

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO. 1328 OF 2024

IN THE MATTER OF:

ALEEM

..... APPLICANT

VERSUS

MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE
& ORS. RESPONDENTS

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NEW DELHI
DATED: 18.07.2025



(PRADEEP MISRA & DALEEP DHYANI)

Counsel for U.P. Pollution Control Board

138, New Lawyers Chamber,

Supreme Court of India,

New Delhi-110001

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

ORIGINAL APPLICATION NO. 1328/2024

IN THE MATTER OF:

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...RESPONDENTS

RESPONSE ON BEHALF OF THE RESPONDENT NO.-4,
UTTAR PRADESH POLLUTION CONTROL BOARD IN
COMPLIANCE OF ORDER DATED 27.05.2025 PASSED BY
THIS HON'BLE TRIBUNAL

I, **Dr. Yogender Kumar**, aged about **49** years S/o **Pyare Lal**, presently posted as **Regional Officer, Uttar Pradesh Pollution Control Board** (hereinafter referred to as **UPPCB**), **Saharanpur**, do hereby solemnly affirm and state on oath as under:

1. That I the deponent in official capacity mentioned above, am acquainted with the facts and circumstances of the case and as such I am competent and authorized to swear this affidavit.
2. That in the present matter applicant has raised the grievance that the Consent to Operate granted to Respondent No. 5 - Brick Kiln had expired on 31.07.2023, yet the brick kiln was operating and was violating the norms.
3. That in compliance of the previous order dated 03.12.2024 passed by this Hon'ble Tribunal the UPPCB has filed the compliance affidavit on 30.01.2025. Upon considering the



compliance affidavit this Hon'ble Tribunal vide its order dated 26.03.2025 has directed the answering respondent to place on record the norms that are adopted by it to implement the closure order along with the next report and also disclose the steps that have been taken to recover the environmental compensation.

4. That in compliance to the direction passed by this Hon'ble Tribunal the inspection of the brick kiln in question i.e. M/s Kisan Brick field (Formerly known as Ganga Brick field) Village-Chaupur Pargana-Muzaffarabad District-Saharanpur was undertaken on 06.12.2024 in pursuance to the show cause notice issued by the UPPCB.



During the course of an inspection the owner of the brick kiln is Shri Mursaleen and Shri Praveen Kumar, Munshi were present as a representatives of the brick kiln in question.

5. That the following observation has been made by the inspection team during the course of inspection:

1. The brick kiln formerly known as M/s Ganga Bricks Field Village-Chaupur, Pargana-Muzaffarabad, Saharanpur having Consent to Operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981, as amended, vide Reference No. 103456/UPPCB/Saharanpur(UPPCBRO)/CTO/water/

[Handwritten signature]

SAHARANPUR/2020 dated 17.09.2020 Conditional consent for water and 103452/UPPCB/Saharanpur (UPPCBRO)/CTO/air/SAHARANPUR/2020 dated 17.09.2020, valid till 31.07.2023.

2. As per office records, the brick kiln in question has produced approximately 20,000 bricks per day. Soil, sand and water are mainly used as raw material.
3. The brick kiln is of high draft nature. The chimney is installed in the middle of the brick kiln and the height of the chimney from the ground is approximately about 30 meters. For collecting the sample of flue gases emission, provision of porthole, platform and ladder was not found installed on the chimney.
4. The soil, sand and water are mainly used as raw material. Coal and wood approximately 4.0 tons per day is used as fuel in the brick kiln. During inspection, no prohibited fuel was found at the kiln site.
5. Only domestic effluent is generated at the brick kiln site, which is disposed of through septic tank.
6. That in pursuance of the inspection report the UPPCB has issued a closure order vide letter no.H21972/c-3/vayu762/saha/2024 dtd 30.12.2024 and an Environmental Compensation of Rs 15,37,500/ has also been imposed upon the said brick kiln.



[Handwritten signature]

7. That it is pertinent to mention here that in continuation of the above, the UPPCB has requested the District Magistrate, Saharanpur to recover the Environmental Compensation amount as imposed vide letter No. H27300/C-3/Air 762/2025 dated 23-04-2025

A true copy of the letter dated 23-04-2025 is being annexed herewith as **Anexure-1**.

8. That in pursuance of the letter dated 23-04-2025 issued by the UPPCB, the District Administration, Saharnpur has recovered the amount of Rs. 6,00,000/=(Six Lacs) and the recovery process of rest amount is still in progress.



That the closure order has also been complied with by the committee constituted by the District Magistrate Saharanpur on 15.01.2025.

A true copy of compliance report is being annexed herewith as **Anexure-2**.

10. That it is submitted that whenever a Closure order is passed, with the help of District Administration, ID Fans, Motors and borewell ; if any are sealed. The electricity and water supply if available is also get disconnected if it is available at the brick kiln. The local police is asked to ensure that the brick kilns remained closed.

[Handwritten signature]

11. That the above response on behalf of the Uttar Pradesh Pollution Control Board is being submitted before this Hon'ble Tribunal for its kind perusal and consideration.



DEPONENT

VERIFICATION

Verified at Saharanpur on this the 18th day of July, 2025 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.



Identified



18/7/25
Gokesh Kumar Gupta
Advocate
NOTARY
State of India



DEPONENT



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उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

Annexure-1

संदर्भ संख्या: H27300 /C-3/Air 762/ 2025

दिनांक 23 / 4 / 2025

प्राप्ति संख्या 58
दिनांक 28/04/2025
पत्रावली संख्या G1-11

To,
The Collector,
District Saharanpur.

