

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

**O.A. No 728 OF 2022**

**IN THE MATTER OF:**

NARAYAN SHARMA

....APPLICANT

Versus

STATE OF UTTAR PRADESH & ORS ....RESPONDENTS

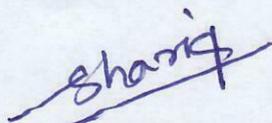
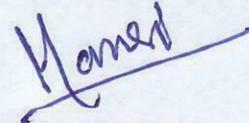
**REPLY/ RESPONSE ABOUT COMPLIANCE ON  
BEHALF OF RESPONDENT NO. 5 I.E. HRTCOLD  
STORAGE**

**(FORINDEX:-Kindly See Inside)**

NEW Delhi

Dated: 31.07.2024

FILED BY

  
  
S.A. ZAIDI & MANSI CHAHAL  
ADVOCATES

CHAMBER NO.-7, TRISHUL TOWER  
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/

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NEW Delhi

Dated:31.07.2024

FILED BY

*Shanif* *Mansi*  
S.A. ZAIDI & MANSI CHAHAL  
ADVOCATES

CHAMBER NO.-7, TRISHUL TOWER  
KAUSHAMBI, GHAZIABAD, U.P

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

**O.A. No 728 OF 2022**

**IN THE MATTER OF:**

NARAYAN SHARMA

....APPLICANT

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STATE OF UTTAR PRADESH & ORS ....RESPONDENTS

**REPLY/ RESPONSE ABOUT COMPLIANCE ON  
BEHALF OF RESPONDENT NO. 5 I.E. HRT COLD  
STORAGE**

TO,

THE HON'BLE CHAIRPERSON  
AND HIS OTHER COMPANION JUDGES  
OF THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

**MOST RESPECTFULLY SHOWETH:-**

1. That the Respondent No. 5 i.e. M/s HRT Cold Storage is filing the present reply/ response regarding the compliances made by the unit in respect to the shortcomings/ defects as pointed out by Joint Inspection Committee in its Inspection dated 18.01.2023.

2. That it is humbly submitted that the answering respondent has also deposited the environmental compensation of Rs. 1,25,000/- on 03.04.2024 imposed upon the unit.

**The True Copy of the Receipt of deposit of EC with the UPPCB is annexed herewith and marked as ANNEXURE A/1.**

3. That the answering respondent has made the following compliances with regard to the shortcomings/ defects as pointed out by Joint inspection committee, which are explained as below:-

I. **Water sprinklers on ammonia gas pipeline were found to be dissolve/ control of ammonia leakages during disaster case, but facilities like safety masks, helmets, hand gloves, spectacles, safety shoes etc were not**

**found during the visit:-** It is humbly submitted that the answering respondent has tested his ammonia plant from ISO 9001:2015, ISO 14001:2015 Certified & Govt approved Lab namely "Analysis industrial research & quality control Labs" on 27.02.2024, in which the parameters were found within the prescribed norms. Furthermore, the respondent has also installed the water sprinklers on the ammonia gas pipeline, to ensure safety. The answering respondent has also made the arrangements of safety toolkit, fire system & fire cylinder.

**The photographs of water sprinklers & safety toolkit, fire system & fire cylinder etc is annexed herewith and marked as ANNEXURE A/2.**

- II. As per office records, onsite disaster management plan has not been provided or sent to the UPPCB by the Unit:-**The disaster management plan has been duly submitted by the Answering respondent to the UPPCB. I t is further humbly submitted that the onsite disaster management plan is submitted every time by the answering respondent during the time of renewal of Air & water consent to the UPPCB.
- III. Unit has installed D.G Set with canopy for power breakup, but no facilities of gas based LPG generators found during the visit. No exhaust height of stack of the DG Set found as per norms during the visit: -** It is submitted that the unit operates DG set on LPG for which the unit has took the gas connection. Moreover the

unit has also maintained proper stack height of the DG set as per the norms.

**Photographs of Stack Height of DG Set is annexed as ANNEXURE A/3.**

**IV. No rain water harvesting system was found in the cold storage & no NOC/ registration of the ground water authorities for extraction ground water provided during the visit:** - It is respectfully submitted that the answering respondent withdraws less than 10 cubic meters/day ground water, and as per the gazette notification of U.P Government dated 2.03.2021, the units withdrawing less than 10 cubic meters/day of the ground water are exempted from obtaining NOC for ground water extraction.

