



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

Speed Post

CP-17/4/2022-IPC-V-HO-CPCB-HO

December 20, 2022

To

The Chairman
State Pollution Control Board
(Uttar Pradesh, Haryana & Rajasthan)
(As per list the List enclosed)

Sub: Directions under Section 18 (1) (b) of the Air (Prevention and Control of Pollution) Act, 1981, for prevention and control of Air Pollution in Brick Kilns - regarding

WHEREAS, amongst others, under Section 17 of the Air (Prevention and Control of Pollution) Act, 1981, one of the functions of the Pollution Control Boards/Committees is to plan a comprehensive programme for the prevention, control or abatement of air pollution in the concerned State/UT and to secure the execution thereof;

WHEREAS, under Section 16 (2) (b) (d) (g) and (j) of the Air (Prevention and Control of Pollution) Act, 1981, mandated Central Pollution Control Board (hereinafter referred as CPCB) to execute nation-wide programme, provide technical assistance and guidance to the State Pollution Control Boards (hereinafter referred as SPCBs) for prevention, control or abatement of air pollution; collect, compile and publish technical and statistical data relating to air pollution control and abatement of air pollution and perform such other functions as may be prescribed;

WHEREAS, Brick kilns are one of the polluting industries, which are contributing air pollution and deteriorating the air quality in NCR in terms of PM10;

WHEREAS, the Ministry of Environment, Forest and Climate Change (MoEF&CC), Government of India, vide Notifications GSR No. 143(E) dated 22.02.2022 issued revised Environmental Standards for Brick Kilns. In addition to Particulate Matter (PM) standards of 250 mg/Nm³, guidelines for siting, fugitive dust emissions control, approved fuels, porthole and platform for emission monitoring are also prescribed in the Notification;

WHEREAS, in the matter of Civil Appeals Diary No. 18213/2021; NCR Brick Kiln Association Vs. Central Pollution Control Board & Ors., with Diary No (s) 20331/2021, 7535/2021, 7667/2021, 7670/2021 and 23486/2021, filed by Brick kiln associations and individuals in NCR against the order of Hon'ble NGT passed on 17/02/2021, in the matter of O.A. No. 1016/2019, Utkarsh Panwar Vs. CPCB & Ors, the Hon'ble Supreme Court vide its orders dated 08.04.2022 and 13.05.2022 directed that only those brick kilns will be allowed to operate, which have valid Consent to Operate (CTO), production capacity mentioned in the CTO, based on zig-zag, having adequate monitoring facilities i.e. platform of 4 feet by 6 feet size with porthole of 4 to 5 inches diameter and ladder for conducting monitoring, and fulfilment of Notification dated 22.02.2022 for Brick Kilns notified by MoEF&CC;

WHEREAS, in compliance of Hon'ble Apex Court orders, CPCB had conducted numerous inspections/visits/monitoring in NCR Districts during March, 2022 to October, 2022 and most of the units have been found without adequate monitoring facilities, valid consent, zig-zag setting and exceeding production capacity by the inspecting teams. These inspection reports of brick kilns were forwarded to respective State Pollution Control Board to take appropriate action in light of the Hon'ble Court directives.

NOW, THEREFORE, in exercise of the powers vested under Section 18 (1) (b) of the Air (Prevention and Control of Pollution) Act, 1981, for prevention and control of Air Pollution in Brick Kilns in NCR, the following directions are hereby issued to SPCBs for compliance:

1. The brick kilns without valid Consent to Operate (CTO) and adequate stack monitoring facility i.e. platform of minimum size i.e. 4 x 6 sq. feet with porthole of minimum 4 inches diameter and ladder with safely access to carry-out monitoring as per Hon'ble Supreme Court Orders will not be permitted to operate.
2. The production of brick kiln shall be restricted to the production capacity specified in the Consent to Operate (CTO) issued by concerned State Pollution Control Board.
3. All new brick kilns shall be allowed only with zig-zag technology or vertical shaft or use of Piped Natural Gas as fuel in brick making and complied to the environmental norms and conditions stipulated in the Notification issued by MoEF&CC vide GSR No. 143(E), dated 22.02.2022.

The State Pollution Control Boards shall acknowledge the receipt of these directions within a week and submit compliance Reports within two weeks thereafter.



(Prashant Gargava)
Member Secretary

Copy to:

1. The Additional Secretary
CP Division
Ministry of Environment, Forests & Climate Change
Indira Paryavaran Bhavan, Jorbagh Road
New Delhi - 110003 : For kind information please
2. PA to CCB : For kind information of CCB, please
3. All the concerned Regional Directorates of CPCB : For information and follow-up with concerned SPCBs, please
4. Divisional Head, IT Division, CPCB : For uploading at CPCB website, please



(Prashant Gargava)
Member Secretary

List of State Pollution Control Boards

S.N.	Name of the State Pollution Control Boards
1	The Chairman Uttar Pradesh Pollution Control Board Building.No. TC-12V, VibhutiKhand, Gomti Nagar, Lucknow, Uttar Pradesh 226010
2	The Chairman Haryana Pollution Control Board C-11, Sector-6 Panchkula Haryana-134 109 Chandigarh
3	The Chairman Rajasthan Pollution Control Board A-4, JalaneDungri Institutional Area Jaipur – 302 004

List of Regional Directorates

S.N.	Name of the Regional Directorates
1	The Regional Director (Lucknow) Central Pollution Control Board PICUP Bhawan, Vibhuti Khand, Gomti Nagar Lucknow-226020
2	The Regional Director (Chandigarh) Central Pollution Control Board Second floor, BSNL Telephone Exchange Sector 49, Chandigarh-160047
3	The Regional Director (Bhopal) Central Pollution Control Board Parivesh Bhawan, Paryavaran Parisar E-5, Arera Colony Bhopal – 462016