

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****I.A. No. 12/2026 in****Original Application No. 667/2025**

In the matter of:

Al Subhana Traders

.....Applicant

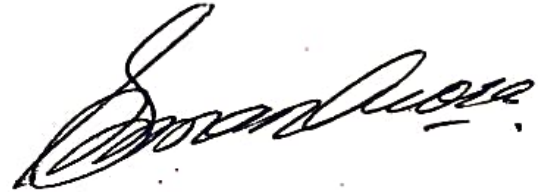
Versus

State of Uttar Pradesh & Ors.

.....Respondents

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2.	Annexure I: A copy of direction dated 29.01.2026 issued by CPCB to District Magistrate, Mohanpura, Rakabganj, Agra.	
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(Filed by Adv. Suman Arora)
On behalf of Central Pollution Control Board

Place: Delhi
Dated: 10.04.2026

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

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Original Application No. 667/2025

In the matter of:

Al Subhana Traders

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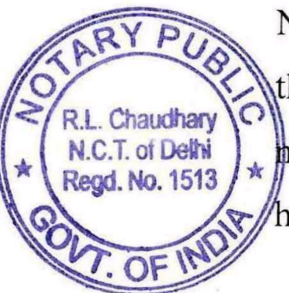
State of Uttar Pradesh & Ors.

.....Respondents

**REPLY ON BEHALF OF CENTRAL POLLUTION CONTROL BOARD
(CPCB), RESPONDENT NO. 2**

Preliminary Submissions:

1. That the Hon'ble National Green Tribunal (hereinafter referred to as the "Hon'ble NGT"), Principal Bench, New Delhi vide Order dated 19.01.2026 in OA No. 667/2025 has sought the reply of CPCB in the instant matter. Thereby the reply is made in the succeeding paragraphs.
2. In the captioned O.A., the applicant has prayed for a direction to the respondents to allow restoration of lawful operation of the applicant unit.
3. That, at the outset, the answering respondent denies all claims, contentions, allegations and averments against answering respondent CPCB in the referred O.A. contrary to anything stated or submitted in this reply. Nothing in the O.A. may be deemed to have been accepted or admitted by the answering respondent for want of a specific denial or on the ground of non-traverse, save any averment which has been expressly admitted hereinafter.



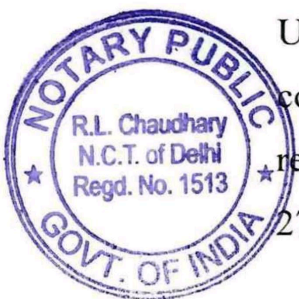
4. That CPCB is constituted under Section 3 of the Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under the Water (Prevention and Control of Pollution) Act 1974 (hereinafter referred as Water Act, 1974,) the Air (Prevention and Control of Pollution) Act 1981 (hereinafter referred as Air Act, 1981), and the Environment (Protection) Act, 1986.
5. That the State Pollution Control Boards (hereinafter referred as “SPCBs”) and Pollution Control Committees (hereinafter referred as “PCCs”), have been constituted in States / Union Territories under the Water Act, 1974 and the Air Act, 1981 and are empowered to implement the provisions of these Acts in respect of their Territorial Jurisdictions.

SUBMISSIONS ON MERITS:

6. This respondent submits that the applicant unit M/s Al Subhana Traders was inspected by CPCB through Third Party Institute on 17.06.2023 and was found non-operational.
7. That, as per the standard protocol of annual inspections carried out by CPCB through Third Party Institutes, the report was forwarded to Uttar Pradesh Pollution Control Board (UPPCB) through portal for necessary action.
8. Consequently, the unit was issued directions dated 21.08.2023 by UPPCB to remain closed and obtain Consent to Operate before resumption of operation.



