

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 622 of 2024

IN THE MATTER OF:

Varun Gulati

...Applicant

Versus

State of Haryana & Ors.

...Respondents

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FILED THROUGH:

Sb

Archana Yadav

Shivani Chawla

[SIDDHARTH BATRA], [ARCHANA YADAV] [SHIVANI CHAWLA]

Chinmay

Rhythm

[CHINMAY DUBEY] & [RHYTHM KATYAL]

Advocates for Respondent No. 95- M/s Sumit Enterprises.

8A, Sagar Apartments, 6-Tilak Marg,

New Delhi-110001.

Mob.: 9888884445

Date: 29.05.2025

Place: New Delhi

E-mail: siddharth.batra@satramdass.com

Phone: 011 4704 6111

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 622 of 2024

IN THE MATTER OF:

Varun Gulati

...Applicant

Versus

State of Haryana & Ors.

...Respondents

**OBJECTIONS TO THE REPORT OF THE JOINT COMMITTEE ON
BEHALF OF RESPONDENT NO. 95, M/S SUMIT ENTERPRISES**

MOST RESPECTFULLY SHOWETH:

1. That the present objections are being filed on behalf of M/S Sumit Enterprises, Respondent No. 95, in compliance with the order dated 27.02.2025 passed by this Hon'ble Tribunal wherein the newly impleaded respondents were directed to file their objections to the Joint Committee Report dated 03.01.2025. As per the order dated 08.01.2025, the Answering Respondent has been impleaded as Respondent No. 95 along with other industries based on the Joint Committee Report.
2. That at the outset, it is submitted that the observations recorded in the Joint Committee Report do not fully reflect the compliance status of the Answering Respondent, and certain findings therein are based on erroneous assumptions, miscalculations, and an outdated compliance assessment.

3. That the Answering Respondent has undertaken substantial investments in advanced environmental control measures to ensure strict adherence to all applicable environmental norms. The Answering Respondent denies any deliberate non-compliance and submits that the alleged deficiencies, if any, were either technical in nature or have already been rectified through corrective measures undertaken post-inspection.

4. **OBJECTIONS TO THE JOINT COMMITTEE REPORT**

4.1 That at the outset, it is submitted that the Answering Respondent is a bona fide industrial unit, engaged in the manufacture of dye and dye intermediates, operating under valid and subsisting consents to operate under the Air and Water Acts and Authorization under the Hazardous Waste Rules, all valid till 30.09.2026. The unit is operational and has taken several initiatives to comply with applicable environmental norms, including the installation of a Primary Effluent Treatment Plant (PETP), proper disposal of hazardous waste, and sourcing freshwater through HSIIDC. A Copy of the detailed and reasoned response to the HSPCB Show Cause Notice along with all the relevant annexures is annexed herewith and marked as **ANNEXURE R-1**.

4.2 That the Answering Respondent categorically denies the classification of the unit as “Non-Complying (Discharge Norms)” and respectfully submits that the finding is based on one-off pH deviation and absence of logbooks at the time of inspection, which do not indicate willful or habitual non-compliance. The Answering Respondent submits that the pH variation was temporary and likely

due to sampling error or unrepresentative collection timing. The other parameters (BOD, COD, TSS) were all well within the prescribed discharge norms, thereby reflecting the effectiveness of the installed treatment mechanism.

- 4.3 That the report records absence of logbooks for PETP inlet and outlet readings, water consumption, energy consumption, and sludge generation. The Answering Respondent submits that logbooks were indeed maintained, but due to oversight by operational staff on the day of inspection, copies were not immediately produced. The same are now available and can be submitted for verification. It is denied that such omission amounts to substantive non-compliance.
- 4.4 That the inspection further records that the PETP system is of "absolute" nature and recommends upgradation. It is submitted that the PETP installed is functional, consists of physico-chemical treatment followed by tertiary units including a tube settler and sludge drying bed. Photographic evidence of the flow meters at the inlet and outlet, as annexed with the inspection report itself (Fig. 3 & Fig. 4), shows operational infrastructure in place. The recommendation to upgrade PETP is noted and will be positively considered, but does not warrant labeling the unit non-compliant as on date.
- 4.5 That the observation regarding lack of environmental laboratory and energy meter for PETP is admitted to the extent that separate metering was not installed. However, the PETP functions within the main facility's monitored energy consumption, and provision for separate energy tracking is being considered. Absence of in-house lab is

addressed by reliance on accredited external labs for quality verification.

