

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

ORIGINAL APPLICATION NO. 453 of 2025

IN THE MATTER OF:

SOHANVEER

...APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.

...RESPONDENTS

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NEW DELHI

DATED: 16.12.2025



(PRADEEP MISRA & DALEEP DHYANI)

Counsel for U.P. Pollution Control Board

138, New Lawyers Chamber,

Supreme Court of India,

New Delhi-110001

(M.) 9810252518

Email: pradeepmisra@yahoo.com

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

ORIGINAL APPLICATION NO. 453 of 2025

IN THE MATTER OF:
SOHANVEER

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STATE OF UTTAR PRADESH & ORS. ...RESPONDENTS

RESPONSE ON BEHALF OF UTTAR PRADESH
POLLUTION CONTROL BOARD

I, Rajendra Prasad, S/o. late Shri Vishnu Ram, aged about 58 years, Regional Officer, Uttar Pradesh Pollution Control Board, Meerut, U.P. at present at New Delhi do hereby solemnly affirm and declare as under:

1. That I in the abovenoted capacity, am well conversant with the facts and records of the present case and being authorized by U.P. Pollution Control Board, hence am competent to swear this affidavit.
2. That the abovenoted case came up for hearing on 07.10.2025 when this Hon'ble Tribunal has directed that a Joint Committee consisting of District Magistrate, Kalina and representative of U.P. Pollution Control Board be made and submit a factual report within one month.





3. That in compliance of the said order, Additional District Magistrate (F/R), Meerut has constituted a Committee consisting of Regional Officer, U.P. Pollution Control Board and Mining Officer, Meerut vide order dated 15.10.2025.
4. That the said Committee visited the site of brick kiln on 11.11.2025 wherein it has been found that brick kiln was established in the year 2006 as per the guidelines of Zila Panchayat which were effective at that time. A copy of inspection report dated 03.12.2025 in respect of inspection conducted on 11.11.2025 is being enclosed herewith and marked as **Annexure-1**.
5. That the brick kiln has taken Consent to Operate from time to time which is valid till 31.07.2027.
6. That the Applicant has filed O.A. No. 231 of 2025 earlier which was disposed of by this Hon'ble Tribunal vide order dated 14.05.2025. True copy of the order dated 14.05.2025 is being enclosed herewith and marked as **Annexure-2**.
7. That CCA granted to Respondent No. 3 dated 30.01.2023 is being enclosed as **Annexure-3**.
8. That at the time of inspection, the brick kiln was closed due to off season.
9. That State of U.P. has issued a letter dated 01.05.2020 wherein it has been provided that as per notification No. 1224(A) dated 28.03.2020 issued by MoEF & CC, Government of India, mining for construction of bricks has



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been exempted from taking the Environment Clearance. A true copy of the letter dated 01.05.2020 is being enclosed herewith and marked as Annexure-4.

Copy of notification dated 28.03.2020 issued by MoEF & CC, Government of India is being enclosed herewith and marked as Annexure-5.

10. That at the time of inspection the Applicant has shown the concern about the safety of his field. The Project Proponent has been directed to maintain the slop in the ratio of 1:2 regarding the safety of field of the Applicant, though there appears to be some dispute about the boundary between the two fields, however, the Project Proponent has been directed to maintain the slop in the aforesaid ratio.

The above facts are being placed for kind consideration of this Hon'ble Tribunal.




DEPONENT

VERIFICATION:

Verified at Meerut on this the day of December, 2025 that the contents of above affidavit are true and correct to my knowledge based on records and information received and believed to be true, no part of it is false and nothing material has been concealed therefrom.


DEPONENT

ATTESTED NOTARY
N. K. GIRI
Advocate Meerut
Reg. No.-3222/05


Inspection report in compliance to Hon'ble NGT order dated 07.10.2025 passed in the Original Application No. 453 of 2025, Sohanveer V/s State of U.P. & Others.

Introduction:-

Hon'ble NGT in Original Application No. 453 of 2025, Sohanveer Vs State of U.P. & Others, has passed order on 07.10.2025. Order of the Hon'ble Tribunal is as below:-

.... "3. *Prima facie* the averments made in the application raise substantial questions relating to environment arising out of the implementation of the enactments specified in Schedule-I to the National Green Tribunal Act, 2010.

4. In view of the averments in the application, we consider it appropriate to have response of (1) State of Uttar Pradesh through District Magistrate, Meerut, (2) Uttar Pradesh State Pollution Control Board (UPPCB) through its Member Secretary Principal and (3) Kalina Brick Field, VPO Kalina, District Meerut, Uttar Pradesh who stand impleaded as respondents No. 1 to 3. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents No. 1 to 5 requiring them to file their replies/responses.

5. In view of the averments made in the application, we also consider it appropriate that a Joint Committee be constituted to verify the factual position and to suggest appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of UPPCB and District Magistrate, Kalina and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and suggest appropriate remedial action. The UPPCB will be the nodal agency for coordination and compliance.

6. The Joint Committee shall specifically mention in its report about the compliance of the siting criteria and also compliance with environmental norms particularly as to obtaining of Environmental Clearance regarding excavation/mining of soil, Consent to Establish and Consent to Operate and compliance with conditions thereof by the Project Proponent.

7. Report of the Joint Committee may be filed within one month and replies/responses by the Respondents may be filed within next one month.

8. List on 17.12.2026 for further consideration.

9. A copy of this order may be sent to the Member Secretary, UPPCB and the District Magistrate, Kalina by email for requisite compliance."

Inspection of site and observation:-

Inspection of the alleged site of Respondent No. 3 M/s Kalina Brick Field has been carried out on 11.11.2025 by Yogesh Kumar Mishra, Assistant Environment Engineer,

UPPCB, Meerut & Ajeet Singh, Mining Officer, Meerut. At the time of inspection Mr. Chandrapal Singh, Partner of the brick kiln and Mr. Sohanveer, Petitioner were present there.

