

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

Viresh Kumar

RESPONDENT NO. 9

THROUGH

Siddharth Krishna Dwivedi

Viresh Kumar

Work Space Legal

Advocates on the behalf of the Respondent no-9

M: 9958634000, 9129829862

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①

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ORIGINAL APPLICATION NO. 174 OF 2022

IN THE MATTER OF:

DHARMENDRA KUMAR SINGH ...APPLICANT

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COUNTER AFFIDAVIT ON BEHALF

OF RESPONDENT NO. 9

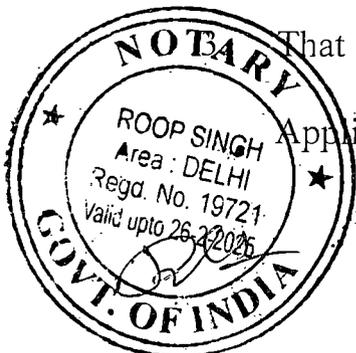
MOST RESPECTFULLY SHOWETH

I, Vyas Singh aged about ⁶³ years son of Shri Shri Shiv Sambhu Singh
R/o Village- Phulpur, 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. 9 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



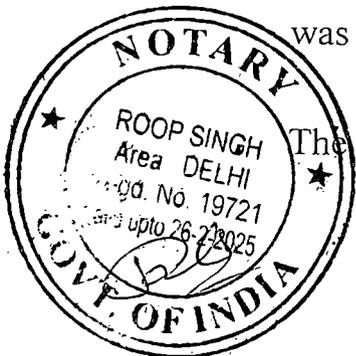
admitted hereinafter in this Counter Affidavit. I further pray to grant me leave to add, alter or amend this Counter Affidavit as may be directed by this Hon'ble tribunal.

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. 9/Ashok Kumar Sharma Int Bhatta (now M/s Pragati Brick Kiln), which is established since 2000 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. 9 Brick Kiln has changed many hands and was lastly purchased by Shir Vyas Singh in year 2021 and is being now operated under the name of M/s Pragati Brick Kiln. A true translated copy of the agreement dated 03.12.2021 is annexed herewith as ANNEXURE A-2 to this Counter Affidavit.

(c) The brick kiln was given consent to operate on 19.05.2022 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.

6. 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 Vyas Singh has purchased Respondent No. 9/Ashok Kumar Sharma Brick Kiln, Phalpaura, Koth, Sikandarpur, Balia which was earlier named as G.B.C. Brick Kiln. Shri Vyas Singh changed the name of brick kiln to M/s Pragati Brick Kiln and requested the Uttar Pradesh Pollution Control Board vide letter dated 29.01.2022 to withdraw the letter dated 15.07.2021 directing closure of brick kiln. A true translated copy of the abovesaid letter dated 29.01.2022 is annexed herewith as ANNEXURE A-3 to this Counter Affidavit.
8. That the Uttar Pradesh Pollution Control Board vide letter dated 28.02.2022 permitted Pragati Brick Kiln to operate, thereby withdrawing the closure order dated 15.07.2021 subject to certain terms and conditions. A true translated copy of the abovesaid letter dated 28.02.2022 is annexed herewith as ANNEXURE A- 4 to this Counter Affidavit.
9. That Pragati Brick 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



5

(management and transboundary movement) Rules 2016 read with Environment (Protection) Act, 1986. A true copy of the abovesaid application dated 28.02.2022 is annexed herewith as ANNEXURE A-5 to this Counter Affidavit.

10. That Uttar Pradesh Pollution Control Board vide consent no. 16281527 dated 19.05.2022 has accorded CCA (Consolidated Consent & Authorization) to Pragati Brick Kiln for the period 19.05.2022 to 31.07.2026. A true copy of the abovesaid Consent No. 16281527 dated 19.05.2022 issued by UPPCB is annexed herewith as ANNEXURE A-6 to this Counter Affidavit.
11. That previously too, when Pragati Brick Kiln was operating under the name of GBS Brick Kiln, 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.
12. That the Respondent No. 9 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-7(colly.) to this Counter

Counter Affidavit.



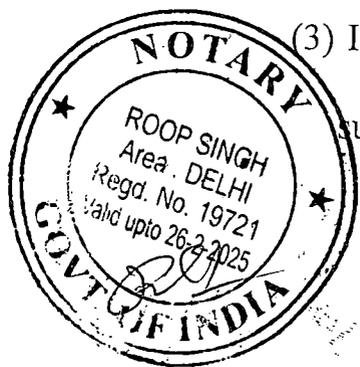
PARAWISE REPLY

13. 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.
14. 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.
15. 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 19.05.2022 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. 9 was granted No Objection

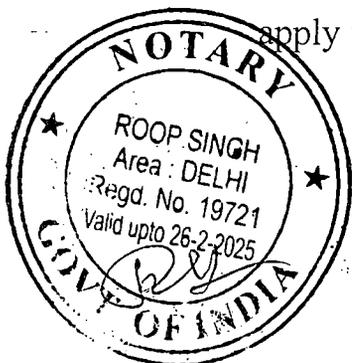


Certificate under Air (Prevention and Control of Pollution) Act, 1981 by vide order dated 10.10.2000.

(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.

16. 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 thereunder.

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

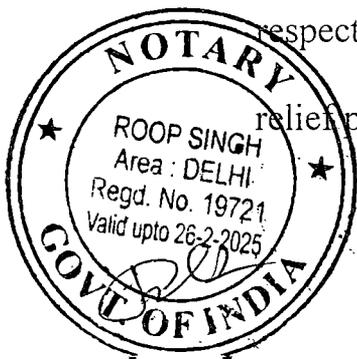


been functioning since 2000 and therefore the distance criteria is not applicable to it.

17. 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.

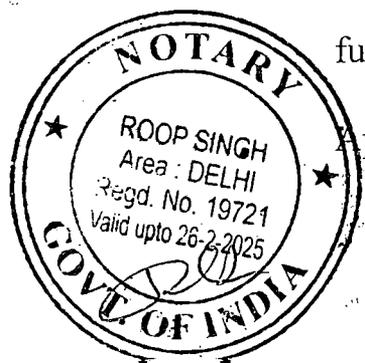
18. That in reply to the contents of para 7 of the Original Application it is respectfully submitted that Respondent No. 9 has not done anything illegal and are operating with due permissions from the UPPCB and other bodies and therefore there is no reason to stop the functioning of brick kiln and snatch the livelihood of the owner and the poor labourers havingno other means to survive therefore keeping in mind the interest of the respondent no-9 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-9.

19. 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.

20. 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.
21. 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.
22. 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.



23. 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.

Vyas Singh

DEPONENT

VERIFICATION:-

23 NOV 2022

Verified at New Delhi on this 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.

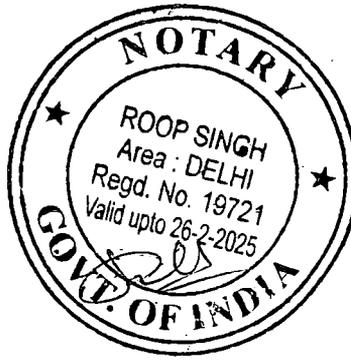
I Identified the deponent/executant who has Signed in my presence.

Vyas Singh

DEPONENT

Place: New Delhi

Date: 23.11.2022



GERTIFIED THAT THE DEPONENT Shri/Smt./Km..... *Vyas Singh* S/o, W/o, D/o..... *Roop Singh* Identified By *Roop Singh* has Solemply affirmed me at Delhi on *23.11.22* at Sl. No. *111* that the contents of the affidavit which have been read & explained to him: are true and Correct to his knowledge.

Roop Singh

Notary Public, Delhi (INDIA)

23 NOV 2022

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH,
NEW DELHI

I.A. NO. OF 2022

IN

ORIGINAL APPLICATION NO. 174 OF 2022

IN THE MATTER OF:

DHARMENDRA KUMAR SINGH ...APPLICANT

VERSUS

UNION OF INDIA & ORS. ...RESPONDENTS

**APPLICATION FOR VACATION OF STAY GRANTED VIDE
ORDER DATED 12.07.2022**

MOST RESPECTFULLY SHOWETH

1. That the Applicant had filed the instant Original Application alleging violation of environmental norm by Respondent No. 9 Brick Kiln.
2. That this Hon'ble Tribunal vide order dated 12.07.2022 constituted a joint committee of CPCB, State PCB, UP and District Magistrate, Balia to visit the site of brick kiln and verify the factual position. This Hon'ble Tribunal further had stayed the operation/functioning of the brick kiln. The relevant part of the abovesaid order dated 12.07.2022 is quoted below for ready reference:-

"In the meanwhile, both the brick kilns shall not be allowed to operate and District Magistrate and Superintendent of Police,

Balia shall take all requisite steps to ensure that both the brick kilns do not illegally operate in any manner."

3. That it is respectfully submitted that pursuant to the order dated 12.07.2022 passed by this Hon'ble Tribunal 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 at 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. 9/Ashok Kumar Sharma Int Bhatta (now M/s Pragati Brick Kiln), established since 2000 was issued No Objection Certificate for establishment on 10.10.2000.
- (b) Respondent No. 8 Brick Kiln has changed many hands and was lastly purchased by Shir Vyas Singh and now operates under the name of M/s Pragati Brick Kiln.
- (c) The brick kiln was given consent to operate on 19.05.2022 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.