9. That, CPCB issued directions dated 29.01.2024 under Section 5 of Environment (Protection) Act, 1986 to District Magistrate (DM), Agra regarding ensuring non-operation of the Unit till permission is granted by UPPCB to resume their operations. Further, the DM was directed to seal the unit and disconnect the power supply of the unit. A true copy of the directions dated 29.01.2024 is placed herewith at **Annexure I**.
10. That, UPPCB vide its letter dated 21.07.2025 informed CPCB that the unit has been issued a conditional Consent to Operate vide letter dated 12.05.2025 and thus requested CPCB to revoke directions under Section 5 of E(P) Act, 1986 dated 29.01.2024 issued to DM, Agra. A copy of the letter dated 21.07.2025 is placed herewith as **Annexure II**.
11. That, CPCB issued letter dated 23.07.2025 to DM, Agra to intimate that UPPCB has granted consent to operate to the unit on 12.05.2025 and requested for power restoration in the Unit. Accordingly, CPCB requested the DM to take necessary action in the matter. A copy of the letter dated 23.07.2025 issued by CPCB is placed herewith at **Annexure III**.
12. That, CPCB also issued letter dated 27.08.2025 to DM, Agra clarifying that directions dated 29.01.2024 were valid only till permission was granted by UPPCB to the Unit to resume its operations and since UPPCB has granted consent to operate to the Unit, electricity connection of the Unit may be restored, and the Unit may be allowed to operate. A copy of the letter dated 27.08.2025 is placed herewith at **Annexure IV**.
13. The Answering Respondent seeks liberty to file additional reply if the same is considered necessary at later stage.



14. That in light of the above submission, it is respectfully submitted that this answering respondent i.e. CPCB shall abide by all the order(s) or direction(s) passed by this Hon'ble Tribunal in this original application.



(Dinabandhu Gouda)

Scientist 'F'

Central Pollution Control Board

10.04.2026



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

**I.A. No. 12/2026 in
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In the matter of:

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Versus

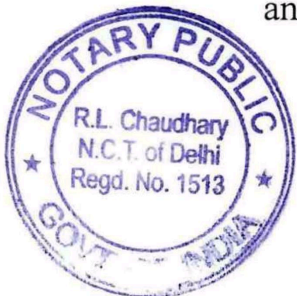
State of Uttar Pradesh & Ors.

.....Respondents

I, **DINABANDHU GOUDA**, working as Scientist 'F' in Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, the Respondent No. 2 in the above matter, do hereby solemnly affirm, declare on oath and state as under:-

That I, the deponent herein is well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.

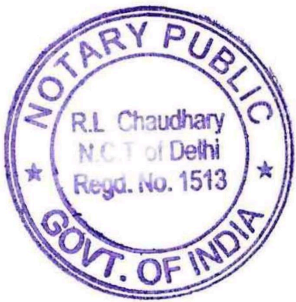
2. That the accompanying reply may be read as part and parcel of the present affidavit.
3. That the accompanying reply has been drafted and filed under my instructions, the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.



DEPONENT
दीनबन्धु गौडा / Dinabandhu Gauda
वैज्ञानिक 'फ' / Scientist 'F'
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन और जलवायु परिवर्तन विभाग, भारत सरकार)
(Ministry of Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

Verified at New Delhi on this 10 APR 2026 day of _____ 2026 that the contents above are correct and true on the basis of the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.



ATTESTED
[Signature]
NOTARY PUBLIC
GOVT. OF INDIA

10 APR 2026

[Signature]

DEPONENT

दीनबन्धु गौड़ा / Dinabandhu Gauda
वैज्ञानिक 'ब' / Scientist 'F'
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन और जलवायु परिवर्तन विभाग, भारत सरकार)
(Min. Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दीनबन्धु गौड़ा / Dinabandhu Gauda
वैज्ञानिक 'ब' / Scientist 'F'
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
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(पर्यावरण, वन और जलवायु परिवर्तन विभाग, भारत सरकार)
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परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

Speed Post / E-mail

F. No. PJ-14011(11)/2/2021-WQM-II-HO-CPCB-HO

Date: 29.01.2024

9359

To,

District Magistrate,

Mahatma Gandhi Road, Near Sai ki Takiya Crossing,
Mohanpura, Rakabganj, Agra- 282010,
Uttar Pradesh

DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

WHEREAS, the Central Government has notified standards for discharge of environmental pollutants from industries and common effluent treatment plants (CETPs), under the Environmental (Protection) Act, 1986 and rules framed there under, and

WHEREAS, the State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs) are empowered to stipulate standards for discharge of environmental pollutants for various categories of industries and common effluent treatment plants (CETPs) more stringent than those notified by the Central Government, under the Environmental (Protection) Act, 1986 and rules framed there under; and

