

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

I.A. NO. 529 OF 2025

IN

ORIGINAL APPLICATION NO. 196 OF 2025

IN THE MATTER OF:

RAJ KISHORE

...APPLICANT

VERSUS

STATE OF U.P. & ORS.

...RESPONDENTS

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2.	COPY OF THE ORDER DT. 21.08.2025 ANNEXED HEREWITH AS ANNEXURE R-1	
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THROUGH COUNSEL

A handwritten signature in blue ink, appearing to read 'Bpsjadon', with a long horizontal stroke extending to the right.

BHANWAR PAL SINGH JADON
STANDING COUNSEL FOR STATE OF U.P.

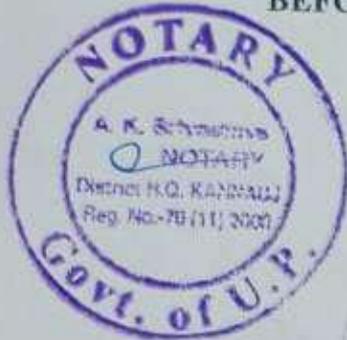
EMAIL- bhanwar09jadon@gmail.com

Ph: 9639286572

DATE: 11.09.2025

PLACE: NOIDA

Gen. Stamp ₹10/- is attached with a



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

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RESPONSE ON BEHALF OF DISTRICT MAGISTRATE, KANNAUJ IN
COMPLIANCE OF THE ORDER DT. 08.08.2025 PASSED BY THE
HON'BLE NATIONAL GREEN TRIBUNAL

I, Ashutosh Mohan Agnikotri aged about 52 years, presently posted as
....., District Magistrate, Kannauj do hereby
solemnly affirm and state on oath as under:

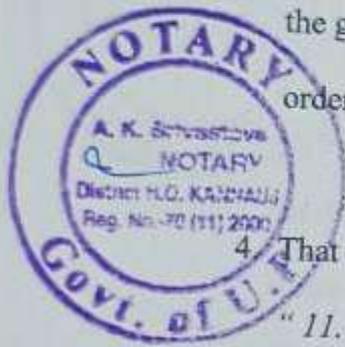
1. That I, the Deponent in the above captioned matter am fully conversant with the facts of the case and is competent and authorized to swear the present affidavit.
2. That I state that the contents of the affidavit have been drafted by my counsel on my instructions and the contents of the same are true to my

knowledge and nothing material has been concealed therefrom.

I. BACKGROUND OF THE MATTER

i. Allegations in the Original Application

3. That in the present matter, the applicant had filed a letter petition dt. 30.12.2024 which was treated and registered as original application raising the grievances regarding illegal operation of the brick kiln despite closure order by UPPCB.



4 That the Hon'ble Tribunal vide order dt. 02.07.2025 directed as under:

" 11. In the meanwhile, the District Magistrate and the Superintendent of Police, Kannauj are directed to ensure that the brick kiln in question does not operate in any manner and no commercial activity takes place.

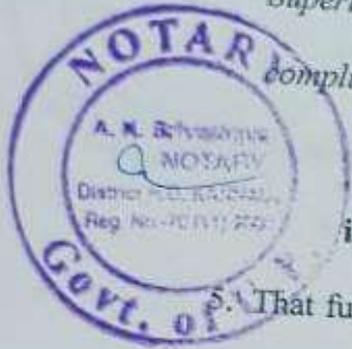
12. In view of the 'polluter pays' principle embodied in Section 20 of the National Green Tribunal Act, 2010 and in exercise of powers under Section 15 of the above said Act, the bricks lying in the brick kiln having been illegally made by the project proponent by operating the brick kiln in violation of the siting criteria and other environmental norms and without CTE/CTO from UPPCB, are ordered to be seized and to be sold by way of public auction and the sale proceeds are ordered to be deposited by the District Magistrate, Kannauj with the Ld. Registrar General of this Tribunal subject to further orders for adjustment towards environmental

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compensation to be imposed on the project proponent and utilization thereof for remediation of environmental damage caused.

