

Factual and Action Taken Report of Joint Committee

In the Matter of

Original Application No. 40/2023

Hon`ble National Green Tribunal Central Zone
Bench, Bhopal Order Dated 26.05.2023



Date of Visit: 06 June 2023

Location: Village Rur, Tehsil & District Bhind (M.P.)

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Joint Committee Inspection Report
Original Application No. 40/2023

**Hon`ble National Green Tribunal Central Zone
Bench, Bhopal Order Dated 26.05.2023**

Hon`ble NGT in OA No. 40/2023 vide its order dated 26/05/2023 in the matter directed under para 1, 2 & 3 as:-

1. *The issue raised in this application is pollution caused by operation of brick kilns in violation of environmental rules in and around village Rur Post Umari, Bhind, Madhya Pradesh- 477331.*
2. *A substantial issue of environment has been raised.*
3. *Issue notice to the respondents, returnable within four weeks. Respondents are directed to submit their reply within Six weeks through E-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.*
4. *Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.*
5. *We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-*
 - i. *Collector, Bhind (M.P.).*
 - ii. *One representative from Madhya Pradesh Pollution Control Board.*
6. *The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.*

With reference to above order of Hon'ble NGT dated 26.05.2023 a joint committee consisting of officials conducted visit of site on dated 06th June 2023. The Members of Joint Committee who carried out inspection are as follows:-

S.No	Name of Department	Name of Representative
1.	Collector Bhind	1. Shri J. P. Sayyam Additional Collector Bhind 2. Shri Dinesh Dudhve Mining Officer Bhind
2.	Madhya Pradesh Pollution Control Board	Shri Rishiraj Singh Sengar Regional Officer, RO MPPCB, Gwalior, MP

As per order, a factual and action taken report has to be submitted by Joint Committee after visiting the place as mentioned in NGT Case OA 40/2023.

As per Hon'ble NGT order dated 26-05-2023 in the matter OA 40/2023

1. Pollution is caused by operation of brick kilns in violation of environmental rules in and around village Rur, Post Umeri, Bhind, Madhya Pradesh. Thus a substantial issue of environment has been raised.

OBSERVATIONS:-

The Joint Committee visited Village Rur, Tehsil and District Bhind to investigate the facts on ground. Following observations were made by the joint committee:-

1. There are two bricks kilns in village Rur, Tehsil & District Bhind.
2. One Brick kiln named M/s D.S. leat Bhatta, owner Shri Ranveer Singh Yadav is situated about 800 meter away from the house of applicant Shri Vinod Singh Yadav. This unit has consent of the M.P. Pollution Control Board under The Water (Prevention & Control of Pollution) Act, 1974 and The Air (Prevention & Control of Pollution) Act, 1981. The consent is valid up to 31/12/2025. **Annexure C-01**

3. Second brick kiln M/s B. S. Bricks, owner Shri Brijmohan Singh Yadav is situated about 200 meter away from the applicant house. This brick kiln does not obtained consent of the M. P. Pollution Control Board under the provisions of the M.P. Pollution Control Board under The Water (Prevention & Control of Pollution) Act, 1974 and The Air (Prevention & Control of Pollution) Act, 1981.
4. Applicant was contacted by joint committee but he was out of station. His younger brother Shri Naval Singh Yadav was present. He told that his family is facing various types of problems in daily routine including air pollution generated from M/s B. S. Bricks, owner Shri Brijmohan Singh Yadav. The approach road to this brick kiln passes in front of his house & brick kiln owner carried out illegal soil mining for manufacturing of bricks very near to his house.

(A) FACTUAL STATUS OF THE MAJOR ISSUES RAISED IN PETITION ON WHICH STATUS REPORT SOUGHT BY HON'BLE NGT THROUGH ORDER DATED 05.04.2022

On the basis of observation made by Joint Committee the factual status against the issues raised in petition on which status report sought by Hon'ble NGT through order dated 26.05.2023 is summarized as below:-

S.No.	Detail of Issues	Factual status
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1	<p><i>Illegal spreading pollution by doing business by brick industry in said area i.e. village Rur, Post Umri, District Bhind, Madhya Pradesh, which creates heavy discharge of carbon dioxide and other harmful gases due to which number of peoples are suffering from dangerous diseases and also the large number of peoples are leaving the area due to the pollution and the children also suffering asthmatic disease.</i></p>	<p>Complainant was contacted by Joint Committee during visit at his home situated in village Rur but he was out of station. So JC contacted his family and prepare a Panchnama enclosed as Annexure C-2.</p> <p>As per petition and panchnama petitioner have the problems with M/s D.S. Bricks owner Shri Brajmohan Singh Yadav situated about 200 meter away from petitioner house.</p> <p>This unit does not have the consent of M.P. Pollution Control Board under the provisions of The Air (Prevention and Control of Pollution) Act, 1981 & The Water (Prevention and Control of Pollution) Act, 1974.</p> <p>During JC visit this brick kiln was in operation. M.P. Pollution Control Board carried out ambient air monitoring within brick kiln premise & near the house of petitioner. Monitoring Report is enclosed as Annexure C-3. PM 10 concentration was found more than prescribed standards of 100 microgram per cubic meter at both points but in moderate limit.</p> <p>Regarding health issues mentioned in petition, a report is called upon from Chief Medical and Health Officer Bhind which is enclosed as Annexure C-4. As per report spreading of dangerous diseases in the area due to smoke of brick kiln not found.</p>
2	<p><i>Respondent No. 2, Shri Brijmohan Singh Yadav S/o Shri Ramratan Singh Yadav without getting license and pollution certificate, they are violating the rules of Pollution Control Act resulting the pollution spreading in the area.</i></p>	<p>Brick kiln of Respondent No. 2 M/s D.S. Bricks owner Shri Brajmohan Singh Yadav does not have the consent of M.P. Pollution Control Board under the provisions of The Air (Prevention and Control of Pollution) Act, 1981 & The Water (Prevention and Control of Pollution) Act, 1974.</p> <p>During JC visit this brick kiln was in operation. M.P. Pollution Control Board carried out</p>

