

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Original Application No. 1253/2024**

(I.A. No. 527/2024)

IN THE MATTER OF:

RESIDENTS WELFARE ASSOCIATION PREM NAGAR(REGD.

...APPLICANTS

VERSUS

STATE OF UTTAR PRADESH & ORS.

...RESPONDENTS

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Through

Priyanka

Date: 24.03.2025

Place: New Delhi

**PRIYANKA SWAMI
ADVOCATE**

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IN THE HON'BLE NATIONAL GREEN TRIBUNAL
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...APPLICANTS

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...RESPONDENTS

**REPLY ON BEHALF OF THE EXECUTIVE OFFICER, NAGAR PALIKA
PARISHAD, LONI UTTAR PRADESH ALONGWITH THE SUPPORTING
AFFIDAVIT.**

MOST RESPECTFULLY SHOWETH

1. That the Hon'ble National Green Tribunal has passed an Order dated 24.10.2024 in the matter of Original Application No. 1253/2024 Residents Welfare Association Prem Nagar(Regd). & Ors. Vs. State Of Uttar Pradesh & Ors. The Executive part of the order is as follows-

“.....1. In this original application, the Resident Welfare Association (RWA) of Prem Nagar, Loni, District Ghaziabad has made a complaint that there are illegal dying chemical units operating in Ward No. 35, Nagar Palika Parishad Loni, District Ghaziabad, Uttar Pradesh.

2. The plea of the applicant is that there are several unauthorized small dying factories using chemical components or operating without any permission from the Competent Authority and without any NOC from UP PCB and these

units are causing air and water pollution and creating health hazards. It is also the plea that the chemicals discharged from these units are flowing in the drains and is affecting the quality the ground water.-

6. Having regard to the nature of the allegation, we also deem it proper to form a Joint Committee comprising of representatives of the Member Secretary, CPCB, Member Secretary, UP PCB, Municipal Corporation, Ghaziabad and District Magistrate, Ghaziabad. District Magistrate, Ghaziabad will act as the Nodal Officer for coordination and compliance in the joint committee. The Committee will visit the site, ascertain the truthfulness of the allegations, the number and details of the dying units unauthorisedly operating in the area concerned and the nature and extent of air and water pollution which they are causing and submit the report before the Tribunal within eight weeks.

7. List on 17.02.2025.....”

Copy of the order dated 24.10.2024 is annexed herein as **ANNEXURE-1**

2. The Joint Committee report, compiled after a thorough inspection of the site, has been duly filed by the District Magistrate in his capacity as the nodal officer. This Joint Committee report, outlining the committee's findings on compliance with environmental and municipal regulations, is annexed herein as **ANNEXURE-2**.
3. It is respectfully submitted that although the dyeing units operate within the jurisdiction of the answering respondent, the latter does not possess the authority to issue a No Objection Certificate or regulate the said units. The issuance of the NOC and regulation thereof falls exclusively within the purview of the Uttar Pradesh Pollution Control Board (UPPCB).

4. It is respectfully submitted that the answering respondent remains prepared to comply with any further directions or orders that may be issued by this Hon'ble National Green Tribunal. In the event of additional directives, the answering respondent undertakes to implement them promptly and in full accordance with its statutory obligations, thereby ensuring strict adherence to the judicial mandates of this Tribunal.

THROUGH

A handwritten signature in blue ink that reads "Priyanka Swami". The signature is written in a cursive style with a horizontal line underneath the name.

Date: 24.03.2025
Place: New Delhi

PRIYANKA SWAMI
ADVOCATE
STANDING COUNSEL FOR STATE OF UTTAR PRADESH
F-13, JANGPURA, NEW DELHI 110014
E-mail: advpriyankaswami@gmail.com

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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, AT NEW DELHI

Original Application No. 1253/2024 *



Resident Welfare Association Prem Nagar (Regd).

