

BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
MISCELLANEOUS APPLICATION NO. 15 OF 2025  
IN  
ORIGINAL APPLICATION NO. 270 OF 2024

**IN THE MATTER OF:**

Anil Kumar ...Applicant

Versus

State of Haryana and Ors. ...Respondent

**INDEX**

| <b>Sr. No.</b> | <b>PARTICULAR</b>   | <b>Page. No.</b> |
|----------------|---|------------------|
| 1              | Reply on behalf of Respondent no. 4 – M/s G.G. Enterprises, Ninan, Nathuwas Road, Paulwas, Bhiwani  | 1 - 8            |
| 2.             | <b><u>ANNEXURE R-1</u></b><br>True copy of the Grant of consent bearing No. HSPCB/Consent/:313295823BHICTO39414673 issued on 17.07.2023 by Haryana State Pollution Control Board. | 9 – 12           |
| 3.             | Vakalatnama   | 13               |
| 4.             | Proof of service  | 14               |

**Filed by:**

Filed on 27.03.2025

*Sabarni Som*

**SABARNI SOM**

ADVOCATE FOR THE RESPONDENT NO. 4

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BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
MISCELLANEOUS APPLICATION NO. 15 OF 2025  
IN  
ORIGINAL APPLICATION NO. 270 OF 2024

IN THE MATTER OF:

ANIL KUMAR .... APPLICANT

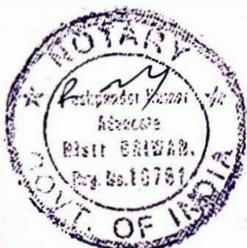
VERSUS

STATE OF HARYANA & O R S .... RESPONDENT

REPLY ON BEHALF OF RESPONDENT NO. 4 -M/s  
G.G. ENTERPRISES, NINAN, NATHUWAS ROAD,  
PALUWAS, BHIWANI

I, Sanchit Goyal S/o Deepak Goyal, aged about 33 years, Proprietor at M/S. G.G. Enterprises, Ninan, Nathuwas Road, Paluwas, Bhiwani, Haryana hereby solemnly state and affirm as under;

1. That I am well conversant with the facts of the present case and I am competent to swear this Affidavit.
2. The Applicant in the present matter sent a Letter Petition bearing O.A. No. 270/2024 dated 15.09.2023 complaining about the running of the Respondent factory (M/s. G.G. Enterprises), alleging that the Respondent factory is in violation of environmental norms and is involved in the discharge of industrial effluent in open area, causing pollution by contaminating ground water, land and surrounding areas.



27 MAR 2025

3. Vide Order dated 21.05.2024, this Hon'ble Court disposed of the above-mentioned O.A. by giving directions to constitute a Joint Committee to inspect the premises of the Respondent factory. The relevant part of the order reads as under:

*"2. In our view, the complaint in this application, at the first instance can be looked into by the Local Authorities hence we constitute a joint Committee comprising District Magistrate, Bhiwani and Haryana State Pollution Control Board (hereinafter referred to as 'State PCB').*

*3. The District Magistrate shall be the nodal agency for coordination and compliance.*

*4. The said Committee shall visit the site, collect relevant information and if finds any violation on the part of the said industry causing damage to the environment, it shall take appropriate preventive, remedial and punitive action against the violator in accordance with law within two months from the date of communication of this order.*

*5. A compliance report shall be submitted by above Committee by 15.08.2024 before Registrar General who may place the same before Bench, if finds it necessary for any further order.*

*6. With above directions, the application is disposed of."*



27 MAR 2025

4. Pursuant to the same, the Joint Committee constituted by this Court filed its Report vide email dated 05.09.2024.
5. That this Hon'ble Court vide its Order dated 31.01.2025 passed in M.A. No. 15/2025 in O.A. No. 270/2024, has directed all the Respondents including the answering Respondent to submit its Reply to the observations made by the Joint Committee in its Compliance Report dated 05.09.2024.
6. At the foremost it is submitted that the answering Respondent No. 4 i.e. M/S. G.G. Enterprises located in Ninan, Nathuwas Road, Paluwas, Bhiwani has never been engaged in the cutting, grinding and washing of old batteries containing hazardous substances/toxic materials as has been wrongly alleged by the present Applicant in his Letter Petition bearing O.A. No. 270/2024. In this regard, it is specifically submitted that the Respondent factory is engaged in completely non-polluting activities like cutting of plastic materials in a cutting machine; it is also largely engaged in the trading of plastic scrap at the unit and provides material for grinding of plastic material. It is explicitly pointed out here that the answering Respondent is not engaged in any activity that can harm the environment in any manner.
7. The exact process of operation of the answering Respondent is outlined herein for the kind perusal of this Hon'ble Court. Initially, raw materials in the form of plastic waste are sent into the cutting machine for processing. The machine then reduces the plastic waste into small pieces, which serve as finished goods (e.g., plastic chips). These processed plastic

