

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI

MISC. APPLICATION NO.90 OF 2023

And

MISC. APPLICATION NO.94 OF 2023

IN

ORIGINAL APPLICATION NO. 774 OF 20222

IN THE MATTER OF:

GAURAV GARG

..... APPLICANT

VERSUS

UNION OF INDIA. & ORS.

..... RESPONDENT

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NEW DELHI

DATED: 19.05.2025


(PRADEEP MISRA & DALEEP DHYANI)

Counsel for U.P. Pollution Control Board

138, New Lawyers Chamber,

Supreme Court of India,

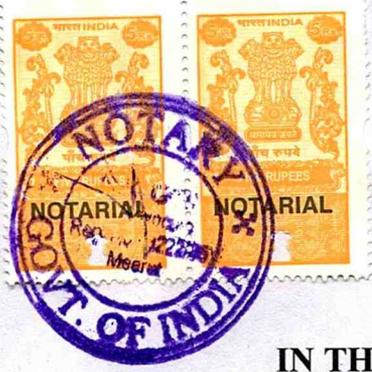
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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**Miscellaneous Application No. 90/2023
And
Miscellaneous Application No. 94/2023
In
Original Application No.774 OF 2022**



**IN THE MATTER OF:
GAURAV GARG**

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENT(S)

**ADDITIONAL AFFIDAVIT ON BEHALF OF UTTAR PRADESH
POLLUTION CONTROL BOARD**

I, Bhuvan Prakash Yadav, aged about 46 years, S/o Shri C. L. Yadav, presently posted as Regional Officer, Uttar Pradesh Pollution Control Board, Meerut do hereby solemnly affirm and state on oath as under:-

1. That I the deponent in the official capacity mentioned above, I am acquainted with the facts and circumstances of the case and as such I am competent and authorized to swear this present affidavit.
2. That CBWTF Facility M/s. Synergy Waste Management Pvt. Ltd. at Meerut was installed in the year 2002 before enforcement of Common Bio Medical Waste Guidelines issued by Central Pollution Control Board in the year 2003.



3. That as per authorization granted in 2002 to the Respondent No. 8 the area of operation was in Meerut, NOIDA (Gautam Budh Nagar) and Ghaziabad. In the year 2003-04 it was Meerut, NOIDA, Ghaziabad and Muzaffarnagar. The area of operation of the facility has been mentioned in the authorization with the condition that it will not operate beyond the radius of 150 kms.
4. That in the CPCB guidelines of 2003 as well as 2016 it is not mentioned that the State Pollution Control Board will mention the districts in CTO. Thus in the CTO area of operation has not been mentioned. Similarly in the Environmental Clearance granted by UP SEIAA area of operation has not been mentioned. As per the guidelines only the area of operation is given 150/75 kms.
5. That a new CBWTF facility M/s. Rudra Waste Management Pvt. Ltd. is proposed in Muzaffarnagar wherein CTE and Environment clearance has been granted. Unit has been set up and consent to operate is granted on 18.05.2025 for the period up to 31.12.2029. The said facility is ready for operation and it will cater the areas of Shamli, Muzaffarnagar, Saharanpur, Bijnor and Baghpat falling in the radial distance of 75 km. from the site of facility as per CPCB guideline.
A true copy of CTO is being annexed herewith as **Annexure No,R/1.**

The above facts are being placed for kind consideration of this Hon'ble Tribunal.



DEPONENT



VERIFICATION:

Verified at Meerut on this the 19th day of May, 2025 that the contents of above affidavit are true and correct to my knowledge based on records and information received and believed to be true, no part of it is false and nothing material has been concealed therefrom.



[Handwritten Signature]
DEPONENT

ATTESTED
[Handwritten Signature]
NOTARY



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.in, Website: www.uppcb.com

Category : RED

Application Id : 30853248

235236/UPPCB/MuzaffarNagar(UPPCBRO)/CTO/both/MUZAFFARNAGAR/2025

Date: 18/05/2025

To,

M/s

RUDRA WASTE MANAGEMENT PVT LTD

Khasra No 539/3 Village - Makhiyali, Tehsil and District-Muzzafarnagar-209862 (UP)

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 **RUDRA WASTE MANAGEMENT PVT LTD** located at **Khasra No 539/3 Village - Makhiyali, Tehsil and District-Muzzafarnagar-209862 (UP)**. 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 RUDRA WASTE MANAGEMENT PVT LTD **granted for the period from 15/05/2025 to 31/12/2029** and valid for manufacturing of following products.

S No	Product	Quantity	Unit
1	CBWTF	..	Metric Tonnes/Day
2	Incinerator- 300 kg/hr	300	Kg/Hour
3	Autoclave-1500 kg/batch	1500	Kg/Hour
4	Shredder-300 kg/hr	300	Kg/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	2.0 KLD	Septic Tank	
Industrial	6.0 KLD	ETP	ZLD

(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 :-

	75	70	65	55	55	45	50	40
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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.
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.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.
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.

