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OFFICE OF THE DISTRICT MAGISTRATE BULANDSHAHR

Ref:- 53/BS-273/2023

Date:- 20-04-2023

To,

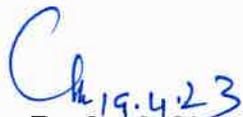
The Registrar,
Hon'ble National Green Tribunal,
New Delhi.

Sub:- Regarding compliance of the order of Hon'ble National Green Tribunal under O.A. No. 799/2022 Vikas Raghav V/s State of Uttar Pradesh

Sir,

With reference to the above order passed by Hon'ble National Green Tribunal dated 05-01-2023 under O.A. No. 799/2022 Vikas Raghav V/s State of Uttar Pradesh. A Joint committee of Sub divisional magistrate, Khurja, Bulandshahr, Regional Officer, U.P. Pollution Control Board, Bulandshahr has been formed to physically visit and inspect the site to obtain a report and take necessary action on the facts given in the complaint. The detailed factual report of the joint committee is being forwarded for your kind perusal and further processing please.

Encl:-As above


(Chandra Prakash Singh)
District Magistrate,
Bulandshahr

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Joint Status Report in compliance of Hon'ble Nation Green Tribunal passed order dated 05-01-2023 in O.A. No. 799/2022 Vikas Raghav V/s State of Uttar Pradesh

The Hon'ble NGT has passed an order dated 05-01-2023 in O.A. No. 799/2023 Vikas Raghav V/s State of Uttar Pradesh. The operative portion of the order is as under:-

"...2. In our view, it would be appropriate that, at the first instance, the matter may be examined by the concerned authorities. Hence, we direct State PCB and District Magistrate, Bulandshahr to look into the matter in terms of siting/location of industry in question and violating with reference to usage of unapproved fuel, exceeding emission norms and other environmental norms and if finds any violation, to take appropriate remedial and preventive action in accordance with law within two months.

3. District Magistrate, Bulandshahr will be nodal agency for coordination and compliance.

4. With the above directions, this application is disposed of.

5. A copy of this order be forwarded to State PCB and District Magistrate, Bulandshahr by e-mail for compliance.

Background:-

The Hon'ble NGT passed the order 05-01-2023 on the complaint that Shyam Enterprises (Gulla/Plastic factory) is illegally operating and using waste material from sugar mill and other chemical industries for producing fuel for kiln/furnace. The industry is operating in populated area creating damage to environment causing health hazards to local residents and damage to agricultural land as well.

Action Taken:-

In compliance of above Hon'ble NGT order, District Magistrate, Bulandshahr constituted a committee of SDM, Khurja and Regional Officer, UPPCB, Bulandshahr on 20-02-2023 for factual inspection of M/s Shri Shayam Enterprises, Village Aterna, Tehsil Khurja, District Bulandshahr. A copy of the letter dated 20-02-2023 is annexed as **Annexure-I**.

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The Joint Committee has physically verified the unit on 20.03.2023. The actual report is as follows:-

1. The geo coordinates of the said unit is Latitude 28.195763 and Longitude 78.008234. In the east direction of the unit agricultural land is located. In the west direction of the unit at 150 meter Triveni Sugar Mill, Sugar Unit Village Sabitgarh Tehsil Khurja District Bulandshahr is situated. In the north direction of the unit at 700 meters village Atairna Tehsil Khurja district Bulandshahr is situated. In the south direction of the unit at 750 meters village Sabitgah Tehsil Khurja district Bulandshahr is situated.
2. Unit is using press mud as raw material and produces bio briquettes. The production capacity of the unit is 1000 Metric Ton/Year. Two nos. of press machines operated by electricity are installed for the production of bio briquettes.
3. Earlier action has been taken by the State Pollution Control Board on the grievance of dust emission generated by the unit and operating without taking (Air/water) consent. Closure order was issued by the board vide letter reference number-H78525/C-4/SA-II-795/Closure order/2022 dated 15/07/2022 under Air (Prevention and Control of Pollution) Act 1981 under section 31A.
4. The unit has complied the directions issued by the State Pollution Control Board. Unit has covered the production area by shade and made the PVC wall of the height of approx 12 feet on the east direction of the unit, where the road approaches to village Attairna to regulate the dust emission. Unit has also covered the raw material by green clothe. Unit has also applied for Air & Water consent from the State board. On the basis of the facts & compliances of the unit, State Board revoked the closure order vide letter reference number-H90265/C-4/SA-II-794/voke/2023 dated 03/03/2023 conditionally.
5. Unit has obtained Air & Water consent from State Pollution Control Board under Air (Prevention and Control of Pollution) Act 1981 as amended and Water (Prevention and Control of Pollution) Act 1974 as amended.
6. Unit is not using plastic waste as raw material. No furnace is installed in the unit and no other Air pollution source found in the unit.

