

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, FARID COURT HOUSE,
CAPARNICUS MARG, NEW DELHI**

O.A. NO. 487/2023

SATISH CHANDRA PATI TRIPATHI APPLICANT

VERSUS

STATE OF U.P. & ORS. ... RESPONDENTS

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Vivekanand *अधिकारी* *मिप्राई*

RESPONDENT NO. 3 & 4

THROUGH

COUNSEL

DELHI

DATED : 09/02/2024

D Shukla

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, FARID COURT HOUSE,
CAPARNICUS MARG, NEW DELHI**

O.A. NO. 487/2023

SATISH CHANDRA PATI TRIPATHI APPLICANT
VERSUS
STATE OF U.P. & ORS. ... RESPONDENTS

**REPLY ON BEHALF OF RESPONDENT NO. 3 & 4- M/S.
ABT ENT UDGYOG AND M/S. PMT ENT BHATTA, TO
THE COMPLAINT DATED 31.05.2023 LODGED BY THE
SATISH CHANDRA PATI TRIPATHI**

MOST RESPECTFULLY SHOWETH :

1. That the complainant lodged written complaint respondent no. 3 & 4 before this Hon'ble Tribunal by leveling the false and frivolous allegations against the respondent no. 3 & 4. On the basis of false and frivolous complaint of the complainant the present case has been registered against the respondent no. 3 & 4.
2. That the respondent no.3 & 4 only established the Bricks Bhatta at Deoria, U.P. the respondent no. 3 & 4 applied an application before the competent authority for obtaining the permission to run the said Bricks Bhatta, the application of the respondent no. 3 & 4 on dated 27.02.2022 is under process. Copy of the application is annexed herewith.



- 2 -

3. That the respondent no. 3 also obtained the GST number in the said AVT Brick Field from the concerned authority vide No. 09ABXFA2554MIZP. The respondent no. 3 will the said business under partnership for his livelihood after obtaining the NOC/Pollution Certificate/required documents for smoothly running his Bricks Bhatta from the concerned Department in which the respondent no. 3 applied to the concerned authority by fulfilling all requirements as required by the concerned authority. The application of the respondent no. 3 for issuing NOC in respect of running the said Bhatta is in under process.
4. That on the basis of complaint of the complainant the Uttar Pradesh Pollution Control Board directed the concerned to close the site of the respondent no. 3 & 4. The officials of UPPCB came at the site of the respondent no. 3 & 4 on 27.06.2023 they found that the site of the respondent no. 3 & 4 was closed and the officials instructed the respondent no. 3 & 4 without obtaining the NOC/permission from UPPCB not functioning said site in future.

5. That on the basis of the complaint of the complainant the Hon'ble Tribunal directed the concerned officials to constitute a Joint Committee comprising of representative of State PCB, and District Magistrate, Deoria, U.P. to enquire/investigate the site of the respondent no. 3 & 4 and found the site of the respondent no. 3 & 4 was not functioning.
6. That the complainant has enmity with the respondent no. 3 & 4 because the family of the complainant and the family of the respondent no. 3 & 4 have blood relation with each other and belongs to the same predecessor. On account of enmity with the respondent no. 3 & 4 he lodged the false and frivolous complaint against the respondent no. 3 & 4 with malafide intention to create hurdle in the business of the respondent no. 3 & 4.
7. That the Joint Committee already closed Bhatta of the respondent no. 3 & 4. The respondent no. 3 & 4 undertake that without getting any permission from concerned Authority they will not run said Bhatta.

8. That no any single complaint lodged by the neighbours against the respondent no. 3 & 4 before any authority while the neighbours are residing surrounded of the said site.

It is, therefore, most respectfully prayed that this Hon'ble Tribunal dismissed the complaint of the complainant against the respondent no. 3 & 4 with heavy costs.

It is prayed accordingly.