Therefore, it is respectfully submitted that a perusal of the above observations would satisfy that the brick kiln is fit to be operated and complies with all rules and regulations.

4. That the Uttar Pradesh Pollution Control Board vide letter dated 28.02.2022 permitted Pragati Brick Kiln to operate, thereby withdrawing the closure order dated 15.07.2021 subject to certain terms and conditions.
5. That Pragati Brick 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 trans boundary movement) Rules 2016 read with Environment (Protection) Act, 1986. That Uttar Pradesh Pollution Control Board vide consent no. 16281527 dated 19.05.2022 has accorded CCA (Consolidated Consent & Authorization) to Pragati Brick Kiln for the period 19.05.2022 to 31.07.2016.

6. That previously too, when Pragati Brick Kiln was operating under the name of GBS Brick Kiln, 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.
7. That the Respondent No. 9 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.
8. 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.
9. That the Hon'ble Supreme Court in the case of Asian Resurfacing of Road Agency Pvt. Ltd. and Anr. v. Central Bureau of Investigation(2018) 16 SCC 299 has held that an interim order has to have a shelf life which in the present case has expired and the time is ripe to vacate the stay granted by this Hon'ble Tribunal vide order dated 12.07.2022
10. That it is most humbly submitted that the Hon'ble Supreme Court in the case of Jang Singh v. Brij Lal has harped upon the maxim "actus curiae neminem gravabit" observing as follows:

“6. ... There is no higher principle for the guidance of the court than the one that no act of courts should harm a litigant and it is the bounden duty of courts to see that if a person is harmed by a mistake of the court he should be restored to the position he would have occupied but for that mistake. This is aptly summed up in the maxim:

“actus curiae neminem gravabit”. “

It is therefore most respectfully submitted that the applicant obtained the stay order concealing material facts but after perusal of the Joint Committee Report it is expressly clear that the Respondent No. 9 is suffering for no fault of his. Moreover, the Applicant's OA is barred by limitation and has purportedly created a cause of action citing the letter dated 22.01.2022 to the UPPCB.

11. 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.
12. That it is respectfully submitted that indefinite ban of brick kiln would not only hurt rural employment but would also affect the

supply of raw materials for various construction/projects. There would be a monopoly with the few remaining brick kiln owners and the prices would rise up causing loss to the end consumer. It is respectfully submitted the protection of environment is of paramount concern but has to satisfy the reasonable restrictions upon encroaching the Right to Life enshrined under Article 21 of the Constitution of India when livelihood is affected. Further the complete ban has also affected the rights of the Respondent No. 9 granted under Article 19 (1)(g) of the Constitution of India.

13. That in the facts and circumstances above it would be expedient in the interest of justice to vacate the order dated 12.07.2022 granting stay of operation/functioning of Brick Kiln.

PRAYER

It is most humbly prayed that this Hon'ble Tribunal may graciously be pleased to:-

- (a) Pass an order directing vacation of stay granted vide order dated 12.07.2022 and restoring the function of brick kiln operated by Respondent No. 9
- (b) Pass any other order or direction as this Hon'ble court may deem fit in the facts and circumstances of the case and in the interest of justice.

(17)

RESPONDENT NO. 9

Viresh Kumar

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

Place: New Delhi

Date: .11.2022

BEFORE THE NATIONAL GREEN TRIBUNAL
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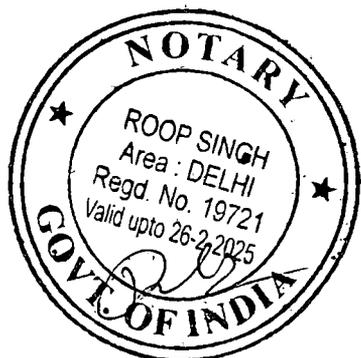
AFFIDAVIT

I, Vyas Singh aged about ⁶³ years son of Shri Shri Shiv Sambhu 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. 9 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 gone through the contents of the accompanying for vacation of stay granted vide order dated 12.07.2022 and I say that the facts stated therein are true and correct on the basis of my personal knowledge as well as legal advice.

Vyas Singh

DEPONENT



VERIFICATION:

12 3 NOV 2022

Verified at New Delhi on this day of November 2022 that the contents of the above affidavit are true and correct to the best of my knowledge and belief. Nothing material has been concealed therefrom.

Vyasingh
DEPONENT

THROUGH
Siddharth Krishna Dwivedi
Viresh Kumar
Work Space Legal

Advocates on the behalf of the Respondent no-9

M: 9958634000, 9129829862

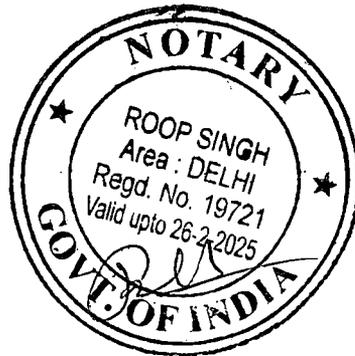
E- Workspacelegal0@gmail.com

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

Place: New Delhi

Date: .11.2022

12 3 NOV 2022



CERTIFIED THAT THE DEPONENT
Shri/Smt./Km. *Vyas Singh*
S/o, W/o, D/o. *Viresh Kumar*
Identified By *Siddharth Krishna Dwivedi*
has Solemnly affirmed me at Delhi
on *23/11/22* at Sl. No. *6127*
that the contents of the affidavit which
have been read & explained to him are
true and Correct to his knowledge.

RS
ROOP SINGH
Notary Public, Delhi, (INDIA)

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: 590/N.O.C/J.V.S INT Bhatta Udyog/2000

Date: 10.10.2000

TO,

THE

M/S G.V.S Int Udyog

Pulpura, 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. 1712, Phulpura, 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



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

फोन I (0542) 315143
फैक्स I (0542) 315143

क्षेत्रीय कार्यालय : आवासीय विकास अधिकार कार्यालय, जवाहर नगर, गेजेटपुर, वाराणसी

संदर्भ : ९१० / सजाती/पी.पी.एस.ई. प्र.वा. उद्योग/2006/नाम: 12-10-2006

मेरे सम्बन्ध में,

श्रीमती जी.पी.एस.ई. प्र.वा. उद्योग
कमपुरा, जे.पी. सिडनरपुर
मिलिया

विषय : पर्यावरणीय प्रदूषण को दृष्टि से/जमीन का ईंधन हेतु/कार्यरत एन.ई.ओ. उत्पादन क्षमता में विस्तार/संपत्तियों के नवीनीकरण हेतु अनापत्ति प्रमाणपत्र निर्गमन।

महोदय,

कृपया उपरोक्त विषयक अपने आवेदन पत्र दिनांक 10-10-2006 का संदर्भ लें। आपके आवेदन पर विचार किया गया है तथा कृपया अवगत हो कि उद्योग को पर्यावरणीय प्रदूषण के दृष्टिकोण से निम्न लिखित विशिष्ट शर्तों (संलग्नक) के समुचित अनुपालन के साथ सफल अनापत्ति स्वीकृत की जाती है।

1. अनापत्ति प्रमाण पत्र निम्नलिखित विशिष्ट शर्तों के लिए ही निर्गत किया जा रहा है :-

(क) स्थल : जलकी नं. 1712 - कमपुरा, जे.पी. सिडनरपुर, मिलिया

(ख) उत्पादन : ई- 15,000 प्रतिदिन

(ग) मुख्य तबूची मात्रा
मिटर

(घ) औद्योगिक उत्स्रवाह की मात्रा
ग्राम्य

(ङ) प्रयुक्त ईंधन
कीयला - 2 टन प्रतिदिन

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

2. उद्योग में सभी आवश्यक पत्र-संपत्र, हरित पट्टिका, उत्स्रवाह, बुद्धिकरण समय तथा वायु प्रदूषण नियंत्रण व्यवस्था की स्थापना से 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 योड से जल-एक वायु अधिनियमों के अन्तर्गत सहमति प्राप्त न कर लें। जल-एक 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 करने हुए इस कार्यालय में अक्षर्य हो जमा कर दिया जाए। 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 सुनियोजित किया जाए।

