

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH

Original Application No.425/2022

M. C. Dwivedi

...Applicant

Versus

State of U.P.& Ors.

...Respondent

Date: - 12.04.2023

RESPONSE TO THE REPORTS FILED BY UPPCB

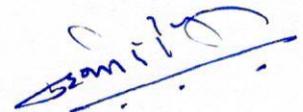
MOST RESPECTFULLY SHOWETH:

1. That the applicant herein filed an application before this Hon`ble Tribunal to resolve the grievance about operation of illegal and polluting brick kiln in village Ram Khitoni, Tehsil Sahawar, District Kasganj, Uttar Pradesh in violation of environmental norms without Consent to Establish /Consent To Operate and or in violation of the guidelines of State in this regard. It was specifically mentioned in the application that illegal operation of brick kiln, which are situated in close proximity to his orchard having about 500 mango trees spread over six acres of land.
2. That this Hon`ble Tribunal was pleased to constitute a joint committee comprising of UPPCB, and District Magistrate, Kasganj.
3. That on behalf of the joint Committee, UPPCB has filed two reports on 13.09.2022 and 21.02.2023 before this Hon`ble Tribunal. in the report it was mentioned that, four brick kilns were operating in the area and they are:
 - (a) M/s Ujala Bricks, Village Ramchhitoni, Post Gadka, Thana Gunjundwara, Tehsil Sahawar, District Kasganj, Uttar Pradesh,
 - (b) M/s Surpunch Int Udyog, Village Ramchhitoni, Post Gadka, Thana Gunjundwara, Tehsil Sahawar, District Kasganj, Uttar Pradesh,
 - (c) M/s Diamond Brick Field, Village Ramchhitoni, Post Gadka, Thana Gunjundwara, Tehsil Sahawar, District Kasganj, Uttar Pradesh,
 - (d) M/s Famous Bricks, Village Karpara, Thana Gunjundwara, Tehsil Sahawar, District Kasganj, Uttar Pradesh.

4. In the report it was clearly spelt out that, UPPCB has issued closure direction against all the 4 brick kiln on different dates. Further, Environmental compensation was imposed against three units. Moreover, they are under process to launch prosecution against the defaulters.
5. To know the facts undersigned has visited the site on 21.01.2023, 13.02.2023, 27.02.2023, 04.03.2023 and 07.04.2023. On all the occasion, all brick kilns were found operating. Copies of the photographs taken on respective dates are enclosed herewith as **ANNEXURE-1 (Colly)**.
6. The photographs shows that officials are in connivance with the owner of the brick kiln, who are flouting the law with impunity that too when this Hon`ble Tribunal is overseeing the compliance of the law.
7. That the reports are misleading to this Hon`ble Tribunal, closure directions are not being comply with. The brick kilns are polluting the environment and destroying the mango orchids in their proximity.
8. That a deceptive narrative is being setup before this Hon`ble Tribunal to paint a rosy picture which could be no farther from truth.
9. This Hon`ble Tribunal may set up a team under the Expert member of this Hon`ble Tribunal along with Court Commissioner, expert on the subject from CPCB, MOEF&CC, an expert from institute like IITs. The team may visit at the earliest so that culprit can be brought to justice. This Hon`ble Tribunal may set an example out of the culprit to deter further violator.
10. The above facts and photographs may kindly be considered while passing further orders.

Prayed accordingly.

