

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH,
NEW DELHI

ORIGINAL APPLICATION NO. 174 OF 2022

IN THE MATTER OF:

DHARMENDRA KUMAR SINGH

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

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Place: New Delhi

Date: 23.11.2022 3 NOV 2022

2022 NOV 8 2

RESPONDENT NO. 9

THROUGH

Siddharth Krishna Dwivedi

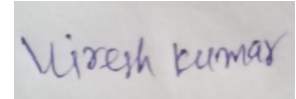
Viresh Kumar

Work Space Legal

Advocates on the behalf of the Respondent no-9

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E- Workspacelegal0@gmail.com



BEFORE THE NATIONAL GREEN TRIBUNAL
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NEW DELHI

ORIGINAL APPLICATION NO. 174 OF 2022

IN THE MATTER OF:

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COUNTER AFFIDAVIT ON BEHALF

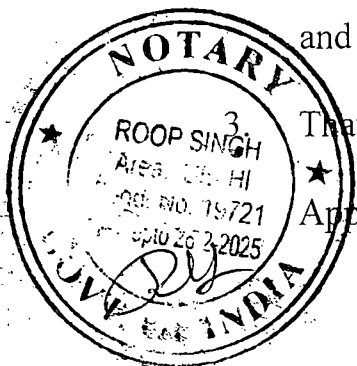
OF RESPONDENT NO. 8

MOST RESPECTFULLY SHOWETH

I, Geeta Singh aged about ~~46~~ years w/o of Dilip Singh R/o village- Sarni, Post- koth, Tehsil- Sikanderpur, District- Ballia, Uttar Pradesh, presently having come to New Delhi, do hereby solemnly affirm and state on oath as under: -

1. That I am the proprietor of Respondent No. 8 Brick Kiln in the above Original Application. I am fully acquainted with the facts and circumstances of the case. Therefore, I am competent to swear this Affidavit.
2. That I have read out the contents of the Counter Affidavit and have fully understood its contents. I say that the facts stated therein are true and correct on the basis of my personal knowledge.

That I have gone through and understood the contents of the Original Application and I hereby deny the same except which are specifically



admitted hereinafter in this Counter Affidavit. I further pray to grant me leave to add, alter or amend this Counter Affidavit as may be directed by this Hon'ble tribunal.

PRELIMINARY SUBMISSIONS

4. That it is respectfully submitted that Uttar Pradesh Brick Kilns (Sitting Criteria for Establishment) Rules, 2011, was notified on 27.06.2012 and before that Zila Parishad's guidelines were being followed. It is further respectfully submitted that the distances mentioned therein apply for installation of a new brick kiln and the Respondent No. 9 has been functioning since 2000 and therefore the distance criteria is not applicable to it.

5. That at the outset it is respectfully submitted that pursuant to the order dated 12.07.2022 a report of Joint Committee comprising of

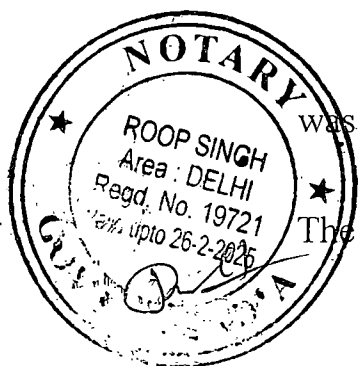
(i) Shri Akhilesh Kumar Yadav, SDM, District Ballia
(Representative of DM Ballia)

(ii) Shri Run Oraon Scientist-D, CPCB, Regional Director Lucknow
(representative of CPCB)

(iii) Shri Kalika Singh, Regional Office, U.P. Pollution Control Board, Azamgarh (Representative of UPPCB)

was placed before this Hon'ble Tribunal.

The above committee inter-alia observed as under:-



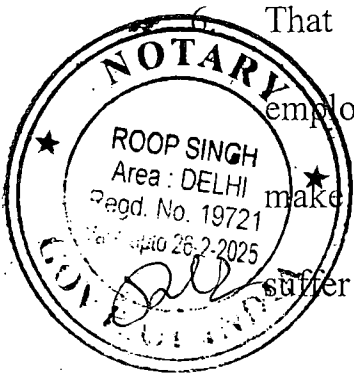
(a) Respondent No. 8/ Aakansha Int Bhatta (formerly M/s Raj Brick Work), which is established since 2000 in name of M/s Khan and Ansari Brick Works and was issued No Objection Certificate for establishment on 10.10.2000. A true translated copy of the No Objection Certificate dated 10.10.2010 is annexed herewith as ANNEXURE A-1 to this Counter Affidavit.

(b) Respondent No. 8 Brick Kiln has changed many hands and was lastly purchased by Geeta Singh in year 2021 and is being now operated under the name of M/s Aakansha Brick Kiln. A true translated copy of the compliance certificate (Pramaad part) dated 12.11.2014 is annexed herewith as ANNEXURE A-2 to this Counter Affidavit.

(c) The brick kiln was given consent to operate from 25.02.2022 to 31.07.2025 which was revoked pursuant to the order dated 12.07.2022 passed by this Hon'ble tribunal.

(d) That upon inspection the brick kiln was not found to be operational and the joint committee was informed that due to rainy season it is not in operation since 15.06.2022.

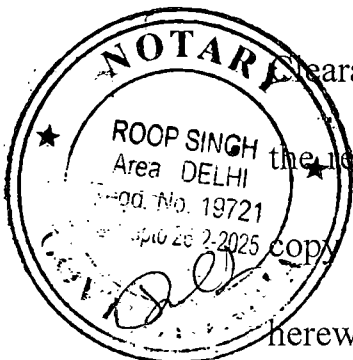
That it is respectfully submitted that the brick kiln is a seasonal employment and business activity and the continuous closure would make the answering Respondent and the people associated with it suffer tremendously for no fault of theirs.



BRIEF FACTS

7. That Shri Dilip Singh H/o Smt Geeta Singh has purchased Respondent No. 8/M/s Ms Aakansha Int Bhatta in year 2014, situated in Village-Sarni, Post-Koth, Tehsil- Sikandarpur, Dist- Balia, which was from 2000 to 2004 known as M/s Khan and Ansari Brick Work, and from 2004 to 2014 was Known M/s Raj Brick Work and is being run/owned/operated/managed by Shri Dilip Singh H/o Smt Geeta Singh and Shri Ram Snehi S/o Shri Vyas Singh. In 2014 there was again change in the name of brick kiln from M/s Raj Brick Work to M/s Akansha Int Bhatta and requested the Uttar Pradesh Pollution Control Board vide letter in year 2017 to withdraw the show cause notice issued against respondent no-8 directing closure of brick kiln. A true translated copy of the above said letter is annexed herewith as ANNEXURE A-3 to this Counter Affidavit.

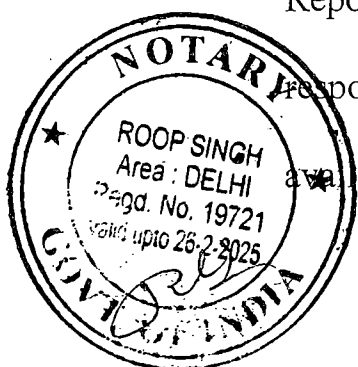
8. That the District Level Environment Impact Assessment Authority, Ballia vide letter reference no- 121/Parya/DEAC/Brick/2017/Balia dated 15.05.2017 granted M/s Akansha Ent Bhatta Environment Clearance, thereby withdrawing the Show cause notice issued against the respondent no-8 as subject to certain terms and conditions. A true copy of the Environment Clearance dated 15.05.2017 is annexed herewith as ANNEXURE A- 4 to this Counter Affidavit.



9. That M/s Akansha Ent Bhatta Kiln further applied for consent for discharge/continuation of discharge under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and for emissions/continuation of emission u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 and for grant/renewal of authorisation for generation or co-processing or utilisation or treatment or disposal of hazardous and other waste under Hazardous and other waste (management and transboundary movement) Rules 2016 read with Environment (Protection) Act, 1986.

10. That Uttar Pradesh Pollution Control Board vide consent order with reference no 120100/UPPCB/Azamgarh(UPPCBRO)/C.T.O./air/BALLIA/202 dated 25.02.2021 has accorded Consent & Authorization to M/s Akansha Int Bhatta for the period 25.02.2021 to 31.07.2025. A true copy of the abovesaid consent order with reference no 120100/UPPCB/Azamgarh(UPPCBRO)/C.T.O./air/BALLIA/202 dated 25.02.2021 issued by UPPCB is annexed herewith as ANNEXURE A-5 to this Counter Affidavit.

