

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 458 OF 2025**

**IN THE MATTER OF:**

BALRAJ

....APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS

....RESPONDENTS

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1.	Reply on behalf of Respondent No. 5/NR Metal Works to the Response dated 04.01.2026 filed on behalf of Respondent No. 3/UPPCB, with Affidavit	

FILED BY:

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Dated: 19.02.2026

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**REPLY ON BEHALF OF RESPONDENT NO. 5/NR METAL  
WORKS TO THE RESPONSE DATED 04.01.2026, FILED  
ON BEHALF OF RESPONDENT NO. 3**

**MOST RESPECTFULLY SHOWETH:**

1. That the present Reply to the Response dated 04.01.2026, filed on behalf of Respondent No. 3, is being filed on behalf of Respondent No. 5/NR Metal Works, through its Sole Proprietor Mr. Nafis, who is the duly authorized signatory of Respondent No. 5 and is competent to swear the Affidavit on its behalf.
2. That the present Original Application arises from a letter petition received by this Hon'ble Tribunal, alleging certain polluting activities being undertaken by some factories which recycle old batteries, including the unit of the Answering Respondent. During the hearing of the letter petition on 14.10.2025, this Hon'ble Tribunal noted that the letter petition alleges that the concerned factories are emitting toxic gases and discharging poisonous liquid

(waste), leading to serious diseases being caused to the villagers in the nearby areas. Taking note of the same, this Hon'ble Tribunal, vide its order dated 14.10.2025, sought a response from the arrayed respondents, including the Answering Respondent, and constituted a Joint Committee, comprising of representatives of the Central Pollution Control Board [CPCB], the Uttar Pradesh Pollution Control Board [UPPCB] and the District Magistrate, Muzaffarnagar, directing them to undertake visits to the site, look into the grievances raised in the letter petition, verify the factual position and submit a report to this Hon'ble Tribunal. The said report, in the form of a response filed on behalf of Respondent No. 3/UPPCB, came to be filed on 04.01.2026.

3. That in compliance of order dated 14.10.2025 passed by this Hon'ble Tribunal, the Joint Committee, comprising of Sub-Divisional Magistrate, Muzaffarnagar, Scientist-E, CPCB, Project Office, Agra and Regional Officer, UPPCB, Muzaffarnagar, undertook site visits of the concerned industries, including the unit of the Answering Respondent, on 12.12.2025.
4. That a perusal of the Inspection Report of the Joint Committee, which has been annexed along with the response filed by the UPPCB and has been downloaded by the Answering Respondent from the official website of this Hon'ble Tribunal, clearly reveals that at the time of

inspection, the unit of the Answering Respondent was found not operational. It is respectfully submitted that the unit of the Answering Respondent is situated over a very small area and falls under the category of MSME unit. Due to operational losses and viability issues, the unit of the Answering Respondent has been lying closed since 18.12.2021, with a communication in this regard having been addressed to the UPPCB and the said fact having also been acknowledged by the UPPCB in its Response dated 04.01.2026. At the time of closure, the unit of the Answering Respondent had all statutory permissions and regulatory licences and was fully complying with the environmental norms. Pollution control device was installed at the emission source of the stack of the unit of the Answering Respondent, along with pollution controlling devices like cooling chamber, cyclone dust collector and bag filter.

5. That the last Consolidated Consent and Authorization, granted by the UPPCB to the Answering Respondent under the Air Act and Water Act, was valid till 31.12.2025 and has been annexed along with the Response filed by Respondent No. 3 as Annexure R-3/3. The Answering Respondent had also obtained the Authorization under the provisions of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 from the UPPCB, which is valid till 22.11.2027 [Annexure R-3/4].

6. That it is respectfully submitted that currently the Answering Respondent has no intention of resuming the operations at its unit. However, the Answering Respondent is desirous of doing so sometime in the future. The Answering Respondent undertakes that as and when it seeks to start the operations at its unit, it will do so only after obtaining/renewing the requisite statutory permissions/licences and installing/replacing all necessary pollution controlling equipment at the unit, including the OCEMS, which has now been directed to be installed by the UPPCB.
7. That in such circumstances, it is respectfully prayed that the present Original Application may kindly be disposed of, qua the Answering Respondent.

**FILED BY:**

*Utkarsh Sharma*

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Mob:+91-9312061203

Dated: 19.02.2026

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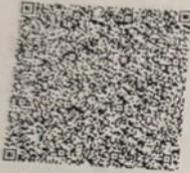


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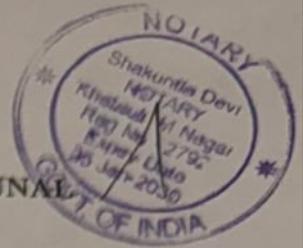


Identified By

Sworn before me at.....  
 the deponent.....  
 is/are identified by Shri.....  
 I have satisfied myself to identify the  
 deponent who understand the contents of  
 the affidavit which has been read out and  
 explained by me to the deponent fee  
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AFFIDAVIT

I, Nafis, S/o Mr. Khalik, aged 47 years, R/o H.No. 367/1, Nayajupura, Muzaffarnagar, Uttar Pradesh-251001, do hereby solemnly affirm and declare as under:-

NOTARY

1. That I am the Sole Proprietor at NR Metal Works and am fully conversant with the facts of the present case. I am fully competent to affirm this Affidavit.
2. That the contents of the accompanying Reply have been read over and explained to me in vernacular and I have understood the contents of the same. The Reply has been drafted under my instructions and I state that the contents of the same are true and correct to the best of my knowledge derived from the records maintained during the course of usual business by NR Metal Works.
3. That the Annexures annexed to the present Reply are true and correct copies of their respective originals.

NOTARY

NOTARY

NOTARY

DEPONENT

नाफिस

VERIFICATION

Verified at Muzaffarnagar on this day of February, 2026 that the contents of the above affidavit are true to my knowledge, no part of it is false, and nothing material has been concealed therefrom.



NOTARY

DEPONENT

नाफिस