

प्रदूषण रोकिए!
पर्यावरण बचाइए!!

दूरभाष एवं फैक्स : 05542-281440
Phone & Fax : 05542-281440



क्षेत्रीय कार्यालय
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
Regional Office
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या : 324/साठ-117/दि. 19.05.2022

दिनांक : 08-08-2022

To,

The Registrar General,
Hon'ble, National Green Tribunal,
Copernicus Marg,
New Delhi

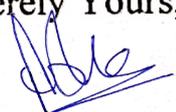
Sub: Regarding submission of Compliance Report in compliance of the order dated 19.05.2022 in OA no. 348/2022, In the matter of Rajeshwari Prasad Shukla V/s Uttar Pradesh Pollution Control Board.

Sir,

Kindly refer the subject mentioned above. In compliance of the order dated 19.05.2022 in OA no. 348/2022, In the matter of Rajeshwari Prasad Shukla V/s Uttar Pradesh Pollution Control Board, the compliance report is enclosed herewith for your kind perusal and further necessary action.

Enclosures: As above

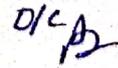
Sincerely Yours,


(Ashutosh Chauhan)
Regional Officer

Copy to: Following for information and further necessary action.

- 1- Chief Environmental Officer(C-6), U.P. Pollution Control Board, Lucknow.
- 2- Shri Pradeep Misra Advocate, Supreme Court, B-235, Sector-XIX, Noida, District-GB Nagar, 201301.
- 3- Chief Law Officer(I), U.P. Pollution Control Board, Lucknow.

Regional Officer



ब्लॉक रोड, बुद्धापुरम, बड़ेबन, बस्ती-272001

Web site: www.uppcb.com, e-mail id: robasti@uppcb.in, ropcbbasti@gmail.com

ACTION TAKEN REPORT ON BEHALF OF UTTAR PRADESH POLLUTION CONTROL BOARD IN COMPLIANCE OF THE ORDER DATED 19.05.2022 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI IN ORIGINAL APPLICATION NO. 348 OF 2022, RAJESHWARI PRASAD SHUKLA VS. UTTAR PRADESH POLLUTION CONTROL BOARD

That in the captioned matter Hon'ble National Green Tribunal, New Delhi has passed directions vide its order dated 19.05.2022. The operative part of the direction is as follows:-

-
5. *Let notices be issued to owner of the brick kiln, State PCB and District Magistrate, Basti requiring them to file replies specifically responding to all material averments made in the application within two months.*
 6. *List the matter for further consideration on 17.08.2022.*
 7. *In the meanwhile the brick kiln in question shall not be run till completion of the statutory requirements and giving of consent to operate and compliance with environmental norms and State PCB, District Magistrate and Superintendent of Police, Basti shall take requisites steps to ensure that brick kiln in question is not run by the owner before completion of the statutory requirements and giving of consent to operate and compliance with environmental norms.*
-

That in compliance of the order dated 19.05.2022 passed by the Hon'ble Tribunal, District Magistrate, Basti vide order dated 30.05.2022 has constituted an interdepartmental team (having 04 members) for closure of questioned brick kiln M/s Kishan Brick Field, Jagdeshpur, Kurda, Gaur, Hariya, Basti. Copy of the order dated 30.05.2022 is enclosed herewith and marked as **Annexure No- 1.**

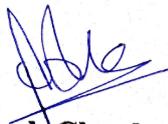
That interdepartmental team has closed down the questioned brick kiln M/s Kishan Brick Field, Jagdeshpur, Kurda, Gaur, Hariya, Basti on date 01.06.2022. Copy of the interdepartmental team dated 01.06.2022 is enclosed herewith and marked as **Annexure No- 2.**

The above compliance report is being placed for consideration of this Hon'ble Tribunal.

