

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

O.A. NO. 55 OF 2021

U/S 18 (1) R/W SEC 14, 15, 16 &
17 OF THE N.G.T. ACT, 2010

IN THE MATTER OF:

AMIT SOROUT

...APPLICANT

Versus

CENTRAL POLLUTION CONTROL BOARD
& ORS.

...RESPONDENTS

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गुलकाश

RESPONDENT NO. 4

Through

Karan Tarkar

Karan Tarkar and Radha R. Tarkar
Counselors for the Respondent No. 4

Chamber No. 453,

Patiala House Courts,

New Delhi - 110 001

Mob: +91 79837 30527

Email: tarkarradha29july@gmail.com

E. No. D/3985/2017

Place: New Delhi

Date: 13.08.2022

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

O.A. NO. 55 OF 2021

U/S 18 (1) R/W SEC 14, 15, 16 &
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**SHORT-REPLY ON BEHALF OF THE RESPONDENT NO. 4 TO
THE APPLICATION FILED BY THE APPLICANT**

MOST RESPECTFULLY SHOWETH:

1. At the outset, the Respondent denies all the contentions and averments made by the Applicant in the captioned Application to the extent they are inconsistent with the contents of the present Reply. Further, unless and until any averments or contentions are specifically admitted or traversed, the same may be treated as denied. Further, the Respondent reserves its right to file an additional reply dealing with the parawise contents of the captioned Application, if so advised and / or if so directed by this Hon'ble Court.

PRELIMINARY SUBMISSIONS:

2. Prior to dealing with the objections against the contents of the captioned Application, it is pertinent to highlight certain factual

information in respect of the Respondent No. 4 Company and its operations. Thus, provided hereunder is a brief factual conspectus:

- a. That vide Lease Deed dated 24.09.2014, the owners of a piece of land measuring 27 kanal and 9 marla situated in Khewat/Khata No. 142/170 Rect. No. 39 Kila No. 13/2 (5-0), 18 (7-13), 23 (7-13) Rect. No. 52 Kila No. 3 (7-3) at Village Neemka, Tehsil Punhana, District Nuh, Mewat, Haryana (the **‘Premises’**) had granted leasehold rights for a period of 20 years in favour of Mr. Julkarnain. In this regard, provided hereunder are necessary particulars in respect of the said Lease Deed:

Lease Period	Monetary Consideration
24.09.2014 to 23.09.2034 (20 years)	Advance payment of Rs. 4,83,750 for 3 years (i.e. from 2014 to 2016)
	Annual payment of Rs. 1,61,250 for the remaining 17 years (i.e. from 2017 to 2034)

In relation to the above, it is pertinent to mention that:

- As per the aforesaid Lease Deed, Mr. Julkarnain was obligated to make an advance payment of Rs. 4,83,750 at the time of registration of the said Lease Deed. Such amount was equivalent to 3 years of the lease period starting from 2014 until 2016.

- Thereafter, Mr. Julkarnain was obligated to make payment of Rs. 1,61,250 annually from the year 2017 to 2034 and such amount has been duly paid over the past years.

A true translated copy of the Lease Deed dated 24.09.2014 has been annexed herewith and marked as **Annexure R – 1**.

- b. That Mr. Julkarnain incorporated the Respondent No. 4 Company namely M/s Mewat Bricks Company and with the intention of engaging in the business of moulding and baking of bricks, the Respondent No. 4 Company applied for grant of Consent to Establish to the Haryana State Pollution Control Board. As a result, vide letter dated 26.10.2018 the Haryana State Pollution Control Board granted the 'Consent to Establish' for a period of 60 months (26.10.2018 to 25.10.2023). In this regard, a true copy of the Letter dated 26.10.2018 has been annexed herewith and marked as **Annexure R – 2**.
- c. Accordingly, the Respondent No. 4 Company set up its infrastructure at the said Premises. In addition thereto, it is pertinent to mention that a high draught zig zag firing kiln had been constructed at the said Premises. In this regard, a true copy of the Certificate dated 21.11.2017 showing that the Respondent No. 4 Company is equipped with zig zag technology has been annexed herewith and marked as **Annexure R – 3**.

- d. That while the Respondent No. 4 was in the process of obtaining the 'Consent to Operate' the Applicant filed the captioned Application before this Hon'ble Court whereafter the said Premises had been illegally closed by the Haryana State Pollution Control Board vide Closure Order dated 25.08.2021 on the alleged ground that the Respondent No. 4 was operating without obtaining the 'Consent to Establish' or 'Consent to Operate' from the State Pollution Control Board and that the Air Pollution Control Machine has not been installed. In this regard, a true copy of the Closure Order dated 25.08.2021 has been annexed herewith and marked as **Annexure R – 4**.
- e. At this juncture, it is pertinent to mention that the Respondent No. 4 has not even been put into operational mode as yet. Proof of this fact has been annexed herewith and marked as **Annexure R – 5** which is a very recent photograph of the chimney on the said Premises, a bare perusal of which would show that there are no smoke marks or carbon residue visible on any portion of such chimney. In this regard, it is pertinent to point out that the photograph of the chimney (annexed at *page no. 23* of the Application filed by the Applicant) has no connection whatsoever with the infrastructure of the Respondent No. 4 Company because the Respondent No. 4 Company has not even been put into operational mode as yet.

This leads to the inevitable conclusion that the said photograph is of some other factory / establishment and the same is being used in order to mislead this Hon'ble Court.

3. Thus, in summary, it is submitted that the Respondent No. 4 Company has not yet been put into operational mode on account of the fact that the said Premises had been illegally sealed while the Respondent No. 4 Company was in the process of obtaining the 'Consent to Operate' from the concerned State Pollution Control Board. This leads to the inevitable conclusion that the Respondent No. 4 Company is not liable for causing any pollution whatsoever.

