

**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH****ORIGINAL APPLICATION No. 273 OF 2022****Gyanendra Pandey****... Applicant****Versus****State of U.P. and others****...Respondents**

NDOH 21/12/23

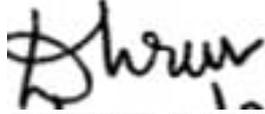
**INDEX**

<b>Sr. No.</b>	<b>Particulars</b>	<b>Pages no.</b>
	INDEX	1-3
1.	Reply on behalf of respondent no.22 Maa Vaishno Brick Field village Murtazanagar, Mahmoodabad,Sitapur along with affidavit.	4-14
2.	<b>ANNEXURE CA-1</b> True copy of Order dated 12.04.2022 passed by the Hon'ble Supreme Court in Civil Appeal No. 18213/2022	15-21
3.	<b>ANNEXURE CA-2</b> True copies of Challan Deposit receipts of for the year 2020-2021 and for the year 2021-2022	22-27

4.	<b>ANNEXURE CA-3</b> True copies of registration certificates issued with copies of PAN Card and Aadhar Card	28-30
5.	<b>ANNEXURE CA-4</b> A true copy of the Application for Consent to Establish (NOC) form dated 30.09.2022	31
6.	<b>ANNEXURE CA-5</b> A true copy notification by the Ministry of Environment, Forest, and Climate Change dated 22.02.2022.	32-35
7.	<b>ANNEXURE CA-6</b> A true copy of Environmental Clearance Certificate issued by the District Level Environment Impact Assessment Authority dated 26.02.2018.	36-40
8.	<b>ANNEXURE CA-7</b> Photographs of the Brick Kiln	41-42
9.	Vakalatnama	43
10.	Proof of Service	44

**New Delhi**

**DATED:** 19/12/23



**DHRUV TAMTA & NISHCHAY DUTT**

RESPONDENT NO 22 **ADVOCATES**

**331, NEW LAWYERS CHAMBER  
MC SETALVAD BLOCK  
SUPREME COURT OF INDIA  
NEW DELHI-110001**

**Adv.nishchaydutt@gmail.com**

**8923664448**

**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH****ORIGINAL APPLICATION No. 273 OF 2022****Gyanendra Pandey****... Applicant****Versus****State of U.P. and others****...Respondents****REPLY ON BEHALF OF RESPONDENT NO.22 MAA VAISHNO****BRICK FIELD VILLAGE MURTAZANAGER,****MAHMOODABAD,SITAPUR.**

1. That the respondent is one of the partners, duly authorised by other partners to file the present reply on behalf of Maa Vaishno Field, which is the project proponent in the OA No. 273 of 2022 and, as such, is well conversant with the facts of the case.

2. That by means of the aforesaid original application, registered based on an email complaint dated 25.02.2022, bearing the subject "operation of 42 illegal kilns in District Sitapur of Uttar Pradesh", the complainant/applicant has levied general allegations against 42 allegedly illegal brick kilns. Operating in District Sitapur.

3. That the complaint preferred by the complainant deserves to be quashed as the complainant has failed to levy any direct allegation against the answering respondent and as such, has put forth general allegations by means of the email dated 25.02.2022. The complainant has levelled false allegations regarding the public health crisis developing and brewing due to the operation of the respondent brick kiln.

4. That the averment in regard to air pollution and various diseases being spread due to the operation of the respondent brick kiln is wrong and is denied. It is submitted that the respondent brick kiln has been constructed in a manner as directed by the Hon'ble Supreme Court in its various decisions, including the order dated 12.04.2022 passed in Civil Appeal No.18213 of 2022: NCR Brick Kiln Association Versus Central Pollution Control Board and others. A true copy of the order dated 12.04.2022 passed in Civil Appeal No.18213 of 2022 is being annexed herewith as **ANNEXURE No.CA-1** to this reply.

5. That the Hon'ble Supreme Court, in its order passed in the aforesaid case, has emphasised that the brick kilns shall be allowed only with zig-zag technology or vertical shaft or use of pipe natural gas as fuel in brick making. It is humbly submitted that the respondent brick kiln is outside the limits of the city and that the surrounding areas are deserted. Further, the features of the respondent brick kiln are also enumerated, which are found to be very well within the stipulated guidelines and had been incorporated to cause negligible harm to the environment as the respondent brick kiln incorporates modern features such as gravitational Settling Chambers, zig-zag technology and hydro fitted purification system.

6. That the respondent most humbly submits that the brick kiln is situated outside the city limits. The nearest village/school to the brick Kiln is approximately 2-3 km away.

7. That by means of the letter bearing No.312/2005 dated 04.04.2005, the Kendriya Uposhna Bagwani Sansthan, Rahmankhera, Lucknow, has elaborated upon the height of any brick kiln to ensure having zero impact on the environment as well as the adjoining areas. By means of the aforesaid letter, guidelines for the construction of brick kilns have been enumerated, which range the height of brick kilns from 120 feet to 135 feet. The respondent brick kiln falls under the aforesaid bracket as well as it is at a height of 120 feet.

8. The averment in the applicant's general complaint also failed to consider that the respondent brick kiln is situated in such a place where for nearly 3-4 km, the adjoining area is vacant, apart from one Brick Kiln which is located around 1.5 km from the respondent. Further, it is submitted that the fact that the exhaust fumes from the brick kiln get converted into water vapour and as such, do not affect the environment at all.

9. That the respondent brick kiln has followed all procedures, formalities and requirements as enumerated in law as well as by the State Authorities and, as such, has also deposited fees for the years 2020-2021 and as well as for the year 2021-2022. True copies of the

challan deposit receipts are annexed herewith as **ANNEXURE No. CA-2** to this reply.

10. That the respondent brick kiln is also registered under the Goods and Services Tax and as such, bears GST registration no. 09ABHFM5822E1Z9. The said registration certificate was issued on 18.01.2019. Regular payments against requisite GST amounts have been paid to the department as and when required. True copy of the registration certificates as **ANNEXURE No.CA-3** to this reply.

11. That the respondent brick kiln is a registered taxpayer and as such, has been paying income tax to the authorities on a regular basis. The respondent brick kiln has adhered to its responsibilities as an honest company and has continuously operated within the confines of the law. The respondent brick kiln can never attempt or commit any fraudulent act or work outside its legally permissible limits.

12. That by the respondent brick kiln sought approval through a No Objection Certificate (NOC) form dated 30.09.2022 from the Pollution Control Board, aligning with the guidelines outlined in the nationwide notification by the Ministry of Environment, Forest, and Climate Change dated 22.02.2022. Additionally, it's emphasized that the application for Consent to Operate (CTO) diligently followed all regulations and directives specified in the aforementioned notification. A true copy of the application for consent to establish (no objection certificate) form dated 30.09.2022 and the notification mentioned

above are being annexed herewith as **ANNEXURE No.CA-4** & **ANNEXURE No.CA-5** to this reply.