		<p>ambient air monitoring within brick kiln premise & near the house of petitioner. Monitoring Report is enclosed as Annexure C-3. PM 10 concentration was found more than prescribed standards of 100 microgram per cubic meter at both points but in moderate limit.</p>
3	<p><i>Respondent No. 1 Madhya Pradesh Pollution Control Board is a Government Authority, which is duty bound to keep the Environment clean and healthy in the proper manner free from all kinds of illegal activities causing pollution due to which the applicant and other residents of said area are not in position to event breath healthy and unpolluted atmospheric and live in a healthy and respectable atmosphere. Respondent are not comply the rules and regulations and norms of the pollution control policy.</i></p>	<p>Brick kiln of Respondent No. 2 M/s D.S. Bricks owner Shri Brajmohan Singh Yadav does not have the consent of M.P. Pollution Control Board under the provisions of The Air (Prevention and Control of Pollution) Act, 1981 & The Water (Prevention and Control of Pollution) Act, 1974.</p> <p>During JC visit this brick kiln was in operation. M.P. Pollution Control Board carried out ambient air monitoring within brick kiln premise & near the house of petitioner. Monitoring Report is enclosed as Annexure C-3. PM 10 concentration was found more than prescribed standards of 100 microgram per cubic meter at both points but in moderate limit.</p>
4	<p><i>People who are the doing business of illegal brick industry and the public place in the area mentioned above and creating problem in the eco-system of Madhya Pradesh environment. It is causing pollution in the area, which harms to the public at large. The peaceful life of applicant & family members</i></p>	<p>The issues mentioned in this point regarding status of air pollution not found proper. The status of pollution monitored by M.P. Pollution Control Board near petitioner house and brick kiln premise is not significant to harm public health. This fact is supported by report submitted by CMHO Bhind enclosed as Annexure C-4.</p> <p>This unit M/s D.S. Bricks owner Shri Brajmohan Singh Yadav have a sanctioned soil mine at survey nos. 705 & 1027, Area 1.00 Hectare in</p>

	<i>and the life of the people surrounding and general public have been destroyed by the illegal activities of brick industry which become very unhealthy.</i>	village Vilav, Tehsil and district Bhind for a period from 14.03.2016 to 13.03.2026. But no soil excavation from quarry site found at the time of visit. This brick kiln not produced any documents to JC in support of source of soil used in brick manufacturing. Excavation of soil in adjoined piece of land was seen which was supposed to be carried out by this brick unit.
5	<i>As per complaint submitted by petitioner to Chairman M.P. Pollution Control Board, Bhopal through letter dated 18.04.2023 which is enclosed by petitioner in his petition, some other issues also mentioned which are as follows— The crop production in the village is reduced due to smoke of brick kilns. The worker of brick kiln of Respondent no. 2 are creating nuisance in village by quarrelling with villagers and abusing & beating them. Public is living in fear.</i>	For verification of these issues reports are called upon from Agriculture Department and concerning Police Station which is enclosed as Annexure C-5 & C-6. Agriculture Department reported that as per record agriculture produce of the village is continuously increased in last 03 years & no reduction in crop production due to smoke of brick kilns of area observed. Also Police Station Umari reported that no complaint from petitioner is found in record of Police Station regarding nuisance created by worker of brick kiln of Respondent no. 2.

(B) ACTION TAKEN REPORT:-

During visit of Joint Committee the violation observed and then action taken by concerning department is summarized as follows -

S. No.	Issues/violation observed by JC	Action Taken
1	Brick kiln of Respondent No. 2 M/s D.S. Bricks owner Shri Brajmohan Singh Yadav does not have the consent of M.P. Pollution Control Board under the provisions of The Air	Regional Office M.P. Pollution Control Board Gwalior issued closer direction to the Brick kiln of Respondent No. 2 M/s D.S. Bricks owner Shri Brajmohan Singh Yadav under section 31A of The Air

	(Prevention and Control of Pollution) Act, 1981 & The Water (Prevention and Control of Pollution) Act, 1974.	(Prevention and Control of Pollution) Act, 1981 vide order dated 20.06.2023. Copy of same closer direction enclosed as Annexure C-7 .
2	This unit M/s D.S. Bricks owner Shri Brajmohan Singh Yadav have a sanctioned soil mine at survey nos. 705 & 1027, Area 1.00 Hectare in village Vilav, Tehsil and district Bhind for a period from 14.03.2016 to 13.03.2026. But no soil excavation from quarry site found at the time of visit. This brick kiln not produced any documents to JC in support of source of soil used in brick manufacturing. Excavation of soil in adjoined piece of land was seen which was supposed to be carried out by this brick unit.	Collector Bhind issued a notice to M/s D.S. Bricks owner Shri Brajmohan Singh Yadav to impose penalty of Rs. 1658490/- for illegal storage of soil bricks at site on dated 15.06.2023. This matter is under process. Copy of notice is enclosed as Annexure C-8 .

Photographs taken during JC visit of site are enclosed as **Annexure C-9**.

The members of Joint Committee present during field inspection on 06.06.2023 duly signed this report as follows:

S.No	Name of Department	Name of Representative	Signature
1.	Collector Bhind	Shri J. P. Sayyam Additional Collector Bhind	
2.	M.P. Pollution Control Board	Shri Rishiraj Singh Sengar Regional Officer, M.P. Pollution Control Board, Gwalior	



ORANGE-SMALL

CCA-Renewal

CONSENT NO: ***

PCB ID: 75813

Outward No:16454,27/03/2021

Consent No:AW-86610

NO: /MPPCB/GWR

To,
The Occupier,
M/s. D. S. Brick Field (Chimney),
sur. no. 996 min, 995, vill. Rur Dist. Bhind,
Ranveer Singh Yadav, 38, Bhoota Bazar, Bhind

Subject: Grant of Consent to Operate under section 25 of the Water (Prevention & Control of Pollution) Act,1974 under section 21 of the Air (Prevention & Control of Pollution) Act,1981

Ref: Your Consent to Operate Application Receipt No. 1069629 Dt. 26/03/2021 and last communication received on Dt.19/03/2021

With reference to your above application for consent to operate has been considered under the aforesaid Acts and existing rules therein. The M. P. Pollution Control Board has agreed to grant consent up to 31/12/2025, subject to the fulfillment of the terms & conditions, enclosed with this letter and-

SUBJECT TO THE FOLLOWING CONDITIONS :-

- a. Location:** sur. no. 996 min, 995, vill. Rur Dist. Bhind
- b. The capital investment in lakhs:** Rs. 18
- c. Product & Production Capacity:**

Product	Qty / year
Bricks Nirman	2400000.000 NOS (Twenty Four Lac. Nos)

Note:- For any change in above industry shall obtain fresh consent from the board.

The Validity of the consent is up to 31/12/2025 and has to be renewed before expiry of consent validity. Online application through XGN with annual license fees in this regard shall be submitted to this office 6 months before expiry of the consent/Authorization. Board reserves the right to amend/cancel / revoke the above condition in part or whole as and when required.