...Applicant

Versus

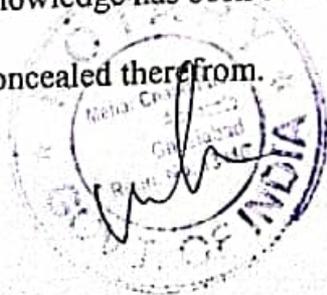
State of Uttar Pradesh

...Respondents

AFFIDAVIT

I, Sh. Krishna Kant Mishra, aged about 40 years S/o Sh. Ram Lawat Mishra, presently posted as Executive Officer, Nagar Palika Parishad, Loni, Uttar Pradesh having an office at Loni, Ghaziabad, Uttar Pradesh.

1. That I am posted as stated above and well conversant with the facts of the present case and as such competent to swear this affidavit on before this Tribunal.
2. That the accompanying reply has been drafted by our counsel upon my instructions.
3. That the contents of the accompanying reply are true and correct and the knowledge has been derived from official records and nothing material has been concealed therefrom.




अधिकासी अधिकारी
नगरपालिका परिषद, लोनी
गजियाबाद



अभिप्रेतरी अभिप्रेतरी
नगरपालिका परिषद, लौनी
DEPONENT

VERIFICATION

Verified on solemn affirmation at Ghaziabad on this _____ day of _____ 2025,
that the contents of the foregoing affidavit are true and correct to the best of my
knowledge and no part of it is false and nothing material has been concealed
therefrom.

अभिप्रेतरी अभिप्रेतरी
नगरपालिका परिषद, लौनी
DEPONENT
गौरीगढ



7
ATTESTED
Maha Chand Paul
Advocate, Notary
Registration No. 13416
29/03/2025

ANNEXURE-1

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Item No.06

Court No. 1

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

Original Application No.1253/2024
(I.A. No.527/2024)

Residents Welfare Association Prem Nagar(Regd.)

Applicant

Versus

State of UP & Ors.

Respondent(s)

Date of hearing: 24.10.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Anju & Mr. Shafik Ahmed, Adv.

Respondent: Ms. Simran Sehgal, Adv. on behalf of Ms. Priyanka Swami, Adv. for R - 1
to 3

ORDER

1. In this original application, the Resident Welfare Association (RWA) of Prem Nagar, Loni, District Ghaziabad has made a complaint that there are illegal dying chemical units operating in Ward No. 35, Nagar Palika Parishad Loni, District Ghaziabad, Uttar Pradesh.

2. The plea of the applicant is that there are several unauthorized small dying factories using chemical components or operating without any permission from the Competent Authority and without any NOC from UP PCB and these units are causing air and water pollution and creating health hazards. It is also the plea that the chemicals discharged from these units are flowing in the drains and is affecting the quality the ground water.

3. Learned Counsel for the Applicant during the course of arguments has referred to the complaint Annexure A-2(Colly) made by the residents

to the different Authorities and has submitted that the action of sealing the units has been taken only against 6 factories whereas a number of factories are operating in the area. Along with the OA a list of factories operating in the area has been enclosed as Annexure A-1 and has pointed out in this list there are several units that are dying units.

4. Ms. Simran Sehgal, Counsel appearing on behalf of the Counsel Ms. Priyanka Swami, accepts notice on behalf of Respondent No. 1 to 4 and seeks four weeks to file the reply. The prayer is allowed. Let the reply be filed by way of affidavit at least one week before the next date of hearing.

5. Issue notice to other Respondents for filing the reply by way of affidavit at least one week before the next date of hearing. The Applicant is directed to serve other Respondents and file an affidavit of service.

6. Having regard to the nature of the allegation, we also deem it proper to form a Joint Committee comprising of representatives of the Member Secretary, CPCB, Member Secretary, UP PCB, Municipal Corporation, Ghaziabad and District Magistrate, Ghaziabad. District Magistrate, Ghaziabad will act as the Nodal Officer for coordination and compliance in the joint committee. The Committee will visit the site, ascertain the truthfulness of the allegations, the number and details of the dying units unauthorizably operating in the area concerned and the nature and extent of air and water pollution which they are causing and submit the report before the Tribunal within eight weeks.

