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IPC-V(SS1)/Brick Kiln/2017 12612

October 24, 2017

To

Deputy Commissioner,  
Mini Secretariat, Jind,  
Haryana-126102

**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 15<sup>th</sup> 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 27<sup>th</sup> 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 Jind District of NCR, total 118 nos of Brick Kilns are being operated with valid consent as per list of Brick Kilns enclosed herewith, but most of them not providing stack monitoring facilities like Port Holes and Platforms; 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 14<sup>th</sup> September, 1999 and as amended upto dated 25<sup>th</sup> 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 JIND DISTRICT OF HARYANA		
Sr.No	Name & Address of Brick Kilns	Consent Yes/No
1	Aggarwak Bricks Company, Village Frain Khurd, Jind	Yes
2	Aggarwal Bricks Company Village Frain Khurd JIND	Yes
3	Aggarwal Bricks Company, Village Damtan Sahib, Jind	Yes
4	Ajay Bhattha Company Village Budhakhera Lather Jind	Yes
5	Arya Bhattha Company Village Malvi, Jind	Yes
6	Arya Bhattha GUM, Shamlo kalan, Jind	Yes
7	Azad Bhatta GUM, Vill. Mirgarh, Hamir Chand Road, Narwana, Jind	Yes
8	Bajrang Bhattha Co., Vpo Roopghar, Jind	Yes
9	Bajrang Bhatta Uduog, Village Budha Khera, Lather, Jind	Yes
10	Bajrang Bricks Co. Village Khatkar, Jind	Yes
11	Bala Ji BKO, Village Brah Kalan, Jind	Yes
12	Bala Ji GUM Village Budha Khera, Julana, Jind	Yes
13	Balaji BKO, Village Brah Kalan, Jind	Yes
14	BALAJI BRICKS COMPANY, KALWAN, JIND	Yes
15	Bhadrakali Bhatta Co HADWA JIND	Yes
16	Bharat Bhatta CO., Village Shadipur, Julana, Jind	Yes
17	Bharat Bricks Company V.P.O. - IGRAH JIND	Yes
18	Bharat Bricks Company, VPO Igrah, Jind	Yes
19	Bhola Bricks Co. Village IGRAH JIND	Yes
20	Bhola Bricks Co., Village Igrah, Jind	Yes
21	Bhongra Bricks Company V.P.O. - Bhongra JIND	Yes
22	Chaudhary Bricks Co., Vill. Julhera Jind	Yes
23	Chaudhary Bricks CO., VPO Uchana Khurd, Jind	Yes
24	Chaudhary Bricks Company V.P.O. - Uchana Khurd JIND	Yes
25	Choudhary Bhatta Udyog, VPO Shamlo Kalan, Jind	Yes
26	Choudhary Brick Co., Village Khapar, Jind	Yes
27	Choudhary Bricks Company V.P.O. Barsola JIND	Yes
28	Choudhary Bricks Company Village Uchana Kala, Jind	Yes
29	Choudhary Bricks Company, VPO Barsola, Jind	Yes
30	Dada Kala Peer (DKP) GUM, Village Barsola, Jind	Yes
31	Dhanda Bhatta GUM, Village Kalwa, Jind	Yes
32	Dhanda Bhattha Company, Vill. Kharak Ramji, Jind	Yes
33	Dhanda Bhattha Company, Vill. Ludana, Jind	Yes
34	Durga Bricks Co., Vill. Chattar Jind	Yes
35	G.C Bricks Company, Vill. Dakal, Jind	Yes
36	Ganesh Bhatta Co., VPO Khardwal, Jind	Yes
37	Ganpati Bhatta Company, Bhagkhera, Jind	Yes
38	Garg Bhattha Co. Village Ujahana, Narwana, Jind	Yes
39	Gupta Bricks Company, VPO Jajanwal, Jind	Yes
40	Gupta Bricks Company. VPO.- JAJANWALA (JIND)	Yes
41	Guru Kirpa Bricks Company, Village Kandela, Jind	Yes
42	Hanuman Bhatta Company, Village Karsola, Jind	Yes
43	Hanuman Bhattha Co. Village Kandela, Distt. Jind	Yes
44	Heera Bhattha Co. Village Khanda Alewa, Jind	Yes
45	Jagdamba Bhatta Gram Udyog Mandal Garhi JIND	Yes
46	Jai Baba Bricks Co., Vill. Nagura, Jind	Yes
47	Jai Baba Khak Nath Bhatta Co., Ujhana, Jind	Yes
48	Jai Bajrang brick Co., Vill. Mohangrah chapra, Jind	Yes
49	Jai Bala Ji Bhattha Company, Village Mohangarh Jind	Yes
50	Jai Bricks Co., Village Padna, Jind	Yes
51	Jai Hanuman Bhatta Company V.P.O. Thua JIND	Yes
52	Jai Hanuman Bhattha Co. VPO Chatthar, Uchana, Jind	Yes
53	Jai Maa Durga Bhattha Co. VPO Jheel, Narwana, Jind	Yes
54	Jain BKO, VPO Kandela, Distt. Jind	Yes
55	Laxmi Bricks Co., Village Bhadana, Jind	Yes
56	Luxmi BKO Vill. Kharal Narwana Jind	Yes
57	Luxmi Brick Co., Vill. Bhongra Jind	Yes
58	Mange Ram Bricks Company, VPO Palwan Uchana, Jind	Yes
59	Mittal Bricks Co. Village Gosai Khera, Jind	Yes
60	Mittal Bricks Co., Village Gosai Khera, Jind	Yes
61	Mittal Bricks Co., Village Gosai Khera, Jind	Yes

