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IPC-V(SS1)/Brick Kiln/2017 12608

October 24, 2017

To

Deputy Commissioner,
Mini Secretariat Karnal,
Saini Colony, Sec-12,
Haryana-132001

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 Karnal District of NCR, total 102 nos of Brick Kilns are being operated as per list of Brick Kilns enclosed herewith and among these 06 nos of Brick Kilns from S. No. 1 to 6 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,** : for information please
Govt. of Haryana,
Chandigarh
2. **The Chairman,** : with request to ensure closure
Haryana State Pollution Control Board and submit status report within
C-11, Sector-6, Panchkula, 15 days
Haryana-134 109 Chandigarh
3. **The Advisor (CP Division)** : for information please
Ministry of Environment, Forests & Climate Change
Indira Paryavaran Bhavan, Jorbagh Road
New Delhi - 110 003
4. **Regional Director,** : for follow-up please
Central Pollution Control Board
Regional Office (Lucknow)
Ground Floor, PICUP Bhawan
Vibhuti Khand, Gomti Nagar
Lucknow - 226 010
5. **Divisional Head, IT Division, CPCB** : for information please


(A. Sudhakar)
Member Secretary



LIST OF BRICK KILNS OPERATED IN THE KARNAL DISTRICT OF HARYANA

Sr.No	Name & Address of Brick Kilns	Consent Yes/No
1	Gulab Bricks Industry, VPO Jamalpur, Karnal	No
2	National Bhatta Co., Village Aungad, Karnal.	No
3	Saraswati Bhatta Co., Vill Kheri Naru, Jundla, Karnal	No
4	Shiv Bhatta Company, Vill. Gianpura, Gharunda, Karnal	No
5	Singla Brick Kiln Company, Village Gianpura, Gharunda Karnal	No
6	Shri Radhey Bhatta Company, Village Staundi, Gharunda, Karnal	No
7	Maa Jagdamba Bhatta Co., Vill- Rajepur, Indri, Karnal	Yes
8	Adiyta (Aditya) Udyog Mandal B.K.O., Salwan, Karnal	Yes
9	Aggarwal B.K.O., Gianpura, GHAROUNDA, Karnal	Yes
10	Allied Bricks Works, Village Mahnmati, Karnal.	Yes
11	Balaji Bhatta Co., Vill- Birchpur, Distt. Karnal	Yes
12	Bansal B.K.O., Village Sagga, Karnal	Yes
13	Barsat Bhatta Co., Barsat Road, Village Pundri, Karnal	Yes
14	Batra Bhatta Co., Village Kutail, Karnal	Yes
15	Bharat Bhatta Co., V.P.O. Biana, Indri, Karnal	Yes
16	Chaman Lal Chawla, Sandhir Road, Padana, Karnal	Yes
17	Chand Bhatta Co, V.P.O. Staundi, Karnal.	Yes
18	Deep Chand Ashok Kumar, Village Jabala, Assandh, Karnal	Yes
19	Durga Bhatta Co., Village Gianpura, Karnal	Yes
20	Durga Bricks Works, Village Gianpura, Gharunda, Karnal	Yes
21	Ganesh Bhatta Co., Vill Gianpura, Gharunda, Karnal.	Yes
22	Ganesh Bhatta Co., Vill Padha, Karnal.	Yes
23	Garg Bhatta Co., Salwan Road, Paphrana, Karnal	Yes
24	Garg Brick works, Village Bir Naraina, Karnal	Yes
25	Garg Bricks B.K.O. Vill Hathlana, Karnal	Yes
26	Garg Gram Udyog Samiti, Vill Bairsal, Karnal	Yes
27	Goyal Co Operative Society, Village Bastada, Karnal	Yes
28	Gulab Bhatta Co., Vill Sangaha, Karnal	Yes
29	Hari Om Bhatta Co., Vill Baragaon, Karnal.	Yes
30	Haryana Bricks Supply Co., Village Baderi, Karnal	Yes
31	J B Bhatta Co., Village Bijna, Distt.- Karnal	Yes
32	JDK Bhatta Co., Village Ballaha, Tehsil Assandh, Karnal	Yes
33	Jagdamba Bhatta Co., Vill Aungad, Karnal	Yes
34	Jai Bhawani Bhatta Co., Village Gianpura, Gharunda, Karnal	Yes
35	Jai Jawala Bhatta Co., Vill Bijna, Karnal	Yes
36	Jai Jawala Bhatta Co., Vill Naurukheri, Karnal	Yes
37	Jaipal singh & Co., B.K.O., Nissing Road, Uplana, Karnal	Yes
38	Jindal Bricks Co., Village Kalri Khalsa, Indri, Karnal	Yes
39	Joginder Lal Chawla & Co., Village Sandhri, Karnal.	Yes
40	Khushi Ram Aggarwal, Vill Randoli, Karnal	Yes
41	Krishna Bhatta Co., V.P.O. Salwan, Karnal	Yes
42	Luxmi Bhatta Company, Village Mubarkbad Gharunda, Karnal.	Yes
43	M K Bricks, Village Sambhli, Karnal	Yes
44	Maha Luxmi Traders, Vill-Rehra. Assandh, Karnal	Yes
45	Mani Ram Phagu Ram, Vill Gianpura, Karnal	Yes
46	Mann Bhatta Co., Shekhupura to Kurlan Road, Village Tharva Mazra, Karnal	Yes
47	Milki Ram Jindal B.K.O, Village Ramba, Karnal.	Yes
48	National Brick Industries, Vill Rajgarh, Karnal	Yes
49	National Bricks Works, Vill -kurak, Karnal	Yes
50	Om Shivay Bhatta Co., Jind Road, Assandh, Karnal	Yes
51	Panipat Bricks Supply Co., Vill- Janesron, Indri, Karnal	Yes
52	Parkash Bhatta Co., Village Gianpura, Karnal	Yes
53	Parkash Bricks Industry, Vill Baragaon, Karnal	Yes
54	Parmod Kumar Chawla, Village Anjanthali, Karnal.	Yes
55	Pawan Bhatta Co., Village Gianpura, Karnal	Yes
56	R K Bhatta Co., Village Kalaron, Gharunda, Karnal	Yes
57	Rama Bhatta Co., Vill Gonder, Karnal	Yes
58	Raman Bhatta Co, Vill Gianpura, Gharunda, Karnal	Yes
59	Ravi Brick Works, Vill-Sangoha, Distt. Karnal	Yes
60	S.S. Bhatta Co., Village Gianpura, Karnal. 9416275416	Yes
61	Sadhu Ram Vinod Kumar BKO Vill Alipur Khalsa, Karnal	Yes
62	Sahib Chand Tara Chand B.K.O., Jind Road, Assandh, Karnal	Yes

