



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड  
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या. 102390/सी-3/NGT/309/23

दिनांक. 27/10/23

To,

The Registrar,  
The National Green Tribunal,  
Principal Bench,  
New Delhi  
E-mail-judicial-ngt@gov.in

Sub: Action Taken Report (ATR) in compliance of the order dated 09.10.2023 Passed by Hon'ble National Green Tribunal, New Delhi in M.A No. 90/2023, M.A No. 94/2023 and Original Application No. 774 of 2022 Gaurav Garg Versus Union of India & Ors.

Sir,

In compliance of the order dated 09.10.2023 passed by the Hon'ble National Green Tribunal, New Delhi in M.A No. 90/2023, M.A No. 94/2023 and Original Application No. 774 of 2022 Gaurav Garg Versus Union of India & Ors. The Action Taken Report is annexed herewith and forwarded to you with the request that the same may be placed before the Hon'ble Tribunal.

Enclosure-As above

Your Sincerely

(Ajay Kumar Sharma)  
Member Secretary

Copy to:

1. Shri Pradeep Mishra, Advocate on Record, Hon'ble Supreme Court/NGT, New Delhi for necessary action please.
2. Law Officer-1, U.P. Pollution Control Board, Lucknow for information and necessary action please.
3. Regional Officer, U.P. Pollution Control Board, Meerut for information and necessary action.

Member Secretary

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Action Taken Report (ATR) in compliance of the order dated 09.10.2023 Passed by Hon'ble National Green Tribunal, New Delhi in M.A No. 90/2023, M.A No. 94/2023 and Original Application No. 774 of 2022 Gaurav Garg Versus Union of India & Ors.

The main relevant contents of the order given by Hon'ble National Green Tribunal, New Delhi order dated 09.10.2023 in M.A No. 90/2023, M.A No. 94/2023 and Original Application No. 774 of 2022 Gaurav Garg Versus Union of India & Ors are as under:-

- ....8. *In view of order dated 02.03.2023, UPPCB is bound to allow respondent no. 8 to run the CBWTF till consideration of the application for grant of EC ex-post facto by UPSEIAA. Vide order dated 02.03.2023 UPPCB was directed to do so initially for three months but UPPCB was also directed to extend the same in case of delay in disposal of the application for grant of EC. Therefore, UPPCB is bound to extend the validity period of consents to operate till disposal of the application for grant of EC by UPSEIAA. In view of order dated 11.08.2023 UPSEIAA is bound to dispose of the application for grant of EC expeditiously. UPSEIAA and UPPCB cannot be allowed to flout the orders in the name of any vacancy or lack of infrastructure. Prima facie there appears to be no valid justification for any such non-compliance by these authorities with orders passed by this Tribunal which would also constitute an offence under Section 26 of the National Green Tribunal Act, 2010....*
11. *In the mean while till further orders to the contrary respondent no. 4- UPPCB is directed to grant consents to operate to respondent no. 8 till disposal of its application for grant of EC by UPSEIAA.*
12. *However, nothing in this order shall debar UPPCB from taking against respondent no. 8-Project Proponent for environmental violations in accordance with law and principles of natural justice.*
13. *In view of the facts and circumstance of the case, we also consider personal appearance of the Member Secretaries, UPPCB and UPSEIAA, physically on the next date of hearing for explaining the circumstances of non-compliance with the orders passed by this Tribunal and also for assisting this Tribunal in just and proper adjudication of the questions involved in the miscellaneous applications and they are*

*accordingly directed to remain present before this Tribunal on that date with the relevant record.*

In compliance with the order dated 02-03-2023 passed by Hon'ble N.G.T, the CTO was issued by U.P. Pollution Control Board to Respondent No.8 proponent M/S Synergy Waste Management Pvt. Ltd. Shubharti Dental College, NH-58, Shubharti Puram, Delhi-Haridwar by Pass Road, Meerut, 250001 vide letter no 181577/UPPCB/Meerut(UPPCB RO)/CTO/both/MEERUT/2023 date 12-05-2023 valid till date 11-08-2023. Since the concerned CEO has not extended the validity of previous CTO issued the vide letter dated 12-05-2023 hence a notice has been served to the concerned CEO Shri Ghanshyam for not complying the Hon'ble N.G.T order dated 02-03-2023 and 11-08-2023.

