

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Reply Affidavit on behalf of Project Proponent

In ref.

Original Application No.299 of 2024

Abhishek Shukla

..... Applicant

Versus

State of UP & Others

..... Respondents

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Dated : 15 April, 2024


(MANOJ KUMAR)
Advocate

Counsel for Project Proponent
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Vivekanandpuri, Faijabad Road,
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नमो भगवते वासुदेवाय

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Original Application No.299 of 2024**

IN THE MATTER OF :-

**Abhishek Shukla
S/O Sri Keshav Prasad Shukla,
R/O Village Jarar, PS-Girwan,
Tahsil Naraini, District-Banda,
Mob. No.-9532378463**

..... Applicant

Versus

State of UP & Others

..... Respondents

REPLY AFFIDAVIT ON BEHALF OF PROJECT PROPONENT

I, Dharmendra Kumar Tyagi, son of Sri M.C. Tyagi, aged 44 years, resident of House no. 389, Sector-5, Avas Vikas Colony, Central Park Sikandra, Agra (U.P.) Pin-282007, the deponent do hereby solemnly affirm and State on oath as under :-

1. That the deponent is authorized signatory of the project proponent, Limited Liability Partnership (LLP) namely M/s AHVS INFRA LLP (Identification Number-AAN-1308), principal place of Business of the Firm at C-2/37, Vikas Market, Kamla Nagar, Agra (U.P.) Pin-282005 and the deponent is duly



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authorized to file this reply affidavit on behalf of the project proponent before this Hon'ble Tribunal.

2. That the deponent has read over the complaint dated 12-03-2023, and has understood the contents of the instant Original Application, and is well acquainted with the facts and circumstances of the case deposed to hereunder.
3. That the Hon'ble Tribunal vide order dated 18-03-2024 pleased to direct the project proponent to file the response to the report filed by the DGMS Dhanbad. In compliance of above direction it is submitted that the project is Stone Crusher and there are no report of DGMS.
4. That by way of present letter petition the applicant complaining about illegal mining blasting and crushing in violation of environmental norms in villages Jarar, Chhaneha Purwa, Raghwa Purwa, Girwan. Patraha Tehsil Naraini, District Banda.
5. That the applicant vide complaint dated 12-03-2023 has also submitted that six mining leases have been allotted in two hills in the area situate on village Jarar and five crushers have been established in Village Jarar and Chhaneha Purwa and mining is being done by resorting to illegal blasting which has resulted in



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damage to the houses of villagers. The applicant further alleged that the crushers are being operated day and night and the crushers do not have any boundary wall. There is no sprinkling of water during operation thereof. The crushers are causing dust and noise pollution due to which the residents are suffering from 'Asthma' and other diseases. Illegal blasting has also affected old temples located on the hills. Illegal mining and blasting are also adversely affecting the wildlife in the area. The roads to the above said villages have been damaged by the over loaded vehicles used for transportation of excavated minor minerals.

6. That on the Complaint dated 12-03-2023, submitted by the applicant, this Hon'ble Tribunal vide order dated 01-08-2023 was pleased to constitute a joint committee comprising of representative of Director, Geology & Mining U.P. Lucknow, Uttar Pradesh Pollution Control Board, Lucknow. District Magistrate, Banda to verify the factual position and take appropriate remedial action and factual and action taken report may be submitted within one month by e-mail before this Hon'ble Tribunal.



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7. That in compliance of order dated 01-08-2023 passed by this Hon'ble Tribunal the joint committee visited the site between 17-08-2023 to 18-08-2023 and vide his joint inspection report dated 30-08-2023, in paragraphs 13 to 20 mentioned status of Stone Crushers' as under :-

“13. As per information provided by UPPCB, Banda, the following stone crushers are identified in village-Jarar (Chhaneha Purwa, Raghwa Purwa), Tahsil-Naraini, District-Banda. **Annexure-2.** The issued date of Consent to Establish (CTE) and Consent to Operate (CTO) to stone crushers are given as below:-

S. No.	Name and address of stone crusher unit	Co-ordinate	Product and Capacity	CTE issued date by UPPCB	CTO status issued by UPPCB	
					CTO issued Date	Granted CTO valid up to
1	2	3	4	5	6	7
1	A.H.V.S. IFRA LLP. Gata No. 1166, Vill-Jarar, Tahsil-Naraini, Banda	25.324488 80.347927	Stone grit-180 MT/Hrs	28-06-22	05-09-22	31-08-26
2	Associated Ventures. Gata No. 1172,1179 &1180, Vill-Jarar, Tahsil-Naraini, Banda	25.328259 80.348467	Stone grit-225 MT/Hrs	24-12-21	05-03-22	31-07-26
3	Peer Baba Granite Gata No. 1798, Vill-Jarar, Tahsil-Naraini, Banda	25.333284 80.363266	Stone grit-225 MT/Hrs	03-01-22	11-01-23	31-07-27
4	Neelkanth Granite Gata No. 1382, Vill-Jarar,	25.337391 80.358105	Stone grit-135 MT/H	03-01-22	27-08-22	31-07-26



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	Tahsil-Naraini, Banda		rs		
5	Indus stone Crusher Pvt Ltd Gata No. 1794, Vill-Jarar, Tahsil-Naraini, Banda	25.333521 8 79.976312	Stone grit-225 MT/Hrs stone dust-25 MT/Hrs	15-04-23	Under construction

14. 05 stone crushers were identified in village-Jarar (Chhaneha Purwa, Raghwa Purwa), out of 5 stone crusher, 4 stone crusher were found in operation and one stone crusher was found under construction.
15. During committee visit, dust suppression system i.e. water spraying facility on jaw crusher, cone and main conveyer, covering of vibrating screen and conveyor have been found installed on each operational stone crushers.
16. Metal sheet made boundary wall have been found on each stone crusher but strengthening of the boundary wall surround the stone crusher is required.
17. All stone crusher are established beyond the 500 meters distance from the habitant area.



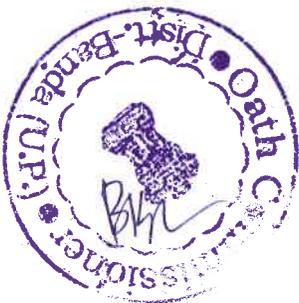
Signature

18. *All stone crushers have been submitted compliance report along with ambient air quality monitoring report. The air polluting parameters is within prescribed limit.*
19. *During the committee visit, it was observed that crops was not found affected in nearby agricultural field.*
20. *As per CMO report, no any patient was found as mentioned illness in complain. **Annexure-3.***

8. That the report submitted by the Divisional Forest Officer, Banda Division Banda vide letter No.-3707/33-1 dated 28.05.2022 regarding unit in question sent to the Regional Officer, Uttar Pradesh Pollution Control Board, Banda mentioned as under :-

“(1) The proposed land for Crusher unit to be established is situate Banda Naraini Road on Paigambar to Jarar Marg between 04 and 05 Km. Which distance is 01 km. from the road and 4.0 km. from protected forest area and Banda Naraini main road.

