

2999/NGT-452/2018/2020

dt. 18/3/2020

To,

The Registrar,  
National Green Tribunal  
Principal Bench, New Delhi

Subject :- Factual report in compliance of order dated 23-01-2020 MA No. 82/2019,143/2019,144/2019 in OA No. 452/2018(earlier OA No. 671/2018) Manoj Chaudhary Versus Union of India and others.

Respected Sir,

In the above noted case, Hon'ble Tribunal has given direction as below :-

**"In view of the above, the authorities may take a decision in the light of the above observations and if any application for permission is pending, the same may be decided within one month. Further action may be taken for environment protection and a report filed before the next date by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in)."**

In the compliance of above directions, only two schools namely **M/s JP Academy and M/s Shivalik Public School** Situated in the area are having D.G . Sets and had applied for obtaining air consent for D.G set under the **Air (Prevention and Control of Pollution) Act, 1981** from State Pollution Control Board. The consent applications of both the schools have been disposed off.

Accordingly a factual report is being submitted along with the present letter for kind perusal and further action in this regard.

Your faithfully,

(Anil Dhingra)  
District Magistrate  
Meerut

C.C :-

1. Commissioner, Meerut Division, Meerut.
2. Member Secretary, UP Pollution Control Board, Lucknow.
3. Regional Officer, UP Pollution Control Board, Meerut.

District Magistrate

**Report regarding Hon'ble NGT Dated 23-01-2020 in OA No. 452/2018**

In MA No. 82/2019,143/2019,144/2019 under OA No. 452/2018 of Hon'ble NGT an order has passed on dated 23.01.2020. The relevant contents of the order is as under :-

**"In view of the above, the authorities may take a decision in the light of the above observations and if any application for permission is pending, the same may be decided within one month. Further action may be taken for environment protection and a report filed before the next date by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in)."**

In compliance of the above order, the following officials from the offices of Commissioner, Meerut, District Magistrate, Meerut and UP Pollution Control Board, Meerut had been nominated earlier to the submit compliance report.

1. **Mr. Udayee Ram** - **Additional Commissioner, Meerut**
2. **Mr. Ajay Kumar Tiwari** - **ADM(City),Meerut**
3. **Dr. Yogendra Kumar** - **ASO,UP Pollution Control Board, Meerut**

There are four schools situated in at Mission Compound, Meerut in the vicinity of the complainant Shri Manoj Chaudhary's house. The names of the schools are as below :-

- a. **LRA Kids School** - Situated at in front of complainant's house.
- b. **JP Academy** - Situated at approx. 50 meter distance from the Complainant's house.
- c. **The Shivalik Public School** - Situated at approx. 70 meter distance from the Complainant's house.
- d. **Little Scholar School** - Situated at approx. 100 meter distance from the Complainant's house.

The report is as below:-

There are four schools situated in the area and out of which only two school mentioned at serial no 2 and 3 are having D.G. sets and had applied for obtaining air consent for D.G set under the **Air (Prevention and Control of Pollution) Act, 1981** from State Pollution Control Board. The consent applications of both the schools have been disposed off. The details given below :-

- i. **JP Academy** - This school has a D.G. set capacity of 25 KVA in school premises. The D.G set is equipped with acoustic encloser. Noise monitoring of this D.G. set has been done on dated 18.12.2019 after operation of D.G. set. Monitoring report is annexed at **Annexure-I** and ambient air quality monitoring was also done and monitoring report is annexed at **Annexure-II**. Reports were found within norms .On the basis of the above facts the consent (Air)has been granted vide letter **84167/UPPCB/Meerut(UPPCBRO)/CTO/Air/MEERUT/2019 Dated 04.02.2020**. The copy of the consent is annexed at **Annexure III**.
- ii. **The Shivalik Public School** - This school has a D.G. set of capacity 20 KVA in school premises. The D.G set is equipped with acoustic encloser. Noise monitoring of this D.G. set has been done on dated 18.12.2019 after operation of D.G. set is annexed at **Annexure-IV** and ambient air quality monitoring was also done and monitoring report is annexed at **Annexure V**. Reports were found within norms .On the basis of the above facts the consent (Air) has been granted vide letter no **80224/UPPCB/Meerut (UPPCBRO)/CTO/Air/MEERUT/2019 Dated 04.02.2020**. The copy of the consent is annexed at **Annexure VI**.

In addition to above, a letter has been sent to the Meerut Development Authority, Meerut which is **annexed at Annexure-VII** for submission of action taken report but the aforesaid department has not submitted the report till date. In spite of sending, a subsequent reminder which is annexed at **Annexure VIII**.

A factual report in compliance of the above order is being submitted for kind perusal and further action in this regard.

