

N.D.H.:23.10.2024

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

ORIGINAL APPLICATION NO.875 OF 2024

IN THE MATTER OF:

SUMIT SAINI

..... APPLICANT

VERSUS

KRISHNA ENTERPRISES

.... RESPONDENT

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Place: New Delhi

Date: 22.10.2024

FILED BY:

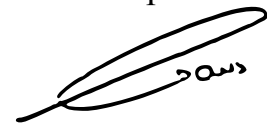

(GAURAV AGARWAL)
 Advocate for Respondent No.1

GRV LEGAL
 Advocates and Legal Consultants
 O-703, Aditya Mega City,
 VaibhavKhand, Indirapuram,
 Ghaziabad, U.P. NCR- 201014
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4. That it is pertinent to submit that by the Compliance Report of Closure Order Passed Haryana State Pollution Control Board, Panchkula, it is certified that the said Closure Order has been duly complied with by the said Respondent, which further clarifies that the said unit is not functional and hence should not be roped in for any adverse action against the Respondent. A copy of the Compliance Report of Closure Order dated 24.08.2021 is **ANNEXURE R-2**.
5. That it may be pertinent to mention that the Respondent has always complied and followed each and every rule and law scrupulously. However, the Respondents states that in the event any further direction, if any is passed by this Tribunal, Respondent shall be obliged to follow the same as well. It is lastly submitted that the Respondents are not operational at the moment and requests that this Tribunal may be pleased to dismiss the O.A with heavy cost to the Applicant.

Sunil Mittal
Partner, Krishna Enterprises
Respondent

Through



(GAURAV AGARWAL)
Advocate for Respondent No.1

GRV LEGAL
Advocates and Legal Consultants
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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 875 OF 2024

IN THE MATTER OF :

SUMIT SAINIAPPLICANT

VERSUS

KRISHNA ENTERPRISES ...RESPONDENT

AFFIDAVIT

I, SUNIL MITTAL aged about 43years, S/o Sri Shyam Sunder Agarwal, R/o1720/17, Near Vivekanand School, HUDA, Jagadhari, District Yamunanagar, Haryana 135001, do hereby state on solemn affirmation as under:

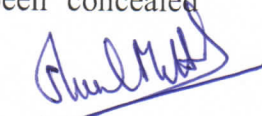
1. That the deponent is the Authorised Signatory of the Respondent in the present Original Application as such I am well conversant with the facts and circumstances of the present case and hence, competent to swear this affidavit.
2. That I have gone through the accompanying Reply from para 1 to 5 and say that the contents thereof are true and correct to the best of my knowledge and belief and I believe the same to be true.
3. That the Annexures R-1 and R-2 to the reply are true copy of the photographs.


Solemnly affirmed on this 15th day of Oct., 2024 at Yamunanagar, Harayana.

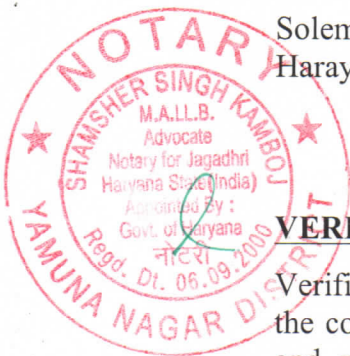

DEPONENT

VERIFICATION

Verified at Yamunanagar, Harayana on this 15th day of Oct., 2024 that the contents of my above affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed therefrom.


DEPONENT

.....ATTESTED

SHAMSHER SINGH KAMBOJ
15/10/24 M.A.L.L.B
Advocate
NOTARY JAGADHARI



**HARYANA STATE POLLUTION CONTROL
BOARD**
C-11, SECTOR-6, PANCHKULA
Ph-0172-577870-73, Fax No. 2581201
E-mail: hspcbazardouswaste@gmail.com
CLOSURE ORDER

Whereas, M/s Krishna Enterprises has established and involved in the manufacturing of Plyboard / Plywood and operated at Dudhla Road, Village Damla, District Yamuna Nagar covered under Orange category as per the categorization list of the Board which is polluting in nature. The Regional Officer, Yamuna Nagar has submitted that the unit had obtained CTO upto 31.03.2021 and did not apply for CTO renewal till date.