**V. It has been informed by the unit represented that waste potatoes are sent to *gaushalas*, but no record is maintained to dispose the waste potatoes by scientifically manner:-** The waste potatoes are not sent to the *gaushalas* by the units, but they are being dumped underground by digging pits, in a scientific manner.

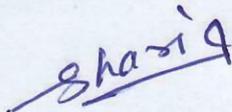
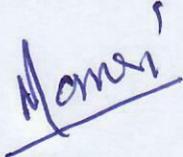
4. That the answering respondent further undertakes that he will operate his unit/ cold storage with utmost sincerity & safety and in compliance of the environmental norms, in future.
5. That the answering respondent has obtained all the licenses/ NOCs/ Permission from the concerned departments & authorities which are renewed time to time. **The True Copy of Air/Water consent is annexed as Annexure A/4.**

6. That the present reply/ response is being made bonafide in the interest of Justice.

In view of the above reply & submissions, it is very respectfully submitted that above response about the compliance made by the respondent No. 8 may kindly be accepted.

New Delhi  
Dated: 31/07/2024

Through

  
  
S.A. ZAIDI & MANSI CHahal  
ADVOCATES

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

**O.A. 728 OF 2022**

**IN THE MATTER OF:-**

NARAYAN SHARMA

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STATE OF UTTAR PRADESH & ORS.

...RESPONDENTS

**AFFIDAVIT**

I, Tarun Jain, Proprietor of HRT Cold Storage situated at Village Govindpur, Tehsil Sadabad, District Hathras, Uttar Pradesh, presently at New Delhi do here by solemnly affirm and declare as under:

1. That I am the Respondent No. **5** in the above noted case therefore I am fully conversant with the fact of the case I am competent to sign and swear this Affidavit.
2. That the accompanying Reply has been drafted by my counsel and the same has been read over and explain to me and I say and declare that the same are true and correct.



3. That the Contents of accompanying Reply be read as part and parcel of this affidavit as the same are not repeated herewith for the sake of brevity.

*Tarun Jain*  
DEPONENT

30 JUL 2024

**VERIFICATION**

Verified at Delhi on this \_\_\_\_\_ day of \_\_\_\_\_, 2024 that the contents of my above Affidavit are true and correct to my knowledge and nothing material has been concealed there from.

*Tarun Jain*  
DEPONENT

I Identify the deponent who has signed/Put T.I in my presence



*[Signature]*  
**ATTESTED**  
A. N. Singh, Adv.  
Notary Public  
Govt. of India, New Delhi

30 JUL 2024



**Photographs Of Water Sprinklers & Safety Toolkit, Fire System & Fire Cylinder Etc**













**Photographs showing stack height of DG Set**





**UTTAR PRADESH POLLUTION CONTROL BOARD**  
Building, No TC-12V Vibhuli Khand, Gomti Nagar, Lucknow-226010  
Phone-0522-2720828,2720831, Fax-0522-2720764, Email: info@uppcb.com, Website: www.uppcb.com

**CONSENT ORDER**

Ref No. -  
150069/UPPCB/Aligarh(UPPCBRO)/CTO/air/HATHRAS/2022

Dated : 11/03/2022

To,

Smt HARI OM DUBEY  
M/s HRT COLD STORAGE  
Khasra no. 803, village govindpur, tehsil sadabad, distt. Hathras281306,HATHRAS,  
HATHRAS

Sub : Consent under section 21/22 of the Air (Prevention and control of Pollution) Act, 1981 (as amended) to M/s. HRT COLD STORAGE

Reference Application No. 15095477

Dated : 11/03/2022

1. With reference to the application for consent for emission of air pollutants from the plant of M/s HRT COLD STORAGE under Air Act 1981. It is being authorised for said emissions, as per the standards, in environment, by the Board as per enclosed conditions
  2. This consent is valid for the period from 01/02/2022 to 31/03/2025 .
  3. In spite of the conditions and provisions mentioned in this consent order UP Pollution Control Board reserves its right and powers to reconsider/amend any or all conditions under section 21 (6) of the Air (Prevention and Control of Pollution) Act, 1981 as amended.
- This consent is being issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board  
SAPNA SRIVASTAVA  
Digitally signed by SAPNA SRIVASTAVA  
Date: 2022.03.11 19:47:20 +05'30'  
SAPNA SRIVASTAVA  
REGIONAL OFFICER

Enclosed : As above  
(condition of consent):

