

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH SITTING AT NEW DELHI
ORIGINAL APPLICATION NO. 456 OF 2023**

IN THE MATTER OF:

RAM RANG SHUKLA

....APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.

....RESPONDENTS

	PARTICULARS	PG. NO.
1.	REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO. 04 I.E M/S CHENT BHATTA PROP. SHRI. HAMID ALI.	
2.	<u>ANNEXURE RA-01</u> True copy of CTO dated 21.09.2022	
3.	<u>ANNEXURE RA-02</u> True copy of Notification of MOEF dated 15.12.2023	
4.	<u>ANNEXURE RA-03</u> True copy of notification dated 22.02.2022	
5.	<u>ANNEXURE RA-04</u> True copy of pg. no. 24 of the reply of UPPCB	
6.	<u>ANNEXURE RA-05</u> Photograph of upgraded monitoring platform and porthole	
7.	<u>ANNEXURE RA-06</u> True copy of new CTO applied form dated 24.08.2023	
8.	<u>ANNEXURE RA-07</u> Photograph of storage of fuel	
9.	<u>ANNEXURE RA-08</u> Photograph of the paved Path/ Road	
10.	<u>ANNEXURE RA-09</u> True copy of MSME certificate dated 15.03.2023	
11.	<u>ANNEXURE RA-10</u> True copy of Notification dated 24.09.2020	

12.	ANNEXURE RA-11 True copy of G.O dated 01.05.2020	
13.	ANNEXURE RA-12 (COLLY) True copy of show cause and its reply dated 12.01.2024 and 11.02.2024 respectively	
14.	COPY OF VAKALATNAMA	

THROUGH,



SHARAD CHAUHAN

ADVOCATES FOR RESPONDENT NO. 04

CHAMBER NO. 203, M.C SETLAVAD CHAMBERS BLOCK,

SUPREME COURT OF INDIA-110001

8510052778

SHARADADVOCATE22@GMAIL.COM

DATED:27.02.2024

NEW DELHI

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH SITTING AT NEW DELHI
ORIGINAL APPLICATION NO. 456 OF 2023**

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REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO. 04

I.E M/S C H ENT BHATTA PROP. SHRI. HAMID ALI.

1. That the abovementioned Original Application is listed for hearing before this Hon'ble Tribunal on 19.01.2024 and after hearing the matter at length this Hon'ble Tribunal fixed the matter for further hearing on 29.02.2024 and directed the Answering Respondent/ Project Proponent to file the response within one month.

It is further submitted that the Hon'ble Tribunal vide order dated 02.08.2023 observed that The applicant has complained regarding illegal operation of brick kiln M/s CH ENT Bhatta behind Indian Oil Petrol Pump, Bandhawa Chauraha, Wazeerganj, District

Gonda, Uttar Pradesh in violation of siting criteria, environmental norms and closing order issued by UPPCB causing damage to environment, nearby vegetation and health hazards to local residents.

2. *Prima facie*, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010 In view of the averments made in the application, we 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 Central Pollution Control Board (CPCB), Uttar Pradesh State Pollution Control Board (UPPCB) and District Magistrate (DM), Gonda and direct the same to meet within one week, undertake visit to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position particularly with regard to siting criteria and CTE/CTO

and take appropriate remedial action by following due course of law and giving opportunity of being heard to the project proponent. The State PCB will be the nodal agency for coordination and compliance

3. The joint committee has submitted its report vide email dated 30.10.2023 whereby the joint committee has pointed out some of the non compliances by the Project Proponent in respect of Consent to Operate hereinafter referred as CTO, but the matter of fact is that the CTO which was issued by Uttar Pradesh Pollution Control Board and which was valid from 21.09.2022 till 31.07.2023. A True copy of CTO dated 21.09.2022 is annexed and marked as **ANNEXURE RA-01**.

FINDINGS OF THE REPORT AND ITS REPLY

4. The joint committee visited the Brick Klin of the Project Proponent on 26.08.2023 and directed the project proponent to convert its oval shaped Brick Klin into rectangular Zig-Zag brick setting within the timeline given by the notification of MOEF dated 22.02.2022

whose period is expiring on 21.02.2024, but another Notification issued by the MOEF dated 15.12.2023 in which it is mentioned that the Brick Klin which are out of Non-Attainment zone shall convert their Brick Klin within one year w.e.f from 23.02.2024, as the Brick Klin of the Project Proponent is in Gonda and Gonda has not been categorized as Non-Attainment zone. A True copy of Notification of MOEF dated 15.12.2023 is annexed and marked as **ANNEXURE RA-02**.

5. In reply to the finding of the committee, that in the Brick Klin of the Project Proponent the height of the monitoring platform and the size of the porthole is not as per the guidelines, therefore it is most respectfully submitted that the height of the monitoring platform have been increased by the project proponent and now the current height of monitoring platform is approx. 25 feet and the diameter of porthole is about 4 inches.

It is pertinent to point out that the stack height of the Brick Klin of the Project Proponent is approximately 30 meter/ 99 feet which is in consonance with the

notification of MOEF dated 22.02.2022. a True copy of notification dated 22.02.2022 is annexed and marked as **ANNEXURE RA-03.**

Further as per the reply filed by the UPPCB dated 15.01.2024 it is submitted that as per the latest inspection dated 30.12.2023 by UPPCB it is submitted that now the height of the monitoring platform and porthole is found as per the standard. A True copy of pg. no. 24 of the reply of UPPCB is annexed and marked as **ANNEXURE RA-04.**

A photograph of upgraded monitoring platform and porthole is annexed and marked as **ANNEXURE RA-05.**

6. As per the finding of Joint Committee report that the Brick Klin of the Project Proponent shall not operate without the valid C.T.O therefore in reply to the same it is submitted that the Project Proponent has applied for a new consent to operate dated 24.08.2023 with UPPCB. A True copy of new CTO applied form dated

24.08.2023 is annexed and marked as **ANNEXURE RA-06.**

7. In reply to the finding of the joint committee that there Brick Klin should develop a proper Green Belt it is submitted that the there are total 20 trees with full growth are grown in the premises of the project proponent which includes 10 Sheesham Trees, Mahua, Neem, Paakad, Peepal and Sasgaun who's height is near about 35 to 40 feet and therefore the condition of the CTO is complied in respect adequate green belt.
8. In reply to the findings of joint committee that the fuel in the Brick Klin of Project Proponent is lying in the open it is submitted that the Project Proponent has covered the fuel i.e coal with a closed tin shed to avoid its dust emission and also it is regularly sprayed with water. A Photograph of storage of fuel is annexed and marked as **ANNEXURE RA-07.**
9. The Brick Klin of the Project Proponent is registered under the Directorate of Geology and Mining, Uttar Pradesh.

10. In reply to the submission of the committee that there is a unpaved road within the Brick Klin premises which emits dust it is submitted that there a paved road upto the area where the vehicle are being loaded with the baked brick and the link road is about 150 meter long and 3 m wide which connect the Brick Klin with the metal road of the village therefore is minimum dust emission in the Unit. A Photograph of the paved Path/ Road is annexed and marked as **ANNEXURE RA-08.**

COMPLIANCE OF CONDITIONS OF THE CONSENT TO OPERATE:

A. CONDITION UNDER WATER ACT, 1974:-

1. It is submitted that there is no effluent is being generated in the Brick Klin which is very much evident from the pg. no. 24 of the reply of UPPCB therefore there is no need of setting up any Effluent Treatment Plant.

B. CONDITIONS UNDER AIR ACT, 1981:-

2. It is submitted that the Project Proponent has complied with all i, ii and iii of the CTO.

C. ESSENTIAL DOCUMENTS TO BE SUBMITTED:-

3. In compliance of the condition no. 08 it is submitted that the Brick Klin of the project proponent it is submitted that the unit is Registered under the MSME unit and the Brick Klin only use underground water for the purpose of sprinkling and wetting of soil for bricks therefore no need of taking NOC from CGWA as per notification dated 24.09.2020 of Ministry of Jal Shakti, Govt. of India. A True copy of MSME certificate dated 15.03.2023 is annexed and marked as **ANNEXURE RA-09.**

A True copy of Notification dated 24.09.2020 is annexed and marked as **ANNEXURE RA-10.**

D. SPECIFIC CONDITIONS:-

4. Condition under Specific Conditions from 1 to 7 are being complied and regarding the 8th condition it is submitted that the project proponent will convert its unit within the specified time period as per MOEF notification dated 15.12.2023.
5. It is further submitted that in compliance of the condition no. 13 of the CTO it is submitted that vide G.O dated 01.05.2020 of state of U.P which is furtherance of the notification of MOEF dated 28.03.2020, the state of U.P has given an exemption from taking Environmental Clearance in respect of mining of Clay/ Ordinary Soil upto 2 meter for making bricks in Brick Klins. A True copy of G.O dated 01.05.2020 is annexed and marked as **ANNEXURE RA-11.**
6. Condition no. 14 have been complied.
7. Condition no. 14 to 25 are also complied.
8. Condition no. 26 will be complied within the specified period.
9. Condition no. 27 to 45 is complied.

10. It is pertinent to point out that at this juncture that the UPPCB has issued a show cause notice dated 12.01.2024 regarding the compliance of the condition by the project proponent and to which the Answering Respondent has submitted a reply to the notice dated 12.01.2024 vide reply dated 11.02.2024 and also requested the UPPCB to issue the CTO to the Answering Respondent as the the conditions which are discussed by UPPCB in the show cause are duly complied with by the Answering Respondent. A True copy of show cause and its reply dated 12.01.2024 and 11.02.2024 respectively is annexed and marked as **ANNEXURE RA-12 (COLLY)**

11. Hence the present Reply.

THROUGH,



SHARAD CHAUHAN

ADVOCATES FOR RESPONDENT NO. 04

CHAMBER NO. 203, M.C SETLAVAD CHAMBERS BLOCK,

SUPREME COURT OF INDIA-110001

8510052778

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DATED:27.02.2024

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RAM RANG SHUKLA

.....APPLICANT

VERSUS

STATE OF U.P & ORS.

.....RESPONDENTS

AFFIDAVIT

I, Hamid Ali, aged about 54 years, S/o Salamat Ullah, R/o 33, Rasoolpur, Wazirganj, Karda, Gonda, Uttar Pradesh-271124, presently at Gonda, Uttar Pradesh do hereby solemnly affirm and state as under:

1. That I am Respondent No. 04 in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and is competent to swear this affidavit.
2. That I have read and understood the contents of the Reply, hence swearing the present affidavit.
3. I state that the contents of the above Reply which has been drafted under my instructions and the contents are true and correct to the best of my knowledge and belief and the same is read over to me in my vernacular and no part of it is false and nothing material have been concealed therefrom..





DEPONENT

VERIFICATION

I the above named deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

Verified at Gonda, Uttar Pradesh on the 24th day of February, 2024.



DEPONENT

SWORN & VERIFIED
BEFORE ME
ON 24-2-2024
At Gonda (U.P.)
Adv. Sharad Chauhan

THROUGH,

SHARAD CHAUHAN
ADVOCATE-ON-RECORD



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

164535/UPPCB/Faizabad(UPPCBRO)/CTO/both/GONDA/2022

Date: 21/09/2022

To,

M/s

C H ENT BHATTA

Vill- Bandhwa, Wazirganj, Tarabganj, District- Gonda,GONDA,

Application Id-
17826857

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 C H ENT BHATTA located at Vill- Bandhwa, Wazirganj, Tarabganj, District- Gonda,GONDA,. 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 C H ENT BHATTA granted for the period from 21/09/2022 to 31/07/2023 and valid for manufacturing of following products.

S No	Product	Quantity	Unit
1	Bricks	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
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(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
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(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
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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
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Emmission Quality Standards

S No.	Stack no	Parameters	Standards
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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 results 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.