WHEREAS, Grossly Polluting Industries (GPIs) from sectors Chemical (Pharmaceuticals, Organic, Inorganic, Fertilizers, Refinery and Pesticides), Distillery, Sugar, Pulp & Paper, Textile, Dying, Bleaching, Slaughter House, Tannery, Food & Dairy and Others categories of industry located in states of Uttarakhand, Haryana, NCT-Delhi, Uttar Pradesh, Bihar, Jharkhand and West Bengal discharging effluent directly or indirectly into the river Ganga, Yamuna and their tributaries through drains, have potential to cause adverse effect on the river water quality; and

WHEREAS, Ministry of Environment, Forests & Climate Change, Govt. of India, vide notification S.O. 157(E) of 27.02.1996 has delegated powers vested under section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB) to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board, any local or other Authority for the violation of emission and effluent standards notified, under the Environment (Protection) Rules, 1986 and other standards and norms; and

WHEREAS, the Hon'ble NGT judgment dated 13.07.2017 in matter of MC Mehta Vs Union of India, OA no. 200 of 2014 has mandated that *no industries, big or small can be permitted to pollute the groundwater, drains, water bodies and environment and in all events the discharge of effluents from the unit has to be strictly in compliance with the prescribed standards. The units shall be liable to be closed and shutdown with immediate effect, in case it is found defaulting;* and

WHEREAS, the Hon'ble Supreme Court of India in WP (375 of 2012) passed the judgement dated 22.02.2017 that *"the concerned SPCBs are mandated to carry out inspections, to verify, whether or not, each industrial unit regarding "consent to operate", has a functional primary effluent treatment plant. Such of the industrial units, which have not been able to make their primary effluent treatment plant fully operational, within the notice period, shall be restrained from any further industrial activity. This direction may be implemented by requiring the concerned electricity supply and distribution agency, to disconnect the electricity connection of the defaulting*

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

industry. We therefore hereby further direct, that in case the concerned SPCBs make a recommendation to the concerned electrical supply and distribution agency/company, to disconnect electrical supply to an industry, for the reason that its primary effluent treatment plant is not functional, it shall honour such recommendation, and shall disconnect the electricity supply to such defaulting industrial concern, forthwith," and

WHEREAS, it has been decided that inspection of GPIs should be made an annual exercise; and

WHEREAS, inspections of 3186 GPIs were carried out during February, 2023 – July, 2023 by teams of officials comprising of experts from Technical Institutions, concerned State Pollution Control Boards (SPCBs)/Pollution Control Committee (PCC), State Mission for Clean Ganga (SMCGs)/District Ganga Committees (DGCs) and inspection reports were made available to concerned SPCBs/PCC by technical institutes for necessary action; and

WHEREAS, concerned SPCBs/PCC have taken action against GPIs which were found self-closed and non-complying during inspections; and

WHEREAS, CPCB issued directions dated 18.05.2023 under section 18(1)(b) to SPCBs/PCC of Uttarakhand, Haryana, NCT Delhi, Uttar Pradesh, Bihar, Jharkhand and West Bengal to issue directions to remain closed to all self-closed units (including temporary closed & permanent closed) and also to issue appropriate directions in case of non-compliant GPIs, which includes show cause notices/closure directions within 30 days of receipt of inspection reports; and

WHEREAS, SPCBs/PCC of Uttarakhand, Haryana, Delhi, Uttar Pradesh, Bihar and West Bengal issued closure directions under section 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 to 474 GPIs (Uttarakhand-03; Haryana-78; Delhi-23, UP-363; Bihar-05 & WB-02) which were found self-closed (334 Temporary closed and 140 Permanent Closed) and to 65 GPIs (Haryana-05; Delhi-05 & UP-55) which were found non-complying during annual inspection 2022-23; and

WHEREAS, out of 539 GPIs issued closure directions 02 GPIs are located in the jurisdiction of District Magistrate, Agra and list is enclosed at Annexure-I; and

WHEREAS, many of GPIs found self-closed (temporary/permanent closed) during annual inspection, were reported to have resumed operation immediately after completion of such inspection thereby indicating their deliberate closure to avoid such inspections. Therefore, it has been decided that industrial units which are either found self-closed (temporary or permanent closed) during inspection or issued closure direction due to non-compliance shall be sealed immediately by the concerned District Magistrates till they are re-inspected to verify the functional status of ETP, compliance with the norms and allowed to resume operation by Uttar Pradesh Pollution Control Board (UPPCB); and

WHEREAS, it has been reported that many of the industrial units found self-closed (temporary/permanent closed) during annual inspection are established on lease basis/leased property; and during the time interval between inspection of units and issuance of this direction, termination of land lease agreement by the original lessee owning the industrial unit listed in the GPI list and replacement by a new lessee who may be operating a dry unit or an industrial unit not included in the GPI list may occur. In the event of change of lessee, after due verification, if the new manufacturing unit is found to cause zero water pollution, then the same shall be exempted from sealing and power disconnection.

