



IPC-V(SS1)/Brick Kiln/2017

Fax/ Speed Post

October 24, 2017

To

The District Collector & District Magistrate,
Zila Parishad Road, Krishna Nagar
Bharatpur, Rajasthan-321001

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 RSPCB to submit the compliance status of the aforesaid directions vide letter no. IPC-V(SS1)/Brick Kiln/2017/10272, 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 Rajasthan State Pollution Control Board regarding types and consent status of Brick Kiln operating in the NCR, indicated that there are total 282 nos of Brick Kiln operated in the 02 NCR Districts of Rajasthan. Among these 122 nos (43%) of Brick Kilns are operating without consent; and

WHEREAS, in Bharatpur District of NCR, total 110 nos of Brick Kilns are being operated as per list of Brick Kilns enclosed herewith and among these 13 nos (12%) of Brick Kilns 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 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 Rajasthan,
Jaipur : for information please
2. **The Chairman,**
Rajasthan State Pollution Control Board
A-4, Jalane Dungri Institutional Area
Jaipur – 302 004 : 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 (Bhopal)
4rth Floor, Sahkar Bhawan
North TT Nagar
Bhopal – 462003 : for follow-up please
5. **Divisional Head, IT Division, CPCB** : for information please


(A. Sudhakar)
Member Secretary

LIST OF BRICK KILNS OPERATED IN THE BHARATPUR DISTRICT OF RAJASTHAN

Sr.No	Name & Address of Brick Kilns				Consent Yes/No
	Name of Industry	Plot No./Khasra no.	Address	Tehsil	
1	Krishna Ent Udyog	2698, 2699	Village- Bhadira	Nadbai	No
2	Shree Shyam Ent Udyog	185	Village- Paltoo	Nagar	No
3	Shri Ganesh Ent Udyog	468, 470	Village- Dehra	Nadbai	No
4	Rajani Ent Udyog	1423, 1424	Village- Sabora	Kumher	No
5	New Mangatu Ent Udyog	1304	Village- Khakhawali	Nagar	No
6	Balaji Ent Udyog	1198, 1199	Village- User	Nadbai	No
7	Kanha Ent Udyog	-	Village- Bhadira	Nadbai	No
8	Neeraj Ent Udyog	755	Village- Kherli Road	Nadbai	No
9	Dauji Ent Udyog	367, 466, 467	Village- Dehra	Nadbai	No
10	Shree Balaji Ent Udyog	205	Village- Iraniya	Weir	No
11	Shri Ji Ent Udyog	509, 510, 514	Village- Dehwa	Kumher	No
12	Suraj Ent Udyog	-	Village- Khakhawali	Nagar	No
13	Vishnu Bricks Factory	390	Village- Katara	Nadbai	No
14	Shiv Ent Udyog	1361, 1366, 1362, 1365	Village- Hantra	Nadbai	Yes
15	Jai Shri Krishna Ent Udyog	808, 809	Village- User	Nadbai	Yes
16	Jai Kisan Ent Udyog	436, 434	Village- Dehra Mod	Nadbai	Yes
17	Sangam Ent Udyog	1639, 1640/1.03, 1640/1.0	Village- Aroda, Hantra	Nadbai	Yes
18	Shree Heera Ent Udyog	946, 947	Village- Budhwari Khurd	Nadbai	Yes
19	Dwarika Bricks Udyog	959	Village- Sikari	Nagar	Yes
20	Prem Shiv Shankar Ent Udyog	915	Village- Budhwari Khurd	Nadbai	Yes
21	Bajrang Ent Udyog	1293, 1294	Village- Hantra	Nadbai	Yes
22	Dev Ent Udyog	1802	Village- Halena	Weir	Yes
