

Item No. 4

(Court No. 2)

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

(Through Physical Hearing with Hybrid V.C. Option)

Original Application No. 329/2022

Pardeep Kumar

...Applicant

Versus

Central Pollution Control Board & Ors.

...Respondents

Date of hearing: 28.11.2022

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

Applicant: Mr. Vinay Godara, Advocate.

Respondent: Mr. Balendu Shekhar and Mr. Krishna Chaitanya,
Advocates for respondent no. 1-CPCB.
Mr. Daleep Dhyani, Advocate for respondent no. 3-UPPCB
with Mr. Ankit Singh, RO, UPPCB.
Mr. Siddhartha Iyer, Advocate for respondent no. 5-Shiv
Brick Field (through VC).
None for respondents no. 2 and 4.

Application under Section 14 and 15 of the National Green Tribunal Act, 2010.

ORDER

1. The applicant has filed the present application under Sections 14 and 15 of the National Green Tribunal Act 2010 on the averments that respondents no. 4 and 5 brick kilns are being run in violation of the Uttar Pradesh Brick Kilns Criteria (Siting Criteria for Establishment) Rules, 2011 and environmental norms.

2. Vide order dated 11.05.2022, this Tribunal constituted a Joint Committee comprising of State PCB and District Magistrate, Shamli and

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directed the same to submit factual and action taken report within two months.

3. In compliance thereof, the Joint Committee visited the brick kilns on 02.06.2022 and has submitted report vide E-mail dated 30.07.2022.

4. Vide order dated 03.08.2022, the State PCB was directed to take appropriate remedial action including closure of the brick kilns, imposition and realization of the environmental compensation and prosecution of the proprietors by following due process of law and submit further Action Taken Report within two months. Notices were also ordered to be issued to the respondents no. 1, 2, 4 and 5.

5. Action Taken Report has been filed by Mr. Ankit Singh, Regional Officer, UPPCB vide letter dated 25.11.2022 through email dated 25.11.2022. Reply/response has also been filed on behalf of respondent no. 1 vide email dated 23.11.2022.

6. Even though, detailed action taken report has been submitted by the Joint Committee but the relevant aspects have not been looked into by it. Therefore, the Joint Committee is further directed to look into the matter and submit factual and action taken report within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of image PDF.

7. Mr. Siddhartha Iyer, Advocate for respondent no. 5 seeks time to file reply/response on behalf of respondent no. 5. The request is allowed. Reply/response on behalf of respondent no. 5 be filed **within two months** by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of image PDF.

8. List for further consideration on 03.03.2023.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

November 28, 2022
AVT