

## BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH

## ORIGINAL APPLICATION No. 273 OF 2022

Gyanendra Pandey

... Applicant

Versus

State of U.P. and others

...Respondents

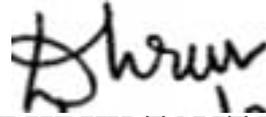
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**New Delhi**

**DATED:** 19/12/23



**DHRUV TAMTA & NISHCHAY DUTT**

**ADVOCATES**

**RESPONDENT NO. 27**

**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.27 NEW GOLD****BRICK FIELD, VILLAGE MADAN BEHAR, MAHMUDABAD,****SITAPUR**

1. That the respondent is one of the partners, duly authorised by other partners to file the present reply on behalf of New Gold Brick 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 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 125 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 1 km, the adjoining area is vacant, apart from one Brick Kiln which is located around 1000-1500 m 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 year 2020-2021. 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.09AASFN4091Q1Z7. Regular payments against requisite GST

amounts have been paid to the department as and when required. True copy of the registration certificates is annexed herewith 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 means of consent to establish (no objection certificate) form dated 25.09.2022, the respondent brick kiln had applied for a No objection certificate with 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 the notification mentioned above is being annexed herewith as **ANNEXURE No.CA-4** 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 UP Pollution Control Board had still not considered the application of the respondent brick kiln till date. The UP Pollution Control Board further is 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 UP Pollution Control Board failed to objectively and subjectively consider the nature of construction of the respondent brick kiln as well as negated the environment report so issued in favour of the respondent brick kiln.

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

16. 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 1000- 1500 metres away. The closest residential area is about 2 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.

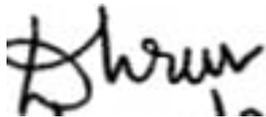
28. That the arbitrary and malafide action of the UP Pollution Control Board smacks of deep-rooted conspiracy against the respondent brick kiln and the non-consideration of the entire record available with the Board showcases the post haste manner in which the Board has taken unilateral decision in passing 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 as well as the layout 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-6**.

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.

**New Delhi**

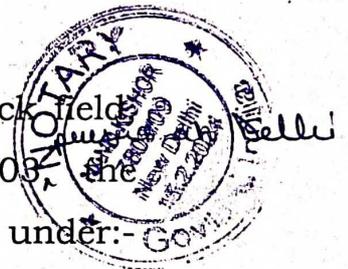
**Dated:**



DHRUV TAMTA & NISHCHAY DUTT  
ADVOCATES

**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, Pradeep Kumar, son of Shri Mishri Lal, New Gold Brick field  
 Vakarnagar, Meera Nagar Mahmudabad, Sitapur- 261208  
 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.



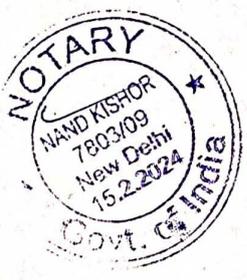
*श्याम शर्मा*  
**DEPONENT**

**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

*Shyam*  
I have signed in my presence  
Who has been pronounced therein.



CERTIFIED THAT THE CONTENTS EXPLAINED TO THE DEPONENT EXECUTANT WHO IS SEEMED PERFECTLY TO UNDERSTAND AFFIRMED & DEPOSED BEFORE ME AT NEW DELHI  
*N. Kishor* (94)  
IDENTIFY THE EXECUTANT/DEPONENT WHO HAS SIGNED IN MY PRESENCE  
NAND KISHOR AGARWAL, Advocate  
NOTARY PUBLIC (NEW DELHI)

19 DEC 2023

*श्याम शर्मा*  
**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, AORMr. 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.

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

## 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.

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

संकेतिक संख्या, ब्लॉक संख्या

जिला परिषद/क्षेत्र समिति प्रपत्र संख्या 8172

(नियम 41 के अन्तर्गत)

("डबल साइडेड कार्बन पेपर" पर अमिट पॉन्सल से लिखा जायगा)

जिला परिषद/क्षेत्र समिति के नाम का रबड़ स्टाम्प

बही संख्या

मोग रजिस्टर संख्या

बिल संख्या 8172

रुपया

स्थान

दिनांक

लेखाकार

मूल्य =

पी0एस0यू0पी0-02 जिला पंचायत-23.05.2020-2000 बुक (डी0टी0पी0/आफसेट)।

जिला परिषद/जिले के नाम सहित क्षेत्र समिति के नाम का रबड़ स्टाम्प

वही संख्या 81472 रसीद संख्या

रसीद के अनुसार भुगतानकर्ता का नाम

रसीद के अनुसार उससे वसूल की गई धनराशि

रसीद के अनुसार किस मद्धे 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



## ACKNOWLEDGEMENT

(NOT TO BE TREATED AS CHALLAN)

(अलौह खनन तथा धातु कर्म उद्योग, उ०प्र०)

Government of Uttar Pradesh

Transaction No.: AKV220001004	Transaction Date: 14/01/2022
Assessment Year: 2021-2022	Tax Period: ANNUAL
Name of the Bank	State Bank of India
Unique Id:	09AASFN4091Q1Z7
Depositor Name:	N G BRICK FIELD
Depositor Address:	VILLAGE GAURIYA POST MEERA NAGAR TEHSIL MAHMOODABA SITAPUR PIN 261203

Head	Description	Serial No.	Amount (in Rs.)
085300102010000	खनिज रियायत शुल्क किराया और स्वत्व शुल्क	1	145100.00
	Totals of the above heads	--	145100.00

A SUM OF RS. 145100.00 AGAINST THE HEADS MENTIONED ABOVE -- [ THROUGH NET-PAYMENT TRANSACTION ]-- ON  
State Bank of India HAS BEEN DEPOSITED BY THE DEPOSITOR.

