

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 271/2025**

In the matter of:

Shivendra Singh

Applicant

Vs.

UPPCB & Ors.

Respondents

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1.	Reply on behalf of Central Pollution Control Board (CPCB) Respondent no. 6 in compliance of Hon'ble NGT (PB) order dated 29.05.2025 in OA No. 271/2025.	
2.	Annexure-I A copy of Hon'ble NGT order dated 28.03.2025 in OA No. 429/2022.	
3.	Annexure-II A copy of MoEF&CC notifications dated 22.02.2022	
4.	Annexure-III A copy of CPCB letters dated 22.07.2025 and e-mail dated 04.09.2025	



**Filed by Adv. Saurabh Balwani
On behalf of Central Pollution Control Board**

Place: Delhi

Dated:24.09.2025

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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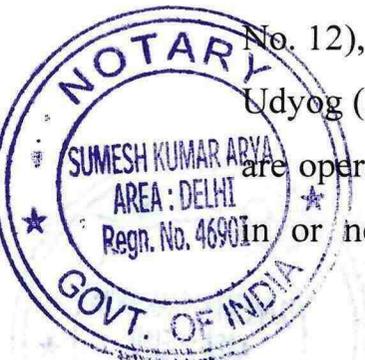
**REPLY ON BEHALF OF CENTRAL POLLUTION CONTROL
BOARD (CPCB), RESPONDENT No. 6.**

MOST RESPECTFULLY SHOWETH

1. That the Hon'ble National Green Tribunal. Principal Bench (hereinafter referred to as the "Hon'ble NGT") vide Order dated 29.05.2025 in Original Application (hereinafter referred to as "OA") No. 271/2025 has sought the reply of CPCB in the instant matter. Thereby the reply is made in the succeeding paragraphs.

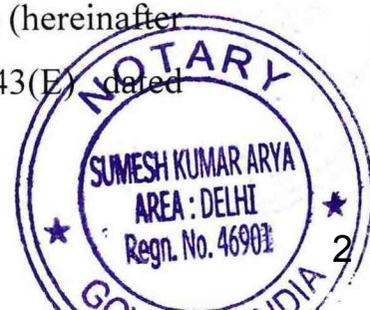
A copy of the Hon'ble NGT Order dated 29.05.2025 is annexed herewith as Annexure - I (Colly).

2. That the present application has been filed by the applicant alleging that six brick kilns namely M/s Maa Champa Enterprises, old name Prem Ji Brick Fields (Respondent No. 9), M/s India Int Udyog (Respondent No. 10), M/s Bharat Int Udyog (Respondent No. 11), M/s S.N.G. Int Udyog (Respondent No. 12), M/s Brij Narayan Singh HUF (Respondent No. 13), M/s J.D.M. Int Udyog (Respondent No. 14), located at District: Kushinagar, Uttar Pradesh, are operating in violation of statutory provisions and environmental norms in or near habitation areas causing adverse impact on public health,



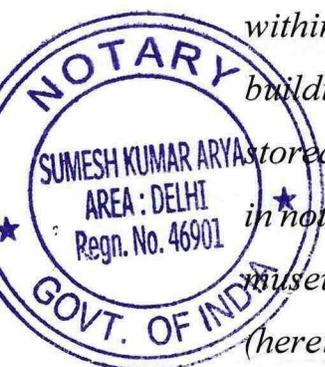
agricultural land and surrounding ecosystem. The applicant alleged that these brick kilns are operating without obtaining the Consent to Establish (hereinafter referred to as "CTE") and Consent to Operate (hereinafter referred to as "CTO") from the concerned State Pollution Control Board and using the prohibited fuels such as plastic waste, rubber, leather waste etc. The said brick kilns also violating the Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012.