Background:-

1. The brick kiln M/s Kalina Brick Kiln is established in year 2006.
2. As per record first CTO was issued to M/s Kalina Brick Field, Vill.- Kalina, Block-Rohta, Distt. Meerut vide order dated 26.03.2009 valid upto 31.12.2009. further CTO renewed upto 31.12.2014 then upto 28.05.2020 then upto 31.07.2027 which valid at present.
3. Site of the brick kiln is according to the Guidelines of Jila Panchayat which was effective of that time.
4. Petitioner Mr, Sohanveer has made several complaints regarding violation of guidelines and norms, which were not confirmed in inspections carried out earlier.
5. Earlier Original Application No. 231/2025 of the Applicant Mr. Sohanveer was disposed by Hon'ble National Green Tribunal vide order dated 14.05.2025

Observations of inspection:-

Grievance of the applicant:- During inspection grievance of the applicant is discussed. Required soil for brick making is being obtained form the adjacent land of applicants land. Applicant is the owner of Gata No. 697, few years soil was obtained from applicants land also for making the bricks. further soil was and being obtained from adjacent Gata No. 696/2 & 696/3.

At beginning applicants land was high than the nearby lands and he sold the soil of his land for brick making. Further soil obtained from nearby land under the permissible depth, resulting that land of the applicant becomes high again to the adjacent Gata No. 696/2 & 696/3. **Applicant concerned about the safety of his agricultural land.**

During inspection ground level gap/deference of approx. 01 meter observed. It was also observed that the soil excavation was carried out without maintaining slope of 1:1.5. Applicant and proponent both were not agree about the line of division of the lands.

Environment:-

1. During Inspection brick kiln is found non operational due to off season.

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2. Brick Kilns of NCR region are permitted to operate only for the period from 01st March to 30th June of the year in compliance of order passed by Hon'ble Supreme Court in Civil Appeal Diary No. 18213/2021.
3. Brick kiln is converted in High drought technology (Rectangular) having fixed stack of 30 meter high equipped with port hole, platform and staircase and 15 HP engine.
4. Brick kiln M/s Kalina Brick Field, Vill.- Kalina, Block-Rohta, Distt. Meerut have obtained Consent to Operate (CTO) for the period upto 31.07.2027 to produce bricks 20000 nos./day.

Mining:-

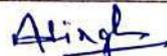
1. As per trench width capacity of brick kiln is assessed 22 Paya. Regulating fee for the year 2024-25 was Rs 3,56,820/- deposited vide chalan no. 2400281739 on 20.12.2025 for 20 Paya. In compliance to the instructions given during inspection proponent has deposited remaining Regulation fee for additional 02 Paya as assessed, vide chalan no. AKV 250029862 dated 24.11.2025 Rs 33567/- along with interest.

Recommendation: -

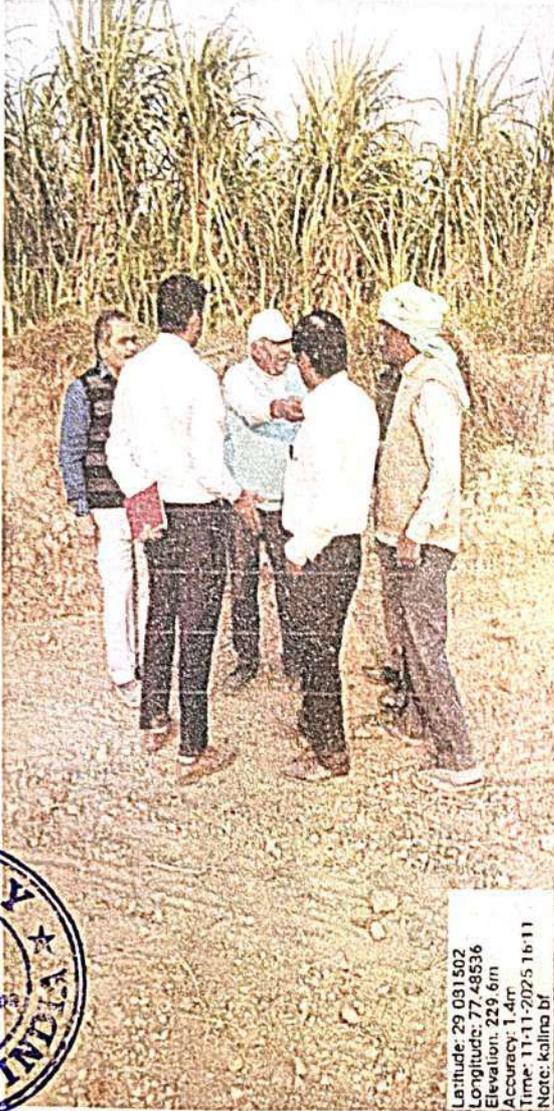
1. Applicant Mr. Sohanveer is concerning about the safety of his agricultural field, which is appropriate and proponent is also agreed with the same.
2. It would be appropriate to line of division should be decided by the Revenue Department and Proponent is bound to maintain the minimum slope 1:2 between the level of Applicants field and soil obtaining area presently utilised.
3. During inspection Proponent representative committed for the same if it required after the division line marking by Revenue Department. In this regard direction has been issued to proponent brick kiln by Mining Officer, Meerut.

Report is submitted for kind consideration please.

Annexure- Photographs and available documents.

Ajeet Singh, Mining Officer, Meerut	
Yogesh Kumar Mishra, AEE, UPPCB, Meerut	 03/12/25