13. That it is pertinent to mention that till date no communication is made regarding acceptance or rejection of the application of No objection certificate. Further, the respondent is being kept in the dark about the status of his application before the Pollution Control Board.

14. That the aforesaid rejection order was passed in stark violation of earlier green chits granted to the answering respondent kiln. The Environmental Clearance Certificate issued by the District Level Environment Impact Assessment Authority were disregarded by the UP Pollution Control Board, so issued in favour of the answering respondent brick kiln. The above-discussed documents are annexed as **ANNEXURE No. CA-6** .

15. That the UP Pollution Control Board had rejected the application of the respondent brick kiln without assigning any cogent reasons for the said rejection. The UP Pollution Control Board further erred in not considering the fundamental report in regard to the environmental clearances received by the answering respondent brick kiln and did not follow the principles of natural justice by not providing an opportunity for hearing to the respondent brick kiln. It is most humbly submitted that the order for rejection of the application for NOC would not have been passed had the UP Pollution Control Board had objectively and subjectively considered the nature of construction of

the respondent brick kiln as well as considered the environment report so issued in favour of the respondent brick kiln.

16. That the answering respondent submits that till date, no physical inspection has been conducted by the UP Pollution Control Board of the brick kiln.

17. That the respondent submits that the Joint Committee (interim) Report dated 6.2.2022 filed before this Hon'ble Tribunal in OA No.: 273 of 2022(Gyanendra Pandey v/s State of U.P.) is not accurate insofar as the data surrounding the respondent brick kiln is concerned. The interim report quintessentially levies general allegations on all the respondents' brick kilns and, as such, is faulty and incorrect to the effect of the answering respondent's brick kiln. The answering respondent conforms with all the necessary safeguards and functions in accordance with the guidelines issued by the Hon'ble Supreme Court as well as the State Authorities.

18. That the observations in the Joint Committee Report appear to have been given/filed in respect of the entire brick kilns industry and not regarding the answering respondent brick kiln.

19. That the contents of paragraphs nos. 1 to 4 of the Joint Committee Report, are a matter of record and need no reply.

20. That the contents of paragraph no. 5 of the Joint Committee Report is a matter of personal knowledge of the committee and, as such, warrants no reply.

21. That the contents of paragraph no. 6 of the Joint Committee Report are correct and admitted. It is most humbly submitted that the UP Pollution Control Board has put forth baseless allegations against the answering respondent brick kiln in regard to the functioning of the brick kiln in the months leading to January when, as a matter of fact, the joint committee report correctly observes, that the brick kilns cannot operate during the said months.

22. That the contents of paragraph no. 7, of the Joint Committee Report are not admitted as stated. It is most humbly submitted that the answering respondent's brick kiln is not situated in any thick cluster, and the closest brick kiln to the answering respondent's brick kiln is nearly 1.5 km away. The closest residential area is about 2-3 km away.

23. That further, the answering respondent brick kiln is surrounded by a boundary wall. The answering respondent brick kiln has never been directed to make any changes, and in case the same is expected/required, the answering respondent undertakes the construction of the same within a week of receiving such directions.

24. That the answering respondent has a bore well dug into the premises of its brick kiln and has monitoring facilities for groundwater consumption. The answering respondent, Brick Kiln, is a responsible entity and as such, takes care of the environment in accordance with the rules and regulations as existing.

25. That the Joint Committee report further alleges that the answering respondent brick kiln does not utilise zig-zag technology when, as a matter of fact, the answering respondent's brick kiln is a state-of-the-art zig-zag-based brick kiln, following as the guidelines of the Ministry of Environment, Forest, and Climate Change notification.

26. That the contents of paragraph no. 8 of the Joint Committee Report are wrong and are vehemently denied. As established in the preceding paragraphs of the present reply, the answering respondent brick kiln is situated far from residential areas and, as such, is constructed on the basis of the latest issued guidelines and incorporates zig-zag technology along with state-of-the-art purification and ventilation systems.

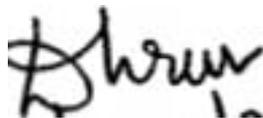
27. That the contents of paragraph no.9 of the joint committee report are recommendations of the committee and as such, warrant no reply from the answering respondent brick kiln.

28. That the arbitrary and malafide action of the UP Pollution Control Board smacks of deep-rooted conspiracy against the respondent brick

kiln and the non-consideration of the entire record available with the Board showcases the post haste manner in which the Board has taken unilateral decision in passing the order of rejection of NOC preferred by the respondent brick kiln.

29. That the answering respondent, to substantiate his ground, has annexed different photographs of the Brick Kiln which clearly shows the position of the settling chambers in the brick kiln. The abovementioned photographs are annexed as **ANNEXURE No.CA-7**

30. That in view of the above and the present reply read as a whole, along with the reports and observations of state authorities in respect of the respondent brick kiln, it is most humbly submitted that the present complaint filed, in so far it relates to the answering respondent, may be dismissed and the name of the answering respondent be deleted from the array of parties.



DHRUV TAMTA (ADV)  
RESPONDENT NO 22

**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH**

**ORIGINAL APPLICATION No. 273 OF 2022**

**Gyanendra Pandey**

**... Applicant**

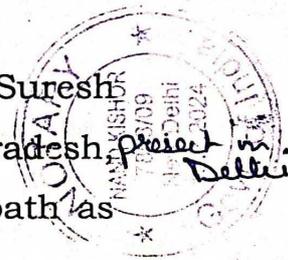
**Versus**

**State of U.P. and others**

**...Respondents**

**AFFIDAVIT**

I, Ram Prakash, aged about 65 years, son of Shri Suresh Chandra, Murtazanagar, Mahmoodabad, Sitapur, Uttar Pradesh, the deponent, do hereby solemnly affirm and state on oath as under:-



1. That the deponent is the respondent in the present O.A No. 273 OF 2022 pending before this Tribunal.

2. That the deponent in the accompanying reply is well conversant with the facts and is competent to swear this affidavit.

3. That the contents of the accompanying reply are true and correct to the best of my knowledge.

4. That the annexures are the true copies of the originals.

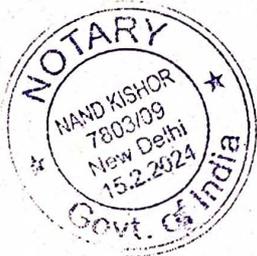
21/12/23  
DEPONENT

**VERIFICATION:**

19 DEC 2023

I, the above-named deponent, do hereby verify that the contents of paragraph 1 to of this supplementary affidavit are true to my personal knowledge and belief. No part of it is false and nothing material has been concealed therein.