3. That at the outset, the Answering Respondent denies all claims, contentions, allegations and averments against Answering Respondent CPCB in the above OA contrary to anything stated or submitted in this reply. Nothing in the OA may be deemed to have been accepted or admitted by the Answering Respondent for want of a specific denial or on the ground of non-traverse, save any averment which has been expressly admitted hereinafter.
4. That CPCB is constituted under the Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, and the Environment (Protection) Act, 1986.
5. That the State Pollution Control Boards/Pollution Control Committees (hereinafter referred to as "SPCBs/PCCs") have been constituted in States / Union Territories under the Water Act, 1974 and the Air Act, 1981 and are empowered to perform the functions and implement the provisions of these Acts in respect of territories falling in their Territorial Jurisdiction.
6. That, the Ministry of Environment, Forest and Climate Change (hereinafter referred to as "MoEF&CC") vide Notifications GSR 143(E) dated



22.02.2022, issued revised Environmental Standards for Particulate Matter (hereinafter referred to as "PM") of 250 mg/Nm³ for brick kilns. The said notification also stipulates about the siting criteria, fugitive dust emission control measures, list of approved fuels, porthole and platform for emission monitoring, timeline for conversion to Zig-Zag technology or vertical shaft or using Piped Natural Gas as fuel in brick making, etc. MoEF&CC revised the timelines for conversion vide Notification GSR 895 (E) dated 15.12.2023 and vide Notification GSR 70(E) dated 22.01.2025. True copy of the MoEF&CC notifications dated 22.02.2022 is annexed as **Annexure-II (Colly)**.

7. That, the Uttar Pradesh Government has notified the siting criteria for brick kilns namely "**The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012**" Relevant excerpts are briefed as follows:
- "...a brick kiln shall not be established within a distance of 5.0 kilometers from the area of a Municipal Council or Municipal Corporation. Subject to the above restrictions a brick kiln shall be established at least 500 meters away from residential area having minimum population of 100-150 persons or 20 houses either kachha or pucca houses 1.0 kilometer from a residential area having population more than 150 persons or more than 20 houses whether kachha or pucca; ...A brick kiln shall not be established at a place within the distance of 10 Kilometer from registered hospital, school public building, religious places or a place from where flammable substances are stored; a brick kiln shall not be established within a radius of 5.0 kilometers in notified sensitive areas of a zoo, wild life sanctuaries, historic monuments, museum and the like: Provided that in case of Taj Trapezium zone area (hereinafter referred to as "TTZ") the directions/guidelines given by the Hon'ble Supreme Court from time to time, shall apply. Distance from sides of mango orchard/Mixed fruits (mango and other) orchard (having at least*

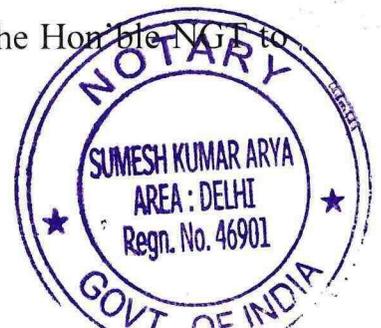


100 fruiting trees) joint nursery from brick kiln shall not be less than 800 meters in each direction. The mentioned distances are applicable irrespective of the variety/type of fruit area individually or collectively should not be less than 2.5acre... ”

8. It is humbly submitted that the Brick kilns should comply the conditions stipulated in MoEF&CC notification dated 22.02.2022 and amended thereof. It is also submitted that Brick Kilns must also comply the conditions stipulated in The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012.
9. That it is humbly submitted that Brick kilns should operate only after obtaining prior Consent to Establish (hereinafter referred to as “CTE”) and Consent to Operate (hereinafter referred to as “CTO”) from the concerned SPCB/PCC and shall comply the conditions stipulated therein.
10. That it is humbly submitted that CPCB has pursued the matter with Uttar Pradesh Pollution Control Board (hereinafter referred to as “UPPCB”) for providing action taken/status report vide letter dated 22.07.2025 and e-mail dated 04.09.2025. The status report/action taken report in the matter is awaited from UPPCB. As the issues raised in the instant matter falls under the purview of UPPCB, therefore, it is respectfully submitted that response from UPPCB may be important in adjudicating the instant matter.

A copy of the CPCB letters dated 22.07.2025 and e-mail dated 04.09.2025 are annexed as Annexure - III (Colly.)

11. That, the answering respondent herein craves leave of the Hon'ble NGT to file additional reply, if required, in future. 12.