- 6- खेतों के उत्पादन, जिनकी मात्रा 2500 मीटर/दिन से अधिक नहीं होगी। राष्ट्रीय टैंक एवं नौका विद्युत के माध्यम से बोर्ड द्वारा निर्धारित मानकों के अनुसंधान सुविधाएं प्रदान की जायेंगी।
- 6- प्रदूषण नियंत्रण हेतु प्रस्तावित शुद्धिकरण संयंत्र तथा निर्माण कार्य आगुति के लिए दिए गए अर्थों की प्रति इस कार्योत्पत्ति में दिनांक 1/1/2000 तक अथवा प्रस्तुत की जायेंगी।
- 7- प्रस्तावित उद्योग स्थल के चारों ओर 200 मीटर चौड़ी हरित पट्टी का विकास किया जायेंगा।
- 8- परिसरकटमय रसायनों के विनिर्माण संयंत्रों तथा आपात नियम-1969 के अंतर्गत अक्राइल, डीएचएलबी, यूरिया आदि सूत्रों का विनिर्माण संयंत्रों में प्रेषित किया जाना सुनिश्चित किया जायेंगा।
- 9- पर्यावरण स्टेटेमेंट प्रत्येक विस्तीर्ण क्षेत्रों की समाप्ति पर विलम्बतम 30 मिनट के अंदर प्रस्तुत करने सुनिश्चित करें।
- 10- उद्योग द्वारा पर्यावरण विभाग द्वारा निर्धारित नियमों का अनुपालन किया जायेंगा।
- 11- लोकसाहित्य बीमा अधिनियम 1991 को अनुपालन सुनिश्चित करें।
- 12- उद्योग द्वारा अग्नि-समय हेतु उचित व्यवस्था की जायेंगी।
- 13- उद्योग द्वारा यदि किसी प्रकार का नासिड प्रोडक्ट निकलता है तो इसके निस्तारण हेतु आवश्यक प्रदूषण नियंत्रण के उपाय किये जायेंगे। ताकि पर्यावरण किसी भी रूप में प्रभावित न हो।
- 14- उद्योग में 10 फीट चौड़ाई के डीजल टैंक की स्थापना की जायेगी। टैंक के लक्षण संज्ञा के अन्तर्गत आत-प्रात के अन्तर्गत 1.5 मीटर रखी जायेगी।
- 15- उद्योग में अर्द्ध-तेल तैल तन्तु चिमनी की ऊंचाई अन्तर्गत 30 मीटर रखी जायेगी।
- 16- चिमनी के साथ रेडिएशन के तंत्र के अन्तर्गत स्थापना की जायेगी। पर्यावरण संरक्षण भारत सरकार के समय-समय पर प्राप्त निर्देशों का पूर्णतः पालन किया जायेगा।
- 17- उद्योग द्वारा प्रेषित अथवा पत्र दिनांक 26-9-2000 का पूर्णतः पालन किया जायेगा।
- 18- पर्यावरण एवं धन सहायता भारत सरकार से दिल्ली में प्राप्त नासिड वाहन का पूर्णतः पालन किया जायेगा।
- 19- जिन परिसरों की नासिड वाहन का पूर्णतः पालन किया जायेगा।
- 20- अर्द्ध-तेल अथवा अर्द्ध-तेल की दुर्घटना पर्यावरण संरक्षण भारत सरकार के सुझावों के अनुसार होनी चाहिये।

कृपया ध्यान दें कि उपरोक्त विहित विनियमों एवं त/मा:व: यती का प्रभावी एवं प्रभावी
अनुपालन ग. करके पर, यो: द्वारा निश्चित अनापत्ति प्रमाण पत्र निरस्त किया जा सकता है। यदि कोई भी
पुरावित है कि अनापत्ति की शर्तों में त्तीयन किया जाय अथवा निरस्त कर दिया जाय। उपरोक्त शि
एवं सामान्य शर्तों के सम्बन्ध में उद्योग द्वारा इस कार्यालय में दिनांक तक प्र
बहुमानन अथवा अवश्य प्रेषित किया जाय।

मानवीय

क्षेत्रीय अधिकारी

पृथकीकृत सचिवा

/एन. बी. गो.

तद-दिनांक

प्रतिलिपि :-

1. मुख्य पर्यावरण अभियन्ता-वृत्त 6 जे० प्र० पर्यावरण निबंधन बोर्ड, तृतीय तल, बी-ब्लॉक, मिर्कर नगर
गोमती नगर, लखनऊ-226010.....
2. महाप्रबंधक, जिला उद्योग बोर्ड, (प्रतिलिपि).....
3.

क्षेत्रीय अधिकारी

o/c

ANNEXURE- A2

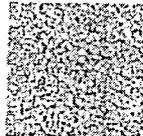
A true typed and translated copy of the purchase agreement dated 03.12.2021



INDIA NON JUDICIAL
Government of Uttar Pradesh

e-Stamp

ASHOK KUMAR SHARMA
Stamp Kumar ACC Code-UP14341704
ACC Add - Meerut - Bahawalpur Sikandar
License No - 7037019
Tansa, Sikandarpur District, Bahawalpur
Distt. 227001 (22) 2201156165

<p>सत्यमेव जयते</p> <p>Certificate No. : IN-UP55047090746491T</p> <p>Certificate Issued Date : 03-Dec-2021 12:45 PM</p> <p>Account Reference : NEWIMPACC (SV)/up14341704/SIKANDARPUR/UP-BAL-</p> <p>Unique Doc. Reference : SUBIN-UPUP1434170400210370815713T</p> <p>Purchased by : VYAS SINGH SO SHIVSHAMBHU SINGH</p> <p>Description of Document : Article 23 Conveyance</p> <p>Property Description : AS PER DOCUMENT</p> <p>Consideration Price (Rs.) :</p> <p>First Party : ASHOK KUMAR SHARMA SO LATE MOTICHAND SHARMA</p> <p>Second Party : VYAS SINGH SO SHIVSHAMBHU SINGH</p> <p>Stamp Duty Paid By : ASHOK KUMAR SHARMA SO LATE MOTICHAND SHARMA</p> <p>Stamp Duty Amount(Rs.) : 502 (Five Hundred And Two only)</p>	 <p>.....Please write or type below this line.....</p> <p>अशोक कुमार शर्मा</p> <p style="text-align: right;">Signature</p> <p style="text-align: right;">0004232862</p>
--	--

Statutory A. int.

1. In case of any dispute or difficulty arising out of this certificate, the holder shall refer to the Registrar of Stamps, Meerut (UP) for resolution.

2. The price of checking the int. stamp is borne by the purchaser.

3. In case of any discrepancy, please refer to the Registrar of Stamps.

Mutual Sale Agreement :-

stamping 500/-

First Party:- Ashok Kumar S/O Late Motilal Sharma, R/O Town Sikandarpur ,Post- Sikanderpur, Tehsil- Sikanderpur District – Ballia My aadhar card no is 578278993154 and the mobile number is- 9984716263.

AND

Second Party:- Vyas Singh aged about years son of Shri Shri Shiv Sambhu Singh R/o Village- Phulpur, Post- Koth, Tehsil- Sikanderpur, District- Ballia, Uttar Pradesh, My adhar card no is- 734638649195 and my mobile no is- 6393292673.

I am one of the first party i.e. Ashok Kumar Sharma who owns a brick klin at Mauja- Koth, Tehsil, Sikanderpur, Dist- Ballia situated at Araj No. 1712, Rakba 2-84 Dismal whose chauhaddi is accordingly Farm Land of Surydev in east, farmland of Indradev in west, farmland of Indradev *illegible** in which there is one chimney and one dug and one office and boring etc. are located in this land excluding the land , I am selling the said property in 8,00,000/- eight lakh rupees in the amount of Chimney dug and boring etc to vyas singh s/o Shivshambhu Singh r/o Sikanderpur, District-Ballia, in front of the following witnesses, 800000/- eight rupees in cash today, dated 03-12 -2021 First party is is the seller.

The buyer has no due left, and from today onwards the owner of the brick klin is Vyas Singh, Buyer will use the brick klin as per his requirement and use and to this the seller has no objection nor today not will object in future. From today onwards i.e 03-12-21 all the liabilities arising will be taken-up by Vyas singh and all the taxes and the liabilities aroused before 03-12-21 will be taken by the seller Ashok Kumar Sharma. Owner of the any new construction work in this said premise will belong to the buyer i.e: Vyas singh. Next lease that is scheduled in year 2024 if the owner of the land is ok than the patta certificate will be in name of Vyas singh

Even after the expiry of the agreement Vyas singh will be owner of the Chimney, dug, office and boreing if Vyas singh will return the land to the owner of the land he will maintain the status-quo.

This mutual sale agreement of the brick klin is has been read loudly in clear voice in front front and presence of the witnesses.

Agreement dated: 03-12-2021

Written by- Danish umar, Tehsil- Sikanderpur, Ballia

Sign First party

Illegible

Sign Second Party

*Illegible**

Witness

Illegible



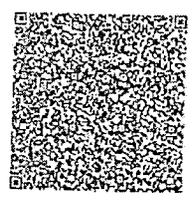
सत्यमेव जयते

INDIA NON JUDICIAL Government of Uttar Pradesh

e-Stamp

SIGNATURE: मनोज कुमार
Mandj Kumar ACC Code- UP14341704
ACC Add - Mohalla - Rahilpali Sikandarpu
License No. - 703/2019
Tehsil - Sikandarpur, District - Ballia
Mob 9299362521 9807835745

Certificate No.	: IN-UP55047090746491T
Certificate Issued Date	: 03-Dec-2021 12:45 PM
Account Reference	: NEWIMPACC (SV)/ up14341704/ SIKANDARPUR/ UP-BAL
Unique Doc. Reference	: SUBIN-UPUP1434170400210370815713T
Purchased by	: VYAS SINGH SO SHIVSHAMBHU SINGH
Description of Document	: Article 23 Conveyance
Property Description	: AS PER DOCUMENT
Consideration Price (Rs.)	:
First Party	: ASHOK KUMAR SHARMA SO LATE MOTICHAND SHARMA
Second Party	: VYAS SINGH SO SHIVSHAMBHU SINGH
Stamp Duty Paid By	: ASHOK KUMAR SHARMA SO LATE MOTICHAND SHARMA
Stamp Duty Amount(Rs.)	: 502 (Five Hundred And Two only)



-----Please write or type below this line-----

अशोक कुमार शर्मा

चतुर्वेदी

0004232862

Statutory Alert:

- 1. The authenticity of this Stamp certificate should be verified at www.shoestamp.com or using e-Stamp Mobile App of Stock Holding
- 2. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
- 3. The onus of checking the legitimacy is on the users of the certificate
- 4. In case of any discrepancy please inform the Competent Authority.

