

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

OA No.221/2024

IN THE MATTER OF:

Poly Medicure Limited ... Applicant

Versus

Haryana State Pollution Control Board and Ors ... Respondent

**INDEX**

| S. No. | PARTICULARS  | Page No. |
|--------|--|----------|
| 1.     | Report of Haryana State Pollution Control Board in compliance of order dated 05.03.2024  | 1-4      |
| 2      | <b>Annexure-R/1:</b> Copy of Spot inspection report dated 30.04.2024   | 5-5      |
| 3      | <b>Annexure-R/2:</b> Show Cause Notice dated 16.05.2024  | 6-8      |
| 4      | <b>Annexure-R/3:</b> Copy of reply dated 29.05.2024  | 9-14     |
| 5      | <b>Annexure-R/4:</b> Copy of proceedings dated 02.07.2024  | 15-17    |
| 6      | <b>Annexure-R/5:</b> Copy of details sought by HSPCB and response by unit's representative on 03.09.2024   | 18-18    |
| 7      | <b>Annexure-R/6:</b> Copy of noise monitoring report alongwith location of sample collection points  | 19-23    |
| 8      | <b>Annexure-R/7:</b> Show cause notice dated 05/11/2024  | 24-28    |
| 9      | <b>Annexure-R/8:</b> Copy of reply dated 20.11.2024  | 29-30    |
| 10     | <b>Annexure-R/9:</b> Copy of order dated 02.12.2024 passed by Hon'ble Tribunal in Original Application No. 1336/2024 titled as Taj Forgings Pvt. Ltd. Vs Haryana State Pollution Control Board & Ors | 31-34    |



AEE, HSPCB,  
Ballabgarh



Regional Officer,  
HSPCB, Ballabgarh



Member Secretary,  
HSPCB

Date: 01.01.2025

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

OA No.221/2024

IN THE MATTER OF:

Poly Medicure Limited ... Applicant

Versus

Haryana State Pollution Control Board and Ors ... Respondent

**REPORT OF HARYANA STATE POLLUTION CONTROL BOARD  
IN COMPLIANCE OF ORDER DATED 05.03.2024**

MOST RESPECTFULLY SHOWETH:

1. The applicant in this original application is a medical device manufacturing company having its unit located at Plot No. 34, Sector 68, IMT Faridabad. The grievance of the applicant is that on the adjoining Plot No. 41, Sector 68, the respondent no. 3 i.e. Taj Forging Pvt. Ltd. is operating and manufacturing automobile parts, railway accessories, tractor parts etc. and for these manufacturing activities respondent no. 3 is making use of heavy forging hammers and other machinery which are causing very heavy vibrations and these vibrations are travelling upto the premises of the applicant and other nearby industrial units. The allegation of the applicant is that due to constant and heavy recurring vibrations, the workers are feeling uncomfortable, nauseous and sick and that the structure of the applicant factory is being damaged and cracks are appearing on the walls and floors and seepage is taking place.
2. That Hon'ble National Green Tribunal has directed that the grievance of the applicant needs to be duly considered by the

Member Secretary, HSPCB who is required to ascertain the correct factual position in respect of the allegations made in the OA, and take appropriate remedial measures after giving an opportunity of hearing to the concerned parties.

3. The concerned Field Officer inspected the site on 30.04.2024 and found that the unit has installed 5 no. of bell drop hammers and only 2 no. of hammers operate in a shift at a time as informed by M/s Taj Forgings Pvt. Ltd., Plot No. 41, Sector-68, IMT Faridabad (total 3 shifts) (**Copy of Spot inspection report is attached as Annexure-R/1**). The applicant unit i.e. M/s Poly Medicure Limited, Plot No. 33-34, Sector-68, IMT, Faridabad was also inspected on 30/4/2024 while M/s Taj Forgings Pvt. Ltd was operational and vibrations/tremors were felt in the applicant's unit along the common wall and visible cracks were found on the applicant's structural wall nearest to M/s Taj Forgings Pvt. Ltd Plot No. 41, Sector-68, IMT Faridabad and M/s Taj Forgings Pvt. Ltd was violating the provisions of Noise Pollution (regulation and Control) rules, 2000. The show cause notice was issued to the unit under section 5 & 8 of the Noise Pollution (regulation and Control) rules, 2000 under the Environment Protection Act, 1986 vide no. 284 dated 16.05.2024 (**Copy attached as Annexure-R/2**). Unit had submitted reply dated 29.05.2024 (**Copy attached as Annexure-R/3**).
4. A personal hearing was also given by Member Secretary, HSPCB at Head Office, Panchkulato both units M/s Taj Forging Pvt. Ltd. and M/s Poly Medicure Ltd. on 02.07.2024 in compliance of Hon'ble NGT Order dated 05/03/2024 and during the hearing the representative of M/s Taj Forging Pvt Ltd informed that necessary precautionary measures have already

been taken by the unit to control vibration and noise pollution being generated from their process and it was decided that the unit may be reinspected by Regional Office, Ballabgarh Region to submit a detailed factual report.**(Copy of proceedings dated 02.07.2024 is attached as Annexure-R/4).**

5. The said unit was reinspected on 03.09.2024 in the presence of representative of both units. Respondent unit was requested to inform about the measures adopted by the unit to control vibration and noise, remedial measures adopted by unit since last inspection dated 30.4.2024, medical record of workers facing health issue specially nausea etc.alongwith details of machinery for which M/s Taj Forging Pvt Ltd sought time of 7 days but till date no such information has been received.Copy of details sought by HSPCB and response by unit's representative on 03.09.2024 is attachedas **Annexure-R/5**.Noise monitoring could not be done due to sudden heavy rainfall. Unit was again inspected on 05.09.2024 along with the representatives of M/s Poly Medicure Ltd. Plot No. 34, Sector-68, IMT Faridabad and during inspection it was observed that 5 bell drop hammers have been installed of capacity 3.5T, 2T, 2T, 1.5T & 1T each.Operation of hammer section resulted tremors/vibrations in the premises of M/s Poly Medicure Ltd. It is submitted that noise monitoring was carried out in both the units i.e. M/s Taj Forging Pvt. Ltd., Plot No. 41, Sector-68, IMT Faridabad and M/s Poly Medicure Ltd., Plot No. 34, Sector-68, IMT Faridabad in presence of representatives of both the units.**(Copy of noise monitoring report alongwith location of sample collection points is attached as Annexure-R/6)** The Show cause notice was issued to the unit M/s Taj Forging Pvt. Ltd. Plot No. 41, Sector-68, Faridabad vide this office letter no. 1075-76 dated 05/11/2024 **(Copy is attached as Annexure-**

**R/7).** The reply of show cause notice submitted by the unit vide their letter dated 20.11.2024 is not found satisfactory as the unit has not submitted any action plan to comply with the deficiencies mentioned in the show cause notice dated 05/11/2024(**copy of reply dated 20.11.2024is attached as Annexure-R/8).**

6. Now Taj Forging Pvt Ltd has filed an Original Application No. 1336/2024 titled as Taj Forging Pvt Ltd Vs Haryana State Pollution Control Board & Ors wherein the Hon'ble NGT vide its order dated 02.12.2024 (**copy attached as Annexure-R/9**) has directed that in the meanwhile, no coercive action be taken on the basis of impugned show cause notice dated 05.11.2024 subject to the condition that the applicant shall ensure due compliance with the provisions of the Noise Pollution (Regulation and Control) Rules, 2000 and environmental norms. OA No.1336/2024 is scheduled to be listed on 06.02.2025 in which separate reply shall be filed by the HSPCB.

The report is submitted for kind consideration of this Hon'ble Tribunal.