Enclosures:-

- * Conditions under Water Act
- * Conditions under Air Act

- * General conditions



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TPAV # T45525FC90

NETRAPAL SINGH
Regional Officer



CONDITIONS PERTAINING TO WATER (PREVENTION & CONTROL OF POLLUTION) ACT 1974 :-

1. The daily quantity of trade effluent at out fall of the unit shall not exceed 0.000 KL/day, and the daily quantity of sewage at out fall of the unit shall not exceed 0.500 KL/day

2. Trade Effluent Treatment:-

The applicant shall provide comprehensive effluent treatment system as per the proposal submitted to the Board and maintain the same properly to achieve following standards-

pH	Between	5.5 – 9.0	TDS	Not exceed	2100 mg/l.
Suspended Solids	Not exceed	100 mg/l.	Chlorides	Not exceed	1000 mg/l.
BOD ₅ Days 27 <input type="checkbox"/> C	Not exceed	30 mg/l.			
COD	Not exceed	250 mg/l.			
Oil and grease	Not exceed	10 mg/l.			

For other parameters general standards of discharge as notified under EP Act 1986 shall be applicable.

3. Sewage Treatment :- The applicant shall provide comprehensive sewage treatment system as per the proposal submitted to the Board and maintain the same properly to achieve following standards-

pH	Between	5.5 – 9.0
Suspended Solids	Not exceed	100 mg/l.
BOD ₅ Days 27 <input type="checkbox"/> C	Not exceed	30 mg/l.
COD	Not exceed	250 mg/l.
Oil and grease	Not exceed	10 mg/l.

Sr	Water Code (Qty in klpd - Kilo Ltr per Day)	WC : 2.000	WWG : 0.500	Water Source	Remark
1	Domestic Purpose	1.000	0.500	Tankers	
2	Mnfg Process	1.000	0.000	Borewell	

4. The effluent shall be treated up to prescribed Standards and reuse in the process, for cooling and for green belt devolvement/gardening within premises. Hence zero discharge condition shall be practiced. In no case treated effluent shall be discharged outside of industry/unit premises.

5. Any change in production capacity, process, raw material used etc. and for any enhancement of the above prior permission of the Board shall be obtained. All authorized discharges shall be consistent with terms and conditions of this consent. Facility expansions, production increases or process modifications which result new or increased discharges of pollutants must be reported by submission of a fresh consent application for prior permission of the Board

6. Compilation of Monitoring data-

- Samples and measurements taken to meet the monitoring requirements specified above shall be representative of the volume and nature of monitored discharge.
- Following promulgation of guidelines establishing test procedures for the analysis of pollutants, all sampling and analytical methods used to meet the monitoring requirements specified above shall conform to such guidelines unless otherwise specified sampling and analytical methods shall conform to the latest edition of the Indian Standard specifications and where it is not specified the guidelines as per standard methods for the examination of Water and Waste latest edition of the American Public Health Association, New York U.S.A. shall be used.
- The applicant shall take samples and measurement to meet the monthly requirements specified above and report online through XGN the same to the Board.

7. Recording of Monitoring Activities & Results-

- The applicant shall make and maintain online records of all information resulting from monitoring activities by this Consent.
- The applicant shall record for each measurement of samples taken pursuant to the requirements of this Consent as follows:
 - The date, exact place and time of sampling
 - The dates on which analysis were performed
 - Who performed the analysis?
 - The analytical techniques or methods used and
 - The result of all required analysis

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iii. If the applicant monitors any Pollutant more frequently as is by this Consent he shall include the results of such monitoring in the calculation and reporting of values required in the discharge monitoring reports which may be prescribed by the Board. Such increased frequency shall be indicated on the Discharge Monitoring Report Form.

iv. The applicant shall retain for a minimum of 3 years all records of monitoring activities including all records of Calibration and maintenance of instrumentation and original strip chart regarding continuous monitoring instrumentation. The period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the applicant or when requested by Central or State Board or the court.

8. Reporting of Monitoring Results:-

Monitoring Information required by this Consent shall be summarized and reported by submitting a Discharge Monitoring report on line to the Board.

9. Limitation of discharge of oil Hazardous Substance in harmful quantities:-

The applicant shall not discharge oil or other hazardous substances in quantities defined as harmful in relevant regulations into natural water course. Nothing in this Consent shall be deemed to preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities, or penalties to which the applicant is or may be subject to clauses.

10. Limitation of visible floating solids and foam:

During the period beginning date of issuance the applicant shall not discharge floating solids or visible foam.

11. Disposal of Collected Solid waste/sludge-

All hazardous waste/sludge shall be disposed of as per the Authorization issued under Hazardous & other waste (M&TM) Rules 2016. And/other Solids Sludges, dirt, silt or other pollutant separated from or resulting from treatment shall be disposed of in such a manner as to prevent any pollutant from such materials from entering any such water Any live fish, Shall fish or other animal collected or trapped as a result of intake water screening or treatment may be returned to eaters body habitat.

12. Provision for Electric Power Failure-

The applicant shall assure to the consent issuing authority that the applicant has installed or provided for an alternative electric power source sufficient to operate all facilities utilized by the applicant to maintain compliance with the terms and conditions of the Consent.

13. Prohibition of By pass system of treatment facilities-

The diversion or by-pass of any discharge from facilities utilized by the applicant to maintain compliance with the terms and conditions of this Consent is prohibited except :

- i. where unavoidable to prevent loss of life or severe property damage, or
- ii. Where excessive storm drainage or run off would damage any facilities necessary for compliance with the terms and conditions of this Consent. The applicant shall immediately notify the consent issuing authorities in writing of each such diversion or by-pass in accordance with the procedure specified above for reporting non-compliance.

14. Industry/Institute/mine management shall submit the information online through XGN in reference to compliance of consent conditions.



CONDITIONS PERTAINING TO AIR (PREVENTION & CONTROL OF POLLUTION) ACT 1981 :-

1. The applicant shall provide comprehensive air pollution control system consisting of control equipments as per the proposal submitted to the Board with reference to generation of emission and same shall be operated & maintained continuously so as to achieve the level of pollutants to the following standards:-

Name of section	Stack height(mtrs)	Fuel	Control equipment to be installed	P.M, SOX, NOX(mg/NM3)
Kilns	30	WOD	Green Belt	100, 80, 80

2. Ambient air quality at the boundary of the industry/unit premises shall be monitored and reported to the Board regularly on quarterly basis: The Ambient air quality norms are prescribed in MoEF gazette notification no. GSR/826(E), dated: 16/11/09. Some of the parameters are as follows:

- Particulate Matter (less than 10 micron) - 100 µg/m³ (PM10 µg/m³ 24 hrs. basis)
- Particulate Matter (less than 2.5 micron) - 60 µg/m³ (PM2.5 µg/m³ 24 hrs. basis)
- Sulphur Dioxide [SO₂] (24 hrs. Basis) - 80 µg/m³
- Nitrogen Oxides [NO_x] (24 hrs. Basis) - 80 µg/m³
- Carbon Monoxide [CO] (8 hrs. Basis) - 2000 µg/m³

3. The industry shall take adequate measures for control of noise level generated from industrial activities within the premises less than 75 dB(A) during day time and 70 dB(A) during night time.

