

DISTRICT MAGISTRATE OFFICE, BARABANKI

From,
District Magistrate,
District-Barabanki.

To,
The Registrar General,
Principal Bench,
Hon'ble National Green Tribunal,
New Delhi.

पत्र सं-1004
दिनांक 13.2.2023
**Sub:-Response regarding Original Application No. 343/2022, Shani Pratap Singh
Vs. State of UP on behalf of Respondent No.-2, UPPCB, in compliance of
the order dated 27.09.2022 and 12.01.2023.**

Sir,

In compliance of the direction passed by Hon'ble National Green Tribunal dated 27.09.2022 and 12.01.2023 on matter mentioned above, the Reply Response is hereby attached with a request to put up before Hon'ble National Green Tribunal for kind perusal.

Enclosure: As above.

Yours Sincerely,

(Avinash Kumar)
District Magistrate,
Barabanki

Copy to:

1. Member Secretary, UPPCB, Lucknow.
3. Regional Officer, UPPCB, Lucknow.

District Magistrate,
Barabanki

**Response regarding Original Application No. 343/2022,
Shani Pratap Singh Vs. State of UP on behalf of
Respondent No.-3, UPPCB, in compliance of the order
dated 27.09.2022 and 12.01.2023.**

Vide its order dated 27.09.2022 this Hon'ble Tribunal in Original Application No. 343/2022, Shani Pratap Singh Vs. State of UP has passed the following directions:

.....

5. *In view of the averments made in the application, we also consider it appropriate to have response of (1) State of Uttar Pradesh through Chief Secretary, Government of Uttar Pradesh, (2) UPPCB, (3) District Magistrate, Barabanki and (4) Project Proponent- M/s. Ramshanker Brick Field (trade name 'Pradhan Brick Field (P.B.F)'), Village and Post Office Tezwapur, Block-Trivediganj, Tehsil-Haidergarh, District- Barabanki who stand impleaded as respondents No. 1 to 4. Notice of the application be issued to the respondents requiring them to file their response/ reply within two months at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents No. 1 to 4 accordingly.*

.....

That with most respectfully in pursuance to the order dated 27.09.2022 and 12.01.2023 the response of the Respondent No.-3 is as under;

- i. That in pursuance to the order dated 27.09.2022 the joint inspection of the M/s Ram Shanker Brick Field (Pradhan Brick Field) Village-Tezwapur, Block-



Trivediganj, Tehsil-Haidergarh, District-Barabanki has been carried on 18.11.2022. The said joint committee report has been filed by the Respondent No.-2, UPPCB, vide its letter no.-H86816/C-5/95/OA No.-343/2023 dated 04.01.2023 before this Hon'ble Tribunal on 05.01.2023.

- ii. That in pursuance to the order dated 27.09.2022 and 12.01.2023 the District Magistrate, Barabanki has sent a notice vide letter no.-969/A.J.A.-2 dated 28.01.2023 to M/s Ram Shanker Brick Field (Pradhan Brick Field) Village-Tejwapur, Block-Trivediganj, Tehsil-Haidergarh, District-Barabanki. A copy of the letter dated 28.01.2023 is being annexed herewith as **Annexure No.-1** to this response.

Therefore, the response of the District Magistrate is being filed for the kind perusal and consideration of this Hon'ble Tribunal.

Lucknow
Dated-

Yours' Sincerely


(Avinash Kumar)

District Magistrate
Barabanki

कार्यालय जिलाधिकारी, बाराबंकी

पत्र संख्या-969/ए0जे0ए0-2

दिनांक-28 जनवरी 2023

विषय:- मा0 राष्ट्रीय हरित अधिकरण, दिल्ली में योजित ओ0ए0 संख्या-343/2022 सनी प्रताप सिंह बनाम स्टेट आफ यू0पी0 एण्ड अदर्स में पारित आदेश दिनांक 29.09.2022 के अनुपालन के सम्बन्ध में।