7. List on 17.02.2025.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

October 24, 2024
Original Application No.1253/2024
(I.A. No.527/2024)
A..

ANNEXURE-2

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Joint Inspection report in compliance to the Hon'ble National Green Tribunal, New Delhi order Dated 24-10-2024 in the matter of O.A No. 1253/2024 (I.A. No. 524/2024) Residents Welfare Association Prem Nagar(Regd.) Versus State of UP &Ors.

1- Back Ground: -

The above matter was taken on 24.10.2024 for hearing and Hon'ble National Green Tribunal (NGT), New Delhi was pleased to pass following directions:-

“1. In this original application, the Resident Welfare Association (RWA) of Prem Nagar, Loni, District Ghaziabad has made a complaint that there are illegal dying chemical units operating in Ward No. 35, Nagar Palika Parishad Loni, District Ghaziabad, Uttar Pradesh.

2. The plea of the applicant is that there are several unauthorized small dying factories using chemical components or operating without any permission from the Competent Authority and without any NOC from UP PCB and these units are causing air and water pollution and creating health hazards. It is also the plea that the chemicals discharged from these units are flowing in the drains and is affecting the quality the ground water.-

6. Having regard to the nature of the allegation, we also deem it proper to form a Joint Committee comprising of representatives of the Member Secretary, CPCB, Member Secretary, UP PCB, Municipal Corporation, Ghaziabad and District Magistrate, Ghaziabad. District Magistrate, Ghaziabad will act as the Nodal Officer for coordination and compliance in the joint committee. The Committee will visit the site, ascertain the truthfulness of the allegations, the number and details of the dying units unauthorizedly operating in the area concerned and the nature and extent of air and water pollution which they are causing and submit the report before the Tribunal within eight weeks.

7. List on 17.02.2025.....”

2- Brief about Grievances of Residents Welfare Association Prem Nagar, Loni, Ghaziabad:-

It is submitted that ongoing O.A. No. 1253 of 2024 Residents Welfare Association Prem Nagar (Regd) Vs State of Uttar Pradesh before Hon'ble National Green Tribunal, New Delhi is related to operating of illegal dyeing chemical units in ward no. 35, Nagar Palika Parishad Loni, Ghaziabad. Further along with O.A. a list of 286 factories operating in the area has been enclosed and pointed out in this list there are several units that are dyeing units. It is also alleged that there are several un-authorized small dyeing factories using chemical components are operating without any permission from the competent authority and without any NOC from UPPCB and these units are causing Air and Water pollution. It is also alleged that the chemicals discharged from these units are flowing in the drain and is affecting the quality of ground water.

3- Constitution of Joint Committee: -

In Compliance to the order of the Hon'ble Tribunal dated 24.10.2024, a Joint committee consisting of following officials of the concerned department has been constituted:

Sl.No.	Name of Department	Name of Committee Member
1.	One representative of Member Secretary, Central Pollution Control Board (CPCB).	Shri Kamlesh Singh, Scientist-E, CPCB, Delhi.
2.	One representative of Member Secretary, Uttar Pradesh Pollution Control Board.	I. Shri Vipul Kumar, A.E.E., U.P. Pollution Control Ghaziabad. II. Shri N.K. Pandey, A.E.E., U.P. Pollution Control Ghaziabad.
3.	One representative of Municipal Corporation, Ghaziabad.	Executive Officer, Nagar Palika Parishad, Loni, Ghaziabad.

4.	One representative of District Magistrate Ghaziabad.	Shri Saurabh Bhatt, Additional District Magistrate (F&R), Ghaziabad.
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4-Compliance/Action Taken by the Joint Committee

