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IPC-V(SS1)/Brick Kiln/2017 12611

October 24, 2017

To:

Deputy Commissioner,
2nd Floor, Mini Secretariat Building
Subhash Nagar, Rohtak,
Haryana-124001

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 Rohtak District of NCR, total 142 nos of Brick Kilns are being operated as per list of Brick Kilns enclosed herewith and among these 20 nos of Brick Kilns from S. No. 1 to 20 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 ROHTAK DISTRICT OF HARYANA

Sr.No	Name & Address of Brick Kilns	Consent Yes/No
1	Ajay Bhatta Co. Vill-Jassia, Distt. Rohtak	No
2	Arya Bhatta Co. Vill-Gharuthi, Distt. Rohtak	No
3	Ashok BKO, Vill-Kalanour, Distt. Rohtak	No
4	Balaji Bhatta Co. Vill-Katwara, Distt. Rohtak	No
5	Balaji Bhatta Co. Vill-Sangahera, Distt. Rohtak	No
6	Chand Bhatta Co. Vill-Nigana, Distt. Rohtak	No
7	Chauhan Bhatta Co, Vill-Baniyani, Rohtak.	No
8	Hanuman Bhatta Co, Vill-Nindana, Distt. Rohtak.	No
9	Hari Das Bhatta Co, Vill-Kalanour, Distt. Rohtak.	No
10	Jai Shree Ram Bhatta Co, Vill-Gari Sampla, Distt. Rohtak.	No
11	Manphool Singh & Co, VPO-Sisroli., Distt. Rohtak.	No
12	Om Parkash Ravinder Singh, BKO, Vill-Ladhot, Distt. Rohtak	No
13	Ranbir Singh BKO, Vill-Bakheta, Distt. Rohtak	No
14	Salashar Bhatta Co. Vill-Bhaini Chanderpai, Distt. Rohtak	No
15	Shiv Bhatta Co. Vill-Kansala, Distt. Rohtak	No
16	Shiv Bhatta Co. Vill-Kultana, Distt. Rohtak	No
17	Shiva Bhatta Co. Vill-Kiloi, Distt. Rohtak	No
18	Surya Bhatta Co, Vill-Rurkee, Distt. Rohtak	No
19	T.R. Bricks Co, Vill-Meham, Distt. Rohtak.	No
20	Vikas Bhatta Co, Vill-Lakhan Majra, Distt. Rohtak.	No
1	Aarti Bhatta Co. Vill-Hassangarh, Distt. Rohtak	Yes
2	ABC Bhatta Co, Vill-Hasangarh, Rohtak.	Yes
3	Abhijeet Bhatta Co. Vill-Hassangarh, Distt. Rohtak	Yes
4	Aggarwal Gram Udyog Bhatta Co, Vill-Ismaila-11B, Distt. Rohtak	Yes
6	Ajit Singh Bhatta Co. Vill-Lakhanmajra, Distt. Rohtak	Yes
7	Ambay BKO, Vill-Kalanour, Distt. Rohtak	Yes
8	Anil Bhatta Co, Vill-Marodhi, Distt. Rohtak.	Yes
10	Asarfi Bhatta Co. Vill-Kalanour, Distt. Rohtak	Yes
12	B.R. Bhatta Co, Vill-Bhaiyanpur Ladhot, Rohtak.	Yes
13	B.S. Bhatta Co. Vill-Sangahera, Distt. Rohtak	Yes
14	Baba Bhatta Co. Vill-Hassangarh, Distt. Rohtak	Yes
15	Bajrang Bhatta Co. Vill-Farmankhas, Distt. Rohtak	Yes
16	Balaji Bhatta Co, Vill-Farmana, Distt. Rohtak	Yes
17	Balaji Bhatta Co, Vill-Ghrauthi, Distt. Rohtak	Yes
18	Balaji Bhatta Co. Vill-Gandhra, Distt. Rohtak	Yes
21	Barak Bhatta Co, Vill-Karontha, Distt. Rohtak	Yes
22	Bharat Bhatta Co, Vill-Kheri Mehama, Distt. Rohtak	Yes
23	Bhola Bhatta Co. Vill-Farmanakhas, Distt. Rohtak	Yes
24	Chand & Sons Bhatta Co. Vill-Nigana, Distt. Rohtak	Yes
26	Chaudhary Bhatta Co, Vill-Kahanour, Distt. Rohtak	Yes
28	Choudhary Bhatta Co. Vill-Nasirpur Titoli, Distt. Rohtak	Yes
29	Daya Nand Bhatta Co. Vill-Farmana Khas, Distt. Rohtak	Yes
30	Deep Bricks Co, Vill-Kheri Sampla, Rohtak.	Yes
31	Deepak Gram Udyog Sangh, Vill-Nonod, Distt. Rohtak	Yes
32	Dev Bhatta Co, Vill-Khidwali, Distt. Rohtak	Yes
33	Dev Bhatta Co, Vill-Nigana, Distt. Rohtak	Yes
34	Devender Singh & Co, Vill-Nindana, Distt. Rohtak	Yes
35	Dhaka Bhatta Co. Vill-Guddan, Distt. Rohtak	Yes
36	Dhull Bhatta Co, Vill-Ritoli, Distt. Rohtak	Yes
37	Doctor Bhatta Co, Vill-Titoli, Distt. Rohtak	Yes
38	Durgaji BKO, Vill-Jindran Kalan, Distt. Rohtak	Yes
39	Ganesh Bhatta Co. Vill-Hassangarh, Distt. Rohtak	Yes
40	Ganga Bhatta Co. 2, Vill-Hassangarh, Distt. Rohtak	Yes
41	Ganga Bhatta Co. Vill-Hassangarh, Distt. Rohtak	Yes
42	GBC Bhatta Co, Vill-Hasangarh, Distt. Rohtak	Yes
43	GBC Bhatta Co, No. 2, Vill-Hasanagarh, Distt. Rohtak	Yes
44	Gopal Bricks Industry Co. Vill-Lahli, Distt. Rohtak	Yes
45	Gulia Bhatta Co. Vill-Hassangarh, Distt. Rohtak	Yes
46	Hanuman Bhatta Co, Vill-Ismaila II Biswa, Distt. Rohtak	Yes
48	Hanuman Bhatta Co, Vill-Samargopalpur, Rohtak.	Yes
49	Hanuman Bhatta Co. Vill-Farmana, Distt. Rohtak	Yes

