

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

(Application Under Section 19(4) of the National Green Tribunal Act, 2010 read with Rules 22(6) and 24 of the NGT (Practice and Procedure) Rules, 2011)

**REVIEW APPLICATION NO. 4 OF 2026
IN
ORIGINAL APPLICATION NO. 219 OF 2026**

IN THE MATTER OF:

Modulus Cosmetics Pvt Ltd and Anr

...Review Applicant(s)

Versus

Jatinder Singh and Ors.

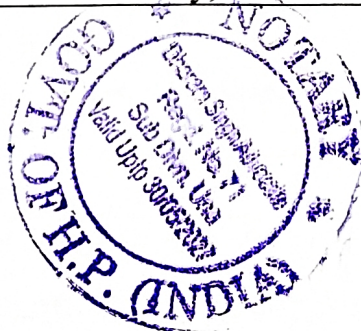
...Review Respondent(s)

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Place: New Delhi

Date: 13.07.2026



Rohit Singh

Rohit Singh

REVIEW RESPONDENT NO. 6

S/O Late. Sh. K.P. Singh,

96, Basant Vihar, Near Rakkar Colony,

District Una, Himachal Pradesh – 174303

7018013195, katwallegal@gmail.com

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**ADDITIONAL AFFIDAVIT ON BEHALF OF THE REVIEW
RESPONDENT No. 6 TO THE REVIEW APPLICATION**

MOST RESPECTFULLY SHOWETH:

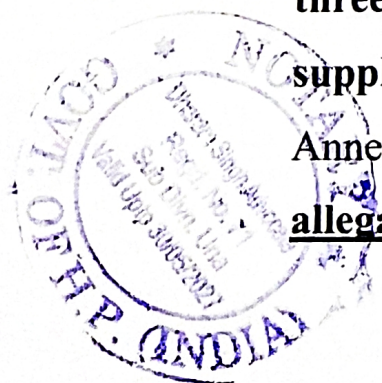
I, Rohit Singh Katwal, son of Late Sh. Krishan Pratap Singh, aged 40 years, resident of 96, Basant Vihar, Near Rakkar Colony, Una, Himachal Pradesh – 174303, Applicant No. 6 in Original Application No. 219 of 2026 and accordingly Review Respondent No. 6 in the present Review Application, do hereby solemnly affirm and state as under:

1. That I am the Review Respondent No. 6 in the present Review Application and am fully conversant with the facts and



circumstances of the case. I am competent to swear this Additional Affidavit.

2. That the true reason for the anxiety of the Review Applicants to prevent the inspection appears from the record of the very authority now directed to carry it out. By **an order passed by the Member Secretary, Himachal Pradesh State Pollution Control Board, under Section 33-A of the Water (Prevention and Control of Pollution) Act, 1974, M/s RRD Oil & Fats Pvt. Ltd., one of the Review Applicants, was directed to stop operation and to close down**. The said order records that on inspections carried out on 06.12.2021, 27.12.2021 and 06.01.2022 the unit was found **discharging untreated wastewater into the nearby drain and land**, and that samples of the effluent collected on 06.12.2021 and 27.12.2021 and tested at the Regional Laboratory, Dharamshala, **failed to meet the prescribed norms for Total Suspended Solids, Oil and Grease, Chemical Oxygen Demand and Biochemical Oxygen Demand on both occasions**. The Member Secretary held this to be a gross violation of the Water Act, 1974 and the Environment (Protection) Act, 1986, amounting to **a cognizable offence**, directed the unit to close down and to **report compliance within three days**, and further directed **the disconnection of its power supply**. A true copy of the said order is annexed hereto as Annexure R/1. It is respectfully submitted that this is **not an allegation of the Applicants, but a finding recorded by the**



Member Secretary of the Board, resting on failed laboratory samples. The order under review, dated 09.04.2026, **directs the Member Secretary of the same Board to inspect these very units afresh**. It is precisely because the authority now called upon to inspect has, once before, found these units discharging untreated effluent and ordered their closure, that the Review Applicants strain, through forum after forum, to prevent that inspection. **What the units fear is not injustice, but verification by the very authority that has already found them in violation.**

3. That the Review Applicants, by their conduct, have sought to create confusion around the true timeline of events, through “forum shopping” and “multiplicity amounting to attrition”. It is therefore necessary to unclutter the record. On a true chronology, the Applicants and the Review Respondent have moved on **only four occasions**, each of which was either to document the grievance of the affected communities or to bring it to the proper forum.

