

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
O.A. NO. 265 OF 2022**

**IN THE MATTER OF:**

**PRASOON PANT & ANOTHER.**

**...APPLICANTS**

**Versus**

**MINISTRY OF ENVIRONMENT, FOREST  
& CLIMATE CHANGE & ORS**

**...RESPONDENTS**

**INDEX**

<b>SL.</b>	<b>PARTICULARS</b>	<b>PAGE</b>
1.	SYNOPSIS	1
2.	Reply on behalf of Respondent No. 8/ Project Proponent  i. Brief Facts ii. Compliance of No Objection Certificates/ Reports/ other compliances from various departments iii. Environmental Clearance from State Environment Impact Assessment Authority, Uttar Pradesh iv. Consent to Establish from Uttar Pradesh Pollution Control Board v. Preliminary Submissions and Objections vi. Parawise Reply to Application vii. Prayer viii. Affidavit	<b>2-19</b>  3 4 6 7 11 14 18 19
3.	<b><u>ANNEXURE R-1</u></b>  True Copy of the Layout/ Landscape Plan of Durga Industrial Park.	20
4.	<b><u>ANNEXURE R-2</u></b>  True copy of letter dated 08.02.2019 written by the Hon'ble Joint Secretary of Government of Uttar Pradesh to the Vice Chairman of Ghaziabad Development Authority.	21-26
5.	<b><u>ANNEXURE R-3</u></b>  True copy of the Letter bearing No. 125/M.P./Zone/MAP 20190727165815333 dated 20.12.2019 issued by Ghaziabad Development Authority.	27-33

6.	<b><u>ANNEXURE R-4</u></b> True copy of the NOC dated 06.04.2019 vide Letter No. 892/IC granted by the Public Works Department, Ghaziabad.	34-36
7.	<b><u>ANNEXURE R-5</u></b> True copy of the Provisional No Objection Certificate dated 28.03.2019 granted by the UP Fire Services to the Project Proponent.	37-39
8.	<b><u>ANNEXURE R-6</u></b> True Translated copy of the No Objection Certificate dated 23.04.2019 granted by Pashchimanchal Vidyut Vitran Nigam Ltd. to the Project Proponent.	40-43
9.	<b><u>ANNEXURE R-7</u></b> True Translated copy of the letter dated 17.10.2019 from the Ghaziabad Municipal Corporation to Town and Country Planning Department.	44-47
10.	<b><u>ANNEXURE R-8</u></b> True copy of the Letter dated 13.03.2020 from the office of the Executive Engineer (Water) Municipal Corporation, Ghaziabad granting water and sewer connection.	48-50
11.	<b><u>ANNEXURE R-9</u></b> True Copy of Payment receipts dated 25.03.2020 towards water and sewer connection to Ghaziabad Municipal Corporation.	51-52
12.	<b><u>ANNEXURE R-10</u></b> True Copy of the Letter dated 13.08.2020 from the Divisional Railway Manager's Office, New Delhi.	53-57
13.	<b><u>ANNEXURE R-11</u></b> True Translated Copy of the Report dated 16.09.2020 from the Tehsildar to the Project Proponent.	58-61
14.	<b><u>ANNEXURE R-12</u></b> True copy of Compliance Report for the period between October, 2021 – March, 2022 filed by the Project Proponent before the Regional Officer, Ministry of Environment, Forest & Climate Change.	62-80
15.	<b><u>ANNEXURE R-13</u></b> True copy of the Consent to Establish dated 01.06.2022 from the Uttar Pradesh Pollution Control Board.	81-84
16.	<b><u>ANNEXURE R-14</u></b>	85-89

	True copy of the letter dated 13.05.2022 to the SDM, Ghaziabad, Uttar Pradesh along with undertaking and proof of payment.	
17.	<b><u>ANNEXURE R-15</u></b> True Copy of the letter dated 19.05.2022 to the Regional Officer, UPPCB, Ghaziabad, Uttar Pradesh.	90-92
18.	<b><u>ANNEXURE R-16</u></b> True Copy of Revised Classification of Industrial Sectors Notification No. B-29012/ ESS(CPA)/2015-16/ dated 07.03.2016.	93-105
19.	<b><u>ANNEXURE R-17</u></b> Photos of Industrial Park showing Green Belts and Rain Water Harvesting Ponds	106-118
20.	<b><u>ANNEXURE R-18</u></b> True Copy of Order dated 10.07.2019 passed by Hon'ble NGT in OA No. 1038/2018	119-139
21.	<b><u>ANNEXURE R-19</u></b> True Copy of Order dated 23.08.2019 passed by Hon'ble NGT in OA No. 1038/2018	140-149
22.	<b><u>ANNEXURE R-20</u></b> True Copy of Sewage Treatment Plant feasibility Report prepared by Bikon Water.	150-168
23.	Application for vacation of Stay Order dated 28.04.2022 along with Affidavit	169-174
24.	Proof of Service	175
25.	Payment Receipt	176

For Durga Enterprises Pvt. Ltd.

**RESPONDENT NO. 8/  
PROJECT PROPONENT**

THROUGH

Settled by:

**MR. PARAG TRIPATHI**  
SENIOR ADVOCATE

PLACE: NEW DELHI  
DATE: 19.07.2022

Filed by:

(DIVYAKANT LAHOTI/  
KARTIK LAHOTI)  
**LAHOTI ADVOCATES**  
ADVOCATES FOR THE RESPONDENT NO. 8  
B-23, SECTOR-14, NOIDA (U.P.)  
[divyakant@lahotiadvocates.com](mailto:divyakant@lahotiadvocates.com)  
MOB. NO. 9868541200

**DIVYAKANT LAHOTI**  
**LAHOTI ADVOCATES**  
B-23, SECTOR - 14, NOIDA  
0120 - 4105444 / 9868541200  
[office@lahotiadvocates.com](mailto:office@lahotiadvocates.com)

## SYNOPSIS

1. The Project Proponent, M/s. Durga Enterprises Pvt. Ltd. is developing an Industrial Park at Ghaziabad for promoting **Green and White Category Industries**. However, the Applicants have misrepresented and attempted to mislead this Hon'ble Tribunal into believing that the Park has been set-up for Red/Orange Category Industries. The Green and White industries are **non-polluting** by nature and thus it will not degrade the environment but generate employment opportunities.
2. The Project Proponent duly applied for the certifications to the Competent Authorities including, but not limited to, Fire Department NOC, Electricity Department NOC, Water and Sewer Connection to the Industrial Park, Tehsildar Report, Environmental Clearance and **Consent to Establish from Uttar Pradesh Pollution Control Board**. These clearances have been granted by various Government Bodies after careful technical evaluation.
3. The Project Proponent has already obtained **Water Connection from Ghaziabad Municipal Corporation** as early as March 2020, and therefore, the insinuation of extracting Ground Water is completely baseless and devoid of any merit.
4. The Project Proponent is merely plotting the Industrial Park which does not involve any construction activity whatsoever. Therefore, the allegation of starting construction without the grant of Consent to Establish is completely false. It is specifically stated that the **Project Proponent has not undertaken any construction** of industry.
5. The Project Proponent has **dedicated 10% of the Land towards Green Belt** for preservation of environment and has also **developed Rainwater Harvesting Ponds** for increasing the Groundwater level. Therefore, the Project Proponent is actively contributing in preservation of environment.
6. The **Environmental Clearance dated 15.02.2021 and Consent to Establish dated 01.06.2022** have been granted after careful evaluation by Government bodies. Therefore, layman such as the Applicants cannot **challenge such permissions without the technical knowhow**.

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
O.A. NO. 265 OF 2022**

**IN THE MATTER OF:**

**PRASOON PANT & ANOTHER.**

**...APPLICANTS**

**Versus**

**MINISTRY OF ENVIRONMENT,  
FOREST & CLIMATE CHANGE &  
ORS.**

**...RESPONDENTS**

**REPLY ON BEHALF OF RESPONDENT NO. 8 / PROJECT  
PROPONENT**

**MOST HUMBLLY SHOWETH:**

7. The present Application before this Hon'ble Tribunal has been filed by the Applicants by concealing material facts and misrepresenting the correct facts of the case. The present Application is merely a tactic of the Applicants to arm-twist the Project Proponent into agreeing to their illegal demands and extortions. The Project Proponent, M/s. Durga Enterprises Pvt. Ltd. is developing an Industrial Park at Ghaziabad for promoting Green and White Category Industries.
8. At the outset, it is most respectfully submitted that the present Application has become infructuous as the Project Proponent has already received Consent to Establish by Uttar Pradesh Pollution Control Board. Further, the Industrial Park of the Project Proponent is only for setting up Green and White Category Industries, however, the Applicants have misrepresented and attempted to mislead this Hon'ble Tribunal into believing that the Park has been set-up for Red/Orange Category Industries.
9. The contents, allegations, insinuations and submissions made by the Applicants in the Application, are completely devoid of any merit and hence denied. Nothing that is stated/mentioned in the Application should be deemed to be admitted for want of specific transverse.
10. The Project Proponent has briefly stated the correct facts of the case hereinbelow for reference of this Hon'ble Tribunal, and to enable the

Hon'ble Tribunal into effectively adjudicating the disputes and prevailing justice.

**i. BRIEF FACTS:**

11. That the Respondent, M/s Durga Enterprises Pvt. Ltd., is a Company incorporated under the Companies Act, 1956, having its Regd. Office at Flat No. 9 Ground Floor, JM Park Sapphire, Sector-9, Vaishali, Ghaziabad, U.P. and engaged in Infrastructural Development across Delhi NCR (hereinafter referred to as 'Project Proponent').
12. That the Project Proponent had purchased an Industrial Area in Ghaziabad. The land was allotted for the purpose of industrial usage, and the Project Proponent has never changed the original land use.
13. The Project Proponent applied to the Ghaziabad Development Authority for development of an Industrial Park and also applied for all the related certificates, permissions and clearances which were required for such development. The Park is proposed to be developed under the name and style of '*Durga Industrial Park*' which would cater to prospective Green and White category Industries. The Project Proponents ambit is only to cut plots and sell them further to the prospective green and white category industry developers. The Project Proponent does not intend to construct any industry.
14. Accordingly, the Project Proponent vide Application dated 06.02.2019 addressed to the Ghaziabad Development Authority (hereinafter referred to as '**GDA**') submitted the project proposal for creation of plots in the Industrial Park Layout Map No. MAP20190727165815333 in village Jhandapur, Jagola and Pasonda of District Ghaziabad. In the Layout/Landscape Plan of the Industrial Park, the Project Proponent has dedicated 10 per cent of the Project Land towards Green Belt. This has also been mentioned in the Environmental Clearance. True Copy of the Layout/ Landscape Plan of Durga Industrial Park has been marked annexed herewith as **ANNEXURE R- 1 .**
15. The said Project was recommended by the Hon'ble Joint Secretary of Government of Uttar Pradesh, Shri Sitaram Yadav vide letter dated 08.02.2019 to the Vice Chairman of Ghaziabad Development

Authority, on behalf of Industrial Development Section, by looking at its viability and the growth of Commerce that the Project would bring to the City of Ghaziabad. True copy of letter dated 08.02.2019 written by the Hon'ble Joint Secretary of Government of Uttar Pradesh to the Vice Chairman of Ghaziabad Development Authority has been marked and annexed herewith as **ANNEXURE R- 2** .

16. The Ghaziabad Development Authority vide Letter bearing No. 125/M.P./Zone/MAP 20190727165815333 dated 20.12.2019 informed that on 08.08.2019 the Vice Chairman of the Ghaziabad Development Authority has approved the Layout Plan/ Map for development of the Industrial Park. True copy of the Letter bearing No. 125/M.P./Zone/MAP 20190727165815333 dated 20.12.2019 issued by Ghaziabad Development Authority has been marked and annexed herewith as **ANNEXURE R- 3** .

ii. **RELEVANT NO OBJECTION CERTIFICATES/ REPORTS AND OTHER COMPLIANCES FROM VARIOUS DEPARTMENTS**

17. In the meanwhile, for the development of Industrial Park, the Project Proponent duly applied for the certifications to the Competent Authorities. After collecting the necessary information and conducting surveys, various NOCs were issued to the Project Proponent for development of the Project. A non-exhaustive list of No Objection Certificates, sanction letter, report and other clearances/ approvals have been mention below for ready reference of this Hon'ble Tribunal and detailed hereunder:
- a. **PWD NOC** - The Public Works Department, Ghaziabad, issued a No Objection Certificate dated 06.04.2019 certifying that the Department does not have any objection to the development of aforesaid Project. True copy of the NOC dated 06.04.2019 vide Letter No. 892/IC granted by the Public Works Department, Ghaziabad has been marked and annexed herewith as **ANNEXURE R- 4** .
  - b. **Fire NOC** - The Uttar Pradesh Fire Services after doing its inspection issued its No Objection Certificate dated 28.03.2019

certifying that it has no objection to the development of Project. True copy of the Provisional No Objection Certificate dated 28.03.2019 granted by the UP Fire Services to the Project Proponent has been marked and annexed herewith as **ANNEXURE R- 5**.

- c. **Electricity NOC** - The Paschimanchal Vidyut Vitran Nigam Ltd. issued its No Objection to the development of aforesaid Project vide its letter dated 23.04.2019 through Executive Engineer Urban Electricity Distribution Division-X, Ghaziabad. True Translated copy of the No Objection Certificate dated 23.04.2019 granted by Pashchimanchal Vidyut Vitran Nigam Ltd. to the Project Proponent has been marked and annexed herewith as **ANNEXURE R- 6**.
- d. **Land NOC** - The Ghaziabad Municipal Corporation also conducted a survey of the Khasra Nos. on which the Project is proposed to be developed and gave its No Objection dated 17.10.2019 certifying that none of the Khasras forming part of the Project Land was Government Property or barren or new fallow or submerged land. True Translated copy of the letter dated 17.10.2019 from the Ghaziabad Municipal Corporation to Town and Country Planning Department has been marked and annexed herewith as **ANNEXURE R- 7**.
- e. **Water/Sewer Connection**- The Water Department of Ghaziabad Municipal Corporation also gave its approval vide letter dated 13.03.2020 for Water and Sewer Connection to the Project Land. True copy of the Letter dated 13.03.2020 from the office of the Executive Engineer (Water) Municipal Corporation, Ghaziabad granting water and sewer connection has been marked and annexed herewith as **ANNEXURE R-8**. True Copy of Payment receipts dated 25.03.2020 towards water and sewer connection to Ghaziabad Municipal Corporation has been marked and annexed herewith as **ANNEXURE R- 9**.
- f. **Railway NOC** - The Northern Railway Department of Indian Railways gave its No Objection Certificate dated 13.08.2020 for development of the aforesaid Industrial Park. True Copy of the

Letter dated 13.08.2020 from the Divisional Railway Manager's Office, New Delhi has been marked and annexed herewith as **ANNEXURE R- 10** .

- g. **Tehsildar Report** - The Tehsildar of Jhandapur, Jagola and Pasonda of District Ghaziabad conducted a survey of the Land and issued their Report dated 15.09.2020 thereby certifying that the Project Land was undisputed and in the ownership of Project Proponent. True Translated Copy of the Report dated 16.09.2020 from the Tehsildar to the Project Proponent has been marked and annexed herewith as **ANNEXURE R- 11** .

iii. **ENVIRONMENT CLEARANCE FROM STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, UTTAR PRADESH**

18. That the Project Proponent vide letters dated 05.08.2020, 17.08.2020, 21.09.2020 and 28.09.2020 addressed to the Chairman/Secretary of the State Level Environment Impact Assessment Authority, Uttar Pradesh and the Director, Directorate of Environment, Government of Uttar Pradesh for Environmental Clearance ('EC') for the proposed development of Industrial Park at Ghaziabad.
19. That the SEIAA vide EC Letter No. 701/Parya/SEIAA/5856-5746/2019 dated 15.01.2021 (hereinafter referred to as 'EC') considered the proposal in the meetings held on 01.10.2020 and 25.11.2020 and granted the EC for the proposed project. True Copy of the Environmental Clearance dated 15.01.2021 granted by State Level Environment Impact Assessment Authority, Uttar Pradesh is annexed with the Application as Annexure A-3.
20. In compliance of the terms of Environmental Clearance, a Six Monthly EC Compliance Report (October, 2021 – March, 2022) ('Compliance Report') was submitted by the Project Proponent addressed to the Regional Officer, Ministry of Environment, Forest & Climate Change, (Central Region), Kendriya Bhavan, Lucknow vide letter dated 01.06.2022 with reference to the EC Letter. True copy of Compliance Report for the period between October, 2021 – March, 2022 filed by the Project Proponent before the Regional

Officer, Ministry of Environment, Forest & Climate Change has been marked and annexed herewith as **ANNEXURE R-12**.

21. The Compliance Report was submitted along with:
  - a. Point-wise compliance of the stipulated environmental conditions/safeguards.
  - b. Environment Monitoring Report; Ambient Air, Ambient Noise, Ground Water & Soil.

**iv. CONSENT TO ESTABLISH FROM UTTAR PRADESH POLLUTION CONTROL BOARD**

22. During the Covid period, the Project Proponent had made applications to the Uttar Pradesh Pollution Control Board for grant of Consent to Establish, however, due to the restrictions of Covid-19 and Lockdown throughout the Country, the Project Proponent could not actively follow-up for the grant of Consent to Establish. It is a matter of record that the Director of Project Proponent was tested positive with Corona Virus on 3 occasion as a result of which the Director could not follow-up with respect to the Consent to Establish from Uttar Pradesh Pollution Control Board (“UP PCB”).
23. Due to such unintentional lack in following-up with the Authorities, the Application of Project Proponent for grant of CTE was rejected for want of documents. It is important to note herein that such permission was not rejected on merits, but merely due to the lack in submission of documents. All the documents/information which have been mentioned in such rejection letter were readily available with the Project Proponent on the date of such Application/rejection, but could not be filed merely due to the onset of different waves of Covid-19 Pandemic throughout the Country.

<b>SL.</b>	<b>Reason for Rejection</b>	<b>Reply of Project Proponent</b>
1.	Details regarding nature of industries permissible in the proposed Industrial Park.	A letter dated 19.05.2022 submitted by the Project Proponent clearly stating that the Industrial Park is only for

		White (25 plots) & Green (341 plots) Category Industries.
2.	Pointwise compliance with regard to Hon'ble NGT's directions in OA No. 1038/2018 dated 19.08.2019 and UPPCB's Office Order dated 28.02.2022.	The directions issued in the aforesaid judgment and Office Order are with respect to the Red/Orange Category industries. The Industrial Park that the Project Proponent is developing only caters to Green and white category industry. This position has been clarified by the Hon'ble NGT in its Order dated 10.07.2019.
3.	Details of legal source of Water Procurement.	Ghaziabad Municipal Corporation, Water Department's letter dated 13.03.2020 certifying Water and Sewer connection to the Industrial Plot.
4.	Land Use Certificate for Industrial Park	The land use of the Park has been for Industrial Purpose since the very starting and the same has also been certified by the Joint Secretary of Uttar Pradesh Urban and Housing Development vide its letter dated 08.02.2019.
5.	Permission of GDA for discharge of Sewerage in its Sewer.	Ghaziabad Municipal Corporation, Water Department's letter dated 13.03.2020 certifying Water and Sewer connection to the Industrial Plot.
6.	Allotment letter from GDA along with copy of	Letter dated 20.12.2019 approving the Layout Plan/Map

	approved Map showing location of proposed STP.	of the Industrial Plot which clearly shows the location of proposed STP.
7.	Feasibility Report with Technical Specifications of proposed STP and proposal for treated water disposal.	The Feasibility Report had already been prepared by the Project Proponent through its Contractual Party – Bikon Water.
8.	Fire Department NOC.	Letter dated 28.03.2019 issued by Uttar Pradesh Fire Services thereby granting Provisional NOC.
9.	Type of Fuel and quantity that are proposed to be used in Industrial Park.	Project shall use PNG as a fuel in proposed Generator set.  The project is providing 366 Number of individual industrial plots. Green Category Industry – 341 nos. White Category Industry-25 nos.
10.	Proposal for collection, segregation and disposal facility of waste generated during construction and operational under SWM Rules, 2016 and C&D Rules, 2016.	<p>Construction and Demolition will be managed as per the rule made in year 2016. Process of management is given below.</p>  <pre> graph TD     SW[Solid Waste] --&gt; CW[Construction Waste]     CW --&gt; C1[Construction waste, Broken Bricks, Waste Plaster]     CW --&gt; C2[Empty Cement Bags]     CW --&gt; C3[Excavated Soil]     C1 --&gt; U[Used in re-filling/raising site level]     C2 --&gt; R[Recycled through local vendors]     C3 --&gt; T[Top soil conserved for landscaping/Remaining soil used for filling] </pre> <p>During the operation phase, waste will comprise mainly of domestic waste. The estimated quantity of solid waste generated from the project site will be approx.4387Kg per day (@ 0.15 kg per capita per day for the visitors, 0.25 kg per capita per day for the staffs and landscape wastes @ 0.2 kg/acre/day).</p>

		<p>Following arrangements will be made at the site in accordance to Solid waste Management Rule 2016.</p> <table border="1"> <caption>Table 4: Calculation of Solid Waste Generation</caption> <thead> <tr> <th>S. No.</th> <th>Category</th> <th>Population/Area</th> <th>Kg per capita per day</th> <th>Waste Generated (kg/day)</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Staff</td> <td>16447</td> <td>@0.25 kg/day</td> <td>4111.75</td> </tr> <tr> <td>2.</td> <td>Visitors</td> <td>1827</td> <td>@0.15 kg/day</td> <td>274.05</td> </tr> <tr> <td colspan="4"><b>Total Domestic Waste Generated</b></td> <td>4385.8 say <b>4386 Kg/Day</b></td> </tr> <tr> <td>3.</td> <td>Landscape Waste</td> <td>4.84 acre</td> <td>0.2 Kg/acre/day</td> <td>0.968</td> </tr> <tr> <td colspan="4"><b>Total Solid Waste Generated</b></td> <td>4386.968say <b>4387 Kg/Day</b></td> </tr> </tbody> </table>	S. No.	Category	Population/Area	Kg per capita per day	Waste Generated (kg/day)	1.	Staff	16447	@0.25 kg/day	4111.75	2.	Visitors	1827	@0.15 kg/day	274.05	<b>Total Domestic Waste Generated</b>				4385.8 say <b>4386 Kg/Day</b>	3.	Landscape Waste	4.84 acre	0.2 Kg/acre/day	0.968	<b>Total Solid Waste Generated</b>				4386.968say <b>4387 Kg/Day</b>
S. No.	Category	Population/Area	Kg per capita per day	Waste Generated (kg/day)																												
1.	Staff	16447	@0.25 kg/day	4111.75																												
2.	Visitors	1827	@0.15 kg/day	274.05																												
<b>Total Domestic Waste Generated</b>				4385.8 say <b>4386 Kg/Day</b>																												
3.	Landscape Waste	4.84 acre	0.2 Kg/acre/day	0.968																												
<b>Total Solid Waste Generated</b>				4386.968say <b>4387 Kg/Day</b>																												
11.	Height clearance of proposed Project by Airport Authority/ Delhi Metro Rail Corporation Ltd.	This head was not applicable in the case at hand as the Developer is not constructing anything but merely plotting and selling the Plots.																														

24. The aforesaid table clearly shows that the Project Proponent was in fact in possession of all the necessary information and documents on the date of mechanical rejection for CTE due to difficulty in submission of documents during the pandemic period. Therefore, such rejection cannot be construed to be a rejection on merits under any circumstances.
25. The fact that such rejection was only on mechanical grounds and not on merits of the Application is further fortified from the fact that now the Project Proponent has been granted CTE from UPPCB. The Project Proponent submitted a fresh Application Form No. 16234776 dated 03.05.2022 to Uttar Pradesh Pollution Control Board for grant of Consent to Establish.
26. The UPPCB after careful examination of the application, granted CTE dated 01.06.2022 to the Project Proponent vide Letter No. 135540/ UPPCB/ Ghaziabad (UPPCBRO)/ CTE/ GHAZIABAD/ 2021. The NOC/CTE validates the development of the Industrial Park for the validity period from 01.06.2022 to 31.05.2027. True copy of the Consent to Establish dated 01.06.2022 from the Uttar Pradesh Pollution Control Board has been marked and annexed herewith as **ANNEXURE R- 13 .**
27. That vide letter date 13.05.2022 addressed to the SDM, Ghaziabad, Uttar Pradesh the Project Proponent deposited the Environmental

Compensation Mitigation charge levied against the Project Proponent. Further, the letter specifically states that the Project Proponent has not undertaken any construction in the Industrial Park. Therefore, the Project Proponent being subjected to present litigation amounts to Double Jeopardy. True copy of the letter dated 13.05.2022 to the SDM, Ghaziabad, Uttar Pradesh along with undertaking and proof of payment has been marked and annexed herewith as **ANNEXURE R- 14 .**

28. That vide letter dated 19.05.2022 addressed to the Regional Officer, UPPCB, Ghaziabad the Project Proponent informed that all the 366 Industrial Plots are non-polluting; 341 Plots fall within the Green Category and 25 Plots fall within White Category of the Revised Classification of Industrial Sectors Notification No. B-29012/ESS(CPA)/2015-16/ dated 07.03.2016. None of the Industrial Plots fall within the Red or Orange Category of Revised Classification of Industrial Sectors. True Copy of the letter dated 19.05.2022 to the Regional Officer, UPPCB, Ghaziabad, Uttar Pradesh has been marked and annexed herewith as **ANNEXURE R- 15 .** True Copy of Revised Classification of Industrial Sectors Notification No. B-29012/ ESS(CPA)/2015-16/ dated 07.03.2016 has been marked and annexed herewith as **ANNEXURE R- 16 .**

v. **PRELIMINARY SUBMISSIONS & OBJECTIONS**

29. In view of the aforesaid facts, at the very outset, the Project Proponent/Respondent No. 8 states that the present application is completely devoid of any merit, based on false statements and infructuous in view of CTE dated 01.06.2022, granted by UPPCB.
30. It is most humbly submitted that the Project Proponent did not undertake any construction work before the grant of CTE. Furthermore, the scope of Project Proponent in developing the Industrial Park does not involve construction of any industry and, therefore, any allegation of illegal construction is completely contrary, baseless and false. The images attached with the Application as Annexure 5 are not of the Durga Industrial Park. The

pictures annexed with the Application are denied as the same do not inspire any credibility and there is no proof of their authenticity.

31. The Project Proponent has only undertaken activities which safeguard the environment from degradation such as developing Sewage Treatment Plant, Green Belts and Rain Water Harvesting Ponds for conservation of water, and thus, have only worked towards the betterment of environment. Photos of Industrial Park showing Green Belts and Rain Water Harvesting Ponds have been annexed herewith as **ANNEXURE R-17**.
32. All the documents/ permissions/ sanctions/ NOC with respect to the Project Proponent are in place with the Project Proponent. The Project Proponent had already obtained all the requisite documents, information and compliances required by the UPPCB to grant the CTE at the date of submitting the Application for grant of NOC/CTE addressed to the UPPCB, on 13.01.2021 and 19.11.2021. However, due to ongoing COVID-19 restrictions being imposed there was a miscommunication due to which the requisite documents and compliances could not be duly submitted to the UPPCB. The Project Proponent submitted a fresh Application Form No. 16234776 dated 03.05.2022 which was scrutinised by the UPPCB and was approved. The NOC/CTE for the proposed project was granted on 01.06.2022 and validates the development of the Industrial Park for the validity period from 01.06.2022 to 31.05.2027. Therefore, the Industrial Park of the Project Proponent has been proposed to be developed after due assessment of all the Authorities cannot be challenged by a layman such as, the Applicants without any technical qualification and merely on their whims and fancies.
33. The Central Pollution Control Board vide Notification No. CPCB/10C-VII/CEPI/NGT/2019 dated 25/10/2019 clarified that there is no absolute bar on Industrial activities/projects if they are found viable. The applicants have misrepresented to this Hon'ble Tribunal and filed the present Application on the pretext that the present Industrial Park is being developed for Orange or Red Category Industries. It is specifically clarified that the Industries proposed to be set up in the instant Industrial Park are only of White

and Green Category. The directions of this Hon'ble Tribunal in OA No. 1038/2018 have been clarified not to be applicable on non-polluting industries i.e., Green and White Category Industries. The said clarification has been provided in Order dated 10.07.2019. The relevant portion of the Order has been extracted below for ready reference of this Hon'ble Tribunal:

*“32. It is made clear that white and green or non-polluting industries which are not causing any pollution will not be affected by this Order ...”*

True Copy of Order dated 10.07.2019 passed by Hon'ble NGT in OA No. 1038/2018 has been marked and annexed herewith as **ANNEXURE R-18**.

34. The Park has a total of 366 plots which on which the nature of the Industries proposed to be developed fall under the Green Category for 341 Plots, and under White Category for the remaining 25 Plots. Such classification has been done as per the Revised Classification of Industrial Sectors Notification No. B-29012/ESS(CPA)/2015-16/ dated 07.03.2016. Therefore, the development of such industries will not affect the carrying capacity of the area and other environmental norms. The State Level Environment Impact Assessment Authority, Uttar Pradesh granted environmental clearance after carefully considering the said facts and the compliance of terms of reference. This Hon'ble Tribunal vide Order dated 23.08.2019 in OA 1038/2018 further clarified that the earlier Orders do not mean to restrict the expansion of bonafide industrial activity and such expansion of industrial activity can be undertaken after taking due precaution. The present Project squarely falls within the ambit of Order dated 23.08.2019 as the Industries which are proposed to be set up in the aforesaid Industrial Park shall not cause any environmental degradation and assist in promoting commerce and employment. True Copy of Order dated 23.08.2019 passed by Hon'ble NGT in OA No. 1038/2018 has been marked and annexed herewith as **ANNEXURE R-19**.
35. The pleadings of the Applicants are self-destructive and contrary in nature. On one hand, the Applicants plead for safeguarding the

environment whereas on the other hand, they demand for developing an Industry that is homogenous with original Industry, that is, Glass Works Factory. There is no mandate/requirement to continue the Glass Works Factory and the Applicants have failed to show otherwise. Further, '*Glass Works Factory*' falls under the Red and Orange Category which would not only be a violation of the land use in consonance with the EC and the NOC granted by the Competent Authorities, but also result in environmental degradation contrary to the entire proceedings.

36. The Project Proponent transferred the Plots in the Industrial Park to the Industrial Developers after specifically informing that the said Plot can only be used for setting up a White or Green category Industry. Furthermore, the Project Proponent has given a specific undertaking dated 19.05.2022 that only Green and White category industry shall be set up in the said Industrial Park, and has also given the bifurcation thereof. Therefore, it can be stated without any iota of doubt that no Red or Orange category Industry will be set up in the said Industrial Park.
37. The Project Proponent has taken a water and sewer connection from the Water Department of Ghaziabad Municipal Corporation vide letter dated 13.03.2020, and therefore it is well established that the Project/Park shall not use the ground water. The Project Proponent has also given specific undertaking dated 19.05.2022 stating that Ground Water will not be used by the proposed industries for domestic purposes.
38. The Plot on which the Industrial Park is proposed to be set up was originally allocated for industrial usage only. Therefore, the Project Proponent has not altered the nature of use of the land and the same is being implemented after due compliance with all the NOC/CTE requirements from the Competent Authorities.

vi. **PARAWISE REPLY**

39. The contents of Paragraph 1 of the Application have no bearing to the case at hand and therefore do not merit any reply. The same are denied and the applicants are put to strict proof of the same.

40. The contents of Paragraph 2 of the Application are introduction to parties and does not merit any reply.
41. The contents of Paragraph 3 of the Application are denied for want of knowledge. However, the contents of the Annexure A-1 (colly.) are completely denied as the same have been mechanically stated without any factual basis. At the cost of repetition, it is reiterated that this is merely a tactic of Applicants to arm-twist the Project Proponent into agreeing to their illegal demands.
42. The contents of Paragraph 4 of the Application are based on misinterpretation and misrepresentation of documents and therefore denied. It is submitted that the refusal by UPPCB to grant of CTE was mechanical in nature in view of the shortfall of documents which the Project Proponent could not provide due to ongoing pandemic. It is reiterated that the Project Proponent already had all such documents including, but not limited to, availability of water supply, green and white category of industries, land use certificate, permission from Ghaziabad Development Authority, copy of proposed STP and others. The Project Proponent has already taken connection of Water and Sewer line from the Ghaziabad Development Authority vide letter dated 13.03.2020. Further, the above-mentioned letter clearly specified that the arrangements Effluent Treatment Plant needs to be conducted by developer, that is, the Project Proponent. As per the Environmental Clearance an STP of 451 KLD was required as per the size of the Project. Therefore, as abundant caution, and as per the instructions of the Ghaziabad Municipal Corporation and Environmental Clearance, the Project Proponent installed the Sewage Treatment Plant ('STP') of 550 KLD on the Project Land after submitting the feasibility Report. The Answering Respondent craves leave of this Hon'ble Tribunal to refer to and rely upon the contents of the preceding paragraphs which have not been repeated herein for the same of brevity. True Copy of Sewage Treatment Plant feasibility Report prepared by Bikon Water has been marked and annexed herewith as **ANNEXURE R-20**.
43. The contents of Paragraph 5 of the Application are completely devoid of any merit and therefore denied. It is specifically denied that the

proposed Park will affect the Ground Water Levels of the Ghaziabad Municipal Limits. It is specifically denied that the Groundwater is being extracted as there is no other alternative model of water supply for the Park. The Project Proponent has already taken a water connection from the Ghaziabad Municipal Corporation and has paid substantial charges for it, and therefore, there is no requirement of extracting ground water. The Answering Respondent craves leave of this Hon'ble Tribunal to refer to and rely upon the contents of the preceding paragraphs which have not been repeated herein for the same of brevity.