11. It is pertinent to mention here that as per the latest Action Taken Report filed by Respondent No- 4,5,6 & 7 it is clearly stated that the



Respondent has no more interest in this business and alongside non availability of mud for the purpose making bricks and economical

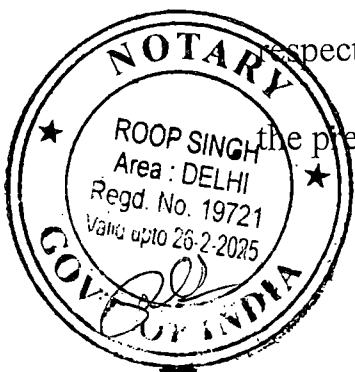
condition has closed the M/s Akansha Ent Bhatta and in interest of the justice the undertaking was given in way of affidavit to the committee formed for giving his report about the status of respondents no-8's brick klin.

12. That previously too, when M/s Akansha Int Bhatta was operating under the name of M/s Khan and Ansari Brick Works, it was given no objection certificate by Uttar Pradesh Pollution Control Board to run the brick kiln vide No Objection Certificate dated 10.10.2000.
13. That the Respondent No. 8 Brick kiln has been depositing rent/royalty/fees towards mining lease to the Government and thus doing the business fairly within the boundaries of statutory regulations and laws. The true translated copies of some of the rent/royalty/fees towards mining lease deposited with the Government of Uttar Pradesh is annexed herewith as ANNEXURE A-6(colly.) to this Counter Affidavit.

PARAWISE REPLY

14. That in reply to the contents of para 1 & 2 of the Original Application it is respectfully submitted that the same are matter of record and need no reply.

15. That in reply to the contents of para 3 of the Original Application it is respectfully submitted that the Applicant is in no way aggrieved and the present application has not been filed with bonafide interest.



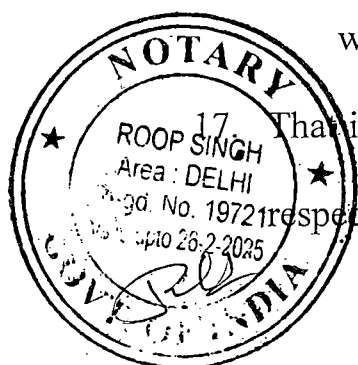
16. That in reply to the contents of para 4 of the Original Application it is respectfully submitted that the substantial questions raised therein do not arise in the present case. Reply to each question is provided hereinunder: -

(1) In reply to contents of question no. 4(1) it is respectfully submitted that Uttar Pradesh State Pollution Control Board (UPPCB) vide order dated 25.02.2021 has granted permission to operate Brick Kiln and it is respectfully submitted that the UPPCB was aware of the 2011 Rules while passing the abovesaid order.

(2) In reply to contents of question no. 4(2) it is respectfully submitted that answering Respondent has been paying rent/royalty/fees towards mining lease to the government and hence the question on the functioning of brick kiln in its absence stands answered.

(3) In reply to contents of question no. 4(3) it is respectfully submitted that Respondent No. 8 was granted No Objection Certificate under Air (Prevention and Control of Pollution) Act, 1981 by vide order dated 10.10.2000.

(4) In reply to contents of question no. 4(4) it is respectfully submitted that the reply to question 4(2) be read as a reply to this para as well.



17. That in reply to the contents of para 5 of the Original Application it is respectfully submitted that this Hon'ble tribunal being a statutory body

established under National Green Tribunal Act 2010 for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons and property and for matters connected therewith or incidental thereto has the jurisdiction to decide the case relating there under.

In reply to the second part of the para it is respectfully submitted that the Brick Kiln was established in the year 2000 when there was no school or dwelling house and so the para is misconceived that the brick kiln is functioning despite a school nearby. It is further respectfully submitted that that the distances mentioned under Uttar Pradesh Brick Kilns (Sitting Criteria for Establishment) Rules, 2012 apply for installation of a new brick kiln and the Respondent No. 9 has been functioning since 2000 and therefore the distance criteria is not applicable to it.

18. That in reply to the contents of para 6 of the Original Application it is respectfully submitted that the applicants has chosen to state such facts before this Hon'ble Tribunal as suited to him and has concealed material facts. It is further respectfully submitted that the present O.A. is time barred since the applicant has chosen cause of action to be on

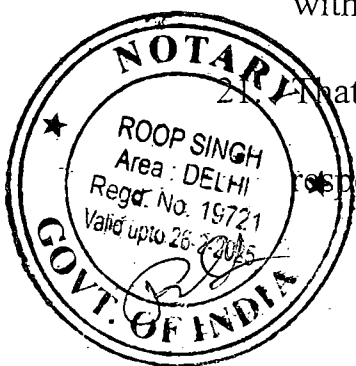


the date of complaint given by him to UPPCB and the statutory limitation of 6 months takes a backseat.

19. That in reply to the contents of para 7 of the Original Application it is respectfully submitted that Respondent No. 8 has not done anything illegal and are operating with due permissions from the UPPCB and other bodies and therefore there is no reason to stop the functioning of brick kiln and snatch the livelihood of the owner and the poor labourers having no other means to survive therefore keeping in mind the interest of the respondent no-8 and recognizing his fundamental right under article 19(1)(G) of the Indian Constitution, It is most respectfully and humbly prayed from this Hon'ble tribunal to vacate the stay granted against the respondent no-8.

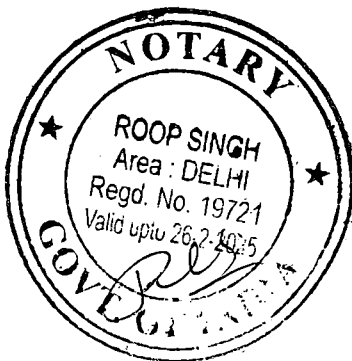
20. That in reply to the contents of para 8 of the Original Application it is respectfully submitted that the present OA urges no ground for the relief prayed therein and the Applicant having no locus and being not a public spirited person has no balance of convenience in his favour. It is respectfully submitted that on the other hand the Respondent No. 9 is suffering tremendously as the functioning of Brick Kiln has stopped and all the persons connected with it earning their daily bread are left with no hope.

21. That in reply to the contents of para 9 of the Original Application it is respectfully submitted that the answering Respondent is not aware of



the fact stated therein but the Applicant has filed similar petitions against many brick kiln operators.

22. That in reply to the contents of para 11 of the Original Application it is respectfully submitted that the instant OA is hopelessly barred as the Applicant has himself stated that the brick kiln is running since 2001. It is further respectfully submitted that the cause of action never arose in the present matter as there existed none and the applicant is calculating cause of action from 22.01.2022 when he forwarded a letter and the same cannot be termed as a valid cause of action.
23. That the instant Original Application is abuse of process of law and should be outrightly dismissed with heavy costs. It is further most humbly submitted that the brick kiln is being operated in compliance of all the rules and regulations and there is no reason to stop the functioning of brick kiln based on the averments made in the Original Application.
24. That the facts stated in the above counter affidavit are true to my knowledge and belief. No part of the same is false and nothing material has been concealed there from.



जीता रते

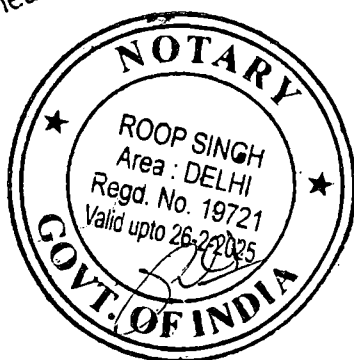
DEPONENT

11

VERIFICATION:-

Verified at New Delhi on this 23. day of November 2022 that the contents of above affidavit are true and correct to my knowledge. No part of it is false and nothing material has been concealed.

I identified the deponent/executant who has Signed in my presence.



CERTIFIED THAT THE DEPONENT
Shri/Smt./Km. Geeta Singh
S/o, W/o, D/o Siddharth Krishna Dwivedi
Identified By Roop Singh
has, Solemnly affirmed me at Delhi
on 23/11/22 at Sl. No. 10
that the contents of the affidavit which
have been read & explained to him are
true and Correct to his knowledge.

