



PCC
Winter office-November-April
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Gladhi, Transport Nagar,
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Tel/Fax: 0191-24769225

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



Summer Office: May-October
Sheikh Alam Campus
Behind Silk Factory
Rajbagh Srinagar
Ph/Fax 0194-2311365

email: membersecretaryjkpcb@gmail.com

Order No: 102 PCC of 2023
Dated: 22/09/2023

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, **M/s Ihahara Brick Kiln, Baihama-Kulgam** has been set up and put it in operation in violation of above stated laws that too bereft of adequate pollution control devices/ measures.

Whereas, the unit holder was accordingly served with repeated notices, particularly notice dated **14-09-2021**, 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, Regional Director, JK PCC vide his communication No. **PCC/ROK/LS/23/68-69 dated 11-08-2023** has recommended closure of above said Brick Kiln.

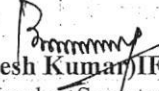
Whereas, the Hon'ble High Court of Jammu and Kashmir, Srinagar vide its order dated **16-06-2023 in WP(C) No. 1590/2023 titled Mushtaq Ahmad Bhat V/s UT of J&K & Ors** has directed to close down the brick kilns without consent in District Kulgam.

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 in compliance to **Hon'ble High Court of J&K, Srinagar**, order dated **16-06-2023** as mentioned above, immediate closure of **M/ Ihahara Brick Kiln, Baihama-Kulgam** is hereby ordered and in this behalf the:-

- Deputy Commissioner/ District Magistrate, **Kulgam** is directed to get the **M/s Ihahara Brick Kiln, Baihama-Kulgam**, closed immediately.
- Director Industries & Commerce, Kashmir for deregistering the unit.
- Sh. Ab. Qayoom, Prop. **M/s Ihahara Brick Kiln, Baihama-Kulgam** is directed to cease the operation of the unit forthwith.

As approved by the Competent Authority.


(K. Ramesh Kumar) IFS
Member Secretary
JK PCC Jammu
22/09/23

No:-JK PCC/LSK/ 23/506-510

Dated: 22/09/2023.

Copy to the:-

- Deputy Commissioner/ District Magistrate Kulgam for information and necessary action, under intimation.
- Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- Director Industries & Commerce, Kashmir for information and necessary action.
- In-Charge web site PCC Jammu for uploading the closure order.
- Sh. Ab Qayoom, Prop. **M/s Ihahara Brick Kiln, Baihama-Kulgam** for compliance.