44. The contents of Paragraphs 6-7 of the Application are completely devoid of any merit and therefore denied. The directions issued by Hon'ble National Green Tribunal in O.A. No. 1038/2018 was only with respect to the Red and Orange Industries, whereas only white and green industries shall be setup in the Industrial Park of Project Proponent. The Order dated 10.07.2019 specifically clarifies that the Orders of Hon'ble NGT shall not affect non-polluting, white and green Industries. The Answering Respondent craves leave of this Hon'ble Tribunal to refer to and rely upon the contents of the preceding paragraphs which have not been repeated herein for the same of brevity. It is specifically denied that Authorities have granted EC without following the directions. It is further stated that no construction has been under-taken by Project Proponent. At the cost of repetition it is reiterated that the Project Proponent is only plotting the land and undertaking relevant steps to ensure that there is no environmental degradation. The Project Proponent itself is not setting up any industry and therefore has not undertaken any construction work.
45. The contents of Paragraph 8 of the Application are completely devoid of any merit, have no bearing on the case, and therefore denied. It is reiterated that the present Industrial Park is being setup for Green and White category industries which are non-polluting in nature. Thus, no pollution would be caused by such industries. The Answering Respondent craves leave of this Hon'ble Tribunal to refer to and rely

upon the contents of the preceding paragraphs which have not been repeated herein for the same of brevity.

46. The contents of Paragraph 9 of the Application are false and denied. It is denied that the pictures are of Durga Industrial Park and the Applicants are put to strict proof of the same.
47. The contents of Paragraph 10 of the Application are completely devoid of any merit, have no bearing on the case, and therefore denied.
48. The Ground taken in Paragraph 11 is devoid of any merit, false and therefore denied. It is specifically stated that the Project Proponent has not done any building work in Durga Industrial Park. Furthermore, this Ground for preferring Application has become infructuous in view of the fact that UPPCB has granted Consent to Establish. The Answering Respondent craves leave of this Hon'ble Tribunal to refer to and rely upon the contents of the preceding paragraphs which have not been repeated herein for the same of brevity.
49. The Ground taken in Paragraph 12 are devoid of any merit and baseless. The mechanical refusal to grant of CTE due to ongoing pandemic cannot be a reason for termination of ToR and EC. In any case, refusal to grant of CTE does not provide any authority for termination of ToR and RC.
50. The Ground taken in Paragraph 13 are devoid of any merit and baseless. The Point No. 2 of general Conditions in EC can only be violated if any construction work is carried by the Project Proponent. However, it is specifically submitted that the Project proponent has neither undertaken any construction work nor is it required to do any construction work in the Industrial Park. Therefore, the Ground under reply is completely frivolous and baseless.
51. The Ground taken in Paragraphs 14-15 are devoid of any merit and based on misinterpretation of Hon'ble NGT's Order. The Direction of NGT are with respect to the Red and Orange Category Industries whereas the Industrial Park of the Project Proponent caters only to Green and White Industries which are non-polluting in nature. The

Hon'ble Tribunal in its Order dated 10.07.2019 has specifically directed that the Orders shall not be applicable to such industries.

52. The Ground taken in Paragraphs 14-15 is devoid of any merit as the same are not applicable to case at hand. It is specifically submitted that the Industrial Park of Project Proponent has a Water Connection from the Ghaziabad Municipal Corporation since March 2019 and no ground water is being extracted by the Project Proponent. The reply to the Grounds in Para 16-17 is with an assumption that the Applicants mean extraction while using the word "abstraction".

vii. **PRAYER**

*In view of the foregoing facts and circumstances, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:*

- a) dismiss the Present Application with cost;*
- b) award the Cost of litigation in favour of Respondent No. 8/Project Proponent and against the Applicants;*
- c) pass any other Order in favour of Respondent No. 8 as this Hon'ble Tribunal may deem appropriate.*

**FOR THIS ACT OF KINDNESS, THE HUMBLE RESPONDENT,  
AS IS DUTY BOUND SHALL EVER PRAY.**

For Durga Enterprises Pvt. Ltd.

**RESPONDENT NO. 8/  
PROJECT PROPONENT**

Authorized Signatory

THROUGH

Settled by:

**MR. PARAG TRIPATHI**  
SENIOR ADVOCATE

(DIVYAKANT LAHOTI/  
KARTIK LAHOTI)  
**LAHOTI ADVOCATES**  
ADVOCATES FOR THE RESPONDENT NO. 8  
B-23, SECTOR-14, NOIDA (U.P.)  
[divyakant@lahotiadvocates.com](mailto:divyakant@lahotiadvocates.com)  
MOB. NO. 9868541200

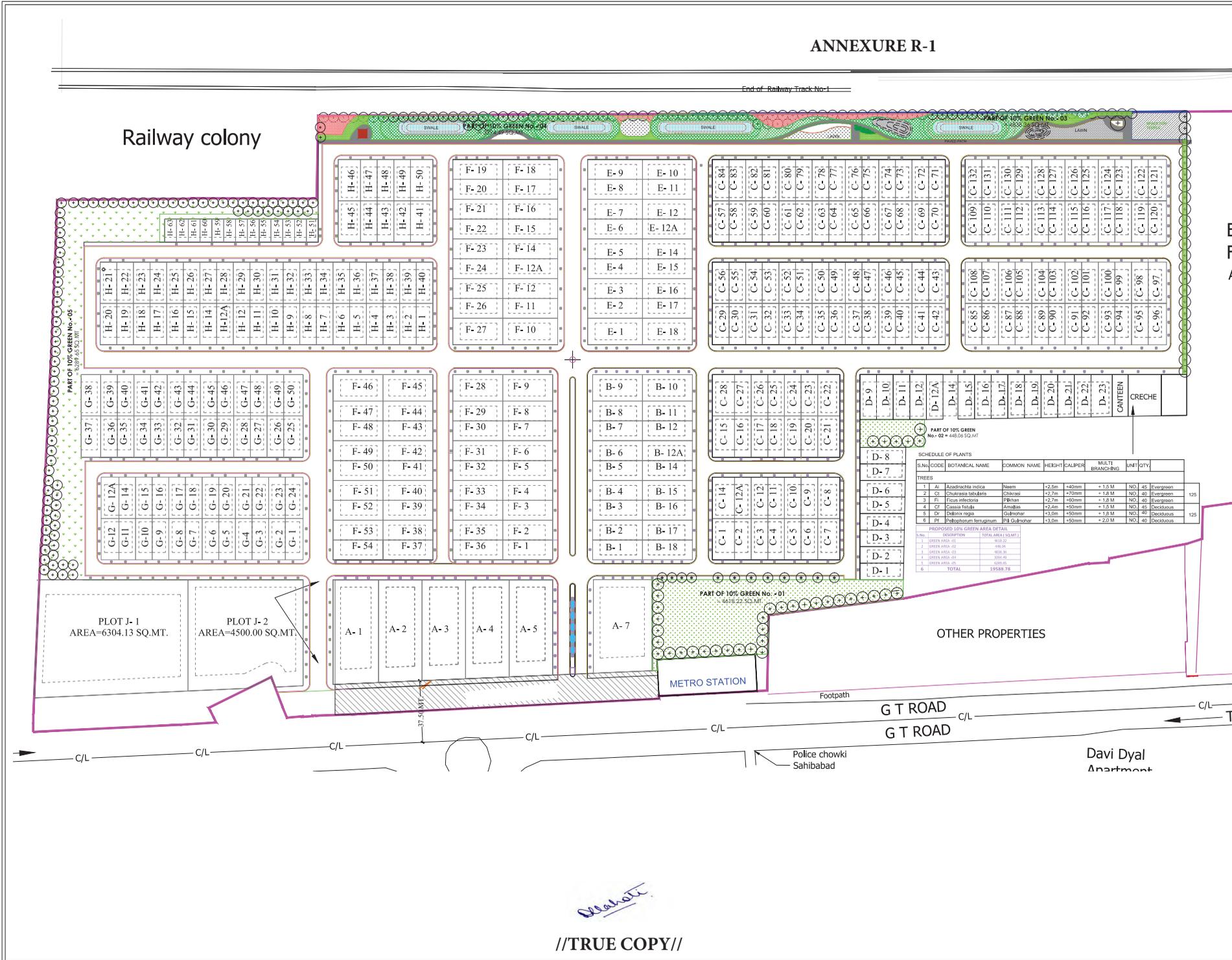
Filed by:

PLACE: NEW DELHI  
DATE: 19.07.2022

**DIVYAKANT LAHOTI  
LAHOTI ADVOCATES  
B-23, SECTOR - 14, NOIDA  
0120 - 4105444 / 9868541200  
[office@lahotiadvocates.com](mailto:office@lahotiadvocates.com)**



ANNEXURE R-1



THIS DRAWING IS THE PROPERTY AND COPYRIGHT OF THE ARCHITECTS. THE DRAWING SHALL NOT BE COPIED OR REPRODUCED IN ANY FORM WITHOUT PRIOR WRITTEN PERMISSION. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH OTHER RELEVANT ARCHITECTURAL, STRUCTURAL AND OTHER SERVICE CONSULTANCY DRAWINGS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR/FABRICATOR TO BRING TO THE NOTICE OF THE ARCHITECTS, PRIOR TO ANY CONSTRUCTION OR FABRICATION, ANY DISCREPANCY WITHIN OR BETWEEN THE FOREMENTIONED DRAWINGS.

NOTE:-  
FRL = FINISH ROAD LEVEL.  
NGL = NATURAL GROUND LEVEL.

SCHEDULE OF PLANTS

S.No	CODE	BOTANICAL NAME	COMMON NAME	HEIGHT	CALIPER	MULTI BRANCHED	UNIT	QTY
TREES								
1	AI	Azadirachta indica	Neem	±2.5m	±40mm	± 1.5 M	NO.	45
2	CI	Chitraneta latifolia	Chitrana	±2.7m	±70mm	± 1.5 M	NO.	40
3	FI	Ficus religiosa	Peepal	±2.7m	±90mm	± 1.5 M	NO.	40
4	CF	Casearia Tenuja	Amaltas	±2.4m	±50mm	± 1.5 M	NO.	45
5	DR	Dalmanea indica	Chandigar	±3.0m	±50mm	± 1.5 M	NO.	40
6	PF	Pithecolobium brentholmii	RS Gulmohar	±3.0m	±50mm	± 2.2 M	NO.	40
PROPOSED 10% GREEN AREA DETAIL								
S.No	DESCRIPTION	TOTAL AREA (SQ.MT)						
1	GREEN AREA - 01	4618.22						
2	GREEN AREA - 02	448.05						
3	GREEN AREA - 03	448.05						
4	GREEN AREA - 04	448.05						
5	GREEN AREA - 05	448.05						
6	TOTAL	19588.78						

*Atkate*  
//TRUE COPY//

DATE	DATE	REVISION/ISSUE No.
PROJECT TITLE DURGA INDUSTRIAL PARK		
OWNER M/S DURGA ENTERPRISES Through Mr. Ankur Aggarwal Mobile NO.-9810546779		
ARCHITECTS ARCHITECTS: Space Designers International Architects Pvt.Ltd. Bldg. No.24/1, Kirti Nagar (G.P.) New Delhi - 110028 Email: sdi@spacedesigners.com		
LANDSCAPE ARCHITECTS: AYAM ARCHITECTURE AND LANDSCAPE CONSULTANTS B-10, Phase 2, Sector 29, Gurgaon, Haryana - 122029 www.ayamarchitects.com		
LANDSCAPE PLAN		
SCALE: 1:500	DATE: 17.09.2020	
PLAT No. VIJENDRA	Plot No. 14 NG	
DWG No.	DWG	
AYM-DIT-TR-01	RO	

**ANNEXURE R-2**

No. 270/77-3-19-918B/81

From  
Sitaram Yadav,  
Joint Secretary,  
Government of Uttar Pradesh

To  
Vice Chairman,  
Ghaziabad Development Authority,  
Ghaziabad

Industrial Development Section-3Lucknow : Date : 08 February, 2019

Sub: Regarding approval of industrial layout plan by Ghaziabad Development Authority for industrial purpose to M/s Durga Enterprises Private Limited.

Sir,

In the aforesaid subject matter, please refer to your Letter No.18/Master Plan A./Govt/2017 dated 13.02.2017 and Letter No.225/Master Plan A./2017 dated 26.07.2017.

2. The operative portion of the order dated 15.03.2011 passed by the Hon'ble High Court in Writ Petition No.24342/1991 titled M/s Durga Enterprises Private Limited Vs. State of Uttar Pradesh and Others filed by

M/s Durga Enterprises Private Limited before the Hon'ble High Court is as follows:

" ..... For the reasons recorded above, the writ petition is allowed. The impugned orders dated 21.10.1989 and 20.12.1990 are hereby quashed. They are directed not to interfere with the possession of the petitioners and allow the petitioners to use and occupy the premises in question and if the petitioners require change in the nature of user then it shall be done only for the public purposes contained under clause (f) of Section 3 of the Land Acquisition Act. In the result, the writ petition is allowed with costs."

3. The SLP (C) No.8275/2012 titled "Principal Secretary, Government of Uttar Pradesh & Others vs Durga Enterprises Private Limited & Others" filed by the State before the Hon'ble Supreme Court of India against the said order dated 15.03.2011 of the Hon'ble High Court, was dismissed by the Hon'ble Supreme Court vide order dated 31.03.2014.

4. It is clear from the order dated 15.03.2011 of the Hon'ble High Court and the order dated 31.03.2014 of the Hon'ble Supreme Court that there is no dispute in the possession and ownership of the said land by M/s Durga Enterprises Limited, Sahibabad, Ghaziabad. It is obligatory to comply with the orders given by the Hon'ble Court.
  
5. In this regard, I am directed to say that the Industrial Development Department has no objection with the development of a private industrial park in the industrial plot in question of M/s Durga Enterprises Limited, Sahibabad, Ghaziabad. The Ghaziabad Development Authority may kindly approve the layout plan of the Industrial Park on the said plot by taking the prescribed fee as per the building bye-laws. The transfer of plots created in the Industrial Park will be done for industrial use only.

Sincerely  
(Sitaram Yadav)  
Joint Secretary

No. - 270 ( 1 ) / 77-3-19 – Dated

Copy sent to the following for information and necessary action:

1. Commissioner, Meerut Circle, Meerut
2. District Magistrate, Ghaziabad
3. Housing and Urban Planning Section-3, Government of Uttar Pradesh
4. The Managing Director, Durga Enterprises, PO Malak Nagar, Sahibabad, Ghaziabad.
5. Guard File.

With Permission

(Sitaram Yadav)  
Joint Secretary

//TRUE TRANSLATED COPY//

संख्या-270 / 77-3-19-918भा / 81

प्रेषक,

सीताराम यादव,  
संयुक्त सचिव,  
उत्तर प्रदेश शासन।

सेवा में,

उपाध्यक्ष,  
गाजियाबाद विकास प्राधिकरण,  
गाजियाबाद।

औद्योगिक विकास अनुभाग-3

लखनऊ:दिनांक: 08 फरवरी, 2019

विषय:-मेसर्स दुर्गा इण्टरप्राइजेज प्रा०लि० को औद्योगिक प्रयोजन हेतु गाजियाबाद विकास प्राधिकरण द्वारा औद्योगिक ले-आउट प्लान अनुमोदित किये जाने के सम्बन्ध में।

महोदय,

उपर्युक्त विषय पर अपने पत्र संख्या-18/मा०प्लान अनु०/शासन/2017, दिनांक 13.02.2017 एवं पत्र संख्या-225/मा०प्लान अनु०/2017, दिनांक 26.07.2017 का कृपया संदर्भ ग्रहण करें।

2. मेसर्स दुर्गा इण्टरप्राइजेज प्रा०लि० द्वारा मा० उच्च न्यायालय,इलाहाबाद में योजित रिट याचिका संख्या-24342/1991 मेसर्स दुर्गा इण्टरप्राइजेज प्रा०लि० बनाम् उ०प्र० शासन व अन्य में मा० उच्च न्यायालय द्वारा पारित आदेश दिनांक 15.03.2011 का मुख्य अंश निम्नवत है :-

"..... For the reasons recorded above, the writ petition is allowed. The impugned orders dated 21.10.1989 and 20.12.1990 are hereby quashed. The respondents are directed not to interfere with the possession of the petitioners and allow the petitioners to use and occupy the premises in question and if the petitioners require change in the nature of user then it shall be done only for the public purpose contained under clause (f) of Section 3 of the Land Acquisition Act. In the result, the writ petition is allowed with costs."

3. शासन द्वारा मा० उच्च न्यायालय के उपर्युक्त आदेश दिनांक 15.03.2011 के विरुद्ध मा० उच्चतम न्यायालय में योजित विशेष अनुज्ञा याचिका संख्या-8275/2012 प्रमुख सचिव,उ०प्र०सरकार व अन्य बनाम् दुर्गा इण्टरप्राइजेज प्रा०लि० व अन्य मा० सर्वोच्च न्यायालय द्वारा आदेश दिनांक 31.03.2014 के द्वारा 'डिसमिस' कर दी गयी।

-2-

4. मा० उच्च न्यायालय के आदेश दिनांक 15.03.2011 एवं मा० उच्चतम न्यायालय के आदेश दिनांक 31.03.2014 से स्पष्ट है कि उक्त भूमि मेसर्स दुर्गा इण्टरप्राइजेज लि० साहिबाबाद, गाजियाबाद के कब्जे एवं स्वामित्व में कोई विवाद नहीं है। मा० न्यायालय द्वारा दिये गये आदेशों का अनुपालन किया जाना बाध्यकारी है।

5. इस सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि मेसर्स दुर्गा इण्टरप्राइजेज लि०, साहिबाबाद गाजियाबाद के प्रश्नगत औद्योगिक भूखण्ड को निजी औद्योगिक पार्क विकसित किये जाने में औद्योगिक विकास विभाग को कोई आपत्ति नहीं है। गाजियाबाद विकास प्राधिकरण उक्त भूखण्ड पर इण्डस्ट्रियल पार्क के ले-आउट प्लान को नियमानुसार निर्धारित शुल्क लेकर भवन उपविधि के अनुसार स्वीकृत करने का कष्ट करें। इण्डस्ट्रियल पार्क में सृजित भूखण्डों का हस्तांतरण केवल औद्योगिक उपयोग के लिए ही किया जायेगा।

भवदीय,

(सीताराम यादव)  
संयुक्त सचिव।

संख्या- १७० (1) / 77-3-19-तददिनांक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- (1) आयुक्त, मेरठ मण्डल, मेरठ।
- (2) जिलाधिकारी, गाजियाबाद।
- (3) आवास एवं शहरी नियोजन अनुभाग-3, उ०प्र०शासन।
- (4) प्रबन्ध निदेशक, दुर्गा इण्टरप्राइजेज, पी०ओ० मलक नगर, साहिबाबाद, गाजियाबाद।
- (5) गार्ड फाइल।

आज्ञा से,

(सीताराम यादव)  
संयुक्त सचिव।

*Handwritten signature*

//TRUE COPY//

**ANNEXURE R-3****OFFICE OF THE GHAZIABAD DEVELOPMENT AUTHORITY  
(MAP APPROVAL LETTER)**

Letter No.125/M.P./Zone MAP20190727165815333

Date: 20.12.2019

M/s. Durga Enterprises Private Limited

C-122, Sector-19, Noida,

Gautambudh Nagar (Uttar Pradesh)

In context of your letter dated 06.02.2019, the Vice Chairman gave approval on 08.08.19 for the creation of plots in the Industrial Park Layout Map No. MAP20190727165815333 submitted by you on the land of Khasra No. 1/2M, 2 to 24, 25M, 26M, 27M, 28, 29, 30M, 31M, 32M, 37M, 38M, 39M, 40M, 41M Village Jhandapur; Khasra No. 448M, 449M, 450M, 451M, 452/1, 453/1, 454, 455/2M, 455/3, 456/1, 457, 458M, 460M, 461M, 463M, 465/1M, 466M, 467M and 468/2M Village Jangola and Khasra No. 4974/6M Village Pasaunda Ghaziabad, with the following conditions –

1. This map is valid only for five years from acceptance.

2. In relation to this approval of the land layout, the right and owner of any government department, local body (eg Municipality, GDA) of any other person is not affected in any way.
3. The land configuration will be used for the purpose for which it has been approved.
4. There is no responsibility to develop the land which will not be suitable for development work by the government or any local body / authority.
5. No construction will be done from the power line within the prescribed limit.
6. No building material will be placed on the road service lane or government land and the developers will have to make their own arrangements for the drainage of dirty water.
7. A set of approved landscaping will have to be kept at the site so that it can be checked anytime on the spot and the construction work will be done according to the approved landscaping specification rules and the ownership will also be their responsibility.

8. If this map is accepted with any other condition under Section-15 of the Uttar Pradesh Town Planning and Development Act-1973, then this condition will also be valid.
9. No more ramps shall be made on the road or in the lane than prescribed. This work should be only done on his own land.
10. The terms/conditions of Supervision and Specification will have to be followed.
11. The compliance of the affidavits submitted by the party will have to be ensured.
12. From the environmental point of view, it will be mandatory to plant at least 50 trees per hectare under the Uttar Pradesh State Policy and Act.
13. Approved landscaping is attached herewith. Within one month of the completion of the development work, an application will have to be made in the prescribed format to obtain the completion certificate and the building should not be used without permission and certificate.

14. The responsibility of structure safety will be your own and you will have to ensure compliance of the structure safety and earthquake prevention mandates.
15. It will be necessary to get the supply certificate before use in the building and rain water harvesting and all development works will have to be completed before the supply certificate. Before obtaining the supply certificate, the approved maps will be made in the name of the developer only.
16. Construction / development work will be done leaving the part of the road at the site for expansion in the prescribed 75.0 meter master plan. The boundary wall will be constructed after road expansion of the land.
17. All the responsibility of land ownership will be yours. In case of any dispute, the map will be considered automatically cancelled and construction work will be started only after getting the land marked by the joint team of Tehsil and Municipal Corporation.

18. The development works will be done by the authority only after depositing 75 percent external development fee in the said area.
19. No construction work / development work will be done on drain, chakrod, village society and corporation / government land.
20. Prior to the use of ground water, it is necessary to obtain the permission of the concerned department.
21. It is necessary to get the establishment and the workers working in it registered with the labor department as per rules.
22. During the construction period, provision of proper cover should be made to avoid dust at the construction site, water should be sprinkled on the construction materials during the operation of construction materials and their use and use of dust suspension unit should be compulsory along with this, it should also be ensured that covered vehicles are used for carrying construction materials.

23. It will be your responsibility to get the no-objection from the Railway Department and submit it to the authority.
24. The additional condition is attached with the acceptance letter and is placed on the back of the map, compliance of which will have to be ensured.

Enclosure:

A set accepted map

Sd/- 20.12.2019

Chief Architect and City Planner  
Ghaziabad Development Authority

Copy to:

Enforcement Division Zone-7 with approved map for information and necessary action

//TRUE TRANSLATED COPY//



कार्यालय: गाजियाबाद विकास प्राधिकरण  
(मानचित्र स्वीकृति पत्र)

पत्रांक 125/M.P./जोण्डे MAP20190727165815333

दिनांक : 20-12-19

मै. दुर्गा एन्टरप्राइजेज प्रा. लि.

सी-122, सेक्टर-19, नोएडा.

गोतमबुद्धनगर (उ.प्र.)

आपके प्रार्थना पत्र दिनांक 06.02.19 के संदर्भ में खसरा सं.-1/2मि. 2 से 24, 25/मि., 26मि., 27मि., 28, 29, 30/मि., 31/मि., 32/मि., 37मि., 38मि., 39मि., 40मि., 41मि. ग्राम झण्डापुर, खसरा सं.-448/मि., 449/मि., 450/मि., 451, 452/1, 453/1, 454, 455/2मि., 455/3, 456/1मि., 457, 458मि., 460मि., 461मि., 463मि., 465/1मि., 466मि., 467मि. एवं 468/2मि. ग्राम जगौला एवं खसरा सं.-4974/6मि. ग्राम पसौंड़ा, गाजियाबाद की भूमि पर आप द्वारा प्रस्तुत औद्योगिक पार्क ले-आउट मानचित्र सं.- MAP20190727165815333 में भूखण्डों के सृजन हेतु मानक मानचित्र पर उपाध्यक्ष महोदय द्वारा दिनांक 08.08.19 को निम्नलिखित शर्तों के साथ स्वीकृति प्रदान की गयी है :-

1. यह मानचित्र स्वीकृति से केवल पाँच वर्ष तक वैध है।
2. भू-विन्यास की इस स्वीकृति से सम्बन्धित किसी भी शासकीय विभाग स्थानीय निकाय (जैसे नगर पालिका, जी.डी.ए.) किसी अन्य व्यक्ति का अधिकार तथा स्वामित्व किसी प्रकार से प्रभावित नहीं होता है।
3. भू-विन्यास जिस प्रयोजन हेतु स्वीकृत कराया गया है उसी प्रयोग में लाया जायेगा।
4. जो भूमि विकास कार्य के उपयुक्त नहीं होगी उसके शासन अथवा किसी स्थानीय निकाय/प्राधिकरण द्वारा विकास करने की कोई जिम्मेदारी नहीं है।
5. बिजली की लाईन से निर्धारित सीमा के अन्दर कोई निर्माण नहीं किया जायेगा।
6. सड़क सर्विस लेन अथवा सरकारी भूमि पर कोई निर्माण सामग्री (बिल्डिंग मैटीरियल) नहीं रखी जायेगी तथा गंदे पानी की निकासी का पूर्ण प्रबन्ध विकासकर्ता को स्वयं करना होगा।
7. स्वीकृत भू-विन्यास का एक सैट स्थल पर रखना होगा ताकि मौके पर कभी भी जाँच की जा सकें तथा निर्माण कार्य स्वीकृत भू-विन्यास स्पेशीफिकेशन नियमों के अनुसार ही कराया जायेगा तथा स्वामित्व की भी जिम्मेदारी उन्हीं की होगी।
8. यह मानचित्र उ.प्र. नगर योजना एवं विकास अधिनियम-1973 की धारा-15 के अन्तर्गत किसी अन्य शर्त के साथ स्वीकार किये जाते हैं तो वह शर्त भी मान्य होगी।
9. सड़क पर अथवा लेन में निर्धारित से अधिक कोई रेम्प नहीं बनाये जायेंगे। यह कार्य अपनी ही भूमि पर करेंगे।
10. सुपरविजन एवं स्पेशीफिकेशन की नियम/शर्तों का पालन करना होगा।
11. पक्ष द्वारा प्रस्तुत शपथ पत्रों का पालन सुनिश्चित करना होगा।
12. पर्यावरण की दृष्टि से उ.प्र. राज्य व नीति अधिनियम के अन्तर्गत कम से कम प्रति हेक्टेयर 50 पेड़ लगाना अनिवार्य होंगे।
13. स्वीकृत भू-विन्यास इसके साथ संलग्न है विकास कार्य समाप्त होने के एक माह के अन्दर निर्धारित प्रारूप में कार्य पूरा होने के प्रमाण-पत्र प्राप्त करने के लिए आवेदन पत्र देना होगा तथा बिना आज्ञा व प्रमाण-पत्र लिये भवन को प्रयोग में न लायें।
14. संरचना सुरक्षा का उत्तरदायित्व स्वयं आपका होगा तथा आप द्वारा संरचना सुरक्षा एवं भूकम्परोधी शासनादेशों का अनुपालन सुनिश्चित करना होगा।
15. भवन में उपयोग से पूर्व सम्पूति प्रमाण-पत्र प्राप्त करना आवश्यक होगा एवं सम्पूति प्रमाण-पत्र से पूर्व रेन वाटर हार्वेस्टिंग एवं समस्त विकास कार्य पूर्ण कराने होंगे। सम्पूति प्रमाण-पत्र प्राप्त करने के पूर्व भूखण्ड पर स्वीकृत होने वाले मानचित्र विकासकर्ता के नाम से ही किये जाएँगे।
16. निर्धारित 75.0 मी. मास्टर प्लान रोड में विस्तार हेतु, स्थल पर रोड के भाग को छोड़ते हुए निर्माण/विकास कार्य किया जायेगा। बाउण्ड्री वाल का निर्माण रोड वाइडेनिंग की भूमि के बाद किया जायेगा।
17. भू-स्वामित्व की समस्त जिम्मेदारी आपकी होगी। किसी वाद/विवाद की स्थिति में मानचित्र स्वतः निरस्त माना जायेगा तथा तहसील एवं नगर निगम की संयुक्त टीम द्वारा भूमि चिह्नित कराकर ही निर्माण कार्य प्रारम्भ किया जायेगा।
18. उक्त क्षेत्र में 75 प्रतिशत बाह्य विकास शुल्क जमा होने के उपरान्त ही प्राधिकरण द्वारा विकास कार्य कराये जायेंगे।
19. नाली, चक्रोड, ग्राम समाज व निगम/सरकारी भूमि पर कोई निर्माण कार्य/विकास कार्य नहीं किया जायेगा।
20. भू-गर्म जल का उपयोग किये जाने से पूर्व सम्बन्धित विभाग की अनापत्ति प्राप्त किया जाना आवश्यक है।
21. अधिष्ठान एवं उसमें कार्यरत श्रमिकों का श्रम विभाग में नियमानुसार पंजीयन कराया जाना आवश्यक है।
22. निर्माणाधीन अवधि में निर्माण स्थल पर धूल से बचने हेतु समुचित कवर का प्राविधान किया जाये, निर्माण सामग्री के परिचालन एवं उनके उपयोग की अवधि में निर्माण सामग्रियों पर पानी का छिरकाव किया जाय एवं डस्ट सस्पेंशन यूनिट का उपयोग अनिवार्य रूप से किया जाये। इसके साथ-साथ यह भी सुनिश्चित किया जाये कि निर्माण सामग्रियों को ले जाने हेतु ढके हुए वाहनों का प्रयोग किया जाये।
23. रेलवे विभाग से अनापत्ति प्राप्त कर, प्राधिकरण में जमा कराने की जिम्मेदारी आपकी होगी।
24. अतिरिक्त शर्तें स्वीकृति पत्र के साथ संलग्न हैं एवं मानचित्र के पृष्ठ भाग पर चर्या है, जिनका अनुपालन अनिवार्य रूप से सुनिश्चित करना होगा।

संलग्नक : 1. एक सैट स्वीकृत मानचित्र।

मुख्य वास्तुविद् एवं नगर नियोजक  
गा.वि.प्रा., गाजियाबाद

पत्रांक : /मा.प्लान/

दिनांक /

प्रतिलिपि : प्रवर्तन खण्ड जोन-7 को स्वीकृत मानचित्र सहित सूचनार्थ एवं आवश्यक कार्यवाही हेतु।

मुख्य वास्तुविद् एवं नगर नियोजक

**ANNEXURE R-4**

Office of the Executive Engineer,  
Construction Division-2, Public Works Department,  
Ghaziabad

Letter No. 892/1C

Date: 06.04.2019

To  
Assistant Town Planner  
(Master Plan) Ghaziabad Development Authority  
Ghaziabad

Sub: Regarding objection/no-objection on the industrial park layout map presented by M/s. Durga Enterprises Private Limited at Khasra No. 1/2M, 2, 3, 4M, 5M, 7M, 8M, 9M, 11M, 12M, 13 to 24, 25M, 26M, 27M, 28, 29, 30M, 31M, 32M, 37M Village Jhandapur; Khasra No. 448M, 449M, 450M, 451M, 452M, 456M, Village Jangola and Khasra No. 4976/6M Village Pasaunda.

Ref: Your letter No.712/MP/19 dated 15.03.2019

Madam,

In relation to the above subject and referred letter, the site was inspected and examined by the Public Works Department according to the attached map and it was found

that the proposed construction falls outside the purview of the Road Side Land Control Act.

Therefore, the Public Works Department has no objection to the proposed construction.

For kind information.

Sd/-  
Executive Engineer  
Construction Division-2,  
Public Works Department  
Ghaziabad

Sd/-  
Executive Engineer  
Construction Division-2,  
Public Works Department  
Ghaziabad

Copy to:

1- For office records.