13. A copy of this order may be sent to the District Magistrate and the Superintendent of Police, Kannauj by email for ensuring requisite compliance with the same." →



ii. **I.A. 529 of 2025 filed by Respondent No. 3**

5. That further an I.A. No. 529 of 2025 was filed by Respondent No. 3 i.e. the M/s Cash Brick Field (formerly known as H.M. Brick Field) and has stated that it fulfils the siting criteria under the Uttar Pradesh Brick Kilns (Siting Criteria for establishment) Rules, 2012 as per the report of the Lekh Pal/Revenue Officer dated 26.11.2024. That it is further stated that the Respondent no. 3 applied to Respondent no. 2- UPPCB for grant of consent to operate which was rejected vide letter dated 28.12.2024 on the ground that closure order dated 29.09.2022 was operative and that EC of Rs. 16,43,750.00/- had been imposed. The respondent no. 3 filed appeal against order dated 28.12.2024 before the Appellate Authority which is pending. The respondent no. 3 has further submitted that EC imposed by UPPCB was challenged before Hon'ble Allahabad High Court by fling writ petition (c) no. 1431 of 2024 which has been disposed of by Hon'ble Allahabad High Court vide order dated 17.07.2025 holding that UPPCB does not have any authority to impose EC. The Respondent no. 3 has

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submitted that it is a lawfully operating entity holding all requisite clearances under the Air (Prevention and Control of Pollution) Act, 1981 and The Environment Protection Act, 1986. _____



6. In consonance of the above, this Hon'ble Tribunal vide order dt. 08.08.2025 directed as under: _____

"5. In the very nature of things one of the above said two reports with reference to the location of the respondent no. 3-brick kiln and meeting of the siting criteria by the same is factually wrong. The District Magistrate, Kannauj is directed to verify the factual position and submit his specific report as to which of the above said two reports with reference to the location of the respondent no. 3-brick kiln and meeting of the siting criteria by the same is correct. The District Magistrate, Kannauj is directed to submit his report in this regard on or before the next date of hearing fixed i.e. 12.08.2025.

6. Notice of I.A No. 529 of 2025 may be issued to the applicant and respondents requiring them to file reply to the same on or before the date already fixed i.e. 12.08.2025.

7. Till further order to the contrary, no further action may be taken on the direction given by this Tribunal in para no. 12 of order dated 02.07.2025 regarding seizure and sale by way of public auction of the bricks in question, if the same has not already been taken before receipt of a copy

of this order.

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

II. CONSTITUTION OF COMMITTEE BY THE DEPONENT

7. That in compliance of the aforementioned directions of this Hon'ble Tribunal, the Deponent vide order dt. 21.08.2025, constituted a committee comprising of:

- Deputy Collector, Kannauj – Chairperson
- Regional Officer, U.P. Pollution Control Board, Kanpur Dehat
- Mining Inspector, Kannauj

That the aforesaid committee was directed to ensure strict compliance with the orders of this Hon'ble Tribunal and to submit a report of the action taken to the undersigned within a week.

A Copy of the order dt. 21.08.2025 has been annexed herewith as ANNEXURE R-1.



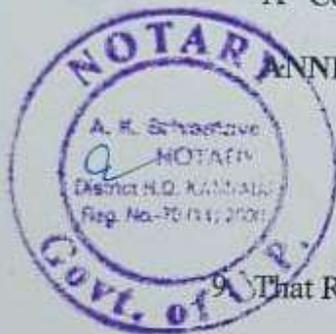
III. ACTIONS TAKEN BY THE COMMITTEE

i. Inspection of the Committee on 26.08.2025

8. That the Committee conducted a site inspection of the brick kiln on 26.08.2025, where the kiln was found to be non-operational. The

representative of the brick kiln, Sh. Umar Daraj (Munim), was present at the site. During inspection, the Committee measured the aerial distances of the nearby villages/residential areas, school, PWD road, and the nearest brick kiln. The findings are attached in tabulated chart in the committee report. That it is evident from the said inspection that the brick kiln does not comply with the mandatory distance criteria prescribed under the Uttar Pradesh Brick Kiln (Siting Criteria for Establishment) Rules, 2012.