BASTI
DATED:


08-08-2022
(Arun Kumar Srivastava)
Scientific Assistant
U.P. Pollution Control Board
Basti


08/08/2022
(R.V. Singh)
Assistant Scientific Officer
U.P. Pollution Control Board
Basti


(Ashutosh Chauhan)
Regional Officer
U.P. Pollution Control Board
Basti

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क्षेत्रीय कार्यालय
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
Regional Office
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या : 139/सा0-117/रिट थोचोक्य/2022

दिनांक : 01-06-2022

सेवा में,

मुख्य पर्यावरण अधिकारी(वृत्त-6),
उ0प्र0 प्रदूषण नियंत्रण बोर्ड,
पर्यावरण भवन, विभूति खण्ड, गोमती नगर,
लखनऊ।

विषय:-मा0एन0जी0टी0, नई दिल्ली में योजित ओ0ए0 सं0-348/2022 राजेश्वरी प्रसाद शुक्ला बनाम यू0पी0 पॉल्यूशन कंट्रोल बोर्ड में पारित आदेश दिनांक 19.05.2022 के संबंध में।

महोदया,

कृपया उपरोक्त विषयक सदस्य सचिव महोदय के पत्र सं0-एच 76238/सी-6/सा0-681/ओ0ए0 नं0-348/2022, दिनांक 26.05.2022 का संदर्भ ग्रहण करने की कृपा करें, जिसके माध्यम से मेसर्स किसान ब्रिक फील्ड, ग्राम-जगदीशपुर, पोस्ट-कुरदा, तप्पा-गौर, तहसील-हरैया, जनपद-बस्ती के संदर्भ में माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 सं0-348/2022 राजेश्वरी प्रसाद शुक्ला बनाम यू0पी0 पाल्यूशन कंट्रोल बोर्ड में पारित आदेश दिनांक 19.05.2022 का अनुपालन कराये जाने हेतु निर्देशित किया गया है। मा0 एन0जी0टी0, नई दिल्ली द्वारा प्रश्नगत ईट भट्टे के संदर्भ में पारित आदेश दिनांक 19.05.2022 का अनुपालन कराये जाने हेतु जिलाधिकारी, बस्ती के कार्यालय आदेश पत्र सं0-130/एन0जी0टी0/2022 दिनांक 30.05.2022 द्वारा अर्न्तविभागीय टीम गठित की गयी थी। प्रश्नगत ईट भट्टा के संदर्भ में मा0 एन0जी0टी0 द्वारा ओ0ए0 सं0-348/2022 में पारित आदेश दिनांक 19.05.2022 के समादर में अर्न्तविभागीय समिति द्वारा दिनांक 01.06.2022 को बन्दी आदेश का अनुपालन कराया गया। मा0 एन0जी0टी0 द्वारा पारित आदेश की अनुपालन आख्या एवं निरीक्षण के समय लिए गये फोटोग्राफ्स की प्रतियां पत्र के साथ संलग्न कर आपके अवलोकनार्थ एवं आवश्यक कार्यवाही हेतु सादर प्रेषित है।

संलग्नक:-उपरोक्तानुसार।

भवदीय

(विजय)
क्षेत्रीय अधिकारी

पृ0सं0 एवं दिनांक:-उपरोक्त।

प्रतिलिपि:-1. सदस्य सचिव महोदय, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ को सादर सूचनार्थ।

2. विधि अधिकारी(प्रथम), उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ को संलग्नक सहित सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

क्षेत्रीय अधिकारी

ब्लॉक रोड, बुद्धापुरम, बड़ेबन, बस्ती-272001

Web site: www.uppcb.com, e-mail id: robasti@uppcb.in, ropcbbasti@gmail.com

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)

Original Application No.348/2022

Rajeshwari Prasad Shukla

Applicant

Versus

Uttar Pradesh Pollution Control Board

Respondent

Date of hearing: 19.05.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

ORDER

1. The applicant has filed the present application for issuance of direction for stopping of running of Kishan Brick Field, Jagdishpur by its owner Mr. Harender Kumar Shukla son of Shri Ishwar Chander Shukla.

Handwritten notes in Hindi: एन. ग्रीन ट्रायब्युनल

The applicant has submitted that the above said brick kiln was closed under the orders dated 09.06.2021 issued by UPPCB. On appeal the Appellate Authority allowed the owner to comply with the statutory requirements within three months but the owner has illegally started running of his brick kiln w.e.f. 09.04.2022 which is adversely affecting primary school situated at the distance of 100 meters and village Jagdishpur situated at the distance of 200 meters from it by causing environmental pollution.

Handwritten note: H.B. Shukla

Handwritten notes: 1.6.22, एन. ग्रीन ट्रायब्युनल

Handwritten notes: एन. ग्रीन ट्रायब्युनल, एन. ग्रीन ट्रायब्युनल

We have gone through the material on record and carefully considered the matter.

