



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या: 499939/सी-3/NJT.334/2023 दिनांक: 19/07/2023

To,

The Registrar,
The National Green Tribunal,
Principal Bench,
New Delhi
E-mail- judicial-ngt@gov.in

Sub: Report of The Joint Committee and Action Taken Report (ATR) in compliance of the order dated-28.04.2023 passed by Hon'ble National Green Tribunal, New Dellhi in Original Application No. 168 of 2023 Rajesh Mohan Versus State of U.P.

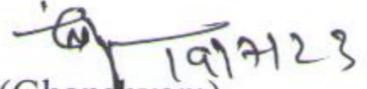
Sir,

That in compliance of the order dated- 28.04.2023 passed by the Hon'ble National Green Tribunal, New Delhi in Original Application No. 168 of 2023 Rajesh Mohan Versus State of U.P. In compliance of the above order a Joint Committee constituted by District Magistrate, MuzaffarNagar. The inspection of Joint Committee conduct on dated-23.06.2023 and also on 07.07.2023. The status report of the same is annexed.

The Action Taken Report is annexed herewith and forwarded to you with the request that the same may be placed before the Hon'ble Tribunal.

Enclosure- As above

Yours Sincerely


(Ghanshyam)
Chief Environmental Officer,
Circle-3

Copy to:

1. Shri Pradeep Mishra, Advocate on Record, Hon'ble Supreme Court/ NGT, New Delhi for necessary action please.
2. Law Officer-1, U.P. Pollution Control Board, Lucknow for information and necessary action please.
3. Regional Officer, U.P. Pollution Control Board, MuzaffarNagar for information and necessary action.


Chief Environmental Officer,
Circle-3

Report of Joint Committee of UPPCB and District Administration in compliance of order passed by the Hon'ble National Green Tribunal in OA No 168/2023 Rajesh Mohan Vs State Of UP on dated 28.04.2023

1.0 Background:

Grievance in reference to above application is against failure to control air pollution by release of dust and foul smell due to grinding of glass and use of thinner by Vinod Kheda Prop. M/s Maa Ambey Glass Factory in Punjabi Colony near Duga Mandir, Muzaffarnagar, UP.

In the above matter, Hon'ble NGT vide order dated 28.04.2023, directed to constitute a joint committee comprising of State PCB and District Magistrate, Muzaffarnagar to look into the matter with directions as below: -

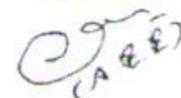
".....2. In view of the above, let a joint Committee of State PCB and District Magistrate, Muzaffarnagar look into the matter and take remedial action particularly with reference to siting of industry in question and compliance of consent conditions. The State PCB will be nodal agency for coordination and compliance. An action taken report may be files to Registrar General of this Tribunal within two months by e-mail at judicial-ngt@gov.in preferably in form of searchable PDF/OCR Support PDF and not in the form of Image PDF. If found necessary, the Registrar General may place the matter before the Bench for further directions. Subject to above, the application is disposed of....."