AEE, HSPCB,  
Ballabgarh



Regional Officer,  
HSPCB, Ballabgarh



Member Secretary,  
HSPCB

Date: 01.01.2025

Spot inspection Report

1. Name and address of unit : Taj Forging Pvt Ltd, Plot No 41  
Sec 68 IMT
2. Date of inspection : 30/4/2024
3. Source of noise pollution : Forging machines (5 No) - Bell drop hammers

Sub: Monitoring report of noise level regarding machinery.

The monitoring of noise level inside and outside of Taj Forging Pvt Ltd, Plot No 41  
Sec 68 IMT  
conducted by the joint team i.e.

1. Sh. Yogender Bhati, Plant Head, Taj Forging Pvt Ltd, Plot No 41  
Sec 68 IMT
2. Vijwal, AEE
- 3.

On dated 30/4/24. The noise level monitoring report of the said unit/workshop/generator set/machine conducted by the team results are given as under: Total 5 hammers installed and as informed by unit representative, only 2 hammers operate in a shift (3 shifts)

Inside of unit with operating machine: 81.1 dB (LAeq) - towards Boundary wall with Poly medicare

Outside of unit with operating machine: 75.2 dB (LAeq) - main gate

Inside of unit without operating machine: 59.9 dB (LAeq) - towards Boundary wall with Poly medicare


Outside of unit without operating machine: 70.1 dB (LAeq) - main gate


Inside the unit with operating machine - 93.2 dB (LAeq)

↳ near Hammer section

Unit was inspected w.r.t. NIT order

\* copy received

  
30/04/24

  
AEE/JEE of HSPCB,  
BALLABGARH REGION



**HARYANA STATE POLLUTION CONTROL BOARD**  
Ballabgarh Region, Opp. Hewo Appmt., Sector-16A, Faridabad  
Email: [hspcbrobr@gmail.com](mailto:hspcbrobr@gmail.com), Website: [www.hspcb.gov.in](http://www.hspcb.gov.in)



NO. HSPCB/BR/2024/284

Dated: 16-05-2024

To

M/s Taj Forging Pvt. Ltd,  
Plot No 41, Sector 68, IMT, Faridabad.

**Sub:- Show Cause Notice under section 5 & 8 of THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000 under The Environment Protection Act, 1986.**

Ref: NGT order dated 05.03.2024 in OA no 221/2024 and NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000.

Whereas, THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000 specify Restrictions on the use of loud speakers / public address system and sound producing instruments.

"(4) The noise level at the boundary of the public place, where loudspeaker or public address system or any other noise source is being used shall not exceed 10 dB (A) above the ambient noise standards for the area or 75 dB (A) whichever is lower;"

Whereas, THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000 specify Power to prohibit etc. continuance of music sound or noise as follows

"(1) If the authority is satisfied from the report of an officer incharge of a police station or other information received by him [including from the complainant] that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk person who dwell or occupy property on the vicinity, he may, by a written order issue such directions as he may consider necessary to any person for preventing, prohibiting, controlling or regulating:

(a) the incidence or continuance in or upon any premises of - (ii) sounds caused by playing, beating, clashing, blowing or use in any manner whatsoever of any instrument including loudspeakers, 1 [public address systems, horn, construction equipment, appliance or apparatus] or contrivance which is capable of producing or re-producing sound, or

(b) the carrying on in or upon, any premises of any trade, avocation or operation or process resulting in or attended with noise.

(2) The authority empowered under sub-rule (1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub-rule (1), either rescind, modify or alter any such order:"

Whereas, as per schedule annexed with The Noise Pollution (Regulation and Control) Rules, 2000 the day time limit of Ambient Air Quality Standards in Respect of Noise for industrial area is 75 dB(A) Leq and IMT Faridabad is an approved Industrial Area.

Whereas, THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000 specify

"4. Responsibility as to enforcement of noise pollution control measures.

(1) The noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule.

(2) The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise.

5. Restrictions on the use of loud speakers/public address system 2 [and sound producing instruments]. -

(5) The peripheral noise level of a privately owned sound system or a sound producing instrument shall not, at the boundary of the private place, exceed by more than 5 dB(A) the ambient noise standards specified for the area in which it is used].

8. Power to prohibit etc. continuance of music sound or noise

(1) If the authority is satisfied from the report of an officer incharge of a police station or other information received by him 5 [including from the complainant] that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk person who dwellor occupy property on the vicinity, he may, by a written order issue such directions as he may consider necessary to any person for preventing, prohibiting, controlling or regulating: -

(a) the incidence or continuance in or upon any premises of -

(ii) sounds caused by playing, beating, clashing, blowing or use in any manner whatsoever of any instrument including loudspeakers, 1 [public address systems, horn, construction equipment, appliance or apparatus] or contrivance which is capable of producing or re-producing sound, or

(b) The carrying on in or upon, any premises of any trade, a vocation or operation or process resulting in or attended with noise.

(2) The authority empowered under sub-rule (1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub-rule (1), either rescind, modify or alter any such order: "

Whereas a grievance has been received in Hon'ble NGT by which the applicant has grieved that your unit is *operating heavy forging hammers and other machinery which are causing very heavy vibrations and these vibrations are travelling upto the premises of the applicant and other nearby industrial units. The allegation of the applicant is that due to constant and heavy recurring vibrations, the workers are feeling uncomfortable, nauseous and sick and that the structure of the applicant factory is being damaged and cracks are appearing on the walls and floors and seepage is taking place and submitted the photographs which have been placed on record to show that wide cracks have developed on the walls. He submits that the vibrations are like mini earthquake and they are increasing and the applicant apprehends that the increase is on account of new machineries being put up by you.*

Whereas the applicant unit i.e. M/s Poly Medicure Limited, Plot No. 33-34, Sector-68, IMT, Faridabad was inspected on 30/4/2024 while your unit was operational and vibrations/tremors were felt in the applicant unit along the common wall and visible cracks were found on the applicant's structural wall nearest to your unit.

Whereas your unit was inspected by the concerned AEE, HSPCB, Ballabgarh on 30.04.2024 w.r.t. orders of Hon'ble NGT under reference and it was submitted that total 5 hammers were installed and as informed by unit representative, only 2 hammers operate in a shift (3 Shifts) and noise monitoring were carried out. The results of Noise monitoring are as follows:

|  |   |
|--|---|
| Inside of unit with operating machine:     | 81.1dB (L Aeq)- Towards boundary Wall with Poly Medicure  |
| Outside of unit operating machine;         | 75.2dB (L Aeq) - Main Gate                                |
| Inside of unit without operating machine:  | 59.9 dB (L Aeq)- towards Boundary wall with Poly Medicure |
| Outside of unit without operating machine: | 70.1 dB (L Aeq)- Main Gate                                |
| Inside the unit with operating machine     | 93.2dB(L Aeq) - Near Hammer Section                       |

Whereas noise values measured were exceeding the schedule provisions as per Noise Rules, 2000.

Whereas vide order dated 5<sup>th</sup> September, 2003 vide no. S.O. 109/N.P. (R.and C.) R.2000/R.2/2003 Environment Department, Government of Haryana - "In exercise of the powers conferred by clause (c) of rule 2 of the Noise Pollution (Regulation and control) Rules, 2000, and all other powers enabling him in this behalf and in suppression of Haryana Government, Environment Department, Notification no. S.O. 75 / N.P. (R. and C) R 2000/R 2/2001, dated the 21<sup>st</sup> May 2001, the Governor of Haryana hereby designates Sub Divisional Magistrate, Deputy Superintendent of Police and Regional Officer, Haryana State Pollution Control board in their respective area of jurisdiction as shown below to be authorities for the purpose of said clause

|    |  |  |
|----|--|--|
| 1. | Sub - Divisional Magistrate                              | Residential Area and religious places. |
| 2. | Deputy Superintendent of Police                          | Noise by automobiles                   |
| 3. | Regional Officer, Haryana State Pollution Control Board. | Noise by Industrial units.             |

The Regional Officer, Haryana State Pollution Control Board has been designated as authority for the purpose of said clause for noise by industrial units.