*Shru*  
in my Presence



STATED THAT THE CONTENTS EXPLAINED BY DEPONENT EXECUTANT WHO IS SEEMED PERFECTLY TO UNDERSTAND AFFIRMED & DEPOSED BEFORE ME AT NEW DELHI

IDENTIFY THE EXECUTANT/DEPONENT WHO HAS SIGNED IN MY PRESENCE  
NAND KISHOR AGARWAL Advocate  
NOTARY PUBLIC NEW DELHI

19 DEC 2023

21/12/23  
DEPONENT

ITEM NO.31

COURT NO.10

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No. 18213/2021

(Arising out of impugned final judgment and order dated 17-02-2021  
in OA No. 1016/2019 passed by the National Green Tribunal)

NCR BRICK KILN ASSOCIATION

Petitioner(s)

VERSUS

CENTRAL POLLUTION CONTROL BOARD &amp; ORS.

Respondent(s)

WITH

Diary No. 20331/2021 (XVII)

Diary No. 7535/2021 (XVII)

Diary No. 7667/2021 (XVII)

Diary No. 7670/2021 (XVII)

Diary No. 23486/2021 (XVII)

Date : 06-05-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.M. JOSEPH  
HON'BLE MR. JUSTICE HRISHIKESH ROY

For parties

Mr. Sanjay Rathi, Adv.  
Mr. Ekansh Bansal, Adv.  
Mr. Vibhav Mishra, Adv.  
Mr. Parmanand Gaur, AOR

Mr. Neeraj Kumar Jain, Sr. Adv.  
Mr. Aniket Jain, Adv.  
Mr. Subodh Gupta, Adv.  
Mr. Deepak Gupta, Adv.  
Mr. Umang Shankar, AOR  
Mr. Sanjay Singh, Adv.  
Mr. Siddharth Jain, Adv.

Mr. Nidhesh Gupta, Sr. Adv.  
Ms. Pallavi Singh, Adv.  
Ms. Vriti Gujral, Adv.

## O R D E R

Today when the matter came up, we heard the learned counsel appearing for the applicant before the NGT, learned counsel for the Central Pollution Control Board (CPCB) and the learned counsel appearing on behalf of the Haryana State Pollution Control Board. We have also heard the learned counsel for the appellants.

A compliance affidavit has been filed by CPCB. Therein, it is, *inter alia*, stated as follows:

The impact on air quality in terms of Particulate Matter (PM 10 and PM 2.5) after the starting the operation has been assessed by the CPCB using the air quality box model analysis. It is thereafter stated as follows:

- Box model has been used for estimating the Particulate Matter concentration contributed by operational brick kilns in NCR, during 15 April to 28 April 2022.
- Impact of operational brick kilns on PM 2.5 and PM 10 levels varied during this period, depending on the prevailing meteorological conditions, such as wind speed, wind direction and mixing height.
- Average PM 2.5 and PM 10 concentration in 23 grids (having brick kilns) of NCR, due to operation of brick kilns, ranged between 2-6.5 ug/m<sup>3</sup> and 6-18 ug/m<sup>3</sup> respectively in NCR districts of Haryana and Uttar Pradesh, in the period from 15 April-28 April 2022.
- Overall, 14-day average contribution of brick kilns was 3.7 ug/m<sup>3</sup> in terms of PM 2.5 concentration and 10.2 ug/m<sup>3</sup> in terms of PM 10 concentration, with higher concentration observed in those grids having more number of brick kilns, or lying adjacent to such grids.
- In those grids where CAAQM stations are present as shown in Figure 4, average PM 2.5 and PM 10 concentration during 15 April to 25 April 2022, due to operation of brick kilns, ranged from 2.1-6.7 ug/m<sup>3</sup> and 5.7-18.3 ug/m<sup>3</sup> respectively, suggesting brick kilns contributing in the range of 2.6-8.1% for PM 2.5

CA D No. 18213/2021 etc.

Ms. Japneet Kaur, Adv.  
Mr. Sanjeev Chaudhary, Adv.  
Mr. G. Balaji, AOR

Mr. S. P. Singh, Sr. Adv.  
Mr. Omvir Singh Bhati, Adv.  
Mr. C. Kannan, Adv.  
Mr. Roonak Parekh, Adv.  
Mr. Mukesh Kumar Singh, Adv.

Mr. Amar Kumar Raizada, Adv.  
Mr. T. N. Saxena, Adv.  
Mr. Maneesh Saxena, Adv.  
Mr. Amit, Adv.  
Mr. Vipin Kumar Saxena, Adv.  
M/s. Mukesh Kumar Singh and Co., AOR

Mrs. Swarupama Chaturvedi, AOR  
Ms. Saumya Kapoor, Adv.  
Ms. Himanshi Goel, Adv.

Mr. Pradeep Misra, AOR  
Mr. Daleep Dhyani, Adv.  
Mr. Suraj Singh, Adv.

Mr. Anil Grover, Sr. Adv.  
Ms. Noopur Singhal, Adv.  
Mr. Rahul Khurana, Adv.  
Mr. Satish Kumar, Adv.  
Mr. Sanjay Kumar Visen, AOR  
Mr. Shalen Bhardwaj, Adv.  
Mr. Suresh Kumar Bhan, Adv.

Ms. Pooja Dhar, AOR

Mr. Y. D. Sharma, Adv.  
Ms. Pushpa Kumari Mishra, Adv.  
Mr. Kumar Gaurav, Adv.  
Ms. Sweety Dubey, Adv.  
Mr. Rajnish Kumar Jha, AOR  
Ms. Pushapa Mishra, Adv.  
Ms. Deepika Sharma, Adv.

Mr. Varinder Kumar Sharma, AOR

Mr. Mahesh Kasana, Adv.  
Ms. Aparna Rohatgi Jain, Adv.  
Dr. S. K. Verma, Adv.

UPON hearing the counsel the Court made the following

CA D No. 18213/2021 etc.

and 3.5-9.3% for PM 10 in these grids.

Pointing this out, Shri Rohan, learned counsel for the applicant, would submit that the PM is high going by the study which has been conducted. He would submit that this is largely due to the fact that the units are all functioning at the same time. He would suggest that the Court may direct the units to function in a staggered manner. He would further point out that the units, at any rate, cannot be permitted to function beyond 30<sup>th</sup> June, 2022. He would next submit that the CPCB has carried out surprise inspection in 57 units and there has been production in excess of capacity.