(2) The air distance of the proposed Crusher unit from forest area (Akbarpur Girwan) is 2.0 km.



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(3) There are no garden within the radius of 1.0 km. from proposed land for Crusher unit.

(4) The distance of the inhabitant from proposed land is 2.0 km.

(5) There are no School or Collage nearby area of the proposed Crusher unit.

(6) The distance of the proposed Crusher unit from Ranipur Wild life Sanctuary is 130.0 km."

9. That the Sub-District Officer, Naraini regarding Crusher Unit in question vide letter no-628/एन-नरैनी dated 07-06-2022 informed to the Regional Officer, Uttar Pradesh Pollution Control Board, Banda as under :-

"(1) The proposed Gata No.-1166 measuring 3.529 Hecter land is situate in Village-Jarar Tahsil-Naraini, District-Banda which has been taken on rent for a period of 10 years by the M/s AHVS INFRA, LLP.

(2) Proposed Gata No. 1166 is situate 3 Km. away from Devi Ji Girwan link road.

(3) The distance of the proposed land from Banda Naraini main road 3.5 Km.



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(4) *The distance of the proposed land from inhabitant is 1100 meters.*

(5) *The distance of the proposed land from School/College about 1150 meters.*

(6) *The distance of the proposed land from nearest Railway Station Khurhand is 15 Km.*

(7) *The proposal land is suitable for establishment of Crusher Unit.”*

10. That on the basis of aforesaid report dated 28-05-2022 of the forest department and report dated 07-06-2022 of the revenue department the Uttar Pradesh Pollution Control Board, Lucknow vide ref. No.-158842/UPPCB/Banda(UPPCB BRO)/CTE/Banda/2021 dated 28-06-2022 issued the consent to establish for new unit under the provisions of water (Prevention and Control of Pollution) Act 1974 as Air (Prevention and Control of Pollution) Act 1981 as amended in favor of M/s AHVS INFRA, LLP project proponent The project proponent has established the Crusher Unit under the names as per CTE.



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The said copy of consent to establish the unit dated 28-06-2022 is being annexed herewith as **Annexure No.1** to this reply affidavit.

11. That after establishment of the plant the Regional Officer of Uttar Pradesh Pollution Control Board, Regional Office, Banda, under the provisions of Sections 25 & 26 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 also issued Consolidated consent to operate vide letter dated 05-09-2022 to the project proponent Hence, the project proponent has obtained all the necessary statutory permissions from various authorities, as required under the provisions of law for running Stone Crusher Plant.

The copy of the consolidated consent to operate dated 05-09-2022 is being annexed herewith as **Annexure No.2** to this reply affidavit.



12. That the project proponent done the following works for protection of environment of area :-

A handwritten signature in blue ink, consisting of stylized cursive letters, possibly reading "Anurag".

- 1- The M/s AHVS INFRA LLP at Gata no. 1166 Village Jarar, tehsil-Naraini, District-Banda (UP) is under operation.
- 2- The consolidate consent to operate and authorization hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & control of Pollution) Act, 1974 and under Section-21 of the Air (Prevention & control of Pollution) Act, 1981 vide letter no 161504/UPPCB/Banda/UPPCBRO)/CTO/both/Banda/2022 dated 05-09-2022 valid till 31-08-2026. has from received and are complying all the conditions mentioned in the consent to operate.
- 3- Complying with the direction of the Central Pollution Board under Environment (Protection) Act, 1986 for the periodic operation and maintenance of the dust suppression system for stone crusher unit to avoid the adverse impact on the surrounding environment.



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4- Operating and maintaining the air pollution control system as per the guideline of UP Pollution Control Board issued vide letter no.H71497/C-3/Nodal Stone Crusher-163/22 dated 10-02-2022.

13. That in the compliance of the UP Pollution control Board guidelines for Stone Crusher Unit the following action have been taken by the project proponent for air pollution control measures and dust suppression system.

- i) Cover with closed metal sheet enclosures on dust emitting points i.e., the crusher including their discharge points, screens, and the transfer points of belt conveyors have been installed. Covering of all belt conveyors to avoid the process emission i.e., dust have been installed.
- ii) Adequate facility of spraying water on all dust generation sources, land inside the industry premises to avoid the dust spreading in the air have been provided. (Water networking and water tanker provided)
- iii) Metaled/Cement Concrete Road of inside the unit have been constructed.
- iv) The 5.0 meters high wind breaking wall around the stone crusher premises have been installed.



Wind breaking wall 1.0 meter high from highest belt conveyors with minimum 8.0 mm thick G.I. sheet/other barricading arrangement tight with nut bolts.

- v) It is being ensured regularly that height of stored material (raw material/product) below the 1.5 meter of wind breaking wall.
- vi) Green belt developed around the stone crusher periphery. Green belt of suitable varieties of trees to arrest the dust in 33% area of the total land all along the boundary of the unit premises have been insured.
- vii) SPM standard as prescribed in Environment (Protection) Act, 1986 is being achieved.
- viii) The installation, maintenance and operation of control system of dust and sound are being done on our own cost.
- ix) The stock license has been obtained from District Mining Officer Banda (UP).



14. That the project proponent also submitted report of compliance of condition mentioned in the consolidated consent to operate and authorization hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & control of Pollution) Act, 1974

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and under Section-21 of the Air (Prevention & control of Pollution) Act, 1981. Vide letter dated 05-08-2022 to the Regional Officer, UP Pollution Control Board, Banda (UP) Pin-210001 and The Chief Environmental Officer (Circle-2), UP Pollution Control Board, Lucknow (UP) Pin-226010.

The copy of the compliance report dated 05-08-2023 is being annexed herewith as **Annexure No.3** to this reply affidavit

15. That the project proponent, namely AHVS INFRA LLP, C-2/37, Vikas Market, Kamla Nagar, Agra is registered firm under the provisions of LLP Rules 2009, by the Government of India, Ministry of Corporate Affairs LLP and its Identification Number AAN-1308 dated 02-07-2021 and till date there has been no complaint from any local inhabitant regarding pollution created in water or air by the project proponent, and this original application has been filed before this Hon'ble Tribunal for the first time, and after perusal of this application, the project proponent has not found any specific grievance of the applicant in operation of the stone crusher plant run by the project proponent.



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16. That in view of aforesaid averment, it is evident that the project proponent has followed all the norms and guidelines issued by the authorities for running of the stone crusher plant, and the premises of the stone crusher are fully covered by wind-breaking wall having height of 12 feet and DGMS interference does not arise.