PRELIMINARY OBJECTIONS:

4. It is submitted that the captioned Application is not maintainable for the following reasons:
 - a. That there is no live cause of action that requires adjudication since the Respondent No. 4 Company has not yet been put in operational mode;
 - b. That the Applicant is not an aggrieved person for the simple reason that no pollution has been caused since the Respondent No. 4 Company has not yet been put in operational mode. In fact, no grievance of any kind has been caused to any individual or entity; and

- c. That the captioned Application is misconceived, baseless and an abuse of the process of law and it raises no substantial question of law within the provisions of the NGT Act.
5. In light of the above, it is submitted that it is a settled law that a litigation which is meaningless and bound to prove abortive should not be permitted to occupy the time of the court.
6. At this juncture, it is pertinent to mention that there are numerous other brick manufacturing companies which are located within close proximity to the Mewat Modern Public School and have as a matter of fact commenced their operations on 28.02.2022 and 01.03.2022. However, the Applicant has filed the captioned Application against the Respondent No. 4 Company on frivolous grounds for the sole purpose of harassing the Respondent No. 4 Company.
7. Further, it is submitted that the proprietor of the Respondent No. 4 Company has taken the said Premises on lease and has been making lease payments of Rs. 1,61,250 each year to the owners of the said Premises (as mentioned hereinabove in paragraph marked as '2. a'). Notwithstanding this fact, not even a single brick has been produced at the unit much less sold on account of illegal closure of the said Premises. It is thus proved beyond reasonable doubt that the Respondent No. 4 Company has been unnecessarily dragged into litigation at great personal cost. Therefore, it is submitted that the entire alleged case set up by the Applicant deserves no credence and

as a result, the captioned Application deserves to be dismissed in *limine* with cost.

PRAYER

In light of the peculiar facts and circumstances of the present case, it is humbly prayed that this Hon'ble Court may graciously be pleased to:

- a. dismiss the captioned Application filed by the Applicant with cost;
- b. quash the illegal Closure Order dated 25.08.2021 issued by the Haryana State Pollution Control board;
- c. award litigation cost in favour of the Respondent No. 4 on account of being unnecessarily dragged into the present litigation at great personal cost; and
- d. pass any other order / direction as this Hon'ble Court may deem fit and proper in the circumstances of the present case.

RESPONDENT

Through



Karan Tarkar and Radha R. Tarkar
Counsels for the Respondent No. 4

Chamber No. 453,

Patiala House Courts,

New Delhi – 110 001

Mob: +91 79837 30527

Email: tarkarradha29july@gmail.com

E. No. D/3985/2017

Place: New Delhi

Dated: .03.2022

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AFFIDAVIT

I, Julkarain, s/o- Abdul Manaan, s/o Sh. Chander Khan, r/o- Neemkaa, Tehsil Kunhana, Distt. Mewat, Nuh, Haryana presently at New Delhi, do hereby solemnly affirm and declare as under: -

1. That I am the Respondent No. 4 in the present matter and am well conversant with the facts of the Reply and competent to swear to this affidavit.
2. That, I have gone through the accompanying Reply which has been drafted under my instructions. I say that the contents thereof are true and correct to the best of my knowledge and the submissions contained therein are based on legal advice which I believe to be true and correct. I further state that the Annexures **R-1** to **R-5** (Pages to) are true copies of their respective originals and they form part of the records of the case.

My Commission expires on 22/12/2024

11 MAR 2022

4. That the contents of paragraphs 1 to 3 of my above affidavit are true and correct to the best of my knowledge.

कुलकर्णी

DEPONENT

VERIFICATION:

11 MAR 2022

Verified on this the ____ day of March, 2022 at _____ that the contents of the above affidavit in paragraphs 1 to 4 are true to best of my knowledge and belief and nothing material has been concealed.

कुलकर्णी

VERIFICANT

Karen Tarkar
Identify By



Regd. Entry No. 320
Date 11/3/2022

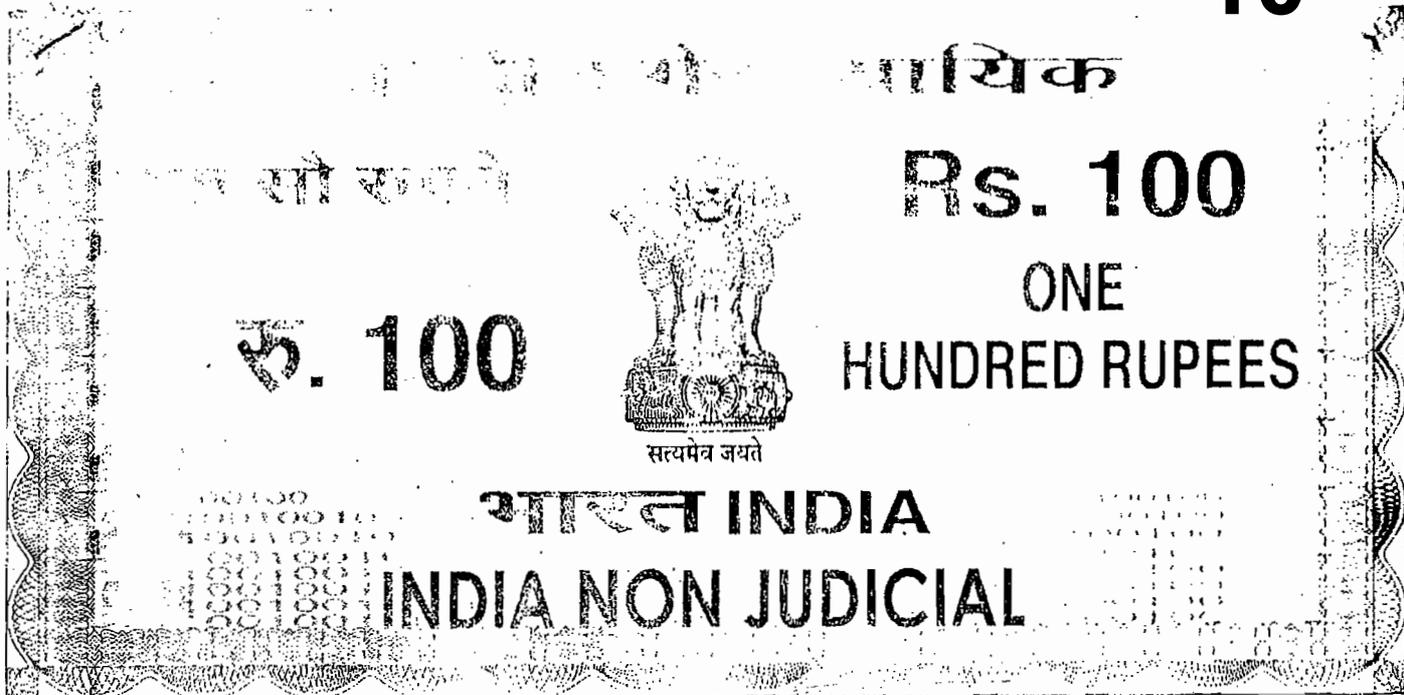
My Commission expires on 22/12/2024

ATTESTED

[Signature]