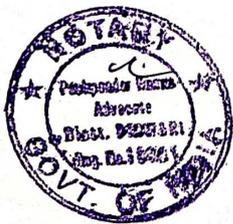


chips are subsequently sent for sale and dispatch. That this is the precise operational process carried out by the Respondent's factory. Thus, allegations made by the Applicant are entirely baseless, as the Respondent has never been engaged in the cutting, grinding, or washing of old batteries containing hazardous substances or toxic materials.

8. It is worthwhile to mention here that due consent to operate the factory has been given by Haryana State Pollution Control Board on 17.07.2023 bearing No. HSPCB/Consent/:313295823BHICTO39414673. Accordingly, the factory has been operating with the necessary permission from the HSPCB. True copy of the Grant of consent bearing No. HSPCB/Consent/:313295823BHICTO39414673 issued on 17.07.2023 by Haryana State Pollution Control Board is annexed herewith and marked as **ANNEXURE R-1**.

9. That the Joint Committee which had been constituted by this Hon'ble Court for doing a survey/inspection in the premises of the Respondent factory, has very meticulously given the same findings in its report dated 05.09.2024. Relevant extracts of the same report are reproduced herein for the kind perusal of this Hon'ble Court:

“(.....)2. The unit M/S. G.G. Enterprises, Nina, Nathuwas Road, Palamas, Bhiwani was inspected jointly by Sh. Harbir Singh, SDM, Bhiwani, and Sh. Kapil Singh, AEE, SHPCB, Bhiwani on 31.05.2024. The unit's premises was surveyed by the team. The complainant has alleged that the unit is engaged in cutting, grinding and washing of old batteries which



27 MAR 2025

contains hazardous substances, toxic material and the same is being discharged in open area causing pollution by contaminating ground water as well as land and surrounding areas.

3. The unit was not found to be engaged in washing of old batteries. The unit was to be cutting plastic in a cutter machine, which was closed, and placed under a cover shed. Moreover, the unit was largely engaged in trading of plastic scrap at the unit. The unit has provided machinery for grinding the plastic material and is not engaged in washing of old batteries. Thus, the allegations regarding cutting, grinding and washing of old batteries containing hazardous substances and contamination of ground water was found to be incorrect.

The unit M/S G.G. Enterprises, Nina, Nathuwas Road, Paluwas has obtained Consent to Operate from the Board vide No. HSPCB/Consent/:313295823BHICTO39414673 dated 17/07/2023 under Green Category (Copy attached as Annexure A). Copy of Flow Chart submitted by unit before obtaining CTO is enclosed as Annexure B. Copy of purchase Bills of Raw Material submitted during and post visit dated 31.05.2024 is enclosed as Annexure C. Action taken report of Joint Committee constituted by Deputy Commissioner, Bhiwani along with photographs of unit are annexed as Annexure D.

5. Following deficiencies were observed:



27 MAR 2025

(i) *The unit was found to be having errors in maintaining accountancy related measures.*

(ii) *No record of salaries being transferred to the staff was maintained at the unit.*

*Given the above observations, the following recommendations are made.*

- 1. The unit shall ensure to follow all the accountancy related measures at the unit.*
- 2. It shall keep a record of all the purchase of raw materials, and sale of finished products.*
- 3. It shall ensure availability of recording of CCTV cameras at the unit."*

It is clear and apparent from the contents of the Compliance Report submitted by the Committee that the Respondent factory has never been involved in any kind of cutting, grinding or washing of old batteries which may cause any kind of hazardous pollution for the residents. The only deficiencies that have been pointed out by the Committee are related to accountancy related matters and recording of CCTV cameras in the unit. That nowhere the report speaks of the factory, being involved in any hazardous activities giving rise to any kind of pollution. In view of the same, the allegations levelled against the Respondent factory by the present Applicant is completely incorrect and baseless.