Ms. Swarupama Chaturvedi, learned counsel appearing on behalf of CPCB, would rely upon the compliance affidavit filed. It is further submitted that this Court had actually permitted operation of 1830 units and it was found that 338 units are functioning which do not fall within the four corners of the order as per the data received from the State Board. They are to be closed.

It is submitted that wherever there is any violation in any manner of the Court's order or the conditions prescribed, the units will be closed down and the State Boards must indeed ensure compliance with the same.

It is stated that random and surprise inspections of 57 units alone was possible after the passing of the order

CA D No. 18213/2021 etc.

by this Court. This is for the reason that the inspection which is result oriented does take time. As far as the State Board is concerned, learned counsel for the Haryana State Board would submit that 61 inspections have been carried out so far. There is no representation for the UP State Pollution Control Board.

We have also heard Mr. Nidhesh Gupta, learned senior counsel. Mr. Gupta would agree that units which have fallen foul of the order passed by this Court or the conditions relating to capacity must indeed close down. He also does not dispute that the units cannot be permitted beyond 30<sup>th</sup> June, 2022.

Mr. S. P. Singh, learned senior counsel appearing would submit that there are certain units which do not perhaps fall within 1830 units but which have the requisite sanction. Learned counsel for the CPCB would submit that it is for the said parties to approach the State Board to get the figure corrected / records updated and thereafter it is for the State Pollution Control Board to inform the CPCB. Thereafter, inspection would have to be conducted. Thereafter alone they can be permitted to operate if after inspection it is found that they can be permitted to operate.

Mr. Nidhesh Gupta also submits that that the alarm raised by Mr. Rohan as also the CPCB on the basis of the study conducted regarding the PM and which we have referred

CA D No. 18213/2021 etc.

to in our order, may be misplaced.

He would submit in this regard that the premise appears to be that the PM emission rate for each zig zag brick kiln would be 1000 kg/day as per the report of CPCB dated 06.07.2020. It is pointed out that the ground reality is that this may not be the case as was opined by Expert Committee. He would, therefore, submit that this Court may consider directing that study be conducted of the PM done after a porthole is made in the chimney and studying stack emissions with a monitoring platform. He would further submit that this study can be conducted over a period of 24 hours for an individual unit.

Having heard the learned counsel for the parties, we would order as follows:

(1) List this case on 13<sup>th</sup> May, 2022.

(2) By the next date, the Haryana State Pollution Control Board and also UP State Pollution Control Board will file compliance affidavit indicating what all it has done in terms of the order dated 08.04.2022. It will also indicate as to what all steps it has taken by way of compliance with the communication dated 04.05.2022 issued by CPCB for closing the units which are not permitted by the order of the Court.

(3) CPCB will take up units at least three areas viz., Bhagpat (2) Gaziabad (3) Jhajjar and carry out the study as was recommended by the Expert Committee viz., by

CA D No. 18213/2021 etc.

having portholes and checking stake emissions. The study will be conducted in respect of the units which have the highest production capacity in each of those areas. CPCB will immediately intimate the units where the portholes have to be made for the purpose of carrying out the study. The report will be made available by the next date of hearing.

(4) We further direct the CPCB, Haryana State Pollution Control Board and the UP State Pollution Control Board will intensify surprise inspection so that the maximum number of surprise inspections are carried out.

(5) As soon as the CPCB intimates the State Pollution Control Boards about the units found to be in violation, the State pollution Control Board will take immediate action to close down such units.

We make it clear that the CPCB and the State Pollution Control Boards will be free to exercise all powers which are available as per law.

As regards the suggestion of Shri Rohan that interest of environment would be best subserved if there is a reduction in the production capacity of the units, CPCB will make its submission on the next date.

List the matter on 13<sup>th</sup> May, 2022.

(NIDHI AHUJA)  
AR-cum-PS

(RAM SUBHAG SINGH)  
BRANCH OFFICER

## ANNEXURE CA-2

## वित्तीय नियम संग्रह खण्ड -5, भाग-2

कोषागार प्रपत्र 209 (1)

प्रपत्र संख्या - 43 ए (1)

(प्रस्तर 417 एवं 478 देखिए)

## धनराशि जमा करने का चालान फार्म

उपकोषागार/बैंक का नाम व शाखा

इण्डियन बैंक महेंद्रगढ़ काँटा

1. जिस व्यक्ति(पदनाम कद आवश्यक हो) या संस्था के नाम से धनराशि जमा की जा रही है उसका नाम

मेजरि माँ बेगमो क्लिप फील्ड

मधन बेड्ड महेंद्रगढ़

(सीतापुर)

2. पता

3. पंजीकरण संख्या/पक्ष का नाम व वाद संख्या (यदि आवश्यक हो)

4. जमा की जा रही धनराशि का पूर्ण विवरण (धनराशि किस हेतु जमा की जा रही है तथा किस विभाग के पक्ष में जमा की जा रही है)।

इए महेंद्रगढ़ शत 2021 - 22 हेतु

एक माहान पंजीकरण के अन्तर्गत विनिष्पन्न शुल्क

5. चालान की सकल राशि

आवेदन शुल्क 2000/- विनिष्पन्न

6. चालान की निबल राशि

शुल्क (19 पाव) 116100/- प्रत्येक-116100

7. लेखा शीर्षक का पूर्ण विवरण/लेखा शीर्षक की मुहर:

0853-00-101-10-000

8. लेखा शीर्षक की 13 डिजिट कोड

मुख्य लेखा शीर्षक उप मुख्य-शीर्षक लघु-शीर्षक उप-शीर्षक ब्योवर-शीर्षक धनराशि (अंकों में)

0853

00

101

10

00

129710/-

धनराशि शब्दों में एक लाख अतीस हजार योग

मात्र ही इस रूप में मात्र/-

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

21/02/21  
जमाकर्ता का नाम व हस्ताक्षर

## केवल उपकोषागार/बैंक के प्रयोगार्थ

चालान संख्या

अंकों में रु०

दिनांक

शब्दों में रु०

प्राप्त किया

प्राप्तकर्ता के हस्ताक्षर उपकोषागार बैंक की मुहर सहित

20 FEB 2022

refox

about:blank

**ACKNOWLEDGEMENT**

(NOT TO BE TREATED AS CHALLAN)

**(अलौह खनन तथा धातु कर्म उद्योग, उ०प्र०)****Government of Uttar Pradesh**

Transaction No.: AKD210024660	Transaction Date: 31/01/2021
Assessment Year: 2020-2021	Tax Period: ANNUAL
Name of the Bank:	State Bank of India
Unique Id:	09ABHFM5822E129
Depositor Name:	MAA VAISHNO BRICK FIELD
Depositor Address:	VILLAGE MADAN BEHAR POST PURWA REWAN MAHMUDABAD SITAPUR 261203