Specific Conditions:-

On the basis of observations made in Inspection report of M/s C H ENT BHATTA, VILL- Bandhwa, Wazirganj, Tarabganj, District- Gonda recommended for grant of conditional consent (Water & Air) for upto period of dated 31.07.2023 with following special conditions:-

- 1- Brick kiln must not discharge any industrial effluent.
- 2- The Brick kiln should submit Environmental Statement up to 30 September or before every year.
- 3- The Brick kiln should send the design detail as well as the disposal system of domestic effluent within one month.
- 4- The unit should dispose of the solid waste generated from industry in such a manner that any source of water such as a river, pond, or groundwater should not become polluted.
- 5- You are hereby directed for sending a copy of the latest audited balance sheet consisting of details of investment in terms of fixed assets, current assets, and current liabilities.
- 6- This consent is valid for the production of 20,000 bricks/day.
- 7- Proper arrangements/ steps should be made by brick kiln for suppression of dust from moving area around the main brick kiln (i.e. brick soling/Pavement, water sprinkling, etc.).
- 8- The brick kiln shall ensure conversion of the natural draft to the induced draft brick kiln (with Rectangular kiln shape and ZIG-ZAG brick setting) at the earliest in compliance with directions issued by CPCB vide letter no. IPC-V(SSl)/Brick Kiln/2017 dated 27/06/2017.
- 9- Brick kiln shall ensure adequate plantation for the development of a green belt around the Periphery of the brick kiln.
- 10- Brick kiln shall obtain prior approval from the Board before making modifications in production capacity/manufacturing process.
- 11- Brick kiln shall abide by the directions given by Hon'ble Supreme Court, High Court, National Green Tribunal, Central Pollution Control Board, State Pollution Control Board, MoEF& C.C. for protection and safeguard of Environment from time to time.
- 12- Brick kiln shall provide permission to this office issued by Zila Panchayat & Mining Department within 02 months from the date of issue of this consent to operate.
- 13- The brick kiln shall comply with the directions issued by the Ministry of Environment, Forest & Climate Change vide notification dated 28/03/2020 regarding Environmental Clearance(E.C.).
- 14- Brick Kiln shall ensure adequate plantation and green belt within the premises.
- 15- Brick Kiln shall obtain prior approval before making any modification in product/process /fuel/plant machinery. Failing which consent would be deemed void.

16- Brick Kiln shall abide by directions given by Hon'ble Supreme Court, High Court, National Green Tribunals, Central Pollution Control Board and Uttar Pradesh Pollution Control Board for protection and safeguard of environment from time to time.

17- Brick kiln should fully comply the conditions mention in environmental clearance issued by District Level Environment impact Assessment Authority (DIEAC).

18- Brick kiln shall not use hazardous waste like spent organic solvent, oily residue, pet coke, filter press cake, and other wastes like plastic, rubber, leather cutting etc. shall not be used as fuel.

19- Brick Kiln shall be operated in such a manner that ambient air quality should not be adversely affected.

20- The brick kiln should ensure full compliance of prescribed emission standards as notified by Ministry of Environment and forest, Government of India via serial no. 74 of Schedule-I in notification no. GSR 543(E) dated 22.07.2009 issued under Environment (Protection) Rules, 1986.

21- The brick kiln should comply the notification issued under the Environment (Protection) Act., 1986.

22- The brick kiln should installed lighting arrestor as per the PWD norms or any other standard design for brick kiln to avoid the damage to stack caused due to lighting attack.

23- Ash content should be used for low lying land filling in a scientific manner.

24- The brick kiln should regularly operate and maintain Air Pollution Control System (APCS) so that it meet stipulated emission standard.

25- Stack emission monitoring test should be carried out from Environment (Protection) Act, 1986 approved laboratory/NABL laboratory by the brick kiln and submit monitoring report to the Board within two months.

26- The Brick Kiln on conversion of natural draft to induced draft Brick Kilns (with rectangular kiln shape and zig-zag brick setting) in season-2021-22 and zig-zag conversion compliance report must be sent to this office within two months.

27- The Brick Kiln should be paved with the bricks to minimize the fugitive dust emissions from the Brick Kiln operations.

28- The Brick Kiln fine dust not to accumulate all around the Brick Kilns.

29- Brick Kiln is directed to use minimum 20% Bio briquettes as a fuel with coal.

30- Location of the establishment shall be as shown in the drawing attached. No change or alteration to the above shall be made.

31- Unit shall submit Stack Monitoring Report in every season from approved laboratory.

32- The operation of Brick Kiln should be in such a manner that no any adverse impact on the environment and public in surrounding.

33- Balance consent fee will be payable if found so.

34- Brick Kiln shall ensure adequate plantation and green belt within its premises.

35- The Board has rights to revoke the issued consent if industry found in non compliance of the conditions during sudden inspections.

36- Use of water for domestic purpose, domestic effluent generation and its discharge is treated via Soak pit/Septic tank.

37- For renewal of the consent in case of continuance of emission/operation of the brick kiln, application in the prescribed form shall be submitted through the web portal for Online Portal System 2 months prior to the date of expiry.

38- The brick kiln must properly install Air Pollution Control System (APCS) of natural draft to induced draft Brick Kilns (with rectangular kiln shape and zig-zag brick setting) so that it meet stipulated emission standard.

39- Brick Kiln shall abide by directions given by Hon'ble High Court under consideration writ no. 2625(MB)of 2008for protection fruit belt area and safeguard of environment from time to time.

40- In the event of public complaint related to air pollution against brick-kiln and confirmation of it, legal action will be taken after revoke the consent air order.

41- This consent order will be subjected to order passes under Additional Registrar Supreme Court letter 37408/SC/PIL(E)/2018, Dated 24/09/2018 and whatever order will be passed by Hon'ble Court Brick Kiln he binding to compliance of order otherwise this consent order will be self rejected.

42- This consent order will be subjected to order passes and whatever order will be passed by Hon'ble Court Brick Kiln he binding to compliance of order otherwise this consent order will be self rejected. The orders passed from time to time by the Hon'ble High Court and Hon'ble NGT should be ensured by the brick kiln.

43- Closure order issued by State Pollution Control Board is still exist so do not operate brick kiln without revocation of issued closure order. This consent is not valid for operation of aforesaid brick kiln without revocation of issued closure order.

44- Brick kiln have to submit balance fee Rs. 0=00 (Punjab National Bank, Gomti Nagar, Lucknow, Account No- 6193000100001355, IFSC Code- PUNB0619300) within one month, Otherwise this consent order will not valid.

45- This consent issued under compliance of direction of Uttar Pradesh Government order for Mega camp for brick kiln CTO disposal. If any wrong information found or any discrepancy found then CTO will be rejected.

Please note that Consent to Operate will be revoked, in case of, non compliance to any of the above mentioned conditions. Board reserves its right for amendment or cancellation of any of the conditions specified above. Industry is directed to submit its first compliance report regarding above mentioned specific and general conditions till 20/10/2022 in this office. Ensure to submit the regular compliance report

otherwise this Consent to Operate 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.

Digitally signed by
CHANDRE
KUMAR
SH KUMAR Date: 2022.09.21
13:01:26 +05'30'
Regional Officer

Copy to:

C.E.O. (C-6) U.P. Pollution Control Board, TC-12V, Vibhuti Khand, Gomti Nagar, Lucknow.

Digitally signed by
CHANDRE
KUMAR
SH KUMAR Date: 2022.09.21
13:01:48 +05'30'
Regional Officer


सत्यमेव जयते

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 उर्ध्वाकार 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: -

- 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.
- 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.

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 :

- 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.
- 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.
- 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.
- 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.
- Particulate Matter (PM) results shall be normalized at 4% CO₂ as below:

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

6. Brick kilns should be established at a minimum distance of 0.8 kilometre from habitation and 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]

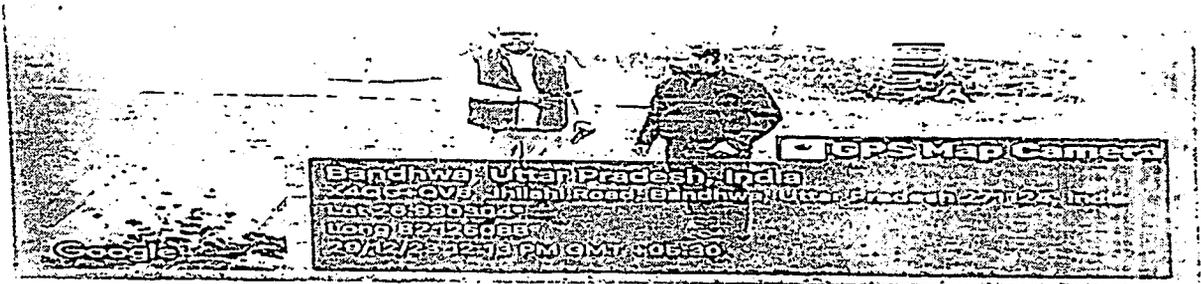
NARESH PAL GANGAWAR, Addl. Secy.

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 04th October, 2021.

सन्दर्भ- मा0 एन0जी0टी0, नई दिल्ली में योजित O.A. No- 456/2023 राम रंग शुकला बनाम स्टेट ऑफ यू0पी0 में पारित आदेश दिनांक 03.11.2023 के अनुक्रम में दिनांक 19.01.2024 को मा0 एन0जी0टी0, नई दिल्ली में सुनवाई के परिप्रेक्ष्य में लघ्वित प्रकरण में मेसर्स सी एच ईट भट्टा, ग्राम बन्धवा, बजीरगंज, तहसील तरवगंज, जनपद गोण्डा की निरीक्षण आख्या:

उपरोक्त ईट भट्टे का निरीक्षण अधोहस्ताक्षरगण द्वारा दिनांक 29.12.2023 को किया गया | निरीक्षण के समय श्री हामिद अली (प्रोप्राइटर) उपस्थित थे, निरीक्षण के दौरान लिए गये फोटोग्राफ संलग्न है | निरीक्षण आख्या निम्नवत् है-

- कार्यालय अभिलेखानुसार उक्त ईट भट्टा ग्राम बन्धवा, बजीरगंज, तहसील तरवगंज, जनपद गोण्डा में वर्ष 2011 से स्थापित/संचालित है | उक्त ईट भट्टा 17 पाया का है | ईट बट्टे द्वारा कच्चे माल के रूप में मिट्टी, बालू एवं पानी का प्रयोग कर लगभग 20000 प्रतिदिन पक्की ईट का उत्पादन किया जाना है | निरीक्षण के समय ईट भट्टा संचालित नहीं पाया गया |
- उद्योग में जल का प्रयोग घरेलू प्रयोजनार्थ व औद्योगिक प्रयोजन हेतु किया जाता है | उद्योग द्वारा औद्योगिक प्रक्रिया में जल का प्रयोग कच्चे माल की मिक्सिंग में किया जाता है | ईट भट्टे द्वारा किर्मा प्रकार का औद्योगिक उत्स्राव निस्तारित नहीं किया जाता है |



- ईट भट्टा में ईंधन के रूप में कोयले का प्रयोग किया जाता है | निरीक्षण के समय ईट भट्टे में कोयले से जनित फलू गैसों का उत्सर्जन हेतु भूमि से लगभग 100 फिट ऊंची पक्की चिमनी एवं वायु प्रदूषण व्यवस्था के रूप में ग्रेविटेशनल सेटलिंग चैम्बर के साथ-साथ चिमनी में पोर्टहोल, प्लेटफार्म एवं सीढ़ी की व्यवस्था स्थापित पायी गयी |
- निरीक्षण के समय ईट भट्टे पर ईट पथाई का कार्य होता हुआ नहीं पाया गया और न ही ईट भट्टे पर ईट की पथाई हेतु कोई श्रमिक पाया गया |
- निरीक्षण के समय ईट भट्टे पर जलावन लकड़ी एवं पूर्व से भण्डारित कोयला के अतिरिक्त अन्य अन्य भण्डारित कोयला नहीं पाया गया |
- वर्तमान में ईट भट्टे को सहमति जल तथा वायु प्राप्त नहीं है |
- निरीक्षण के समय श्री हामिद अली (प्रोप्राइटर) द्वारा अवगत कराया गया कि उक्त ईट भट्टे की कार्यवाही मा0 एन0जी0टी0 में लघ्वित है | प्रकरण विचारार्थ होने के कारण ईट भट्टे पर फुकाई तथा पथाई का कार्य इस वर्ष शुरू नहीं किया गया है | मा0 एन0जी0टी0 का आदेश ईट भट्टा के पक्ष में आने के पश्चात् ही भट्टे में संचालन का कार्य शुरू किया जायेगा |

उपरोक्त निरीक्षण आख्या आपके अवलोकनार्थ एवं आवश्यक कार्यवाही हेतु सादर प्रस्तुत है |

(विनायक कुमार)
30.12.23
प्रयोगशाला सहायक

(अजय सिंह)
30.12.23
प्रयोगशाला सहायक

(सन्तोष कुमार)
30.12.2023
सहा0पर्या0अभियन्ता

क्षेत्रीय अधिकारी महोदय,

(30/12/2023)



UPGRADED MONITORING SYSTEM AND PORTHOLE

All Fee Payment Details for Unit Id - Unit Name : UPSWP22228242761 - C H ENT BHATTA UDYOG

Sr.No.	Department Name	Service Name	Required Fee Amount In (INR)	Payment ID	Bank Transaction details Transaction ID Transaction Date	Payment Status
1.	Pollution Control Board	Consolidated Form for Consent under Water Act 1974 Air Act 1981 and authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules 2016	7500	UP01523082400304158	ID : 100481776 2023-08-24 00:30:55	Paid

Close

FORM 1
CONSOLIDATED CONSENT & AUTHORIZATION

Application for consent for discharge/continuation of discharge under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and for emissions/continuation of emission under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and for grant/renewal of authorisation for generation or collection or storage or transport or reception or recycling or reuse or recovery or pre-processing or co-processing or utilisation or treatment or disposal of hazardous and other waste under Hazardous and other waste (Management and Transboundary Movement) Rules 2016 read with Environment (Protection) Act 1986.

