

155

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

ORIGINAL APPLICATION NO. 359/2022

In the matter of:

Rafhat Naeem Siddiqui

Applicant

Versus

State of U.P. & Ors

Respondents

INDEX

| S.No. | Particulars | Page No. |
|--------------|--|-----------------|
| 1. | Reply on behalf of Respondent no.6 M/S Milansar Brick Works along with Affidavit | 1-8 |
| 2. | ANNEXURE R/1. The copy of the CTO valid till 31.07.2027 | 9-13 |
| 3. | ANNEXURE R/2. The MOEFCC notification dated 15.12.2023 | 14-15 |
| 4. | Vakalatnama | 16 |

Date:27.07.2024**New Delhi****FILED BY:-**


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Advocates

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156

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**REPLY ON BEHALF OF THE RESPONDENT NO.6 M/S MILANSAR
BRICK WORKS****Most Respectfully Showeth:**

1. That the allegation raised by the applicant is that Respondent no.6 has engaged in illegal mining of soil up to depth of 8 feet in the leased out fields taken from persons named in letter AND also alleged that Respondent no.6 has engaged in illegal mining from the field of Complainant also by digging 25 metre long and 8 feet deep trench.
2. That vide order dated 23.05.2022 the Hon'ble Tribunal took cognisance of the allegations and directed for factual and action taken report from the Joint Committee.
3. That vide its report dated 25.08.2022 the Joint Committee has observed on the aspect of illegal mining that-
 - that soil has been excavated from the side of the land of Mohd. Rafhat Naeem up to 18 meters in length in Gata no.- 12, village Abbul Khairpur and 05 meters in length in Gata

157

No.-15 Village-Abbul Khairpur, whose depth is 4.5 feet in both Gata numbers.

- No excavation was found during inspection in gata no.-35mi village Said Alipur, Tehsil- Nagina, District – Bijnor.
- It has been found during joint inspection that the complainant's agriculture land has been affected by mining of about 4.5 feet deep in the agricultural land of other farmers which is located adjacent the agricultural land of the complainant Mr. Rafhat Naeem Siddiqui.

FACTUAL ASPECTS OF THE CASE

4. At the outset it is submitted that Answering Respondent has never engaged itself in illegal mining and has always undertaken the permission from the respective Departments by depositing requisite fees and within the permissible limits.
5. That the Answering Respondent herein submits the following facts/submissions with respect to the allegation made in its letter by the Applicant and the observation of the Joint Committee dated 25.08.2022.
 - a) That the Applicant has made blatantly false and incorrect statement that his land falling under Gata no. 35 mi village 'Said Alipur' and adjoining land falling under Gata no.55 of village Abul Khairpur have been subjected to illegal mining by the Answering Respondent.
 - b) That only Gata no. 35 mi village Said Alipur belong to the Applicant where no mining has been found by the Joint

Committee vide report dated 25.08.2022. So, the allegation that the land at Gata no. 35 mi has been subjected to illegal mining is incorrect and false.

- c) That the Joint Committee vide its report dated 25.08.2022 has observed that:

"that soil has been excavated from the side of the land of Mohd. Rafhat Naeem up to 18 meters in length in Gata no.-12, village Abbul Khairpur and 05 meters in length in Gata No.-15 Village-Abbul Khairpur, whose depth is 4.5 feet in both Gata numbers."

- d) With respect to this observation, it is submitted that the Gata no. 12 and Gata no.15 village Abul Khairpur neither belong to the Applicant nor to answering respondent. Furthermore, the report dated 25.08.2022 has nowhere named the Answering Respondent as responsible for the said excavation of soil.
6. It is further submitted that the Answering Respondent got knowledge of the present Case from the District Magistrate Bijnor vide its letter dated 12.03.2024.
7. That in this regard the Answering Complainant replied to the communication dated 12.03.2024 sent by the District Magistrate by giving a reply dated 13.03.2024 wherein the Answering Respondent pointed out the fact that Gata no. 55 village Abul Khairpur is owned by Ompal Singh, Madan Singh, Rajpal Singh, Ram Charan Singh as per the revenue records. And this Gata is not recorded in name of Raahila, Maqbool, Mansool Hasan, Mohd Yakub, Sattar, Shivcharan Singh, Arvind, as alleged by the Applicant.

