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IPC-V(SS1)/Brick Kiln/2017

October 24, 2017

To

Deputy Commissioner,
Mini Secretariat Palwal,
Haryana-121105

Directions under Section 5 of the Environment (Protection) Act, 1986

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; and

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of emission and effluent standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof; and

WHEREAS, in pursuant to the Hon'ble Supreme Court's order dated December 02, 2016 in the matter of M.C. Mehta vs. Union of India regarding air quality in National Capital Region of Delhi, a Graded Response Action Plan was prepared for implementation under different Air Quality Index (AQI) categories; and

WHEREAS, Ministry of Environment, Forest & Climate Change notified implementation of Graded Response Action Plan through Environment Pollution (Prevention & Control) Authority vide S.O. 118 (E) dated January 12, 2017; and

WHEREAS, during moderate to poor AQI conditions it is required to close or stringently enforce all pollution control regulations in Brick Kilns and industries, which is to be ensured by the Chairpersons, Delhi Pollution Control Committee, State Pollution Control Boards of Haryana, Rajasthan, and Uttar Pradesh; and

WHEREAS, during severe AQI conditions it is required to close down operations of Brick Kilns, which is to be ensured by Chairpersons, Delhi Pollution Control Committee, State Pollution Control Boards of Haryana, Rajasthan, and Uttar Pradesh, Superintendent of Police and Deputy Commissioner of respective districts; and

WHEREAS, Chairman Central Pollution Control Board randomly inspected different types of Brick Kilns in the areas of Baghpat, Uttar Pradesh on 15th June, 2017. During the inspection Chairman Central Pollution Control Board observed that the Brick Kiln workers were working in highly air polluted pathetic conditions due to air borne fine dust in the kiln area, because of movement of the tractors and trucks (Conveyance Systems) on the unpaved area having 4-6 inches fine dust layer all around the Brick Kilns; and

WHEREAS, no provisions were found to control fine dust fugitive emissions, due to this highly air pollution and pathetic conditions prevailing all the time; and

WHEREAS, no significant progress was observed for compliance of conversion of Natural Draft Brick Kiln to Induced Draft Brick Kiln (zig-zag brick setting with rectangular shape of kiln); and

WHEREAS, Chairman, CPCB in exercise of the powers vested under the Air (Prevention and Control of Pollution) Act, 1981 issued the following directions under Section 18 (1) (b) of the Air (Prevention and Control of Pollution) Act, 1981 to all NCR states, dated 27th June, 2017 for compliance:

1. All the Brick Kilns operating without permission and valid consent, not meeting prescribed norms and siting guidelines be closed down with immediate effect.
2. Provide status on conversion of natural draft to induced draft Brick Kilns (with rectangular kiln shape and zig-zag brick setting).
3. Enforce strictly the siting criteria guideline for Brick Kilns.
4. All the moving area around the main Brick Kiln should be paved with the bricks to minimize the fugitive dust emissions from the Brick Kiln operations. This condition should be incorporate in the Consent condition while granting the consent by the UP Pollution Control Board.
5. Ensure that fine dust not to accumulate all around the Brick Kiln.

WHEREAS, CPCB requested HSPCB to submit the compliance status of the aforesaid directions vide letter no. IPC-V(SS1)/Brick Kiln/2017/10273, dated 08/09/2017, so far Action Taken Report has not received till date; and

WHEREAS, in the EPCA meeting held on 24.05.2017 regarding "Roadmap for Brick Kiln Sector in Delhi-NCR", directed that all Brick Kilns in NCR districts of three states (07 districts of UP, 13 districts of Haryana and 02 districts of Rajasthan) shall covert to zig-zag Brick Kilns with induced/ natural draft (with rectangular kiln shape) by September 30, 2017; and

WHEREAS, on the basis of the data collected by the CPCB during July 2017 from Haryana State Pollution Control Board regarding types and consent status of Brick Kiln operating in the NCR, indicated that there are total 1891 nos of Brick Kiln operated in the 13 NCR Districts of Haryana. Among these 200 nos of Brick Kilns are operating without consent; and