गीता सिंह

DEPONENT

23 NOV 2022

ROOP SINGH
Notary Public, Delhi (INDIA)

RESPONDENT NO. 9

THROUGH

Siddharth Krishna Dwivedi

Viresh Kumar

Work Space Legal

Advocates on the behalf of the Respondent no-9

M: 9958634000, 9129829862

E- Workspacelegal0@gmail.com

Viresh kumar

Place: New Delhi

Date: 23.11.2022

23 NOV 2022

ANNEXURE- A-1**TRUE TYPED AND TRANSLATED COPY OF N.O.C DATED- 10.10.2000**

Phone: (0542) 315143

Fax: (0542) 315143

UTTAR PRADESH POLLUTION CONTROL BOARD**REGINOL OFFICE: AVAS VIKASH OFFICE COMPLEX, JAWAHAR NAGAR, BHELUPUR, VARANASI**

Ref:

Date: 10.10.2000

TO,

THE

M/S Khan and Ansari Brick Works

Sarni, Koth, Sikanderpur

Ballia.

**Subject: From the point of view of environmental pollution/ no objection certificate
for renewal or expansion in the production capacity of brick klin/ working for
the establishment of a new unit.**

Respected Sir,

Please consider the above dated 4-10-2000 reference application and please be aware that from the point of view of environmental pollution, the industry is granted cum clearance with due compliance of the following specific conditions (attachment).

1. No Objection Certificate is being issued only for the following specific details:-

a. Location:

Araji No. 165,173, Sarni, Koth, Sikanderpur, Ballai

b. Production capacity:

15,000 Bricks per day

c. Main Raw Material:

Soil

d. Quantity of Industrial waste:

Zero

e. Fuel:

2 tonnes of coal per day

In case of any change in the subject matter, it will be necessary to obtain the no-objection certificate again.

2. All necessary plants in the industry should send the progress report made in the establishment of green belt effluent purification plant and air pollution control system to this office continuously by the 10th of every month.
3. Do not start trial production in the industrial unit until it obtains consent from the Board under the Water and Air Acts. In order to obtain water and air consent, at least two months before the date of commencement of production in the unit, prescribed consent applications must be submitted to this office mentioning the first application before production. If the industry does not comply with the above, legal action can be taken against the industry without any prior notice under the statutory provisions of the said Acts.
4. Before trial production in the industry, the inspection of the unit should be organized by our regional office.
5. Domestic outflow, the amount of which shall not exceed 2500 lt./day. Purified according to the standards set by the board through septic tank and soak pit.
6. A copy of the order given for the supply of the proposed purification plant and construction work for pollution control must be submitted to this office by "December 2000".
7. Development of more motor wide green belt around the proposed industrial site to be done
8. It should be ensured that the data sheet, accident information etc. are sent in different formats under the hazardous chemicals manufacturing stores and emergency rules 1969.
9. Be sure to submit the environmental statement latest by 30 September at the end of each financial year.
10. The rules laid down by the Explosives Department should be followed by the industry.

11. Ensure compliance of Lok Dal Insurance Act 1991.
12. Proper arrangements should be made by the industry for fire fighting.
13. If there is any kind of solid waste by the industry, then necessary pollution control will be done for it so that the environment is not affected in any way.
14. 10 Kw Diesel Engine will be established in the industry and will have exhaust at height of 1.5 meters from the height of the roof from surrounding houses.
15. Height of the chimney of the brick klin is to be 30 meters.
16. Along with the chimney the installation of gravitational settling chamber. All compliances issued by Ministry of Environment, Government of India will always be followed.
17. Affidavit submitted by the brick klin dated 29-09-2000 and 9-10-2000 are to be followed strictly.
18. All guidelines of Ministry of Environment and Forest ,New Delhi are absolutely to be followed
19. Guide lines of the Zila Parishad are to followed strictly.
20. Distance from the nearest brick klin is to be in accordance to the rule of Ministry of Environment, Government of India.

Please note that failure to comply effectively and satisfactorily with the above written specific conditions and general conditions may lead to cancellation of the No Objection Certificate issued by the Board. The Board reserves the right to amend or cancel the conditions of clearance. In relation to the above mentioned specific and general conditions, the compliance of the industry must be sent to this office by date.

Yours Sincerely

Regional Officer

Pagination no.

/N.O.C

Date

Copy to:

1. Environmental Engineer Circle UP Pollution Control Board, 3rd Floor, B-Class Building Gomti Nagar, Lucknow - 226010.
2. General Manager, District Industries Center – BALLIA

Regional Officer

फोन : (0542) 315143

फैक्स : (0542) 315143



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

क्षेत्रीय कार्यालय : आवास विकास ऑफिस, कॉम्प्लेक्स, जवाहर नगर, भेलूपुर, वाराणसी

संख्या : दिनांक : 2008/.....

सेवा में,

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विषय : पर्यावरणीय प्रदूषण को दृष्टि दे/सभी प्रकार की स्थापना हेतु/कार्यरत इकाई की उत्पादन क्षमता में
विस्तार/संशोधन के लिए स्वीकृति हेतु अनुरोध प्रमाणपत्र निर्दिष्ट।

सहोदय,

आपका अपरोक्त विवरण आपने आवेदन पत्र दिनांक का संदर्भ लें। आपके आवेदन
पर विचार किया गया है तथा अपना अवगत हो कि उत्पादन की पर्यावरणीय प्रदूषण के दृष्टिकोण से निम्न-
लिखित विवरणों को (अलग-अलग) में समुचित अनुपालन तथा सशर्त अनुरोध स्वीकृत की जाती है।

1. पर्यावरण प्रदूषण नियंत्रण विभाग विभिन्न विवरणों के लिए ही निर्गत किया जा रहा है :-

(क)
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(ग) मुख्य कच्चे माल विद्वती

(घ) औद्योगिक उत्प्रवाह की मात्रा शून्य

(ङ) प्रयुक्त ईंधन कोयला - 2 टन प्रतिदिन

उपयुक्त विषय वस्तु में किसी भी प्रकार से परिवर्तन करने पर पुनः अनापत्ति प्रमाण पत्र प्राप्त करना आवश्यक होगा।

2. उद्योग में सभी आवश्यक यन्त्र-संयंत्र, हरित पट्टिका, उत्प्रवाह, शुद्धिकरण संयंत्र तथा वायु प्रदूषण नियंत्रण व्यवस्था की स्थापना में की गई प्रगति रिपोर्ट इस कार्यालय में प्रत्येक माह की दसवीं तारीख तक निरन्तर प्रेषित करें।
3. उद्योग इकाई में परीक्षण उत्पादन तब तक प्रारम्भ नहीं करें जब तक कि वह बोर्ड से जल एवं वायु अधिनियमों के अन्तर्गत सहमति प्राप्त न कर लें। जल एवं वायु सहमति प्राप्त करने हेतु इकाई में उत्पादन प्रारम्भ करने की तिथि से कम से कम दो माह पहले निर्धारित सहमति आवेदन पत्रों को उत्पादन पूर्व प्रथम आवेदन का उल्लेख करते हुए इस कार्यालय में अवश्य ही जमा कर दिया जाय। यदि उद्योग उपरोक्त का अनुपालन नहीं करता है तो उक्त अधिनियमों के वैधानिक प्रावधानों के अन्तर्गत उद्योग के विरुद्ध बिना किसी पूर्व सूचना के विधिक कार्यवाही की जा सकती है।
4. उद्योग में परीक्षण उत्पादन के पूर्व हमारे क्षेत्रीय कार्यालय द्वारा इकाई का निरीक्षण सुनिश्चित किया जाय।