From ,

C H ENT BHATTA UDYOG, VILLAGE-
BANDHWA, WAZIRGANJ, TARABGANJ,
DISTRICT- GONDA, GONDA, 271124
City:
Block: Tarabganj
District: GONDA

Dated

24/08/2023

To ,

The Member Secretary,
U. P. Pollution Control Board,
Lucknow.

Sir,

I/We apply for Consolidated Consent to Operate and Authorization under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Hazardous and other Waste (Management and Transboundary Movement) Rules 2016 noted under Environment (Protection) Act 1986 to make discharge/emission/disposal of hazardous and other waste from

HAMID ALI for a period upto 5 years

2. The annexure, appendices other particulars and plans in triplicate are attached herewith.
3. I/We further declare that the information furnished in the Annexure, appendices and plans is correct to the best of my/our knowledge.
4. I/We hereby submit that in case of change either of the point or the quantity of discharge or its quality, a fresh application for CONSENT shall be made and until such CONSENT is granted no change shall be made
5. I /We hereby agree to submit to the Board and application for renewal of consent one month in advance of the date of expiry of the consent period
6. I/We undertake to furnish other information within one month of its being called by the Board.

Accompaniments:-

1. ALL DOCUMENT (Attached)

Yours faithfully,

Signature

Name of the applicant: HAMID ALI

Address of the Applicant: VILLAGE- BANDHWA,
WAZIRGANJ, TARABGANJ, DISTRICT-
GONDA

ANNEXURE TO FORM

New Outlet

NOTE- Any applicant knowingly giving incorrect information or suppressing any information pertaining thereto shall be liable to be punished under the Act.

While filling this Annexure the applicant not concerned with any of the item shall state 'No concerned' against the relevant one:

7. Is the industry/factory for which application is made closed on Sunday/Holiday Yes
8. State working days per year and working season for the industry/factory Jan to Dec
9. a) Number of workers attending the factory shift wise &/ or per day : 110
b) Number of workers residing in the premises : 110
10. For local bodies only:-
a) Present population : NO
b) Population covered under regular sewer facilities : YES
c) population having septic tank/Soak pit facilities : YES
d) Population covered by conservancy latrines : NO
11. For Industries Only:-

A. Give the list of raw materials

Raw Material Name	Material Trade Name	Qty	Principle Use
Sand, soil, water & etc	Sand, soil, water & etc	20000	Manufacturing of Red Bricks

Fuel Details:-

Fuel	Consumption
Coal	2.0
Others	0.020

B. Give the list Products and By Product Details

Product Name	Quantity
RED BRICK 20000 Per Day	20000

ByProduct Name	Licence Qty	Installed Qty
RED BRICK 20000 Per Day	20000	20000

C. Give the list of possible Inter-mediate Products:

Name of Product	Quantity per month
20000	20000

Section A

12. State daily quantity of water utilized :

Source Consumption	Quantity
Industrial	2.0
Domestic	2.0

13. A) State the hourly maximum and daily quantity of effluents arising from land/premises for which the application is made:

Generation	Waste Water Generation Quantity
Domestic	2.0
Industrial	2.0

(B) State how measurement of rate and quantity are carried out:

14. State whether storm water drains are kept separate from Industrial / Domestic Effluents? Yes

15. (a) Is domestic effluent allowed to get mixed in industrial effluents? Yes

(b) If yes, state ratio Domestic

16. (a) Describe if any treatment industrial or domestic effluent or one for combined effluent is made. Yes

If yes, state the process of treatment in brief

- (b) Is the quantity of effluent emanating either without or after treatment approved by the authority? Yes

(c) If approved, furnish the authority (Two certified copies to be sent)

- (d) If any effluent from any shop/ shops toxic? If so volume of this effluent NA

17. Is there any provision for disposal ?

Name	Status (Already made)	Status (proposed to)
Domestic effluent in the underground strata	Yes	Yes
Industrial effluents over land for irrigation	Yes	Yes

18. State the area of land used for

(a) Above in Hectares

19. Give the quantitative disposal of effluent in liters provided for the places mentioned below

Name	Mode	Mixed
On lands for irrigation	Domestic	0
On lands for irrigation	Industrial	0

20. Is there any provision for equalizing or made holding lagoons of tanks

Name	Mode
Domestic	2.0
Industrial	2.0

21. Is sufficient land available / can be made available? In case pumping effluent: on lands have to considered. Yes

22. (a) Give details of composition of Domestic / Industrial / Combined effluent in respect of the Following

Name of Effluent	Effluent before treatment	Effluent after treatment
Colour units	0	0

Note:-

- Furnish a copy of the analysis report of representative samples carried out by a competent laboratory
- Methods of determination as approved by the Board will be followed for determination of above mentioned parameters.

(b) Is the effluent toxic Yes

(c) State if the Industrial effluent is having Unpleasant Smell

(d) Is there any hidden change of temperature exceeding 10°C at any time Yes

23. (a) Are facilities available with the applicant for carrying out the following test of the waste waters

Name	Existing	Proposed
Physical	Yes	Yes

(b) If yes, give details of equipments

24. Has the land/premises, etc., for which the application is made open? Yes

Highly polluting material : NA

Toxic Organic Inorganic Microbiological : Cooling Tank

25. State details for solid waste

Type of Solid Waste	Composition	Quantity	Method of Collection	Method of Disposal
Hazardous Waste	0	0	Yes	Landfilling (Within Premises)
Others	0	0	Yes	Landfilling (Within Premises)

Section A

New

12. Fuel Consumption in Tonnes/day

Fuel Name	Daily Consumption (T/day)	Unit	Calorific value	Ash contents	Sulphur contents	Others
Diesel	2.0	Metric Tonnes/Day	0	0	0	0

13. Atmospheric Emission from each stack

Total no. of stacks:	1
Material for construction of Stack:	0.0 ,
Stack Attached to:	The Fuel Heater ,
Height above ground level(in metres):	30 ,
Height above roof(in metres):	30 ,
Stack Top:	Circular ,
Inner dimensions (in meters):	0.0 ,
Gas quantity-m³/hr:	0.0 ,
Flue gas temperature 'C:	0.0 ,
Exit velocity of gas/sec:	0.0 ,

(a) Flue gas emission

Stack No.	Type of fuel	Quantity of fuel/hr	Type of firing	So ₂	Nox	CO/HC	Particulates	Others
1	Diesel	2.0	0	0	0	0	0	0

(b) Process Emission

Quantity of gas (in Nm ³ /hr)	So ₂	Co ₂	Analysis of vent hydrocarbons	Particulates in mg/Nm ³	Other Specify
0	0	0	0	0	0

(c) Particulate analysis : 0

(d) Chemical Composition(if available) : 0

14. Give details of flue gas sampling arrangements : 0
15. Give details of laboratory facilities available for analysis of emission : AS PER BOARD NORMS
16. Is there sufficient space available for installing air pollution control equipment : Yes
17. Details of Air Pollution :-

Stack Name	Equipment Name	State
The Fuel Heater	Gravity Dust Settling Chamber	Existing

18. State the total quantity of air handled by ventilation equipments,specify size and no.of equipments, installed or to be installed

Equipment Name	Equipment Size	No. of equipments	Status
Gravity Dust Settling Chamber	0	0	Install

19. Give the following details

- (a) Total investment in the factory and the year of investment. : Investment:-
Year of Investment is :-2011
- (b) The estimated expenditure for implementation of the scheme to control air pollution :AS PER BOARD NORMS

(c) Expenditure incurred to update progress achieved(physical) for air pollution control, if any, and the year/years of investment along with physical progress achieved. The firm should give details of action taken to date and the expenditure incurred and the time required for the scheme.

(d) Annual operation and maintenance-cost of Air Pollution Control Plant, if any :

(e) Further action that is being taken up by the firm to control air pollution. : SEPTIC TANK AND SOAKPIT

20. Other relevent information, if any : 0

Signature

Name and Address of the applicant on behalf of : HAMID ALI, VILLAGE- BANDHWA, WAZIRGANJ, TARABGANJ, DISTRICT- GONDA

Name and Address of the Firm on behalf of which application is made : HAMID ALI, VILLAGE- BANDHWA, WAZIRGANJ, TARABGANJ, DISTRICT- GONDA

Explanatory Notes for filing in form and the Annexure .

The notes are given only for those items for which explanations is considered desirable .

Form-

1. Here mention the name of the owner of the land/premises, if other than the applicant industry or factory in continuation of legal business as per Air (Prevention and Control of Pollution) Act,1981. If the land/premises belongs to the factory/ industry, say self
2. Here mention the date up to which the consent is sought for.

Annexure to form-

'Existing 'means that which is operation at the time of applying for consent .

'New' that which has been modified due to change in quantity and/or quality of emission.

'Altered' means that which has been modified due to change in quantity and/or quality of discharge arrangement and/or point of discharge etc.

Item 1 : Here mention name of the owner of the land/premises if other than the applicant industry or factory in continuation of of legal busines as per Air (Prevention and Control of Polution) Act ,1981 if land/premises belong to the factory/industry say self .

Item 1(a) : The industrtes are categorised based on the investment as follows : Major industry- having investment of more than 2 crores. Medium industry- having investment of 10 lakhs to 2 crores.Small scale industry having investment of less than 10 lakhs rupees

In place of above criteria kindly give category as per latest notification

Item 2 : Here give the registered name of the industry/institution factory/local bodies etc under which the business is carried out.

Item 6 : Applicable to only those are as which are prohibited areas such astheOrdinance Factories, Mint, etc.

Item 10(c) : Here State the temperature in C in summer winter monsoon and post monsoon seas on.

Item 10(d) : Here state the seasonal average wind direction and speed in and around the site of the plant. The above information can be had from representative Meterological centre .

Item 13 : Analysis of the flue gas emission, process emission and particulars analysis should be done for each stack, emissions. Where ever stacks are not provided the shop floor specific concentration should be reported . Chemical Analysis of particulars matter in the emission should be furnished giving details such as organic matter ,metals ,non-metals , redioactive, substances, asbastos, silicates etc.

Item 17 : Here mention the detailed specifications of control system used or proposed to be used with efficiency . Also furnish ihe layout of the control system with dimensions.

Item 18 : Here state the total quantity of ventilation air handled by equipments' such as roof extractors, Evaporative coolers etc

Additional Documents suggested for submission:

- 1 : Separate Demand Draft towards consent fee Water & Air .
- 2 : Annual Report or certificate from Chartered Accountants in support of fixed assets,current assets and current liabilities .
- 3 : Layout plan showing the location of stacks (chimneys), effluent treatment plant, effluent disposal areas,

air pollution control devices, hazardous waste treatment and disposal areast .

4 : Manufacturing process flow sheet, with description note on the manufacturing process for each product .

5 : Copies of latest consenVauthorisation/Environmental Impact Assessment Clearance .

6 : Copies of SSI registration Letter of IntenV industrial licenses, clearances from the Department or any other relevant document (ifapplicable) .

7 : Copies of planning permission certificate issued by the local bodies/District Town & Country Planning/Metropolitan Development Authorities .

8 : Compliance report on the latest CTE /CTO conditions stipulated under Water & Air Acts issued to the Unit .

Common General Information required for consent to operate under Water Pollution (Prevention & Control) Act, 1974 and Air Water Pollution (Prevention & Control) Act, 1981.