//TRUE TYPED COPY//

कार्यालय अधिशासी अभियन्ता,  
निर्माण खण्ड-2, लो0नि0वि0  
गाजियाबाद ।

पत्रांक 892/1C

दिनांक 06.04.2019

सेवा में,

सहायक नगर नियोजक  
(मास्टर प्लान) गाजियाबाद विकास प्राधिकरण  
गाजियाबाद ।

विषय: खसरा नम्बर 1/2मि0, 2,3,4मि0 5मि0 7मि 8मि0 9मि0 11मि0 12मि0 13 से 24,25/मि0 26मि0 27मि0 28,29,30मि0 31मि0 32मि0 37मि0 ग्राम झण्डापुर खसरा संख्या 448मि0 449मि0 450/मि0 451/मि0 452/मि0 456मि0 ग्राम-जंगोला खसरा संख्या 4976/6मि0 ग्राम पसौन्डा पर मै0 दुर्गा इन्टरप्राईजेज प्रा0लि0 द्वारा प्रस्तुत औद्योगिक पार्क ले-आउट मानचित्र पर आपत्ति/अनापत्ति के सम्बन्ध में ।

संदर्भ : आपका पत्रांक 712/M.P/19 दिनांक 15-03-2019

महोदया,

उपरोक्त विषयक संदर्भित के सम्बन्ध में लोक निर्माण विभाग द्वारा संलग्न मानचित्र के अनुसार साईट का निरीक्षण व परीक्षण किया गया व पाया गया कि प्रस्तावित निर्माण रोड साईड लैण्ड कन्ट्रोल एक्ट की परिधि के बाहर पडता है ।

अतः लोक निर्माण विभाग को प्रस्तावित निर्माण पर कोई आपत्ति नहीं है ।

सादर सूचनार्थ

अधिशासी अभियन्ता  
निर्माण खण्ड-2, लो0नि0वि0  
गाजियाबाद

प्रतिलिपि -

1- आफिस रिकार्ड हेतु ।

अधिशासी अभियन्ता  
निर्माण खण्ड-2, लो0नि0वि0  
गाजियाबाद

//TRUE COPY//

**ANNEXURE R-5**

Provisional NOC

Print      Go Back

(<http://www.upfireservice.gov.in/uptire/officer/cfo/noc-issued>)

Format - D (Annexure-3)

Provisional Certificate

UID No.UPFS/2019/5140/GZB/GHAZIABAD/375/CFO

Date : 28-03-2019

Certified that M/s MS DURGA ENTERPRISES PVT LTD (Name of the building/establishment) Address 1-2m 23, etc VIII JHANDAPUR, 448 etc. VILL - JAGOLA, 4974-6m Vill-PASONDA, INDUSTRIES PARK LAYOUT PLAN, BLOCK A, B, C D ( TOTAL PLOT - 176) Tehsil- Ghaziabad, in which the number of floors is 0 and the number of basement is 0, whose height is 0 mt. and plot area is 96862.66 sqmt. The occupancy of the building will be done by MS DURGA ENTERPRISES PVT LTD (name of the building owner/occupier or company). All the provisions of fire prevention and fire safety have been attuned by them according to the recommendations of IS standards of NBC and related Bureau of Indian Standards. This building is being given provisional no-objection certificate (occupancy category of NBC) under

Industrial with the condition that all the standards will be complied with in the proposed building and after the construction of the building and before the occupancy of the building, the Fire & Life Safety Certificate will be obtained.

"This certificate is being issued on the basis of the information submitted by you. If found to be false, the certificate issued will not be valid."

Issued Date 22-04-2019  
Location : GHAZIABAD

Signature

SUNIL KUMAR SINGH

110B4B6BED46BD106EE95EFC69981934749F0342

Note:- Kindly check the authentication of NOC by verifying the UID at departmental portal of UP Fire Service

//TRUE TRANSLATED COPY//

## Provisional NOC

[Print](#)
[Go Back \(http://www.upfireservice.gov.in/upfire/officer/cfo/noc-issued\)](http://www.upfireservice.gov.in/upfire/officer/cfo/noc-issued)

### प्रारूप-घ (संलग्नक-3)

#### Provisional Certificate

यूआईडी संख्या: UPFS/2019/5140/GZB/GHAZIABAD/375/CFO

दिनांक: 28-03-2019

प्रमाणित किया जाता है कि मैसर्स MS DURGA ENTERPRISES PVT LTD (भवन/प्रतिष्ठान का नाम) पता 1-2m 2,3, etc Vill JHANDAPUR, 448 etc. VILL-JAGOLA, 4974-6m Vill- PASONDA, INDUSTRIES PARK LAYOUT PLAN, BLOCK A,B,C D (TOTAL PLOT-176) तहसील - Ghaziabad जिसमें तलों की संख्या 0 एवं बेसमेन्ट की संख्या 0 है जिसकी ऊँचाई 0 mt. तथा प्लॉट एरिया 96862.66 sq.mt है। भवन का अधिभोग MS DURGA ENTERPRISES PVT LTD (भवन स्वामी/ अधिभोगी अथवा कम्पनी का नाम) द्वारा किया जायेगा। इनके द्वारा अग्नि निवारण एवं अग्नि सुरक्षा के समस्त प्राविधानों का समायोजन एन0बी0सी0 एवं तत्सम्बन्धी भारतीय मानक ब्यूरो के आई0एस0 मानकों की संस्तुतियों के अनुरूप किया गया है। इस भवन को प्राविजनल अनापत्ति प्रमाण पत्र (एन0बी0सी0 की अधिभोग श्रेणी) Industrial के अन्तर्गत इस शर्त के साथ दिया जा रहा है कि प्रस्तावित भवन में सभी मानकों का अनुपालन किया जायेगा तथा भवन के निर्माण होने के उपरान्त तथा भवन के अधिभोग से पूर्व अग्नि एवं जीवन सुरक्षा प्रमाण पत्र (Fire & Life Safety Certificate) प्राप्त किया जायेगा।

"यह प्रमाण-पत्र आपके द्वारा प्रस्तुत अभिलेखों, सूचनाओं के आधार पर निर्गत किया जा रहा है। इनके असत्य पाए जाने पर निर्गत प्रमाण-पत्र मान्य नहीं होगा।"

निर्गत किये जाने का दिनांक: 22-04-2019

स्थान: GHAZIABAD



हस्ताक्षर-

SUNIL KUMAR SINGH

110B4B6BED46BD106EE95EFC699B193A749F0342

Note:- Kindly check the authentication of NOC by verifying the UID at departmental portal of UP Fire Service.

//TRUE COPY//

**ANNEXURE R-6**

Telephone No. 9193320420  
Email: [eudd10gzb@gmail.com](mailto:eudd10gzb@gmail.com)  
CIN : U31200UP2003SGC027458

Office of Executive Engineer Electricity  
Urban Distribution Division - Tenth,  
Arthala Mohan Nagar Ghaziabad  
Paschimchal Vidyut Vitran Nigam  
Limited

Letter No.3562

Executive Engineer Electricity Urban Distribution Division –  
Tenth/Ghaziabad

Date: 23.04.2019

Sub: Regarding no-objection on the industrial park layout map presented by M/s. Durga Enterprises Private Limited at Khasra No. 1/2M, 2, 3, 4M, 5M, 7M, 8M, 9M, 11M, 12M, 13 to 24, 25M, 27M, 28, 29, 30M, 31M, 32M, 37M Village Jhandapur; Khasra No. 448M, 449M, 450M, 451M, 452M, 456M, Village Jangola and Khasra No. 4974/6M Village Pasaunda.

M/s. Durga Enterprises Private Limited

Plot No.32 and 33, Sahibabad

District Ghaziabad, Uttar Pradesh – 201005

In the above subject matter, as per the report of the Sub-Divisional Officer - Electricity Urban Distribution Division - Pratham, Arthla, Mohan Nagar, Ghaziabad vide letter no. 2796 dated 23.04.19, the industrial park layout

map presented by M/s. Durga Enterprises Pvt Ltd at Khasra No. 1/2M, 2, 3, 4M, 5M, 7M, 8M, 9M, 11M, 12M, 13 to 24, 25M, 27M, 28, 29, 30M, 31M, 32M, 37M Village Jhandapur; Khasra No. 448M, 449M, 450M, 451M, 452M, 456M, Village Jangola and Khasra No. 4974/6M Village Pasaunda was inspected by the Sub-Divisional Officer - Electricity Urban Distribution Division - First, Arthla, Mohan Nagar, Ghaziabad and Junior Engineer- 33/11 KV, Sub-centre Mohan Nagar, so that at present there is no line and any kind of arrears here.

Therefore, the Executive Engineer, Electricity Urban Distribution Division - Tenth, Arthla, Mohan Nagar, Ghaziabad has no objection to the proposed construction.

Enclosures: As above

Sd/-  
Executive Engineer  
Electricity Urban Distribution Division (Tenth),  
Ghaziabad

Letter No. Electricity Urban Distribution Division-  
Tenth/Ghaziabad

Copy to the following for information : -

1. Sub-Divisional Officer, First/Second, Arthla/Nandgram,  
Ghaziabad.

Sd/-  
Executive Engineer  
Electricity Urban Distribution Division (Tenth),  
Ghaziabad

//TRUE TRANSLATED COPY//

दूरभाष सं०: 9193320420  
Email : eudd10gzb@gmail.com  
CIN: U31200UP2003SGC027458



कार्यालय  
अधिकासी अभियन्ता विद्युत नगरीय वितरण  
खण्ड-दशम्, अर्थला मोहन नगर गाजियाबाद।  
पश्चिमांचल विद्युत वितरण निगम लि०

पत्रांक: 8562 वि०न०वि०ख०-दशम्/गाजियाबाद दिनांक 23/04/19

विषय :- खसरा सं०-1/2मि०, 2,3,4/मि०, 5/मि०, 7/मि०, 8/मि०, 9/मि०, 11/मि०, 12/मि०, 13 से 24, 25/मि०, 27/मि० 28,29,30/मि०, 31/मि०, 32/मि०, 37/मि०, ग्राम झण्डापुर, खसरा सं०-448/मि०, 449/मि०, 450/मि०, 451/मि०, 455/मि०, 456/मि०, ग्राम जगौला एवं खसरा सं०-4974/6 मि०, ग्राम पसौंडा पर मै० दुर्गा इण्टरप्राइजेज प्रा०लि० द्वारा प्रस्तुत औद्योगिक पार्क ले-आउट मानचित्र पर कोई आपत्ति न होने के सम्बन्ध में।

✓ मै० दुर्गा इण्टरप्राइजेज प्रा०लि०,  
प्लॉट न०-32, व 33 साहिबाबाद,  
जिला-गाजियाबाद उ०प्र०-201005

उपरोक्त विषयक उपखण्ड अधिकारी - वि०न०वि०उप०ख०-प्रथम, अर्थला, मोहन नगर, गाजियाबाद के पत्र संख्या 2796 दिनांक 23.04.19 की रिपोर्ट अनुसार खसरा सं०-1/2मि०, 2,3,4/मि०, 5/मि०, 7/मि०, 8/मि०, 9/मि०, 11/मि०, 12/मि०, 13 से 24, 25/मि०, 27/मि० 28,29,30/मि०, 31/मि०, 32/मि०, 37/मि०, ग्राम झण्डापुर, खसरा सं०-448/मि०, 449/मि०, 450/मि०, 451/मि०, 455/मि०, 456/मि०, ग्राम जगौला एवं खसरा सं०-4974/6 मि०, ग्राम पसौंडा पर मै० दुर्गा इण्टरप्राइजेज प्रा०लि० द्वारा प्रस्तुत औद्योगिक पार्क ले-आउट मानचित्र का निरीक्षण उपखण्ड अधिकारी-वि०न०वि०उप०ख०-प्रथम, अर्थला, गाजियाबाद एवं अवर अभियन्ता-33/11 के०वी०, उपकेन्द्र मोहन नगर, द्वारा किया गया। जिससे वर्तमान में यहाँ पर कोई लाईन एवं किसी भी प्रकार का बकाया नहीं है।

अतः अधिकासी अभियन्ता, वि०न०वि०ख०-दशम्, गाजियाबाद को प्रस्तावित निर्माण पर कोई आपत्ति नहीं है।

संलग्न:-उपरोक्तानुसार।

अधिकासी अभियन्ता  
विद्युत नगरीय वितरण खण्ड(दशम्),  
गाजियाबाद

पत्रांक: वि०न०वि०ख०-दशम्/गा०बाद०  
प्रतिलिपि निम्नलिखित को सूचनार्थ हेतु प्रेषित:-

दिनांक

1. उपखण्ड अधिकारी, प्रथम/द्वितीय, अर्थला/नन्दग्राम, गाजियाबाद।

अधिकासी अभियन्ता  
विद्युत नगरीय वितरण खण्ड(दशम्),  
गाजियाबाद

*Alaksh*

//TRUE COPY//

**ANNEXURE R-7**

Ghaziabad Municipal Corporation, Ghaziabad

Letter No.794/Property/2019-20 date: 17.10.2019

To  
Town Planner,  
Master Plan,  
Ghaziabad Development Authority

Sub: Khasra No. 1/2M, 2 to 24, 25M, 26M, 27M, 28, 29, 30M, 31M, 32M, 37M, 38M, 39M, 40M, 41M Village Jhandapur; Khasra No. 448M, 449M, 450M, 451M, 452/1, 453/1, 454, 455/2M, 455/3, 456/1, 457, 458M, 460M, 461M, 463M, 465/1M, 466M, 467M and 468/2M Village Jangola and Khasra No. 4974/6M Village Pasaunda Ghaziabad - In relation to the municipal land on the above Khasra numbers in the industrial park layout map presented by M/s. Durga Enterprises Private Limited

Madam,

In the above subject, please refer to your office letter No.842/MP/19 dated 13.08.2019 vide which a report was expected to be made available that there is no land of Municipal Corporation in the industrial park layout map presented by M/s Durga Enterprises Private Limited on the Khasra No. 1/2M, 2 to 24, 25M, 26M, 27M, 28, 29, 30M,

31M, 32M, 37M, 38M, 39M, 40M, 41M Village Jhandapur;  
Khasra No. 448M, 449M, 450M, 451M, 452/1, 453/1, 454,  
455/2M, 455/3, 456/1, 457, 458M, 460M, 461M, 463M,  
465/1M, 466M, 467M and 468/2M Village Jangola and  
Khasra No. 4974/6M Village Pasaunda Ghaziabad.

In relation to the above, it is to be informed that according to the report dated 29.03.2019 of the Tehsildar regarding the Khasra numbers in question, there is no government property i.e. waste, barren and new fallow and submerged land in the middle of the said land. The site inspection of the spot and available records were inspected by the Municipal Corporation Property Department. The attached industrial park does not belong to the Municipal Corporation on the Khasra numbers covered in the proposed map. The report is cordially sent.

Sd/- 17.10.19  
Omkar Singh  
Revenue Inspector  
Municipal Corporation, Ghaziabad

Sd/- 17.10.19  
Surendra Kumar Kaushik  
Revenue Inspector  
Municipal Corporation, Ghaziabad

Sd/- 17.10.2019  
Property Superintendent  
Municipal Corporation, Ghaziabad

Sd/-  
Additional Municipal Commissioner  
Municipal Corporation, Ghaziabad

//TRUE TRANSLATED COPY//

## गाजियाबाद नगर निगम, गाजियाबाद।

पत्रांक:- ११५/सम्पत्ति/2019-20

दिनांक:- 17/10/19

सेवा में,

नगर नियोजक,  
मास्टर प्लान,  
गाजियाबाद विकास प्राधिकरण।

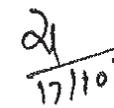
विषय:- खसरा संख्या-1/2 मि0, 2 से 24, 25/मि0,26 मि0,27 मि0,28,29,30/मि0,31/मि0, 32/मि0, 37मि0, 38मि0,39मि0, 40 मि0, 41 मि0 ग्राम झण्डापुर, खसरा संख्या-448/मि0,449/मि0,450/मि0, 451/मि0, 452/1, 453/1, 454, 455/2 मि0, 455/3, 456/1,457,458 मि0,460 मि0,461 मि0, 463 मि0,465/1 मि0, 466 मि0, 467 मि0 एवं 468/2 मि0 ग्राम जगौला एवं खसरा संख्या-4974/6 मि0 ग्राम पसौन्डा गाजियाबाद पर मै0 दुर्गा इन्टरप्राइजेज प्रा0 लि0 द्वारा प्रस्तुत औद्योगिक पार्क ले-आऊट मानचित्र में उपरोक्त खसरा नम्बरानों पर नगर निगम भूमि के सम्बन्ध में।

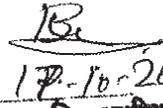
महोदय,

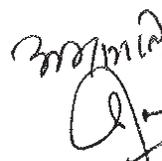
कृपया उपर्युक्त विषयक अपने कार्यालय के पत्र संख्या-842/एम.पी./19 दिनांक 13.08.2019 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसमें खसरा संख्या-1/2 मि0, 2 से 24, 25/मि0,26 मि0,27 मि0,28,29,30/मि0,31/मि0, 32/मि0, 37मि0, 38मि0,39मि0, 40 मि0, 41 मि0 ग्राम झण्डापुर, खसरा संख्या-448/मि0,449/मि0,450/मि0, 451/मि0, 452/1, 453/1, 454, 455/2 मि0, 455/3, 456/1,457,458 मि0,460 मि0,461 मि0, 463 मि0,465/1 मि0, 466 मि0, 467 मि0 एवं 468/2 मि0 ग्राम जगौला एवं खसरा संख्या-4974/6 मि0 ग्राम पसौन्डा गाजियाबाद पर मै0 दुर्गा इन्टरप्राइजेज प्रा0 लि0 द्वारा प्रस्तुत औद्योगिक पार्क ले-आऊट मानचित्र में उपरोक्त खसरा नम्बरानों पर नगर निगम भूमि की कोई भूमि तो नहीं है, के सम्बन्ध में आख्या उपलब्ध कराने की अपेक्षा की गयी है।

उक्त के सम्बन्ध में अवगत कराना है कि प्रश्नगत खसरा नम्बरानों के सम्बन्ध में तहसीलदार की आख्या दिनांक 29.03.2019 के अनुसार उक्त भूमि के बीच में कोई सरकारी सम्पत्ति ऊसर, बंजर एवं नवीन परती व जलमग्न भूमि नहीं है। नगर निगम सम्पत्ति विभाग द्वारा मौकें का स्थल निरीक्षण एवं उपलब्ध अभिलेखों का अवलोकन किया गया। संलग्न औद्योगिक पार्क प्रस्तावित मानचित्र में आच्छादित खसरा नम्बरों पर नगर निगम की भूमि नहीं है। आख्या सादर प्रेषित है।

  
 ओमकार सिंह  
 राजस्व निरीक्षक  
 नगर निगम, गाजियाबाद

  
 कुमुन्द कुमार कौशिक  
 राजस्व निरीक्षक  
 नगर निगम, गाजियाबाद

  
 सम्पत्ति अधीक्षक  
 गाजियाबाद नगर निगम

  
 अपर नगर आयुक्त  
 नगर निगम गाजियाबाद

Alakhat

//TRUE COPY//

**ANNEXYRE R-8**

Office of the Executive Engineer (Water),  
Municipal Corporation, Ghaziabad

Letter No. 734/Jalkal/2019-20

Date: 13/03/2020

Sub: Regarding payment of water connection and sewer connection fee.

M/s Durga Enterprises Private Limited,  
Khasra No. 1/2M, 2 to 24-25M, 26M, 27M, 28, 29, 30M, 31M, 32M, 37M, 38M, 39M, 40M, 41M Village Jhandapur, Ghaziabad and Khasra No. 4974/6M Village Pasaunda and Khasra No. 448M, 449M, 450M, 451M, 452/1, 453/1, 454, 455/2M, 455/3, 456/1, 457, 458M, 460M, 461M, 463M, 465/1M, 466M, 467M and 468M, G.T. Road, Sahibabad, Site-4, Ghaziabad

In the aforesaid subject, approval has been given on your water connection and sewer connection application today 13.03.2020, whose water connection fee of Rs.4,06,020/- and sewage connection fee of Rs.7,57,020/-, total Rs.11,63,040/- (Rupees eleven lakh sixty three thousand forty only) is expected to be deposited in the

municipal fund. The developer will have to make his own arrangement for drainage and ETP water withdrawal. The above approval has been given only for water connection and sewage connection.

Therefore, it is hereby informed that the said amount should be deposited in cash in the Municipal Corporation Fund within a week or by making a demand draft/cheque in the name of Municipal Corporation, Ghaziabad. The connection will be valid only after receipt of the deposited amount.

Sd/-  
Executive Engineer (Water)  
Municipal Corporation Ghaziabad  
//TRUE TRANSLATED COPY//

16(3/20)

E/w.w./E.E(jal)/Yogendra Singh

## कार्यालय अधिशासी अभियन्ता(जल), नगर निगम, गाजियाबाद

पत्रांक: 734 /जलकल/2019-20

दिनांक- 13/03/2020

विषय:- जल संयोजन एवं सीवर संयोजन शुल्क जमा कराये जाने के सम्बन्ध में।

मैसर्स दुर्गा इन्टरप्राइजेज प्रा० लि०,  
 खसरा नं०-1/2 मि० से 24-25/मि०, 26मि०, 27मि०,  
 28,29,30मि०, 31/मि०, 32मि०, 37मि०, 38मि०, 39मि०,  
 40मि०, 41मि०, झंडापुर, गाजियाबाद व खसरा नं०-4974/6मि०  
 पसौंडा, गाजियाबाद, 448मि०, 449मि०, 450मि०/451/452/1,  
 453/1, 454, 455/2, 455/3, 456/1मि०, 457, 458मि०, 460मि०  
 461मि०, 463मि०, 465/1मि०, 466मि०, 467मि० व 468मि०  
 जी०टी०रोड, साहिबाबाद, साईट-4, गाजियाबाद।

उपरोक्त विषयक आपके जल संयोजन एवं सीवर संयोजन आवेदन पर आज दिनांक 13.03.2020 के द्वारा स्वीकृति प्रदान कर दी गयी है, जिसका जल संयोजन शुल्क धनांक अंकन रू० 4,06,020 एवं सीवर संयोजन शुल्क धनांक अंकन रू० 7,57,020/- कुल अंकन रू० 11,63,040/- (ग्यारह लाख तरेसठ हजार चालिस रुपये मात्र) नगर निगम कोष में जमा कराया जाना अपेक्षित है। विकासकर्ता को ड्रेनेज व ई०टी०पी० के पानी की निकासी की व्यवस्था स्वयं करनी होगी। उक्त स्वीकृति मात्र जल संयोजन एवं सीवर संयोजन हेतु प्रदान की गयी है।

अतः एतद्द्वारा सूचित किया जाता है कि उक्त धनराशि एक सप्ताह के अन्दर नगर निगम कोष में कैश जमा कराये अथवा डिमान्ड ड्राफ्ट/चैक नगर निगम, गाजियाबाद के नाम बनवाकर जमा कराये जाने का कष्ट करे। जमा धनराशि की रसीद के बाद ही कनैक्शन मान्य होगा।

  
 अधिशासी अभियन्ता(जल)  
 नगर निगम गाजियाबाद

  
 //TRUE COPY//

## ANNEXURE R-9

प्रपत्र संख्या - 2

गाजियाबाद नगर निगम

पुस्तक संख्या -

(नियम 8 देखें)

क्रम संख्या -

2599844

श्री/श्रीमती

श्री/श्रीमती

G.T. Road, गाजियाबाद, गाजियाबाद

से प्राप्त हुए। 028

बिल संख्या

दिनांक :

मांग रजिस्टर की क्रम संख्या	भूगहादि का नाम अथवा संख्या	भुगतान का विवरण	अवधि	धनराशि
020566 Axis Bank 20/3/2020	श्री/श्रीमती	समाज आवेदन पत्र शुल्क समाजन शुल्क रोड कटिंग चार्ज सुपरवीजन शुल्क		202 7320002 190002 150002 /
	Payment by cheque / 100			7570202

योग शब्दों में

₹ मात्र लाख सैकड़ों मात्र के रूप में

दिनांक :-

25/3/2020

गाजियाबाद नगर निगम

रं डेया :-

अनुज्ञाप्ती (लाईसेंस) की दशा में यह रसीद अनुज्ञाप्ती के स्थान पर प्रयुक्त नहीं की जा सकती और नगर निगम के अनुज्ञाप्ति अस्वीकार कर देने के अधिकार पर कोई प्रतिकूल प्रभाव नहीं डालती। अवैधानिक निर्माण के गिराये या हटाये जाने हेतु नगर निगम द्वारा की जाने वाली कार्यवाही पर इसका प्रभाव नहीं पड़ेगा।



**ANNEXURE R-10****NORTHERN RAILWAY**

DRM Office,  
New Delhi

No.473-W/842/1/252/Land

Dated: 13.08.2020

Assistant Town Planner (Master Plan)  
Ghaziabad Development Authority,  
Uttar Pradesh.

Sub: - Proposal for issue of NOC in connection with development of Industrial Park in various Khasras of village Jagola, and Pasonda by M/s Durga Industries Pvt. Ltd.

Ref: - Your office letter no.- 711/M.P/19 dated 15.03.2019.

The Competent Authority has approved your proposal for issue of NOC in connection with Development of Industrial Park in various Khasras of village Jagola and Pasonda by M/s. Durga Enterprises Pvt. Ltd. as detailed in NRHQE Plan no.- 17/-NOC/NR-2020/DLI (copy enclosed).

You are further requested to ensure following salient issues: -

- (i) No opening towards Railway tracks shall be provided.
- (ii) No effluents shall be discharged in railway land.
- (iii) No material will be stacked in railway land and on Railway premises will be used.

In view of the above, No Objection Certificate is hereby issued for Development of Industrial Park in various Khasras of village Jagola and Pasonda by M/s. Durga Enterprises Pvt. Ltd., adjoining Railway Boundary between km 12 to km 13 on DSA-SDD Section.

DA/-

1. NRHQE Plan no. - 17-NOC/NR-2020/DLI
2. External Drainage Plan
3. External Sewage Plan
4. Construction Methodology
5. Undertaking given by M/s Durga Enterprises Pvt. Ltd.

Rashmi Kumar  
Senior Civil Engineer  
N. Rly. New Delhi

Copy to: -

1. M/s Durga Enterprises Pvt. Ltd. Flat No. 9, JM Park Sapphire, Ramprastha Greens, Vaishali, Ghaziabad, Uttar Pradesh-201012 for information please.
2. ADEN/GZB for information and compliance of following provisions: -
  - a) The works shall be executed as per approval NOC Plan no.-17-NOC/NR-2020/DLI & Construction Methodology.
  - b) All guidelines/instructions issued by Railway Board vide letter no.- 2015/LML-I/19/2 dated 25.06.2015 on the subject may strictly adhered to.
  - c) Undertaking given by the Party should be strictly followed.
  - d) Prepare schedule of periodical inspection to carry out the inspection during construction as well as after construction to ensure that under no circumstances

safety railway tracks is affected during or after inspection.

- e) Disposal of waste such as sewage & sullage water & disposal from septic tanks should not be allowed in railway land in any manner and should be strictly followed as per External Drainage & Sewage Layout Plan.

//TRUE TYPED COPY//

## NORTHERN RAILWAY

DRM Office,  
New Delhi

No.473-W/842/1/252/Land

Dated: 13.08.2020

Assistant Town Planner(Master Plan),  
Ghaziabad Development Authority,  
Uttar Pradesh.

Sub:- Proposal for issue of NOC in connection with development of Industrial Park in various Khasras of village Jagola and Pasonda by M/s Durga Enterprises Pvt. Ltd.

Ref: - Your office letter no. - 711/M.P/19 dated 15.03.2019.

The Competent Authority has approved your proposal for issue of NOC in connection with Development of Industrial Park in various Khasras of village Jagola and Pasonda by M/s. Durga Enterprises Pvt. Ltd as detailed in NRHQE Plan no.-17-NOC/NR-2020/DLI (copy enclosed).

You are further requested to ensure following salient issues:-

- (i) No opening towards Railway Track shall be provided.
- (ii) No effluent shall be discharged in railway land.
- (iii) No material will be stacked on railway land and no Railway premises will be used.

In view of above, No Objection Certificate is hereby issued for Development of Industrial Park in various Khasras of village Jagola and Pasonda by M/s. Durga Enterprises Pvt. Ltd, adjoining Railway Boundary between km 12 to km 13 on DSA-SDD Section.

DA/-

1. NRHQE Plan no.-17-NOC/NR-2020/DLI
2. External Drainage Plan
3. External Sewerage Plan
4. Construction Methodology
5. Undertaking given by M/s Durga Enterprises Pvt. Ltd.

*AK*  
*13.8.20*  
(Rashmi Kumar)  
Senior Divl. Engineer, II  
Sr. DEN/II/DLI  
N. Ry. New Delhi

Copy to: -

1. M/s Durga Enterprises Pvt. Ltd., Plot no. 009, JM Park Sapphire - Ramprastha Greens, Vai9shali, Ghaziabad, Uttar Pradesh-201012 for information please.
2. ADEN/GZB for information and compliance of following provisions: -
  - a) The work shall be executed as per approved NOC Plan no.-17-NOC/NR-2020/DLI & Construction Methodology.

- b) All guidelines /instructions issued by Railway Board vide their letter no.- 2015/LML-I/19/2 dated 25.06.2015 on the subject may strictly adhered to.
- c) Undertaking given by the Party should be strictly followed.
- d) Prepare schedule of periodical inspection to carry out the inspections during construction as well as after construction to ensure that under no circumstances safety of Railway tracks is affected during or after inspection.
- e) Disposal of wastes such as sewage & sullage water & disposal from septic tanks should not be allowed in railway land in any manner and should be strictly followed as per External Drainage & Sewerage Layout plan.

*Shahid*

**//TRUE COPY//**

## ANNEXURE R-11

Sir,

The attached application has been given by Durga Enterprises Pvt. Ltd. through Authorized Signatory Balraj Singh, son of Mr. Malkit Singh, resident of 259, Town Ward No.6, Allen Kothi Wala Area, Ellenabad, Sirsa, Haryana that the land is owned by Durga Enterprises Pvt Ltd in Village Jhandapur, Jangola Pasoda Village, as per the application given by the applicant, Durga Enterprises Pvt. Ltd. Company has requested to give Swami Nama. The investigation report of the case in question is as follows: -

On Khasra Nos. 1/2M/3.7150, 3/0.4810, 4/0.3540, 5/0.2530, 6/0.4550, 7/0.6450, 8/2.4150, 9/0.1520, 10/0.2020, 11/0.1140, 12/0.2780, 13/0.2660, 14/0.0630, 15/0.1770, 16/0.1010, 17/0.1520, 18/0.2020, 19/0.3290, 20/0.4680, 21/0.2020, 22/0.1390, 23/0.0510, 24/0.2280, 25/0.2150, 26/0.2780, 27/0.3040, 28/0.1010, 29/0.1260, 30/0.2400, 31/0.1900, 32/0.2020 330/0.1690, 340/0.1940, 350/0.6190, 36/0.8680, 37/1.9180, 38/0.4680, 39/1.0470, 40/0.2120, 41M/0.0200, 2/0.2280, total no. 41, area 18.8410 hectare, of Khata No.1 of present Khatauni 1426 to

1431 of Village Jhandapur Pargana Loni Tehsil and District Ghaziabad and on Khasra No.451/0.6320, 448/0.8090, 449/0.3160, 450/1/0.1770, 452/1/0.4300, 453/1/0.3040, 454/0.3410, 455/2/0.0380, 455/3/0.1010, 456/1/0.1770, 457/0.2660, 458/0.2150, 480/0.0630, 461/0.1520, 463/0.1900, 464/2/0.0630, 465/1/0.3410, 468/0.7340, 467/04930, 468M/2/0.6450, 471/2/0.8220, total area of 7.309 hectare, of Khatauni No.1 of Village Jangola Pargana Loni Tehsil and District Ghaziabad and on Khasra No.4974/6 of Khata No.3454 of Khatauni 1424-1429 of Village Pasonda Pargana Loni Tehsil and District Ghaziabad, area 0.1640 hectare, the names of Durga Enterprises Pvt Ltd are recorded in the revenue records, and the land in question is in possession of the owner Durga Enterprises Pvt Ltd. In respect of the land in question, an affidavit has been given by Shri Balraj Singh, the authorized signatory of the company, which is attached. The land in question is undisputed on the basis of the affidavit. As above, the above land is owned by Durga Enterprises Private Limited. Report is sent for your kind perusal.