5. घरेलू उत्प्रवाह, जिसकी मात्रा 2500 लीटर/दिन.....से अधिक नहीं होगी। सैण्टिक टैंक एवं सोफ पिट के माध्यम से बोर्ड द्वारा निर्धारित मानकों के अनुरूप शुद्धिकृत कर निस्तारित किया जाय।
6. प्रदूषण नियंत्रण हेतु प्रस्तावित शुद्धिकरण संयंत्र तथा निर्माण कार्य आपूर्ति के लिए दिए गए आदेश की प्रति इस कार्यालय में दिनांक.....तक अवश्य प्रस्तुत की जाय।
सितम्बर-2000
7. प्रस्तावित उद्योग स्थल के चारों ओर अधिकतम..... मीटर चौड़ी हरित पट्टीका का विकास किया जाय।
8. परिसंकटमय रसायनों के विनिर्माण भन्दारों तथा आपात नियम 1969 के अन्तर्गत आंकड़े शीट, दुर्घटना की सूचना आदि सूचनाएं विभिन्न प्रारूपों में प्रेषित किया जाना सुनिश्चित किया जाय।
9. पर्यावरण स्टेटमेंट प्रत्येक वित्तीय वर्ष की समाप्ति पर विलम्बतम 30 सितम्बर तक प्रस्तुत करना सुनिश्चित करें।
10. उद्योग द्वारा एक्सप्लोसिव विभाग द्वारा निर्धारित नियमों का अनुपालन किया जाय।
11. लोकदायित्व बीमा अधिनियम 1930 की अनुपालन सुनिश्चित करें।
12. उद्योग द्वारा अग्नि शमन हेतु उचित व्यवस्था की जाय।
- 13- उद्योग द्वारा यदि किसी प्रकार का सफ़ाई द्रव्य निकलता है तो इसके निस्तारण हेतु आवश्यक प्रदूषण नियंत्रण के उपाय किये जायें, ताकि पर्यावरण किसी भी रूप में प्रभावित न हो।
- 14- उद्योग में 10 हासपावर के डीजल इंजन की स्थापना की जायेगी। इंजन से संग्रन स्थापना की ऊंचाई आस-पास के स्तर से 1.5 मीटर रखी जायेगी।
- 15- उद्योग में शूटें संग्रन चिमनी की ऊंचाई मूल से 30 मीटर रखी जायेगी।
- 16- चिमनी के साथ ग्रेविटेशनल सेटलिंग चैम्बर की स्थापना की जायेगी। पर्यावरण मंत्रालय भारत सरकार से समय-समय पर प्राप्त निर्देशों का पूर्णतः पालन किया जायेगा।
- 17- उद्योग द्वारा प्रेषित प्रथम पत्र दिनांक 29-9-2000 एवं 9-10-2000 का पूर्णतः पालन किया जायेगा।
- 18- वर्ग रंग एवं ठन मंत्रालय भारत सरकार नई दिल्ली से प्राप्त गाइड लाइन का पूर्णतः पालन किया जायेगा।
- 19- उद्योग परिसर की गाइड लाइन का पूर्णतः पालन किया जायेगा।
- 20- आपके शूटें से अन्य शूटें को दूरी पर्यावरण मंत्रालय भारत सरकार के सुझावों के अनुसार डीपी बा दिये।

कृपया ध्यान दें कि उपर्युक्त लिखित विशिष्ट शर्तों एवं सामान्य शर्तों का प्रभाव एवं संतोषजनक अनुपालन न करने पर बोर्ड द्वारा निम्न अनापत्ति प्रमाण पत्र निरस्त किया जा सकता है। बोर्ड का अधिकार सुरक्षित है कि अनापत्ति की शर्तों में संशोधन किया जाय अथवा निरस्त कर दिया जाय। उपर्युक्त विशिष्ट एवं सामान्य शर्तों के सम्बन्ध में उद्योग द्वारा इस कार्यालय में दिनांक तक प्रथम अनुसालन आख्या अवश्य प्रेषित किया जाय।

भवदीय,

क्षेत्रीय अधिकारी

पृष्ठांकन संख्या

/एन. ओ. सी.

तद दिनांक

प्रतिलिपि :—

1. मुख्य पर्यावरण अभियन्ता-वृत्त 6 उ० प्र० प्रदूषण नियंत्रण बोर्ड, तृतीय तल, बी-ब्लाक, विजय भवन
गोमती नगर, लखनऊ-226010.....
2. महाप्रबन्धक, जिला उद्योग केन्द्र,
.....
3.
.....

OK

क्षेत्रीय अधिकारी

ANNEXURE A-2

A true typed and translated copy of the compliance certificate dated 12.11.2014.

Office

District Panchayat - Ballia

Quotient:- memo

Dated_12-11-2014

CERTIFICATE

Certified that Akanksha, Brick Kiln Village Sarni Koth, – Tehsil- Sikandarpur District- Ballia (U.P.) Formerly established and operated by the name of May Raj Trik Works Sarni Koth Sikanderpur District Ballia from the year 2011) May Raj Bricks Work which is presently renamed as Akanksha Brick Kiln which is operated according to District Panchayat Achievements Guide Lines .

(26)

कार्यालय

जिला पंचायत - बलिया

प्रतांक:- मेमो

दिनांक 12-11-2014

प्रमाण-पत्र

प्रमाणित किया जाता है कि आकांक्षा, ईट भट्ठा ग्राम - सरनी कोथ -, तहसील सिकन्दरपुर
जनपद- बलिया (स0प्र0) पूर्व में मे0 राज ब्रिक्स वर्ल्ड सरनी कोथ सिकन्दरपुर जनपद बलिया के नाम
से वर्ष 2011 से स्थापित एवं संचालित है मे0 राज ब्रिक्स वर्ल्ड जो वर्तमान में परिवर्तित नाम आकांक्षा
ईट भट्ठा है जो जिला पंचायत उपलब्धियों गाइड लाइन्स के अनुरूप संचालित है ।

815
12-11-2014

ANNEXURE- A3

A true translated copy of the letter to UPPCB requesting withdrawal the show cause notice issued against Respondent No-8.

To

Chief Environmental Officer (Circle-6)

Uttar Pradesh Pollution Control Board

T.C- 12th Vibhuti Khand Gomti Nagar

Subject- Representation regarding show cause notice issued to M/s Akanksha Ent Bhatta ,
Sarni, Koth, Sikandarpur, Ballia.

Sir,

Kindly forward your letter No.-H/56614 / C-6 / Brick Kiln / 212 / Kati / Azamgarh, dated 28.12.2020, In relation to the applicant make the following request-

1. Above said Brick Kiln, Arazi No. 173, 165, Sarni, Koth, Sikandarpur, Ballia is being run/operated since 2000 which established in the name of Ansari Bricks Works. Through letter No. 0-889/ NOC/ Khan and Ansari, Bricks Works/ 2000 dated 10.10.2000, no objection certificate was issued to the brick kiln in the name of M/s Khan and Ansari Bricks Works Arazi C-173, Sarni, Koth, Sikandarpur, Ballia has gone. (photocopy attached)
2. The said brick kiln has been operated by the applicant's husband Shri Dilip Kumar Singh s/o Shri Ram Sohi Singh resident of Sarni, Ballia since the year 2004 in the name of M/s Raj Bricks Works. (Affidavit attached)
3. In the year 2014, the said brick kiln was operated by Mr. Samarsen Bahadur Singh in the name of Akansha Brick Kiln.
4. The said brick kiln is currently being operated by the applicant Geeta Singh wife Dilip Singh (evidence attached).
5. The said brick kiln is installed at the proper place according to the bye-laws of District Panchayat, Ballia. In this regard, the memo dated 12.11.2014 issued by District Panchayat, Ballia (certificate attached).

6. An application was sent by Shri Samarsen Bahadur Singh on 30.09.2014 for obtaining water/air consent, which was rejected on 12.10.2014. Again the application was forwarded on 20.01.2015 which was rejected on 16.02.2015.
7. Annual fee has been deposited by 71 brick kilns in district panchayat, mining and cell tax (photocopy attached).
8. Gravity settling chamber has been established by the brick kiln as an air pollution control system. Katha Adharise Agency M/s Team Energy System's certificate is attached and platform port hall and ladder are being arranged for monitoring.
9. Latest inspection report dated 08.01.2021 was received by me from Deputy District Magistrate, Sikandarpur, Ballia. In which it is certified that the brick kiln is established in Arazi No. 173 in the year 2001 and Pathai work is done in Arazi No. 165. The population of the village is 200 meters away from the brick kiln and other information is also marked around the brick kiln.
10. The above said brick klin was given Environmental consent from the office of D.M Ballia through letter- 121/Parya/DEAC/Brick/2017/Ballia dated 17/12/2017.

