

Report of the Joint Committee in compliance of the orders of Hon'ble NGT dated 29.04.2022, in the matter of Original Application No. 289/2022; Amandeep Singh & Ors. Versus State of Punjab.

1. Background:

The matter is related to grievances sent by Advocate Mr. Amandeep Singh, District Courts, Pathankot and others that 18 brick kilns have been established/are being run in villages Gharota, Nala, Bhawani, Jangal Mamial, Chasma, Kaunterpur, Aima Changam, Parmanand and Marhi in violation of terms and conditions imposed by the Govt. of Punjab under the Punjab Control of Bricks Supplies, Price and Distribution Control Order, 1998.

The grievance was taken up by the Hon'ble NGT in Original Application No. 289 of 2022 and orders dated 29/04/2022 have been passed, directing the District Administration, Pathankot as under:-

"The factual position needs to be verified and remedial action is required to be taken on the basis of such factual verification in case of violation of environmental norms. We accordingly constitute Joint Committee of State PCB and Deputy Commissioner, Pathankot and direct the same to verify the factual position, look into the grievances of the applicants and take remedial action in accordance with law by following due process within one month from the date of receipt of a copy of this order. Factual and action taken report may be furnished within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List the matter for further consideration on 27/07/2022."

2. Compliance Report:

2.1. Constitution of the Joint Committee:

In compliance of the orders of Hon'ble NGT, a Joint Committee comprising of the following members was constituted by Deputy Commissioner, Pathankot vide orders dated 07/07/2022 consisting of following members:

1. The Sub Divisional Magistrate, Pathankot.
2. District Food & Civil Supplies Controller, Pathankot.
3. Environmental Engineer, PPCB, RO, Batala.

The Joint Committee was directed by Hon'ble NGT to verify the factual position, look into the grievance of the applicants and take remedial action in accordance with law.

Accordingly, in compliance of the directions, the meeting of the Joint Committee was held on 15/07/2022 to discuss various aspects of the grievance and record of the Brick Kilns mentioned in the complaint.

2.2. Report of the Joint Committee:

The Brick Kilns are required to obtain following permissions/certificates for its operation:-

1. Consent to Establish (NOC) and Consents to Operate under the Water Act, 1974 and the Air Act, 1981 from Punjab Pollution Control Board.

2. License for production and Sale of Bricks from Department of Food & Civil Supplies.

Siting guidelines for establishment of new brick kilns have been notified by Punjab Pollution Control Board vide notification dated 02/09/1998 (Copy Enclosed). The Consent to Establish (NOC) is issued only to those Brick Kilns, which meet with the criteria mentioned in the said notification.

Apart from the above, as per the order dated 28/05/2019 issued by Department of Science Technology & Environment, Govt. of Punjab, following directions has been issued u/s 5 of the Environment (Protection) Act, 1986 at point no. 14 (ii & iii):-

- "(ii) No new brick kiln shall be allowed to be established in the State of Punjab without having induced draft technology with zig-zag setting.
- (iii) No conventional brick kiln with natural draft technology shall be allowed to operate beyond 30/09/2019."

The status of Brick Kilns along with the validity of Consents to Operate under the Water Act, 1974 and the Air Act, 1981, Conversion to induced draft technology with Zig-Zag setting and License for production and sale of bricks from Food & Civil Supplies is tabulated in Table 1, as under:

Table 1:

Sr. No.	Name & Address of the Brick Kiln	Validity of CTOs	Status of Conversion to induced draft technology with Zig-Zag setting	License for production and sale of bricks from Department of Food & Civil Supplies
1	Aggarwal Brick Supply Co., Village Bhawani, Tehsil&Distt. Pathankot	30/09/2025	Converted	PTK/98/BK/020
2	Baba Gram Udyog Samiti, Garota, Tehsil&Distt. Pathankot	30/09/2024	Converted	PTK/98/BK/040
3	Buta Singh & Sons BKO, Vill. Bhawani, Tehsil&Distt. Pathankot	30/09/2024	Converted	PTK/98/BK/030
4	Dashmesh Brick Works, Vill. Parmanand, Tehsil&Distt. Pathankot	30/09/2024	Converted	PTK/98/BK/011
5	Gian Chand & Co. BKO, Vill. Parmanand, Tehsil&Distt. Pathankot	30/09/2024	Converted	PTK/98/BK/006
6	Goyal Brick Supply Co., GharotaKalan, Tehsil&Distt. Pathankot	30/09/2024	Converted	PTK/98/BK/036
7	Gupta Brothers & Co., Village- Parma Nanad, Tehsil &Distt. Pathankot	30/09/2024	Converted	PTK/98/BK/012
8	Kesho Ram Aggarwal& Sons Bko, Vill. Mari P.O. Parmanand, Tehsil&Distt. Pathankot	30/09/2024	Converted	PTK/98/BK/050
9	Krish Brick Kiln, Village Chashma, Tehsil &Distt. Pathankot	30/09/2026	Converted	PTK/98/BK/055
10	Kumar Brick Works,, Village-Jangal, Tehsil &Distt-Pathankot	30/09/2024	Converted	PTK/98/BK/043
11	Kundan Brick Works, Village Mamial, Tehsil&Distt. Pathankot	30/09/2024	Converted	PTK/98/BK/048
12	Mahajan Bricks Supply Co., AimaChanga, Tehsil &Distt. Pathankot	30/09/2024	Converted	PTK/98/BK/015
13	Mahesh Brick Kiln, Village Nala Po Gharota, Tehsil & District-Pathankot	30/09/2024	Converted	PTK/98/BK/047
14	Sahib Dayal& Co. Bko, Vill. Bhawani, Pathankot,	30/09/2025	Converted	PTK/98/BK/044
15	Singh Brick Kiln, VPO Jungal, Tehsil &Distt. Pathankot.	The Brick Kiln has been closed and is not in operation since long.		