4. The industry/unit shall make the necessary arrangements for control of the fugitive emission from any source of emission/section/activities.

5. All the internal roads shall be made pucca to control the fugitive emissions of particulate matter generated due to transportation and internal movements. Good housekeeping practices shall be adopted to avoid leakages, seepages, spillages etc.

6. Industry shall take effective steps for extensive tree plantation atleast in 03 rows of the local tree species with minimum spacing of 4X4 meter within or around the industry/unit premises for general improvement of environmental conditions and as stated in additional condition

GENERAL CONDITIONS:

1. The non hazardous solid waste arresting in the industry/unit/unit premises sweeping, etc. be disposed off scientifically so as not to cause any nuisance/pollution. The applicant shall take necessary permission from civic authorities for disposal to dumping site. If required.

Non Hazardous Solid wastes:-

Type of waste	Quantity	Disposal
Scrap/ Plastic packing material wood, card board, gunny begs etc		Sale to authorized party/As Per CPCB. MoEF Guide lines / Others.

2. The applicant shall allow the staff of Madhya Pradesh Pollution Control Board and/or their authorized representative, upon the representation of credentials:

- To inspect raw material stock, manufacturing processes, reactors, premises etc to perform the functions of the Board.
- To enter upon the applicant's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this Consent.
- To have access at reasonable times to any records required to be kept under the terms and conditions of this Consent.
- To inspect at reasonable times any monitoring equipment or monitoring method required in this Consent: or,
- To sample at reasonable times any discharge or pollutants.

3. This consent / authorisation is transferable in nature, in case of any change in ownership / management, the new owner / partner / directors / proprietor shall immediately apply for the consent with new requisite information.

4. The issuance of this Consent does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorise any invasion of personal rights, nor any infringement of Central, State or local laws or

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Consent Order

M.P. Pollution Control Board - Gwalior
Pandit Deendayal Nagar, Housing Board Colony,
Gwalior 474 020
Gwalior
Tele : 0751-2472020

regulations.

5. This consent is granted in respect of Water pollution control Act 1974 or Air Pollution Control act, 1981 or Authorization under the provisions of Hazardous and other Waste (Management & Transboundary movement) Rules 2016 only and does not relate to any other Department/Agencies. License required from other Department/Agencies have to be obtained by the unit separately and have to comply separately as per there Act / Rules.

6. Balance consent/authorisation fee, if any shall be recoverable by the Board even at a later date.

7. The applicant shall submit such information, forms and fees as required by the board not later than 180 day prior to the date of expiration of this consent/authorisation

8. The industry/unit shall establish a separate environmental cell, headed by senior officer of the unit for reporting the environmental compliances. The industry/ Unit shall submit environmental statement for the previous year ending 31st March on or before 30th September every year to the Board.

9. Knowingly making any false statement for obtaining consent or compliance of consent conditions shall result in the imposition of criminal penalties as provided under the section 42(g) of the Water Act or section 38 (g) of the Air Act.

10. After notice and opportunity for the hearing, this consent may be modified, suspended or revoked by the Board in whole or in part during its term for cause including, but not limited to, the following :

(a) Violation of any terms and conditions of this Consent.

(b) Obtaining this Consent by misrepresentation of failure to disclose fully all relevant facts.

(c) A change in any condition that requires temporary or permanent reduction or elimination of the authorized discharge.

11. On violation of any of the above-mentioned conditions the consent granted will automatically be taken as canceled and necessary action will be initiated against the industry.

Additional condition:- (if any) :-

Consent/authorization as required under the Water (Prevention & Control of Pollution) Act, 1974, The Air (Prevention & Control of Pollution) Act, 1981 is granted to your industry subject to fulfillment of all the conditions mentioned above. For renewal purpose you shall have to make an application to this Board through XGN at least Six months before the date of expiry of this consent/authorisation. The applicant without valid consent (for operation) of the Board shall not bring in to use any outlet for the discharge of effluent and gaseous emission.

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



(Organic Authentication on AADHAR from UIDAI Server)
TPAV # T45525FC90

NETRAPAL SINGH
Regional Officer

Consent No:AW-86610

दि. 06/06/2023 को म.प्र. प्रहसन नियंत्रण बोर्ड प्रशासक का जॉय दत्त "मेरी शिकायत कि. वी.एस. यादव ईंट मट्ट से प्रहसन फेल रहा है। उपरोक्त दुर्भाग में नवल सिंह यादव पुत्र स्व. श्री धोरे सिंह यादव शिकायत करी श्री विनोद सिंह यादव का छोटा भाई हूँ। मैं अपने भाई के साथ निवास करता हूँ। प्रहसन के कारण मेरे बच्चे बीमार हो जाते हैं अभी भी बीमार हैं। मेरी माँ को सौल की बीमारी है। प्रहसन भी समझा है, धूल उड़ती है।

① नवल सिंह यादव नं. 8708196738

2 श्री. व.एस. यादव
व.एस. यादव
नारा देवी


06/06/2023


06/06/23



REGIONAL LABORATORY
M.P.POLLUTION CONTROL BOARD
D.D. Nagar, Housing Board Colony, Gwalior (M.P.)

AIR MONITORING REPORT

REPORT NO.-55,56

1. Name of Industry/Site - M/s B.S.Yadav Bricks Industry Rur,Umari
Distt- Bhind (M.P.),
2. Date of Monitoring - 06.06.2023
3. Date of Analysis - 07.06.2023
4. Sample Collected By - Ashok Gupta, Sampler
5. Ambient Air Monitoring Result:
 - Location- (I) - Near Shri Vinod Singh House (Complainer)
 - Location- (II) - Near Office Of Bricks Industry.

Parameters	Unit	Standards (As per NAAQS)	Standards	
			(I)	(II)
1. RSPM (PM ₁₀)	µg/ M ³	100	116	148
2. Sulphur-di-oxide (as SO ₂)	µg/ M ³	80	07	09
3. Nitrogen oxide (as NO _x)	µg/ M ³	80	09	11

Remark-

- Weather - Clear.
- Wind direction: - W → E with fluctuation.
- Indicates that the values exceed the permissible limits.