M. C. Dwivedi



ENC. PHOTO's of BRICK KILN

Applicant

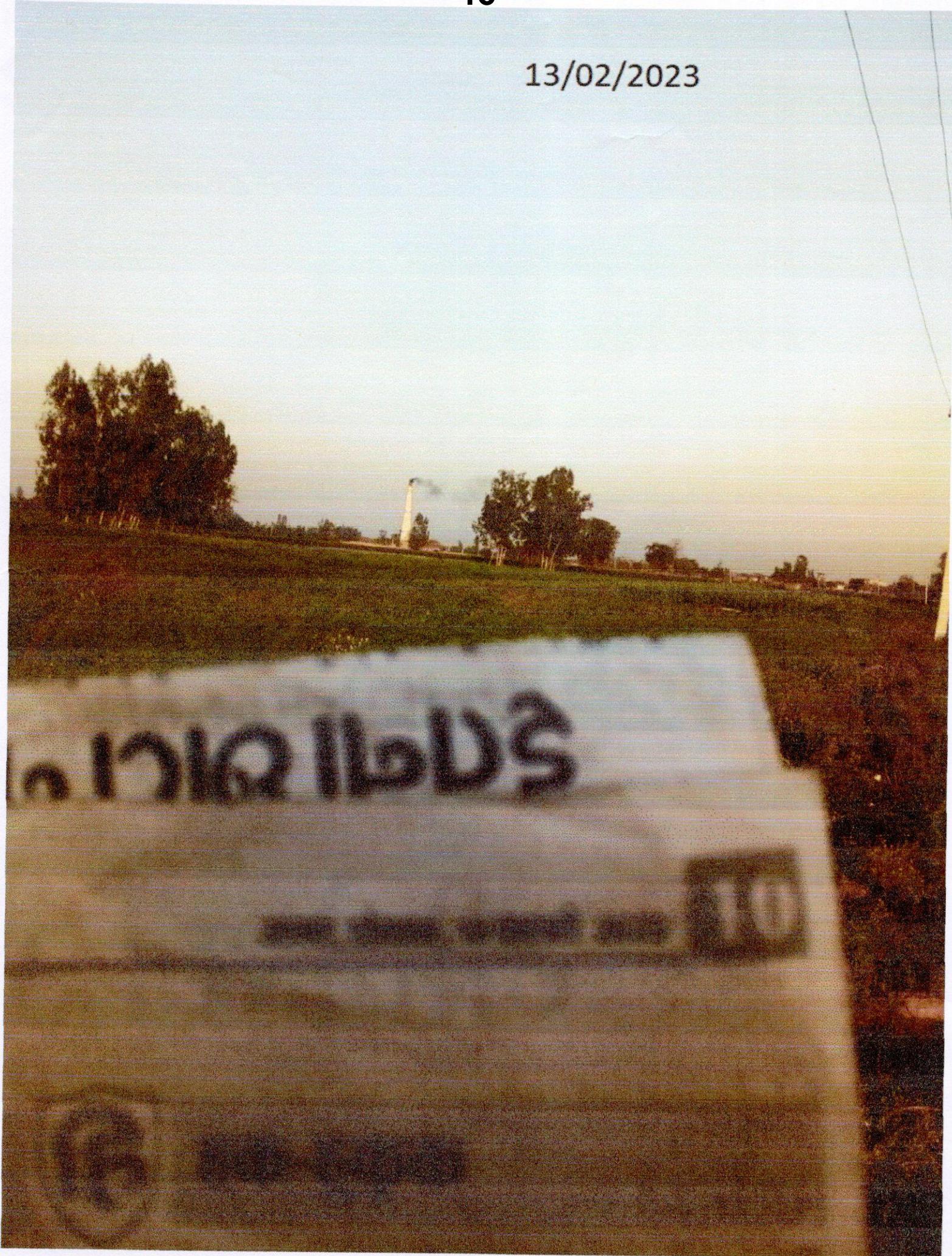


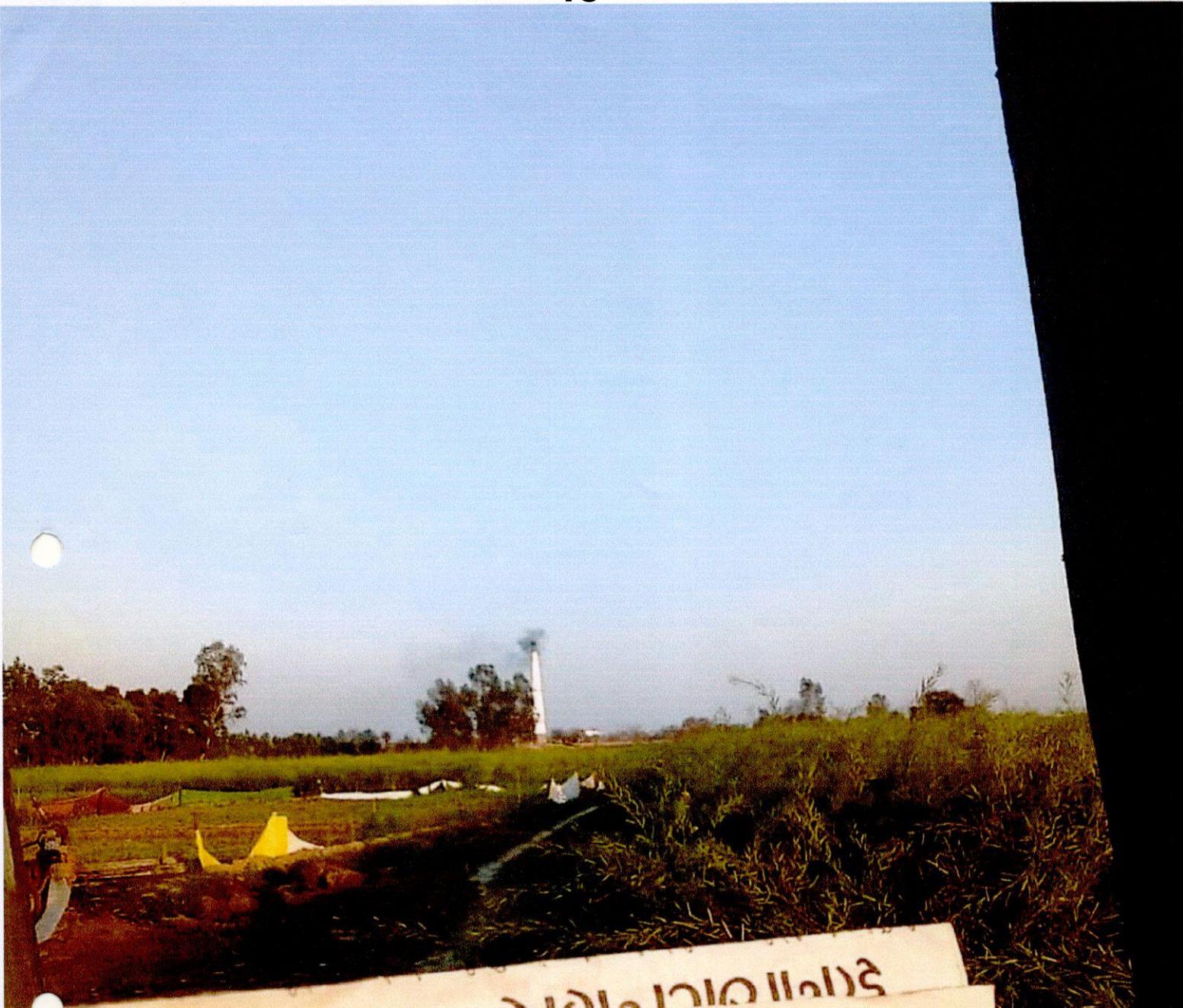
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21/01/2023