(Dr. Yogendra Kumar)

ASO

UP Pollution Control Board  
Meerut

(Ajay Kumar Tiwari)

ADM(City)  
Meerut

(Udayee Ram)

Additional Commissioner  
Meerut



**Regional Office & Laboratory**  
**U.P. POLLUTION CONTROL BOARD**  
**MEERUT**  
**NOISE MONITORING REPORT**

3. Name of Industry/Place : M/s J.P. Academy School, Dev Nagar, Mission Compound, Meerut
2. Date of Sampling : 18-12-2019
3. Sample Collected by : Shri A.K.Mishra (SA), Shri Basudev (MA)
4. Sampling Details : Sampling Time 08:00 am to 08:30 am  
Respectively.

Sl. No.	SAMPLING LOCATION	Observed Value (dB)A	Noise Level Standard for D.G. Set from 01 Meter Distance Decided By CPCB/UPPCB
1.	Sample Taken From 01 Meter Distance of D.G. Set	73.2	75 dB(A)

Analysed By:  
Scientific Assistant

Checked By:  
Assistant Scientific Officer

Counter Signed By:  
Regional Officer

19.12.19



**Regional Office & Laboratory**  
**U.P. POLLUTION CONTROL BOARD**  
**MEERUT**  
**AMBIENT AIR QUALITY MONITORING REPORT**

1. Sampling Point : M/s J.P. Academy School, Dev Nagar, Mission Compound, Meerut
2. Date of Sampling : 18-12-2019
3. Sample Collected by : Shri A.K.Mishra (SA), Shri Basudev (MA)
4. Sampling Details : Sampling Time 08:30 AM to 04:30 PM

Sl. No.	Instruments Used	Observed Value	Standard Value
		PM10 $\mu\text{g}/\text{m}^3$	PM10 $\mu\text{g}/\text{m}^3$
1.	Sample Taken by RDS	82	100

*[Signature]*  
Analysed By:  
Scientific Assistant

*[Signature]*  
Checked By:  
Assistant Scientific Officer

*[Signature]*  
Counter Signed By:  
Regional Officer

*[Signature]*  
19.12.19

## U.P. Pollution Control Board

## CONSENT ORDER

Ref No. - 84167/U PPCB/Meerut(U PPCBRO)/CTO/air/MEERUT/2019

Dated : 04/02/2020

To ,

Shri EKTA CHADHA  
M/s JP ACADEMY COLTS (A UNIT OF JAI PRAKASH EDUCATIONAL TRUST  
SOCIETY)  
21, MISSION COMPOUND MEERUT, MEERUT,  
MEERUT

Sub : Consent under section 21/22 of the Air (Prevention and control of Pollution) Act, 1981 (as amended)  
to M/s. JP ACADEMY COLTS (A UNIT OF JAI PRAKASH EDUCATIONAL TRUST SOCIETY)

Reference Application No. 7314910

Dated : 04/02/2020

1. With reference to the application for consent for emission of air pollutants from the plant of M/s JP ACADEMY COLTS (A UNIT OF JAI PRAKASH EDUCATIONAL TRUST SOCIETY). 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 04/02/2020 to 31/12/2021 .
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 .

Rakesh Kumar Tyagi  
Digitally signed by  
Rakesh Kumar Tyagi  
Date: 2020.02.04  
15:32:53 +05'30'

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

RO,UPPCB,MEERUT

Enclosed : As above  
(condition of consent):

Copy to:

Rakesh Kumar Tyagi  
Digitally signed by  
Rakesh Kumar Tyagi  
Date: 2020.02.04  
15:33:08 +05'30'

RO,UPPCB,MEERUT

U.P. Pollution Control Board

Dated : 04/02/2020

CONDITIONS OF CONSENT

- 1. This consent is valid only for the approved production capacity of School for Class 1 to 5.
- 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	DG SET 25 KVA	Diesal	01	Particulate Matter	As per norms

- 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 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 .

**Specific Conditions:**

- 1-Solid Waste materials shall be disposed in proper manner so that water sources may not polluted and do not burn any type of waste at any condition.
- 2-Proper tree plantation should be done in the premises.
- 3-This consent order is applicable as per the directions given by Hon'ble NGT in OA No 452/2018 time to time.
- 4-No other DG Set installed in the school premises without obtain valid permission from UPPCB .
- 5-This consent order shall be applicable only for 25KVA DG set.
- 6-School should be maintained noise level as per CPCB prescribed standards for DG set is 75dBA and prescribed residential area is 55dBA(day time) . Non complying of above prescribed standards this consent order may be cancelled automatically.
- 7-Ensure the Compliance of Directions by the Board time to time.

Issued with the permission of competent authority .

Rakesh Kumar Tyagi  
Digitally signed by Rakesh Kumar Tyagi  
Date: 2020.02.04 15:33:19 +05'30'  
For and on behalf of U.P. Pollution Control Board .