1. (a) Full name of the applicant with address : HAMID ALI,VILLAGE- BANDHWA,
WAZIRGANJ, TARABGANJ,
DISTRICT- GONDA
(Tel. No.) -
- (b) Is the firm registered? : YES
- (c) If yes, give the number & date of registration and authority with whom registered. : ,
- (d) Full Address of the registered office :
- (e) Names, designation and full address of persons like Partners, Managing Director/Manager etc. : HAMID ALI
VILLAGE- BANDHWA,
WAZIRGANJ, TARABGANJ,
DISTRICT- GONDA
- (f) Under which category does the industry fall: Large/Medium/Small Scale. : small
2. Full name of the Land/Premises/Institute/Factory/Industry/Local body with address : C H ENT BHATTA UDYOG

Address:VILLAGE- BANDHWA,
WAZIRGANJ, TARABGANJ,
DISTRICT- GONDA,GONDA,271124
Tel. No.:-
E-mail :
3. Give revenue /City Survey No. of the land/premises for which the application is made: : District:GONDA
Town/Village:
City Survey no./Revenue Survey no.:
Khata No.:
Area in Hectares:
4. State month and year in which the plant was actually put into commissions or is proposed to be put into commission: : January,2011
5. State the Civil/Military /Defence/industrial Estate etc. under whose administrative jurisdiction the occupiers/industrial plant is situated: : Civil

District:GONDA
Corporation:
Village Panchayat
Contonment:
Defence Deptt:
State Govt:
Prohibited areas:
Others:
6. (a) State whether plant site has been declared as prohibited area: : NO
- (b) If yes, state the name of the Authority and furnish a certified copy of the order under which the area has been declared as prohibited area : -



STORAGE OF FUEL IN SHED



STORAGE OF FUEL IN SHED







भारत 70 वर्ष

Government of India

सूक्ष्म, लघु एवं मध्यम उद्यम सहायता विभाग

Ministry of Micro, Small and Medium Enterprises



UDYAM REGISTRATION CERTIFICATE

ANNEXURE RA-09

UDYAM REGISTRATION NUMBER

UDYAM-UP-31-0011286

NAME OF ENTERPRISE

M/S CH. ENT BHATTA UDYOG

TYPE OF ENTERPRISE *

S.No.	Classification Year	Enterprise Type	Classification Date
1	2023-24	Micro	09/05/2023
2	2022-23	Micro	15/03/2023

MAJOR ACTIVITY

MANUFACTURING

SOCIAL CATEGORY OF ENTREPRENEUR

OBC

NAME OF UNIT(S)

S.No.	Name of Unit(s)
1	HAMID ALI

OFFICAL ADDRESS OF ENTERPRISE

Flat/Door/Block No.	0	Name of Premises/ Building	BANDHAWA
Village/Town	KHIREDEEH GONDA	Block	wajeerganj
Road/Street/Lane	FAIZABAD ROAD	City	GONDA
State	UTTAR PRADESH	District	GONDA, Pin 271124
Mobile	9792426164	Email:	samshadali1994@gmail.com

DATE OF INCORPORATION / REGISTRATION OF ENTERPRISE

25/02/2017

DATE OF COMMENCEMENT OF PRODUCTION/BUSINESS

30/05/2017

NATIONAL INDUSTRY CLASSIFICATION CODE(S)

SNo.	NIC 2 Digit	NIC 4 Digit	NIC 5 Digit	Activity
1	32 - Other manufacturing	3290 - Other manufacturing n.e.c.	32909 - Manufacture of other articles n.e.c.	Manufacturing

DATE OF UDYAM REGISTRATION

15/03/2023

* In case of graduation (upward/reverse) of status of an enterprise, the benefit of the Government Schemes will be availed as per the provisions of Notification No. S.O. 2119(E) dated 26.06.2020 issued by the M/o MSME.

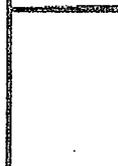
Disclaimer: This is computer generated statement, no signature required. Printed from <https://udyamregistration.gov.in> & Date of printing:- 14/09/2023

For any assistance, you may contact:

1. District Industries Centre: GONDA (UTTAR PRADESH)

2. MSME-DFO: ALLAHABAD (UTTAR PRADESH)

Visit : www.msme.gov.in ; www.dcmsme.gov.in ; www.champ



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MINISTRY OF JAL SHAKTI
(Department Of Water Resources, River Development And Ganga Rejuvenation)
(CENTRAL GROUND WATER AUTHORITY)

NOTIFICATION

New Delhi, the 24th September, 2020

S.O. 3289(E).—WHEREAS, on the directions of Hon'ble Supreme Court vide its order dated the 10th December, 1996 passed in Civil writ Petition No 4677 of 1985, MC Mehta Vs Union of India, the Central Government constituted the Central Ground Water Authority (hereafter referred to as the 'Authority') vide notification number S.O. 38 (E), dated the 14th January, 1997 to exercise powers under Section 5 of the Environment (Protection) act, 1986 (29 of 1986) for the purposes of regulation and control of Ground Water management and development and to exercise certain powers and perform certain functions relating thereto;

AND WHEREAS, the Authority has been regulating ground water development and management by way of issuing 'No Objection Certificates' for ground water extraction to industries or infrastructure projects or Mining Projects etc., and framed guidelines in this connection from time to time in twenty two States and two Union territories, where ground water development is not being regulated by the State Government Union Territory administration concerned;

AND WHEREAS, some of the State Governments or, Union territories enacted legislations and issued regulatory directions or orders for regulating ground water development and management;

AND WHEREAS, the Hon'ble National Green Tribunal, New Delhi vide order dated the 15th April 2015 in OA Nos. 204/205/206 of 2014 has issued directions to the Authority to ensure that any person operating tube-well, or any means to extract ground water shall obtain permission from the Authority and shall operate the same subject to the law in force, even if such unit is existing unit or the unit is yet to be established;

AND WHEREAS, the said Hon'ble Tribunal vide its order dated the 09th July, 2015 in OA Nos. 34 and 37 of 2014 directed all industrial units which are members of the Common Effluent Treatment Plants (CETPs) to approach the Authority through State Pollution Control Board for obtaining 'No Objection Certificate' in accordance with the law;

AND WHEREAS, the aforesaid Hon'ble Tribunal vide order dated the 13th July, 2017 in OA No 200- of 2014 directed that every industry should be directed to pay for extraction of such water, that too, subject to the conditions stated in the order permitting such extraction;

AND WHEREAS, the said Hon'ble Tribunal vide its order dated the 28th August, 2018 in O.A. Nos. 176 of 2015 and 59 of 2012 respectively directed the Ministry of Water Resources, River Development and Ganga Rejuvenation to forthwith review the existing mechanism so as to ensure effective steps for conserving the groundwater resources;

AND WHEREAS, in pursuance of the directions of the Hon'ble National Green Tribunal and powers conferred by sub-section (3) of section 3 and section 5 of the Environment (Protection) Act, 1986 the Authority, with a view to protect the ground water resources had circulated the draft guidelines for grant of 'No Objection Certificate' on the 11th October, 2017 inviting comments and suggestions from all the stakeholders;

AND WHEREAS, all objections and suggestions received in response to the said draft guideline have been duly considered by the Central Government, the Authority notified the guidelines to regulate groundwater over-exploitation and to conserve the groundwater resources in the country vide notification number S.O. 6140 (E), dated the 12th December, 2018;

AND WHEREAS, the aforesaid Hon'ble Tribunal vide order dated the 03rd January 2019 in the OA No. 176 of 2015 directed that the above mentioned notification dated the 12th December, 2018 may not be given effect to as it is unsustainable if tested on 'Precautionary Principle, Sustainable development as well as Inter-generational Equity Principles' and if implemented, will result in fast depletion of groundwater and damage to water bodies and will be destructive of the fundamental right to life under Article 21 of the Constitution of India;

AND WHEREAS, the said Hon'ble Tribunal vide order dated the 11th September, 2019 constituted a committee to deliberate on steps for preventing depletion of groundwater, robust monitoring mechanism

against unauthorised extractions and fulfillment of 'No Objection Certificate' conditions, environment compensation etc and to submit a report;

AND WHEREAS, the aforesaid committee submitted the report along-with draft guidelines to regulate groundwater extraction and groundwater conservation in Hon'ble Tribunal on the 16th March, 2020;

AND WHEREAS, the above said Hon'ble Tribunal vide order dated the 20th July, 2020 directed to comply with certain points for sustainable groundwater management while issuing 'No Objection Certificates' to commercial establishments by the Authority;

Now therefore, in pursuance of the directions of Hon'ble National Green Tribunal and the powers conferred by sub-section (3) of Section 3 read with Section 5 of the Environment (Protection) Act, 1986 (29 of 1986), the Department of Water Resources, River Development & Ganga Rejuvenation, hereby notifies the guidelines to regulate and control groundwater extraction in the country in supersession to this Ministry notification vide S.O. 6140 (E), dated the 12th December, 2018 as per the Schedule below:

SCHEDULE

Guidelines to regulate and control ground water extraction in India

(with immediate effect)

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[F. No. CGWA-21/4/2020-CGWA]

ASHISH KUMAR, Director

ANNEXURES

- Annexure I: Estimation of water requirements for drinking and domestic use.
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- Annexure VII: Supreme Court Order in Civil Writ petition 36 of 2009 regarding measures for prevention of fatal accidents of small children due to their falling into abandoned bore wells and tube wells.
- Annexure VIII: List of States/ Union territories where ground water extraction is being regulated by Central Ground Water Authority (CGWA)
- Annexure IX: Glossary of technical terms used
- Annexure X : Annual water audits by the industries

Guidelines to regulate and control groundwater extraction in India**Preamble and Background:**

On the directions of Hon'ble Supreme Court vide its order dated 10th December, 1996 passed in Civil writ Petition No 4677 of 1985, MC Mehta Vs Union of India, the Central Government had constituted the Central Ground Water Board as Authority vide notification number S.O. 38 (E), dated the 14th January, 1997 to exercise powers under sub section (3) of section 3 of the Environment (Protection) act, 1986 (29 of 1986) for the purposes of regulation and control of Ground Water Management and Development and to exercise certain powers and perform certain functions as per the said Act.

The Authority has been regulating ground water development and management by way of issuing 'No Objection Certificates' for ground water extraction to industries or infrastructure projects or Mining Projects etc., and framed guidelines in this connection from time to time applicable in twenty two States and two Union territories, where ground water development is not being regulated by the State Government and Union territory administration concerned.

To have sustainable management of water resources in the country groundwater abstraction guidelines have been prepared to regulate groundwater extraction and conserve the scarce groundwater resources in the country.

These guidelines will come into force with immediate effect from the date of Gazette Notification and will supersede all earlier guidelines issued by the Central Ground Water Authority (CGWA).

These guidelines will have pan India applicability. Ground water abstraction in States/ Uts (which are not regulating ground water abstraction) shall continue to be regulated by Central Ground Water Authority.

Further, wherever States/ Uts have come out with their own groundwater abstraction guidelines, which are inconsistent with the CGWA guidelines, the provisions of CGWA guidelines will prevail. However, in case the guidelines followed by such States/ Uts contain some more stringent provisions than CGWA guidelines, such provisions may also be given effect to by the States/ Uts Authorities in addition to those contained in the CGWA guidelines. States may be at liberty to suggest additional conditions/ criteria based on the local hydro-geological situations which shall be reviewed by CGWA/Ministry of Jal Shakti, Government of India before acceptance.

All new/existing industries, industries seeking expansion, infrastructure projects and mining projects abstracting ground water, unless specifically exempted under Para 1.0 below, will be required to seek No Objection Certificate from Central Ground Water Authority or, the concerned State/ UT Ground Water

Authority as the case may be. The entire process of grant of No Objection Certificate shall be online through a web based application system.

Water management plans shall be prepared by all the State Ground Water Authorities/ Organizations for all Over-exploited, Critical and Semi-critical assessment units starting with Over-exploited units. Water management plans shall be reviewed and updated periodically. Water management plans, data on water availability and scarcity and policy framed in this regard shall be placed on the websites of Central Ground Water Authority/ State Ground Water Authority.

1.0 Exemptions from seeking No Objection Certificate:

Following categories of consumers shall be exempted from seeking No Objection Certificate for ground water extraction:

- (i) Individual domestic consumers in both rural and urban areas for drinking water and domestic uses.
- (ii) Rural drinking water supply schemes.
- (iii) Armed Forces Establishments and Central Armed Police Forces establishments in both rural and urban areas.
- (iv) Agricultural activities.
- (v) Micro and small Enterprises drawing ground water less than 10 cum/day.

1.1 Registration of Drilling Rigs

State / Ut Governments shall be responsible for registering drilling rigs operating within their jurisdiction and for maintaining the database of wells drilled by them. Appropriate link shall be provided in CGWA portal for making the data available to CGWA.