13/02/2023





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आजारा देश

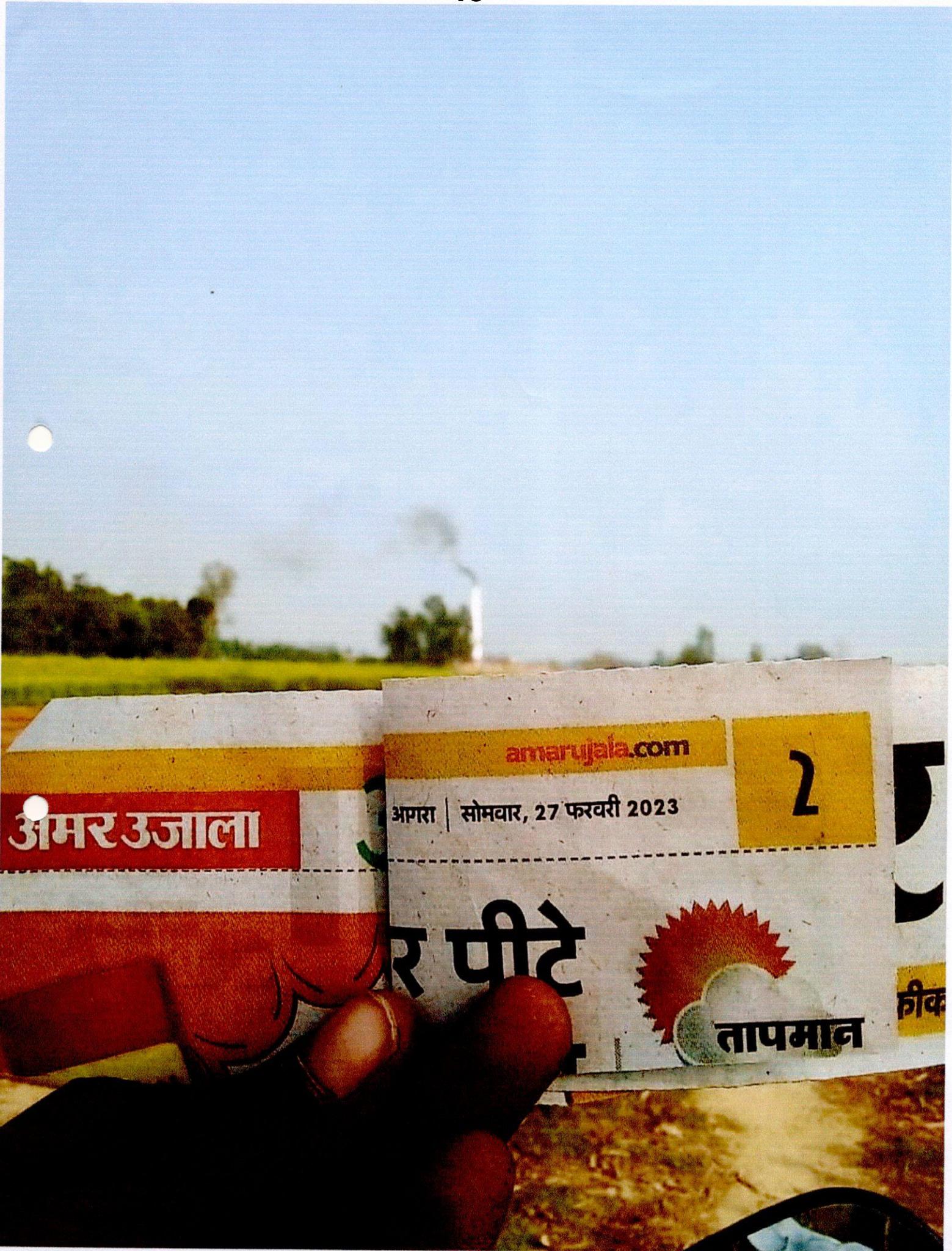
स्वामीदेव नंद सरस्वती के जयंती समारोह का उद्घाटन किया