AND NOW THEREFORE, in view of above observations and in exercise of the power delegated under section 5 of the Environment (Protection) Act, 1986, District Magistrate of Agra is hereby directed to ensure that GPIs located in their jurisdiction, which have been found either self-closed or non-compliant during annual inspection 2022-23 and have been issued closure directions/to remain closed directions under Section 33(A) of the Water (Prevention & Control of Pollution)


Act, 1974 by the concerned SPCBs/PCC, as the case may be, (list at Annexure-I) be closed forthwith and ensure that these units do not operate till permission is granted by UPPCB to them to resume their operations. For this purpose, industries listed at Annexure-I shall be physically checked, lease agreements verified to identify cases of change of lessee and manufacturing unit and accordingly, barring newly replaced industries meeting exemption criteria, all other industries which have been issued closure directions by UPPCB, as per list at Annexure-I shall be sealed and power supply be disconnected by the concerned District Magistrate or any authorised representative of the District Magistrate.

The action taken report on each GPI (as per list enclosed) shall be forwarded by District Magistrate to CPCB within 30 days. District Magistrate shall acknowledge the receipt of the directions to CPCB immediately.


(TANMAY KUMAR)
CHAIRMAN

Copy to:

1.	Director General, National Mission for Clean Ganga (MoWR, RD & GR), 1 st Floor, Major Dhyan Chand National Stadium India Gate, New Delhi - 110002	: for kind information please
2.	Additional Secretary (CP Division), Ministry of Environment, Forests, & Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi - 110013	: for kind information please
3.	Member Secretary, Uttar Pradesh Pollution Control Board Building. No. TC-12V, Vibhuti Khand Gomti Nagar, Lucknow-226010, Uttar Pradesh	: for kind information please
4.	Regional Director, Regional Directorate (North) Central Pollution Control Board Ground Floor, PICUP Bhawan, Vibhuti Khand Gomti Nagar, Lucknow-226 010(U.P.)	:for kind information and to ensure compliance of the direction please
✓ 5.	Incharge, IT Division, CPCB	: for uploading on CPCB website
6.	Master File, CPCB	: to keep record


(Bharat Kumar Sharma)
MEMBER SECRETARY

Annexure-I**District wise Industry list (Temporary closed/ Permanent closed or Closure directions for Non-compliance)**

District- Agra				
S.No.	Name & Address of Unit	Sector	Compliance Status	Action taken
1	Ajanta Raj Protiens, Mankpura Bah Road, Agra	Food & Beverages	Temporary Closed	Closure by UPPCB
2	Frigrifigo Allana Pvt. Ltd Owned By Modern Slaughter House, Nagar Nigam Chhalesar, Kuberpur, Agra	Slaughter House	Temporary Closed	Closure by UPPCB



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

UTTAR PRADESH POLLUTION CONTROL BOARD



संदर्भ सं०-H/30407 /सी-4/ उत्तर-34 (वॉल-III)/2025

दिनांक-21/7/25

पंजीकृत

सेवा में,

सदस्य सचिव,
केन्द्रीय प्रदूषण नियंत्रण बोर्ड,
परिवेश भवन, पूर्वी अर्जुन नगर,
नई दिल्ली।

