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IPC-V(SS1)/Brick Kiln/2017

October 24, 2017

To

Deputy Commissioner,
Mini Secretariat, Rewari
Haryana-123401

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 Rewari District of NCR, total 120 nos of Brick Kilns are being operated as per list of Brick Kilns enclosed herewith and among these 14 nos of Brick Kilns from S. No. 107 to 120 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 REWARI DISTRICT OF HARYANA

Sr.No	Name & Address of Brick Kilns	Consent Yes/No
1	Ajit Singh & Co., Vill-Gokalgarh, Distt-Rewari	Yes
2	Ajit Singh, BKO-Nahar, Kosli,	Yes
3	Lord Krishna Gramudyog, Vill-Husainpur, Distt-Rewari	Yes
4	Surajbhan Bricks Udyog, Vill-Gurawara, Tehsil & Distt-Rewari	Yes
5	Shri Chaman Bhatta, Vill- Gokal Garh, Rewari	Yes
6	Rajesh Kumar BKO, Vill-Budana, Rewari	Yes
7	Shiv Shankar Tiles, Dhani Sundroj, Distt-Rewari	Yes
8	Ravi Kumar BKO, Vill-Jadra, Rewari	Yes
9	Shri Shyam Bhatta Co., Vill-Ladhuwas, Distt-Rewari	Yes
10	A.S. bricks Udyog, Vill-Gangoli, Saharanwas, Distt-Rewari	Yes
11	Karuna Bricks Udyog, Vill-Kharagwas, Rewari	Yes
12	Dharam Bricks Kiln Gram Udyog, Vill-Rasiawas, Bawal	Yes
13	Friends Bricks Udyog, Vill- Nahar, Rewari	Yes
14	Balaji Bhatta Co., Vill-Makhriya Distt-Rewari	Yes
15	Shiva Bhatta Co., Vill-Nehru Garh Rewari	Yes
16	Chaudhary Bhatta Co., Vill.-Saban, Bawal	Yes
17	Shiva Bhatta co., vill-Lilodh, Kosli, Rewari	Yes
18	Jharoda Bricks udyog, Vill-Jharoda, Distt-Rewari	Yes
19	Budhpur Bricks Udyog, Village- Budhpur, Rewari	Yes
20	Rao Bricks Udyog, Vill-Jadra, Distt-Rewari	Yes
21	Balaji bricks udyog, Vill-mandiya khurd, Distt-Rewari	Yes
22	Chaudhary jailal bricks Co., Rasiawas, Bawal, Rewari	Yes
23	BD Bricks Udyog, Vill-Bad Sundroj, Distt-Rewari:-	Yes
24	Parjapati Enterprises BKO, Vill.-Jadra, Distt-Rewari	Yes
25	Yadav Bricks Udyog, Vill-Kharagwas, Rewari	Yes
26	Chaudhary Joon Bhatta Co., Vill-Behrampur Bharangi, Bawal, Distt-Rewari	Yes