RO,UPPCB,MEERUT



**Regional Office & Laboratory**  
**U.P. POLLUTION CONTROL BOARD**  
**MEERUT**  
**NOISE MONITORING REPORT**

3. Name of Industry/Place : M/s Shivalik Public School, Dev Nagar, Mission Compound, Meerut
4. Date of Sampling : 18-12-2019
3. Sample Collected by : Shri A.K.Mishra (SA), Shri Basudev (MA)
4. Sampling Details : Sampling Time 09:00 am to 09:30 am  
Respectively.

Sl. No.	SAMPLING LOCATION	Observed Value (dB)A	Noise Level Standard for D.G. Set from 01 Meter Distance Decided By CPCB/UPPCB
1.	Sample Taken From 01 Meter Distance of D.G. Set	71.2	75 dB (A)

*[Signature]*  
Analysed By:  
Scientific Assistant

*[Signature]*  
Checked By:  
Assistant Scientific Officer

Counter Signed By:  
Regional Officer *[Signature]*

19.12.19

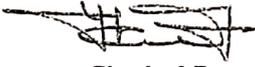


Regional Office & Laboratory  
U.P.POLLUTION CONTROL BOARD  
MEERUT  
AMBIENT AIR QUALITY MONITORING REPORT

1. Sampling Point : M/s Shivalik Public School, Dev Nagar, Mission Compound, Meerut  
2. Date of Sampling : 18-12-2019  
3. Sample Collected by : Shri A.K.Mishra (SA), Shri Basudev (MA)  
4. Sampling Details : Sampling Time 08:00 AM to 04:00 PM

Sl. No.	Instruments Used	Observed Value	Standard Value
		PM10 $\mu\text{g}/\text{m}^3$	PM10 $\mu\text{g}/\text{m}^3$
1.	Sample Taken by RDS	78	100

  
Analysed By:  
Scientific Assistant

  
Checked By:  
Assistant Scientific Officer

Counter Signed By:  
Regional Officer  
  
19.12.19

## U.P. Pollution Control Board

## CONSENT ORDER

Ref No. - S0224/UPPCB/Meerut(UPPCBRO)/CTO/air/MEERUT/2019

Dated : 04/02/2020

To ,

Shri SSEMA TYAGI  
M/s SHIVALIK PUBLIC SCHOOL  
17,MISSION COMPOUND MEERUT,MEERUT,  
MEERUT

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

Reference Application No. 7046708

Dated : 04/02/2020

1. With reference to the application for consent for emission of air pollutants from the plant of M/s SHIVALIK PUBLIC SCHOOL. 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 04/02/2020 to 31/12/2021 .
  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 .

Rakesh Kumar Tyagi  
Digitally signed by  
Rakesh Kumar  
Tyagi  
Date: 2020.02.04  
15:29:47 +05'30'

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

RO,UPPCB,MEERUT

Enclosed : As above  
(condition of consent):

Copy to:

Rakesh Kumar Tyagi  
Digitally signed  
by Rakesh  
Kumar Tyagi  
Date: 2020.02.04  
15:30:04 +05'30'  
RO,UPPCB,MEERUT

## U.P. Pollution Control Board

Dated : 04/02/2020

### CONDITIONS OF CONSENT

1. This consent is valid only for the approved production capacity of School for Class 1 to 5.
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	DG SET 20 KVA	Diesal	01	Particulate Matter	As per norms

- 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 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 .

#### Specific Conditions:

- 1-Solid Waste materials shall be disposed in proper manner so that water sources may not polluted and do not burn any type of waste at any condition.
- 2-Proper tree plantation should be done in the premises.
- 3-This consent order is applicable as per the directions given by Hon'ble NGT in OA No 452/2018 time to time.
- 4-No other DG Set installed in the school premises without obtain valid permission from UPPCB .
- 5-This consent order shall be applicable only for 20KVA DG set.
- 6-School should be maintained noise level as per CPCB prescribed standards for DG set is 75dBA and prescribed residential area is 55dBA(day time) . Non complying of above prescribed standards this consent order may be cancelled automatically.
- 7-Ensure the Compliance of Directions by the Board time to time.

Issued with the permission of competent authority .