Copy to: Chief Environment Officer, C-4, U.P. Pollution Control Board, Lucknow

SAPNA SRIVASTAVA  
Digitally signed by SAPNA SRIVASTAVA  
Date: 2022.03.11 19:47:31 +05'30'  
SAPNA SRIVASTAVA  
REGIONAL OFFICER

## U.P. Pollution Control Board

Dated : 11/03/2022

## CONDITIONS OF CONSENT

1. This consent is valid only for the approved production capacity of STORAGE OF POTATO-161499 00 QUINTAL/YEAR.
2. This consent is valid only for products and quantity mentioned above. Industry shall obtain prior approval before making any modification in product/ process /fuel/ plant machinery failing which consent would be deemed void.
- 3(a) The maximum rate of emission of flue gas should not be more than the emission norms for the stacks.

## 3(b) Air Pollution Source Details.

Air Pollution Source Details					
S.No	Air Pollution Source	Type of Fuel	Stack No.	Parameters	Height
1	250 KVA DG SET	LPG	01	Particulate Matter	2.5 METER

- 3(c) The emissions by various stacks into the environment should be as per the norms of the Board.

Emission Quality Details Detail			
S.No	Stack No	Parameter	Standard
1	01	Particulate Matter	AS PER UPPCB NORMS

4. Quantity of other pollutants should also be as per the norms prescribed by the Board/MOEF & CC/or otherwise mandatory .
5. The equipment for air pollution control system and monitoring ,as proposed by the industry and approved by the Board should be installed in their premises itself .
6. The modification or installation in the existing pollution control equipments should be done only by prior approval of Board .
7. The operation of air pollution control system and maintenance be done in such a way that the quantity of pollutants should be in accordance with the standards prescribed by the Board/MoEF & CC/or otherwise mandatory .
8. Unit should do provisions for fugitive emissions chimney/stack as per the norms of the Board/MOEF & CC/or otherwise mandatory .
9. The unit should submit the stack emissions monitoring report within one month from issuance of consent order along with the point wise compliance report of the consent order . Further quarterly monitoring report should be submitted .

**The Unit will file the renewal application at least 2 months prior to the expiry of this Order.**

**Specific Conditions:**

1. This Consent order is valid for M/s HRT Cold Storage, Khasra no. 803, Vill. Govindpur, Tahsil Sadabad, Distt. Hathras.
2. This Consent order is valid for storage of 161499.00 Quintal/year upto dated 31.03.2025.
3. The industry must ensure full compliance of prescribed emission standards set under Environment (Protection) Act, 1986.
4. Cold Storage should be submitted the Onsite Disaster Management plan in its office within one month, which is according to the guideline of Factory Act, for safety of ammonia leakage.
5. Cold Storage should be compliance the conditions of NOC & Air & Water consent.
6. The industry shall ensure adequate plantation and green belt within its premises.
7. The unit should improve in house keeping.
8. Industry shall submit annual returns as per above mentioned rules. Also, Environmental Statement in prescribed form as per Rule 14 of Environment (Protection) Act, 1986.
9. This consent is valid only for above storage capacity. Industry shall obtain prior approval before making any modification in product/process/discharge/plant machinery failing which consent would be deemed void.
10. The industry should regularly operate and maintain air pollution control system so the it meet the stipulated norms of emissions as prescribed by the Board/MoEF and CC or otherwise mandatory.
11. The height of stack attached to 250 KVA D.G. set should be raise about 2.5 meter with canopy respectively from nearest roof top of the building.
12. According the guidelines of TTZ, the industry shall not operate D.G. Set without acoustic enclosure & D.G. Set operate through only commercial LPG.
13. If any consent fees balance then industry submitted the balance Air & Water consent fees within 15 days through online on H.O. account number & its receipt deposit its office.
14. Industry should be installed the Rain Water Harvesting in sent the compliance report for its within three month.
15. Industry compliance the guidelines of TTZ & its direction which issued by TTZ Authority, if the industry not compliance its then consent ultimately revoked.
16. Industry should submitted the License of fire Department and Explosive Department within one Month.
17. If any complain obtain in this office against your industry & its verify then your consent revoked.

Please note that consent to Operate will be revoked, in case of, non compliance to 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 regularly in this office.

Issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board .  
**SAPNA SRIVASTAVA** Digitally signed by SAPNA SRIVASTAVA  
Date: 2022.03.11 19:47:50 +05'30  
**SAPNA SRIVASTAVA**  
**REGIONAL OFFICER**



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

CONSENT ORDER

Ref No. -  
 150073/UPPCB/Aligarh(UPPCBRO)/CTO/water/  
 HATHRAS/2022

Dated : 11/03/2022

To ,

Shri HARI OM DUBEY  
 M/s HRT COLD STORAGE  
 Khasra no 803 , village govindpur, tehsil sadabad, distt. Hathras281306,HATHRAS,  
 HATHRAS

Sub : Consent under Section 25/26 of The Water (Prevention and control of Pollution) Act, 1974  
 (as amended) for discharge of effluent to M/s. HRT COLD STORAGE

Reference Application No :15096441

Dated :11/03/2022

1. For disposal of effluent into water body or drain or land under The Water (Prevention and control of Pollution) Act,1974 as amended (here in after referred as the act ) M/s. HRT COLD STORAGE is hereby authorized by the board for discharge of their industrial effluent generated through ETP for irrigation/river through drain and disposal of domestic effluent through septic tank/soak pit subject to general and special conditions mentioned in the annexure ,in refrence to their foresaid application .
2. This consent is valid for the period from 01/02/2022 to 31/03/2025 .
3. In spite of the conditions and provisions mentioned in this consent order UP Pollution Control Board reserves its right and powers to reconsider/amend any or all conditions under section 27(2) of the Water (Prevention and Control of Pollution) Act, 1974 as amended .

This consent is being issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board  
 SAPNA SRIVASTAVA  
 Digitally signed by SAPNA SRIVASTAVA  
 Date: 2022.03.11 19:44:13 +05'30'  
 SAPNA SRIVASTAVA  
 REGIONAL OFFICER

Enclosed : As above  
 (condition of consent):

Copy to: Chief Environment Officer, C-4, U.P. Pollution Control Board, Lucknow  
 SAPNA SRIVASTAVA

Digitally signed by SAPNA SRIVASTAVA  
 Date: 2022.03.11 19:44:13 +05'30'  
 SAPNA SRIVASTAVA  
 REGIONAL OFFICER

## U.P. POLLUTION CONTROL BOARD, LUCKNOW

Consent to Consent issued to M/s.HRT COLD STORAGE vide

Consent Order No. 15096441/ Water

Date: 11/03/2022

## CONDITIONS OF CONSENT

1. This consent is valid only for the approved production capacity of STORAGE OF POTATO-161499.00 QUINTAL/YEAR.

2. The quantity of maximum daily effluent discharge should not be more than the following :

Effluent Discharge Details			
S.No	Kind of Effluent	Maximum daily discharge, KL/day	Treatment facility and discharge point
1	Domestic	1.6 KLD	Septic Tank

3. Arrangement should be made for collection of water used in process and domestic effluent separately in closed water supply system. The treated domestic and industrial effluent if discharged outside the premises, if meets at the end of final discharge point, arrangement should be made for measurement of effluent and for collecting its sample. Except the effluent informed in the application for consent no other effluent should enter in the said arrangements for collection of effluent. It should also be ensured that domestic effluent should not be discharged in storm water drain.

4(a) The domestic effluent should be treated in treatment plant so that the should be in conformity with the following norms dated treated effluent .

Domestic Effluent		
S.No	Parameter	Standard
1	Total Suspended Solids	AS PER UPPCB NORMS

4(b). The industrial effluent should be treated in treatment plant so that the treated effluent should be in conformity with the following norms .

Industrial Effluent		
S.No	Parameter	Standard
1	Total Suspended Solids	AS PER UPPCB NORMS

5. Effluent generated in all the processes, bleed water, cooling effluent and the effluent generated from washing of floor and equipments etc should be treated before its disposal with treated industrial effluent so that it should be according to the norms prescribed under The Environment (Protection) Act, 1986 or otherwise mandatory .
6. The other pollutant for which norms have not been prescribed, the same should not be more than the norms prescribed for the water used in manufacturing process of the industry .
7. The method for collecting industrial and domestic effluent and its analysis should be as per legal Indian standards and its subsequent amendments/standards prescribed under The Environment (Protection) Act, 1986.
8. The treated domestic and industrial effluent be mixed (as per the provisions of Condition No. 2) and disposed of on one disposal point. This common effluent disposal point should have arrangement for flow meter/V Notch for measuring effluent and its log book be maintained .
9. The Unit will file the renewal application at least 2 months prior to the expiry of this Order.