- 4.6 That the unit is utilizing HSIIDC water supply as its only source of freshwater, and a flow meter is installed, as recorded in the inspection report (Fig. 7). Any deficiency in recording logbook data shall be rectified, but no excess withdrawal or unauthorized extraction has been alleged in the report. The Answering Respondent further undertakes to strictly maintain proper consumption records hereafter.
- 4.7 That the report also notes that hazardous waste details, including quantity generated and copy of agreement with TSDF/recyclers, were not provided. The Answering Respondent clarifies that records are maintained and agreement with authorized handlers exists. The same will be provided to the authorities as required and updated on the relevant portal.
- 4.8 That the Answering Respondent respectfully submits that the above deviations are procedural and administrative in nature and do not constitute breach of discharge norms or hazardous waste handling regulations. The unit operates under valid statutory permissions and remains committed to corrective actions wherever required.
- 4.9 That in view of the above submissions, the Answering Respondent prays that the findings in the Joint Committee Report dated 12.08.2024 be reconsidered and that the unit be not categorized as non-complying, especially in absence of any material evidence of environmental harm, unauthorized discharge, or violation of consent conditions.

- 4.10 That in light of the foregoing submissions, the Answering Respondent categorically denies any allegations of non-compliance and submits that the findings of the Joint Committee Report and the subsequent classification of the Answering Respondent as non-complying are based on assumptions rather than conclusive evidence. The Answering Respondent has consistently adhered to prescribed environmental norms, holds valid statutory permissions, and has taken proactive measures to ensure compliance.
- 4.11 That the Answering Respondent remains committed to environmental sustainability, regulatory compliance, and responsible industrial operations and prays for a just and fair assessment of its compliance status.
5. The Answering Respondent further reserves its right to file additional pleadings or affidavits, if necessary, in response to any subsequent developments in the present proceedings.

FILED THROUGH:



[SIDDHARTH BATRA], [ARCHNA YADAV] [SHIVANI CHAWLA]



[CHINMAY DUBEY] & [RHYTHM KATYAL]

Advocates for Respondent No. 95- M/s Sumit Enterprises.

8A, Sagar Apartments, 6-Tilak Marg,

New Delhi-110001.

Mob.: 9888884445

Date: 29.05.2025

E-mail: siddharth.batra@satramdass.com

Place: New Delhi

Phone: 011 4704 6111

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 622 of 2024

IN THE MATTER OF:

Varun Gulati

...Applicant

Versus

State of Haryana & Ors.

...Respondents

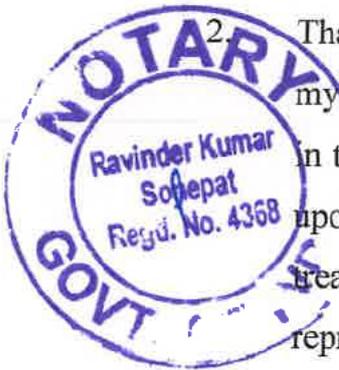
AFFIDAVIT

I, Mr. Hans Raj, aged about 72 years R/o HN 20B, Road no 52, Near Central Market, Punjabi Bagh, West Punjabi Bagh, SO West Delhi 110026, do hereby solemnly affirm and stat as under:

1. That I am the authorized signatory of Respondent No.95, M/s Sumit Enterprises, having its office at Barhi, in the aforesaid Original Application, I am aware of the facts and circumstances of the case in my official capacity as stated above and hence, entitled to swear this affidavit.

2. That the accompanying reply has been drafted by my counsel under my instructions, and I say that the statements and submissions made in the said reply are true and correct to best of my knowledge based upon the records and my belief. I pray that the said reply to be treated as part and parcel of this Affidavit and the same is not being reproduced for the sake of brevity.

3. I say that the documents / annexure produced along with the reply are true copies of its originals.



For SUMIT ENTERPRISES

[Handwritten Signature]

Partner

For SUMIT ENCL. PRISES

DEPONENT *[Signature]*
Partner

VERIFICATION:

Verified that the contents of the above affidavit are true and correct to the best of my knowledge, belief and nothing material information has been concealed therefrom. No part of it is false.