Whereas the noise level from your unit is beyond the permissible limits as defined in the Noise pollution (regulation and Control) Rules, 2000) which is violation of provisions of The Noise pollution (regulation and Control) Rules,2000)

Whereas, Noise pollution (Regulation and Control) Rules, 2000 has been framed under provisions of EP Act, 1986 and so violations of Rules is punishable under Section 5/15 of EP Act, 1986.

In view of the above, you are hereby given show cause for 15 days as to why your unit may not be closed by putting seals on all machinery and disconnection of electric supply including other captive power.

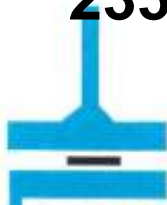
**Treat it as Most Urgent**

Digitally signed by  
AKANSHA  
TANWAR  
Date: 2024.05.16  
12:48:33 +05'30'

**Regional Officer  
Ballabgarh Region**



# Taj



# Forging pvt. Ltd.

Since 1983



Registration Number 043-A

MFRS. OF : ALL KINDS OF ALLOY,  
CARBON & STAINLESS STEEL FORGINGS &  
FORGED COMPONENTS FOR RAILWAYS,  
DEFENCE & AUTOMOBILE SECTOR

Works : Plot No. 41, Sector-68  
IMT Faridabad - 121 004  
E-mail : info@tajforgings.com  
Visit us at : www.tajforging.com

BY E-mail/Speed Post/By Hand

The Regional Officer  
Ballabgarh Region  
Haryana State Pollution Control Board  
Opp. HEWO Apptt. Sector 16 A  
Faridabad. Haryana

Date 29.05. 2024

**Sub:-** Your show cause notice No. HSPCB/BR/ 2024/284 dated 16. 05. 2024  
Under section 5 & 8 of the Noise Pollution (regulation and control)  
Rules 2000 under the Environment Protection Act, 1986.

**Ref:** NGT order dated 05. 03. 2024 in OA no. 221/2024 and Noise Pollution  
( regulation and control) Rules 2000.

Dear Sir/Madam

We have received your above show cause notice on 16.05.2024 by 'E' mail and have to submit as under:-

1. That our unit has been established and operating at the existing place plot No. 41 Sector 68 IMT Faridabad since July'2016 with the proper compliance of all the applicable laws. We have the valid factory licence and the consent to operate from HSPCB.
2. That our unit is in the manufacturing of Forging and machining of the engineering parts since 2016 and the new company M/s Poly Medicure

- Limited Plot no 33-34 sector 68 IMT Faridabad has come in to existence from 2018-19.
3. That since it's acquiring the industrial plot in the year 2018-19 the owners and the management of this unit are trying to disturb our production. They created the huge nuisance during the construction. Thrown debris inside our premises, filled huge quantity of water near our boundary wall for which we requested from time to time to control the activities which were disturbing our work but they never gave any heed to our requests.
  4. That their construction was going in such a haphazard manner that they were not giving the enough curing time for the pillars and walls to set. Some time they were working in the darkness of night as if they were doing construction work without proper authorisation and valid permission and hiding from coming to the notice of MCF, DTP, Factories inspectorate and other local Government authorities.
  5. That when we asked them to be mindful for our premises they got annoyed and threatened for dire consequences.
  6. That from the very beginning they are harassing us and threatened that they have political powers and high connections so we the Taj forging Pvt Ltd. should sale them our premises so that they can expand their business.
  7. That once they called our MD, Sh. Navneet Goyal around Dec'2021 in their factory to discuss for mutual understanding. Mr. Rishi Baid, J M D talked to our MD Sir and asked to sale our premises to them and take out our machines to some other locations. He threatened that since he has come to this area and his manufacturing process is different he can't afford to have a forging unit in his neighbour hood and will make our existence in the area miserable.
  8. That despite of this embarrassing situation our MD Sir was quite polite to him and said that we believe in peaceful co-existence and can do what ever is required to maintain cordial relations but can't shut down the business and sale out the premises. It's a matter of the livelihood of so many families of the employees working in the company.
  9. That to maintain cordial relations we spent a lot of money of which for an example we are producing copy of a bill of Rs. 2,98,719/- Dated 26.11.2022 Bill No. OM/2223/3436 Om Traders Palwal though it was not at all required as we are monitoring the noise from time to time and it



never exceeded the permissible limit which is evident from your inspection report also. The greed of our neighbour is different he just want to grab our land by destabilising our established business so he is making false complaints against us.

10. PATRAMETERS AS PER YOUR INSPECTION REPORT DATED 30.04.2024 AT OUR PREMISES NOTED AND INFORMED BY YOU IN THIS SHOW CAUSE NOTICE.

That as you have mentioned in your above show cause notice and also as per the copy of your inspection report which you carried out on 30.04.2024 at day time all the parameters are within the permissible limit which are detailed as under:-

(a) Inside the unit with operating machines:

81.1 dB(A) towards boundary wall with Poly Medicure.

As per the Noise Pollution ( regulation and control) Rules 2000 ( as amended till 10.08 2017 vide S.O. 2555E) section 7 Complaints to be made to the authority :-

7 (1) "A person may, if the noise level exceeds the ambient noise standards by 10 dB (A) or more given in the corresponding columns against any area zone make a complaint to the authority."

Accordingly if the noise increases by 10 dB (A) of the ambient quality standards which is 75 dB in day time in the industrial area then only one can lodge complaint to the authority but here the authority himself checked and found inside the wall of our factory 81.1 dB(A) which is much less than the complain-able parameters.

(b) Outside the unit with operating machines: 75.2 dB(A) at main gate. It is also within the permissible limit as mentioned above.

(c) Inside the unit without operating machines 59.9.dB.

(d) Outside the unit without operating machines 70.1 dB.

Both are in permissible limit.

(e) Inside the unit with operating machines. Operating Hammer 93.2 dB(A)

This is on hammer which is a normal sound while it strikes the material to shape it but in that case also ambient air quality inside our factory wall never reached to the complain-able parameters. As per the data



available on the site of Ministry of environment & forests GOI the permissible level for noise exposure is as under:-

The permissible levels for noise exposure for work zone area have been prescribed under the Model Rules of the Factories Act, 1948, as given in the Tables below.

| Peak sound pressure level in dB | Permitted number of impulses or impact/day |
|---------------------------------|--|
| 140                             | 100  |
| 135                             | 315  |
| 130                             | 1000                                       |
| 125                             | 3160                                       |
| 120                             | 10000                                      |

Notes:

1. No exposure in excess of 140 dB peak sound pressure level is permitted.
2. For any peak sound pressure level falling in between any figure and the next higher or lower figure as indicated in column 1, the permitted number of impulses or impacts per day is to be determined by extrapolation on a proportionate basis.

As such the complaint made by Ply Medicure Limited is false, baseless, Frivolous, concocted, unjustified and motivated for their ulterior reasons best known to them.

REPLY TO PARA 8 (2) in which you have quoted some portion of the Complaint made by Poly Medicure. Point wise reply is as under:-

The workers are feeling uncomfortable, nauseous and sick.

Since Poly Medicure is medical devices manufacturing unit they have to maintain the clean air and they may be keeping their workers in closed rooms and air tight sheds. For such a place oxygen/fresh air is required in adequate quantity which their air conditioners and supporting devices might not be supplying and the workers feeling, suffocation, nausea and sick. No person can feel uncomfortable, nauseous or sick at the ambient noise standards 75 dB to 85 dB.