विषय:-उद्योग मैसर्स अल सुभाना ट्रेडर्स लाहम फूड फ्रोजेन कंसोर्टियम, ग्राम-छलेसर, कुबेरपुर, आगरा के संदर्भ में केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र दिनांक 29.01.2024 द्वारा पर्यावरण (संरक्षण) अधिनियम-1986 की धारा-5 के अन्तर्गत जारी निर्देशों के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक नगर निगम आगरा, के छलेसर क्षेत्र में स्थित पशुवधशाला मैसर्स अल सुभाना ट्रेडर्स लाहम फूड फ्रोजेन कंसोर्टियम के सम्बन्ध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली के पत्र दिनांक 29.01.2024 द्वारा पर्यावरण (संरक्षण) अधिनियम-1986 की धारा-5 के अन्तर्गत निर्देश जारी किये गये हैं (छायाप्रति संलग्न)। उक्त निर्देशों के अन्तर्गत जिलाधिकारी, आगरा को निर्देशित किया गया कि उद्योग मैसर्स अल सुभाना ट्रेडर्स लाहम फूड फ्रोजेन कंसोर्टियम, ग्राम-छलेसर, कुबेरपुर, आगरा के थर्ड पार्टी निरीक्षण में उद्योग स्वतः कारणों से बन्द पाया गया, जिसके दृष्टिगत जिला प्रशासन द्वारा उक्त उद्योग का विद्युत विच्छेदन कराया जाए। उक्त निर्देशों के अनुपालन में दिनांक 22.05.2024 को जिला प्रशासन द्वारा उक्त उद्योग विद्युत विच्छेदन कराया गया।

प्रकरण में बोर्ड द्वारा किये गये निरीक्षणों में पाये गये अनुपालन को दृष्टिगत रखते हुए बोर्ड के पत्र दिनांक 12.05.2025 द्वारा उद्योग मैसर्स अल सुभाना ट्रेडर्स लाहम फूड फ्रोजेन कंसोर्टियम, ग्राम-छलेसर, कुबेरपुर, आगरा के पक्ष में सशर्त सहमति निर्गत की गयी है। प्रकरण में नगर आयुक्त नगर निगम आगरा के पत्र दिनांक 17.06.2025 के अनुक्रम में क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, आगरा के पत्र दिनांक 04.07.2025 द्वारा उद्योग के विरुद्ध केन्द्रीय बोर्ड द्वारा जारी बन्दी आदेश दिनांक 29.01.2024 को निरस्त कराये जाने हेतु आख्या प्रेषित की गयी है। उक्त को दृष्टिगत रखते हुए केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र संख्या-PJ-14011(11)/2/2021-WQM-II-HO-CPCB-HO दिनांक 29.01.2024 द्वारा जारी निर्देशों को खण्डित करते हुए उद्योग मैसर्स अल सुभाना ट्रेडर्स लाहम फूड फ्रोजेन कंसोर्टियम, ग्राम-छलेसर, कुबेरपुर, आगरा, के विद्युत संयोजन हेतु जिलाधिकारी आगरा को आवश्यक निर्देश जारी कराये जाने हेतु आवश्यक कार्यवाही करना चाहेंगे।

भवदीय,

Digitally signed by
SANJEEV KUMAR SINGH

Date: 21-07-2025

12:24:31

(संजीव कुमार सिंह)

सदस्य सचिव



92

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

By Speed Post/E-mail

File No. PJ-14011(11)/3/2021-WQM-II-HO-CPCB-HO

Date: 23-07-2025

To

District Magistrate,
Mahatma Gandhi Rd, Near Sai ki Takiya Crossing,
Mohanpura, Rakabganj, Agra-282010

Subject: CPCB directions dated 29-01-2024 under section 5 of the Environment (Protection) Act, 1986 – reg.

Sir,

This is in reference to CPCB direction dated 29-01-2024 issued under section 5 of Environment (Protection) Act, 1986 to District Magistrate, Agra for arranging physical verification, sealing and power disconnection of M/s Frigrifigo Allana Pvt. Ltd Owned By Modern Slaughter House Nagar Nigam Chhalesar, Kuberpur, Agra (herein after referred to as 'the unit') which was issued closure directions by Uttar Pradesh Pollution Control Board (UPPCB) based on the inspection carried out during annual inspections 2023 and to ensure that the unit does not operate till permission is granted by UPPCB. Copy of CPCB direction is enclosed at Annexure-I.

UPPCB vide letter dated 21-07-2025 informed that unit has been granted consent to operate on 12-05-2025. Copy of UPPCB letter is enclosed at Annexure-II. UPPCB has requested for restoration of power connection to the unit.

