



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

Ref. No. H02434/C-6/Gen-790/O.A. No.456/2023/2023

Dated 30-10-23

To,

The Registrar General,
Hon'ble, National Green Tribunal,
Principal Bench,
Faridkot House, Copernicus Marg,
New Delhi- 110001 .

Sub: Regarding submission of Joint Committee Report in compliance of the order dated 02.08.2023 in OA no. 456/2023 In the matter of Ram Rang Shukla Vs. State of UP.

Sir,

Kindly refer to the subject mentioned above. In compliance of the order dated 02.08.2023 in OA no. 456/2023 In the matter of Ram Rang Shukla Vs. State of UP, The Joint Committee Report is enclosed herewith for your kind perusal and further necessary action.

Enclosures: As above

Sincerely Yours,

(Dr. Ram Karan)
Chief Environment Officer
(Circle-6)

Copy to: Following for information and further necessary action.

Shri Pradeep Misra Advocate, Supreme Court, B-235, Sector-XIX, Noida,
District-GB Nagar, 201301.

Chief Environment Officer
(Circle-6)



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**JOINT COMMITTEE REPORT IN COMPLIANCE OF HON' BLE NGT (PB) ORDER
O.A. No 456/2023 DATED 02.08.2023, Ram Rang Shukla Vs State of Uttar Pradesh,
Bandhwa, Wazeerganj, District-Gonda (UP)**

1. Background:

Hon'ble NGT, Principal Bench, Delhi vide its order dated 02.08.2023 in the matter of Ram Rang Shukla Vs State of Uttar Pradesh., (O.A. No 456/2023) passed order, regarding illegal operation of brick kiln M/s CH ENT Bhatta behind Indian Oil Petrol Pump, Bandhawa Chauraha, Wazeerganj, District Gonda, Uttar Pradesh in violation of siting criteria, environmental norms and closing order issued by UPPCB causing damage to environment, nearby vegetation and health hazards to local residents. Related portion of the order passed by Hon'ble NGT is as given below;

.....“2. *Prima facie, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of Central Pollution Control Board (CPCB), Uttar Pradesh State Pollution Control Board (UPPCB) and District Magistrate (DM), Gonda and direct the same to meet within one week, undertake visit to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position particularly with regard to siting criteria and CTE/CTO and take appropriate remedial action by following due course of law and giving opportunity of being heard to the project proponent. The State PCB will be the nodal agency for coordination and compliance.*

3. *Factual and Action taken Report may be submitted within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.*

4. *List for further consideration on 03.11.2023.*

The Joint Committee comprised of following members:

1. Sh Suresh Kumar Soni, ADM, (FR), Gonda (UP).
2. Sh. A.K.Tripathi, Scientist-C, Central Pollution Control Board, Regional Directorate, Lucknow.
3. Dr. T.N. Singh, Regional Officer, Uttar Pradesh Pollution Control Board, Ayodhya.

Subsequently, members of the committee visited the site on August 26, 2023.

2. Inspection of M/s CH ENT Bhatta behind Indian Oil Petrol Pump, Bandhawa Chauraha, Wazeerganj, District Gonda, Uttar Pradesh (UP)

Joint committee visited the questioned brick kiln M/s CH ENT Bhatta behind Indian Oil Petrol Pump, Bandhawa Chauraha, Wazeerganj, District Gonda, Uttar Pradesh to verify the factual position with regard to siting criteria and CTE/CTO on 26.08.2023. The detailed inspection report along with salient observations and recommendations are mentioned below:

| S. No. | Particulars | Verification Details |
|-----------|--|---|
| A. | Location Details | |
| 1. | Name of the Brick kiln & Address | M/s CH Ent Bhatta, Arazi No.- 821, Village Bandhwa, Wazirganj, Tarabganj, District-Gonda, (UP) |
| 2. | Owner's name and contact details | Sh Hamid Ali (Proprietor) 9792426164 |
| 3. | GPS Co-ordinates Longitude: Latitude: | 26.990582 82.124979 |
| B. | Verification of the Display Board | |
| 1. | Environmental Data displayed at the main gate: Yes/No. | No |
| C. | Operational/Working Status | |
| 1. | Status at the time of visit Operational or Non-operational (Photograph attached as Annexure-1) | Non-operational due to off season (As reported last production process closed on 10.06.2023) |
| D. | Status of Consent to Establish (NOC) | |
| 1 | Status of Consent to Establish | Issued vide Ref. No. |

| | | |
|----|---|---|
| | | 3062/NOC/2011 dated-23.03.2011. |
| 2 | Status of Consent to Operate & Validity period | Issued vide Ref. No. 164535/UPPCB/ Faizabad (UPPCBRO)/CTO/both/GONDA/ 2022, dated- 21.09.2022 which was valid till 31.07. 2023. |
| E. | Production and Capacity | |
| 1. | Production as per Consent to Operate: No. of bricks per day: No. of bricks per month: | 20000 Numbers/day - - |
| 2. | Dimensions of the Kiln (Mtr/ft) Length: Width: Height: | (100X30X8)M 100 30 8 |
| 3. | Fuel details as per Consent to Operate: Type of fuel: Consumption per day (MT/Kg): | Coal 03 Tons Per Day |
| F. | Verification of the Brick Manufacturing Technology | |
| 1. | Brick Manufacturing Technology Pattern of Brick Siting: Zig-Zag or straight (Photographs attached as Annexure-1) | Natural draft straight |
| 2. | Whether ID fan installed, Yes/No If, Yes, then Capacity of ID fan (in terms of Fan Size, HP) (Photograph attached as Annexure-1) | No (Natural Draft) NA NA |
| 3. | Shape of kiln (Oval/rectangular) (Photograph attached as Annexure-1) | Oval Shape Kiln |
| G. | Provision of Monitoring Facilities: | |
| 1. | Stack height (Mtr/ft) Platform provided: (Y/N) Portholes provided: (Y/N) (Photographs attached as Annexure-1) | 30M Yes Yes |

3- Overall Observation:

- (i) The questioned unit M/s. C. H. Ent Bhatta, Behind Indian Oil Petrol Pump, Bandhwa Chauraha, Wazirganj, District- Gonda, Uttar Pradesh has obtained Consent To Establish (CTE) Vide Ref. No. 3062/NOC/2011 dated- 23.03.2011 To establish the Ent Bhatta on Arazi No.- 821, Vill- Bandhwa, Wazirganj, Gonda as per Zila Panchayat Guidelines before implementation of The Uttar Pradesh Brick Kilns (Siting Criteria For Establishment) Rules, 2012 notified by Govt. of U.P. vide Ref. No. 921/55-Parya/12-94(Parya)/2012, dated- June 27, 2012.
- (ii) The said Brick Field has obtained Consent To Operate (CTO) issued on dated 21.09.2022 with installed capacity 20,000 Bricks Per Day, which was valid upto 31.07.2023.
- (iii) During Joint Committee visit, the unit was found non-operational due to off season of the Bhatta operation period in rainy season. The last production process was closed on 10.06.2023 as reported by Brick Kiln owner.
- (vi) Respondent Board has directed to Ent Bhatta for conversion of the Natural draft to the induced draft technology brick kiln (with rectangular kiln shape and Zig-Zag brick setting) in compliance with timeline given by MOEF&CC notification G.S.R. 143(E) dt.22.02.2022.

As per notification dated 22.02.2022 "the existing brick kiln which are not following Zig-zag technology or vertical shaft or use Piped Natural Gas (PNG) as fuel in brick making shall be converted to Zig-zag technology or vertical shaft or use Piped Natural Gas as fuel for making brick kiln within period of (a) one year in case of kilns located within 10 Kilometers radius of Non Attainment Cities (NAC) as defined by CPCB (b) two years for other areas.