We suggest that the medical inspector of the Labour department or the High level team of experts should visit and check the premises of Poly Medicure Ltd. and collect health data of their employees/workers.



It would also be pertinent to say that they should submit to the Authorities Medical records of their employees.

“Structure of the applicant (Poly Medicure) factory is being damaged and The cracks are appearing on the walls and the floors”

It is pertinent to say that the Poly Medicure set up their plant around 2018-2019 and our factory built and established since 2016 and using hammer machines being a forging company but there is no any Complaint of damage or any crack to our building structure, walls or Floor. Poly Medicure should have made a proper survey before Establishing a Medical device plant and preferably should have done in a Silence zone. Because they have come and constructed their instable plant well knowing about the forging unit in the vicinity should our unit either be closed down or be sold out to them as they have asked us to do so is a question to be answered to us.

As far as we know they have violated all the norms of building bye laws construction norms, sound proof walls required for such activities which should be examined by some expert committee as to whether they have constructed the building properly and provided sound proof walls for the kind of their manufacturing activities.

The area where they have constructed their plant was a low lying area and the water used to be accumulated in rainy season. They have not done the land filling in a proper way and this could have caused cracks in their walls and the floor. The another reason may be bad workmanship by the builder sub contracting to small time masons etc. Use of sub standard material. Bad design and drawings.

All these to be examined by the appropriate authorities from the Concerned departments.

**SEEPAGE & VIBRATIONS** are also likely due to above reasons.

11. It is therefore requested that the building of Poly Medicure Ltd. is highly unstable and unsafe even for the neighbouring units also and they know it very well when the cracks are developing in the permissible noise standards and they are just blaming the neighbours for their own fault



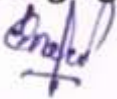
and responsibilities. The concerned departments MCF, DTP, CIF and local administration should look in to it very seriously.

12. That we have not received the copy of the test reports for the test carried out by your good office in the Poly Madicure Ltd. on 30.04 2024 and request you to provide us one copy of the same so that we can know the actual position in their plant at the same day/time.
13. That we request to provide us the copy of the complaint made by Poly Medicure Ltd. with photographs to know what exactly the complaint is and what action could be taken from our side.

We hope our reply would entirely satisfy your show cause notice and still if something is there to clarify from our side or to do some thing from our side we are always ready to comply with the lawful orders of the authorities.

**Thanking you**

**For Taj Forging Private Ltd.**



**Yogender Bhati**  
**(General Manager Operations)**

- Copy To**
1. The Chairman HSPCB, Panchkula
  2. The Commissioner MCF
  3. The District Town Planner Faridabad
  4. The Chief Inspector of Factories Haryana Chandigarh
  5. The Deputy Commissioner Faridabad
  6. The Commissioner of Police Faridabad

I/253902/2024

**HARYANA STATE POLLUTION CONTROL BOARD**

C-11 Sector-6, Panchkula

Ph – 0172- 577870-73, Fax No. 2581201

hspcbolidwaste@gmail.com

Website: hspcb.org.in

---

To

Regional Officer,  
HSPCB, Ballabgarh

**Subject: Personal hearing regarding order dated 05.03.2024 passed by Hon'ble NGT in OA No. 221/2024 filed by M/s Poly Medicare Limited Vs Haryana State Pollution Control Board & Ors**

Kindly refer to your office letter No. 250893/2024 dated 29.05.2024 on the subject noted above.

In this connection, it is intimated that the above said matter has been examined by Authority in its meeting held on 02.07.2024. A copy of said proceeding is enclosed herewith for your information and resubmitting the case after making compliance on the observation of the committee within 10 days.

**DA/ As Above.**

Signed by

Vikas Chand

Date: 11-07-2024 16:50:49

**Env. Engineer (HQ)  
For HSPCB**

The case of the above said unit is placed before the committee as recommended by the Regional Officer, Ballabgarh vide her letter dated 29.05.2024 as per the direction passed by Hon'ble NGT in order dated 05.03.2024 in OA no. 221 of 2024 titled as M/s Poly Medicure Ltd vs HSPCB & Ors for taking appropriate remedial measure after giving an opportunity of hearing to the concerned parties.

Hon'ble NGT order is reproduced as under:-

1. The applicant in this original application is a medical device manufacturing company having its unit located at Plot No. 34, Sector 68, IMT Faridabad. The grievance of the applicant is that on the adjoining Plot No. 41, Sector 68, the respondent no. 3 i.e. Taj Forging Pvt. Ltd. is operating and manufacturing automobile parts, railway accessories, tractor parts etc. and for these manufacturing activities respondent no. 3 is making use of heavy forging hammers and other machinery which are causing very heavy vibrations and these vibrations are travelling upto the premises of the applicant and other nearby industrial units. The allegation of the applicant is that due to constant and heavy recurring vibrations, the workers are feeling uncomfortable, nauseous and sick and that the structure of the applicant factory is being damaged and cracks are appearing on the walls and floors and seepage is taking place.
2. Learned counsel for the applicant during the course of argument has referred to the photographs which have been placed on record to show that wide cracks have developed on the walls. He submits that the vibrations are like mini earthquake and they are increasing and the applicant apprehends that the increase is on account of new machineries being put up by the respondent no. 3.
3. Having heard the learned counsel for the applicant and on perusal of the record, we notice that the applicant has already filed a detailed written complaint dated 16.10.2023 to the Regional Officer of Haryana State Pollution Control Board (HSPCB) and the grievance is that the complaint has not been looked into.
4. We are of the opinion that the grievance of the applicant needs to be duly considered by the Member Secretary, HSPCB who is required to ascertain the correct factual position in respect of the allegations made in the OA, and take appropriate remedial measures after giving an opportunity of hearing to the concerned parties.
5. Hence, we disposed of the OA requiring the Member Secretary, HSPCB to do the needful and submit action taken report before the Registrar General of the Tribunal within three months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. If found necessary, the matter will be listed before the Tribunal for consideration.

**Personal Hearing**

1. During hearing Sh. S P Tripathi, GM, HRD, Smt. Anibem Potsangbam, Legal head of M/s Poly Medicure, Sh. Apoorv Singha, Advocate of M/s Poly Medicure and Sh. R.P Sharma, Advocate of M/s Taj Forging appeared before the committee to represent their case however neither RO Ballabgarh nor his representative attended the hearing. The representative of M/s Poly Medicure informed the difficulties being faced from the adjoining unit M/s Taj Forging Pvt. Ltd, regarding noise pollution, vibration etc. as mentioned in their petition. The representative of M/s Taj Forging also informed that necessary precautionary measures has already been taken by their unit to control vibration and noise pollution being generated from their process. The committee observed that since there is no officer of the Board to justify the facts at site and has therefore decided that RO Ballabgarh should re-inspect the unit alongwith his staff and to submit the detailed factual report within 10 days covering all points as mentioned in the petition i.e. (a) use of heavy forging hammers and other machinery which are causing very heavy vibrations and travelling of these vibrations upto the premises of the applicant and other nearby industrial units (b) regarding noise pollution (c) regarding workers feeling uncomfortable, nauseous and sick (d) regarding damage caused to the structure of the applicant unit and other adjacent/nearby units (e) regarding remedial measures taken by M/s Taj Forging Pvt. Ltd. etc.