NOTARY PUBLIC, DELHI NCR (INDIA)

11 MAR 2022



हस्वियाणा HARYANA खास

1490

स्टाम्प

L 381222

100/-



ताहिर हुसैन, अजमल, शौकत पुत्रान श्री मुबारिक पुत्र बाखर समभाग निवासीयान नीमका, तहसील पुनहाना, जिला मेवात नूंह के हैं, जो कि आराजी जरई खेवट/खाता नं० 142/170, मु० नं० 39, कीला नं० 13/2(5-0), 23(7-13), मु० नं० 52, कीला नं० 3(7-3), कुल रकबा 27 कनाल 09 मरला वाका मौजा नीमका, तहसील पुनहाना के हम मालिक व काबिज बरुये जमाबंदी साल 2005-06 तहत इंतकाल विरासत नं० 2044 वा इंतकाल तकसीम खानगी नं० 2047 मन्जूर शुदा दिनांक 19.09.2014 द्वारा हैं, जो भार रहित व विवाद रहित है। हमको बरायेय अदायगी कर्जा बैंक वा घर खर्च वगैरा के लिये रकम की जरूरत है, इस कारण आज हमने अपनी रजाबन्दी वा खुशी, सही होश हवास, वगैर किसी दबाव वा बहकावे के पट्टे पर बराये अरसा 20 वर्ष दिनांक 24.09.2014 ता 23.09.2034 तक के लिये मैसर्ज:- मेवात ब्रिक्स कम्पनी नीमका, तहसील पुनहाना, जिला मेवात नूंह के लिये ईट भट्टे के लिये चिमनी ग्रेड, दफतर, झुग्गी, झापडी, बोर, लेटरीन, बाथरूम आदि के लिए पट्टे पर बजरिये रजिस्ट्री पट्टानामा बदले मुबलिंग 1,61,250/-रुपये (एक लाख इकसठ हजार दो सौ पचास रुपये) बिलमुक्ता वार्षिक दर से बजरिये रजिस्ट्री पट्टानामा बाहक मैसर्ज:-मेवात ब्रिक्स कम्पनी नीमका, तहसील पुनहाना, जिला मेवात नूंह बजरिये पार्टनर श्री महाबीर पुत्र हरिसिंह पुत्र श्री रोरासिंह निवासी मालब, तहसील खेर, जिला अलीगढ (यू०पी०) तथा श्री जुलकरनैन पुत्र श्री अब्दुल मन्नान पुत्र श्री चन्दर खां निवासी नीमका, तहसील पुनहाना, जिला मेवात नूंह/हर दो समभाग को करके जरे पट्टा मुबलिंग 4,83,750/-रुपये बराये अरायगी कर्जा बैंक आदि के लिये बतौर पेशगी अरसा किस्त तीन वर्ष तक के नगद गवाहान हासिया के रोबरू वसूल पा लिये हैं, तथा बकाया जरे पट्टा तीन वर्ष बाद हर वर्ष माह सितम्बर में बजरिये रसीद लेते रहेंगे, कब्जा वा दखल पट्टेदार का मौके पर सम्भाल दिया है, इंतकाल पट्टानामा हजा खुद मन्जूर कराने में असमर्थ हैं, इस कारण हम अपनी तरफ से श्री अब्दुल मन्नान पुत्र चन्दर खां निवासी नीमका, तहसील पुनहाना को मुखत्यार खास मुकरर करके अधिकार देते हैं कि वह इंतकाल पट्टानामा हजा मन्जूर करावे, जिसमे हमको कोई उजड़ ऐतराज नही होगा। अतः यह मु० खास लिख दिया कि सनद रहे, लिखित दिनांक 23.09.2014 वार बुधवार।

13.14 के 1/2 भाग वा 1/5 भाग (दोनों) दोकड़े सम्पत्ति का हिस्सा है।
ताहिर हुसैन

श्री ताहिर हुसैन, अजमल, शौकत मुजकरान
ताहिर हुसैन अजमल

साक्षी: अबदुल्ला लम्बरदार नीमका
अबदुल्ला

PHOTOCOPY ATTESTED
TAHIR HUSSAIN
ADVOCATE
DISTT COURTS, NUH

Attested as Magistrate
Executive Magistrate
Munim (Meerut)
24-9-14

TAHIR HUSSAIN
ADVOCATE
DISTT COURTS, NUH

Certificate No. 673 Dt. 24-9-14
 Under Section 47 of the Stamps Act
 Certified that the amount of Rs. 24,200/-
 Rs. Twenty four thousand two hundred only
 has been paid to the Government of India
 State of Uttar Pradesh
 Office of the Judicial
 Stamp, for the discharge of liability of
 Stamps

Lease of plot 1612504 Per year Tahir Hussain

Assst. Treasury Officer
 Cum-Asstt. Collector
 District Meerut

24.9.14

Pro Motu k R/o Ni

1490

24/9/14

पट्टानामा	स्टाम्प	सम्मुख	उप खजाना पुनहाना,
1,61,250/- वार्षिक अरसा 20 वर्ष	24,200/-	000	स्टाम्प नं० 673, दिनांक 24.09.2014