Photographs taken during inspection of Excavation Site



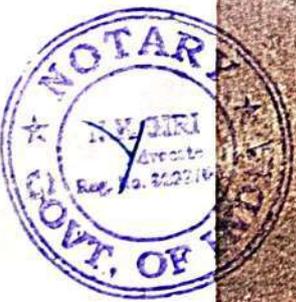
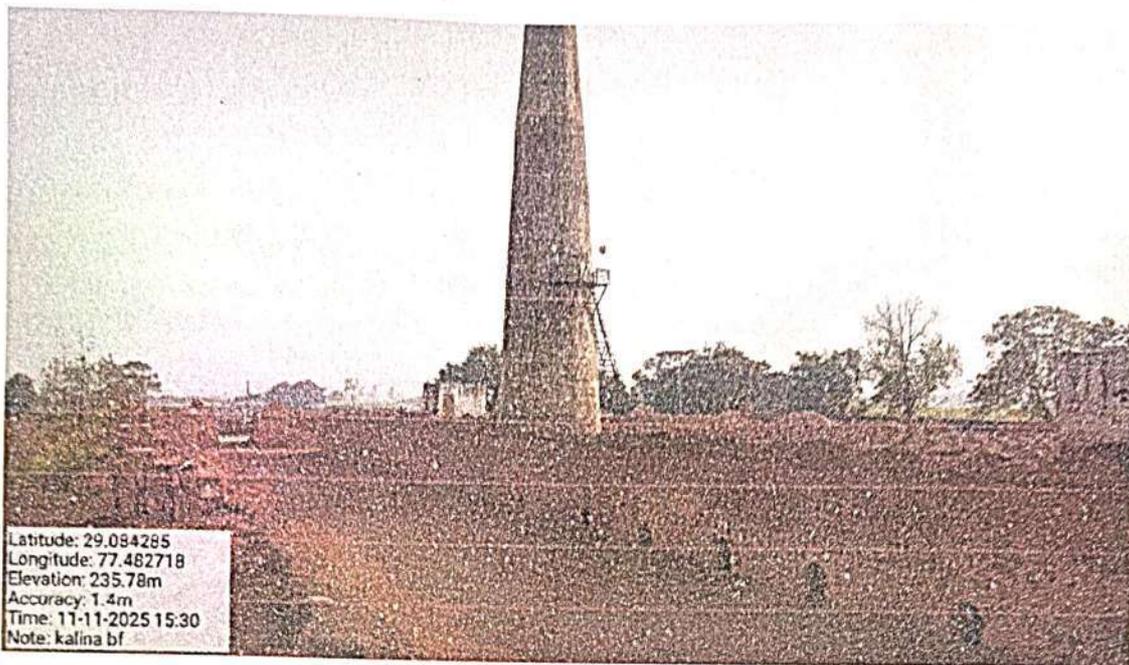
Latitude: 29.091502
Longitude: 77.48536
Elevation: 229.6m
Accuracy: 1.4m
Time: 11-11-2025 16:11
Note: kallina bf



Latitude: 29.092767
Longitude: 77.485133
Elevation: 233.59m
Accuracy: 1.3m
Time: 11-11-2025 16:23
Note: kallina bf



Photographs taken during inspection of Brick Kiln





Uttar Pradesh Pollution Control Board

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

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

176160/UPPCB/Meerut(UPPCBRO)/CTO/both/MEERUT/2023

Date: 30/01/2023

To,

M/s

KALINA BRICK FIELD

VILLAGE KALINA, MEERUT, 250504 LOCATION:
29.083323, 77.483124

Application Id-
19593811

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 KALINA BRICK FIELD located at VILLAGE KALINA, MEERUT, 250504 LOCATION: 29.083323, 77.483124. 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 KALINA BRICK FIELD granted for the period from 30/01/2023 to 31/07/2027 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
Domestic	2	Septic Tank	Septik Tank/Soakpit
Industrial	0	Septic Tank	..

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

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

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

Industrial Effluent Quality Standard

S.No.	Parameter	Standard
1	Domestic-2KLD	as per norms
2	Industrial-0KLD	..

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

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

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

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

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

Air Pollution Source Details

S No.	Air Pollution Source	Type of fuel	Stack no	Control Device	Height of Stack
1	Brick Kiln with rectangular shape (Zig Zag methodology)	Rice husk/biomass/Agriculture refuse/pellets/briquettes	01	Particulate Matter	30 meter from ground level

Emission Quality Standards

S No.	Stack no	Parameters	Standards
1	01	Particulate Matter	250mg/Nm ³

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.

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6. Unit has to comply with the following specific & general conditions. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 will result in legal action under the aforesaid Acts and Rules.

7. In compliance to the G.O 1011/81-7-2021-09 (Writ)/2016 dated.13.10.2021 issued by Department of Environment, Forest and Climate Change, Uttar Pradesh. You are directed to develop Miyawaki Forest as per the SOP available at URL:-<http://www.upeep.in/TrainingSession.aspx> for ensuring timely compliance of this direction, you are hereby directed to submit a bank guarantee with minimum validity of one year of the amount equivalent to the sum of initial consent fees (Air and Water) or Rs. 50,000/- (Rs. Fifty Thousand Only) whichever is more, within 30 days from the date of issuance of this certificate. In case of non-compliance of this direction, your consent will be revoked by the Board.

8. If the unit uses the ground water and requires the permission from SGWA/CGWA for water abstraction then the industry will have to obtain No objection certificate for abstraction of ground water. It will be the responsibility of the industry to comply with the various conditions of the NOC obtained from the competent authority and submit to the Board, within 3 months time failing which CTO will be revoked.

General Conditions:-

1. The applicant shall get analysed the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UPPCB.

2. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.

3. Treated Industrial waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.

4. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.

5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof. 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.

6. The industry shall provide Inspection Book at the time of inspection to the Board's officials.

7. 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.

8. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.

9. 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.

10. 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

11. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.