**Nirmal Kashyap**  
(SEE-HQ)

**Satinder Pal**  
(SEE-HQ)

**B.S Rinwa**  
(CEE-HQ)

**Pardeep Kumar, IAS**  
(Member Secretary)

Details to be provided by Taj forging

- 1) Detail of machinery with number & capacity of each machine
- 2) To provide measures adopted by unit to control vibration and noise along with documental proof of design & efficacy.
- 3) To provide <sup>certified</sup> record of ~~pa~~ workers facing health issue since last ~~3~~ 5 years specially Nausea, uncomfortable & sick
- 4) Remedial measures adopted by unit since last inspection dated 30/7/2024

*[Signature]*

Ujjwal, AEE HSPUB  
31/9/2024

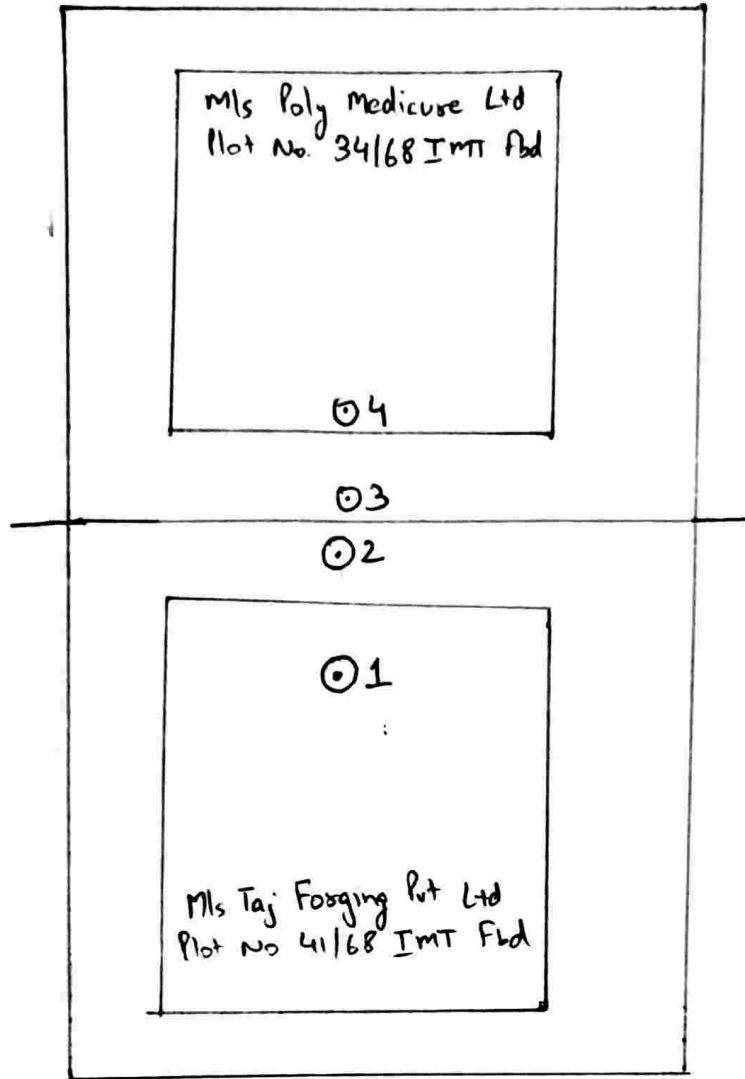
\* Need one week time. Today four to five person from WMS Medicare came along with you and Wandered in our plant without any authorization. They are making false complaints, and the dept. should not entertain them to come in our premises and to interference to authority against us. For Inspection HSPCB is welcome all the time but they should not work under the influence like today of the complainants. We need one week for the above ~~was~~ reply. ~~As~~ We have not received minutes of personal meeting at Panchkula, ~~as~~ please give the copy of the same.

*[Signature]*  
03/09/24

Date of Noise Monitoring (Site Plan and location)

245  
- 05/09/2024

Annexure R/6



*[Signature]*  
5/9/2024

*[Signature]*  
5/09/24

*[Signature]*  
(AEE, NSPLB)

*[Signature]* 05/09/24  
(R.O., BR)

# Noise Level <sup>246</sup> Monitoring Report

1) Date & Time of Inspection: 05/09/2024

1:30 PM to  
3:30 PM

2) Location of Noise Monitoring:

| Sr. No. | Location  | While Unit (M/s Taj Forging Pvt. Ltd., Plot No. 41, Sector-68, IMT, Faridabad) in operation | While Unit (M/s Taj Forging Pvt. Ltd., Plot No. 41, Sector-68, IMT, Faridabad) not in operation |
|---------|---|---|---|
| 1.      | In the premises of M/s Taj Forging Pvt. Ltd., Plot No. 41/68, IMT, Fbd. near hammer shop/machines   | LAeq - 97.2 dB  | LAeq - 60.3 dB  |
| 2.      | Inside the premises of M/s Taj Forging Pvt. Ltd., 41/68, IMT, Fbd. near back side boundary wall (i.e. nearby to M/s Polymedicare Ltd., 34/68, IMT, Fbd. backside boundary wall) | LAeq - 85.5 dB  | LAeq - 60.4 dB  |
| 3.      | Inside the premises of M/s Polymedicare Ltd., 34/68, IMT, Fbd. near backside boundary wall (i.e. nearby to M/s Taj Forging Pvt. Ltd., 41/68, IMT, Fbd. backside boundary wall)  | LAeq - 77.1 dB  | LAeq - 58.4 dB  |
| 4.      | Inside the premises of M/s Polymedicare Ltd., Plot No. 34/68, IMT, Fbd. in gallery adjoining to Production Area   | LAeq - 71.3 dB  | LAeq - 51.2 dB  |

05/09/24  
Sh. Yogendra Bhati  
Plant Head M/s Taj Forging  
Pvt. Ltd., 41/68, IMT, Fbd

5/9/2024  
Sh. Balendu S.P. Tripathi,  
Gm, HR & Admin,  
M/s Polymedicare Ltd., 34/68/IMT

5/9/24  
Dinesh Kumar,  
AEE, BR (Dinesh Kumar, RO., BR)



CASELLA  
 CEL-620C1/IP 0031-04  
 Serial number 4712751  
 Response Freefield  
 Start

5-Sep-2024 13:37:30  
 Duration 0:01:01  
 Pause duration 0:00:00  
 Overload No Run 277

CALIBRATION

Before  
 5-Sep-2024 13:30:24  
 After  
 5-Sep-2024 13:39:24  
 Cal reference 114.0 dB  
 Cal change +0.0 dB

RESULTS (dB)

|                    |      |
|--------------------|------|
| L <sub>Aeq</sub>   | 60.4 |
| L <sub>AFmax</sub> | 73.3 |
| L <sub>AFmin</sub> | 57.6 |
| L <sub>Cpeak</sub> | 88.5 |
| L <sub>AF10</sub>  | 60.0 |
| L <sub>AF50</sub>  | 58.5 |
| L <sub>AF90</sub>  | 58.5 |
| L <sub>AF95</sub>  | 58.0 |
| L <sub>AF99</sub>  | 58.0 |

Location  
 GPS -----

Operator Name

Signature *[Signature]*  
 05/09/24

Witness



CASELLA  
 CEL-620C1/IP 0031-04  
 Serial number 4712751  
 Response Freefield  
 Start

5-Sep-2024 13:34:15  
 Duration 0:01:02  
 Pause duration 0:00:00  
 Overload No Run 276

CALIBRATION

Before  
 5-Sep-2024 13:30:24  
 After  
 5-Sep-2024 13:39:24  
 Cal reference 114.0 dB  
 Cal change +0.0 dB

RESULTS (dB)

|                    |      |
|--------------------|------|
| L <sub>Aeq</sub>   | 60.3 |
| L <sub>AFmax</sub> | 71.1 |
| L <sub>AFmin</sub> | 58.0 |
| L <sub>Cpeak</sub> | 84.5 |
| L <sub>AF10</sub>  | 61.5 |
| L <sub>AF50</sub>  | 59.5 |
| L <sub>AF90</sub>  | 58.5 |
| L <sub>AF95</sub>  | 58.5 |
| L <sub>AF99</sub>  | 58.5 |