In view of above, you are requested to kindly take necessary action in the matter

Encl: As above

Yours faithfully,

(Dinabandhu Gouda)

Director & Divisional Head-WQM-II

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट /Website: www.cpcb.nic.in



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केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

Speed Post / E-mail

F. No. PJ-14011(11)/2/2021-WQM-II-HO-CPCB-HO

Date: 29.01.2024

To,

District Magistrate,
Mahatma Gandhi Road, Near Sai ki Takiya Crossing,
Mohanpura, Rakabganj, Agra- 282010,
Uttar Pradesh

DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

WHEREAS, the Central Government has notified standards for discharge of environmental pollutants from industries and common effluent treatment plants (CETPs), under the Environmental (Protection) Act, 1986 and rules framed there under, and

WHEREAS, the State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs) are empowered to stipulate standards for discharge of environmental pollutants for various categories of industries and common effluent treatment plants (CETPs) more stringent than those notified by the Central Government, under the Environmental (Protection) Act, 1986 and rules framed there under; and

WHEREAS, Grossly Polluting Industries (GPIs) from sectors Chemical (Pharmaceuticals, Organic, Inorganic, Fertilizers, Refinery and Pesticides), Distillery, Sugar, Pulp & Paper, Textile, Dying, Bleaching, Slaughter House, Tannery, Food & Dairy and Others categories of industry located in states of Uttarakhand, Haryana, NCT-Delhi, Uttar Pradesh, Bihar, Jharkhand and West Bengal discharging effluent directly or indirectly into the river Ganga, Yamuna and their tributaries through drains, have potential to cause adverse effect on the river water quality; and

WHEREAS, Ministry of Environment, Forests & Climate Change, Govt. of India, vide notification S.O. 157(E) of 27.02.1996 has delegated powers vested under section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB) to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board, any local or other Authority for the violation of emission and effluent standards notified, under the Environment (Protection) Rules, 1986 and other standards and norms; and

WHEREAS, the Hon'ble NGT judgment dated 13.07.2017 in matter of MC Mehta Vs Union of India, OA no. 200 of 2014 has mandated that *no industries, big or small can be permitted to pollute the groundwater, drains, water bodies and environment and in all events the discharge of effluents from the unit has to be strictly in compliance with the prescribed standards. The units shall be liable to be closed and shutdown with immediate effect, in case it is found defaulting;* and

WHEREAS, the Hon'ble Supreme Court of India in WP (375 of 2012) passed the judgement dated 22.02.2017 that *"the concerned SPCBs are mandated to carry out inspections, to verify, whether or not, each industrial unit regarding "consent to operate", has a functional primary effluent treatment plant. Such of the industrial units, which have not been able to make their primary effluent treatment plant fully operational, within the notice period, shall be restrained from any further industrial activity. This direction may be implemented by requiring the concerned electricity supply and distribution agency, to disconnect the electricity connection of the defaulting*

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Page 1 of 4

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industry. We therefore hereby further direct, that in case the concerned SPCBs make a recommendation to the concerned electrical supply and distribution agency/company, to disconnect electrical supply to an industry, for the reason that its primary effluent treatment plant is not functional, it shall honour such recommendation, and shall disconnect the electricity supply to such defaulting industrial concern, forthwith," and

WHEREAS, it has been decided that inspection of GPIs should be made an annual exercise; and

WHEREAS, inspections of 3186 GPIs were carried out during February, 2023 – July, 2023 by teams of officials comprising of experts from Technical Institutions, concerned State Pollution Control Boards (SPCBs)/Pollution Control Committee (PCC), State Mission for Clean Ganga (SMCGs)/District Ganga Committees (DGCs) and inspection reports were made available to concerned SPCBs/PCC by technical institutes for necessary action; and

WHEREAS, concerned SPCBs/PCC have taken action against GPIs which were found self-closed and non-complying during inspections; and

WHEREAS, CPCB issued directions dated 18.05.2023 under section 18(1)(b) to SPCBs/PCC of Uttarakhand, Haryana, NCT Delhi, Uttar Pradesh, Bihar, Jharkhand and West Bengal to issue directions to remain closed to all self-closed units (including temporary closed & permanent closed) and also to issue appropriate directions in case of non-compliant GPIs, which includes show cause notices/closure directions within 30 days of receipt of inspection reports; and

