

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

IN  
ORIGINAL APPLICATION NO. 248/2025

**IN THE MATTER OF:**

AMIT MADDHESHIYA

...APPLICANT

Versus

UTTAR PRADESH POLLUTION  
CONTROL BOARD & ORS

.....RESPONDENT(S)

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1.	Additional Affidavit of District Magistrate Kushinagar in compliance of order dated 22.12.2025 passed by this Hon'ble Tribunal	
2.	<b><u>Annexure No.1: -</u></b> A copy of joint inspection committee report dated 17.09.2025	

**DATED:** 17.03.2026

*Ankit Verma*

**FILED THROUGH**

**(ANKIT VERMA)**

**STANDING COUNSEL STATE OF UP**

**A-15 FF, NIZAMUDDIN EAST, NEW DELHI- 110013**

**MOB :- 09990804440 [Email-ankit.scngtup@gmail.com](mailto:ankit.scngtup@gmail.com)**



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.....RESPONDENT(s)

**ADDITIONAL AFFIDAVIT OF DISTRICT MAGISTRATE  
KUSHINAGAR IN COMPLIANCE OF ORDER DATED  
22.12.2025 PASSED BY THIS HON'BLE TRIBUNAL**

The Respondent No. 2 herein states as under:

**MOST RESPECTFULLY SHOWETH:**

I, Mahendra Singh Tanwar aged about 37 years, presently posted as District Magistrate -Kushinagar, the deponent, do hereby solemnly state and affirm as under:-

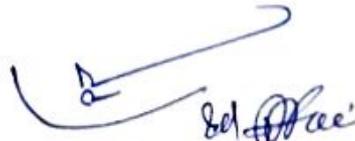
1. That I am the above-mentioned officer of answering Respondent No. 2 and is duly competent to file the present affidavit. That the Deponent is well conversant with the facts and the circumstance of the instant case and is competent to swear this affidavit.

2. That the Deponent has read and understood the contents of the present affidavit. The averments made in the Original Application, which are not specifically admitted hereunder, must be considered to have been denied by the Deponent.

3. That the contents of the present additional affidavit have been drafted by my counsel on my instructions and the contents of the same are true to my knowledge and nothing material has been concealed there from.

4. That this Hon'ble Tribunal vide its order dated 22.12.2025 was pleased to issue the following directions: -

**".....4. A part of the Joint Committee report as also some of the annexures are dim and not legible.**

  
Sd/- [Signature]



Therefore, Learned Counsel for the State, representing the DM concerned, has submitted that the legible copy of the entire report with annexures will be placed on record within 02 weeks.....

.....9. List on 17.03.2026."

- 5. That the present additional affidavit is being filed in respectful compliance of the order dated 22.12.2025 passed by this Hon'ble Tribunal, in this present Original Application.
- 6. That in compliance of the order dated 21.05.2025 passed by this Hon'ble Tribunal, the Deponent herein had earlier filed a Joint Inspection Committee Report dated 17.09.2025, in which some of the annexures were dim and not legible.
- 7. That in respectful compliance of the order dated 22.12.2025 passed by this Hon'ble Tribunal, a Joint Inspection Committee Report dated 17.09.2025 which was filed on 24.09.2025, is being refiled along with clear and legible copies of the annexures, which is being annexed herein and marked as **Annexure No. 1** to this additional affidavit.
- 8. That the Deponent herein tenders his unconditional apology for not filing clear and legible copy of the Joint Inspection Committee Report.
- 9. That in the interest of justice, the present additional affidavit along with the Joint Inspection Committee Report dated 17.09.2025, may be taken on record by this Hon'ble Tribunal.



**VERIFICATION**

Verified at....., on ..... that the contents of the paras 1 to ..... of this affidavit are true and correct to the best of my knowledge. No part of it is false and nothing material has been concealed therefrom.

DEPONENT

*[Signature]*  
16/3/26  
D.K. Rai

DEPONENT

*[Fingerprint]*  
16/3/26  
D.K. Rai

Serial Number 13389  
Solemnly affirmed before me on 16.3.26  
at Padrauna by Shri. Mahendra Singh Rawar  
the deponent who is identified by Shri. D.K. Rai  
I have certified myself by examining the deponent that he/she understands the contents of this affidavit which has been read over and explained by me.  
*[Signature]*  
Kishore Kumar Yadav  
NOTARY  
Tahasil & Collectorate Campus  
Padrauna, Kushinagar

Identified the L1 of Mahendra Singh Rawar & Signature of Mahendra Singh Rawar DM Kushinagar  
Ramesh Kumar Rai  
Dope civil  
16/3/2026

**उत्तर प्रदेश शासन**  
Government of Uttar Pradesh  
Identity Card Sr. No. 303  
(Group A)



मुख्य स्वागत अधिकारी  
उत्तर प्रदेश शासन

Name : MAHENDER SINGH TAWAR  
Batch : 2015  
Cadre : IAS  
Card Issue Date : 28.10.2016  
Validity Date : 30.06.2048