2.0 Drinking & Domestic use for Residential apartments/ Group Housing Societies/ Government water supply agencies in urban areas

For grant of No Objection Certificate for ground water extraction, the project proponent has to furnish the details as per the guidelines issued by the CGWA in proper format as available in CGWA website. No Objection Certificate for new /existing wells shall be granted only in such cases where the local Government water supply agency is unable to supply requisite amount of water in the area.

No Objection Certificate shall be granted subject to the following specific conditions:

- i) Installation of Sewage Treatment Plants shall be mandatory for all residential apartments/ Group Housing Societies where ground water requirement is more than 20 m³/day. The water from Sewage Treatment Plants shall be utilized for toilet flushing, car washing, gardening etc.
- ii) The No Objection Certificate shall be valid for a period of five years from the date of issue or till such time local Government water supply is provided to the project area, whichever is earlier. In case the project proponent receives water supply from the concerned local Government Water Supply Agency during the validity of the No Objection Certificate, intimation regarding availability of public water supply shall be sent by the project proponent to CGWA and No Objection Certificate will be cancelled by the Authority. In other cases, the project proponent will apply for renewal of No Objection Certificate, ninety days before the expiry of No Objection Certificate.
- iii) Proponents shall be liable to pay ground water abstraction charges for the quantum of ground water proposed to be extracted, as per rates mentioned in Table 5.1.

Documents to be submitted with the application

- a) Details of water requirement computed as per National Building Code, 2016 (**Annexure I**), taking into account recycling/ reuse of treated water for flushing etc.
- b) Affidavit on non-judicial stamp paper of Rs. 10/- by the applicant, confirming non/ inadequate availability of public water supply in case of users requiring ground water up to 10 m³/ day for drinking/ domestic use.
- c) Certificate of non-availability of water from local government water supply agency in cases requiring ground water in excess of 10 m³/ day for drinking/ domestic use. Government water supply agencies

applying for No Objection Certificate shall submit copy of government approval of the scheme/project proposed to be implemented.

- d) Ground water quality data of existing bore well/ tube well/ dug well from any National Accreditation Board for Testing and Calibration Laboratories (NABL) accredited laboratory or Govt. approved laboratory (in case of existing projects applying for no objection certificate)
- e) Proposal for rain water harvesting/ recharge within the premises as per Model Building Bye Laws issued by Ministry of Housing & Urban Affairs.

3.0 Agriculture Sector

Agriculture sector is the backbone of the Indian economy. As per Minor Irrigation Census 2013-14, 87.86% of wells are owned by marginal, small and semi-medium farmers having land holding up to 4 hectares (ha). Around 9.18 % of wells are owned by medium farmers having land holding 4 – 10 ha and 2.96% of the wells are owned by big farmers having land holding more than 10 ha.

Considering the number of ground water abstraction structures, regulation of ground water in agriculture sector through a 'command and control' strategy will prove to be an arduous task. Therefore, a participatory approach for sustainable ground water management would be more productive.

States/Uts are advised to review their free/subsidized electricity policy to farmers, bring suitable water pricing policy and may work further towards crop rotation/diversification/other initiatives to reduce over-dependence on groundwater.

Agriculture sector shall be exempted from obtaining No Objection Certificate for ground water extraction.

4.0 Commercial Use

No new major industries shall be granted No Objection Certificate in over-exploited assessment areas except as per the policy guidelines.

Availability of ground water resources shall be given due regard while considering applications for grant of No Objection Certificate for commercial use.

Commercial entities extracting ground water shall be required to submit online annual water audit report including an audit of water use as mentioned in the relevant sections. CGWA/ State Ground Water Authority (SGWA) shall publish all such audit reports online.

CGWA/ SGWAs shall engage independent agencies to verify the compliance of No Objection Certificate conditions periodically.

4.1 Industrial Use

In Over-exploited assessment units, No Objection Certificate shall not be granted for ground water abstraction to any new industry except those falling in the category of Micro, Small and Medium Enterprises (MSME). However, No Objection Certificate for drinking/ domestic use for work force, green belt use by these new industries shall be permitted. Expansion of existing industries involving increase in quantum of ground water abstraction in over-exploited assessment units shall not be permitted. No Objection Certificate shall not be granted to new packaged water industries in Overexploited areas, even if they belong to MSME category.

No Objection Certificate for ground water extraction by industries shall be granted subject to the following specific conditions:

- i) No Objection Certificate shall be granted only in such cases where local government water supply agencies are not able to supply the desired quantity of water.
- ii) All industries shall be required to adopt latest water efficient technologies so as to reduce dependence on ground water resources.
- iii) All industries abstracting ground water in excess of 100 m³/d shall be required to undertake annual water audit through Confederation of Indian Industries (CII)/ Federation Indian Chamber of Commerce and Industry (FICCI)/ National Productivity Council (NPC) certified auditors and submit audit reports within three months of completion of the same to CGWA. All such industries shall be

- required to reduce their ground water use by at least 20% over the next three years through appropriate means.
- iv) Construction of observation well(s) (piezometer)(s) within the premises and installation of appropriate water level monitoring mechanism as mentioned in Section 15 shall be mandatory for industries drawing/ proposing to draw more than 10 m³/day of ground water and. Monitoring of water level shall be done by the project proponent. The piezometer (observation well) shall be constructed at a minimum distance of 15 m from the bore well/production well. Depth and aquifer zone tapped in the piezometer shall be the same as that of the pumping well/ wells. Detailed guidelines for design and construction of piezometers are given in **Annexure II**. Monthly water level data shall be submitted to the CGWA through the web portal.
 - v) The proponent shall be required to adopt roof top rain water harvesting/ recharge in the project premises. Industries which are likely to pollute ground water (chemical, pharmaceutical, dyes, pigments, paints, textiles, tannery, pesticides/ insecticides, fertilizers, slaughter house, explosives etc.) shall store the harvested rain water in surface storage tanks for use in the industry.
 - vi) Injection of treated/ untreated waste water into aquifer system is strictly prohibited.
 - vii) Industries which are likely to cause ground water pollution e.g. Tanning, Slaughter Houses, Dye, Chemical/ Petrochemical, Coal washeries, other hazardous units etc. (as per CPCB list) need to undertake necessary well head protection measures to ensure prevention of ground water pollution (**Annexure III**).
 - viii) All industries drawing ground water in safe, semi-critical and critical assessment units shall be required to pay ground water abstraction charges as applicable as per Tables 5.2 A and 5.3 A.
 - ix) All existing industries drawing ground water in over-exploited assessment units shall be liable to pay ground water restoration charges as applicable as per Tables 5.2 B and 5.3 B.

Documents to be submitted with the application

- (a) An affidavit on non judicial stamp paper of Rs. 10/- regarding non availability of water supply from local government agencies in cases where ground water requirement is up to 10 m³/day.
- (b) Certificate regarding non/ partial availability of fresh water/ treated waste water supply from the local government water supply agency in cases where requirement of ground water is more than 10 m³/day.
- (c) Ground water quality data of existing bore well/ tube well/ dug well from any NABL accredited laboratory or Govt. approved laboratory (in case of existing projects applying for No Objection Certificate)
- (d) Water quality data of bore well/ tube well/ dug well in respect of existing industries from NABL accredited laboratories/Government approved laboratories.
- (e) Proposal for rain water harvesting/ recharge within the premises as per Model Building Bye Laws issued by Ministry of Housing & Urban Affairs.
- (f) **Impact Assessment report:** All projects extracting/proposing to extract ground water in excess of 100 m³/day in Over-exploited, Critical and Semi-critical areas shall have to mandatorily submit impact assessment report of existing/ proposed ground water withdrawal on the ground water regime and also socio-economic impacts report prepared by accredited consultants. Pro-forma for the report is given in **Annexure IV**.

4.2 Mining Projects

All existing as well as new mining projects will be required to obtain No Objection Certificate for ground water abstraction. Since mining projects are location specific, there will be no ban on grant of No Objection Certificate for abstraction of ground water for such projects in over-exploited assessment units.

No Objection Certificate for mining projects shall be granted subject to the following specific conditions:

- i) It shall be mandatory for all the mining industries to ensure that water available from de-watering operations is properly treated and should be gainfully utilized for supply for irrigation, dust

suppression, mining process, recharge in downstream and for maintaining e-flows in the river system.

- ii) Construction of observation well(s) (piezometers) along the periphery in the premises, for monthly ground water level monitoring, shall be mandatory for mines drawing/ proposing to draw more than 10 m³/day of ground water. Depth and aquifer zone tapped in the piezometer shall be commensurate with that of pumping well/ wells.
- iii) In addition, the proponent shall monitor ground water levels by establishing observation wells (piezometers) in the core and buffer zones as specified in the No Objection Certificate.
- iv) In case of coal and other base metal mining the project proponent shall use the advance dewatering technology (by construction of series of dewatering abstraction structures) to avoid contamination of surface water.
- v) In addition to this, all mining units shall also monitor the water quality of mine seepage and mine discharge through NABL accredited/ Govt. approved laboratories and the same shall be submitted at the time of self compliance.
- vi) All mining projects drawing ground water in safe, semi-critical and critical assessment units shall be required to pay ground water abstraction charges as applicable as per Tables 5.4 A.
- vii) All mining projects drawing ground water in over-exploited assessment units shall be liable to pay ground water restoration charges as per Table 5.4 B.

Documents to be submitted with the application

- (a) Mining plan approved by the concerned Govt. agency/ department.
- (b) Proposal for rain water harvesting/ recharge within the premises as per Model Building Bye Laws issued by Ministry of Housing & Urban Affairs.
- (c) Comprehensive report prepared by accredited consultant on ground water conditions in both core and buffer zones of the mine, depth wise and year wise mine seepage calculations, impact assessment of mining and dewatering on ground water regime and its socio-economic impact, details of recycling, reuse and recharge, reduction of pumping with use of technology for mining and water management to minimize and mitigate the adverse impact on ground water, based on local conditions. Format for report is given in **Annexure V**.

4.3 Infrastructure projects:

Since infrastructure projects are location specific, grant of No Objection Certificate to such projects located in over-exploited assessment units shall not be banned. New infrastructure projects/ residential buildings may require dewatering during construction activity and/ or use ground water for construction. In both cases, applicants shall seek No Objection Certificate from CGWA before commencement of work. However, in over-exploited assessment units, use of ground water for construction activity shall be permitted only if no treated sewage water is available within 10 km radius of the site. New as well as existing Infrastructure projects shall also be required to seek No Objection Certificate for abstraction of ground water.

No 'No Objection Certificate' shall be granted for extraction of groundwater for Water Parks, Theme Parks and Amusement Parks in over-exploited assessment units.

Indicative list of Infrastructure projects is given in Annexure VI.

The No Objection Certificate for ground water abstraction will be granted subject to the following specific conditions:

- i) In case of infrastructure projects that require dewatering, proponent shall be required to carry out regular monitoring of dewatering discharge rate (using a digital water flow meter) and submit the data through the web portal to CGWA/SGWA as applicable. Monitoring records and results should be retained by the proponent for two years, for inspection or reporting as required by CGWA/SGWA.

- ii) Installation of Sewage Treatment Plants (STP) shall be mandatory for new projects, where ground water requirement is more than 20 m³/day. The water from STP shall be utilized for toilet flushing, car washing, gardening etc.
- iii) For infrastructure dewatering/ construction activity, No Objection Certificate shall be valid for specific period as per the detailed proposal submitted by the project proponent.
- iv) All infrastructure projects drawing ground water in safe, semi-critical and critical assessment units shall be required to pay ground water abstraction charges as applicable as per Table 5.3 A.
- v) All infrastructure projects (new/ existing) drawing ground water in over-exploited assessment units shall be liable to pay ground water restoration charges as per Table 5.3 B.

Documents to be submitted with the application

- (a) In cases where dewatering is involved, submission of impact assessment report prepared by an accredited consultant on the ground water situation in the area giving detailed plan of pumping, proposed usage of pumped water and comprehensive impact assessment of the same on the ground water regime shall be mandatory. The report should highlight environmental risks and proposed management strategies to overcome any significant environmental issues such as ground water level decline, land subsidence etc.
- (b) An affidavit on non judicial stamp paper of Rs. 10/- regarding non availability of water from any other source in case water is required for construction in safe and semi critical areas.
- (c) Certificate from a government agency regarding non availability of treated sewage water for construction within 10 km radius of the site in critical and over-exploited areas.
- (d) Certificate of non-availability of water from local government water supply agency in respect of all categories of assessments units for commercial use.
- (e) Proposal for rain water harvesting/ recharge within the premises as per Model Building Bye Laws issued by Ministry of Housing & Urban Affairs.
- (f) Details of water requirement computed as per National Building Code, 2016 (**Annexure I**), taking into account recycling/ reuse of treated water for flushing etc. (in case of completed infrastructure projects for commercial use).
- (g) Completion certificate from the concerned agency for infrastructure projects requiring water for commercial use.