Sub: Regarding collection/recovery of Environmental Compensation imposed against M/s Kisan Brick Field (earlier name M/s Ganga Bricks Field), Village-Chaupur, Paragana Muzaffarabad, Tehsil Behat, Distt. Saharanpur.

Please refer to the Board's letter No. H-21972/C-3/Air- 762/Saharanpur/2024 dated 30.12.2024 (copy attached) whereby board had issued Closure Order against M/s Kisan Brick Field (earlier name M/s Ganga Bricks Field), Village- Chaupur, Paragana Muzaffarabad, Tehsil Behat, Distt. Saharanpur and also imposed Environmental Compensation of Rs. 15,37,500/- against the Brick Kiln as per guidelines of CPCB and in compliance of orders passed by Hon'ble NGT for violation of Environmental Norms.

It is for your information that OA No. 1328/2024 (IA no. 693/2024 & IA no. 602/2024) Aleem Versus MoEF&CC & Ors. is also pending before Hon'ble NGT regarding the said Brick Kiln. The relevant part of the latest order dated 26-03-2025 passed by Hon'ble NGT in the said OA is quoted below;

"..... 3. Hence, we direct the UPPCB to place on record the norms that are adopted by it to implement the closure order alongwith the next report and also disclose the steps that have been taken to recover the environmental compensation."

As per office records the Environmental Compensation imposed against the said Brick Kiln has not realized till date and the matter is listed on 22.07.2025 before Hon'ble NGT. Regional Officer, UPPCB, Saharanpur has recommended to issue recovery letter against the said Brick Kiln vide his letter no. 27/C/SRE/G-11/2025 Dated 09-04-2025 with required information and documents (Copy attached).

Hence, in view of above you are hereby requested to recover the same and deposits it into the dedicated account of UPPCB opened in ICICI Bank, Vibhuti Khand-II Branch, Gomti Nagar, Lucknow. The URL of payment gateway is <https://erp.eshiksa.net/DirectFeesv3/UPPCB>. The cost of the proceedings if any shall be recovered additionally.

- 1) Amount to be recovered - Rs. 15,37,500/-
- 2) URL of payment gateway <https://erp.eshiksa.net/DirectFeesv3/UPPCB>

Attachment:- As above.

Yours Sincerely,

(Sanjeev Kumar Singh)
Member Secretary

sk
Member Secretary

CC:-Regional Officer, UPPCB, Saharanpur.



क्षेत्रीय कार्यालय, उ०प्र० प्रदूषण नियन्त्रण बोर्ड
33/18 कपिल बिहार, सहारनपुर-247001



पत्रांक : 895/C/SRE/G-11/2025

दिनांक : 16/01/2025

सेवा में,

मुख्य पर्यावरण अधिकारी (वृत्त-3)
उ०प्र० प्रदूषण नियन्त्रण बोर्ड
लखनऊ।

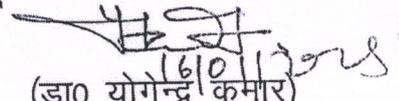
विषय- मैसर्स किसान ब्रिक फील्ड (पूर्व नाम गंगा ब्रिक फील्ड), ग्राम- चाउपुर, परगना-मुजफ्फराबाद, तहसील-बेहट, जिला-सहारनपुर को जारी बन्दी आदेश अनुपालन के सम्बन्ध में।

महोदय,

कृपया उपरोक्त संदर्भित बोर्ड मुख्यालय के पत्रांक- एच21972/सी-3/वायु-762/सहा0/2024 दिनांक- 30.12.2024 का सन्दर्भ ग्रहण करने का कष्ट करें जिसके माध्यम से मैसर्स किसान ब्रिक फील्ड (पूर्व नाम गंगा ब्रिक फील्ड), ग्राम- चाउपुर, परगना-मुजफ्फराबाद, तहसील-बेहट, जिला-सहारनपुर को विरुद्ध वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम-1981 यथासंशोधित की धारा-31ए के अन्तर्गत बन्दी आदेश किये गये हैं। उक्त के सम्बन्ध में जिलाधिकारी महोदय, सहारनपुर के पत्रांक- 884/C/SRE/G-11/2025 दिनांक-09.01.2025 के माध्यम से गठित समिति द्वारा दिनांक- 15.01.2025 को मैसर्स किसान ब्रिक फील्ड (पूर्व नाम गंगा ब्रिक फील्ड), ग्राम- चाउपुर, परगना-मुजफ्फराबाद, तहसील-बेहट, जिला-सहारनपुर की बन्दी सुनिश्चित करायी गयी। (अनुपालन आख्या सलग्न है।)

संलग्नक उपरोक्तानुसार।

भवदीय


(डा० योगेन्द्र कुमार)
क्षेत्रीय अधिकारी

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O.A. No.1328/2024; Aleem Vs. Ministry of Environment, Forests and Climate Change & Ors.

From: Pradeep Misra (pradeepmisra@yahoo.com)

To: tanaytewari0309@gmail.com

Date: Friday, July 18, 2025 at 01:10 PM GMT+5:30

Sir,
Please find the attached Reply Affidavit on behalf of UPPCB

With Regards,

(PRADEEP MISRA)



Aleem Reply.pdf
5.9 MB