



BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, Patliputra Industrial Area, P.O.-Sadakat Ashram, Patna-800010

EPABX.0612-2261250/2262265, Fax.0612-2261050

E-mail:msbspcb-bih@gov.in Website:http://bspcb.bihar.gov.in

Notification No.: 11.

Patna, dated:- 23.3.2022

NOTIFICATION

The Ministry of Environment, Forest & Climate Change, Govt. of India vide its ref. no.-GSR143 (E), dated 22.02.2022 under Environmental (Protection) Act, 1986 has made Environmental (Protection), Rules, 2022. It shall become into force on the date of publication in official Gazette. In the said notification, the MoEF & CC has given power to the State Pollution control Board to make siting criteria for new brick kiln units more stringent.

Whereas, the Bihar State Pollution Control Board has in exercise of its power u/s 17 & 25/26 of the Water (Prevention & Control of Pollution) Act,1974, u/s 17 & 21 of Air (Prevention & Control of Pollution) Act,1981 time & again made/amended the siting guidelines for the establishment of brick kiln units. The last such guidelines were made/amended and notified vide Ref. no: 16, dated: 14.06.2021.

Wherever, after coming into force of notification dated 22.02.2022 published by Ministry of Environment, Forest & Climate Change, Government of India & the siting criteria with respect to habitation, railway line, river, SH/NH, Govt. educational institutions, hospital/ nursing homes, court & government offices etc as notified by BSPCB & as laid down by MoEF & CC vide its said notification has become inconsistent.

Now, therefore, in order to review in compliance & streamline the siting criteria of brick kiln units with respect to habitation & etc and in compliance with the said notification of MoEF & CC, dated: 22.02.2022 & incorporate to make siting criteria more stringent considering proximity to habitation, population density, water bodies, medical institutions, educational institution, Govt. Offices, NH/SH, impact on AAQ etc, the siting criteria shall come into force from the date of issue of this notification for different landmarks regarding the establishment of new brick kiln units in the state of Bihar. The applications received before the date of issue of this notification shall be processed as per the previous notification(s) issued by the State Board. The detailed guidelines with landmarks are as follow:-

(1) Landmarks:

Sl. No.	Landmarks	Distance (Not less than)
1	Category: (Notification No: 22, dated: 01.10.2018)	Orange
2	Habitation: (Habitation means minimum 200 Permanent Dwellers or more) (Notification No: P/T.VI- 4/200-03, dated: 26.02.2019)	800 Meters (But the permanent dwellers should be zero within 1/4 th of the parameter i.e.200 Meter from the proposed brick kiln and permanent dwellers should not more than 200 between 200 meter to 800 meter from the stack of brick kiln)
3	Orchard: (orchard means having minimum 25-trees)	800 Meters
4	Distance between two Brick kiln units (To avoid Clustering of brick kiln in a area)	1.0 KM
5	School: (School means Govt. School/Govt. Sponsored School/Schools recognized from the CBSE/ICSE)	800 Meters
6	Hospitals/Nursing Homes: (Govt. Hospitals or Hospitals/Nursing Homes recognized from the Govt.)	800 Meters
7	Court/Government Offices:	800 Meters
8	State Highway (SH)/National Highway: (NH): (Distance shall be measured from the middle point of the right of the way up to the stack of brick kiln).	200 Meters
9	National Highway (NH) having 4-lanes or more: (Distance shall be measured from the middle point of the right of the way up to the stack of brick kiln).	300 Meters
10	Railway Line	200 Meters

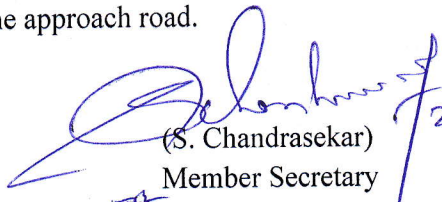
11	River/Natural water resources/Dams/Wetland:	500 Meters
12	Over Exploited, Critical or Semi-Critical (OCS) area declared by CGWA:	New Brick Kiln units shall not be allowed in these areas.
13	Eco-sensitive zone notified by the Ministry of Environment, Forest & Climate Change, Govt. of India for wildlife Sanctuary, National Park & Tiger Reserve under Environmental (Protection) Act, 1986:	Brick kiln activity shall not be allowed within the Eco-sensitive zone as mentioned in the respective notification (s)..

- (2) Consent fee for the establishment of new brick kiln shall be considered keeping the minimum investment of more than Rs. 25.00 lakh (Rupees Twenty five lakh) for a brick kiln unit. (Notification no.-P/T-04/2000/104, dated 09.08.2015).
- (3) The change in Name/Address of the unit/Proprietor in the previous Consent to operate (CTO) order under Air (Prevention & Control of Pollution) Acts, 1981 for old brick kiln units, shall have to pay required fee as per the notification of the Bihar State Pollution Control Board. (Notification no: 30, dated: 18.11.2021);
- (4) The brick kiln shall be allowed consent-to-operate only with ZIG-ZAG cleaner technology or Vertical shaft technology or related cleaner technologies.
- (5) **Standard operating procedure for the brick kiln unit are as follow:-**

- (a) The stack height of the brick kiln shall not be less than the height as mentioned below:-

Sl. No.	Type of Brick Kiln	Minimum Stack Height
1	<u>Zig-Zag/Other than vertical shaft Brick Kiln under cleaner technology having production capacity:-</u>	
	(a) Less than 30,000 bricks/day:	24 Meters (From the Ground level)
	(b) Equal to or More than 30,000 bricks/day:	27 Meters (From the Ground level)
2	<u>Vertical shaft Brick Kiln (having production capacity):</u>	
	(a) Less than 30,000 bricks/day:	14 Meters (From the Ground level) 7.5 Meters (From loading platform)
	(b) Equal/More than 30,000 bricks/day:	16 Meters (From the Ground level) 8.5 Meters (From loading platform)

- (b) Particulate matter emission from the Stack – Not more than - 250 mg/Nm³.
- (c) Only following fuels will be allowed for bricks manufacturing:-
(i) Coal, (ii) PNG, (iii) fire-wood and or (iv) Agriculture residues.
- (d) The brick kiln unit has to provide permanent provision of Port hole & Platform as per the norm or design laid down by Central Pollution Control Board for monitoring of stack emission.
- (c) The ash generated from the brick kiln unit shall be fully utilized in-house by the brick kiln in manufacturing of bricks.
- (d) The owners of the brick kiln unit shall construct paved road for the transportation of raw materials as well as bricks of its approaching Road.
- (h) The vehicles shall be fully covered during the transportation of raw materials as well as bricks.
- (i) Name and address of the brick kiln/marka of the bricks manufacturing/Proprietors name shall be displayed on the stack of brick kiln or a fixed display board.
- (j) Tree plantation all around the campus of brick kiln unit shall be developed & shall have to be maintained.
- (k) Regular water sprinkling arrangements shall be provided on the approach road.


 (S. Chandrasekar)
 Member Secretary

23/3/22