51	Hari Das Bhatta Co. (No.3) Vill-Kansala, Distt. Rohtak	Yes
52	Hari Singh Bhatta Co. Vill-Chamaria, Distt. Rohtak	Yes
53	Haridas Bhatta Co, No. 3, Vill-Kansala, Distt. Rohtak	Yes
54	Haridas Bhatta Co, Vill-Kalanour, Distt. Rohtak	Yes
55	J.K Bhatta Co, Vill-Ladhot, Distt. Rohtak	Yes
56	Jai Bajrang Bhatta Co. Vill-Gharaunthi, Distt. Rohtak	Yes
57	Jai Balaji Bhatta Co, Vill-Farmana Khas, Tehsil-Meham, Rohtak.	Yes
59	JBS Bhatta Co, Vill-Hassangarh, Distt. Rohtak	Yes
60	Jeewan Singh Bhatta Co, Vill-Nigana, , Distt. Rohtak	Yes
61	Kataria Bhatta Co. Vill-Gharaunthi, Distt. Rohtak	Yes
62	Kharkiya BKO, Vill-Katesra, Distt. Rohtak	Yes
63	Khatri Bhatta Co. Vill-Ismaila, Distt. Rohtak	Yes
64	Kissan Bhatta Co, Vill-Titoli, Distt. Rohtak	Yes
65	Krishan Bhatta Co. Vill-Khidwali, Distt. Rohtak	Yes
66	Kundu Brother Bhatta Co, Vill-Titoli, Distt. Rohtak	Yes
67	LBC Bhatta Co, Vill-Hassangarh, Distt. Rohtak	Yes
68	Luxmi Bhatta Co. Vill-Hassangarh, Distt. Rohtak	Yes
69	Luxmi Bhatta Co. Vill-Nigana, Distt. Rohtak	Yes
70	M.D. Bhatta Co. Vill-Farmanakhas, Distt. Rohtak	Yes
71	Mahabir Bricks Co. Vill-Dobh, Distt. Rohtak	Yes
72	Manjeet Singh, Bhatta Co, Vill-Hasangarh, Distt. Rohtak	Yes
73	Manoharlal Krishanlala, BKO, Vill-Baniyani, Distt. Rohtak	Yes
75	Mukkar Bhatta Co. Vill-Katesra, Distt. Rohtak	Yes
76	Mukta Bhatt Co, Vill-Asan, Distt. Rohtak	Yes
77	Nav Bharat Bhatta Co, Vill-Nindana, Distt. Rohtak	Yes
78	New Rajput Bhatta Co, Vill-Kalanour, Rohtak.	Yes
79	Om Bhatta Co. Vill-Farmanakhas, Distt. Rohtak	Yes
80	Om Bhatta Co. Vill-Hassangarh, Distt. Rohtak	Yes
81	Om Bhatta Co. Vill-Katwara, Distt. Rohtak	Yes
82	Om Bhatta Co. Vill-Madina Gindran, Tehsil-Meham, Distt. Rohtak	Yes
83	Om Bhatta Co. Vill-Rurkee, Distt. Rohtak	Yes
84	Om Parkash BKO, Vill-Jassia, Distt. Rohtak	Yes
86	Omparkash Pyare Lal, BKO, Vill-Baniyani, Distt. Rohtak	Yes
87	Paramjeet Bhatta Co, Vill-Hasangarh, Distt. Rohtak	Yes
88	Pehlwan Bhatta Co, Vill-Titoli, Rohtak.	Yes
89	Pooja Bhatta Co. Vill-Katesra, Distt. Rohtak	Yes
90	Prem Bhatta Co, Vill-Bhalout, Distt. Rohtak	Yes
91	Radhey Krishna Bhatta Co, Vill-Bakheta, Distt. Rohtak	Yes
92	Raj Kumar, BKO, Bhatta Co, Vill-Lakhanmajra, Distt. Rohtak	Yes
93	Rajbir Singh Tanwar & Co, Vill-Nigana, Distt. Rohtak	Yes
94	Rajbir Singh, BKO, Vill-Kherimeham, Distt. Rohtak	Yes
95	Ram Bhatta Co, Vill-Ismaila, IIB, Distt. Rohtak	Yes
96	Ram Bhatta Co. Vill-Bhaini Surjan, Distt. Rohtak	Yes
97	Rama Krishna Bhatta Co. VPO-Katesra, Distt. Rohtak	Yes
98	Ramji Das Khairatilal BKOKalanour, Distt. Rohtak	Yes
99	Ramkaur Bhatta Co. Vill-Hassangarh, Distt. Rohtak	Yes
101	Ravi Bhatta Co. Vill-Kahnaur, Distt. Rohtak	Yes
102	Robin Bhatta Co. Vill-Hassangarh, Distt. Rohtak	Yes
104	Sandeep Bhatta Co, Vill-Hasangarh, Distt. Rohtak	Yes
105	Sant Simran Bhatta Co, Vill-Kalanour, Distt. Rohtak	Yes
106	Saurabh Sakahsm Bhatta Co, Vill-Kisranti, Distt. Rohtak.	Yes
107	Savita Bhatta Co. Vill-Ladhot, Distt. Rohtak	Yes
108	Sheela Bhatta Co, Vill-Hasangarh, Distt. Rohtak	Yes
109	Shiv Bhatta Co. Vill-Gharaunthi, Distt. Rohtak	Yes
110	Shiv Bhatta Co. Vill-Hassangarh, Distt. Rohtak	Yes
111	Shiv Bhatta Co. Vill-Jassia, Distt. Rohtak	Yes
113	Shiv Bhatta Co. Vill-Katesra, Distt. Rohtak	Yes
115	Shiv Bhatta Co. Vill-Nigana, Distt. Rohtak	Yes
116	Shiv Bhatta Gram Udyog Mandal Vill-Bhani Chanderpal, Distt. Rohtak	Yes
117	Shiv Shakti Bhatta Co, Vill-Hamayapur, Distt. Rohtak.	Yes
118	Shiv Shakti Bhatta Co, Vill-Mokhra Kheri, Mehama, Distt. Rohtak	Yes
119	Shiv Shankar Bhatta Co, Vill-Kansala, Distt. Rohtak	Yes
121	Shorabh Bhatta Co. Part-2, Vill-Hassangarh, Distt. Rohtak	Yes