**Specific Conditions:**

1. This Consent order is valid for M/s HRT Cold Storage, Khasra no. 803, Vill. Govindpur, Tahsil Sadabad, Distt. Hathras.
2. This Consent order is valid for storage of 161499.00 Quintal/year upto dated 31.03.2025.
3. The industry must ensure full compliance of prescribed emission standards set under Environment (Protection) Act, 1986.
4. Cold Storage should be submitted the Onsite Disaster Management plan in its office within one month, which is according to the guideline of Factory Act, for safety of ammonia leakage.
5. Cold Storage should be compliance the conditions of NOC & Air & Water consent.
6. The industry shall ensure adequate plantation and green belt within its premises.
7. The unit should improve in house keeping.
8. The domestic effluent shall be discharged into septic tank followed by soak pits.
9. Industry shall submit annual returns as per above mentioned rules. Also, Environmental Statement in prescribed form as per Rule 14 of Environment (Protection) Act, 1986.
10. This consent is valid only for above storage capacity. Industry shall obtain prior approval before making any modification in product/process/discharge/plant machinery failing which consent would be deemed void.
11. The industry should regularly operate and maintain air pollution control system so the it meet the stipulated norms of emissions as prescribed by the Board/MoEF and CC or otherwise mandatory.
12. If any consent fees balance then industry submitted the balance Air & Water consent fees within 15 days through online on H.O. account number & its receipt deposit its office.
13. Industry obtain the NOC for ground water & its submitted in this office within three month.
14. Industry should be installed the Rain Water Harvesting in sent the compliance report for its within three month.
15. Industry compliance the guidelines of TTZ & its direction which issued by TTZ Authority, if the industry not compliance its then consent ultimately revoked.
16. Industry should submitted the License of fire Department and Explosive Department within one Month.
17. If any complain obtain in this office against your industry & its verify then your consent revoked.

Please note that consent to Operate will be revoked, in case of, non compliance to 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 regularly in this office.

Issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board .  
SAPNA SRIVASTAVA

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Date: 2022.05.11 19:44:43 +05'30'  
SAPNA SRIVASTAVA  
REGIONAL OFFICER

T.C  
S

# VAKALATNAMA

IN THE COURT OF

National Green Tribunal, Principal Bench  
O.A. No. 728 of 2022 New Del

NARAYAN SHARMA Piff./Petition/Appellant

Versus

STATE OF UTTAR PRADESH & ORS. Defdt./Respdts.

Know all to whom these presents shall come that I/we Tarunjain, Proprietor of

m/s HRT Cold Storage the above-named Respondent-5 do hereby appoint,

**SHARIQ ABBAS ZAIDI, MANSI CHAHAL**  
**ADVOCATE**

Chamber No. 7, Trishul Tower (infront of Pacific Mall)

Kaushambi, Ghaziabad (U.P.)

Tel : 9868369914, 0120-4115171

E-mail : info@sazaidiassociates.com

Website : www.sazaidiassociates.com

(hereinafter called the Advocates) to be my/our Advocate in the above-note case and authorise him / her:-

To act appear and plead in the above-noted case in the Court, or in any other Courts in which same may be tried or heard and also in the appellate Courts.

To sign, file and present pleading, appeals, Cross-objections or petitions of execution, review, revision, restoration, withdrawal, Compromise or other petitions, replies, objections, or Affidavits or other documents as may be deemed necessary or proper for the prosecutions of the said case in all its stages.

To file and take back documents.

To withdraw, 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 cause.

To take out execution proceedings.

To deposit draw and receive moneys and grant, receipts there for 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 cause.

To appoint and instruct any other Legal Practitioner authorising him/her to exercise the power and authorities hereby conferred upon the advocate whenever they may think fit to do so.

And I/We, the undersigned to hereby agree ratify and confirm all acts done by the Advocate or his substitute in the matter as my /our own acts, as if done be me/us to all intents and purposes And I/We, undertake that I/we or my/our duly authorised agent would appear in the Court on all hearings.

And I/we the undersigned, do hereby agree not to hold the advocate or his substitute responsible for the result of the said cause in consequence of their absence from the court when the said cause is called up for hearing, or for any negligence of the said Advocate or his substitute.

And I/We, the undersigned, do hereby agree that in the event of the whole or any part of the fee agreed by me / us to be paid to the Advocate remaining unpaid they shall be entitled to withdraw from the prosecution of the said cause until the same is paid up. if any costs are allowed from an adjournment, the Advocate would be entitled to the same.

In witness where of I/We hereon to set my/our hand to these presents the, contents of which have been understood by me/us this.....31st.....day of July, 2024

Accepted

Shariq

Mansi



Client  
Tarun Jain