17. That it is further submitted that the Uttar Pradesh Pollution Control Board is fully cautious of its duties and obligation and is also performing their duties in the public interest. It is also pertinent to mention here that whenever any Industry is running, it may cause pollution in the environment, but an attempt is always made to minimize the pollution, otherwise the basic requirement of development of infra-structure cannot be fulfilled. In the case of **Intellectual Forum, Tripathi Vs. State of A.P. [(2006) 3 SCC 549]**, the Hon'ble Supreme Court has observed that it should follow the Principle of Sustainable Development' and find the balance between the developmental need and the environmental degradation adherent to the Principle of Sustainable Development, is now a constitutional requirement, how much damage to the environment and



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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 :28/06/2022 To 27/06/2023

Ref No. - 158842/UPPCB/Banda(UPPCBRO)/CTE/BANDA/2022

Dated:- 28/06/2022

To ,

Shri ANUJ JAIN
 M/s AHVS INFRA LLP
 GATA No.-1166, Vill-JARAR Teh.-NARAINI, BANDA,210129
 BANDA

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.- 16809224 dated - 17/06/2022. 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 : 25.324488, 80.347927

B- Main Raw Material :

Main Raw Material Details		
Name of Raw Material	Raw Material Unit Name	Raw Material Quantity
STONE BOULDER	Metric Tonnes/Hour	200

C- Product with capacity :

Product Detail	
Name of Product	Product Quantity
STONE GRIT(Ton/Hr.)	180

D- By-Product if any with capacity :

By Product Detail			
Name of By Product	Unit Name	Licence Product Capacity	Install Product Capacity
STONE DUST	Metric Tonnes/Hour	20	20

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

Source of Water Details		
Source Type	Name of Source	Quantity (KL/D)
Ground Water (within premises)	EXISTING BOREWEL	5.0

3. Quantity of effluent (In KLD) :

AMU

Effluent Details	
Source Consumption	Quantity (KL/D)
Domestic	1.0
Others(Dust Suppression)	3.0
Others(Plantation)	1.0

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

Fuel Consumption Details		
Fuel	Consumption(tpd/kld)	Use
Diesel	1.3	400 KVA SILENT DG SET WITH ACOUSTIC ENCLOSURE
Diesel	2	600 KVA SILENT DG SET WITH ACOUSTIC ENCLOSURE

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 27/06/2023 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. The industry shall comply with any other conditions laid down or directions issued in due course by the Board under the provisions of the Air (Prevention & Control of Pollution) Act, 1981.
 - Closed metal sheet enclosures at dust emitting points i.e, the crushers including their discharge points, screens, and the transfer points of belt conveyors, with arrangements of a door with opening and closing facility for cleaning and maintenance and flexible covers at entrance and exit of the belt conveyors. All opening provided for ventilation in the enclosures should be covered by canvas bag filter to arrest the escaping dust.
 - Covering of all belt conveyors.
 - Silos with telescopic discharge chute for collecting, storing and delivering/truck-loading the product, 'stone dust' and the reject. 'fine dust'.
 - A minimum 12 ft high metal sheet barricading or boundary wall should be provided by stone crusher.
 - Dust suppression by scientifically designed water sprinkling system on raw material/products at the equipment and transfer points should be adopted as an auxiliary air pollution control measure.
 - Green belt along the boundary wall needs to be developed by stone crusher.
 - The above 'equipment specifications' should be primarily and compulsorily enforced on stone crusher. SPM standard as prescribed in Environment (Protection) Act, 1986 must be complied by your stone crusher.
2. This N.O.C. is valid for period of five year from the date of its issue or till the commissioning of the industry whichever is earlier.
3. The industry shall apply for the valid consents of the Board as required under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.
4. The industry shall provide adequate arrangements for fighting the accidental leakages/discharge of any air pollutant/gas/liquids from the vessels, mechanical equipment etc. which are likely to cause environmental pollution.
5. The industry shall comply with any other conditions laid down or directions issued by the Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 from time to time.
6. Nothing in this N.O.C. shall be deemed to neither preclude the institution of any legal action nor relieve the applicant from any responsibilities or penalties to which the applicant is or may be subjected under the provisions of the Water/Air Acts respectively.
7. The project has been approved by the Board from pollution angle and the industry shall obtain the approval of site from other concerned departments, if need be.
8. The industry shall plant minimum of three suitable varieties of trees along the boundary of the industrial premises and forest by Miyawaki technique.
9. The industry shall provided adequate and appropriate water/air pollution control device to control and treat the effluent/emission simultaneously with the expansion of project, so as to achieve the standard prescribed by the Board.
10. The industry shall ensure that at any time the parameters of the effluent/emission do not exceed the standards laid down by the Board from time to time for such discharge.
11. The industry shall ensure that at any time the emission do not exceed the emissions standards laid down by the Board from time to time.
12. The industry shall ensure that no water/air pollution problem or public nuisance is created in the area due to discharge of effluent/emissions from the industry.
13. The Board reserves the right to revoke the NOC granted to the industry at any time in case the industry is found violating any of the conditions of NOC or any provision of Air (Prevention & Control of Pollution) Act, 1981 & Water (Prevention & Control of Pollution) Act 1974 as amended time to time.
14. The industry will be bound to comply the order passed by the Hon'ble National Green Tribunal New Delhi under consideration O.A. No. 154/2018 Society for protection of Environment and Biodiversity Vs State of U.P. and others issued with the permission of competent authority.
15. The Industry Submit A bank Guarantee of Rs. 160000.00 (One Lakh sixty thousand only) within one month for compliance of CTE conditions.
16. This conditional Consent to Establish is being issued with reference 628/ST Naraini dated 07.06.2022 of SDM, Naraini and Forest department of District Banda letter No. 3707/33-1 dated 28.05.2022
17. Industry shall comply the provision mentioned in new guideline issued by HO letter H71497/C3/Nodal stone crusher/22 dated 10.02.22 Chief Environmental Officer/Regional Officer
Copy To - CEO-2 UPPCB Lucknow Chief Environmental Officer/Regional Officer.



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 28/07/2022 in this office. Ensure to submit the regular compliance report otherwise this Consent to Establish will be revoked.

GHAN
SHYAM

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SHYAM
Date: 2022.06.28 09:39:53
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Chief Environmental Officer/Regional Officer

Banda

Dated:- 28/06/2022

Copy To -

CEO-2, U.P. Pollution Control Board, Lucknow.

GHAN
SHYAM

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SHYAM
Date: 2022.06.28
09:40:36 +05'30'

Chief Environmental Officer/Regional Officer

Banda



Uttar Pradesh Pollution Control Board

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

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

161504/UPPCB/Banda(UPPCBRO)/CTO/both/BANDA/2022

Date: 05/09/2022

To,

M/s

AHVS INFRA LLP

GATA No.-1166, Vill-JARAR Teh.-NARAINI, BANDA, 210129

Application Id-
17284074

Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section-21 of the Air (Prevention & Control of Pollution) Act, 1981

CCA is hereby granted to AHVS INFRA LLP located at GATA No.-1166, Vill-JARAR Teh.-NARAINI, BANDA, 210129. subject to the provisions of the Water Act, Air Act and the orders that may be made further and subject to following terms and conditions :-

1. This CCA AHVS INFRA LLP granted for the period from 14/08/2022 to 31/08/2026 and valid for manufacturing of following products.