Handwritten notes: एन. ग्रीन ट्रायब्युनल

4. Closure of brick kiln in question was ordered by UPPCB vide order dated 09.06.2021 on the grounds of its operation being without requisite NOC/CTO and location being violative of the Rules. The closure order

dated 09.06.2021 issued by UPPCB was partially modified by the Appellate Authority vide order dated 06.04.2022 to the extent that the appellant owner was granted three months time for completing the statutory requirements/obtaining NOC as per rules. However, said order did not permit the appellant owner to start running of the brick kiln before giving of requisite consent to operate and compliance with environmental norms and the owner is not entitled to run the brick kiln before completing the statutory requirements and giving of consent to operate and compliance with environmental norms.

5. Let notices be issued to owner of the brick kiln, State PCB and District Magistrate, Basti requiring them to file replies specifically responding to all material averments made in the application within two months.

6. List the matter for further consideration on 17.08.2022.

7. In the meanwhile the brick kiln in question shall not be run till completion of the statutory requirements and giving of consent to operate and compliance with environmental norms and State PCB, District Magistrate and Superintendent of Police, Basti shall take requisite steps to ensure that brick kiln in question is not run by the owner before completion of the statutory requirements and giving of consent to operate and compliance with environmental norms.

A copy of this order be sent to State PCB, District Magistrate and Superintendent of Police, Basti for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 19, 2022
Original Application No. 348/2022
AG

कार्यालय जिलाधिकारी, बस्ती।

पत्रांक:- 130/N.G.T / 2022

दिनांक:- 30-05-2022

आदेश

माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 सं0-348/2022 में पारित आदेश दिनांक 19.05.2022. में प्रश्नगत ईट भट्ठा मेसर्स किसान त्रिक फील्ड ग्राम-जगदीशपुर, पोस्ट-कुरदा, तप्पा-गौर, तहसील-हरैया, जनपद-बस्ती का संचालन बन्द कराये जाने के आदेश दिये गये हैं।

अतः माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 सं0-348/2022 में पारित आदेश दिनांक 19.05.2022 के समादर में प्रश्नगत ईट भट्ठा मेसर्स किसान त्रिक फील्ड ग्राम-जगदीशपुर, पोस्ट-कुरदा, तप्पा-गौर, तहसील-हरैया, जनपद-बस्ती का संचालन बन्द कराये जाने हेतु निम्न अधिकारियों/विभागों की टीम गठित की जाती है-

1. उप जिलाधिकारी, हरैया, जनपद-बस्ती अथवा उनके द्वारा नामित अधिकारी।
2. क्षेत्राधिकारी पुलिस, हरैया, जनपद-बस्ती/संबंधित थाना प्रभारी।
3. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बस्ती अथवा उनके द्वारा नामित अधिकारी।
4. जिला खनन अधिकारी, बस्ती/माइनिंग इंस्पेक्टर।