2.0 Observations and Action Taken Report of the Joint Committee

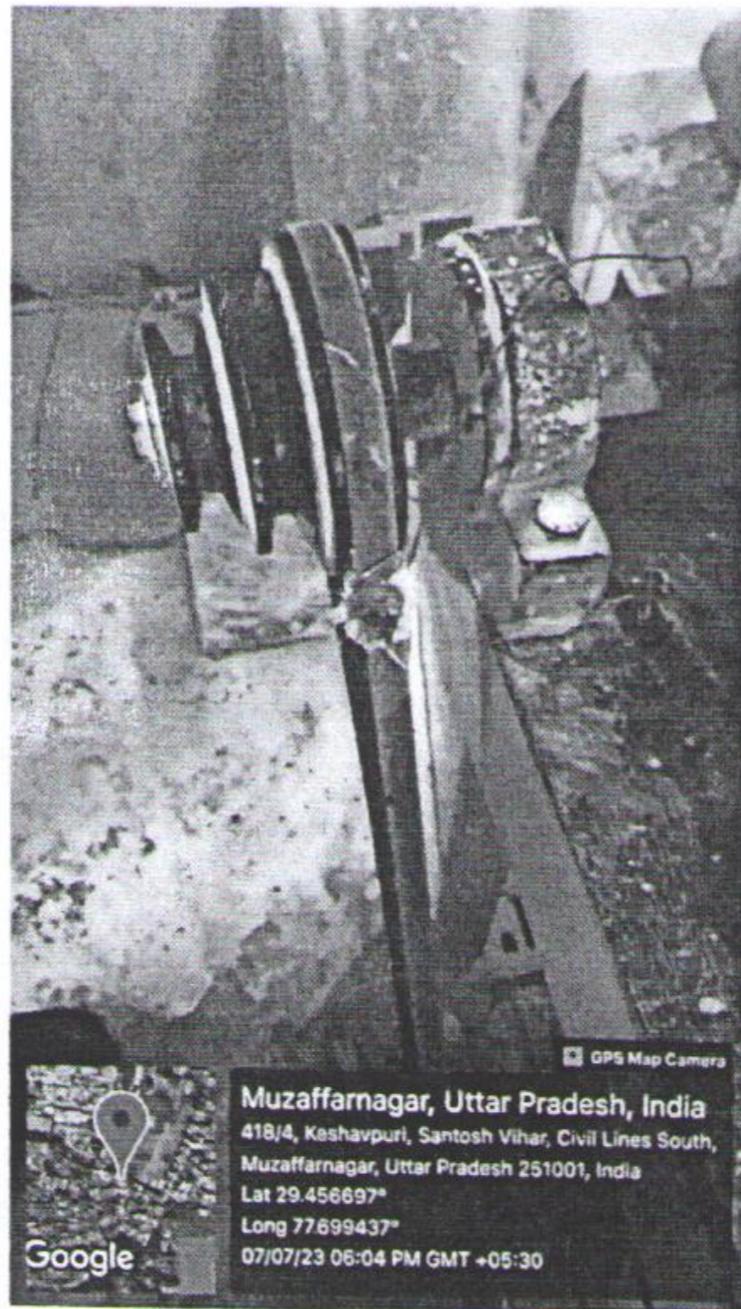
In compliance of the above directions of Hon'ble Tribunal, District Magistrate nominated City Magistrate for compliance of the directions. The joint committee of UPPCB and District Administration carried out joint inspection of the unit in question M/s Maa Ambey Glass, Punjabi Colony, Near Durga Mandir, Muzaffarnagar on 23.06.2023. During the inspection, the unit was not found under operation. Hence, re inspection of the unit was again carried out by the joint team on 07.07.2023.

Following are the findings and action taken :-

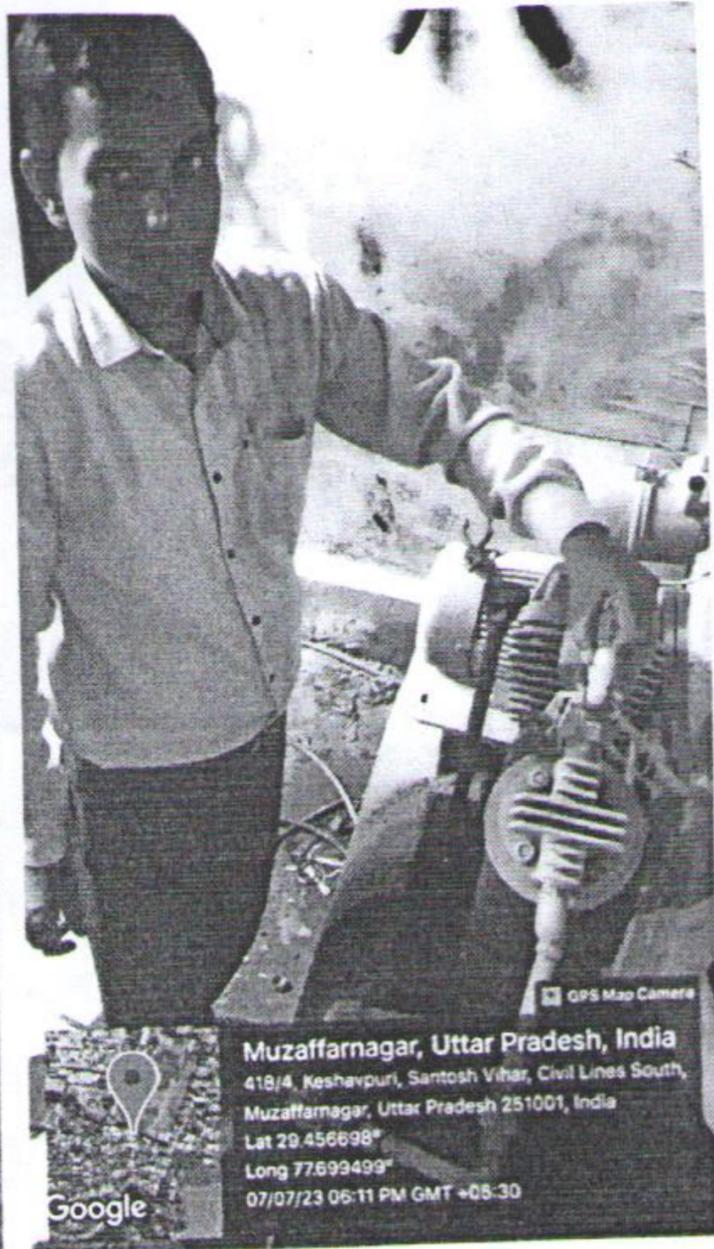
- During inspection, the unit was found in operation. Industry is involved in cutting of glass pieces followed by glass itching and pasting. After the cutting process, corners of the glass are grinded by the grinding machine and polished as finishing process. The industry is involved in use of thinner during the process.
- During inspection, the unit representative failed to produce any requisite licences from concerned departments. As per the unit representative, the industry is in operation since the year 2006.