S No	Product	Quantity	Unit
1	Stone Grit(MTon/Hr.)	180	Metric Tonnes/Hour

2. Conditions under Water(Prevention and Control of Pollution) Act -1974 as amended :-

(i) The daily quantity of effluent discharge (KLD) :-

Kind of Effluent	Quantity(KLD)	Treatment facility	Discharge point
Domestic	1 KLD	Septic Tank	Septic tank/ soak pit

(ii) Trade Effluent Treatment and Disposal :-The applicant shall operate Effluent Treatment Plant consisting of primary/secondary and tertiary treatment as is required with reference to influent quantity and quality.

In case of stoppage of functioning of ETP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(iii) The treated effluent shall be recycled to the maximum extent and should be reused within the premises for gardening etc. Quality of the treated effluent shall meet to the following general and specific standards as prescribed under Environment (Protection) Rules, 1986 and applicable to the unit from time-to-time :-

Industrial Effluent Quality Standard

S.No.	Parameter	Standard
1	1 KLD	Through Septik Tank / Sock pit

(iv) Sewage Treatment and Disposal :- The applicant shall provide comprehensive STP as is required with reference to influent quantity and quality. In case of stoppage of functioning of STP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be

(Handwritten signature)

dispatched immediately.

(v) The treated sewage shall be reused in gardening as far as possible. The STP shall be maintained continuously so as to achieve the quality of the treated sewage to the following standards.

S No.	Parameters	Standards
-------	------------	-----------

3. Conditions under Air (Prevention and Control of Pollution) Act -1981 as amended :-

i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards.

Air Pollution Source Details

S No.	Air Pollution Source	Type of fuel	Stack no	Control Device	Height of Stack
1	Dust/ Process Emission of Stone Crusher	0	0	Particulate Matter	0
2	400 KVA DG Set	Diesal	1	Particulate Matter	3 Mtr. above the roof top
3	600 KVA DG Set	Diesal	2	Particulate Matter	5 Mtr. above the roof top

Emmission Quality Standards

S No.	Stack no	Parameters	Standards
1	1	Particulate Matter	0.2G/KW/HR
2	2	Particulate Matter	0.2G/KW/HR
3	0	Particulate Matter	600 ug/m3

In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately

(ii) The unit will not use any type of restricted fuel.

iii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time
	75	70	65	55	55	45	50	40

4. Essential documents to be submitted by the Industry/Unit as Applicable :-

(i) Environment Statement in Form-V of Environment (Protection) Rules, 1986.

(ii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.

(Signature)

5. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.
6. Unit has to comply with the following specific & general conditions. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 will result in legal action under the aforesaid Acts and Rules.
7. In compliance to the G.O 1011/81-7-2021-09 (Writ)/2016 dated.13.10.2021 issued by Department of Environment, Forest and Climate Change, Uttar Pradesh. You are directed to develop Miyawaki Forest as per the SOP available at URL:-<http://www.ucecp.in/TrainingSession.aspx> for ensuring timely compliance of this direction, you are hereby directed to submit a bank guarantee with minimum validity of one year of the amount equivalent to the sum of initial consent fees (Air and Water) or Rs. 50,000/- (Rs. Fifty Thousand Only) whichever is more, within 30 days from the date of issuance of this certificate. In case of non-compliance of this direction, your consent will be revoked by the Board.
8. If the unit uses the ground water and requires the permission from SGWA/CGWA for water abstraction then the industry will have to obtain No objection certificate for abstraction of ground water. It will be the responsibility of the industry to comply with the various conditions of the NOC obtained from the competent authority and submit to the Board, within 3 months time failing which CTO will be revoked.

Specific Conditions:-

1. The CTO is valid for production of Stone Grit – 180 MT /Hrs and Stone Grit – 20 MT /Hrs by using Stone Boulder- 200 MT /Hrs as raw materials at M/s A.H.V.S. L.L.P. GATA NO- 1166, VILLAGE- JARAR, TAHSIL- NARAINI, DISTRICT- BANDA (Co-ordinates of the dug of unit are- Latitude- 25.324488 and Longitude 80.347927
2. This consent order is valid from dated 14.08.2022 to 31.07.2026 for the production of above mention product. Industry shall obtain prior approval before making any modification in product/process /fuel/plant machinery and place shifting failing which consent would be deemed void.
3. The water will be used in domestic purpose and sprinkling purpose for process dust suppression only. Domestic effluent must be discharged by septic tank/ soak pit. Water will not be discharged from industrial process.
4. The provision of dust suppression system of Central Pollution Control Board under Environment (Protection) Act,1986 regarding stone crusher must be installed, operated and complied to avoid the adverse impact of surrounded environment as given below: -
 1. It is insured to maintain the installed closed metal sheet enclosures on dust emitting points i.e. the crushers including their discharge points, screens, and the transfer points of belt conveyors with arrangements of a door with opening and closing facility for cleaning & maintenance and flexible covers at entrance & exit of the belt conveyors. It is also insured to maintain the proper covering by canvas bag filter on all opening provided for ventilation in the enclosures to arrest the escaping dust.
 2. It is insured to maintain the covering of all belt conveyors to avoid the process emission i.e. dust regularly.
 3. Silos with telescopic discharge chute must be installed for collecting, storing and delivering/truck loading of product i.e. Stone dust, reject and fine dust.
 4. Maintenance and operation of installed water sprinkling system on crushers, all belt conveyors, raw material/products at the equipment and transfer points as an auxiliary air pollution control measure for dust suppression must be insured. Regular cleaning and wetting of the ground within premises must be done.
 5. It is insured to maintain the layer of wind screen of mild steel or some other similar material of at least 5 feet height above the brick wall. The wind screen system should have a porosity of ~30% to lower the wind velocities.
 6. A minimum 6.0 meters high wind breaking wall around the stone crusher premises must be maintained. Wind breaking wall will keep 1.0 meter high from highest belt conveyors with minimum 8.0 mm thick G.I. Sheet / other barricading arrangement tight with nut bolts.
 7. Metaled/Cement Concrete Road of inside the unit must be maintained.