(D.S.Yadav)
Chemist

(D.K.Sharma)
Lab.Incharge



नं.	चर्चा	फायल
कार्यालय कलेक्टर जिला भिण्ड (म.प्र.)		
शाखा.....(खनिज शाखा).....		
कार्यवाही नस्बान्त कर प्रस्तुत करे।		
दिनांक	भिण्ड दिनांक-08/06/2023	
08 JUN 2023		
अधीक्षक		

कार्यालय मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी जिला भिण्ड (म.प्र.)
क्रमांक/स्था./2023/ 7980

प्रति,

अपर कलेक्टर (खनिज शाखा)
जिला भिण्ड



विषय:- माननीय राष्ट्रीय हरित अधिकरण सेन्ट्रल जोन भोपाल में विवाराधीन प्रकरण क्रमांक-ओ.ए. 40/2023 श्री विनोद सिंह विरुद्ध म.प्र. प्रदुषण नियंत्रण बोर्ड एवं अन्य के संबंध में जानकारी के संबंध में।

सन्दर्भ:- कार्यालय कलेक्टर (खनिज शाखा) जिला भिण्ड का पत्र क्रमांक-807/खनिज/2023 भिण्ड दिनांक 06.06.2023

आ.प्र.
3681
9/6/23

उपरोक्त विषयान्तर्गत लेख है कि आपके सन्दर्भित पत्र के अनुसार ग्राम रुर में आसपास स्थित ईट भट्टों के प्रदुषण के कारण कैंसर एवं दमा के रोगियों की संख्या बहुत बढ़ गई है, जिससे कुछ ग्रामीणों की मृत्यु होना बताई गई है। प्राथमिक स्वास्थ्य केन्द्र के चिकित्सक एवं स्टॉफ के द्वारा ग्राम रुर के ग्रामीणों एवं आसपास के ईट भट्टों के श्रमिकों का मय परिवार समेत परिक्षण किया एवं जानकारी ली गई जानकारी एवं परीक्षण में कोई भी कैंसर या दमा का मरीज भट्टों के धुये के कारण होना नहीं पाया गया।

कुछ ग्रामीणों में सी.ओ.पी.डी की बीमारी पाई गई है, जो कि तम्बाकू के लम्बे समय से सेवन के कारण बताई जाती है।

उपरोक्त जानकारी आपकी ओर सादर प्रेषित है।

संलग्न:- उपरोक्तानुसार।

श्री लक्ष्मण
(b)
12/06/23

मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी
जिला भिण्ड (म.प्र.)



Annexure C-5

टी.एन.	चर्चा	कायल
कार्यालय कलेक्टर जिला भिण्ड (म.प्र.)		
शाखा.....CE02P.....		
कार्यवाही		
दिनांक 26 JUN 2023		
अधीक्षक		

कार्यालय उप संचालक किसान कल्याण तथा कृषि विकास भिण्ड

Email- ddagribhi@mp.gov.in , Fax 07534-231955, Office - 07534-230525

क्र./टी.ए./विविध /2023-24/
प्रति,

भिण्ड, दिनांक 26/06/2023

अपर कलेक्टर
जिला भिण्ड

विषय:- मानीय राष्ट्रीय हरित अधिकरण सेन्ट्रल जोन भोपाल में विचाराधन प्रकरण क्र-ओ.ए 40/2023 श्री विनोद सिंह विरुद्ध म.प्र.प्रदूषण नियंत्रण बोर्ड एवं अन्य के संबंध में जानकारी बावत।
सन्दर्भ:- आपका पत्र क्र.808/खनिज/2023 भिण्ड दिनांक।

उपरोक्त विषय में निवेदन है कि विगत तीन वर्षों के फसलो के उत्पादन एवं उत्पादकता के डाटा के आधार पर खरीफ (धान,मुंग,ज्वार,बाजरा) एवं रबी (गेहु,सरसो एवं चना) फसलो मे वृद्धि हुई है।

अतः इससे स्पष्ट होता है कि ग्राम रूर पोस्ट उमरी तहसील व जिला भिण्ड में संचालित ईट भट्टो के धुए से फसलो के उत्पादन मे कोई कमी नही आई है। श्रीमान की ओर जानकारी सादर प्रेषित है।

आ.व.स.
4062
26/6/23

उप संचालक
किसान कल्याण तथा कृषि विकास
जिला भिण्ड

टी.एन.	चर्चा	फा.ल	प्रस्तुत
कार्यालय जिला पंचायत भिण्ड (म.प्र.)			
शाखा.....खनिज शाखा.....			
कार्यवाही - तत्काल नियमानुसार कार्यवाही कर प्रस्तुत करें।			
दिनांक 27/06/2023			
अधीक्षक मुख्य कार्यालय अधिकारी			

2962
28/6/23

कार्यालय पुलिस थाना ऊमरी जिला भिण्ड (म.प्र.)

क्र./एस.एच.ओ./ऊमरी/ 1510 /23

दिनांक 13/06/2023

प्रति,

खनिज अधिकारी

खनिज विभाग जिला भिण्ड (म.प्र.)

विषय: माननीय राष्ट्रीय हरित अधिकरण सेन्ट्रल जोन भोपाल में विचाराधीन प्रखरण क्र. -ओ.ए. 40/2023 विनोद सिंह विरुद्ध म.प्र.प्रदूषण नियंत्रण बोर्ड एवं अन्य के संबंध में जानकारी बाबत।
संदर्भ:- आपका पत्र क्र. 810/खनिज/2023 भिण्ड, दिनांक 07/06/2023

महोदय,

उपरोक्त विषयांतर्गत संदर्भित पत्र के पालन में लेख है कि माननीय राष्ट्रीय हरित अधिकरण सेन्ट्रल जोन भोपाल में विचाराधीन प्रखरण क्र. -ओ.ए. 40/2023 विनोद सिंह विरुद्ध म.प्र.प्रदूषण नियंत्रण बोर्ड एवं अन्य के संबंध में आवेदक विनोद सिंह पुत्र छोटे सिंह निवासी ग्राम रूर थाना ऊमरी के द्वारा ग्राम रूर पोस्ट ऊमरी तहसील व जिला भिण्ड में संचालित बी.एस. ईंट भट्टा मालिकों द्वारा भट्टों रखी गई लेवर एवं असामाजिक तत्वों द्वारा गांव में गाली -गलौज व मारपीट करने के संबंध में की गई शिकायत की अद्यतन स्थिति की जानकारी चाही गई है।

यह कि आवेदक विनोद सिंह पुत्र छोटे सिंह यादव निवासी रूर के द्वारा उपरोक्त संबंध में की गई शिकायत का उल्लेख थाना हाजा के अभिलेख में नहीं है।

अतः चाही गई जानकारी आपकी ओर सादर प्रेषित है।

श्री लखन
(D)
14/06/23

थाना प्रभारी
थाना ऊमरी जिला भिण्ड
जिला-भिण्ड (म.प्र.)



क्षेत्रीय कार्यालय, म.प्र. प्रदूषण नियंत्रण बोर्ड

दीनदयाल नगर, हाऊसिंग बोर्ड कालोनी, ग्वालियर

ई-मेल - ropcb-gwalior@mp.gov.in Ph. 0751-2472020

पंजीकृत डाक से

Annexure C-7



क्रमांक 1760 /क्षेकाप्रनिबो/ग्वा/2023

ग्वालियर, दिनांक 20/6/2023

प्रति

मेसर्स बी.एस. ब्रिक्स,
प्रोप्राइटर श्री बृजमोहन सिंह यादव,
बोहरे नगर, एमजेएस कॉलेज के पास,
जिला भिण्ड (म.प्र.)