10. Thus, it is well-established from the aforementioned facts and circumstances that the answering Respondent is not engaged



in any activities that could cause hazardous pollution affecting local residents-especially cutting, grinding and washing of old batteries containing dangerous substances/toxic materials.

The answering Respondent is solely involved in non-polluting activities like cutting plastic materials in a cutting machine; trading of plastic scrap at the unit and providing of material for grinding of plastic material. Moreover, the factory has been operating with due permission from the Haryana State Pollution Control Board and the same can be corroborated by the consent granted by the HSPCB bearing No. HSPCB/Consent/:313295823BHICTO39414673. That the Respondent factory has never been involved in any activity that can harm the environment or cause pollution.

177

Furthermore, during the Joint Committee's inspection, all relevant documents—including the Grant of Consent, Tax Invoices, Form GSTR-3B, and relevant photographs of factory operations were presented to them and the same are duly annexed to the Compliance Report submitted by the Committee. These records clearly demonstrate that the Respondent's factory has never been engaged in polluting activities; therefore, the allegations made by the Applicant against the Respondent are entirely false and without merit.



*Sanchi H.*  
DEPONENT

27 MAR 2025

VERIFICATION:

Verified at **BHIWANI, HARYANA** on *Thursday* <sup>27<sup>th</sup></sup> day of March, 2025, that the contents of the reply herein are true and correct to my knowledge based upon the records of the case and believed to be true and nothing material has been concealed therefrom.

177



Through counsel,

*Gauchit*  
DEPONENT

*Sabarni Som*  
SABARNI SOM

Advocate for Respondent No. 4

*27-30-2025*  
*Pushpendra Kumar*  
*Advocate & Notary*  
I hereby declare that the above was verified on *27-30-2025* at *Bhiwani* in the presence of *Pushpendra Kumar* Advocate & Notary, Distt. Bhiwani, Haryana, India, who is duly qualified to understand the contents of the above and to certify the same.

**ATTESTED AS IDENTIFIED**  
*Pushpendra Kumar*  
**ADVOCATE & NOTARY**  
**DISTT BHIWANI HARYANA**

PUSHPENDRA KUMAR, ADVOCATE & NOTARY  
DISTRICT BHIWANI, HARYANA

27 MAR 2025

27 MAR 2025


**HARYANA STATE POLLUTION CONTROL BOARD**
**SCF-32, sector 13, HUDA, Bhiwani Ph. 01664-240259 Email:- hspcbrojr@gmail.com**
**E-mail: hspcb@hry.nic.in**

**No. HSPCB/Consent/ : 313295823BHICTO39414673**
**Dated:17/07/2023**
**To.**
**M/s :G.G. Enterprises**
**Ninan Nathuwas Road, V.P.O. Paluwas, District Bhiwani**
**Subject: Grant of consent to operate to M/s G.G. Enterprises.**

Please refer to your application no. 39414673 received on dated 2023-06-20 in regional office Bhiwani. With reference to your above application for consent to operate, M/s G.G. Enterprises is here by granted consent as per following specification/Terms and conditions.

|                                      |   |
|--------------------------------------|---|
| <b>Consent Under</b>                 | BOTH  |
| <b>Period of consent</b>             | 17/07/2023 - 31/12/2027   |
| <b>Industry Type</b>                 | Polythene and plastic processed products manufacturing (virgin plastic) |
| <b>Category</b>                      | GREEN   |
| <b>Investment(In Lakh)</b>           | 9.1099997   |
| <b>Total Land Area(Sq. meter)</b>    | 502.0   |
| <b>Total Builtup Area(Sq. meter)</b> | 418.0   |
| <b>Quantity of effluent</b>          |   |
| 1. Trade                             | 0.0 KL/Day  |
| 2. Domestic                          | 0.3 KL/Day  |
| <b>Number of outlets</b>             | 1.0   |
| <b>Mode of discharge</b>             |   |
| 1. Domestic                          | Septic tank   |
| 2. Trade                             |   |
| <b>Domestic Effluent Parameters</b>  |   |
| 1. NA                                |   |
| <b>Trade Effluent Parameters</b>     |   |
| 1. NA                                |   |
| <b>Number of stacks</b>              | 1   |
| <b>Height of stack</b>               |   |
| 1. NA                                |   |
| <b>Emission parameters</b>           |   |
| 1. NA                                |   |
| <b>Product Details</b>               |   |
| 1. plastic pellets /chips            | 4 Metric Tonnes/day   |
| <b>Capacity of boiler</b>            |   |

|                             |                     |
|-----------------------------|---------------------|
| 1. NA                       | Ton/hr              |
| <b>Type of Furnace</b>      |                     |
| 1. NA                       |                     |
| <b>Type of Fuel</b>         |                     |
| 1. Electricity              | Kilowatt/day        |
| <b>Raw Material Details</b> |                     |
| plastic Scrap Item          | 4 Metric Tonnes/Day |