DM

8. Green belt must be maintained around stone crusher periphery.
9. SPM standard as prescribed in Environment (Protection) Act, 1986 must be achieved.
5. The direction mentioned in guideline of U.P. Pollution Control Board issued vide letter no- H71497/C-3/Nodal Stone Crusher-163/22 dated 10.02.2022 regarding stone crusher must be complied as given below: -
 1. It is required to sufficient land minimum one hectare to install the main plant and machinery 30 meters away from the boundary, appropriate Air Pollution Control System (APCS), storage of raw material and product. Land availability must be maintained.
 2. NOC/ Clearance of Mining Department regarding of availability of raw material must be obtained and submitted in this office within one month.
 3. All arrangement for control the spreading of process emission/ dust in air as mentioned in point no 4 (1 to 9) must be maintained and operated regularly.
 4. It is insured to spraying the water on all dust generation sources, land inside the industry premises to avoid the dust spreading in the air regularly.
 5. Industry shall develop green belt of suitable varieties of trees to arrest the dust in 33% area of the total Land all along the boundary of the unit premises. It is insured the protection of green belt by the entrepreneur as per submitted lay out.
 6. The installation, maintenance and operation of control system of dust and sound shall be done by entrepreneur on his own cost.
 7. New stone crusher, that is installed after new guideline dated 10.02.2022, minimum 5.0 meters high wind breaking wall around the small category stone crusher and minimum 6.0 meters high wind breaking wall around the medium & large category stone crusher around the industry premises must be maintained. Wind breaking wall will keep 1.0 meter high from highest belt conveyors with minimum 8.0 mm thick G.I. Sheet / other barricading arrangement tight with nut bolts.
 8. It is insured to keep the height of stored material (raw material/product) below the 1.5 meter of wind breaking wall regularly.
6. The direction mentioned regarding site and air pollution control system in guideline of U.P. Pollution Control Board issued vide letter no- H71497/C-3/Nodal Stone Crusher-163/22 dated 10.02.2022 regarding stone crusher must be complied.
7. The CTO is issued subjected to SDM BANDA letter dated 07.06.2022 regarding site feature around the stone crusher.
8. The CTO is issued subjected to DEPARTMENT OF FOREST letter dated 28.05.2022 regarding Reserved Forest/ Wild Sanctuary, Eco Sensitive Zone around the stone crusher.
9. Commitment given in affidavit dated 05.09.2022 must be complied.
10. The operation & maintenance of the installed dust suppression system should be strictly followed to meet the prescribed emissions standards as per Environment (Protection) Act 1986 (as amended).
11. Ambient Air Monitoring test should be carried out from Environment (Protection) Act 1986 approved laboratory/NABL accredited laboratory by the industry and submit monitoring report to the board within two months.
12. Order dated 10.01.2017 issued by Hon'ble High Court in OA No- 753/2017 'He seeks liberty to the petitioner to get the distance between his stone crusher and the residential area/highway measured from the revenue authorities and again approach the concerned authority for reconsideration of his request for grant of consent.' will be complied.
13. The industry will be bound to comply the order passed the Hon'ble National Green Tribunal New Delhi under consideration O.A. No. 154/2018 Society for protection of Environment and Biodiversity Vs State of U.P. and others
14. According to proposal, DG set (400 KVA-01 no. and 600 KVA-01 no.) will be installed. The DG set must be equipped with acoustic enclosure and adequate air pollution control devices. The emissions/noise level must be conformed to the prescribed standards of Environment (Protection) act 1986 (as amended).



15. The industry shall submit audited balance sheet/certificate of C.A. to this office for verification of consent fee in every year and accordingly balance fee shall be paid to UPPCB.
16. The operation of the industry should be in the way that the process emission generated from the industry should not affect the surrounding environment and population.
17. The transportation of vehicles shall be in such a manner that emission generated should not affect the nearby residence and agricultural field.
18. The industry shall ensure that house-keeping of premises is to be good always. The industry shall ensure that the handling, collection and disposal of solid waste should be in proper and safe way.
19. The unit must be complied the directions/Guidelines issued from time to time from Hon'ble Court, Hon'ble National Green Tribunal, Ministry of Environment, Forest and Climate Change New Delhi, Central Pollution Control Board, U.P. Pollution Control Board and District Administration.
20. Industry shall provide sufficient no. of Helmets, Gumboots, Goggles and Masks etc. to the workers for their safety.
21. The industry shall operate water sprinkling system for control process emission and dust suppression in scientific manner so as to achieve the prescribed standards for all the times.
22. If U.P.P.C.B or C.P.C.B issues closure order against the industry, this consent shall remain suspended for the period till closure order is revoked, after which the consent will be effective again for the remaining period.
23. This consent order will not affect the acceptance or order of any other department.
24. Knowingly making any false statement for obtaining consent or compliance of consent conditions shall result in the imposition of criminal penalties as provided under the section 42(g) of the Water Act or section 38 (g) of the Air Act.
25. The applicant shall allow the staff of Uttar Pradesh Pollution Control Board and/or their authorized representative, upon the representation of credentials:
 - a. To inspect raw material stock, manufacturing processes, reactors, premises etc to perform the functions of the Board.
 - b. To enter upon the applicant's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this consent.
 - c. To have access at reasonable times to any records required to be kept under the terms and conditions of this consent.
 - d. To inspect at reasonable times any monitoring equipment or monitoring method required in this Consent:
or,
 - e. To sample at reasonable times any discharge or pollutants.
26. This consent/authorization is transferable, in case of change of ownership/management and addresses of new Owner/partner/directors/proprietor should immediately apply for the same.
27. The issuance of this consent does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any invasion of personal rights, nor any infringement of Central, State or local laws or regulations.
28. The applicant shall submit such information, forms and fees as required by the Board not later than 180 day prior to the date of expiration of this consent.
29. The industry shall establish a separate environmental cell, headed by responsible officer of the unit for reporting the environmental compliances. The industry shall submit environmental statement for the previous year ending 31st March on or before 30th September every year to the Board.
30. Industry shall abstract ground water with the valid permission (N.O.C) of competent Authority (S.G.W.A).
31. Industry shall also develop plants by Miyawaki method as per the Protocol attached with Board's office order H 16405 /220/2018/02 dated 16-2-2018, which is available on Board's website- www.uppcb.com.
32. Proper Safety Devices must be provided to the factory workers.



33. All the effective safety measures must be taken to avoid any contamination /deterioration in the surrounding environments/ecosystem.
34. The provisions/guidelines notified under the Environment (Protection) act 1986 (as amended) must be strictly complied.
35. NOC/license/Consent/approval of all other concerned department for operation of industry, as per the statutory provisions, must be obtained and submitted this office within two months
36. Housekeeping of the industry should be maintained properly.
37. If Complaint is received against the stone crusher regarding air pollution, adverse impact on habitation & Mango orchard, stone crusher site and after verification if complaint is found true the CTO will be revoked without any prior notice.
38. This CTO is issued as per the provisions of Water (Prevention and Control of Pollution) Act, 1974 (as amended) and Air (Prevention and Control of Pollution) Act, 1981 (as amended).

Notwithstanding anything contained this consent order and these conditions of consent, the U.P. Pollution Control Board hereby reserves its right and power under section (27)2 of The Water (Prevention and Control of Pollution) Act, 1974 and its amendment of 1978 and The Air (Prevention and Control of Pollution) Act, 1981 and its amendment of 1987 to review any and /or all the conditions imposed herein above and to make such verification as deemed fit for the purpose of the Act by this Board.