Date	Event
01.03.2025	Interview of the Truck Union, Tahliwal, which voiced its own grievance against the units
18.04.2025	Podcast at studio recording the residents of Village Mehindwani speaking of the pollution they suffer



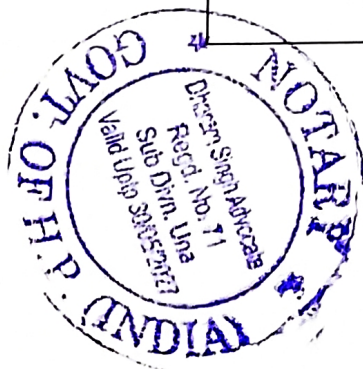
June to July 2025	Further podcast and video of the residents of Village Mehindwani, the video whereof is on record in OA No. 219 of 2026
28.03.2026	Original Application No. 219 of 2026 filed before this Hon'ble Tribunal. The clock starts

4. That save for these four occasions, every other step in this entire matter has been taken by the Review Applicants or by those acting with them. That is the whole of the forum shopping, the **SLAPP**, and the **multiplicity amounting to attrition**, by which the single question of pollution is sought to be buried.

Date	Event
16.03.2025	FIR No. 30 of 2025 against the Review Respondent, now at cancellation
02.07.2025	Injunction obtained against the Review Respondent (Mehindwani gag suit)
02.07.2025	Civil Suit No. 1 of 2025 for damages, at Una of 1 crore
28.03.2026	Original Application No. 219 of 2026 filed before this Hon'ble Tribunal
31.03.2026	Public threat against the Review Respondent on social media, reported to the SP Una for protection
02.04.2026	Cyber complaint lodged against the Review Respondent No. 6

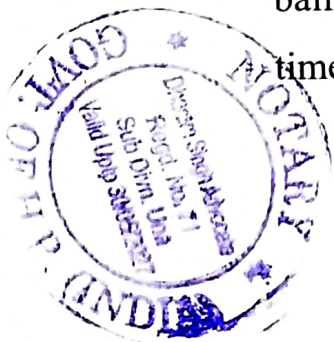


02.04.2026	Defamation Notice of 1.5 Crore sent to Review Respondent No. 6
07.04.2026	CWP No. 4935 of 2026 filed in the High Court (vires challenge, no inspection sought)
07.04.2026	Complaint to the SP Una and IA No. 278 of 2026: Applicant No. 1, Jatinder Singh, coerced to withdraw, with video on record
08.04.2026	IA No. 281 of 2026: deletion of Applicants No. 3 and 4 after they were threatened and persuaded by Mr. Rajan Dhir, with recordings on record
09.04.2026	Order under review: fact-finding inspection directed, notice issued, listed 23.07.2026
09.04.2026	Legal notice to Applicant No. 1 threatening damages of Rs. 1.51 crore
10.04.2026	Ex-parte gag order against the Review Respondent in CS No. 17 of 2026 (OMP 237 of 2026)
24.04.2026	Review Application No. 4 of 2026, with vacation application and IA No. 391 of 2026
15.05.2026	This Hon'ble Tribunal lists the review for 23.07.2026. No stay granted
23.05.2026	FIR No. 44 of 2026 registered on the complaint of Sumit Sharma



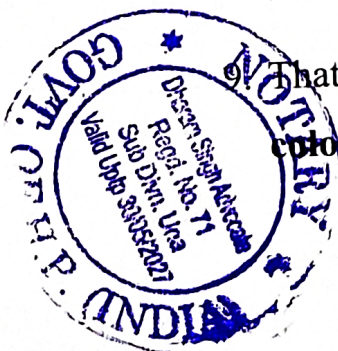
25.06.2026	FIR No. 44 activated with a non-bailable offence under Section 351 BNS, compelling the Review Respondent to seek anticipatory bail
29.06.2026	High Court in CRMPM No. 1141 of 2026: interim protection granted, the Review Respondent directed to join the investigation
01.07.2026	The Review Applicant based on Supreme Court order gets this Review listed before this Hon'ble Tribunal while the respondent is being called to police station for joining investigation every day.
07.07.2026	The Review Applicant No. 1 enters the bail matter through Cr.MP No. 2789 of 2026 to oppose the Review Respondent's liberty.