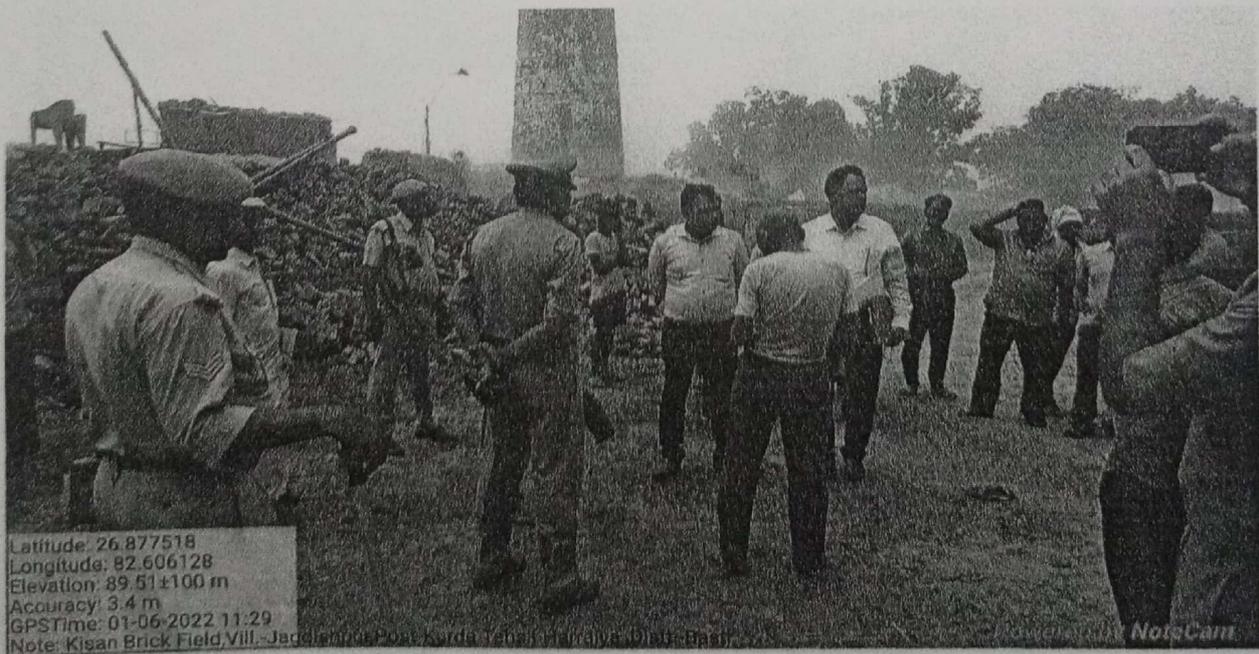
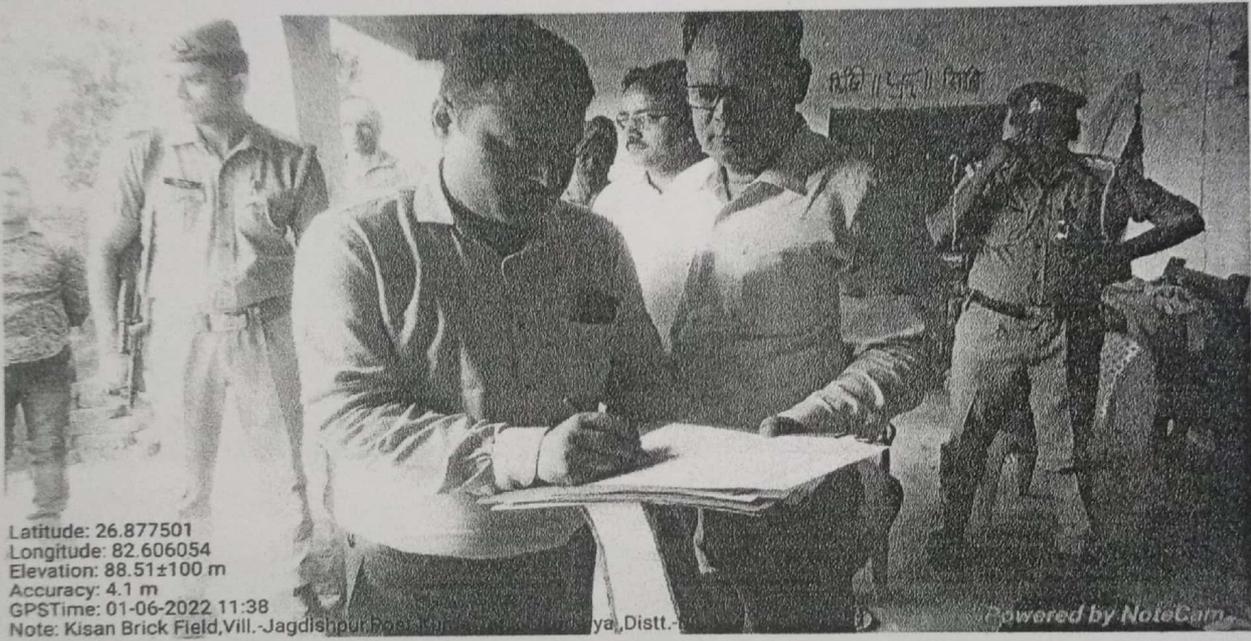
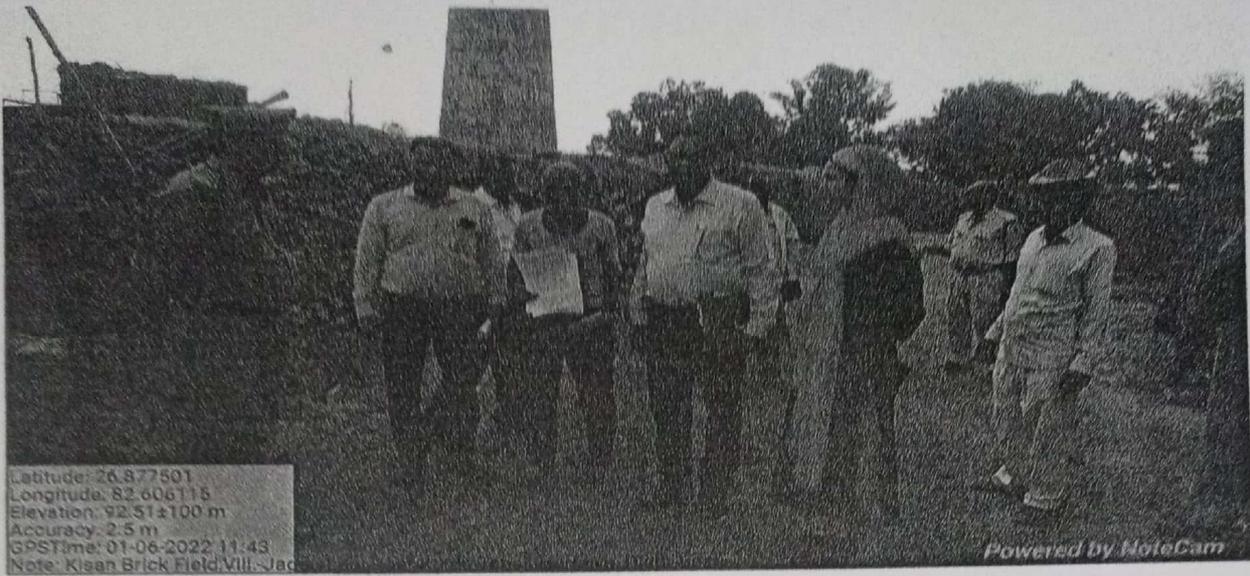
उक्त समिति संयुक्तरूप से कृत कार्यवाही की आख्या अधोहस्ताक्षरी को प्रस्तुत करेगी।