63	Sanjay Bhatta Co., Vill Kohand, Karnal. 9416275416	Yes
64	Sardar Man Singh Krishan Lal B.K.O. Bandrala, Karnal	Yes
65	SatPal Chawla & Co., Village Bir Majra, District Karnal	Yes
66	Sham Bhatta Co., Vill Birchpur, Karnal	Yes
67	Sham Bhatta Co., Vill Jani, Karnal	Yes
68	Shiv Bhatta Co., Vill- Jhimri Khera, Tehsil- Asandh, Karnal	Yes
69	Shiv Bhatta Co., Vill. Pabana Hassanpur, Karnal	Yes
70	Shiv shankar Brick Co., Vill- Dhumsi, Tehsil- Indri, Karnal	Yes
71	Shiva S B.K.O., Village Jabala, Assandh	Yes
72	Shree Balaji Bhatta Co., Village Salwan, Karnal	Yes
73	Shree Krishna Bhatta Co., Gonder Nissing, Karnal	Yes
74	Shree krishna Bhatta Co, Vill- Jhimri Khera, Tehsil- Assandh, Karnal	Yes
75	Shri Bajrang Bhatta Co., Vill Faridpur, Gharunda, Karnal	Yes
76	Singla Bhatta Co., Vill Bijna, Karnal	Yes
77	Super Udyog Manal B.K.O., Vill Goli Assandh, Karnal	Yes
78	Suraj Bhatta Co.B.K.O. Gali Road, Salwan, Karnal	Yes
79	The Gram Vikas Udyog B.K.O, Salwan, Karnal	Yes
80	Tirlok Chand Suresh Kumar, Village Padhana, TARAORI, Karnal	Yes
81	Vijay Kumar Khanna & Co., Village Jundla, Karnal.	Yes
82	Om bhatta Co., Village-Kalron, Gharaunda, Karnal	Yes
83	Shiva Bhatta Co, Village- Sangoha, Distt. Karnal	Yes
84	Khazan Chand Chawla & Co., Vill- Tikri, Karnal	Yes
85	Dharam Bhatta Co., Vill- Staundi, Karnal	Yes
86	S B Bhatta Company, Vill- Jhimri Khera, Tehsil Assandh, Karnal	Yes
87	SBG Bhatta Company, Assandh Jind Road, 3.5 Mile Stone, Karnal	Yes
88	J K Bhatta Co., Vill- jabala, Assandh, karnal	Yes
89	Gaytri Bhatta Co, Vill- Mardanheri, Assandh, Karnal	Yes
90	Maa Vaishano Bhatta Co., Vill- Gondar, Nissing, karnal	Yes
91	Dashmesh Bhatta Co., Vill Salaru, Karnal	Yes
92	Punjab Bhatta Co., Vill Ranwar, Karnal	Yes
93	Shree Ram Bricks, Vill- Sandhir, Nilokheri, karnal	Yes
94	Shree Balaji Bhatta Co, Vill. Samora, Indri, Karnal	Yes
95	M M Bricks, Village Kalron, Gharaunda, Karnal	Yes
96	Shri Guru Nanak Bhatta Co. Vill. Sonkra, Nilokheri, Karnal	Yes
97	Jai Maa Pai wati Bhatta Co., VPO Kherimaan Singh, Karnal	Yes
98	Jai Durga Bhatta Co., Village Kheri Jattan, Karnal	Yes
99	Somnath Bhatta Company, Village Stanndi, Gharaunda, Karnal	Yes
100	Sahil Bhatta Company, Village Khei Mann Singh, Tehsil Indri, Karnal	Yes
101	Prem Chand B.K.O, Rajepur Indri, Karnal	Yes
102	Jai Hanuman Bhatta Co., Village Birchpur, Karnal	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	