That **the mechanism of attrition is now complete** and visible on the dates alone. The FIR of 23.05.2026 was activated as a non-bailable offence on 25.06.2026, forcing the Review Respondent into anticipatory bail. When the Review Applicants obtained a listing of this Review on 01.07.2026 and the Review Respondent was called upon to file his reply, he was at the same time forced to join the investigation from day to day, so that no reply could be filed. On 07.07.2026 the Review Applicant No. 1 arrived in the bail matter to oppose his liberty. The criminal process was thus timed, step by step, to fall upon the Review Respondent in the



exact window in which he was to answer this Review. **This is not coincidence. It is design.**

5. That the order dated 09.04.2026 suffers from **no patent procedural illegality**. Its reasons are recorded in paragraph 2, notice was issued in paragraph 3, and the matter stands listed for 23.07.2026. By Section 19(1) of the Act, this Hon'ble Tribunal is in any event **not bound by Order 39 of the Code.**
6. That the order grants **no interim relief**, as the synopsis wrongly suggests. It **restrains nothing and injuncts nothing.** It only directs the Member Secretary, HPSPCB, to inspect the units and report, which is **the Board's own statutory duty.** The premise of the Review therefore fails.
7. That the Review Applicants themselves admit, in their synopsis, that the Original Application **was before this Hon'ble Tribunal on 28.03.2026.** This Hon'ble Tribunal was thus **seised first**, and every later proceeding of the Review Applicants is an afterthought to overtake it.
8. That the Review Applicants say the Applicants' statements are **yet to be tested in law**, yet themselves rely on **every untested FIR, order and complaint as if proven.** They cannot be permitted to **blow hot and cold**, or to apply one standard to the Applicants and another to themselves.



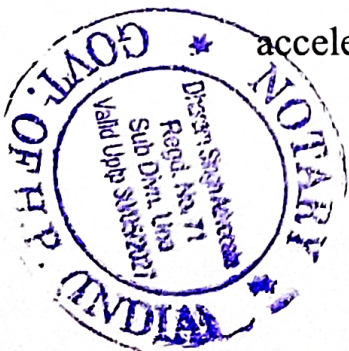
9. That the case of the Review Applicants has **shifted its very colour.** What began as a grievance of publicity and pressure has

been recast as one of **blackmail and extortion**, the colour lent to it through the criminal proceedings and Cr.MP No. 2789 of 2026 in the bail matter. A civil grievance cannot be given a **criminal complexion** in this manner, and the attempt deserves to be deprecated.

10. That the Review is described as bonafide, but the chronology and the tabulated proceedings set out above show otherwise. The conduct of the Review Applicants is **forum shopping, abuse of the process of law, and multiplicity amounting to attrition.**

11. That the Applicants seek **not the revocation** of the Consent to Operate or Establish, but only its **suspension pending full compliance.** The distinction is not one of mere words. The Applicants have never sought to shut the units down, but only to make them operate within the law, and the Review Applicants have blurred this to project a case that was never made.

12. That the order is not an interim injunction but a **fact-finding inspection**, and the suspension sought is only until compliance. The concern of the Applicants is not the Consent, but **the health and the lives of the villagers**. The plea of no urgency is misconceived, for **the emergency is real.** For years the residents have suffered skin disease and allergy, an unexplained and accelerated incidence of death, and even still births, sparing



neither the elderly nor the young nor the children. A grievance of natural justice, in any event, **lies in appeal and not in review.**

13. That an order which merely verifies compliance **injures no one**. This Hon'ble Tribunal, not being bound by the Code under Section 19(1), acted within jurisdiction, and **no error apparent on the record** is shown. The injury is the villagers', and it continues with each day the inspection is delayed. Under the **precautionary principle** the burden lies on the units to show that their operation is benign, and that is **discharged only by inspection**. Inadequacy or error of an order is, moreover, a ground of appeal and not of review, and a Tribunal that grants less than what is prayed has applied its mind. The suffering of the villagers is plain, namely skin allergies, ailing children, diminished land value, constant irritation and black dust upon their rooftops, claims of burning of medical waste, the death of a child, the elderly saying it is **better to die once than to die a little every day**, complaints of heart ailment, and harm even to expectant mothers, while those who raise these concerns are silenced through false and fabricated cases.

14. That the conduct of the Review Applicants after 28.03.2026 speaks for itself. The Review Applicants have **gone to every forum but this one**, a Review here, willing to participate in a writ there, Defamation suit for damages in civil court and a manufactured defamation suit in Hon'ble High Court, and an intervention in a criminal bail matter to **turn a civil dispute into**



a criminal one. The Applicants brought their environmental grievance to the only forum competent to decide it, this Hon'ble Tribunal. The Review Applicants have gone everywhere just to **stop the HPSPCB from discharging its statutory duty.** That single omission **lays bare the whole exercise.**

15. That such **adversarial conduct** deserves to be curbed by this Hon'ble Tribunal, and the need for it is writ large upon the very table of events set out above.