Specific Conditions:-

1. Brick Kiln shall be operated in such a manner that ambient air quality should not be adversely affected.
2. This CTO will be subject to the order passed by Hon'ble Supreme Court of India, Delhi in writ petition no. 18213/2021 NCR Brick Kiln Association Vs. Central Pollution Control Board & Ors. The operation of brick kiln will be strictly subject to the orders passed in this writ petition time to time.
3. Brick kiln shall comply with directions of Hon'ble National Green Tribunal/Hon'ble Supreme Court/CPCB/UPPCB issued time to time.
4. Regarding Emission, Brick kiln shall comply with the emission standard of 250 mg/Nm³ as laid down by notification dated 22.02.2022 issued by Ministry of Environment, Forest and Climate Change.
5. Brick kiln shall ensure covering of trucks/ vehicles properly during transportation of raw materials/ bricks.
6. Brick kiln must ensure platform of size 4Feet x 6Feet and porthole of minimum 4 inch diameter in size as per the norms or design laid down by the CPCB for monitoring of emissions.
7. The said Brick Kiln must be operated as per zig-zag setting, rectangular in shape methodology. Mixed settling of bricks in kiln is not allowed
8. Regarding Fuel , as per direction no. 65 issued by Commission for Air Quality Management & Adjoining Areas, Delhi, Brick kiln will ensure use of approved fuel i.e., Biomass/Agriculture refuse and Pellets/briquettes/PNG etc. as far as possible. In case of non- availability of approved fuel, coal may be used as per notification dated 22.02.2022 issued by Ministry of Environment, Forest and Climate Change. Brick kiln shall not use any unauthorized/restricted fuel like rubber/ scrap/tyre/ oily residue/ pet coke/ plastic/ leather cutting etc. in the Manufacturing process.
9. Brick kiln shall deposit amount of environmental compensation; if applicable.
10. Brick kiln shall submit necessary approvals from other departments i.e., mining, labour, sale tax etc. before starting operation.
11. Brick kiln shall ensure that the road utilized for transporting raw materials or bricks are paved.
12. Brick kiln shall submit quarterly monitoring report of stack and ambient air quality from a certified/approved/NABL accredited Laboratory.
13. Brick kiln shall ensure adequate plantation of trees/shrubs and maintain green belt along with proper system for water sprinkling within its premises.
14. Brick Kiln shall comply with Solid Waste Management Rules, 2016 and Construction and Demolition Waste Management Rules, 2016.
15. Brick Kiln shall submit Environmental Statement in prescribed form as per Rule 14 of Environment (Protection) Act, 1986.
16. This consent is valid only for products and quantity mentioned above. Brick kiln shall obtain prior approval before making any modification in product/process/fuel failing which consent would be deemed void.
17. Brick Kiln shall be operated in such a manner that ambient air quality should not be adversely affected.
18. Compliance report of this consent order must be sent to this office within two months.
19. The applicant shall make an application along with prescribed fee for grant of renewal of consent at least 30 days before the date of expiry of this consent.
20. Any amendments/revisions made by the Board/CPCB/MOEF in the APCS/emission/stack height standards shall be applicable to the Brick Kiln from the date of such amendments/revisions.
21. The Brick kiln will submit revised lease deed one month prior to the expiry of the same, if applicable. If the brick kiln fails to submit the revised/extended lease deed one month prior to the expiry of the same, then the earlier consent fee deposited by the Brick Kiln will stand forfeited and the brick kiln will have to apply fresh consent along with the requisite consent fee.
22. In case of use of standby DG set, it must be operated as per direction no. 55 issued by CAQM & AA, Delhi. The link for same is <https://caqm.nic.in/WriteReadData/LINKS/5537426406-4577-4794-bb99-8982c37356dc.pdf>



18. 23. Brick kiln will be liable to pay outstanding fee if any.
24. Notwithstanding anything contained in this conditional letter or consent, the Board hereby reserves the right and powers under Section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and its amendments thereof and under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and its amendments thereof to review any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Acts by the Board.

Copy to:



ANKIT SINGH
RO,UPPCB,MEERUT

Digitally signed
by ANKIT SINGH
Date: 2023.01.30
18:43:53 +05'30'

ANKIT SINGH
RO,UPPCB,MEERUT

Digitally signed
by ANKIT SINGH
Date: 2023.01.30
18:44:28 +05'30'

14 CHALLAN

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(अलौह खनन तथा धातु कर्म उद्योग, 30प्र0)

Government of Uttar Pradesh

Uttar Pradesh Treasury Form-209(1) - Challan for Depositing Money
[To be submitted through Net-Payment]

Challan No.: AKV240028739	Challan Date: 20/12/2024
Assessment Year: 2024-2025	Tax Period: ANNUAL
Name of the Bank:	
Unique Id:	09AARFK385QIZI
Depositor Name:	KALINA BRICK FIELD
Depositor Address:	VILL KALINA TEH MEERUT MEERUT

Head	Description	Serial No.	Amount (in Rs.)
085300102010000	खनिज रियायत शुल्क किराया और स्वत्व शुल्क	1	307800.00
085300102020000	प्रकीर्ण प्राप्तियां	2	2000.00
085300104010000	प्रकीर्ण प्राप्तियां	3	30780.00
085300800010000	अन्य प्राप्तियां	4	16240.00
	Totals of the above heads	--	356820.00

A SUM OF Rs. 356820.00 AGAINST THE HEADS MENTIONED ABOVE --[THROUGH NET-PAYMENT TRANSACTION]-- ON HAS BEEN DEPOSITED BY THE DEPOSITOR.

(Depositor Remarks->None)

THE BANK REFERENCE NO. RECEIVED AFTER THE TRANSACTION IS : CPAEPCNQX1, Scroll Date:-21/12/2024



15
CHALLAN

(अलौह खनन तथा धातु कर्म उद्योग, 30प्र0)

Government of Uttar Pradesh

Uttar Pradesh Treasury Form-209(1) - Challan for Depositing Money
[To be submitted through Net-Payment]

Challan No.: AKV250029862	Challan Date: 24/11/2025
Assessment Year: 2024-2025	Tax Period: ANNUAL
Name of the Bank:	
Unique Id:	09AARFK3895Q1Z1
Depositor Name:	KALINA BRICKS FIELD
Depositor Address:	2 PAYE BHATTA KHASRA NO 624- 625 VILL KALINA TEHSIL MEERUT MEERUT

Head	Description	Serial No.	Amount (in Rs.)
085300800010000	अन्य प्राप्तियां	4	5055.00
085300107010000	लघु खनिज रियायत शुल्क, किराया और स्वत्व शुल्क की प्राप्तियाँ	5	25920.00
085300107020000	प्रकीर्ण प्राप्तियाँ	6	2592.00
	Totals of the above heads	--	33567.00

A SUM OF Rs. 33567.00 AGAINST THE HEADS MENTIONED ABOVE --[THROUGH NET-PAYMENT TRANSACTION]-- ON HAS BEEN DEPOSITED BY THE DEPOSITOR.