Vivekanand *अभि र मिश्र*

RESPONDENT NO. 3 & 4

THROUGH

COUNSEL

DELHI

DATED : 08.02.2024

09/02/2024

R Shubba

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, FARID COURT HOUSE,
CAPARNICUS MARG, NEW DELHI**

O.A. NO. 487/2023

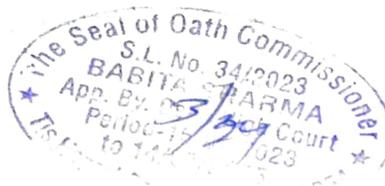
SATISH CHANDRA PATI TRIPATHI APPLICANT
VERSUS
STATE OF U.P. & ORS. ... RESPONDENTS

AFFIDAVIT

Affidavit of Vivekanand Tripathi, Prop. of M/S. ABT ENT
Udyog, Village Chakbandi @ Paranpur, Tehsil Sadar, District
Deoria, U.P. presently at Delhi

I, the above named deponent, do hereby solemnly affirm and
declare as under:-

1. That I am the respondent No. 3 in the above noted case
and am well conversant with the facts and circumstances
of the case and as such am competent to swear the present
affidavit.
2. That the accompanying Reply to the complaint has been
drafted by my counsel under my instructions which I have
read and understood and the contents of the same are true
and correct to my knowledge. The contents of the same
may kindly be read as part and parcel of this affidavit as



the same are not being repeated herein for the sake of brevity.

Vivekanand

DEPONENT

VERIFICATION:

9 FEB 2024

Verified at Delhi on this day of February, 2024 that the contents of my above affidavit are true and correct to my knowledge and nothing has been concealed therefrom.

Vivekanand

DEPONENT

Bhubda

Identify the deponent who has signed in the presence

Vivekanand
D K Shukla
9 FEB 2024
A



9 FEB 2024

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, FARID COURT HOUSE,
CAPARNICUS MARG, NEW DELHI**

O.A. NO. 487/2023

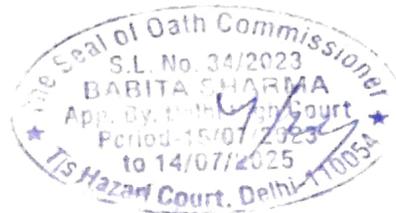
SATISH CHANDRA PATI TRIPATHI APPLICANT
VERSUS
STATE OF U.P. & ORS. ... RESPONDENTS

AFFIDAVIT

Affidavit of Ankit Tripathi, Prop. of M/S. PMT ENT Bhatta,
Village Gobrai, Post Barhara, Tehsil Sadar, District Deoria, U.P.
presently at Delhi

I, the above named deponent, do hereby solemnly affirm and
declare as under:-

1. That I am the respondent No. 4 in the above noted case
and am well conversant with the facts and circumstances
of the case and as such am competent to swear the present
affidavit.
2. That the accompanying Reply to the complaint has been
drafted by my counsel under my instructions which I have
read and understood and the contents of the same are true
and correct to my knowledge. The contents of the same
may kindly be read as part and parcel of this affidavit as



the same are not being repeated herein for the sake of brevity.

3/2/24

DEPONENT

VERIFICATION :

9 FEB 2024

Verified at Delhi on this day of February, 2024 that the contents of my above affidavit are true and correct to my knowledge and nothing has been concealed therefrom.

3/2/24

DEPONENT

D Shukla

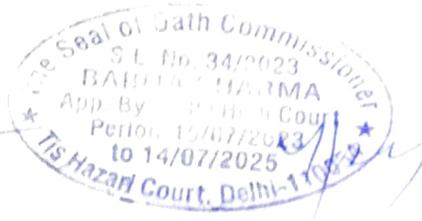
Identify the deponent who has signed in my presence

I have read and verified the contents of the above affidavit and certify that the contents are true and correct to the best of my knowledge and belief.

Antar To 1/2/24

D. K. Saha

9 FEB 2024



9 FEB 2024



Government of India
Form GST REG-06
[See Rule 10(1)]

Registration Certificate

Registration Number : 09ABXFA2554M1ZP

1	Legal Name	A V T BRICK FIELD			
2	Trade Name, if any	M S A V T BRICK FIELD			
3	Constitution of Business	Partnership			
4	Address of Principal Place of Business	0, Chakbandi Urf Paranpur, Deoria, Deoria, Uttar Pradesh, 274001			
5	Date of Liability				
6	Period of Validity	From	11/03/2022	To	Not Applicable
7	Type of Registration	Regular			
8	Particulars of Approving Authority	Centre			
Signature		Signature Not Verified Digitally signed by DE GOODS AND SERVICES TAX NETWORK(4) Date 2022.03.11 14:15:30 IST			
Name		Rajiv KUMAR Biswas			
Designation		Superintendent			
Jurisdictional Office		Deoria Sector-3			
Date of issue of Certificate		11/03/2022			
Note The registration certificate is required to be prominently displayed at all places of business in the State					

This is a system generated digitally signed Registration Certificate issued based on the approval of application granted on 11/03/2022 by the jurisdictional authority.