Head	Description	Serial No.	Amount (in Rs.)
085300102010000	खनिज रियायत शुल्क किराया और स्वत्व शुल्क	1	118100.00
	Totals of the above heads	--	118100.00

A SUM OF Rs. 118100.00 AGAINST THE HEADS MENTIONED ABOVE -[ THROUGH NET-PAYMENT TRANSACTION ]- ON *State Bank of India* HAS BEEN DEPOSITED BY THE DEPOSITOR.  
(Depositor Remarks->19 PAYEE BRICK FIELD CATEGORY B DISTRICT)  
THE BANK REFERENCE NO. RECEIVED AFTER THE TRANSACTION IS : IK0AYLGPR4, Scroll Date:-NA  
Note:- Please contact SBI Government Business Branch, Lucknow or Director Treasury, Jawahar Bhawan,  
Lucknow referring IK0AYLGPR4 for status of the deposit.

irefox

about:blank

**ACKNOWLEDGEMENT**

(NOT TO BE TREATED AS CHALLAN)

**(अलौह खनन तथा धातु कर्म उद्योग, उ०प्र०)****Government of Uttar Pradesh**

Transaction No.: AKD210024671	Transaction Date: 31/01/2021
Assessment Year: 2020-2021	Tax Period: ANNUAL
Name of the Bank:	State Bank of India
Unique Id:	09ABHFM5822E1Z9
Depositor Name:	MAA VAISHNO BRICK FIELD
Depositor Address:	VILLAGE MADAN BEHAR POST PURWA REWAN MAHMUDABAD SITAPUR 261203

Head	Description	Serial No.	Amount (in Rs.)
085300102010000	खनिज रियायत शुल्क किराया और स्वत्व शुल्क	1	11610.00
	Totals of the above heads	--	11610.00

A SUM OF Rs. 11610.00 AGAINST THE HEADS MENTIONED ABOVE – [ THROUGH NET-PAYMENT TRANSACTION ] – ON *State Bank of India* HAS BEEN DEPOSITED BY THE DEPOSITOR.  
(Depositor Remarks->19 PAYEE BRICK FIELD CATEGORY B DISTRICT)  
THE BANK REFERENCE NO. RECEIVED AFTER THE TRANSACTION IS : IK0AYLGS10, Scroll Date:-NA  
Note:- Please contact SBI Government Business Branch, Lucknow or Director Treasury, Jawahar Bhawan, Lucknow referring IK0AYLGS10 for status of the deposit.





उत्तर प्रदेश  
जनसंरक्षण

जिला परिषद्/क्षेत्र समिति प्रपत्र संख्या 5  
(नियम 41 देखिये)

("डबल साइडेड कार्बन पेपर" पर अमिट पेन्सिल से लिखा जायेगा)

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

बही संख्या मेरस मा विकास प्रपत्र फाइल नं

मांग रजिस्टर संख्या डि आर डी नं १०२०

विल संख्या मु ०६५२ के पूर्ण अंश/अंशिक/आंशिक

रूपया रु १०००० के अंश/अंशिक/आंशिक

कार्यकारी/खंड विकास अधिकारी

ला.सं. नं. १०००५

दिनांक १६-९-२०२०

लेखाकार १६-९-२०२०

मूल्य = १००००

मांग रजिस्टर नं. १०२०

कर अधिकारी/ २०२०

पी०एस०यू०पी०-०१ जिला पंचायत-३०.०४.२०१९-२००० बुक (डी०डी०पी०/आफसेट)।

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

वही संख्या

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, जिसने

धनराशि वसूल की

इस कूपन को जमा करने वाले

अधिकारी का नाम तथा पदनाम

026295



C.K. Tax

जिला परिषद्/क्षेत्र समिति प्रपत्र संख्या 81046 महाराष्ट्र

(नियम 41 के तहत)

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

खुल-साइडेड कूपन पर 'क्षेत्र समिति' लिखना आवश्यक है।

क्षेत्र जिले के नाम सहित क्षेत्र समिति के नाम का खंड स्टाम्प

रसीद संख्या

81046

रसीद संख्या अनुसार भुगतानकर्ता का नाम

(रुपया शब्दों में)

रसीद के अनुसार उससे वसूल की गई धनराशि

के मुद्दे प्राप्त हुआ।

रसीद के अनुसार किस मद्दे वसूल की गई

मुख्य अधिकारी/खंड विकास अधिकारी

अनुसार कर-समाहर्ता का नाम, जिसने

कर-समाहर्ता (टेक्स चेक)

धनराशि वसूल की

मांग तथा वसूली का प्रभारी लिपिक

इस कूपन को जमा करने वाले

कर अधिकारी।

अधिकारी का नाम तथा पदनाम

मूल्य =

## ANNEXURE CA-3



सत्यमेव जयते

GSTIN

09ABHFM5822E1Z9

Legal Name

MAA VAISHNO BRICK FIELD

Trade Name, if any

M/S MAA VAISHNO BRICK FIELD

Annexure B

Details of Managing / Authorized Partners

1		Name	VINOD KUMAR
		Designation/Status	PARTNER
		Resident of State	Uttar Pradesh
2		Name	ALOK KUMAR VERMA
		Designation/Status	PARTNER
		Resident of State	Uttar Pradesh
3		Name	RAM PRAKASH
		Designation/Status	PARTNER
		Resident of State	Uttar Pradesh

आयकर विभाग  
INCOME TAX DEPARTMENT



भारत सरकार  
GOVT. OF INDIA



स्थायी लेखा संख्या कार्ड  
Permanent Account Number Card



नाम / Name

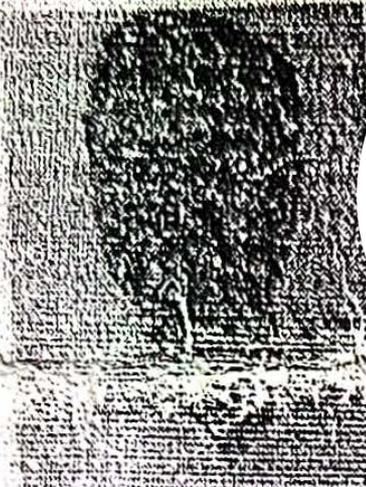
निगमन / गठन की तारीख  
Date of Incorporation/Formation  
15/12/2017

04012018



Air 89311 फार

Government of India



मेरा आधार, मेरी पहचान



Unique Identification Authority of India

Address



help@uidai.gov.in

WWW

www.uidai.gov.in

**FORM I**  
**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 .

MAA VAISNO BRICK FIELD, Village- Madan  
Behar Post- Purwa Rewan Teh- Mahmoodabad  
Sitapur, SITAPUR, 261 203  
City Sitapur  
Block Mahmoodabad  
District SITAPUR

Dated

30/09/2022

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

ALOK KUMAR for a period upto 1 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.



