

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE, KOLKATA**

O.A. NO. 219 OF 2024/EZ

IN THE MATTER OF

Niraj Kumar

.... APPLICANT

VERSUS

Dheeraj Kumar & ORS.

.... RESPONDENTS

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Filed by

Amrita Pandey

AMRITA PANDEY

Advocate,

F/747/2009

High Court, Calcutta

Hastings Chamber,

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BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE, KOLKATA

O.A. NO. 219 OF 2024/EZ

IN THE MATTER OF

NIRAJ KUMAR

....APPLICANT

VERSUS

DHEERAJ KUMAR & ORS.

.... RESPONDENTS

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT

NO. 4 BIHAR STATE POLLUTION CONTROL BOARD:

I, Neeraj Narayan, Male, aged about 40 years, Son of Late Narayan Sharma, Resident of C-41, Housing Colony, Kankarbagh, Near Tempo Stand, P.S.- Patrakar Nagar, Patna- 800020, do hereby solemnly affirm and state as follows:

1. That I am presently posted as Member Secretary in Bihar State Pollution Control Board. I am authorized to file the present counter affidavit on behalf of Respondent no. 4. I am aware of the facts of the

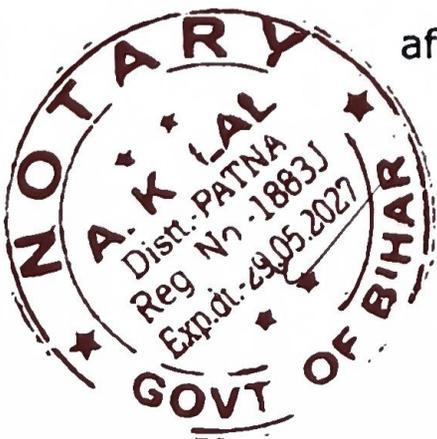


Handwritten notes:
Neeraj Narayan
who is identified by Advocate. A.K. Lal
solemnly affirmed as I declared nothing in
this affidavit apart from this nothing in
stamp/counter etc. 1/5/25 Sub rule 4
of rule of N.G.T. 2002
A.K. Lal
Notary Public
Patna
Date 22.06.2024
Sl. No. 2206

present case on the basis of the official records maintained at Bihar State Pollution Control Board, Patna, that I believe to be true. As such, I am competent to depose the present counter affidavit.

2. That the instant application, inter-alia, has been filed for quashing the Consent-to-Operate issued to the respondent No. 01 for operating the brick-kiln and further for closing the brick-kiln of the respondent as it has been established and being operated on a parcel of land which is different from parcel of land for which CTO was issued by the answering respondent.

3. That the matter was last heard on 25.04.2025, when this Hon'ble Court expressed its dissatisfaction to the counter affidavit filed by the answering respondent and directed the answering respondent to file a fresh affidavit through the Member Secretary.



4. That in light of the order passed by the Hon'ble Tribunal the State Board carried the site inspection of the brick-kiln of the Respondent No. 01 on 26.05.2025 in presence of the Applicant and found that the allegation levelled by the applicant is correct and the respondent no. 01 has established a brick-kiln on a different site other than for which CTO was issued to the respondent no. 01. Further, the proprietor of the brick-kiln (respondent no. 01) admitted that he has changed the site of the brick-kiln.

5. That the unit of the Respondent no. 01 was initially established in the year 2016 on land situated at Mauza- Karna, Khata No. 94, Khesra No. 225, P.S.- Parbatta, District- Khagaria. Thereafter the unit was issued a CTO dated 28.10.2016 which was valid till 27.10.2019. In the meantime, the State Board vide notification no. 32, dated 07.12.2018, took a policy decision to not permit any brick-kiln to operate



without converting into cleaner technology from 31.08.2019. (Zig-Zag).

The Respondent no. 01 established ~~the~~ new brick-kiln based on cleaner technology on a new parcel of land (Khata No. 120, 104 Khesra No. 231, 233) which is situated at a distance of approximately 150 meters from the old brick-kiln. The Respondent no. 01 instead of filing fresh CTE application for the newly established brick-kiln acted fraudulently and obtained renewal of the CTO application of the old brick-kiln and in garb of the CTO granted for the old brick-kiln started operating the newly established brick-kiln.

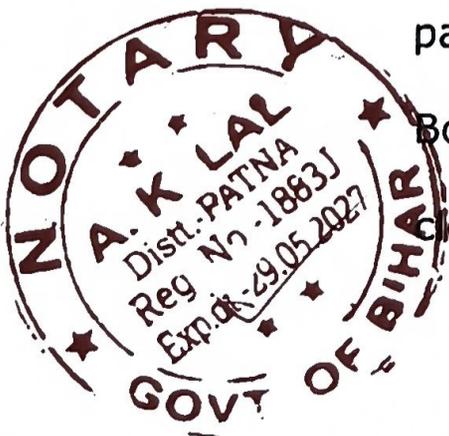
A copy of the inspection report; CTO issued to the DPY bricks and the notification no. 32, dated 07.12.2018 is annexed and marked as Annexure-1-Colly.



6. That the old brick-kiln is situated at land situated at Mauza- Karna, Khata No. 94, Khesra No. 225, and the new brick-kiln (based on cleaner technology) has been established on Khata No. 120, 104 Khesra No. 231, 233. The distance between the two brick-kiln is approximately 150 meters.

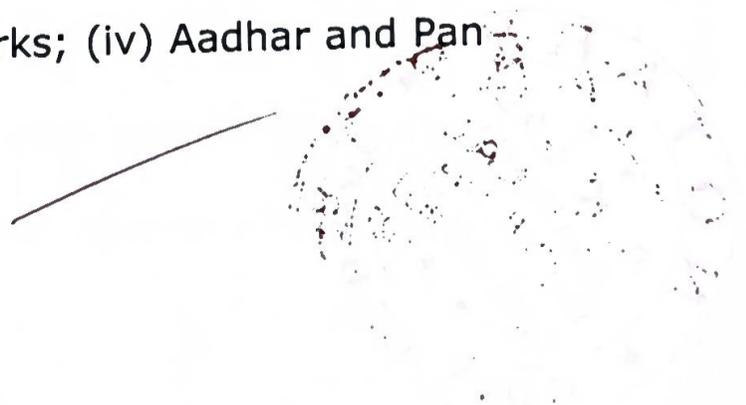
A copy of the google map photo indicating both the brick-kiln is annexed and marked as Annexure-2.

7. That the Respondent No. 01 for operating the new brick-kiln ought to have obtained a fresh CTE for the said brick-kiln and thereafter ought to have obtained a fresh CTO. However, the respondent no. 01 concealing the fact that the new brick-kiln (based on cleaner technology) has been established on new parcel of land, passed on his application to the State Board, as he has established a brick-kiln based on cleaner technology on the old parcel of land and



therefore fraudulently obtained renewal of the CTO application of the old brick-kiln. The old brick-kiln has been demolished by the Respondent no. 01 and the said land is being used for storage of clay.