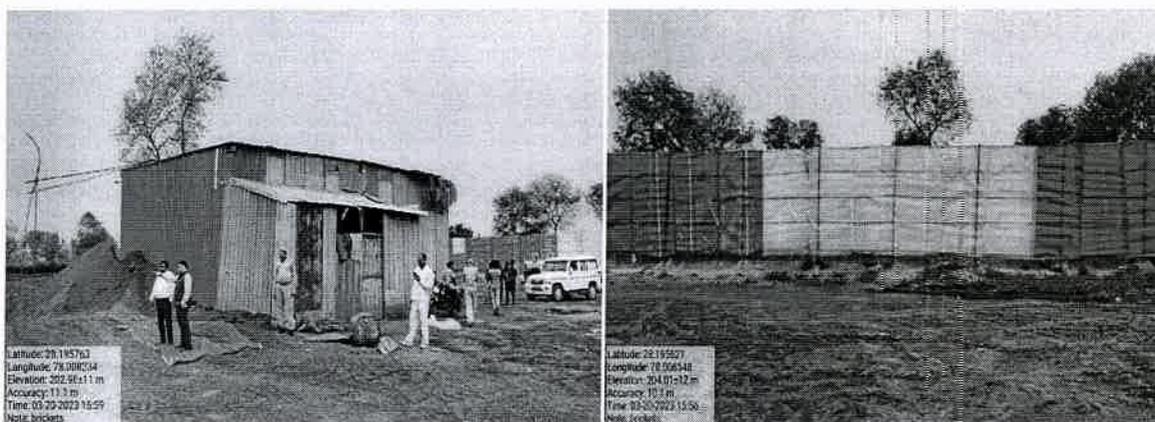
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7. The raw material press mud is supplied by Triveni Sugar Mill to the unit. Unit has obtained an agreement with Sugar unit for supply of press mud.



8. It has been informed by the complainant through a notarized affidavit dated 16.02.2023 that a complaint regarding air pollution was made against M/s Shri Shayam Enterprises at Village Aterna, Tehsil Khurja, District Bulandshahr by him and as the unit has installed a PVC sheet cover around the unit to prevent air pollution So, Now he has no objection to the operation of the said unit. A copy of the affidavit is attached. **Annexure-II.**

The report is being submitted along with the enclosures for kind consideration please.


(GEETESH CHANDRA)
Assistant Scientific Officer
UP Pollution Control Board
Bulandshahr


(SANJAY KUMAR)
Tehsildar, Khurja
Bulandshahr


(SAPNA SRIVASTAVA)
Regional Officer
UP Pollution Control Board
Bulandshahr


RAKESH KUMAR
S.D.M, Khurja
Bulandshahr

Annexure-1

कार्यालय

जिलाधिकारी

बुलन्दशहर।

(11)