General Conditions:-

1. The applicant shall get analysed the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UPPCB.
2. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
3. Treated Industrial waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
4. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.
5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof
6. The industry shall provide uninterrupted entry to the STP/ETP inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control systems.
7. The industry shall provide Inspection Book at the time of inspection to the Board's officials.
8. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
11. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/ production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point

DVM

12. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.

RAJENDR Digitally signed by
RAJENDRA PRASAD
A PRASAD Date: 2022.09.05
17:44:56 +05'30'
Regional Officer(I)
UPPCB, Banda

Copy to:

Ceo-2, U.P. Pollution Control Board, Lucknow

RAJENDR Digitally signed by
RAJENDRA PRASAD
A PRASAD Date: 2022.09.05
17:45:27 +05'30'
Regional Officer(I)
UPPCB, Banda



Date: 05/08/2023

To,
The Regional Officer,
U P Pollution Control Board,
34 A, Near Sant Tulsi Public School,
New Building, Indira Nagar Gate No.2,
Banda (UP) -210001

Dear Sir,

Sub: Regarding Compliance of Conditions mentioned in the Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section-21 of the Air (Prevention & Control of Pollution) Act, 1981.

We are submitting herewith the Compliance Report of the Conditions of CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section-21 of the Air (Prevention & Control of Pollution) Act, 1981 vide UPPCB Letter Ref No. 161504/UPPCB/Banda (UPPCBRO)/CTO/both/BANDA/2022 Date: 05/09/2022.

Hope you will find it in order.

Thanking you,

Your's faithfully,
For AHYS INFRA LLP



(Authorized Signatory)

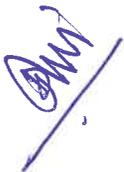
Cc: The Chief Environmental Officer (Circle-2),
U P Pollution Control Board,
TC-12 V, Vibhuti Khand, Gomti Nagar,
Lucknow (UP) -226 010

A handwritten signature in blue ink, consisting of stylized letters, possibly "AHYS".

Conditions of Consent –Consent to Operate

CCA is hereby granted to AVHS INFRA LLP located at Gata No. 1166, Vill. - Jarar, Tehsil-Naraini, BANDA, 210129. subject to the provisions of the Water Act, Air Act and the orders that may be made further and subject to following terms and conditions: -

S.No.	Consent Condition	Compliance Status																				
1	<p>This CCA AVHS INFRA LLP granted for the period from 14/08/2022 to 31/08/2026 and valid for manufacturing of following products.</p> <table border="1"> <thead> <tr> <th>S.No.</th> <th>Product</th> <th>Quantity</th> <th>Unit</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Stone Grit (MT/Hr)</td> <td>180</td> <td>MT/ Hr</td> </tr> </tbody> </table>	S.No.	Product	Quantity	Unit	1	Stone Grit (MT/Hr)	180	MT/ Hr	Agreed												
S.No.	Product	Quantity	Unit																			
1	Stone Grit (MT/Hr)	180	MT/ Hr																			
2	<p>(i)Conditions under Water (Prevention and Control of Pollution) Act -1974 as amended: -</p> <table border="1"> <thead> <tr> <th>Kind of Effluent</th> <th>Quantity</th> <th>Treatment Facility</th> <th>Discharge Point</th> </tr> </thead> <tbody> <tr> <td>Domestic</td> <td>1.0 KLD</td> <td>Septic Tank</td> <td>Septic Tank/ Soak Pit</td> </tr> </tbody> </table> <p>(ii)Trade Effluent Treatment and Disposal: -The applicant shall operate Effluent Treatment Plant consisting of primary/secondary and tertiary treatment as is required with reference to influent quantity and quality. In case of stoppage of functioning of ETP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.</p> <p>(iii)The treated effluent shall be recycled to the maximum extent and should be reused within the premises for gardening etc. Quality of the treated effluent shall meet to the following general and specific standards as prescribed under Environment (Protection) Rules, 1986 and applicable to the unit from time-to-time: -</p> <p style="text-align: center;">Industrial Effluent Quality Standard</p> <table border="1"> <thead> <tr> <th>S.No.</th> <th>Parameter</th> <th>Standard</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1KLD</td> <td>Through Septic Tank/ Soak Pit</td> </tr> </tbody> </table> <p>(iv) Sewage Treatment and Disposal: - The applicant shall provide comprehensive STP as is required with reference to influent quantity and quality. In case of stoppage of functioning of STP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.</p> <p>(v) The treated sewage shall be reused in gardening as far as possible. The STP shall be maintained continuously so as to achieve the quality of the treated sewage to the following standards</p> <table border="1"> <thead> <tr> <th>S.No.</th> <th>Parameter</th> <th>Standard</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Kind of Effluent	Quantity	Treatment Facility	Discharge Point	Domestic	1.0 KLD	Septic Tank	Septic Tank/ Soak Pit	S.No.	Parameter	Standard	1	1KLD	Through Septic Tank/ Soak Pit	S.No.	Parameter	Standard				Agreed Complied with
Kind of Effluent	Quantity	Treatment Facility	Discharge Point																			
Domestic	1.0 KLD	Septic Tank	Septic Tank/ Soak Pit																			
S.No.	Parameter	Standard																				
1	1KLD	Through Septic Tank/ Soak Pit																				
S.No.	Parameter	Standard																				
3	<p>Conditions under Air (Prevention and Control of Pollution) Act -1981 as amended: -</p> <p>i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards.</p>	Agreed Complied with																				



Air Pollution Source Details					
S No.	Air Pollution Source	Type of fuel	Stack no	Control Device	Height of Stack
1	Dust / Process Emission of Stone Crusher	0	0	Particulate Matter	0.
2	400 KVA DG Set	Diesel	1	Particulate Matter	3 Mtr above rooftop
3	600 KVA DG Set	Diesel	2	Particulate Matter	5 Mtr above rooftop

Emission Quality Standards			
S.No.	Stack No.	Parameters	Standards
1	1	Particulate Matter	0.2G/KW/HR
2	2	Particulate Matter	0.2G/KW/HR
3	0	Particulate Matter	600 ug/m3

In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately

(ii) The unit will not use any type of restricted fuel.