- (i) In compliance of Hon'ble NGT order dated 24.10.2024, joint Committee members were gathered at said place on 24.01.2025 for site visit to ascertain the truthfulness of allegations but due to non availability of police force survey could not be conducted and joint Committee decided for further survey with police protection. There after a letter was issued by Additional District Magistrate (F&R), Ghaziabad vide its letter No-1180/NGT-236/OA-1253/2024/25 dated 22-01-2025 to Police Commissioners, Ghaziabad with request to provide police force for protection as scheduled survey of area on 01.02.2025 and 03.02.2025 and also informed to joint Committee members for joint visit. (The copy of said letter is attached here with as **Annexure-iii**).
- (ii) Accordingly, Joint Committee members conducted survey of said area on 01.02.2025 & 09.02.2025 to identify illegal units that are situated in area of ward no. 35 PremNagar Loni, Ghaziabad and have resulted in identification of 17 illegal dyeing units in area. During survey, these unit have made shutdown and electricity connection was disconnected by UPPCL. The details are tabulated as below:-

S.NO	NAME	ADDRESS	MOBILE_NO	LOAD in kw
1	M/S UMESH GARMENTS (PROP UMESH MANDAL)	96/3 PLOT NO 9 ARYA NAGAR GZB Loni UP-201102 IND	9891618891	22
2	ARUN KUMAR	PLOT NO 85 KHNO 113 LAXMI INDUSTRIAL ENCLAVE LONI LONI LONI UP-201102 IND	8700692494	7

3	SHIDALIS/O ISLAMUDEEN	KH-926 LAXMI GARDEN LONI Loni UP-201102 IND	7011716393	7
4	M/S TOMAR ENTERPRISES(SH RI YASVEER SINGH)	PLOT NO9 KH NO105 & 108 ARYA NAGARINDUSAREA LONI GZB (9999994936)LoniUP- 201102IND	9999994936	35
5	M/SBALAJIENTE RPRISES (PROP SH MAHENDER SAINI)	PLOT NO11 ^& 12 KH NO105 ARYA NAGAR INDUSTRIAL AREA LONIGZB(9811476751)LoniUP- 201102 IND	9811476751	50
6	M/S SUPER FINE INDIA	C/O ISLAMUDDIN PLNO 11&17 KHNO76 INDUSAREAARYANAGAR Loni UP-201102 IND	9810558854	18
7	M/S BHAGWATIDYE ING (PROP SH RAVINDRA DUTT SHARMA)	PLOT NO 84 INDUSTRAIL AREA LONIGZB(9837294396)LoniUP- 201102 IND	9837294396	50
8	RAJPALS/ODAYA CHAND	KH-72/1ARYA NAGAR INDUS AREALONILoniUP-201102IND	9818298385	12
9	M/S FAZAN ENTERPRISES	PLOT NO 86 KH NO 110 & 111 LAXMIENCLAVEINDUSAREAG ZB Loni UP-201102 IND	9634780060	30.4
10	SAIFIENTERPRIS ESPROP NASIMUDDIN SAIFI	PARTOF PLOTNO82KHNO108ME LAXMI INDUS ENCL LONI GHAZIABAD LONI UP-201102 IND	9810193824	15
11	MOHD SAZID S/OJ AAN MOHD	KH-292/2100 FUTA ROAD NEELAM FACTORY LONI UP- 201102 IND	9971571482	14
12	M/S LIMRA METAL WORKS (PROP MOHD FAISAL)	KHNO317/1NEELAMCOMPOUN D INDUSTRIAL AREA LONI GZB (9958345243) Loni UP-201102 IND	9958345243	31
13	KHURSHIDA	KHNO 326 LAXMI GARDEN LONI LONIGHAZIABADLONIUP- 201102 IND	7428977578	29
14	M/S GUDIYA (PROP SMT GUDIYA)	PLOT NO85 KH NO110 ME LAXMI ENCLAVE INDUSTRIAL AREA LONI GZB(9267947149)LoniUP-201102 IND	9267947149	50

15	SHRA SINGH	JPAL	100 FIT ROAD NO 2 BUS ARYA NAGARLONIARYANAGARLONI UP IND	9205246513	9
16	M/S DUMMYART () PROP SMT SUNITA TYAGI)		KH-102105108 LAXMI INDUSTRIAL AREA LONILoniUP- 201102 IND	9268225063	20
17	DIVYA GARMENTS PROP DURYODHAN KAMET		PLNO1617K105106290291ME ARYANAGR INDUS AREA LONI GHAZIABAD LONI UP-201102 IND	9891858046	20