12. That, in the light of the above submissions, it is respectfully submitted that this Answering Respondent, i.e., CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble NGT in the instant OA.

Anamika Sagar

(Anamika Sagar)

Scientist 'E'

Central Pollution Control Board

24.09.2025



अनामिका सागर | Anamika Sagar
शैक्षणिक अधिकारी | Scientist 'E'
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
पर्यावरण, वायु प्रदूषण नियंत्रण विभाग, नई दिल्ली
Ministry of Environment, Forest & Climate Change, Govt. of India

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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ORIGINAL APPLICATION NO. 271/2025**

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AFFIDAVIT

I, **Anamika Sagar**, working as Scientist 'E' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, the Respondent No. 6 in the above matter, do hereby solemnly affirm, declare on oath and state as under:-

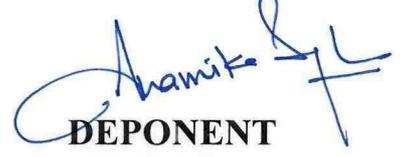
1. That I, the deponent herein is well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying short reply may be read part and parcel of the present affidavit.
3. That the accompanying short reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.




DEPONENT
 अनामिका सागर / Anamika Sagar
 वैज्ञानिक 'ई' / Scientist 'E'
 केंद्रीय प्रदूषण नियंत्रण बोर्ड
 Central Pollution Control Board
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
 (M/o Environment, Forest & Climate Change, Govt. of India)
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

Verified at New Delhi on this day of 24 SEP 2025 that the contents of the above reply are correct and true on the basis of the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis- stated


DEPONENT



अनामिका सागर / Anamika Sagar
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(M/o Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

ATTESTED


NOTARY PUBLIC, DELHI
GOVT. OF INDIA

24 SEP 2025

Item No. 09

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 271/2025

Shivendra Singh

Applicant

Versus

Uttar Pradesh Pollution Control Board & Ors.

Respondent(s)

Date of hearing: 29.05.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Shashank Rai, Ms. Anushi Agrawal, Mr. Om Prakash Sapra, Mr. Rabindra Narayan Mishra & Mr. Vivek Kumar Yadav, Advs. for Applicant
Respondent: Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB

ORDER

1. In this original application (OA), plea of the applicant is that respondent nos.09 to 14 brick kilns are operating without requisite permissions and in violation of the environmental norms.

2. Learned Counsels for the applicant has referred to the RTI replies dated 15.05.2025 on page no.52, 55, 61 and 64, in support of the plea that respondents-brick kilns are operating without requisite Consent To Establish(CTE) and Consents to Operate (CTO). Referring to the details disclosed in annexure A-4, he has submitted that against respondent-M/s. JDM Int Udyog and M/s. Bharat Int Udyog, closure orders were passed on 15.03.2021 but these brick kilns are still operating inspite of the closure order. In support of this submission, he has placed reliance upon, photographs which are placed on record as annexure A-6, page 88 onwards.

3. OA raises substantial issue relating to compliance of environmental norms.
4. Issue notice to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing through e-filing. If any respondent directly files the reply without routing it through his advocate then the said respondent will remain virtually present to assist the Tribunal.
5. Mr. Pradeep Misra, Learned Counsel accepts notice on behalf of respondent no.1-UPPCB.
6. Respondent no.1-UPPCB is directed to immediately conduct surprise check of the respondent's unit and if these units are found to be operating in violation of the environmental norms, take appropriate punitive and remedial action without any delay and submit the comprehensive action taken report before the Tribunal within four weeks.
7. Applicant is directed to serve the other respondents and file affidavit of service at least one week before the next date of hearing.
8. List on 25.09.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

May 29, 2025
Original Application No. 271/2025
JG.



भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-अ.-22022022-233662
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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 140]

नई दिल्ली, मंगलवार, फरवरी 22, 2022/फाल्गुन 3, 1943

No. 140]

NEW DELHI, TUESDAY, FEBRUARY 22, 2022/PHALGUNA 3, 1943

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 22 फरवरी, 2022

सा.का.नि. 143(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पर्यावरण (संरक्षण) अधिनियम, 1986 का और संशोधन करते हुए निम्नलिखित नियम बनाती है:, अर्थात्:-

1. संक्षिप्त नाम और प्रारंभ :

- (1) इन नियमों का संक्षिप्त नाम पर्यावरण (संरक्षण) संशोधन नियम, 2022 है।
- (2) वे राजपत्र में उनके अंतिम प्रकाशन की तारीख से लागू होंगे।

2. पर्यावरण (संरक्षण) नियम, 1986 में, अनुसूची-1 में, क्रम सं. 74 पर प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि को रखा जाएगा, अर्थात्: -

74"	ईट भट्टे	चिमनी से उत्सर्जन में विविक्त पदार्थ	250 मिलीग्राम/एनएम ³
		चिमनी की न्यूनतम ऊंचाई (भट्टों की वर्टिकल साफ्ट)	14 मीटर (लोडिंग प्लेटफॉर्म से कम से कम 7.5 मीटर)
		- भट्टा क्षमता 30,000 ईट प्रतिदिन से कम	16 मीटर (लोडिंग प्लेटफॉर्म से कम से कम 8.5 मीटर)
		- भट्टा क्षमता 30,000 ईट प्रति दिन के बराबर या अधिक	

	चिमनी की न्यूनतम ऊँचाई (भट्टों की वर्टिकल शाफ्ट के अलावा)	
	- भट्टा क्षमता 30,000 ईट प्रतिदिन से कम	24 मीटर
	- भट्टा क्षमता 30,000 ईट प्रति दिन के बराबर या अधिक	27 मीटर

टिप्पणियां :

1. सभी नए ईट भट्टों को केवल ज़िग-ज़ैग तकनीक या वर्टिकल शाफ्ट के साथ होने की या ईट बनाने में ईंधन के रूप में पाइप प्राकृतिक गैस के उपयोग की अनुमति दी जाएगी और इस अधिसूचना में निर्धारित मानकों का पालन ब होगा।
2. विद्यमान ईट भट्टे जो ज़िग-ज़ैग तकनीक या वर्टिकल शाफ्ट या ईट बनाने में ईंधन के रूप में पाइप प्राकृतिक (पीएनजी) के उपयोग का पालन नहीं कर रहे हैं, उन्हें (क) गैर-प्राप्ति शहरों के 10 किमी के दायरे में स्थित मामले में एक वर्ष (जैसा कि केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा यथापरिभाषित) (ख) अन्य क्षेत्रों के लिए दो वर्ष अवधि के भीतर ज़िग-ज़ैग तकनीक या वर्टिकल शाफ्ट में परिवर्तित किया जाएगा या पीएनजी का उपयोग बनाने में ईंधन के रूप में किया जाएगा। इसके अतिरिक्त, ऐसे मामलों में जहां केंद्रीय प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समितियां ने रूपांतरण के लिए अलग से समय-सीमाएं निर्धारित की हैं, ऐसे आदेश प्रभावी होंगे।
3. सभी ईट भट्टे केवल अनुमोदित ईंधन जैसे कि पाइप प्राकृतिक गैस, कोयला, ईंधन लकड़ी और/या कृषि अपशिष्ट का उपयोग करेंगे। पेट कोक, टायरों/प्लास्टिक/खतरनाक अपशिष्टों के उपयोग की अनुमति ईट भट्टों को नहीं जाएगी।
4. उत्सर्जन की निगरानी के लिए केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निर्धारित मापदंडों/रूपरेखा के अनुसार ईट स्थायी सुविधा (पोर्ट होल और प्लेटफार्म) का निर्माण करेंगे।
5. विविक्त सामग्रियों (पीएम) के निष्कर्ष 4% CO₂ पर प्रसामान्य किए जाएंगे जो निम्नलिखित हैं:
पीएम (सामान्य) = (पीएम(मापित) X 4%)/ (चिमनी में मापित CO₂ का %, मापित CO₂ के मामले में \geq कोई प्रसामान्यीकरण नहीं। चिमनी की ऊँचाई (मीटर में) भी H= 14 Q^{0.3} सूत्र (जहां Q kg/hr में SO₂ उत्तर दर है) द्वारा परिकलित की जाएगी, और अधिकतम दो को काम में ले सकेंगे।
6. ईट भट्टों को आवासों और फलों के बागों से 0.8 कि.मी. की न्यूनतम दूरी पर स्थापित किया जाना चाहिए। प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समितियां आवास, जनसंख्या घनत्व, जल निकायों, संवेदनशील रिसे इत्यादि की निकटता का ध्यान रखते हुए स्थापित मापदंडों को सख्त बना सकते हैं।
7. किसी क्षेत्र में भट्टों की अधिक संख्या से बचने के लिए मौजूदा ईट भट्टों से कम से कम एक किलोमीटर की दूर ईट भट्टों को स्थापित किया जाना चाहिए।
8. ईट भट्टों को संबंधित राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समितियां द्वारा निर्धारित उत्सर्जन प्रक्रिया/पल धूल उत्सर्जन नियंत्रण दिशा-निर्देशों का पालन करना होगा।
9. ईट भट्टों से निकलने वाली राख को ईट बनाने में उसी परिसर के अंदर ही इस्तेमाल किया जाएगा।
10. ईट भट्टे में ईट बनाने के लिए उपयोग की जाने वाली मिट्टी को निकालने के लिए संबंधित राज्य/संघ राज्य क्षेत्र विभाग सहित संबंधित प्राधिकरणों से सभी आवश्यक अनुमोदन प्राप्त किए जाएंगे।
11. ईट भट्टा मालिक यह सुनिश्चित करेंगे कि कच्चे माल/ईटों के परिवहन के लिए उपयोग की जाने वाली सड़के पक्के सड़के हैं।
12. कच्चे माल/ईटों के परिवहन के दौरान वाहनों को ढका जाएगा।"

