

BEFORE THE HON'BLE GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

O.A NO. 447 OF 2024

IN THE MATTER OF:

SAMPURNA NAND

...APPLICANT

VERSUS

PNC INFRATEC LTD. AND ORS.

...RESPONDENTS

WRITTEN SUBMISSIONS ON BEHALF OF THE RESPONDENT NO.1

(PNC INFRATEC LTD. NOW AHVS INFRA LLP)

MOST RESPECTFULLY SHOWETH:

1. The stone crusher unit of Respondent No. 1 (formerly M/s PNC Infratech Ltd., now M/s A.H.V.S. Infra L.L.P.) has been in operation at least since July 2022, as evidenced by the UPPCB inspection report dated 04.07.2022 (Reference Affidavit dt. 22.08.2025 Annexure 6 Page 148).
2. The Uttar Pradesh Pollution Control Board (UPPCB), the statutory regulatory authority, has conducted multiple inspections of the stone crusher unit of Respondent No. 1 and has consistently found full compliance with the Consent to Operate (CTO) conditions as well as the guidelines issued by CPCB and UPPCB for dust and air pollution control in stone crushers.
3. **CONSISTENT COMPLIANCE CONFIRMED BY JOINT INSPECTIONS:**
 - In every report and affidavit filed by UPPCB before this Hon'ble Tribunal (from May 2024 to October 2025), the Board has confirmed that all required pollution control measures — including closed enclosures, covered conveyor

belts, water sprinklers, smog guns, wind-breaking walls, telescopic chutes, etc. — are installed and operational. Green belt development, metalled roads and other stipulated conditions have also been verified as complied with in successive inspections.

- In the latest inspection dated **17.10.2025**, the unit was found to be fully compliant with all pollution control norms. The specific deficiency regarding the covering of the unloading point (which was noted in earlier visits) has been rectified, and it is now covered from the top and three sides (*Reference: Affidavit dated 28.10.2025,).*

4. **VALID CONSENT TO OPERATE:**

- The unit possesses a valid Consolidated Consent to Operate (CTO) for both Air and Water, valid up to **31.07.2026** (*Reference: Affidavit dated 22.08.2025, Annexure-6 Page No. 147).*

5. **PROACTIVE ENVIRONMENTAL & HEALTH MEASURES:**

Green Belt: The Respondent has developed a green belt with a 3-row plantation along the boundary. In March 2025, it was verified that **1200 plants** (Ashok, Jamun, Sagaun, etc.) were planted on approx. 0.40 Ha (*Reference: Affidavit dated 29.03.2025, Pg. 45 para vi).*

Health Check-ups: In compliance with the Hon'ble Tribunal's directions, the Respondent has conducted medical health check-ups for **13 staff members/workers**. The reports (CBC, LFT, KFT, Audiometry, etc.) have been placed on record (*Reference: Affidavit dated 28.10.2025, Annexure-3).*

The following table summarizes the findings from all affidavits filed by the UPPCB, confirming consistent compliance with specific environmental parameters.

Affidavit Date	Inspection Date	Wind Breaking Wall?	Sprinklers / Anti-Smog Gun?	Covered Belts / Enclosures?	Unloading Point Covered?	Metalled Roads?	Green Belt Plantation?	Health Checkups?	Overall Status	Refer to-
04.05.2024	08.02.2024	YES (12ft)	YES	YES	YES (Chutes)	-	-	-	Compliant	Page-1495
09.11.2024	05.11.2024	-	YES	YES	-	YES (Partial)	YES	-	Compliant	Annexure-3 Page- 31
29.03.2025	21.03.2025	-	YES	YES	-	YES (1.5km)	YES (1200 Trees)	-	Compliant	Page 46
22.08.2025	18.08.2025	YES	YES	YES	YES (3 Sides)	YES	YES	-	Compliant	Annexure 2 and 3 from Page 108 to 121.
28.10.2025	17.10.2025	YES	YES	YES	YES (Top+3 Sides)	YES	YES	YES (13 Staff)	Fully Compliant	Page159 to 161.

In 4 out of the 5 recent inspections (09.11.24, 29.03.25, 22.08.25, 28.10.25), the unit was found **non-operational**. This proves the Respondent is not running the unit relentlessly or illegally, but strictly as per project demand.

6. REVOCATION OF SHOW CAUSE NOTICE:

- That the State Board had issued a Show Cause Notice in January 2024. However, following a compliance verification visit on **08.02.2024**, wherein the unit was found to have installed wind-breaking walls, sprinklers, and covered belts, the Show Cause Notice was **revoked on 01.03.2024**. This demonstrates the Respondent's bona fide intent to comply with regulations (*Reference: Status Report dated 04.05.2024, Pg. 2*).

7. FINANCIAL LIABILITY DISCHARGED:

- The Environmental Compensation (EC) of **Rs. 7,06,250/-**, as imposed by the authorities, has been **fully deposited** by the Respondent on 20.03.2024. Furthermore, a Bank Guarantee of Rs. 50,000/- has also been submitted to ensure continued compliance (*Reference: Affidavit dated 09.11.2024, Annexure-4, Pg. 34*).

8. It is submitted that in environmental adjudication the directions issued must be proportionate to the violation and the present record does not justify punitive/closure-type directions. The UPPCB has verified dust mitigation measures (covering of emission points, sprinkling, anti-smog gun, metalled road, wind breaking arrangements) and green belt, and has further recorded that the unit was found non-operational during inspection. In such circumstances, the appropriate course is not coercive action, but at best a direction for continued periodic monitoring.

9. In light of the above, it is humble submitted that the Respondent No. 1 is a compliant entity operating a temporary unit for a public infrastructure project. All directions of this Hon'ble Tribunal and the State Board have been complied with.

**AJIT SHRAMA****ADVOCATE FOR THE RESPONDENT NO.1**