A Copy of the committee report has been annexed herewith as ANNEXURE R-2.

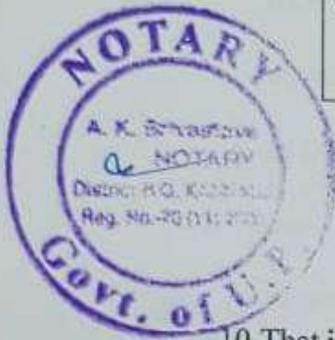


ii. Clarification on Lekhpal Report

That Respondent No. 3 has relied upon the report of the Lekhpal/Revenue Officer, Tehsil Kannauj, Halka Kusumkhor, dated 26.11.2024 (*Refer @ Annexure-2 of the Committee Report i.e. Annexure R-2*). On the basis of this report, it was claimed that the brick kiln site complies with the siting criteria. However, the said claim is incorrect, as discrepancies were found in Points 2, 4, 6, and 8 of the said report.

Point No.	Findings in Report	Committee's Observation
2	About 15 houses located within 1.0 km radius of Village Makhaipur from the chimney of the brick kiln.	Actual distance of Village Makhaipur is less than 1.0 km with population approx. 1500 which violates the siting criteria.
4	Distance of Primary School from the site is about 1.0 km.	Actual aerial distance of Primary School, Makhaipur is

		approx. 400 m. Violation of siting criteria.
6	Distance of other brick kilns from the site is 1.0 km.	Actual aerial distance of M/s Dildar Brick Kiln is approx. 600 m. Violation of siting criteria.
8	Distance of the PWD Road from the site is about 150 m.	Actual aerial distance from PWD Road is approx. 75 m. Violation of siting criteria.

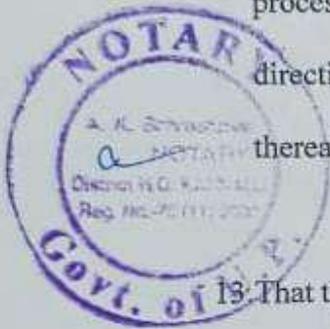


iii. Conclusion of the Committee

10. That in view of the above, the committee concluded that the brick kiln does not comply with the requirements stipulated under the Uttar Pradesh Brick Kiln (Siting Criteria for Establishment) Rules, 2012. Accordingly, the brick kiln should not be allowed to operate. ✓
11. That further, the Deponent has directed the Sub-Divisional Magistrate, Sadar, Kannauj vide letter dt. 07.09.2025 to obtain clarification from the concerned Lekhpal regarding his report dt. 26.11.2024 and further action be taken as per rules. ✓
- A Copy of the letter dt. 07.09.2025 has been annexed herewith as ANNEXURE R-3. ✓
12. That it is respectfully submitted that no further proceedings were undertaken after the directions of the Hon'ble Tribunal vide order dated



08.08.2025. That vide the said order, the Hon'ble Tribunal has directed that till further orders to the contrary, no further action shall be taken in pursuance of the directions contained in para no. 12 of the order dated 02.07.2025 regarding seizure of the brick kiln and sale of the seized bricks by way of public auction, if such action had not already been taken prior to the receipt of the said order. Accordingly, as no auction proceedings had been concluded before the receipt of the order dated 08.08.2025, the further process of auction was kept in abeyance in strict compliance with the directions of the Hon'ble Tribunal, and no subsequent steps were initiated thereafter.



13. That the deponent is duty bound to fulfil the obligation which are assigned under the law and directions passed by this Hon'ble Tribunal. The Deponent is fully committed to ensure strict adherence to the orders of this Hon'ble Tribunal and undertakes to faithfully comply with any further directions or instructions that may be issued by this Hon'ble Tribunal, without demur or delay.

14. Hence, the present response is being submitted for the kind perusal of this Hon'ble Tribunal. It is prayed that the same be taken on record.