It is humble request that my brick klin is established and functional before year 2012 as per the guidelines therefore it is my humble request to revoke the show cause notice dated
illegible **illegible**

illegible

सहायक प्रमुख अधिकारी (प्रस्ता-6)

समग्र प्रदूषण नियंत्रण बोर्ड

पिंसा-12वीं विधुति खण्ड गोमती नगर

लखनऊ

विषय:- मेसर्स आकाशा ईट भट्टा सरनी, कोथ, सिकन्दरपुर, बलिया को निर्गत कारण बतावन नोटिस मिलने पर के सम्बन्ध में प्रत्यावेदन।

महोदय

कृपया उपरोक्त विषयक अपने पत्र सं०-एच/565/1/सी-8/ईट भट्टा/212/कार्यालय/आखिरी दिनांक 28.12.2020 के सम्बन्ध में प्रार्थनी निम्न निवेदन करती है:-

1. उक्त ईट भट्टा अराजी सं०-173, 165 सरनी, कोथ, सिकन्दरपुर, बलिया पर वर्ष 2000 से मेसर्स राज अन्सारी ब्रिक्स वर्क्स के नाम से स्थापित है। ईट भट्टे को पत्र सं०-889/एन0ओपी10/खान एण्ड अन्सारी ब्रिक्स वर्क्स/2000 दिनांक 10.10.2000 के माध्यम से मेसर्स खान एण्ड अन्सारी ब्रिक्स वर्क्स असादी सं०-185/173 सरनी, कोथ, सिकन्दरपुर, बलिया के नाम से अनापत्ति प्रमाण पत्र निर्गत किया गया है। (छायाप्रति संलग्न)
2. प्रार्थनी के पति श्री दिलीप कुमार सिंह पुत्र श्री राम स्नेही सिंह निवासी सरनी, बलिया द्वारा वर्ष 2004 से उक्त ईट भट्टा क्रयकर मेसर्स राज ब्रिक्स वर्क्स के नाम से संचालित किया गया है। (शपथ पत्र संलग्न)
3. वर्ष 2014 में उक्त ईट भट्टा श्री समरसेन बहादुर सिंह द्वारा आकाशा ईट भट्टा के नाम से संचालित किया गया है।
4. उक्त ईट भट्टे को वर्तमान समय में प्रार्थनी गीता सिंह पत्नी दिलीप सिंह द्वारा संचालित किया जा रहा है। (साक्ष्य संलग्न)।
5. उक्त ईट भट्टा जिला पंचायत, बलिया की उपविधि के अनुसार उचित स्थल पर लगा है इस सम्बन्ध में जिलापंचायत, बलिया द्वारा निर्गत मगो दिनांक 12.11.2014 (प्रमाण पत्र संलग्न)।
6. श्री समरसेन बहादुर सिंह द्वारा जल/वायु सहमति प्राप्त करने हेतु दिनांक 30.09.2014 को आवेदन प्रेषित किया गया था जिसे दिनांक 30.10.2014 को निरस्त कर दिया गया था। पुनः दिनांक 20.01.2015 को आवेदन प्रेषित किया गया था जिसे दिनांक 16.02.2015 को निरस्त कर दिया गया था।
7. ईट भट्टे द्वारा जिला पंचायत, खनन एवं रोल टेक्स में प्रतिवर्ष शुल्क जमा किया गया है। (छायाप्रति संलग्न)।
8. ईट भट्टे द्वारा वायु प्रदूषण नियंत्रण व्यवस्था के रूप में प्रेविटी सेटलिंग टैंकर की स्थापना की गयी है। तथा अथराइज्ड एजेंसी मेसर्स टीम इन्जी सिस्टम का प्रमाण पत्र संलग्न है तथा मानिट्रिंग हेतु ब्लैटफॉर्म, पोर्टेबल एवं सीटो की व्यवस्था की जा रही है।
9. मेरे द्वारा उप-जिलाधिकारी, सिकन्दरपुर, बलिया से नवीनतम निरीक्षण आख्या दिनांक 08.01.2021 प्राप्त की गयी है जिसमें यह प्रमाणित है कि ईट भट्टा अराजी सं०-173 में वर्ष 2001 में स्थापित है एवं अराजी सं०-165 में प्याई का काम किया जाता है। ईट भट्टे से गांव की आबादी 200 मी० दूर है तथा ईट भट्टे को चारों दिशाओं की अन्य सूचनाएं भी अंकित है।
10. ईट भट्टे को जिलाधिकारी कार्यालय, बलिया के पत्रांक-121/Pony/DEAC/Brick/2017/Sala दिनांक 10.01.2017 द्वारा भी व्यवस्थित स्वीकृति भी निर्गत की गयी है। (छायाप्रति संलग्न)।

सिमाना के अनुसार है कि मेरे ईट भट्टा वर्ष 2012 के पूर्व स्थापित एवं संचालित है। ईट भट्टे को जल/वायु सहमति प्राप्त करने के अलावा है उक्त ईट भट्टे को जल/वायु सहमति प्राप्त करने हेतु दिनांक 30.09.2014 को आवेदन प्रेषित किया गया था जिसे दिनांक 30.10.2014 को निरस्त कर दिया गया था। पुनः दिनांक 20.01.2015 को आवेदन प्रेषित किया गया था जिसे दिनांक 16.02.2015 को निरस्त कर दिया गया था।

2 Annexure- A4

District Level Environment Impact Assessment
Authority, Ballia

24

To,

M/S AKANSHA ENT BHATHHA
Smt. Geeta Singh
Village: Sarani Kothi Sikandarpur
District: Ballia.
Uttar Pradesh

Ref.No:....12...../Parya/DEAC/Brick/2017/Balia

Date:....15/5/... 2017

Subject: Environment Clearance Brick About Earth Mining Gata no. 166, 209, Village: Sarani, Tehsil: Sikandarpur, District: Ballia Uttar Pradesh. (Area 1.598 Ha.), M/S AKANSHA ENT BHATHHA.

Dear Sir,

Please refer to your application dated 13/12/2016 as per category 1(a) of EIA notification 2006 as amended by gazette notification 125 and 166 respectively date 15 January & 20 January 2016 for category "B2" addressed to the chairman and secretary DEAC on the subject as above. A presentation was made by project proponent along with the consultant UDAIPUR MIN-TECH PVT. LTD. before the District level Expert Appraisal Committee (DEAC) meeting dated 21/01/2017.

The project proponent, through documents (submitted to DEAC) and presentation made during meetings, has informed to the DEAC that:

1. The Environment Clearance Brick Earth Mining at Gata no. 166, 209, Village: Sarani, Tehsil: Sikandarpur, District: Ballia Uttar Pradesh. (Area 1.598 Ha.), M/S AKANSHA ENT BHATHHA.
2. 19,415.7 Cum soil excavation is proposed from the proposed sites (Leased Area 1.598 Ha.) as per following production chart:

Gata no.	Village	Total area Ha	Depth m	Period of agreement	Volume of excavated soil in cum (after consideration of berm and safety measures)
166 & 209Mi	Sarani	1.598	1.5-Meter	3 years	19,415.7
TOTAL		1.598 Ha.			19,415.7 Cu.m.

Total Area:- 1.598 Ha.

Total Volume:- 19415.7 cum

3.Details of salient Features:

Mining method	Manual
Proposed manpower	25
Water requirement/source	3.0 KLD
Total project Cost	35.0 Lacs
Proposed CSR	70,000-Rs.
Total brick production	32.35 Lacs/Year

1. The ultimate depth of mining will be restricted to 1.5 meter.
2. Environmental clearance for soil mining for brick earth is valid for 3 years from date of issued for brick kilns or mining permits.
3. Top soil (up to 6 inches) will be excavated and will be preserved nearby to grow plant.
4. Annually 6,472 cum brick earth will be excavated for casting of bricks.
5. The mining will be opencast according to the approved mine plan.
6. During the operation the maximum no. of workers, will not be more then 25.
7. Measures will be taken to prevent dust emission by convering during the transportation.
8. Workers/labors will be provided with facilities for water and sanitation.
9. Proper safety measures will be taken from the mosquitoes and insects generated due to the formation of small pits during the mining activity.
10. The project does not attract any of the general conditions applicable on mining project specified in EIA Notification 14/09/2006.
11. The project proposal falls under category 1(a) of EIA Notification, 2006 (as amended).
12. Proponent has already declared that they will comply all condition mentioned in E.C. and will submitted report within a week one month from the date of issue of E.C. if the proponent fails to comply with the conditions of E.C., the legal action shall be initiated as per law.
13. A mine plan prepared by Udaipur Min-tech Pvt. Ltd. RQP/UDP/354/2009/B Valid upto 20/08/2019 & duly approved by Directorate of Geology & Mining U.P. vide letter no 8232/MP/16 Dated 03/11/16.
14. No mining activity will be done within 1 km, from the boundary of National Park and Wild Life sanetuary and 100 m from boundary of forest.
15. Project Proponent will be responsible if any litigation is pending in any court of law.