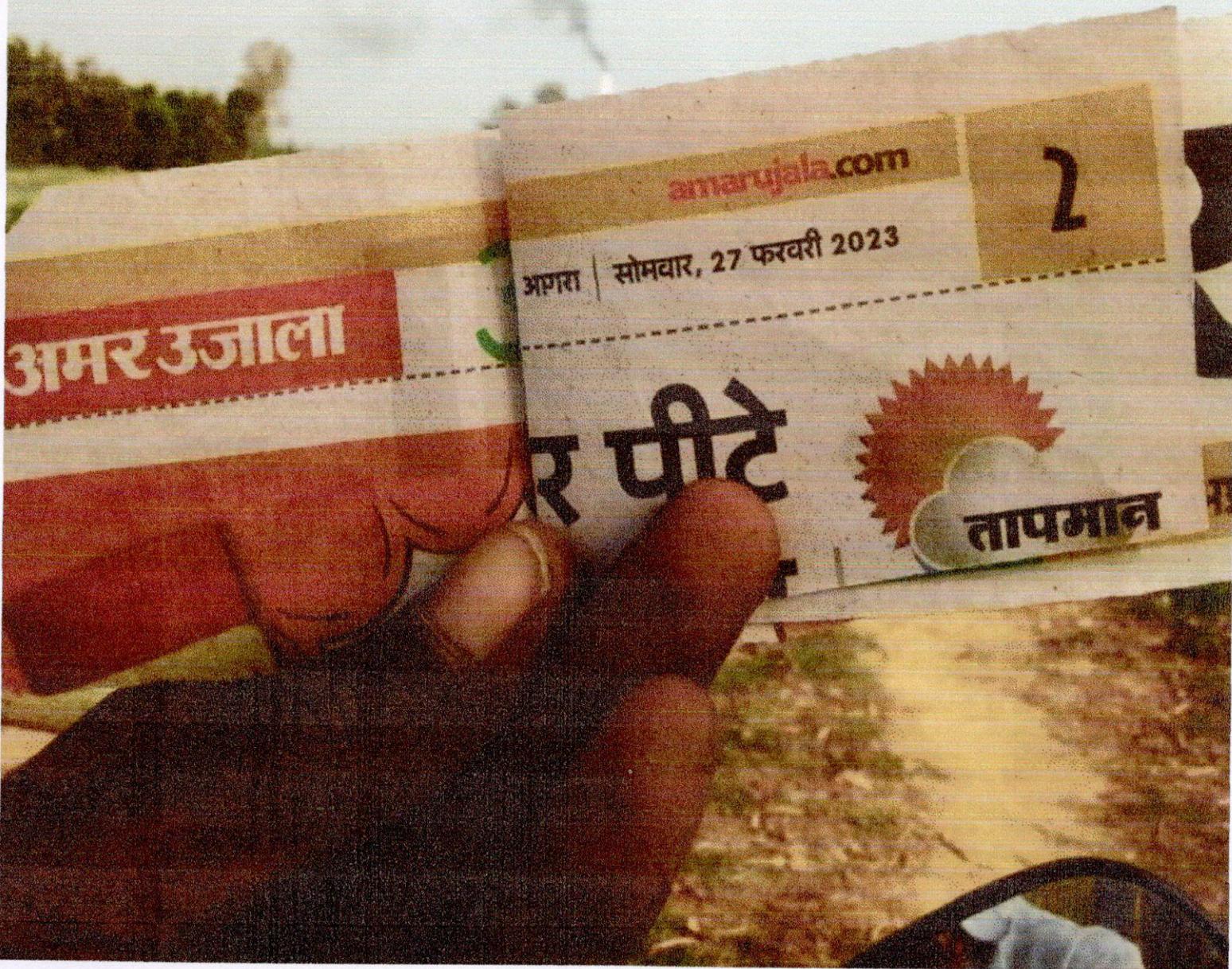
रासत के साथ विकास की
परीफर दौड़ रहा देश: मोदी