Verified at _____ on this ____ day of _____, 2025.



98
17/2/25
related before me at *[Signature]*
who is identified by *[Signature]*
who is personally known to me. Certified
that the contents has been read &
explained to the deponent who seems
perfect to understand the contents.

ATTESTED
[Signature]
17/2/25
NOTARY
Distt. Sonapat

For SUMIT ENCL. PRISES

DEPONENT *[Signature]*
Partner

5124
ANNEXURE R-1

File For
31/1/25



HARYANA STATE POLLUTION CONTROL BOARD
Plot No. 1, Sector-15, Part-II, Sonapat, Ph. - 0130-2236119,
E-mail ID: - hspcbros1@gmail.com



No. HSPCB/SR/2025/ 2811

Dated: 16/1/25

To

M/s Sumit Enterprises
Plot No. 178, Barhi, Sonapat

Sub: Show Cause Notice for Closure under section 33-A of Water Act, 1974, prosecution action under section 43/44 of Water Act, 1974, revocation of consent u/s 27 of the Water (Prevention & Control of Pollution) Act, 1974 & u/s 21 (4) of the Air (Prevention and Control of Pollution) Act, 1981 and imposing environmental compensation as per order dated 22.12.2021.

Whereas, the unit was inspected on 12.08.2024 by the Joint Team of CPCB and HSPCB in reference to OA No.622/2024 titled as Varun Gulati Vs State of Haryana & Ors. pending before Hon'ble NGT, New Delhi and the unit is involved in Dyes and dye intermediates having CTO valid upto 30.09.2026.

Whereas, during inspection following deficiencies have been observed which need to be complied as per condition of CTO granted to the said unit: -

1. The unit has not provided logbooks of PETP inlet, outlet, water consumption, PETP energy meter, sludge generation and disposal
2. Effluent characteristics: as per analysis report is as below: -

Parameter	PETP inlet	PETP outlet	Prescribed Discharge norms	Compliance w.r.t norms
pH	4.2	4.3	6.0 - 9.0	Non-complying (Discharge norms)
Colour	187	87	-	
BOD (mg/l)	282	283	500	
COD (mg/l)	972	798	1400	
TSS (mg/l)	170	292	1500	

3. As per analysis results the unit was found non-complying w.r.t. pH (4.2 against norms of 6.0 - 9.0)

Recommendation of the Team:-

1. The unit shall upgrade its PETP system to achieve PETP effluents discharge norms.
2. The unit shall maintain logbooks of production, PETP inlet, outlet, water consumption, PETP energy meter, sludge generation and disposal.

Therefore, you are hereby directed to show cause & explain within **15 days** as to why closure action may not be taken against your unit u/s 33-A Water (Prevention and Control of Pollution) Act, 1974, prosecution action under section 43/44 of Water (Prevention and Control of Pollution) Act, 1974 and revocation of consent u/s 27 of the Water (Prevention & Control of Pollution) Act, 1974 & u/s 21 (4) of the Air (Prevention and Control of Pollution) Act, 1981 besides initiation of legal action under the Acts for non-compliance of the relevant provisions of Environmental Acts/Rules/Laws.

In case you fail to reply/comply with the deficiencies mentioned above within above mentioned stipulated time period, it will be presumed that you have nothing to say in this regard and accept the status as mentioned above, which will warrant closure action against your unit under relevant Acts/ Rules besides initiation of legal action under the relevant Acts/Rules without giving any further notice.

Whereas, for the above said violations you are liable to pay the Environmental Compensation in terms of the directions of Board issued letter no. HSPCB/PLG/2021/2343-2350 dated 22.12.2021 as assessed by the Board as per methodology defined therein.


Regional Officer,
Sonapat Region.

Rt

Endst. No. HSPCB/SR/2025/

Dated:

A copy of the above is forwarded to the Chairman, HSPCB, Panchkula for information, please.


Regional Officer,
Sonapat Region.



5126 SUMIT ENTERPRISES

Phones: 09313401248
09896024170

Manufacturers of : Basic Colours

Suppliers of : All Kinds of Dyes, Chemicals And Intermediates

178, HSIDC, Industrial Estate, Barhi, Distt. Sonipat, (Haryana)
E-mail:sumitenterprises@gmail.co Web. www.vinyladditives.in

Ref:No.