5.0 Ground water abstraction/ restoration charges

All residential apartments/ group housing societies/ Government water supply agencies in urban areas shall be required to pay ground water abstraction charges.

All industries/mining/ infrastructure projects drawing ground water in safe, semi-critical and critical assessment units will have to pay ground water abstraction charges based on quantum of ground water extraction and category of assessment unit as per details given in this guideline.

All existing mining/ infrastructure projects and existing industries including MSME drawing ground water in over-exploited assessment units will have to pay ground water restoration charges based on quantum of ground water extraction. Further, new MSME, new infrastructure and new Mining projects in over exploited areas shall also be required to pay ground water restoration charges.

Existing industries, infrastructure units and mining projects which have installed/constructed artificial recharge structures in compliance of the conditions prescribed in the groundwater guidelines prevailing at the time of grant of No Objection Certificate or its renewal shall be eligible for a rebate of 50% (fifty percent) in the ground water abstraction charges/ground water restoration charges, subject to their satisfactory performance and verification.

The revenue generated from the proposed water abstraction/ restoration charges shall be kept in a separate fund for implementation of site specific suitable demand/ supply side interventions.

5.1 Rates of Ground water abstraction /restoration charges

I. Drinking and domestic use for residential apartments/ group housing societies/ Government water supply agencies in Urban areas

All residential apartments/ Group Housing Societies requiring water only for drinking/domestic use requiring No Objection Certificate would pay ground water abstraction charges as per rates given below in Table 5.1.

Table 5.1 Ground Water Abstraction charges for Drinking & Domestic use.

Quantum of Groundwater withdrawal (m ³ /month)	Rate of ground water abstraction charges (Rs. per m ³)
0-25	No charge
26-50	1.00
>50	2.00

Government water supply agencies and Government infrastructure projects shall pay Ground water abstraction Charges @ Rs. 0.50 per m³.

II. Packaged Drinking Water units

Rates of ground water abstraction charges for packaged drinking water units in safe, semi-critical and critical assessment units are given in Table 5.2 A and those for ground water restoration charges in over-exploited assessment units are given in Table 5.2 B.

Table 5.2 A: Rates of ground water abstraction charges for packaged drinking water units (Rs per m³)

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal				
		Up to 50m ³ /day	51 to <200 m ³ /day	200 to <1000 m ³ /day	1000 to <5000 m ³ /day	5000 m ³ /day and above
1.	Safe	1.00	3.00	5.00	8.00	10.00
2.	Semi-critical	2.00	5.00	10.00	15.00	20.00
3.	Critical	4.00	10.00	20.00	40.00	60.00

Table 5.2 B: Rates of ground water restoration charges for packaged drinking water units (Rs per m³)

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal				
		Up to 50 m ³ /day	51 to <200 m ³ /day	200 to <1000 m ³ /day	1000 to <5000 m ³ /day	5000 m ³ /day and above
1.	Over-exploited (existing industries only)	8.00	20.00	40.00	80.00	120.00

III. Other Industries & infrastructure projects

Rates of ground water abstraction charges for other industries and infrastructure projects in safe, semi-critical and critical assessment units are given in Table 5.3 A and those for ground water restoration charges in over-exploited assessment units are given in Table 5.3 B.

Table 5.3 A: Rates of Ground Water abstraction charges for other industries & infrastructure projects (Rs per m³)

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal			
		< 200 m ³ /day	200 to <1000 m ³ /day	1000 to <5000 m ³ /day	5000 m ³ /day and above
1.	Safe	1.00	2.00	3.00	5.00
2.	Semi-critical	2.00	3.00	5.00	8.00
3.	Critical	4.00	6.00	8.00	10.00

Table 5.3 B: Rates of ground water restoration charges for other industries & infrastructure projects (Rs per m³)

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal			
		< 200 m ³ /day	200 to <1000 m ³ /day	1000 to <5000 m ³ /day	5000 m ³ /day and above
1.	Over-exploited (existing industries / new Industries as per the present Guidelines)	6.00	10.00	16.00	20.00

IV. Mining projects

Rates of ground water abstraction charges for mining, which are drawing ground water in safe, semi-critical and critical assessment units are given in Table 5.4 A and those for ground water restoration charges in case of projects drawing ground water in over-exploited assessment units are given in Table 5.4 B.

Table 5.4 A: Rates of ground water abstraction charges for mining (Rs. per m³)

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal			
		< 200 m ³ /day	200 to <1000 m ³ /day	1000 to <5000 m ³ /day	5000 m ³ /day and above
1.	Safe	1.00	2.00	2.50	3.00
2.	Semi-critical	2.00	2.50	3.00	4.00
3.	Critical	3.00	4.00	5.00	6.00

Table 5.4 B: Rates of ground water restoration charges for mining (Rs. per m³)

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal			
		< 200 m ³ /day	200 to <1000 m ³ /day	1000 to <5000 m ³ /day	5000 m ³ /day and above
1.	Over-exploited	4.00	5.00	6.00	7.00

6.0 Bulk Water Supply

All private tankers abstracting ground water and use it for supply as bulk water suppliers will now mandatorily seek No Objection Certificate for ground water abstraction. The bulk water suppliers through tankers drawing ground water in safe, semi-critical and critical assessment units shall pay groundwater abstraction charges as per the **Table-6.1 A**. The bulk water suppliers drawing ground water in over-exploited assessment units shall pay the groundwater restoration charges as per the **Table-6.1 B**. All tankers will have to install GPS based system for their monitoring of movement/area of operation.

Modalities for issue of No Objection Certificate for bulk/tanker water supplies shall be worked out in consultation with States/Uts and suitable guidelines in this regard will be framed and issued separately for the same.

Table-6.1A: Groundwater abstraction charges for Bulk/Tanker water supplies

Category	Rate per m ³ (in Rs.)
Safe	10
Semi Critical	20
Critical	25

Table-6.1B: Groundwater abstraction charges for Bulk/Tanker water supplies

Category	Rate per m ³ (in Rs.)
Over Exploited	35

7.0 Abstraction of Saline ground water

Abstraction of saline ground water in areas having either saline ground water at all depths or pockets of saline ground water in an otherwise fresh water area for use by industries/ dewatering by infrastructure/ mining projects including those located in over-exploited areas would be encouraged. Such industries shall be exempted from paying ground water abstraction charges.

The list of such assessment units having saline ground water at all depths as per the latest assessment of dynamic ground water resources will be made available by the CGWA in their website. However, due care shall be taken in respect of disposal of effluents by the units so as to protect the water bodies and the aquifers from pollution.

Detailed guidelines in this regard shall be prepared and issued separately.

8.0 Protection of Wetland Areas

The wet land areas in the country are very crucial as they are direct reflection of the presence of ground water in such areas. The protection of the wetland areas is being separately handled by the Wetland Authorities. Since ground water is very crucial for the survival of the wetland area, any excessive ground water development within the zone of wetland area would affect the volume of water in that wetland.

Projects falling within 500 m. from the periphery of demarcated wetland areas shall mandatorily submit a detailed proposal indicating that any ground water abstraction by the project proponent does not affect the protected wetland areas. Furthermore, before seeking permission from CGWA, the projects shall take consent/approval from the appropriate Wetland Authorities to establish their projects in the area.

9.0 General compliance conditions in No Objection Certificate

- i. Installation of digital water flow meter (conforming to BIS/ IS standards) having telemetry system in the abstraction structure(s) shall be mandatory for all users seeking No Objection Certificate and intimation regarding their installation shall be communicated to the CGWA within 30 days of grant of No Objection Certificate through the web-portal.
- ii. Proponents shall mandatorily get water flow meter calibrated on from an authorized agency once in a year.
- iii. Proponents shall install roof top rain water harvesting & recharge systems in the project area.
- iv. Proponents shall pay Ground Water Abstraction/ Restoration Charges based on quantum of ground water extraction as applicable as per the rates given in Section 6.
- v. Construction of purpose-built observation wells (piezometers) for ground water level monitoring shall be mandatory as per Section 15. Water level data shall be made available to CGWA through web portal. Detailed guidelines for construction of piezometers are given in **Annexure-II**.
- vi. Proponents shall monitor quality of ground water from the abstraction structure(s) once in a year. Water samples from bore wells/ tube wells / dug wells shall be collected during April/May every year and analysed in NABL accredited laboratories for basic parameters (cations and anions), heavy metals, pesticides/ organic compounds etc. Water quality data shall be made available to CGWA through the web portal.
- vii. If the existing well becomes defunct due to mechanical failure within the validity period of No Objection Certificate, the user can construct a replacement well under intimation to CGWA on web portal. The defunct well shall be properly sealed (**Refer Annexure VII**). The user will be required to submit documentary proof in this regard. However, if the existing abstraction structures fails to yield water and he proponent desires to drill another tubewell in the same premises, prior permission of the Authority shall be required. If the replacement well is to be drilled in some different place, the proponent shall obtain fresh No Objection Certificate.
- viii. Wherever feasible, requirement of water for greenbelt (horticulture) shall be met from recycled / treated waste water.
- ix. In case of change of ownership, new owner of the industry will have to apply for incorporation of necessary changes in the No Objection Certificate with documentary proof within 60 days of taking over possession of the premises.

10.0 Monitoring of compliance of No Objection Certificate Conditions

To monitor the compliance of No Objection Certificate conditions, Central Ground Water Authority and State/ UT Ground Water Authorities shall take the following steps:

- a. Suitable MIS will be developed for compliance monitoring.
- b. District Collectors/Deputy Commissioners (DCs) /District Magistrates (DMs) are authorized to take enforcement measures like sealing of unauthorized ground water abstraction structures, disconnection of electricity, launching of prosecution against those violating the No Objection Certificate conditions and taking action for imposition of Environmental Compensation.
- c. Technical officers of CGWB/ CGWA and State groundwater organizations are authorized to take actions with respect to monitoring and periodic inspections with the approval of competent authority.
- d. In case of violation of any of the No Objection Certificate conditions, the proponents shall be liable to pay the penalties as per **Section 16**.

11.0 Renewal of No Objection Certificate

No objection certificate shall be renewed periodically, subject to the compliance of the conditions mentioned therein:

- i. The applicant shall apply for renewal of No Objection Certificate at least ninety days prior to expiry of its validity.
- ii. Application for renewal of No Objection Certificate shall be accompanied by the Compliance Report.
- iii. Before granting renewal, Central Ground Water Authority or State/ Ut Authority shall satisfy itself that the conditions of No Objection Certificate have been complied with.
- iv. In case of change in category of the assessment unit, renewals would be granted with conditions as laid down for new category.
- v. No Objection Certificate will be renewed for the terms specified for various uses as follows:

Category	Use	Term of renewal
Critical, Semi-critical and safe	Infrastructure projects for drinking & domestic use and urban Water Supply Agencies	5 years
	Industries	3 years
	Mines	2 years
Over exploited	All users in 'Over-exploited areas'	2 years

- vi. If the application for renewal is submitted in time and the CGWA/ the respective State/ Ut Authority is unable to process the application in time, No Objection Certificate shall be deemed to be extended till the date of renewal of No Objection Certificate.
- vii. If the proponent fails to apply for renewal within 3 months from the date of expiry of No Objection Certificate, the proponent shall be liable to pay Environmental Compensation for the period starting from the date of expiry of No Objection Certificate till No Objection Certificate is renewed by the competent authority.

12.0 Extension of No Objection Certificate

If the proponent is unable to construct the well(s) during the validity period of No Objection Certificate for genuine reasons, the proponent will have to apply for extension of No Objection Certificate. Application for extension should be supported by documents justifying the reasons for delay. Other conditions for grant of extension of No Objection Certificate will be the same as that for fresh No Objection Certificate.

Extension of No Objection Certificate will be granted for a maximum period of two years. No further extension will be granted after the expiry of the extended period. In that case, the applicant will have to apply afresh for grant of No Objection Certificate.

13.0 Delegation of powers against illegal groundwater withdrawal

Central Ground Water Authority has appointed the District Magistrate/ District Collector/ Sub Divisional Magistrates of each Revenue District/Sub division as Authorized Officers, who have been delegated the power to seal illegal wells, disconnect electricity supply to the energised well, launch prosecution against offenders etc. including grievance redressal related to ground water in their respective jurisdictions.