(iii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows: - Day time: from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time
	75	70	65	55	55	45	50	40

4	Essential documents to be submitted by the Industry/Unit as Applicable: - (i) Environment Statement in Form-V of Environment (Protection) Rules, 1986. (ii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area	Agreed
5	Competent Authority reserves the right to change/modify/add any time any condition of this CCA.	Agreed
6	Unit has to comply with the following specific & general conditions. Non-compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 will results in legal action under the aforesaid Acts and Rules.	Agreed

7	In compliance to the G.O 1011/81-7-2021-09 (Writ)/2016 dated.13.10.2021 issued by Department of Environment, Forest and Climate Change, Uttar Pradesh. You are directed to develop Miyawaki Forest as per the SOP available at URL: - http://www.upecp.in/TrainingSession.aspx for ensuring timely compliance of this direction, you are hereby directed to submit a bank guarantee with minimum validity of one year of the amount equivalent to the sum of initial consent fees (Air and Water) or Rs. 50,000/- (Rs. Fifty Thousand Only) whichever is more, within 30 days from the date of issuance of this certificate. In case of non-compliance of this direction, your consent will be revoked by the Board.	Agreed
8	If the unit uses the ground water and requires the permission from SGWA/CGWA for water abstraction then the industry will have to obtain No objection certificate for abstraction of ground water. It will be the responsibility of the industry to comply with the various conditions of the NOC obtained from the competent authority and submit to the Board, within 3 months' time failing which CTO will be revoked.	Agreed

Special Conditions

S.No.	Consent Condition	Compliance Status
1	The CTO is valid for production of Stone Grit- - 180 MT/HR and Stone Dust – 20 MT/HR by using Stone Boulder- 200 MT/HR as raw materials at AVHS INFRA LLP located at Gata No. 1166, Vill. - Jarar, Tehsil-Naraini, BANDA, 210129. (Co-ordinates of the dug of unit are Latitude 25.324488 and Longitude 80.347927).	Agreed
2	This consent order is valid from dated 14.08.2022 to 31.07.2026 for the production of above mention product. Industry shall obtain prior approval before making any modification in product/process /fuel/plant machinery and place shifting failing which consent would be deemed void.	Agreed
3	The water will be used in domestic purpose and sprinkling purpose for process dust suppression only. Domestic effluent must be discharged by septic tank/ soak pit. Water will not be discharged from industrial process.	Agreed
4	The provision of dust suppression system of Central Pollution Control Board under Environment (Protection) Act,1986 regarding stone crusher must be installed, operated and complied to avoid the adverse impact of surrounded environment as given below: - 1. It is insured to maintain the installed closed metal sheet enclosures on dust emitting points i.e., the crushers including their discharge points, screens, and the transfer points of belt conveyors with arrangements of a door with opening and closing facility for cleaning & maintenance and flexible covers at entrance & exit of the belt conveyors. It is also insured to maintain the proper covering by canvas bag filter on all opening provided for ventilation in the enclosures to arrest the escaping dust. 2. It is insured to maintain the covering of all belt conveyors to avoid the process emission i.e., dust regularly. 3. Silos with telescopic discharge chute must be installed for collecting, storing and delivering/truck loading of product i.e., Stone dust, reject and fine dust. 4. Maintenance and operation of installed water sprinkling system on crushers, all belt conveyors, raw material/products at the equipment and transfer points as an auxiliary air pollution control measure for dust suppression must be insured. Regular cleaning and wetting of the ground within premises must be done. 5. It is insured to maintain the layer of wind screen of mild steel or some other similar material of at least 5 feet height above the brick wall. The wind screen system should have a porosity of ~30% to lower the wind velocities.	Agreed and complied with.

	<p>6. A minimum 6.0 meters high wind breaking wall around the stone crusher premises must be maintained. Wind breaking wall will keep 1.0 meter high from highest belt conveyors with minimum 8.0 mm thick G.I. Sheet / other barricading arrangement tight with nut bolts.</p> <p>7. Metaled/Cement Concrete Road of inside the unit must be maintained.</p> <p>8. Green belt must be maintained around stone crusher periphery.</p> <p>9. SPM standard as prescribed in Environment (Protection) Act, 1986 must be achieved</p>	
5	<p>The direction mentioned in guideline of U.P. Pollution Control Board issued vide letter noH71497/C3/Nodal Stone Crusher-163/22 dated 10.02.2022 regarding stone crusher must be complied as given below: -</p> <ol style="list-style-type: none"> 1. It is required to sufficient land minimum one hectare to install the main plant and machinery 30 meters away from the boundary, appropriate Air Pollution Control System (APCS), storage of raw material and product. Land availability must be maintained. 2. NOC/ Clearance of Mining Department regarding of availability of raw material must be obtained and submitted in this office within one month. 3. All arrangement for control the spreading of process emission/ dust in air as mentioned in point no 4 (1 to 9) must be maintained and operated regularly. 4. It is insured to spraying the water on all dust generation sources, land inside the industry premises to avoid the dust spreading in the air regularly. 5. Industry shall develop green belt of suitable varieties of trees to arrest the dust in 33% area of the total Land all along the boundary of the unit premises. It is insured the protection of green belt by the entrepreneur as per submitted lay out. 6. The installation, maintenance and operation of control system of dust and sound shall be done by entrepreneur on his own cost. 7. New stone crusher, that is installed after new guideline dated 10.02.2022, minimum 5.0 meters high wind breaking wall around the small category stone crusher and minimum 6.0 meters high wind breaking wall around the medium & large category stone crusher around the industry premises must be maintained. Wind breaking wall will keep 1.0 meter high from highest belt conveyors with minimum 8.0 mm thick G.I. Sheet / other barricading arrangement tight with nut bolts. 8. It is insured to keep the height of stored material (raw material/product) below the 1.5 meter of wind breaking wall regularly. 	Agreed and complied with
6	The direction mentioned regarding site and air pollution control system in guideline of U.P. Pollution Control Board issued vide letter no- H71497/C-3/Nodal Stone Crusher-163/22 dated 10.02.2022 regarding stone crusher must be complied.	Agreed
7	The CTO is issued subjected to SDM BANDA Letter dated 07.06.2022 regarding the site feature around the Stone Crusher.	Agreed
8	The CTO is issued subjected to DEPARTMENT OF FOREST Letter dated 28.05.2022 regarding Reserved Forest/ Wild Sanctuary, Eco Sensitive Zone around the Stone Crusher.	Agreed
9	Commitment given in affidavit dated -05.09.2022 must be complied.	Agreed
10	The operation & maintenance of the installed dust suppression system should be strictly followed to meet the prescribed emissions standards as per Environment (Protection) Act 1986 (as amended).	Agreed
11	Ambient Air Monitoring test should be carried out from Environment (Protection) Act 1986 approved laboratory/NABL accredited laboratory by the industry and submit monitoring report to the board within two months	Agreed Monitoring Report attached
12	Order dated 10.01.2017 issued by Hon'ble High Court in OA No- 753/2017 'He seeks liberty to the petitioner to get the distance between his stone crusher and the residential area/highway measured from the revenue authorities and again approach the concerned authority for reconsideration of his request for grant of consent.' will be complied.	Agreed
13	The industry will be bound to comply the order passed the Hon'ble National Green Tribunal New Delhi under consideration O.A. No. 154/2018 Society for protection of Environment and Biodiversity Vs State of U.P. and others.	Agreed