8. That Section 21(2) of the Air (Prevention and Control of Pollution) Act, 1981, provides that an application for consent of the State Board under sub-section (1) shall be accompanied by such fees as may be prescribed and shall be made in the prescribed form and shall contain the particulars of the industrial plant and such other particulars as may be prescribed. The answering respondent consent application process requires mainly documents:- (i) Land Papers; (ii) Project Report including air/water pollution control measure; (iii) Affidavit regarding project site confirming the sitting guidelines with distance from major landmarks; (iv) Aadhar and Pan card of applicant.



The Respondent no. 01 in the instant case did not file fresh application and got renewal of the old CTO and submitted and undertaking for CTO dated 24.08.2022 in which he has stated that the brick-kiln will be established at Khata No. 94, Khesra No. 225. Therefore, the respondent no. 01 submitted false information at the time of renewal of the CTO application.

A copy of the undertaking for CTO submitted by the Respondent no. 01 is annexed and marked as Annexure-3.

9. That the new brick-kiln is being operated without obtaining a valid CTE and CTO from the State Board and during inspection it was noted that although the site of the new brick-kiln is as per the sitting criteria of the State Board and there is no habitation within 950 meters from the newly established brick-kiln, the approach road is not paved and fugitive dust



emission was noticed at the time of inspection; the loading and unloading of the brick-kiln is done through tractors and due to unpaved road fugitive emission was noticed; in the current season clay mining has not been done; the coal is crushed before use; no effluent is generated due to operation of the brick-kiln and the domestic waste water is treated through septic tank.

10. That in light of the above facts, the answering respondent has issued a show-cause notice dated 30.04.2025 to the Respondent no. 01 by which an opportunity has been given to him to file his objection to the State Board proposed action of directing closure of his brick-kiln and imposition of Environmental Compensation, as the brick-kiln has been operated without a valid CTE and CTO from the State Board.

A copy of the show-cause letter dated 30.04.2025



is annexed and marked
as Annexure-4.

11. That the answering respondent undertakes to take appropriate action against the brick-kiln (respondent no. 01) in accordance with law, including lodging of a FIR for practicing fraud on State Board and submitting fraudulent affidavit to State Board for purpose of obtaining CTO from the State Board.

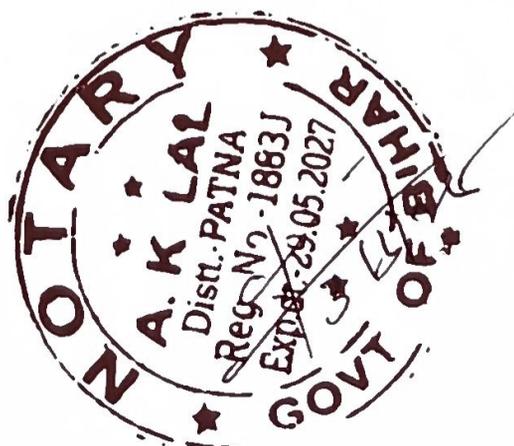
12. That I have read the contents of the affidavit and have understood the same.

Design the Deponent signature/Li. who has signed in my presence

Neeraj Narayan
DEPONENT

VERIFICATION

Verified at Patna on 3rd May, 2025 that the averments made in the present affidavit are true and correct to the best of my knowledge and information derived from records of the matter.



Neeraj Narayan
DEPONENT

Annexure-1 Colly

निरीक्षण प्रतिवेदन

श्री नीरज कुमार, ग्राम- महेश मोर, पो- करना, थाना+अंचल- परबत्ता, जिला- खगड़िया से प्राप्त शिकायत के आलोक में M/s. D.P.Y. Bricks, मौजा- करना, ग्राम- महेश मोर, पो- करना, थाना+अंचल- परबत्ता, जिला- खगड़िया का स्थल निरीक्षण दिनांक 26.04.2025 को किया गया। निरीक्षण के समय श्री धीरज कुमार उपस्थित (Proprietor) थे। निरीक्षण का तथ्य निम्नवत् है-

1. M/s D.P.Y. Bricks के मालिक का नाम श्री धीरज कुमार है।
2. इस ईट भट्टा का गियानी Rectangular है जिसमें Double Zig Zag के तकनीक पर ईट पकाई किया जाता है। इस ईट भट्टा में Natural Draft के साथ गोल चिमनी स्थापित है, जिसकी ऊँचाई लगभग 135 फीट है। इसमें पोर्ट होल की व्यवस्था किया गया है।
3. इकाई को वर्ष 2016 में स्थापनार्थ सहमति एवं दिनांक 27.10.2019 तक संचालनार्थ सहमति प्रदान किया गया है। इस इकाई को SEIAA, Bihar के संदर्भ सं- 185, दिनांक 07.09.2015 के क्र०सं- 92 के द्वारा पर्यावरणीय स्वीकृति प्रदान किया गया था। पर्षद के पत्रांक 1295, दिनांक 19/09/2019 के द्वारा संचालनार्थ सहमति प्रदान किया गया था, जिसकी वैधता दिनांक 06/09/2022 तक थी।
4. पुनः इस ब्रिक किलन को पर्षद के पत्रांक 790, दिनांक 25/07/2022 के द्वारा संचालनार्थ सहमति का नवीनीकरण किया गया है जिसकी वैधता दिनांक 30/06/2027 तक है।
5. इकाई के मालिक के द्वारा सूचित किया गया कि इकाई का स्थल परिवर्तन किया गया है। यह स्थल, पुराने ब्रिक किलन से लगभग 150 मीटर की दुरी पर स्थित है।
6. पुराना ब्रिक किलन खाता सं- 94, खेसरा सं- 225, मौजा- करना, थाना+अंचल- परबत्ता, जिला- खगड़िया में स्थित था, जबकि नया ब्रिक किलन खाता सं- 120, 104, खेसरा सं- 230, 233, मौजा- करना, थाना+अंचल- परबत्ता, जिला- खगड़िया में स्थित होने की सूचना दी गयी है। इकाई के सही स्थिति (खाता, खेसरा) की जानकारी संबंधित राजस्व के अधिकारी- अंचलाधिकारी, परबत्ता से प्राप्त किया जा सकता है।
7. इकाई को निर्गत संचालनार्थ सहमति का अनुपालन निम्नवत् है-
 - (i) इकाई के द्वारा पर्षद के अनुमति के बिना स्थल परिवर्तन किया गया है। पुराने ब्रिक किलन को तोड़ दिया गया है, तथा उसके स्थान पर मिट्टी के भंडारण का कार्य किया जा रहा है। पुराना चिमनी स्थापित है, परन्तु इसका कोई उपयोग नहीं है।
 - (ii) चिमनी के उत्सर्जन का मानक 250 mg/Nm^3 है। प्रस्तावक के द्वारा ब्रिक किलन के स्टैक की जांच हेतु ₹7,300/- की राशि पर्षद में जमा कराया गया है। साथ ही साथ चिमनी के 950 मीटर की परिधि में कोई आबादी नहीं है, जिनपर वायु प्रदूषण का प्रभाव नगण्य है।