ADD PAGE 3

GSFE 09ABNA2554M1ZP
Legal Name VAN E BRICKFIELD
Trade Name of Firm M S A V E BRICKFIELD

Details of Additional Places of Business

Total Number of Additional Places of Business in the State 0



Annexure B

GSTIN 09ABXL2554MIZP
 Legal Name A V T BRICK FIELD
 Trade Name (if any) M S A V T BRICK FIELD

Details of Managing / Authorized Partners

1		Name	ABHAY PATI TRIPATHI
		Designation Status	PARTNER
		Resident of State	Uttar Pradesh
2		Name	VIVEKANAND PATI TRIPATHI
		Designation Status	PARTNER
		Resident of State	Uttar Pradesh

Signature
 ACC Name- Vinay Kumar Gupta ACC Code- UP14439104
 ACC Address- Collection Kacheri Deoria Mobile- 9795104911
 License No- 341 Tensil & District Deoria

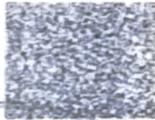
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सत्यमेव जयते

Government of Uttar Pradesh
 e-Stamp

Certificate No.	: IN-UP81796554907268T
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Account Reference	: NEWIMPACC (SV)/ up14439104/ DEORIA SADAR/ UP-DRA
Unique Doc. Reference	: SUBIN-UPUP1443910454104053483696T
Purchased by	: VIVEKANAND PATI TRIPATHI SO RAKESH PATI TRIPATHI
Description of Document	: Article 46 Partnership
Property Description	: Not Applicable
Consideration Price (Rs.)	:
First Party	: VIVEKANAND PATI TRIPATHI SO RAKESH PATI TRIPATHI
Second Party	: ABHAY PATI TRIPATHI SO MANKESHWAR PATI TRIPATHI
Stamp Duty Paid By	: VIVEKANAND PATI TRIPATHI SO RAKESH PATI TRIPATHI
Stamp Duty Amount(Rs.)	: 500 (Five Hundred only)



साझेदारी अनुबंध पत्र

मेसर्स- ए वी टी ब्रिक फील्ड

ग्राम चकबंदी उर्फ परानपुर तहसील व जनपद देवरिया
 AVT Brick Field पिन कोड:- 274001

Partner
 Vivekanand

AVT Brick Field

Partner

Statutory Alert

1. The authenticity of the Stamp Certificate should be verified at www.e-stampapp.com or using a QR Code, Mobile App or Social Media.
2. The user is checking the legitimacy of the Stamp of the Certificate.
3. In case of any discrepancy please report the Complaint Authority.

Signature
 ACC Name- Vinay Kumar Gupta ACC Code- UP14439104
 ACC Address- Collection Kacher Dewaria Mohadev 4745
 License No- 341 Tehsil & District: Deoria

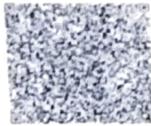


सत्यमेव जयते

INDIA NON JUDICIAL

Government of Uttar Pradesh
 e-Stamp

Certificate No.	IN-UP81821444016554T
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Purchased by	VIVEKANAND PATI TRIPATHI SO RAKESH PATI TRIPATHI
Description of Document	Article 46 Partnership
Property Description	Not Applicable
Consideration Price (Rs)	
First Party	VIVEKANAND PATI TRIPATHI SO RAKESH PATI TRIPATHI
Second Party	ABHAY PATI TRIPATHI SO MANKESHWAR PATI TRIPATHI
Stamp Duty Paid By	VIVEKANAND PATI TRIPATHI SO RAKESH PATI TRIPATHI
Stamp Duty Amount(Rs)	100 (One Hundred only)



Please write or type below this line.....