27	Kosalia Bricks udyog, Vill-Kanmajra, Distt-Rewari	Yes
28	Rahul Enterprises Vill-Bhandor, Rewari	Yes
29	Mangeram Int Bhatta, Gurawara, Distt- Rewari	Yes
30	Narender Enterprises, Vill-Balhir Khurd, PO-Turkyawas, Distt-Rewari	Yes
31	Parveen Brick Co., Vill Lilodh, Rewari	Yes
32	Shrichand Bhatta Co Vill-Dharchana Sahpur, Bawal Distt-Rewari	Yes
33	Dagar Bhatta Co., Bhudana, Rewari	Yes
34	Vipin Enterprises, BKO-Rampura, Distt-Rewari	Yes
35	Ajay Bricks Industries, Vill-Budhpur, Rewari	Yes
36	Ram Lal BKO., Vill-Bhalla, Kosli, Rewari	Yes
37	R.K. Enterprises, Kharkhari, bawal	Yes
38	Om Bhatta Co., Vill- Bawwa, Kosli, Rewari	Yes
39	Chaudhary B S Enterprises Vill-Khori, Distt-Rewari	Yes
40	Chaudhary Vikash Bhatta Co., Vill-Tankri, Bawal	Yes
41	Vikas Bhatta Co., Vill-Behrampur Bharangi, Bawal, Distt-Rewari	Yes
42	Hada Gram Udyog, Vill-Kharagwas, Rewari	Yes
43	Prithvi Raj & Co., Vill-Gumina, Rewari	Yes
44	Satguru Bricks Co., Vill-Bhairampur Bharangil, Rewari	Yes
45	Khola Bricks Udyog, Vill-Berli Kalan, Distt-Rewari	Yes
46	Nambardar Brick Co., BKO, Rasiawas, Bawal	Yes
47	Surya bricks Udyog, Vill-Nahar, Kosli, Distt-Rewari	Yes
48	Chauhan Bhatta Co., Vill-Jaisingpur Khera, Bawal, Distt-Rewari	Yes
49	Dhanlaxmi Bricks Udyog, Vill-nahar, Kosli, Distt-Rewari	Yes
50	Jai Ambey Bricks Udyog, Vill-Sanjarpur, Tehsil-Bawal, Distt-Rewari	Yes
51	Shri Balaji Enterprises, Vill-Aaspur, Distt-Rewari	Yes
52	Shri Bhatta Co., Vill-Naichana, Bawal, Distt-Rewari	Yes
53	Salangia Bricks udyog Vill- Khargawas Rewari	Yes
54	Shree Sheolal Bhatta Co., Vill-Jaitrawas, Distt-Rewari	Yes
55	Chaudhary Bricks, Rasiawas, Bawal, Rewari	Yes
56	Master Jhamman Bricks, Vill-Harchandpur, Bawal Distt-Rewari	Yes
57	Shiv Bhatta Co., Vill-Narsinghpur Garhi, Distt-Rewari	Yes
58	Pamu Bhatta Co., Vill-Aaspur, Distt-Rewari	Yes
59	Ram Singh & Co., Vill-Kanmajra, Vill-Kharagwas, Distt-Rewari	Yes
60	Rao nihal Singh & Co., Vill-Bhudana, Rewari	Yes
61	Bajrang Bhatta Company Vill-kalrawas, Tehsil-Bawal Distt-Rewari	Yes

