirumurthi enterprises' both operating illegally without FSSAI license, Factory license and pollution license and still they are running the factory without any approval from the district administration nor the State Government of Jharkhand and saving all the license fee which is completely disaster for the administration and Revenue department and also Violation of National Green Tribunal Act.

Last Year Food safety officer visited his factory and RTI reply by the food authority is clearly mention that he does not have NOC from the local authority nor the drainage system and this matter also publish in the Utkal newspaper against the factory for the Violation of environment Act.

So I am requesting you to all inspecting officer to visit the Gupta food factory premises again and take legal action for the violation of government norms and discharging industrial wastage water from the broken wall hole which is located back side of his factory.

And he also made drainage system but it is not sufficient capacity to store more industrial water and therefore he is discharging polluting water near by the house which is more hazardous for health as well as spoiling the ground water level due to contaminated polluted water, illegally storing coal inside the factory without any permission from the central government as well as state of Jharkhand.

Yogesh Kumar  
thanks and regards  
yogesh kumar

Inspector 52 121 (028001)  
 ESN No: 2024051255017Y  
 Counter No: 1, D-Code: 01  
 Tel: INSPECTOR OF FACTORIES, BOKARO C. NO 1  
 BOKARO, PIN: 827001  
 From: YOGESH KUMAR, At DHANBAD  
 Wt: 76grams, 03/09/2024 15:37  
 Recd: 6/9/24  
 COST 492 3, COST 092: 3.00  
 (Track on www.indiapost.gov.in)



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## मैसर्स गुप्ता फूड प्रोडक्ट्स चमड़ा गोदाम में उत्पादित सामग्री एवं परिसर की जांच की मांग

### उत्कल मेल संवाददाता

**धनबाद:** धनबाद जिले के आर्थिकाश खाद्य सामग्री उत्पादित एवं निर्माण परिसर में विधि के अनुरूप कार्य नहीं किया जा रहा है। जिससे आम लोगों को फैक्ट्री से निकले उत्पादित सामान का उपयोग करने से लोग रोगाग्रस्त हो रहे हैं जो जांच का विषय है धनबाद जिले में उदाहरण स्वरूप मुख्य रूप से धनबाद केंद्र आ करकंद गोधर इत्यादि क्षेत्रों में खाद्य सामग्री के उत्पादित जगहों में नियमानुसार कार्य नहीं किया जा रहा है उदाहरण स्वरूप नेचर फूड प्रोडक्ट्स चमड़ा गोदाम चैता रोड गोंमी का मामला सामने आया है। मैसर्स गुप्ता फूड प्रोडक्ट्स चमड़ा गोदाम चैता रोड गोंमी थाना हरिहरपुर जिला धनबाद द्वारा उत्पादित सामग्री के विक्रेता एवं निर्माण परिसर की विधि अनुरूप जांच के संबंध में स्थानीय निवासी योगेश कुमार सोहैव कॉलोनी सुभाष नगर गोंमी न उपायुक्त धनबाद को लिखी शिकायत



पत्र। उन्होंने उपायुक्त को लिखे अपना शिकायत पत्र में कहा है कि हरिहरपुर थाना अंतर्गत गोंमी में मैसर्स गुप्ता फूड प्रोडक्ट्स कंपनी में मिश्रण गठिया सेव, नौमकी, पापड़ी, नमकीन और मोठा मिश्रण आदि का मिलावटों निर्माण किया जाता है एवं उसे पैकिंग कर आस्प्रेस याजोर्गे में बाइलने में विक्री की जा रही है। उक्त उत्पादन सामग्री में साफ सफाई की व्यवस्था समुचित ढंग से नियमानुसार नहीं की

जाती है। तथा अच्छी गुणवत्ता का तेल भी उपयोग नहीं किया जाता है निर्माण सामग्री में घटिया किस्म के तेल का उपयोग की जा रही है एवं उत्पादन परिसर में साफ सफाई नहीं होने से उसके गंदे पानी द्वारा बहाव करने के क्रम में गंदे पानी हमारे जमीन पर गिर रहा है जिससे दुर्गंध युक्त जल का जमाव में जमीन पर ही रही है एवं छोट का ढेर भी नग गया है जिससे उड़ने धत्ताकण से यहाँ प्रदूषण भी फैल रही

है लोगों को अनेक प्रकार की बीमारियों का दंश झेलना पड़ रहा है। परिसर को गंदगी पर्यावरण सुरक्षा आर्थावियम 1986 के अनुरूप नहीं किया जाता है उत्पादन परिसर में गंदे पानी का निकासी के लिए समुचित ढंग से नाली का निर्माण नहीं किया गया है। उन्होंने अपने लिखे पत्र में आगे यह भी कहा है कि मिश्रण निर्माण की इस कंपनी में निर्माण मशीन के रखरखाव की व्यवस्था भी इन दिनों काफी लचर है। पूर्व में सूचना अधिकार अधिनियम 2005 के अंतर्गत ग्यारीकरण की मांग की गई थी जिसमें मांगी गई सूचना और उसका जांच प्रतिवेदन जिसमें कई प्रकार की त्रुटियां पाई गई है। उक्त जांच प्रतिवेदन की छाया प्रॉत श्रीमान को अवलोकनाथ संलग्न किया गया है। उत्पादित सामग्री एवं परिसर की जांच करने तथा साफ सफाई निर्धारित मानक के अनुरूप कार्रवाई करने की मांग की है।

Yogesh Kumar

IN THE COURT OF National Green Tribunal, Eastern Zone Bench  
AT DHANBAD at Kolkata

## VAKALATNAMA

Case -..... of 2025

Yogesh Kumar

..... Petitioner

-:Versus:-

M/s Gupta Ford Product and others

..... Opp. Party

Know all men by these present that by this VAKALATNAMA

I/Wf Yogesh Kumar

S/o Nand Lal Kumar,

R/o &amp; 'Pandit Niwas', Chaita road,

Chaman Godam, P.S. - Haritarapur,

P.O. - Gomoh, Dist. Dhanbad

Mob - 9431799430

Do here by

Appoint the advocates noted below in the margin all or any of them as my/ our lawful advocate in the above mentioned case for appearing in conducting and arguing the same, for depositing or withdrawing any money in connection herewith for putting in papers/ petition etc. on my/ our behalf for filing, taking back any document, or withdrawing suit or appeal with permission to institute fresh suit etc and making compromise and for referring to the case to arbitration and for doing all that be necessary to be done in connection with the said my/our case. I/We further say that any act done by my/ our said Advocates or any of them after accepting this Vakalatnama shall be considered as my/ our true and lawful act.

Mr. Pankaj Prasad.

= Sitting Place

= Behind P. Lok Adalat

- 8092070026

Mr. Abhishek Kumar

- 7903064527

Mr.

Mr.

To the above effect I/ We execute the Vakalatnama

Date of 2025

*ALand*  
31/1/2025