WHEREAS, in Palwal District of NCR, total 124 nos of Brick Kilns are being operated as per list of Brick Kilns enclosed herewith and among these 23 nos of Brick Kilns from S. No. 1 to 23 are operating without consent; and

WHEREAS, the Hon'ble High Court of Judicature, Delhi vide its order dated 25th August, 1999 in CWP No. 2145/99 Centre for Public Interest Litigation, Delhi v/s Union of India directed that the Central Government to publish the final notification in respect of fly ash on or before 26th October, 1999; and



WHEREAS, in exercise of the powers conferred by sub-section (1), read with clause (v) of sub-section (2) of section 3 and section 5 of the Environment (Protection) Act, 1986 (29 of 1986); and in pursuance of the orders of the Hon'ble High Court, Delhi stated above, the Central Government has issued the following directions vide Notification of Ministry of Environment and Forest dated 14th September, 1999 and as amended upto dated 25th January, 2016 as below:

Utilization of fly ash, bottom ash or pond ash in the manufacture of Clay Bricks:-

- (1) No person shall within a radius of three hundred kilometers from coal or lignite based thermal power plants, manufacture clay bricks or tiles or blocks for use in construction activities without mixing at least 25 per cent of ash (fly ash, bottom ash or pond ash) with soil on weight to weight basis.
- (2) The authority for ensuring the use of specified quantity of ash as per above shall be the concerned Regional Officer of the State Pollution Control Board or the Pollution Control Committee as the case may be. In case of noncompliance, the said authority, in addition to cancellation of consent order issued to establish the brick kiln, shall move the district administration for cancellation of mining lease. The cancellation of mining lease shall be decided after due hearing. To enable the said authority to verify the actual use of ash, the thermal power plant shall maintain month wise records of ash made available to each brick kiln.
- (3) In case of non-availability of ash from thermal power plant in sufficient quantities as certified by the said power plant, the stipulation under para (1) shall be suitably modified (waived/ relaxed) by the concerned State/Union Territory Government.
- (4) Each coal or lignite based thermal power plant shall constitute a dispute settlement committee which shall include the General Manager of the thermal power plant and a representative of All India Brick and Tile Manufacture's Federation (AIBTMF). Such a committee shall ensure unhindered loading and transport of ash without any undue loss of time. Any unresolved dispute shall be dealt with by a State/Union Territory level committee to be set up by State/Union Territory Government comprising Member Secretary of the State Pollution Control Board/Pollution Control Committee, representatives of Ministry of Power in the State/Union Territory Government and a representative of AIBTMF.

NOW THEREFORE, in exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, the following directions are issued for compliance:

1. Brick Kilns operating without consent in your District shall close down all the processing operations with immediate effect.
2. The Brick Kilns not having stack monitoring facility like Port Hole and Platform as per CPCB Guidelines shall also close down all the processing operations with immediate effect.



3. Brick Kilns not converted to Zig-Zag kilns from fixed chimney Bulls Trench Kiln (BTK) by September 30, 2017 should not be allowed to operate.
4. District Administrations should ensure that all Brick Kilns within a radius of three hundred kilometers from coal or lignite based Thermal Power Plants, manufacture clay bricks or tiles or blocks for use in construction activities by mixing at least 25 per cent of ash (fly ash, bottom ash or pond ash) with soil on weight to weight basis.


In case of default, CPCB will be constrained to initiate appropriate action against the Unit, without giving any further notice, in accordance with provisions of the Environment (Protection) Act, 1986.