**के प्रयोगार्थ**

मा० न्यायालय

निवास : 307, F.I. GANGASAGAR APARTMENT, NARHI,  
LUCKNOW

दफ्त समूह : O+ मो. 9628600006, 8953587881  
आपात दूरभाष : 0522-2238308

**कंप्लेट रूप विवरण**

1. यह परिचय पत्र अद्वैतान्वयीय है। तथा सचिवालय में प्रवेश करते समय अधिकारियों द्वारा भाग कटने पर इसे दिखाना आवश्यक है।
2. परिचय पत्र खोने या चोरी का नष्ट होने की स्थिति में मुख्य दिरेफ़र ऑफिसर को तात्काल इसकी सूचना देनी चाहिए।
3. होवानिपुत्र अथवा पद त्याग या माव्य अवधि समाप्त होने पर इसे मुख्य दिरेफ़र कार्यालय को वापस कदना अनिवार्य है।
4. आपात स्थिति में उपरोक्त दूरभाष सं. पर सूचित किया जाना चाहिए।



**JOINT COMMITTEE REPORT IN THE MATTER OF**

Original Application No. 248 of 2025

Titled as

Amit Maddheshiya Vs UPPCB &amp; Ors.

**1.0. Background**

The Hon'ble National Green Tribunal, Principal Bench, New Delhi vide order dated 21.05.2025 in the matter of Amit Maddheshiya Versus Uttar Pradesh Pollution Control Board & Ors. has constituted a Joint Committee of RO, MoEF&CC, CPCB, State PCB, UP and District Magistrate, Kushunagar to visit site and submit the report. District Magistrate, Kushinagar will be the nodal agency for coordination and compliance. The copy of reference NGT is annexed as **Annexure-1**.

The relevant part of the order is as follow:

"...5. Considering the seriousness of the issue involved in the matter, we also form a Joint Committee comprising of (i) RO, MoEF&CC, Lucknow, (ii) Representative of the Member Secretary, CPCB, (iii) Member Secretary, UPPCB and (iv) District Magistrate, Kushinagar. The District Magistrate, Kushinagar will act as the nodal agency in the Joint Committee.

6. The Joint Committee will visit the site, ascertain the status of the respondent brick kilns and find out if they are operating with due consent and following the environmental norms and will submit the report before the Tribunal within eight weeks. The Joint Committee will carry out the inspection within three weeks from today.

7. List on 25.09.2025..."

In compliance with said order, a joint committee comprising the following officers has been constituted.

**Nominated Committee Members**

1. Shri. Mahendra Singh Tanwar, District Magistrate, Kushunagar
2. Dr. A. K. Gupta, Sc. 'E', MoEF&CC, RO, Lucknow
3. Shri Arvind Kumar, Scientist 'C', CPCB, RD Lucknow
4. Shri Ashutosh Chauhan, Regional officer, UPPCB, RO, Gorakhpur

**Other Members**

During visit following officials were also present:



1. Shri. Abhishek Singh, Mines Officer, Kushinagar
2. Shri. Rammilan Verma, Scientific Assistant, UPPCB, RO, Gorakhpur
3. Shri. Rajnish Kumar Singh, Lab Assistant, UPPCB, RO, Gorakhpur

A copy of the nomination letter from the relevant departments is enclosed in **Annexure 2**.

## 2.0. Inspection and Monitoring of the Joint Committee:

In compliance with Hon'ble NGT order, the Joint Committee has inspected the following brick kilns in question during June 23-24, 2025:

1. M/s Janta Int Nirmata, Vill- Mahason, Post- Karkhana Mahua, Tehsil-Kasia, Distt- Kushinagar
2. M/s Anul Kumar HUF (PHS Marka), Vill and Post- Deena Patti, Mainpur, Tehsil- Kasia, Distt- Kushinagar
3. M/s Radhey Krishna Enterprises, Vill and Post- Kudwa Urf Dilip Nagar, Tehsil- Kasia, Distt- Kushinagar
4. M/s R.K.B. Int Udyog (RKB), Vill and Post- Kudwa Urf Dilip Nagar, Tehsil- Kasia, Distt- Kushinagar
5. M/s Barister Int Udyog, Vill and Post- Kudwa Urf Dilip Nagar, Tehsil-Kasia, Distt- Kushinagar
6. M/s Jay Ambey Int Udyog, Vill- Gambhirpur, Post- Singhari, Tehsil-Captanganj, Distt- Kushinagar
7. M/s Ravindra Pratap Singh BKO, Vill- Jolahpurwa, Post- Barsaina, Tehsil-Hata, Distt- Kushinagar
8. M/s Shri Ram Singh HUF, Vill- Singha, Post- Kubersthan, Tehsil- Kasia, Distt- Kushinagar
9. M/s MaaVindhwasiniIntUdyog, Vill and Post- Kudwa Urf Dilip Nagar, Tehsil- Kasia, Distt- Kushinagar

Status of the consent to established (CTE), consent to operate (CTO), Deposit of the regulating fee for mining, and present status of the brick kiln are tabulated, which is attached as **Annexure 3**. Brick kilns wise salient observations are as follows:



SN	Name of Brick Kiln	Status of CTE	Status of CTO	Closure issued by UPPCR	Deposit of the regulating fee for mining	Status during the inspection
1	M/S Jania Int Nirmatia	No	No	15.07.2021	Yes for season 2024-2025	Non-operational due to the end of the firing season 2024-2025
2	M/S Anil Kumar HUF	No	No	16.07.2025	Yes for season 2024-2025	Non-operational due to the end of the firing season 2024-2025
3	M/s Radhey Krishna Enterprises	No	No	16.07.2025	Yes for season 2024-2025	Non-operational due to the end of the firing season 2024-2025
4	M/S R. K. B. Int Udyog	No	No	16.07.2025	Not submitted (as per mining department)	Non-operational due to the end of the firing season 2024-2025
5	M/S Barister Int Udyog	No	No	16.07.2025	Yes for season 2024-2025	Non-operational due to the end of the firing season 2024-2025
6	M/S Jai Ambey Int Udyog	No	Yes, issued on 10.01.2023	01.09.2025	Not submitted (as per mining department)	Non-operational due to the end of the firing season 2024-2025
7	M/S Ravindra Pratap Singh BKO	No	Yes, issued on 10.01.2023	-	Not submitted (as per mining department)	Non-operational due to the end of the firing season 2024-2025
8	M/S Shri Ram Singh HUF	No	Yes, issued on 22.10.2022	01.09.2025	Not submitted (as per mining department)	Non-operational due to the end of the firing season 2024-2025
9	M/s Maan Vinodwasini Int Udyog	No	Yes, issued on 27.04.2023	01.09.2025	Yes for season 2024-2025	Non-operational due to the end of the firing season 2024-2025



**2.1. Inspection of M/s Janta Int Nirmata, Vill- Mahason, Post- Karkhana Mahua, Tehsil-Kasia, Distt- Kushinagar:**

Joint inspection of M/s Janta Int Nirmata, Vill- Mahason, Post- Karkhana Mahua, Tehsil-Kasia, Distt- Kushinagar has been carried out on 23.06.2025. Observation based on inspection and available office records, as per the referenced Hon'ble NGT order, is as under:

- I. M/s Janta Int Nirmata, Vill- Mahason, Post- Karkhana Mahua, Tehsil-Kasia, Distt- Kushinagar is owned by Shri Anil Mishra.
- II. As per UPPCB, the brick kiln has no Consent to Establish (CTE) and Consent to Operate (CTO) under the Air (Prevention and Control of Pollution) Act, 1981. In this regard, closure order dated 15.07.2021 under section 31A of the Air (Prevention and Control of Pollution) Act, 1981, has been issued by UPPCB with a copy to the District Magistrate, Kushinagar, Senior Superintendent of Police/ Superintendent of Police, Kushinagar and the Regional Officer UPPCB, Gorakhpur for compliance with the closure order. A copy of the closure order is enclosed as **Annexure-4**.
- III. As per the mining department, the brick kiln has deposited the regulating fee for mining in the Brick Kiln season 2024-25. Copy of receipt for regulating fee enclosed as **Annexure-5**.
- IV. During the visit, the brick kiln was found non-operational due to the end of the brick kiln firing season 2024-25. However, the kiln was found filled with burned bricks and bricks were also stored in the premises.
- V. The Brick kiln is not based on zig-zag technology, and coal is being used as fuel for brick kiln firing.
- VI. The brick kiln does not have an adequate stack monitoring facility, i.e., a proper platform, porthole, and ladder.
- VII. The internal road within the premises of the brick kilns as well as the link road was unpaved and caused fugitive emissions while movement of vehicle.
- VIII. No proper green belt is developed in the premises of brick kiln.
- IX. During visit representative of brick kiln has not provided NOC from State Ground Water Department for extraction of ground water.
- X. The brick kiln has not installed display board having the information as per CPCB direction dated 23.04.2025.
- XI. The brick kiln is not meeting with the siting criteria prescribed through the guideline notified by State of Uttar Pradesh "The Uttar Pradesh Brick Kilns (Siting Criteria for

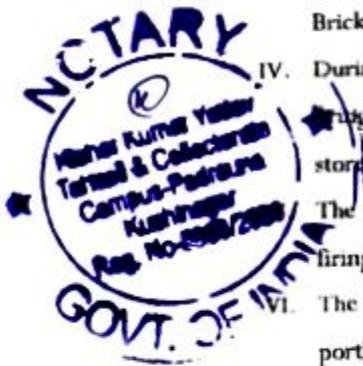


Establishment) Rules, 2012 as well as MoEF&CC Notifications GSR143(E) dated 22.02.2022.