१२१

आवृत्ति विक्रय पत्र :- ईस्टैमिंग - 500/-

=====

प्रथम पक्ष:- अशोक कुमार शर्मा पुत्र स्व० मोतीलाल शर्मा निवासी

कन्हा सिक्न्दरपुर, पो० सिक्न्दरपुर तहसील सिक्न्दरपुर जिला-बलिया

का हूँ। मेरा आधार कार्ड नं० 578278993154 है।

व मोबाइल नम्बर - 9984716263 है।

व

द्वितीय पक्ष :- खवास सिंह पुत्र सिद्धेश्वर सिंह निवासी गाम-दुर्गा, ली,

=====

सिक्न्दरपुर, जिला-बलिया का हूँ। मेरा आधार कार्ड नम्बर

7346 3864 9195 है तथा मेरा मोबाइल नंबर- 6393292673 है।

उक्त प्रथम पक्ष

अशोक कुमार शर्मा

अशोक

॥ 3॥

मैं प्रथम पक्ष की थानि अशोक कुमार शर्मा का एक अदद भूदा जो
 मौजा- कोथ परगना- सि० पूर्वी तहसील सिकन्दरपुर जिला- बलिया
 के आराजी नम्बर 1712 रकबा 2-84 डिगमल जितकी चौ हद्दी
 पूरब खेत नूधेव व पश्चिम हन्देव व उत्तर खेत हन्देव व दक्षिण
 खेत राजवाडा नहर है । जिसमें एक अदद चिमनी व एक अदद डग
 व एक आमिस व बोरिंग आदि इस भूमि में स्थित है । जमीन को
 छोड़कर चिमनी डग व आमिस व बोरिंग आदि को मुबलिक 800000/-
 आठ लाख रुपया में बहक व बहस्त ब्यास सिंह पुत्र शिवशम्भू सिंह निवासी
 दुगौली, सिकन्दरपुर, जिला-बलिया को प्रथम पक्ष ने द्वितीय पक्ष को
 निम्नांकित ग्वाहों के समक्ष मु० 800000/- आठ लाख रुपया नगद
 प्राप्त कर के आज दिनांक 03-12-2021 ई० को विक्रय कर रहा हूँ ।

प्रथम पक्ष
 अशोक कुमार शर्मा

द्वितीय पक्ष
 राजेश

§ 4 §

क्रेता के पास एक रुपया भी बाकी अमानत नहीं रह जाता है । आज से भूदटा के मालिक उपरोक्त क्रेता ब्यास सिंह होंगे । क्रेता इस भूदटा को अपनी इच्छानुसार इसका उपयोग करे , हमें या हमारे वारिसानों को कोई उज़्र व सतराज नहीं है । और न भविष्य में कभी भी होगा ।

आज से दिनांक 03-12-2021 से इसका इस भूदटा का जो भी टैक्स

होगा वह क्रेता ब्यास सिंह देंगे । आज दिनांक 03-12-2021 के

पहले इस भूदटे का जो भी टैक्स बाकी होगा वह प्रथमपक्ष अशोक कुमार

समाप्त देंगे । अगर इस भूदटे में कोई भी नया निष्पत्ति होगा तो उसकी

मालिक उपरोक्त क्रेता ब्यास सिंह होंगे । अगर अगली तिज जो सन् 2024

में होगी तो जमीन मालिक के अगर सहमति होगी तो वह पदटा

ब्यास सिंह के नाम से होगा ।

प्रथम पक्ष

अशोक कुमार शर्मा

द्वितीय पक्ष
0 पक्ष १

§ 5§

अगर एग्जिडेंट की अवधि समाप्त होने पर भी चिमनी, डग, आफ्रित व डोरिंग की मालिक ब्यात सिंह होंगे । अगर यह पट्टा की भूमि ब्यात सिंह जमीन मालिक को वापत करेगी तो क्या स्थित देंगे । यह आपकी स्टाम्प पेपर निम्नांकित जवाबों के समक्ष बढ़ पढ़ाकर व सुन-सुनाकर अपने पूरे होश ब्यात मन से लिख दिया कि समय पर काम आये व मुनाफा रहे ।

तहरीर दिनांक 05-12-2021

लेखक -दा निशा उमर , तहसील सिकन्दरपुर, बलिया ।

HO प्रथम पक्ष
अशोक कुमार शर्मा

HO द्वितीय पक्ष
अशोक

॥ 6 ॥

ह० प्रथम पक्ष
अशोक कुमार शर्मा

ह० द्वितीय पक्ष
रघुवीर

गवाह ॥ 1 ॥
विष्णु प्रदीप कुमार शर्मा

॥ 2 ॥
शेष मणि शर्मा

॥ 3 ॥ अक्षय कुमार शर्मा

36

ANNEXURE A-3:

A true translated copy of the letter dated 29.01.2022 to UPPCB requesting withdrawal of closure notice

To

Chief Environmental Officer (Circle-6)

Uttar Pradesh Pollution Control Board

T.C- 12, B Vibhuti Khand

Gomti Nagar, Nagar

Subject- Representation in relation to the closure order dated 15.07.2021 issued against Ashok Kumar Singh Brick Kiln Falpura Koth, Sikandarpur, Ballia.

Sir,

In relation to the above subject, you are to be informed that Ashok Kumar Singh Brick Kiln Falpura Coy, Sikandarpur, Ballia was formerly operated under the name of GBS Brick Kiln, and this brick kiln was issued No Objection Certificate by the Board on 10.10.2000. In the year 2010, the name of the brick kiln was changed to Ashok Kumar Brick Kiln Falpura Koth, Sikandarpur, Ballia. And water/air consent has been issued by the board till 31.12.2014. The water/air consent was applied by the former owner in the year 2015. But it was cancelled. A closure order has been issued by you in the name of Mr. Ashok Kumar Brick Kiln, which has probably been wrongly completed. At present, I have bought the kiln from the former owner Mr. Ashok Kumar Sharma and changed the name to M/s Pragati Brick Kiln. Therefore, you are requested to deposit the closure order dated-15.07.2021 issued to Ashok Kumar Brick Kiln Falpura Koth, Sikandarpur, Ballia. The kiln will be operated after obtaining consent from me.

Yours respectfully

(Vyas Singh)

(M/s Pragati ENT Bhatta)

Formerly known- Ashok Kumar Int Udyog

Bhatta Phupura

Koth, Sikander, Ballia

अधिकारी(वृत्त-6)
 उ०प्र० प्रदूषण नियंत्रण बोर्ड
 टी०सी०-12, वी विभूति खण्ड
 गेमती नगर लखनऊ।

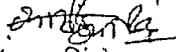
विषय- मे० अशोक कुमार सिंह ईट भट्टा फलपुरा कोथ,सिकन्दरपुर,बलिया के विरुद्ध निर्गत बंदी आदेश
 दिनांक- 15.07.2021 के सम्बन्ध में प्रत्यावेदन।

महोदय,

उपरोक्त विषय के सम्बन्ध में आपको अवगत कराना है। कि अशोक कुमार सिंह ईट भट्टा फलपुरा कोथ, सिकन्दरपुर, बलिया पूर्व में जी०वी०एस० ईट भट्टा के नाम से संचालित था, तथा इस ईट भट्टे को दिनांक- 10.10.2000 को बोर्ड द्वारा अनापत्ति प्रमाण पत्र निर्गत किया गया था। वर्ष 2010 में ईट भट्टे का नाम परिवर्तित करके अशोक कुमार ईट भट्टा फलपुरा कोथ, सिकन्दरपुर, बलिया किया गया। तथा बोर्ड द्वारा 31.12.2014 तक जल/वायु सहमति निर्गत की गई है। पूर्व मालिक द्वारा वर्ष 2015 में जल/वायु सहमति हेतु आवेदन किया गया था। लेकिन निरस्त हो गया था। आपके द्वारा श्री अशोक कुमार ईट भट्टे के नाम से बंदी आदेश निर्गत है, जो संभवतः त्रुटि पूर्ण हुआ है। मेरे द्वारा वर्तमान में भट्टे को पूर्व मालिक श्री अशोक कुमार शर्मा से खरीद कर नाम परिवर्तित कर मेसर्स प्रगति ईट भट्टा कर लिया गया है।

अतः आपसे अनुरोध है कि अशोक कुमार ईट भट्टा फलपुरा कोथ, सिकन्दरपुर, बलिया को निर्गत बंदी आदेश दिनांक-15.07.2021 को निक्षेप करने का कष्ट करें। मेरे द्वारा सहमति प्राप्त करके भट्टे को संचालन किया जायेगा।

प्राथी


 (व्यास सिंह)

पुत्र स्व० सम्मू सिंह

(मे० प्रगति ईट भट्टा)

पूर्व नाम- अशोक कुमार ईट

भट्टा फलपुरा

कोथ सिकन्दरपुर,बलिया



29-01-2022

अधिकारी- क्षेत्रीय अधिकारी

उ०प्र० प्रदूषण नियंत्रण बोर्ड आजमगढ़।

ANNEXURE A-4:

A true translated copy of the letter dated 28.02.2022 withdrawing closure notice to the Respondent No. 9

UTTAR PRADESH POLLUTION CONTROL BOARD

To,

M/s Pragati Brick Kiln (formerly known as M/s Ashok Kumar Singh Brick Kiln).