(S.P. Singh Parihar)
Chairman

Copy to:

1. **The Chief Secretary,**
Govt. of Haryana,
Chandigarh : for information please
2. **The Chairman,**
Haryana State Pollution Control Board
C-11, Sector-6, Panchkula,
Haryana-134 109 Chandigarh : with request to ensure closure
and submit status report within
15 days
3. **The Advisor (CP Division)**
Ministry of Environment, Forests & Climate Change
Indira Paryavaran Bhavan, Jorbagh Road
New Delhi - 110 003 : for information please
4. **Regional Director,**
Central Pollution Control Board
Regional Office (Lucknow)
Ground Floor, PICUP Bhawan
Vibhuti Khand, Gomti Nagar
Lucknow - 226 010 : for follow-up please
5. **Divisional Head, IT Division, CPCB** : for information please




(A. Sudhakar)
Member Secretary

LIST OF BRICK KILNS OPERATED IN THE PALWAL DISTRICT OF HARYANA

Sr.No	Name & Address of Brick Kilns	Consent Yes/No
1	Jain Ent Udyog, Vill- Uttwar, Hathin, Palwal	No
2	Raja Bhata Co., Vill- Asaoti, Distt. Palwal	No
3	N.R Bhatta Co., Vill-Gopikhera, Palwal	No
4	Akash Bhatta Udyog, Vill-Khusak, Palwal	No
5	Baba Brick Udyog,Lakhanka,Hathin, Palwal	No
6	Jai Baba Balram Dass Brick Factory, Vill- Bhiduki, Hodal, Palwal	No
7	Jai Baba Bricks Center Vill-Tikri, Gujjar, Palwal	No
8	Jai Shiv Brick Udyog, Vill Khirbi Hodal, Palwal	No
9	Mahadev Brick Udyog, Banchari, Hodal, palwal	No
10	Murti Brick Factory Vill Banchari, Hodal palwal	No
11	N.R Bhatta Company, Amarpur, Palwal	No
12	Puneet Brick Kiln, Vill -Softa Palwal	No
13	Radhey Bhatta Company, Sondh, Hodel, Palwal	No
14	Raj Ent Udyog, Vill-Bhandoli, Hodel, Palwal	No
15	Sangeeta Ent Udyog, Vill-Bhandoli, Hodal, Palwal	No
16	Shiv Brick Kiln, Vill-Sultanpur, Baroli, Palwal.	No
17	Shree Balaji Brick Field, Vill-Khambi, Hodal, Palwal	No
18	Shree Girraj Ji Brick Filed Vill Bhiduki Hodal Palwal	No
19	Shri Baba Lokdev Bhatta Co., Vill Mohdamka, Teh. Hathin Palwal	No
20	Shree Krishan Ent Uydog, Vill-Sonadh, Hodal, Palwal	No
21	Shree Krishna Bhatta Company, Uttawar Hathin, Palwal	No
22	Shree Balaji Brick Field, Vill Pahari Hathin, Palwal	No