# भारत का राजपत्र

## The Gazette of India

सी.जी.-डी.एल.-अ.-22022022-233662  
CG-DL-E-22022022-233662

असाधारण  
EXTRAORDINARY

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

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 140]  
No. 140]

नई दिल्ली, मंगलवार, फरवरी 22, 2022/फाल्गुन 3, 1943  
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 <sup>3</sup>
		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	

**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 <sup>3</sup>
		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% CO<sub>2</sub> 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 SO<sub>2</sub> emission rate in kg/hr), and the maximum of two shall apply.

	चिमनी की न्यूनतम ऊंचाई (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 :

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

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

नरेश पाल गंगवार, अपर सचिव

6. Brick kilns should be established at a minimum distance of 0.8 kilometre from habitation and fruit orchards. State Pollution Control Boards/Pollution Control Committees may make siting criteria stringent considering proximity to habitation, population density, water bodies, sensitive receptors, etc.
7. Brick kilns should be established at a minimum distance of one kilometre from an existing brick kiln to avoid clustering of kilns in an area.
8. Brick kilns shall follow process emission/fugitive dust emission control guidelines as prescribed by 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 the concerned State or Union Territory shall be obtained for extracting the soil to be used for brick making in the brick kiln.
11. The brick kiln owners shall ensure that the road utilized for transporting raw materials or bricks are paved roads.
12. Vehicles shall be covered during transportation of raw material/bricks”.

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

NARESH PAL GANGAWAR, 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 lastly amended *vide* number G.S.R. 724(E), dated the 04<sup>th</sup> October, 2021.

## ANNEXURE CA-6

321

**District Level Environment Impact Assessment Authority, Sitapur**  
(Office of the District Magistrate, Sitapur)

To,

**Shri Ram Prakash S/o Shri Suresh Chandra**  
**Village-Murtazanagar Tahsil-Mahmoodabad**  
**District-Sitapur**

VALIDITY OF THIS ENV. CLEARANCE  
DATE.....25.02.2018.....

Ref.No. XXX-CF-6-321(2017)/DEIAA Sitapur/Brick Kiln/2017-18

Dated:- 16 Feb. 2018

**Sub: Environmental clearance for Brick Earth mining at Gata No.- 65, 88, 142, 124, 163, 12, 17/2, 135, 125/1 Village-Purwa Rewan & Gata No.- 261, 176, 54, 55, 59, 167, 239, 56, 243, Village-Madan Behad Tahsil-Mahmoodabad District-Sitapur (Total Area 4.4421 ha) for M/S Maa Vaishno Brick Field, Mahmoodabad, District-Sitapur.**

Dear Sir,

Please refer to your letter dated 22-02-2018 addressed to the Chairman, Deiaa, Sitapur for the purpose of above mentioned subject. Along with application form 1M, you have submitted pre feasibility report (PFR) and approved mining plan. A presentation was made a by Project proponent along with the consultant **Paramarsh Servicing Environment, Safety & Management System**, before the District Level Expert Appraisal Committee (DEAC) meeting dated 24-02-2018

The project document submitted to DEAC) and presentation made before committee to sought Environmental clearance for Brick Earth mining at Gata No.- 65, 88, 142, 124, 163, 12, 17/2, 135, 125/1 Village-Purwa Rewan & Gata No.- 261, 176, 54, 55, 59, 167, 239, 56, 243, Village-Madan Behad Tahsil-Mahmoodabad District-Sitapur (Total Area 4.4421 ha) for M/S Maa Vaishno Brick Field, Mahmoodabad, District-Sitapur

Gatawise Details	Area Proposed for excavation (in Ha.)
Gata No.- 65, 88, 142, 124, 163; 12, 17/2, 135, 125/1 Village-Purwa Rewan & Gata No.- 261, 176, 54, 55, 59, 167, 239, 56, 243, Village-Madan Behad Tahsil-Mahmoodabad District-Sitapur	4.4421

District Magistrate, Sitapur, approved the mining plan for excavation of 7000.00 cubic meter of brick earth wide letter No 06 dated 22-02-2018 with following conditions:-

1. The brick klin can not be operated without NOC of Uttar Pradesh Pollution Control Board.
2. Mining plan approved for excavation of 7000.00 cubic meter brick earth annually.
3. The ultimate depth of mining will be restricted to 02 meter below the ground level and 2 meter above ground water table of sorrowing.
4. Mining work should be carried in bench pattern in which height of bench maintained 1m and width at least 3m.
5. Top soil should be adequately properly and should be used for landscaping & top soil will be excavated manually.(i.e. up to 6 inches)
6. Verification of land document, its ownership and concern permission will be checked by district administration.

This project dose not attract any of the general conditions applicable on mining projects specified in EIA Notification 14/09/2006. In case of PIL no 44262 of 2014, Ajai Kumar Mishra and Others vs. U.P. Pollution control board thru Regional Officer, Hon's Chief Justice, high court,



Allahabad has been issued direction that activity of borrowing/ excavation of brick earth and ordinary earth up to an area of 5 ha, may be categorized under 'B2' category subjected to the following guidelines in terms of the provision under "7.1 stage (1)-Screening' of EIA, Notification, 2006:

- (i) The activity associated with borrowing/ excavation of 'brick earth' and 'ordinary earth' for the purpose of brick manufacturing, construction of roads, embankments etc shall not involve blasting.
- (ii) The borrowing / excavation activity shall be restricted to maximum depth of 2 m below general ground level at the site.
- (iii) The borrowing / excavation activity shall be restricted to maximum depth of 2 m above water table at the site.
- (iv) The borrowing/excavation activity shall not alter the natural drainage pattern of the area.
- (v) The borrowed/excavated pit shall be restored by the project proponent for useful purposes (s).
- (vi) Appropriate fencing all around the borrowed/excavated pit shall be made to prevent any mishap.
- (vii) Measure shall be taken to prevent dust emission by covering of borrowed/excavated earth during transportation.
- (viii) Safeguard shall be adopted against health risks on account of breathing of vectors in the water bodies created due to borrowing/ excavation of earth.
- (ix) Workers / labourers shall be provided facilities for drinking water and sanitation.
- (x) A berm shall be left from the boundary of adjoining field having a width equal to at least half of the depth of proposed excavation.
- (xi) A minimum distance of 15 m from any civil structure shall be kept from the periphery of excavation area.
- (xii) The concerned authority while considering granting environmental clearance for such activity for brick earth / ordinary earth will prescribe the guidelines as stated at (i) to (xi) above and specify that the clearance so granted shall be liable to be cancelled in case of any violation of above guidelines.
- (xiii) No borrowing of earth / excavation of brick earth or ordinary earth shall be permitted in case the area of borrowing/ excavation is within 1 km boundary of national park and wild life sanctuaries.
- (xiv) A direction given pollution control board by Hon'court that not grant consent or no objection to operation of brick kilns in absence of prior environmental clearance.

