



क्षेत्रीय कार्यालय—उ०प्र० प्रदूषण नियंत्रण बोर्ड, गाजियाबाद
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संदर्भ संख्या : 2880...../NGT-158/OA-860/2022/2023

दिनांक 13/03/2023

To,

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

Sub: Report of the Joint Committee in compliance of Hon'ble National Green Tribunal, Principal Bench, New Delhi Order dated 01.12.2022 in OA No-860/2022 Sachin Tyagi Versus USK Exports (P) Ltd. & Ors.

Respected Sir,

With reference to the above-mentioned subject the Joint Committee inspected the site in compliance of Hon'ble National Green Tribunal, order dated 01.12.2022 in OA No-860/2022 Sachin Tyagi Versus USK Exports (P) Ltd. & Ors. Joint Committee's report is hereby submitted for kind perusal and necessary action please.

Enclosure: Joint report.

Yours Sincerely


(Utsav Sharma)
Regional Officer

Copy to:

1. Member Secretary, U.P. Pollution Control Board, Lucknow for information.
2. Chief Environmental Officer, Circle-1, U.P. Pollution Control Board, Lucknow for information.
3. Shri Pradeep Misra, Advocate, Hon'ble Supreme Court/NGT, New Delhi for perusal and necessary action please.
4. Law Officer-I, U.P. Pollution Control Board, Lucknow for information.

Regional Officer

क्षेत्रीय कार्यालय : आई०एन०एस०-२, सेक्टर-१६, वसुन्धरा, गाजियाबाद-२०१०१२ फोन-०१२०-४१६०१०८
मुख्यालय : TC-12V, विभूति खण्ड, गोमती नगर, लखनऊ २२६०१०

Compliance Report
In
Original Application No. 860/2022

Sachin Tyagi

Versus

USK Exports (P) Ltd. & Ors.

Order Date - 01-12-2022

Filed on Behalf of:

Joint Committee of District Administration, Ghaziabad, Central Pollution Control Board & Uttar Pradesh Pollution Control Board

1. Background

The applicant Shri Sachin Tyagi has filed an application in Hon'ble National Green Tribunal and alleged that M/s USK Exports (P) Ltd., an industry situated within the distance of 150 meters from the residential area and is carrying heavy hammer operations thereby producing high decibel sound beyond permissible limits and also generating seismic waves in the surrounding area.

In view of said allegations, Hon'ble NGT had passed following order dated 01.12.2022: -

"...4. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position. Accordingly, we constitute a Joint Committee comprising of CPCB, State PCB and District Magistrate, Ghaziabad and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and submit its report within two months...."

In compliance of orders of Hon'ble Tribunal, State Board being the nodal agency coordinated with Central Pollution Control Board, New Delhi and District Administration, Ghaziabad. The said unit and nearby area was inspected by the Joint Committee comprising of Shri Bipin Kumar, Additional District Magistrate (City), Ghaziabad, Utsav Sharma, Regional Officer, Uttar Pradesh Pollution Control Board, Ghaziabad, Shri Danish Meena, Scientist 'C', Central Pollution Control Board, New Delhi, Shri Kishan Singh, Assistant Environmental Engineer, Uttar Pradesh Pollution Control Board, Ghaziabad and team of Regional Laboratory, Ghaziabad for purpose of noise monitoring on 21.01.2023.

2. Inspection Report and Findings

In compliance of directions of Hon'ble Tribunal, M/s USK Export Pvt. Ltd., Plot No. H-6, UPCDA Industrial Area, South Side of GT Road, Ghaziabad was inspected by the Joint Committee on 21.01.2023. The industry was found operational at the time of inspection and Mr. Kapil Khandewal, Director was present as the industry representative. The inspection report is as follows:-

1. The said industry is established and operational in South Side of GT Road industrial area, an authorized industrial area developed by Uttar Pradesh Industrial Development Authority (UPSIDA) along the erstwhile National Highway 24 and now developed as Delhi Meerut Expressway. The industry is established and functional since the year 2006.
2. The said industry is a Forging unit and engaged in Iron & Steel forging along with machining for manufacturing pipeline flanges. Raw material used for said purpose are Iron and Steel Billet/Bloom/Ingot/Round. Industry has obtained statutory Consent to Operate from the State Board under the provisions of Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and same is valid till 31.07.2027.
3. A total of 05 hammers and 04 P.N.G. fired re-heating furnaces are installed in the industry for forging work. The capacity of installed hammer was informed 3x5 ton, 1x8 ton, 1x50 ton. Hammer of 05 ton and 08 ton capacity are based on pneumatic system and 50 ton capacity hammer is based on oil hydraulic & pneumatic system. Besides this, 12 CNC machines, 10 lathe machines and 04 press machines are also installed in machining section of the unit.

