

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI**

Original Application No. 575 of 2025

In the matter of:

Pawan Bihari

Applicant

Vs.

State of Uttar Pradesh & Ors.

Respondents

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2.	Annexure –I A copy of Gazette notification of India of MoEF & CC.	
3.	Annexure-II A copy of Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012.	
4.	Annexure-III A copy of letter issued by CPCB, Project Office, Agra to DM Mathura.	



**Filed by Adv. Atif Suhrawardy
On behalf of Central Pollution Control Board**

Place: Delhi**Dated:12.01.2025**

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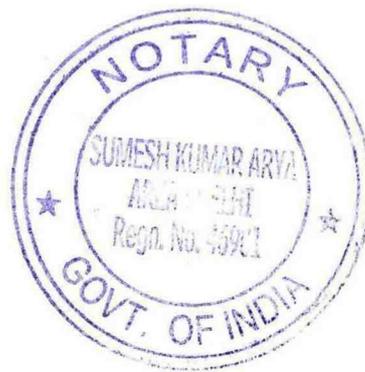
State of Uttar Pradesh & Ors.

Respondents

Reply on behalf of Respondent No. 3, CPCB, in compliance of order dated 24.11.2025 passed by the Hon'ble NGT

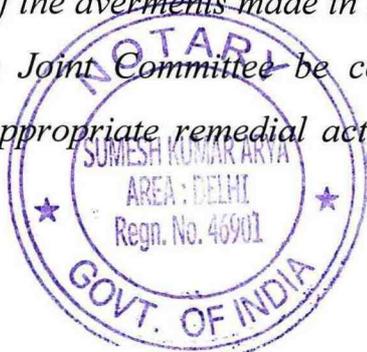
MOST RESPECTFULLY SHOWETH:

1. That the Hon'ble National Green Tribunal Principal Bench (hereinafter referred to as the "Hon'ble NGT") vide order dated 24.11.2025 in Original Application (hereinafter referred to as "OA") no. 575/2025 has sought the reply of Central Pollution Control Board (hereinafter referred to as CPCB) in the instant matter. Thereby, the reply is made in the succeeding paragraphs.
2. That, the applicant, through a letter petition, submitted that the brick kiln owned by Chaudhri Satyapal son of Shri Digambar Singh is operated in Inayatya Bangar Tehsil- Mant, District Mathura, U.P by operator Priyanka Chaudhri. According to the Pollution Department, the brick Kiln Digambar Singh industry is operating since 2021 for which the NOC was given in July 2021 on Khasra No.49A, whereas till date the construction of brick kiln is not done yet on this Khasra No. 49A. The applicant also complained that M/s Choudhary Digambar Singh Brick Industry, Inayatgarh Bangar, brick kiln is operational on Khasra No. 87.



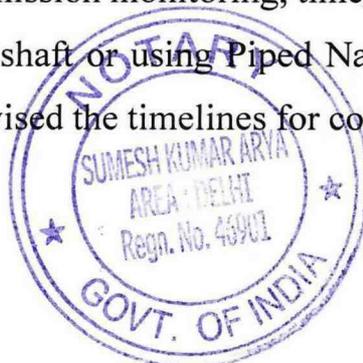
3. That, the applicant alleged that in 2014, according to the Pollution Department, NOC was given to only one brick kiln in the village Inayatgadh Bangar, Tehsil-Mant, District Mathura, U.P which is functional in Inayatgadh Bangar on Khasra No. 111. The applicant also alleged that according to the Pollution Department, no other NOC on any other's name except Inayatgadh Bangar Khasra No.111 has been issued. It means in the village Inayatgadh Bangar, only one NOC has been issued, which has been issued on Khasra No. 111 and is still functional in the name of Babajaidey Brick industry.
5. That, the applicant alleged that they have been continuously informing the District Administration, Pollution Department, and the Chief Secretary U.P Government, but no action has been taken.
6. That, The Hon'ble National Green Tribunal passed an order dated 24.11.2025 in the matter. The relevant para of the Hon'ble NGT order is as under:

"...4. In view of the averments in the application, we consider it appropriate to have response of (1) State of Uttar Pradesh through Principal Secretary, Environment, Forest and Climate Change, Government of U.P. (2) District Magistrate, Mathura (3) Central Pollution Control Board through Member Secretary (4) Uttar Pradesh Pollution Control Board (UPPCB) through Member Secretary (5) and M/s Ch. Digambar Singh Int Udyog, Khasra no. 87, Inayatgarh, Bangar, Tehsil Mat. District Mathura, Uttar Pradesh who stand impleaded as respondents No. 1 to 5. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents No. 1 to 5, requiring them to file their replies/responses within one month. In view of the averments made in the application, we also consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee



comprising of representatives of CPCB, UPPCB and District Magistrate, Mathura and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action by following due course of law and submit its report within one month. The UPPCB will be the nodal agency for coordination and compliance...”

7. That, CPCB is constituted under Section 3 of The Water (Prevention and Control of pollution) Act, 1974 (hereinafter referred to as "the Water Act, 1974"). It performs the functions under the Water Act, 1974, The Air (Prevention and control of pollution) Act, 1981 (hereinafter referred to as "the Air Act, 1981") and The Environment (Protection) Act, 1986.
8. That, the State Pollution Control Boards/Pollution Control Committees (hereinafter referred to as "SPCBs/PCCs") have been constituted in States / Union Territories under the Water Act, 1974 and the Air Act, 1981 and are empowered to perform the functions and implement the provisions of these Acts in respect of territories falling in their respective Territorial Jurisdiction.
9. That, the Ministry of Environment, Forest and Climate Change (hereinafter referred to as "MoEF&CC") vide notification dated 22.02.2022, issued revised Environmental Standards for Particulate Matter (hereinafter referred to as "PM") of 250 mg/Nm³ for brick kilns. The said notification also stipulates the siting criteria, fugitive dust emission control measures, list of approved fuels, porthole and platform for emission monitoring, timeline for conversion to Zig-Zag technology or vertical shaft or using Piped Natural Gas as fuel in brick making, etc. MoEF&CC revised the timelines for conversion vide Notification



GSR 895 (E) dated 15.12.2023 and vide Notification GSR 70(E) dated 22.01.2025.

10. That, it is humbly submitted that the Brick kilns should comply with the conditions stipulated in the MoEF&CC notification dated 22.02.2022 as amended thereof. It is also submitted that Brick Kilns shall also comply the conditions stipulated in The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012. True copy of MoEF&CC notification is annexed as **Annexure-I**, and “The Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012” is annexed as **Annexure-II**.
11. That, it is humbly submitted that Brick kilns should operate only after obtaining prior CTE and CTO from the concerned SPCB/PCC and should comply with conditions stipulated therein.
12. That, in compliance with the aforesaid Hon’ble NGT order dated 24.11.2025, the nomination from CPCB has been duly forwarded to the District Magistrate, Mathura and to the Regional Officer, UPPCB, Mathura (**Annexure-III**)
13. That, CPCB, as a member of the Joint Committee will render full co-operation and support in completion of the mandate of ibid committee to the best of its ability.
14. That, the Joint committee report post finalization shall be submitted to the Hon’ble NGT through the nodal agency, i.e. UPPCB.



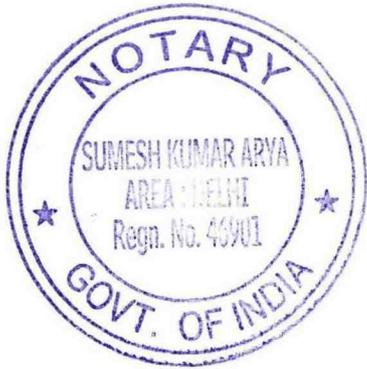
15. That, the Answering Respondent No. 3 herein craves leave of the Hon'ble NGT to file additional reply, if required, in future.

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



(Anamika Sagar)
Scientist 'E'

Central Pollution Control Board
12.01.2026



भारतीय प्रदूषण नियंत्रण बोर्ड / Central Pollution Control Board
दिल्ली क्षेत्र / Delhi Area
ज्येष्ठ वैज्ञानिक 'ई' / Scientist 'E'

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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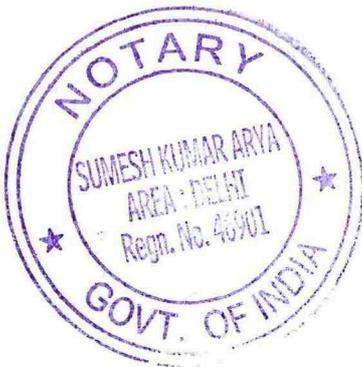
Vs.