It is further submitted that in the mean time Respondent No.8 Proponent M/S Synergy Waste Management Pvt. Ltd. Shubharti Dental College, NH-58, Shubharti Puram, Delhi-Haridwar by Pass Road, Meerut, 250001 has again filed an online application for CTO and the same was issued to Respondent No.8 proponent M/S Synergy Waste Management Pvt. Ltd. Shubharti Dental College, NH-58, Shubharti Puram, Delhi-Haridwar by Pass Road, Meerut, vide letter 186151/UPPCB/Meerut(UPPCB RO)/CTO/both/MEERUT/2023 date 16-10-2023 valid till disposal of unit EC application by UPSEIAA. The copy of the same is enclosed as annexure -1 with this action taken report.

It is pertinent to mention here that at present Shri Ghanshyam, C.E.O is under suspension.



Ajay Kumar Sharma  
Member Secretary  
UP Pollution Control Board



**Uttar Pradesh Pollution Control Board**  
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186151/UPPCB/Meerut(UPPCBRO)/CTO/both/MEERUT/2023

Date: 16/10/2023

To,

M/s

**SYNERGY WASTE MANAGEMENT PVT LTD****Subharti Dental College, NH-58, Subharti Puram, Delhi-Haridwar By  
 Pass Road, Meerut,MEERUT,250001**Application Id-  
21559386

**Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section-21 of the Air (Prevention & Control of Pollution) Act, 1981**

CCA is hereby granted to **SYNERGY WASTE MANAGEMENT PVT LTD** located at **Subharti Dental College, NH-58, Subharti Puram, Delhi-Haridwar By Pass Road, Meerut,MEERUT,250001.** subject to the provisions of the **Water Act, Air Act** and the orders that may be made further and subject to following terms and conditions :-

1. This CCA **SYNERGY WASTE MANAGEMENT PVT LTD** granted for the period from **16/10/2023** valid till disposal of unit's **E.C. application** by **UPSEIA** and valid for manufacturing of following products.

S No	Product	Quantity	Unit
1	Treatment and disposal of Bio Medical Waste	120	Metric Tonnes/Month

**2. Conditions under Water(Prevention and Control of Pollution) Act -1974 as amended :-**

(i) The daily quantity of effluent discharge (KLD) :-

Kind of Effluent	Quantity(KLD)	Treatment facility	Discharge point
<b>Domestic</b>	<b>1.0 KLD Through Septic Tank</b>	<b>Septic Tank</b>	<b>SEPTIC TANK</b>
<b>Industrial</b>	<b>2.0 KLD Through ETP</b>	<b>ETP</b>	<b>GREEN BELT/REUSE IN PROCESS</b>

(ii) **Trade Effluent Treatment and Disposal :-**The applicant shall operate Effluent Treatment Plant consisting of primary/secondary and tertiary treatment as is required with reference to influent quantity and quality.

In case of stoppage of functioning of ETP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(iii) The treated effluent shall be recycled to the maximum extent and should be reused within the premises for gardening etc. Quality of the treated effluent shall meet to the following general and specific standards as prescribed under Environment (Protection) Rules, 1986 and applicable to the unit from time-to-time :-

**Industrial Effluent Quality Standard**

S.No.	Parameter	Standard
1	pH	AS PER E(P) RULES, 1986
2	BOD	AS PER E(P) RULES, 1986
3	COD	AS PER E(P) RULES, 1986
4	TOTAL SUSPENDED SOLIDS (TSS)	AS PER E(P) RULES, 1986
5	OIL AND GREASE	AS PER E(P) RULES, 1986

(iv) Sewage Treatment and Disposal :- The applicant shall provide comprehensive STP as is required with reference to influent quantity and quality. In case of stoppage of functioning of STP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(v) The treated sewage shall be reused in gardening as far as possible. The STP shall be maintained continuously so as to achieve the quality of the treated sewage to the following standards.