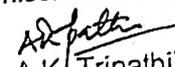
Gonda, Uttar Pradesh has not been categorized as Non Attainment Cities (NAC). The time line for conversion in Zig-zag technology for brick kilns is up to 21 February, 2024.

- (vii) The brick kiln is based on Natural draft technology and using Coal as fuel for brick kiln firing and coal was found stored in open unshaded area covered with tarpaulin. Internal roads within the premises of the questioned Brick Kiln were found unpaved which may cause fugitive emission while movement of vehicles.

- (viii) The Brick Kiln has installed ⁱⁿadequate monitoring facility i.e., Monitoring Platform, Ladder and Porthole. The unit has provided monitoring platform (2.5 ft. x 3.0 ft) & porthole (3.5 inches) at the stack. Monitoring platform and porthole were not found as per CPCB Guidelines for source emission monitoring.
- (ix) Brick kiln has no adequate plantation for development of a green belt around the periphery of the brick kiln for dust control.

4- Recommendation:

- (i) The brick kiln should convert the kiln from Natural draft to Induced draft technology brick kiln (with rectangular kiln shape and Zig-Zag brick setting) in compliance with timeline given by MOEF&CC notification G.S.R. 143(E) dt.22.02.2022.
- (ii) The brick Kiln should not be allowed to operate without upgrading Air pollution Control System and obtaining valid CCA from UPPCB.
- (iii) The brick kiln is established on 2011 based on the applicable siting guidelines of Zila Panchayat and thereafter obtain Consent to Operate under Air (Prevention and Control of Pollution) Act, 1981.
- (iv) The Brick Kiln should develop proper green belt as per CCA to minimize fugitive emission & dust emission.
- (v) Fuel should be stored at shaded area to avoid fugitive emission. Water sprinklers are required to be deployed for control of Fugitive emission.
- (vi) The Brick Kiln should have pucca road within the premises to prevent fugitive emission during vehicle movement.


(Sh. A.K. Tripathi)
Scientist 'C' CPCB, RD


(Sh. Suresh Kumar Soni)
ADM(FR), Gonda

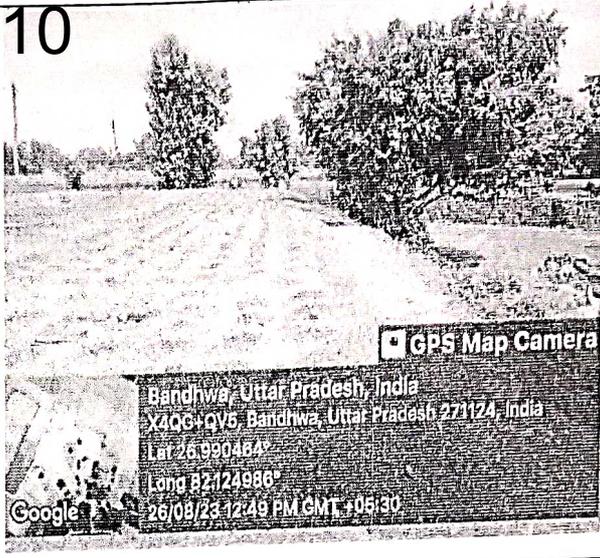
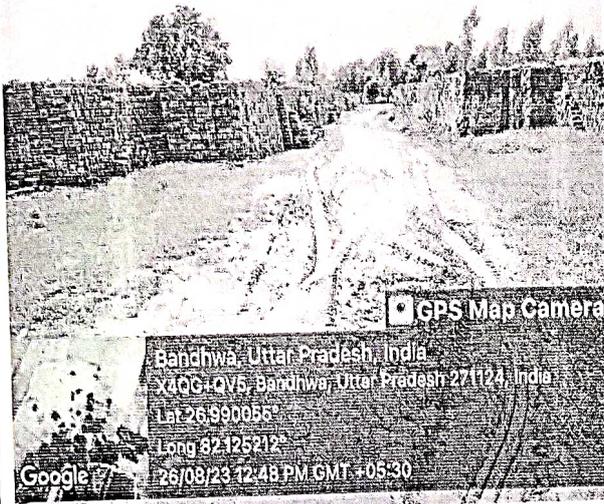