(Depositor Remarks->None)

THE BANK REFERENCE NO. RECEIVED AFTER THE TRANSACTION IS : CPAFXUBYH4, Scroll Date:-24/11/2025



कार्यालय जिलाधिकारी, मेरठ।

(खनन अनुभाग)

(नोटिस)

संख्या :- 348/खनन सहायक/शिका0प्रा0पत्र/2025

दिनांक:- 02-12-2025

मैसर्स कलीना ब्रिक फिल्ड,
ग्राम कलीना तहसील व जनपद मेरठ।

कृपया श्री सोहनबीर निवासी ग्राम कलीना तहसील व जिला मेरठ द्वारा दी गयी विभिन्न शिकायती प्रार्थना पत्रों व मा0 राष्ट्रीय हरित अधिकरण में दायर किये गये ओ0ए0 संख्या 452/2025 के क्रम में अधोहस्ताक्षरी एवं क्षेत्रीय प्रदूषण विभाग मेरठ के सहायक अभियन्ता के साथ दिनांक 11-11-2025 को निरीक्षण किया गया। निरीक्षण में पाया गया कि, शिकायतकर्ता श्री सोहनबीर निवासी ग्राम कलीना तहसील व जिला मेरठ का गाटा संख्या 697 ग्राम कलीना है जिससे मिली हुई भूमि खसरा संख्या 696/2 एवं 696/3 में विगत वर्ष में आपके द्वारा ईट बनाने हेतु मिट्टी का खनन किया गया है, जॉच में यह पाया गया कि आपके द्वारा खनन स्थल में जो साधारण मिट्टी का खनन ईट पथाई हेतु किया गया है, स्थल पर 1:1.5 का ढाल रखना सुनिश्चित नहीं किया गया है।

अतः उक्त शिकायत के क्रम में आपको निर्देशित किया जाता है कि शिकायतकर्ता श्री सोहनबीर की भूमि के तल एवं खनन किये गये स्थल के तल के मध्य व 1:2 का ढाल निर्मित कराकर इस कार्यालय को अवगत कराना सुनिश्चित करें अन्यथा की दशा में नियमानुसार अग्रिम कार्यवाही अमल में लायी जायेगी, जिसके लिए आप स्वयं उत्तरदायी होंगे।



Ajith
02/12/2025
(अजीत सिंह)
खान अधिकारी,
मेरठ।

Item No. 04

Court No. 1

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

Original Application No. 231/2025
(I.A. No.362/2025)

Sohanveer

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 14.05.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Gagan Sharma, Mr. Yogesh Dagar & Mr. Deepanshu, Advs. for Applicant

ORDER

- In this original application, plea of the applicant is that he is a lawful owner and cultivator of agriculture land bearing khasra no. 697, Village Kalina, District Meerut, Uttar Pradesh.
- Grievance of the applicant is that respondent no.4 namely Kalina Brick Field (Kalina Makra) is illegally operating the brick kiln and carrying out the illegal mining activities without adhering to the safeguard and environmental norms which is affecting the agricultural field of the applicant.
- Record reflects that a complaint was made against the brick field in question and Assistant Environment Engineer had passed the order rejecting the complaint on 21.12.2024 based upon the inspection carried out on 19.12.2024 by observing as under:-

" उक्त शिकायत के सम्बन्ध में निरीक्षण दिनांक 19.12.2024 में पाया गया कि मै० कलीना ब्रिक्स फील्ड, ग्राम कलीमा, मेरठ में जिग-जैग, हार्ड ड्राफ्ट, आयताकार शोप में बना है तथा उत्सर्जन के निस्तारण हेतु भूतल से 30 मी० ऊँची चिमनी स्थापित है। ईट भट्टा वर्ष 2010 से पूर्व से स्थापित है तथा भट्टा स्थल हल्कालीन प्रचलित जिला पंचायत की गार्डलाईन के अनुरूप है। निरीक्षण में ईट भट्टा में अनुमन्य इंधन यथा कृषि अपशिष्ट व कोयला का प्रयोग अनुमन्य



किया गया है। चिमनी पर वायु उत्सर्जन के अनुभवण हेतु मा० उच्चतम न्यायालय द्वारा पारित आदेश 08.04.2022 व भारत सरकार द्वारा जारी नोटिफिकेशन दिनांक 22.02.2022 के अनुसार 4 इंच का पोर्टहोल, 4X6 फिट का प्लेट फार्म एवं लेडर स्थापित है। ईट भट्ठे की जल/ मायु सहमति दिनांक 31.07. 2027 तक स्वीकृत है। एन०सी०आर० क्षेत्र में वर्ष के 01 मार्च से 30 जून तक ईट भट्टा का संचालन अनुमन्य है। ईट भट्टा वर्तमान में बन्द है। शिकायत के तथ्यों की पुष्टि नहीं पायी गयी।

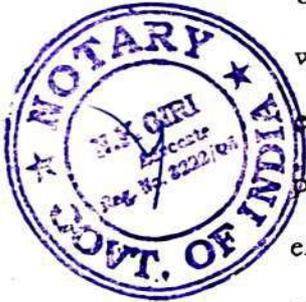
अतः शिकायत निस्तारित किये जाने योग्य है।"

4. In that inspection no violation of norms was found. That apart, it is not in dispute that Original Suit No. 747/2016 in the matter of Manveer Singh & Ors. Vs. Sh. Harpal Singh is pending before the Court of Small Causes Court. Counsel for the applicant does not dispute that applicant is a party in that Civil Suit and a copy of the order dated 21.12.2024 passed on some applications under Section 40C of CPC has been placed on record which indicates that issue of digging of the soil from the land was raised and Civil Court has passed an order of status quo.

5. In the circumstance of the case noted above, we are of the view that without there being authentic material on record it would not be proper to entertain the present application. However, if the applicant comes in possession of some relevant material indicating the violation of environmental norms by respondent no.4-Kalina Brick Field then it will be open to him to file an appropriate fresh complaint along with relevant supporting material to the Member Secretary, Uttar Pradesh Pollution Control Board who on receipt of the same will get the spot inspection done and ascertain the correctness of the allegation made in that complaint and take appropriate action, if required.

6. OA is accordingly disposed of.

7. Pending IA is also disposed of.



Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 14, 2025
Original Application No. 231/2025
(I.A. No.362/2025)
JG.