S No.	Parameters	Standards
1	pH	AS PER E(P) RULES, 1986
2	BOD (mg/L)	AS PER E(P) RULES, 1986
3	TSS (mg/L)	AS PER E(P) RULES, 1986
4	Fecal Coliform (MPN/100ml)	AS PER E(P) RULES, 1986

### 3. Conditions under Air (Prevention and Control of Pollution) Act -1981 as amended :-

i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards.

#### Air Pollution Source Details

S No.	Air Pollution Source	Type of fuel	Stack no	Control Device	Height of Stack
1	Incinerator with Quencher, Scrubber, Ventury Scrubber, Droplet Separator, Packed wet System, Activated Carbon Filter, Mist Eliminator	PNG/DIES EL	01	Particulate Matter	30 METER STACK HEIGHT FROM GROUND LEVEL
2	1 X 62.5 KVA DG SET	PNG/DIES EL	01	Sulphur Dioxide	AS PER E(P) RULES, 1986

## Emission Quality Standards

S No.	Stack no	Parameters	Standards
1	01	Particulate Matter	AS PER CAQM DIRECTION
2	01	Sulphur Dioxide	AS PER CAQM DIRECTION

In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately

(ii) The unit will not use any type of restricted fuel.

iii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time
	75	70	65	55	55	45	50	40

#### 4. Essential documents to be submitted by the Industry/Unit as Applicable :-

(i) Environment Statement in Form-V of Environment (Protection) Rules, 1986.

(ii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.

5. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.

6. Unit has to comply with the following specific & general conditions. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 will result in legal action under the aforesaid Acts and Rules.

7. In compliance to the G.O 1011/81-7-2021-09 (Writ)/2016 dated.13.10.2021 issued by Department of Environment, Forest and Climate Change, Uttar Pradesh. You are directed to develop Miyawaki Forest as per the SOP available at URL:-<http://www.upecp.in/TrainingSession.aspx> for ensuring timely compliance of this direction, you are hereby directed to submit a bank guarantee with minimum validity of one year of the amount equivalent to the sum of initial consent fees (Air and Water) or Rs. 50,000/- (Rs. Fifty Thousand Only) whichever is more, within 30 days from the date of issuance of this certificate. In case of non-compliance of this direction, your consent will be revoked by the Board.

8. If the unit uses the ground water and requires the permission from SGWA/CGWA for water abstraction then the industry will have to obtain No objection certificate for abstraction of ground water. It will be the responsibility of the industry to comply with the various conditions of the NOC obtained from the competent authority and submit to the Board, within 3 months time failing which CTO will be revoked.

#### General Conditions:-

1. The applicant shall get analysed the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UPPCB.

2. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.

3. Treated Industrial waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.

4. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.
5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof
6. The industry shall provide uninterrupted entry to the STP/ETP inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control systems.
7. The industry shall provide Inspection Book at the time of inspection to the Board's officials.
8. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
11. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point
12. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.