8. That the UPPCB filed report dated 12.04.2024 on the basis of the report of the District Mining Department, Bijnor depicting clear picture of revenue record and actual status on ground including distance of applicant's land at gata no.35, min of village 'said ALipur' to Gata no.55 of village Abul Khaipur. The said report is at running page no. 137 wherein it is correctly stated that Gata no. 55 of village Abul Khaipur is at distance of 1 km from the gata no. 35 mi of the applicant. And the report further states that said Gata no. 55 has not witnessed any mining.
9. That the conjoint reading of report dated 25.08.2022 by Joint Committee and the recent report dated 12.04.2024 by UPPCB establish that Applicant had made a false and fabricated complaint by showing the Gata no. 55 village Abul Khaipur as lying adjacent to his Gata no. 35 mi 'said ALipur'. Whereas the truth is that the gata no. 55 is at 1 km. It is also evident from conjoint reading of these two reports that no mining caused in either of Gata No.s i.e. gata no.35 min of village said Alipur and Gata no.55 of village Abul Khaipur
10. That the Respondent no.6 has not undertaken any illegal mining or illegal excavation of Earth. It is further submitted that Answering Respondent excavated the ordinary earth as per the permissions granted by the authorities.
11. That another aspect of the current proceedings is related to the status of brick kiln of Answering Respondent. In this regard UPPCB submitted report dated 19.12.2023 wherein the inspection was conducted on 08.12.2023. During the inspection it was found that

the brick kiln is having gravitational settling chamber and 30 metre high stack for control of process emission. And kiln is having consent till 31.07.2027. It was also found that brick kiln has submitted an affidavit dated 22.11.2023 in which the unit has declared that the operation of brick kiln would not be conducted in the year 2023-2024.

12. That the aforesaid affidavit dated 22.11.2023 was given on account of prevalent economic circumstances of the Answering Respondent as the Answering Respondent was going through financial difficulties and thus decided not to run the brick kiln in the year 2023-2024. However, at present the Answering Respondent is supported by his relatives in his business and has hired labour with advance payment for preparatory work from Oct, 2024. The Answering Respondent wishes to run the Brick Kiln in the session 2024-2025 with all prior permissions.

13. In this regard it is submitted that the Answering Respondent has valid CTO upto 31.07.2027. The copy of the CTO is annexed as **ANNEXURE R/1.**

14. As regards the other statutory compliance regarding the conversion of brick kiln into Zig Zag Technology, it is submitted that as per the Joint Committee report dated 25.08.2022, the location of the brick kiln of Answering Respondent is not within the NCR and 10 km radius of non-attainment city.

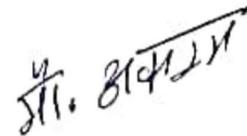
In this respect it is submitted that for such kind of brick kiln the timeline for conversion into Zig Zag technology has been extended upto one year with effect from 23.02.2024. The MOEFCC notification extending the timeline dated 15.12.2023 is annexed as **ANNEXURE R/2.**

161**PRAYER**

In light of the above submissions it is humbly prayed before the Hon'ble Tribunal that the present Original Application be kindly be dismissed against the Answering respondent.

Dated 27.07.2024

Respondent no.6



Milansar Brick work
Through its Proprietor
Mohd Akram

Through



Counsel

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH NEW DELHI
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AFFIDAVIT

I, Mohd. Akram S/o Munnay aged about 51 years, village Shadipur, Bijnor, Proprietor of M/s Milansar Brick Work, village Khairpur, tehsil Nagina, District Bijnor Uttar Pradesh, do hereby solemnly hereby affirm and declare as under:-

1. That I am the proprietor of the Answering Respondent M/S Milansar Brick Work, in the subject matter Original Application and thus acquainted with facts and circumstances of the case and thus competent to swear this affidavit.
2. That the accompanying Reply has been drafted under my instructions and contents thereof have been read over and explained to me in my vernacular which are true and correct to my knowledge, the contents thereof may kindly be read as part and parcel to this affidavit also and not repeated herein.



[Signature]
DEPONENT

Verification

It is verified at Delhi on ___ day of July 2024 that the contents of the present affidavit are true and correct and nothing material has been concealed therefrom.