मंदिर के जीर्णोद्धार से पर्यटन को बढ़ावा मिलेगा

हि हक-हुकूक
निजी अस्पतालों में ईडब्ल्यूएस मरीजों को मुफ्त इलाज का हक

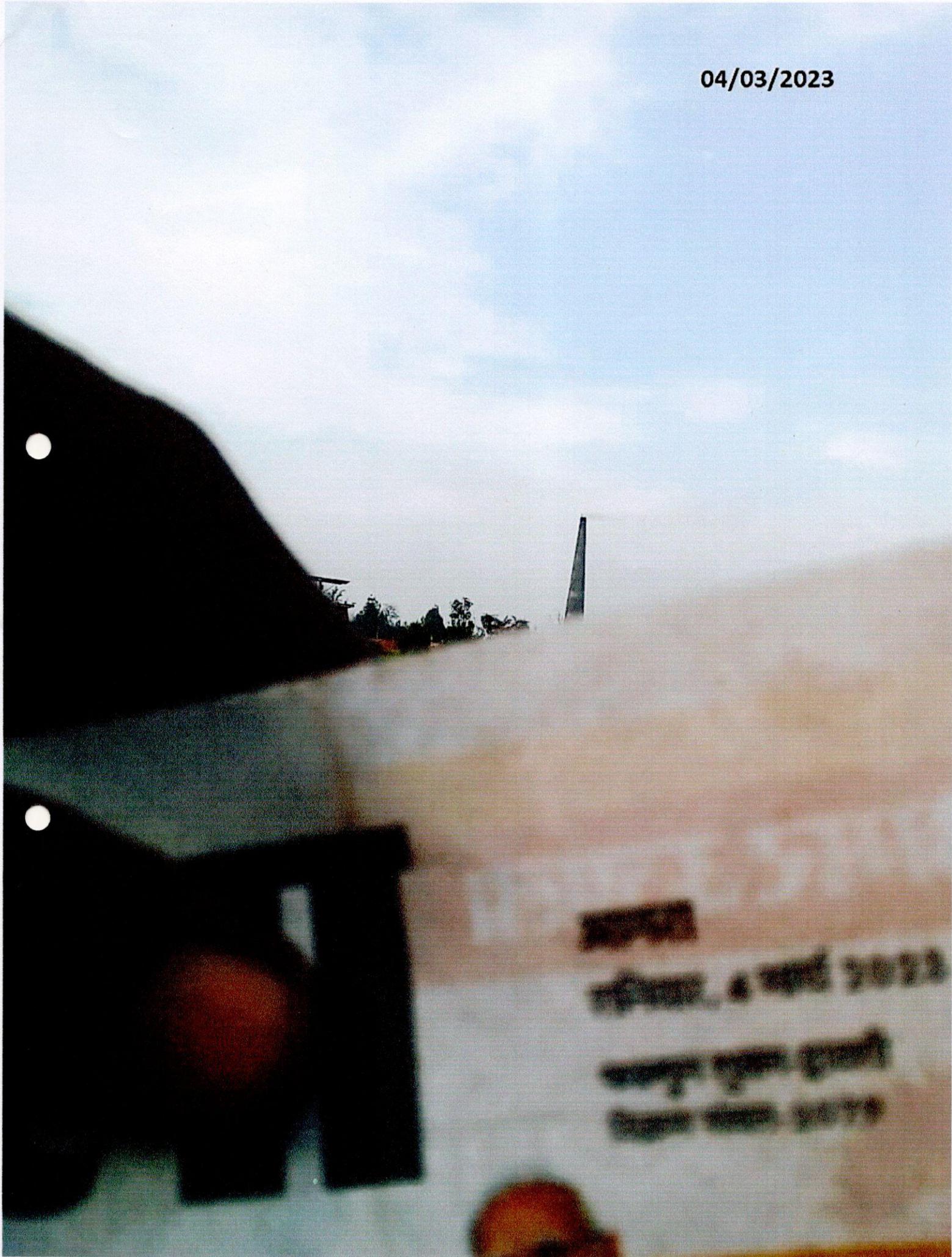
दिल्ली उच्च न्यायालय ने पिछले सप्ताह राजधानी में सरकारी जमीन पर बने एक निजी अस्पताल को कम आय वर्ग (ईडब्ल्यूएस) के मरीजों को निशुल्क इलाज मुहैया कराने का आदेश दिया है। ऐसे में, निशुल्क इलाज विचार के बारे में बता रहे हैं 'हिन्दुस्तान' के