WHEREAS, SPCBs/PCC of Uttarakhand, Haryana, Delhi, Uttar Pradesh, Bihar and West Bengal issued closure directions under section 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 to 474 GPIs (Uttarakhand-03; Haryana-78; Delhi-23, UP-363; Bihar-05 & WB-02) which were found self-closed (334 Temporary closed and 140 Permanent Closed) and to 65 GPIs (Haryana-05; Delhi-05 & UP-55) which were found non-complying during annual inspection 2022-23; and

WHEREAS, out of 539 GPIs issued closure directions 02 GPIs are located in the jurisdiction of District Magistrate, Agra and list is enclosed at Annexure-I; and

WHEREAS, many of GPIs found self-closed (temporary/permanent closed) during annual inspection, were reported to have resumed operation immediately after completion of such inspection thereby indicating their deliberate closure to avoid such inspections. Therefore, it has been decided that industrial units which are either found self-closed (temporary or permanent closed) during inspection or issued closure direction due to non-compliance shall be sealed immediately by the concerned District Magistrates till they are re-inspected to verify the functional status of ETP, compliance with the norms and allowed to resume operation by Uttar Pradesh Pollution Control Board (UPPCB); and

WHEREAS, it has been reported that many of the industrial units found self-closed (temporary/permanent closed) during annual inspection are established on lease basis/leased property; and during the time interval between inspection of units and issuance of this direction, termination of land lease agreement by the original lessee owning the industrial unit listed in the GPI list and replacement by a new lessee who may be operating a dry unit or an industrial unit not included in the GPI list may occur. In the event of change of lessee, after due verification, if the new manufacturing unit is found to cause zero water pollution, then the same shall be exempted from sealing and power disconnection.

AND NOW THEREFORE, in view of above observations and in exercise of the power delegated under section 5 of the Environment (Protection) Act, 1986, District Magistrate of Agra is hereby directed to ensure that GPIs located in their jurisdiction, which have been found either self-closed or non-compliant during annual inspection 2022-23 and have been issued closure directions/to remain closed directions under Section 33(A) of the Water (Prevention & Control of Pollution)

Act, 1974 by the concerned SPCBs/PCC, as the case may be, (list at Annexure-I) be closed forthwith and ensure that these units do not operate till permission is granted by UPPCB to them to resume their operations. For this purpose, industries listed at Annexure-I shall be physically checked, lease agreements verified to identify cases of change of lessee and manufacturing unit and accordingly, barring newly replaced industries meeting exemption criteria, all other industries which have been issued closure directions by UPPCB, as per list at Annexure-I shall be sealed and power supply be disconnected by the concerned District Magistrate or any authorised representative of the District Magistrate.

The action taken report on each GPI (as per list enclosed) shall be forwarded by District Magistrate to CPCB within 30 days. District Magistrate shall acknowledge the receipt of the directions to CPCB immediately.


(TANMAY KUMAR)
CHAIRMAN



Annexure-I**District wise Industry list (Temporary closed/ Permanent closed or Closure directions for Non-compliance)**

District- Agra				
S.No.	Name & Address of Unit	Sector	Compliance Status	Action taken
1	Ajanta Raj Protiens, Mankpura Bah Road, Agra	Food & Beverages	Temporary Closed	Closure by UPPCB
2	Frigrifigo Allana Pvt. Ltd Owned By Modern Slaughter House, Nagar Nigam Chhalesar, Kuberpur, Agra	Slaughter House	Temporary Closed	Closure by UPPCB



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

UTTAR PRADESH POLLUTION CONTROL BOARD



संदर्भ सं०-H/30407 /सी-4/ उत्तर-34 (वॉल-III)/2025

दिनांक-21/7/25

पंजीकृत

सेवा में,

सदस्य सचिव,
केन्द्रीय प्रदूषण नियंत्रण बोर्ड,
परिवेश भवन, पूर्वी अर्जुन नगर,
नई दिल्ली।