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

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

Specific Conditions:-

1. This CTO is valid only for the operation of CBWTF having Incinerator-300 kg/hr, Autoclave-1500 kg/batch, Shredder-300 kg/hr. Unit shall comply with CTE conditions issued vide Board's Dated:- 18/12/2024.

2. The requirement of fresh water in the Unit is 3.0 KLD for domestic use and 7.0 KLD for industrial use. 02 KLD water domestic water is being discharged through septic tank. Industrial effluent shall be treated by 10 KLD ETP. Unit shall comply with ZLD. No treated effluent shall be discharged outside the premises.

3. In case of any change in production capacity/ process/raw materials use etc. the industry shall have to intimate the Board. For any enhancement of the above, fresh Consent to Establish has to be obtained from U.P. Pollution Control Board.

4. The CBWTF should cater the area of District Shamli, Muzaffarnagar, Saharanpur, Bijnor, Bagpat falling in radial distance of 75 Km from the site of plant as per CPCB guidelines/SOPs issued from time to time and should follow the provisions of guideline for collection, transportation and disposal of BMW waste generated from HCFs.

5. The unit shall submit a No Objection Certificate (NOC) for groundwater abstraction from the U.P. Ground Water Department (UPGWD).

6. The unit shall obtain hazardous waste management authorization from UPPCB for safe disposal of hazardous waste generated from the Unit. .

7. The unit shall provide design details of the installed Air Pollution Control System (APCS) and submit its adequacy report within 01 month.

8. The unit shall install a separate energy meter for the Effluent Treatment Plant (E) and Air. Pollution Control System (APCS) and maintain logbook for the same.

9. The unit shall comply with conditions of EC issued vide SEIAA ref. No. Reference- MoEFCC Proposal no- SIA/UP/MIS/56459/2020 & SEIAA, U.P. & File no-5832 Dated 28-06-2024 and submit an amended copy of the Environmental Clearance (EC) within one month in compliance of mandatory specific Condition No. 2 of the C issued to the Unit by UPPCB .

10. The unit shall comply with the guidelines of the CBTWF, 2016.

11. The industry shall comply the provisions of Hazardous and Other Waste (Management and Transboundary Movement) Rules 2016 and shall obtain authorization for the disposal of hazardous waste.

12. The industry shall comply with various provisions of Air (Prevention and Control of Pollution) Act 1981 as amended, Water (Prevention and Control of Pollution) Act 1974 as amended and all other applicable rules notified under E.P. Act 1986 and the various orders issued by the MOEF&CC, CPCB and SPCB in time to time .

13. The industry shall strictly comply with conditions mentioned in the charter on CREP prepared by CPCB.

14. The industry shall provide adequate arrangement for fighting the accidental leakages/discharge of any air pollutant/gas/liquid from the vessel, machinery etc. which are likely to cause fire hazard including environmental pollution.

15. The industry shall install electromagnetic flow meter at water source and outlet of ETP, and maintain the records of water abstracted and recycled treated effluent.

16. Industry shall install at sufficient height from the ground level Open to Network HD PTZ Camera at the outlet of ETP and its URL and password shall be provided to the UPPCB Control room.

17. Industry shall comply with various Waste Management Rules as notified by MoEF&CC i.e. Plastic Waste Management Rules, 2016, Solid Waste Management Rules, 2016, Hazardous and Other Wastes (Management and Transboundary) Rules, 2016, E-waste (Management) Rules, 2016, Construction and Demolition Waste Management Rules, 2016, Battery Rules 2000 and Noise Pollution (Regulation and

Control) Rule, 2000.

18. Industry shall install and maintain Online Continuous Effluent and emission Monitoring System (OCEMS) on ETP and stack & connect it with SPCBs and CPCB server.
19. Industry shall comply the order passed by Hon'ble NGT time to time.
20. The industry shall ensure provisions of Roof Top Rain Water Harvesting system and Ground Water Recharging Proposal/ compliance report should be sent to the Board within One month.
21. Industry shall dispose the hazardous waste through authorized recyclers/TSDF.
22. Industry shall not use furnace oil/pet coke as a fuel.
23. Industry shall ensure proper disposal of boiler ash.
24. The industry should be operated in such a manner that it does not adversely affect the environment and the solid waste generated such as ash etc. be disposed in eco friendly manner.
25. The industry shall abide by orders / directions issued by Hon'ble Supreme Court Hon'ble High Court, Hon'ble National Green Tribunal, Central Pollution Control Board and U.P Pollution Control Board for protection and safe guard of environment from time to time.
26. The industry shall obtain prior consents in the event of any addition of new emission generation sources such as- Boiler/ Furnace/ Heaters/ D.G. Sets or alteration of existing emission sources in accordance with section- 21/22 of air Act 1981 (as amended respectively).
27. Minimum 33% of the land on which industry is established will be covered by the plantation of tall trees of suitable species as per the guidelines set up by the Board vide its Office Order no.H16405/220/2018/02 dt. 16/02/2018.