[Handwritten verification in Hindi]

[Signature]
DEPONENT

Sworn before me on the day of 27 July 2024
at Nagina by Mohd. Akram
who has been identify by M/s Milansar Brick Work
and Munnay as a Proprietor
of M/s Milansar Brick Work
and Munnay as a Respondent
of State of U.P.
SUHAIL ADIL, ADVOCATE
NOTARY NAGINA (U.P.)
27-7-2024



Uttar Pradesh Pollution Control Board

Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.in, Website: www.uppcb.com

171184/UPPCB/Bijnore(UPPCBRO)/CTO/both/BIJNOR/2022

Date: 09/12/2022

To,

M/s

MILANSAR BRICK WORKS

VILLAGE-ABUL KHAIRPUR, TEHSIL-NAGINA, DISTT.-BIJNOR
,BIJNOR,246762

Application Id-
18815837

Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section-21 of the Air (Prevention & Control of Pollution) Act, 1981

CCA is hereby granted to MILANSAR BRICK WORKS located at VILLAGE-ABUL KHAIRPUR, TEHSIL-NAGINA, DISTT.-BIJNOR ,BIJNOR,246762. subject to the provisions of the Water Act, Air Act and the orders that may be made further and subject to following terms and conditions :-

1. This CCA MILANSAR BRICK WORKS granted for the period from 02/12/2022 to 31/07/2027 and valid for manufacturing of following products.

| S No | Product | Quantity | Unit |
|------|----------------------|----------|-------------|
| 1 | Bricks 20000 No./day | 20000 | Numbers/Day |

2. Conditions under Water(Prevention and Control of Pollution) Act -1974 as amended :-

(i) The daily quantity of effluent discharge (KLD) :-

| Kind of Effluent | Quantity(KLD) | Treatment facility | Discharge point |
|------------------|---------------|--------------------|---|
| Industrial | Zero | NA | NA |
| Domestic | 01 KLD | Septic Tank | Irrigation of green belt with in premises |

(ii) Trade Effluent Treatment and Disposal :-The applicant shall operate Effluent Treatment Plant consisting of primary/secondary and tertiary treatment as is required with reference to influent quantity and quality.

In case of stoppage of functioning of ETP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(iii) The treated effluent shall be recycled to the maximum extent and should be reused within the premises for gardening etc. Quality of the treated effluent shall meet to the following general and specific standards as prescribed under Environment (Protection) Rules, 1986 and applicable to the unit from time-to-time :-

Industrial Effluent Quality Standard

| S.No. | Parameter | Standard |
|-------|-----------|----------|
| 1 | pH | 6.5-9.0 |
| 2 | COD | 250 mg/l |
| 3 | BOD | 30 mg/l |

164

| | | |
|---|------------------------|----------|
| 4 | Oil & Grease | 10 mg/l |
| 5 | Total Suspended Solids | 100 mg/l |

(iv) Sewage Treatment and Disposal :- The applicant shall provide comprehensive STP as is required with reference to influent quantity and quality. In case of stoppage of functioning of STP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(v) The treated sewage shall be reused in gardening as far as possible. The STP shall be maintained continuously so as to achieve the quality of the treated sewage to the following standards.

| S No. | Parameters | Standards |
|-------|------------|-----------|
|-------|------------|-----------|

3. Conditions under Air (Prevention and Control of Pollution) Act -1981 as amended :-

i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards.

Air Pollution Source Details

| S No. | Air Pollution Source | Type of fuel | Stack no | Control Device | Height of Stack |
|-------|----------------------|-------------------------|----------|--------------------|---|
| 1 | Brick Kiln | Coal/Wood 03 Ton/day | 1 | Particulate Matter | 30 Meter Stack Height from Ground Level and Gravitational settling chamber as APCS |

Emmission Quality Standards

| S No. | Stack no | Parameters | Standards |
|-------|----------|--------------------|--------------|
| 1 | 1 | Particulate Matter | As per norms |

In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately

(ii) The unit will not use any type of restricted fuel.

iii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

| Standards for Noise level in db(A) Leq | Industrial Area | | Commercial Area | | Residential Area | | Silence Zone | |
|--|-----------------|------------|-----------------|------------|------------------|------------|--------------|------------|
| | Day Time | Night Time | Day Time | Night Time | Day Time | Night Time | Day Time | Night Time |
| | 75 | 70 | 65 | 55 | 55 | 45 | 50 | 40 |

4. Essential documents to be submitted by the Industry/Unit as Applicable :-

- (i) Environment Statement in Form-V of Environment (Protection) Rules, 1986.
 - (ii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.
5. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.
 6. Unit has to comply with the following specific & general conditions. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 will result in legal action under the aforesaid Acts and Rules.
 7. In compliance to the G.O 1011/81-7-2021-09 (Writ)/2016 dated.13.10.2021 issued by Department of Environment, Forest and Climate Change, Uttar Pradesh. You are directed to develop Miyawaki Forest as per the SOP available at URL:-<http://www.upecp.in/TrainingSession.aspx> for ensuring timely compliance of this direction, you are hereby directed to submit a bank guarantee with minimum validity of one year of the amount equivalent to the sum of initial consent fees (Air and Water) or Rs. 50,000/- (Rs. Fifty Thousand Only) whichever is more, within 30 days from the date of issuance of this certificate. In case of non-compliance of this direction, your consent will be revoked by the Board.
 8. If the unit uses the ground water and requires the permission from SGWA/CGWA for water abstraction then the industry will have to obtain No objection certificate for abstraction of ground water. It will be the responsibility of the industry to comply with the various conditions of the NOC obtained from the competent authority and submit to the Board, within 3 months time failing which CTO will be revoked.

