

Item No. 02

Court No. 1

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

Original Application No. 342/2023

Hissar Zig-Zag Bhatta Association

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 22.05.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Jagat Singh, Advocate

ORDER

1. Grievance in this application is for a direction to permit brick kilns with Zig-Zag Technology in Hissar, Haryana throughout the year.
2. We have heard learned Counsel for the applicant and considered the matter. We find it difficult to entertain the application. Apart from the fact that such an application is not maintainable under Sections 14 and 15 of the NGT Act which stipulate remedy for victims of damage to the environment, no such direction is called for on merits. Mere installing of Zig-Zag Technology cannot be a ground to operate brick kilns throughout the year unless air quality and environmental norms, including siting criteria can sustain such activity.
3. Further, the applicant has not mentioned orders prohibiting such activity beyond March to June. There is reference to order of this

Tribunal dated 17.02.2021 in O.A. No. 1016/2019 which dealt with the issue of brick kilns in Delhi NCR and permitted their operation only in non-severe quality months i.e. March to June.

4. There is also reference to Environment (Protection) Amendment Rules, 2022, notified by the MoEF&CC on 22.2.2022 regulating operation of brick kiln and CPCB guidelines prohibiting brick kilns without zig zag technology and order of this Tribunal dated 25.6.2016 to the same effect. While non zig zag technology brick kilns may stand prohibited, those following zig zag are not immune from regulation nor the said orders create any such right.

The application is accordingly dismissed.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 22, 2023
Original Application No. 342/2023
SN