04/03/2023



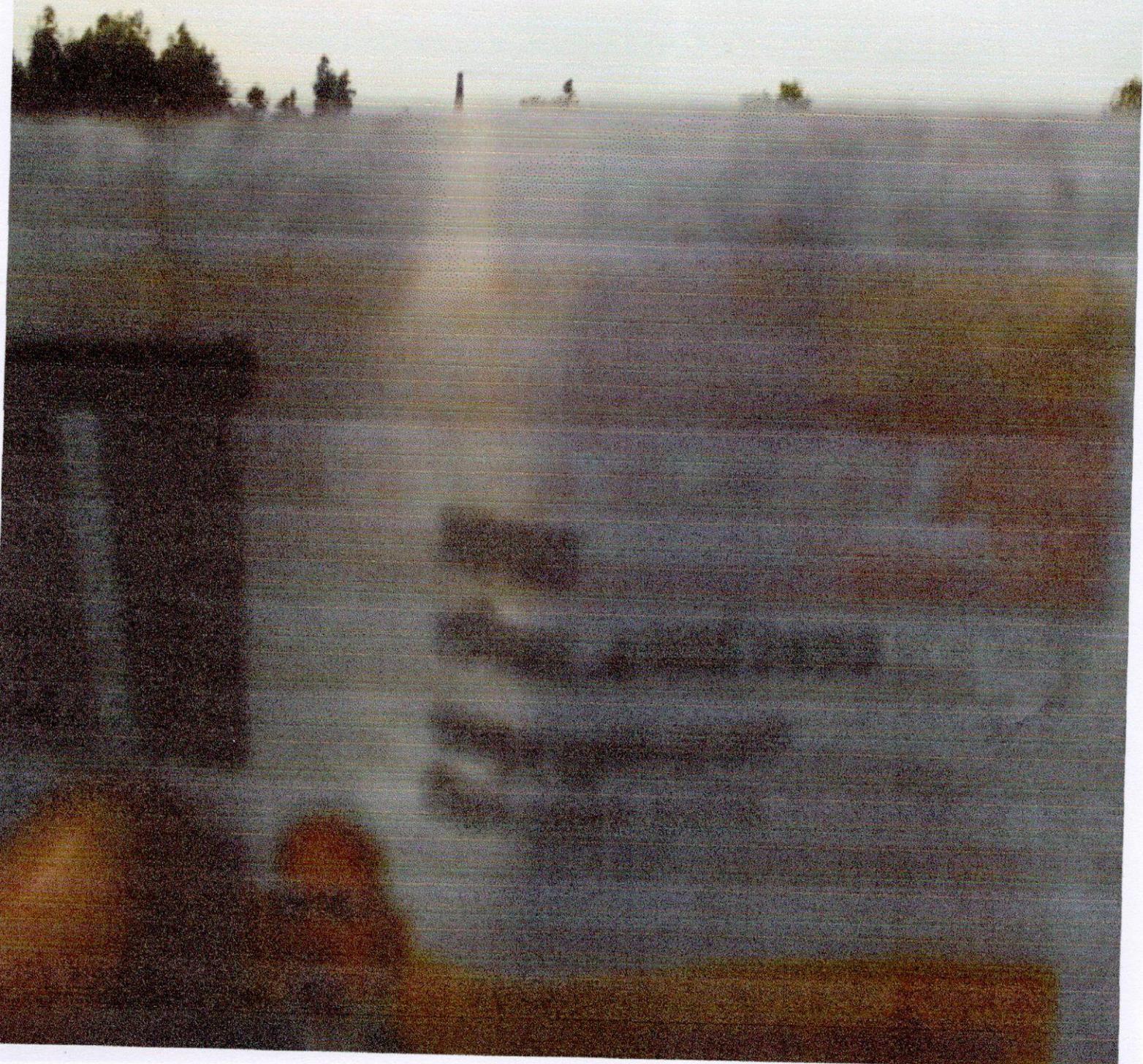