62	Harbej Bricks Co., Vill-Rasiawas, Bawal, Distt-Rewari	Yes
63	Shivach Bricks Co., Vill-Rasiawas, Bawal, Distt-Rewari	Yes
64	Mahlawat & Co., BKO, Narsinghpur Garhi, Bawal, Distt-Rewari	Yes
65	Bharat Bhatta Co., Vill-Kheri Dharchana, Bawal, Distt-Rewari	Yes
66	Gehlawat Bricks, Vill-Raliawas, Bawal, Rewari	Yes
67	R.B. Bhatta Co., Vill-Lookhi, Kosli, Distt-Rewari	Yes
68	Chaudhary Jagbir Singh Bhatta Co., Vill-Rattanthal, Rewari	Yes
69	Shree Shyam Bhatta Co., Vill-Dhani Sundroj, Rewari	Yes
70	Salangia Bricks udyog Vill- Ladhuwas Ahir Rewari	Yes
71	Raria Bricks udyog, Vill-Kanmajra, Distt-Rewari	Yes
72	Dabar Bricks Co., Vill-Bhandor, Distt-Rewari	Yes
73	Hari Bhatta Co., Vill-Kharagwas, Rewari	Yes
74	Mohinder Singh BKO Vill Jadra Distt Rewari	Yes
75	Sultania Bricks Udyog, Jadra, Rewari	Yes
76	B S Bhatta Co., Vill-Lula Ahir, Kosli, Rewari	Yes
77	R.K. Enterprises, BKO-Dhani Sundroj, Rewari	Yes
78	Ram Kanwar & Sons Vill-Gangoli, Rewari	Yes
79	Shree Durga Bhatta Co., Ladhuwas Ahir, Distt-Rewari	Yes
80	Shri Krishna Bhatta Co., Vill-Aaspur, Distt-Rewari	Yes
81	J.S. Bricks udyog, Nahar, Vill-Mahar, Tehsil-Kosli, Rewari	Yes
82	Yadav Bhatta Co., Vill-Tinti, Distt-Rewari	Yes
83	Kosliya Bricks Kiln, Vill-Berli Khurd, Tehsil & Distt-Rewari	Yes
84	R.K. Tiles, Vill-Thothwal, Distt-Rewari	Yes
85	Gindori Gram Brick Udyog, Vill- Badhhani, Sundroj, Rewari	Yes
86	Luxmi Bhatta Company Village Lukhi Kosli District Rewari	Yes
87	Bharathari Bricks Co., Vill-Rasiawas, Bawal, Distt-Rewari	Yes
88	Jagbir Singh and Brothers, Vill-Kharkhari, Bawal, Distt-Rewari	Yes
89	Udai Ram Bricks Co., Rasiawas, Bawal	Yes
90	Yadav Bhatta Company Village Bawwa tehsil Kosli Distt Rewari REWARI	Yes
91	Chaman Enterprises, Vill-Bhurthal Thether, Distt-Rewari	Yes
92	Raj Singh & Co., BKO-Budhpur, Distt-Rewari	Yes
93	Jaildar Bhatta Co., Vill-Dhamlawas, Distt-Rewari	Yes
94	Krishna Gram udyog, BKO, Sundroj, Distt-Rewari	Yes
95	Om Parkash Bhatta co., Vill-Bhudana, Rewari	Yes
96	Shree Durga Bricks Udyog, Vill-Narsinghpur garhi, Bawal, Distt-Rewari	Yes
97	Dharam Enterprises, Vill-Sulkha, bawal, Distt-Rewari	Yes
98	Bhole Bhatta Co., Vill-Rasiawas, Bawal, Rewari	Yes
99	M.B. Kiln BKO Narsinghpur Garhi, Bawal	Yes
100	Ram Bhatta Co., Vill-Naichana, Bawal Distt-Rewari	Yes
101	Dharam Bhatta Co., Vill-Sulkha, Bawal, Distt-Rewari	Yes
102	DS Brick Kiln Udyog, Vill-Jadra, Rewari	Yes
103	Garima Bricks Industries, Vill-Aaspur Budhpur, Distt-Rewari	Yes
104	Chaudhary Bricks Products, vill-Asaraka Majra, Rewari	Yes
105	Satyam Bhatta Company Village Baldhan Khurd, Distt-Rewari	Yes
106	Om Bricks Udyog, VPO-Nehrugarh, Distt-Rewari	Yes
107	Goverdhan Bricks, Vill-Asraka Majra, Bawal, Distt-Rewari	No
108	Kundu Bricks procedure, Ram Singhpura, Bawal Distt-Rewari	No
109	Dagar Bricks Udyog, Vill- Lilodh, Kosli, Rewari	No
110	Dharm and Co., Vill-Bawwa, Kosli, Rewari	No
111	Hari Om & Co., Vill-Bawwa, Tehsil-Kosli, Distt-Rewari	No
112	Ramesth Bricks Udyog, Vill-Bawwa, Distt-Rewari	No
113	Rao Bhatta Co., Vill-Sudhrana, Distt- Rewari	No
114	Rajesh Bhatta Co., Lilodh, Kosli, Rewari	No
115	Balbir Singh & Sons, Vill-Khijuri, Distt- Rewari	No
116	Shiv Bhatta Co., Vill-Kanwali, Distt-Rewari	No
117	Chankaur Bhatta, Vill-Kheri Dharchana, Bawal, Distt-Rewari	No
118	Kataria Bhatta Company Vill-Harchandpur, Tehsil-Bawal Distt-Rewari	No
119	Mahlawat Bricks Procedure, Vill-Harchandpur, Bawal, Distt-Rewari	No
120	Pardhan Bhatta Co., Vill-Harchandpur, Bawal	No
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	