

Item No. 05

Court No. 1

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

Original Application No. 515/2024

Kapil Kumar

Applicant

Versus

Uttar Pradesh Pollution Control Board & Ors.

Respondent(s)

Date of hearing: 08.05.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. S.C. Tomar, Advocate

ORDER

1. In this original application, Applicant has raised the grievance that Respondent - Brick Kilns are operating in District Mathura in violation of the environmental norms and the orders passed by the Tribunal earlier. He has placed reliance upon the order of the Tribunal dated 09.05.2022 in OA No. 93/2021 in the matter of *Mukesh Kumar Agrawal vs. Central Pollution Control Board and Anr.*, wherein directions for compliance of the environmental norms by brick kilns in Mathura District in the light of the Notification of the Central Government dated 22.02.2022 and the order of the Hon'ble Supreme Court dated 08.04.2022 in Civil Appeal Diary No. 18213/2021, *NCR Bricks Kiln Association vs. Central Pollution Control Board and Anr.* were issued.

2. Learned Counsel for the Applicant has further submitted that the Applicant had filed OA No. 221/2023 in respect of violation of the norms by the brick Kilns in Mathura District in the previous season and the said

OA was disposed of by order dated 14.07.2023 directing the State PCB to decide the matter of environmental compensation.

3. During the course of argument, learned Counsel for the Applicant has stated that there are about 360 brick kilns which are operating in District Mathura and several of them are violating the norms but, he could collect information only in respect of the brick kilns which have been impleaded as respondents.

4. In the circumstances which are noted above, we are of the opinion that the brick kilns operating in District Mathura needs to be inspected by a Joint Committee to ascertain the extent of violation, if any, by them.

5. Hence, we form a Joint Committee comprising of the Senior Officer deputed by the Member Secretary, UPPCB and the District Magistrate, Mathura. The Joint Committee will carry out the inspection of the brick kilns operating in the District and ascertain the extent of violation by them and submit the report to the Member Secretary, UPPCB within two months.

6. The Member Secretary, UPPCB on the basis of the said report, will give an opportunity of hearing to the brick kilns found to be violating the environmental norms, ascertain the extent of violation and take appropriate action including the action of levy of environmental compensation and submit action taken report before the Registrar General of the Tribunal within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. If found necessary, the matter will be listed for consideration before the Bench.

7. The OA is accordingly disposed of.

8. A copy of the order be forwarded to the Member Secretary, UPPCB and the District Magistrate, Mathura by e-mail for compliance.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

May 08, 2024
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