विषय:-वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 की धारा 31क के तहत उद्योग की प्रक्रिया बंद करने निर्देश।

संदर्भ:-1.आपके उद्योग के विरुद्ध प्राप्त शिकायत पत्र दिनांक 18.04.2023

2.इस कार्यालय के जांच दल द्वारा आपके उद्योग का निरीक्षण दिनांक 06/06/2023

क्षेत्रीय कार्यालय, म.प्र. प्रदूषण नियंत्रण बोर्ड, ग्वालियर द्वारा आपको निम्नलिखित सूचना दी जाती है:-

1. यह कि, म. प्र. प्रदूषण नियंत्रण बोर्ड का गठन जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 4 के अंतर्गत हुआ है, साथ ही बोर्ड वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 के उत्तरदायित्व का भी निर्वहन कर रहा है।
2. यह कि, वायु प्रदूषणकारी उद्योग को उज्जर्जन हेतु राज्य प्रदूषण नियंत्रण बोर्ड से सम्मति प्राप्त करना, प्रदूषणरोधी व्यवस्थाओं की स्थापना करना, उत्सर्जन को निर्धारित मानक सीमा तक स्थिति का पालन करना वैधानिक अनिवार्यता है।
3. यह कि, आपका उद्योग मेसर्स बी.एस. ब्रिक्स, ग्राम रुर, थाना ऊमरी जिला-भिण्ड में बोर्ड से वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 21 के अंतर्गत सम्मति प्राप्त किये बिना ही स्थापित किया जाकर संचालित किया जा रहा है।
4. यह कि, आपके उद्योग से वायु प्रदूषण होने के संबंध में बोर्ड मुख्यालय के माध्यम से शिकायत प्राप्त हुई थी। इस कार्यालय के जांच दल द्वारा दिनांक 06/06/2023 को शिकायत के परिप्रेक्ष्य में आपके उद्योग का निरीक्षण करने पर निम्नानुसार स्थिति पायी गयी :-

➤ आपका उद्योग ग्राम रुर, थाना ऊमरी जिला-भिण्ड में संचालित होना पाया गया। उद्योग निकटतम आबादी से लगभग 200 मीटर की दूरी पर है।

➤ उद्योग में 01 नग बुल ट्रेच किल्वन स्थापित है जोकि आपके द्वारा लगभग 02 वर्ष पूर्व से संचालित होना बताया गया है।

- उद्योग के निरीक्षण के दौरान कार्यरत पाया गया तथा उद्योग परिसर में परिवेशीय वायु गुणवत्ता मापन का कार्य किया गया। जिसके विश्लेषण परिणाम मानक सीमा से अत्याधिक प्राप्त हुए।
- उद्योग द्वारा बोर्ड से वायु (निवारण तथा नियंत्रण) अधिनियम 1981 की धारा 21 के अंतर्गत सम्मति प्राप्त नहीं की गयी है।

यह कि, उपरोक्त कारणों से आपके उद्योग द्वारा वायु अधिनियम के अंतर्गत बोर्ड से सम्मति प्राप्त किये बिना ही अवैधानिक रूप से उद्योग संचालन किया जा रहा है।

उपरोक्त बिन्दुओं से स्पष्ट है कि आपके द्वारा उद्योग की स्थापना बोर्ड से सम्मति प्राप्त किये बिना ही की जाकर उद्योग का संचालन किया जा रहा है तथा उद्योग में वायु नियंत्रण हेतु सक्षम व्यवस्थाओं की स्थापना भी नहीं की गई है। फलस्वरूप उद्योग संचालन के कारण उद्योग परिसर में वायु प्रदूषण की स्थिति पाई गई है। अतः वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 की धारा 31क के अंतर्गत बोर्ड को प्राप्त शक्तियों का प्रयोग करते हुये आपको निम्नानुसार निर्देश जारी किये जाते हैं :-

1. यह कि, उद्योग तत्काल प्रभाव से उत्पादन प्रक्रिया को बंद कर दें
2. यह कि, संबंधित विभाग उद्योग को प्रदत्त विद्युत प्रदाय सुविधा, जल प्रदाय सुविधा, खनिज पट्टा एवं अन्य सुविधाओं को तत्काल प्रभाव से विच्छेदित करें।

कृपया उपरोक्त निर्देशों का पालन सुनिश्चित किया जावे, अन्यथा बोर्ड द्वारा उद्योग के विरुद्ध वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 की धारा 37 के अंतर्गत वैधानिक कार्यवाही की जाएगी, जिसकी संपूर्ण जवाबदारी उद्योग संचालन हेतु जिम्मेवार होने के कारण आपकी होगी।

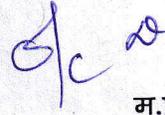
कृपया पत्र की पावती प्रेषित की जाये।



(आर.आर.सिंह.सेंगर)

क्षेत्रीय अधिकारी

म.प्र.प्रदूषण नियंत्रण बोर्ड, ग्वालियर



प्रतिलिपि :-

1. डायरेक्टर पर्यावरण (तकनीकी संवर्ग) म. प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनार्थ प्रेषित।
2. कलेक्टर, कार्यालय कलेक्टर, जिला-भिण्ड की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
3. महाप्रबंधक, म.प्र. विद्युत वितरण कंपनी लिमिटेड (ओ एण्ड एम), भिण्ड ओर सूचनार्थ । कृपया उद्योग को प्रदत्त विद्युत संयोग तत्काल प्रभाव से विच्छेदित कर इस कार्यालय को सूचित करने का कष्ट करें।
4. महाप्रबंधक, जिला व्यापार एवं उद्योग केन्द्र भिण्ड की ओर सूचनार्थ। कृपया संबंधित उद्योग को आपके विभाग द्वारा जो भी सुविधायें उद्योग संचालन हेतु प्रदाय की गई हैं, उन्हें तत्काल प्रभाव से निलंबित कर दें।
5. खनिज अधिकारी वास्ते कार्यालय -कलेक्टर जिला भिण्ड की ओर आवश्यक कार्यवाही हेतु प्रेषित।

कार्यालय कलेक्टर (खनिज शाखा) जिला- भिण्ड (म0प्र0)
 क्रमोंक/924/खनिज/अवैध परिवहन/प्र.क्र. 2023-24 भिण्ड, दिनांक 15/6 /2023
 //सूचना पत्र //

प्रति,

श्री ब्रजमोहन सिंह यादव पुत्र श्री रामरतन सिंह यादव
 निवासी- बौहरे कॉलोनी जिला भिण्ड म.प्र.