State of Uttar Pradesh & Ors.

Respondents

I, **Anamika Sagar**, working as Scientist 'E' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, the Respondent No. 03 in the above matter, do hereby solemnly affirm, declare on oath and state as under:

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




DEPONENT

अनामिका सागर / Anamika Sagar
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(M/o Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110036
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

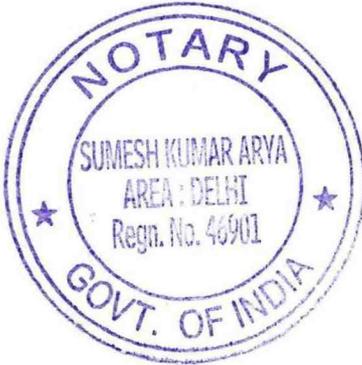
VERIFICATION

Verified at Delhi on this day of January, 2026, that the contents above are correct and true based on the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or misstated.


DEPONENT

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


ATTESTED
NOTARY PUBLIC, DELHI
GOVT. OF INDIA



12 JAN 2026



भारत का राजपत्र

The Gazette of India

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असाधारण
EXTRAORDINARY

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

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 140]

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

No. 140]

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

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 22 फरवरी, 2022

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

1. संक्षिप्त नाम और प्रारंभ :

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

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

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

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

टिप्पणियां :

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

[फा. सं. क्यू-15017/35/2007-सीपीड

नरेश पाल गंगवार, अपर स

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

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 22nd February, 2022

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

1. Short Title and commencement: -

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

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

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

Notes :

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

PM (normalized) = (PM (measured) x 4%) / (% of CO₂ measured in stack), no normalization in case CO₂ measured \geq 4%. Stack height (in metre) shall also be calculated by formula $H=14Q^{0.3}$ (where Q is SO₂ emission rate in kg/hr), and the maximum of two shall apply.

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

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

NARESH PAL GANGAWAR, Addl. S

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



भारत का राजपत्र The Gazette of India

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

असाधारण
EXTRAORDINARY

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

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 712]

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

No. 712]

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

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 15 दिसम्बर, 2023

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

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

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

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

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

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

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

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

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

नरेश पाल गंगवार, अपर सचिव

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

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION**

New Delhi, the 15th December, 2023

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

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

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

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

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

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

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

NARESH PAL GANGWAR, Addl. Secy.

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



भारत का राजपत्र The Gazette of India

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

असाधारण
EXTRAORDINARY

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

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 41]

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

No. 41]

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

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 22 जनवरी, 2025

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

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

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

वेद प्रकाश मिश्रा, संयुक्त सचिव

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

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

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 22nd January, 2025

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

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

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

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

VED PRAKASH MISHRA , Jt. Secy.

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

**Uttar Pradesh Sashan,
Paryavarn Anubhag.**

In pursuance of the provisions of the clause(3) of article 348 of the constitution, the Governor is pleased to order the publication of the following English translation of notification no. 921/55-i;kZ/12-94¼i;kZ½-11, dated June 27,2012

NO. 921/55-i;kZ/12-94¼i;kZ½-11
Dated Lucknow,June 27, 2012

In exercise of the powers under sub section (1) of section 54 read with clause (z) of sub section (2) of the said section and sub section (1) of section 21 of the Air (Prevention And Control of Pollution) Act,1981 (Act no.14 of 1981) the Governor, after consultation with Uttar Pradesh Pollution Control Board and after considering the objections and suggestions received from concerned person, is pleased to make the following rules with a view to regulating the siting criteria for the establishment of new brick kilns in the State of Uttar Pradesh:-