में0 रामशंकर ब्रिक फील्ड (प्रधान ब्रिक फील्ड)
ग्राम-तेजवापुर, ब्लाक-त्रिवेदीगंज,
तहसील-हैदरगढ़, बाराबंकी।

उपरोक्त विषयक माननीय राष्ट्रीय हरित अधिकरण, दिल्ली में योजित ओ0ए0 संख्या-343/2022 सनी प्रताप सिंह बनाम स्टेट आफ यू0पी0 एण्ड अदर्स में पारित आदेश दिनांक 12.01.2023 (प्रतिलिपि संलग्न) के मुख्य अंश निम्नवत् है:-

".....4. Notice be issued again to respondent no. 4-the Project Proponent and be served through the District Magistrate, Barabanki and for this purpose notice issued to the Project Proponent be sent to the District Magistrate, Barabanki by E-mail for getting service of the same effected on the Project Proponent and sending his report in this regard....."

अतः उपरोक्त आदेश दिनांक 12-01-2023 एव नोटिस दिनांक 19-01-2023 की प्रति संलग्नकर आवश्यक कार्यवाही हेतु प्रेषित की जा रही है।
संलग्नक-यथोपरि।

(अविनाश कुमार)
जिलाधिकारी,
बाराबंकी।

प्रतिलिपि-

- 1-मुख्य पर्यावरण अधिकारी, वृ0-5, उ0 प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ एवं अग्रिम कार्यवाही हेतु प्रेषित।
- 2-तहसीलदार हैदरगढ़ को इस निर्देश के साथ प्रेषित कि सम्बन्धित को तामील कराकर तामीला सूचना मय अभिलेखो सहित इस कार्यालय को 03 दिवस मे उपलब्ध कराना सुनिश्चित करें।
- 3-विधि अधिकारी (प्रथम), उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ एवं अग्रिम कार्यवाही हेतु प्रेषित।
- 4-क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ एवं अग्रिम कार्यवाही हेतु प्रेषित।

जिलाधिकारी,
बाराबंकी।

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI

ORIGINAL APPLICATION NO. 343 OF 2022

No. 1950/MS/WA/2022 PRATAP SINGH Vs STATE OF U.P. & ORS.

ADM/OC-वाढ लि/AT II

1055/ACSE/22

List Nxt
12-01-2023
वसुधा - 471

3-10-22

3-10-22
(राजीव कुमार)
जिल्ला इन्जिनियर
आर एच डी
विकास विभाग
बाराबंकी

- To
- 1. State of Uttar Pradesh, Through Chief Secretary, Government of Uttar Pradesh, 1st Floor, Room No. 110, Lalbahadur Sastri Bhawan, Uttar Pradesh Secretariat, Lucknow-226001, U.P., Email Address: csup@nic.in
- 2. Uttar Pradesh Pollution Control Board, Building. No. TC-12V Vibhuti Khand, Gomti Nagar Lucknow-226010, U.P. Email Address: chairman@uppcb.in/ ms@uppcb.in/eeco5@uppcb.in
- 3. District Magistrate, Barabanki, W5GM+M9R, Preet Vihar Colony, Civil Lines, Barabanki, Uttar Pradesh 225001. Email Address: dmbab@nic.in
- 4. M/s. Ramshanker Brick Field (Trade Name 'Pradhan Brick Field (P.B.F)') (Project Proponent), Village and Post Office Tezwapur, Block-Trivediganj, Tehsil- Haidergarh, District- Barabanki, U.P..