Location  
 GPS -----

Operator Name

Signature *[Signature]*  
 05/09/24

Witness



CASELLA  
 CEL-620C1/IP 0031-04  
 Serial number 4712751  
 Response Freefield  
 Start

5-Sep-2024 14:03:19  
 Duration 0:01:05  
 Pause duration 0:00:00  
 Overload No Run 278

CALIBRATION

Before  
 5-Sep-2024 14:03:01  
 After  
 5-Sep-2024 14:07:30  
 Cal reference 114.0 dB  
 Cal change +0.0 dB

RESULTS (dB)

|                    |      |
|--------------------|------|
| L <sub>Aeq</sub>   | 58.4 |
| L <sub>AFmax</sub> | 68.0 |
| L <sub>AFmin</sub> | 56.7 |
| L <sub>Cpeak</sub> | 86.5 |
| L <sub>AF10</sub>  | 59.0 |
| L <sub>AF50</sub>  | 58.0 |
| L <sub>AF90</sub>  | 57.5 |
| L <sub>AF95</sub>  | 57.5 |
| L <sub>AF99</sub>  | 57.0 |

Location  
 GPS -----

Operator Name

Signature *[Signature]*  
 05/09/24

Witness



CASELLA  
 CEL-620C1/IP v031-04  
 Serial number 4712751  
 Response Freefield  
 Start  
 5-Sep-2024 14:05:43  
 Duration 0:01:03  
 Pause duration 0:00:00  
 Overload No Run 279

CASELLA  
 CEL-620C1/IP v031-04  
 Serial number 4712751  
 Response Freefield  
 Start  
 5-Sep-2024 14:53:19  
 Duration 0:01:04  
 Pause duration 0:00:00  
 Overload No Run 280

CASELLA  
 CEL-620C1/IP v031-04  
 Serial number 4712751  
 Response Freefield  
 Start  
 5-Sep-2024 14:56:29  
 Duration 0:01:07  
 Pause duration 0:00:00  
 Overload No Run 281

CALIBRATION

Before  
 5-Sep-2024 14:03:01  
 After  
 5-Sep-2024 14:07:30  
 Cal reference 114.0 dB  
 Cal change +0.0 dB

Before  
 5-Sep-2024 14:53:01  
 After  
 5-Sep-2024 14:58:34  
 Cal reference 114.0 dB  
 Cal change +0.0 dB

Before  
 5-Sep-2024 14:53:01  
 After  
 5-Sep-2024 14:58:34  
 Cal reference 114.0 dB  
 Cal change +0.0 dB

RESULTS (dB)

|                    |      |
|--------------------|------|
| L <sub>Aeq</sub>   | 51.2 |
| L <sub>AFmax</sub> | 55.4 |
| L <sub>AFmin</sub> | 49.7 |
| L <sub>Cpeak</sub> | 83.8 |
| L <sub>AF10</sub>  | 52.5 |
| L <sub>AF50</sub>  | 51.0 |
| L <sub>AF90</sub>  | 50.0 |
| L <sub>AF95</sub>  | 50.0 |
| L <sub>AF99</sub>  | 50.0 |

|                    |       |
|--------------------|-------|
| L <sub>Aeq</sub>   | 97.2  |
| L <sub>AFmax</sub> | 106.7 |
| L <sub>AFmin</sub> | 91.9  |
| L <sub>Cpeak</sub> | 129.6 |
| L <sub>AF10</sub>  | 100.0 |
| L <sub>AF50</sub>  | 96.0  |
| L <sub>AF90</sub>  | 93.5  |
| L <sub>AF95</sub>  | 93.5  |
| L <sub>AF99</sub>  | 93.0  |

|                    |       |
|--------------------|-------|
| L <sub>Aeq</sub>   | 85.5  |
| L <sub>AFmax</sub> | 96.4  |
| L <sub>AFmin</sub> | 80.3  |
| L <sub>Cpeak</sub> | 115.7 |
| L <sub>AF10</sub>  | 87.5  |
| L <sub>AF50</sub>  | 83.5  |
| L <sub>AF90</sub>  | 82.0  |
| L <sub>AF95</sub>  | 81.5  |
| L <sub>AF99</sub>  | 81.0  |

Location  
 GPS -----

Location  
 GPS -----

Location  
 GPS -----

Operator Name

Operator Name

Operator Name

Signature  
*[Signature]* *[Signature]*  
 Fos/09/24

Signature  
*[Signature]* *[Signature]*  
 Fos/09/24

Signature  
*[Signature]* *[Signature]*  
 Fos/09/24

Witness

Witness

Witness



CASELLA  
 CEL-620C1/IP v031-04  
 Serial number 4712751  
 Response Freefield  
 Start  
 5-Sep-2024 15:06:42  
 Duration 0:01:08  
 Pause duration 0:00:00  
 Overload No Run 282

CASELLA  
 CEL-620C1/IP v031-04  
 Serial number 4712751  
 Response Freefield  
 Start  
 5-Sep-2024 15:10:24  
 Duration 0:01:05  
 Pause duration 0:00:00  
 Overload No Run 283

CALIBRATION  
 Before  
 5-Sep-2024 15:06:26  
 After  
 5-Sep-2024 15:12:07  
 Cal reference 114.0 dB  
 Cal change +0.0 dB

CALIBRATION  
 Before  
 5-Sep-2024 15:06:26  
 After  
 5-Sep-2024 15:12:07  
 Cal reference 114.0 dB  
 Cal change +0.0 dB

RESULTS (dB)

|                    |       |
|--------------------|-------|
| L <sub>Aeq</sub>   | 77.1  |
| L <sub>AFmax</sub> | 83.9  |
| L <sub>AFmin</sub> | 72.2  |
| L <sub>Cpeak</sub> | 103.9 |
| L <sub>AF10</sub>  | 80.0  |
| L <sub>AF50</sub>  | 75.5  |
| L <sub>AF90</sub>  | 73.5  |
| L <sub>AF95</sub>  | 73.0  |
| L <sub>AF99</sub>  | 73.0  |

RESULTS (dB)

|                    |      |
|--------------------|------|
| L <sub>Aeq</sub>   | 71.3 |
| L <sub>AFmax</sub> | 81.4 |
| L <sub>AFmin</sub> | 64.8 |
| L <sub>Cpeak</sub> | 97.8 |
| L <sub>AF10</sub>  | 74.0 |
| L <sub>AF50</sub>  | 69.0 |
| L <sub>AF90</sub>  | 67.5 |
| L <sub>AF95</sub>  | 67.0 |
| L <sub>AF99</sub>  | 66.0 |

Location  
 GPS -----

Location  
 GPS -----

Operator Name

Operator Name

Signature

*[Signature]* *[Signature]*  
 10/5/10/24

Witness

Signature

*[Signature]* *[Signature]*  
 10/5/10/24

Witness

**HARYANA STATE POLLUTION CONTROL BOARD**

Ballabgarh Region,  
Opp. Hewo Appmt., Sector-16A, Faridabad  
Website: [www.hspcb.gov.in](http://www.hspcb.gov.in)

NO. HSPCB/BR/2024/1075 - 1076  
To

Dated: 5/11/24

M/s Taj Forging Pvt Ltd,  
Plot No 41, Sector 68 IMT faridabad .

**Sub:- Show Cause Notice under section 5 & 8 of THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000 under The Environment Protection Act, 1986.**

Ref: NGT order dated 05.03.2024 in OA no 221/2024 and NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000 and proceedings of personal hearing given to M/s Poly Medicure Ltd and Taj Forging Pvt Ltd on 02.07.2024.