- The unit is established and in operation in residential colony of the district.
- The unit does not have CTE/CTO from UPPCB for establishment/ operation of the industry. Hence. The unit is operating illegally within the limits of residential area of the district.
- The unit further uses thinner in the process which causes foul smell around the residential area. DG set of 15 KVA has also been installed illegally within the industrial premises.
- As the unit was operating within the residential limits of the city illegally, hence during inspection, the joint committee closed down the operations of the unit by sealing the electrical motor of grinding unit, electrical motor of polishing unit, air compressor (01 no.) and DG set. Photographs of sealing are as below :-



(A&E)



- The unit representative vide its letter dated 07.07.2023 has informed that the unit shall not be operated before obtaining requisite licenses following due process of law, Letter is annexed as annexure 1.

The above report is put up for perusal and necessary action please

INSPECTION TEAM

S.No.	Name of Officials & Details	Signature
1.	Vikas Kashyap City Magistrate, Muzaffarnagar	
2.	Ankit Singh Regional Officer, UPPCB, Muzaffarnagar	
	Imraan Ali A.E.E., UPPCB, Muzaffarnagar	

* मा० राष्ट्रीय हरित अधिकरण में योजित ओ०ए० संख्या 168/2023 राजेश मोहन बनाम स्टेट ऑफ़ यू०पी० में पारित आदेश दिनांक 28.04.2023 के अनुपालन के सम्बन्ध में।

उपरोक्त शिकायती प्रकरण के अनुपालन हेतु जिलाधिकारी मधोसूय द्वारा गठित कमेटी ने इकाई का निरीक्षण 23.06.2023 में किया गया था. निरीक्षण के समय इकाई में मा० अम्बे ग्लास. 418/3 सख्त सिगिल लाईन नुमाइश कैम्प मुजफ्फरनगर संचालित नहीं पायी गई थी। आज दिनांक 07.07.2023 को इकाई का पुनः निरीक्षण किया गया।

इकाई आवासीय क्षेत्र में स्थापित/संचालित है। आवासीय क्षेत्र में स्थापित व संचालित उद्योगों के सम्बन्ध में मा० उच्च न्यायालय, इलाहाबाद में सचर रिट याचिका सं० - 34957/2003 जीमाते मिथलेश कुमार जैन (आगरा) बनाम उ० प्र० राज्य व अ० च में पारित आदेश - 89(1)9-आ 3-2003 - 62/रिट/2003 दिनांक 10.11.2003 तथा सचर सचिव, उ० प्र० प्रदूषण नियंत्रण बोर्ड लखनऊ के आदेश दिनांक 16.08.2004 एवम् मा० सर्वोच्च न्यायालय द्वारा एस.एल.वी संख्या - 4295/2011 में मनोज मिनि शहर मिल एवं अन्य में पारित दिनांक 23.09.2003 के अनुसार आवासीय क्षेत्र में औद्योगिक प्रक्रियाओं का संचालन अनुमत्त नहीं है।

उपरोक्त के दृष्टिगत उपर वर्णित आदेशों के अनुपालन को सुनिश्चित कराये जाने हेतु एवम् इकाई के संचालन को अवसक्य किचे जाने के उद्देश्य से इकाई संचालक श्री विनोद खेडा की उपस्थिति में निम्नलिखित मशीनों/उपकरणों को सील कर दिया गया है :-

- (i) ग्राइंडिंग मशीन की विद्युत मीटर - 02 Nos
- (ii) पॉलिशिंग मशीन की विद्युत मीटर - 01 Nos
- (iii) एयर कम्प्रेसर - 01 Nos (विद्युत मीटर सहित)
- (iv) डी०जी० सेट - 15 KVA - 01 Nos (मैन डोर ऑपरेटिंग पैनेल)

इकाई संचालक

7/7/23

राजेश कुमार सिंह
(ज० आर० ए० फ०)
उ० प्र० प्रदूषण
नियंत्रण बोर्ड
मु० नगर।

मनीष कुमार
(ज० आर० ए० फ०)
उ० प्र० प्रदूषण
नियंत्रण बोर्ड
मु० नगर।

इमरान अली
(सहा० पत्रा० अधिकारी)
उ० प्र० प्रदूषण नियंत्रण
बोर्ड मु० नगर।