Apart from the above instruction for borrowing/ excavation of brick earth or ordinary earth, the project proponent shall compliance following conditions:-

**General condition:**

1. This environmental clearance does not create or verify any claim of applicant on the proposed site /Activity
2. No change in mining technology and scope of working shall be made without approval of Authority.



3. Any Mining activity shall be undertaken only after valid permission from mining department / district administration (according to Samadhan Yojna) and written agreement with land owner from where earth excavation is proposed.
4. Personnel working in dusty areas shall be provided with protective respiratory devices and they shall also be imparted adequate training and information on safety and health aspects.
5. The authority reserves the right to revoke the clearance if conditions stipulated are not implemented. The Authority will also be entitled to impose additional environmental conditions or modify the existing ones, if necessary.
6. In case of any deviation or alteration in the project proposed from those submitted to this authority for clearance, a fresh reference should be made to the authority to assess the adequacy to the condition(s) imposed and to add additional environmental protection measures required, if any.
7. Concealing factual data or submission of false /fabricated data and failure to compliance with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
8. Project proponents have to plant the fast growing trees in the first coming monsoon around the brick kilns and mines. They have also maintenance for grow up at least three years and so on.

**Specific Conditions:**

1. The mines will be open-cast and semi mechanised.
2. Excavated soil should be properly stored in a manner not to increase surrounding SPM level.
3. The excavation work shall be done in day time only.
4. The project boundary shall be properly covered to restrict dust dispersion.
5. Precautionary measures during soil excavation for conservation and protection of rare and endangered flora and fauna found in the study area.
6. Equivalent Level of noise level shall be maintained round the clock as per standards.
7. Appropriate no. of sprinkles will be used during mining operation period.
8. The route map for soil transportation from excavation plots to work site should be firmed up and necessary permissions shall be sought form respective department. vehicles hired for the transportation should be in good in condition and have pollution check certificate, conform to applicable air and noise emission standards and approach road will be maintained periodically by mines owner.
9. Personnel exposure monitoring for repairable mineral dust shall be the workers. Awareness program for workers or, impact of mining on their health and precautionary measures like use of personal protective equipments etc. shall be carried out periodically. First aid facilities and adequate sanitary facility in the form of temporary toilets /septic tanks.
10. Solid waste material via gutkha rappers, plastic bags, glasses etc. to be generated during project activity will be separates stored in bins and managed as per solid Waste Management Rules.
11. Project Proponent should maintain daily register for information of (a) collection of soil/clay, (b) manpower & (c) transportation purpose.
12. The project proponent is also required to comply with following stipulations as per MOEF, OM No. 11011/47/2011-IA, II (M) dated 24/06/2013.
13. Project Proponent also directed to ensure that he can't operate brick Klins without getting consent of pollution control board as well as respective others departments.
14. You are also directed to ensure that the proposed site is not a part of any development zone as required/prescribed/identified under law. In case violation, this permission shall automatically



deem to be cancelled. Also, in the event of any dispute on ownership or land use of the proposed site, this clearance shall automatically deem to be cancelled.

15. Project proponent has already declared that they will comply all condition mentioned in environmental clearance and will submit CSR six monthly from date of issue of this environmental clearance. If fails to comply the condition of environmental clearance this clearance shall automatically deem to be cancelled. And the legal action taken as per law.

Based on the recommendations of the District Level Expert Appraisal Committee (DEAC) Meeting held on 24-02-2018, District Level Environment Assessment Authority (DEIAA) in its Meeting held on 26-02-2018 decided to grant the Environmental Clearance to the project, with aforesaid general and specific Conditions and with following direction:-

- (i) Concerned Sub-Divisional Magistrate/Member Secretary (DEIAA)/ District Mining Officer are instructed to inspect these work sites, so that to ensure that the above conditions are fulfilled and they should report back to DEIAA in case of any irregularity and short comings.
- (ii) The DEIAA/SEIA/MOEF reserves the right to revoke the environmental clearance, if conditions stipulated are not implemented or modify the existing ones, if necessary. Necessary statutory clearances should be obtained and submitted before start of any construction activity. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1986, the public Liability (Insurance) Act, 1991 and EIA Notification, 2006 including the amendments and rules made thereafter.
- (iii) This is to request you to take further necessary action in the matter as per provision of Gazette Notification No. S.O. 1533 (E) dated 14-09-2006., as amended and send regular compliance reports to the authority as prescribed in the aforesaid notification

  
SDM, Sitapur  
Member Secretary (Deiaa)

No XXX-CF-6-321(2017)/DEIAA Sitapur/Brick Kiln/2017-18  
Copy With enclosure for information and necessary action to:

Dated As Above

1. The Principal Secretary, Department of Environment, Govt. of Uttar Pradesh, Lucknow.
2. Chief Forest Conservator, Sector-19, Indira Nagar, Lucknow.
3. Director, Directorate of Environment, Vibhutikhand, Gomatinagar, Lucknow.
4. Regional Officer, UP Pollution Control Board Gomatinagar, Lucknow.
5. Director, Department of Geology & mining U.P Lucknow.
6. Sub Divisional Magistrate Mahmoodabad, Sitapur/ Mines Officer, Sitapur
7. Copy to Web Master/Guard file.

  
SDM, Sitapur  
Member Secretary (Deiaa)



15. That no partner can do his own business by the name of the firm and if he does so the profit so earned will be credited to the profit and loss account of the firm and if he suffers any loss then he will only himself be responsible for such loss.

16. That in case of dispute amongst the partners it will be decided by an arbitration under the arbitration act and rules which will be binding on all the partners and none of the partners will be allowed to go to any court of law

17. That in case of the partners mutually decide to change any of the terms and conditions of this Deed, they shall execute a supplementary Deed which shall form part of this Deed.