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

176160/UPPCB/Meerut(UPPCBRO)/CTO/both/MEERUT/2023

Date: 30/01/2023

To,

M/s

KALINA BRICK FIELD

VILLAGE KALINA,MEERUT,250504 LOCATION:
29.083323,77.483124

Application Id-
19593811

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 KALINA BRICK FIELD located at VILLAGE KALINA,MEERUT,250504 LOCATION: 29.083323,77.483124. 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 KALINA BRICK FIELD granted for the period from 30/01/2023 to 31/07/2027 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
Domestic	2	Septic Tank	Septik Tank/Soakpit
Industrial	0	Septic Tank	..

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

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

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

Industrial Effluent Quality Standard

S.No.	Parameter	Standard
1	Domestic-2KLD	as per norms
2	Industrial-0KLD	..

26 (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
1	Brick Kiln with rectangular shape (Zig Zag methodology)	Rice husk/biomass/Agriculture refuse/pellets/briquettes	01	Particulate Matter	30 meter from ground level

Emmission Quality Standards

No.	Stack no	Parameters	Standards
1	01	Particulate Matter	250mg/Nm ³

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

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

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

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

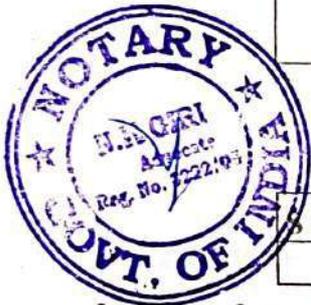
Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time
	75	70	65	55	55	45	50	40

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

(i) Environment Statement in Form-V of Environment (Protection) Rules, 1986.

(ii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.

5. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.



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

General Conditions:-

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

Specific Conditions:-

28. Unit has to comply with the following specific & general conditions. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 will result in legal action under the aforesaid Acts and Rules.
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12. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.

Specific Conditions:-

1. Brick Kiln shall be operated in such a manner that ambient air quality should not be adversely affected.
2. This CTO will be subject to the order passed by Hon'ble Supreme Court of India, Delhi in writ petition no. 18213/2021 NCR Brick Kiln Association Vs. Central Pollution Control Board & Ors. The operation of brick kiln will be strictly subject to the orders passed in this writ petition time to time.
3. Brick kiln shall comply with directions of Hon'ble National Green Tribunal/Hon'ble Supreme Court/CPCB/UPPCB issued time to time.
4. Regarding Emmission, Brick kiln shall comply with the emission standard of 250 mg/Nm³ as laid down by notification dated 22.02.2022 issued by Ministry of Environment, Forest and Climate Change.
5. Brick kiln shall ensure covering of trucks/ vehicles properly during transportation of raw materials/ bricks.
6. Brick kiln must ensure platform of size 4Feet x 6Feet and porthole of minimum 4 inch diameter in size as per the norms or design laid down by the CPCB for monitoring of emissions.
7. The said Brick Kiln must be operated as per zig-zag setting, rectangular in shape methodology. Mixed settling of bricks in kiln is not allowed
8. Regarding Fuel , as per direction no. 65 issued by Commission for Air Quality Management & Adjoining Areas, Delhi, Brick kiln will ensure use of approved fuel i.e., Biomass/Agriculture refuse and Pellets/briquettes/PNG etc. as far as possible. In case of non- availability of approved fuel, coal may be used as per notification dated 22.02.2022 issued by Ministry of Environment, Forest and Climate Change. Brick kiln shall not use any unauthorized/restricted fuel like rubber/ scrap/tyre/ oily residuc/ pet coke/ plastic/ leather cutting etc. in the Manufacturing process.
9. Brick kiln shall deposit amount of environmental compensation; if applicable.
10. Brick kiln shall submit necessary approvals from other departments i.e., mining, labour, sale tex etc. before starting operation.
11. Brick kiln shall ensure that the road utilized for transporting raw materials or bricks are paved.
12. Brick kiln shall submit quarterly monitoring report of stack and ambient air quality from a certified/approved/NABL accredited Laboratory.
13. Brick kiln shall ensure adequate plantation of trees/shrubs and maintain green belt along with proper arrangement for water sprinkling within its premises.
14. Brick Kiln shall comply with Solid Waste Management Rules, 2016 and Construction and Demolition Waste Management Rules, 2016.
15. Brick Kiln shall submit Environmental Statement in prescribed form as per Rule 14 of Environment (Protection) Act, 1986.
16. This consent is valid only for products and quantity mentioned above. Brick kiln shall obtain prior approval before making any modification in product/process/fuel failing which consent would be deemed void.
17. Brick Kiln shall be operated in such a manner that ambient air quality should not be adversely affected.
18. Compliance report of this consent order must be sent to this office within two months.
19. The applicant shall make an application along with prescribed fee for grant of renewal of consent at least 30 days before the date of expiry of this consent.
20. Any amendments/revisions made by the Board/CPCB/MOEF in the APCS/emission/stack height standards shall be applicable to the Brick Kiln from the date of such amendments/revisions.
21. The Brick kiln will submit revised lease deed one month prior to the expiry of the same, if applicable. If the brick kiln fails to submit the revised/extended lease deed one month prior to the expiry of the same, then the earlier consent fee deposited by the Brick Kiln will stand forfeited and the brick kiln will have to apply fresh consent along with the requisite consent fee.
22. In case of use of standby DG set, it must be operated as per direction no. 55 issued by CAQM & AA, Delhi. The link for same is <https://caqm.nic.in/WriteReadData/LINKS/5537426406-4577-4794-bb99-8982c37356dc.pdf>



30

- 23. Brick kiln will be liable to pay outstanding fee if any.
- 24. Notwithstanding anything contained in this conditional letter or consent, the Board hereby reserves the right and powers under Section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and its amendments thereof and under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and its amendments thereof to review any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Acts by the Board.