**2.2. Inspection of M/s Anil Kumar HUF (PHS Marka), Vill and Post- Deena Patti, Mainpur, Tehsil- Kasia, Deistt- Kushinagar**

Joint inspection of M/s Anil Kumar HUF (PHS Marka), Vill and Post- Deena Patti, Mainpur, Tehsil- Kasia, Deistt- Kushinagar has been carried out on 23.06.2025. Observation based on inspection and available office records as per referenced Hon'ble NGT order, is as under:

- I. M/s Anil Kumar HUF (PHS Marka), Vill and Post- Deena Patti, Mainpur, Tehsil- Kasia, Deistt- Kushinagar is owned by Shri Anil Kumar Singh.
- II. As per UPPCB, the brick kiln has no Consent to Establish (CTE) and Consent to Operate (CTO) under the Air (Prevention and Control of Pollution) Act, 1981. In this regard, a closure order dated 16.07.2025 under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 has been issued by UPPCB with a copy to District Magistrate, Kushinagar, Superintendent of Police, Kushinagar, Additional Chief Officer, Zila Panchayat, Kushinagar, District Mining Officer, Kushinagar, and Regional Officer UPPCB, Gorakhpur for necessary action. A copy of the closure order is enclosed as **Annexure-6**.
- III. As per the mining department, the brick kiln has deposited the regulating fee for mining in Brick Kiln season 2024-25. Copy of receipt for regulating fee enclosed as **Annexure-7**.
- IV. During the visit, the brick kiln was found non-operational due to the end of the brick kiln firing season 2024-25. However, kiln was found filled with burned bricks and bricks were also stored in the premise.  
The Brick kiln is based on zig-zag technology, and coal is being used as fuel for brick kiln firing.
- V. The brick kiln does not have an adequate stack monitoring facility, i.e., a proper platform, porthole, and ladder.
- VII. The internal road within the premises of brick kilns, as well as the link road was unpaved and caused fugitive emissions during the movement of vehicles.
- VIII. No proper green belt is developed in the premises of the brick kiln.
- IX. During the visit representative of the brick kiln has not provided NOC from State Ground Water Department for extraction of ground water.
- X. The brick kiln has not installed display board having the information as per CPCB direction dated 23.04.2025.



- XI. The brick kiln is not meeting with the siting criteria prescribed through the guideline notified by State of Uttar Pradesh "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012 as well as MoEF&CC Notifications GSR 143(E) dated 22.02.2022.

**2.3. Inspection of M/s Radhey Krishna Enterprises, Vill and Post- Kudwa Urf Dilip Nagar, Tehsil- Kasia, Distt- Kushinagar**

Joint inspection of M/s Radhey Krishna Enterprises, Vill and Post- Kudwa Urf Dilip Nagar, Tehsil- Kasia, Distt- Kushinagar has been carried out on 23.06.2025. Observation based on inspection and available office records, as per the referenced Hon'ble NGT order, is as under:

- I. M/s Radhey Krishna Enterprises, Vill and Post- Kudwa Urf Dilip Nagar, Tehsil- Kasia, Distt- Kushinagar is owned by Shri Vinay Singh.
- II. As per UPPCB, the brick kiln has no Consent to Establish (CTE) and Consent to Operate (CTO) under the Air (Prevention and Control of Pollution) Act, 1981. In this regard, a closure order dated 16.07.2025 under section 31A of the Air (Prevention and Control of Pollution) Act, 1981, has been issued by UPPCB with a copy to District Magistrate, Kushinagar, Superintendent of Police Kushinagar, Additional Chief Officer, Zila Panchayat, Kushinagar, District Mining Officer, Kushinagar, and Regional Officer UPPCB, Gorakhpur for necessary action. A copy of the closure order is enclosed as **Annexure-8**.

As per the mining department, the brick kiln has deposited the regulating fee for mining in the Brick Kiln season 2024-25. A copy of the receipt for the regulating fee is enclosed as **Annexure-9**.

During the visit, the brick kiln was found non-operational due to the end of the brick kiln firing season 2024-25. However, the kiln was found filled with burned bricks, and a significant quantity of bricks was also stored in the premises.

- V. The Brick kiln is not based on zig-zag technology, and coal is being used as fuel for brick kiln firing.
- VI. The brick kiln does not have an adequate stack monitoring facility, i.e., a proper platform, porthole, and ladder.
- VII. The internal road within the premises of the brick kilns as well as the link road was unpaved and caused fugitive emissions while movement of vehicle.
- VIII. No proper green belt is developed in the premises of the brick kiln.
- IX. During the visit representative of the brick kiln has not provided NOC from State Ground Water Department for the extraction of ground water.



- X. The brick kiln has not installed display board having the information as per CPCB direction dated 23.04.2025.
- XI. The brick kiln is not meeting the siting criteria prescribed through the guideline notified by State of Uttar Pradesh "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012 as well as MoEF&CC Notifications GSR 143(E) dated 22.02.2022.