Whereas, THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000 specify Restrictions on the use of loudspeakers / public address system and sound producing instruments.

Whereas, THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000 specify Power to prohibit etc. continuance of music sound or noise as follows

“(1) If the authority is satisfied from the report of an officer incharge of a police station or other information received by him [including from the complainant] that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk person who dwell or occupy property on the vicinity, he may, by a written order issue such directions as he may consider necessary to any person for preventing, prohibiting, controlling or regulating:

(a) the incidence or continuance in or upon any premises of – (ii) sounds caused by playing, beating, clashing, blowing or use in any manner whatsoever of any instrument including loudspeakers, 1 [public address systems, horn, construction equipment, appliance or apparatus] or contrivance which is capable of producing or re-producing sound, or

(b) the carrying on in or upon, any premises of any trade, avocation or operation or process resulting in or attended with noise.

DP

(2) The authority empowered under sub-rule (1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub-rule (1), either rescind, modify or alter any such order."

Whereas, as per schedule annexed with The Noise Pollution (Regulation and Control) Rules, 2000 the day time limit of Ambient Air Quality Standards in Respect of Noise for industrial area is 75 dB(A) Leq and IMT Faridabad is an approved Industrial Area.

Whereas, THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000 specify

"4. Responsibility as to enforcement of noise pollution control measures.

(1) The noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule.

(2) The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise.

5. Restrictions on the use of loud speakers/public address system 2 [and sound producing instruments]. -

**(5) The peripheral noise level of a privately owned sound system or a sound producing instrument shall not, at the boundary of the private place, exceed by more than 5 dB(A) the ambient noise standards specified for the area in which it is used].**

8. Power to prohibit etc. continuance of music sound or noise

(1) If the authority is satisfied from the report of an officer incharge of a police station or other information received by him 5 [including from the complainant] that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk person who dwellor occupy property on the vicinity, he may, by a written order issue such directions as he may consider necessary to any person for preventing, prohibiting, controlling or regulating: -

(a) the incidence or continuance in or upon any premises of -

(ii) sounds caused by playing, beating, clashing, blowing or use in any manner whatsoever of any instrument including loudspeakers, 1 [public address systems, horn, construction equipment, appliance or apparatus] or contrivance which is capable of producing or re-producing sound, or

(b) The carrying on in or upon, any premises of any trade, a vocation or operation or process resulting in or attended with noise.

2

(2) The authority empowered under sub-rule (1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub-rule (1), either rescind, modify or alter any such order: "

Whereas personal hearing was given to you on 02.07.2024 in compliance of Hon'ble NGT orders under reference wherein learned counsel for the applicant placed on record the photographs showing wide cracks on the walls of the applicant unit and it was submitted by your representative that necessary precautionary measures has already been taken by your unit to control noise pollution and vibration generated from the process and it was decided that your unit be reinspected to submit detailed factual report.

Consequently, your unit was reinspected by the team of Regional Office, Ballabgarh region alongwith representatives of M/s Taj Forging Pvt Ltd and M/s Poly Medicare Ltd. on 05.09.2024 and during inspection it was observed that 5 bell drop hammers have been installed of capacity 3.5T,2T,2T,1.5T & 1T each and noise monitoring was carried out in both the units i.e.M/s Taj Forging Pvt Ltd,Plot No 41, Sector 68 IMT faridabad and M/s Poly Medicare Ltd Plot No 34, Sector 68 IMT faridabad. It is pertinent to mention here that Hammer section of Taj Forging Pvt Ltd is closest to common boundary wall of M/s Taj Forging Pvt Ltd,Plot No 41, Sector 68 IMT faridabad and M/s Poly Medicare Ltd Plot No 34, Sector 68 IMT faridabad (**Copy of layout plan showing locations of noise monitoring attached**). The results of Noise monitoring are as follows :

| Sr. No. | Location   | While unit (M/s Taj Forging Pvt. Ltd., Plot No. 41, Sector-68, IMT, Faridabad) in operation | While unit (M/s Taj Forging Pvt. Ltd., Plot No. 41, Sector-68, IMT, Faridabad) Not in operation |
|---------|--|---|---|
| 1.      | Inside the premises of M/s Taj Forging Pvt. Ltd., Plot No. 41, Sector-68, IMT, Faridabad, Near Hammer Shop/Machines  | LAeq - 97.2 dB  | LAeq - 60.3 dB  |
| 2.      | Inside the premises of M/s Taj Forging Pvt. Ltd., Plot No. 41, Sector-68, IMT, Faridabad near backside boundary wall (i.e. nearby to M/s Polymedicure Ltd., Plot No. 34, Sector-68, IMT, | LAeq - 85.5 dB  | LAeq - 60.4 dB  |

|    |  |                |                |
|----|--|----------------|----------------|
|    | Faridabad backside boundary wall)  |                |                |
| 3. | Inside the premises of M/s Polymedicure Ltd. Plot No. 34, Sector-68, IMT Faridabad near backside boundary wall (i.e. nearby to M/s Taj Forging Pvt. Ltd., Plot No. 41, Sector-68, IMT Faridabad backside boundary wall | LAeq - 77.1 dB | LAeq - 58.4 dB |
| 4. | Inside the premises of M/s Polymedicure Ltd.) Plot No. 34, Sector-68, IMT Faridabad in gallery adjoining to production area  | LAeq -71.3 dB  | LAeq - 51.2 dB |

On perusal of the noise monitoring data it can be observed that inside the premises of applicant unit i.e. M/s Polymedicure Ltd. Plot No. 34, Sector-68, IMT Faridabad, there is an increase of approximately 19-20dB on operation of M/s Taj Forging Pvt. Ltd., Plot No. 41, Sector-68, IMT, Faridabad.

The noise level inside the premises of M/s Polymedicure Ltd. Plot No. 34, Sector-68, IMT Faridabad near backside boundary wall (i.e. nearby to M/s Taj Forging Pvt. Ltd., Plot No. 41, Sector-68, IMT Faridabad backside boundary wall), when the hammer section is in operation is 77.1dB which is more than day time limit of Ambient Air Quality Standards in Respect of Noise for industrial area i.e. 75 dB(A) Leq. Further, the operation of bell drop hammer section installed by M/s Taj Forging Pvt. Ltd., Plot No. 41, Sector-68, IMT, Faridabad. also results in tremors/ vibrations in the premises of M/s Poly Medicure Ltd., Plot No. 34, Sector-68, IMT Faridabad as felt during joint inspection dated 05.09.2024..

Whereas noise values measured were exceeding the schedule provisions as per Noise Rules, 2000 even in the premises of M/s Taj Forging Pvt. Ltd., Plot No. 41, Sector-68, IMT Faridabad when the unit was operational.

Whereas vide order dated 5<sup>th</sup> September, 2003 vide no. S.O. 109/N.P. (R.and C.) R.2000/R.2/2003 Environment Department, Government of Haryana – “In exercise of the powers conferred by clause (c) of rule 2 of the Noise Pollution (Regulation and control) Rules, 2000, and all other powers enabling him in this behalf and in suppression of Haryana Government, Environment Department, Notification no. S.O. 75 / N.P. (R. and C) R 2000/R 2/2001, dated the 21<sup>st</sup> May 2001, the Governor of Haryana hereby designates Sub Divisonal Magistrate, Deputy Superintendent of Police and

Regional Officer, Haryana State Pollution Control board in their respective area of jurisdiction as shown below to be authorities for the purpose of said clause

- |                                    |  |
|------------------------------------|--|
| 1. Sub – Divisional Magistrate     | Residential Area and religious places. |
| 2. Deputy Superintendent of Police | Noise by automobiles                   |
| 3. Regional Officer, Haryana State | Noise by Industrial units.             |

Pollution Control Board.