In order to further decentralise and strengthen the monitoring and compliance mechanism as per the guidelines, officials of concerned Departments of Revenue and Industries of the States/Uts shall be appointed as Authorised Officers in consultation with the State/Ut Governments.

A copy of the No Objection Certificate issued by the CGWA in the No Objection Certificate Application Portal (NOCAP) will be forwarded to the respective District Magistrate/ District Collector. In case of any violation of the directions of Central Ground Water Authority and non-fulfilment of the conditions laid

down in the No Objection Certificate, the Authorised Officers will file appropriate Petition/Original Application etc under sections 15 to 21 of the Environment (Protection) Act, 1986 in appropriate Courts.

14.0 Ground Water Level Monitoring

All the project proponents (drawing ground water more than 10 cum/d) have to mandatorily construct Piezometers (observation wells) within their premises for monitoring of the ground water levels. Such a mechanism of compliance conditions has been made to ensure that every month the ground water level in the project area can be monitored and observed. In this regard the necessary criteria for monitoring of water levels through piezometers by the project proponents is given in Table 14.1.

S.No.	Quantum of Ground water withdrawal (cum/d)	No. of piezometer required	Monitoring mechanism		
			Manual	DWLR	DWLR with Telemetry
1	<10	0	0	0	0
2	11-50	1	1	0	0
3	51-500	1	0	1	0
4	>500	2	0	1	1

The piezometer shall be suitably located to ensure that zone of aquifer tapped in the piezometer is the same as that of the pumping well.

15.0 Environmental Compensation

Extraction of ground water for commercial use by industries, infrastructure units and mining projects without a valid No Objection Certificate from appropriate authority shall be considered illegal and such entities shall be liable to pay Environmental Compensation for the quantum of ground water so extracted. The norms prescribed by Central Pollution Control Board (CPCB) shall be utilized for calculating the Environmental compensation as mentioned below:

$$EC_{GW} = \text{Ground water consumption per day} \times \text{Environmental Compensation rate (ECR}_{GW}) \times \text{No. of days} \times \text{Deterrence factor}$$

where ground water consumption is in m³/day and ECR_{GW} in Rs./ cum

15.1 Rates of Environmental Compensation:

Rates of Environmental Compensation (ECR_{GW}) for various types of users in different categories of assessment units are given in Table 15.1 to 15.3.

Table 15.1 : ECR_{GW} for Packaged Drinking Water units

S.No.	Area Category	Water Consumption (cum/day)			
		<200/	200 to <1000	1000 to <5000	5000 & above
		Environmental Compensation Rate (ECR _{GW}) in Rs./m ³			
	Safe	12	18	24	30
2	Semi critical	24	36	48	60
3	Critical	36	48	66	90
4	Over- exploited	48	72	96	120

Note :-Minimum EC_{GW} shall not be less than Rs 1,00,000/-

Table 15.2: ECR_{GW} for Mining/ infrastructure dewatering projects

S.No.	Area Category	Water Consumption (cum/day)			
		<200	200 to <1000	1000 to <5000	5000 & above
		Environmental Compensation Rate (ECR _{GW}) in Rs./m ³			
1	Safe	15	21	30	40
2	Semi critical	30	45	60	75
3	Critical	45	60	85	115
4	Over- exploited	60	90	120	150

Note :-Minimum EC_{GW} shall not be less than Rs 1,00,000/-

Table 15.3: ECR_{GW} for Industrial units

S.No.	Area Category	Water Consumption (cum/day)			
		<200	200 to <1000	1000 to <5000	5000 & above
		Environmental Compensation Rate (ECR _{GW}) in Rs./m ³			
1	Safe	20	30	40	50
2	Semi critical	40	60	80	100
3	Critical	60	80	110	150
4	Over- exploited	80	120	160	200

Note :-Minimum EC_{GW} shall not be less than Rs 1,00,000/-

15.2 Deterrent Factors to compensate losses and environmental damage (for packaged drinking water units, mining, industries and infrastructural dewatering projects)

The following deterrent factors based on the duration of illegal ground water extraction shall be levied to compensate for the losses and environmental damages as detailed in Table 15.4.

Table 15.4: Deterrent factor based on quantum of ground water withdrawal and number of years of illegal withdrawal

S.No.	Water Consumption	Deterrence Factor		
		< 2 years	2-5 years	>5 years
1	<1000 KLD	1.00	1.00	1.25
2	1000-5000 KLD	1.00	1.00	1.50
3	>5000 KLD	1.00	1.25	2.00

Note: KLD – Kilolitre per day

16.0 Provision of Penalty

Penalty shall be imposed on the proponents for non-compliance of No Objection Certificate conditions issued by the appropriate authority. Rates of penalty proposed for non-compliance of various conditions of No Objection Certificate are given in Table 16.1. The rates of the penalty shall be reviewed periodically with the approval of competent authority in Ministry of Jal Shakti.

Table 16.1: Penalty provision for non Compliance of No Objection Certificate conditions

S. No.	Items	Charges in Rs.
1	Non installation/faulty Digital water Flow meter with telemetry system.	200000
2	Non disclosure/ construction of additional groundwater abstraction structures a) Non-functional Structures. b) Defunct/Abandoned Note: Given rates are for unit non-functional/defunct/abandoned structures. This shall be multiplied with total such structures to arrive at consolidated penalty.	200000 100000
3	Reporting of fresh water zones as Brackish / Saline zones in application.	200000
4	Non Installation of Piezometer.	200000
5	Non Installation/faulty DWLR/Telemetry system	100000
6	Non Construction/Inadequate capacity of Recharge / Water conservation structures.	500000
7	Non maintenance of Recharge structures.	200000
8	Injection of treated/untreated water into the aquifer system. Note: In addition to penalty, the proponent shall bear the cost of aquifer remediation as per the provisions of Environment (Protection) Act, 1986.	1000000
9	Non Submission of Water level/Water quality Data.	50000
10	Non-maintenance of log book of daily withdrawal/non submission of Groundwater abstraction data.	50000
11	Non submission of photograph of recharge structure(s).	50000
12	Non Submission of Self Compliance report.	100000
13	Construction of groundwater abstraction structures by un authorized/unregistered Drilling Rigs (per structures).	100000
14	Non registration of water supply tankers.	500000
15	Submission of false information/ undertaking.	100000

Charges shall also be payable for correction/modification in the existing issued No Objection Certificate letter. The details of such charges are given in [Table 16.2](#).

Table 16.2: Proposed Charges for correction/Modification in the existing issued No Objection Certificate

S. No.	Items	Charges in Rs.
1	Change in recharge quantum	10000
2	Change in User ID.	5000
3	Change in firm Name	5000
4	Extension of No Objection Certificate	5000
5	Issuance of duplicate No Objection Certificate	5000
6	Issuance of corrigendum to No Objection Certificate	5000
7	Any other items/corrections etc	5000

17.0 Other important Conditions (Applicable to all):

- i.** Sale of ground water by a person/ agency not having valid no objection certificate from CGWA/State Ground Water Authority is not permitted.
- ii.** In infrastructure projects, paved/parking area must be covered with interlocking/perforated tiles or other suitable measures to ensure groundwater infiltration/harvesting.
- iii.** In case of Infrastructure projects, the firm/entity shall ensure implementation of dual water supply system in the projects. Compliance of the same shall be submitted through the web portal.
- iv.** Non-compliance of conditions mentioned in the No Objection Certificate may be taken as sufficient reason for cancellation of no objection certificate accorded/ non-renewal of No Objection Certificate.
- v.** No application shall be entertained without supporting documents as specified in relevant sections.
- vi.** Abstraction structure(s) should be located inside the premises of project property.
- vii.** Self compliance of conditions laid down in the no objection certificate shall be reported by the users online in the web portal of Central Ground Water Authority/state Ground Water Authority.
- viii.** Processing fee prescribed, if any, from time to time shall be charged for various services.

Note:

1. Guidelines are subject to modification from time to time.
2. In case of any discrepancy between Hindi and English versions of this document including the annexures, the English version shall prevail.

संख्या- 446/81-7-2020-39(पर्या)/2014 टी0सी0-1

प्रेषक,
संजय सिंह,
सचिव,
उ0प्र0 शासन।

सेवा में,

- 1- समस्त अपर मुख्य सचिव/प्रमुख सचिव/सचिव,
उ0प्र0 शासन।
- 2- समस्त मण्डलायुक्त/जिलाधिकारी,
उत्तर प्रदेश।

पर्यावरण, वन एवं जलवायु परिवर्तन अनु0-7

लखनऊ: दिनांक: 01 मई, 2020

विषय-पर्यावरणीय अनापत्ति की अनिवार्यता में छूट के निर्णय के संबंध में।

महोदय,

उपरोक्त विषय के संबंध में मुझे यह कहने का निदेश हुआ है कि पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा निर्गत ई0आई0ए0 अधिसूचना 2006 (यथासंशोधित) सपत्तित अधिसूचना सं0-1224 (अ) दिनांक 28-03-2020 के परिशिष्ट-9 में निम्न क्रियाकलापों को पूर्व पर्यावरणीय सहमति की अपेक्षा से छूट प्रदान की गई है :-

1. मैनुअल खनन द्वारा साधारण मिट्टी या बालू की कुम्हारों द्वारा मिट्टी के घड़े,लैम्प, खिलौने,आदि बनाने के लिए उनकी प्रथाओं के अनुसार निकासी।
2. मैनुअल खनन द्वारा मिट्टी की टाइलें बनाने द्वारा जो मिट्टी की टाइलें बनाते हैं, के लिए साधारण मिट्टी या बालू की निकासी।
3. किसानों द्वारा बाढ़ के पश्चात् कृषि भूमि से बालू के जमाव को हटाना।
4. ग्राम पंचायत में अवस्थित स्रोतों से बालू और साधारण मिट्टी को वैयक्तिक उपयोग या ग्राम में समुदाय कार्य के लिए प्रथा के अनुसार खनन।
5. सामुदायिक कार्य जैसे ग्रामीण तालाबों या टैंकों से गाद हटाना, महात्मा गांधी राष्ट्रीय ग्रामीण रोजगार और गारंटी स्कीमों, अन्य सरकारी स्कीमों, प्रायोजित तथा सामुदायिक प्रयासों द्वारा ग्रामीण सड़कों, तालाबों या बांधों का संनिर्माण।
6. सड़क, पाइपलाइन, आदि जैसे रेखीय परियोजनाओं के लिए साधारण मिट्टी की निकासी, निष्कासन या प्रयोग करना।
7. बांधों,तालाबों, मेड़ों, बैराजों, नदी और नहरों की उनके अनुरक्षित तथा आपदा प्रबंधन के प्रयोजन के लिए तलमार्जन और गाद निकालना।
8. गुजरात में गुजरात सरकार की तारीख 14 फरवरी, 1990 की अधिसूचना सं0-जीयू/90(16)/एमसीआर-2189(68)/5-सीएचएच द्वारा बंजारा और ओड द्वारा बालू के पारंपरिक उपजीविका कार्य।
9. पारंपरिक समुदाय द्वारा अंतर ज्वारीय क्षेत्र के भीतर चूने के गोलों (मृत भू-पटल), पवित्र स्थानों, आदि के मैनुअल निकासी।
10. सिंचाई या पेयजल के लिए कुओं की खुदाई।
11. यथास्थिति, ऐसे भवनों की नींव के लिए खुदाई जिनके लिए पूर्व पर्यावरणीय अनापत्ति अपेक्षित नहीं है।

12. जिला कलेक्टर या जिला मजिस्ट्रेट या किसी अन्य सक्षम प्राधिकारी के आदेश पर किसी नहर, नाला, ड्रेन, जल निकाय, आदि में होने वाली दरार को भरने के लिए साधारण मिट्टी या बालू का उत्खनन ताकि किसी आपदा या बाढ़ जैसी स्थिति से निपटा जा सके।
13. "ऐसे क्रियाकलाप, जिन्हें राज्य सरकार द्वारा विधान या नियमों के अधीन गैर खननकारी क्रियाकलाप के रूप में घोषित किया गया है।"

2- भूतत्व एवं खनिकर्म विभाग, उ०प्र० शासन द्वारा निर्गत अधिसूचना सं०-3204/86-2014-278-2011 दिनांक 22-10-2014 (उ०प्र० उप खनिज परिहार नियमावली 37वाँ संशोधन 2014) में किये गये प्राविधानों के अधीन यह उल्लेख किया गया है कि:-