**Specific Conditions:-**

1. This CTO is valid only for the Common Bio- Medical Waste Treatment Facility (Incinerator Capacity 300 Kg/Hour, Autoclave Capacity 300 Kg/Hour And Shredder Capacity 300 Kg/Hour)- 120 MT/Month by using raw material Bio Medical Waste only at site Subharti Dental College, Nh-58, Subharti Puram, Delhi-Haridwar By Pass Road, District-Meerut, U.P. till disposal of unit's E.C. application by UPSEIAA.
2. Earlier Board has issued a Show Cause notice by the Board via letter no- H 83057/C-3/Air/356/2022, dated-14.10.2022 (U/s 31A of Air (Pollution Prevention and Control) Act, 1981 is suspended till disposal of unit's E.C. application by UPSEIAA.
3. Earlier Board has issued a Show Cause notice by the Board via letter no- H 39932/C-3/BWW-08/Sh.Ca./Meerut/2019 (U/s 5 of E.P. Act, 1986), dated-09.08.2019 is suspended till disposal of unit's E.C. application by UPSEIAA.
4. This CTO is valid till disposal of unit's E.C. application by UPSEIAA.
5. Industry must comply the conditions of Board's direction letter dated-15.02.2023 U/s 31A of Air (Pollution Prevention and Control) Act, 1981 and submit the compliance in the Board within 15 days of issuing this certificate.
6. Industry shall bound by the directions/orders passed by Hon'ble National Green Tribunal in O.A. No. 774/2022 Gaurav Garg Versus State of U.P.
7. Industry shall bound by the directions/orders passed by Hon'ble National Green Tribunal in M.A No. 63/2023 In Original Application No.-774/2022 Gaurav Garg Versus Union of India & Ors. - Synergy Waste Management Pvt. Ltd., Applicant in M.A. order passed by NGT dated-11.08.2023.
8. Industry shall bound by the directions/orders passed by Hon'ble National Green Tribunal in M.A No. 90/2023 & M.A No. 94/2023 In Original Application No. 774/2022 Gaurav Garg Versus Union of India & Ors. order passed by NGT dated-09.10.2023
9. The industry must submit the NOC issued from the UPGWD for abstraction of ground water failing which

consent shall be deemed automatically cancelled.

10. Industry shall submit Stack Emission/Ambient Air Quality Monitoring/Analysis report from Boards Laboratory, after issuing this certificate within one month and on quarterly basis from a certified / approved laboratory under E.P. Act 1986 to the Board.
11. In case of any change in production capacity, process, raw materials use etc. the industry will have to intimate the Board. For any enhancement of the above, fresh Consent to Establish has to be obtained from U.P. Pollution Control Board.
12. In compliance of the Central Pollution Control Board letter no. F. No. B-190193/WQMI/CPCB/P&P/14212 dated 08/12/2017, the industry will follow the Effluent discharge standards as notified under the Environment (Protection) Rules, 1986 and only the treated effluent meeting the effluent discharge norms notified under the Environment (Protection) Rules, 1986 is allowed to discharge.
13. The unit shall maintain strict supervision upon fluctuations in operating parameters with respect to each treatment unit of the Effluent treatment plant.
14. The Unit shall install Piezometer for measurement of ground water level and the data generated from Piezometer will be provided to the SPCB on monthly basis.
15. Industry shall install/maintain Online Continuous Effluent and emission Monitoring System (OCEMS) on ETP and stack & connect it with SPCBs and CPCB server as per the direction of CPCB.
16. The industry shall install electromagnetic flow meter at water source and outlet of ETP, and maintain the records of water abstracted and recycled treated effluent. The treated effluent from the Effluent Treatment Plant shall be used completely in the manufacturing process.
17. The unit shall ensure deployment of qualified manpower to step up self monitoring mechanism on 24 × 7 basis.
18. If the CPCB or UPPCB issues the Closure order against the industry this consent order stands automatically suspended for that period.
19. Any source of emission other than that mentioned in the Air consent seeking application will not be permitted by the Board.
20. As per the directions given by Commission for Air Quality Management in National Capital Region and Adjoining Areas vide its letter no-A-110018/01/2021-CAQM, dated-04.02.2022, industry shall under all circumstances completely switch over to PNG or Bio Fuels latest by 30.09.2022. Industry should switch over to PNG Fuel as soon as PNG supply is available in the area. Unit must use Rice Husk/Biomass/Agriculture Refuse/Bio Fuel Pellets/Bio Briquettes as per direction given by CAQM a tpoint no. 65.
21. Unit shall comply with direction issued under Graded Response Action Plan (GRAP) time to time by Hon'ble Supreme Court & Commission for Air Quality Management in NCR and Adjoining Areas (CAQM).
22. Operation and maintenance of APCS shall be done in such a way that the emission generated from stacks is always within prescribed norms of the Board.
23. Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 53 and 62 and other direction issued time to time regarding use of cleaner fuel.
24. Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 55, 62 & 68 regarding DG sets.
25. The unit shall monitor all sources of emissions from Boiler/Thermopack etc. after fuel conversion from Regional Laboratories, UPPCB on payment basis within a month. To ensure emissions parameters as per CAQM order.
26. The industry should ensure the operation of the Air Pollution Control System (APCS) in such a manner that the air emission confirms with the standards prescribed under the E.P Act 1986 as amended.
27. The industry shall comply with various provisions of Air (Prevention and Control of Pollution) Act 1981