Phulpur Koth, Sikandarpur, District-Ballia.

Registered 112/20

Subject: M/s Pragati Brick Kiln (formerly known as M/s Ashok Kumar Singh Brick Kiln).
Regarding deposition of arrest order issued against Phulpur, Koth, Sikandarpur, District-Ballia under Section-31A of Air Pollution Prevention and Control) Act, 1981 (as amended).

Sir,

Please take the reference of the above subject board headquarters' letter number H.63450/C-6/Sa-032/Brick Kiln/Bandhi Order/Ballia/2021 dated 15.07.2021 Air against Brick Kiln (Pollution Prevention and Control) The detention order has been issued under Section-31A of the Act, 1001 (as amended). In relation to the above, in the report sent through the Regional Office, UP Pollution Control Board, Azamgarh's letter number 529/Sah0-139/2022, dated 17.02.2022, it has been recommended to conditionally deposit the closure order issued against the brick kiln industry. .

1. On the basis of the facts, documents and recommendation presented by Regional Officer, Azamgarh, section of Air Pollution Prevention and Control) Act 1981 (as amended) to M/s Pragati Brick Bhattha (formerly M/s Ashok Kumar Singh Brick Bhattha), Phulpur, Koth, Sikandarpur District Ballia The closure order dated 15.07.2021 issued under 31A is deposited with the following major conditions- 1 Prevention of air pollution by M/s Pragati Brick Kiln (former name M/s Ashok Kumar Singh Brick Kiln), Phulpur, Kosh, Sikandarpur, District-Ballia and Control) Act, 1981 under Section-21 should be operated only after obtaining consent.
2. After getting the monitoring report of emissions from the chimney installed in the brick kiln from the laboratory/accredited laboratory of UP Pollution Control Board, make sure to send it to the regional office at the latest within 15 days after the brick

kiln is operational, for this proper monitoring of the chimney is done. Arrangement should be ensured.

3. The said order will be valid only if the location of the brick kiln is in accordance with the guidelines. Strict compliance of the standards and guidelines set by the Central Pollution Control Board should be ensured.
4. The road used for collecting raw material and bricks in the brick kiln premises should be paved and triclined so that there is no emission of fugitive dust due to the movement of vehicles inside the kiln premises.
5. If the environmental standards are not met by the brick kiln in the future or any public complaint related to air pollution is received against the brick kiln, then after the confirmation of the complaint, the Air (Prevention and Control of Pollution) Act, as per the rules, Action to be taken under relevant provisions of 1981 (as amended)
6. Compliance of Honorable Courts and Hon'ble National Green Tribunal, New Delhi and instructions/orders issued from time to time and compliance of environmental acts should be ensured.
7. Brick kilns should ensure compliance of instructions and guidelines issued from time to time by Central Pollution Control Board, Ministry of Environment, Forest and Climate Change, Government of India and State Pollution Control Board.
8. If the consent is not obtained after depositing the closure order by the brick kiln, then in that case the closure order will become effective again.

Yours sincerely,

Chief Environment Officer



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

Ref. No. H.63450/4 /सी-6/ईट भट्टा/153/बन्दी आदेश निक्षेप/आजमगढ़/2022
रोवा में,

दि 28/2/2022
पंजीकृत

मेसर्स प्रगति ईट भट्टा(पूर्व नाम मेसर्स अशोक कुमार सिंह ईट भट्टा),
फूलपुर कोथ,सिकन्दरपुर,
जनपद-बलिया।

विषय: मेसर्स प्रगति ईट भट्टा (पूर्व नाम मेसर्स अशोक कुमार सिंह ईट भट्टा), फूलपुर, कोथ, सिकन्दरपुर, जनपद-बलिया के विरुद्ध वायु(प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 (यथासंशोधित) की धारा-31ए के अन्तर्गत जारी बन्दी आदेश निक्षेपण के सम्बन्ध में।

गहोदय,

कृपया उपरोक्त विषयक बोर्ड मुख्यालय के पत्रांक H.63450/सी-6/सा0-632/ईट भट्टा/बन्दी आदेश/बलिया/2021 दिनांक 15.07.2021 का संदर्भ ग्रहण करने का कष्ट करें, ईट भट्टे के विरुद्ध वायु(प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 (यथासंशोधित) की धारा-31 ए के अन्तर्गत बन्दी आदेश जारी किया गया है। उक्त के सम्बन्ध में क्षेत्रीय कार्यालय, उ० प्र० प्रदूषण नियंत्रण बोर्ड, आजमगढ़ के पत्रांक 529/साह०-139/2022 दिनांक 17.02.2022 के माध्यम से प्रेषित आख्या में ईट भट्टा उद्योग के विरुद्ध जारी बन्दी आदेश सशर्त निक्षेप किये जाने की संस्तुति की गयी है।

क्षेत्रीय अधिकारी, आजमगढ़ द्वारा प्रस्तुत तथ्यों, दस्तावेजों एवं संस्तुति के आधार पर मेसर्स प्रगति ईट भट्टा (पूर्व नाम मेसर्स अशोक कुमार सिंह ईट भट्टा), फूलपुर, कोथ, सिकन्दरपुर, जनपद-बलिया को वायु(प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 (यथासंशोधित) की धारा-31ए के अन्तर्गत जारी बन्दी आदेश दिनांक 15.07.2021 को निम्न प्रमुख शर्तों के साथ निक्षेप किया जाता है:-

- 1 मेसर्स प्रगति ईट भट्टा (पूर्व नाम मेसर्स अशोक कुमार सिंह ईट भट्टा), फूलपुर, कोथ, सिकन्दरपुर, जनपद-बलिया द्वारा वायु(प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा-21 के अन्तर्गत सहमति प्राप्त करने के पश्चात् ही संचालित किया जाये।
- 2 ईट भट्टे में स्थापित चिमनी से उत्सर्जन की अनुप्राप्ति आख्या उ० प्र० प्रदूषण नियंत्रण बोर्ड की प्रयोगशाला/मान्यता प्राप्त प्रयोगशाला से कराकर ईट भट्टा संचालित होने पर विलम्बतम् 15 दिन के अन्दर क्षेत्रीय कार्यालय में प्रेषित करना सुनिश्चित करें, इस हेतु चिमनी पर मानिटरिंग किये जाने हेतु समुचित व्यवस्था सुनिश्चित की जाये।
- 3 उक्त आदेश ईट भट्टे का स्थल गाइडलाइन के अनुरूप होने पर ही मान्य होगा।
- 4 केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निर्धारित मानकों एवं गाइड लाइन का अक्षरशः अनुपालन सुनिश्चित किया जाये।
- 5 ईट भट्टा परिसर में कच्चे भात एवं ईटों की ढुलाई हेतु प्रयुक्त होने वाले मार्ग को पक्का तथा ब्रिकलाइण्ड किया जाये, ताकि भट्टा परिसर के अन्दर वाहनों के आवागमन के कारण फ्यूजिटिव डस्ट का उत्सर्जन न हो।
- 6 यदि ईट भट्टे के द्वारा भविष्य में पर्यावरणीय मानकों को पूरा नहीं किया जाता है या ईट भट्टे के विरुद्ध किसी प्रकार की वायु प्रदूषण सम्बन्धी जन शिकायत प्राप्त होती है तो शिकायत को जाँचोपरांत उसकी पुष्टि होने पर नियमानुसार वायु(प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 (यथासंशोधित) के सुसंगत प्राविधानों के अन्तर्गत कार्यवाही की जायेगी।
- 7 माननीय न्यायालयों तथा मा०रा० राष्ट्रीय हरित अधिकरण, नई दिल्ली तथा समय-समय पर जारी निर्देशों/आदेशों का अनुपालन तथा पर्यावरणीय अधिनियमों का अनुपालन सुनिश्चित किया जाये।
- 8 ईट भट्टे द्वारा केन्द्रीय प्रदूषण नियंत्रण बोर्ड, पर्यावरण वन एवं जलवायु परिवर्तन, मंत्रालय, भारत सरकार तथा राज्य प्रदूषण नियंत्रण बोर्ड द्वारा समय-समय पर जारी निर्देशों एवं गाइड लाइन का अनुपालन सुनिश्चित किया जाये।
- 9 यदि ईट भट्टे द्वारा बन्दी आदेश निक्षेपण के उपरान्त सहमति प्राप्त नहीं की जाती है तो उस दशा में बन्दी आदेश पुनः प्रगावी हो जायेगा।

भवदीय,

मुख्य पर्यावरण अधिकारी,
वृत्त-6

प्रतिनिधि:-निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1 जिलाधिकारी, बलिया।
- 2 पुलिस अधीक्षक, बलिया।
- 3 क्षेत्रीय अधिकारी, उ० प्र० प्रदूषण नियंत्रण बोर्ड, आजमगढ़ को इस निर्देश के साथ प्रेषित कि संदर्भित ईट भट्टे के लम्बित सहमति आवेदन पत्र के अविलम्ब निस्तारित करते हुए सूचना बोर्ड मुख्यालय प्रेषित की जाये। यदि सहमति आदेश अस्वीकृत किया जाता है तो उस स्थिति में उक्त ईट भट्टे के विरुद्ध वायु(प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 के प्राविधानों के अन्तर्गत बन्दी प्रस्ताव तत्काल प्रेषित किया जाये।

मुख्य पर्यावरण अधिकारी,
वृत्त-6

FORM 1
CONSOLIDATED CONSENT & AUTHORIZATION

Application for consent for discharge/continuation of discharge under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and for emissions/continuation of emission under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and for grant/renewal of authorisation for generation or collection or storage or transport or reception or recycling or reuse or recovery or pre-processing 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.