SB

DEPONENT



VERIFICATION

Verified at KANHAUT on this 11 day of September, 2025, that the contents of the above affidavit from paragraphs 1 to 14 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom. a



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DEPONENT

11.9.25 01pm
Ashutosh Mahay Agrihota
District Magistrate
Kanhaul, UP
who heard & understood the contents
Identified by Shri. Self Known
who is personally known to me

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A. K. SHIVASTAVA
NOTARY
District H.O. Kanhaul

कार्यालय जिलाधिकारी, कन्नौज।

(खनिज अनुभाग)

संख्या 5464/खनिज लिपिक-ईट भट्टा/2025-26

दिनांक अगस्त 21, 2025

आदेश

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन I.A. No. 529/2025 (O.A. No. 196/2025) राजकिशोर बनाम उ0प्र0 राज्य व अन्य में पारित आदेश दि0 08.08.2025 के अनुपालन में जिलाधिकारी महोदय के आदेश दिनांक 21.08.2025 के अन्तर्गत मेसर्स कैश ब्रिक फील्ड (पुराना नाम मेसर्स एच0एम0 ब्रिक फील्ड), ग्राम मखाईपुर पोस्ट कुसुमखोर, तहसील व जनपद कन्नौज का स्थलीय निरीक्षण किये जाने हेतु निम्नांकित समिति का गठन किया गया है:-

- | | | |
|----|--|---------|
| 1- | श्री अविनाश कुमार गौतम, डिप्टी कलेक्टर कन्नौज- | अध्यक्ष |
| 2- | श्री मनोज कुमार चौरसिया, क्षेत्रीय अधिकारी,
उ0प्र0 प्रदूषण नियंत्रण बोर्ड रनियाँ, कानपुर देहात- | सदस्य |
| 3- | श्री राजीव रजन, खान निरीक्षक, कन्नौज- | सदस्य |

उपरोक्त गठित समिति को निर्देशित किया जाता है कि मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा पारित आदेश दिनांक 08.08.2025 के अनुपालन में उपरोक्त ईट भट्टा की स्थलीय जाँच करते हुये, जाँच आख्या एक सप्ताह के अन्दर अधोहस्ताक्षरी को उपलब्ध कराना सुनिश्चित करें, जिससे कि ससमय आख्या मा0 एन0जी0टी0 को प्रेषित की जा सके।

(आशीष कुमार सिंह)

अपर जिलाधिकारी (वि0/रा0),
कन्नौज।संख्या व दिनांक उपरोक्त।

प्रतिलिपि:- निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

- 1- जिलाधिकारी महोदय को सादर अवलोकनार्थ।
- 2- श्री अविनाश कुमार गौतम, डिप्टी कलेक्टर कन्नौज।
- 3- क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड रनियाँ, कानपुर देहात।
- 4- खान निरीक्षक, कन्नौज।

21/8/2025
अपर जिलाधिकारी (वि0/रा0),
कन्नौज।

Factual Position Report in compliance to the Hon'ble NGT order dated 08.08.2025 in I.A. No. 529/2025 in Original Application No. 196/2025 in the matter of Raj Kishore Vs State of Uttar Pradesh & Ors.

1.0 Background:

The Hon'ble NGT Order in I.A. No. 529/2025 in O.A. no. 196/2025 is reproduced hereunder:

“

1. Applicant- respondent no. 3 has filed I.A No. 529 of 2025 for recalling/modification of order dated 02.07.2025 passed by this Tribunal in O.A No. 196 of 2025, Raj Kishore v. State of U.P. & Ors.

2. Learned Counsel for the applicant-respondent no. 3 mentioned the matter before this Bench and on being so permitted I.A. No. 529 of 2025 has been listed today.

