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## FOREST & ENVIRONMENT DEPARTMENT

### NOTICE

The 14th December 2016

No. 23310—Env.-1-100/2016-F&E—Whereas, conservation of precious top soil and proper management of huge quantities of fly ash generated from Thermal Power Plants (TPPs) in operation is a serious challenge in environment point of view ;

And whereas, there is a need for restricting the excavation of top soil for manufacture of Kiln Burnt Bricks and promoting the utilization of fly ash in the manufacture of fly ash bricks and building materials for in construction activities within a specified radius of 300 kilometers from TPPs with the following advantages :—

- (a) Promotion of fly ash brick manufacturing will conserve precious top soil,
- (b) Fly ash brick manufacturing gains momentum because of its sharp edge, cost effectiveness, low cement consumption in construction and high strength ;
- (c) less energy intensive and helps to keep the environment clean; and
- (d) Land area under active ash pond needs to be put to gainful use ;

And whereas, the quantity of fly ash utilized by brick kilns was limited to 1.068 million tons in 2013-2014 and constitute only 4.37% of ash utilized ;

And whereas, the State Government is of opinion that in view of increased fly ash generation, there is a need to accelerate the pace of utilization of fly ash for brick making ;

And whereas, the Hon'ble National Green Tribunal, Principal Bench, New Delhi vide its order dated, 1st October 2014 in Misc. Application No. 667 of 2014 in O.A. Case No. 102 of 2014 has directed to promote the utilization of fly ash in making bricks, cement and allied products ;

And whereas, State Government have proposed to ban conventional KB Brick manufacturing within 300 Kms. of TPPs for promotion of fly ash bricks by issuing the proposed directions under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) contained in the following draft ;

Now therefore, in exercise of the powers conferred by Rule -4 of the Environment (Protection) Rules, 1986, the State Government do hereby give notice of its intention to issue directions in the manner hereinafter appearing in the draft.

Any person desirous of making any objection in respect of the following draft may submit the same in writing for consideration of the State Government within 3 (three) weeks from the date of publication of this notice in the *Odisha Gazette* to the Director, Environment-cum-Special Secretary to Government, Forest & Environment Department, Odisha Secretariate, Bhubaneswar-751001, which shall be considered by the State Government :

#### DRAFT

In exercise of the powers conferred by Section 5 of the Environment (Protection) Act, 1986 (29 of 1986), read with notification of the Government of India in the Ministry of Environment & Forests (Department of Environment, Forests and Wildlife) No. SO-152 (E), dated the 10th February 1988 and Rule 4 of the Environment (Protection) Rules, 1986, the State Government do hereby issue the following directions, namely :—

1. No person shall within a radius of 300 Kms. from coal based Thermal Power Plants (TPPs) manufacture Kiln Burnt Bricks.
2. The Development Authorities and Urban Local Bodies in urban areas shall ensure approval of plan for private and Government constructions using fly ash bricks only.
3. The State Pollution Control Board shall upload the details of Thermal Power Plants as well as the fly ash brick manufacturing units within a radius of 300 Kms. of TPPs operating in the State in its website.
4. District Collector shall ensure that no permission be granted by the Tahasildars for mining of brick earth within the 300 Kms. of TPPs and encourage for use of fly ash bricks.
5. The MSME Department shall promote establishment of fly ash brick manufacturing units for manufacture of quality fly ash bricks in the State.
6. Fly ash shall be supplied free of cost by all coal fired Thermal Power Plants to the fly ash brick manufactures within a radius of 300 Kms. of TPPs.
7. All the Thermal Power Plants (TPPs.) with power generation capacity more than 100 MW shall provide free transport of fly ash upto 300 Kms. radius or provide a subsidy of Rs. 150 per Ton of fly ash to all the fly ash brick manufacturing units.

By order of the Governor

S. C. MOHAPATRA

Principal Secretary to Government