TRANSLATED COPY

Inspection report

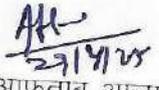
In the light of the complaint received from Shri Neeraj Kumar, Village Mahesh Mor, PO Karna, Police Station Zone Parbatta, District Khagaria, the site inspection of M/s. D.P.Y. Bricks, Gauja Karna, Village Mahesh Mor, PO Karna, Dhana. Zone Parbatta, District Khagaria was done on 26.04.2025. Shri Dheeraj Kumar was present (Proprietor) at the time of inspection. The facts of the inspection are as follows-

1. The name of the owner of M/s D.P.Y. Bricks is Mr. Dheeraj Kumar.
2. The base of this brick pit is rectangular in which bricks are baked using Double Zig Zag technique. A round chimney with natural draft is installed in this brick pit, whose height is approximately 135 feet. A port hole has been arranged in it.
3. The unit was granted consent for establishment in the year 2016 and consent for operation till 27.10.2019. Environmental clearance was granted to this unit by reference number 185 of SEIAA, Bihar, dated 07.09.2015, serial number 92. Consent for operation was granted by the Board's letter number 1295, dated 19/09/2019, which was valid till 06/09/2022.
4. Again, this sale clean has been renewed for welfare by the Council's letter No. 790, dated 25/07/2022, which is valid till 30/06/2027.
5. The owner of the unit informed that the location of the unit has been changed. The location is located about 150 meters away from the old Brick Villan.
6. The old brick kiln was situated in Khata No. 94, Khesra No. 225, Mauja Karna, Thana Achal Parbatta, District-Khagaria, whereas the new brick kiln is reported to be situated in Khata No. 120, 104, Khesra No. 230, 233, Bhija Karna, Thana Abal Parbatta, District Khagaria. Information regarding the exact status (account, khesch) of the unit can be obtained from the concerned revenue officer, Anchal Adhikari, Paschwata.
7. Compliance with the consent issued to the unit is as follows-
 - i. The unit has changed the site without the permission of the Board. The old brick wall has been demolished and in its place, the work of dumping of gravel is being done. The old Vinni is installed but it is of no use.
 - ii. The standard for chimney emission is 250 mg/Nm³. The proposer has deposited an amount of ₹7,300/- with the Board for testing the stack of brick kiln. Also, there is no population within the radius of 950 g of Vinni, on which the effect of air pollution is negligible.

- (iii) इस सत्र में इकाई के द्वारा मिट्टी खनन का कार्य नहीं किया जा रहा है।
- (iv) ब्रिक क्लिन में कोयला को चूर्ण बनाकर उपयोग किया जाता है। कोयले की गुणवत्ता जांच के उपरांत उसमें उपलब्ध राख की मात्रा ज्ञात किया जा सकता है।
- (v) ब्रिक क्लिन के उपरी भाग बेहतर Thermal insulation के लिए राख/पके हुए ईंट की चूर्ण से ढका गया है।
- (vi) इकाई के द्वारा आवागमन के मार्ग के कुछ भाग को ईंट के द्वारा पक्कीकरण किया गया है, लेकिन आवागमन मार्ग पर धूलकण पाया गया है। जल-छिड़काव के लिए ट्रैक्टर टैंकर का उपयोग करने की सूचना दी गयी है।
8. ब्रिक क्लिन में अपशिष्ट जल का निरस्राण नहीं होता है। घरेलू उत्प्रवाह के उपचार के लिए सैप्टिक टैंक का उपयोग किया जाता है।
9. इकाई परिसर में ट्रैक्टर के माध्यम से ईंटों के Loading एवं Unloading का कार्य होता है। परिसर के अंदर की सड़क कच्चा होने के कारण अत्याधिक धूलकण उत्पन्न होता है जो वायु के द्वारा आस-पास के क्षेत्र में फैलता है।
10. इकाई के द्वारा वर्ष 2022 के सहमति नवीनीकरण के क्रम में शपथ पत्र उपलब्ध कराया गया है, जिसमें जमीन का खाता सं०- 94, खेसरा सं०- 225 दर्शाया गया है। ये जानकारी गलत है।

अनुशंसा:-

इकाई के संचालक को इकाई का स्थल परिवर्तन करने के कारण अविलंब इकाई को बंद करने का निर्देश दिया जा सकता है।


(आफताब आलम)
जे०आर०एफ०,
बरोनी।

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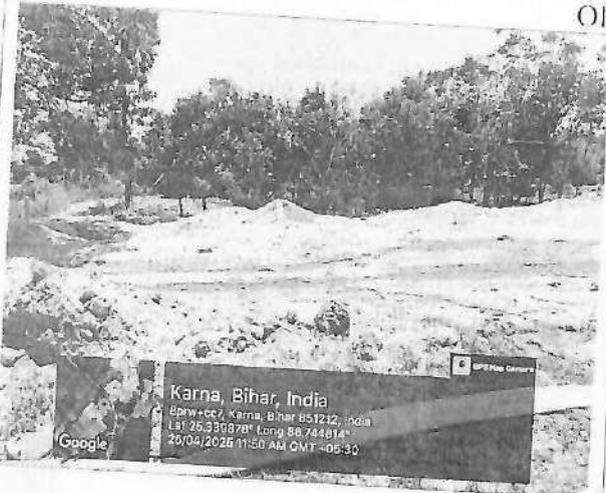
- i. Soil mining work is not being carried out by the unit in this session.
 - ii. In brick kiln, coal is used in the form of powder. After checking the quality of coal, the amount of ash present in it can be determined.
 - iii. The top of the brick kiln is covered with ash/baked brick powder for better thermal insulation.
 - iv. Some portion of the road through the unit has been paved with bricks but silt has been found on the road. It has been reported that tractor tankers are being used for sprinkling water.
1. There is no wastewater discharge into the brick kiln. Suspended tanks are used for the treatment of domestic effluents.
 2. Loading and unloading of bricks is done through tractors in the unit premises. Due to the unpaved roads inside the premises, excessive dust is generated which spreads to the surrounding areas through air.
 3. The unit has provided an affidavit in the order of consent renewal for the year 2022, in which Jagin's account number is 94, Khesra number-225. This information is clear.