एतद् द्वारा आपको सूचित किया जाता है कि दिनांक 09.06.2023 का अवलोकन हो। जिसके अनुसार ग्राम रूर तहसील भिण्ड अंतर्गत अवैध रूप से संचालित ईट भट्टों पर कार्यवाही हेतु खनिज विभाग का दल एवं हल्का पटवारी दिनांक 08.06.2023 को उपस्थित हुये। जांच के दौरान ग्राम रूर के सर्वे नम्बर 1325, 1326, 1327 पर जांच करने पर पकी ईटों का भण्डारण पाया गया। मौके पर उपस्थित भट्टा संचालक के प्रतिनिधी श्री सर्वेश सिंह यादव निवासी- ग्राम किटी तहसील व जिला भिण्ड एवं जय कुमार कटारे निवासी- ग्राम मेंहदा तहसील रौन जिला भिण्ड से ईट निर्माण एवं भण्डारण के संबंध में वैध दस्तावेज मांगे गये तो उनके द्वारा बताया गया कि भट्टा संचालन एवं ईट भण्डारण के कोई वैध दस्तावेज नहीं हैं एवं उनके द्वारा बताया गया कि इस भट्टे के मालिक श्री ब्रजमोहन यादव पुत्र श्री रामरतन सिंह यादव निवासी- बौहरे कॉलोनी जिला भिण्ड म.प्र. है। मौके पर 6,24,000 नग ईटों का अवैध भण्डारण पाया गया उक्त ईटों को जप्त कर भट्टा संचालक प्रतिनिधी श्री सर्वेश सिंह यादव पुत्र श्री करन सिंह यादव निवासी- ग्राम किटी तहसील व जिला भिण्ड म.प्र. को अग्रिम कार्यवाही होने तक सुपुर्द की गई एवं सख्त निर्देश दिये गये कि इन ईटों को खुर्द-बुर्द नही करेगा। साथ ही भण्डारण स्थल से एक वाहन महिन्द्रा ट्रेक्टर चेसिस क्रमांक MBNAAANUAHND00732 को जप्त कर पुलिस थाना ऊमरी की अभिरक्षा में रखा गया। उपरोक्त कृत्य खान एवं खनिज (विकास एवं विनियमन) अधिनियम 1957 की धारा 4(1),(1-ए) तथा नियम मध्यप्रदेश खनिज (अवैध खनन, परिवहन तथा भण्डारण का निवारण) नियम 2022 के नियम 19 के तहत दण्डनीय है।

मध्यप्रदेश खनिज (अवैध खनन, परिवहन तथा भण्डारण का निवारण) नियम 2022 के नियम 18(4) का उल्लंघन किये जाने पर उपनियम 2 के भण्डारित खनिज मिट्टी उत्पाद ईट 6,24,000 नग खनिज की मात्रा (घ.मी.) 1105.65 घ.मी. खनिज की रॉयल्टी राशि 55,283/- अवैध भण्डारण किया जाने के कारण मध्यप्रदेश खनिज (अवैध खनन, परिवहन तथा भण्डारण का निवारण) नियम, 2022 के अंतर्गत नियम 18 (2) के तहत भण्डारित खनिज मिट्टी उत्पाद ईट की रॉयल्टी राशि 50/- रुपये प्रति घ.मी. के मान से रॉयल्टी का 15 गुना अर्थशास्ति राशि:- 8,29,245/-रुपये, नियम 18(2) के तहत अर्थशास्ति राशि के समतुल्य पर्यावरण क्षतिपूर्ति राशि:- 8,29,245/- रुपये, नियम 18 (4) के तहत प्रशमन शुल्क:-1,000/-रुपये, कुल शास्ति राशि :- 16,58,490/-रुपये (सोलह लाख अठावन हजार चार सौ नब्बे) उपरोक्तानुसार प्रशमन राशि एवं कुल शास्ति राशि जमा किये जाने की स्थिति में नियम 18 (4) के तहत प्रकरण का प्रशमन किया जा सकता है तथा प्रशमन होने के पश्चात् जप्त वाहन, मशीन, औजार आदि मुक्त किया जा सकता है। प्रशमन न किये जाने की स्थिति में नियम 18 (5)(6) के तहत कार्यवाही किया जाना प्रस्तावित है।

अतः 15 दिवस के भीतर प्रशमन शुल्क रुपये 1,000/- का भुगतान करने पर प्रकरण का प्रशमन किया जायेगा तथा कुल शास्ति राशि रुपये 16,58,490/- जमा कराने के पश्चात् जप्त वाहन एवं खनिज मुक्त किया जा सकेगा। उक्त राशि जमा कर इस संबंध में अपना पक्ष प्रस्तुत करें। अन्यथा की स्थिति में नियमों में यथा उल्लेखित एक पक्षीय कार्यवाही की जावेगी, जिसके लिए आप स्वयं जिम्मेदार होंगे।

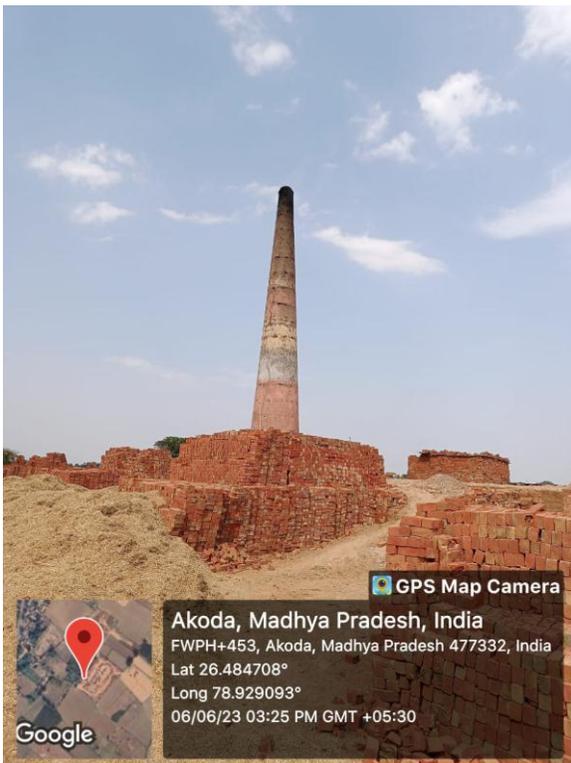


कलेक्टर

जिला- भिण्ड (म.प्र.)



