

Item No. 04

Court No. 1

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

Original Application No. 62/2023

(With report dated 9.5.2023)

Waseem Ahmad

Applicant

Versus

State of U.P.

Respondent

Date of hearing: 12.05.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

**ORDER**

1. Grievance in this application is against violation of environmental norms by M/s Bharat Brass International in operating multiple furnaces and other manufacturing processes resulting in discharge of toxic liquids in drain to the detriment of environment at Moradabad in UP.
2. Vide order dated 3.3.2023, the Tribunal sought a factual report in the matter from a joint Committee comprising State PCB, CPCB and District Magistrate, Moradabad.
3. Accordingly, report dated 9.5.2023 has been filed after site visit concluding as follows:

***“4- Conclusion-***

- i. During visit it was found that unit M/s Bharat Brass International, Anand Bhawan 31, Civil Lines, Fateh singh marg, near ST. Pauls's Collage, Moradabad does not exists.*

*ii. Joint committee visited the place of factory address Paper mill Chauraha, near Pipe Factory, Mehlakpur Road, Aghwanpur, Moradabad as mentioned by complainant in letter dated 01.09.2022 and unit M/s Bharat Brass International was not found in existence in nearby area. Also no factory was found owned by Mr. Anuj Mathur at the nearby area.”*

4. The applicant has not contested the report. We have thus to proceed on the basis thereof.

5. In view of above, the application was based on misleading and false facts which has resulted in abuse of process of law. Accordingly, the application is dismissed with cost quantified at Rs. 25,000/-.

6. The applicant may deposit the cost with the State PCB within one month, failing which the State PCB may take coercive measures for recovery of the amount. On realisation, the amount be utilized for restoration of the environment.

A copy of this order be forwarded to State PCB, CPCB and District Magistrate, Moradabad and the applicant by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 12, 2023  
Original Application No. 62/2023  
DV