as amended, Water (Prevention and Control of Pollution) Act 1974 as amended and all other applicable rules notified under E.P. Act 1986 and the various orders issued by the MOEF&CC, CPCB and SPCB in time to time .

28. The use of Pet coke and Furnace oil as a fuel in the factory is restricted in compliance of the Hon'ble Supreme court order till further direction.

29. Fly ash shall be stored separately as per CPCB guidelines so that it should not adversely affect the air quality, becoming air borne by wind or water regime during rainy season by flowing along with storm water. Direct exposure of workers to fly ash & dust shall be avoided.

30. Industry shall submit Environmental Statement in prescribed form V as per rule no.14 of E.P Rules 1986.

31. The industry shall ensure provisions of Roof Top Rain Water Harvesting system and Ground Water Recharging Proposal/compliance report should be sent to the Board within One month.

32. Industry shall dispose the hazardous waste through authorized recyclers/TSDF and obtained HWA from the Board.

33. The industry shall provide adequate arrangement for fighting the accidental leakages/ discharge of any air pollutant/gas/liquid from the vessel, machinery etc. which are likely to cause fire hazard including environmental pollution.

34. This consent is valid only for products and quantity mentioned above. Industry shall obtain prior approval before making any modification in product/process /fuel/ Plant machinery failing which consent would be deemed void.

35. Industry shall abide by orders / directions issued by Hon'ble Supreme Court Hon'ble High Court, Hon'ble National Green Tribunal, Central Pollution Control Board and U.P Pollution Control Board for protection and safe guard of environment from time to time.

36. Industry shall comply with various Bio-Medical Waste Management (Amendment) Rules, 2018, Bio-Medical Waste Management Rules, 2016, Waste Management Rules as notified by MoEF&CC i.e. Plastic Waste Management Rules, 2016, Solid Waste Management Rules, 2016, Hazardous and Other Wastes (Management and Transboundary) Rules, 2016, E-waste (Management) Rules, 2016, Construction and Demolition Waste Management Rules, 2016, Battery Rules 2000 and Noise Pollution (Regulation and Control) Rule, 2000.

37. The unit shall submit the audited balance sheet for the current year.

38. The industry shall establish Miyawaki forest inside the factory in sufficient area the treated effluent from the ETP shall be used for forestation.

39. Minimum 33% of the land on which industry is established will be covered by the plantation of tall trees of suitable species as per the guidelines set up by the Board vide its Office Order no.H16405/220/2018/02 dt. 16/02/2018. The copy of this guideline is available at URL [http://www.uppcb.com/pdf/Green-Belt-Guidle\\_160218.pdf](http://www.uppcb.com/pdf/Green-Belt-Guidle_160218.pdf).

RAM

Digitally signed by  
RAM KARAN

KARAN

Date: 2023.10.16

Chief Environmental Officer (Circle 3)

Copy to:

Regional Officer, U.P. Pollution Control Board, Meerut to ensure the compliance of the conditions imposed in the certificate.

RAM KARAN

Digitally signed by RAM

KARAN

Date: 2023.10.16 20:44:18

Chief Environmental Officer (Circle 3)