Recommendation:-

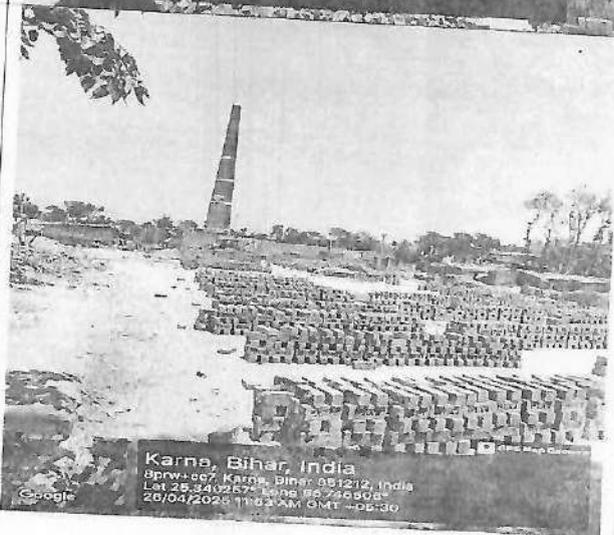
The operator of the unit may be directed to shut down the dissolving unit due to change of location of the unit.

Sd/-
(Aftab Alam)
J.R.F
Baurani

Views of M/s D.P.Y. Bricks, Khagaria, Date of visit:-26.04.2025
Old Unit



New Unit

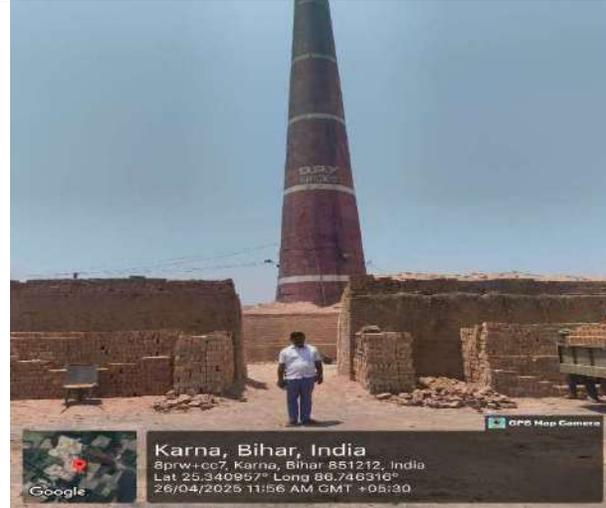


Views of M/s D.P.Y. Bricks, Khagaria, Date of visit:-26.04.2025

Old Unit



New Unit





Regional Office-cum-Laboratories
Bihar State Pollution Control Board
 Barauni Industrial Area, P.O.-Tilrath, Distt.-Begusarai-851122

Ref. No. :-

Barauni, Dated-

EMISSION CONSENT ORDER

With reference to the application No. 328179, dated 30.03.2016 of Sri Dhiraj Kumar, M/s D.P.Y. Bricks, At+P.O.-Lagar, Dist-Khagaria, for consent under section 21 of the Air (Prevention & Control of Pollution) Act, 1981, he/they is/are granted consent to operate his/their plant at **Mauza-Karna, At-Mahesh Let Mour, P.O.-Karna, Dist-Khagaria** with capacity as details given below :-

(i) Bricks-15,000/Day

for the period from **Date of issue to 27.10.2019** with the following conditions :-

- 1 That, he/they shall not make any alteration, addition, deletion or modification in the plant without the prior clearance from the Board and shall also abide by the obligations under sections 22,23 and 31A of the Air (Prevention & Control of Pollution) Act, 1981 and further shall extend co-operation to the Board in performing its functions entrusted under sections 24,25 and 26 of the Act;
- 2 That, he /they shall comply with the requirements of rule 14 of the Environment (Protection) Rules, 1986; rules 4,5,7,9,10 and 11 of the Hazardous Wastes (Management and Handling), Rules 1989; rules 4,5,7,8,10,11,12,13,15,17 and 18 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989; and the provisions of the Public Liability Insurance Act, 1991, whichever is applicable;
- 3 That, he/they shall monitor his/their emission(s) and the ambient air quality from representative point regularly and shall maintain its quality in conformity with Board's standards and shall produce its proof, as and when asked for;
- 4 That, he/they shall submit application for consent again 30 days before the expiration of the period of consent i.e. **27.10.2019** or within 30 days from the date of receipt of this order whichever is applicable.
- 5 **That, the unit shall submit flue gas analysis report every year.**
- 6 **That, tree plantation shall be done & maintained.**
7. **That, the unit shall submit Eenv. Statement for each financial year on or before 30 Sep.**
- 8 **That, the unit shall use minimum 25 % of ash (fly ash, bottom ash or pond ash) with soil on weight to weight basis and submit proof for the same.**
- 9 **That, the above conditions shall be reviewed every year and in case of non-compliance, the consent order shall be revoked.**
- 10 **That, This Consent order is granted, Subject to the condition that in the event of any informations/documents submitted by the Proponent are found false or misleading at any stage, the consent order granted, shall be revoked and legal action shall be initiated.**

To

Sri Dhiraj Kumar
 M/s D.P.Y. Bricks,
 At+P.O.-Lagar,
 Dist-Khagaria,

Sd/-
 (A.K.Gupta)
 Regional officer

Memo No...1437

Copy Forwarded to Member Secretary, B.S.P.C. Board, Patna for information and necessary action. The unit has obtained EC vide State EIAA, Bihar Ref. No. 185, dt. 07.09.2015, SI no. 92/2960.

Dated...28-10-16

(A.K.Gupta)
 Regional officer



Regional Office-cum-Laboratories
Bihar State Pollution Control Board
 Barauni Industrial Area, P.o.-Tilrath, Distt.-Begusarai-851122

Ref. No. :-ROB(A)1707/19/1295

Barauni, Dated- 19-9-19

EMISSION CONSENT ORDER

With reference to the application No. 3004543 dated 13.09.2019 of Sri Dhiraj Kumar, M/s D.P.Y.Bricks, At+P.O.-Lagar, PS+Anchal-Parbatta, Dist-Khagaria for consent under section 21 of the Air (Prevention & Control of Pollution) Act, 1981, he/they is/are granted consent to operate his/their plant based on Cleaner Technology at Mauza-Karna, At-Maheshmor, P.O.-Karna, PS+Anchal-Parbatta, Dist-Khagaria with capacity as details given below :-