Sd/- 15/09/2010  
Surendra Singh Accountant  
Tehsil and District Ghaziabad

//TRUE TRANSLATED COPY//

महोदय,

संलग्न प्रार्थना पत्र दुर्गा इन्ड्रप्राईजेज प्रा० लि० आथोराईज सिग्नेट्री द्वारा बलराज सिंह पुत्र श्री मलकीत सिंह निवासी-259, टाउन वार्ड नं०-6, ऐलन कोठी वाला ऐरीया ऐलनाबाद, सिरसा हरियाणा द्वारा इस आशय के साथ दिया है कि दुर्गा इन्ड्रप्राईजेज प्रा० लि० द्वारा ग्राम झंडापुर जंगोला पसौंडा ग्राम मे भूमि है, प्रार्थी द्वारा दिये गये प्रार्थना पत्र के अनुसार दुर्गा इन्ड्रप्राईजेज प्रा० लि० कम्पनी ने स्वामी नामा दिये जाने का अनुरोध किया है प्रश्नगत प्रकरण का जाँच आख्या निम्न प्रकार है-

ग्राम झंडापुर परगना लोनी तहसील व जिला गाजियाबाद ग्राम झंडापुर परगना लोनी तहसील व जिला गाजियाबाद कि वर्तमान खतौनी 1426 से 1431 के खाता सं०-1 के खसरा सं०- 1/2मि०/3.7150, 3/0.4810, 4/0.3540, 5/0.2530, 6/0.4550, 7/0.6450, 8/2.4150, 9/0.1520, 10/0.2020, 11/0.1140, 12/0.2780, 13/0.2660, 14/0.0630, 15/0.1770, 16/0.1010, 17/0.1520, 18/0.2020, 19/0.3290, 20/0.4680, 21/0.2020, 22/0.1390, 23/0.0510, 24/0.2280, 25/0.2150, 26/0.2780, 27/0.3040, 28/0.1010, 29/0.1260, 30/0.2400, 31/0.1900, 32/0.2020, 33मि०/0.1690, 34मि०/0.1940, 35मि०/0.6190, 36/0.8680, 37/1.9180, 38/0.4680, 39/1.0470, 40/0.2120, 41मि०/0.0200, 2/0.2280, कुल नम्बरांन 41, योग 18.8410 है० तथा ग्राम जंगोला परगना लोनी तहसील व जिला गाजियाबाद ग्राम जंगोला परगना लोनी तहसील व जिला गाजियाबाद की खतौनी सं०- 1 के खसरा सं०-451/0.6320, 448/0.8090, 449/0.3160, 450/1/0.1770, 452/1/0.4300, 453/1/0.3040, 454/0.3410, 455/2/0.0380, 455/3/0.1010, 456/1/0.1770, 457/0.2660, 458/0.2150, 460/0.0630, 461/0.1520, 463/0.1900, 464/2/0.0630, 465/1/0.3410, 466/0.7340, 467/0.4930, 468मि/2/0.6450, 471/2/0.8220, कुल योग 7.309 है० पर तथा ग्राम पसौंडा परगना लोनी तहसील व जिला गाजियाबाद के खतौनी 1424-1429 के खाता सं०- 3454 के खसरा सं०- 4974/6 रकबा 0.1640 पर दुर्गा इन्ड्रप्राईजेज प्रा० लि० के नाम राजस्व अभिलेखों मे दर्ज हैं, तथा प्रश्नगत भूमि मौके पर दुर्गा इन्ड्रप्राईजेज प्रा० लि० मालिक काबिज स्वामी है। प्रश्नगत भूमि के सम्बन्ध मे कम्पनी के आथोराईज सिग्नेट्री श्री बलराज सिंह द्वारा शपथ पत्र दिया गया है जो संलग्न है, शपथ पत्र के आधार पर प्रश्नगत भूमि अविवादित हैं। उपरोक्तानुसार उपरोक्त भूमि पर दुर्गा इन्ड्रप्राईजेज प्रा० लि० का स्वामित्व है, रिपोर्ट सादर सेवा मे प्रेषित।

597/RC-20/16-9-20

सम्प्र/पत्र/

16/09/2020

तहसीलदार  
गाजियाबाद

15/09/2020  
सुरेन्द्र सिंह लेखपाल  
क्षेत्र... 510515/1  
तहसील व जिला - गाजियाबाद  
Tehsil

Wahote

//TRUE COPY//

## ANNEXURE R-12

**DURGA ENTERPRISES PRIVATE LIMITED**

CIN: U70102UP1968PTC002587

ADDRESS: C-122, Sector - 19, Noida, Uttar Pradesh - 201301

Ph. No. - 98105-46779, Email : durga.enterprise2000@gmail.com

To,  
Regional Officer,  
Ministry of Environment, Forest & Climate Change,  
(Central Region), Kendriya Bhavan,  
5<sup>th</sup> Floor, Sector-H, Aliganj, Lucknow - 226024.

Date: 01/06/2022

**Sub: Compliance (June 2022) of stipulated environmental conditions/safeguards; period "October, 2021 to March, 2022" for "Proposed Durga Industrial Park" located at Khasra No. 1/2m, 2 to 24, 25/m, 26m, 27m, 28, 29, 30/m, 31/m, 32/m, 37m, 38m, 39m, 40m, 41m, Jhandapur, Ghaziabad and Khasra No. 4974/6m, Pasonda Ghaziabad & 448/m, 449/m, 450/m, 451, 452/1, 453/1, 454, 455/2m, 455/3m, 456/1m, 457, 458m, 460m, 461m, 463m, 465/1m, 466m, 467m, & 468/2m, Jagola, Ghaziabad, Uttar Pradesh by M/s Durga Enterprises Pvt Ltd.**

Dear Sir,

With reference to the Environment Clearance letter no.701/Parya/SEIAA/5856-5746/2019 Dated-15/01/2021 issued by State Environment Impact Assessment Authority, Uttar Pradesh, which have been asked to submit the compliance with the specific and general conditions/safeguards.

In view of above, we submitting a copy of the following information/documents for your kind perusal:

1. Point – wise compliance of the stipulated environmental conditions/safeguards.
2. Environment Monitoring Report; Ambient Air, Ambient Noise, Ground Water, & Soil.

We fully assure you that, we will comply with all specific and general conditions/safeguards as specified in the above said Environment Clearance letter.

Thanking you,  
Yours sincerely,

M/s Durga Enterprises Pvt Ltd

For Durga Enterprises Pvt. Ltd.

Authorized Signatory

(Authorized signatory)

CC:

- The Director, Directorate of Environment, U.P., Directorate of Environment Vineet Khand-1, Gomti Nagar, Lucknow -226010.
- The Member Secretary, Uttar Pradesh Pollution Control Board, Building No.- TC-12V, Vibhuti Khand, Gomti Nagar, Lucknow.

**SIX MONTHLY EC COMPLIANCE REPORT  
(October, 2021 –March, 2022)**

**Of**

**“Proposed Durga Industrial Park”**

**Located at**

**Khasra No. 1/2m, 2 to 24, 25/m, 26m, 27m, 28, 29, 30/m, 31/m, 32/m, 37m, 38m, 39m, 40m, 41m, Jhandapur, Ghaziabad and Khasra No. 4974/6m, Pasonda Ghaziabad & 448/m, 449/m, 450/m, 451, 452/1, 453/1, 454, 455/2m, 455/3, 456/1m, 457, 458m, 460m, 461m, 463m, 465/1m, 466m, 467m, & 468/2m, Jagola, Ghaziabad, Uttar Paredsh**

**BY**

**M/s Durga Enterprises Pvt Ltd**

**SIX MONTHLY COMPLIANCE REPORT OF CONDITIONS STIPULATED IN ENVIRONMENTAL CLEARANCE LETTER ISSUED BY SEIAA, U.P.**

<b>PROJECT NAME</b>	“Proposed Durga Industrial Park”
<b>LOCATION</b>	Khasra No. 1/2m, 2 to 24, 25/m, 26m, 27m, 28, 29, 30/m, 31/m, 32/m, 37m, 38m, 39m, 40m, 41m, Jhandapur, Ghaziabad and Khasra No. 4974/6m, Pasonda Ghaziabad & 448/m, 449/m, 450/m, 451, 452/1, 453/1, 454, 455/2m, 455/3, 456/1m, 457, 458m, 460m, 461m, 463m, 465/1m, 466m, 467m, & 468/2m, Jagola, Ghaziabad, Uttar Paredsh
<b>PROPONENT</b>	M/s Durga Enterprises Pvt Ltd
<b>EC LETTER NO.</b>	701/Parya/SEIAA/5856-5746/2019 Dated-15/01/2021
<b>STUDY PERIOD</b>	October ,2021 to March, 2022

S. No.	Condition	Compliance Status
<b>GENERAL CONDITIONS</b>		
1.	It shall be ensured that all standards related to ambient environmental quality and the emission/effluent standards as prescribed by the MoEF are strictly complied with.	All standards related to the ambient Environmental Quality (Air, Ground Water, Soil and Noise) are strictly complied as prescribed by MoEF&CC.
2.	It shall be ensured that obtain no objection certificate from the U P Pollution control Board before start of Construction.	For the development of the project, an application for Consent To Establish (CTE) has been applied by Pollution Department.
3.	It shall be ensured that no construction work or preparation of land by the project management except for securing the land is started on the project or the activity without the prior environmental clearance.	The project was granted Environmental Clearance by SEIAA, U.P. through vide <b>Letter No. 701/Parya/SEIAA/5856-5746/2019 Dated-15/01/2021A</b> copy of the granted letter is enclosed as <b>Annexure I</b> .
4.	The proposed land use shall be accordance to the prescribed land use. A land use certificate issued by the Competent Authority shall be obtained in this regards.	Land was allocated for the development of a group housing project under Pradhan Mantri Awas Yojana scheme of GoI by Ghaziabad Development Authority.Land Documents is enclosed as <b>Annexure-II</b> .
5.	All trees felling in the project area shall be as permitted by the forest department under the prescribed rules. Suitable clearance in this regards shall be obtained from the Competent authority.	The project site is devoid of trees. Hence, permission regarding tree felling from the forest department is not applicable.
6.	Impact of drainage pattern on environment should be provided.	The project does not intersect any natural drainage route. The topography of the project was almost plain. No natural drainage lies in the vicinity of the project site. The drainage pattern of the project Designed in such a way that it does not impact the environment.
7.	Surface hydrology and water regime of the project area within 10 Km should be provided.	Topography map with eco sensitive zones within 10 and 15 km along with the location of project site is enclosed as <b>Annexure III</b> .

## “Proposed Durga Industrial Park”

## Compliance Report

8.	A suitable plan for providing shelter, light and fuel, water and waste disposal for construction labor during the construction phase shall be provided along with the number of proposed workers.	As the local labors will be hired for the project from nearby areas so the shelters and hutments is developed for their residence for only few labour who came from far away in the project premises. But at the project site, arrangements for safe drinking water and sanitation are provided to the labors.
9.	Measures shall be undertaken to recycle and reuse treated effluents for horticulture and plantation. A suitable plan for waste water recycling shall be submitted.	Dual plumbing system will be developed at the project site to re-use and recycle the STP treated water. The sewage is being treated in STP of capacity 550 KLD developed at project site. Treated sewage is being reused for flushing & horticulture purpose. This significantly reduces the fresh water demand for the project. Dual Plumbing plan is enclosed as <i>Annexure-IV</i>
10.	Obtain proper permission from competent Authorities regarding enhanced traffic during and due to construction and operation of project.	Heavy vehicular movement will be avoided during peak hours and proper parking facility will be provided within the site to unload trucks. A group of personals will be made engaged for the management of the traffic and vehicular movement. Plans for the traffic movement were submitted for obtaining the environment clearance.
11.	Obtain necessary clearances from the competent authority on the abstraction and use of ground water during the construction and operation phases.	In construction phase, potable water is supplied by water tankers from safe zones. If it will be required in future by the proposed projects, prior clearance will be taken from CGWA and copy of the same will be intimated. For the operation phase, potable water will be supplied by Ghaziabad Development Authority to all projects.
12.	Hazardous/inflammable/explosive material likely to be stored during the construction and operational phases shall be as per the standard procedure as prescribed under law, necessary clearances in this regard shall be obtained.	Since it is a construction project, less amount of diesel is required which will be managed on daily basis and hence drums are provided to store. The total amount of diesel stored at the site will not exceed 2000 Gallons. Thus there will be requirement of clearance from chief controller of explosive for storage of diesel.
13.	Solid waste shall be suitable segregated and disposed. A separate and isolated municipal waste collection centre should be provided. Necessary plan should be submitted in the regard.	Solid waste generated during operation phase as well as construction phase will managed through providing bins of different colour. For the operation phase, the collection and disposal of waste will be managed by third party or civic bodies.
14.	Suitable rainwater harvesting system as per designs of groundwater department shall be installed. Complete proposals in this regard should be submitted.	RWH structures will be developed as per the plan submitted to Authority. 381 Pits will be constructed for effective practice of rain water harvesting.

## “Proposed Durga Industrial Park”

## Compliance Report

15.	The emissions and effluents etc. from machines, instruments and transport during construction and operation phases should be according to the prescribed standards. Necessary plans in this regards shall be Submitted.	The emission and effluents generated from DG sets and STP will confirm to the prescribed norms and standards of CPCB. HS diesel will be used in the DG sets.
16.	Water sprinklers and other dust control measures should be undertaken to take care of dust generated during construction and operation phases. Necessary plans in this regard shall be submitted.	Treated water will be sprinkled at the site to suppress dust using manual water sprinklers. For the operation phase, open areas are either paved or covered by landscape. Hence the possibilities of fugitive emission of dust will decrease to null.
17.	Suitable noise abatement measures shall be adopted during construction and operation phases in order to ensure that the noise emission do not violate the prescribed ambient noise standards. Necessary plans in this regards shall be submitted.	In the construction and operation phase, silent type of DG Sets will be used. In operation phase, measures will be adopted to reduce the effect of noise with the help of greenbelt and noise barrier. DG sets will be installed and run as per CPCB norms to check air and noise pollution.
18.	Separate stock piles shall be maintained for excavated topsoil and the topsoil should be utilized for preparation of green belt.	Excavated top soil is kept separated and it will be used only for the development of land for the proposed landscape area.
19.	Sewage effluents shall be kept separate from rainwater collection and storage system and separately disposed. Other effluents should be allowed to mix with domestic effluents.	Rain water harvesting pits will be designed as per guidelines and kept at suitable distance from STP to avoid contamination of drainage water.
20.	Hazardous/Solid wastes generated during construction and operation phases should be disposed off as prescribed under law. Necessary clearance in this regards shall be obtained.	During construction stage no such Hazardous material will be stored and for the operation phase, used DG oils (Hazardous Waste) will be managed as per the Hazardous and Other Wastes (Management and Tran’s boundary Movement) Amendment Rules, 2016. A separate collecting site will be developed in the project premises for the storage of used oils. As the project is a construction project, so it will generate very minimal and non considerable amount of the used oil, hence the NOC from the SPCB is not required.
21.	Alternative technologies for solid waste disposals (like vermin-culture etc.) should be used in consultation with expert organizations.	This condition will be complied at operational stage with due consultation with experts in this field. Installation of organic waste converter will be proposed in the operation phase to convert bio- degradable wastes into manure.

## “Proposed Durga Industrial Park”

## Compliance Report

22.	No wetland should be infringed during construction and operation phases. Any wetland coming in project area should be suitably rejuvenated and conserved.	No wet land is present in the project vicinity of 5 km. Hence, Condition is not applicable.
23.	Pavement shall be so constructed as to allow infiltration of surface run-off of rain water. Fully impermeable pavements shall not be constructed. Construction of pavement around trees shall be as per specifically accepted principles in order to provide suitable watering aeration and nutrition to the trees.	Pavements will be done to maximize the catchment area for the rain water harvesting. Paved area will be maintained clean for proper rain water harvesting process. Plantation bed will be bordered by the pavements to avoid any spillage of water in the project.
24.	The green building concept suggested by Indian green building council, which is a part of CII-Godrej GBC, shall be studied and followed as far as possible.	Most of the benchmarks set by the IGBC will be achieved for making the project environment friendly. Works like use of fly-ash bricks and PPC cement, landscaping etc will be done to fulfill the norms of IGBC without becoming the member.
25.	Compliance with the safety procedures, norms and guidelines as outlined in National Building Code 2005 shall be compulsory ensured.	Well this project is plotted colony project so there is no need of structure NOC from the respective authority. And individual plot owners will be responsible for NOC.
26.	Ensure usage of dual flush system for flush cisterns and explore option to use sensor based fixtures, waterless urinals and other water saving techniques.	Complied. Fixtures causing less water wastage in dwelling units and waterless urinals for public places are being installed to save the water and minimize water consumption in the project.
27.	Explore options for use of dual pipe plumbing for use of water with different quantities such as municipal supply recycled water, ground water etc.	Complied. Dual plumbing system has been installed at the project site. Treated and potable water supply to individual dwelling units. Dual Plumbing plan is enclosed as <i>Annexure-IV</i>
28.	Ensure use of measures for reducing water demand for landscaping and using xeriscaping, efficient irrigation equipments & controlled watering systems.	In the operation phase of the project, to reduce the use of fresh water in the project, it has been proposed to use STP treated water for flushing and landscape. Measures like drip irrigation and sprinkler will be installed to ensure the reduction of water demand for landscaping.
29.	Make suitable provisions for using solar energy as alternative source of energy. Solar energy application should be incorporated for illumination of common areas, lighting for gardens and street lighting in addition to provision for solar water heating. Present a detailed report showing how much percentage of backup power for institution can be provided through solar energy so that use and polluting effects of DG sets can be minimized.	Provisions for using the solar energy like solar water geysers and solar street lights will be made at the time of bringing the project in the operation. Details of energy to be saved by the project by installation of solar appliances have been presented along with the EIA report made for the Environment Clearance. Street lighting plan is enclosed as <i>Aneexure-V</i> .

## “Proposed Durga Industrial Park”

## Compliance Report

30.	Make separate provision for segregation, collection, transportation and disposal of e-waste.	As the project is a construction project, so it could not be classified as the bulk producer. The generated E-waste in the operation phase will be disposed through authorized vendors. A separate site along with municipal waste collection point will be developed in the operation for the proper management of generated E-waste.
31.	Educate citizens and other stack-holders by putting up hoardings at different places to create environmental awareness.	It will be done at post construction stage and before operation of the project.
32.	Traffic congestion near the entry and exit points from the roads adjoining the propose site project site must be avoided. Parking should be fully internalized and no public space should be utilized.	Traffic will be managed by a group of trained personals in the project. Traffic circulation plan will be followed for the smooth running of the traffic and to make the ways devoid of any type of congestion.traffic circulation plan is enclosed <b><i>Annexure-VI.</i></b>
33.	Prepare and present disaster management plan.	Disaster Management Plan is made and submitted along with EIA Report.
34.	The Project proponents shall ensure that no construction activity is undertaken without obtaining pre-environmental clearance.	The project was granted Environmental Clearance by SEIAA, U.P. through vide <b>Letter No. 701/Parya/SEIAA/5856-5746/2019 Dated-15/01/2021A</b> copy of the granted letter is enclosed as <b><i>Annexure I.</i></b>
35.	A report on the energy conservation measures conforming to energy conservation norms finalize by Bureau of Energy Efficiency should be prepared incorporating details about building materials and technology, R & U factors etc.	For the energy conservation, practice of Led bulbs and BEE rated appliances will be used in the project by the management. A detail report along with other details regarding the power conservation as per the norms of Bureau Of Energy Efficiency has been presented with the EIA report. Street Lighting plan is enclosed as <b><i>Annexure-V.</i></b>
36.	Fly ash should be used as building material in the construction as per the provision of Fly Ash notification of September, 1999 and amended as august, 2003 (the above condition is applicable only if the project lies within 100 km of Thermal Power Station).	Fly ash bricks and PPC cement containing fly ash will be utilized for the development work of the project.
37.	The DG Sets to be used during construction phase should use low Sulphur diesel type and should confirm to E.P. rules prescribed for air and noise emission standards.	Complied. DG set being used at site runs on High Speed Diesel which causes low NOx generation and confirms the standards of E.P. rules prescribed for air and noise emission standard. Air and noise pollution reports are enclosed as Annexure.

## “Proposed Durga Industrial Park”

## Compliance Report

38.	Alternate technology to chlorination (for disinfection of wastewater) including methods like ultra-violet radiation, Ozonation etc. shall be examined and a report submitted with justification of selected technology.	A MBBR technology based captive STP will be installed to comply the condition and for the treatment of the sewage. Regular maintenance of the STP will be done by the management.
39.	The green belt design along the periphery of the plot shall achieve attenuation factor confirming to the day and night noise standards prescribed for residential land use. The open space inside the plot should be suitable landscaped and covered with vegetation of indigenous variety.	Greenbelt along the boundary of the project will be developed as per the three tier system of the greenbelt norms. Samplings of long and tall species of trees will be planted to develop a greenbelt along the project boundary which can act as pollution barrier in the operation phase of the project. Landscape Plan is enclosed as <b>Annexure-VII</b> .
40.	The construction of the building and the consequent increase traffic load should be such that the micro climate of the area is not adversely affected.	As it is a construction project, there will be minimal or no impact on microclimate due to construction of building and minor increase in traffic. All measures will be taken for the dust suppression and fugitive emission control. The load of traffic will be reduced by internalized parking. Traffic Circulation plan is enclosed as <b>Annexure-VI</b> .
41.	The building should be design so as to take sufficient safeguards regarding seismic zone sensitivity.	Well this project is plotted colony project so there is no need of structure NOC from the respective authority. And individual plot owners will be responsible for NOC.
42.	High rise buildings should obtain clearance from aviation department or concerned Authority.	Well this project is plotted colony project so there is no need of Height NOC from the respective authority.
43.	Suitable measures shall be taken to restrain the development of small commercial activities or slums in the vicinity of the complex. All commercial activities should be restricted to special areas earmarked for the purpose.	Both during construction and operational stages, all measure will be undertaken to avoid development of slums and illegal commercial activities.
44.	It is suggested that literacy program for weaker section of society/women/adults (including domestic help) and under privileged children could be provided in a formal way.	Project management is obligated for the up-lifting of the weaker section of the society. All possible efforts will be made to provide any kind of aid to them.
45.	The use of compact fluorescent lamps should be encouraged. A management plan for the safe disposal of used/damaged CFLs should be submitted.	LED bulbs are being installed in the common areas of the project to minimize the energy consumption by the project. In the operation phase, unit owners will be convinced for the use of led bulbs and high star rated electrical appliances in their dwelling unit. Their disposal will be done as per the E- waste

## “Proposed Durga Industrial Park”

## Compliance Report

		rules. In the operation phase, apart from municipal waste collection point, a separate site will be earmarked for the management of generated e-wastes. Detailed plan for the disposal of e-waste was included in the EMP submitted along with EIA report. Street lighting plan is enclosed as <b>Annexure-V</b> .
46.	It shall be ensured that all street and park lighting is solar powered 50% of the same may be provided with dual (solar/electrical) alternatives.	All the common areas lighting will be powered by solar energy. Solar powered street lights will also be erected in the project.
47.	Solar water heater shall be installed to the maximum possible capacity. Plans may be drawn up accordingly and submitted with Justification.	Solar geysers will be installed before the operation of the project. Plans for the same have been discussed in the submitted EMP.
48.	Treated effluents shall be maximally reused to aim for zero discharged, where ever not possible, a detailed management plan for disposal should be provided with quantities and quality of waste water.	452 KLD wastewater generated from the project which will be treated in 550 KLD. 362 KLD Recycled treated generated from the STP. This will be used for 172 kld for flushing, 79 KLD for horticulture and 111 KLd discharges in to sewer. Water balance diagram is enclosed as <b>Annexure-XI</b>
49.	The treated effluent should normally not be discharged into public sewers with terminal treatment facilities as they adversely affect the hydraulic capacity of STP, if unable, necessary permission from authorities should be taken .	Surplus sewage and treated water from ETP will be discharge from the project. Permission for the same has been taken from GDA. A copy of the sewer permission is enclosed as <b>Annexure-VIII</b>
50.	Construction activities including movement of vehicles should be so managed so that no disturbance is caused to nearby residents.	Construction activities will be undertaken during day time and heavy traffic is allowed only during non peak hours.
51.	All necessary statutory clearances should be obtained and submitted before start of any construction activity and if this condition is violated the clearance, if and when given, shall be automatically deemed to have been cancelled.	It is being complied. All the necessary clearances for the development of the project will be obtained from concerned authorities. When construction work will be completed, for operation of the project, remaining NOCs will be obtained for the operation phase.
52.	Parking areas should be in accordance with norms of MoEF, Government of India. Plans may be drawn up accordingly and submitted.	Parking will be provided as per the MoEF&CC and GDA by-Laws.

## “Proposed Durga Industrial Park”

## Compliance Report

53.	The location of STP should be such that it is away from human habitation and does not caused problem of odor. Odorless technology options should be examined and a report submitted.	STP will be installed at the basement of the building and Odorless technology for the STP will be adopted to create an odor free ambience.
54.	The environmental management plan should also include the break up costs on various activities and the management issues also so that the residents also participate in the implementation of the environmental management plans.	EMP with cost break-up of the included environmental activates was produced with submitted EIA report. The management is obligated to follow the prepared EMP for better environmental safeguards.
55.	Details plans for safe disposal of STP sludge shall be provided along with ultimate disposal location, quantitative estimates and measures proposed.	STP sludge will be utilized as manure for the horticulture purpose. Sometime if sludge will not be utilized, it will be dumped to farmer’s field as per their need basis.
56.	Status of project as on date shall be submitted along with photographs from North, South, West and East side facing camera and adjoining areas should be provided.	It will be Complied.
57.	Specific location along with dimensions with reference to STP, Parking open areas and Green belt etc. should be provided on the layout plan.	Project layout plan along with the locations of STP, green area, parking etc has been enclosed as <b>Annexure-IX</b> .
58.	The DG Sets shall be so installed so as to confirm to prescribed stack height and regulations and also to the noise standards as prescribed. Details should be submitted.	The installation of DGs and their stacks will be done as per the guidelines issued by CPCB for DG sets. Stack height will be more than the height of the highest tower of the project just to comply CPCB norms. Emission form the stack will be monitored. regularly by NABL approved lab.
59.	E-Waste Management should be done as per MoEF guideline.	E - waste generation will be managed as per E-waste rules.
60.	Electrical waste should be segregated and disposed suitable as not imposed Environmental Risk.	Agreed. Electrical waste generation will be managed as per E-waste rules.
61.	The use of suitably processed plastic waste in the construction of road should be considered.	Plastic wastes like cement bags will be used while development of the roads in the project premises.
62.	Displaced persons shall be suitably rehabilitated as per prescribed norms.	As the project site was a vacant land so there was no settlement of any community hence rehabilitation and resettlement didn’t happened before starting of the construction work.
63.	Dispensary for first aid shall be provided.	First aid boxes at various locations will be provided both in construction phase.

## “Proposed Durga Industrial Park”

## Compliance Report

64.	Safe disposal arrangement of used toiletries item in hotels should be insured. Toiletries items could be given complementary to guests, adopting suitable measures.	As it is Group housing Project this condition is not applicable.
65.	Diesel generating set stacks should be monitored for CO & HC.	Diesel generating set stacks will be monitored for CO & HC in operation phase.
66.	Ground water downstream of rain water harvesting pit nearest to STP should be monitored for bacterial contamination. Necessary hand pump should be provided for sampling. The monitoring is to be done both pre & post monsoon season.	RWH pit nearest to STP location will be monitored both in pre and post monsoon during operational phase.
67.	The green belt shall consist of 50% trees, 25% shrubs and 25% grass as per MoEF norms.	The landscape area will be developed in the area of 195885.72 m <sup>2</sup> which is 10% of the net plot area. The proposed landscape will be developed as per the CPCB standards. Ornamentals and evergreen trees will be planted in the landscape area.
68.	A separate electric meter shall be provided to monitor consumption of energy for the operation of sewage/ effluent treatment in tanks.	Separate and dedicated meters for the electric and sewage quantity will be provided to the proposed STP.
69.	An energy audit should be annually carried out during the operational phase and submitted to the authority.	Energy Audit shall be carried out during operational phase.
70.	Project proponents shall endeavor to obtain ISO: 14001 certificates. All general and specific conditions mentioned under this environmental manual to be prepared for the certificate purposes and compliance.	The project proponent and the project are obligated to match the benchmarks of ISO: 14001 for providing a better environmental management.
71.	Environmental Corporate Responsibility (ECR) plan along with budgetary provision amounting to 2% of total project cost shall be submitted (within the month) on need base assessment study in the study area. Income generating measures which can help in upliftment of weaker section of society consistent with the traditional skills of the people identified. The program me can include activities such as old age homes, rain water harvesting provisions in nearby areas, development of fodder farm, fruit bearing orchards, vocational training etc. In addition, vocational training for individuals shall be imparted so that poor section of society can take up self employment and jobs. Separate budget for community development activities and income generating programmers shall be specified. Revised ECR plan is to be	CSR plan along with the break of the cost and activities has been submitted to the Directorate of Environment, U.P. The total cost decided for the CSR activities was equal to the 2% of the total project cost.

## “Proposed Durga Industrial Park”

## Compliance Report

	submitted within 3 month. Falling which, the environmental Clearance shall be deemed to be cancelled.	
72.	Appropriate safety measures should be made for accidental fire.	Appropriate safety measures will be provided as per guidelines of District Fire Department.
73.	Smoke meters should be installed as warning measures for accidental fires.	Smoke detectors will be installed in the towers to detect any fire accident.
74.	Plan for safe disposal of R.O reject is to be submitted.	As of now, RO plant is not proposed in the project for the operation phase hence this condition is not applicable.

**SPECIFIC CONDITIONS**

S. No.	Condition	Compliance Status
1.	If the proposed project falls in critically (CPAs), severely polluted area (SPAs) the provisions of the mechanism framed regarding compliance of Hon'ble NGT order in OA 1038/2018 dated 19/08/2019 by MoEF&CC, Govt of India vide letter dated-31/10/2019 shall be followed in letter and spirit.	To sum up this point CEPI Certificate is enclosed as <i>Annexure-X</i> .
2.	All the additional conditions for grant of consent to establish (CTE)/consent to operate (CTO) related to pollution mitigation measure as prescribed in the office memorandum of MoEF&CC. GoI. Dated 31/10/2019 and seemed fir by UP Pollution control Board in the consent orders shall be followed by project proponent.	Complied.
3.	The project proponent shall submit within the next 3 months the details of solar power plant and solar electrification details within the project.	It will be complied before the installation of solar appliances in the project. A detailed report will be intimated to the concerned authorities.
4.	The project proponent shall ensure to plant broad leave trees and their maintenance. The CPCB guidelines in this regard shall be Followed.	Agreed. It will be complied according to the CPCB guidelines for the plantation.

## “Proposed Durga Industrial Park”

## Compliance Report

5.	The project proponent shall submit within the next 3 months the details on quantification of year wise CER activities along with cost and other details. CER activities must not be less 2% of the project cost. The CSR activities should be related to mitigation of Environmental Pollution and awareness for the same.	CSR plan along with the break of the cost and activities has been submitted to the Directorate of Environment, U.P. The total cost decided for the CSR activities was equal to the 2% of the total project cost.
6.	The project proponent shall submit within the next 3 months the details of estimated construction waste generated during the construction period and its management plan.	Complied.
7.	The project proponent shall submit within the next 3 months the details of segregation plan of MSW.	Complied.
8.	The project proponent shall ensure that waste water is properly treated in STP and reused maximum for gardening, flushing system etc. For reuse of water for irrigation sprinkler and drip irrigation system shall be installed and maintained for proper function.	It will be strictly ensured in the operation phase of the project and complied so that the water should not be wasted unnecessarily.
9.	The project proponent will ensure that proper dust control arrangements are made during construction and proper display board is installed at the site to inform the public the steps taken to control air pollution as per the Construction and Demolition Waste Management Rules.	Water sprinklers will be used along with green barriers to control dust emission in the construction phase of the project.
10.	The project proponent shall install micro solar power plants, toilets in nearby villages, public place or school from CSR fund of the project for which EC is granted in addition to and water harvesting pits and carbon Sequestration parks/designed ecosystem.	Agreed. CSR will be done as per Company Act, 2013.
11.	The Project proponent shall obtain the forest clearance and permission of central and state government as per law under the provisions of forest (Conservation) act, 1980 before the start of the wok.	Well this project is plotted colony project so there is no need of structure NOC from the respective authority. And individual plot owners will be responsible for NOC.
12.	In compliance to Hon'ble supreme court order dated 13/01/2020 in IA no. 158128/2019 in writ petition no. 13029/1985 (MC Mehta Vs GOI and others) anti-smog guns shall be installed to reduce dust during excavation.	Agreed. It will be complied.