**THE UTTAR PRADESH BRICK KILNS(SITING CRITERIA FOR ESTABLISHMENT)
RULES,2012**

Short title and commencement	1. (1)	These rules may be called the Uttar Pradesh Brick kilns (Siting Criteria For Establishment) Rules,2012
	(2)	They shall come into force with effect from the date of their publication in the Gazette.
Distance from residential area/population/sensitive area/mango or fruit orchard.	2.	Subject to provisions of the Uttar Pradesh Promotion and Protection of Fruit Trees (Regulation of Harmful Establishment and Housing Scheme Act, 1985 (U.P.Act No. 18 of 1985, a brick kiln shall not be established which does not fulfil the following conditions:-
	(i)	a brick kiln shall not be established with in a distance of 5.0 kilometers form the area of a Municipal Council or Municipal Corporation. Subject to the above restrictions a brick kiln shall be established at least 500 meters away from residential area having minimum population of 100-150 persons or 20 houses either kachha or pucca houses 1.0 kilometer from a residential area having population more than 150 persons or more than 20 houses whether kachha or pucca;
	(ii)	a brick kiln shall not be established at a place within the distance of 10. Kilometer from registered hospital, school public building, religious places or a place from where flammable substances are stored; a brick kiln shall not established within a radius of 5.0 kilometers in notified

sensitive areas of a zoo, wild life sanctuaries, historic monuments, museum and the like:

Provided that in case of Taj Trapezium zone are(T.T.Z.) the directions/guidelines given by the Supreme court from time to time, shall apply;

- (iii) a brick kiln shall not be established within a distance 200 meters from the sides of the railway tracks;
- (iv) a brick kiln shall not be established within a distance of 300 meters from both sides of the National and State Highways;
- (v) a brick kiln shall not be established within a distance of 100 meters from both sides of a main district road /public works department roads;
- (vi) a brick kiln shall not be established within 800 meters from a brick kiln already established;
- (vii) a brick kiln should not be allowed to install in the 'Buffer zone' of a notified fruit belt area as defined in 'The Uttar Pradesh Promotion and Protection of Fruit Trees(Regulation of Harmful Establishments and Housing Schemes) Act,1985' and the restriction made by competent authority concerned or decision of court on case to case basis, if any.

Distance from sides of mango orchard/Mixed fruits (mango and other) orchard (having at least 100 fruiting trees) joint nursery from brick kiln shall not be less than 800 meters in each direction. The mentioned distances are applicable irrespective of the variety/type of fruit area individually or collectively should not be less than 2.5 acre.

Distance will be measured from the chimney of the brick kiln to the first/ nearest row of the tree of mango/fruit orchard towards the kiln.

3. Permission for the establishment of the brick kiln
- No license in respect of firing of brick kiln or for mining lease shall be granted by the Zila Panchayat/concerned district administration until and unless a valid previous consent (NOC) is obtained by the owner of the brick kiln,

issued by the State Board.

- | | |
|---|--|
| Emission Standards | <p>4. The emission standards and Pollution Control System including height of Chimney for Brick Kilns as notified by Ministry of Environment and Forest (MOEF) Government of India vide serial no. 74 of schedule I in notification no. GSR 543 (E) dated 22nd July,2009 shall be applicable in case of Brick Kiln, issued under the Environment (Protection) rules,1986.</p> |
| Materials to be used in Brick Kilns | <p>5. The following materials may be used in Brick Kiln established under these Rules:-</p> <ul style="list-style-type: none"> (a) Local agro industrial waste residue to replace coal as internal fuel such as cotton stalk, mustard stalk etc; (b) Non hazardous waste such as stone dust, rice husk ash, red mud etc. may be mixed with top soil; (c) Fly ash in brick moulding in compliance with the notification issued under the Environment (Protection) Act,1986 as applicable; <p style="padding-left: 40px;">Provided that the spent organic, solvent, oily residue, pet coke, filter press cake(hazardous waste) and other waste such as plastic rubber, leather shall not be used as fuel in the brick Kiln.</p> |
| Duties of the proprietor of a Brick Kiln. | <p>6.(1) Multi layer and multi storey green belt of 10 meters width shall be constructed along the periphery of brick kiln leaving two 10 meters wide gaps in the boundary for entry and exit of material and vehicles. A wall of 3 meters height shall be constructed on the sides where land is not available for green belt development to prevent fugitive dust emission. For installation of brick Kiln with green belt development, the minimum area required is 2.0 acre.</p> <p>(2) Lighting arrestor as per the PWD norms or any other standard desing shall be installed for brick Kiln to avoid the damage to stacks/chimney caused due to lighting attack.</p> <p>(3) In Brick Kiln besides the above Good House keeping practices including disposal of coal, ash, provision of</p> |

double wall around the Kiln, proper layout Brick lining of passage use of properly grades coal, proper firing practices, protection from noise pollution and other measures should be followed by all Brick Kiln Owners.