(iii) Joint Committee collected groundwater samples from different location and the sample were submitted to Regional Laboratory of Uttar Pradesh Pollution Control Board, Ghaziabad for analysis. Details are given as below:-

S. No	Sampling Point	pH	Colour	Odour	Cond. ($\mu\text{S}/\text{cm}$)	TDS (mg/l)	Total Hardness (as CaCO_3) (mg/l)	Ca. (as Ca^{2+}) (mg/l)	Mg. (as Mg^{2+}) (mg/l)
1.	Shri Shanti Digital, AryaNagar, Ghaziabad.	6.45	Colorless	Odorless	3640	2360	756.0	280.0	13.44
2.	Swami Vivekanand, Arya Nagar, Ghaziabad .	7.04	Colorless	Odorless	1278	831	370.0	104.8	25.92
3.	Royal R.P Trading, Arya Nagar, Ghaziabad .	7.37	Colorless	Odorless	1967	1278	180.0	45.6	15.84
4.	80 Futta Road, Arya Nagar, Ghaziabad .	7.42	Colorless	Odorless	1963	1276	178.0	44.0	16.32
	Drink water Standards(BIS) IS 10500:2012 (Permissible limit in the absence of alternate source)	6.5-8.5	-	Agreeable	-	2000	600	200	100

The analysis results of ground water samples collected from Hand pumps shown at sl.no. 2, 3 & 4 complying as per permissible limit in the absence of alternate source. Similarly the analysis results of ground water samples collected from Hand pump shown at s.no. 1 show which is not complying with reference to total dissolved solid–2360mg/l, total hardness 756mg/l

and Ca. 280mg/l against the standard of 2000 mg/l, 600mg/l and 200 mg/l respectively.

- (iv) Joint Committee observed that waste water coming from the area of Arya Nagar, Loni, Ghaziabad is being discharged into Indrapuri drain which ultimately meets into Yamuna River onwards. Further UPPCB, Ghaziabad is conducting regular monitoring of Indrapuri drain and analysis report of drain during month of January-2025 by UPPCB is tabulated as below:-

S.No	Name of Sampling point	Date	pH	Color	B.O.D mg/L	C.O.D mg/L	T.S.S mg/L	Total coliform MPN/100 ml	Fecal coliform MPN/100 ml
1	INDRAPURI DRAIN	07.01.2025	7.58	Turbid	78.0	232.0	174.0	58X10 ⁵	43X10 ⁵
		16.01.2025	7.66	Turbid	72.0	228.0	168.0	47X10 ⁵	40X10 ⁵
		21.01.2025	7.40	Turbid	75.0	234.0	172.0	48X10 ⁵	33X10 ⁵
		28.01.2025	7.55	Turbid	72.0	198.0	168.0	54X10 ⁵	35X10 ⁵

- (v) Subsequently survey of the said area were conducted by officials from RO, UPPCB, Ghaziabad, Nagar Palika Parishad Loni, Gahziabad and Electricity Department, Ghaziabad on several dates and identified 111 units. List of units and their status is attached as **Annexure-iv**. Brief status of 111 units is tabulated as below:-

SL. No.	Type of unit	No. of Units	No. of units having CTO	No. of units not having CTO
1.	Dyeing and washing	26	15	11
2.	Electroplating	1	0	1
3.	Plastic Recycling/Moulding etc.	37	1	36
4.	Casting	2	0	2
5.	Assembling	2	0	2
6.	Fabrication	9	0	9
7.	Flour Mill	1	0	1

8.	Paper printing	5	0	5
9.	Stitching/Weaving	7	0	7
10.	Ware House	1	0	1
11.	Wooden Furniture	1	0	1
12.	Closed/Dismantled/Plot vacant/No Plant and Machinery/ Electricity Disconnected	19	0	19