23	Unique Brick Kiln Co., Vill- Gohpur, Hathin, Palwal	No
24	Bhumiya Bhatta Co. Vill- Kushak, Distt. Palwal	Yes
25	Mahesh Bricks kiln, Vill-Bighavali, Teh. Hathin, Palwal	Yes
26	Rajat Brick Udyog, Village-Gohpur, Tehsil Hathin, Palwal	Yes
27	S V M Bricks, Vill- Kot, Teh.Hathin, Distt. Palwal	Yes
28	Mahadev Bhatta Co. Vill- Likhi, Hodal, Palwal	Yes
29	Bankey Bihari Bhatta Co., Vill-Likhi, Hassanpur, Palwal	Yes
30	Bankey Bihari Bhatta Company No.1, Village-Likhi, Palwal	Yes
31	HEM Bhatta Co., Vill- Kalsada, Teh. Hathin, Palwal	Yes
32	Maa shree Devi Eenth Udyog, Village-Bhaidoli, Teh. Hodal, Palwal	Yes
33	Shri Ram Bricks Udyog, Vill-Likhi, Tehsil-hodal, District Palwal	Yes
34	Ganesh Bhatta Co., Vill-Likhi, Hodal, Palwal	Yes
35	Dev Brick Udyog, Vill- Amroli, Distt. Palwal	Yes
36	Shri Govind Brick Company, Vill- Khambi, Hodal, Palwal	Yes
37	Shri Sai Udyog, Vill- Likhi, Hodal, Palwal	Yes
38	Arora Bhatta Co., Vill- Firozpur, Rajput, Hathin, Palwal	Yes
39	Bhawani Brick Udyog, Vill-Naurangabad, Hathin , Palwal	Yes
40	Dayma Bhatta Co., Vill-Sultanpur, Palwal	Yes
41	Kanhiya Brick Udyog, Vill-Kalsada, Hathin , Palwal	Yes
42	New Om Brick fields, Vill-Likhi, Hodal, Palwal	Yes
43	Jai Mata Di Ent Bhatta Co. Vill- Likhi, Hodal, Palwal	Yes
44	Shri Krishna Bricks Udyog, Vill-Likhi, Hodal, Palwal	Yes
45	Om Bhatta Company, Vill-Manpur, Hathin, Palwal	Yes
46	Shri Laxmi Bricks Udyog, Vill- Khambi, Tehsil Hasanpur, Distt. Palwal	Yes
47	Ankit Bhatta Company, Kalsada Hathin, Palwal	Yes
48	Baba Brick Field, Vill- Aurangabad, Hodel, Palwal	Yes
49	Baba Ghammand Dev Brick Field, Bamni Khera Road, Vill- Likhi, Hodel, Palwal	Yes
50	Balaji Bhatta Company, Vill Uttarwar Hathin Palwal	Yes
51	Balaji Brick Udyog, Hathin, Palwal	Yes
52	Bankey Bhari Brick Udyog, Vill- Sondh, Hodal Palwal	Yes
53	Bhagat ji Bhatta Co, Vill - Aurangabad, Hodal, Palwal	Yes
54	Bharat Bhatta Company, Andhrola Hathin, Palwal	Yes
55	Bharti Bhatta Company, Vill - Khirbi, Hodal, Palwal	Yes
56	Bharti Ent Udyog, Village- Khirbi, Hodal, Distt. Palwal	Yes
57	Brijwasi Brick Udyog, Garapati, Hodal, Palwal	Yes