(Depositor Remarks-- ZIG ZAG BRICK FIELD I2 PAYEE N G BRICK FIELD)

THE BANK REFERENCE NO. RECEIVED AFTER THE TRANSACTION IS : IKOBMEQZW1, Scroll Date:-NA

Please contact SBI Government Business Branch, Lucknow or Director Treasury, Jawahar Bhawan, Lucknow referring  
IKOBMEQZW1 for status of the deposit.

1045

## ACKNOWLEDGEMENT

(NOT TO BE TREATED AS CHALLAN)

(अलौह खनन तथा धातु कर्म उद्योग, उ०प्र०)

Government of Uttar Pradesh

Transaction No.: AKV210000884	Transaction Date: 03/03/2021
Assessment Year: 2020-2021	Tax Period: ANNUAL
Name of the Bank:	State Bank of India
Unique Id:	09AASFN4091Q1Z7
Depositor Name:	N G BRICK FIELD
Depositor Address:	VILLAGE GAURIYA POST MEERA NAGAR TEHSIL MAHMOODABAD SITAPUR PIN 261203

Head	Description	Serial No.	Amount (in Rs.)
085300102010000	खनिज रियायत शुल्क किराया और स्वत्व शुल्क	1	14310.00
	Totals of the above heads	--	14310.00

A SUM OF Rs. 14310.00 AGAINST THE HEADS MENTIONED ABOVE -[ THROUGH NET-PAYMENT TRANSACTION ]-- ON *State Bank of India* HAS BEEN DEPOSITED BY THE DEPOSITOR.

(Depositor Remarks->ZIG ZAG BRICK FIELD 12 PAYEE N G BRICK FIELD)

THE BANK REFERENCE NO. RECEIVED AFTER THE TRANSACTION IS : IK0BAAYNM0, Scroll Date:-NA

Note:- Please contact SBI Government Business Branch, Lucknow or Director Treasury, Jawahar Bhawan, Lucknow referring IK0BAAYNM0 for status of the deposit.

## ANNEXURE CA-3

Annexure B



GSTIN

09AASFN4091Q1Z7

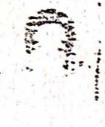
Legal Name

N G BRICK FIELD

Trade Name, if any

N G BRICK FIELD

## Details of Managing / Authorized Partners

1		Name	PRADEEP KUMAR
		Designation/Status	PARTNAR
		Resident of State	Uttar Pradesh
2		Name	BINDESHVARI
		Designation/Status	PARTNAR
		Resident of State	Uttar Pradesh
3		Name	AMAN VERMA
		Designation/Status	PARTNAR
		Resident of State	Uttar Pradesh
4		Name	AKHILESH KUMAR
		Designation/Status	PARTNAR
		Resident of State	Uttar Pradesh
5		Name	ARUN KUMAR
		Designation/Status	PARTNAR
		Resident of State	Uttar Pradesh
6		Name	VINEET KUMAR
		Designation/Status	PARTNAR
		Resident of State	Uttar Pradesh
7		Name	VINOD
		Designation/Status	PARTNAR
		Resident of State	Uttar Pradesh

आयकर विभाग  
INCOME TAX DEPARTMENT



भारत सरकार  
GOVT. OF INDIA

ई- स्थायी लेखा संख्या कार्ड  
e - Permanent Account Number (e-PAN) Card

नाम / Name

निगमन/गठन की तारीख

Date of Incorporation / Formation

26/11/2020



Signature Not Verified

Digitally signed by Income Tax  
PAN Services Unit, NSDL  
& Governance  
Date: 2021.02.11 08:33:34 IST  
Reason: NSDL PAN Sign  
Location: Mumbai