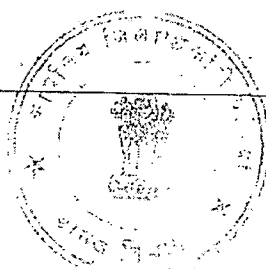


16. Concerned Sub divisional Magistrate/Member Secretary (DEIAA)/District Mining Officer are instructed to inspect these work sites, so that to ensure that above condition fulfilled and they should report back to DEIAA in case of any irregularity and short-comings.

Based on the recommendations of the District Level Expert Appraisal Committee (DEAC) Meeting held on 21/01/2017, District Level Environment Assessment Authority (DEIAA) in its meeting held on 6/5/2017 decided to grant the Environmental Clearance to the project subject to the effective implementation of the following general and specific conditions:

General Conditions:

1. No Change in mining technology and scope of working shall be made without the approval of Authority.
2. Personnel working in dusty areas shall be provided with protective respiratory devices and they shall also be imparted adequate training and information on safety and health aspects.
3. The Authority reserves the right to revoke the clearance if conditions stipulated are not implemented. The Authority will also be entitled to impose additional environment conditions or modify the existing ones, if necessary.
4. In case of any deviation or alteration in the project from those submitted to this Authority for clearance, a fresh reference should be made to the Authority to assess the adequacy of the condition(s) imposed and to add additional environment protection Measures required, if any.
5. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
6. Project proponent have to plant trees surrounding the brick kiln and mines area have to proper maintenance for growing of plant up to three years. They will plant the tree in the first coming monsoon.
7. The mining work will be open cast and manually/semi-mechanized method (using the machines) shall be used for excavation work as proposed in approved mine plan.
8. Top soil should be adequately preserved and should be used for landscaping.
9. Excavated soil should be properly stored in a manner not to increase surrounding SPM level.
10. Water sprinkling should exercise during excavation and strong of soil for suppression of fugitive dust.
11. Excavated area should be properly reclaimed and ensured that no open bore hole is left.
12. Safety measures for the people working at the site shall be duly taken care of as per law.
13. The exaction work shall be done in day time only.



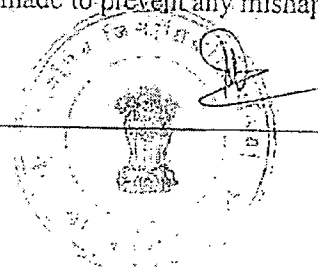
14. The project boundary shall be properly covered to restrict dust dispersion.
15. Precautionary measures should be taken during soil excavation for conservation and protection of rare and endangered flora and fauna found in the study area.
16. Equivalent level of Noise levels during mining activity shall be maintained as per standards for both day and night.
17. Appropriate no of sprinkle will be used during mining operation period.
18. The route map from excavation plots to worksite should be firmed up and necessary permission will be sought from District Administration.
19. Vehicles hired for the transportation should be in good condition and should have Pollution Ckeek Certificate and should follow air and noise emission standards.
20. Approach road will be maintained periodically.
21. Personnel exposure of monitoring from reparable mineral dust shall be carried out for the workers and their health records to be maintained. Awareness Program for workers on impact on their health due to mining and precautionary measures like use of protective equipment's etc. fist aid facilities and adequate sanitary facility in the form of temporary toilets/septic tanks to be maintained.
22. Solid waste material viz. gutkha rappers, plastic, glasses etc. should be restricted during project activity.
23. Project proponent should maintain daily register for information of (a) collection of soil/clay, (b) manpower & (c) vehicles used for transportation.
24. A valid NOC from State Pollution Control Board shall be obtained for the Brick Kiln Prior to operation as per law and all guidelines and be followed.
25. The mining operation shall be strictly limited to the proposed mining sites and proposed purpose.
26. Soil mining shall strictly be undertaken as per rules and regulations/permissions obtained from District Administration/Mining Department.
27. 5% of project cost should be earmarked for CSR activities. Firm up plan should be submitted to District Administration and to DEIAA with proposed activities and time schedule. A copy of resolution as above shall be submitted to the authority along with list of beneficiaries with their mobile nos. and addresses. The CSR may include construction of hand pumps, public toilets, pathways, community center, solar lights etc. this environment clearance does not create of verify any claim of applicant on the proposed site/activity.



28. Any mining activity shall be undertaken only after valid permission from Mining Department/District Administration and written agreement with land owner form where Brick earth excavation is proposed.
29. The excavation work shall be done in day time only.
30. Mining activity shall not be carried out during monsoon period.
31. No Change in Mining technology and scope of working shall be made without the approval of Authority.
32. Personnel working in dusty areas shall be provided with protective respiratory devices and they shall also be imparted adequate training and information on safety and health aspects.
33. The Authority reserves the right to revoke the clearance if conditions stipulated are not implemented. The Authority will also be entitled to impose additional environment conditions or modify the existing ones, if necessary.
34. In case of any deviation or alteration in the project proposed from those submitted to this Authority for clearance, a fresh reference should be made to the Authority to assess the adequacy of the condition(s) imposed and to add additional environmental protection Measures required, if any.
35. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
36. Project proponent shall every year file compliance report of Environment clearance. Project proponent shall every year file compliance report of Environment clearance.
37. Green Belt Shall be developed around the mining site and along the haulage road to mitigate noise pollution, plantation along the periphery of brick kiln.

The project proponent is also required to comply with following stipulations as per MoEF, GOI OM no 11011/47/2011-LA.II(M) dated 24/06/2013.

1. The borrowing/excavation activity shall be restricted to a maximum depth of 2 m. below general ground level at the site.
2. The borrowing/excavation activity shall not alter the natural drainage pattern of the area.
3. The borrowing/excavated pit shall be restored by the project proponent for useful purpose(s).
4. Appropriate fencing all-round the borrowing/excavated pit shall be made to prevent any mishap.



5. Measures shall be taken to prevent dust emission by covering of borrowing/excavated earth during Transportation.
6. Safeguards shall be adopted against health risks on account of breeding on vectors in the water bodies created due to borrowing/excavated of earth.
7. Workers/laborers shall be provided with facilities of water and sanitation.
8. A berm shall be left from the boundary of adjoining field having a width equal at least half the depth of proposed excavation.
9. A minimum distance of 50 m from any civil structure such as canal, graveyard, green belt etc shall be kept from the periphery of any excavation area.

You are also directed to ensure that the proposed site is not a part any development zone as deem to be cancelled. Also in the event of any dispute on ownership or land use of the proposed site, this clearance shall automatically deem to be cancelled.

The project proponent will do mining according to approved mining plan and proposals incorporating the conditions specified in the Environment Clearance within 03 months of issue of the clearance. The DEIAA/MoEF reserves the right to revoke the environment clearance if conditional environment conditions or modify the existing ones, if necessary, statutory clearances should be obtained and submitted before start of any mining activity.

These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006 including the amendments and rules made thereafter.

This is to request you to take further necessary action in the matter as per provision of Gazettee Notification no S.O. 1533 (E) dated 14.09.006 as amended and send regular compliance reports to the authority as prescribed in the aforesaid notification.

Member Secretary

DEIAA, BALIA

No. /Parya/DEAC/Brick/2016/Dated: As above Copy with enclosure for information and necessary action to:

1. The Chairman SEIAA, Dr. Bheem Rao Ambedkar Paryavaran Parisar, Directorate of Environment Uttar Pradesh.
2. Regional Office, Ministry of Environment, Forests and Climate Change, Kendriya Bhawan, 5th Floor, Sector-H, Aliganj, Lucknow.
3. The Principal Secretary, Environment, U.P. Lucknow.
4. The Director, Department of Geology & Mining Govt. of Uttar Pradesh, Lucknow
5. The Member Secretary, Uttar Pradesh Pollution Control Board, Vibhuti Khand, Gomti Nagar, Lucknow, Uttar Pradesh.
6. The District Magistrate, Ballia.
7. The Sub Divisional Magistrate (.....)
8. Copy of Web Master/guard file.