CEO
Circle-3

Copy to:

Regional Officer, UPPCB, Muzaffarnagar.

CEO
Circle-3



मिशन LIFE - पर्यावरण के लिए जीवन शैली
(Lifestyle For Environment)
जनसहभागिता का सन्देश



- स्वच्छता – देशसेवा में अपने परिवेश की स्वच्छता हेतु अपना सक्रिय योगदान सुनिश्चित करें
- संकल्प लें -एकल उपयोग प्लास्टिक उत्पाद जैसे कप, तश्तरी, चम्मच, स्ट्रॉ, ईयरबड्स आदि का उपयोग न हो एवं पर्यावरण अनुकूल विकल्पों जैसे कागज/पत्तों से बने दोने या कटलरी को प्राथमिकता दी जाय |
- एकल उपयोग प्लास्टिक उत्पाद के प्रयोग को रोकने एवं प्लास्टिक बैग के बजाय कपड़े के थैले का उपयोग करने मात्र से 375 मिलियन टन ठोस (प्लास्टिक) कचरे का उत्सर्जन बचाया जा सकता है
- चक्रीय अर्थव्यवस्था (सर्कुलर इकोनॉमी) का समुचित कार्यान्वयन वर्ष 2030 तक लगभग 14 लाख करोड़ रुपये की अतिरिक्त बचत उत्पन्न कर सकता है | वेस्ट /अपशिष्ट फेकने के पूर्व सोचें, ये किसी का संसाधन तो नहीं ...?
- अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को कचरे में फेकने से रुकें | इसके उपयुक्त निस्तारण हेतु इसे प्राधिकृत ई – वेस्ट रीसाइकलर को दें | प्राधिकृत ई-रीसाइक्लिंग इकाई में अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को देने मात्र से 0.75 मिलियन टन तक ई-कचरे का पुनर्चक्रण किया जा सकता है एवं ई-कचरे के विषम पर्यावरणीय दुष्प्रभाव से बचा जा सकता है
- बाहर जाते समय - सोचें कि क्या आपको वास्तव में परिवहन की आवश्यकता है - वह भी क्या व्यक्तिगत रूप से ? छोटी दूरी के लिए पैदल चलना पसंद करें, अथवा सम्भव हो तो कार पूल के रूप में संसाधन को साझा करें अथवा सार्वजनिक परिवहन पर विचार करें
- घरेलू स्तर पर कम से कम ठोस अपशिष्ट का उत्सर्जन करें और इनका प्रथाक्रीकरण करें
- उपयोगी शेष खाद्य सामग्री आपके स्वयं प्रयास अथवा निकटस्थ सक्रिय स्वयं सेवी संस्थाओं की सहायता से समाज के वंचित वर्ग तक पहुंचाई जा सकती है | वहीं अनुपयोगी भोजन /खाद्य सामग्री को कंपोस्ट (वर्मी कम्पोस्ट) करने से 15 अरब टन भोजन को नष्ट होने से बचाया जा सकता है
- ध्यान रखें - उपयुक्त नल और शावर के उपयोग से पानी की खपत को 30 - 40% तक कम किया जा सकता है। एवं उपयोग में न होने पर नलों को बंद रखने मात्र से 9 ट्रिलियन लीटर पानी बचाया जा सकता है
- ट्रैफिक लाइट/रेलवे क्रॉसिंग पर कार/स्कूटर के इंजन बंद करने मात्र से 22.5 बिलियन kWh तक ऊर्जा की बचत हो सकती है
- परम्परागत बल्ब के स्थान पर CFL का उपयोग बिजली की खपत में प्रभावी कमी लाते हैं | उपयोग में न होने पर बिजली उपकरणों को बंद करें | स्टार रेटेड विद्युत उपकरणों के उपयोग को प्राथमिकता दें

हमारे द्वारा अपनी जीवन शैली की प्राथमिकताओं का उचित और पर्यावरण अनुकूल पुनर्निर्धारण समाज और पर्यावरण के प्रति हमारा दायित्व है |

MA No 90 of 2023 In OA No 774 of 2022 Gaurav Garg Vs Union of India

From: Pradeep Misra (pradeepmisra@yahoo.com)

To: advocategauravbansal@yahoo.com; advpriyankaswami@gmail.com; gauravgarg2022@gmail.com

Date: Tuesday, May 20, 2025 at 09:11 AM GMT+5:30

Sir,

Please find attached the Reply affidavit

With Regards,

(PRADEEP MISRA)



Gaurav Garg MA 90 of 2023.pdf
1.3MB