(RESPONDENT NO.1)
जिल्साधिकारी
बाराबंकी
21/12/22

(RESPONDENT NO.2)
OC-वाढ लि/AJAD

(RESPONDENT NO.3)
अपर जिलाधिकारी
वित्त एवं राजस्व
बाराबंकी
22/12/22

(RESPONDENT NO.4)

NOTICE

Whereas the above titled Application was listed before the Tribunal on 27.09.2022 (copy of order, petition and report are enclosed), when the Tribunal inter-alia passed the following order (reproduced relevant extracts only):-

A.C.S., पर्यावरण

03.10.2022
(डा० अनिल कुमार)
स्टाफ अफिसर, मुख्य सचिव
उत्तर प्रदेश शासन।

5808/5-22
USOP

31/10/22
PSD
(आशीष तिवारी)
सचिव,
पर्यावरण, वन एवं जलवायु
परिवर्तन विभाग,
राज्य योजना शासन।

"5. In view of the averments made in the application, we also consider it appropriate to have response of (1) State of Uttar Pradesh through Chief Secretary, Government of Uttar Pradesh, (2) UPPCB, (3) District Magistrate, Barabanki and (4) Project Proponent- M/s. Ramshanker Brick Field (trade name 'Pradhan Brick Field (P.B.F)') Village and Post Office Tezwapur, Block-Trivediganj, Tehsil- Haidergarh, District- Barabanki who stand impleaded as respondents No. 1 to 4. Notice of the application be issued to the respondents requiring them to file their response/ reply within two months at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. The Registry is directed to prepare and attach memo of parties to the application and issue notices to-respondents No. 1 to 4 accordingly.

7. List for further consideration on 12.01.2023."

2. Now, take further notice that the above matter will be listed for further consideration before the Hon'ble Tribunal on 12th January, 2023, at Faridkot House, Copernicus Marg, New Delhi-110001 through physical hearing (with hybrid option), when you may appear before the Hon'ble Tribunal either in person or by a pleader duly instructed, and file responses/repies, as per directions of the Hon'ble Tribunal vide Order dated 27.09.2022.

3. Take further notice that in default of your appearance on the date above mentioned, the said Application will be heard and determined in your absence.

4. Given under my hand and the seal of this Tribunal, on this 01st October, 2022.
Note: (For Orders, Cause Lists & other information, please visit our website www.greentribunal.gov.in)

50-7
13/10/22
(अनिल प्रकाश)
अनु सचिव
पर्यावरण, वन तथा जलवायु
परिवर्तन विभाग
उत्तर प्रदेश शासन।

21/10/2022
Consultant (Judicial), NGT



13/10/22

National Green Tribunal
Faridkot House, Copernicus Marg,
New Delhi-110001

No. NGT/Judicial/OA/343-2022/

Dated: 01.10.2022

To

District Magistrate, Barabanki,
Preet Vihar Colony,
Civil Lines, Barabanki,
Uttar Pradesh 225001,
Email Address: dmbab@nic.in

Sub: Service of Notice dated 01.10.2022 to Project Proponent (M/s. Ramshanker Brick Field (Trade Name 'Pradhan Brick Field (P.B.F)') Village and Post Office Tezwapur, Block-Trivediganj, Tehsil- Haidergarh, District-Barabanki, U.P.) in Original Application No. 343/2022 titled "SHANI PRATAP SINGH Vs STATE OF U.P. & ORS."-reg.

Sir,

The aforesaid application was listed before the Tribunal on 27.09.2022, when the Tribunal inter-alia passed the following order (reproduced relevant extracts only):-

- "6. Notice be served on the Project Proponent through District Magistrate, Barabanki and for this purpose notice issued to the Project Proponent be sent to the District Magistrate, Barabanki by E-mail for getting service of the same effected on the Project Proponent and sending his report in this regard.
7. List for further consideration on 12.01.2023."

2. In pursuance of the order dated 27.09.2022 passed by Hon'ble Tribunal, notice dated 01.10.2022, is enclosed with the request to service the notice to Project Proponent (M/s. Ramshanker Brick Field (Trade Name 'Pradhan Brick Field (P.B.F)') Village and Post Office Tezwapur, Block-Trivediganj, Tehsil- Haidergarh, District-Barabanki, U.P.) and send the service report.

With regards

Consultant (Judicial),
National Green Tribunal



Encl: As stated above.

AJA-II
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