58	Chaudhary Brick Udyog, Vill- Khambi, Hodal, Palwal	Yes
59	D.R Bhatta, Vill-BamniKhera, Palwal	Yes
60	Dagar Brick Udyog, Vill-Alawalpur, Palwal	Yes
61	Dehagal Bhatta Company, Bhanguri, Hathin, Palwal	Yes
62	Dev Bhatta Company, kalsada Hathin, Palwal	Yes
63	Durga Brick Company, Vill-Kalsada, Hathin, Palwal	Yes
64	Ganesh Bhatta Company, Vill-Prithla Palwal	Yes
65	Garg Brick Field, Vill - Bhiduki, Hodal, Palwal	Yes
66	Goyal Brick Kiln Company, Soandh, Hodal, Palwal	Yes
67	Gulab Brick Kiln, Khambi, Hodal, Palwal	Yes
68	Gupta Bricks Udyog, Vil Bhandoli, Palwal	Yes
69	Hari OM Brick kiln Company, Vill-Durga pur, Palwal	Yes
70	Haryana Brick Udyog, Vill- Bhiduki, Hodal, Palwal	Yes
71	Jai Bajrang Brick field, Vill- Likhi, Hodal, Palwal	Yes
72	Jai Bholey Ent Udyog, Vill- Likhi, Hodal, Palwal	Yes
73	Jai Durga Bhatta Company, Sahnoli, Hodal, Palwal	Yes
74	Jain Brick Udog, Vill-Bhiduki, Hodal, Palwal	Yes
75	Kaila Devi Bhatta Company, Prithla, Palwal	Yes
76	Kamal Brick kiln, Village-Prithla, Palwal	Yes
77	Kazi Ent Udyog, Vill-Andhop, Hathin, Palwal	Yes
78	K.C. Bhatta, Vill-Alawalpur, Distt. Palwal	Yes
79	Krishna Brick Udyog, Vill - Khambi, Hodal, Palwal	Yes
80	Laxmii Bhatta Company, Yamuna Pul Road, Pelak, Palwal	Yes
81	Lakshmi Brick Udyog, Vill-Likhi, Hodal, Palwal	Yes
82	Laxmi Brick Kiln, Vill- Devli, Palwal	Yes
83	Maha Laxmi Ent Udyog, Sarai khatela, Hodal, Palwal	Yes
84	Mahesh Bhatta Company, Vill-Pondari, Hathin, Palwal	Yes
85	Marrolia Brick Company, Vill - Andhop, Hathin, Palwal	Yes
86	Nandini Brick field, Bhiduki, Hodel, Palwal	Yes
87	Nandini Ent Udyog, Bhiduki, Hodel, Palwal	Yes
88	Naresh Bhatta Co., Village-Jalakra, Palwal	Yes
89	New Garg Brick Field Vill - Bhuduki, Hodal Palwal	Yes
90	New Om Brick Udyog, Vill - Bhiduki, Hodal, Palwal	Yes
91	Om Brick center, Markhoda, Hathin, Palwal	Yes
92	Panchwati Bhatta, Vill-Markhoda, Hathin, Palwal	Yes
93	Paras Bhatta Company, Vill - Sihol, Palwal	Yes
94	Pooja Brick Vill Kalsada Hathin Palwal	Yes
95	Prabhu Bhatta Company, Vill-Mangoka, Teh. Hathin, Palwal	Yes
96	Raghav Bhatta Company, vil- Dakora, Khambi, Hodal, Palwal	Yes
97	Raj Brick field, vill- Soandh, Hodal, Palwal	Yes
98	Raj Laxmi Bhatta Company, Vill - Likhi, Hodal, Palwal	Yes
99	Ram bhatta Co., Vill Bhanguri Hathin Palwal	Yes
100	Ramla Bricks Company, Village- Lakhanka, Teh. Hathin, Distt. Palwal	Yes
101	Ramla Bricks Udyog., Lakhnaka, Hatihn, Palwal	Yes
102	Rawat Bricks Co., Village-Bahin, Hathin, Palwal	Yes
103	Sevli Brick Field, Vill - Manpur, Sevli, Palwal	Yes
104	Shanker Brick Industry, Vill-Panhera Khurd , Ballabgarh, Faridabad	Yes
105	Shiv Bhatta Co., Vill-Aurangabad, Hodal, Palwal	Yes
106	Shiv Brick Udyog, Vill - Aurangabad, Hodal, Distt. Palwal	Yes
107	Shiva Bricks Industries Vill-Soandh, Hodal, Palwal	Yes
108	Shivam Bhatta Company, Vill Kalsada Hatthin, Palwal	Yes
109	Shree Bankey Bihari Brick Kiln, Dakora, Hodal, Palwal	Yes
110	Shree Hanuman Brick Field Vill Likhi Hodal Palwal	Yes
111	Jawahar Ent Udyog, Bhiduki, Hodal, Palwal	Yes
112	Shree Kaila Brick Field Kalsada, Hathin, Palwal	Yes
113	Shree Krishan Bricks Udyog, Khambi, Hassanpur, Palwal	Yes
114	Shree Krishna Bricks, Sihol, Palwal	Yes
115	Shree Radha Brick Brick field, likhi, Hassanpur. Hodal, Palwal	Yes
116	Shri Ram Bhatta Company, Vill-Khaika, Hathin, Palwal	Yes

117	Shree Ram Brick Field, Vill - Aurangabad, District - Palwal	Yes
118	Shree ji Brick Udyog, Jatoli, Hodal, Palwal	Yes
119	Shri Ji Ent Udyog, Vill - Bhulwana, Hodal, Palwal	Yes
120	Shree Radha Rani Ent Udyog, vill-Andop, Hathin, Palwal	Yes
121	Shyam Brick Udyog, Bhulwana, Hodal, Palwal	Yes
122	Subhash Brick Company, Banchari Hodal, Palwal	Yes
123	Vijay Bricks Field, Bhiduki, Hodel, Palwal	Yes
124	Wadid Brick Company, Sevali, Hodal, Palwal	Yes
Note 1:	All the Brick Kilns are of Fixed Chimney Brick Kiln (BTK)	
2:	Stack Monitoring Facilities has been not provided like Port Hole and Platforms as per CPCB Guidelines	

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