Dated. 3/2/2025

The Regional Officer
Haryana State Pollution Control Board
Sonipat

Subject: - Reply to show cause notice for Closure under section 33-A of water Act, 1974, prosecution action under section 43/44 of water Act, 1974, revocation of consent u/s 27 of the water (Prevention & Control of Pollution) Act, 1974 & u/s 21 (4) of the Air (Prevention and Control of Pollution) Act, 1981 and imposing environmental compensation as per order dated 22.12.2021.

Dear Sir,

With reference to the letter no HSPCB/SR/2025/2811 dated 16.01.2025 received on dated 22.01.2025, it is mentioned that we agree to the statement that the unit was inspected on 12.08.2024 by the joint team of CPCB and HSPCB. We approve that our unit is involved in the process of dyes and dye intermediates.

Though, at the time of inspection some discrepancies were observed that has been fulfilled below:-

1. It is mentioned that we have revised our logbook format and accordingly we will maintain the logbook for PETP inlet, outlet, water consumption, PETP energy meter, sludge generation and disposal.
2. It is stated that we agree that the pH dosing pump was at fault at the time of inspection that has been replaced. We are enclosing the bill for the same. We have deposited the performance security fee and sample testing fee to collect the sample.

Though, there are certain recommendations that have been mentioned below:-

1. We have upgraded the PETP system to achieve PETP effluent discharge norms.
2. As mentioned above, we have started maintaining the logbook of production, PETP inlet and outlet, water consumption, PETP energy meter, sludge generation and disposal.

*Now we have deposited performance security amounting to Rs. 25000/- reference No.206691867 DT. 24.01.2025 as well as water testing fee amounting to Rs. 2700/- reference no. 206750832 dt. 25.01.2025 (Copy Enclosed).

* We have attached a logbook format so that it could be maintained significantly; we request to approve the same.

* Moreover, we have mentioned the basic details as email sumitenterprises@gmail.com and mobile no9812444942 to deal with correspondence timely.

Concluding the above, it is requested that re-visit and re-sampling must be conducted.

Thank you
Yours faithfully
For Sumit Enterprises

Received
3/2/2025
HARYANA STATE POLLUTION
CONTROL BOARD
Plot-1, Sector-15, Part-II
SONEPAT-131001(HR.)

VAKALATNAMA

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 622 OF 2024

IN RE:-

VARUN GULATI

...APPLICANT

VERSUS

STATE OF HARYANA & ORS.

...RESPONDENTS

KNOW ALL to whom these presents shall come that I/We, undersigned the above named do hereby appoint.

**SIDDHARTH BATRA (P/1083/2004), ARCHNA YADAV (D/1837/2020), SHIVANI CHAWLA (D/2233/2019),
CHINMAY DUBEY (D/8141/2021) & RHYTHM KATYAL (D/3528/2022);**

Advocates

Satram Dass B & Co., 8A, Sagar Apartment, 6 Tilak Marg, New Delhi-110001

Mob: 988888 4445, Email: siddharth.batra@satramdass.com

(hereinafter called the advocate/s) to be my/our Advocate in the above noted case and authorize him: -

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the Appellate Court including High Court subject to payment of fees separately for each court by me/us.

To sign file, verify and present pleadings, appeals, cross-objections or petitions for executions, review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage. To file and take back documents, to admit and/or deny the documents of opposite party. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. To deposit, draw and receive monthly cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and proposes. And I/We undertake that I/We or my /our duly authorised agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called. And I/We the undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself. And I/We the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 17 day of MARCH 2025

Accepted, identified and certified subjected to the terms of the fees.

SB

Archna Yadav

[SIDDHARTH BATRA] [ARCHNA YADAV]