In witness whereof, we all the partners have signed this partnership Deed on 01.11.2013

at Sitapur

*[Handwritten signature]*

PARTNERS

1. RAM PRAKASH

2. VINOD KUMAR

3. ALOK KUMAR,

*[Handwritten signature]*

*[Handwritten signature]*

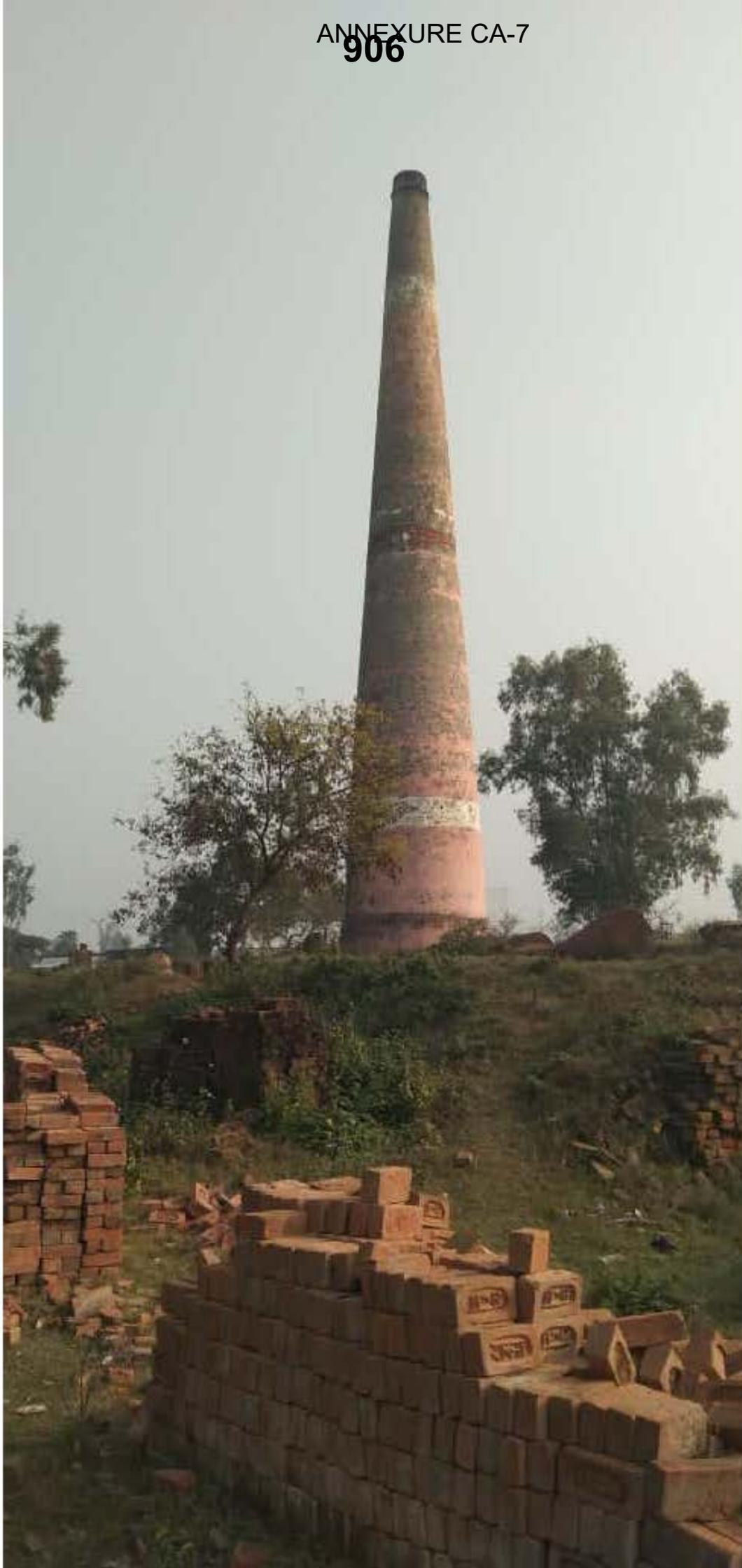
*[Handwritten signature]*

WITNESSES

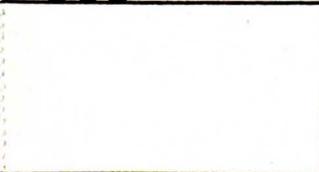
1. अवधेश कुमार *[Handwritten signature]*

2. संकरा प्रसाद

*[Handwritten signature]*  
*[Handwritten signature]*







C.C. No. ....  
FIR No. ....  
U/S .....  
P.S. ....

IN THE COURT OF National Green Tribunal Principal Bench  
Suit / Appeal No. 273 / 2022 JURISDICTION OF 202 Delli

In re :-  
Gayamunda Pandey Plaintiff(s) Or Petitioner(s)  
Appellant(s) Complainant(s)

**VERSUS**

State of U.P Defendant(s) / Respondent(s) / Accused

KNOW ALL to whom these present shall come that I/We Pankaj Kumar Prakash of  
Maa Vaishno Buick Field

The above named Respondent do hereby appoint

DHRUV TAMTA NISHCHAY DUTT  
D/1410/2011 D/2017/2022  
331, M.C Setalvad Block, Bhagwandas Road,  
New Delhi. Supreme Court

8923664448 adv. nishchaydutt@gmail.com

(herein after called the advocate/s to be my/our Advocate in the above-noted case authorize him:-

To act, appear and plead in the above-noted case in this court or in any other court in which the same may be tried or heard and also in the appellate court including High court subject to payment of fees separately for each case

To sign file, verify and present pleadings, appeals cross-objections or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents or opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee.

To deposit, draw and receive money, cheques, case and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution on the said case.

To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/ We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own facts, as if done by me/us to all intents and purpose.

And I/We undertake that I/ We or my/our duly authorised agent would appear in court and all hearings and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate of his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he shall receive and retain for himself.

And I/We undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settle is only for the above case and above Court. I/We hereby agree that once the fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have

been understood by me/us on this 19 day of December 2023

Accepted subject to the terms of the fees



Dhruv  
D/1410/2011  
Advocate  
Nishchay Dutt  
D/2017/2022  
Dhruv

Client 21/11/21 Client  
I Identify the Signature/Thumb Impression of the Below Mentioned Person,  
Who Has been Signed in my presence. The Client.

909



Rajesh Kumar &lt;rajeshkumaryadav06031993@gmail.com&gt;

---

**Service of Replay in 0.A 273/2022 on behalf of RESPONDENT to THE PETITIONER**

1 message

---

**Rajesh Kumar** <rajeshkumaryadav06031993@gmail.com>  
To: Gyanendra Pandey <gyanendrapandey6388@gmail.com>  
Cc: adv.nishchaydutt@gmail.com

Wed, Dec 20, 2023 at 12:52 AM

Sir/Madam,  
Please find the  
Service of Replay in 0.A 273/2022 on behalf of RESPONDENT NO 22 to THE PETITIONER

---

 **Maa Vaishno Brick Fields (final)\_pagenumber.pdf**  
24137K