The Regional Officer, Haryana State Pollution Control Board has been designated as authority for the purpose of said clause for noise by industrial units.

Whereas the noise level from your unit is beyond the permissible limits as defined in the Noise pollution (regulation and Control) Rules,2000) which is violation of provisions of The Noise pollution(regulation and Control) Rules,2000)

Whereas, Noise pollution (Regulation and Control) Rules, 2000 has been framed under provisions of EP Act, 1986 and so violations of Rules is punishable under Section 5/15 of EP Act, 1986.

In view of the above, you are hereby given show cause for 15 days as to why your unit may not be closed by putting seals on all machinery and disconnection of electric supply including other captive power .

**Treat it as Most Urgent**

DA/Proceedings dt 02.07.2024;Noise Rules,2000;

  
Regional Officer  
Ballabgarh Region

**Endst. No.**

**Dated:**


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

  
Regional Officer  
Ballabgarh Region



# Taj Forgings pvt. Ltd.

Since 1983



Registration Number 043-A

PRODUCTS OF : ALL KINDS OF ALLOY,  
CARBON & STAINLESS STEEL FORGINGS &  
FORGED COMPONENTS FOR RAILWAYS,  
DEFENCE & AUTOMOBILE SECTOR

Works : Plot No. 41, Sector-68

IMT Faridabad - 121 004

E-mail : info@tajforgings.com

Visit us at : www.tajforging.com

Date: 20/11/24  
 (20/11/24) [Signature]

By E- Mail/Speed Post/By Hand [Signature]

Date:-20.11.2024

The Regional Officer  
 Ballabgarh Region  
 Haryana State Pollution Control Board  
 Opp. HEWO Apptt. Sector 16 A  
 Faridabad, Haryana

Ref: Your Show Cause Notice No HSPCB/BR/2024/1075-1076  
 dated 05.11.2024 under section 5 & 8 of THE NOISE POLLUTION  
 (REGULATION AND CONTROL) RULES, 2000 under the Environment  
 Protection Act, 1986.

Dear Sir

We have received yet another show cause notice from your office dated 05.11.2024 without taking any decision on our reply submitted to your first show cause notice dated 29.05.2024. Your second show cause notice also reveals that in both of your inspections our company has not violated any of the provisions of law and the noise is well within the limits of the standards applicable in an industry and in an industrial area.

However your second show cause notice put our organization in a difficult situation as despite of all the parameters are well within the limits and being

the situation that the complainant company M/s Poly Medicure Ltd. has no legal right U/s 7 (1) of the Noise Pollution ( Regulation & Control ) Rules, 2000 even to lodge any complaint the authority is taking cognizance of the same and issued a notice to close our factory and disconnect electricity.

We request your good self not to take any coercive action against our company as it may close down our business and snatch away lively-hood of so many employees and their families without any lawful reason. As such give us at least 15 days time to review the entire situation as to what needful can be done in this grave and alarming situation created by your above show cause notice.

You are therefore request to please give us 15 days time from 21.11.2024 to do the needful at our end.

Thanking You

For Taj Forging Pvt. Ltd



Authorized Signatory

Item No. 03

Court No. 3

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

Original Application No. 1336/2024

Taj Forging Pvt. Ltd

Applicant

Versus

Haryana State Pollution Control Board &amp; Ors.

Respondents

Date of hearing: 02.12.2024

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

Applicant: Mr. Gaurav Kumar Bansal, Ms. Nandita Bansal & Ms. Chandrika  
Upadhyaya, Advs. for the Applicant.

Respondents: Mr. Rahul Khurana, Adv. for R - 1 & 2.

**ORDER**

1. The Applicant, a forging and machining unit operating in IMT Faridabad, has filed the present application under Sections 14 and 15 of the National Green Tribunal Act, 2010 with a prayer for quashing the second show cause notice dated 05.11.2024 issued by Haryana State Pollution Control Board (HSPCB) as being arbitrary, illegal and void, grant of ex-parte interim stay on implementation thereof and directing maintaining status quo till final disposal of application.

2. The applicant has submitted that respondent no. 3 - Poly Medicure Ltd., a neighbouring unit engaged in the manufacturing of medical devices, has alleged that the applicant is causing noise pollution, vibrations, structural cracks and seepage in its building. Respondent no. 3 made a complaint dated 16.10.2023 to R.O. HSPCB and thereafter filed Original Application No. 221/2024 which was disposed of by this Tribunal vide order dated 05.03.2024 whereby the Member Secretary,

HSPCB was directed to do the needful and submit action taken report before the Registrar General of this Tribunal within three months.

3. The applicant has further submitted that HSPCB conducted inspection, on 30.04.2024 and on the basis thereof, issued show cause notice dated 16.05.2024 to the applicant. Reply dated 29.05.2024 was submitted by the applicant but without considering the same and disposing of the show cause notice dated 16.05.2024, HSPCB conducted another inspection on 05.09.2024 and on the basis thereof, issued impugned show cause notice dated 05.11.2024 requiring the applicant to show cause as to why the closure order may not be passed against the applicant.

4. The second show cause notice has been issued malafide under political pressure.

5. The applicant has further submitted that at no point of time the application's unit exceeded the permissible noise limits but the impugned show cause notice dated 05.11.2024, alleging violation of the Noise Pollution (Regulation and Control) Rules, 2000, has been issued malafide under political pressure without due consideration of facts in violation of Rule 7 thereof and the principles of Natural Justice to destabilise the applicant's business and acquire the applicant's premises for expansion.

6. Learned Counsel for the applicant has referred to Rule 7 of the Noise Pollution (Regulation and Control) Rules, 2000 which permits complaints to be made to the authority if the noise level exceeds the ambient noise standards by 10 dB (A) or more given in the corresponding columns against any area/zone, or if there is a violation of provisions of

the Rules regarding restrictions imposed during night time and argued that the impugned show cause notice has been issued mala-fide in colourable exercise of power at the instance of respondent no. 3 - Poly Medicare Ltd. under political pressure.

7. Learned Counsel for the applicant has further submitted that in view of gross violation of Rule 7 of the Noise Pollution (Regulation and Control) Rules, 2000 and the procedure prescribed by law, the application challenging the impugned show cause notice before passing of any order on the basis thereof will be maintainable before this Tribunal and has also prayed for grant of interim relief of staying implementation of the second show cause notice dated 05.11.2025.

8. Prima facie, the averments made in the application raise substantial questions relating to environment arising out of the implementation of the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Noise Pollution (Regulation and Control) Rules, 2000.

9. Let notice of application along-with copies of documents attached with the same be issued to the respondents requiring them to file their response thereto at least one week before the date of hearing hereby fixed.

10. Mr. Rahul Khurana has appeared and accepted notices on behalf of respondents no. 1 and 2. Copy of the original application, along with documents attached with the same be supplied to the learned counsel for the respondents no. 1 and 2.

11. The registry is directed to issue notice to respondent no. 3 and the same be served on respondent no. 3 by email as well as through speed

post. The applicant is directed to file the requisite copy along with the postal envelope within seven days for requisite compliance as mentioned above.

12. In the meanwhile, no coercive action be taken on the basis of impugned show cause notice dated 05.11.2024 subject to the condition that the applicant shall ensure due compliance with the provisions of the Noise Pollution (Regulation and Control) Rules, 2000 and environmental norms.

13. List on 06.02.2025 for further consideration.

14. A copy of this order be also sent to respondent nos. 1 and 2 through email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

December 02, 2024  
O.A. No. 1336/2024  
HB