प्रथम साझेदार :- विवेकानंद पति त्रिपाठी पुत्र राकेश पति त्रिपाठी
 निवासी परानपुर देवरिया 274001
 AVT Brick: 274001 पैन नं०:- BACPT9833K
 आधार कार्ड:- 6106 3819 4320



Partner

Vivekanand

AVT Brick Field

Partner

Abhay

Statutory
 The e-Stamp is generated by the Government of India through the e-Stamping system using a Public Key Infrastructure (PKI) based system. The e-Stamp is generated by the Government of India through the e-Stamping system using a Public Key Infrastructure (PKI) based system. The e-Stamp is generated by the Government of India through the e-Stamping system using a Public Key Infrastructure (PKI) based system.



सत्यमेव जयते

INDIA NON JUDICIAL
Government of Uttar Pradesh
e-Stamp

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Purchased by	VIVEKANAND PATI TRIPATHI SO RAKESH PATI TRIPATHI
Description of Document	Article 46 Partnership
Property Description	Not Applicable
Consideration Price (Rs.)	
First Party	VIVEKANAND PATI TRIPATHI SO RAKESH PATI TRIPATHI
Second Party	ABHAY PATI TRIPATHI SO MANKLISHWAR PATI TRIPATHI
Stamp Duty Paid By	VIVEKANAND PATI TRIPATHI SO RAKESH PATI TRIPATHI
Stamp Duty Amount (Rs.)	100 (One Hundred only)



Please write or type below this line

BRIJ BHANU YADAV
Reg. No. 3649 (2011)
Deoria (U.P.)

द्वितीय साझेदार :- अभय पति त्रिपाठी पुत्र मानकेश्वर पति त्रिपाठी
निवासी परानपुर देवरिया 274001
पैन नं०:- ATEPT0978R
आधार कार्ड :- 8980 9890 7773

AVT Brick Field

Partner

AVT Brick Field

AVT Partner

Statutory Alert

1. The authenticity of this Stamp Certificate can be verified on www.e-stampsonline.gov.in using a QR code.
2. The authenticity of the details in this Certificate and its availability in the public domain shall be available on www.e-stampsonline.gov.in.
3. The user of this Stamp Certificate is liable for the validity of the certificate.
4. In case of any discrepancy, please contact the concerned authority.

Signature
 ACC Name- Vinay Kumar Gupta ACC Code- UP14439104
 ACC Address- Collection Kachori Deoria Mobile- 979510
 License No- 341 Tehsil & District- Deoria



सत्यमेव जयते

INDIA NON JUDICIAL

Government of Uttar Pradesh

e-Stamp

Certificate No.	: IN-UP81812392072685T
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Description of Document	: Article 46 Partnership
Property Description	: Not Applicable
Consideration Price (Rs.)	:
First Party	: VIVEKANAND PATI TRIPATHI SO RAKESH PATI TRIPATHI
Second Party	: ABHAY PATI TRIPATHI SO MANKESHWAR PATI TRIPATHI
Stamp Duty Paid By	: VIVEKANAND PATI TRIPATHI SO RAKESH PATI TRIPATHI
Stamp Duty Amount(Rs.)	: 100 (One Hundred only)



Please write or type below this line.....

दोनों साझेदारों के मध्य आज दिनांक 28/12/2021 मेसर्स ए वी टी ब्रिक फील्ड नामक फर्म में साझेदारों की हैसियत से कार्य करने हेतु सहमति हुई जिसकी शर्त व नियम निम्नवत होंगे-

मेसर्स ए वी टी ब्रिक फील्ड नामक फर्म का मुख्य व्यवसाय स्थल ग्राम चकबंदी उर्फ परानपुर तहसील व जनपद देवरिया 274001 होगा तथा इसकी शाखायें देश के अन्य शहरों व जनपदों में साझेदारों की आपसी सहमति से आवश्यकतानुसार खोली जायेगी। फर्म द्वारा मुख्यतः ईंट निर्माण व बिक्री से सम्बन्धित कार्य करने का मुख्य व्यवसाय होगा।

AVT Brick Field

Vivekanand
Partner

AVT Brick Field
Partner

Statutory Advice:

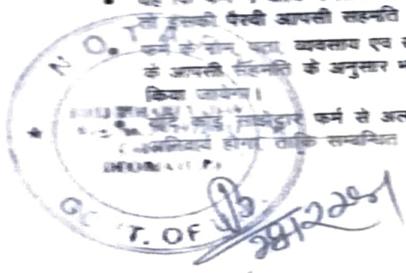
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एक दोनो साझेदार कर्म के महात्मन हेतु आवसी सक्ति क अनुसार प्रथम साझेदार अर्ध व द्वितीय साझेदार अर्ध की हुकी त्वावेमे।

