

(2024) 05 NGT CK 0043

National Green Tribunal Principal Bench, New Delhi

Case No: Original Application No. 649 Of 2024

Harish Deshwal

APPELLANT

Vs

MoEF&CC & Ors

RESPONDENT

Date of Decision: May 31, 2024

Hon'ble Judges: Prakash Shrivastava, CP; Arun Kumar Tyagi, JM; Dr. A. Senthil Vel, EM

Bench: Full Bench

Final Decision: Disposed Of

Judgement

1. In this Original application, complaint of the applicant is that brick kilns are operating illegally and unauthorisedly in District Bulandshahr of Uttar Pradesh.
2. Plea of the applicant is that these brick kilns have completely disregarded the various provisions of relevant statute and the orders passed by the Courts from time to time.
3. It is also the plea of the applicant that though the complaint was made to the Uttar Pradesh Pollution Control Board (UPPCB) by the applicant but no action on the same was taken on the ground that the applicant had not given complete addresses of the brick kilns.
4. Learned Counsel for the applicant has referred to the photographs enclosed as annexure-G-colly to the original application and has submitted that geo-coordinates of the brick kilns violating the norms are available in those photographs, therefore, brick kilns can be identified by the UPPCB.
5. In the circumstances which are disclosed above, we permit the applicant to file a fresh complaint to the UPPCB along with the photographs of the violating brick kilns with geo-coordinates thereof and on receipt of the same, Member Secretary, UPPCB will ensure that the brick kilns against whom the complaint is made by the applicant are identified and it is ascertained if those brick kilns are operating with requisite

permissions and are complying with the environmental norms..

6. Learned Counsel for the applicant submits that complaint with the requisite photographs and geo-coordinates will be filed to the Member Secretary, UPPCB within two days.

7. Hence, we require the Member Secretary, UPPCB to complete the above exercise within a period of five weeks from today and submit action taken report before the Registrar General of the Tribunal immediately after five weeks and if found necessary the matter will be listed for consideration before the Bench.

8. OA is accordingly disposed of.