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62	Mor Bhatta Udyog Co., Village Kalodan Kalan, Jind	Yes
63	Mor Bhattha Udyog, Vill. Nehra, Teh. Narwana, Jind	Yes
64	Nagura Bricks Co. Vill. Nagura, Jind	Yes
65	Naresh Kumar BKO, Village Ratta Khera, Jind	Yes
66	National Battha Co., Village Igrah, Jind	Yes
67	Nav Durga Bhatta Co., VPO Hadwa (Safidon) Jind	Yes
68	New Durga Bhattha Co. VPO Jheel, Narwana JIND	Yes
69	New Salasar Bhatta Traders, Village Bafru Kalan, Jind	Yes
70	Om Bhatta CO., Village Lijwana Kalan, Jind	Yes
71	Rahul Bricks Company, Village Kasun, Jind	Yes
72	Raj Bhatta Company, Village Igrah, Jind	Yes
73	Raja Bricks Company, Village Igrah, Jind	Yes
74	Ram Avtar Jalan BKO, Vill. Dumerkha Khurd, Jind	Yes
75	Rama Bhatta Company Villag Sillakheri, Safidon, Jind, Haryana	Yes
76	Rama Bhatta Company, Gasho Khurd, Jind	Yes
77	Raman Bricks Company, VPO Shamlo Kalan, Jind	Yes
78	Rudra Bhatta Mandal, Palwan JIND	Yes
79	Sachha Sauda Bricks Co., VPO Khema Kheri, Jind	Yes
80	Salasar Bhatta .,Vill Kalod Kalan, Distt. Jind.	Yes
81	Salasar Bhattha Company Village Hadwa District Jind	Yes
82	Salasar Bricks Co., Vill. Chattar, Teh. Uchana, Jind	Yes
83	Saraswati Bhattha Company, Vill. Jamni Bania Khera Road, Jind	Yes
84	Saraswati GUM, Sinsar, Jind.	Yes
85	Shakti BKO Vill. Farian Kalan Narwana Jind	Yes
86	Shakti BKO Vill. Farian Kalan Narwana, Jind	Yes
87	Shakti BKO Village' Farian Khurd, Narwana, Jind	Yes
88	Shamlo Gram Udyog Manadal Vill. Shamlo Kalan, Jind	Yes
89	Shankar Bhatta Co., Village Roopgarh, Jind	Yes
90	shiv bhatta company dhigana VPO DHIGANA JIND	Yes
91	Shiv Bhattha Udyog Village Igrah Jind	Yes
92	Shiv Bricks Company VPO-Karsindhu JIND	Yes
93	Shiv Bricks Company, Karsindhu, Jind	Yes
94	Shiv Bricks Khadi GUM Village Palwan, Jind	Yes
95	Shiv Shanker Bhatta , Village Dahola, Jind	Yes
96	Shree Balaji Bhatta Co., Vill. Muwana, safidon, Jind	Yes
97	Shree Balaji Bricks Co., Khari Masaniya, Jind	Yes
98	Shree Hanuman Bhatta Co., Village Bahardurgarh, Safidon, Jind	Yes
99	Shree Hanuman Bricks Bahadurghar JIND	Yes
100	SHREE HANUMAN JI BHATTA CO VILLAGE BAHADURGARH, SAFIDON	Yes
101	Shree Luxmi Bhatta, GUM, Vill. Ujhana, Narwana, Jind	Yes
102	Shree Maha Luxmi Bhatta Co.,Vill Hatt, Saffidon, Distt. Jind	Yes
103	SHREE MAHA LUXMI BHATTA COMPANY HATT JIND	Yes
104	Shree Ram Bhatta Company, Village Jaipur, Safidon, Jind	Yes
105	Shree Ram Bricks Co.,Vill Jheel, Narwana, Distt. Jind.	Yes
106	Shree Shiv Shankar Bhatta Co. Vill. Hatt, Safidon, Jind	Yes
107	Shree Shyam Bhatta CO., Village Lijwana, Jind	Yes
108	Shree Shyamji Bricks Co., Shamlo Kalan, Jind	Yes
109	Shri Durga Bricks Co. Vill. Farain Kalan, Narwana, Jind	Yes
110	Shri Ganesh Bhatta Company Thua, JIND	Yes
111	Shri Shri 1008 Bhasmi Giri Ji Intt Bhatta Co., VPO Danoda, Distt. Jind	Yes
112	Shyam Brick Company, Lalit Khera, Jind	Yes
113	Tirupati Bhatta Company, VPO Mohangarh Chapda, Jind	Yes
114	Vardhman BKO, Vill Khatkar, Jind	Yes
115	Veer Bricks BKO, Kinana, Jind	Yes
116	Veer Bricks BKO, VPO Kinana, Distt. Jind	Yes
117	Vijay Bricks Company, Village Kaushan, Jind	Yes
118	Zile Singh BKO, Naguran, Jind	Yes

Note 1: All the Brick Kilns are operated with valid consent and of Fixed Chimney Brick Kiln (BTK)  
2: Stack Monitoring Facilities has been not provided like Port Hole and Platforms as per CPCB Guideline