पत्रांक: 1240/BS-273/23

दिनांक: 20.02.2023

कार्यालय आदेश

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 नं0-799/2022 विकास राघव बनाम स्टेट ऑफ यू0पी0 के अन्तर्गत श्री विकास राघव पुत्र श्री शीशपाल राघव, निवासी-ग्राम अटरेना, तहसील खुर्जा, जनपद बुलन्दशहर द्वारा मै0 श्री श्याम इण्टरप्राइजेज, ग्राम अटरेना, तहसील खुर्जा, जनपद बुलन्दशहर (गुल्ला/प्लास्टिक) फैक्ट्री के अनाधिकृत रूप से संचालन किये जाने से पर्यावरण, स्थानीय निवासियों के स्वास्थ्य खतरा होने एवं फसल खराब किये जाने के सम्बन्ध में की गयी शिकायत के परिप्रेक्ष्य में कार्यवाही किये जाने के आदेश दिनांक 05.01.2023 के अनुपालन में शिकायत में उल्लिखित तथ्यों के आधार पर नियमानुसार कार्यवाही किये जाने हेतु निम्न अधिकारियों की समिति का गठन किया जाता है:-

1. उप जिलाधिकारी खुर्जा, जनपद बुलन्दशहर।
2. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बुलन्दशहर।

उक्त समिति मा0 राष्ट्रीय हरित अधिकरण द्वारा जारी आदेशों के अनुपालन में श्री विकास राघव द्वारा मै0 श्री श्याम इण्टरप्राइजेज, ग्राम अटरेना, तहसील खुर्जा, जनपद बुलन्दशहर के संचालन से पर्यावरण, स्थानीय निवासियों के स्वास्थ्य खतरा होने एवं फसल खराब होने के सम्बन्ध में की गयी शिकायत के परिप्रेक्ष्य में इकाई का भौतिक निरीक्षण कर कार्यवाही की आख्या अधोहस्ताक्षरी को एक सप्ताह के अन्दर प्रस्तुत किया जाना सुनिश्चित करें, जिससे कि ससमय कार्यवाही की आख्या मा0 राष्ट्रीय हरित अधिकरण को प्रस्तुत की जा सके।


(चन्द्र प्रकाश सिंह)
जिलाधिकारी
बुलन्दशहर

पृष्ठांकन सं0-

प्रतिलिपि-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. अपर जिलाधिकारी (वि0/रा0), बुलन्दशहर।
2. सम्बन्धित अधिकारियों को अनुपालनार्थ।

दिनांक:-


जिलाधिकारी
बुलन्दशहर

olh



उत्तर प्रदेश UTTAR PRADESH

GE 028944

शपथ-पत्र

सेवा में

श्रीमान सक्षम अधिकारी महोदय,



शपथपत्र भिनजानिव- विकास कुमार पुत्र शीशपाल सिंह निवासी ग्राम अटेरना, जिला बुलन्दशहर।

शपथी सशपथ बहल्फ ब्यान करता है कि:-

1. यह कि मेरा उपरोक्त नाम व पता सब सच व सही है।
 2. यह कि शपथी द्वारा मैसर्स श्री श्याम इन्टरप्राइजेज बायोमास ब्रिकेट की उत्पादन इकाई जो ग्राम अटेरना में स्थापित है जिसके संचालन की पूर्व में प्रदूषण सम्बंधी शिकायते की गयी थी।
 3. यह कि उक्त फर्म द्वारा पी0वी0सी0 सीट की बाऊन्ड्री वाल खडी कर दी गई है एवं उपयुक्त व्यवस्था कर दी गयी है। जिससे अब मुझ शपथी व ग्राम वासियो को उक्त फर्म श्री श्याम इन्टरप्राइजेज बायोमास ब्रिकेट की उत्पादन इकाई के संचालन में कोई आपत्ति नही है और ना ही भविष्य में होगी।
- शपथपत्र की धारा 1 लगायत 3 का कथन मेरे निजी ज्ञान में सब सच व सही है कुछ भी छिपाया नही गया है ईश्वर मेरी मदद करें।



स्थान: खुरजा
दिनांक: 16-02-2023

ATTESTED SIGNATURE

SHIVDUTT SHARMA
ADVOCATE & NOTARY
KHURJA (U.P.)

ह0 शपथी

विकास कुमार राधक