From ,

PRAGATI ENT BHATTHA (OLD NAME ASHOK
KUMAR SINGH ENT BHATTHA), Phoolpura,
Koth, Sikandarpur, Ballia, BALLIA,
City:
Block: Sikanderpur
District: BALLIA

Dated

28/02/2022

To ,

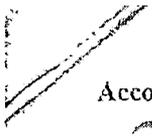
The Member Secretary,
U. P. Pollution Control Board,
Lucknow.

Sir,

I/We apply for Consolidated Consent to Operate and Authorization under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Hazardous and other Waste (Management and Transboundary Movement) Rules 2016 noted under Environment (Protection) Act 1986 to make discharge/emission/disposal of hazardous and other waste from

VYAS SINGH for a period upto 7 years

2. The annexure, appendices other particulars and plans in triplicate are attached herewith.
3. I/We further declare that the information furnished in the Annexure, appendices and plans is correct to the best of my/our knowledge.
4. I/We hereby submit that in case of change either of the point or the quantity of discharge or its quality, a fresh application for CONSENT shall be made and until such CONSENT is granted no change shall be made
5. I/We hereby agree to submit to the Board and application for renewal of consent one month in advance of the date of expiry of the consent period
6. I/We undertake to furnish other information within one month of its being called by the Board.



Accompaniments:-

Yours faithfully,

Signature

Name of the applicant: VYAS SINGH

Address of the Applicant: Phoolpura, Koth,
Sikandarpur, Ballia

ANNEXURE TO FORM

Existing Outlet

NOTE- Any applicant knowingly giving incorrect information or suppressing any information pertaining thereto shall be liable to be punished under the Act.

While filling this Annexure the applicant not concerned with any of the item shall state 'No concerned' against the relevant one:

7. Is the industry/factory for which application is made closed on Sunday/Holiday No
8. State working days per year and working season for the industry/factory Nov to Jun
9. a) Number of workers attending the factory shift wise &/ or per day : 40
b) Number of workers residing in the premises : 20
10. For local bodies only:-
a) Present population :
b) Population covered under regular sewer facilities :
c) population having septic tank/Soak pit facilities :
d) Population covered by conservancy latrines :
11. For Industries Only:-

A. Give the list of raw materials

Raw Material Name	Material Trade Name	Qty	Principle Use
Soil, Sand and Water	Soil, Sand and Water	1620	Making Bricks

Fuel Details:-

Fuel	Consumption
Coal	3.0

B. Give the list Products and By Product Details

Product Name	Quantity
Brick	20000

ByProduct Name	Licence Qty	Installed Qty
No	0	0

C. Give the list of possible Inter-mediate Products:

Name of Product	Quantity per month
No	0

Section A

12. State daily quantity of water utilized :

Source Consumption	Quantity
Domestic	2.0
Industrial	2.0

13. A) State the hourly maximum and daily quantity of effluents arising from land/premises for which the application is made:

Generation	Waste Water Generation Quantity
Domestic	1.5

(B) State how measurement of rate and quantity are carried out:-

14. State whether storm water drains are kept separate from Industrial / Domestic Effluents? No

15. (a)Is domestic effluent allowed to get mixed in industrial effluents? No

16. (a)Describe if any treatment industrial or domestic effluent or one for combined effluent is made. No

(b)Is the quantity of effluent emanating either without or after treatment approved by the authority? No

(c)If approved, furnish the authority (Two certified copies to be sent)

(d)If any effluent from any shop/ shops toxic? If so volume of this effluent No

17. Is there any provision for disposal ?

Name	Status (Already made)	Status (proposed to)

18. State the area of land used for (a)Above in Hectares -

19. Give the quantitative disposal of effluent in liters provided for the places mentioned below

Name	Mode	Mixed

20. Is there any provision for equalizing or made holding lagoons of tanks

Name	Mode
Domestic	1.5

21. Is sufficient land available / can be made available? In case pumping effluent; on lands have to considered. No

22. (a)Give details of composition of Domestic / Industrial / Combined effluent in respect of the Following

Name of Effluent	Effluent before treatment	Effluent after treatment

Note:-

- 1) Furnish a copy of the analysis report of representative samples carried out by a competent laboratory
- 2) Methods of determination as approved by the Board will be followed for determination of above mentioned parameters.

(b)Is the effluent toxic No

(c)State if the Industrial effluent is having Unpleasant Smell

(d)Is there any hidden change of temperature exceeding 10*c at any time No

23. (a) Are facilities available with the applicant for carrying out the following test of the waste waters

Name	Existing	Proposed
24.		Has the land/premises, etc., for which the application is made open? Highly polluting material : Toxic Organic Inorganic Microbiological :
No		
No		
25.		State details for solid waste

Cooling Tank

Type of Solid Waste	Composition	Quantity	Method of Collection	Method of Disposal
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Section A

Existing

12. Fuel Consumption in Tonnes/day

Fuel Name	Daily Consumption(T/day)	Unit	Calorific value	Ash contents	Sulphur contents	Others
Coal	3.0	Metric Tonnes/Day				

13. Atmospheric Emission from each stack

Total no. of stacks:	1
Material for construction of Stack:	Brick Sand Cement Eagle ,
Stack Attached to:	Incinerator ,
Height above ground level(in metres):	30 ,
Height above roof(in metres):	27 ,
Stack Top:	Circular ,
Inner dimensions (in meters):	0 ,
Gas quantity-m ³ /hr:	0 ,
Flue gas temperature 'C:	0 ,
Exit velocity of gas/sec:	0 ,

(a) Flue gas emission

Stack No.	Type of fuel	Quantity of fuel/hr	Type of firing	So2	Nox	CO/HC	Particulates	Others
1	Coal	3.0						

(b) Process Emission

Quantity of gas (in Nm ³ /hr)	So ₂	Co ₂	Analysis of vent hydrocarbons	Particulates in mg/Nm ³	Other Specify

- (c) Particulate analysis : -
- (d) Chemical Composition(if available) : -
- 14. Give details of flue gas sampling arrangements : -
- 15. Give details of laboratory facilities available for analysis of emission : -
- 16. Is there sufficient space available for installing air pollution control equipment : -
- 17. Details of Air Pollution :-

Stack Name	Equipment Name	State

- 18. State the total quantity of air handled by ventilation equipments,specify size and no.of equipments, installed or to be installed

Equipment Name	Equipment Size	No. of equipments	Status

- 19. Give the following details
 - (a) Total investment in the factory and the year of investment. : Investment:-10 to 50 Lacks
Year of Investment is :-2009
 - (b) The estimated expenditure for implementation of the scheme to control air pollution :-
 - (c) Expenditure incurred to update progress achieved(physical) for air pollution control, if any, and the year/years of investment along with physical progress achieved. The firm should give details of action taken to date and the expenditure incurred and the time required for the scheme. : No
 - (d) Annual operation and maintenance-cost of Air Pollution Control Plant, if any : No
 - (e) Further action that is being taken up by the firm to control air pollution. : Septic Tank/Socpit

- 20. Other relevent information, if any : -

Signature
 Name and Address of the applicant on behalf of : VYAS SINGH,Phoolpura, Koth, Sikandarpur, Ballia
 Name and Address of the Firm on behalf of which application is made : VYAS SINGH,Phoolpura, Koth, Sikandarpur, Ballia

Explanatory Notes for filing in form and the Annexure .

The notes are given only for those items for which explanations is considered desirable .

Form-

1. Here mention the name of the owner of the land/premises, if other than the applicant industry or factory in continuation of legal business as per Air (Prevention and Control of Pollution) Act, 1981. If the land/premises belongs to the factory/ industry, say self
2. Here mention the date up to which the consent is sought for.

Annexure to form-

'Existing' means that which is operation at the time of applying for consent .

'New' that which has been modified due to change in quantity and/or quality of emission.

'Altered' means that which has been modified due to change in quantity and/or quality of discharge arrangement and/or point of discharge etc.

Item 1 : Here mention name of the owner of the land/premises if other than the applicant industry or factory in continuation of of legal busines as per Air (Prevention and Control of Polution) Act ,1981 if land/premises belong to the factory/industry say self .

Item 1(a) : The industrtes are categorised based on the investment as follows : Major industry- having investment of more than 2 crores. Medium industry- having investment of 10 lakhs to 2 crores. Small scale industry having investment of less than 10 lakhs rupees

In place of above criteria kindly give category as per latest notification

Item 2 : Here give the registered name of the industry/institution factory/local bodies etc under which the business is carried out.

Item 6 : Applicable to only those are as which are prohibited areas such as the Ordinance Factories, Mint, etc.

Item 10(c) : Here State the temperature in C in summer winter monsoon and post monsoon seas on.