हम ताहिर हुसैन, अजमल, शौकत पुत्रान श्री मुबारिक पुत्र बाखर समभाग निवासीयान नीमका, तहसील पुनहाना, जिला मेवात नूंह के हैं, जो कि आराजी जरई खेवट/खाता नं० 170, मु० नं० 39, कीला नं० 13/2(5-0), 18(7-13), 23(7-13), मु० नं० 52, कीला नं० 37-3), कुल रकबा 27 कनाल 09 मरला वाका मौजा नीमका, तहसील पुनहाना के हम मालिक व काबिज बरूये जमाबंदी साल 2005-06 तहत इंतकाल विरासत नं० 2044 वा इंतकाल तकसीम खानगी नं० 2047 मन्जूर शुदा दिनांक 19.09.2014 द्वारा हैं, जो भार रहित व विवाद रहित है अब हमको बरायेय अदायगी कर्जा बैंक वा घर खर्च वगैरा के लिये यरकम की जरूरत है, इस कारण आज हमने अपनी रजाबन्दी वा खुशी, सही होश हवास, वगैर किसी दबाब वा बहकावे के पट्टे पर बराये अरसा 20 वर्ष दिनांक 24.09.2014 ता 23.09.2034 तक के लिये मैसर्ज:- मेवात ब्रिक्स कम्पनी नीमका, तहसील पुनहाना, जिला मेवात नूंह के लिये ईट मट्टे के लिये चिमनी ग्रेड, दफतर, झुग्गी, झोपडी, बोर, लेटरिन, बाथरूम आदि के लिए पट्टे पर बजरिये रजिस्ट्री पट्टानामा बदले मुबलिंग 1,61,250/-रुप्ये (एक लाख इकसठ हजार दो सौ पचास रुप्ये) बिलमुक्ता वार्षिक दर से बजरिये रजिस्ट्री पट्टानामा बाहक मैसर्ज:-मेवात ब्रिक्स कम्पनी नीमका, तहसील पुनहाना, जिला मेवात नूंह बजरिये पार्टनर श्री महाबीर पुत्र हरिसिंह पुत्र श्री रोरासिंह निवासी मालब, तहसील खैर, जिला अलीगढ (यू०पी०) 4/5 भाग वा श्री जुलकरनैन पुत्र श्री अब्दुल मन्नान पुत्र श्री चन्दर खां निवासी नीमका, तहसील पुनहाना, जिला मेवात नूंह 1/5 भाग को करके जरे पट्टा मुबलिंग 4,83,750/-रुप्ये बराये अरायगी कर्जा बैंक आदि के लिये बतौर पेशगी अरसा किस्त तीन वर्ष तक के नगद गवाहान हासिया के रोबरू वसूल पा लिये हैं, तथा बकाया जरे पट्टा तीन वर्ष बाद हर वर्ष माह सितम्बर में बजरिये रसीद लेते रहेंगे । कब्जा वा दखल पट्टेदार का मौके पर सम्भाल दिया है । अगर पट्टेदार म्याद से पहले खाली कर देंगे तो

ताहिर हुसैन

प्रलेख नः 1490

दिनांक 24/09/2014

डीड संबंधी विवरण

डीड का नाम LEASE
तहसील/सब-तहसील पुनहाना
गांव/शहर Neemka

धन संबंधी विवरण

राशि जिस पर स्टाम्प ड्यूटी लगाई 161,250.00 रुपये
राजिस्ट्रेशन फीस की राशि 5,000.00 रुपये

स्टाम्प ड्यूटी की राशि 24,200.00 रुपये
पेस्टिंग शुल्क 2.00 रुपये

Drafted By: T.R. Gupta Adv.

Service Charge: 200.00 रुपये

यह प्रलेख आज दिनांक 24/09/2014 दिन बुधवार समय 2:41:00PM बजे श्री/श्रीमती/कुमारी Tahir Hussain पुत्र/पुत्री/पत्नी श्री/श्रीमती/कुमारी Mubarik निवासी Neemka द्वारा पंजीकरण हेतु प्रस्तुत किया गया।

हस्ताक्षर प्रस्तुतकर्ता

उप/सयुक्त पंजीयन अधिकारी
पुनहाना

श्री Tahir Hussain, Ajmal, Sokat

उपरोक्त पट्टा देने वाला व श्री/श्रीमती/कुमारी M.B. Company, Neemka through Mahabir पट्टा लेने वाला हाजिर है। प्रस्तुत प्रलेख के तथ्यों को दोनों पक्षों ने सुनकर तथा समझकर स्वीकार किया। दोनों पक्षों की पहचान श्री/श्रीमती/कुमारी Abdullah Lumb, पुत्र/पुत्री/पत्नी श्री निवासी Neemka व श्री/श्रीमती/कुमारी Niyaz Mohd पुत्र/पुत्री/पत्नी श्री/श्रीमती/कुमारी Noor Mohd निवासी Neemka ने की। साक्षी नः 1 को हम नम्बरदार/अधिवक्ता के रूप में जानते हैं तथा वह साक्षी नः 2 की पहचान करता है।

दिनांक 24/09/2014

उप/सयुक्त पंजीयन अधिकारी
पुनहाना

हम उसी समय तक की पट्टा राशि लेने के हकदार रहेंगे। अगर पट्टेदार समय पर पट्टा राशि अदा नहीं करेंगे तो हमको उन्हें बेदखल करने का कानूनी हक होगा। इंतकाल पट्टानामा जरई मन्जूर करवा देंगे। बाद म्याद पट्टेदार उक्त भूमि में जो भी उन्होंने तामीर वा लागत जैसे मलबा, दफतर, चिमनी, ग्रेड, झुग्गी वा झोपडी तमाम चल सम्पत्ति वगैरा को ले जाने का पूरा हक होगा, तथा पट्टेदार अपना सारा सामान मेटेरियल उठाने का हकदार होगा और हमारा जमीन के अलावा किसी भी सामान से बाद म्याद कोई ताल्लुक वास्ता नहीं अब उपरोक्त म्याद तक रकबा बाला के कब्जे से हमारा व हमारे वारसान का कोई ताल्लुक वास्ता नहीं रहा है बल्कि पट्टेदार रकबा बाला को चाहें जिस प्रकार काशत करें, चिमनी ग्रेड, ईट उद्योग दफतर, पथाई, बोर वा रास्ता आदि में इस्तेमाल करे हमको कोई उजर वा ऐतराज नहीं होगा। उक्त फर्म में अगर पार्टनर तबदील होते हैं तो भी हमें कोई उजर व ऐतराज नहीं होगा, और पट्टा बादस्तूर रहेगा, तमाम शर्तों के दौनों फरीकैन वा वारसान भी पाबन्द रहेंगे। अतः यह पट्टानामा जरई लिख दिया कि सनदे रहे, लिखित दिनांक 24.09.2014 वार बुधवार।



