

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

0191 – 2472881, 2476925



Parivesh Bhavan, Forest Complex
Transport Nagar, Jammu, 180 006

Silk Factory Road
Rajbagh, Srinagar, 190 008

Order No. : 49 JK PCC of 2024

Dated : 4/04/2024

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, the owner of the Brick kiln has applied for consent to Operate (Renew)) vide application No. 4466065, after thorough examination, it was found that the brick kiln falls within 10 Kms of NAC limits of Non Attainment City of Srinagar and also the brick kiln is not yet shifted to zig zag technology and accordingly Consent to Operate (Renew) was refused to the Brick Kiln vide letter No. JKPCC/T/C/24/4466065 of 2024 dated 28-03-2024.

Whereas, Brick Kiln under the name and style of **M/s Nishat Seven Star Brick Kiln, Budgam Budgam** is operational in flagrant violation of above said requirements of law **without 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.

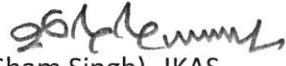
Whereas, the Brick Kiln in question cannot be allowed to operate with above status as the operation can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

Q

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 Nishat Seven Star Brick Kiln, Bundgam- 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 Nishat Seven Star Brick Kiln, Bundgam- 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 4.4.24
B J&K PCC
Q

No:- JKPCC/LSK/2024/537-547

Dated:- 6/04/2024

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 Nishat Seven Star Brick Kiln, Bundgam Budgam** for compliance.