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Government of Jammu and Kashmir
J&K POLLUTION CONTROL COMMITTEE
Jammu



Summer Office: May-October
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ORDER No. : **196** JKPCC of 2023
Dt. : **22**/12/2023

Whereas, no activity having bearing on environment can be taken in hand without prior consent of the Pollution Control Committee, warranted under Section 25/26 and Section 21 of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, **Brick Kiln** is categorized as **Orange Category** activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, **Mr. Habib-ullah Malla** has set up and put it in operation a Brick Kiln under the name and style of **M/s M. Co. Brick Kiln Diffpora Waterwani-Budgam** in violation of above stated laws without obtaining consent from the J&K Pollution Control Committee that too bereft of adequate pollution control devices/ measures.

Whereas, the unit holder were accordingly served with repeated notices, particularly notice dated **19-09-2023**, calling upon him there under to show reasons as to why legal action including closure of his unit be not taken.

Whereas, the unit holder has failed to show any response to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection

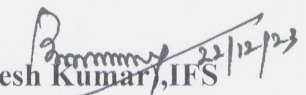
Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee, Budgam on **25-09-2023**, reported that the status of the Brick kiln remains unchanged and accordingly Regional Director, PCC Kashmir has recommended closure of the Brick Kiln vide No. **PCC/ROK/LS/23/897-99 dt 04-12-2023**.

Whereas, the unit in question cannot be allowed to run un-authorizedly with above status and to the detriment of human health and environment.

Now therefore in exercise of powers vested in the J & K Pollution Control Committee under Section 31 (A) of the **Air (Prevention and Control of Pollution) Act, 1981** and Section 33(A) of the **Water (Prevention and Control of Pollution) Act, 1974**, read with Section 5 of Environment (Protection) Act, 1986, immediate closure of Brick kiln of Mr. Habib-Ullah Malla under the name and style of **M/s M. Co. Brick Kiln Diffpora Waterwani-Budgam**, is hereby ordered and in this behalf the:-

- i). Deputy Commissioner/ District Magistrate, **Budgam** is directed to get the Brick kiln of Mr. Habib-Ullah Malla under the name and style of **M/s M. Co. Brick Kiln Diffpora Waterwani-Budgam**, closed immediately.
- ii). Director Industries & Commerce, Kashmir is directed to deregistering the Brick Kiln, if registered.
- iii). Mr. Habib-Ullah Malla Prop. **M/s M. Co. Brick Kiln Diffpora Waterwani-Budgam**, is directed to cease the operation of the Brick Kiln forthwith.

As approved by the Competent Authority.


(K Ramesh Kumar), IFS
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK/7361426/2023 | 1069-1074

Dated:- **22**/12/2023.

Copy to the:-

- i). Deputy Commissioner/ District Magistrate Budgam for information and necessary action, under intimation.
- ii). Regional Director, PCC, Kashmir for information and follow up action within fortnight and has reference to his letter No. **PCC/ROK/LS/23/897-99 dt 04-12-2023**.
- iii). Director Industries & Commerce, Kashmir for information and necessary action.
- iv). D.O, JKPCC Budgam for information, with the direction to follow up and get the closure order implemented through District Administration in letter sand sprit.
- v). In-Charge web site Pollution Control Committee, Jammu for uploading the closure order.
- vi). Mr. Habib-Ullah Malla Prop. **M/s M. Co. Brick Kiln Diffpora Waterwani-Budgam**, for compliance.