*Regional Officer, Bhiwani*  
*Haryana State Pollution Control Board.*

### Terms and conditions

1. The applicants shall maintain good house keeping both within factory and in the premises. All hose pipelines valves, storage tanks etc. shall be leak proof. In plant allowable pollutants levels, if specified by State Board should be met strictly.
2. The applicant/company shall comply with and carry out directive/orders issued by the Board in this consent order at all subsequent times without negligence of his /its part. The applicant/company shall be liable for such legal action against him as per provision of the law/act in case of violation of any order/directives. Issued at any time and or non compliance of the terms and conditions of his consent order.
3. The applicant shall make an application for grant of consent at least 90 days before the date of expiry of this consent.
4. Necessary fee as prescribed for obtaining renewal consent shall be paid by the applicant alongwith the consent application.
5. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above required variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard vary all or such condition and there upon the applicant shall be bound to comply with the conditions so varied.
6. The industry shall provide adequate arrangement for fighting the accidental leakages, discharge of any pollutants gas/liquids from the vessels, mechanical equipment etc. which are likely to cause environment pollution.
7. The industry shall comply noise pollution (Regulation and control) Rules, 2000.
8. The industry shall comply all the direction/Rules/Instructions as may be issued by the MOEF/CPCB/HSPCB from time to time.
9. The industry shall ensure that various characteristics of the effluents remain within the tolerance limits as specified in EPA Standard and as amended from time to time and at no time the concentration of any characteristics should exceed these limits for discharge.
10. The industry would immediately submit the revised application to the Board in the event of any change in the raw material in process, mode of treatment/discharge of effluent. In case of change of process at any stage during the consent period, the industry shall submit fresh consent application alongwith the consent to operate fee, if found due, which may be on any account and that shall be paid by the industry and the industry would immediately submit the consent application to the Board in the event of any change during the year in the raw material, quantity, quality of the effluent, mode of discharge, treatment facilities etc.

11. The officer/official of the Board shall reserve the right to access for the inspection of the industry in connection with the various process and the treatment facilities. The consent to operate is subject to review by the Board at any time.
12. Permissible limits for any pollutants mentioned in the consent to operate order should not exceed the concentration permitted in the effluent by the Board.
13. The industry shall pay the balance fee, in case it is found due from the industry at any time later on.
14. If the industry fails to adhere to any of the conditions of this consent to operate order, the consent to operate so granted shall automatically lapse.
15. If the industry is closed temporarily at its own, they shall inform the Board and obtain permission before restart of the unit.
16. The industry shall comply all the Directions/ Rules/Instructions issued from time to time by the Board.

### **Specific Conditions :**

1. The industry shall not change the product without obtaining prior consent to Establish/Operate under Water Act, 1974 and Air Act, 1981 and registration under Plastic Waste (Management) Rules, 2016.
2. The industry shall not manufacture, stock, distribute or sell any carry bag made or virgin or recycled and will not manufacture any SINGLE USE PLASTIC (SUP) items or compostable plastic.
3. The unit will not be involved in Recycling/ reprocessing of waste plastic and recovery or disposal of plastic waste shall be carried out as per the rules, regulations and standards stipulated by the Central /State Govt. from time to time. `
4. The industry shall not use plastic material in any form, in any package for packing guthka, tobacco and masala.
5. The industry shall not dispose the residue generated from manufacturing/processing in the community dustbin provided for collected of Municipal Solid Waste.
6. The industry shall not manufacture sachets for using, storing, packing or selling guthka, tobacco and pan masala.
7. The industry shall not indulge in open burning of plastic waste.
8. The industry shall apply for renewal of registration at least 90 days before the expiry of the validity of the registration certificate if applicable.
9. The industry shall renew the consent to operate Water Act, 1974 and Air Act, 1981 at least 90 days before the expiry of the consent to operate.
10. The Board may at any time revoke or suspend CTO so granted for any violation of provisions of the Rules.
11. The industry shall follow all the provisions of plastic Waste(Management) Rules, 2016 and amendment thereof.
12. Any violation of provisions of the plastic Waste (Management) Rules, 2016 and amendment thereof will attract the penal provisions of the Environment Protection) Act, 1986.
13. The unit will submit the approved action plan endorsed by Secretary in-charge of Urban Local Bodies Department Haryana during renewal of registration as per Plastic Waste (Management) Rules, 2016 as applicable.
14. The unit shall not involve only in processing or recycling of plastic waste.
15. The unit shall prepare and submit an annual report in Form-IV to the local body concerned

under intimation to the State Pollution Control Board by the 30th April, of every year.