16. That the Review Applicants attribute a buyer's decision to a report in the media, yet have placed on record **no more than two emails**, and no material whatsoever to establish what in fact moved the buyer. A bare assumption cannot be accepted as proof. The decision of a buyer to continue with a supplier or to part with it rests on a range of its own commercial considerations, whether of quality, price, dealing, compliance or otherwise, and a media report can be, at the highest, one trigger among many. Where a supplier does not retain a buyer, the responsibility is its own, to be met by mending its conduct and securing fresh custom, and not by seeking to lay the blame upon a media report. In any event, the relationship between a buyer and its supplier is a **private commercial matter** governed by their own arrangements, and it is **no part of the function of this Hon'ble Tribunal**, seized of a question relating to the environment, to concern itself with the economic relations of the Review Applicants. A buyer of such standing does not act upon any report or communication without



its own queries, clarifications and considered assessment, and any decision it takes is the product of its own due diligence and **not of any act of the Review Respondent, nor of the media report.** If the units would withstand such scrutiny they will withstand the inspection, and if they would not, that is the very reason the inspection must proceed. The raising of genuine environmental concerns through any lawful channel, whether before the authorities, the public or any other body, is the exercise of a right under Article 19(1)(a) and a duty under Article 51A(g), and **occasions no injury known to law.** The alleged prejudice is neither caused by the impugned order, which decides nothing, nor established by any evidence. It is, moreover, a matter of common knowledge that in the industrial areas of the State and of Punjab, such as Baddi and Nangal, the reporting of industrial pollution and of failing samples is a **routine and everyday occurrence**, and is neither extraordinary nor a ground to defer a lawful inspection.

17. That the delay in filing the Counter Affidavit and this Additional Affidavit is **neither wilful nor deliberate.** In the very weeks his reply fell due, the Review Respondent was made to attend investigation from day to day and to defend his liberty, and was left with no real opportunity to file in time. He tenders his sincere and unconditional apology to this Hon'ble Tribunal, and prays that the delay be **condoned in the interest of justice.**



In view of the facts and submissions set out above, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

1. Condone the delay in the filing of the Counter Affidavit and this Additional Affidavit.
2. Take the facts stated in this Additional Affidavit on record.
3. Dismiss the Review Application, the connected vacation application and IA No. 391 of 2026, and the applications dated 08.07.2026, as misconceived and a continuing abuse of the process of this Hon'ble Tribunal.
4. Direct the Member Secretary, HPSPCB, to file the status and report of the inspection directed on 09.04.2026 before the Review Application is decided.
5. Record that the relief sought in the Original Application is suspension of the consent pending full compliance and not revocation, and to proceed on that footing.
6. Pass such other or further order as this Hon'ble Tribunal may deem fit in the interest of justice and of the environment.

AND FOR THIS ACT OF KINDNESS, THE REVIEW
RESPONDENT No. 6 SHALL, AS IN DUTY BOUND, EVER PRAY.

Place: New Delhi

Dated: 13 July 2026



Rohit Singh
DEPONENT

VERIFICATION

I, Rohit Singh, the deponent above named, do hereby verify that the contents of paragraphs 1 to 17 of this Additional Affidavit are true and correct to the best of my knowledge and belief, and that nothing material has been concealed therefrom.

Verified at New Delhi on this 13th day of July 2026.

Rohit Singh
DEPONENT



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Versus

Jatinder Singh and Ors. ...Review Respondent(s)

AFFIDAVIT

I, Rohit Singh, aged 40 years, S/o Sh. K.P. Singh, resident of 96 Basant Vihar, Near Rakkar Colony, Una, Himachal Pradesh – 174303, do hereby solemnly affirm and states as below:

1. That the deponent is Review Respondent No. 6 in the above-mentioned matter and as such he is well conversant with the facts and circumstances of the present case.
2. That the deponent has gone through the contents of the accompanying additional affidavit. The same has been drafted as per my instructions. The contents of the same are true and correct to the best of my knowledge and nothing material has been concealed there from.
3. That the annexure annexed if any to the accompanying additional affidavit are true copy of their respective original.

Rohit Singh

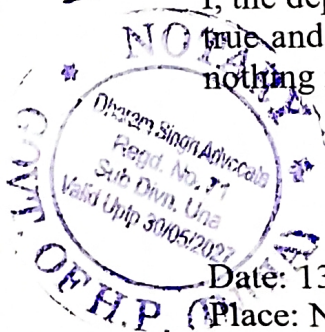
DEPONENT

VERIFICATION

I, the deponent named do hereby verify that the contents of this affidavit are true and correct to the best of my knowledge derived from the records and nothing relevant has been concealed there from.