ANKIT SINGH
RO,UPPCB,MEERUT

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by ANKIT SINGH
Date: 2023.01.30
18:43:53 +05'30'

Copy to:

ANKIT SINGH
RO,UPPCB,MEERUT

Digitally signed
by ANKIT SINGH
Date: 2023.01.30
18:44:28 +05'30'



प्रेषक,

संजय सिंह,
सचिव,
उ०प्र० शारान।

संख्या- 448/01-7-2020-30(वर्ग)/2014 टी०सी०-1

सेवा में,

- 1- समस्त अपर मुख्य सचिव/प्रमुख सचिव/सचिव,
उ०प्र० शारान।
- 2- समस्त मण्डलायुक्त/जिलाधिकारी,
उत्तर प्रदेश।

पर्यावरण, वन एवं जलवायु परिवर्तन अनु०-7

लखनऊ: दिनांक: 01 मई, 2020

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

महोदय,

उपरोक्त विषय के संबंध में गुझे यह कहने का निदेश हुआ है कि पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा निर्गत ई०आई०ए० अधिसूचना 2006 (यथासंशोधित) सपटित अधिसूचना सं०-1224 (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 सामुदायिक कार्य के लिए प्रथा के अनुसार खनन।
5. सामुदायिक कार्य जैसे ग्रामीण तालाबों या टैंकों से गाद हटाना, महात्मा गांधी राष्ट्रीय ग्रामीण रोजगार गारंटी स्कीमों, अन्य सरकारी स्कीमों, प्रायोजित तथा सामुदायिक प्रयासों द्वारा ग्रामीण सड़कों, बांधों या बांधों का संनिर्माण।
6. सड़क, पाइपलाइन, आदि जैसे स्थानीय परियोजनाओं के लिए साधारण मिट्टी की निकासी, निष्कारण या प्रयोग करना।
7. बांधों, तालाबों, मेड़ों, बंधजों, 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 सं०-जीयू/90(16)/एमसीआर-2189(68)/5-सीएचएच द्वारा बंजारा और ओड द्वारा बालू के पारंपरिक उपजीविका कार्य।
9. पारंपरिक सामुदायिक द्वारा अंतर ज्वारीय क्षेत्र के भीतर घूने के गोलों (मृत भू-पटल), पवित्र स्थानों, आदि के मैनुअल निकासी।
10. सिंचाई या पेयजल के लिए कुओं की खुदाई।
11. यथार्थता, ऐसे भवनों की नींव के लिए खुदाई जिनके लिए पूर्व पर्यावरणीय अनापत्ति अपेक्षित नहीं है।



(f.i.p.)

आवेचक

12. जिला कलेक्टर या जिला मजिस्ट्रेट या किसी अन्य साक्ष्य प्राधिकारी के आदेश पर किसी नहर, नाला, ड्रेन, जल निकाय, आदि में होने वाली दरार को भरने के लिए साधारण मिट्टी या गालू 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।



संख्या-445(1)/81-7-2020-39(पर्या)/2014 टी०सी०-1, तददिनांक।

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

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

(संजय सिंह)
सचिव।

आज्ञा से,
(भारत प्रसाद)
अनु-सचिव।

“APPENDIX-IX

EXEMPTION OF CERTAIN CASES FROM REQUIREMENT OF ENVIRONMENTAL CLEARANCE

The following cases shall not require Prior Environmental Clearance, namely:-

1. Extraction of ordinary clay or sand by manual mining, by the Kumhars (Potter) to prepare earthen pots, lamp, toys, etc. as per their customs.
2. Extraction of ordinary clay or sand by manual mining, by earthen tile makers who prepare earthen tiles.
3. Removal of sand deposits on agricultural field after flood by farmers.
4. Customary extraction of sand and ordinary earth from sources situated in Gram Panchayat for personal use or community work in village.
5. Community works, like, de-silting of village ponds or tanks, construction of village roads, ponds or bunds undertaken in Mahatma Gandhi National Rural Employment and Guarantee Schemes, other Government sponsored schemes and community efforts.
6. Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc.
7. Dredging and de-silting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management.
8. Traditional occupational work of sand by Vanjara and Oads in Gujarat vide notification number GU/90(16)/MCR-2189(68)/5-CHH, dated the 14th February, 1990 of the Government of Gujarat.
9. Manual extraction of lime shells (dead shell), shrines, etc., within inter tidal zone by the traditional community.
10. Digging of wells for irrigation or drinking water purpose.
11. Digging of foundation for buildings, not requiring prior environmental clearance, as the case may be.
12. Excavation of ordinary earth or clay for plugging of any breach caused in canal, nallah, drain, water body, etc., to deal with any disaster or flood like situation upon orders of the District Collector or District Magistrate or any other Competent Authority.

Activities declared by the State Government under legislations or rules as non-mining activity.”

[F. No. Z-11013/47/2018-1A.II (M)]

GEETA MENON, Jt. Secy.

Note: The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended vide the following numbers:-

1. S.O. 1949 (E), dated the 13th November, 2006;
2. S.O. 1737 (E), dated the 11th October, 2007;
3. S.O. 3067 (E), dated the 1st December, 2009;
4. S.O. 695 (E), dated the 4th April, 2011;
5. S.O. 156 (E), dated the 25th January, 2012;
6. S.O. 2896 (E), dated the 13th December, 2012;
7. S.O. 674 (E), dated the 13th March, 2013;
8. S.O. 2204 (E), dated the 19th July, 2013;
9. S.O. 2555 (E), dated the 21st August, 2013;
10. S.O. 2559 (E), dated the 22nd August, 2013;
11. S.O. 2731 (E), dated the 9th September, 2013;
12. S.O. 562 (E), dated the 26th February, 2014;
13. S.O. 637 (E), dated the 28th February, 2014;



MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 28th March, 2020

S.O. 1224(E).—WHEREAS, *vide* the Mineral Laws (Amendment) Act, 2020 (2 of 2020), the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) (hereinafter referred to as MMDR Act) has been amended with effect from the 10th day of January, 2020 and, *inter alia*, new section 8B relating to the provisions for transfer of statutory clearances has been inserted;

AND WHEREAS, sub-section (2) of section 8B of the MMDR Act provides that notwithstanding anything contained in this Act or any other law for the time being in force, the successful bidder of mining leases expiring under the provisions of sub-sections (5) and (6) of section 8A and selected through auction as per the procedure provided under this Act and the rules made thereunder, shall be deemed to have acquired all valid rights, approvals, clearances, licences and the like vested with the previous lessee for a period of two years;

AND WHEREAS, sub-section (3) of section 8B of the MMDR Act provides that notwithstanding anything contained in any other law for the time being in force, it shall be lawful for the new lessee to continue mining operations on the land, in which mining operations were being carried out by the previous lessee, for a period of two years from the date of commencement of the new lease;