## “Proposed Durga Industrial Park”

## Compliance Report

13.	If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.	No ground water is being extracted from the project site.
14.	Individual projects shall obtain separate ECs as per EIA notification 2006 (as amended).	Agreed.
15.	Solar energy to be used alternatively on the road and common places for illumination to save conventional energy as per ECBC Code.	Provisions for using the solar energy like solar water geysers and solar street lights will be made at the time of bringing the project in the operation. Details of energy to be saved by the project by installation of solar appliances have been presented along with the EIA report made for the Environment Clearance. Street lighting plan is enclosed as <b><i>Aneexure-V.</i></b>
16.	The project proponent shall submit within the next 3 month the data of ground water quality including fluoride parameter to the limit of minimum deduction level for all six monitoring stations.	Agreed.
17.	15% area of the total plot area shall be compulsorily made available for the green area development including the peripheral green area. Plantation of trees should be of indigenous species and may be as per the consultation of local district Forest Officer.	The landscape area will be developed in the area of 195885.72 m <sup>2</sup> which is 10% of the net plot area. The proposed landscape will be developed as per the CPCB standards. Ornamentals and evergreen trees will be planted in the landscape area. Landscape plan is enclosed as <b><i>Annexure-VII.</i></b>
18.	The waste water generated should be treated properly in scientific manner i.e. domestic waste water to be treated in STP and effluent such as RO rejects with high TDS and other chemical bearing effluent shall be treated separately.	Agreed.

19.	Permission from local authority should be taken regarding discharge of excess water into the sewer line.	Permission for the discharge of sewage and treated ETP water has been obtained from GDA. Copy of the sewer permission is attached as <b>Annexure-VIII</b> .
20.	The height, Construction built up area of the proposed construction shall be in the accordance with the exiting FAR norms of the competent authority & it should ensure the same along with survey number before approving layout plan & before according commencement certificate to proposed work. Plan approving authority should also ensure the zoning permissibility for the proposed project as per the approved development plan of the area.	It will be complied. Building Plan has been approved by the GDA and development of the project will be done according to the plan. Layout plan is enclosed as <b>Annexure-IX</b>
21.	“Consent for Establishment” shall be obtained from UP Pollution Control Board.	For the development of the project, an application for Consent To Establish (CTE) has been applied by Pollution Department.
22.	All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase.	During construction phase at the site, wastewater is managed with the help of soak pits and mobile toilets for worker. Safe drinking water facilities is also provided to the workers.
23.	Project proponent shall ensure completion of STP, MSW disposal facility, green belt development prior to occupation of the buildings.	It will be ensured.
24.	Municipal solid waste shall be disposed/ managed as per Municipal Solid Waste (Management and Handling) Rules, 2016.	Solid waste generated during both operation and construction phase will be managed through providing bins of different colour. The collection and disposal of waste will be managed by third party or civic bodies.
25.	Organic waste converter should be installed.	It will be compiled at the time of operation phase of the project.
26.	The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.	There is no need of forest clearance in this project. If required will be taken from the respective authority.
27.	The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.	There is no sensitive area within the project vicinity of 5 and 10 kms.

28.	The project proponent shall prepare a Site-Specific Conservation Plan & Wildlife Management Plan and approved by the Chief Wildlife Warden. The recommendations of the approved Site-Specific Conservation Plan / Wildlife Management Plan shall be implemented in consultation with the State Forest Department. The implementation report shall be furnished along with the six-monthly compliance report. (in case of the presence of schedule-I species in the study area).	
29.	The project proponent shall obtain Consent to Establish /Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State pollution Control Board/ Committee.	Complied.
30.	The project proponent shall obtain the necessary permission from the Central Ground Water Authority, in case of drawl of ground water/ from the competent authority concerned in case of drawl of surface water required for the project.	No ground water is being abstracted from the project site.
31.	The project proponent shall obtain authorization under the Hazardous and other Waste Management Rules, 2016 as amended from time to time.	Agreed.
32.	Self environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out and report submitted to SELAA, U.P.	Agreed.
33.	Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as cylinder for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, creche and First Aid Room etc.	As the local labors will be hired for the project from nearby areas so the shelters and hutments is developed for their residence for only few labor who came from far away in the project premises. But at the project site, arrangements for safe drinking water and sanitation are provided to the labors.
34.	Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.	As the local labors will be hired for the project from nearby areas so the shelters and hutments is developed for their residence for only few labor who came from far away in the project premises. But at the project site, arrangements for safe drinking water and sanitation are provided to the labors.

35.	The solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.	Agreed.
36.	Corporate Environmental Responsibility (CER) shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-1A.III dated 01/05/2018. A copy of resolution of board of directors shall be submitted to the authority. A list of beneficiaries with their mobile nos./address should be submitted along with six monthly compliance reports.	CSR plan along with the break of the cost and activities has been submitted to the Directorate of Environment, U.P. The total cost decided for the CSR activities was equal to the 2% of the total project cost.
37.	No parking shall be allowed outside the project boundary.	Traffic circulation plan plan is enclosed as <b>Annexure-VI</b>
38.	Digging of basement shall be undertaken in view of structural safety of adjacent buildings under information/consultation with District Administration/Mining Department. All the topsoil excavated during construction activities should be stored for use in horticulture /landscape development within the project site. Additional soil for leveling of the proposed site shall be generated within the sites (to the extent possible) so that natural drainage system of the area is protected and improved.	Agreed.
39.	Surface rain water has to be collected in kachhha pond for ground water recharging and irrigation of horticulture and peripheral plantation.	Agreed.
40.	The approval of competent authority shall be obtained for structural safety of the buildings due to any possible earthquake, adequacy of fire fighting equipments etc. as per National Building Code including measures from lighting.	It will be Complied at the time of operation phase of the project.
41.	Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and be disposed off taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of	As it's a Greenfield project so there will be Less generation of mucks during construction. Water sprinkling will be done.

	competent authority.	
42.	The diesel generator sets to be used during construction phase should be low sulphurdiesel type and should conform to Environments (Protection) Rules prescribed for air and noise emission standards.	Complied. DG set being used at site runs on High Speed Diesel which causes low NOx generation and confirms the standards of E.P. rules prescribed for air and noise emission standard.
43.	Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/UPPCB.	Agreed. It will be complied.
44.	The green area design along the periphery of the plot shall achieve attenuation factor conforming to the day and night noise standards prescribed for residential area and pollution also reduced. The open spaces inside the plot should be landscaped and covered with grass and shrubs. Green area Development shall be carried out considering CPCB guidelines including selection of plant species and in consultation with the local DFO/ Agriculture Dept.	The landscape area will be developed as per the CPCB standards. Ornamentals and evergreen trees will be planted in the landscape area. Plantation will be done along the periphery of the project to develop a greenbelt which will act as a pollution barrier to the project.
45.	The building should have adequate distance between them to allow movement of fresh air and passage of natural light, air and ventilation.	The design of the building has been proposed in a way that it will allow movement of fresh air and passage of natural light, air and ventilation.
46.	Pavements shall be so constructed as to allow infiltration of surface run-off of rain water. Construction of pavements around trees should be able to facilitate suitable watering, aeration and nutrition to the tree.	Pavements will be done to maximize the catchment area for the rain water harvesting. Paved area will be maintained clean for proper rain water harvesting process. Plantation bed will be bordered by the pavements to avoid any spillage of water in the project.
47.	Roof top water in rainy season is to be discharged into RWH pits for ground water recharging. Arrangement shall be made that waste water and storm water do not get mixed.	381 RWH pits will be developed for the roof top rain water harvesting. Storms water drains and waste water drains will be erected separately.

48.	All the internal drains are to be covered till the disposal point.	
49.	This environmental clearance is issued subject to land use verification. Local authority / planning authority should ensure this with respect to Rules, Regulations, Notifications, Government Resolutions, Circulars, etc. issued if any.	Agreed.
50.	Reflecting paint should be used on the roof top and side walls of the building tower for cooling effect. Concealing factual data and information or submission of false/fabricated data and failure to comply with any of the conditions stipulated in the Prior Environmental Clearance attract action under the provision of Environmental (Protection) Act, 1986.	Reflecting paint will be used on the roof top and side walls of the building tower.

*Delate*

//TRUE COPY//

## ANNEXURE R-13



## UTTAR PRADESH POLLUTION CONTROL BOARD

Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.com, Website: www.uppcb.com

Validity Period :01/06/2022 To 31/05/2027

Ref No. -  
156044/UPPCB/Ghaziabad(UPPCBRO)/CTE/GHAZIABAD/2022

Dated:- 01/06/2022

To ,

Shri ANKUR AGGARWAL

M/s M/S DURGA ENTERPRISES PRIVATE LIMITED

1/2m to 468/2m,pasonda,jagola,near rajander nagar metro

station,sahibabad,ghaziabad,201005,GHAZIABAD,201007

GHAZIABAD

**Sub :** Consent to Establish for New Unit/Expansion/Diversification under the provisions of Water (Prevention and control of pollution) Act, 1974 as amended and Air (Prevention and control of Pollution) Act, 1981 as amended.

Please refer to your Application Form No.- 16234776 dated - 03/05/2022. After examining the application with respect to pollution angle, Consent to Establish (CTE) is granted subject to the compliance of following conditions :

1. Consent to Establish is being issued for following specific details :

A- Site along with geo-coordinates :

B- Main Raw Material :

Main Raw Material Details		
Name of Raw Material	Raw Material Unit Name	Raw Material Quantity
NA	Metric Tonnes/Day	0

C- Product with capacity :

Product Detail	
Name of Product	Product Quantity
NA	0

D- By-Product if any with capacity :

By Product Detail			
Name of By Product	Unit Name	Licence Product Capacity	Install Product Capacity
NA	Metric Tonnes/Day	0	0

2. Water Requirement (in KLD) and its Source :

Source of Water Details		
Source Type	Name of Source	Quantity (KL/D)
Municipal Supply	GDA	349.0

3. Quantity of effluent (In KLD) :

<b>Effluent Details</b>	
<b>Source Consumption</b>	<b>Quantity (KL/D)</b>
Domestic	521.0
Others(Plantation)	79.0

4. Fuel used in the equipment/machinery Name and Quantity (per day) :

<b>Fuel Consumption Details</b>		
<b>Fuel</b>	<b>Consumption(tpd/kld)</b>	<b>Use</b>
Diesel	0.424	DG SETS

5. For any change in above mentioned parameters, it will be mandatory to obtain Consent to Establish again. No further expansion or modification in the plant shall be carried out without prior approval of U.P. Pollution Control Board.
- For any change in above mentioned parameters, it will be mandatory to obtain Consent to Establish again. No further expansion or modification in the plant shall be carried out without prior approval of U.P. Pollution Control Board.
2. You are directed to furnish the progress of Establishment of plant and machinery, green belt, Effluent Treatment Plant and Air pollution control devices, by 10th day of completion of subsequent quarter in the Board.
3. Copy of the work order/purchase order, regarding instruction and supply of proposed Effluent Treatment Plant/Sewerage Treatment Plant /Air Pollution control System shall be submitted by the industry till 31/05/2027 to the Board.
4. Industry will not start its operation, unless CTO is obtained under water (Prevention and control of Pollution) Act, 1974 and Air (Prevention and control of Pollution)Act, 1981 from the Board.
5. It is mandatory to submit Air and Water consent Application,complete in all respect, four months before start of operation, to the U.P. Pollution Control Board.
6. Legal action under water (Prevention and control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act,1981 may be initiated against the industry With out any prior information,in case of non compliance of above conditions.

**Specific Conditions:**

- 1- This consent to establish is valid for the development of industrial park. The Project shall be constructed as per approved map from the competent authority. In case of any change in capacity, the project will have to intimate the Board. For any enhancement of the above, fresh Consent to Establish has to be obtained from U.P. State Pollution Control Board. PP shall strictly implement the Pollution mitigating measures issued by the Hon'ble Supreme Court/National Green Tribunal (NGT), CPCB, EPCA, UPPCB, MOEF etc. time to time besides daily water sprinklers & use of anti smog gun and PTZ cameras at the project during construction period. Unit shall comply with the conditions of Environmental Clearance issued by competent authority.
- 2- This CTE shall not have any impact on prosecution proceedings for past default which are being carried on separately by UPPCB.
- 3- Project Proponent shall not use Ground Water.
- 4- Project Proponent shall use water from municipal supply only as per proposal submitted by PP.
- 5- Project shall use PNG as a fuel in proposed Generator set as per proposal/Affidavit submitted by PP
- 6- The Project Proponent shall not allowed to install any type of -boiler/Furnace/Water polluting units/Air Polluting units/Machinery/Equipment's etc .
- 7- The Project Proponent is liable to pay compensation for any environmental damage caused by it, as fixed by the Hon'ble Supreme Court, Hon'ble High Court, Hon'ble National Green Tribunal, Central Pollution Control Board and Uttar Pradesh Pollution Control Board
- 8- Project shall comply the provisions of Environment (Protection) Act 1986, Water (Prevention and Control of Pollution) Act, 1974 as amended, Air (Prevention and Control of Pollution) Act, 1981 as amended.
- 9- Project shall install Sewage Treated Plant of capacity 550 KLD (as per EC) & treated water shall be used in horticulture/flushing/dual plumbing etc.
- 10- At the project site a display board size 4x6 feet shall be installed to display the provisions of Construction and Demolition Rules 2016.
- 11- Project shall develop proper. green belt and rain water harvesting system as per Authority guidelines. For green belt at least 8 feet height plants should be planted which shall be properly protected and proper arrangements shall be made.
- 12- Unit shall ensure to development of green belt based on Miyawaki method.
- 13- Project shall comply the order passed passed by Honble NGT and CAQM time to time.
- 14- Project shall install acoustic enclosures on Generator set with adequate stack height as per CPCB norms.
- 15- All construction activities shall be according to authority guidelines and after approval or approved plan.
- 16- Project shall not use ground water in construction activities. Only STP treated water shall be used.
- 17- Unit will put tarpaulin scaffolding around the area of construction and the building for effective and efficient control of dust emission generated during construction of the project.
- 18- The construction material of any kind stored on site will be fully covered in all respect so that it does not disperse in the air in any form
- 19- All the construction material & debris will be carried in trucks or vehicles which are fully covered and protected so as to ensure that the construction debris or construction material does not get dispersed into the air or atmosphere in any form whatsoever.
- 20- The dust emission from the construction sites will be completely controlled and all precautions will be taken in that behalf
- 21- The transportation of construction material and debris waste to construction site, dumping site or any other place will be carried out in accordance with rules.
- 22- Fixing of sprinklers and creation of green air barriers will be done to control fugitive dust emission and improve environment
- 23- Project shall obtain NOC from fire department and Airport Authority of India, if required and submit copy of NOC to board.
- 24- Separate power connection with energy meter shall be provided for the Pollution Control Equipment's (STP) and record of power consumption and chemicals consumption for the operation of pollution control equipment shall be maintained separately
- 25- Project proponent shall comply their affidavit dated 12.05.2022 submitted to Board.
- 26- Since the proposed project falls in critically polluted area (CPAs), severely polluted area (SPAs) the provision of the mechanism framed regarding compliance of Hon'ble NGT order in OA 1038/2018 dated 23-08-2019 by MoEF&CC, Govt. of India vide letter dated 31-10-2019 shall be followed in letter and spirit and Project proponent shall comply Office Memorandum of UPPCB NoH48273/C-1/NGT-83/2020 Dated 27-02-2020 for standards for stack emission, effluent discharge and mitigation measures to control Air, Water and Land Pollution in critically and severely polluted area.

- 27- Unit shall establish Miyawaki forest as per the GO no. 1011/81-7-2021-09(rit)/2016 dated 13.10.2021 of Deptt. of Environment, forest and climate change and BG of Rs. 50,000/- be deposited within a months time along with the proposal for proposed plantation.
- 28- Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 53 and 62 and other direction issued time to time regarding use of cleaner fuel.
- 29- Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 55 regarding DG sets.
- 30- The PP shall ensure that the units which shall be established in the industrial estate have obtained prior CTE as per the laid procedure for specified permitted categories of white (No water and Air polluting ) and green (No Air and water polluting and no water extensive units) only. No red and orange category industry shall be permitted.
31. All units which will be established in industrial estate shall comply with the Noise Pollution (Regulation and Control) Rule 2000, all project shall take adequate measures for control of noise from its own sources within the premises so as to maintain ambient air quality standards in respect of noise as the industrial estate is situated nearby residential area.
- 32- A Bank Guarantee of Rs. 10,00,000/- (Rs Ten lacs only ) shall be submitted within 30 days including the above condition which will be valid for 05 years otherwise this consent to establish shall be deemed to be withdrawn.
33. Land use change and sub divisional charges payment of GDA, CTO fees, water cess of erstwhile unit and other dues of Municipal corporation should be adhered to , failing which this CTE will be deemed as revoked.
34. It will be mandatory for PP to get all necessary clearances as per the private industrial Estate policy of UP Govt failing which CTE would be deemed revoked
35. NOC from fire deptt., forest clearance is also mandatory to be obtained by PP
36. In case of any adverse decision in appeal application in aforesaid order pertaining to SDMs order for mutation of proposed land is taken, this CTE would be automatically deemed revoked.

Please note that consent to Establish will be revoked, in case of, non compliance of any of the above mentioned conditions. Board reserves its right for amendment or cancellation of any of the conditions specified above. Industry is directed to submit its first compliance report regarding above mentioned specific and general conditions till 01/07/2022 in this office. Ensure to submit the regular compliance report otherwise this Consent to Establish will be revoked.

CEO-1

Dated:- 01/06/2022

Copy To -

Regional Officer, UPPCB, Ghaziabad.

CEO-1

  
//TRUE COPY//

## ANNEXURE R-14

## DURGA ENTERPRISES PRIVATE LIMITED

CIN : U70102UP1968PTC002587

ADDRESS: FLAT NO. 009, Ground floor, JM Park Sapphire, Vaishali, Ghaziabad, U. P. – 201012

Ph. No. 98105-46779, Email : durgaenterprises.2000@gmail.com

To,  
SDM, Ghaziabad,  
Uttar Pradesh

Dated : 13.05.2022

**Sub: Ref. to your letter no. 1639/235/2021 dated 02-12-2021 read with letter no. 535/S.T. S.D.M/GZB/2021 dated 20.12.2021 form office of the SDM, Ghaziabad regarding deposit of Environmental compensation mitigation charge against M/s. Durga Enterprises Private Limited, Sahibabad, Ghaziabad**

Sir,

With reference to above captioned subject this to inform you that we have deposited the Environmental compensation mitigation charge as demanded by "SDM-GHAZIABAD" letter no. 535/S.T. S.D.M/GZB/2021 dated 20.12.2021, through RTGS in the account of "CITY MAGISTRATE" SBI A/C NO.38176256654 of Rs. 25,00,000/- (Rupees Twenty Five Lakh only) vide UTR NO. UTIBR52022651200359727 Dated 12/05/2022. We also like to inform you that we have made all the dues against the company. There is no dues against us as on date.

We also like to mention that during survey of your team there was no construction was carried by the company. The construction was carried by the individual customers to whom company was allotted the plot.

Thanking You

For Durga Enterprises Private Limited



Authorized Signatory

Encloser: 1. Receipt Copy by UPPCB  
2. RTGC Receipt Copy

Mobile — 9717341952

## DURGA ENTERPRISES PRIVATE LIMITED

CIN: U70102UP1968PTC002587

REGD. OFF:- KH NO 448, 449, 450, VILLAGE JAGOLA

GHAZIABAD UTTAR PRADESH 201001

EMAIL ID - durga.enterprises2000@gmail.com

To,  
Regional Officer,  
UPPCB  
19/226, Satyam, Vasundhara,  
Ghaziabad, Uttar Pradesh 201004

**Sub: Ref. to your letter no. 1639/235/2021 dated 02-12-2021 read with letter no. 535/S.T. S.D.M/GZB/2021 dated 20.12.2021 form office of the SDM, Ghaziabad regarding deposit of Environmental compensation mitigation charge against M/s. Durga Enterprises Private Limited, Sahibabad, Ghaziabad.**

Sir,

With reference to above captioned subject this to inform you that we have deposited the Environmental compensation mitigation charge as demanded by "SDM-GHAZIABAD" letter no. 535/S.T. S.D.M/GZB/2021 dated 20.12.2021, through RTGS in the account of "CITY MAGISTRATE" SBI A/C NO.38176256654 of Rs. 25,00,000/- (Rupees Twenty Five Lakh only) vide UTR NO. UTIBR52022651200359727 Dated 12/05/2022. We also like to inform you that we have made all the dues against the company. There is no dues against us as on date.

We also like to mention that during survey of your team there was no construction was carried by the company. The construction was carried by the individual customers to whom company was allotted the plot.. For that we submitting an undertaking regarding the construction vide Annexure No.1

Further we also like to inform you that we have applied for Revision and Expansion of "Durga Industrial park" before "SEIAA" on dated 25.02.2021. Kindly consider the same for further process. The Acknowledgement of the application has been annexed vide Annexure No.2

Thanking You

For Durga Enterprises Private Limited  
For Durga Enterprises Pvt. Ltd.

Authorized Signatory

Dated: 12.05.2022

Attached : -

- 1- SDM Letter Copy and RTGS Receipt
- 2- Undertaking

Recd  
 Ro copy  
 dt  
 13/05/2022  
 REGIONAL OFFICER  
 U.P. INDUSTRIAL CORP.  
 Ghaziabad



सत्यमेव जयते

INDIA NON JUDICIAL  
Government of Uttar Pradesh

e-Stamp



Certificate No. : IN-UP89335423128076U  
 Certificate Issued Date : 12-May-2022 05:51 PM  
 Account Reference : NEWIMPACC (SV)/ up14048404/ GAUTAMBUDDH NAGAR 2/ UP-GBN  
 Unique Doc. Reference : SUBIN-UPUP1404840470001815299404U  
 Purchased by : DURGA ENTERPRISES PVT LTD  
 Description of Document : Article 4 Affidavit  
 Property Description : Not Applicable  
 Consideration Price (Rs.) :  
 First Party : DURGA ENTERPRISES PVT LTD  
 Second Party : OTHER  
 Stamp Duty Paid By : DURGA ENTERPRISES PVT LTD  
 Stamp Duty Amount(Rs.) : 10  
 (Ten only)

सत्यमेव जयते



Please write or type below this line

IN-UP89335423128076U

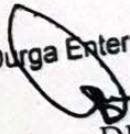
This stamp paper is part of Undertaking

Annexure - 1

**Undertaking cum Declaration**

I Balraj Singh, S/o. Shri Malkeet Singh, R/o. 415, DMD Homes, Sector-73, Noida , Authorized Representative of M/s. Durga Enterprises Private Limited hereby undertake that:

1. That the company has not constructing any building on the "Durga Industrial Park".
2. That the company has applied for completion certificate for the said project at competent authority.
3. That the construction is being carried by the various customers to whom the company has sold the land.
4. That the construction activities has been stopped now by the order of Hon'ble NGT to till the receipt of CTE.
5. That the above para 1 to 3 is correct in my knowledge.

For Durga Enterprises Pvt. Ltd.  
  
 Authorized Signatory  
 DEPONENT

Declaration:

I do hereby declare that the statements made and information given above are true to the best of my knowledge and belief and that I have not concealed any information.

For Durga Enterprises Pvt. Ltd.  
  
 Authorized Signatory  
 DEPONENT

ACKNOWLEDGEMENT TO CUSTOMER

Date: 12052022

UTIBR 5202205120035972

I acknowledge receipt of NEFT / RTGS / IMPS instruction(s).

Reference No (For RTGS/NEFT) RTGS

Retrieval Reference No (For IMPS)

For Saksham Reference No (For)

Name and Signature of Bank Official

With Date & Time

Sender's Name Durgoo Enterprises Pvt Ltd Account No. 919020050577663

Cheque No. 545625

Beneficiary Name City Magistrate Account No. 38176256654

IFSC SBIN0007872

Amount in figures 25,00,000/-

Amount (In Words) Twenty five Lacs only



Signature

//TRUE COPY//

## ANNEXURE R-15

DURGA ENTERPRISES PRIVATE LIMITED

CIN : U70102UP1968PTC002587

ADDRESS : FLAT No.009, Ground Floor,  
JM Park Sapphire, Vaishali, Ghaziabad, U.P.-201012

Ph. No. 98105-46779

Email : - [durgaenterprise.2000@gmail.com](mailto:durgaenterprise.2000@gmail.com)

---

Date: 19.05.2022

To,

Regional Officer,

Uttar Pradesh Pollution Control Board,

Ghaziabad

Sir,

Please be informed that the industrial park being developed by M/s Durga Enterprises Private Limited is being developed under the project, the details of which are as follows:

1. A total of 366 plots of different sizes are proposed in the industrial park, in which 341 green category industries and 25 white category industries are proposed.
2. No water polluting and air polluting industries are proposed to be established in the industrial park.

3. Ground water will not be used by the proposed industries for domestic purposes.
4. No solid/liquid fuel will be used by the proposed industries.
5. At present, about 02 percent construction has been done in the industrial park being developed by M/s Durga Enterprises Private Limited.
6. Only PNG / CNG will be used as fuel in the generator to be installed for alternative power supply in the said industrial park.
7. The proposed industries in the industrial park will ensure that the orders/instructions passed by the Commission for Air Quality Management in National Capital Region and Adjoining Areas / CPCB / Hon'ble NGT / Hon'ble Court from time to time are followed in letter and spirit.

Thanking you.

Applicant

M/s Durga Enterprises Private Limited

//TRUE TRANSLATED COPY//

**DURGA ENTERPRISES PRIVATE LIMITED**

CIN : U70102UP1968PTC002587

ADDRESS: FLAT NO. 009, Ground floor, JM Park Sapphire, Vaishali, Ghaziabad, U. P. – 201012  
Ph. No. 98105-46779, Email : durgaenterprise.2000@gmail.com

सेवा में,

दिनांक 19.05.2022

✓ क्षेत्रीय अधिकारी महोदय,  
उ०प्र० प्रदूषण नियंत्रण बोर्ड,  
गाजियाबाद।

महोदय,

कृपया सादर अवगत कराना है कि परियोजना मैसर्स दुर्गा इन्टरप्राइजेज प्रा० लि० द्वारा विकसित किये जा रहे औद्योगिक पार्क विकसित कर रहे हैं, जिसका विवरण निम्नवत् है:-

1. औद्योगिक पार्क में विभिन्न साइज के कुल 366 प्लॉट प्रस्तावित हैं, जिसमें 341 ग्रीन श्रेणी के उद्योग एवं 25 सफेद श्रेणी के उद्योग प्रस्तावित हैं।
2. औद्योगिक पार्क में कोई भी जल प्रदूषणकारी एवं वायु प्रदूषणकारी उद्योग स्थापित किया जाना प्रस्तावित नहीं है।
3. प्रस्तावित उद्योगों द्वारा घरेलू प्रयोजनार्थ भू-गर्भीय जल का प्रयोग नहीं किया जायेगा।
4. प्रस्तावित उद्योगों द्वारा किसी भी प्रकार का सालिड/लिक्विड फ्यूल का प्रयोग नहीं किया जायेगा।
5. वर्तमान में मैसर्स दुर्गा इन्टरप्राइजेज प्रा० लि० द्वारा विकसित किये जा रहे औद्योगिक पार्क में लगभग 02 प्रतिशत का निर्माण कर किया गया है।
6. उक्त औद्योगिक पार्क में वैकल्पिक विद्युत आपूर्ति हेतु स्थापित किये जाने वाले जनरेटर में ईंधन के रूप में पी०एन०जी०/सी०एन०जी० का ही प्रयोग किया जायेगा।
7. औद्योगिक पार्क में प्रस्तावित उद्योगों द्वारा Commission for Air Quality Management in National Capital Region and Adjoining Areas/CPCB/Hon'ble NGT/Hon'ble Court द्वारा समय-समय पर पारित आदेशों/निर्देशों का अक्षरशः अनुपालन सुनिश्चित करेंगे।

धन्यवाद।

*Signature*

//TRUE COPY//

REGIONAL OFFICE  
J.M. Park Sapphire  
Vaishali, Ghaziabad  
U.P. - 201012  
19/05/2022

प्रार्थी  
DURGA ENTERPRISES PRIVATE LIMITED

मैसर्स दुर्गा इन्टरप्राइजेज प्रा० लि०

## ANNEXURE R-16



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
(पर्यावरण एवं वन मंत्रालय, भारत सरकार)  
(MINISTRY OF ENVIRONMENT & FORESTS, GOVT. OF INDIA)

No.B-29012/ESS(CPA)/2015-16/

March 07, 2016

To

The Chairman  
All the State Pollution Control Boards / Pollution Control Committees  
( List Attached)

**SUB: MODIFIED DIRECTIONS UNDER SECTION 18(1)(b) OF THE WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974 and THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981 REGARDING HARMONIZATION OF CLASSIFICATION OF INDUSTRIAL SECTORS UNDER RED / ORANGE / GREEN / WHITE CATEGORIES.**

WHEREAS, under section 16 (2)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 16 (2)(c) of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of the Central Pollution Control Board (CPCB), constituted under the Water (Prevention and Control of Pollution) Act, 1974, is to coordinate activities of the State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs); and

WHEREAS, under section 16 (2)(c) of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 16 (2)(d) of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of the CPCB is to provide technical assistance and guidance to SPCBs and PCCs; and

WHEREAS, it was brought to the notice of CPCB, that different SPCBs /PCCs were following different criteria for classification of industrial sectors under Red/Orange/ Green category and that classification was being used by the SPCBs/PCCs for grant of consents to industries and for Inventorization / surveillance of industries.

WHEREAS, the issue regarding classification of industries was deliberated upon in the 56<sup>th</sup> Conference of Chairmen & Member Secretaries of CPCB & SPCBs/PCCs held on August 31, 2010 and a working group comprising of representatives from SPCBs & CPCB was constituted to prepare a consolidated list of industrial sectors falling under Red/Orange/Green category to bring uniformity in classification of industrial sectors across the country;

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

'Parivesh Bhawan', East Arjun Nagar, Delhi - 110032

दूरभाष/Tel. : 43102030, फॅक्स/Fax : 22305793, 22307078, 22307079, 22301932, 22304948

ई-मेल/e-mail : cpcb@nic.in वेबसाइट/Website : www.cpcb.nic.in

Table G-5: Final List of White Category of Industries

Sl. No.	Orgnl Sl. No.	Industry Sector	W1	W2	W	A1	A2	A	H	W+A+H	Revised Category
1.	3	Assembly of air coolers /conditioners ,repairing and servicing	--	--	--	--	--	--	--	--	G-W
2.	4	Assembly of bicycles ,baby carriages and other small non motorizing vehicles	--	--	--	--	--	--	--	--	G-W
3.	7	Bailing (hydraulic press)of waste papers	--	--	--	--	--	--	--	--	G-W
4.	9	Bio fertilizer and bio-pesticides without using inorganic chemicals	--	--	--	--	--	--	--	--	G-W
5.	11	Biscuits trays etc from rolled PVC sheet (using automatic vacuum forming machines)	--	--	--	--	--	--	--	--	G-W
6.	12	Blending and packing of tea	--	--	--	--	--	--	--	--	G-W
7.	14	Block making of printing without foundry (excluding wooden block making)	--	--	--	--	--	--	--	--	G-W
8.	21	Chalk making from plaster of Paris ( only casting without boilers etc. ( sun drying / electrical oven)	--	--	--	--	--	--	--	--	G-W
9.	25	Compressed oxygen gas from crude liquid oxygen ( without use of any solvents and by maintaining pressure & temperature only for separation of other gases)	--	--	--	--	--	--	--	--	G-W
10.	27	Cotton and woolen hosiers making ( Dry process only without any dyeing / washing operation)	--	--	--	--	--	--	--	--	G-W
11.	31	Diesel pump repairing and servicing ( complete mechanical dry process)	--	--	--	--	--	--	--	--	G-W
12.	33	Electric lamp ( bulb) and CFL manufacturing by assembling only	--	--	--	--	--	--	--	--	G-W

13.	34	Electrical and electronic item assembling (completely dry process)	--	--	--	--	--	--	--	--	G-W
14.	23	Engineering and fabrication units (dry process without any heat treatment / metal surface finishing operations / painting)	--	--	--	--	--	--	--	--	O-W
15.	35	Flavoured betel nuts production/ grinding (completely dry mechanical operations)	--	--	--	--	--	--	--	--	G-W
16.	37	Fly ash bricks/ block manufacturing	--	--	--	--	--	--	--	--	G-W
17.	38	Fountain pen manufacturing by assembling only	--	--	--	--	--	--	--	--	G-W
18.	39	Glass ampules and vials making from glass tubes	--	--	--	--	--	--	--	--	G-W
19.	40	Glass putty and sealant (by mixing with machine only)	--	--	--	--	--	--	--	--	G-W
20.	43	Ground nut decorticating	--	--	--	--	--	--	--	--	G-W
21.	44	Handloom/ carpet weaving (without dying and bleaching operation)	--	--	--	--	--	--	--	--	G-W
22.	48	Leather cutting and stitching (more than 10 machine and using motor)	--	--	--	--	--	--	--	--	G-W
23.	51	Manufacturing of coir items from coconut husks	--	--	--	--	--	--	--	--	G-W
24.	52	Manufacturing of metal caps containers etc	--	--	--	--	--	--	--	--	G-W
25.	55	Manufacturing of shoe brush and wire brush	--	--	--	--	--	--	--	--	G-W
26.	57	Medical oxygen	--	--	--	--	--	--	--	--	G-W
27.	60	Organic and inorganic nutrients (by physical mixing)	--	--	--	--	--	--	--	--	G-W
28.	61	Organic manure (manual mixing)	--	--	--	--	--	--	--	--	G-W
29.	63	Packing of powdered milk	--	--	--	--	--	--	--	--	G-W
30.	64	Paper pins and u clips	--	--	--	--	--	--	--	--	G-W
31.	58	Repairing of electric motors and generators (dry mechanical process)	--	--	--	--	--	--	--	--	O-W
32.	74	Rope (plastic and cotton)	--	--	--	--	--	--	--	--	G-W

33.	76	Scientific and mathematical instrument manufacturing	--	--	--	--	--	--	--	--	<b>G-W</b>
34.	78	Solar module non conventional energy apparatus manufacturing unit	--	--	--	--	--	--	--	--	<b>G-W</b>
35.	79	Solar power generation through solar photovoltaic cell, wind power and mini hydel power (less than 25 MW)	--	--	--	--	--	--	--	--	<b>G-W</b>
36.	83	Surgical and medical products assembling only (not involving effluent / emission generating processes)	--	--	--	--	--	--	--	--	<b>G-W</b>

*Note : Under the column Revised Category, the full forms of the abbreviations are as follows :*

- a. R-R means original category was Red and revised category is also Red*
- b. R-O means original category was Red and revised category is Orange*
- c. O-O means original category was Orange and revised category is also Orange*
- d. O-G means original category was Orange and revised category is Green*
- e. O-W means original category was Orange and revised category is White*
- f. G-O means original category was Green and revised category is Orange*
- g. G-G means original category was Green and revised category is also Green*
- h. G-W means original category was Green and revised category is White*

.....