श्री ताहिर हुसैन, अजमल, शौकत पट्टाकर्ता
ताहिर हुसैन अजमल



श्री महाबीर - जुलकरनैन पट्टागृहीता
पार्टनर उक्त फर्म

महाबीर सिंह
जुलकरनैन

साक्षी: अबदुल्ला लम्बरदार नीमका
अबदुल्ला

साक्षी: न्याजमौ० पुत्र नूरमौ० नि० नीमका



साक्षी: महेन्द्र पुत्र कारे प्रधान होडल

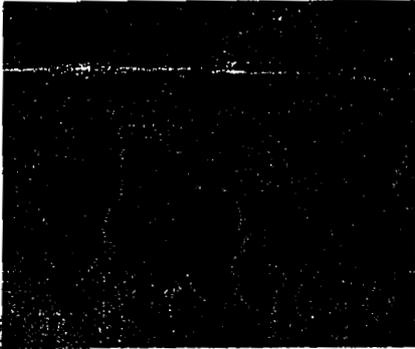
महेन्द्र

PHOTOCOPY ATTESTED

TAHIR HUSSAIN
ABDULLA LAMBAR DARR
DISTT. COURT, NUH, PUNJAB

24/9/14
FOLA RAM GUPTA
Advocate
Punjab (Muzaf) No.

Reg. No. Reg. Year Book No.
1490 2014-2015 1



पट्टा देने वाला

पट्टा लेने वाला

गवाह

Tahir Hussain

Sokat

पट्टा लेने वाला

M.B. Company, Neemka through Mahabir

M.B. Company, Neemka through Mahabir

गवाह 1:- Abdullah Lumb,

गवाह 2:- Niyaz Mohd

प्रमाण-पत्र

प्रमाणित किया जाता है कि यह प्रलेख क्रमांक 1,490 आज दिनांक 24/09/2014 को बही नः 1 जिल्द नः 93 के पृष्ठ नः 140 पर पंजीकृत किया गया तथा इसकी एक प्रति अतिरिक्त बही सख्या 1 जिल्द नः 1,198 के पृष्ठ सख्या 79 से 80 पर चिपकाई गयी। यह भी प्रमाणित किया जाता है कि इस दस्तावेज के प्रस्तुतकर्ता और गवाहो ने अपने हस्ताक्षर/निशान अंगुठा मेरे सामने किये है ।

दिनांक 24/09/2014

सदर एजिस्ट्रार
उप/सर्वेक्लर, पंजीयन अधिकारी
पुनहाना, जिला- पंजाब
पुनहाना

पटवारी फार्म नं. 15/50

रजिस्टर इंतकाल

7290 D.F.R Item No.4 H.G.P.P.K.

रजिस्टर इंतकालात गांव (नाम)		नं. हदवस्तु		तहसील				जिला		वर्क नंबर				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
इन्द्राज जमावन्दी गुजराता या आखरी बाकी इंतकाल निराकी तर्फी मसलुव हे								इन्द्राज जदीद जो अव कायम किया जाएगा						
नंबर शुमार	नाम जमावन्दी गावक	नाम तरफ या वाह	नाम मालक मय अहवाल	नाम काश्तकार मय अहवाल	नंबर व नाम खेत व रकबा व किसम जमीन	मामला या लगान	नंबर खेता जमावन्दी जदीद	नाम मालके मय अहवाल	नाम काश्तकार मय अहवाल	नंबर व नाम खेत व रकबा व किसम जमीन	मामला या लगान	किसम या तारीख इंतकाल मय जमावन्दी	फीस दाखल-खारज	रिवाज पटवारी या तसदीक गिरदावर काननगो
2048	142/170		ताहीर-अजमल शाकत कुत्राब मुबारिक कुत्राब वासिर ममभाग ममवासी	92 मूर	39 13 50 18 23 31 79		रबाना मठ चार 92 मूर	ताहीर-अजमल शाकत ममभाग पहा देहिन्दागा ममवात प्रिन्स अजमली नामना महमील कुत्राब जिला ममवात शहर वजरिफ पारिभर महावीर कुत्रा हरिमिह कुत्रा शेनासिह सिवामी मालव तहमील वर जिला अलीगढ (UP) 4/5 भाग मुलकर नान कुत्रा अबुल मन्ान कुत्रा चंदर 4/5 भाग पहा (गुजराती अरबा)	39 13 50 18 23 31 32 37 42 47 52 57 62 67 72 77 82 87 92		पहा नाना 9 ममभाग खेत 18 50 18 7-13 23 7-13 32 7-9 37 4 27-09 4 27-09	204	26/10/14	



27/10/2014
A.C. Grade

PHOTOCOPY ATTES!

TAHIR MUSSAIN
ADV. & NOTARY
DIST. COURTS. MUZZAFFARPUR

20 सित 24-9-14 TO 23-9-34

28/10/14

नकल जमाबंदी (पड़त पटवार)

गांव: नीमका

हदबस्त न. 242

तहसील: पुन्हाना

जिला: Mewat

साल: 2005-2006

पृष्ठ संख्या: 2

1	2	3	4	5	6	7	8	9	10	11	12
खेवट या जमाबंदी न.	खतीनी न.	नाम तरफ या पत्नी	विवरण सहित पालिक का नाम	विवरण सहित कारतकार	हुर या सिंचाई के अन्य साधन का नाम	नम्बर खसरा या गुरखे और कीले का नम्बर	रकबा और किस्म जमीन	दर और संख्या के ध्यारे के साथ लगान जो मुजारा रंता है	हिस्सा या हकीयत का पैमाना और बाछ का डंग	माल और सवाई के ध्यारे सहित मांग	अभियुक्ति

142 चालू 170 चालूपत्ती हूसैन चालू इदरीश आदि चालू खुदकाशत आदि चालू

23 7-13 नहरी मु.310000 आड रहन है।

52//
2 7-8 नहरी
3 7-3 नहरी
165

मौजा नं० 299
24/3/11
जमाबंदी का पैसा कातर कराने के लिए जामिनदार मुजारेद के कर्तव्य का नाम 018-ए धी के उधे कातर कराने के लिए

किले 20 127-13
कुल मजरुआ कुल गैर मजरुआ
126-15 0-18
118-16 नहरी 0-18 गै.मु.
7-19 चिकनोट