Whereas, Show Cause Notice for closure was issued to unit by Regional Officer, Yamuna Nagar vide letter No. HSPCB/YR /2021/449 dt. 18.05.2021. But unit did not submit the reply to Show Cause Notice. Therefore, Regional Officer, Yamuna Nagar vide letter No. HSPCB/YR/2021/1018 dated 27.07.2021 has recommended for closure action against the unit under section 33-A of Water (Prevention & Control of Pollution) Act, 1974 & 31-A of Air (Prevention & Control of Pollution) Act, 1981 which has been examined and found that the unit has violated the provisions of Water and Air, Act as mentioned above.

Keeping in view of the above facts, it is hereby ordered to close down the operation of the unit M/s Krishna Enterprises, Dudhla Road, Village Damla, District Yamuna Nagar under section 33-A of Water (Prevention & Control of Pollution) Act, 1974 and under section 31-A of Air (Prevention & Control of Pollution) Act, 1981 by sealing its plant, machinery and DG sets alongwith disconnection of the electric and water supply of the above said unit with immediate effect.

In addition to above, it is also intimated that non compliance of the directions issued under section 33-A of Water (Prevention & Control of Pollution) Act, 1974 and under section 31-A of Air (Prevention & Control of Pollution) Act, 1981 is an offence.

**Dated, Panchkula the
Sumita Misra, IAS
19/08/2021
Chairperson, HSPCB**

Dr.

Endst. No. HSPCB/YMN/2021/ Dated: 19/08/2021

A copy of the above is forwarded to the following for information and necessary action:-

1. The Deputy Commissioner, Yamuna Nagar.
2. Executive Engineer, Uttar Haryana Bijli Vitran Nigam (UHBVN), Jagadhri, Yamuna Nagar. He is directed with the direction to disconnect the electric power supply of the above said project of the unit immediately.
3. The Executive Engineer, HUDA Division, Yamuna Nagar. He is directed with the direction to disconnect the Water supply of the said unit immediately.
4. The Regional Officer, Yamuna Nagar.
5. M/s Krishna Enterprises, Dudhla Road, Village Damla, District Yamuna Nagar .

Signed by Naveen Gulia
Date: 20-08-2021 12:24:09
Reason: Approved

Sr. Environmental Engineer (HQ)
For Chairperson, HSPCB

ANNEXURE R-2

**Compliance Report of Closure Order Passed By
Haryana State Pollution Control Board, Panchkula**

In compliance of the order dated No. P.C.B./P.N./231/
Dt. 19/09/2019 issued by the Chairman, Haryana State Pollution Control
Board, Panchkula under Section 11-A of the Air Act, 1986 & Water
Act, 1974 of the
M/s. Krishna Enterprises, Dudhla Road, Samla
been visited on 24-09-2019 to close down the above said unit by the
following officers:-

1. Kuldeep Singh, AEE
 2. Neeraj
 3. Sunil Mittal, Partner
- The representative of the unit Sh. Krishna Enterprises, Dudhla Road,

was present & copy of closure order has been delivered to him. After giving
the time for completion of running process, the plant & machinery as per
detail below has been sealed to close down the above said unit.

| | |
|-------------------------|---|
| 1. Boiler Grate opening | Unit was for non-operational closed by itself on 12-2019. Production activities are observed at |
| 2. Press | |

Sh. Sunil Mittal, Partner, the representative of the unit who
is present at the time of sealing & closing down the polluting process of the
unit, has not shown any stay order of the court in this regard. However the
industry remains in the possession of its owner. They will be themselves
responsible watch & ward of the industry.

Sunil Mittal
 Signature of the rep. Impression of the seal Officer of the Board