3. Applicant- respondent no.3 has submitted in the above said I.A that the applicant- respondent no. 3 fulfils the siting criteria under the Uttar Pradesh Brick Kilns (Siting Criteria for establishment) Rules, 2012 as per the report of the Lekh Pal/Revenue Officer dated 26.11.2024. The applicant- respondent no. 3 applied to respondent no. 2- UPPCB for grant of consent to operate which was rejected vide letter dated 28.12.2024 on the ground that closure order dated 29.09.2022 was operative and that EC of Rs. 1643750.00/- had been imposed. The applicant- respondent no. 3 filed appeal against order dated 28.12.2024 before the Appellate Authority which is pending. The applicant-respondent no. 3 has further submitted that E.C imposed by UPPCB was challenged before Hon'ble Allahabad High Court by filing writ petition (c) no. 1431 of 2024 which has been disposed of by Hon'ble Allahabad High Court vide order dated 17.07.2025 holding that UPPCB does not have any authority to impose E.C. The applicant- respondent no. 3 has submitted that it is lawfully operating entity holding all requisite clearances under the Air (Prevention and Control of Pollution) Act, 1981 and The Environment (Protection) Act, 1986.

4. The Joint Committee constituted by this Tribunal vide order dated 13.05.2025 has mentioned in para 14 of its report dated 24.06.2025 that respondent no.3- brick kiln is not meeting distance criteria as per the Uttar Pradesh Brick Kilns (Siting Criteria for establishment) Rules, 2012 whereas learned counsel for the applicant has relied on the report dated 26.11.2024 of Lekh Pal/Revenue Officer according to which respondent no.3 meets the Siting Criteria under the Uttar Pradesh Brick Kilns (Siting Criteria for Establishment) Rules, 2012.

5. In the very nature of things one of the above said two reports with reference to the location of the respondent no. 3-brick kiln and meeting of the siting criteria by the same is factually wrong. The District Magistrate, Kannauj is directed to verify the factual position and submit his specific report as to which of the above said two reports with reference to the location of the respondent no. 3-brick kiln and meeting of the siting criteria by the same is correct. The District Magistrate, Kannauj is directed to submit his report in this regard on or before the next date of hearing fixed i.e., 12.08.2025.

6. Notice of I.A No. 529 of 2025 may be issued to the applicant and respondents requiring them to file reply to the same on or before the date already fixed i.e. 12.08.2025.

7. Till further order to the contrary, no further action may be taken on the direction given by this Tribunal in para no. 12 of order dated 02.07.2025 regarding seizure and sale by way of public auction of the bricks in question, if the same has not already been taken before receipt of a copy of this order.

8. A copy of this order may be sent to the Member Secretary, UPPCB, the District Magistrate, Kannauj and the Superintendent of Police, Kannauj by email for requisite compliance. ”

2.0 Proceedings:**(i) Order of the Hon'ble National Green Tribunal Dated 08.08.2025**

In compliance of the above, The District Magistrate, Kannauj vide order dated 21.08.2025 (Annexure-1) constituted a committee as follows:

1. Sh. Avinash Kumar Gautam, Deputy Collector, Kannauj -Chairman.
2. Sh. Manoj Kumar, Regional Officer, UPPCB, Kanpur Dehat-Member.
3. Sh. Rajeev Ranjan, Mines Inspector, Kannauj-Member.

The above constituted committee is directed to conduct a field inspection of the above brick kiln, Joint Inspection Report shall be submitted to the undersigned with in week.

(ii) Site Inspection of Committee:

The committee visited the brick kiln site on dated 26.08.2025, brick kiln was found non-operational. Brick Kiln representative (Sh. Umar Daraj, Munim) was present at site. Committee measured the aerial distances of nearby villages/residential area, School, PWD Road, nearby Brick Kiln from the site and factual position are described as below:

S. No.	Siting Criteria	Direction from Brick Kiln	Distance (approx.)	The Uttar Pradesh Brick Kiln (Siting Criteria for establishment) Rules, 2012
1.	Distance from residential area	North-East South North-West	<ul style="list-style-type: none"> • AkbarpurMjre, Kusumkhor-1.5 km. • Makhaipur- Approx Distance 400 mtr (total population is Approx 1500) • Kumharanpurwa- 02 km. 	brick kiln shall be established at least 500 meters away from residential area having minimum population of 130 persons or 20 houses either kachha or pucca house & 1.0 km from a residential area having population more than 150 persons or more than 20 houses whether kachha or pucca.
2.	Distance from School	South	Primary School, Makhaipur- Approx Distance	a brick kiln shall not be established at a place