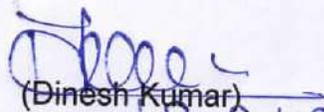
(i) Bricks-15000 Bricks/Day

for the period upto 06.09.2022 with the following conditions:-

- 1 That, he/they shall not make any alteration, addition, deletion or modification in the plant without the prior clearance from the Board and shall also abide by the obligations under sections 22,23 and 31A of the Air (Prevention & Control of Pollution) Act, 1981 and further shall extend co-operation to the Board in performing its functions entrusted under sections 24,25 and 26 of the Act;
- 2 That, he /they shall comply with the requirements of rule 14 of the Environment (Protection) Rules, 1986; rules 4,5,7,9,10 and 11 of the Hazardous Wastes (Management and Handling), Rules 1989; rules 4,5,7,8,10,11,12,13,15,17 and 18 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989; and the provisions of the Public Liability Insurance Act, 1991, whichever is applicable;
- 3 That, he/they shall monitor his/their emission(s) and the ambient air quality from representative point regularly and shall maintain its quality in conformity with Board's standards and shall produce its proof, as and when asked for;
- 4 That, he/they shall submit application for consent again 30 days before the expiration of the period of consent i.e 05.08.2022 or within 30 days from the date of receipt of this order whichever is applicable.
- 5 *That, Period of CTO is granted as the unit has already adopted cleaner technology.*
- 6 *That, the unit shall submit online application again through same user ID and password for extension of Consent period after obtaining EC from competent Authority. CTO will be extended for further period.*
- 7 *That, the unit shall submit flue gas analysis report to the Board yearly and that shall conform to the standard of the Board.*
- 8 *That, all the moving area around the main brick kiln including access road should be paved with the bricks to minimize the fugitive dust emissions from the brick kiln operations.*
- 9 *That, tree plantation all around the campus in two (2) rows of evergreen species shall be developed and well maintained.*
- 10 *That, the unit shall submit Environmental Statement of each financial year by the 30 th Sept. of the following year.*
- 11 *The unit shall have a display board near the site stating name of unit/Industry with address/name of proprietor with address and ref. no. and date of consent with its validity period granted by the Borad.*

To

Sri Dhiraj Kumar,
 M/s D.P.Y.Bricks,
 At+P.O.-Lagar, PS+Anchal-Parbatta,
 Dist-Khagaria


 (Dinesh Kumar)
 Regional officer



Regional Office-Cum-Laboratories
Bihar State Pollution Control Board

Barauni Industrial area, P.O.-Tilrath, Dist.- Begusarai-851122

Email- robarauni01@gmail.com; website: <http://bspccb.bihar.gov.in>

Ref. No. :- ROB(A)1707/19

EMISSION CONSENT ORDER

Barauni, dated:- 25.7.22

With reference to the application no. 6285221 dated 08.07.2022, CTO upto 06.09.2022 issued in application ID 3004543 of **M/S D.P.Y. Bricks**, Proponent- Sri Dhiraj Kumar, At+P.O.-Lagar, P.S.+Anchal- Parbatta, Distt.- Khagaria- 851216 (Bihar) for CTO under section 21 of the Air (Prevention & Control of Pollution) Act, 1981, he/they is/are granted Consent-to-Operate his/their Brick Kiln (Capacity- 15000 Bricks/Day) plant based on Cleaner Technology with Zig-Zag loading of Green Bricks and Natural Draft (Ht. of Chimney- 135 ft) Mauza- Karna, At- Mahesh Mor, P.O.- Karna, P.S.+Anchal-Parbatta, Distt.- Khagaria (Bihar) for the period upto 30.06.2027 from the date of issue with the following conditions: -

- 1 That, he/they shall not make any alteration, addition, deletion or modification in the plant without the prior clearance from the Board and shall also abide by the obligations under sections 22,23 and 31A of the Air (Prevention & Control of Pollution) Act, 1981 and further shall extend co-operation to the Board in performing its functions entrusted under sections 24,25 and 26 of the Act;
- 2 That, he /they shall comply with the requirements of rule 14 of the Environment (Protection) Rules, 1986; the Hazardous & Other Wastes (Management and Trans-boundary Movement), Rules 2016; the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 and the Public Liability Insurance Act, 1991, whichever is applicable;
- 3 That, he/they shall monitor his/their emission(s) and the ambient air quality from representative point regularly and shall maintain its quality in conformity with Board's standards (emission of Particulate Matters not exceeding 250mg/Nm³) and shall produce its proof, as and when asked for;
- 4 That, he/they shall submit application for consent again 30 days before the expiration of the period of consent from the same login ID.
- 5 That, the unit shall not excavate soil more than 1.5 meter deep as per the affidavit no. 631, dt. 25.06.2022 submitted to the Board.
- 6 That, the unit shall submit flue gas analysis report to the Board yearly.
- 7 That, coal fines of 10 mm. sizes shall be used and use of coal with more than 35 % ash content shall be avoided. Agro wastes shall be used as fuel as far as possible.
- 8 Top of the kiln shall be covered with a layer of ash followed by fire bricks or tiles for better thermal insulation as well as protection from fugitive dust emission.
- 9 That, area of movement around the kiln including access road shall be paved with bricks to minimize fugitive dust emission during operation of the brick kiln;
- 10 That, tree plantation all around the campus in two (2) rows of evergreen species shall be developed and maintained.
- 11 That, the unit shall submit environmental statement of each financial year by the 30th September of the following year
- 12 That, In the event of any complaint regarding Air/Water/Noise pollution from the unit is observed, you have to shift the unit to a suitable location at your cost.
- 13 The unit shall have a display board near the site stating name of unit/ industry with address/ name of proprietor with address and ref. no. and date of consent with its validity period granted by the Board.

To,

Sri Dhiraj Kumar,
 M/S D.P.Y. Bricks,
 At+P.O.- Lagar, P.S.+Anchal- Parbatta,
 Distt.- Khagaria- 851216 (Bihar)

(S.P. Roy)
 Regional Officer

F



बिहार राज्य प्रदूषण नियंत्रण पषद्

परिवेश भवन, पाटलिपुत्र, औद्योगिक क्षेत्र, पटना-800010

अधि० सं: 32

पटना, दिनांक:- 02.12.18

अधिसूचना

माननीय पटना उच्च न्यायालय द्वारा बाद संख्या-CWJC No.-15962/2018, में दिनांक: 04.12.2018 को पारित आदेश के आलोक में पर्षद की अधिसूचना संख्या-18, दिनांक: 23.07.2018 जिसके द्वारा ब्रिक्स क्लिन इकाईयों की सहमति आदेश की वैधता दिनांक: 31.08.2018 के बाद समाप्त कर दी गई थी, तथा अधिसूचना संख्या-33, दिनांक: 15.10.2018 जिसके द्वारा वैसे ब्रिक क्लिन संचालक जिन्हें पूर्व में शपथ पत्र के आधार पर दिनांक: 31.08.2018 तक औपबंधिक स्वीकृति दी गयी थी को उन्हें ब्रिक क्लिन को स्वच्छतर तकनीक में परिवर्तित करने के उपरांत ही सहमति देने का निर्णय लिया गया था, को एतद् द्वारा अवक्रमित करते हुए निम्नलिखित निर्णय लिया जाता है:-

1. सभी ब्रिक क्लिन को दिनांक: 31.08.2019 तक स्वच्छतर तकनीक में परिवर्तित करना अनिवार्य होगा।
2. वैसे ब्रिक क्लिन जिन्हें शपथ-पत्र के आधार पर दिनांक: 31.08.2018 तक के लिए CTO निर्गत किया गया था, उनके सहमति अवधि को दिनांक: 31.08.2018 से दिनांक: 31.08.2019 तक विस्तारित किया जाता है। इसके लिए अलग से आवेदन करने की आवश्यकता नहीं होगी।
3. वैसे ब्रिक क्लिन जिनकी सहमति अवधि दिनांक: 31.08.2018 से 31.08.2019 के बीच समाप्त हो रही है, वे ऑनलाईन प्रक्रिया के तहत सशुल्क आवेदन दे पर्षद से सहमति अवधि का विस्तार करा सकेंगे।
4. राज्य में नये ब्रिक क्लिन की स्थापना हेतु सहमति उन्नत एवं स्वच्छतर तकनीक पर आधारित क्लिन के लिए ही दी जाएगी।
5. किसी भी परिस्थिति में पर्षद की सहमति के बगैर ब्रिक क्लिन का संचालन नहीं किया जायेगा।