जिलाधिकारी
बस्ती।

प्रतिलिपि:-निम्नलिखित को अनुपालन की कार्यवाही हेतु प्रेषित।

1. पुलिस अधीक्षक, बस्ती।
2. समस्त समिति के सदस्य।


30/5/22
जिलाधिकारी:
बस्ती।



Closure Order compliance of M/s Kisan Brick Field, Vill-Jagdishpur, Post-Kurda, Tappa-Gaur, Tehsil-Harraiya, District-Basti

Latitude: 26.877325
Longitude: 82.606126
Elevation: 92.51±100 m
Accuracy: 3.2 m
GPSTime: 01-06-2022 11:29
Note: Kisan Brick Field,Vill.-Jagdishpur,Post-Kurda Tehsil-Harraiya



Powered by NoteCam

Latitude: 26.877557
Longitude: 82.606057
Elevation: 97.51±100 m
Accuracy: 3.8 m
GPSTime: 01-06-2022 12:08
Note: Kisan Brick Field,Vill.-Jagdishpur,Post-Kurda Tehsil-Harraiya,Distt.-Basti



Powered by NoteCam



Latitude: 26.877715
Longitude: 82.606241
Elevation: 91.51±100 m
Accuracy: 5.2 m
GPSTime: 01-06-2022 12:28
Note: Kisan Brick Field,Vill.-Jagdishpur,Post-Kurda Tehsil-Harraiya,Distt.-Basti

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Closure Order compliance of M/s Kisan Brick Field, Vill-Jagdishpur, Post-Kurda, Tappa-Gaur, Tehsil-Harraiya, District-Basti



Latitude: 26.877747
Longitude: 82.606154
Elevation: 91.51±100 m
Accuracy: 4.9 m
GPSTime: 01-06-2022 12:24
Note: Kisan Brick Field,Vill.-Jagdishpur,Post-Kurda,Tehsil-Harraiya,Distt.-Basti



Latitude: 26.877719
Longitude: 82.606269
Elevation: 97.51±100 m
Accuracy: 3.9 m
GPSTime: 01-06-2022 12:29
Note: Kisan Brick Field,Vill.-Jagdishpur,Post-Kurda,Tehsil-Harraiya,Distt.-Basti



Latitude: 26.877789
Longitude: 82.606211
Elevation: 95.61±100 m
Accuracy: 3.1 m
GPSTime: 01-06-2022 12:16
Note: Kisan Brick Field,Vill.-Jagdishpur,Post-Kurda,Tehsil-Harraiya,Distt.-Basti

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Closure Order compliance of M/s Kisan Brick Field, Vill-Jagdishpur, Post-Kurda, Tappa-Gaur, Tehsil-Harraiya, District-Basti