23	Agarwal Ent Udyog	565, 567	Village- Pidhi	Kumher	Yes
24	Balaji Ent Udyog	66	Village- Dhandholi	Nagar	Yes
25	Shree Ganga Ent Udyog	85, 895, 83, 84, 82	Village- Beri	Weir	Yes
26	Pal Ent Udyog	831	Village- Budhwari Khurd	Nadbai	Yes
27	Banshi Ent Udyog	4183, 1225	Village- Bhadira	Nadbai	Yes
28	Vinod Bricks Factory	-	Village- Kherli Road	Nadbai	Yes
29	Uttam Brick Udyog	1001, 1002	Village- User	Nadbai	Yes
30	Paras Ent Udyog	1346, 1351, 1357, 1358	Village- Hantra	Nadbai	Yes
31	Shanti Ent Udyog (Raja Ent Udyog)	2886, 2888	Village- Khangri	Nadbai	Yes
32	Bharat Ent Udyog	494, 501	Village- Beri	Weir	Yes
33	Shree Nath Bricks Company	248	Village- Irania, Jahanpur Road	Weir	Yes
34	Diksha Bricks Udyog	918/1632	Village- Manota Khurd	Nagar	Yes
35	Shri Radha Ent Udyog	2440/318, 319, 320	Village- Dehra	Nadbai	Yes
36	Ashok Ent Udyog	1909/1519	Village- Luhasa	Nadbai	Yes
37	Shiv Ent Udyog	-	Village- Budhwari Khurd	Nadbai	Yes
38	Chaudhary Ent Udyog	1348, 1349, 1350	Village- Hantra	Nadbai	Yes
39	Nanda Ent Udyog	307/5-10	Village- Katara	Nadbai	Yes
40	Laxmi Bricks Factory	181, 182	Village- Kherli Road	Nadbai	Yes
41	Jai Shree Ent Udyog	443, 444	Village- Baroli Chhor	Nadbai	Yes
42	Om Shanti Ent Udyog	800, 803	Village- Budhwari Khurd	Nadbai	Yes
43	Ram Ent Udyog	2225, 2579	Village- Jnuthar Road Bhadira	Nadbai	Yes
44	ZBC Ent Udyog	55/1	Village- Beri	Weir	Yes
45	Thakur Bhupendra Singh Ent Udyog	1321, 1322, 1323	Village- Hantra	Nadbai	Yes
46	Madhur Bihari Ent Udyog	136	Village- Palka	Nagar	Yes
47	Parwati Ent Udyog	186, 187	Village- Ram Nagar	Weir	Yes
48	Yadav Ent Udyog	101	Village- Baghaka	Nagar	Yes
49	Barphani Ent Udyog	633	Village- Kherli Road	Nadbai	Yes
50	Aman Ent Udyog	461	Village- Bidgaon	Nagar	Yes
51	Sadan Ent Udyog	1302, 1303, 1304, 1305,	Village- Hantra	Nadbai	Yes
52	Bhola Ent Udyog	2219/3566	Village- Bhadira	Nadbai	Yes
53	Patel Ent Udyog	1251, 1252	Village- User	Nadbai	Yes
54	Deepson Bricks Factory	2148, 2150, 2151	Village- Aroda	Nadbai	Yes
55	Bhikam Ent Udyog	442	Village- User	Nadbai	Yes
56	Rakesh Bricks & Lime factory	-	Village- Nagar Road	Nadbai	Yes
57	Gopal Bricks Udyog	2710, 2711	Village- Bhadira	Nadbai	Yes
58	Manav Ent Udyog	1162/2	Village- Bachharen	Weir	Yes
59	Kaka Bricks Udyog	88	Village- Pali	Weir	Yes
60	Siya Ram Ent Udyog	84/463, 84/462, 84	Village- Baghaka	Nagar	Yes
61	Shivam Ent Udyog	1678, 1679, 1702	Village- Hantra	Nadbai	Yes
62	Shyam Ent udyog	208	Village- Kawai	Nadbai	Yes
63	Mahan Ent Udyog	228	Village- Salempur	Weir	Yes
64	Tripati Ent Udyog	226, 220, 221	Village- Moraka	Nagar	Yes
65	Mangtoo Ent Udyog	1305	Village- Moraka	Nagar	Yes
66	Shivani Ent Udyog	546	Village- Luhasa	Nadbai	Yes
67	Jai Shiv Shankar Ent udyog	1355, 1356, 1359	Village- Hantra	Nadbai	Yes
68	Chetak Ent Udyog	1216, 1217, 1218, 219, 11	Village- Hantra	Nadbai	Yes
69	Gogaji Ent Udyog	88	Village- Luhasa	Nadbai	Yes
70	Kanak Ent Udyog	2577, 2597	Village- Bhadira	Nadbai	Yes