[फा. सं. क्यू-15017/35/2007-सीपीड]

नरेश पाल गंगवार, अपर स

टिप्पण : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खण्ड 3, उप-खण्ड (i) में तारीख 19 नवंबर, 1986 के का.आ. 844 (अ) द्वारा प्रकाशित किए गए थे और 04 अक्टूबर, 2021 की अधिसूचना सा.का.नि. 724 (अ) द्वारा अंतिम बार संशोधित किए थे।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 22nd February, 2022

G.S.R. 143(E).—In exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely:—

1. Short Title and commencement: -

- (1) These rules may be called the Environment (Protection) Amendment Rules, 2022.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Environment (Protection) Rules, 1986, in the SCHEDULE-I, for entry at Sl. No. 74, the following entry shall be substituted, namely: -

74	Brick Kilns	Particulate matter in stack emission	250 mg/Nm ³
		Minimum stack height (Vertical Shaft Brick Kilns)	
		- Kiln capacity less than 30,000 bricks per day	14 m (at least 7.5m from loading platform)
		- Kiln capacity equal or more than 30,000 bricks per day	16 m (at least 8.5m from loading platform)
		Minimum stack height (Other than Vertical Shaft Brick Kilns)	
		- Kiln capacity less than 30,000 bricks per day	24 m
		- Kiln capacity equal or more than 30,000 bricks per day	27 m

Notes :

1. All new brick kilns shall be allowed only with zig-zag technology or vertical shaft or use of Piped Natural Gas as fuel in brick making and shall comply to these standards as stipulated in this notification.
2. The existing brick kilns which are not following zig-zag technology or vertical shaft or use Piped Natural Gas as fuel in brick making shall be converted to zig-zag technology or vertical shaft or use Piped Natural Gas as fuel in brick making within a period of (a) one year in case of kilns located within ten kilometre radius of non-attainment cities as defined by Central Pollution Control Board (b) two years for other areas. Further, in cases where Central Pollution Control Board/State Pollution Control Boards/Pollution Control Committees has separately laid down timelines for conversion, such orders shall prevail.
3. All brick kilns shall use only approved fuel such as Piped Natural Gas, coal, fire wood and/or agricultural residues. Use of pet coke, tyres, plastic, hazardous waste shall not be allowed in brick kilns.
4. Brick kilns shall construct permanent facility (port hole and platform) as per the norms or design laid down by the Central Pollution Control Board for monitoring of emissions.
5. Particulate Matter (PM) results shall be normalized at 4% CO₂ as below:

$$PM \text{ (normalized)} = (PM \text{ (measured)} \times 4\%) / (\% \text{ of } CO_2 \text{ measured in stack}), \text{ no normalization in case } CO_2 \text{ measured } \geq 4\%.$$
 Stack height (in metre) shall also be calculated by formula $H=14Q^{0.3}$ (where Q is SO₂ emission rate in kg/hr), and the maximum of two shall apply.

6. Brick kilns should be established at a minimum distance of 0.8 kilometre from habitation and orchards. State Pollution Control Boards/Pollution Control Committees may make siting or stringent considering proximity to habitation, population density, water bodies, sensitive recee etc.
7. Brick kilns should be established at a minimum distance of one kilometre from an existing kiln to avoid clustering of kilns in an area.
8. Brick kilns shall follow process emission/fugitive dust emission control guidelines as prescribe concerned State Pollution Control Boards/Pollution Control Committees.
9. The ash generated in the brick kilns shall be fully utilized in-house in brick making.
10. All necessary approvals from the concerned authorities including mining department of concerned State or Union Territory shall be obtained for extracting the soil to be used for l making in the brick kiln.
11. The brick kiln owners shall ensure that the road utilized for transporting raw materials or brick paved roads.
12. Vehicles shall be covered during transportation of raw material/bricks”.

[F. No. Q-15017/35/2007-C

NARESH PAL GANGAWAR, Addl. S

Note : The principle rules were published in the Gazette of India, Extraordinary, Part II, Section 3, section (i) *vide* number S.O. 844(E), dated the 19th November, 1986 and lastly amended number G.S.R. 724(E), dated the 04th October, 2021.



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-15122023-250682
CG-DL-E-15122023-250682

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 712]

नई दिल्ली, शुक्रवार, दिसम्बर 15, 2023/अग्रहायण 24, 1945

No. 712]

NEW DELHI, FRIDAY, DECEMBER 15, 2023/AGRAHAYANA 24, 1945

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 15 दिसम्बर, 2023

सा.का.नि 895(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पर्यावरण (संरक्षण) नियम, 1986 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :--

1. संक्षिप्त नाम और प्रारंभ—(1) इन नियमों का संक्षिप्त नाम पर्यावरण (संरक्षण) छठा संशोधन नियम, 2023 है।

(2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे।

2. पर्यावरण (संरक्षण) नियम, 1986 की अनुसूची 1 की प्रविष्टि के क्रम सं. 74 के टिप्पण सं. 2 के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :--

“2. विद्यमान ईट भट्टे, जो जिग-जैग प्रौद्योगिकी या उध्वाकार साफ्ट का प्रयोग नहीं करते हैं या पाईपड प्राकृतिक गैस का निम्नलिखित अवधि के भीतर ईटें बनाने के लिए ईंधन के रूप में उपयोग करते हैं :

(क) गैर प्राप्ति नगरों के दस किलोमीटर व्यास के भीतर अवस्थित भट्टों की दशा में एक वर्ष अर्थात् 23.02.2023 से ; सिवाय उनके, जो दस लाख से अधिक जनसंख्या वाले नगरों, राष्ट्रीय राजधानी राज्यक्षेत्र जिलों केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा श्रेणीकृत अत्यधिक और बहुत प्रदूषित क्षेत्रों में अवस्थित हैं ;

(ख) अन्य भट्टों की दशा में एक वर्ष अर्थात् 23.02.2024 से :

परंतु उस दशा में, जहां वायु क्वालिटी प्रबंधन आयोग/केंद्रीय प्रदूषण नियंत्रण बोर्ड/राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समिति ने पृथक् रूप से अधिक कठोर सन्नियम/समय-सीमा जारी की है, ऐसे आदेश अभिभावी होंगे।”

[फा.सं. क्यू-15017/35/2007-सीपीडब्ल्यू]