Photograph showing Joint Committee Members at site of M/s D.S. Bricks in Village Rur



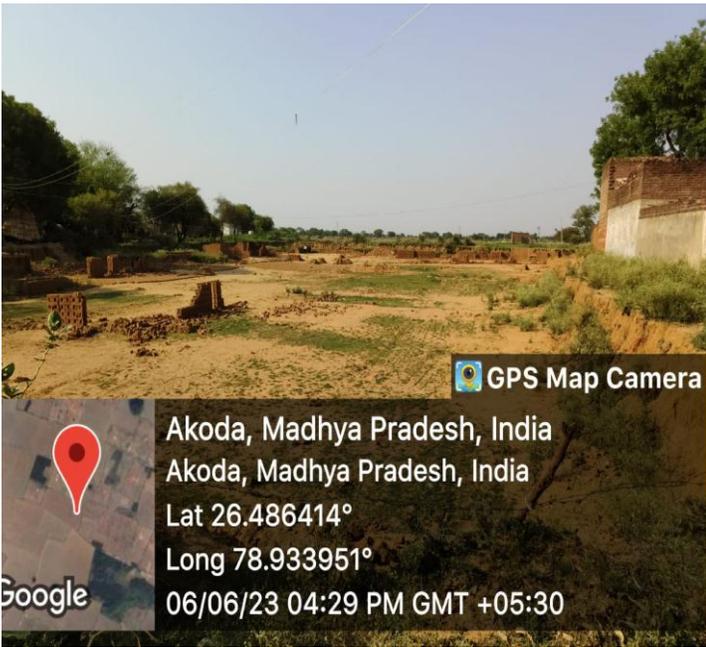
Photographs showing M/s D.S. Bricks Unit Operational during JC Visit at Village Rur



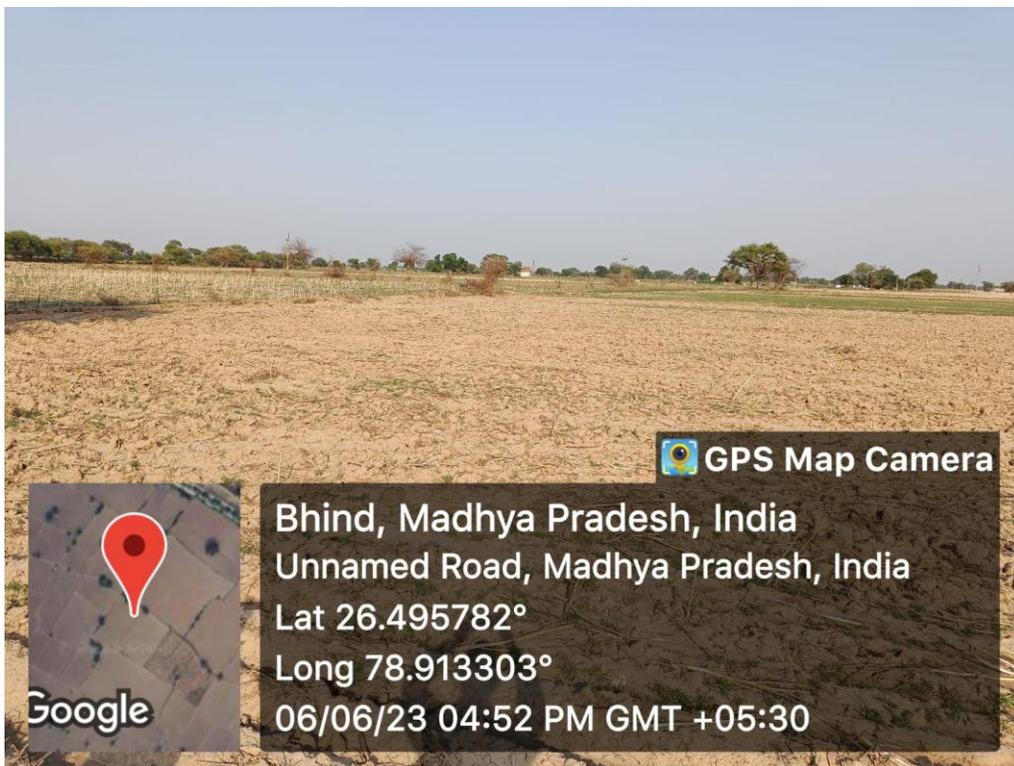
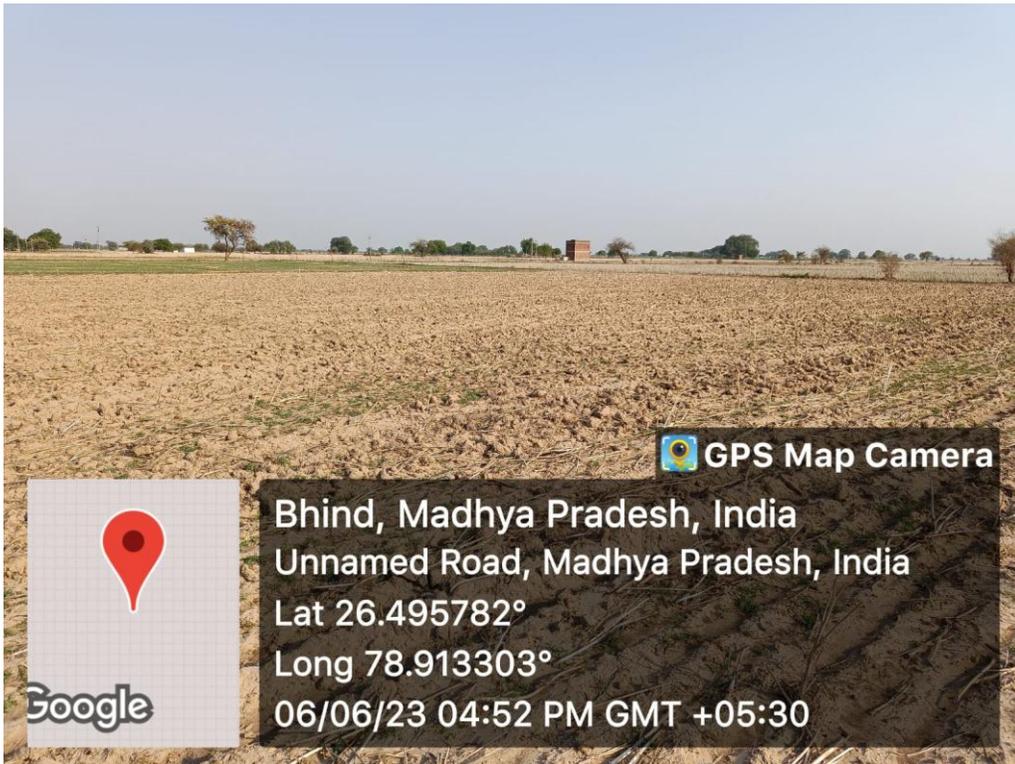
Photograph showing Brick Kiln Chimney



Photograph showing Air Quality Monitoring Work



Photographs showing Excavation of Soil & Manufacturing of Green Bricks on a Piece of Land situated adjoin to M/s D.S. Bricks



Photograph showing Site of Soil Mine of M/s D.S. Bricks at Village Vilav. No Excavation of Soil is Done at this Site