19/9/14
19/9/14
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19/9/14
19/9/14
19/9/14



शायद जी.
हसैन
पुन्हाना
नाम
इलाका
दिनांक
19/9/14
19/9/14
19/9/14
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19/9/14
19/9/14
19/9/14
19/9/14

Mutations & Aad Rahans Updated upto



PHOTOCOPY ATTESTED

TAHIR HUSSAIN
ADVOCATE & NOTARY
DISTT COURTS, NUH-Mewat

TRUE TYPED COPY

Stamp Rs.100

We, Tahir Husain, Ajmal, Shaukat, son of Mubarik, son of Bakhar, all residence of Neemka, Tehsil Kunhana, District Mewat, Nuh, are the equal share owner of land Khewat/ Khata No. 142/170, M. No. 39, Killa No. 13/2, (5-0), 18 (7-13), 23 (7-13), M. No. 52, Killa No. 3 (7-3), Total Rakba 27 Kanal 09 Marle situated at Village Neemka, Tehsil Punhana through ownership and in possession under Jamabandi Year 2005-06 Intiquat Ancestral no. 2044 and Intiquat Takseem partitioned No. 2047, agreed on 19.09.2014, is free from all kindly of debts and disputes. We need money for repay of bank loan and house hold expenses, hence we are agreed to let out our land with our own consent, sound mind and without any pressure from any corner on lease of 20 years i.e. 24.09.2014 to 23.09.2034 to M/s Mewat Bricks Company Neemka, Tehsil Punhana, District Mewat, Nuh for Chimney Grade, Office, Hut, Bore, Latrine, Bathroom etc. for Bricks Manufacturing in Rs.1,61,250/- per annum through registered lease

deed in favour of Mewat Bricks Company Neemka, Tehsil Punhana, District Mewat, Nuh through partner Shri Mahavir son of Shri Rora Singh r/o Malag, Tehsil Kher, District Aligarh (U.P.) and Shri Julkarnain son of Abdul Manaam son of Shri Chander Khan R/o Neemka, Tehsil Kunhana, District Mewat, Nuh, in which Rs.4,83,750/- has received as cash as the installment of three years as advance for the payment of bank loan in the presence of witnesses and after three years receipt of lease shall receive every year in the month of September, possession of the spot has given on the spot to lessee, the lessors are unable to execute the deed, hence, we have authorized Shri Abdul Mannan son of Shri Chander Khan r/o Neemka, Tehsil Kunana as our special power attorney that if he will execute lease deed then we have no objection on it, hence this lease deed has been written/ executed for all future purposes on 23.09.2014 day Wednesday.

.. Shri Tahir Husain, Ajmal, Shaukat

Witness

Abdulla Numbardar Neemka

LEASE DEED:- Rs.1,61,250/- for 20 years

Stamp: Rs.24,200/-

Before: 0000

Sub-Treasury Punhana: Stamp No. 673 dated
24.09.2014

~~We, Tahir Husain~~, Ajmal, Shaukat, son of Mubarik,
son of Bakhar, all residence of Neemka, Tehsil
Kunhana, District Mewat, Nuh, are the equal share
owner of land Khewat/ Khata No. 142/170, M. No.
39, Killa No. 13/2, (5-0), 18 (7-13), 23 (7-13), M. No.
52, Killa No. 3 (7-3), Total Rakba 27 Kanal 09 Marle
situated at Village Neemka, Tehsil Punhana through
ownership and in possession under Jamabandi Year
2005-06 Intiquat Ancestral no. 2044 and Intiquat
Takseem partitioned- No. 2047, agreed on
19.09.2014, is free from all kindly of debts and
disputes. We need money for repay of bank loan and
house hold expenses, hence we are agreed to let out
our land with our own consent, sound mind and
without any pressure from any corner on lease of 20

years i.e. 24.09.2014 to 23.09.2034 to M/s Mewat Bricks Company Neemka, Tehsil Punhana, District Mewat, Nuh for Chimney Grade, Office, Hut, Bore, Latrine, Bathroom etc. for Bricks Manufacturing in Rs.1,61,250/- per annum through registered lease deed in favour of Mewat Bricks Company Neemka, Tehsil Punhana, District Mewat, Nuh through partner Shri Mahavir son of Shri Rora Singh r/o Malag, Tehsil Kher, District Aligarh (U.P.) 4/5 share and Shri Julkarnain son of Abdul Manaan son of Shri Chander Khan R/o Neemka, Tehsil Kunhana, District Mewat, Nuh, 1/5 share in which Rs.4,83,750/- has received as cash as the installment of three years as advance for the payment of bank loan in the presence of witnesses and after three years receipt of lease shall receive every year in the month of September, possession of the spot has given on the spot to lessee. If lessor vacate the property from lessee earlier of the limitation then they shall liable to receive lease amount of that period. If lessee may default in the

payment of lease amount on time then we have legal rights to disown them. The lessee shall liable to remove entire goods or articles from the property such as Mulwa, Office, Chimney, grade, Jhuggi, and Hut entire immovable properties after completing the tenure and lessee shall have rights to keep out entire articles and we have no means/ relation with the land after ending tenure. Now we or any of our legal hire/ successors have rights on the our property till above tenure but lessee shall have rights utilize the said land as its own for example construct Chimney grade, bricks industry office, preparing bricks, bore or road etc., we have no objection on it. If partner may change in the above firm then we will have no objection on it and lease shall remain same and both parties and their legal hires. It is therefore this lease deed has been executed today on 24.09.2014 Wednesday for all future purposes.

Shri Tahir Husain, Ajmal, Shaukat- Lessor

Shri Mahavir- Julkarnain Lessee Partner of above
firm

Witness:

Abdulla Numbardar Neemka

Witness:

Niyaz Mohammad S/o Noor Mohammad

R/o Neemka

Witness:

Mahinder S/o Kare Pradhan Kodal

Deed No. 1490

Date: 24.09.2014

DEED RELATED DETAILS

Deed Name: Lease

Tehsil/Sub-Tehsil: Punhana

Village/ City: Neemka

FUND RELATED DETAIL

Amount on which stamp duty imposed Rs.1,61,250/-

Registration fee: 5000/-

Stamp duty Rs.24,200/-

Pasting charges: 2/-

Drafted by: T.R. Gupta, Advocate

Service Charge: 200/-

This Deed has been presented today on 24.09.2014
day Wednesday time 02:41 p.m. for registration by
Tahir Husain son of Shri Mubarik R/o Neemka.