यह अधिसूचना पटना जिला के पाँच प्रखण्ड यथा- मनेर, दानापुर, पटना सदर, फतुहा एवं फुलवारी शरीफ के लिए लागू नहीं होगा।

ह०/-

(आलोक कुमार)
सदस्य-सचिव

ज्ञापांक:-

पटना, दिनांक:-

प्रतिलिपि:-संयुक्त सचिव, पर्यावरण वन एवं जलवायु परिवर्तन विभाग, बिहार/निदेशक, खान एवं भूतत्व विभाग, बिहार/अध्यक्ष, बिहार ईट निर्माता संघ को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

ह०/-

(आलोक कुमार)
सदस्य-सचिव

ज्ञापांक:- 2236

पटना, दिनांक:- 02.12.18

प्रतिलिपि:-सभी क्षेत्रीय पदाधिकारी, पर्षद विश्लेषक, सिस्टम एनालिस्ट, सभी सहायक पर्यावरण अभियंता, जन सम्पर्क पदाधिकारी एवं विधि सहायक को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

(आलोक कुमार)
सदस्य-सचिव

Bihar State Pollution Control Council

Parivesh Bhawan, Patliputra Industrial Area, Patna-800010

Sl No. 37

Date: 07-12-18

Notification

In the light of the order passed by the Hon'ble Patna High Court on 04.12.2018 in case number CW/C No.-15902/2018, the Board's Notification No.-18, dated 23.07.2018 by which the validity of the consent order of brick kiln units was terminated after 31.08.2018 and Notification No.-33 dated 15.10.2018 by which it was decided to give consent to those brick kiln operators who were earlier given provisional approval on the basis of affidavit till 31.08.2016 only after converting the brick kiln to cleaner technology. The following decision is hereby taken while cancelling the same-

1. All brick kilns shall be required to convert to cleaner technology by 31.08.2019.
2. For example, Brick Cleaners who were issued CTO on the basis of affidavit till 31.08.2018, their consent period is extended from 31.08.2018 to 31.08.2019. There will be no need to apply separately for this.
3. Those brick kilns whose consent period is expiring between 31.08.2018 to 31.08.2019 can get the consent period extended from the council by giving a paid application under the online process.
4. Consent for setting up of new brick kilns in the State will be given only for kilns based on advanced and cleaner technology.
5. Under no circumstances shall a brick kiln be operated without the consent of the Board.

This notification will not be applicable to the grandson blocks of Patna district like Maner, Danapur, Patna Sadar, Fatuha and Phulgari Sharif.

Sd/-

(Alok Kumar)

Member Secretary

Copy sent to Joint Secretary, Environment & Climate Change Department, Bihar/Director, Mines & Geology Department, Bihar/President, Bihar Brick Manufacturers Association for information and necessary action.

Sd/-

(Alok Kumar)

Member Secretary

Copy sent to all Regional Officers, Council Analyst, System Analyst, all Assistant Environmental Engineer, Officers and Law Assistants for information and necessary action.

Sd/-

(Malik Kumar)

Member Secretary

पटना, शुभवार
29.11.2019

प्रभात खबर 04



पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, बिहार राज्य के ईट-भट्टा आलिकों/संचालकों/आम जागरिकों के लिए

आवश्यक सूचना

जाड़े के मौसम में वायु प्रदूषण की स्थिति विज्ञानक हो जाती है। ईट भट्टों का जलजर्न भी वायु प्रदूषण का एक कारण है। माननीय उच्च न्यायालय, पटना द्वारा वाद संख्या- 15962/2018 में दिनांक- 04.12.2018 को पारित आदेश के अनुसार नये सत्र में मात्र स्वच्छतर तकनीक में सम्पूरित ईट भट्टों का ही संचालन किया जाना है।

अतः सभी संबंधित ईट-भट्टा मालिकों को निर्देश दिया जाता है कि बिना स्वच्छतर तकनीक आधारित ईट भट्टों का संचालन नहीं करें।

राज्य में पुरानी तकनीक पर संचालित ईट-भट्टों की सूचना बिहार राज्य प्रदूषण नियंत्रण पर्वट्ट के ई-मेल - bspcb@yahoo.com पर अथवा मो० - 9852956777 पर दिया जा सकता है।

जल-जीवन-हरियाली, तभी होगी खुशहाली

#BiharGovInitiative

#BiharEnvironmentForestClimateChangeDept

0612-2233333



BiharEnvironmentAndForestDept



BiharForestDept

अपना शरारत एव मादक द्रव्य के सेवन में शिकायत दर्ज करी नं. 19003456268 या 15545 पर करी।

TRANSLATED COPY

29.11.2019 MORNING NEWS 04

Environment, Forest and Climate Change Department, Bihar State
for brick kiln owners/operators/common citizens

Necessary Information

The situation of air pollution becomes worrisome during the winter season. Emissions from brick kilns are also a cause of air pollution. As per the order passed by the Hon'ble High Court, Patna on 04.12.2018 in case number 15962/2018, only brick kilns converted to cleaner technology are to be operated in the new session.

Therefore, all the concerned brick kiln owners are instructed not to question any brick kiln that is not based on cleaner technology.

Information regarding brick kilns operating on old technology in the state can be given on the e-mail of Bihar State Pollution Control Board at bspcb@yahoo.com or on mobile no. 9852956777.