Certified that this.....
is presented for attestation by Sh. *Rohit Singh* DEPONENT
S/o. Sh. *K.P. Singh* resident
of village *Rakkar Colony Una*
and who is identified by Sh.
or who is personally known to me as is entered
at serial *4780* on date *13/07/26*
time at (place)

ATTESTED
[Signature]
NOTARY





HP State Pollution Control Board
HIM Parivesh Bhawan, Phase-III, Below BCS, New Shimla-09
Phone No. 0177-2673766, 2673020 FAX-0177-2673018

REGD. POST/e-MAIL

Order under section 33-A of the Water Act, 1974

Whereas, according to the report received from the Regional Officer, HPSPCB, Una, District Una, HP vide letter no. HPSPCB/RO/Una/46 (M/s RRD Oil & Fats Pvt. Ltd.) /2021-2166 Dated 06.01.2022 it has been informed that the unit M/s RRD Oil & Fats Pvt. Ltd., was inspected on 06-12-2021 and it was observed that unit was discharging untreated wastewater through the cooling tower in the nearby drain/land. This untreated waste water discharged by the unit was found stagnant in the nearby drain/land, which is causing environmental degradation of the surrounding area which is gross violation of the provisions of Water (Prevention and Control of Pollution) Act, 1974 & Environmental Protection Act, 1986. Further, disconnection of power supply of the said unit was recommended by the Regional Officer, HPSPCB, Una under the provisions of Section 33-A of the Water (Prevention & Control of Pollution) Act, 1974.

Whereas, Show Cause Notice were issued by the Regional Office, HPSPCB, Una, Distt. Una vide its letter dated 07.12.2021 for the aforesaid non-compliance and you were directed to comply with the provisions of aforesaid Rules/Acts and to stop discharging the untreated effluent directly into the drain/land and to lift/recycle the untreated waste water in the manufacturing process or to install of adequate ETP within premises. After that the unit was again inspected on 27-12-2021 and 06-01-2022 and it was observed that the unit is continuously discharging untreated waste water in the nearby drain/land.

Whereas, sample of untreated waste water discharge was collected by the Regional Office, HPSPCB, Una on 6.12.2021 & 27.12.2021 and sent to the Regional Laboratory, Dharamshala for further analysis. The sample reports of the untreated waste water have failed to meet the prescribed norms for TSS, Oil & Grease, COD & BOD on both occasions.

Whereas, the facts stated above are tantamount to violations of the provisions of Water (Prevention and Control of Pollution) Act, 1974 and environmental (Protection) Act 1986 constituting a cognizable offence punishable under the aforesaid Acts:

Accordingly, in consideration of the facts stated above and in exercise of powers conferred under section 33-A of the Water Act, 1974, the aforesaid unit is directed to stop operation/ close down operational activities immediately and not to operate even on DG Set or through any source of energy and report compliance, failing which necessary action shall be initiated as per the provisions of Law. All concerned shall report compliance within three days.

Polist Singh

-Contd.-

-2-

Further, the HP State Electricity Board in general and the Executive Engineer, HPSEBL, Electrical Division, Gagret, District- Una, HP in particular, are hereby directed to disconnect the power supply of the aforesaid unit forthwith respectively.

The non-compliance of the above directions shall constitute a cognizable offence attracting fine up to Rupees ten thousand and imprisonment up to seven years under sections 41, 43 and 44 of Water Act, 1974 which can also be initiated.

Strict compliance from all concerned is solicited to avoid legal liability on their part

Apoorv Devgan, IAS
Member Secretary,
HPSPCB, Shimla

Endst No. PCB /Misc. Complaints Una/Consent Branch-2020-

14363-67

Dated:-

7/1/22

Copy forwarded to:-

1. Managing Director, HPSEBL, Kumar House, Shimla-4 (H.P.)
2. The Executive Engineer, HPSEB, Electrical Division, Gagret, District- Una, HP.
3. The Asstt. Environmental Engineer, HPSPCB, Regional Office Una, District- Una, HP to ensure that the orders are implemented & Environment Compensation be imposed as applicable.
4. M/s RRD Oil & Fats Pvt. Ltd., VPO-Gondpur Jaichand, Tehsil Haroli, Distt Una, HP-176601
5. The System Manager, (IT) HPSPCB, Shimla for information.
6. Case File.

Apoorv Devgan, IAS
Member Secretary
HPSPCB, Shimla

Palnit Singh