71	Ajay Bricks Udyog	2329	Village- Kawai	Nadbai	Yes
72	Kaptan Ent Udyog	914	Village- Budhwari Khurd	Nadbai	Yes
73	Jai Shankar Ent Udyog	321, 296	Village- Halena	Weir	Yes
74	Mahesh Bricks Factory	76, 77	Village- Beri	Weir	Yes
75	Ashoka Ent udyog	-	Village- Hantra	Nadbai	Yes
76	Jindal Bricks Factory	763, 764, 765, 766, 767	Village- Aroda	Nadbai	Yes
77	Bansal Bricks	1907/063, 1908/059	Village- Gopal Garh	Pahari	Yes
78	Girdhar Bricks Factory	2126, 2127	Village- Katara	Nadbai	Yes
79	Bhagat Ent Udyog (Devshree Ent Udyog)	2523, 2524	Village- Bhadira	Nadbai	Yes
80	Bhole Bricks Udyog	2178	Village- Bhadira	Nadbai	Yes
81	Goyal Ent Udyog	1424, 1432, 1434, 1435	Village- Hantra	Nadbai	Yes
82	Vashistha Ent Udyog	560	Village- Beharamda	Nadbai	Yes
83	Pawan Ent Udyog	2519, 2520	Village- Bhadira	Nadbai	Yes
84	Shree Krishna Ent Udyog	65	Village- Baghaka	Nagar	Yes
85	Thakur Ent Udyog	411, 412	Village- Rasis	Nadbai	Yes
86	Mohan Ent udyog	-	Village- Luhasa	Nadbai	Yes
87	Ram Ent Udyog	36, 37 39	Village- Ramnagar, Halena	Weir	Yes
88	Ram Ent Udyog	125, 125/1	Village- Halena	Weir	Yes
89	Amar Ent Udyog	3123, 3119, 3124, 3125	Village- Aroda	Nadbai	Yes
90	Maa Bhagwati Ent Udyog	2405, 2406, 2407	Village- Aroda	Nadbai	Yes
91	Shankar Ent Udyog	452/4	Village- Halena, Sarsena	Weir	Yes
92	Sibban Ent Udyog	629, 628	Village- Moraka	Nagar	Yes
93	Shree Krishna Ent Udyog	174	Village- Irania	Weir	Yes
94	Janta Ent Udyog	714, 715, 716, 719, 720	Village- Naya Gaon Mafi	Weir	Yes
95	Faujdar Ent Udyog	936, 937	Village- Budhwari Khurd	Nadbai	Yes
96	Chhavri Bricks Udyog	2586	Village- Pahari	Pahari	Yes
97	Gagan Ent Udyog	814, 1470	Village- User	Nadbai	Yes
98	Uma Bricks Udyog	3405, 3406, 3408	Village- Kawai	Nadbai	Yes
99	Gyatri Bricks Udyog	985/894/73, 990/881, 881	Village- Beri	Weir	Yes
100	Krishna Ent Udyog	386, 387, 388	Village- Sirsai	Nadbai	Yes
101	Rajat Ent Udyog	555, 556, 557	Village- Rasis	Nadbai	Yes
102	Damodar Ent Udyog	662/210	Village- Chirawal Mali	Nagar	Yes
103	Bharatpur Zila Khadi Gramodyog Sam	1743, 1829	Village- Aroda	Nadbai	Yes
104	Suraj Ent Udyog	782/1, 783, 784	Village- Sirsai	Nadbai	Yes
105	Sanjay Ent Udyog	599, 600, 598	Village- Dehwa	Kumher	Yes
106	Shubham Ent Udyog	1455, 1456, 1461, 1457, 1	Village- Jhanjar	Nagar	Yes
107	Mola Ent Udyog	03, 13	Village- Dhababli	Nagar	Yes
108	Shree Chand Ent Udyog	316	Village- Pachora	Kumher	Yes
109	Kanha Ent Udyog	385, 387, 388, 380, 386, 3	Village- Hantra	Nadbai	Yes
110	R.L Industries	257, 258, 259	Village- Sirsai	Nadbai	Yes
Note: 1: Out of total 110 Brick Kilns 13 Brick Kilns i.e. 12% Brick Kilns are operating without obtaining consent from RSPCB.					
2: All the Brick Kilns are of Fixed Chimney Brick Kiln (BTK)					
3: Stack Monitoring Facilities has been not provided like Port Hole and Platforms as per CPCB Guidelines					