Signature presenter

Shri Tahir Husain Ajmal, Saukat

Sub/Joint Registrar

Punhana

Above lessor and Lessee MB Company Neemka through Mahavir appeared. A facts of the deed has been accepted after hearing by both parties as correct. Abdulla Lumbh r/o Neemka and Niyaz Mohammad s/o Noor Mohammad r/o Neemak have verified both parties. We identify witness No. 1 as Numbardar/ Advocate and he is identified witness No. 2.

Dated: 24.09.2014

Sub/Joint Registrar
Punhana

								through Partner Mahavir son of Hari Singh son of Rora . Singh r/o Malav, Tehsil Khair, District Aligarh (U.P.) 4/5 part Julkarna in son of Abdul Son of Chander 1/5 share owner lease for 20 years i.e. 24.09.1 4 to 2.09.34				
--	--	--	--	--	--	--	--	--	--	--	--	--

Copy Jamabandi (Padak Patwar)

Village Neemka, Hadbast No.242, Tehsil Punhana, District Mewat, year 2005-06 page No. 2.

1	2	3	4	5	6	7	8	9	10	11	12
Khewat or jamabandi No.	Khata uni No.	---	Detail with owner name	Detail with farmer	Well or other source of irrigation	Khasra No. or Mura bbe or Kille No.	Rakabandlan type	Rate and number of tax	Share or measurement and type	Goods and Sawas	Remarks

										dema nd	
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t		curr	etc.	ted		3					00
		ent	curr	etc.		165	7-8				
			ent	curren		Kitte	7-3				
				t		20	0-				
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						15	NM				
						118-	127				
						16	-13				
						7-19	0-				
							18				
							0-				
							18				



HARYANA STATE POLLUTION CONTROL BOARD

Gurgaon North Vikas Sada, 1st Floor, Near DC Court,
Gurgaon Ph. 0124-2332775

Website: www.hspcb.gov.in E-Mail - hspcb.pkl@sifymail.com

Telephone No.: 0172-2577870-73

No. HSPCB/Consent/ : 313116118GSMWCTE5727806

Dated:26/10/2018

To,

M/s : MEWAT BRICKS CO

Khewat/Khata No. 142/170 Rect. No. 39 Kila No. 13/2(5-0), 18(7-13), 23(7-13) Rect. No.
52 Kila No. 3(7-3) Village Neemka Tehsil Punhana Distt Nuh

MEWAT

122508

Sub. : Grant of consent to Establish to M/s MEWAT BRICKS CO

Please refer to your application no. 5727806 received on dated 2018-10-08 in regional office Gurgaon North.

With reference to your above application for consent to establish, M/s MEWAT BRICKS CO is here by granted consent as per following specification/Terms and conditions.

Consent Under	AIR/WATER
Period of consent	26/10/2018 - 25/10/2023
Industry Type	Brickfields (excluding fly ash brick manufacturing using lime process)
Category	ORANGE
Investment(In Lakh)	19.2600002
Total Land Area (Sq. meter)	13960.0
Total Builtup Area (Sq. meter)	3000.0
Quantity of effluent	
1. Trade	0.0 KL/Day
2. Domestic	2.0 KL/Day
Number of outlets	1.0
Mode of discharge	
1. Domestic	septic tank
2. Trade	
Permissible Domestic Effluent Parameters	
1. NA	
Permissible Trade Effluent Parameters	
1. NA	mg/l
Number of stacks	1
Height of stack	
1. Chumeny	100 feet

H-79 C, Ground Floor,
Shivaji Park, Punjabi Bagh,
New Delhi-110026
Ph.: 011-45654035
M : 9311477205

To Whom It May Concern

This is to certify that M/S Mewat Bricks Company, Village-Neemka Tehsil Punhana Distt- Nuh Mewat (Haryana), have completed the construction of high draught Zig Zag firing kiln at the above site.

The High Draught zig zag firing kiln along with the stack of height more than 17 metres is such that it shall comply with the latest guidelines laid down by central pollution control Board.

This is further certified that high draught Zig Zag firing kilns based on the design have been constructed at various places and tested by independent agencies and found to be operating well within the prescribed limits laid down by CPCB . However ,this kilns constructed on the design have been found to have pollution levels of SPM concentration in the range of 110 to 210 mg/Nm.

For Priya Bricks Technology Consultancy Services
~~for Priya Brick Technology Consultancy Service~~


Pradeep

Authorized Signatory

Dated: 21 Nov , 2017.

Permissible Emission parameters	
1. SPM	600 mg/m ³
Capacity of boiler	
1. NA	Ton/hr
Type of Furnace	
1. NA	
Type of Fuel	
1. Diesel	0.05 KL/day
2. Coal	2 Ton/day

*Regional Officer, Gurgaon North
Haryana State Pollution Control Board.*

Terms and conditions

1. The industry has declared that the quantity of effluent shall be 2 KL/Day i.e 0KL/Day for Trade Effluent, 0 KL/Day for Cooling, 2 KL/Day for Domestic and the same should not exceed .
2. The above 'Consent to Establish' is valid for 60 months from the date of its issue to be extended for another one year at the discretion of the Board or till the time the unit starts its trial production whichever is earlier. The unit will have to set up the plant and obtain consent during this period.
3. The officer/official of the Board shall have the right to access and inspection of the industry in connection with the various processes and the treatment facilities being provided simultaneously with the construction of building/machinery. The effluent should conform the effluent standards as applicable
4. That necessary arrangement shall be made by the industry for the control of Air Pollution before commissioning the plant. The emitted pollutants will meet the emission and other standards as laid/will be prescribed by the Board from time to time.
5. The applicant will obtain consent under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 as amended to-date-even before starting trial production
6. The above Consent to Establish is further subject to the conditions that the unit complies with all the laws/rules/decisions and competent directions of the Board/Government and its functionaries in all respects before commissioning of the operation and during its actual working strictly.
7. No in-process or post-process objectionable emission or the effluent will be allowed, if the scheme furnished by the unit turns out to be defective in any actual experience
8. The Electricity Department will give only temporary connection and permanent connection to the unit will be given after verifying the consent granted by the Board, both under Water Act and Air Act.
9. Unit will raise the stack height of DG Set/Boiler as per Board's norms.
10. Unit will maintain proper logbook of Water meter/sub meter before/after commissioning.