4. PNG gas is used for fuel in the re-heating furnace installed in the industry and to control the process emissions generated from the re-heating furnace and hammering process hood, ducting and chimney about 30 meters high from the ground level are installed.
5. In order to control vibrations caused due to operation of industrial hammers, the unit has installed anti vibration pad (Resistoflex-Super).
6. At the time of inspection, it was observed that the unit has installed acoustic insulation panels along the industrial shed and work was still in progress in certain sections. The photographs taken during the inspection are as follows:-



7. The said industrial site is adjacent to the service road of a 14 lane Delhi-Meerut Expressway and on the other side of the expressway is Dudaheda village where residential as well as commercial activities are being carried out.
8. There is a regular movement of light and heavy vehicles on the expressway.
9. During the inspection, the instantaneous noise level inside the industrial shed on industrial operation was 88.8 decibels and the instantaneous noise level outside the factory shed and inside the boundary was 69.8 decibels. On the service road of NE-3 (Delhi-Meerut Expressway-14 line) outside the gate of the industry, the instantaneous noise level was found between 76-78 decibels during industrial operation and shutdown condition. There is a large amount of vehicular movement on that expressway which adds to the ambient noise level in the area.
10. Village Dundaheda was also inspected on the other side of Delhi-Meerut Expressway. At the time of inspection, the complainant Mr. Sachin Tyagi was contacted and it was requested that he be present at the site in question, however, he informed that he was out of town and sent his cousin Shri Mack Tyagi (Mobile No. 9716347373) for assisting the Joint Committee.
11. During the inspection, it was found that the Dundaheda village is situated on the side Delhi-Meerut Expressway and main service road is being used primarily for commercial activities and also houses small engineering and repair shops. The complainant's house is situated in Dudaheda village, about 100 meters from the said service road along Delhi-Meerut Expressway. It was informed by Shri Mayank Tyagi present during the inspection that the hammer operation of the industry is prominent during night. Accordingly, it was decided by the Joint Committee that noise monitoring shall be carried out during night time as well.

12. Thus, team of Regional laboratory, Ghaziabad has carried out noise monitoring in the said area on dated 21.01.2023, 22.01.2023 & 28.01.2023 for a period of eight hours. Results of said monitoring have been tabulated hereunder.

AMBIENT NOISE MONITORING REPORT

Name of Monitoring Site: USK Export, Private Limited, H-6, S.S. of GT Road industrial area, Ghaziabad.

Date of Monitoring : 21.01.2023

Monitoring By : D.D. Verma, L.A. ,Surjeet Singh L.A.

S. No.	Location	Observed value (Day)		
		Min	Max	Avg (Leq)
1	Main Gate of Industry	63.3	90.6	71.4
	In Side of Industry Gate	63.6	88.7	73.6
3	Inside of industry shed (When Hammer is operational)	82.1	101.8	90.3
4	Inside of industry shed (When Hammer is not	81.2	87.8	84.9
5	Outside of industry near main gate	62.8	93.8	72.3

AMBIENT NOISE MONITORING REPORT

Name of Monitoring Site : USK Export, Private Limited,H-6,NH- 24, Ghaziabad.

Date of Monitoring : 22.01.2023

Monitoring By : D.D. Verma, L.A. ,Surjeet Singh L.A.

S. No.	Location	Observed value (Day)		
		Min	Max	Avg (Leq)
1	Outside of industry near main gate (When industry was not operational)	66.5	106.1	81.9

AMBIENT NOISE MONITORING REPORT

Name of Monitoring Site : USK Export, Private Limited,H-6,NH- 24, Ghaziabad.
Date of Monitoring : 28.01.2023
Monitoring By : D.D. Verma, L.A. ,Madan Gopal J.L.A.

S. No.	Location	Observed value (Night)		
		Min	Max	Avg (Leq)
1	Outside of industry near main gate (When industry was operational)	54.6	109.4	72.7

AMBIENT NOISE MONITORING REPORT

Name of Monitoring Site : Complainant's residence, Dundaheera , NH- 24,
Ghaziabad.
Date of Monitoring : 31.01.2023
Monitoring By : D.D. Verma, L.A. ,Madan Gopal J.L.A

S. No.	Location	Observed value (Night)		
		Min	Max	Avg (Leq)
1	Complainant's residence (When Industry was operational)	54.9	74.2	64.4
2	Complainant's residence (When Industry was not operational)	51	81	63.9


<i>Standard for Noise level in dB(A) Leq</i>		<i>Day</i>	<i>Night</i>
1	<i>Residential Zone</i>	55	45
2	<i>Commercial Zone</i>	65	55
3	<i>Silent Zone</i>	50	40
4	<i>Industrial Zone</i>	75	70

13. From above, it is evident that though the sound levels within the industrial shed are high at the time of operation of hammers, same is controlled with the help of insulation medium and is not felt outside the unit. Being adjacent to the highway and vehicular movement within the industrial area, ambient noise in the industrial area as well as Village Dudaheera does not meet prescribed noise standards during day as well as night.


14. During night monitoring on 31.01.2023, it was observed that when the hammer is operated intermittent sound is heard on other side of the highway. Though the hammer is placed inside the industrial shed and work of installation of acoustic insulation panel is almost complete, the said unit should expedite the said work as it will further nullify the issue of intermittent sound as well.


15. With regards to seismic tremors, same has not been measured by the Joint Committee but no such issue was observed even outside the industrial shed and within the premises of M/s USK Exports (P) Ltd.

Report is being submitted for kind perusal and further necessary directions


(Kishan Singh)
AEE, UPPCB
Ghaziabad


(Danish Meena)
Scientist 'C', CPCB
New Delhi
Through e-mail


(Utsav Sharma)
Regional Officer
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