

MEMORANDUM

No. 1251–M&M/LR/A-II/M&M-26/2010

Dated, 29th May, 2015

Whereas bricks are an important component of the construction industry and there is a growing demand of bricks for development of infrastructure including housing.

Whereas unplanned and unauthorised manufacture of bricks destroy top soil of agricultural land beyond reclamation and makes it un-usable for agriculture practices.

Whereas un-planned and un-scientific brick manufacturing may have adverse impact on environment and human health.

Therefore, after careful consideration of all aspects in the matter, It is felt necessary to frame guidelines for operation of new/existing brick fields/brick kilns as enumerated below:-

A. Regulatory Guidelines:

1. District Land & Land Reforms Officers are the Ex-Officio Environment Officers within their respective jurisdictions for the purpose of grant or refusal of Consent-to-Establish (CoE) and Consent-to-Operate (CoO) of the brick fields/brick kilns on behalf of the West Bengal Pollution Control Board (hereinafter referred to as the 'State Board')

Applications should be made to the District Land & Land Reforms Officer concerned in the prescribed format, which may be downloaded from the Website of the State Board (www.wbpcb.gov.in), along with requisite fee and other relevant documents for obtaining permission to establish and/or to operate brick fields/kilns.

2. Apart from the District Land & Land Reforms Officer, the Regional Offices of the West Bengal Pollution Control Board will also receive 'Consent to Operate' applications for the existing brick fields/kilns with arrear consent application fees.

Such applications should be accompanied by the following documents:-

- (a) Trade Licence issued by the appropriate authority.
- (b) Land documents including copy (s) of RoR.

- (c) Royalty and cess challans and up-to-date rent receipt of the Land & Land Reforms Department for using top soil and alluvial soil for manufacture of bricks.
- (d) For Identity Proof: PAN Card/Driving Licence/ECI Card/Aadhar Card.
- (e) Photographs showing the proposed brick fields area / land and a sketch map showing the four boundaries with coverage in adjoining plots.
- (f) Any other relevant papers and documents.

Without such accompanying documents, applications shall not be accepted by the Regional Office of the State Board and the office of the District Land and Land Reforms Officer.

- 3. No objection certificate should be obtained from the Agriculture department to the effect that there will be no adverse effect on agricultural activities in nearby areas.
- 4. No objection certificate shall be obtained from the adjoining raiyats for setting up brick fields.
- 5. Clearance should be obtained from the concerned Irrigation & Waterways / P.W. Department and Zilla Parishad authorities to the effect that existence / operation of brick field will not cause any damage to any public road, bridge, culvert, embankment or any other public utility and there will be no obstruction to the flow of the canal/river/drainage in any manner whatsoever.
- 6. In case of mining of 'brick earth' and 'ordinary earth' up to 5 hectares and also more than 5 hectares but less than 25 hectares, prior Environmental Clearance (EC) under category 'B2' projects from the State Environmental Impact Assessment Authority (SEIAA) shall be required.

B. Locational Guidelines:

No new brick fields / kilns shall be allowed to be set up in the following places or areas:

- 1. On any land recorded as agricultural land / orchard / forest whether it is situated within the jurisdiction of the Municipality or Panchayats.
- 2. If the land is used for agricultural purpose even if it is recorded otherwise in the relevant RoR.
- 3. Within a distance of 1.0 kilometre from registered hospitals, schools, public buildings, religious places or places where inflammable substances are stored.