General Conditions:-

1. The applicant shall get analysed the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UPPCB.
2. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
3. Treated Industrial waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
4. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.
5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof
6. The industry shall provide uninterrupted entry to the STP/ETP inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control systems.
7. The industry shall provide Inspection Book at the time of inspection to the Board's officials.
8. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
11. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point
12. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.

Specific Conditions:-

The Brick Kiln shall ensure strict compliance with all terms & conditions with consent and compliance report submitted within one month and then be sure to submit with a gap of 03 months.

1. This CTO is being granted to M/s MILANSAR BRICK WORKS, VILLAGE-ABUL KHAIRPUR, TEHSIL-NAGINA, DISTT.-BIJNOR for 20000 Bricks Per Day. This CTO will be VOID if there is any change in the above-mentioned address or product. The applicant shall make an application along with the prescribed fee for renewal consent(CTO) at least 30 days before the operation of the unit.
2. The brick kiln shall ensure to comply with the provisions of guidelines issued by the MoEF & CC Date 22-02-2022 and accordingly shall be converted into Zig Zag technology.
3. This Consent is being issued in the compliance of the direction issued by the Head Office of the UPPCB vide letter no. H81095/C-6/Saa-207/Ent Bhatta Nodal/2022 Date 13-09-2022 regarding special camp.
4. The Brick Kiln should be use coal as fuel in the process. Organics, solvents, Petcock, Hazardous waste & Other waste, Plastic Rubber Leather etc are not allowed to use as a fuel in the Brick Kiln.
5. A thick green belt of trees of suitable species shall be developed in multi lineate staggered manner on a minimum 33% of the land on which the industry is established. as per the "Protocol for Development of Green Belt" notified vide Board Office Order No.H16405/220/2018/02 dated. 16.02.2018 in this regard and available at URL http://www.uppcb.com/pdf/GreenbeltGuidle_160218.pdf.
6. Industry shall ensure adequate plantation and green belt within its premises and submit the compliance report within three months.
7. The operation of Brick Kiln should be such way that produce emission should not have any adverse effect on the nearby environment or the population.
8. If Consent fees due shall be deposited by Net Banking or Debit card.
9. The Brick Kiln shall ensure the water sprinkling three or four times daily in Brick Kiln campus for control of dust emission.
10. The Brick Kiln complying the Hon; ble National Green Tribunal, New Delhi order O.A. No.718/2017 dated 09.10.2019.
11. The Brick Kiln complying the order of Hon; ble High Court, Allahabad Dt. 03.12.2014 & Hon; able National Green Tribunal, New Delhi order Dt. 14.01.2015.
12. The Brick Kiln should submit the stack emission & ambient air monitoring report with every three month positively to the board by approved Laboratory.
13. The Brick Kiln should developed proper pacca roads in the premises of Brick Kiln to avoid the dust emission from transportation of the vehicles.
14. Brick kiln shall proper maintain flue gas monitoring platform/porthole/ladder attached to stack at all times. If the said platform/porthole/ladder is not found to be in operational conditions, then the consent can be cancelled.
15. In case of any public grievance against the Brick Kiln and confirmation of the same, then CTO certificate my be cancelled.
16. The Brick kiln unit shall be submit the stack emission & ambient air monitoring report within one month in operation condition of the brick kiln positively to the board by approved Laboratory.
17. This consent is issued purely from environmental angle and the Board will not be responsible for any claim, counter claim, ownership, partnership, land dispute etc of the unit.
18. At least 20% bio fuel such as bio brackets must be used in your brick kiln as per availability.
19. The Brick Kiln shall comply with various provisions of Air (Prevention and Control of Pollution) Act 1981 as amended, Water (Prevention and Control of Pollution) Act 1974 as amended and all other applicable rules notified under E.P. Act 1986.
20. The Board have right to modify any conditions as and when require in compliance of any change in Environmental Guidelines and Hon' ble Court orders passed time to time.