14	According to proposal, DG set OF 500 KVA will be installed. The DG set must be equipped with acoustic enclosure and adequate air pollution control devices. The emissions/noise level must be conformed to the prescribed standards of Environment (Protection) act 1986 (as amended).	Agreed Monitoring Report attached
15	The industry shall submit audited balance sheet/certificate of C.A. to this office for verification of consent fee in every year and accordingly balance fee shall be paid to UPPCB.	Attached herewith.
16	The operation of the industry should be in the way that the process emission generated from the industry should not affect the surrounding environment and population.	Agreed
17	The transportation of vehicles shall be in such a manner that emission generated should not affect the nearby residence and agricultural field	Agreed
18	The industry shall ensure that house-keeping of premises is to be good always. The industry shall ensure that the handling, collection and disposal of solid waste should be in proper and safe way.	Agreed
19	The unit must be complied the directions/Guidelines issued from time to time from Hon'ble Court, Hon'ble National Green Tribunal, Ministry of Environment, Forest and Climate Change New Delhi, Central Pollution Control Board, U.P. Pollution Control Board and District Administration.	Agreed
20	Industry shall provide sufficient no. of Helmets, Gumboots, Goggles and Masks etc. to the workers for their safety.	Agreed
21	The industry shall operate water sprinkling system for control process emission and dust suppression in scientific manner so as to achieve the prescribed standards for all the times.	Agreed
22	If U.P.P.C.B or C.P.C.B issues closure order against the industry, this consent shall remain suspended for the period till closure order is revoked, after which the consent will be effective again for the remaining period.	Agreed
23	This consent order will not affect the acceptance or order of any other department.	Agreed
24	Knowingly making any false statement for obtaining consent or compliance of consent conditions shall result in the imposition of criminal penalties as provided under the section 42(g) of the Water Act or section 38 (g) of the Air Act.	Agreed
25	The applicant shall allow the staff of Uttar Pradesh Pollution Control Board and/or their authorized representative, upon the representation of credentials: a. To inspect raw material stock, manufacturing processes, reactors, premises etc to perform the functions of the Board. b. To enter upon the applicant's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this consent. c. To have access at reasonable times to any records required to be kept under the terms and conditions of this consent. d. To inspect at reasonable times any monitoring equipment or monitoring method required in this Consent: or, e. To sample at reasonable times any discharge or pollutants.	Agreed
26	This consent/authorization is transferable, in case of change of ownership/management and addresses of new Owner/partner/directors/proprietor should immediately apply for the same.	Agreed
27	The issuance of this consent does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any invasion of personal rights, nor any infringement of Central, State or local laws or regulations.	Agreed
28	The applicant shall submit such information, forms and fees as required by the Board not later than 180 days prior to the date of expiration of this consent.	Agreed
29	The industry shall establish a separate environmental cell, headed by responsible officer of the unit for reporting the environmental compliances. The industry shall submit environmental statement for the previous year ending 31st March on or before 30th September every year to the Board.	Agreed
30	Industry shall abstract ground water with the valid permission (N.O.C) of competent Authority (S.G.W.A).	Agreed



31	Industry shall also develop plants by Miyawaki method as per the Protocol attached with Board's office order H 16405 /220/2018/02 dated 16-2-2018, which is available on Board's website- www.uppcb.com.	Plantation Photographs attached
32	Proper Safety Devices must be provided to the factory workers.	Agreed and Complied with
33	All the effective safety measures must be taken to avoid any contamination /deterioration in the surrounding environments/ecosystem.	Agreed
34	The provisions/guidelines notified under the Environment (Protection) act 1986 (as amended) must be strictly complied.	Agreed
35	NOC/license/Consent/approval of all other concerned department for operation of industry, as per the statutory provisions, must be obtained and submitted this office within two months.	Agreed
36	Housekeeping of the industry should be maintained properly	Agreed
37	If Complaint is received against the stone crusher regarding air pollution, adverse impact on habitation & Mango orchard, stone crusher site and after verification if complaint is found true the CTO will be revoked without any prior notice	Agreed
38	This CTO is issued as per the provisions of Water (Prevention and Control of Pollution) Act, 1974 (as amended) and Air (Prevention and Control of Pollution) Act, 1981 (as amended). Notwithstanding anything contained this consent order and these conditions of consent, the U.P. Pollution Control Board hereby reserves its right and power under section (27)2 of The Water (Prevention and Control of Pollution) Act, 1974 and its amendment of 1978 and The Air (Prevention and Control of Pollution) Act, 1981 and its amendment of 1987 to review any and /or all the conditions imposed herein above and to make such verification as deemed fit for the purpose of the Act by this Board.	Agreed

General Conditions

S.No.	Consent Condition	Compliance Status
1	The applicant shall get analysed the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UPPCB.	Agreed
2	The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.	Agreed
3	Treated Industrial waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.	Agreed
4	The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.	Agreed
5	The applicant shall maintain good housekeeping. All valves/pipes/sewer/drains etc. must be leak-proof	Agreed
6	The industry shall provide uninterrupted entry to the STP/ETP inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control systems.	Agreed
7	The industry shall provide Inspection Book at the time of inspection to the Board's officials.	Agreed

8	Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.	Agreed
9	The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.	Agreed
10	In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.	Agreed
11	The applicant shall apply before the 60 days of expiry of CCA or any change in production types/ production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point.	Agreed
12	The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.	Agreed





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V A K A L A T N A M A

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Original Application No.299 of 2024**

Abhishek Shukla

..... **Applicant**

Versus

State of U.P. & others

..... **Respondents**

KNOW ALL to whom these present shall come that I, Dharmendra Kumar Tyagi, son of Sri M.C. Tyagi, aged 44 years, resident of House no.389, Sector-5, Avas Vikas Colony, Central Park Sikandra, Agra (U.P.) Pin-282007, duly authorized on behalf of project proponent, do hereby appoint (herein after called the advocate to be our Advocate in the above noted case authorise him:-

MANOJ KUMAR, Advocate (U.P.1502/78), COP No. 193761, GF-1, Shubh Apartment, Vivekanandpuri, Faizabad Road, Lucknow, Mobile no.09532100117

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be consider or heard and also in the appellate Court, including High Court subject to payment of fees separately for each Court by us. To sign, file, and present pleadings, appeals, cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents, as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents of admit and/or deny the documents of opposite party.

To withdraws or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things, which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate

whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as our own acts, as if done by us to all intents and purposes.

And I undertake that I or my duly authorized agent would appear in the Court on all hearings and will inform the Advocate for appearance when the case is called.

And I undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

And I the undersigned do hereby agree that in the even of the whole or part of the fee agreed by us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I hereby agree that once the fee is paid, I will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition of three years or part thereof.

IN WITNESS WHEREOF I do hereunto set our hand to these presents the contents of which have been understood by us on this15..... day of April, 2024.

Accepted subject to the terms of fees.


Advocate

MANOJ KUMAR
Advocate
G.F.-1, Shubh Apartment,
489/211, Vivekanandpuri,
Fajjabad Road, Lucknow-226007


Client