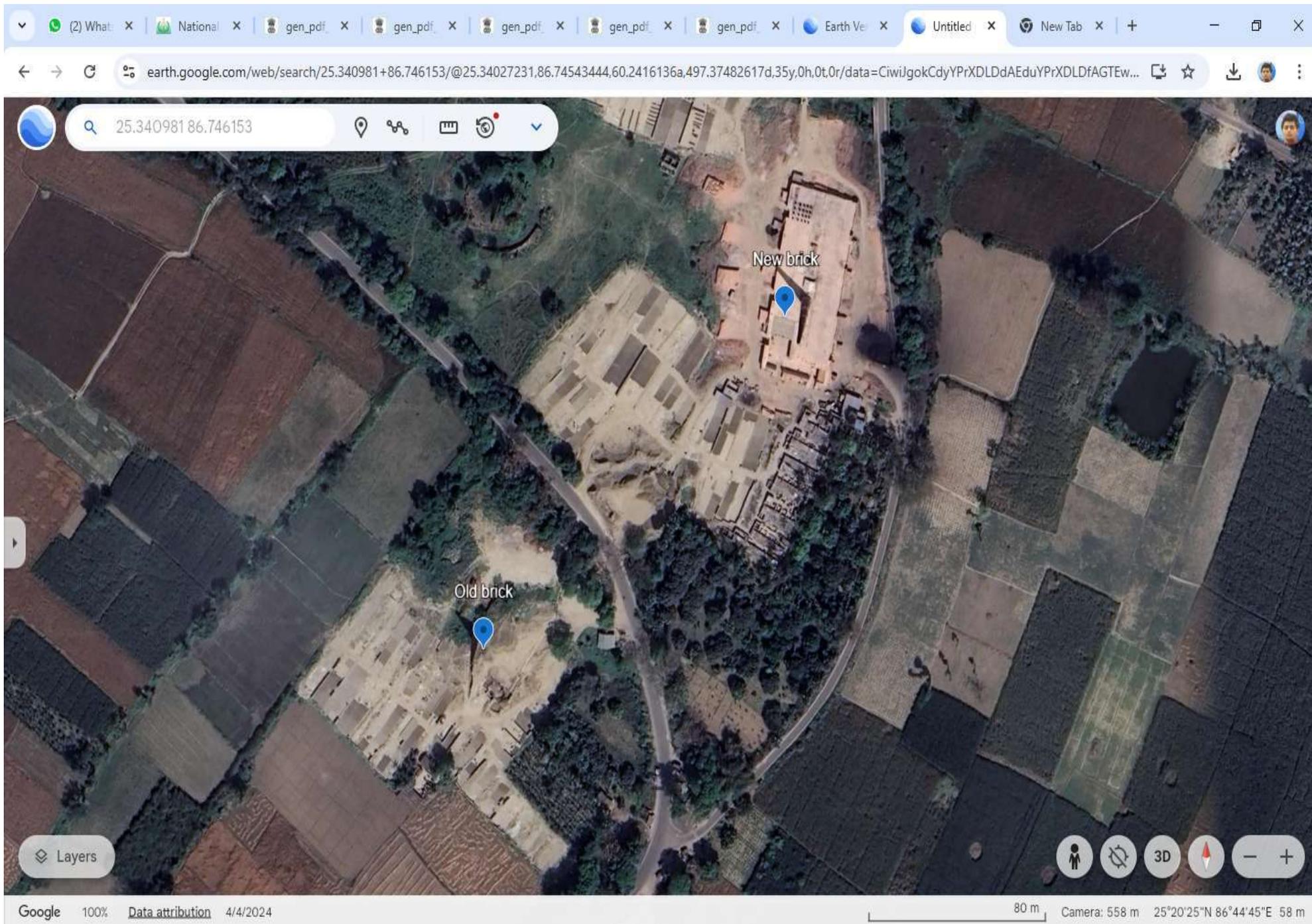
Water-life-greenery, only then there will be prosperity

#Bihar Govt Initiative

#Bihar Environment Forest Climate Change Dept

0612-2233333 Bihar Environment and Forest Dept Bihar Forest Dept
Complaint regarding crime related to liquor and drug on
180034560615545

Annexure-2





बिहार BIHAR

दिनांक 28/09/2022

डी.पी. ब्रिक्स प्रा. लि.

AF 361802

परबत्ता खगारिया

कमिश्नर बिहार

१००

UNDERTAKING FOR CTO

By this indenture I, **DHIRAJ KUMAR S/O- DINKAR PRASAD YADAV, PROPRIETOR M/S D.P.Y. BRICKS** Resident of **AT-LAGAR, PO- LAGAR & PS- PARBATTA, Dist.- KHAGARIA, PIN - 851216** State-BIHAR solemnly declare and state as here under:-

- We are going to operate a Brick unit with capacity Bricks 15000/day in the name **M/S D.P.Y. BRICKS Mauza- KARNA, AT- MAHESH MOR, PO- KARNA, PS- PARBATTA & Dist.- KHAGARIA, PIN- 851216, State-BIHAR, Khata- 94 Khesra- 225**, In case of any Increase or change in product capacity/addition/modification /alteration or change in product or process or raw material or project or increase in quantity of the discharge/emission and change in discharge/emission points, fresh consent to Establish and/or Consent To Operate shall be obtained.
- That all adequate measure for prevention, control , treatment and disposal water/Air Pollution from the various process/activities shall be/have been taken to meet the prescribe standard as per the Environment (Pollution) Act, 1986 and any other relevant prescribe Law/Rule.
 - वायु सहमति हेतु विहित प्रपत्र में ऑनलाईन आवेदन शुल्क 45000/- जमा कर रहा हूँ।
 - फ्लुगैसर्जांच शुल्क रू0 7300/- ऑनलाईन जमा कर रहा हूँ।
 - मेरीडकई के खालीजगहोंपर वृक्षा रोपण किया गया है एवं नियमित रूप से देखभाल की जाती है।
 - खान एवं भूतत्व बिहार सरकार अधिसूचना सो सो 01 ल0ख0 (त्रिक्र) 42/20-2085/एम0, दिनांक 14.09.2020 द्वारा निर्गत अधिसूचना के अनुसार मिट्टी खनन की गहराई सभी जमीन स्तर से डेढ़ (1.5) मीटर से अधिक मरे द्वारा नहीं की जायेगी।

That the above statement are true to the best of my/our knowledge and belief and in the event of the above details proving wrong, the Consent To Established (NOC) and Consent to Operate granted to me/us subsequently of the processed against legally and in the event of violated and subsequently revocation of my CTE/CTO, any financial loss damage in such case shall be solely my responsibility...

धिरज कुमार

TRANSLATED COPY

NON-JUDICIAL STAMP

(100/-)

UNDERTAKING FOR CTO

By this indenture I, DHIRAJ KUMAR S/O- DINKAR PRASAD YADAV, PROPRIETOR M/S D.P.Y. BRICKS Resident of AT-LAGAR, PO-LAGAR & PS-PARBATTA, Dist.- KHAGARIA, PIN-851216 State-BIHAR solemnly declare and state as here under:-

1. We are going to operate a Brick unit with capacity Bricks 15000/day in the name M/S D.P.Y. BRICKS Mauza-KARNA, AT- MAHESH MOR, PO- KARNA, PS- PARBATTA & Dist.- KHAGARIA, PIN-851216, State-BIHAR, Khata- 94 Khesra- 225, In case of any Increase or change in product capacity/addition/modification /alteration or change in product or process or raw material or project or increase in quantity of the discharge/emission and change in discharge/emission points, fresh consent to Establish and/or Consent To Operate shall be obtained.
2. That all adequate measure for prevention, control, treatment and disposal water/Air Pollution from the various process/activities shall be/have been taken to meet the prescribe standard as per the Environment (Pollution) Act, 1986 and any other relevant prescribe Law/Rule.
 - i. I am depositing the online application fee of Rs. 45000/- in the prescribed form for air consent.
 - ii. I am depositing the flue gas testing fee of Rs 7300/- online.
 - iii. Trees have been planted in the vacant spaces in my unit and are maintained regularly.
 - iv. As per notification issued by the Government of Mines and Geology Bihar Notification No. 01 Lakh (Sale) 42/20-2065/M, dated 14.09.2020, the depth of soil mining shall not be more than one and a half (1.5) meters from the ground level by me.