			400 mtr.	within distance of 1.0 km from registered hospital, school, public building, religious Places or a place from where flammable substances are Stored;
3.	Distance from PWD Road	North	Kannauj to Kumharpurwa Road- Approx Distance 75 mtr.	a brick kiln shall not be established within a distance of 100 meters from both sides of a main district road, publicworks department roads.
4.	Distance from nearby Brick Kiln	North-East	Dildar Brick Field- Approx Distance 600 mtr.	a brick- kiln shall not be established within 800 Meters from a brick kiln already established.

It is evident from above, Brick Kiln is not meeting distance criteria as per the Uttar Pradesh Brick Kilns (Siting Criteria for establishment) Rules, 2012.

(iii) Comment on Lekhpal/Revenue Officer Report produced by Respondent no. -3:

- Lekhpal/Revenue Officer, Tehsil-Kannauj, Halka, Kusumkhor, Kannauj report dated 26.11.2024 as produced by Respondent No.-3 is comprised of 1 to 12 points (Annexure-2).
- On the basis of the above Respondent No.-3 claimed that the brick kiln site meets siting criteria as per the Uttar Pradesh Brick Kilns (Siting Criteria for establishment) Rules, 2012 is not correct in terms of point no. 2, 4, 6 & 8 of Lekhpal/Revenue Officer report.

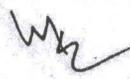
Facts of Lekhpal/Revenue Officer		Comment
Point-2	There are about 15 houses located within 1.0 km radius of Village-Makhaipur from the Chimney of brick kiln.	From the statement of point no. 2, it is evident that the actual distance of Village-Makhaipur from the Chimney of the brick kiln is less than 1.0 Km having population Approx 1500

		which violates the siting criteria.
Point-4	The distance of the primary school from the establishment site is about 1 km.	The aerial distance of the Primary School, Makhaipur is approximately 400 mtr which does not meet the siting criteria.
Point-6	The distance of other kilns from the establishment site is 1 km.	The aerial distance of other kilns M/s Dildar brick kiln is approximately 600 meter which also violates the siting criteria.
Point-8	The distance of the Public Works Department Road from the establishment site is about 150 meters.	The aerial distance of Public Works Department Road is approximately 75 mtr which also violates the siting criteria.

3.0 Conclusion:

The Brick Kiln should not be allowed to operate as the Brick Kiln is not complied with condition stipulated in the Uttar Pradesh Brick Kiln (Siting Criteria for establishment) Rules, 2012 as per the report of the committee.

4.0 Inspection Team:

Name of the Committee Members and Department	Signature
1. Sh. Avinash Kumar Gautam, Deputy Collector, Kannauj.	
2. Sh. Manoj Kumar, Regional Officer, UPPCB, Kanpur Dehat.	
3. Sh. Rajeev Ranjan, Mines Inspector, Kannauj.	

महोदय,
 संलग्न प्रार्थनापत्र वसीम पुत्र मकसूद अली गा. मो. नागा
 अमरसिंह पो. मोहम्मद जलपद - फर्रिखाबाद द्वारा मेसर्स स्प.
 एम. सी. ग्राम कुसुमबो बंगर पुर व तह. कन्नौज संचालन
 हेतु सधमती प्रमाणपत्र प्राप्त करना चाहते हैं जिसके सम्बन्ध में
 आपका निम्नवत् है -