- ✓ Permanent Account Number (PAN) facilitate Income Tax Department linking of various documents, including payment of taxes, assessment, tax demand tax arrears, matching of information and easy maintenance & retrieval of electronic information etc. relating to a taxpayer. स्थायी लेखा संख्या (पैन) एक करदाता से संबंधित विभिन्न दस्तावेजों को जोड़ने में आयकर विभाग को सहायक होता है, जिसमें करों के भुगतान, आकलन, कर मांग, टैक्स बकाया, सूचना के गिस्तान और इलेक्ट्रॉनिक जानकारी का आसान रखरखाव व चहाली आदि भी शामिल है।
- ✓ Quoting of PAN is now mandatory for several transactions specified under Income Tax Act, 1961 (Refer Rule 114B of Income Tax Rules, 1962) आयकर अधिनियम, 1961 के तहत निर्दिष्ट कई लेनदेन के लिए स्थायी लेखा संख्या (पैन) का उल्लेख अब अनिवार्य है (आयकर नियम, 1962 के नियम 114B, का संदर्भ लें)
- ✓ Possessing or using more than one PAN is against the law & may attract penalty of upto Rs. 10,000. एक से अधिक स्थायी लेखा संख्या (पैन) का रखना या उपयोग करना, कानून के विरुद्ध है और इसके लिए 10,000 रुपये तक का दंड लगाया जा सकता है।
- ✓ The PAN Card enclosed contains Enhanced QR Code which is readable by a specific Android Mobile App. Keyword to search this specific Mobile App on Google Play Store is "Enhanced QR Code Reader for PAN Card". संलग्न पैन कार्ड में एनहांस क्यूआर कोड शामिल है जो एक विशिष्ट एंड्रॉइड मोबाइल ऐप द्वारा पठनीय है। Google Play Store पर इस विशिष्ट मोबाइल ऐप को खोजने के लिए कीवर्ड "Enhanced QR Code Reader for PAN Card" है।

Cut

<p>आयकर विभाग INCOME TAX DEPARTMENT</p> <p>भारत सरकार GOVT. OF INDIA</p> <p>स्थायी लेखा संख्या कार्ड Permanent Account Number Card</p> <p>[Redacted PAN Number]</p> <p>[Redacted Name]</p> <p>[Redacted Address]</p> <p>[Redacted Contact Info]</p>	<p>एक कार्ड के होने/बने पर प्रत्येक व्यक्ति को/जिसको आयकर पैन सेवा प्रदाता, एन एन डी एल के पास एक पैन कार्ड होना उसी प्रकार, सभी व्यक्तियों को एक पैन कार्ड होना चाहिए। कार्ड नं. 243, एन 10 99775 कोड का उपयोग करें, एन एन डी एल के साथ एन 10 99775</p> <p>If this card is lost or compromised, the card is invalid and should be returned to Income Tax PAN Services Unit, NSDL, 301, Forum, Mumbai 400015. Pan No: 243, Survey No: 99775, Mumbai City Corp, Near Deepa Housing Complex, Mumbai - 411 015.</p> <p>Call: 022-26123220, 26123221, 26123222 e-mail: pan@nsdl.com</p>
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Electronically issued and Digitally signed ePAN is a valid mode of issue of Permanent Account Number (PAN) post amendments in clause (c) in the Explanation occurring after sub-section (8) of Section 139A of Income Tax Act, 1961 and sub-rule (6) of Rule 114 of the Income Tax Rules, 1962. For more details, [click here](#)



भारत सरकार

Government of India



जन्म तिथि / DOB :

पुरुष /



आधार - आम आदमी का अधिकार



भारतीय विशिष्ट पहचान प्राधिकरण

Unique Identification Authority of India

पता

Address:



1947

1800 300 1947



help@uidai.gov.in



www.uidai.gov.in

**1050**  
**ANNEXURE CA-4**

रजिस्ट्री सं. डी.एल.- 33004/99

REGD. No. D. L.-33004/99



# 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	

	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

**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 (normalized) = (PM (measured) x 4%) / (% of CO<sub>2</sub> measured in stack), no normalization in case CO<sub>2</sub> measured ≥ 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.

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.









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

IN THE COURT OF National Green Tribunal Principal Bench, New Delhi

Suit / Appeal No. 273/2022 JURISDICTION OF 202

In re :-  
Ayanender 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 Partner of Pradeep Kumar of New World Brick Field.

The above named Respondent No. 27 do hereby appoint

DHRUV TAMTA NISHCHAY DUTT  
D 1410/2011 D 7017/2022  
8923664448  
Ce. 331, MC Setalvad Block, Bhagwandas Road,  
New Delhi. 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 court

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 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 202

Accepted subject to the terms of the fees

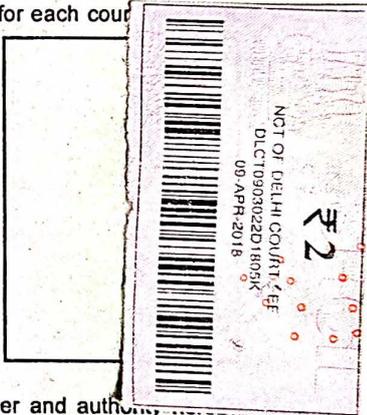
XAD  
D 7017/2022

Advocate

Client [Signature] Client

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

[Signature]





Rajesh Kumar <rajeshkumaryadav06031993@gmail.com>

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

1 message

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**Rajesh Kumar** <rajeshkumaryadav06031993@gmail.com>

Wed, Dec 20, 2023 at 1:36 AM

To: Gyanendra Pandey <gyanendrapandey6388@gmail.com>, adv.nishchaydutt@gmail.com

Sir/Madam,

Please find the

Service of Replay in 0.A 273/2022 on behalf of RESPONDENT NO 27 to THE PETITIONER

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