नरेश पाल गंगवार, अपर सचिव

टिप्पण : मूल नियम भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (i) में सं. का.आ. 844(अ), तारीख 19 नवंबर, 1986 द्वारा प्रकाशित किए गए थे और उनका अंतिम संशोधन अधिसूचना सं. सा.का.नि. 414(अ), तारीख 5 जून, 2023 द्वारा किया गया था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION

New Delhi, the 15th December, 2023

G.S.R. 895(E).—In exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) act, 1986 (29 of 1986) the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely: -

1. Short title and commencement.-- (1) These rules may be called the Environment (Protection) Sixth Amendment Rules, 2023.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Environment (Protection) Rules, 1986, in the SCHEDULE-I, in entry at Sl. No. 74, for note no. 2, the following entry shall be substituted, namely: -

"2. *The existing brick kilns which are not following zig-zag technology or vertical shaft or use piped natural gas as fuel in brick making shall be converted to zig-zag technology or vertical shaft or use piped natural gas as fuel in brick making within a period of :*

(a) one year w.e.f. 23.02.2023 in case of kilns located within ten kilometers radius of non-attainment cities; except those located in million plus population cities, NCR districts, and critically & severally polluted areas as categorized by CPCB;

(b) one year w.e.f. 23.02.2024 in case of other kilns.

Provided that in case where Commission for Air Quality Management / Central Pollution Control Board / State Pollution Control Board / Pollution Control Committee has separately issued more stringent Norms/ timelines, such orders shall prevail. "

[F. No. Q-15017/35/2007-CPW]

NARESH PAL GANGWAR, Addl. Secy.

Note: The principle rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number S.O. 844 (E) dated the 19th November 1986 and last amended, vide notification number G.S.R. 414(E) dated the 05th June, 2023.



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-23012025-260395
CG-DL-E-23012025-260395

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 41]

नई दिल्ली, बुधवार, जनवरी 22, 2025/माघ 2, 1946

No. 41]

NEW DELHI, WEDNESDAY, JANUARY 22, 2025/MAGHA 2, 1946

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 22 जनवरी, 2025

सा.का.नि. 70(अ).— केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पर्यावरण (संरक्षण) नियम, 1986 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:-

- (1) इन नियमों का संक्षिप्त नाम पर्यावरण (संरक्षण) नियम, 2025 है।
- (2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे।
- पर्यावरण (संरक्षण) नियम, 1986 की अनुसूची 1 में क्रम सं. 74 के टिप्पण की क्रम संख्या 2 के पैरा (ख) में "एक वर्ष" शब्दों के स्थान पर "दो वर्ष चार मास और सात दिन" शब्द रखे जाएंगे।

[फा.सं. क्यू-15017/35/2007-सीपीडब्ल्यू]

वेद प्रकाश मिश्रा, संयुक्त सचिव

टिप्पण: मूल नियम भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (i) में का.आ. 844(अ), तारीख 19 नवंबर, 1986 द्वारा प्रकाशित किए गए थे और सा.का.नि. 543 (अ), तारीख 22 जुलाई, 2009, सा.का.नि.

143(अ), तारीख 22 फरवरी, 2022 और सा.का.नि. 895(अ), तारीख 15 दिसंबर, 2023 द्वारा संशोधित किए गए थे।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 22nd January, 2025

G.S.R. 70 (E).— In exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely:—

1. (1) These rules may be called the Environment (Protection) Amendment Rules, 2025.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Environment (Protection) Rules, 1986, in SCHEDULE-I, in Sl. No. 74, in the notes, in serial number 2, in paragraph (b) for the words “one year”, the words “two year four months and seven days” shall be substituted.

[F. No. Q-15017/35/2007-CPW]

VED PRAKASH MISHRA , Jt. Secy.

Note: The principle rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number S.O. 844(E), dated the 19th November 1986, and amended, *vide* notification G.S.R. 543(E), dated the 22nd July, 2009, G.S.R. 143(E), dated the 22nd February, 2022 and G.S.R. 895(E), dated the 15th December, 2023.



