



IPC-V(SS1)/Brick Kiln/2017 Fax/ Speed Post
12609

October 24, 2017

To:

Deputy Commissioner,
Mini Secretariat Nuh,
Dundaheri, Haryana-122103

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(SSl)/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 Nuh District of NCR, total 100 nos of Brick Kilns are being operated as per list of Brick Kilns enclosed herewith and among these 12 nos of Brick Kilns from S. No. 1 to 12 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 Manufacturer'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 NUH (MEWAT) DISTRICT OF HARYANA

Sr.No	Name & Address of Brick Kilns	Consent Yes/No
1	Amin Patwari Bricks Co. Vill-Bichore Tehsil-Punhana,Mewat	No
2	Baba Bhatta Co.Old Name Rao Bhatta Co.,Vill-Chappera, Nuh, Mewat	No
3	Bharat Bhatta Co., Vill-Ghasera Mewat	No
4	Bilawat bricks Co., Vill-Sudaka, Mewat	No
5	CHAUDHARY BRICKS UDYOG VILLAGE- BIWAN, FEROPUR JHIRKA, MEWAT	No
6	Deshwal Bhatta Co., Vill-Alduka, Nuh, Mewat	No
7	Jindal Bhatta, Vill- Qutabgarh, Nuh, meWAT	No
8	Manawata Ent Udyog, Vill-Jakhpur, Nuh, Mewat	No
9	Ronak Brikes Udyog, Vill-Jakhpur, Mewat	No
10	Shivam Bricks Udyog, Vill-Singar, Punhana, Mewat	No
11	Ransingh Bhatta Co., Vill- Kaliyaka, Nuh, Mewat	No
12	YADAV BHATTA CO. VILLAGE - MANNAKI, TEHSIL - NUH, MEWAT	No
13	AASIN DEDWAL INT UDYOG VILLAGE BICHHORE TEHSIL PUNHANA DISTT MEWAT	Yes
14	ABC Bricks Udyog, Village- Malab, Tehsil- Nuh, Mewat	Yes
15	Ankur Brick Co., Vill-Alduka, Mewat	Yes
16	Arun Bricks Udyog Vill-Agoh, Firozpur Jhirka, Mewat	Yes
17	Asha Bricks field Vill-Shamsabad, Mewat	Yes
18	Asha Bricks udyog, Vill-Agon, ferojpur Jhirka, Mewat	Yes
19	Ashish Bricks Field, Vill-Sigar, Punahana, Mewat	Yes
20	B.C. Bhatta Co., Vill-Chappera, Nuh, Mewat	Yes
21	Baba Bricks Field, Vill-jakhpur, Punhana, Mewat	Yes
22	Baba Ent Bhatta Udyog, Vill-Bichhor, Punhana, Mewat	Yes
23	Bal Chand Bhatta co., Vill- Salamba, Nuh, Mewat	Yes
24	Balaji Bhatta Co., Vill-Alduka, Nuh, Mewat	Yes
25	BALOT BHATTA CO VILLAGE BAJARKA TEHSIL NUH MEWAT	Yes
26	Bansal Bricks Udyog, Vill-Biwan,Ferozpur Jhirka, Mewat	Yes
27	Banwari lal & Co.,Jhirka Road Punhana, Mewat	Yes
28	Bhagat Bhatta Co., Vill-Ganggoli, Nuh, Mewat	Yes
29	Bhagwati Bricks Centre, Vill-Chachera, Nuh, Mewat	Yes
30	Bharat Bricks Industries, village singar tehsil punhana mewat	Yes
31	Bhawani bricks centre, Vill-Hirmathla, Nuh, Mewat	Yes
32	Bihari bricks Udyog Vill-Ghasera, Mewat	Yes
33	Choudhary Bhatta Co Vilage Alduka Tehsil Nuh District Mewat	Yes
34	Damrot Bhatta Co., Village- Jakhpur, Jamalgarh, Tehsil- Punhana, Mewat	Yes
35	Deena Dedwal Ent. Udyog Village- Jharokari, Teh.- Punhana, Dist.- Mewat	Yes
36	Dhengal bhatta Co., Vill-Ghasera, Mewat	Yes
37	Gangar bricks Co., Vill- Bajarka, Nuh, Mewat	Yes
38	Garg Bricks Udyog, Vill-Allahbad Pingaon, Ferozpur Jhirka, Mewat	Yes
39	Garg bricks udyog, Vill-Khedli, Punhana, Mewat	Yes
40	Gaur Bhatta Co., Vill-kutabgarh, Nuh, Mewat	Yes
41	Gaurav Bhatta Co., , Vill-Alduka, Nuh, Mewat	Yes
42	Gayatri Bhatta Co, Vill-Alduka, Nuh, Mewat	Yes
43	Gayatri Bhatta Co. Vill-Gangoli, Nuh, Mewat	Yes
44	Gorwal Bricks Co Vill-Rahira, Punhana, Mewat	Yes
45	Goyal Bricks Udyog Vill-Singar, Punhana, Mewat	Yes
46	Goyal bricks udyog, Jhirka Road, Punhana, Mewat	Yes
47	Hanuman Bhatta Co., Vill-Chachera, Nuh, Mewat	Yes
48	Hanuman Bricks Centre, Vill-Sugarpur, Nuh, Mewat	Yes
49	Harpal Bhatta Co., Vill-Gangoli, Nuh, Mewat	Yes
50	Hira Bhatta vill- salamba, Nuh, Mewat	Yes
51	Illyas Bricks Co., Vill- Singar, Punhana , Mewat	Yes
52	Jai Shiv Shankar Bhatta Co., Vill-Alduka, Nuh, Mewat	Yes
53	JUMMA BAKSH BHATTA CO.,VILL.- SALAMBA, TEHSIL- NUH, DISTT. MEWAT	Yes
54	Kapil Bricks Centre , Vill-Aldoka, Teh-nuh, Mewat	Yes
55	Khan Bricks Udyog Village Mandi Khera Distt. Mewat	Yes
56	KIRSHAN BRICKS CENTER., VILLAGE- ALDOKA, TEHSIL- NUH, MEWAT	Yes
57	Kisan Bhatta Company Vill. Dhanduka, Tehsil- Nuh, Distt. Mewat MEWAT	Yes
58	Mangla Bricks, Vill-Bas Dalka, Punhana, Mewat	Yes
59	Mangla Ent Udyog, Vill-Neemka, Punhana Mewat	Yes
60	Mewat Bhatta Co., Vill-Tain, Nuh., Mewat	Yes
61	Mewat Brick Udyog., Vill- Sikrawa, Punhana, Mewat	Yes
62	Mewat Bricks Udyog Village Aamka Tehsil Punhana, Distt. Mewat	Yes
63	Mewat Ent udyog, Vill-Manota, Punhana, Mewat	Yes
64	Mewat Int Udyog, Vill- jakhpur, Punhana, Mewat	Yes
65	Mohmmad Bhatta Co., Vill-Maholi, ferojpur Jhirka, Mewat	Yes
66	Nasib Bricks Co., Vill-Salaheri, Nuh, Mewat	Yes
67	NAZIR BALOT ENT UDYOG VILLAGE-BICHHORE,TEHSIL-PUNHANA,MEWAT	Yes