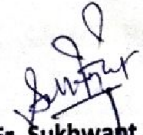
16	T.S. Brick Kiln, Village & Post Office Kaunterpur, Tehsil & Distt. Pathankot.	30/09/2025	Converted	PTK/98/BK/062
17	Vijay Bricks Supply Co., Vill Bhawani, Tehsil & Distt. Pathankot	30/09/2024	Converted	PTK/98/BK/059
18	R.M. Aggarwal & Sons, (Brick Kiln), Village-Gharota Kalan, Tehsil & Distt-Pathankot.	30/09/2026	Converted	PTK/98/BK/063


The Committee visited three Brick Kilns, namely M/s Aggarwal Brick Supply Co., Village Bhawani, M/s Baba Gram Udyog Samiti, Gharota and M/s Buta Singh & Sons BKO, Vill. Bhawani on 15.07.2022. All these Brick Kilns were not found in operation however these BKO's were found having adopted induced draft technology with Zigzag setting. Local inquiry was made which brought out that all the Brick Kilns in district Pathankot had closed down their operation about 15-20 days before the start of rainy season and there is no production of Bricks from the Brick Kilns. Therefore, the factual position w.r.t air pollution by the Brick Kilns mentioned in the grievance could not be ascertained by the Joint Committee through field visits.

Further, the new Brick Kiln mentioned by the applicant in his grievance being established at village-Bhawani is M/s New Vijay Brick Supply Co., Village-Bhawani, Tehsil & District-Pathankot. The Brick Kiln had applied for consent to establish from Punjab Pollution Control Board in June-2021. The site of the Brick Kiln fulfilled the criteria mentioned in the siting guidelines issued by the Board vide notification dated 02/09/1998. Accordingly, consent to establish was issued to the Brick Kiln on 18/06/2021. After establishment of Brick Kiln consent to operate under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 have been granted to the Brick Kiln, which are valid upto 30/09/2026.

Summary of the observation/verification made by the Joint Committee

1. Out of total 18 no. Brick Kilns mentioned in the grievance, 01 no. Brick Kiln M/s Singh Brick Kiln, VPO Jungal, Tehsil & Distt. Pathankot has been closed down and is not in operation since long.
2. Remaining 17 no. Brick Kilns are temporarily not in operation due to rainy season.
3. These 17 no. Brick Kilns have valid consents to operate of the Punjab Pollution Control Board under the Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 and all these 17 no. Brick Kilns have adopted induced draft technology with zig-zag setting.
4. All the 17 no. Brick Kilns have obtained the license for production and sale of bricks from the Department of Food and Civil Supplies.


Er. Sukhwant Singh,
AEE, PPCB, Batala


Er. Rajesh Kumar,
EE, PPCB, Batala


Smt. Rajneesh Kaur,
DFSC, Pathankot


Sh. Kala Ram Kansal,
PCS, SDM, Pathankot

Amended

PUNJAB POLLUTION CONTROL BOARD, NABHA ROAD, PATIALA.

BOARD NOTIFICATION

August, 1998

No. Admn/A-2/F.No.178/98/ 3

Date: 2-9-98

The Punjab Pollution Control Board, Patiala in its 98th meeting held on 29th July, 1998 approved the amended siting guidelines for Rice Shellers and Sailsa Plants, Brick Kilns and Cement Plants. The siting guidelines and emission standards notified vide Board Notification No. Admn/A-2/F.No.178/94/232/5 dt.10.09.1997 are amended as follows:

1. SITING GUIDELINES FOR RICE SHELLERS & SAILA PLANTS, BRICK KILNS & CEMENT PLANTS/GRINDING UNITS.

Distance from

i)	Municipal Corporation Limits	5 km
ii)	Class A Towns & Cities Limits	2 km
iii)	Other Towns & Cities Limits	1 km
iv)	Village Laldora, Phirni	500 m
v)	Wild life Sanctuary Zoo	500 m
vi)	National Highway*	500 m
vii)	State Highway*/Scheduled Road	300 m
viii)	Residential Area (15 pucca house)	300 m
ix)	Educational Institute/Historical	300 m
	Religious Places/Protected Monuments.	