150

Annexure-III

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

COURT MATTER

HON'BLE NGT

CM-13011/96/2025-LAW-HO-CPCB-HO

July 22, 2025

To

The Member Secretary
Uttar Pradesh Pollution Control Board
Building. No. TC-12V Vibhuti Khand,
Gomati Nagar, Lucknow- 226010

Subject: Hon'ble NGT Principal Bench (PB) order dated 29.05.2025 in Original Application (OA) No. 271/2025; Shivendra Singh Versus Uttar Pradesh Pollution Control Board & Ors.- reg.

Sir,

This has reference to the Hon'ble NGT (PB), order dated 29.05.2025 in OA No. 271/2025; Shivendra Singh Versus Uttar Pradesh Pollution Control Board & Ors., related to illegal operation of 06 brick kilns in Kushinagar district, Uttar Pradesh. In this regard, Hon'ble NGT directed the respondents to file reply by way of affidavit before the Tribunal at least one week before the next date of hearing i.e. 25.09.2025. A copy of the order is enclosed for ready reference.

In view of the above, it is requested to provide the action taken/status report at the earliest for timely compliance of the order of the Hon'ble NGT (PB).

Yours faithfully,


(Aramika Sagar)
Additional Director &
Divisional Head, IPC-V

Encl: As above

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website: www.cpcb.nic.in

IPC Division < ipc5division.cpcb@gov.in >

Thu, 04 Sep 2025 5:12:03 PM +0530

To "ms"<ms@uppcb.in>

Cc "CPCB RD LUCKNOW"<rdlucknow.cpcb@gov.in>,"ANAMIKA SAGAR"
<anamika.cpcb@nic.in>,"Rambabu G"<grbabu.cpcb@nic.in>,"ABDUL MUTEEN"
<abdulmuteen.cpcb@gov.in>,"Purnima Sharma"<purnima.cpcb@supportgov.in>

Sir,

Kindly refer to trailing mail, it is again requested to provide the action taken report/status report in the matter at the earliest for timely compliance of the Hon'ble NGT directives.

With regards,

अनामिका सागर / Anamika Sagar
वैज्ञानिक 'ई' एवं प्रभाग प्रमुख / Scientist 'E' & Divisional Head - IPC-IV & V
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(M/o Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली 110032
Parivesh Bhawan, East Arjun Nag

==== Forwarded message =====

From: IPC Division <ipc5division.cpcb@gov.in>

To: "ms"<ms@uppcb.in>

Cc: "CPCB RD LUCKNOW"<rdlucknow.cpcb@gov.in>,"ANAMIKA SAGAR"<anamika.cpcb@nic.in>,"Rambabu G"
<grbabu.cpcb@nic.in>,"ABDUL MUTEEN"<abdulmuteen.cpcb@gov.in>,"Purnima Sharma"
<purnima.cpcb@supportgov.in>

Date: Tue, 22 Jul 2025 14:37:51 +0530

Subject: Hon'ble NGT Principal Bench (PB) order dated 29.05.2025 in Original Application (OA) No. 271/2025;
Shivendra Singh Versus Uttar Pradesh Pollution Control Board & Ors.- reg.

==== Forwarded message =====

With regards,

अनामिका सागर / Anamika Sagar
वैज्ञानिक 'ई' एवं प्रभाग प्रमुख / Scientist 'E' & Divisional Head - IPC-IV & V
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(M/o Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली 110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032
दूरभाष/Telephone No.- 9313830383



Sir,

Please find attached letter dated 22.07.2025 regarding Hon'ble NGT Principal Bench (PB) order dated 29.05.2025 in Original Application (OA) No. 271/2025; Shivendra Singh Versus Uttar Pradesh Pollution Control Board & Ors, for necessary action.

With regards,

अनामिका सागर / Anamika Sagar
वैज्ञानिक 'ई' एवं प्रभाग प्रमुख / Scientist 'E' & Divisional Head - IPC-IV & V
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(M/o Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली 110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032
दूरभाष/Telephone No.- 9313830383



2 Attachment(s)

Letter UPPCB_OA NO 271 of ...
1 MB

Letter RD Lucknow_OA NO 27...
1 MB