## I) List of Industries under 'RED' categories

A	Industries identified by Ministry of Environment & Forests, Government of India as heavily polluting and covered under Central Action Plan. Viz;
1	Distillery including Fermentation industry.
2	Sugar (excluding Khandsari)
3	Fertilizer (Basic) (excluding formulation)
4	Pulp and Paper (Paper manufacturing with or without pulping).
5	Basic Drugs.
6	Pharmaceuticals (excluding formulation).
7	Dyes and Dye-intermediates.
8	Pesticides (Technical) (excluding formulation).
9	Oil refinery (Mineral oil or Petro refineries).
10	Tanneries.
11	Petrochemicals (Manufacture of and not merely use of as raw material)
12	Cement
13	Thermal Power Plants
14	Iron and Steel (Involving processing from ore/scrap/Integrated steel plants.)
15	Zinc smelter
16	Copper smelter.
17	Aluminium smelter
18	Lead processing and battery reconditioning and manufacturing (including lead smelting).
B	Industries manufacturing following products or carrying out following activities: -
1	Tyres and tubes (excluding Vulcanisation/Retreating/moulding).
2	Synthetic rubber
3	Glass and fiberglass production and processing.
4	Industrial carbon including electrodes and graphite blocks, activated carbon, carbon black etc.
5	Paints and varnishes (excluding blending/mixing)
6	Pigments and intermediates.
7	Synthetic resins.
8	Petroleum products involving storage, transfer or processing.
9	Lubricating oils, greases or petroleum-based products
10	Synthetic fibers including rayon, tyre cord, polyester filament yarn.
11	Surgical and medical products involving prophylactics and latex.
12	Synthetic detergent and soap.
13	Photographic films and chemicals.
14	Chemical, petrochemical and electrochemical including manufacture of acids such as Sulphuric Acid, Nitric Acid, Phosphoric Acid etc.
15	Industrial or inorganic gases.
16	Chlorates, perchlorates and peroxides.
17	Glue and gelatin
18	Yarn and textile processing involving scouring, bleaching, dyeing, printing or any effluent/emission generating process.
19	Vegetable oils including solvent extracted oils, hydrogenated oils.
20	Industry or process involving metal treatment or processes such as pickling, surface coating, paint baking, paint stripping, heat treatment, phosphating or finishing etc
21	Industry or process involving electroplating operations.
22	Asbestos and asbestos-based industries.
23	Slaughter houses and meat processing units.
24	Fermentation industry including manufacture of yeast, beer etc.
25	Steel and steel products including coke plants involving use of any of the equipments such as blast furnaces, open hearth Furnace, induction furnace or arc furnace etc. or any of the operations or processes such as heat treatment, acid pickling, rolling or galvanizing etc
26	Incineration plant
27	Power generating plants (excluding D.G. Sets)
28	Lime manufacturing
29	Tobacco products including cigarettes and tobacco processing.
30	Dry coal processing/Mineral processing industries like ore sintering, palletization etc.
31	Phosphate rock processing plants
32	Coke making, coal liquefaction, coaltar distillation or fuel gas making
33	Phosphorous rock processing plants.
34	Explosive including detonators, etc.
35	Fire crackers.
36	Processes involving chlorinated hydrocarbon.
37	Chlorine, fluorine, bromine, iodine and their compounds.
38	Hydrocyanic acid and its derivatives.
39	Milk processing and dairy products (Integrated project)
40	Industry or process involving foundry operations.
41	Potable alcohol ( IMFL) by blending or distillation of alcohol.

### II) List of Industries under 'ORANGE' category

A	Industries identified by Ministry of Environment & Forest, Government of India under "Orange" Category.
1	Manufacture of mirror from sheet glass and photoframing
2	Cotton spinning and weaving
3	Automobile servicing and repairs stations.
4	Hotels and restaurants
5	Flour mills (excluding Domestic Aatta Chakki)
6	Malted food
7	Food including fruits and vegetable processing
8	Pulping and fermenting of coffee beans.
9	Instant tea/coffee, coffee processing.
10	Non-alcoholic beverages (soft drinks)
11	Fragrances and industrial perfumes
12	Food additives, nutrients and flavours.
13	Fish processing
14	Organic nutrients
15	Surgical and medical products not involving effluent/emission generating processes
16	Laboratory-wares
17	Wire drawing (cold process) and bailing straps.
18	Stone crushers
19	Laboratory chemicals involving distillation, purification process
20	Tyres and tubes vulcanisation, vulcanisation, retreading moulding.
21	Pesticides/Insecticides/Fungicides/Herbicides/Agrochemical formulation
22	NPK Fertilizers/Granulation
23	Pharmaceuticals formulations.
24	Khandsari sugar

### III) List of Industries under 'GREEN' category

A	Industries in Small Scale, Cottage/Village category suggested under Annexure to Environment Department, Government of Maharashtra, G.R. No.ENV/1088/672/CR-185 Desk-1 dated 18.3 1992 for issuance simplified NOC/Consent from Maharashtra Pollution Control Board.
B	All those industries or processes which are not covered under the "Red" and/or "Orange" category; entries not generating process effluents or emissions. An illustrative list is provided.
1	Wasting of used sand by hydraulic discharge
2	Aatta-chakkies
3	Rice millers
4	Steeping and processing of grains
5	Mineralised water
6	Dal mills
7	Bakery products, biscuits, confectionery
8	Groundnut decorticating (dry)
9	Supari (Betelnut) and masala grinding
10	Chilling plants and cold storages
11	Ice cream or Ice-making
12	Tailoring and garment making
13	Cotton and woolen hosiery
14	Apparel making
15	Handloom weaving
16	Shoelace manufacturing
17	Gold and silver thread zari work
18	Gold and silver smithy
19	Leather footwear and leather products excluding tanning and hide processing
20	Musical instruments manufacturing
21	Sports goods.
22	Bamboo and cane products (only dry operations)
23	Cardboard or corrugated box and paper products (Paper or pulp manufacturing excluded.)
24	Insulation and other coated papers (Paper or pulp manufacturing excluded.)
25	Scientific and mathematical instruments.
26	Furniture (wooden and steel)
27	Assembly of domestic electrical appliances
28	Radio assembling

29	Fountain pens.
30	Polythene, plastic and P.V.C. goods through extrusion/moulding.
31	Rope (cotton and plastic)
32	Carpet weaving
33	Assembly of air coolers, conditioners.
34	Assembly of bicycles, baby carriages and other small non-motorised vehicles.
35	Electronics equipment (Assembly)
36	Toys
37	Water softening and demineralised plants
38	Paint (by mixing process only)
39	Candles
40	Carpentry (excluding saw mill)
41	Oil ginning/expelling (no hydrogenation/refining)
42	Jobbing and machining
43	Manufacture of steel trunks and suitcases
44	Paper pins and U-clips
45	Block making for printing.
46	Optical frames
47	Powerlooms/handlooms (without dyeing & bleaching)
48	Printing press
49	Garments stitching, tailoring
50	Thermometer making
51	Footwear (rubber)
52	Plastic processed goods.
53	Medical and surgical instruments
54	Electronic and electrical goods.
55	Rubber goods industry.

**Note**

1. The industries which do not fall in any of the above mentioned 3 categories, decision with regard to their classification will be taken by a committee at Head Office level comprising of APAE/WPAE/PSO.
2. In respect of the industries falling under A & B under 'GREEN' category, in the event of any duplication/repeatation, the industry shall be treated to be falling under category 'A' which is entitled for the benefit of simplified perpetual consent without charging of any consent fee.

<http://mpcb.gov.in/consentmgt/RevisedIndustryCategorization.php>

**Modified directions under section 18(1)(b) of the water (P&PC) act, 1974 and the air, (p&pc) act, 1981 regarding harmful classification of industrial sectors under red/ orange/ green/ white categories.**

**Categorization of Industrial Sectors under Red, Orange, Green and White Category**

The Ministry of Environment, Forest and Climate Change (MoEFCC) had brought out notifications in 1989, with the purpose of prohibition/ restriction of operations of certain industries to protect ecologically sensitive Doon Valley. The notification introduced the concept of categorization of industries as " Red", "Orange" and "Green" with the purpose of facilitating decisions related to location of these industries. Subsequently, the application of this concept was extended in other parts of the country not only for the purpose of location of industries, but also for the purpose of Consent management and formulation of norms related to surveillance / inspection of industries.

The concept of categorization of industries continued to evolve and as different State Pollution Control Boards interpreted it differently, a need arose to bring about necessary uniformity in its application across the country. In order to harmonize the "Criteria of categorization", Directions were issued by CPCB under Section 18(1)(b) of the Water ( Prevention & Control of Pollution ) , Act, 1974 to all SPCBs/PCCs to maintain uniformity in categorization of industries as red, green and orange as per list finalized by CPCB, which identified 85 types of industrial sectors as "Red", 73 industrial sectors as "Orange" and 86 sectors as "Green".

The process of categorization thus far was primarily based on the size of the industries and consumption of resources. The pollution due to discharge of emissions & effluents and its likely impact on health was not considered as primary criteria. There was demand from the SPCBs / PCCs and industrial associations for categorization of the industrial sectors in a more transparent manner. Accordingly, the issue was discussed thoroughly during the national level conference of the Environment Ministers of the States, held in New Delhi during April 06-07, 2015 and a "Working Group" comprising of the members from CPCB, APPCB, TNPCC, WBPCB, PPCB, MPPCB and Maharashtra PCB is constituted to revisit the criteria of categorization of industries and recommend measures for making the system transparent and rational.

The Working Group has developed the criteria of categorization of industrial sectors based on the Pollution Index which is a function of the emissions (air pollutants), effluents (water pollutants), hazardous wastes generated and consumption of resources. For this purpose the references are taken from the the Water (Prevention and Control of Pollution ) Cess (Amendment) Act, 2003, Standards so far prescribed for various pollutants under Environment (Protection) Act , 1986 and Doon Valley Notification, 1989 issued by MoEFCC. The Pollution Index PI of any industrial sector is a number from 0 to 100 and the increasing value of PI denotes the increasing degree of pollution load from the industrial sector. Based on the series of brainstorming sessions among CPCB, SPCBs and MoEFCC , the following criteria on "Range of Pollution Index" for the purpose of categorization of industrial sectors is finalized.

- Industrial Sectors having Pollution Index score of 60 and above - Red category
- Industrial Sectors having Pollution Index score of 41 to 59 - Orange category
- Industrial Sectors having Pollution Index score of 21 to 40 - Green category
- Industrial Sectors having Pollution Index score incl.&upto 20 - White category

The newly introduced White category of industries pertains to those industrial sectors which are practically non-polluting such as Biscuit trays etc. from rolled PVC sheet (using automatic vacuum forming machines), Cotton and woolen hosiers making (Dry process only without any dyeing/washing operation), Electric lamp (bulb) and CFL manufacturing by assembling only, Scientific and mathematical instrument manufacturing, Solar power generation through photovoltaic cell, wind power and mini hydel power (less than 25 MW).

The salient features of the "Re-categorization" Exercise are as follows :

- Due importance has been given to relative pollution potential of the industrial sectors based on scientific criteria . Further, wherever possible, splitting of the industrial sectors is also considered based on the use of raw materials, manufacturing process adopted and inturn pollutants expected to be generated.
- The Red category of industrial sectors would be 60.
- The Orange category of industrial sectors would be 83.
- The Green category of industrial sectors would be 63.
- Newly introduced White category contains 36 industrial sectors which are practically nonpolluting.
- There shall be no necessity of obtaining the Consent to Operate for White category of industries. An intimation to concerned SPCB / PCC shall suffice.
- No Red category of industries shall normally be permitted in the ecologically fragile area / protected area.

The purpose of categorization is to ensure that the industry is established in a manner which is consistent with the environmental objectives. The new criteria will prompt industrial sectors willing to adopt cleaner technologies, ultimately resulting in generation of fewer pollutants. Another feature of the new categorization system lies in facilitating self-assessment by industries as the subjectivity of earlier assessment has been eliminated. This "Re-categorization" is a part of the efforts, policies and objective of present government to create a clean & transparent working environment in the country and promote the Ease of Doing Business.

Other similar efforts include installation of Continuous Online Emissions/ Effluent Monitoring Systems in the polluting industries, Revisiting of the CEPI (Comprehensive Environment Pollution Index) concept for

assessment of polluted industrial clusters, Revision of existing industrial Emission/Effluent discharge standards, initiation of special drive on pollution control activities in Ganga River basin and many more in coming future.

[CPCB Circular Dt. 07/03/2016](#) - Modified directions under section 18(1)(b) of the water (p&pc) act, 1974 and the air, (p&pc) act, 1981 regarding harmonization of classification of industrial sectors under red/ orange/ green/ white categories.

[MPCB Circular Dt. 03/06/2016](#) - Modified Directions u/s 18(1)(b) of the Water (p&cp) Act, 1984 and the Air (p&cp) Act, 1981 regarding harmonization of Classification of industrial sectors under Red/ Orange/ Green/ White Categories.

[Archive](#)

*Alshahidi*

**//TRUE COPY//**







RWHPOND-1



# RWH POND-2

ANNEXURE R-17



# RWH POND-3

2022.06.22 17:23



RWHPOND-4























*Alahadi*

TRUE COPY

2022.06.29 12:38

Item No. 05

Court No. 1

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

Original Application No. 1038/2018

News item published in "The Asian Age" Authored by Sanjay Kaw  
Titled "CPCB to rank industrial units on pollution levels"

Date of hearing: 10.07.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): NONE

For Respondent (s): Mr. Pradeep Misra, Advocate for UPPCB  
Mr. TVS Raghavendra Sreyas, Advocate for APPCB  
Mr. Dhanajay Baijal, Advocate for TSPCB  
Mr. Jogy Scaria, Advocate for KSPCB  
Ms. Sakshi Popli, Advocate for DPCC  
Mr. Rajkumar, Advocate for CPCB

**ORDER**

1. The issue for consideration is the remedial action against the polluting industries in the identified polluting industrial clusters. The Tribunal, vide order dated 13.12.2018, treated the news item published in "The Asian Age" dated 06.12.2018 authored by Mr. Sanjay Kaw titled "CPCB to rank industrial units on pollution levels" as an application in view of substantial question of environment which could be dealt with by the Tribunal under Sections 14, 15 and 20 of the National Green Tribunal Act, 2010.
2. We may note the background of the issue briefly. The Central Pollution Control Board (CPCB) in exercise of its statutory functions under the Air (Prevention and Control of Pollution) Act, 1981 (the Air

Act), the Water (Prevention and Control of Pollution) Act, 1974 (the Water Act) and the Environment (Protection) Act, 1986 (the EPA Act) carried out the physical study of the industrial clusters in the country with reference to the Comprehensive Environmental Pollution Index (CEPI) which includes weightages on nature of pollutants, ambient pollutant concentrations, receptors (number of people affected) and additional high risk element. On the basis of the study jointly carried out by the CPCB and State PCBs in 2009-10, 88 industrial clusters were notified as Polluted Industrial Areas (PIAs). These PIAs were ranked as 'critically polluted area' (CPA), 'severely polluted area' (SPA) and 'other polluted areas' (OPAs), depending upon the CEPI scores of each of these industrial areas. Where the CEPI score crossed 70, the areas are designated as CPAs, where the index was between 60-70, they are designated as SPAs and those below 60 as OPAs. As per the CPCB's monitoring of industrial clusters based on CEPI-2009, 43 industrial clusters in 16 cities were identified as CPAs and 32 were identified as SPAs. The CPAs and SPAs were to bring the pollution levels within the norms by formulating and implementing an action plan with short term and long term measures within one year or more. New units in the said areas were prohibited but such ban was later on lifted.

3. In 2016, the criterion for determining CEPI was revised. CPCB revised its CEPI criteria and laid out components which included, scale of industrial activity, scale of exceedance of environmental quality (level of exposure), health related statistics and compliance status of industries.
4. On 26.04.2016, the CPCB issued directions under Section 18 of the Air Act and the Water Act to the SPCB of Andhra Pradesh, Telangana,

Uttar Pradesh, Karnataka, Punjab, Jharkhand, Haryana, Gujarat, Govt. of NCT Delhi, Tamil Nadu, Maharashtra, Madhya Pradesh, Rajasthan, Chhattisgarh, West Bengal, Kerala, requiring continuous environmental quality monitoring in all CPAs and SPAs, installation of Continuous Ambient Air Quality Monitoring Stations (CAAQMS), Continuous Water Quality Monitoring Stations (CWQMS) for CEPI score evaluation as per revised formulae and to formulate their action plans before 15.06.2016. The polluting sources were required to be notified in public domain on websites, environmental quality data was also to be placed in public domain, State Governments were to notify the scaled maps of the industrial areas. The object of placing such data in public domain was to give warning for bringing the pollution levels within the prescribed limits. The polluted clusters were to be kept in mind for permitting setting up of further industries or expanding of the existing industries.

5. Based on the CEPI-2016 criterion, CPCB carried out further monitoring in the year 2017-18 where it was found that number of identified polluted industrial clusters went up to 100. The said number includes 38 critically polluted, 31 severely polluted and remaining 31 as other polluted areas.
6. The Tribunal vide order dated 13.12.2018 directed all the State Pollution Control Boards/Committees (PCCs) to finalize time bound action plans within three months so as to bring all polluted industrial clusters within the safe parameters under the provisions of the Air Act and the Water Act. The SPCBs and CPCB were free to take coercive measures, including recovery of compensation for damages to the environment on 'Polluter Pays' principle and also to adopt precautionary measures on 'Precautionary' principle. The CPCB was

directed to serve a copy of the above mentioned order to all the SPCBs who were to furnish the same to the respective Chief Secretaries of the States for necessary action. The MoEF&CC was directed to take steps on the basis of report of the CPCB. Action taken reports were to be furnished by the CPCB and the MoEF&CC to this Tribunal before 31.05.2019. In the States, action plans were to be prepared by Committees headed by the Chief Secretaries.

7. Ill effects of industrial pollution on the environment and public health are well acknowledged. This has made it necessary to strictly apply the principles of ‘Sustainable Development’ and permit any activity to be carried out without degrading the environment. The statutory scheme under the Air Act, the Water Act and the EPA Act provides for standards for air and water quality which must be maintained and violation thereof is a criminal offence<sup>1</sup>. Any violation has to be visited with stopping of polluting activity, prosecution and compensation for restoration of environment. Accordingly, in the order dated 13.12.2018 this Tribunal observed:

*“5. Purpose of economic development in any region is to provide opportunities for improved living by removing poverty and unemployment. While industrial development invariably creates more jobs in any region, such development has to be sustainable and compliant with the norms of environment. In absence of this awakening or tendency for monitoring, industrialization has led to environmental degradation on account of industrial pollution. It is imperative to ensure that steps are taken to check such pollution to uphold statutory norms. Adequate and effective pollution control methods are necessary.*

*6. Dust, smoke, fume and toxic gas emissions occur as a result of highly polluting industries such as thermal power plants, coal mines, cement, sponge iron, steel and ferrous alloys, petroleum and chemicals unless right technology is used and precaution taken. Industry specific clusters have not only become hazardous but*

<sup>1</sup> Section 7 read with Section 15 of the EPA Act, Section 24 read with Section 41 and Section 45A of the Water Act, Section 21 and Section 22 read with Section 37 of the Air Act.

also cause irreparable damage to our ecology and environment, often breaching the environment's carrying capacity, adversely affecting public health.

7. In *Karnataka Industrial Areas Development Board vs. C. Kenchappa & Ors*<sup>2</sup>, the Hon'ble Supreme Court observed, as guiding rules for Sustainable Development, that humanity must take no more from nature than man can replenish and that people must adopt lifestyles and development paths that work within the nature's limit. In *Vellore Citizens Welfare Forum Vs. Union of India*, the Hon'ble Supreme Court recognized the Precautionary Principle and explained that environmental measures by the State Government and the statutory authorities must anticipate, prevent and attack the causes of environmental degradation.
8. This Tribunal has applied the same principles in deciding matters before it in terms of Section 20 of the National Green Tribunal Act 2010.
13. The action plan to be prepared in the States may be done by the Committee constituted by the Chief Secretary within one month from today as several Departments may be involved in the exercise. The final preparation of the action plan including its execution may be overseen by the Chief Secretary of the concerned State, along with the other connected major environmental issues of the States, such as pollution of river stretches, non-attainment cities in terms of air quality and solid waste management, utilization of treated sewage, covered by order of this Tribunal dated 20.09.2018 in Original Application No. 673/2018, News Item Published in 'The Hindu' authored by Shri. Jacob Koshy titled "More river stretches are now critically polluted: CPCB", order dated 08.10.2018 in Original Application No. 681/2018, News Item Published In 'The Times of India' Authored by Shri. Vishwa Mohan Titled "NCAP with Multiple Timelines to Clear Air in 102 Cities to be released around August 15", order dated 20.08.2018 in Original Application No. 606/2018, Compliance of Municipal Solid Waste Management Rules, 2016 and order dated 27.11.2018 in Original Application No. 148/2016, Mahesh Chandra Saxena Vs. South Delhi Municipal Corporation & Ors. The Chief Secretary will take meetings on all these issues once in three months (quarterly) and will forward Report to NGT by e-mail."

8. We may also note that on 16.01.2019, while considering the issue of compliance of Solid Waste Management Rules, 2016 and other Waste Management Rules in O.A. No. 606/2018, Compliance of MSW Rules, 2016, the Tribunal required the presence of the Chief Secretaries in

---

<sup>2</sup> (2006) 6 SSC 383

person after monitoring the subjects mentioned in the said order which included polluted industrial clusters.

9. Accordingly, the Chief Secretaries appeared before this Tribunal and filed their respective versions on the subject. They have been asked to take necessary steps to enforce the environment norms and furnish periodical reports to this Tribunal. The directions include monitoring of important environmental issues including the issue of polluted industrial clusters by a Central Monitoring Committee with representatives from the Central Government and the Chief Secretaries of the States, undertaking carrying capacity study of the areas where violation of environmental norms is established, training programme of the officers concerned with the enforcement of the environmental norms, preparation of annual environmental plan for the country giving status of gaps in compliance of environmental norms.<sup>3</sup> The Tribunal noted the private studies which may need to be verified assessing the number of deaths and diseases from pollution<sup>4</sup>:

*“38. Death attributable to pollution to be 2.51 million in 2015, highest in the world. Air pollution, the number of deaths in India from ambient air pollution was 1.09 million, while deaths from household air pollution from solid fuels were 0.97 million. In the case of water pollution, 0.5 million deaths were caused by unsafe water source, while unsafe sanitation caused 0.32 million deaths. Deaths from air pollution were a result of diseases such as heart disease, stroke, lung cancer, and chronic obstructive pulmonary disease (COPD). Pollution has been responsible for the most non-communicable disease deaths. India ranks a dismal 110 of 149 countries on the Sustainable Development Index. With rapid urbanization, the country is facing massive waste management challenge. Over 377 million urban people live in 7,935 towns and cities and generate 62 million tonnes of municipal solid waste per annum. Only 43 million tonnes (MT) of the waste is collected, 11.9 MT is treated and 31 MT is dumped in landfill sites. An alarming 80% of India’s surface water is polluted. Indian cities generate 10 billion gallons or 38 billion litres of municipal waste water every day, out of which only 29% of it is treated.*

*40. In case extent of convictions for the environment related offences do not correspond to the extent of crime, paradigm shift in*

<sup>3</sup> O.A 606/2018, order dated 17.05.2019, at para 27

<sup>4</sup> *Ibid*

*policies and strategies for implementation of law may need to be considered. Similarly, the mechanism for recovery of compensation may need to be revised on that pattern. Such review of policy cannot be left to the Local Bodies or the Pollution Control Boards but has to be at highest level in the State and further review at the national level. As noted in some of the studies, the ranking of the country in compliance of environmental norms needs to be brought to respectable higher position which may be possible only if there is change in policies and strategies for implementation of necessary norms at every level in right direction. The scale of compensation needs to be suitably revised so that the same is deterrent and adequate to meet the cost of reversing the pollution.”*

10. Some of the States have also filed their reports in the present proceedings apart from the reports of the Chief Secretaries mentioned above. Further, a report has also been filed by the CPCB. According to the CPCB report, order dated 13.12.2018 stands served to all the State PCBs and the PCCs. The CPCB with the concurrence of MoEF&CC carried out environmental quality monitoring in 21 States across the country in respect of the said 100 industrial clusters based on the revised CEPI-2016, by engaging the services of approved laboratories. The said reports have been analysed. Further information has been sought from the State PCBs/ PCCs. Comprehensive exercise and consultative process has been undertaken and CEPI scores of all the 100 Polluted Industrial Areas (PIAs) were submitted to MoEF&CC on 11.01.2019 and the MoEF&CC replied in letter dated 25.02.2019 that there are some gaps in the information. Further information relating to such gaps were sought from the States by the MoEF&CC. Thereafter, updated CEPI scores for all 100 PIAs have been submitted by CPCB to MoEF&CC on 10.04.2019. The CPCB has also prepared a protocol and submitted the same to the MoEF&CC on 17.05.2019 for consideration and appropriate action.
11. During the hearing today, a copy of the letter dated 17.05.2019 was handed over by the Learned Counsel for the CPCB, indicating the

latest CEPI scores for 100 polluted industrial areas/clusters monitored during 2018. The said scores are as follows:

**The CEPI Scores in descending order for Industrial Areas/Clusters monitored during 2018**

Sl. No.	Name of Polluted Industrial Areas (PIAs)	Air	Water	Land	* CEPI Score	# Status of Environment
1.	Tarapur(Maharashtra)	72.00	89.00	59.25	93.69	Ac_Wc_Ls
2.	Najafgarh-Drain basin including Anand Parbat, Naraina, Okhla, Wazirpur(Delhi)	85.25	86.00	55.75	92.65	Ac_Wc_Ls
3.	Mathura(Uttar Pradesh)	86.00	81.00	45.00	91.10	Ac_Wc_Ln
4.	Kanpur(Uttar Pradesh)	66.00	85.00	45.00	89.46	Ac_Wc_Ln
5.	Vadodara(Gujarat)	82.00	80.75	48.75	89.09	Ac_Wc_Ln
6.	Moradabad(Uttar Pradesh)	76.00	71.50	68.75	87.80	Ac_Wc_Lc
7.	Varanasi-Mirzapur(Uttar Pradesh)	67.50	80.00	39.63	85.35	Ac_Wc_Ln
8.	Bulandsahar-Khurza(Uttar Pradesh)	79.50	76.00	36.75	85.23	Ac_Wc_Ln
9.	Gurgaon(Haryana)	70.00	80.00	36.75	85.15	Ac_Wc_Ln
10.	Manali (Tamil Nadu)	59.75	72.25	71.75	84.15	As_Wc_Lc
11.	Panipat(Haryana)	66.00	72.75	60.00	83.54	Ac_Wc_Lc
12.	Firozabad(Uttar Pradesh)	76.00	72.00	32.50	81.62	Ac_Wc_Ln
13.	Udham Singh Nagar (Uttarakhand)	33.00	79.50	26.00	81.26	An_Wc_Ln
14.	Jodhpur (Rajasthan)	67.00	66.00	65.00	81.16	Ac_Wc_Lc
15.	Pali (Rajasthan)	66.00	65.00	65.50	80.48	Ac_Wc_Lc
16.	Ankleshwar (Gujarat)	72.00	57.50	51.00	80.21	Ac_Ws_Ls
17.	Gajraula Area(Uttar Pradesh)	71.00	70.00	45.00	80.14	Ac_Wc_Ln
18.	Vapi (Gujarat)	66.00	75.00	30.00	79.95	Ac_Wc_Ln
19.	Siltara Industrial Area (Chhattisgarh)	76.00	51.75	31.75	79.94	Ac_Ws_Ln
20.	Bhiwadi (Rajasthan)	66.50	71.00	44.75	79.63	Ac_Wc_Ln
21.	Vellore -North Arcot (Tamil Nadu)	49.00	75.00	35.75	79.38	An_Wc_Ln
22.	Sanganer Industrial Area (Rajasthan)	65.00	71.88	39.50	79.10	Ac_Wc_Ln
23.	Byrnihat (Assam)	67.00	70.50	39.50	78.31	Ac_Wc_Ln
24.	Peenya(Karnataka)	41.00	66.00	70.00	78.12	An_Wc_Lc
25.	Jaipur (Rajasthan)	61.88	71.88	31.75	77.40	Ac_Wc_Ln
26.	Surat (Gujarat)	46.00	68.25	56.00	76.43	An_Wc_Ls
27.	Chandrapur (Maharashtra)	75.00	23.75	23.75	76.41	Ac_Wn_Ln
28.	Agra(Uttar Pradesh)	60.00	66.88	47.00	76.22	Ac_Wc_Ln
29.	Pattancheru Bollaram	56.00	70.00	32.25	75.42	As_Wc_Ln

	(Telangana)					
30.	Jalandhar (Punjab)	53.50	66.88	44.50	74.76	As_Wc_Ln
31.	Ludhiana (Punjab)	53.50	71.00	16.00	73.48	As_Wc_Ln
32.	Tiruppur (Tamil Nadu)	33.00	65.00	64.00	72.39	An_Wc_Lc
33.	Ghaziabad(Uttar Pradesh)	57.50	66.00	32.25	72.30	As_Wc_Ln
34.	Mettur (Tamil Nadu)	41.25	19.38	69.38	71.82	An_Wn_Lc
35.	KIADB Industrial Area, Jigini, Anekal (Bengaluru)	52.00	66.00	28.25	70.99	As_Wc_Ln
36.	Vatva(Gujarat)	57.00	66.00	25.50	70.94	As_Wc_Ln
37.	Raipur (Chhattisgarh)	67.00	45.75	25.00	70.77	Ac_Wn_Ln
38.	Rajkot(Gujarat)	51.75	61.50	45.75	70.62	As_Wc_Ln
39.	Aurangabad(Maharashtra)	45.00	65.38	28.75	69.85	An_Wc_Ln
40.	Dombivali (Maharashtra)	62.00	63.50	27.25	69.67	Ac_Wc_Ln
41.	Nashik(Maharashtra)	56.50	60.00	42.00	69.49	As_Wc_Ln
42.	Batala (Punjab)	63.00	62.75	25.50	68.92	Ac_Wc_Ln
43.	Noida(Uttar Pradesh)	59.75	62.75	27.00	68.76	As_Wc_Ln
44.	Baddi(Himachal Pradesh)	63.00	63.75	19.75	68.26	Ac_Wc_Ln
45.	Vijayawada(Andhra Pradesh)	60.50	49.25	38.75	68.04	Ac_Wn_Ln
46.	Bandel (West Bengal)	59.50	47.00	42.75	67.64	As_Wn_Ln
47.	Ramgarh(Jharkhand)	56.75	50.00	46.25	66.75	As_Ws_Ln
48.	Kukatpally (Telangana)	43.75	61.00	32.00	66.46	An_Wc_Ln
49.	Ib-Valley (Orissa)	48.75	59.00	36.75	66.35	An_Ws_Ln
50.	Tuticorin (Tamil Nadu)	29.75	46.00	61.00	66.34	An_Wn_Lc
51.	Navi Mumbai(Maharashtra)	56.00	63.00	16.00	66.32	As_Wc_Ln
52.	Meerut(Uttar Pradesh)	52.00	65.00	6.00	66.09	As_Wc_Ln
53.	Parwanoo(Himachal Pradesh)	19.00	61.88	53.75	65.77	An_Wc_Ls
54.	Kala Amb(Himachal Pradesh)	17.00	64.00	27.75	65.70	An_Wc_Ln
55.	Bidar(Karnataka)	31.00	60.00	45.50	65.64	An_Wc_Ln
56.	Durgapur (West Bengal)	62.50	43.50	18.75	65.56	Ac_Wn_Ln
57.	Aligarh(Uttar Pradesh)	56.25	61.88	11.88	64.42	As_Wc_Ln
58.	Hajipur(Bihar)	57.50	41.13	39.25	64.36	As_Wn_Ln
59.	Hazaribagh(Jharkhand)	61.00	20.00	41.00	64.20	Ac_Wn_Ln
60.	Coimbatore (Tamil Nadu)	47.25	53.75	45.25	63.64	An_Ws_Ln
61.	Singrauli (UP & MP)	45.00	57.25	27.75	62.59	An_Ws_Ln
62.	Cuddalore (Tamil Nadu)	25.00	58.25	41.25	62.56	An_Ws_Ln
63.	Faridabad(Haryana)	55.25	53.75	28.75	62.17	As_Ws_Ln
64.	Bhavnagar (Gujarat)	61.00	15.50	15.50	61.94	Ac_Wn_Ln
65.	Howrah (West Bengal)	60.50	20.00	16.00	61.76	Ac_Wn_Ln
66.	Paradeep (Orissa)	43.00	57.50	17.00	60.61	An_Ws_Ln
67.	Erode (Tamil Nadu)	34.13	47.00	52.75	60.33	An_Wn_Ls
68.	Saraikela (Jharkhand)	57.75	17.50	34.00	60.26	As_Wn_Ln