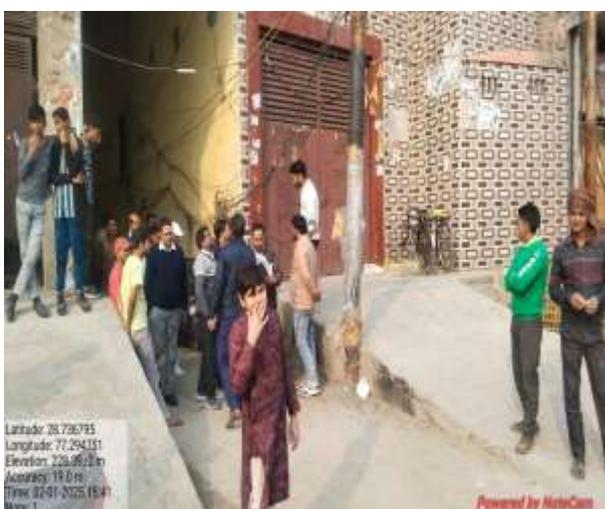
5-Observation of joint Committee:-

- (i) Applicant has annexed list of 286 units along with O.A. to whom electricity connection have been issued by UPPCL for various purposes and after site verification polluting/Non-polluting activities can be identified.
- (ii) Joint committee previously conducted survey of 17 illegal dyeing/washing unit and subsequently survey of 111 units operating in the said area was conducted and identified 26 nos dyeing/washing units. Out of which 15nos units is having Consent to Operate (CTO) and 11nos units have not obtained CTO from Uttar Pradesh Pollution Control Board. During survey 01 nos electroplating unit was also found being operated without having CTO from UPPCB.
- (iii) It was observed that these illegal units are small textile dyeing units that are situated in the said area and engaged in dyeing/washing of jeans on job work basis without having Consent to operate (CTO) from UPPCB.
- (iv) These illegal units have not installed effluent treatment plant for treatment of waste water generated from dyeing/washing of jeans and untreated waste water is being discharged into the Indirapuri drain through local drain which ultimately goes to river Yamuna.

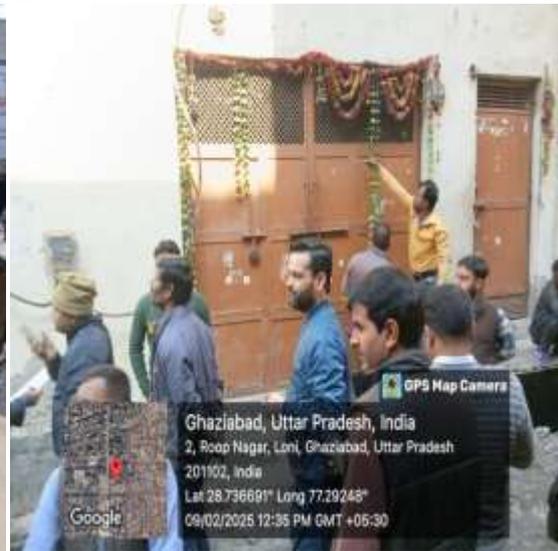
7-Recommendation of joint Committee:-

- It should be ensure the illegal industries which are being closed by joint Committee should not be allowed to operate without permission from competent authority.
- UPPCL to ensure disconnection of illegal dyeing units and no electricity connection should be issued to units who have not obtained CTE/CTO from UPPCB.

7-Photograph taken during visit is given below:-







It is submitted that survey is being conducted and after completing the survey final report will be submitted accordingly.

Therefore, the above action taken report is submitted before this Tribunal for kind consideration and further necessary action.

Sl. No.	Name and Designation of officials	Signature
1.	Shri Saurabh Bhatt, Additional District Magistrate (F&R), Ghaziabad.	
2.	Shri Kamlesh Singh, Scientist 'E', CPCB, Delhi.	
3.	Executive Officer, Nagar Palika Parishad, Loni, Ghaziabad.	

4.	Shri Vipul Kumar, A.E.E., U.P. Pollution Control Ghaziabad.	
5.	Shri N.K. Pandey, A.E.E., U.P. Pollution Control Ghaziabad.	