Provisions of Green Belt

The industry should plant three rows of spreading crown varieties of evergreen broad leaved trees all along the boundary.

- * If the existing unit wants to convert to a integrated cement plants the minimum distance should be 200 m from National/State Highway.

No. :: Distance shall be calculated from the berms of the metalled road to the nearest stack.

II. EMISSION STANDARDS FOR RICE SHELLERS AND SAILA PLANTS

a)	Emission Standards for S.P.M (mg/Nm ³)	750*
	Inside the building (µg/Nm ³)	T.I.V of air (to be controlled by Director of Factories).

- * The existing units not meeting the prescribed siting guidelines will meet a stack emission standards of 500 mg/Nm³.

Contd...P....2..

CODE OF PRACTICE

No Brick Jali or open structure is allowed in the processing shed.

All processing sheds should be enclosed.

Industry should provide proper rice husk storage facilities inside the industry premises and the height of the wall around the discharge point should be 10 ft.

All dust emitting point should be properly hooded and the dust extracted to a common point. At this exhaust point dust carrying air will be passed through a dust control system and air will be emitted through a stack of height 3 m. above the roof of building.

III EMISSION STANDARDS FOR BRICK KILIN

S.P.M (mg/Nm³) 750*

The existing units not meeting the prescribed siting guidelines will meet a stack emission standards of 500 mg/Nm³.

CODE OF PRACTICE

Approach road within the premises of brick kiln area should be pucca/stabilized with brick bats etc,

They should use crushed coal for better burning efficiency.

Bricks should be laid in a staggered manner for baking to entrap maximum particulate matter at the source itself.

They should use a properly designed gravity chamber.

Height of chimney/stack should be atleast 30 m.

IV EMISSION STANDARDS FOR CEMENT PLANTS & GRINDING UNITS.

a) 200 tpd and less S.P.M (mg/Nm³)

i) Existing unit 400*

ii) New units 250

b) Greater than 200 TPD 150

Existing grinding units in the State can continue where they are but the emission standards applicable when they are located less than 200 mts. from the National or State Highway or within Municipal or village limits will be 100 mg/Nm³.

Contd...P....3..

This notification supercedes the earlier notification of the Board regarding guidelines for siting of rice shellers, notification No. Admn/A-2/178/94/148 dated 10.9.1997 and any other notification issued by the Board in this respect.

F.Lal Kansal
Chairman

Endst.No.Admn/SA-2/F.No.178/98/ 15053-103

Dated. 2-9-98

A copy of the above is forwarded to the following for information & necessary action:

1. The Principal Secretary to Government of Punjab, Deptt. of Science, Technology, Environment and Non-Conventional Energy, Chandigarh.
2. The Director of Industries, Punjab, 17-Bays Building, Sector 17, Chandigarh.
3. The Chairman, Punjab State Electricity Board, Patiala.
4. The Director Food & Supplies, Punjab, Sector 17, Chandigarh.
5. The Chief Co-ordinator, Udyog Sahayak, Udyog Bhawan, 18, Himalya Marg, Sector 17, Chandigarh.
6. The Managing Director, State Government, Industrial Development Corporation, Sector 17, Chandigarh.
7. The Managing Director, Small Scale Industries and Export Corporation, Chandigarh.
8. The Managing Director, Punjab Financial Corporation, Sector 17, Chandigarh.
9. The General Manager, All District Industrial Centres in Punjab.
10. The Chief Engineer (Commercial), Punjab State Electricity Board, Patiala.
11. The Director (Commercial), Punjab State Electricity Board, Patiala.
12. The Sr. Environmental Engineer, Punjab Pollution Control Board, Patiala/Ludhiana.
13. The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Patiala/Ludhiana-I/II/Jalandhar/Amritsar/Gurdaspur/Hoshiarpur/Sangrur/Bathinda/Faridkot and Nodal Office, Chandigarh.
14. The Incharge (P&G/EPS), Punjab Pollution Control Board, Patiala.
15. The Scientific Officer, Punjab Pollution Control Board, Patiala.
16. The Deputy Controller (F&A), Punjab Pollution Control Board, Patiala.
17. The Public Relations Officer/Asstt. Personnel Officer/P.S to Chairman/P.A to Member Secretary, Punjab Pollution Control Board, Patiala.
18. All Asstt. Environmental Engineers.

PS for EE's : Five spare copies of the notification are enclosed for supplying to all AEE's.

B. Gupta
Administrative Officer
for Member Secretary.

Endst.No.Admn/SA-2/F.No.178/98/ 15104-27

Dated: 2-9-98

A copy of the above is forwarded to all Industrial Association in Punjab.

B. Gupta
Administrative Officer
for Member Secretary.