Item 10(d) : Here state the seasonal average wind direction and speed in and around the site of the plant. The above information can be had from representative Meterological centre .

Item 13 : Analysis of the flue gas emission, process emission and particulars analysis should be done for each stack, emissions. Where ever stacks are not provided the shop floor specific concentration should be reported . Chemical Analysis of particulars matter in the emission should be furnished giving details such as organic matter ,metals ,non-metals , radioactive, substances, asbestos, silicates etc.

Item 17 : Here mention the detailed specifications of control system used or proposed to be used with efficiency . Also furnish ihe layout of the control system with dimensions.

Item 18 : Here state the total quantity of ventilation air handled by equipments' such as roof extractors, Evaporative coolers etc

Additional Documents suggested for submission:

- 1 : Separate Demand Draft towards consent fee Water & Air .
- 2 : Annual Report or certificate from Chartered Accountants in support of fixed assets, current assets and current liabilities .
- 3 : Layout plan showing the location of stacks (chimneys), effluent treatment plant, effluent disposal areas,

air pollution control devices, hazardous waste treatment and disposal areast .

4 : Manufacturing process flow sheet, with description note on the manufacturing process for each product .

5 : Copies of latest consent authorisation/Environmental Impact Assessment Clearance .

6 : Copies of SSI registration Letter of Intent industrial licenses, clearances from the Department or any other relevant document (if applicable) .

7 : Copies of planning permission certificate issued by the local bodies/District Town & Country Planning/Metropolitan Development Authorities .

8 : Compliance report on the latest CTE /CTO conditions stipulated under Water & Air Acts issued to the Unit .

Common General Information required for consent to operate under Water Pollution (Prevention & Control) Act, 1974 and Air Water Pollution (Prevention & Control) Act, 1981.

- 1. (a) Full name of the applicant with address : VYAS SINGH, Phoolpura, Koth, Sikandarpur, Ballia (Tel. No.) -
- (b) Is the firm registered? : YES
- (c) If yes, give the number & date of registration and authority with whom registered. : ,
- (d) Full Address of the registered office :
- (e) Names, designation and full address of persons like Partners, Managing Director/Manager etc. : VYAS SINGH Phoolpura, Koth, Sikandarpur, Ballia BALLIA 8545938841
- (f) Under which category does the industry fall: Large/Medium/Small Scale. : small
- 2. Full name of the Land/Premises/Institute/Factory/Industry/Local body with address : PRAGATI ENT BHATTHA (OLD NAME ASHOK KUMAR SINGH ENT BHATTHA)
Address: Phoolpura, Koth, Sikandarpur, Ballia, BALLIA,
Tel. No.: -
E-mail :
- 3. Give revenue /City Survey No. of the land/premises for which the application is made: : District: BALLIA
Town/Village:
City Survey no./Revenue Survey no.:
Khata No.:
Area in Hectares:-
- 4. State month and year in which the plant was actually put into commissions or is proposed to be put into commission: : January, 2009
- 5. State the Civil/Military /Defence/industrial Estate etc. under whose administrative jurisdiction the occupiers/industrial plant is situated: : Civil
District: BALLIA
Corporation:
Village Panchayat
Contonment:
Defence Deptt:
State Govt:
Prohibited areas:
Others:
- 6. (a) State whether plant site has been declared as prohibited area: : NO
- (b) If yes, state the name of the Authority and furnish a certified copy of the order under which the area has been declared as prohibited area : -



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

156254/UPPCB/Azamgarh(UPPCBRO)/CTO/both/BALLIA/2022 Date: 19/05/2022

To,
M/s

PRAGATI ENT BHATTHA (OLD NAME ASHOK KUMAR SINGH ENT BHATTHA)

Phoolpura, Koth, Sikandarpur, Ballia, BALLIA,

Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section-21 of the Air (Prevention & Control of Pollution) Act, 1981

Consent No-16281527 Date-19/05/2022

CCA is hereby granted to PRAGATI ENT BHATTHA (OLD NAME ASHOK KUMAR SINGH ENT BHATTHA) located at Phoolpura, Koth, Sikandarpur, Ballia, BALLIA, subject to the provisions of the Water Act, Air Act and the orders that may be made further and subject to following terms and conditions :-

1. This CCA PRAGATI ENT BHATTHA (OLD NAME ASHOK KUMAR SINGH ENT BHATTHA) granted for the period from 19/05/2022 to 31/07/2026 and valid for manufacturing of following products with Capital Investment/Net Assets Values 0.46 Lakhs

S No	Product	Quantity	Unit
1	Bricks Manufacturing (Nos/day)	20000	Numbers/Day

2. Specific Conditions under Water Act :-

(i) The daily quantity of effluent discharge (KLD) :-

Kind of Effluent	Quantity(KLD)	Treatment facility and discharge point
Domestic	1.5 KL/day	Septic Tank

(ii) Trade Effluent Treatment and Disposal :-The applicant shall operate Effluent Treatment Plant consisting of primary/secondary and tertiary treatment as is required with reference to influent quantity and quality.

In case of stoppage of functioning of ETP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(iii) The treated effluent shall be recycled to the maximum extent and should be reused within the premises for gardening etc. Quality of the treated effluent shall meet to the following general and specific standards as prescribed under Environment (Protection) Rules, 1986 and applicable to the unit from time-to-time :-

Industrial Effluent Quality Standard

S.No.	Parameter	Standard
-------	-----------	----------

(iv) Sewage Treatment and Disposal :- The applicant shall provide comprehensive STP as is required with reference to influent quantity and quality. In case of stoppage of functioning of STP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(v) The treated sewage shall be reused in gardening and the same shall be maintained continuously so as to achieve the quality of the treated effluent to the following standards.

S No.	Parameters	Standards
-------	------------	-----------

3. Conditions under Air Act :-

i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as is required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards

Air Pollution Source Details

S No.	Air Pollution Source	Type of fuel	Stack no	Control Device	Height of Stack
1	Brick Kiln	Coal	01	Particulate Matter	30 Meter

Emission Quality Standards

S No.	Stack no	Parameters	Standards
-------	----------	------------	-----------

In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately

ii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

(iii) The unit will not use any type of restricted fuel.

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time
	75	70	65	55	55	45	50	40

6. Compulsory documents to be submitted by the Industry/Unit :-

- (i) Annual return in Form-4 and Waste Disposal Manifest in Form-10 under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and Third Party Audit Report.
- (ii) Environment Statement in Form-V of Environment (Protection) Rules, 1986.

(52)

(iii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.

7. Unit has to apply for renewal of CCA well in advance of 60 days of expiry of this CCA.

8. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.

9. Unit has to comply with the other general conditions as annexed herewith. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 will result in legal action under the aforesaid Acts and Rules.

10. In compliance to the G.O dated 1011/81-7-2021-09 (Writ)/2016 dt.13.10.2021 issued by Department of Environment, Forest and Climate Change, Uttar Pradesh. You are directed to develop Miyawaki Forest as per the SOP available at URL:-<http://www.upecp.in/TrainingSession.aspx> for ensuring timely compliance of this direction, you are hereby directed to submit a bank guarantee with minimum validity of one year of the amount equivalent to the sum of initial consent fees (Air and Water) or Rs. 50,000/- (Rs. Fifty Thousand Only) whichever is more, within 30 days from the date of issuance of this certificate. In case of non-compliance of this direction, your consent shall be revoked by the Board.

11. The industry will have to obtain No objection certificate for abstraction of ground water. It will be the responsibility of the industry to comply with the various conditions of the NOC obtained from the competent authority and submit to the Board, within 3 months time failing which CTO shall be revoked.

Regional Officer
Kalika Singh

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
Regional Officer

Annexure

Specific Conditions

1. This CTO air/water certificate is being granted for production of of red Bricks 20000 per day at arazi no 1712, Phoolpura, Koth, Sikandarpur, Ballia.
2. 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.
3. 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.
4. 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.
5. Brick Kiln shall be operated in such a manner that it does not alter the ambient air quality designated by CPCB.
6. Brick Kiln shall use 20% bio bricket as per fuel availability directed by Letter No.- HJ4586/C6/NGT/General-208/18, Date 05-01-2018 of State Pollution Control Board.
7. Brick kiln shall comply the provision of the notification issued under the Environment (Protection) Act., 1986.

8. produced shall be used for low lying land filling in a scientific manner.
9. Stack emission monitoring report duly monitored by NABL accredited laboratory shall be submitted in this office in the next Bhattha season.
10. Brick kiln shall have adequate stack monitoring facilities as per CPCB Emission Regulation Part III.
11. 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.
12. Ensure that fine dust not to accumulate all around the Brick Kiln.
13. Brick kiln shall obtain "Environmental Clearance" from the competent authority and be submitted in this office within two month.
14. 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.
15. 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.
16. Brick kiln shall be converted as per Zig-Zag technology in place of conventional CBRI Roorkee technology within time frame manner as per CPCB/NGT directions.
17. 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.
18. Brick shall comply the conditions of CTO/ EC issued by the competent authority.
19. This consent to issued for the domestic effluent 1.5 KL/day only.
20. The Brick kiln shall install septic tank/sockpit for treatment of domestic effluent.
21. The Brick kiln shall ensure that Headquarters letter No. - H 75613 / C-6 / Brick Kiln / 153 / Azamgarh / 2022 dated 13.052022. It would be appropriate to dispose of the brick kiln's consent application in the light of technical point of view of OÁ No.174/2022 Dharmendra Kumar Singh Vs. Union of India under consideration in the Tribunal.