**2.4. Inspection of M/s R.K.B. Int Udyog (RKB), Vill and Post- Kudwa Urf Dilip Nagar, Tehsil- Kasia, Distt- Kushinagar**

Joint inspection of M/s R.K.B. Int Udyog (RKB), Vill and Post- Kudwa Urf Dilip Nagar, Tehsil- Kasia, Distt- Kushinagar has been carried out on 23.06.2025. Observation based on inspection and available office records, as per the referenced Hon'ble NGT order is as under:

- I. M/s R.K.B. Int Udyog (RKB), Vill and Post- Kudwa Urf Dilip Nagar, Tehsil- Kasia, Distt- Kushinagar is owned by Shri Kashinath Maurya.
- II. As per UPPCB, the brick kiln has no Consent to Establish (CTE) and Consent to Operate (CTO) under the Air (Prevention and Control of Pollution) Act, 1981. In this regard, closure order dated 16.07.2025 under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 has been issued by UPPCB with a copy to the District Magistrate, Kushinagar, Superintendent of Police, Kushinagar, Additional Chief Officer, Zila Panchayat, Kushinagar, District Mining Officer, Kushinagar and Regional Officer UPPCB, Gorakhpur for necessary action. A copy of the closure order is enclosed as **Annexure-10**.
- III. As per the mining department, Brick Kiln has not deposited the regulating fee for mining in Brick Kiln season 2024-25.
- IV. During the visit, the brick kiln was found non-operational due to the end of the brick kiln firing season 2024-25. However, the kiln was found filled with burned bricks, and bricks were also stored in the premises.
- V. The Brick kiln is based on zig-zag technology, and coal is being used as fuel for brick kiln firing.
- VI. The brick kiln does not have an adequate stack monitoring facility, i.e., a proper platform, porthole, and ladder.
- VII. The internal road within the premises of brick kilns, as well as the link road was unpaved and caused fugitive emissions during the movement of vehicles.
- VIII. No proper green belt is developed in the premises of the brick kiln.
- IX. During the visit representative of the brick kiln has not provided NOC from the State Ground Water Department for the extraction of groundwater.



- X. The brick kiln has not installed a display board having the information as per CPCB direction dated 23.04.2025.
- XI. The brick kiln is not meeting the siting criteria prescribed through the guideline notified by State of Uttar Pradesh "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012 as well as MoEF&CC Notifications GSR 143(E) dated 22.02.2022.

**2.5. Inspection of M/s Barister Int Udyog, Vill and Post- Kudwa Urf Dilip Nagar, Tehsil-Kasia, Distt- Kushinagar**

Joint inspection of M/s Barister Int Udyog, Vill and Post- Kudwa Urf Dilip Nagar, Tehsil-Kasia, Distt- Kushinagar has been carried out on 23.06.2025. Observation based on inspection and available office records as per referenced Hon'ble NGT order is as under:

- I. M/s Barister Int Udyog, Vill and Post- Kudwa Urf Dilip Nagar, Tehsil-Kasia, Distt- Kushinagar is owned by Shri Barister Singh.
- II. As per UPPCB, the brick kiln has no Consent to Establish (CTE) and Consent to Operate (CTO) under the Air (Prevention and Control of Pollution) Act, 1981. In this regard, closure order dated 16.07.2025 under section 31A of the Air (Prevention and Control of Pollution) Act, 1981, has been issued by UPPCB with a copy to the District Magistrate, Kushinagar, Superintendent of Police Kushinagar, Additional Chief Officer, Zila Panchayat, Kushinagar, District Mining Officer, Kushinagar, and Regional Officer UPPCB, Gorakhpur for necessary action. A copy of the closure order is enclosed as **Annexure-11**.
- III. As per the mining department, the brick kiln has deposited the regulating fee for mining in Brick Kiln season 2024-25. A copy of the receipt for the regulating fee is enclosed as **Annexure-12**.
- IV. During the visit, the brick kiln was found non-operational due to the end of the brick kiln firing season 2024-25. However, the kiln was found filled with burned bricks, and bricks were also stored in the premises.
- V. The Brick kiln is not based on zig-zag technology and coal is being used as fuel for brick kiln firing.
- VI. The brick kiln does not have an adequate stack monitoring facility, i.e., a proper platform, porthole and ladder.
- VII. Internal road within the premise of brick kilns as well as the link road was unpaved and caused fugitive emission while movement of vehicle.
- VIII. No proper green belt is developed in the premise of brick kiln.
- IX. During visit representative of brick kiln has not provided NOC from State Ground Water Department for extraction of ground water.



- X. The brick kiln has not installed display board having the information as per CPCB direction dated 23.04.2025.
- XI. The brick kiln is not meeting the siting criteria prescribed through the guideline notified by State of Uttar Pradesh "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012 as well as MoEF&CC Notifications GSR 143(E) dated 22.02.2022.

**2.6. Inspection of M/s Jay Ambey Int Udyog, Vill- Gambhirpur, Post- Singhari, Tehsil-Captanganj, Distt- Kushinagar**

Joint inspection of M/s Jay Ambey Int Udyog, Vill- Gambhirpur, Post- Singhari, Tehsil-Captanganj, Distt- Kushinagar has been carried out on 24.06.2025. Observation based on inspection and available office records as per referenced Hon'ble NGT order, is as under:

- I. M/s Jay Ambey Int Udyog, Vill- Gambhirpur, Post- Singhari, Tehsil-Captanganj, Distt- Kushinagar is owned by Shrimati Dharmawati Devi.
- II. As per UPPCB, conditional consent to operate was issued to the unit on 10.01.2023 which was valid till 31.07.2027, and Show Cause Notice was issued to unit on 31.07.2025 by UPPCB for non-compliance of environmental norms, particularly non-compliance of siting criteria as notified by State of Uttar Pradesh namely "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012. Further closure order dated 01.09.2025 under section 31A of the Air (Prevention and Control of Pollution) Act, 1981, has been issued by UPPCB with a copy to the District Magistrate, Kushinagar, Superintendent of Police Kushinagar, Additional Chief Officer, Zila Panchayat, Kushinagar, District Mining Officer, Kushinagar, and Regional Officer UPPCB, Gorakhpur for necessary action. Copy of Show Cause Notice and closure order are enclosed as **Annexure-13 & 14**.
- III. As per the mining department, the brick kiln has not deposited the regulating fee for mining in the Brick Kiln season 2024-25.
- IV. During the visit, the brick kiln was found non-operational due to the end of the brick kiln firing season 2024-25. However, the kiln was found filled with burned bricks, and bricks were also stored in the premises.
- V. The Brick kiln is not based on zig-zag technology, and coal is being used as fuel for brick kiln firing.
- VI. The brick kiln does not have an adequate stack monitoring facility, i.e., a proper platform, porthole, and ladder.
- VII. The Internal road within the premises of the brick kilns was unpaved and caused fugitive emissions while movement of vehicle movement.

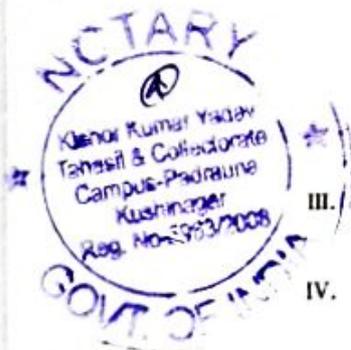


- VIII. No proper green belt is developed in the premises of the brick kiln.
- IX. During the visit representative of the brick kiln has not provided NOC from the State Ground Water Department for the extraction of groundwater.
- X. The brick kiln has not installed a display board having the information as per CPCB direction dated 23.04.2025.
- XI. The brick kiln is not meeting the siting criteria prescribed through the guideline notified by State of Uttar Pradesh "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012 as well as MoEF&CC Notifications GSR 143(E) dated 22.02.2022.

**2.7. Inspection of M/s Ravindra Pratap Singh BKO, Vill- Jolahpurwa, Post- Barsaina, Tehsil-Hata, Distt- Kushinagar**

Joint inspection of M/s Ravindra Pratap Singh BKO, Vill- Jolahpurwa, Post- Barsaina, Tehsil-Hata, Distt- Kushinagar has been carried out on 24.06.2025. Observation based on inspection and available office records, as per the referenced Hon'ble NGT order is as under:

- I. M/s Ravindra Pratap Singh BKO, Vill- Jolahpurwa, Post- Barsaina, Tehsil-Hata, Distt- Kushinagar is owned by Shri Ravindra Pratap Singh.
- II. As per UPPCB, conditional consent to operate was issued to the unit on 10.01.2023 which was valid till 31.07.2027 and further Show Cause Notice was issued to unit on 31.07.2025 by UPPCB for non-compliance of environmental norms, particularly non-compliance of siting criteria as notified by State of Uttar Pradesh namely "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012. Copy of Show Cause Notice is enclosed as **Annexure-15**.
- III. As per the mining department, the brick kiln has not deposited the regulating fee for mining in the Brick Kiln season 2024-25.
- IV. During the visit, the brick kiln was found non-operational due to the end of the brick kiln firing season 2024-25. However, the kiln was found filled with burned bricks, and bricks were also stored in the premises.
- V. The Brick kiln is not based on zig-zag technology, and coal is being used as fuel for brick kiln firing.
- VI. The brick kiln does not have an adequate stack monitoring facility, i.e., a proper platform, porthole, and ladder.
- VII. Internal road within the premises of the brick kilns, as well as the link road was unpaved and caused fugitive emissions while movement of vehicle.
- VIII. No proper green belt is developed in the premise of brick kiln.

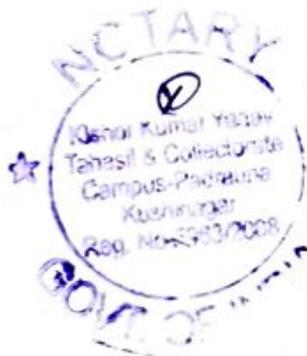


- IX. During visit representative of brick kiln has not provided NOC from State Ground Water Department for extraction of ground water.
- X. The brick kiln has not installed display board having the information as per CPCB direction dated 23.04.2025.
- XI. The brick kiln is not meeting the siting criteria prescribed through the guideline notified by State of Uttar Pradesh "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012 as well as MoEF&CC Notifications GSR 143(E) dated 22.02.2022.