- कर्म का महात्मन वैधित्व लेना।
- कर्म से होने वाले कर्ज व लाने का बटवारा एम दोनो साझेदार प्रथम साझेदार अर्ध व द्वितीय साझेदार अर्ध के हिसाब से करने तथा कर्म होने की दसा मे अहित अनुवाद क अनुसार ही एम दोनो साझेदार एम करने।
- कर्म से सम्बन्धित सभी प्रकार की बतौर सक्ति को प्राप्त होनी है बैंक खाते मे जमा किया जायेगा तथा खाते का महात्मन कोई एक साझेदार अपने समुक्त हस्ताक्षर से करेगा।
- कर्म के जारी होने के दौरान दुर्भाग्यवश किसी साझेदार की मृत्यु हो जाती है या रिटायरमेंट हो जाते है तो कर्म महात्मन नहीं लेनी देनी स्थिति मे मृतक का या रिटायरमेंट का क वरिष्ठ कर्म से व्यवसाय की स्थिति मे कर्म का कार्य को उक्त कर्म के साझेदार से सहेने तथा उनके अपर मे विभिन्न कर्म का नियमों के सम्बन्ध लेनी।
- कर्म के व्यवसाय महात्मन होने की दसा मे कर्म के दिवंगत होने की दसा मे एम दोनो साझेदारों की यह पूर्व जिम्मेदारी होगी कि कर्म द्वारा किया गया किसी भी प्रकार का अनुदार एव कर्म की अदायगी का महात्मन आवसी सक्ति से किया जायेगा जिसकी पूर्व जिम्मेदारी प्रतिगत क अनुसार एम दोनो साझेदारों की होगी।
- बैंक खाते का महात्मन कोई एक साझेदार अपने समुक्त हस्ताक्षर से करेगा।
- यह कि कर्म मे कार्य करते समय किसी भी प्रकार की दुर्घटना या विवाद की स्थिति उत्पन्न होती है तो कर्म के पैसे आवसी सक्ति से अपने जनपदीय महात्मन मे की जायेगी।

कर्म से होने वाला व्यवसाय एव साझेदारों के स्वार्थ पते मे किसी भी प्रकार का परिवर्तन हम साझेदार के आवसी सक्ति के अनुसार भारतीय साझेदार अधिनियम 1932 की समत धाराओं के तहत नियमानुसार किया जायेगा।

यदि कोई साझेदार कर्म से अलग होने चाहेगा तो उसे छ माह पूर्व लिखित सूचना कर्म का देना आवश्यक होगा ताकि सम्बन्धित विभाग के कार्यालय मे सूचना देकर अवगत कराया जा सके।



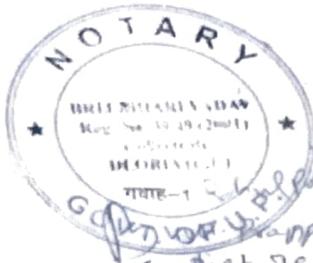
AVT Brick Field
 Vinay Kumar
 Partner

AVT Brick Field
 Partner

- इस लिए हम मुकदमा दोनों साझेदारी ने अपनी राजमती से बिना किसी उच्च या न्यूनता के प्रमाण के यह साझेदारी किलेख तैयार की है जो प्रमाण पत्र और नकल प्रकृत पर काम करे।

दिनांक 28/12/2021

स्थान - देवरिया



G. Prasad Tripathi
 Prampur Po. Barahor --
 Dist. Deoria
 Mr. 7232913 -- 4

साझेदार के हस्ताक्षर

1. AVT Brick
 Vivekanand
 Partner

2. AVT B
 Partner

Upendra Patil Ji Partner
 Vill. Prampur, Dist. Deoria
 Dist. Deoria
 Mr. 8393969757

Name - Abhay Pati Tripathi
 Add. - Vill. - Prampur, P. - Barahor
 Dist. - Deoria U.P., 274001
 Mob. - 7307183655

981201
 Name :- Vivekanand Pati
 Tripathi
 Add :- Vill - Prampur, Pas
 - Babu ke Badahor
 Dist - Deoria 274001
 Mob :- 7011172773