AND WHEREAS, in pursuance of the aforesaid amendment to the MMDR Act, the Central Government deems it necessary to align the relevant provisions of the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14th September, 2006 (hereinafter referred to as the EIA Notification, 2006);

AND WHEREAS, the Ministry of Environment, Forest and Climate Change is in the receipt of representations for waiver of requirement of prior environmental clearance for borrowing of ordinary earth for roads; and manual extraction of lime shells (dead shell), shrines, etc., within inter tidal zone by the traditional community;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the rule 5 of the said rules, in public interest, and in supersession of the notification number S.O. 4307(E), dated the 29th November, 2019, hereby makes the following further amendments in the EIA Notification, 2006, namely:-

In the said notification,-

(i) in paragraph 11, after sub-paragraph (2), the following sub-paragraph shall be inserted, namely:-

“(3) The successful bidder of the mining leases, expiring under the provisions of sub-sections (5) and (6) of section 8A of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) and selected through auction as per the procedure provided under that Act and the rules made thereunder, shall be deemed to have acquired valid prior environmental clearance vested with the previous lessee for a period of two years, from the date of commencement of new lease and it shall be lawful for the new lessee to continue mining operations as per the same terms and conditions of environmental clearance granted to the previous lessee on the said lease area for a period of two years from the date of commencement of new lease or till the new lessee obtains a fresh environmental clearance with the terms and conditions mentioned therein, whichever is earlier:

Provided that the successful bidder shall apply and obtain prior environmental clearance from the regulatory authority within a period of two years from the date of grant of new lease.”;

(ii) in the Schedule, against the item 1(a), in the column (5), after clause (2) of the Note, the following clause shall be inserted, namely:-

“(3) The evacuation or removal and transportation of already mined out material lying within the mining leases expiring under the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), by the previous lessee, after the expiry of the said lease, shall not form the part of the mining capacity so permitted to the successful bidder, selected through auction as per the procedure provided under that Act and the rules made thereunder.”;

(iii) for Appendix-IX, the following Appendix shall be substituted, namely:-



14. S.O. 1599 (E), dated the 25th June, 2014;
15. S.O. 2601 (E), dated the 7th October, 2014;
16. S.O. 2600 (E), dated the 9th October, 2014;
17. S.O. 3252 (E), dated the 22nd December, 2014;
18. S.O. 382 (E), dated the 3rd February, 2015;
19. S.O. 811 (E), dated the 23rd March, 2015;
20. S.O. 996 (E), dated the 10th April, 2015;
21. S.O. 1142 (E), dated the 17th April, 2015;
22. S.O. 1141 (E), dated the 29th April, 2015;
23. S.O. 1834 (E), dated the 6th July, 2015;
24. S.O. 2571 (E), dated the 31st August, 2015;
25. S.O. 2572 (E), dated the 14th September, 2015;
26. S.O. 141 (E), dated the 15th January, 2016;
27. S.O. 648 (E), dated the 3rd March, 2016;
28. S.O. 2269(E), dated the 1st July, 2016;
29. S.O. 2944(E), dated the 14th September, 2016;
30. S.O. 3518 (E), dated 23rd November 2016;
31. S.O. 3999 (E), dated the 9th December, 2016;
32. S.O. 4241(E), dated the 30th December, 2016;
33. S.O. 3611(E), dated the 25th July, 2018;
34. S.O. 3977 (E), dated the 14th August, 2018;
35. S.O. 5733 (E), dated the 14th November, 2018;
36. S.O. 5736 (E), dated the 15th November, 2018;
37. S.O. 5845(E), dated the 26th November, 2018;
38. S.O. 345(E), dated the 17th January, 2019;
39. S.O. 1960(E), dated the 13th June, 2019;
40. S.O. 236(E), dated the 16th January, 2020;
41. S.O. 751(E), dated the 17th February, 2020; and
42. S.O. 1223(E), dated the 27th March, 2020.



ATTESTED NOTARY
N. K. GIRI
 Advocate, Meerut
 Reg. No. -3222/05

12/4/20

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI

Appeal /OA NO. _____

453 of 2025

In re:

SOHANVEERPlaintiff /Appellants/
Petitioner/Complainant

VERSUS

STATE OF UTTAR PRADESH & ORSDefendant/Respondent/
AccusedKNOW ALL to whom these present shall come that I/We
the above nameddo hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above
noted case & authorize :-

**Mr. Pradeep Misra, Mr. Daleep Dhyani, Advocates,
138, New Lawyers Chamber, Supreme Court of India,
New Delhi, Ph. :011-23070011, Mob. 9810252518, 9811070721**

To act, appear and plead in the above-noted case in this Court or in any other Court in which
the same may be tried or heard and also in the appellate Court including High Court subject to
payment of fees separately for each Court by me/ us.

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

To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes
that may arise touching or in any manner relating to the said case.

To take execution proceedings.

To deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all
other acts and things which may be necessary to be done for the progress and in the course of
the prosecution of the said case.

To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power
and authority hereby conferred upon the Advocate whenever he may think it to do so and to
sign the Power of Attorney on my/our behalf.

AND I/We the undersigned do hereby agree to ratify and confirm all acts done by the
Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents
and purposes.

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

AND I /we undersigned do hereby agree not to hold the advocate or his substitute responsible
for the result of the said case. The adjournment costs whenever ordered by the Court shall be
of the Advocate which he shall receive and retain himself.

AND I /we the undersigned do hereby agree that in the event of the whole or part of the fee
agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw
from the prosecution of the said case until the same is paid up. The fee settled is only for the
above case and above Court. I/We hereby agree that once the fee is paid. I/we will not be
entitled for the refund of the same in any case whatsoever. If the case lasts for more than three
years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for
every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents
of which have been understood by me/us on this **13** day of **12** **2025**.

Accepted subject to the terms of fees.

(**PRADEEP MISRA**)(**DALEEP DHYANI**)
Advocate Advocate (D/435/01)

Anuj Kumar Chaubey
Client
Law Officer-I
U.P. Pollution Control Board
Lucknow