- (4) While digging the earth for making bricks in the area ear marked for the same, the straight cutting of earth should be avoided; instead the cutting should be done in a slanted manner in the proportion of 1:3, so that there should be minimum soil erosion of the agricultural land.

Permission for operation of the brick Kiln.

7. A person who want to operate a brick Kiln shall make an application with requisite fee separately to the State Board by furnishing mining lease from district administration, permission for firing from Zila Panchayat/Zila Parishad and no objection certificate/License as the case may be from the Horticulture Department, under the Uttar Pradesh Air(Prevention and Control of Pollution) Rules,1983,and the Uttar Pradesh Water (Consent for discharge of sewage and Trade Effluent) Rules,1981, for the permission for the operation of the brick Kiln. On receipt of such application the State Board may reject such permission after necessary enquiry as prescribed under the aforesaid Rules.

Provided that a brick Kiln which was established/operate previously but not being operative in the last season, want to operate or change the name/ownership and have valid consent under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974 may operate the same if it informs in writing to the State Board but shall be bound to comply with all the conditions subject to which consent was granted.



26
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
परियोजना कार्यालय, आगरा
PROJECT OFFICE, AGRA



सत्यमेव जयते

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

सं० परि०का०आ०/प्रशा०/NGT Mathura 149 (iii)-16/ 247

दिनांक 23.12.2025

सेवा में,

जिलाधिकारी महोदय,
मथुरा।

विषय :- माननीय राष्ट्रीय हरित अधिकरण में योजित ओ.ए. 575/2025 पवन बिहारी बनाम उ०प्र० सरकार व अन्य में पारित आदेश दिनांक 24.11.2025 के अनुपालन के संबंध में।

महोदय,

कृपया उपरोक्त विषयक माननीय राष्ट्रीय हरित अधिकरण में योजित ओ.ए. 575/2025 पवन बिहारी बनाम उ०प्र० सरकार व अन्य में पारित आदेश दिनांक 24.11.2025 माननीय एन.जी.टी. की वेबसाइट पर उपलब्ध एवं संलग्नानुसार है। उक्त पारित आदेश दिनांक 24.11.2025 के सुसंगत अंश निम्नवत् है-

"....7. In view of the averments made in the application, we also consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of CPCB, UPPCB and District Magistrate, Mathura and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action by following due course of law and submit its report within one month. The UPPCB will be the nodal agency for coordination and compliance.

मा० एन.जी.टी. द्वारा दिये गये उपरोक्त आदेशों के अनुपालन में संयुक्त समिति में केन्द्रीय प्रदूषण नियंत्रण बोर्ड का प्रतिनिधित्व करने हेतु श्री अंकुर तिवारी, वैज्ञानिक 'ई' एवं प्रभारी परियोजना कार्यालय, आगरा (मो.नं.-9319491133, ई-मेल: ankur.cpcb@nic.in) को सदस्य नामित किया जाता है।

कृपया आपके अवलोकन एवं अग्रेतर कार्यवाही हेतु प्रेषित है।

भवदीय

(अंकुर तिवारी)
प्रभारी अधिकारी

प्रतिलिपि :- सादर सूचनार्थ प्रेषित।

- प्रभारी, IPC-V, के०प्र०नि० बोर्ड, दिल्ली।
- क्षेत्रीय निदेशक, के.प्र.नि. बोर्ड, लखनऊ।
- क्षेत्रीय अधिकारी, UPPCB, मथुरा- सूचनार्थ एवं आवश्यक कार्यवाही हेतु।

(प्रभारी अधिकारी)

परियोजना कार्यालय :

4, धौलपुर हाउस, एम.जी. रोड, आगरा - 282001

4, Dholpur House, M.G. Road, Agra - 282001

फैक्स : 0562-2421568, दूरभाष : 0562-4005877, 2421548

ई-मेल : E-mail : poagra.cpcb@nic.in

प्रधान कार्यालय / Head Office

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