(Dr. T.N. Singh)
RO, UPPCB, Ayodhya

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Annexure-1

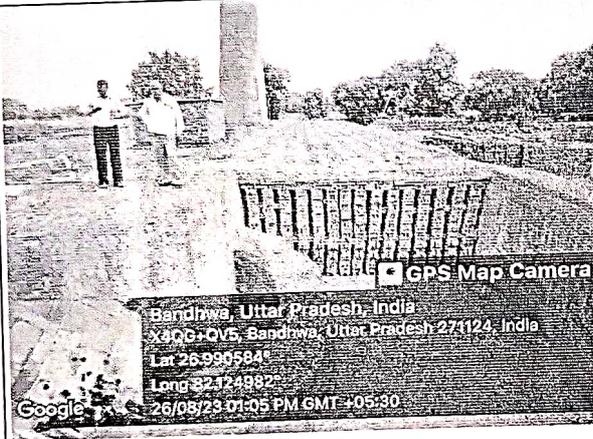
Photograph Gallery of M/s CH Ent Bhatta Udyog, Bandhawa, Wazeerganj, Gonda, UP

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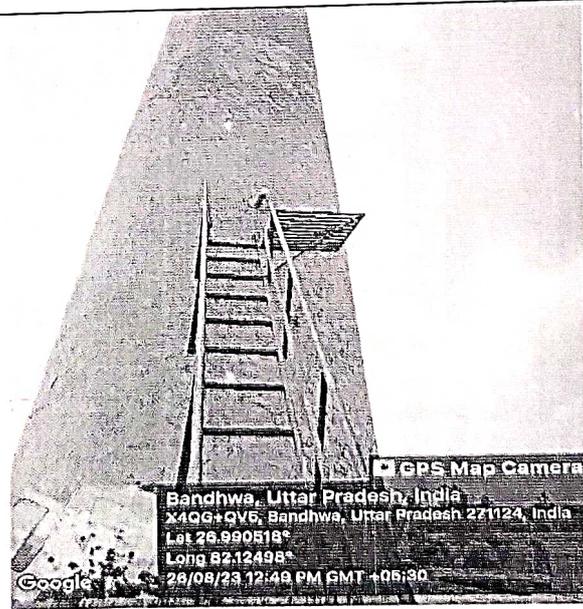
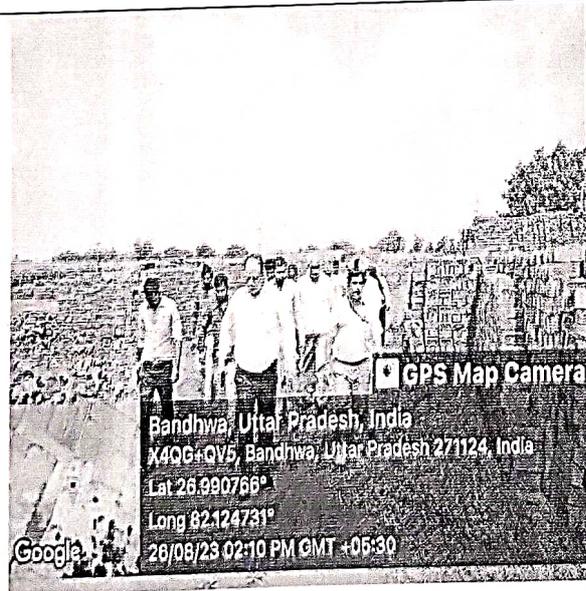
No Environmental Data Displayed Board & Unpaved roads

Oval Shape brick Kiln



Straight Brick Setting pattern

Stack of the Brick Kiln



No adequate plantation around Brick kiln

Stack with Platform & Porthole



Impact Zone (black spot) in Mango tree near brick Kiln



Coal used as fuel stored in open area