11. That in the case of an industry or any other process the activity is located in an area approved and that in case the activity is sited in an residential or institutional or commercial or agricultural area, the necessary permission for siting such industry and process in an residential or institutional or commercial or agricultural area or controlled area under Town and Country Planning laws CLU or Municipal laws has to be obtained from the competent Authority in law permitting this deviation and be submitted in original with the request for consent to operate.
12. That there is no discharge directly or indirectly from the unit or the process into any interstate river or Yamuna River or River Ghaggar.
13. That the industry or the unit concerned is not sited within any prohibited distances according to the Environmental Laws and Rules, Notification, Orders and Policies of Central Pollution control Board and Haryana State Pollution Control Board.
14. That of the unit is discharging its sewage or trade effluent into the public sewer meant to receive trade effluent from industries etc. then the permission of the Competent Authority owing and operating such public sewer giving permission letter to his unit shall be submitted at time of consent to operate.
15. That if at any time, there is adverse report from any adjoining neighbor or any other aggrieved party or Municipal Committee or Zila Parishad or any other public body against the unit's pollution; the Consent to Establish so granted shall be revoked.
16. That all the financial dues required under the rules and policies of the Board have been deposited in full by the unit for this Consent to Establish.
17. In case of change of name from previous Consent to Establish granted, fresh Consent to Establish fee shall be levied.
18. Industry should adopt water conservation measures to ensure minimum consumption of water in their Process. Ground water based proposals of new industries should get clearance from Central Ground Water Authority for scientific development of previous resource.
19. That the unit will take all other clearances from concerned agencies, whenever required.
20. That the unit will not change its process without the prior permission of the Board.
21. That the Consent to Establish so granted will be invalid, if the unit falls in Aravali Area or non conforming area.
22. That the unit will comply with the Hazardous Waste Management Rules and will also make the non-leachate pit for storage of Hazardous waste and will undertake not to dispose off the same except for pit in their own premises or with the authorized disposal authority.
23. That the unit will submit an undertaking that it will comply with all the specific and general conditions as imposed in the above Consent to Establish within 30 days failing which Consent to Establish will be revoked.
24. That unit will obtain EIA from MoEF, if required at any stage.
25. In case of unit does not comply with the above conditions within the stipulated period, Consent to Establish will be revoked.
26. That unit will obtain consent to operate from the board before the start of product activity.

Specific Conditions

Other Conditions :

1. The unit will obtain consent to operate before commissioning the plant.
2. Unit will install improved emission technology i.e. zig zag or any other technology vetted by the HSPCB)
3. The unit will install the project only on the land for which Town and Country Planning Department has given license.
4. The NOC is valid only for such land within this project which is under ownership of project proponent and for which report regarding Aravali area has been issued by DC, Mewat.
5. The unit will install adequate acoustic enclosures/chambers on their DG SETS with proper stack height as per prescribed norms to meet the prescribed standards under EP Rules,
6. Unit will apply for CTO/ CTE Extension at least 90 days before expiry date of this CTE

Jai Bhagwan

Digitally signed by Jai Bhagwan
Date: 2018.10.26 11:28:38 +05'30'

*Regional Officer, Gurgaon North
Haryana State Pollution Control Board.*

ANNEXURE R-4**HARYANA STATE POLLUTION CONTROL BOARD****C-11 Sector-6, Panchkula****Ph - 0172- 577870-73, Fax No. 2581201****E-mail- hspcbho@gmail.com****Website: hspcb.gov.in****CLOSURE ORDER**

Whereas, the unit M/s Mewat Brick Company Village - Neemka, Punhana, Nuh (Mewat) is engaged in the process Moulding and Baking of Bricks and covered under orange category as per categorization list of the Board and is polluting in nature. The unit was inspected by Sh. Vipin Kumar, AEE, of HSPCB on 14.04.2021 in reference to the NGT Matter vide O.A. No. 55/2021 tiled as Amrit Sarout Vs CPCB and following deficiencies were found:-

1. The unit was operating without obtaining CTE/CTO from the Board.
2. The unit has not installed Adequate APCM and not provided the sample collection facility on the stack.

Whereas, Show Cause Notice for closure was issued to the above said unit by Regional Officer Faridabad Region vide letter no. 103 dated 14.04.2021, but the unit did not submit the reply to Show Cause Notice. Therefore, Regional Officer, Nuh Region vide letter no. 300 dated 28.05.2021 has recommended for closure action against the unit under section 31-A of Air (Prevention & Control of Pollution) Act, 1981, which has been examined and it has been found that the unit has violated the provisions as mentioned above.

Keeping in view of the above facts, it is hereby ordered to close down the operation of the unit M/s Mewat Brick Company Village - Neemka, Punhana, Nuh (Mewat) under section 31-A of Air (Prevention & Control of Pollution) Act, 1981 by sealing its plant, machinery and DG sets alongwith disconnection of the electric supply of the above said unit with immediate effect.

In addition to above, it is also intimated that non compliance of the directions issued under section 33-A of Water (Prevention & Control of Pollution) Act, 1974 and under section 31-A of Air (Prevention & Control of Pollution) Act, 1981 is an offence.

**Dated Panchkula, the
25th August, 2021**

**Dr. Sumita Misra, IA
Chairperson-HSPC**

Endst. No.

Dat26/08/2021

A copy of the above is forwarded to the following for information and necessary action:-

1. The Deputy Commissioner, Nuh.
2. The Executive Engineer, OP Division, DHBVN, Nuh with the directin to stop the electricity supply of said unit.

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I/60639/2021

3. The Regional Officer, Nuh Region. He is asked to ensure the compliance of closure order immediately.
4. M/s Mewat Brick Company Village - Neemka, Punhana, Nuh (Mewat).

Signed by Bhupender Singh

Rinwa

Date: 26-08-2021 13:31:28

Reason: Approved

#ApprovedbyDesignation# (PLG)

For Chairperson