- 1) भद्र स्थल से नजदीकी गाँव आबादी अकबरपुर गजोर कुसुमबो व कुसुमबो की दूरी क्रमशः लगभग 1.5 Km व 2 Km है।
- 2) ईट बरहे की चिमनी से ग्राम गजौर के 1 Km की परिधि में लगभग 15 घर स्थित हैं।
- 3) स्थापना स्थल से दार्शनिक स्थल की दूरी लगभग 3 Km है।
- 4) स्थापना स्थल से प्राथमिक विद्यालय की दूरी लगभग 1 Km है।
- 5) स्थापना स्थल से नगर पंचायत / नगर निगम की दूरी लगभग 15 Km है।
- 6) स्थापना स्थल से अन्य बरहे की दूरी लगभग 1 Km है।
- 7) स्थापना स्थल से नजदीकी चिमनीस्थल की दूरी लगभग 5 Km है।
- 8) स्थापना स्थल से लोक निमेषि किशानों की संख्या की दूरी लगभग 150 मी. है।
- 9) स्थापना स्थल से राष्ट्रीय राजमार्ग की दूरी लगभग 11 Km है।
- 10) स्थापना स्थल से पर्यटन स्थल की दूरी लगभग 40 Km है।
- 11) स्थापना स्थल से नजदीकी रेलवे स्टेशन की दूरी 15 Km है।
- 12) स्थापना स्थल से 1 Km त्रिज्या की परिधि में कोई जनजनशील पर्यावरण (पेट्रोल टैंक आदि का प्रदूषण नहीं है।

लोक माध्या सेवा में सादर प्रेषित है।

महोदय

श्री. माध्या लंका

सहित आग्रहपूर्वक

(Him)
 [Signature]
 27/11/24

कन्नौज
 27 Nov 24
 तहसीलदार
 सदर कन्नौज

[Signature]
 योगेश कुमार
 राजस्व लेखपाल
 तहसील कन्नौज
 बल्का कुसुमबो

[Signature]
 27/11/24

BY SPEED POST A.D./EMAIL
BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI

I.A. No. 529/2025

In

Original Application No. 196/2025

Raj Kishore Vs State of Uttar Pradesh & Ors.

To

- | | |
|---|------------------------|
| <p>1. Raj Kishore
Makhaipur Village Bassi-250101, U.P.
Mobile No.: 9718437970
Email: kisorraj037@gmail.com</p> | <p>Applicant</p> |
| <p>2. State of Uttar Pradesh
Through its District Magistrate Kannauj,
Saraimera, District Kannauj, U.P.-209727
Email: dmknj@nic.in</p> | <p>Respondent No.1</p> |
| <p>3. Uttar Pradesh Pollution Control Board
Through its Member Secretary,
Vibhuti Khand, Gomti Nagar, Lucknow 221301
Email: ms@uppcb.in</p> | <p>Respondent No.2</p> |

7106/STDO
ADU/MZ
क. शिव शर्मा
काय-को ३

DM
19/8/25

NOTICE

Whereas the above titled Application was listed before the Hon'ble Tribunal on 08.08.2025 (copy of order & application are enclosed), when the Tribunal inter-alia passed the following order (reproduced relevant extracts only):-

"1. Applicant- respondent no. 3 has filed I.A No. 529 of 2025 for recalling/modification of order dated 02.07.2025 passed by this Tribunal in O.A No. 196 of 2025, Raj Kishore v. State of U.P. & Ors.

6. Notice of I.A No. 529 of 2025 may be issued to the applicant and respondents requiring them to file reply to the same on or before the date already fixed i.e. 12.08.2025."

2. Now, take further notice that the above matter will be listed for further consideration before the Hon'ble Tribunal on 12.08.2025, 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 reply/response, as per directions of the Hon'ble Tribunal vide Order dated 08.08.2025

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 Hon'ble Tribunal, on this 11th August 2025.

Note: (For Orders, Cause Lists & other information, please visit our website www.ngttribunal.gov.in)

K. S. S. S.
Consultant (Judicial), NGT



858 / 8 Adm

MD/MI

कु आकार

ADMCAR
KNT

20/08/2025

कार्यालय जिलाधिकारी, कन्नौज।

(खनिज अनुभाग)

संख्या 5482/खनिज लिपिक-ईट भट्टा जाँच आख्या/2025-26 दिनांक सितम्बर 01, 2025
 विषय:- मेसर्स कैश ब्रिक फील्ड (पुराना नाम मेसर्स एच0एम0 ब्रिक फील्ड), ग्राम मखाईपुर,
 पोस्ट कुसुमखोर, तहसील व जनपद कन्नौज की स्थलीय जाँच आख्या के सम्बन्ध में।