"ईट एवं मिट्टी के बर्तन बनाने हेतु हस्तसंचालन से खुदाई द्वारा अथवा हस्तसंचालन से साधारण मृदा, सामान्य मिट्टी को निकालने की क्रिया, खनन संक्रियाओं के अन्तर्गत नहीं आएगी, प्रतिबन्ध यह है कि ऐसी खुदाई अथवा खनन के फलस्वरूप उत्पन्न गड्ढों की गहराई 02 मीटर से अधिक नहीं होगी"

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा निर्गत उपरोक्त ई०आई०ए० अधिसूचना दिनांक 28-3-2020 में उल्लिखित क्रियाकलापों में छूट के अन्तर्गत उ०प्र० उप खनिज परिहार नियमावली (37वाँ संशोधन) 2014 के प्राविधानों के अनुसार ईट बनाने हेतु हस्तचालित विधि से 02 मीटर की गहराई तक साधारण मृदा/सामान्य मिट्टी की खुदाई के लिये पूर्व पर्यावरणीय सहमति की आवश्यकता नहीं होगी।

3- अतः पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा निर्गत उक्त अधिसूचना दिनांक-28.03.2020 का अनुपालन सुनिश्चित करने का कष्ट करें।


(संजय सिंह)
सचिव।

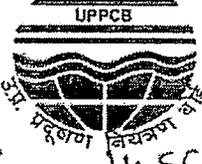
संख्या-446(1)/81-7-2020-39(पयी)/2014 टी०सी०-1, तददिनांक।

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. निदेशक, पर्यावरण, उ०प्र०, लखनऊ।
2. सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
3. गार्ड फाइल।

आज्ञा से,

(भारत प्रसाद)
अनु सचिव।



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

UTTAR PRADESH POLLUTION CONTROL BOARD

Ref. No. H05G43/सी-6/ईट भट्टा-177/निर्देश/अयोध्या/2024

Dated 12-1-24

सेवा में,

पंजीकृत

मेसर्स सी0एच0 ईट भट्टा,
ग्राम-बंधवा, वजीरगंज,
तहसील-तरबगंज,
जनपद-गोण्डा।

सौ. सं. 783989/184
विषय: मेसर्स सी0एच0 ईट भट्टा, ग्राम-बंधवा, वजीरगंज, तहसील-तरबगंज,
जनपद-गोण्डा विरुद्ध वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981
यथासंशोधित की धारा-31 ए के अन्तर्गत निर्देश जारी किये जाने के सम्बन्ध में।

महोदय,

कृपया माननीय एन0जी0टी0, नई दिल्ली में योजित ओ0ए0 सं0-456/2023 राम रंग
शुक्ला बनाम स्टेट ऑफ यू0पी0 व अन्य में पारित आदेश दिनांक 2.08.2023 के अनुपालन में
गठित संयुक्त समिति द्वारा सन्दर्भित ईट भट्टे का निरीक्षण दिनांक 26.08.2023 को किया गया
था। उक्त संयुक्त समिति की निरीक्षण आख्या में निम्न संस्तुतियां की गई है।

1. The brick kiln should convert the kiln from Natural draft to Induced draft technology brick kiln (with rectangular kiln shape and Zig-Zag brick setting) in compliance with timeline given by MOEF & CC notification G.S.R. 143(E) dt. 22.02.2022.
2. The brick Kiln should not be allowed to operate without upgrading Air pollution Control System and obtaining valid CCA from UPPCB.
3. The brick kiln is established on 2011 based on the applicable siting guidelines of Zila Panchayat and thereafter obtain Consent to Operate under Air (Prevention and Control of Pollution) Act, 1981.
4. The Brick Kiln should develop proper green belt as per CCA to minimize fugitive emission & dust emission.
5. Fuel should be stored at shaded area to avoid fugitive emission. Water sprinklers are required to be deployed for control of Fugitive emission.
6. The Brick Kiln should have pucca road within the premises to prevent fugitive emission during vehicle movement.

क्षेत्रीय अधिकारी द्वारा पत्र दिनांक 11.01.2023 के माध्यम से उपलब्ध करायी गयी
आख्यानुसार ईट भट्टे का निरीक्षण दिनांक 14.12.2023 एवं 29.12.2023 को किया गया, जिनमें
ईट भट्टा संचालित नहीं पाया गया तथा यह भी अवगत कराया गया कि वर्तमान में ईट भट्टे के
पास जल/वायु अधिनियमों के अन्तर्गत राज्य बोर्ड से संचालनार्थ सहमति प्राप्त नहीं है। क्षेत्रीय
अधिकारी द्वारा उक्त के परिप्रेक्ष्य में ईट भट्टे के विरुद्ध (वायु) की धारा-31 ए के अन्तर्गत निर्देश
निर्गत किये जाने की संस्तुति की गई है।

T.C/12V, Vibhuti Khand Gomti Nagar, Lucknow - 226010

Phone: 2720831, 2720828, 2720691 & 2720681 - Fax: 0522 - 2720764

Email: info@uppcb.com - Web Site: www.uppcb.com

अतः उपरोक्त वर्णित तथ्यों एवं क्षेत्रीय अधिकारी, अयोध्या की संस्तुति के परिप्रेक्ष्य में मेसर्स सी०एच० ईट भट्टा, ग्राम-बंधवा, वजीरगंज, तहसील-तरबगंज, जनपद-गोण्डा के विरुद्ध वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 (यथासंशोधित) की धारा-31 ए के अन्तर्गत निम्न निर्देश जारी किये जाते हैं।

1. यह कि ईट भट्टा मेसर्स सी०एच० ईट भट्टा, ग्राम-बंधवा, वजीरगंज, तहसील-तरबगंज, जनपद-गोण्डा को यथावत् बन्द रखा जाये तथा राज्य बोर्ड से सहमति प्राप्त कर के ही संचालित किया जाये।
2. यह कि ईट भट्टा मेसर्स सी०एच० ईट भट्टा, ग्राम-बंधवा, वजीरगंज, तहसील-तरबगंज, जनपद-गोण्डा द्वारा संयुक्त समिति की उपरोक्तानुसार वर्णित संस्तुतियों का अनुपालन सुनिश्चित किया जाये।

उपरोक्त निर्देशों के संबंध में साक्ष्य सहित पूर्ण विवरण के साथ 15 दिन के अन्दर बोर्ड मुख्यालय को प्रेषित करें। कृपया नोट करें उद्योगों द्वारा उपरोक्त निर्देशों का अनुपालन सुनिश्चित न किये जाने अथवा संतोषजनक उत्तर प्राप्त न होने की दशा में उद्योग के विरुद्ध वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 यथासंशोधित के अन्तर्गत नियमानुसार कार्यवाही की जायेगी, जिसका सम्पूर्ण उत्तरदायित्व स्वयं उद्योग एवं उद्योग स्वामी का होगा।


मुख्य पर्यावरण अधिकारी,
(वृत्त-6)

प्रतिलिपि:— निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. जिलाधिकारी, गोण्डा।
2. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, अयोध्या को इस निर्देश के साथ प्रेषित कि ईट भट्टे को जारी निर्देशों का अनुपालन सुनिश्चित कराते हुए आख्या 15 दिन में उपलब्ध कराना सुनिश्चित करें।


मुख्य पर्यावरण अधिकारी,
(वृत्त-6)

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To,

DATED:11.02.2024

Chief Environmental Officer (Circle-06)

Uttar Pradesh Pollution Control Board

Lucknow, Uttar Pradesh

Subject: Reply to the Show Cause notice dated 12.01.2024 sent to me i.e M/s C.H Ent Bhatta, Village Bhandwan, Vazirganj, Tehsil Tarabganaj, District Gonda, Uttar Pradesh.

Dear sir/ madam,

In reply to the abovementioned notice dated 12.01.2024 sent me regarding the non-compliance of the condition as fixed by the UPPCB, Uttar Pradesh vide aforementioned notice, it is stated as under:-

1. It is submitted that regarding conversion from natural draft to induced draft (with rectangular kiln shape and Zig Zag brick settling) in compliance of the notification dated 22.02.2022 of MoEF and CC, that the brick kiln of M/s C H Ent Bhatta is not located in the Non-Attainment cities therefore as per the notification dated 15.12.2023 issued by Ministry of Environmental and Forest and Climate Change, it is very much clear that the brick kiln which are located within the periphery of 10 kms of non-attainment cities have to covert into Zig- Zag technology within one year from 23.02.2023 and in the case of brick kilns other than non-attainment cities shall convert to Zig Zag technology with in one year from 23.02.2024, therefore it

is very much evident from the notification that M/s C H Ent Bhatta is not located in the Non-Attainment city therefore the Brick kiln can operate upto 23.02.2025 and within this period the brick kiln shall upgrade to Zig Zah Technology.

2. The Prop. brick kiln of M/s C H Ent Bhatta has upgraded the Air pollution control system in his brick kiln in the month of January and its Consent to Operate have expired on 31.07.2023.
3. The brick kiln was established in the year 2011 under the guidelines of Zila Panchayat, Gonda, but the present kiln has complied all the condition of the UPPCB and obtained CTO on 21.09.2022 from UPPCB after complying all the condition under Air and Water Act, and the same consent have expired on 31.07.2023.
4. Regarding the issue of green belt around the brick kiln, it is submitted that there is a natural green belt is already there near the brick kiln in the available space with in the periphery of the brick kiln as per the CTO.
5. The primary source of the fuel for the brick kiln is Coal and the same is stored under the proper Tin shade to avoid Emission of the coal particle and the water also sprinkled on the coal manually in every 6 hours by the manual Labour.

6. Regarding the question of pucca road inside the brick kiln of M/s C H Ent Bhatta it is submitted that the vehicle in which the bricks are loaded are parked near the office of M/s C H Ent Bhatta as the distance of loading area from the brick kiln is just 15 meters and upto the loading spot of vehicle the road is pucca road and therefore there is no chance of dust Emission.

Therefore it I requested from your good self that I have complied all the condition regarding the controlling of AIR pollution in my brick kiln and I have applied for the fresh Consent to Operate both under Air and Water Act, therefore i request from your good office that plesase consider my application for fresh CTO and permit me to operate after the same and I have submitted the compliance of the conditions for granting of fresh CTO before the Hon'ble National Green Tribunal, Principal Bench, at New Delhi.

Thanking you,

Shri. Hamid Ali
Prop: M/s C.H Ent Bhatta
Village: Bandhwa, Vazirganj,
Tehsil Tarabganj
District Gonda, Uttar Pradesh

ENCLOSED:

1. COPY NOTIFICATION OF MOEF AND CC DATED 15.12.2023.
2. PHOTOGRAPHS OF UPGRADED AIR POLLUTION SYSTEM.
3. PHOTOGRAPHS OF GREEN BELT.
4. PHOTOGRAPHS OF COAL STORED IN TIN SHADE.
5. PHOTOGRAPHS OF PUCCA ROAD UPTO THE LOADING SPOT.
6. COPY OF SHOW CAUSE NOTICE DATED 12.01.2024

Before National Green Tribunal

VAKALATNAMA

Original Application No. 456/2023

IN Re :-

Ram Rong Shukla

Plaintiffs/Appellant/Petitioner/ Applicant

State of U.P & Ors.

Versus

Defendants/Respondent/Accused

KNOW ALL to whom these present shall come that I/We Hamid Ali Prop. M/s C.H Est Bhatta

.....the above-named Respondent No. 04..... do hereby appoint.

SHARAD CHAUHAN, ADVOCATE-ON-RECORD

D/4297/2014

CHAMBER NO. 203, M.C SETALVAD CHAMBERS BLOCK, SUPREME COURT OF INDIA, NEW DELHI-110001

8510052778

(herein after called the advocates) to be my/our Advocate in the above-noted case authorize them :-

- To act, appear and plead in the above-noted case in this Court or in any other Court in which the said case is pending or may be pending 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 or other documents as may be deemed necessary or proper in the said case in all its stages subjects to payment of fees for each stage.
- To fill and take back 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 in any manner relating to the said case.
- To take execution proceedings.
- The deposit draw and receive money cheques, cash and grant receipts hereof and to do all other acts 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 authorizing him to exercise the power and authority of 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 purpose.

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 authorized agent would appear in Court on 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 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 fees 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 that 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 present the contents of which have been understood by me/us on this 17th Day January of 2024

Accepted subject to terms of fees

Advocate

Sharad Chauhan

CH

CLIENT
CH. ENTBHATTA UDYOG

Proprietor

SHARAD CHAUHAN

Advocate-on-Record

Supreme Court of India

Chamber: 203, Setalvad Block, Bhagwan Dass Road

Supreme Court of India

New Delhi-110001

Mob.. 8510052778