16. Unit will provide list of person/industries supplying plastic to be used as raw material to manufacture plastic sheet of like or multilayer packaging.

17. Unit will provide list of personnel/industries or Brand Owners to whom the products will be supplied.

18. The unit will obtain registration under EPR from CPCB within 60 days from issue of this Authorization under PWM Rules.

19. If the unit is found not complying the conditions of CTO/Authorization so granted at any stage. the unit will be liable for legal action, closure action as per the provisions of environmental Acts/laws and for levy of Environment Compensation on the basis of polluter pay principal as per the directions of Hon'ble NGT / CAQM/CPCB/ HSPCB issued from time to time.



*Regional Officer, Bhiwani  
Haryana State Pollution Control Board.*

# VAKALATNAMA

IN THE COURT OF.....Hon'ble National Green Tribunal, New Delhi.....  
M.A. No. 15/2025 in O.A. No.270/2024  
Suit/Appeal No. ....JURISDICTION OF 201

In re:-

ANIL KUMAR.....Plaintiff(s) or Petitioner(s)  
Appellant(s) Complainant(s)

VERSUS

STATE OF HARYANA & ORS.....Defendant (s)/ Respondent(s) / Accused Know all to whom  
these Present shall come that I/we .....M/s. G.G. Enterprises  
Ninan Nathuwas Road, V.P.O. Paluwas, District Bhiwani

The above named.....**Respondent No. 4**.....

.....do hereby appoint  
Sabarni Som, Advocate  
Enrollment no. 12493/2022  
M. 8240366304  
(herein after called the advocate/s) to be my / our Advocate in the above – noted case authorize him:-

To act, appear and plead in the above-noted case in this court or in any other court in which the same may be tried or heard and also in the appellate court including High Court subject to payment of fees separately for each court by me/us.

To sign file, verify and present pleadings, appeals cross-objection or petitions for executions 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 subjects to payment of fees for each stage.

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

To withdraw or compromise the said case or submit to arbitration any differences of disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee.

To deposit, draw and receive money, cheques, cash and grant receipts hereof 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 on 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 fit to do so and to sign the power of attorney on our behalf.

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

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

And I/We 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 for himself.

And I/we undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/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 settle is only for the above case and above Court. I/We hereby agree that once the fee is paid, I /We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this .....26.....Day of...**March**.....2025 Accepted subject to the terms of the fees.

Advocate

*Sanchit*  
Client

(Sanchit Goyal, Proprietor of  
Respondent no. 4)  
Client

I Identify the Signature/Thumb Impression of Below Mentioned Person,

Signed in My Presence. The Client.

*Sabarni Som*  
Sabarni Som  
Advocate for Respondent No. 4  
Email: sabarnisom21@gmail.com  
M. 8240366304  
Enrll. No. D-12493/2022





84  
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Sabarni Som <sabarnisom21@gmail.com>

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**Advance Service of Reply: Anil Kumar v. State of Haryana & Ors., M.A. No. 15/2025 in O.A. No. 270/2024**

1 message

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**Sabarni Som** <sabarnisom21@gmail.com>

Thu, Mar 27, 2025 at 6:28 PM

To: "rkhuranalegal@gmail.com" <rkhuranalegal@gmail.com>

Sir,  
Please find the attached advance copy of Reply, filed by Respondent No.4- M/S. G.G. Enterprises, in the matter titled as Anil Kumar v. State of Haryana & Ors., bearing M.A. No. 15/2025 in Original Application No. 270/2024, pending before the Hon'ble National Green Tribunal.

Regards,  
Sabarni Som  
Advocate for Respondent No. 4- M/S. G.G. Enterprises  
Mobile: 8240366304  
[Email:sabarnisom21@gmail.com](mailto:sabarnisom21@gmail.com)

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 **GG AFFIDAVIT FOR RESP. NO. 4.pdf**  
5732K