**2.8. Inspection of M/s Shri Ram Singh HUF, Vill- Singha, Post- Kubersthan, Tehsil- Kasia, Distt- Kushinagar**

Joint inspection of M/s Shri Ram Singh HUF, Vill- Singha, Post- Kubersthan, Tehsil- Kasia, Distt- Kushinagar has been carried out on 23.06.2025. Observation based on inspection and available office records as per referenced Hon'ble NGT order, is as under:

- I. M/s Shri Ram Singh HUF, Vill- Singha, Post- Kubersthan, Tehsil- Kasia, Distt- Kushinagar is owned by Shri Brij Narayan Singh.
- II. As per UPPCB, conditional consent to operate was issued to the unit on 22.10.2022 which was valid till 31.07.2027 and Show Cause Notice was issued to unit on 31.07.2025 by UPPCB for non-compliance of environmental norms, particularly non-compliance of siting criteria as notified by State of Uttar Pradesh namely "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012. Further closure order dated 01.09.2025 under section 31A of the Air (Prevention and Control of Pollution) Act, 1981, has been issued by UPPCB with a copy to the District Magistrate, Kushinagar, Superintendent of Police Kushinagar, Additional Chief Officer, Zila Panchayat, Kushinagar, District Mining Officer, Kushinagar, and Regional Officer UPPCB, Gorakhpur for necessary action. Copy of Show Cause Notice and Closure order are enclosed as **Annexure-16 & 17**.
- III. As per the mining department, the brick kiln has not deposited the regulating fee for mining in the Brick Kiln season 2024-25.
- IV. During the visit, the brick kiln was found non-operational due to the end of the brick kiln firing season 2024-25. However, bricks were found stored in the premises.
- V. The Brick kiln is based on zig-zag technology, and coal is being used as fuel for brick kiln firing.
- VI. The brick kiln does not have an adequate stack monitoring facility, i.e., a proper platform, porthole, and ladder.



- VII. The Internal road within the premises of the brick kilns was unpaved and caused fugitive emissions while movement of vehicle.
- VIII. No proper green belt is developed in the premises of the brick kiln.
- IX. During the visit representative of the brick kiln has not provided NOC from the State Ground Water Department for the extraction of groundwater.
- X. The brick kiln has not installed a display board having the information as per CPCB direction dated 23.04.2025.
- XI. The brick kiln is not meeting the siting criteria prescribed through the guideline notified by State of Uttar Pradesh "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012 as well as the MoEF&CC Notifications GSR 143(E) dated 22.02.2022.

**2.9. Inspection of M/s Maa Vindhwasini Int Udyog, Vill and Post- Kudwa Urf Dilip Nagar, Tehsil- Kasia, Distt- Kushinagar**

Joint inspection of M/s Maa Vindhwasini Int Udyog, Vill and Post- Kudwa Urf Dilip Nagar, Tehsil- Kasia, Distt- Kushinagar has been carried out on 23.06.2025. Observation based on inspection and available office records, as per the referenced Hon'ble NGT order, is as under:

- I. M/s Maa Vindhwasini Int Udyog, Vill and Post- Kudwa Urf Dilip Nagar, Tehsil- Kasia, Distt- Kushinagar is owned by Shri Madan Pal Singh.
- II. As per UPPCB, conditional consent to operate was issued to the unit on 27.04.2023, which was valid till 31.07.2025 and Show Cause Notice was issued to unit on 31.07.2025 by UPPCB for non-compliance of environmental norms particularly non-compliance of siting criteria as notified by State of Uttar Pradesh namely "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012. Further closure order dated 01.09.2025 under section 31A of the Air (Prevention and Control of Pollution) Act, 1981, has been issued by UPPCB with a copy to the District Magistrate, Kushinagar, Superintendent of Police Kushinagar, Additional Chief Officer, Zila Panchayat, Kushinagar, District Mining Officer, Kushinagar, and Regional Officer UPPCB, Gorakhpur for necessary action. Copy of Show Cause Notice and closure order are enclosed as **Annexure-18 & 19**.
- III. As per the mining department, Brick Kiln has deposited the regulating fee for mining in the Brick Kiln season 2024-25. Copy of receipt for regulating fee enclosed as Annexure-20.
- IV. During the visit, the brick kiln was found non-operational due to the end of the brick kiln firing season 2024-25. However, the kiln was found filled with burned bricks, and bricks were also stored in the premises.
- V. The Brick kiln is not based on zig-zag technology, and coal is being used as fuel for brick kiln firing.



- VI. The brick kiln does not have an adequate stack monitoring facility, i.e., a proper platform, porthole, and ladder.
- VII. The internal road within the premises of brick kilns as well as the link road was unpaved and caused fugitive emissions during the movement of vehicles.
- VIII. No proper green belt is developed in the premises of the brick kiln.
- IX. During visit representative of the brick kiln has not provided NOC from the State Ground Water Department for extraction of ground water.
- X. The brick kiln has not installed display board having the information as per CPCB direction dated 23.04.2025.
- XI. The brick kiln is not meeting the siting criteria prescribed through the guideline notified by State of Uttar Pradesh, "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012 as well as MoEF&CC Notifications GSR 143(E) dated 22.02.2022.