98372
 I am Administrator of this site
 I am satisfied by
 authenticating the documents in
 which I have the signature of the
 signatory to this

981204

आयकर विभाग
INCOME TAX DEPARTMENT



भारत सरकार
GOVT. OF INDIA

स्थायी लेखा संख्या कार्ड
Permanent Account Number Card



नाम/ Name

निगमन / गठन की तारीख
Date of Incorporation/Formation

20012022

इस कार्ड के लोहे के हिस्से पर कृपया सुचित करें/लौटारें:

आपका ठेका नंबर एस डी एल

चौथी मंजिल

प्लॉट नंबर 1/8,

मॉडल 1 वीक के पास,

पुणे - 4



*If this card / someone's lost card is found,
please inform / return to :*

Incar... AN ...

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Tel. ... 081

e-mail ...



सत्यमेव जयते

GSTIN

Legal Name

Trade Name, if any

09BHPPT2756K1ZG

ANKIT TRIPATHI

SRI RAM ENT UDHYOG

Details of Proprietor

1



Name

Designation/Status

Resident of State

ANKIT TRIPATHI

PROPRIETOR

Uttar Pradesh

स्पाट मेलों
कार्यवाही दिनांक 27-4-23

आज दिनांक 27-4-23 को उ०प्र० प्रदूषण नियंत्रण बोर्ड के पत्र सं० एच. 92587 / सी०-6 / ई०भ० / 833 / बन्दी आदेश / गोरखपुर / 2023, दिनांक 25.04.2023 के अनुपालन में जिलाधिकारी महोदय, देवरिया द्वारा दिये गये निर्देशों के अनुक्रम में मेसर्स ए०वी०टी० ईट उद्योग, ग्राम- चकबन्दी उर्फ परानपुर, तहसील- सदर, जनपद- देवरिया स्थित ईट भट्टे के जाँच हेतु राज्य टीम/पुलिस टीम व प्रदूषण नियंत्रण बोर्ड के साथ संयुक्त निरीक्षण किया गया। निरीक्षण के समय ईट भट्टा संचालित/बन्द पाया गया। निरीक्षण के समय संयुक्त टीम द्वारा ईट भट्टे को संचालन बन्द कराया गया तथा ईट भट्टा मालिक को अवगत कराया गया कि भविष्य में ईट भट्टे का संचालन बिना राज्य बोर्ड से सहमति प्राप्त किये न किया जाये।

अज्ञेय
27-4-23

उपरोक्त प्रमाणों
वैजातिक/रह/2

उ० प्र० प्रदूषण नियंत्रण बोर्ड
गोरखपुर

अवगत कराया गया

Piyush Tripathi

मेसर्स ए०वी०टी० ईट उद्योग

मोहन
27-4-23
देवरिया

FORM 1

CONSOLIDATED CONSENT & AUTHORIZATION

Application for consent for discharge/continuation of discharge under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and for emissions/continuation of emission under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and for grant/renewal of authorisation for generation or collection or storage or transport or reception or recycling or reuse or recovery or pre-processing or co-processing or utilisation or treatment or disposal of hazardous and other waste under Hazardous and other waste (Management and Transboundary Movement) Rules 2016 read with Environment (Protection) Act 1986.

From,

MS A V T BRICK FIELD, Vill-Chakbandi Urf
Paranpur, Tehsil-Sadar, Distt-
Deoria, DEORIA, 274001
City
Block:Deoria
District:DEORIA

Dated

27/02/2022

To,

The Member Secretary,
C. P. Pollution Control Board,
Lucknow.

1. We apply for Consolidated Consent to Operate and Authorization under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Hazardous and other Waste (Management and Transboundary Movement) Rules 2016 noted under Environment (Protection) Act 1986 to make discharge/emission/disposal of hazardous and other waste from

ABHAY PATI TRIPATHI for a period upto 1 years

2. The annexure, appendices other particulars and plans in triplicate are attached herewith.

3. We further declare that the information furnished in the Annexure, appendices and plans is correct to the best of my/our knowledge.

4. We hereby submit that in case of change either of the point or the quantity of discharge or its quality, a fresh application for CONSENT shall be made and until such CONSENT is granted no change shall be made.

5. We hereby agree to submit to the Board and application for renewal of consent one month in advance of the date of expiry of the consent period

6. We undertake to furnish other information within one month of its being called by the Board.