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122	Shree Balaji Bhatta Co, Vill-Hasangarh, Distt. Rohtak	Yes
123	Shri Ganesh Bhatta Co. Vill-Gharouthi, Distt. Rohtak	Yes
124	Shri Ganesh Bhatta Co. Vill-Sangahera, Distt. Rohtak	Yes
125	Shri Ganpati Bricks Co. Vill-Nigana, Distt. Rohtak	Yes
126	Shri Niwas Bhatta Co, Vill-Kisranti, Distt. Rohtak	Yes
127	Shri Ram Bhatta Co, Vill-Hasangarh, Distt. Rohtak	Yes
128	Shri Ram Bhatta Co. Vill-Anwal, Distt. Rohtak	Yes
129	Sidharth Bhatta Co, VPO-Farmana Khas, Distt. Rohtak.	Yes
130	Sorav Bhatta Co. Vill-Hassangarh, Distt. Rohtak	Yes
131	Super Bhatta Co, Vill-Nigana, Rohtak.	Yes
135	Vikas Bhatta Co. Vill-Manjha, Tehsil-Kalanour, Distt. Rohtak	Yes
136	Vishal Bhatta Co, Vill-Hassangarh, Distt. Rohtak	Yes
137	Vishal Bhatta Co, Vill-Titoli, Distt. Rohtak	Yes
138	Vishnu Bhatta Co, Vill-Sudana, Distt. Rohtak	Yes
139	Vishva Nath Bhatta Co, Vill-Nigana, Rohtak.	Yes
140	Vishwa Karma Bhatta Co, Vill-Nigana Road, Kalanour, Distt. Rohtak.	Yes
141	Walia Brick Field, Vill-Hassangarh, Distt. Rohtak	Yes
142	Zile Singh & Co. Vill-Humayupur, Distt. Rohtak	Yes
Note: 1:	Out of total 142 Brick Kilns, 137 Brick Kilns are of Fixed Chimney Brick Kiln (BTK) and 05 are of Natural Draft Zig- Zag type Brick Kilns.	
2:	Stack Monitoring Facilities has been not provided like Port Hole and Platforms as per CPCB Guidelines	