That the above statement are true to the best of my/our knowledge and belief and in the event of the above details proving wrong, the Consent To Established (NOC) and Consent to Operate granted to me/us subsequently of the processed against legally and in the event of violated and subsequently revocation of my CTE/CTO, any financial loss damage in such case shall be solely my responsibility....

Dheeraj Kumar

Annexure-4

क्षेत्रीय कार्यालय-सह-प्रयोगशाला



बिहार राज्य प्रदूषण नियंत्रण पर्षद्

औद्योगिक क्षेत्र, बरौनी, पो0-तिलस्थ, जिला-बेगूसराय-851112
E-mail: robarauni01@gmail.com, Website-http://bspceb.gov.in

पत्रांक: ROB (A) 1707/19

बरौनी, दिनांक :

प्रेषक,

एस0 पी0 राय,
क्षेत्रीय पदाधिकारी

सेवा में,

श्री धीरज कुमार, प्रोपराइटर
मे0 डी0पी0वाई ब्रिक्स,
मौजा-करना, ग्राम-महेशमोर, पो0-करना, थाना-परवत्ता,
जिला-खगड़िया।

विषय: वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1981 की धारा-21 के तहत सहमति के बिना ब्रिक क्लिन का संचालन करने के लिए स्पष्टीकरण।

उपर्युक्त विषयक के संबंध में सूचित करना है कि आपकी ब्रिक क्लिन मे0 डी0पी0वाई ब्रिक्स, मौजा-करना, ग्राम-महेशमोर, पो0-करना, थाना-परवत्ता, जिला-खगड़िया का स्थल निरीक्षण दिनांक 26.04.2025 को आपकी उपस्थिति में किया गया। निरीक्षण के दौरान पाये गये तथ्य निम्नलिखित हैं-

- 1) आपकी ब्रिक क्लिन मौजा-करना, थाना-परवत्ता, खाता संख्या-94, खेसरा संख्या-225 का संचालनार्थ सहमति नवीकरण हेतु आवेदन एवं आपके द्वारा समर्पित शपथ पत्र के आधार पर पर्षद् के द्वारा दिनांक 30.6.2027 तक सशर्त सहमति प्रदान किया गया है। आपके द्वारा पर्षद् को सूचना दिये बिना इस ब्रिक क्लिन को बंद कर दिया गया है तथा इस स्थल पर मिट्टी भंडारण आदि की व्यवस्था किया गया है।
- 2) आपके द्वारा ब्रिक क्लिन का स्थल परिवर्तन कर खाता संख्या-120,104, खेसरा संख्या-231, 233, मौजा-करना, थाना-परवत्ता में पर्षद् की सहमति प्राप्त किये बिना संचालित किया जा रहा है। निरीक्षण के दौरान परिवर्तित स्थल का कागजात को उपलब्ध कराया गया है।
- 3) आपके द्वारा वायु (प्रदूषण निवारण एवं नियंत्रण) अधि0, 1981 की धारा-21 के तहत ब्रिक क्लिन का संचालन हेतु सहमति प्राप्त किये बिना अवैध रूप से संचालन किया जा रहा है।

उपरोक्त के आलोक में आप अपना स्पष्टीकरण पर्षद् को 7 दिनों के अन्दर उपलब्ध करायें कि क्यों नहीं वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1981 की धारा-31ए के तहत ब्रिक क्लिन को बंद करने का निदेश निर्गत किया जाय। साथ ही ब्रिक क्लिन का अवैध रूप से संचालन करने के लिए नियमानुसार पर्यावरणीय क्षतिपूर्ति राशि को क्यों नहीं अधिरोपित किया जाय।

1121
2.5-25

ज्ञापांक:- 260

पटना, दिनांक:- 30/04/2025

प्रतिलिपि:-सदस्य सचिव, बिहार राज्य प्रदूषण नियंत्रण पर्षद्, पटना को सूचनार्थ। अनुरोध है कि मे0 डी0पी0वाई ब्रिक्स, मौजा-करना, ग्राम-महेशमोर, पो0-करना, थाना-परवत्ता, जिला-खगड़िया को बंद करने हेतु आवश्यक निदेश निर्गत करना चाहेंगे।

80/-
(एस0 पी0 राय)
क्षेत्रीय पदाधिकारी

by
30.4.2025
(एस0 पी0 राय)
क्षेत्रीय पदाधिकारी

TRANSLATED COPY

Field Office-cum-Laboratory

Bihar State Pollution Control Council

Industrial Area, Barauni, PO Tilsth, District- Begusarai-851112

E-mail:robarauni01@gmail.com. Website-http://bspcb.gov.in

Letter No.: ROB (A) 1707/19

Barauni, Date:

Sd/-

Member Secretary

02.05.25

Sender,

S.P. Rai,

Regional Officer

To,

Shri Dheeraj Kumar,

Proprietor M/s DPY Bricks,

Mouza Karna, Village-Maheshmor, PO-Karna, Police Station-Parvatta,

District-Khagaria.

Subject: Clarification regarding operation of brick kiln without consent under section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

Regarding the above mentioned subject, it is to be informed that the site inspection of your brick kiln Me. DPY Bricks, Mauja Karna, Village-Maheshmor, PO-Karna, Thana-Parvatta, District-Khagaria was done in your presence on 26.04.2025. The facts found during the inspection are as follows-

1. On the basis of the application for renewal of consent for operation of your brick kiln Mauja Karna, Thana-Parvatta, Khata No.-94, Khesra No.-225 and the affidavit submitted by you, the Board has granted conditional consent till 30.6.2027. This brick kiln has been closed by you without informing the Board and arrangements have been made for soil storage etc. at this site.
2. You have changed the location of the brick kiln and are operating it in Khata No. 120, 104, Khesra No. 231, 233, Mauja Karna, Thana-Parvatta without obtaining the consent of the council. During inspection, the documents of the changed location have been made available.
3. You are operating the brick kiln illegally without obtaining consent for operation under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

In the light of the above, please provide your explanation to the Board within 7 days as to why an order should not be issued to close the brick kiln under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981. Also, why environmental compensation amount should not be imposed as per the rules for operating the brick kiln illegally.

(S.P. Rai)

regional officer

Loan No.:- 260

Patna, Date:- 30/04/25

Copy to: Member Secretary, Bihar State Pollution Control Board, Patna for information. It is requested that M/s DPY would like to issue necessary directions to close Bricks, Mauja Karana, Village-Maheshmor, PO- Karana, Thana-Parvatta, District-Khagaria.

(S.P. Rai)

Regional Officer