विषय:-उद्योग मैसर्स अल सुभाना ट्रेडर्स लाहम फूड फ्रोजेन कंसोर्टियम, ग्राम-छलेसर, कुबेरपुर, आगरा के संदर्भ में केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र दिनांक 29.01.2024 द्वारा पर्यावरण (संरक्षण) अधिनियम-1986 की धारा-5 के अन्तर्गत जारी निर्देशों के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक नगर निगम आगरा, के छलेसर क्षेत्र में स्थित पशुवधशाला मैसर्स अल सुभाना ट्रेडर्स लाहम फूड फ्रोजेन कंसोर्टियम के सम्बन्ध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली के पत्र दिनांक 29.01.2024 द्वारा पर्यावरण (संरक्षण) अधिनियम-1986 की धारा-5 के अन्तर्गत निर्देश जारी किये गये हैं (छायाप्रति संलग्न)। उक्त निर्देशों के अन्तर्गत जिलाधिकारी, आगरा को निर्देशित किया गया कि उद्योग मैसर्स अल सुभाना ट्रेडर्स लाहम फूड फ्रोजेन कंसोर्टियम, ग्राम-छलेसर, कुबेरपुर, आगरा के थर्ड पार्टी निरीक्षण में उद्योग स्वतः कारणों से बन्द पाया गया, जिसके दृष्टिगत जिला प्रशासन द्वारा उक्त उद्योग का विद्युत विच्छेदन कराया जाए। उक्त निर्देशों के अनुपालन में दिनांक 22.05.2024 को जिला प्रशासन द्वारा उक्त उद्योग विद्युत विच्छेदन कराया गया।

प्रकरण में बोर्ड द्वारा किये गये निरीक्षणों में पाये गये अनुपालन को दृष्टिगत रखते हुए बोर्ड के पत्र दिनांक 12.05.2025 द्वारा उद्योग मैसर्स अल सुभाना ट्रेडर्स लाहम फूड फ्रोजेन कंसोर्टियम, ग्राम-छलेसर, कुबेरपुर, आगरा के पक्ष में सशर्त सहमति निर्गत की गयी है। प्रकरण में नगर आयुक्त नगर निगम आगरा के पत्र दिनांक 17.06.2025 के अनुक्रम में क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, आगरा के पत्र दिनांक 04.07.2025 द्वारा उद्योग के विरुद्ध केन्द्रीय बोर्ड द्वारा जारी बन्दी आदेश दिनांक 29.01.2024 को निरस्त कराये जाने हेतु आख्या प्रेषित की गयी है। उक्त को दृष्टिगत रखते हुए केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र संख्या-PJ-14011(11)/2/2021-WQM-II-HO-CPCB-HO दिनांक 29.01.2024 द्वारा जारी निर्देशों को खण्डित करते हुए उद्योग मैसर्स अल सुभाना ट्रेडर्स लाहम फूड फ्रोजेन कंसोर्टियम, ग्राम-छलेसर, कुबेरपुर, आगरा, के विद्युत संयोजन हेतु जिलाधिकारी आगरा को आवश्यक निर्देश जारी कराये जाने हेतु आवश्यक कार्यवाही करना चाहेंगे।

भवदीय,

Digitally signed by
SANJEEV KUMAR SINGH

Date: 21-07-2025

12:24:31

(संजीव कुमार सिंह)

सदस्य सचिव



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केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

By Speed Post / E-mail

File No: PJ-14011(11)/3/2021-WQM-II-HO-CPCB-HO

Date: 27.08.2025

To

District Magistrate,
Mahatma Gandhi Road, Near Sai ki Takiya Crossing,
Mohanpura, Rakabganj, Agra- 282010

Subject: CPCB directions dated 29-01-2024 under section 5 of the Environment (Protection) Act, 1986 and CPCB letter dated 23-07-2025 in this matter– reg.

Sir,

This is in continuation to CPCB letter dated 23-07-2025 wherein it was requested to take necessary action in the matter of M/s Frigiffo Allana Pvt Ltd Owned by Modern Slaughter House Nagar Nigam Chhalesar, Kuberpur, Agra (now known as Al Subhana Traders Laham Food Frozen Consortium) (herein after referred to as "the unit").

It is clarified that CPCB directions dated 29-01-2024 were valid till permission is granted by Uttar Pradesh Pollution Control Board (UPPCB) to the unit to resume its operations. Since UPPCB has granted consent to operate to the unit on 12-05-2025, electricity connection of the unit may be restored and unit may be allowed to operate.

Yours faithfully,

(Dinabandhu Gouda)
Director & Divisional Head-WQM-II

Copy to:

Member Secretary,
Uttar Pradesh Pollution Control Board,
Building No. TC-12V
Vibhuti Khand, Gomti Nagar,
Lucknow – 226010

For kind information please

(Dinabandhu Gouda)

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

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