Member Secretary
DEIAA, BALIA

(मनोज कुमार सिंहल)
अपर जिलाधिकारी (वि०/रा०)
बलिया



UTTAR PRADESH POLLUTION CONTROL BOARD

Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.com, Website: www.uppcb.com

31

CONSENT ORDER

Ref No. -

120100/UPPCB/Azamgarh(UPPCBRO)/CTO/air/BALLIA/2021

Dated : 25/02/2021

To ,

Shri GEETA SINGH

M/s MS AKANSHA INT BHATTA EX NAME MS KHAN AND ANSARI BRICK WORKS
Aaraji No. 165, 173, Vill- Sarani, Post- Koth, Teh- Sikanderpur, Dist- Ballia, BALLIA, 221717
BALLIA

Sub : Consent under section 21/22 of the Air (Prevention and control of Pollution) Act, 1981 (as amended) to M/s. MS AKANSHA INT BHATTA EX NAME MS KHAN AND ANSARI BRICK WORKS

Reference Application No. 11199756

Dated : 25/02/2021

1. With reference to the application for consent for emission of air pollutants from the plant of M/s MS AKANSHA INT BHATTA EX NAME MS KHAN AND ANSARI BRICK WORKS. under Air Act 1981. It is being authorised for said emissions, as per the standards, in environment, by the Board as per enclosed conditions .
2. This consent is valid for the period from 25/02/2021 to 31/07/2025 .
3. Inspite of the conditions and provisions mentioned in this consent order UP Pollution Control Board reserves its right and powers to reconsider/amend any or all conditions under section 21 (6) of the Air (Prevention and Control of Pollution) Act, 1981 as amended.
This consent is being issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board

KALIKA SINGH Digitally signed by
KALIKA SINGH
Date: 2021.02.25 15:12:15 +05'30'
Regional Officer

Enclosed : As above
(condition of consent):

- Copy to: 1. ADM(F/R), Ballia.
2. CEO-6 UTTAR PRADESH POLLUTION CONTROL BOARD, LUCKNOW
3. AMA, ZILA PANCHAYAT, Ballia.
4. KHAN ADHIKARI, Ballia.

KALIKA SINGH Digitally signed by
KALIKA SINGH
Date: 2021.02.25 15:12:15 +05'30'
Regional Officer

Dated : 25/02/2021

CONDITIONS OF CONSENT

1. This consent is valid only for the approved production capacity of Bricks-20000 Int/day.
2. This consent is valid only for products and quantity mentioned above. Industry shall obtain prior approval before making any modification in product/ process /fuel/ plant machinery failing which consent would be deemed void.
- 3(a) The maximum rate of emission of flue gas should not be more than the emission norms for the stacks.
- 3(b) Air Pollution Source Details.

Air Pollution Source Details					
S.No	Air Pollution Source	Type of Fuel	Stack No.	Parameters	Height
1	Brick Kiln	Coal	01	Particulate Matter	30 Meter

- 3(c) The emissions by various stacks into the environment should be as per the norms of the Board .

Emission Quality Details Detail			
S.No	Stack No	Parameter	Standard

4. Quantity of other pollutants should also be as per the norms prescribed by the Board/MOEF & CC/or otherwise mandatory .
5. The equipment for air pollution control system and monitoring ,as proposed by the industry and approved by the Board should be installed in their premises itself .
6. The modification or installation in the existing pollution control equipments should be done only by prior approval of Board .
7. The operation of air pollution control system and maintenance be done in such a way that the quantity of pollutants should be in accordance with the standards prescribed by the Board/MoEF & CC/or otherwise mandatory .
8. Unit should do provisions for fugitive emissions chimney/stack as per the norms of the Board/MOEF & CC/or otherwise mandatory .
9. The unit should submit the stack emissions monitoring report within one month from issuance of consent order along with the point wise compliance report of the consent order . Further quarterly monitoring report should be submitted .

The Unit will file the renewal application at least 2 months prior to the expiry of this Order.
Specific Conditions:

1. This consent to operate is granted for M/s MS AKANSHA INT BHATTA EX NAME MS KHAN AND ANSARI BRICK WORKS at Aaraji No. 165, 173, Vill- Sarani, Post- Koth, Teh- Sikanderpur, Dist- Ballia.
2. This consent order is valid upto dated 31.07.2025 for manufacturing 20000 Bricks/Day.
3. Brick Kiln shall ensure to develop multi layer and multi storey green belt of 10 meters width along the periphery of brick kiln leaving to 10 meters wide gaps in the boundary for entry and exit of material and vehicles.
4. Brick Kiln shall abide by directions given by Hon'ble Supreme Court, High Court, National Green Tribunals, Central Pollution Control Board and Uttar Pradesh Pollution Control Board for protection and safeguard of environment from time to time.
5. Brick kiln shall not use hazardous waste like spent organic solvent, oily residue, pet coke, filter press cake, and other wastes like plastic, rubber, leather cutting etc. as fuel.
6. Brick Kiln shall be operated in such a manner that it does not alter the ambient air quality designated by CPCB.
7. Brick Kiln shall use 20% bio bricket as per fuel availability directed by Letter No.- H14586/C6/NGT/General-208/18, Date 05-01-2018 of State Pollution Control Board.
8. Brick kiln shall comply the provision of the notification issued under the Environment (Protection) Act., 1986.
9. Ash produced shall be used for low lying land filling in a scientific manner.
10. Stack emission monitoring report duly monitored by NABL accredited laboratory shall be submitted in this office in the next Bhatthia season.
11. Brick kiln shall have adequate stack monitoring facilities as per CPCB Emission Regulation Part III.
12. All the moving area around the main Brick Kiln should be paved with the bricks to minimize the fugitive dust emissions from the Brick Kilns operations. This condition should be incorporate in the consent condition while granting the consent by the respective State Boards.
13. Ensure that fine dust not to accumulate all around the Brick Kiln.
14. Brick kiln shall obtain "Environmental Clearance" from the competent authority and be submitted in this office within two month.
15. Brick Kiln shall ensure to pave the vehicle moment tracks with the bricks to minimize the fugitive dust emissions arising from the moment of vehicles.
16. Any Complaint against the brick kiln regarding Air Pollution is lodged in this office and after confirmation, legal action shall be initiated as per provision of the Air Act, 1986.
17. Brick kiln shall be converted as per Zig-Zag technology in place of conventional CBRI Rourkee technology within time frame manner as per CPCB/NGT directions.
18. Brick kiln shall submit the current audited balance sheet for verification of the CTO fees and if any dues of the brick kiln shall be paid by the kiln.
19. Brick shall comply the conditions of CTO/ EC issued by the competent authority.

Issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board .

KALIKA SINGH Duly verified by A/c Officer

Regional Officer

4

34

जिला परिषद्/क्षेत्र समिति प्रपत्र संख्या 518-19 00
 2019-20 00
 (नियम 41 देखिये) 2020-21 00

("डबल साइडेड कार्बन पेपर" पर अमिट पेसिद से गलिखे जायें)
 ना परिषद् जिले के नाम सहित क्षेत्र समिति के नाम का रवड़ स्तम्भ
 1 संख्या रसीद संख्या
 1 रजिस्टर संख्या
 1 संख्या
 के पूर्ण/आंशिक भुगतान
 के मददे प्राप्त हुआ।
 कृपया
 नुख्या अधिकारी/खंड विकास अधिकारी

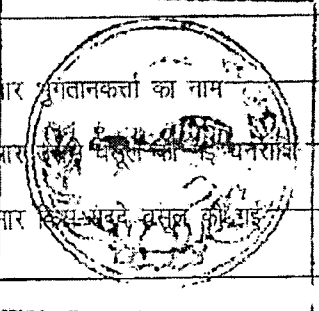
कर-समाहर्ता (टेक्स कलेक्टर)
 रोकड़िया
 मांग तथा वसूली का प्रमाण लिपिक
 कर
 जिला पंचायत, बलिया

