

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**M.A NO. 102 OF 2025
IN
O.A NO. 142 / 2024**

IN THE MATTER OF:

SURENDER

...APPLICANT

Versus

STATE OF UTTAR PRADESH & ORS

...RESPONDENTS

**SUBMISSIONS ON BEHALF OF RESPONDENT NO. 3 I.E.
M/S AL NASIR EXPORTS PVT LTD**

FOR INDEX:- Kindly See Inside

New Delhi
Dated: 22.09.2025

FILED BY

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MOST RESPECTFULLY SHOWETH:

1. The answering respondent herein submits the following chronology of events, in the present case, for the kind consideration of this Honorable Tribunal:
2. **Supreme Court Directions – W.P. (C) No. 309 of 2003, *Laxminarayan Modi v. Union of India.***

- The genesis of this matter lies in the judgment of the Hon'ble Supreme Court in *Laxminarayan Modi v. Union of India* (W.P. (C) No. 309 of 2003).
- In the said case, the Hon'ble apex Court, while dealing with issues relating to unregulated slaughterhouses, directed that every State shall ensure proper environmental and hygienic regulation of slaughterhouses.
- Importantly, the Court mandated that State Level Committees be constituted to oversee compliance with environmental safeguards, hygiene, and pollution control norms.
- Pursuant to these directions, the Government of Uttar Pradesh constituted a State Level Committee vide Office Memorandum dated 11.09.2012, later modified on 16.09.2014.

**3. Application to State Level Committee by Respondent
No. 3 (M/s Al Nasir Exports).**

- In compliance with the above directions, the answering respondent applied for approval from the State Level Committee.
- In the 8th meeting of the Nagar Vikas Anubhag headed by the Chairman of State Level committee and Secretary of Urban development department, held on 14.12.2016, the Committee specifically decided that:

Since the unit of M/s Al Nasir Exports was already operational from 21.11.2013 after obtaining due permissions from UPPCB and the Agricultural and Processed Food Products Export Development Authority (APEDA), no further approval from the Committee was necessary.

- This decision was formally communicated to the answering respondent on 20.12.2016 through an Office Memorandum.

4. U.P. Government Order dated 07.07.2017 - 24 Points Compendium.

- Subsequently, the Government of U.P. issued a Government Order dated 07.07.2017, laying down a 24-points compendium to be complied with by slaughterhouses.
- These 24 points cover a wide range of safeguards, including:
 - Proper effluent treatment plants,
 - Solid waste and blood disposal systems,
 - Fly and odour control,
 - Maintenance of hygiene and sanitation,
 - Compliance with air and water pollution norms,
 - Proper disposal of carcasses and animal waste.

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- The Respondent No. 3 has complied with all the 24 points, and a 24 points compendium report of such compliance has also, already been submitted before this Hon'ble Tribunal for the kind consideration.

5. Grant of Consent to Operate (CTO) to answering respondent

- After due inspections and satisfaction of environmental norms, the UPPCB granted Consent to Operate (CTO) dated 23.08.2024 to the answering respondent under the Air and Water Acts validly authorizing the unit's operations.

6. Allegations by UPPCB in Its Reply (2025)

The UPPCB, in its reply before this Hon'ble Tribunal, allege that:

- The answering respondent obtained an amended CTO vide letter dated 02.09.2024 in collusion with the then Chief Environmental Officer.

- The respondent was required to obtain a fresh approval/NOC from the State Level Committee, which it failed to do.
- Disciplinary proceedings were initiated against the said officer of UPPCB.

7. High Court Order – *M/s Al-Haq Foods Pvt. Ltd. v. State of U.P.* (Writ-C No. 10671 of 2024, decided on 13.02.2025)

- This case involved a similar revocation of CTO/CCA by UPPCB on the ground that the unit had not obtained a revalidated NOC from the State Level Committee.
- The Hon'ble High Court held that:
 - UPPCB's jurisdiction is confined to regulation under the Air Act and Water Act.
 - UPPCB cannot revoke CTO/CCA merely for want of a State Level Committee NOC when there is no environmental violation.

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- The requirement of revalidated NOC was not a statutory condition under the Air Act/Water Act.

8. Supreme Court Order – State of U.P & Ors. vs. M/s AL-Haq Foods Pvt. Ltd. (SLP No. 12674/2025, dated 20.05.2025).

- Hon'ble Supreme Court rejected the appeal filed by the UPPCB and confirmed the order of the Hon'ble High Court.

9. High Court Order – Vivek Roy v. State of U.P. (Writ-A No. 7724 of 2025, decided on 04.08.2025)

- UPPCB alleged collusion with Mr. Vivek Roy, an officer, to obtain extension of CTO, by the answering respondent.
- However, the Hon'ble Allahabad High Court, Lucknow Bench, in this case quashed the suspension order dated 10.11.2024 against Mr. Vivek Roy, holding that:

- On the date of suspension, no departmental inquiry was contemplated or pending.
- Hence, the suspension was illegal and unsustainable.

Thus, The allegation of collusion against the answering respondent collapses, as the very foundation (disciplinary proceedings against Mr. Roy) was found invalid in law

10. Nature of Expansion by Respondent No. 3

- It is further clarified that Respondent No. 3 has not established any new slaughterhouse or expanded its land/area.
- The only change has been increasing the capacity of existing machinery, which does not attract the requirement of a fresh State Level Committee approval.
- This fact is consistent with the 2016 decision of the State Level Committee itself.

11. Position as on Date

- The State Level Committee itself has decided (20.12.2016) that no further state approval is required.
- The Hon'ble High Court has:
 - Quashed allegations of collusion by clearing Mr. Vivek Roy (04.08.2025).
 - Declared that UPPCB has no jurisdiction to revoke CTO for want of State Level Committee NOC (13.02.2025).

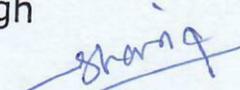
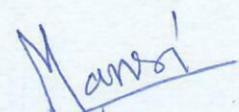
→ Therefore, UPPCB's reply is contrary to judicial records and lacks merit.

And hence, the CTO dated 23.08.2024 granted to the answering respondent by the UPPCB shall be forthwith revalidated.

Applicant /Respondent No. 3

New Delhi
Dated: 22, 09, 2025

Through



S.A. ZAIDI & MANSI CHAHAL
ADVOCATES