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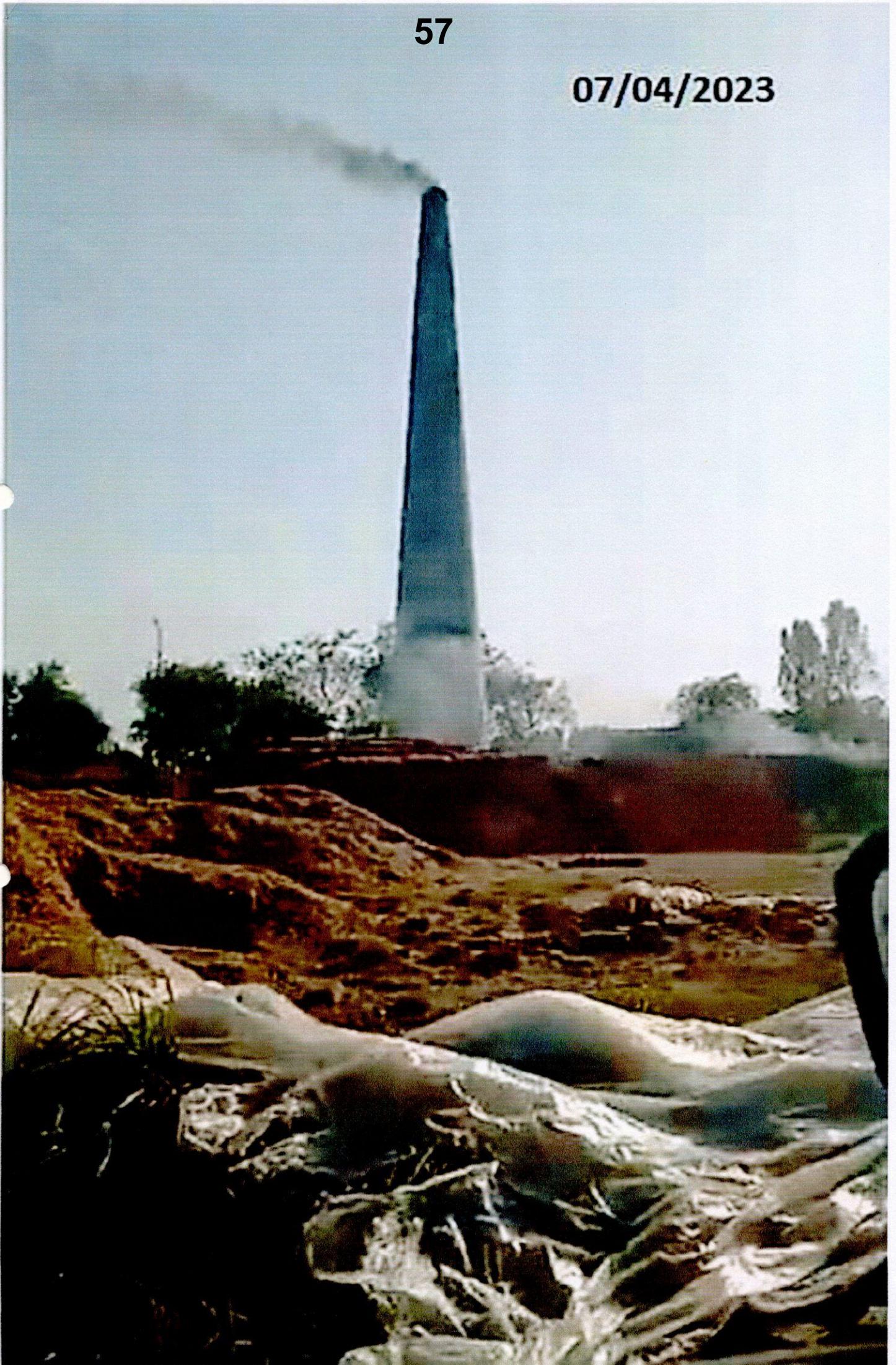