मूल्य =

यूपी0-01 जिला पंचायत-30.04.2019-2000 चुक (डी0सी0पी0/आफसेट)।

जिला परिषद्/जिले के नाम सहित क्षेत्र समिति के नाम का रवड़ स्तम्भ

वही संख्या	रसीद संख्या
रसीद के अनुसार भुगतानकर्ता का नाम	
रसीद के अनुसार धनराशि वसूल की गई	
रसीद के अनुसार धनराशि वसूल की गई	005770
रसीद के अनुसार कर-समाहर्ता का नाम, जितने	
धनराशि वसूल की	
इस कूपन को जमा करने वाले	
अधिकारी का नाम तथा पदनाम	



(35)

जिला परिषद्/क्षेत्र समिति प्रपत्र संख्या 5

(नियम 41 देखिये)

डबल साइडेड कार्वन पेपर पर अमिट पेन्सिल से लिखा जायेगा।

परिषद् जिले के नाम सहित क्षेत्र समिति के नाम का रबड़ स्टाम्प

संख्या रसीद संख्या

रजिस्टर संख्या से

पंख्या के मुताबिक आशिक भुगतान

के मुद्दे प्राप्त हुआ।

रूपया

मुख्य अधिकारी/खंड विकास अधिकारी

11/01/2019

कर-समाहर्ता (टेक्स कलेक्टर)

रोकड़िया

मांग तथा वसूली का प्रवर्ती लिपिक

कर वसूलक

जिला पंचायत, बड़िया

मूल्य =

JPO-D-01 जिला पंचायत-30.04.2019-2000 बुक (डीपीडी/ऑफसेट)।

(35)

जिला परिषद्/जिले के नाम सहित क्षेत्र समिति के नाम का रबड़ स्टाम्प

वही संख्या

रसीद संख्या

रसीद के अनुसार भुगतानकर्ता का नाम

रसीद के अनुसार रसीद संख्या

रसीद के अनुसार किस मुद्दे वसूल की गई

रसीद के अनुसार कर-समाहर्ता का नाम, -जिसने

धनराशि वसूल की

इस कूपन को जमा करने वाले

अधिकारी का नाम तथा पदनाम

005777

36

जिला प्रशासन/जिले के नाम सहि के नाम का खरड रतम

तारी ३० C 1538

रखीद के अनुसार गुमानकाल का नाम

रखीद के अनुसार जमाने की गई प्रतिलिखि

रखीद के अनुसार किस गई बराल की गई

रखीद के अनुसार कर समझती का नाम लिखने

जानकारी पराल की

रख करती का नाम करती बने

अधिकारी का नाम तथा पद नाम

कर्मचारी का नाम करती का

[illegible]

॥ इति श्रीमद्भगवद्गीतासु अष्टादशोऽध्यायः ॥

जला संतुलन / क्षेत्र पंचायत प्रपत्र-६/१६

(नियम 41 देखिये)

उद्युत आन्दोलन पदार्थों में प्रसारित होता है। अतः यह धातु में प्रसारित होता है।

जिला पंचायत / जिले के नाम / अधिनियम संख्या / संवत् संख्या / संवत् संख्या

ही सं C 1518 रसीक सं 020

गंग रजिस्ट्रार संख्या

डा. राजेश्वर सखवा

[illegible]

लेख संख्या 1234-56 के पूर्ण / आंशिक भुगतान

के मद्दे प्राप्त हुआ।

रुपया।

15-20 अमरा

सामान्य अधिकांश / सामान्य विद्यार्थी अधिकांश

मुख्य अधिकारी / खण्ड विकास अधिकारी

स्थान गाँव

देनांक ५-५-२१

कर समाकत (द्विज कलक्टर)

सोमदिया

राकाड़या

कार मांग तथा वसूली राजीनामा प्रमोद
निमित्त (कक्ष अधिकारी)

लिपिक/कर अधिकारी

जिला पंचायत / जिले के सामूहिक क्षेत्र पंचायत

के नाम के पत्र पर



बही सं० C 1518

रसीद के अनुसार भुगतानकर्ता का नाम

रसीद के अनुसार उससे वसूल की गई धनराशि

रसीद के अनुसार किस मदे वसूल की गई

एरीद के अनुसार कर संमाहर्ता का नाम जिसने

घनराशि वसूल की

इस कूपन को जमा करने वाले

आधिकारी का नाम तथा पद नाम

कूपन जमा करने का दिनांक

32

जिला पंचायत/क्षेत्र पंचायत प्रपत्र-5

(निचम 40 देखिये) 30-9-2014
बुल साइडेड कार्डन पेपर पर अमिट पेन्सिल से लिखा जावेगा
जिला पंचायत/जिले का नाम सहित क्षेत्र पंचायत के नाम को खंड स्टाम्प

में सं० B 305/18 इ. रसीद सं० 5/2014 को
ग रजिस्टर संख्या 305/18 इ. रसीद सं० 5/2014 को

संख्या (इसके) में
ल संख्या 305/18 इ. रसीद सं० 5/2014 को पूर्ण/आंशिक भुगतान

के मद्दे प्राप्त हुआ।
रूपये।

मुख्य अधिकारी/खण्ड विकास अधिकारी

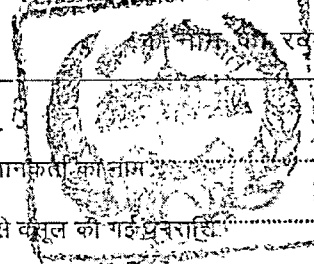
न 305/18 इ. रसीद सं० 5/2014 को

कि 305/18 इ. रसीद सं० 5/2014 को कर समाकृत (देखिये कलेक्टर)

रोकड़िया
खाकार नाम तथा वसूली रसीद का प्रभारी अधिकारी

लिखा

जिला पंचायत/जिले के नाम सहित क्षेत्र पंचायत



रखें स्टम्प

वही सं० B 3518

रसीद सं० 7

रसीद के अनुसार भुगतानकर्ता का नाम

रसीद के अनुसार उससे वसूल की गई धनराशि

रसीद के अनुसार किस गदे वसूल की गई

रसीद के अनुसार कर सनाहर्ता का नाम जिसने

धनराशि वसूल की

इस कूपन को जमा करने वाले

अधिकारी का नाम तथा पद नाम

कूपन जमा करने का दिनांक

39

जिला पंचायत/क्षेत्र पंचायत प्रपत्र-5

(नियम 41 देखिये)
(अनुल साइडेड कार्टन पेपर पर अभिट पेन्सिल से लिखा जायेगा)

जिला पंचायत/जिले का नाम सहित क्षेत्र पंचायत के नाम का रबड़ स्टम्प

वही सं० B3524 रसीद सं० 01

गांव रजिस्टर संख्या: 2305/1

रसीद के अनुसार भुगतान का नाम

रसीद के अनुसार उरुसे वसूल की गई धनराशि

रसीद के अनुसार किस मदे वसूल की गई

रसीद के अनुसार कर समाहर्ता का नाम जिसने

धनराशि वसूल की

इस कूपन को जमा करने वाले

अधिकारी का नाम तथा पद नाम

कूपन जमा करने का दिनांक

रोकड़िया

रखाकार मांग तथा वसूली रजि० का प्रभारी अधिकारी

जिला पंचायत/जिले के नाम सहित क्षेत्र पंचायत

के नाम का रबड़ स्टम्प

वही सं० B3524 रसीद सं० 01

रसीद के अनुसार भुगतान का नाम

रसीद के अनुसार उरुसे वसूल की गई धनराशि

रसीद के अनुसार किस मदे वसूल की गई

रसीद के अनुसार कर समाहर्ता का नाम जिसने

धनराशि वसूल की

इस कूपन को जमा करने वाले

अधिकारी का नाम तथा पद नाम

कूपन जमा करने का दिनांक

रोकड़िया

रखाकार मांग तथा वसूली रजि० का प्रभारी अधिकारी



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E- Service of Counter Affidavits on behalf of Respondent no

**Workspace Legal** <workspacelegal0@gmail.com>

to secy-moef, mscb.cpcb, pradeepmishra, advocatenandita@gmail.com ▾

Respected sir/ma'am

Kindly find the scanned copy of the following documents and treat this mail as proof of service of the court in Delhi.

Please find the following documents attached.

1. Counter affidavit and application for vacation of stay of order dated 12.07.2022 on behalf of Respondent No- 8
2. Counter Affidavit on behalf of Respondent No- 8

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