21. Brick Kiln shall comply with Solid Waste Management Rules, 2016 and Construction and Demolition Waste Management Rules, 2016.
22. The Brick kiln will submit revised lease deed one month prior to the expiry of the same. If the brick kiln fails to submit the revised/extended lease deed one month prior to the expiry of the same, then the earlier consent fee deposited by the Brick Kiln will stand forfeited and the brick kiln will have to apply fresh consent along with the requisite consent fee.
23. Ash content should be used for low lying land filling in a scientific manner.
24. The brick kiln shall be comply the conditions regarding fly ash utilization notified by MOEF & CC Govt. of India from time to time.
25. Brick kiln shall provide permission to this office issued by Zila Panchayat, GST and Mining Department within three month from date of issue of this consent to operate.
26. Brick kiln shall not operate D.G set without acoustic enclosure.
27. This consent is valid only quantity mentioned above. Unit shall obtain prior approval before making any modification in product/ process /fuel / plant machinery failing which consent deemed to be cancelled.
28. Industry shall abide by directions given by Hon'ble Supreme Court, Hon'ble High Court, Hon'ble National Green Tribunals, Central Pollution Control Board and Uttar Pradesh Pollution Control Board for protection and safeguard of environment from time to time.
29. Entire moving area around the Brick kiln should be paved with the bricks to minimize the fugitive dust emission from Brick kiln operations.
30. Unit shall obtained NOC for abstraction of ground water from UP Ground water department and submit in this office within 03 month.
31. That the Brick kilns shall comply the order dated 8-4-2022 passed by Hon'ble Supreme court in writ petition no. 18213/2021 NCR Brick kilns Association vs. Central Pollution Control Board and others and notification dated 22-2-2022 issued by Ministry of Environment Forest And Climate Change.
32. The Brick Kiln shall also comply the orders passed by Hon'ble Supreme court, Hon'ble High court and Hon'ble N.G.T.pertaining to brick klin.
33. The Brick Kiln shall be comply the order pass by Hon'ble N.G.T. in OA No.-359/2022 Rafhat Naeem Siddiqui V/s State of U.P.
34. Unit shall submit compliance above mentioned points on quarterly basis, otherwise this CTO certificate may be cancelled.
35. In case of failure to comply with any of the consent conditions, the consent order issue to you may be cancelled without any notice on this behalf.

Digitally signed
by VIKAS
MISHRA
Date: 2022.12.09
16:03:23 +05'30'
Regional Officer

Copy to:

Chief Environment Officer, Circle-7, U.P. Pollution Control Board, Lucknow.

Digitally signed
by VIKAS MISHRA
Date: 2022.12.09
16:03:53 +05'30'
Regional Officer



भारत का राजपत्र The Gazette of India

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

असाधारण
EXTRAORDINARY

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

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 712]

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

No. 712]

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

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 15 दिसम्बर, 2023

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

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

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

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

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

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

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

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

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

नरेश पाल गंगवार, अपर सचिव

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

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION

New Delhi, the 15th December, 2023

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

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

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

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

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

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

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

NARESH PAL GANGWAR, Addl. Secy.

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

VAKALATNAMA

BEFORE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI
In O.A. No.359 of 2022

16

RAFHAT NAEEM SIDDIQUI

Applicant

Versus

State of U. P. & Ors

Respondents

KNOW ALL to whom these present shall come that I, Mohd Akram, Proprietor of Milansar Brick Works, Village Abul Khairpur, tehsil Nagina, District Bijnor Uttar Pradesh, the Respondent no.6 do hereby appoint

RAHUL KHURANA Adv & HASIL JAIN Adv
(D/2183/2008) (D/2880/2013)

295, Lawyers Chamber Block-II, Delhi High Court,

A-174, 2nd Floor, Defence Colony, New Delhi-10024

9811894060, 7838707338 rkhuranalegal@gmail.com, advjain25@gmail.com

(herein after called the advocate/s) to be my/our Advocate in the above-noted case authorised 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 by me/us.

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

To file and take back documents including original documents, to admit and/or deny the documents of 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.

To deposit, draw and receive money, cheques, cash and grant receipts thereof 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 of the said case.

To appoint and instruct any other Legal Practitioner, authorising 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 acts, as if done by me/us to all intents and purposes.

And I/we undertake that I/we or my/our duly authorised agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I/we undersigned do hereby agree not to hold the advocate or 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 himself.

And I/we the 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 settled 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. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years, or part thereof.

IN WITNESS WHEREOF I/we do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this

..... day of April 2024
Accepted subject to the terms of fees.

R. Khurana

Advocate

Hasil Jain

Hasil Jain

Client