69.	Kattedan(Telangana)	42.25	50.75	45.25	60.17	An_Ws_Ln
70.	Dhanbad(Jharkhand)	43.00	57.50	12.50	59.78	An_Ws_Ln
71.	Indore(Madhya Pradesh)	18.50	56.88	20.75	58.53	An_Ws_Ln
72.	Bhadravati(Karnataka)	45.00	52.00	30.00	58.48	An_Ws_Ln
73.	Mandideep (Madhya Pradesh)	56.00	55.25	10.00	58.43	As_Ws_Ln
74.	Mangalore(Karnataka)	15.00	54.50	54.25	58.20	An_Ws_Ls
75.	Barajamda(Jharkhand)	51.88	25.63	46.75	57.64	As_Wn_Ln
76.	Korba (Chhattisgarh)	43.75	17.75	54.00	57.57	An_Wn_Ls
77.	Ahmedabad(Gujarat)	53.50	48.50	16.00	57.11	As_Wn_Ln
78.	Haridwar (Uttarakhand)	50.75	52.38	13.75	55.70	As_Ws_Ln
79.	Asansol (West Bengal)	54.00	16.25	13.75	55.03	As_Wn_Ln
80.	Chembur(Maharashtra)	52.25	50.75	10.00	54.67	As_Ws_Ln
81.	Morbi (Gujarat)	51.00	47.25	14.00	54.24	As_Wn_Ln
82.	Mandi Govindgarh (Punjab)	23.75	53.75	1.50	53.91	An_Ws_Ln
83.	Raichur(Karnataka)	32.75	47.88	32.50	53.42	An_Wn_Ln
84.	West Singhbhum(Jharkhand)	51.88	25.88	11.25	53.28	As_Wn_Ln
85.	Greater Kochin (Kerala)	47.38	35.88	29.50	52.94	An_Wn_Ln
86.	Pimpri-Chinchwad(Maharashtra)	52.00	6.25	5.25	52.16	As_Wn_Ln
87.	Gwalior (Madhya Pradesh)	50.00	43.13	7.75	51.67	As_Wn_Ln
88.	Junagarh (Gujarat)	47.00	25.00	35.00	51.64	An_Wn_Ln
89.	Jajpur (Orissa)	43.50	26.25	41.25	49.62	An_Wn_Ln
90.	Nagda -Ratlam (Madhya Pradesh)	12.00	47.00	28.00	48.78	An_Wn_Ln
91.	Jamshedpur(Jharkhand)	46.00	19.25	20.25	48.10	An_Wn_Ln
92.	Mahad(Maharashtra)	41.00	35.75	29.00	47.12	An_Wn_Ln
93.	Bhillai-Durg (Chhattisgarh)	43.00	32.75	19.75	46.69	An_Wn_Ln
94.	Angul Talchar (Orissa)	44.75	13.25	23.00	46.43	An_Wn_Ln
95.	Haldia (West Bengal)	45.00	35.00	3.75	45.72	An_Wn_Ln
96.	Vishakhapatam (Andhra Pradesh)	27.25	12.75	42.75	44.74	An_Wn_Ln
97.	Dewas (Madhya Pradesh)	28.00	31.63	31.75	37.79	An_Wn_Ln
98.	Jharsuguda (Orissa)	36.00	21.50	8.75	37.20	An_Wn_Ln
99.	Digboi (Assam)	23.50	25.25	6.50	26.39	An_Wn_Ln
100.	Pithampur (Madhya Pradesh)	13.50	19.50	6.75	20.23	An_Wn_Ln

12. Question for consideration is whether mere making of action plans obviates the requirement of enforcing the law. Continued polluting activities are criminal offences under the law of the land. The rule of law requires prohibiting such activities to safeguard the environment and the innocent victims<sup>6</sup>.
13. The answer has to be in the negative. Once the industrial clusters have been notified as polluting, while action plans may certainly be prepared, the polluting activity, which is a criminal offence, cannot be allowed to be continued. The essence of rule of law is that no activity which is against the law is allowed to continue and the person violating the law is punished according to law.<sup>7</sup> Thus merely requiring improvement does not obviate the need for punishing the law violators/polluters; stopping polluting activity and recovering compensation for the damage already caused so as to recover the cost of restoration<sup>8</sup> is the mandate of law. This having not been done, the Tribunal is under a duty to direct the statutory regulators to perform their functions and take steps forthwith for stopping polluting activities, initiating prosecutions against the polluters and assessing and recovering compensation from such identified polluters at least for five years which is the period specified under Section 15(3) of the National Green Tribunal Act, 2010.

<sup>5</sup> Under Section 5 of the EPA Act, Section 31A of the Air Act and Section 33A of the Water Act, the power of Board to give directions includes the power to direct the closure, prohibition or regulation of any industry, operation or process; or the stoppage or regulation of the supply of electricity or water or any other service.

<sup>6</sup> [https://www.thelancet.com/journals/lanplh/article/PIIS2542-5196\(18\)30261-4/fulltext](https://www.thelancet.com/journals/lanplh/article/PIIS2542-5196(18)30261-4/fulltext) stating 1.24 million deaths in India in 2017, which were 12.5% of the total deaths, were attributable to air pollution, including 0.67 million from ambient particulate matter pollution and 0.48 million from household air pollution.

<sup>7</sup> *Goa Foundation Vs. Union of India and Ors.*, (2014) 6 SCC 590, at para 72-75, the Supreme Court noted the power that rests with the Pollution Control Board under Section 31 A of the Air Act and Section 33 A of the Water Act and directed that the authorities should take stringent actions in line with these power in cases of polluting industries.

<sup>8</sup> *Tirupur Dyeing Factory Owners Association Vs. Noyyal River Ayacutdars Protection Association & Ors.*, (2009) 9 SCC 737, in paras 26, 27, 33 & 34, the Supreme Court emphasis on developmental activities to be such that it does not compromises with the ability of the future generation to meet their needs and in this regard, authorities are to take into consideration the macro effect of wide-scale land and environmental degradation caused by absence of remedial measures.

14. We reiterate that economic development is not to be at the cost of health of the public and in violation of law of the land. Unless the polluting industries tackle the problem they have created, their operations have to be stopped/suspended.<sup>9</sup> Reference may be made to the judgement in the case of *Indian Council for Enviro Legal Action & Ors. Vs. Union of India & Ors.*<sup>10</sup>:

*“Respondents 4 to 8 have earned the dubious distinction of being categorised as “rogue industries”. They have inflicted untold misery upon the poor, unsuspecting villagers, de-spoiling their land, their water sources and their environment – all in pursuance of their private profit. They have forfeited all claims of any consideration by this Court. Accordingly, we herewith order the closure of all plants and factories of Respondents 4 to 8 located in Bichhri village. The RPCB is directed to seal all factories/units/plants of the said respondents forthwith.”*

15. We may note that this Tribunal has dealt with cases of industrial pollution and exercising its jurisdiction under Sections 14, 15 and 20 of the NGT Act, 2010 directed the regulatory authorities to prohibit polluting activities, prosecute the polluters and assess and recover compensation. In the case of Morbi Industrial Cluster<sup>11</sup>, which ranks at 81 based on its CEPI score, (where air pollution is critical though overall index places it in OPA), the Tribunal noted the air quality as shown in the inspection report furnished in the said case, to be as follows:

*“Ambient Air Quality Status: As per National Green Tribunal committee report average ambient air quality (7 Stations) monitored PM10 = 552.66 µg/m<sup>3</sup>, PM2.5 = 289.61 µg / m<sup>3</sup>, SO<sub>2</sub> = 152.81 µg / m<sup>3</sup>. Compared to that, Average ambient air quality monitored (4 Stations) in last 3 months (Aug- 18 to Nov-18) is PM10 = 199.1 µg / m<sup>3</sup>,*

<sup>9</sup> M.C Mehta (Badkhal and Surajkund Lakes Matters) vs. Union of India & Ors., (1997) 3 SCC 715 at para 10 & 11, where the Supreme Court prohibited any construction activities around the said lakes on account of precautionary principle to protect these lakes; Vellore Citizens Welfare Forum Vs. Union of India & Ors., (1996) 5 SCC 647 at para 9, where the Supreme Court discussed the rights guaranteed under Article 21 of the Constitution of India and directed that all tanneries which have not obtained the consents will be not reopened and that no new tanneries will be permitted to be open in the prohibited area.

<sup>10</sup> (1996) 3 SCC 212 at para 70.

<sup>11</sup> Order dated 06.03.2019 in Original Application No. 20/2017 (WZ), Babubhai Ramubhai Saini Vs. Gujarat Pollution Control Board & Ors.

*PM2.5 = 60.6 µg /m<sup>3</sup>. Though not meeting with standards, this shows improvement in air quality of Morbi-Wankner Region.”*

16. Since the industries in the said area were operating in violation of Air Act, having adverse consequences on health and environment, applying the Sustainable Development and Precautionary principles, the Tribunal directed the GPCB to close all the coal gasifier industries and take steps for prosecution of such industries which violated the law and recover compensation for the damage to the public health to be assessed by a Joint Committee of GPCB, CPCB and NEERI, taking into account the cost of restoration of the environment and the element of deterrence.<sup>12</sup>

17. The Tribunal observed:

*“ 22. Purpose of economic development in any region is to provide opportunities for improved living by removing poverty and unemployment. While industrial development invariably creates more jobs in any region, such development has to be sustainable and compliant with the norms of environment. In absence of this awakening or tendency for monitoring, industrialization has led to environmental degradation on account of industrial pollution. It is imperative to ensure that steps are taken to check such pollution to uphold statutory norms. Adequate and effective pollution control methods are necessary.*

*23. We may also note that as per data compiled by the CPCB Morbi Wankaner is one of the polluted industrial clusters. Vide order dated 13.12.2018 in Original Application No. 1038/2018, this Tribunal considered the subject matter of critically polluted industrial clusters and directed preparation of action plans by the respective States for remedying the situation.*

*24. Even though, this area is polluted but not ‘critically polluted’, the same may not be covered by the said order, but the fact remains that there is high amount of pollution as shown by the latest report of the GPCB quoted above in para no. 13. PM10 is equal to 552.66 and PM2.5 is equal to 289.61. Stringent*

<sup>12</sup> Order dated 06.03.2019 in Original Application No. 20/2017 (WZ), Babubhai Ramubhai Saini Vs. Gujarat Pollution Control Board & Ors.

*measures are, thus, required in the interest of protection of environment and public health.*

25. *Accordingly, we allow the applications and direct the GPCB to close all coal gasifiers industries and units operating with the help of coal gasifiers without prejudice to such units switching over to non-coal gasifiers or PNG or technology consistent with the above report. The GPCB must initiate immediate steps for prosecution of the industries which have operated in violation of law and recover compensation for causing damage to the environment and public health. This amount may be assessed by a Committee with representatives of CPCB, GPCB and NEERI. The CPCB will be the nodal agency for coordination and compliance. The Committee may suggest restoration plan.”*

18. The Tribunal also considered the case of pollution in the Taloja industrial area<sup>13</sup> which finds mention under the title ‘Navi Mumbai’ at rank 51 based on its CEPI score. High level of pollution was found on the basis of joint inspection conducted by the CPCB and the Maharashtra PCB dated 02.01.2018, as the CETP was not functioning properly. The Maharashtra State PCB gave notice to 92 industries for closure. Apart from requiring the CETP operators to deposit a sum of Rs. 10 crores as compensation, steps were required to be taken to remedy the pollution. The Tribunal held that only option was to permit only such industries to function which had stand alone ETP and are fully compliant with the norms and to close the industries which were non-compliant.<sup>14</sup>

19. The Tribunal directed as follows:

*“13. In view of above undisputed position that pollution is still continuing, the only option is to shut down the industries which are source of pollution till remedial action is taken. Learned Counsel for the MIDC as well as MPCB are unable to provide any other solution. It is made clear that mere fact that MIDC has assigned the work to a contractor does not absolve MDIC of its responsibility of operating CETP as per norms.*

<sup>13</sup> O.A No. 125/2018, Arvind Pundalik Mhatre v. Ministry of Environment and Forest & Climate Change & Ors.

<sup>14</sup> O.A No. 125/2018, Arvind Pundalik Mhatre Vs. Ministry of Environment and Forest & Climate Change & Ors., order dated 09.04.2019

14. Accordingly, we direct the MPCB to forthwith suspend the Consent to Operate to the industries in the area not meeting the norms and permit them to operate only after remedial steps are taken. Steps in this direction be taken within two weeks from today. Whether a particular industry is complying or not complying with the norms is the matter to be decided by the MPCB in accordance with law. Action taken report be furnished to the Committee and the Committee may take a final call in the matter, in case of any surviving issue.”

20. Taking cognizance of the untreated effluents being discharged by textile units in Tronica city, Loni area, Ghaziabad, the Tribunal in *Rashid Ali Warsi Vs. UPSIDC & Ors.*<sup>15</sup>, directed closure of 53 units until the time CETP was made functional. Thereafter, vide order dated 13.11.2018, the Tribunal allowed operation of only those units which were later found to be achieving the norms.

21. The Tribunal in the case of *M.C Mehta vs. Union of India & Ors.*<sup>16</sup> dealt with the issues regarding continuous illegal discharge of untreated sewer and industrial effluents in Ganga and its tributaries and the connecting drains, apart from the dumping of solid waste, hazardous waste, plastic waste, muck and other wastes. The Tribunal after noting that leather industries at Jajmau, Banthar and Unnao were discharging untreated effluents in the river Ganga, directed that activities of such industries must be straightaway closed till they comply with the norms.<sup>17</sup>

22. In view of water pollution caused by absence/dysfunctional CETPs/ETPs/STPs, the Tribunal has, in the case of *Aryavart Foundation Vs. M/s Vapi Green Enviro Ltd. & Ors.*<sup>18</sup>, directed all defaulting industries, other than green and white category, connected

<sup>15</sup> Order dated 25.05.2018

<sup>16</sup> O.A 200/2014, order dated 14.05.2019

<sup>17</sup> *Ibid* at Para 16 & 17

<sup>18</sup> O.A 95/2018, order dated 11.01.2019

with CETP, to make deposits with the CPCB towards interim environmental compensation, pending assessment of actual compensation and further action <sup>19</sup>, on the following scale:

- (i) Large Industries – Rs. 1 crore each
- (ii) Medium Industries – Rs. 50 Lakhs each
- (iii) Small Industries – Rs. 25 Lakhs each

23. In the present case, in view of massive exercise already done by CPCB, it is not necessary to require any further verification about the existence of pollution in the said PIAs. The Tribunal can direct that the polluting activities cannot be allowed to continue till adequate measures are taken as the Tribunal is bound to apply the ‘Sustainable Development’<sup>20</sup>, ‘Precautionary’<sup>21</sup> and ‘Polluter Pays’<sup>22</sup> principle under Section 20 of the National Green Tribunal Act, 2010 to protect the environment and the victims. The statutory regulatory bodies can be required to straightaway identify the particular industrial units in the said PIAs that are causing pollution, particularly those units which fall under the red and orange category and take action against them by way of closing the polluting activity, initiating prosecution and assessing and recovering compensation. Pending such assessment, interim compensation may be recovered on the scale adopted by this Tribunal in the case of Vapi industrial area<sup>23</sup>.

<sup>19</sup> Para 55, of O.A 95/2018, order dated 11.01.2019

<sup>20</sup> M.C Mehta Vs. Union of India (1997) 2 SCC 353, where the Supreme Court of India held – The development of industry is essential for the economy of the country, but at the same time the environment and the ecosystems have to be protected. The pollution created as a consequence of development must be commensurate with the carrying capacity of our ecosystem.

<sup>21</sup> M.C Mehta vs. Union of India & Ors., (2009) 6 SCC 142, at para 23, 30 & 46, the Supreme Court addressed the issue of wide threat to forest ecology vis-à-vis the mining activities in the Aravalli hills and explained that it is important to evoke the precautionary principle to impose complete ban on mining in the Aravalli Range in state of Haryana.

<sup>22</sup> Indian Council for Enviro Legal Action & Ors. Vs. Union of India & Ors., (1996) 3 SCC 212 Para 16, Vellore Citizens Welfare Forum Vs. Union of India & Ors. (1996) 5 SCC 647 Para 12-18 – holding that “Polluter Pay” principle is ‘accepted principle and part of environmental law of the country, even without specific statute. M.C Mehta Vs. Union of India & Ors., W.P (C) No. 13029/2015 order dated 24.10.2017 of the Supreme Court of India., O.A 95/2018, order dated 11.01.2019 & O.A No. 593/2017, order dated 03.08.2018: The Tribunal directed CPCB to take penal action against those accountable for failure in setting up CETPs/STPs/STPs and to recover compensation for damage to the environment,

<sup>23</sup> *Supra* 15

24. CPCB has compiled data of industrial clusters which are polluting in terms of air, water and other norms together. Under the law, even air pollution or water pollution or other pollution, are independent offences. The sustainable development and precautionary principle require any polluting activity to be prohibited and compensation recovered for damage caused from polluters. If there is air pollution, actionable under the Air Act, even if there is no violation of Water Act or EPA Act, such pollution cannot be ignored. There has to be prosecution, stopping of polluting activity and recovery of compensation for restoration of the environment. We have seen that even when norms of air, water and other pollution are being violated, prosecution, stopping of polluting activities and recovery of compensation is not taking place for which there is no justification. Likewise action to prohibit polluting activity, initiating prosecution and recovery of compensation is required not merely for the PIAs based on violation of norms under all the heads, but also for areas where air, water or other pollution is found individually. Thus areas not covered by PIAs are also required to be governed by our directions for enforcing the law by way of stopping polluting activity and taking other steps. The fact that such pollution is taking place is evidenced by there being acknowledged pollution in the form of 351 polluted river stretches<sup>24</sup> and 102 non-attainment cities<sup>25</sup>.
25. CPCB must compile data of polluted industrial areas not confined to more than one parameters as is now being done, but also with respect to polluted areas based on water, air or other pollution individually. Compiling data for categorizing areas as polluted areas based on water pollution alone, or air pollution or other pollution

<sup>24</sup> O.A. 673/2018, News Item Published in 'The Hindu' authored by Shri. Jacob Koshy titled "More river stretches are now critically polluted: CPCB", Order dated 20.09.2018

<sup>25</sup> O.A. 681/2018, News Item Published In 'The Times of India' Authored by Shri. Vishwa Mohan Titled "NCAP with Multiple Timelines to Clear Air in 102 Cities to be released around August 15" order dated 08.10.2018

alone may be a step in the right direction. Let this be now done in the next three months, with the assistance of State PCBs/PCCs or other experts. In this regard we may note that dealing with the industrial water pollution, this Tribunal directed the CPCB to compile its monitoring report with reference to 97 CETPs installed in different states as this was linked to 100 PIAs also.<sup>26</sup>

26. Needless to state that there is no right to carry on business in violation of pollution norms and right of statutory authorities is coupled with duty. Such right, does not carry any unlimited discretion of not taking action when pollution norms are violated.

27. In view of the material compiled by the CPCB, with the assistance of SPCBs/PCCs, in respect of polluted industrial areas, where action is not being taken by statutory authorities, the Tribunal has to exercise its jurisdiction of directing performance of statutory functions and duties by the State boards/committees, following similar direction by the Apex Court<sup>27</sup>.

28. Accordingly, we direct the CPCB in coordination with all State PCBs/PCCs to take steps in exercise of statutory powers under the Air (Prevention and Control of Pollution) Act, 1981, Water (Prevention and Control of Pollution) Act, 1974, Environment (Protection) Act, 1986 or any other law to prohibit operation of polluting activities in the said CPAs and SPAs within three months and furnish a compliance report to this Tribunal. The Central Pollution Control Board, in coordination with the State Boards/PCBs may make

<sup>26</sup> O.A No. 593/2017, order dated 19.02.2019, Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors.

<sup>27</sup> M.C Mehta (Calcutta Tanneries' Matter) Vs. Union of India & Ors., (1997) 2 SCC 411, at para 17, the Supreme Court directed the Board to take action against defaulting tanneries which, including those which had not complied with the conditions under Water Act as mentioned in their consents. In M.C Mehta Vs. Union of India & Ors., (2004) 6 SCC 588, paras 37,48, 517 69, the Supreme Court passed direction on closure of industrial units which were illegally operating and were in violation of the Master Plan.

assessment of compensation to be recovered from the said polluting units for the period of last 5 years, taking into account the cost of restoration and cost of damage to the public health and environment and the deterrence element. The scale of deterrence may be related to the period and the frequency of defaults. Such other factors as may be found relevant may also be taken into account. No further industrial activities or expansion be allowed with regard to 'red' and 'orange' category units till the said areas are brought within the prescribed parameters or till carrying capacity of area is assessed and new units or expansion is found viable having regard to the carrying capacity of the area and environmental norms. Pending assessment of compensation, interim compensation be recovered at the scale adopted by this Tribunal in the case of Vapi Industrial area as mentioned in para 22 above.

29. We further direct CPCB, with the assistance of SPCBs/PCCs or other experts, to compile information with regard to polluted industrial areas based on water pollution norms separately, air pollution norms separately and other pollution norm separately and notify such information on public domain within three months. On completing this exercise, action against identified individual polluters may be initiated on the same pattern on which direction have been issued in para 28 and furnish a report to this Tribunal in this regard also, before the next date.
30. We direct the MoEF&CC to take steps for enforcement of action plan for improvement of the situation.
31. We may also mention that hearing individual industrial unit is not considered necessary for passing the above order as the CPCB/State

PCBs must exercise their respective statutory powers by following the procedure prescribed under the statute even without intervention of this Tribunal. The Tribunal is only requiring such statutory bodies to perform their duties to uphold the law without going into an individual case<sup>28</sup>. Direction is with reference to data compiled, or to be compiled, by the said bodies only.

32. It is made clear that white and green or non-polluting industries which are not causing any pollution will not be affected by this order except that the parameters thereof may be monitored with a view to see that under the garb of label of white/green or otherwise, the polluting activity is not continued.

33. We direct that the CPCB will be at liberty to have an appropriate panel of Experts to augment its capacity, in case the available manpower is found to be inadequate to execute the above order and for this purpose utilise the environment funds available under the environmental compensation head. In this regard, reference may also be made to order dated 22.01.2019, of this Tribunal in O.A No. 101/2019, *Central Pollution Control Board Vs. Assam State Pollution Control Board & Ors.* which enables CPCB to utilise the environment fund for the purpose.

34. Let a compliance report be filed by the CPCB after three months but before the next date by email on [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in).

List for further consideration on 05.11.2019.

---

<sup>28</sup> M.C Mehta Vs. Union of India & Ors., (2001) 3 SCC 756, at para 8, the Supreme Court repeated the stand that in re M.C Mehta Vs. Union of India (1998) 6 SCC 63, the Court had passed directions to all bus operators in Delhi to make a shift from diesel and other fuels to CNG, the Supreme Court's directions are all *in rem* and not *in personam*.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

July 10, 2019  
Original Application No. 1038/2018  
AK



*Alakshya*

//TRUE COPY//

Item Nos. 03 &amp; 04

Court No. 1

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

I.A. No. 479/2019  
IN  
Original Application No. 1038/2018  
WITH  
Review Application No. 44/2019  
IN  
Original Application No. 1038/2018

News item published in "The Asian Age" Authored by Sanjay Kaw  
Titled

"CPCB to rank industrial units on pollution levels"

WITH

Union of India

Applicant(s)

Versus

News item published in "The Asian Age" Authored  
by Sanjay Kaw Titled "CPCB to rank industrial units  
on pollution levels"

Respondent(s)

Date of hearing : 19.08.2019

Date of uploading of order : 23.08.2019

**CORAM:**      **HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON**  
                  **HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER**  
                  **HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER**  
                  **HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicants in the Review  
Application and the I.A. :

Mr. Rajkumar, Advocate for CPCB  
Mr. Attin Shankar Rastogi and Ms.  
Suman Kharb, Advocates for  
MoEF&CC

**ORDER**

1. This order will dispose of Review Application No. 44/2019 filed by the Ministry of Environment, Forest and Climate Change (MoEF&CC) for

review of the order of this Tribunal dated 10.07.2019 and I.A. No. 479/2019 filed by the Central Pollution Control Board (CPCB) for clarification of the said order.

2. Order dated 10.07.2019 dealt with the issue of remedial action against polluting industries in the identified polluting industrial clusters. The CPCB had carried out study of industrial clusters in the country with reference to the Comprehensive Environmental Pollution Index (CEPI) which includes weightages on nature of pollutants, ambient pollutant concentrations, receptors (number of people affected) and additional high-risk element. On the basis of the above study in 2009-10, 88 industrial clusters were notified as Polluted Industrial Areas (PIAs). These PIAs were ranked as 'critically polluted area' (CPA), 'severely polluted area' (SPA) and 'other polluted areas' (OPAs), depending upon the CEPI scores of each of these industrial areas. The CEPI criteria was revised in 2016 and, based on the CEPI-2016 criteria, CPCB carried out further monitoring in the year 2017-18 where it was found that number of identified polluted industrial clusters went up to 100. The said number includes 38 critically polluted, 31 severely polluted and remaining 31 as other polluted areas.
3. The Tribunal vide order dated 13.12.2018 directed all the State Pollution Control Boards (SPCBs)/Committees (PCCs) to finalize time bound action plans within three months so as to bring all polluted industrial clusters within the safe parameters under the provisions of

the Air Act and the Water Act. The SPCBs and CPCB were free to take coercive measures, including recovery of compensation for damages to the environment on 'Polluter Pays' principle and also to adopt precautionary measures on 'Precautionary' principle. The CPCB was directed to serve a copy of the above mentioned order to all the SPCBs who were to furnish the same to the respective Chief Secretaries of the States for necessary action. The MoEF&CC was directed to take steps on the basis of report of the CPCB. Action taken reports were to be furnished by the CPCB and the MoEF&CC to this Tribunal before 31.05.2019. In the States, action plans were to be prepared by Committees headed by the Chief Secretaries.

4. The matter was thereafter considered on 10.07.2019. From the letter dated 17.05.2019 produced during the hearing, the Tribunal noted the CEPI Score for 100 PIAs monitored during 2018 and held that while strategies may be worked out for reducing the pollution load in the industrial clusters in question, the statutory regulators must perform their functions in the light of 'sustainable development' and 'precautionary' principle of stopping polluting activities and taking other coercive measures. It was observed:

*“23. In the present case, in view of massive exercise already done by CPCB, it is not necessary to require any further verification about the existence of pollution in the said PIAs. The Tribunal can direct that the polluting activities cannot be allowed to continue till adequate measures are taken as the Tribunal is bound to apply the ‘Sustainable Development’<sup>1</sup>,*

---

<sup>1</sup> M.C Mehta Vs. Union of India (1997) 2 SCC 353, where the Supreme Court of India held – The development of industry is essential for the economy of the country, but at the same time the environment and the ecosystems have to be protected. The pollution created as a consequence of development must be commensurate with the carrying capacity of our ecosystem.

*'Precautionary'<sup>2</sup> and 'Polluter Pays'<sup>3</sup> principle under Section 20 of the National Green Tribunal Act, 2010 to protect the environment and the victims. The statutory regulatory bodies can be required to straightaway identify the particular industrial units in the said PIAs that are causing pollution, particularly those units which fall under the red and orange category and take action against them by way of closing the polluting activity, initiating prosecution and assessing and recovering compensation. Pending such assessment, interim compensation may be recovered on the scale adopted by this Tribunal in the case of Vapi industrial area<sup>4</sup>.*

*24. CPCB has compiled data of industrial clusters which are polluting in terms of air, water and other norms together. Under the law, even air pollution or water pollution or other pollution, are independent offences. The sustainable development and precautionary principle require any polluting activity to be prohibited and compensation recovered for damage caused from polluters. If there is air pollution, actionable under the Air Act, even if there is no violation of Water Act or EPA Act, such pollution cannot be ignored. There has to be prosecution, stopping of polluting activity and recovery of compensation for restoration of the environment. We have seen that even when norms of air, water and other pollution are being violated, prosecution, stopping of polluting activities and recovery of compensation is not taking place for which there is no justification. Likewise action to prohibit polluting activity, initiating prosecution and recovery of compensation is required not merely for the PIAs based on violation of norms under all the heads, but also for areas where air, water or other pollution is found individually. Thus areas not covered by PIAs are also required to be governed by our directions for enforcing the law by way of stopping polluting activity and taking other steps. The fact that such pollution is taking place is evidenced by there being acknowledged pollution in the form of 351 polluted river stretches<sup>5</sup> and 102 non-attainment cities<sup>6</sup>.*

<sup>2</sup> M.C Mehta vs. Union of India & Ors., (2009) 6 SCC 142, at para 23, 30 & 46, the Supreme Court addressed the issue of wide threat to forest ecology vis-à-vis the mining activities in the Aravalli hills and explained that it is important to evoke the precautionary principle to impose complete ban on mining in the Aravalli Range in state of Haryana.

<sup>3</sup> Indian Council for Enviro Legal Action & Ors. Vs. Union of India & Ors., (1996) 3 SCC 212 Para 16, Vellore Citizens Welfare Forum Vs. Union of India & Ors. (1996) 5 SCC 647 Para 12-18 – holding that “Polluter Pay” principle is ‘accepted principle and part of environmental law of the country, even without specific statute. M.C Mehta Vs. Union of India & Ors., W.P (C) No. 13029/2015 order dated 24.10.2017 of the Supreme Court of India., O.A 95/2018, order dated 11.01.2019 & O.A No. 593/2017, order dated 03.08.2018: The Tribunal directed CPCB to take penal action against those accountable for failure in setting up CETPs/STPs/STPs and to recover compensation for damage to the environment,

<sup>4</sup> *Supra* 15

<sup>5</sup> O.A. 673/2018, News Item Published in ‘The Hindu’ authored by Shri. Jacob Koshy titled “More river stretches are now critically polluted: CPCB”, Order dated 20.09.2018

<sup>6</sup> O.A. 681/2018, News Item Published In ‘The Times of India’ Authored by Shri. Vishwa Mohan Titled “NCAP with Multiple Timelines to Clear Air in 102 Cities to be released around August 15” order dated 08.10.2018

25. CPCB must compile data of polluted industrial areas not confined to more than one parameters as is now being done, but also with respect to polluted areas based on water, air or other pollution individually. Compiling data for categorizing areas as polluted areas based on water pollution alone, or air pollution or other pollution alone may be a step in the right direction. Let this be now done in the next three months, with the assistance of State PCBs/PCCs or other experts. In this regard we may note that dealing with the industrial water pollution, this Tribunal directed the CPCB to compile its monitoring report with reference to 97 CETPs installed in different states as this was linked to 100 PIAs also.<sup>7</sup>

26. Needless to state that there is no right to carry on business in violation of pollution norms and right of statutory authorities is coupled with duty. Such right, does not carry any unlimited discretion of not taking action when pollution norms are violated.

27. In view of the material compiled by the CPCB, with the assistance of SPCBs/PCCs, in respect of polluted industrial areas, where action is not being taken by statutory authorities, the Tribunal has to exercise its jurisdiction of directing performance of statutory functions and duties by the State boards/committees, following similar direction by the Apex Court<sup>8</sup>.”