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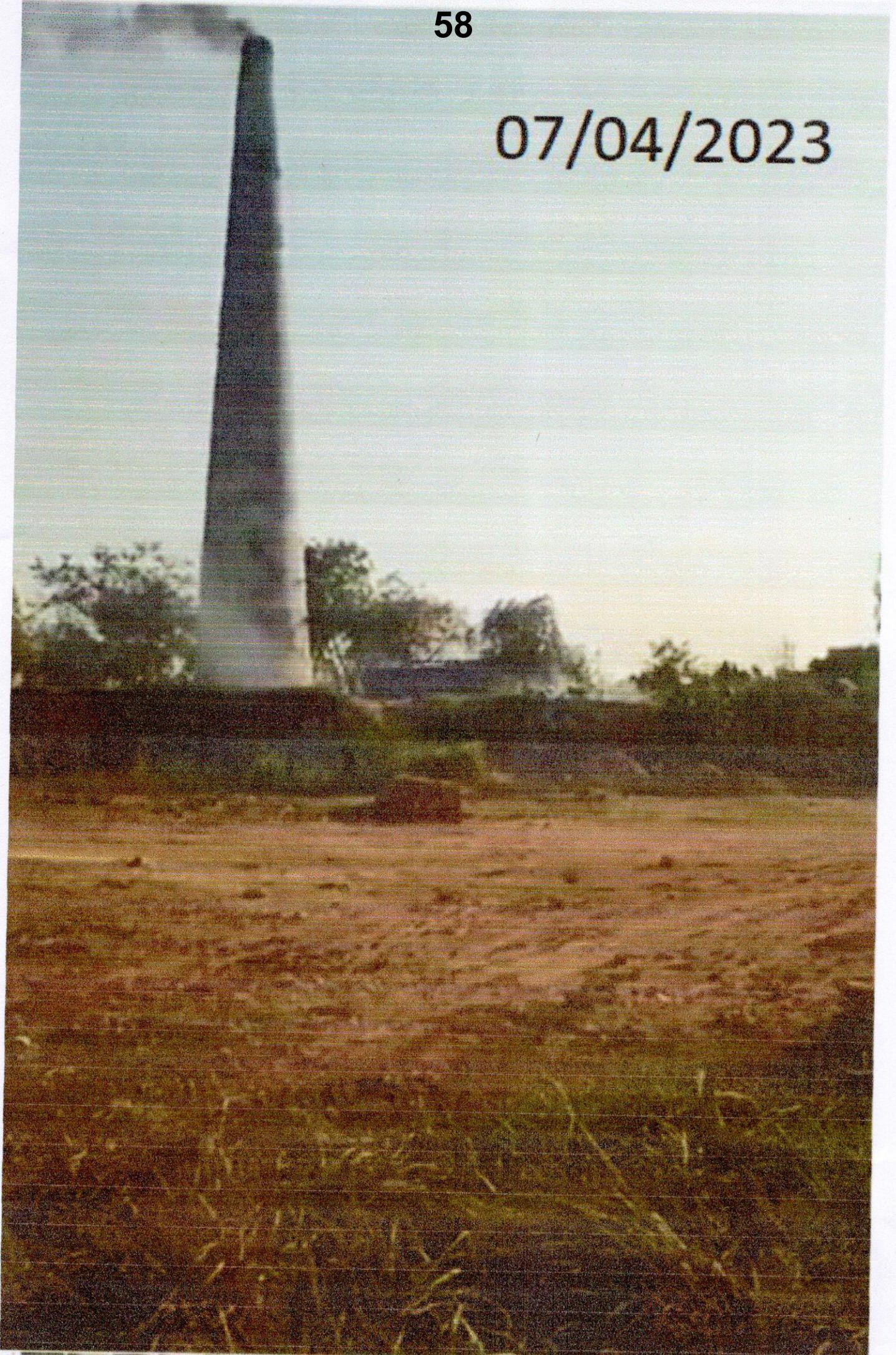
57

07/04/2023



58

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59

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