

**Jammu and Kashmir
Pollution Control Committee**

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Order No. : 04 JK PCC of 2024
Dated : 03 /04 /2024

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 Pollution Control Committee.

Whereas, Hon'ble National Green Tribunal in its order dt.**02-02-2024** in O.A.No.**594 of 2022** titled Syed Riyaz Versus Union Territory of J&K & Ors. directed to close down the brick kilns operating without consent from the Pollution Control Committee.

Whereas, a Brick Kiln under the name and style of **M/s Sada Bahar Brick Kiln, Bonhama, Beerwah - Budgam** in flagrant violation of above said requirements of law **without obtaining consent** from the J&K Pollution Control Committee so far and operation of the Brick Kiln with present status can prove detrimental to human health and environment.


Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Budgam, revealing that the status of the Brick Kiln remained unchanged. Regional Director, Pollution Control Committee Kashmir confirmed the inspection report of Divisional Officer, Pollution Control Committee, Budgam and accordingly recommended it for closure.

Whereas, the Brick Kiln in question cannot be allowed to operate with above status as the operation can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

Now therefore in exercise of powers vested with J & K Pollution Control Committee under Section 33 (A) of Water (Prevention and Control of Pollution) Act, 1974 and Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981, the following directions are hereby issued:-

- i. Deputy Commissioner/ District Magistrate, **Budgam** is directed to close down the brick kiln under the name and style of **M/s Sada Bahar Brick Kiln, Bonhama, Beerwah - Budgam** immediately.
- ii. *Director Industries and Commerce, Kashmir* is directed to deregister the Brick Kiln, if registered
- iii. *Executive Engineer, (KPDCL) Electric Division, Budgam* is directed to disconnect the electric supply to above said Brick Kiln immediately.
- iv. Executive Engineer, **PHE**, Budgam is directed to disconnect the water supply to the above said Brick Kiln immediately.
- v. (Prop.) **M/s Sada Bahar Brick Kiln, Bonhama, Beerwah - Budgam** is directed to cease the operation of the Brick Kiln forthwith.

Issued with the Approval of Competent Authority.


(Ghan Sham Singh), JKAS
Member Secretary 3/4/24
J&K PCC

No:- JKPCC/LSK/2024/33-43

Dated:- 03/04/2024

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 a fortnight.
- iii. Director Industries and Commerce, **Kashmir** for information and necessary action
- iv. Chief Engineer, Kashmir Power Development Corporation Ltd. (KPDCL), Kashmir for information and necessary action under intimation.
- v. Chief Engineer, PHE Kashmir for information and necessary action under intimation
- vi. Executive Engineer, (KPDCL) Electric Division, Budgam for information and necessary action.
- vii. Executive Engineer, PHE Division Budgam for information and necessary action.
- viii. Divisional Officer, PCC, Budgam for information and with the direction to follow up and get the closure order implemented through District Administration.
- ix. I/c Nodal Officer, NGT J&K PCC Jammu for information and necessary action.
- x. I/c Web site J&K Pollution Control Committee **Jammu** for uploading the closure order
- xi. Prop. **M/s Sada Bahar Brick Kiln, Bonhama, Beerwah - Budgam** for compliance.