5. In the light of above findings, the Tribunal in its order dated 10.07.2019 directed:

“28. Accordingly, we direct the CPCB in coordination with all State PCBs/PCCs to take steps in exercise of statutory powers under the Air (Prevention and Control of Pollution) Act, 1981, Water (Prevention and Control of Pollution) Act, 1974, Environment (Protection) Act, 1986 or any other law to prohibit operation of polluting activities in the said CPAs and SPAs within three months and furnish a compliance report to this Tribunal. The Central Pollution Control Board, in coordination with the State Boards/PCBs may make assessment of compensation to be recovered from the said polluting units for the period of last 5 years, taking into account the cost of

<sup>7</sup> O.A No. 593/2017, order dated 19.02.2019, Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors.

<sup>8</sup> M.C Mehta (Calcutta Tanneries' Matter) Vs. Union of India & Ors., (1997) 2 SCC 411, at para 17, the Supreme Court directed the Board to take action against defaulting tanneries which, including those which had not complied with the conditions under Water Act as mentioned in their consents. In M.C Mehta Vs. Union of India & Ors., (2004) 6 SCC 588, paras 37,48, 517 69, the Supreme Court passed direction on closure of industrial units which were illegally operating and were in violation of the Master Plan.

*restoration and cost of damage to the public health and environment and the deterrence element. The scale of deterrence may be related to the period and the frequency of defaults. Such other factors as may be found relevant may also be taken into account. No further industrial activities or expansion be allowed with regard to 'red' and 'orange' category units till the said areas are brought within the prescribed parameters or till carrying capacity of area is assessed and new units or expansion is found viable having regard to the carrying capacity of the area and environmental norms. Pending assessment of compensation, interim compensation be recovered at the scale adopted by this Tribunal in the case of Vapi Industrial area as mentioned in para 22 above.*

*29. We further direct CPCB, with the assistance of SPCBs/PCCs or other experts, to compile information with regard to polluted industrial areas based on water pollution norms separately, air pollution norms separately and other pollution norm separately and notify such information on public domain within three months. On completing this exercise, action against identified individual polluters may be initiated on the same pattern on which direction have been issued in para 28 and furnish a report to this Tribunal in this regard also, before the next date.*

*30. We direct the MoEF&CC to take steps for enforcement of action plan for improvement of the situation.*

*...*

*32. It is made clear that white and green or non-polluting industries which are not causing any pollution will not be affected by this order except that the parameters thereof may be monitored with a view to see that under the garb of label of white/green or otherwise, the polluting activity is not continued."*

6. We have heard learned Counsel for the MoEF&CC and the CPCB in support of their review application and application for clarification respectively.
7. Case of the MoEF&CC in seeking review is that the MoEF&CC is yet to take a final view in the matter of protocol to be followed by the States/UTs for implementation of the action plan for environmental improvement of CPAs after considering the report of the CPCB, as noted in para 10 of the order dated 10.07.2019. Current CEPI

framework may need to be reviewed. CEPI score is to be used as a warning tool for formulating an action plan to restore environment quality. MoEF&CC will require six months for policy framework and one year for implementation and till then ban on expansion/setting up new industries may be kept in abeyance.

8. Case of CPCB in seeking clarification is that certain SPCBs/PCCs are not clear whether even compliant 'red' and 'orange' industries are to stop their operations and whether non-industrial 'red' and 'orange' category projects of public utility are also to be prohibited. Further, the units which have sought consent to establish (CTE) by abating the pollution or where EC and CTE is already granted are to be covered by order of this Tribunal. Industrial Associations have represented that compliant industries should not be affected and those who have already paid compensation should not be required to pay compensation again. CEPI score does not reflect contribution of individual sectors such as industrial, vehicular, generator sets, municipal and other solid wastes etc. separately which exercise was required to be undertaken.
9. We have given due consideration to the submissions. As regards the plea of MoEF&CC that CEPI policy framework will be finalized and implemented in six months and one year, we are of the view that the order of the Tribunal does not in any manner debar the MoEF&CC to take the proposed steps. However, pendency of such steps can be no justification for not enforcing the existing pollution norms and

applying the 'Sustainable' 'Precautionary' and 'Polluter Pays' principles on the basis of data available.

10. What the Tribunal has directed is *inter alia* to “*identify the particular industrial units in the said PIAs that are causing pollution, particularly those units which fall under the 'red' and 'orange' category and take action against them by way of closing the polluting activity, initiating prosecution and assessing and recovering compensation*”<sup>9</sup>. No ground whatsoever has been shown to review the said direction. Further direction of the Tribunal is that “*No further industrial activities or expansion be allowed with regard to 'red' and 'orange' category units till the said areas are brought within the prescribed parameters or till carrying capacity of area is assessed and new units or expansion is found viable having regard to the carrying capacity of the area and environmental norms.*”<sup>10</sup> Objection to this direction is that there may be 'red' or 'orange' category units which may not in any manner add to the pollution. If it is so, all that is required is to determine viability of such units on 'Precautionary' principle by an appropriate mechanism. Reasons for doing so are that the area as per data available is polluted and 'red' and 'orange' category have higher potential for pollution. There is no absolute bar to such units being set up if they are found to be viable. This clarification should take care of any possible apprehension that the order of the Tribunal will obstruct any legitimate industrial activity. The MoEF&CC can forthwith devise an appropriate mechanism to ensure that new

<sup>9</sup> Para 23

<sup>10</sup> Para 28

legitimate activity or expansion can take place after due precautions are taken in the areas in question by 'red' and 'orange' category of units.

11. Coming to the apprehension of the CPCB, it is clear from paras 28 and 32 of the order reproduced above that action has to be taken only against polluting activities. If any unit is compliant with the norms, such unit is not affected. There is no basis for apprehension that compensation may have to be paid twice. The provisions of Air Act, Water Act and EPA Act and the rules or other environment norms are to be enforced not only against the industrial units but also against every polluting activity whether the same has already been set up or is yet to be set up in terms of provisions of the law in question. This being the undisputed legal position, no further clarification remains necessary.

The applications stand disposed of accordingly.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

August 19, 2019  
I.A. No. 479/2019 In O.A. No. 1038/2018  
With  
Review Application No. 44/2019 In O.A. No. 1038/2018  
DV



*Shankar*

**//TRUE COPY//**

ANNEXURE R-20

Annexure – 2.0

FEASIBILITY REPORT

550 KLD SEWAGE TREATMENT PLANT



PROJECT:

DURGA INDUSTRIAL TOWNSHIP

SITE IV, SAHIBABAD INDUSTRIAL AREA,

GHAZIABAD, U.P.



BY

BIKON WATER TREATMENT (P) LTD.

322, DLF QUTUB PLAZA, DLF CITY PHASE-1,

GURGAON-122002

## FOREWORD

This report has been prepared mainly to serve as a technical guide to show the design of the Sewage Treatment Plant that has to be installed at the said premises for M/s Durga Enterprises Pvt Ltd for project : Durga Industrial Township at site IV, Shahibabad, Industrial Area, Ghaziabad, U.P. It is intended to give the basic principles of the process & equipments to be adapted & installed in this system. The Capacity of the Plant is 550 KL per day. This report is further intended to analyse the technology, process adapted and design of this plant.

## INDEX

- 1.0 Introduction
- 2.0 Waste Water Generation Rate & Characteristics
- 3.0 Design Basis
- 4.0 Process Description
- 5.0 Process Flow Diagram
- 6.0 Equipment Data Sheet
- 7.0 Tank Sizing Details
- 8.0 Plant Layout

## 1.0 INTRODUCTION

M/s Durga Enterprises Pvt. Ltd., had decided to install a Sewage treatment plant for their project at Sahibabad, Ghaziabad, U.P. In order to conserve water, the treated sewage is to be used for irrigation and recycling for flushing etc. The sewage is to be generated basically from toilets, bathrooms & kitchens in the project. The sewage flow conditions will be varying throughout the day with the flow peaking in the morning & evening hrs. It is proposed to treat the sewage in a MBBR (Moving Bed Bio-reactor) process, not only to reduce the level of pollution in the wastewater to the limits.

## 2.0 WASTEWATER GENERATION RATE & CHARACTERISTICS:

The total wastewater generation rate and salient characteristics would be as below:

**TOTAL SEWAGE GENERATED** : 5,50,000 lts./day

### **RAW SEWAGE PARAMETERS**

pH : 6.0 to 8.5  
BOD5 : 250-350 mg/l.  
S. Solids : 250-450 mg/l.  
COD : 500 – 700 mg/l.  
Oil & Grease ABS : < 50 mg /lt.

### **TREATED EFFLUENT PARAMETERS**

pH : 6.0 to 8.3  
BOD5 : < 10 mg/l.  
S. Solids : < 10 mg/l.  
COD : < 50 mg/l.  
Oil & Grease ABS : < 10 mg /lt.

### 3.0 DESIGN BASIS

The major parameters towards basis of design for the STP under reference has been considered as follow:

1.	Nature of wastewater	Domestic Sewage From Toilets , Kitchen Waste etc.
2.	Flow rate	550 M3 / DAY
3.	Treatment process	Moving Bed Bio-reactor (MBBR) process using fine / Coarse bubble diffused aeration system.
5.	BOD load	190 Kg per day

#### 4.0 PROCESS DESCRIPTION

In order to conserve water, the treatment plant shall be designed to ensure that treated effluent (water) characteristics are well below the permissible limits. It is proposed to use Attached Growth system working on the principle of Moving Bed Bio-reactor process based on the MBBR process.

Sewage will flow via gravity through a bar screen chamber & Oil & Grease Trap to an Equilization Tank. A bar screen shall be provided at the inlet point in the bar screen chamber and the waste water will flow through this bar screen into the Tank. Bar screen shall be so designed that it can be cleaned manually from outside the Tank. The oil & grease from the Oil & Grease Trap would have to be removed manually. Waste water from the equilization tank shall be transferred by means of Pumps into the MBBR tank where the biomass is allowed to grow on plastic type moving media. The process generally consists to two successive aeration tanks where the media is completely submerged in the waste water. Both up flow and down flow processes take place. The raw waste water goes in an up flow pattern in the first aeration tank and subsequently in a down flow pattern in the next tank. The organic material present in the waste water is degraded by a population of microorganisms attached to the media. Organic material from the liquid is adsorbed on to the biological film or slime layer. In the outer portions of the slime layer, the organic material is degraded by aerobic microorganisms. As the microorganisms grow, the thickness of the slime layer increases, and the diffused oxygen is consumed before it can penetrate the full depth of the slime layer. Thus an anaerobic environment is established near the surface of the media. As the slime layer increases in thickness, the adsorbed organic matter is metabolized before it can reach the microorganisms near the media face. As a result of having no external organic source available for cell carbon, the microorganisms near the media face enter into an endogenous phase of growth and lose their ability to cling to the media surface. The liquid then washes the slime of the media, and a new slime layer starts to grow.

After achieving a complete mixing of organisms over a retention period of approximately 5-6 hrs, the effluent would flow via gravity into the Tube Settler. In the tube settler, PVC Tube Media would be provided to enhance settling of the sludge with attached settling process. Through the use of baffles the liquid in the Tube Settler is maintained in quiescent condition which allows the solids to settle to the bottom for collection. The accumulating solids known as "Sludge" shall be constantly pumped back into the MBBR tank by sludge recycle pumps. This return sludge undergoes further digestion in the aeration tank and also provides the active organism needed to digest the incoming raw sewage.

The Tube Settler shall be provided with overflow weir to collect the treated effluent and a scum launder shall keep any floating matter from passing out in the final treated water. Treated water from Tube Settler shall overflow into a chlorine contact tank where hypochlorite solution shall be added to disinfect the treated water.

Excess sludge from the bottom of the Tube Settler shall be wasted in an adjoining aerobic digester cum thickener tank. In this tank sludge shall be aerated. The air shall be shut off periodically and supernatant water shall flow into the collection tank. This way the sludge shall be thickened and its volume shall be reduced. The sludge digester cum thickener tank shall be sized to hold excess sludge. The excess sludge would be further passed into a filter press where the sludge would be further compressed between plates manually and the liquid concentration in the sludge would be further reduced. The sludge would then form into semi-solid cake which can be removed for disposal.

### **TERTIARY TREATMENT**

The clear water from the Chlorine Contact Tank, would be transferred by means of its Filter Feed Pumps into the Multi Grade Sand Filter & Activated Carbon Filter for further filtration. The Multi-Grade Sand Filter is intended to remove any particulate matter present in the water and the Activated Carbon Filter is intended to remove any colour or Odour in the water as also to de-chlorinate the chlorine dosed earlier.

### **BLOWERS AND AERATION SYSTEM**

The treatment plant shall be provided with rotary positive displacement blowers with a common base, belt drive system, drip proof induction type electric motors, necessary valves including a pressure relief valve, a central electric panel and silencers on the intake and discharge. Each blower motor unit shall be housed in a suitable enclosure. All piping and related accessories necessary to connect the blowers to the treatment plant air header shall be provided as well.

All air piping from the blower motor unit to the air header shall be approved steel pipe with malleable iron fittings. Flexible reinforced rubber connecting sleeves shall be provided wherever required.

Each air diffusion device shall be connected to the air header with individual 20 dia drop pipes. The drop pipe assembly shall be connected to the air header in a manner to permit raising the drop pipe and diffusion device above the water surface quickly and without disturbing air flow to the other diffusers. Each diffuser drop pipe shall be equipped with non-clog fine / coarse bubble diffusers of sufficient quantity to keep pressure loss through the drop pipe assembly to a minimum. The air diffusion devices shall be designed to distribute air over the entire area of the tank and to have an efficiency such that an adequate supply of oxygen is maintained in the tanks to treat the sewage load for which the plant is designed.

## ELECTRICAL CONTROLS

The plant shall be completely pre wired / site wired and shall include all the power and control cabling required for the fully automatic operation of the plant. The control system shall include circuit breakers, motor, starters and timers all housed in a weather proof cubicle type panel board.

All wiring shall run through electrical metallic tubing. All wiring shall be sized according to the National Electric Code Standards. No splice shall be permitted in the service wires. It shall also be the responsibility of the contractor to furnish and install all required exterior disconnects, switching mechanisms, alarm or control conduit and wiring.

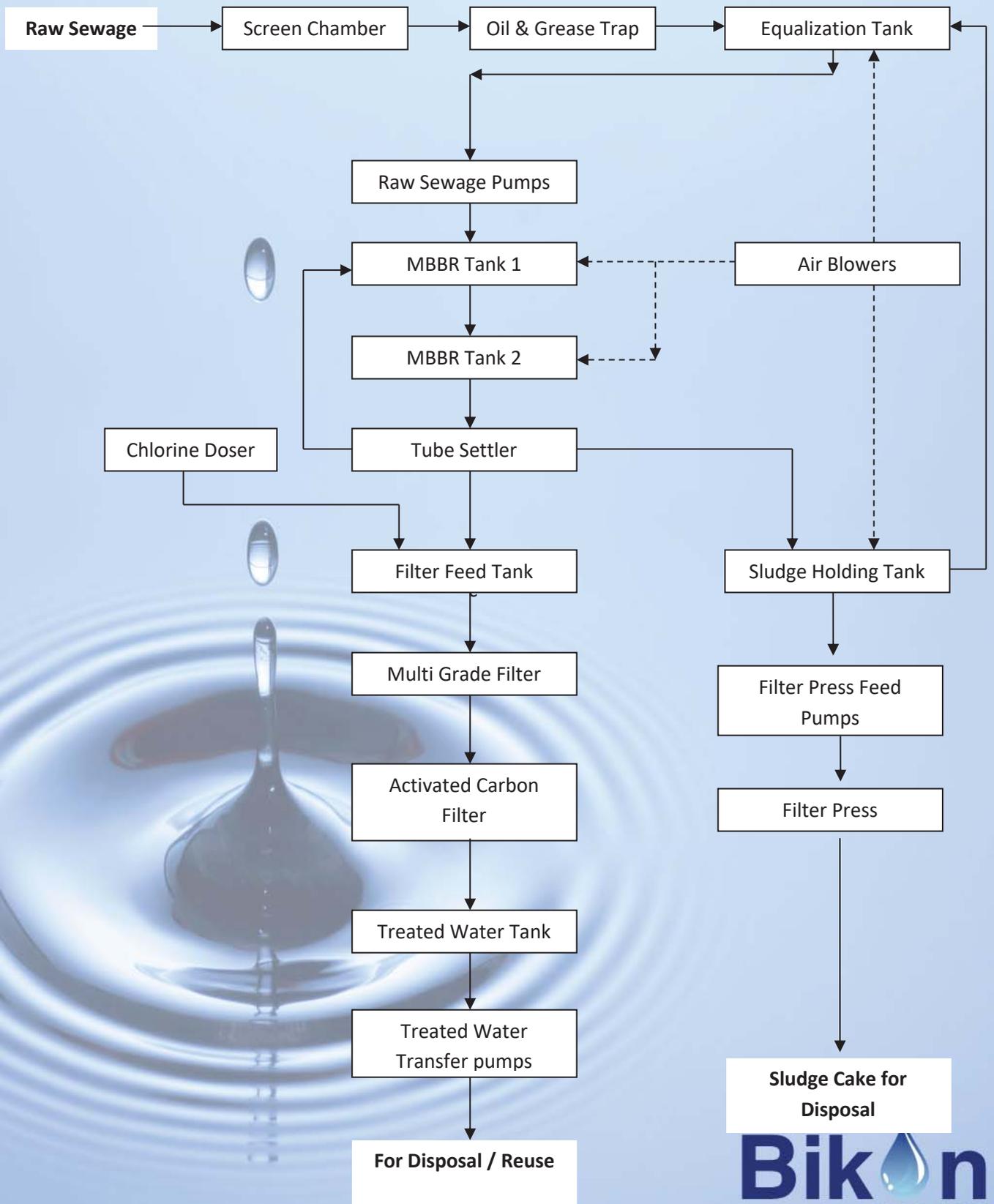
The branch circuit shall be short circuit protected by thermal magnetic air circuit breakers. All control circuits shall be protected by a single phase thermal magnetic air circuit breaker. A magnetic across the line starter with overload heaters in each phase and a common trip contact set shall be provided for each blower motor to give positive protection against single phasing.

Motor insulation shall be class 'B' insulation and the design shall be such that the maximum permissible temperature for the insulation is not exceeding when the motor operates at service factor load in a -5 to 45° C ambient on full load condition.

All motors shall have anti-friction, ball-bearings sized an average life of at least 100,000 hours under normal V-BELT loading conditions.

The mechanical/electrical system shall be designed to withstand ambient temperature range of 0°C - 50° C.

5.0 PROCESS FLOW DIAGRAM.



## 6.0 EQUIPMENTS DATA SHEET

### 1. SS Bar Screens

Make	:	Bikon
MOC	:	SS 304
Qty	:	02 Nos.
Size	:	1000 X 600 mm

### 2. Submersible Mixer

MAKE	:	CRI
No. Of units	:	01 No.'
Motor	:	0.75 KW

### 3. Air Blowers

MAKE	:	Everest
Type	:	Twin Lobe
No. of units	:	02 Nos (1working / 1 Standby)
Head	:	0.5 kg/cm2
Capacity	:	500 m3/hr
Rating	:	11 KW

#### 4. Raw Sewage Pumps

MAKE	:	WILO
No. Of units	:	02 Nos (1working / 1 Standby)
Motor	:	1.5 KW
Capacity	:	21,000 lph at a head of 10 mtrs.
Solids	:	Up to 32 mm
Casing	:	CI
Impeller	:	CI

#### 5. Sludge Recirculation Pumps from Tube Settler to MBBR Tank and Sludge Holding Tank

MAKE	:	Kirloskar
No. Of units	:	02 Nos (1working / 1 Standby)
Motor	:	1.5 KW
Capacity	:	17000 lph at a head of 10 mtrs.
Solids	:	Up to 7-8 mm
Casing	:	CI
Impeller	:	CI

#### 6. Sludge Transfer Pumps from MBBR Tank to Anoxic Tank

MAKE	:	Kirloskar
No. Of units	:	02 Nos (1working / 1 Standby)
Motor	:	3.7 KW
Capacity	:	84000 lph at a head of 8-10 mtrs.
Solids	:	Up to 7-8 mm
Casing	:	CI
Impeller	:	CI

#### 7. Filter Press Feed Pumps

MAKE	:	Rotomac
No. Of units	:	02 Nos (1working / 1 Standby)
Type	:	Horizontal, Centrifugal
Capacity	:	3000 lph at a head of 30-45 mtrs.
Casing	:	CI
Impeller	:	CI
Rating	:	1.5 KW

#### 8. Filter Press

MAKE	:	Bikon
Plate Size	:	24" x 24"
No. of Plates	:	23 Plates

### 9. Filter Feed Pumps

MAKE	:	Kirloskar
No. Of units	:	02 Nos (1working / 1 Standby)
Type	:	Horizontal, Centrifugal
Capacity	:	31000 lph at a head of 30-35 mtrs.
Casing	:	CI
Impeller	:	CI
Rating	:	5.5 KW

### 10. Balance Water Transfer Pumps

MAKE	:	Kirloskar
No. Of units	:	02 Nos (1working / 1 Standby)
Type	:	Horizontal, Centrifugal
Capacity	:	7000 lph at a head of 25 mtrs.
Casing	:	CI
Impeller	:	CI
Rating	:	1.5 KW

### 11. Plant Room Sump Pumps

MAKE	:	WILO
No. Of units	:	02 Nos (1working / 1 Standby)
Motor	:	3.7 KW
Capacity	:	28800 lph at a head of 17 mtrs.
Solids	:	Up to 32 mm
Casing	:	CI
Impeller	:	CI

### 12. Treated Water Transfer HPN System

MAKE	:	Ebara
No. Of Pumps	:	03 Nos (2 working / 1 Standby)
Motor (each)	:	4.0 KW
Capacity(Each)	:	24000 lph at a head of 35 mtrs.
Control	:	Single VFD (PLC Based)
Pressure Tank	:	2 x 200 Ltrs
Casing	:	SS
Impeller	:	SS

### 13. MBBR Media

MAKE	:	Bikon
Qty	:	30 cu.mtr
Type	:	MBBR (Moving BedBioreactor)

#### 14. Tube Dek Media

Qty	:	12.78 cu.mtr
Type	:	Tube Dek Media
Length of Module	:	5500 mm
Width of Mudule	:	3100 mm
Height of Module	:	750 mm
No. of Mudules	:	02 Nos.

#### 15. Multi Grade Filter

Make	:	Bikon
Qty	:	01 No.
Service Flow rate	:	31000 lph
Size	:	1600 mm dia x 1500 mm height
MOC	:	MSEP
Media	:	Pebble / Gravel / Coarse Sand / Fine Sand / Anthracite
Working Pressure	:	Max. 3.5 kg/cm <sup>2</sup>
Backwash time	:	20 min.
Rinse time	:	10 min.

### 16. Activated Carbon Filter

Make	:	Bikon
Qty	:	01 No.
Service Flow rate	:	31000 lph
Size	:	1500 mm dia x 1500 mm height
MOC	:	MSEP
Media	:	Pebble / Gravel / Activated Carbon.
Working Pressure	:	Max. 3.0 kg/cm <sup>2</sup>
Backwash time	:	20 min.
Rinse time	:	10 Min.

### 17. Ozonator

Make	:	Mechtech
Qty	:	01 No.

### 18. Instrumentation

Electro-magnetic Flow Meter	:	At Raw Sewage Inlet
Bulk Meter	:	At Outlet of ACF
Pressure Guages	:	1 Lot

## 18 Electric Control Panel

The main panel of STP is non-compartmentalized (single door type), dust and vermin proof, wall mounted type installed in maintenance office. All starters are provided with MCB, contactors, overload relays with built in SPPR, indicating lights (ON/OFF/TRIP), push buttons and common hooter for tripping.

## 6.0 TANK SIZING DETAILS

S.NO	PARTICULARS	VOLUME	QTY
1.	Screen Chamber		01 No.
2.	Oil & Grease Trap	8 KL	01 No.
3.	Equalization Tank	204 KL Effective	01 No.
4.	MBBR Tank	54 KL Effective	02 Nos.
5.	Tube Settler	20 sq.mtr	01 No.
6.	Filter Feed Tank	49 KL	01 No.
7	Treated Water Tank	185 KL	01 No.
8	Sludge Holding Tank	55 KL	01 No.

*Dehati*

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

**I.A. NO. \_\_\_\_\_ OF 2022**

**IN O.A. NO. 265 OF 2022**

**IN THE MATTER OF:**

**PRASOON PANT & ANOTHER.**

**...APPLICANTS**

**Versus**

**MINISTRY OF ENVIRONMENT,  
FOREST & CLIMATE CHANGE &  
ORS.**

**...RESPONDENTS**

**APPLICATION ON BEHALF OF RESPONDENT NO. 8 / PROJECT  
PROPONENT FOR VACATION OF STAY GRANTED VIDE  
ORDER DATED 28.04.2022**

**MOST HUMBLLY SHOWETH:**

1. The Original Application before this Hon'ble Tribunal has been filed by the Applicants by concealing material facts and misrepresenting the correct facts of the case. The Application is merely a tactic of the Applicants to arm-twist the Project Proponent into agreeing to their illegal demands and extortions. The Project Proponent, M/s. Durga Enterprises Pvt. Ltd. is developing an Industrial Park at Ghaziabad for promoting Green and White Category Industries.
2. The Project Proponent has filed its Reply to Original Application bringing out the correct facts of the case and craves leave of this Hon'ble Tribunal to refer to and rely upon the contents of the same which have not repeated herein for the sake of brevity.

**STAY ORDER**

3. However, the Applicants by misrepresenting such facts, misled this Hon'ble Tribunal into passing a Stay Order dated 28.04.2022 against the Project Proponent. The relevant portion of Stay Order dated 28.04.2022 has been extracted below for ready reference of this Hon'ble Tribunal:

*“5. In the meanwhile, the District Magistrate, Ghaziabad is directed to ensure that no further construction is raised on the land in question before grant of CTE/NOC by UPPCB and other authorities as required by environmental clearance dated 15.01.2021. Till further orders to the contrary, the project proponent shall also not create any further third party rights and also third party rights, if any, already created shall be subject to further orders of this Tribunal.”*

4. The aforesaid stay order has been obtained with malice and the Applicants have approached this Tribunal with unclean hands by misrepresenting the facts of the case. Furthermore, the Stay Order does not serve any effective purpose in view of the fact, that the basis on which the Stay Order was granted were completely false and correct facts have now been placed before this Hon’ble Tribunal. Further, the UPPCB has granted Consent to Establish in favour of the Project Proponent after carefully considering all the relevant criteria.

### **GROUND FOR VACATION OF STAY ORDER**

#### **MISREPRESENTATION OF FACTS**

5. It is most respectfully submitted that the present Application has been filed the present Application by concealing material facts and misleading this Hon’ble Tribunal by misrepresenting facts. The Applicants have misrepresented and attempted to mislead this Hon’ble Tribunal into believing that the Park has been set-up for Red/Orange Category Industries whereas the Park is only for the purpose of Green and White Category Industry.
6. The Applicants further misrepresented that the Project Proponent has started construction in the Industrial Park which is a completely false statement and without any merit whatsoever. It is most humbly submitted that the Project Proponent did not undertake any construction work before the grant of CTE. Furthermore, the scope of Project Proponent in developing the Industrial Park does not involve construction of any industry and, therefore, any allegation of illegal construction is completely contrary, baseless and false.

Therefore, there is no occasion for the Project Proponent to undertake any construction whatsoever.

7. The Project Proponent has only undertaken activities which safeguard the environment from degradation such as developing Sewage Treatment Plant, Green Belts and Rain Water Harvesting Ponds for conservation of water, and thus, have only worked towards the betterment of environment.

### **CHANGE IN FACTS OF THE CASE**

8. All the documents/ permissions/ sanctions/ NOC with respect to the Project Proponent are in place with the Project Proponent. Therefore, the Industrial Park of the Project Proponent has been proposed to be developed after due assessment of all the Authorities and cannot be challenged by a layman such as the Applicants without any technical qualification and merely on their whims and fancies.
9. The UPPCB granted CTE dated 01.06.2022 to the Project Proponent vide Letter No. 135540/ UPPCB/ Ghaziabad (UPPCBRO)/ CTE/ GHAZIABAD/ 2021. The NOC/CTE validates the development of the Industrial Park for the validity period from 01.06.2022 to 31.05.2027.
10. The Central Pollution Control Board vide Notification No. CPCB/10C-VII/CEPI/NGT/2019 dated 25/10/2019 clarified that there is no absolute bar on Industrial activities/projects if they are found viable. The applicants have misrepresented to this Hon'ble Tribunal and filed the present Application on the pretext that the present Industrial Park is being developed for Orange or Red Category Industries.
11. It is specifically clarified that the Industries proposed to be set up in the instant Industrial Park are only of White and Green Category. The said clarification has been provided in Order dated 10.07.2019. The relevant portion of the Order has been extracted below for ready reference of this Hon'ble Tribunal:

*“32. It is made clear that white and green or non-polluting industries which are not causing any pollution will not be affected by this Order ...”*

12. The Park has a total of 366 plots which on which the nature of the Industries proposed to be developed fall under the Green Category for 341 Plots, and under White Category for the remaining 25 Plots.
13. The Project Proponent transferred the Plots in the Industrial Park to the Industrial Developers after specifically informing that the said Plot can only be used for setting up a White or Green category Industry. Furthermore, the Project Proponent has given a specific undertaking dated 19.05.2022 that only Green and White category industry shall be set up in the said Industrial Park, and has also given the bifurcation thereof. Therefore, it can be stated without any iota of doubt that no Red or Orange category Industry will be set up in the said Industrial Park.

#### **NO EXTRACTION OF GROUND WATER**

14. The Project Proponent has taken a water and sewer connection from the Water Department of Ghaziabad Municipal Corporation vide letter dated 13.03.2020, and therefore it is well established that the Project/Park shall not use the ground water. The Project Proponent has also given specific undertaking dated 19.05.2022 stating that Ground Water will not be used by the proposed industries for domestic purposes. The Project proponent has also deposited substantial amount towards connection charges way back in 2020. This also shows that there has never been any intention of extracting Ground Water.
15. The Plot on which the Industrial Park is proposed to be set up was originally allocated for industrial usage only. Therefore, the Project Proponent has not altered the nature of use of the land and the same is being implemented after due compliance with all the NOC/CTE requirements from the Competent Authorities.
16. The Application is *bonafide* in nature and in view of the aforesaid facts, no prejudice would be caused to the Applicants if the same is allowed. However, grave prejudice would be caused to the Project Proponent if the same is not allowed.

**PRAYER**

*In view of the foregoing facts and circumstances, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:*

- a) *Vacate ex-parte stay granted vide Order dated 28.04.2022;*
- b) *pass any other Order in favour of Respondent No. 8 as this Hon'ble Tribunal may deem appropriate.*

**FOR THIS ACT OF KINDNESS, THE HUMBLE RESPONDENT,  
AS IS DUTY BOUND SHALL EVER PRAY.**

For Durga Enterprises Pvt. Ltd.

**RESPONDENT NO. 8  
PROJECT PROPONENT**

Authorized Signatory

THROUGH

Settled by:

**MR. PARAG TRIPATHI**  
SENIOR ADVOCATE

ADVOCATES FOR THE RESPONDENT NO. 8  
B-23, SECTOR-14, NOIDA (U.P.)  
[divyakant@lahotiadvocates.com](mailto:divyakant@lahotiadvocates.com)  
MOB. NO. 9868541200

Filed by:

(DIVYAKANT LAHOTI/  
KARTIK LAHOTI)  
**LAHOTI ADVOCATES**

PLACE: NEW DELHI  
DATE: 19.07.2022

**DIVYAKANT LAHOTI**  
**LAHOTI ADVOCATES**  
B-23, SECTOR - 14, NOIDA  
0120 - 4105444 / 9868541200  
[office@lahotiadvocates.com](mailto:office@lahotiadvocates.com)



## BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

I.A. NO. \_\_\_\_\_ OF 2022

IN O.A. NO. 265 OF 2022

IN THE MATTER OF:

PRASOON PANT &amp; ANOTHER.

...APPLICANTS

Versus

MINISTRY OF ENVIRONMENT,  
FOREST & CLIMATE CHANGE  
& ORS.

...RESPONDENTS

AFFIDAVIT

I, Narayan Gupta S/o Shri Munna Lal Gupta, aged about 35 years, working for gain at B-002, JM Florence, Sector Tech Zone – 04, Greater Noida West – 201 308 presently at New Delhi, do hereby state and affirm as under:

1. That I am the Authorised Representative of Respondent No.8 in the present case. I state that I am aware of the facts and circumstances of the present case and as such I am competent to swear this Affidavit.
2. That I have read the contents of the accompanying Application which has been drafted under my instructions and state that the contents thereof are true and correct to my knowledge and belief. The facts stated therein are true and correct on the basis of the record of the case which I believe to be true.
3. That the Annexures filed herewith, if any, are true copies of their respective originals.

*Identified  
as per  
7/40/08*

DEPONENT

VERIFICATION:

Verified at Delhi on this 19<sup>th</sup> day of July 2022 that the contents of paragraphs 1 to 3 of the above Affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

DEPONENT



**ATTESTED**  
*[Signature]*  
NOTARY PUBLIC  
(INDIA)