ज्वाइंट मजिस्ट्रेट/
 उप जिलाधिकारी,
 सादर-कन्नौज।

उपरोक्त विषयक के सम्बन्ध में अवगत कराना है कि मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन I.A. No. 529/2025 (O.A. No. 196/2025), राजकिशोर बनाम उ0प्र0 राज्य व अन्य में पारित आदेश दिनांक 08.08.2025 के अनुपालन में जिलाधिकारी महोदय के आदेश दिनांक 21.08.2025 के अन्तर्गत मेसर्स कैश ब्रिक फील्ड (पुराना नाम मेसर्स एच0एम0 ब्रिक फील्ड), ग्राम मखाईपुर, पोस्ट कुसुमखोर, तहसील व जनपद कन्नौज का स्थलीय निरीक्षण किये जाने हेतु समिति का गठन किया गया। गठित समिति द्वारा अपनी स्थलीय निरीक्षण आख्या में उक्त ईट भट्टा से अकबरपुर मजरे कुसुमखोर 1.5 कि0मी0, ग्राम मखाईपुर लगभग 400 मीटर, ग्राम कुम्हारनपुरवा 02 कि0मी0, प्राइमरी स्कूल मखाईपुर लगभग 400 मीटर, कन्नौज से कुम्हारनपुरवा रोड लगभग 75 मीटर, दिलदार ब्रिक फील्ड लगभग 600 मीटर का उल्लेख किया गया है। (छायाप्रति संलग्न)

मेसर्स कैश ब्रिक फील्ड (पुराना नाम मेसर्स एच0एम0 ब्रिक फील्ड), ग्राम मखाईपुर, पोस्ट कुसुमखोर, तहसील व जनपद कन्नौज के भट्टा स्वामी द्वारा मा0 एन0जी0टी0 में क्षेत्रीय लेखपाल, ग्राम कुसुमखोर, तहसील कन्नौज द्वारा उक्त ईट भट्टा के सम्बन्ध में जाँच आख्या दिनांक 26.11.2024 प्रस्तुत की गयी है। जाँच आख्या में उल्लेख किया गया है कि ग्राम/आबादी अकबरपुर मजरे कुसुमखोर व कुम्हारनपुरवा की दूरी लगभग 1.5 व 2 कि0मी0 है। ईट भट्टे की चिमनी से ग्राम मखाईपुर के 01 कि0मी0 की परिधि में लगभग 15 घर स्थित है। प्राइमरी विद्यालय की दूरी लगभग 01 कि0मी0 है। अन्य भट्टे की दूरी लगभग 01 कि0मी0 है। लोक निर्माण विभाग की सड़क की दूरी लगभग 150 मीटर है। गठित समिति की आख्या व क्षेत्रीय लेखपाल, ग्राम कुसुमखोर, तहसील कन्नौज की आख्या में भिन्नता है। ऐसी स्थिति में क्षेत्रीय लेखपाल से स्पष्टीकरण प्राप्त किया जाना आवश्यक है।

अतः क्षेत्रीय लेखपाल, ग्राम कुसुमखोर, तहसील कन्नौज की जाँच आख्या दिनांक 26.11.2024 की छायाप्रति संलग्न कर इस आशय के साथ प्रेषित की जा रही है कि सम्बन्धित क्षेत्रीय लेखपाल से इस सम्बन्ध में स्पष्टीकरण प्राप्त कर नियमानुसार कार्यवाही करते हुये, कृत कार्यवाही से अधोहस्ताक्षरी को अवगत कराने का कष्ट करें।

संलग्नक:-उपरोक्तानुसार।

(आशीष कुमार सिंह)

अपर जिलाधिकारी (वि0/रा0),

कन्नौज।

संख्या व दिनांक उपरोक्त।

प्रतिलिपि:- जिलाधिकारी महोदय को सादर अवलोकनार्थ प्रेषित।

अपर जिलाधिकारी (वि0/रा0),

कन्नौज।