Shivani Chawla

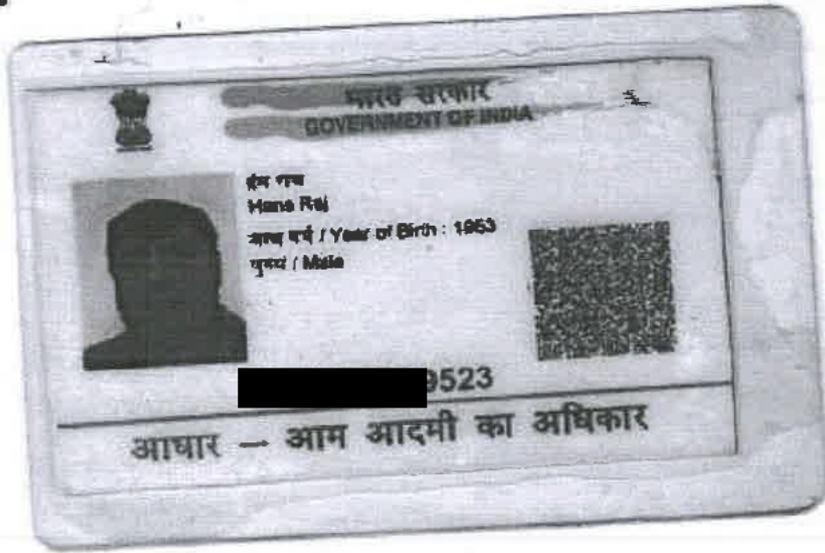
Chinmay Dubey

Rhythm Katyal

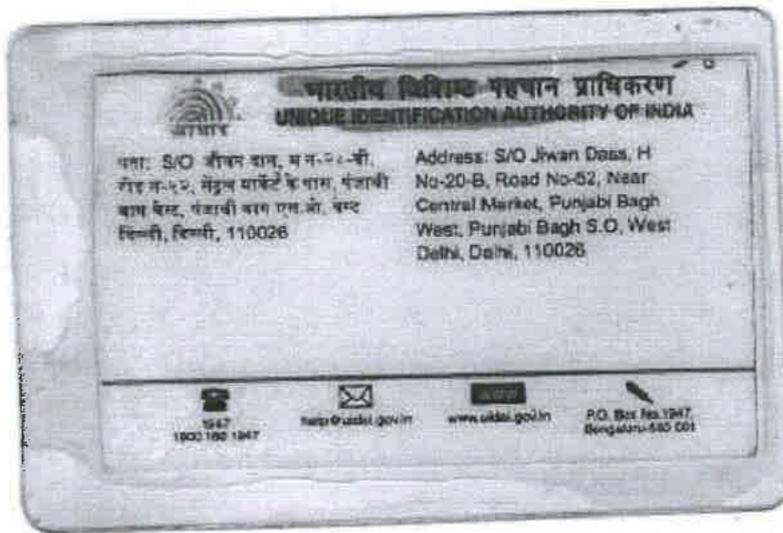
[SHIVANI CHAWLA] [CHINMAY DUBEY] & [RHYTHM KATYAL]

Advocates

Client
For SUMIT ENYA. PRICES
Sumit
Partner



Juman



Advance service copies of short reply on behalf of Respondent Nos. 34, 70, 79, 84, 95 & 98 in O.A. No. 622/2024 titled as 'Varun Gulati v. State of Haryana & Ors.'

1 message

Vijay Kumar <vijay.kumar@satramdass.com>

Thu, May 29, 2025 at 4:21 PM

To: Mansi Chahal <mansichahal104@gmail.com>, Varun Gulati <jansewajanhit@gmail.com>

Cc: Shivani Chawla <shivani.chawla@satramdass.com>, Rhythm Katyal <rhythm.katyal@satramdass.com>, Chinmay Dubey <chinmay.dubey@satramdass.com>, Archana Yadav <archana.yadav@satramdass.com>

 Paperbook-NGT Reply-R79 Paras Tubetech
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 Paperbook-NGT REPLY-R95 Sumit
Enterprises_Redacted.pdf

 Paperbook-NGT Reply-R98 Season
Farm_Redacted.pdf

 Paperbook-NGT REPLY-R84 DESIGN O
CREATION.pdf

Dear Sir,

PFA.

Advance service copies of short reply on behalf of Respondent Nos. 34, 70, 79, 84, 95 & 98 in O.A. No. 622/2024 titled as 'Varun Gulati v. State of Haryana & Ors.'

Kindly treat the same as Proof of service.

Regards

Vijay Kumar
Office Manager

SDB
SATRAM DASS B & CO.
ADVOCATES
8A Sagar Apartment
6 Tilak Marg
New Delhi - 110001
Landline - +91-11-47046111
vijay.kumar@satramdass.com

Satram Dass B & Co. made the following annotations

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2 attachments

 **Paperbook-NGT Reply-R34 Shivalik Processor.pdf**
12795K

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