Rakesh  
Kumar Tyagi

Digitally signed by  
Rakesh Kumar Tyagi  
Date: 2020.02.04  
15:30:16 +05'30'

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

RO,UPPCB,MEERUT



क्षेत्रीय कार्यालय  
REGIONAL OFFICE  
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड  
U.P. POLLUTION CONTROL BOARD

संदर्भ सं०

Ref. No. 2670/NGT-452/2018/2020

दिनांक 11/02/2020

Dated

आवश्यक / महत्वपूर्ण

सेवा में,

उपाध्यक्ष,  
मेरठ विकास प्राधिकरण  
सिविल लाइन्स, मेरठ।

विषय :- मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन ओ०ए० सं० 452/2018 मनोज चौधरी बनाम यूनियन आफ इण्डिया एवं अन्य में पारित आदेश दिनांक 23.01.2020 के अनुपालन के संबंध में।

महोदय

कृपया उपरोक्त विषयक मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन ओ०ए० सं० 452/2018 में पारित आदेश दिनांक 23.01.2020 का संदर्भ ग्रहण करने का कष्ट करें (छायाप्रति संलग्न) जो कि मिशन कम्पाउन्ड मेरठ स्थित 04 स्कूलों (एल०आर०ए० किड्स स्कूल, जे०पी०एकेडमी, शिवालिक पब्लिक स्कूल एवं लिटिल स्कालर स्कूल) से संबंधित है। पारित आदेश के मुख्यांश निम्नवत हैं—

“ None of the schools has not obtained approval from Meerut Development Authority(MDA), Meerut.

In view of the above the authorities may take decision in the light of the above observation for permission is pending, the same may be decided within one month. Further action may be taken for environment protection and report filed before the next date by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in).”

उक्त पारित आदेश के परिपेक्ष्य में अपने विभाग से संबंधित कार्यवाही की आख्या 01 सप्ताह के अंदर इस कार्यालय को उपलब्ध कराने का कष्ट करें जिससे कि मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली को सूचनाएं ससमय उपलब्ध करायी जा सकें।

संलग्नक - उपरोक्तानुसार

भवदीय,

  
(आर०के०त्यागी)  
क्षेत्रीय अधिकारी

प्रतिलिपि :-

1. मा० आयुक्त महोदय, मेरठ मण्डल मेरठ को सूचनार्थ सादर प्रेषित।
2. जिलाधिकारी महोदय, मेरठ को सूचनार्थ सादर प्रेषित।

  
क्षेत्रीय अधिकारी

o/c 

क्षेत्रीय कार्यालय :- पाकेट -टी.सी.-3/2, पल्लवपुरम फेस-2, मोदीपुरम, मेरठ-250110 (उ०प्र०)  
बोर्ड मुख्यालय :- पर्यावरण भवन, टी.सी.-12, वी. विभूति खण्ड, गोमती नगर, लखनऊ-226010 (उ०प्र०)



क्षेत्रीय कार्यालय  
REGIONAL OFFICE  
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड  
U.P. POLLUTION CONTROL BOARD

संदर्भ सं०  
Ref. No.

2949 / NGT-452/2018/2020

दिनांक 5/3/2020

Dated

आवश्यक / महत्वपूर्ण  
अनुस्मारक-1

सेवा में,

उपाध्यक्ष,  
मेरठ विकास प्राधिकरण  
सिविल लाइन्स, मेरठ।

विषय :- मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन ओ०ए० सं० 452/2018 मनोज चौधरी बनाम यूनियन आफ इण्डिया एवं अन्य में पारित आदेश दिनांक 23.01.2020 के अनुपालन के संबंध में।

महोदय

कृपया उपरोक्त विषयक मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन ओ०ए० सं० 452/2018 में पारित आदेश दिनांक 23.01.2020 का संदर्भ ग्रहण करने का कष्ट करें (छायाप्रति संलग्न) जो कि मिशन कम्पाउन्ड मेरठ स्थित 04 स्कूलों (एल०आर०ए० किड्स स्कूल, जे०पी०एकेडमी, शिवालिक पब्लिक स्कूल एवं लिटिल स्कालर स्कूल) से संबंधित है। पारित आदेश के मुख्यांश निम्नवत हैं-

“ None of the schools has not obtained approval from Meerut Development Authority(MDA), Meerut.

In view of the above the authorities may take decision in the light of the above observation for permission is pending, the same may be decided within one month. Further action may be taken for environment protection and report filed before the next date by email at [judicial-ngt@gov.in.](mailto:judicial-ngt@gov.in)”

उक्त पारित आदेश के परिपेक्ष्य में अपने विभाग से संबंधित कार्यवाही की आख्या अविलम्ब इस कार्यालय को उपलब्ध कराने का कष्ट करें जिससे कि मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली को सूचनाएं ससमय उपलब्ध करायी जा सकें। इस संबंध में आपसे पूर्व में भी इस कार्यालय के पत्र सं० 2670/एन०जी०टी०-452/2018/2020 दिनांक 11.02.2020 द्वारा अनुरोध किया जा चुका है।

संलग्नक - उपरोक्तानुसार

भवदीय,

(आर०के०त्यागी)  
क्षेत्रीय अधिकारी

प्रतिलिपि :-

1. मा० आयुक्त महोदय, मेरठ मण्डल मेरठ को सूचनार्थ सादर प्रेषित।
2. जिलाधिकारी महोदय, मेरठ को सूचनार्थ सादर प्रेषित।

क्षेत्रीय अधिकारी  
9/3/20

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