68	Nihal Bhatta Co., Vill-Gangoli, Nun, Mewat	Yes
69	Om Bricks Udyog, Vill-chapera, Nun, Mewat	Yes
70	Pardhan Bricks Udyog Co., Jakhori, Punhana, Mewat	Yes
71	Pardhan Ent udyog, Vill-Bisru, Punhana, Mewat	Yes
72	Patel Bhatta Co., Vill-Dudoli, Nun, Mewat	Yes
73	Radha Ent Udyog, Vill-Singar, Punhana, Mewat	Yes
74	Raj Bhatta Co., Vill-Indri, Mewat	Yes
75	Raja Ent Udyog, VILLAGE-BICHORE, TEHSIL-PUNHANA, DISTRICT-MEWAT	Yes
76	Raman Bhatta Co., Vill-Marora, Punhana, Mewat	Yes
77	Ramji Bhatta Co., Vill-Chhapera, Nuh, Mewat	Yes
78	Rao Bricks Centre, Vill-Sugarpur, Nun, Mewat	Yes
79	Rojdar Bhatta Co., Vill-Bajarka, Teh-Nuh, Dist-Mewat	Yes
80	Ronak Brick Udyog, VILL KHARALI PINAHGWAN NUH MEWAT	Yes
81	Roshan Bricks Udyog, Vill-Alduka, Nun, Mewat	Yes
82	Sagar Brick Udyog, Vill-Biwan, Teh-Ferojpur Jhirka, Mewat	Yes
83	Salim Dadwal Ent udyog, Bichhore, Tehsil-Nun, Mewat	Yes
84	Sanwaliya Bhatta Co., Vill-Mannaki, Nun, Mewat	Yes
85	Shan Bricks Udyog, Vill-Singar, Punhana, Mewat	Yes
86	Shree Krishna Ent Udyog, Singar, Punhana, Mewat	Yes
87	Shree Shyam Bhatta Co., Village-Kurthla, Tehsil-Nuh, Mewat	Yes
88	Shri Balaji Bricks, Vill-Singar, Punhana, Mewat	Yes
89	Shri Krishana Bhatta Co., Vill-Sugarpur, Nun, Mewat	Yes
90	Shri Ram Bhatta Co., vill-Salamba, Nun, Mewat	Yes
91	Shayam Bhatta Co., Vill-Salamba, Nun, Mewat	Yes
92	Singla Bricks Udyog, Vill-Samsabad, Punhana, Mewat	Yes
93	Sun Rise Bricks Industries, Vill-Salamba, Nuh, Mewat	Yes
94	TAJ BHATTA CO VILLAGE GHASERA, TEHSIL NUH, MEWAT	Yes
95	Tanwar Bhatta Co., Vill-Gangoli, Nun, Mewat	Yes
96	Tops Bricks, Vill-Chapera, Nuh, Mewat	Yes
97	Vahid Bricks Udyog Village-Singhar, Punhana, Dist- Mewat	Yes
98	VIKAS BRICKS CENTRE, VILLAGE TAIN TEHSIL NUH DISTRICT MEWAT	Yes
99	Yash Bricks, Vill-Rawli, Tehsil-Ferozpur Jhirka, Mewat	Yes
100	Garg Bricks Udyog, Village-Punhana, District-Mewat	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		

be