#### 4.0 Observation Analysis:

- 4.1. It is evident from the above observation that the above nine (09) brick kilns in question are not complying with the siting criteria prescribed through the guideline notified by the State of Uttar Pradesh, "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012 as well as the MoEF&CC Notifications GSR 143(E) dated 22.02.2022.
- 4.2. Out of 09 brick kilns, 05 brick kilns were operating without consent. UPPCB has issued closure order to these 05 brick kilns under section 31A of the Air (Prevention and Control of Pollution) Act, 1981, with a copy to District Magistrate, Kushinagar, Senior Superintendent of Police/ Superintendent of Police, Kushinagar, Additional Chief Officer, Zila Panchayat, Kushinagar, District Mining Officer, Kushinagar, and Regional Officer UPPCB, Gorakhpur for compliance with the closure order after joint committee inspection (one closure order before joint committee visit).
- 4.3. UPPCB has issued Show Cause Notice to the remaining 04 brick kilns for non-compliance of environmental norms, particularly non-compliance of siting criteria as notified by the State of Uttar Pradesh, namely "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012, after joint committee inspection and further UPPCB has issued closure order to these 03 out of 04 brick kilns under section 31A of the Air (Prevention and Control of Pollution) Act, 1981, with a copy to District Magistrate, Kushinagar, Senior Superintendent of Police/ Superintendent of Police,



Kushinagar, Additional Chief Officer, Zila Panchayat, Kushinagar, District Mining Officer, Kushinagar, and Regional Officer UPPCB, Gorakhpur, for compliance with the closure order.

- 4.4. It is also evident that the local administration, through the mining department, continuously raises and accepts the regulating fee, without examining the validity of the CTO issued by Uttar Pradesh Pollution Control Board (UPPCB).
- 4.5. In addition to above above-listed 9 brick kilns, several other brick kilns have also been seen and do not fulfill the siting criteria prescribed through the guideline notified by the State of Uttar Pradesh, "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012, as well as the MoEF&CC Notifications GSR 143(E) dated 22.02.2022.
- 4.6. As per the Uttar Pradesh Brick Kiln (Sitting criteria for establishment) Rules, 2012, no license in respect of firing of brick kiln or for mining lease shall be granted by zila Panchayat/concern district administration until & unless a valid permission i.e., consent (NOC) is obtained by the owner of the brick kiln which is to be issues by the state pollution control board.
- 4.7. The Joint Committee was able to access a satellite image dated 13.01.2025, 09.4.2025, 06.01.2024, 22.04.2025 (attached as **Annexure-21**), which also confirms the finding of joint committee that the aforesaid brick kiln not fulfilled the "The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012, as well as the MoEF&CC Notifications GSR 143(E) dated 22.02.2022.
- 4.8. Record stated that the closure of seven brick kilns were issued by UPPCB in month of July & September 2025, which was after the joint committee inspection. And one closure was issued in 2021.



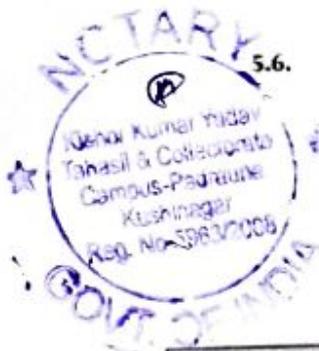
#### 5.0. Recommendation:

Based upon observation during the visit and available office records following is recommended:

- 5.1. The State authorities (District Magistrate, Kushinagar, Senior Superintendent of Police/ Superintendent of Police Kushinagar, and Regional Officer UPPCB, Gorakhpur) should ensure the compliance of the closure order issued to these 08 brick kilns under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 by UPPCB.
- 5.2. No brick kilns should be allowed to operate that do not fulfill the siting criteria prescribed through the guideline notified by the State of Uttar Pradesh, "The Uttar

Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012, as well as the MoEF&CC Notifications GSR 143(E) dated 22.02.2022.

- 5.3. The suggestion to upgrade Uttar Pradesh's Nivesh Mitra portal addresses the regulatory incoherence between the UP Pollution Control Board (UPPCB) and the state mining department regarding brick kiln operations. By integrating their processes, the state can ensure that the mining department only collects its regulating fees after the UPPCB issues a valid Consent to Operate (CTO). This reform aims to enhance government oversight, streamline business processes for compliant operators, and prevent illegal operations.
- 5.4. State authorities (Mining Department) should ensure that no mining activities are carried out by the illegal brick kilns.
- 5.5. Member Secretary (MS), Uttar Pradesh Control Board (UPPCB), may take cognizance of irregularity in the granting of CTO/closure or operated without a valid CTE/CTO of the brick kiln established/operated in the Kushinagar District.
- 5.6. Local Administration may also take cognizance of the above issue and take necessary action against the concern in light of Rule No. 3 & 7 of the Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012.



Name of the Joint Committee members	Signaturer
Shri Ashutosh Chauhan UPPCB, RO, Gorakhpur	
Shri Arvind Kumar Scientist 'C', CPCB, RD Lucknow	 Arvind Kumar 17/02/2022
Dr A. K. Gupta) Scientist 'E', MoEF&CC, RO, Lucknow	
Shri Mahendra Singh Tabwar) District Magistrate, Kushinagar	