General Conditions:-

- The applicant shall get analyse the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UEPPCB.
1. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
 2. Treated waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
 3. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If, at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.
 4. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof
 5. The industry shall provide uninterrupted entry to the STPs/ETPs inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control measures.
 6. The industry shall provide Inspection Book at the time of inspection to the Board's officials.
 7. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
 8. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.

9. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
10. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/ production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point
11. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.
12. The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous waste without obtaining prior permission of the Board.
13. Any unauthorized change in personnel, equipment as working condition as mentioned in the application by the person authorized shall constitute a breach of his authorization.
14. It is the duty of the authorized person to take prior permission of the Board to close down the facility.
15. The authorization is valid for temporary storage of Hazardous Waste within premises only.
16. The authorized agency shall ensure that on-line data with regard to quantity and nature of hazardous chemicals being used in the plant as well as air emission and waste generated within premises is displayed on Display Board of size 6x4 feet outside the main factory gate within premises
17. It is duty of the authorized person to take prior permission of this Board to close and cleanup the facility for treatment, storage and disposal of hazardous waste.
18. The applicant shall maintain record of hazardous waste in Form-3 and shall submit annual return in Form-4 on or before the 30th day of June following to the financial year to which that return relates.
19. In no case any hazardous waste shall be disposed off on land, in any drain, or into any water stream. All spillage must also be safely collected and stored.
20. Before the hazardous waste is stored or dumped in the facility, applicant must conduct a detailed physical and chemical analysis of hazardous waste sample and report to the Board.
21. Dried hazardous sludge from the process in the plant shall be stored in double lined HDPE pit constructed with R.C.C. or such material which does not react with the waste contained in it.
22. The storage area should be fenced properly and Sign/Notice Board indicating $\frac{1}{2}$ Danger $\frac{1}{2}$ and $\frac{1}{2}$ Hazardous $\frac{1}{2}$ shall be displayed at appropriate position both in Hindi and English.
23. The industry shall store non-ferrous metal waste, used oil/spent oil waste in sealed drums placed on impervious floor under covered shed. Hazardous waste if required shall be sold only to Registered Recyclers/Re-processors.
24. In case of any transportation of hazardous waste, the details in Form-10 of the Hazardous and Other Wastes Rules, 2016 shall be submitted to the Board.

Kalika Singh Digitally signed by Kalika Singh
Date: 2022.05.19 15:03:57
Regional Officer

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सम्पत्ति विभागाद्वारा इच्छा

जिला परिषद/क्षेत्र समिति प्रपत्र संख्या 2020-2000

(नियम 41 देखिये)

("डबल साइडेड कावच प्रपत्र" पर अनिष्ट पैनल से लिखा जायेगा)

जिला परिषद जिले के नाम सहित क्षेत्र समिति के नाम का खड स्टाम्प

वही संख्या रसीद संख्या

नाम रजिस्टर संख्या 73330 से

(रुपया शब्दों में)

विल संख्या 16/30/22

के मददे प्राप्त हुआ।

का हस्ताक्षर/खड विकास अधिकारी

स्थान 16/30/22

दिनांक 16/30/22

लेखाकार

मूल्य =

कर-समाहर्ता (देक्स कलेक्टर)

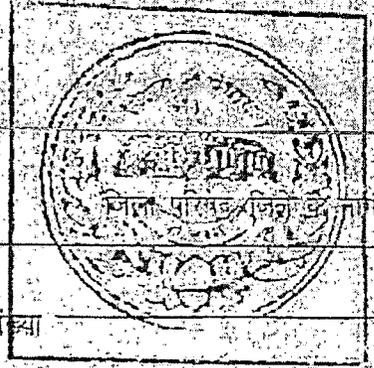
रोकडिया

माना तथा वसूली का प्रभारी लिपिक

कर-समाहर्ता

जिला प्रपायत, बलिया

पीएसओपीओ-01/जिला प्रपायत-04-12-2020-4000 बुक (डीपीपीओ/ऑफसेट)।



वही संख्या 73330 रसीद संख्या

रसीद के अनुसार भुगतानकर्ता का नाम

रसीद के अनुसार उससे वसूल की गई धनराशि

रसीद के अनुसार किस मददे वसूल की गई

रसीद के अनुसार कर-समाहर्ता का नाम, जिससे

धनराशि वसूल की

इस कूपन को जमा करने वाले

अधिकारी का नाम तथा पदनाम

56

इ 2 अट्या केन्द्र फालपुरा कोथ
जिला परिषद्/क्षेत्र समिति प्रपत्र संख्या 5021-2020
(नियम 41 देखिये)

(4'डबल साइडेड कार्बन पेपर पर अमिट प्रेस्सिल से लिखा जायेगा)

जिला परिषद् जिले के नाम सहित क्षेत्र समिति के नाम का रवड स्टाम्प

वही संख्या रसोद संख्या 73329

मांग रजिस्टर संख्या से

बिल संख्या इ 2 अट्या फालपुरा कोथ

जिला परिषद् के मांग रजिस्टर संख्या के मददे प्राप्त हुआ।

जानकारी इ 2 अट्या फालपुरा कोथ

साथ इसका मुख्य अधिकारी/खेती विकास अधिकारी

स्थान 7400/2

दिनांक

वर्तमान
19/3/2022

कर-समाहता (टेक्स कलेक्टर)

रोकड़िया

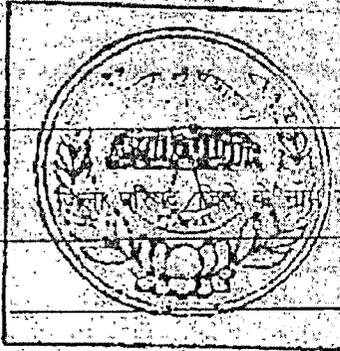
मांग तथा वसूली का प्रभारी लिपिक

कर-समाहता

जिला पंचायत, बलिया

मूल्य =

डी0एस0पी0-04 जिला पंचायत-04 12-2020-1000 बुक (डी0पी0/आफ0टे0)।



सहिला क्षेत्र समिति के नाम का रवड स्टाम्प

वही संख्या

73329

रसोद संख्या

रसोद के अनुसार भुगतानकर्ता का नाम

रसोद के अनुसार उससे वसूल की गई धनराशि

रसोद के अनुसार किस मददे वसूल की गई

रसोद के अनुसार कर-समाहता का नाम, जिसने

धनराशि वसूल की

इस कूपन को जमा करने वाले

अधिकारी का नाम तथा पदनाम

35444

57

वित्तीय नियम संग्रह खण्ड-5 भाग-2

प्रपत्र संख्या-43 ए (1)

(प्रस्तर 417 एवं 478 देखिए)

धनराशि जमा करने का चालान फार्म

उपकोषागार/बैंक का नाम:- भारतीय स्टेट बैंक

1-जिस व्यक्ति (पदनाम आदि आवश्यक हो या संख्या) के नाम से धनराशि जमा की जा रही है उसका नाम	मै० प्रगती इंट भट्टा फलपुरा कोथ तहसील सिकन्दरपुर जनपद बलिया। मो० नं०-8400927171
2-पता	प्रो० श्री ब्यास सिंह पुत्र शिव शम्भू सिंह निवासी दुगौली तहसील सिकन्दरपुर जनपद बलिया द्वारा वर्ष 2021-22 में
3-पंजीकरण संख्या/पक्ष का नाम व वाद संख्या (यदि आवश्यक हो)	19 पाये का आवेदन शुल्क, विनियमन शुल्क व पलोधन की धनराशि रू०
4-जमा की धनराशि का पूरा विवरण धनराशि किस हेतु जमा की जा रही है विभाग के पक्ष में जमा की जा रही है।	विनियमन शुल्क 89100.00 पलोधन 8910.00 आवेदन शुल्क 2000.00 कुल योग 100010.00
5-चालान की सकल राशि	
6-चालान की निर्मल राशि	
7-लेखाशीर्षक का पूर्ण विवरण व लेखाशीर्षक की मुहर	
8-लेखाशीर्षक का कोड 13 डिजिट कोड	

मुख्य लेखाशीर्षक	उप मुख्यशीर्षक	लघु शीर्षक	उपशीर्षक	ब्यौरा शीर्षक	धनराशि (अंको में)
0 8 5 3	0 0	1 0 2	0 1	0 0	100010.00

102 खनिजी विभाग की फीस संयोजकी
किराया अदि राशि

100010.00

100010.00

धनराशि (शब्दों में) रूपया एक लाख दस मात्र

चालान में लेखाशीर्ष की पुष्टि करने वाले
विभागीय अधिकारी के हस्ताक्षर मुहर सहित



जमाकर्ता का नाम व हस्ताक्षर

केवल उपकोषागार/बैंक के प्रयोगार्थ

चालान CU000008

दिनांक



00010/

प्राप्त किया
जमाकर्ता के हस्ताक्षर उपकोषागार/बैंक के मुहर सहित

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E- Service of Counter Affidavits on behalf of Respondent no



Workspace Legal <workspacelegal0@gmail.com>

to secy-moef, mschb.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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