

**EXTRACT FROM PUNJAB GOVERNMENT GAZETTE,
DATED THE 29TH OCT. 76)
FOOD AND SUPPLIES DEPARTMENT
NOTIFICATION
THE 11TH OCTOBER, 1976.**

No. 7608-IS-76/50463-In supersession of the Pb. Govt. Notification No. 709-IS-76/6545, dated 6th Feb. 1976, published in Pb. Govt. Gazette dt. 20th Feb. 1976 and in exercise of the powers conferred by sub-clauses (ii) of clause 4 of the Pb. Control of Bricks Supplies Order, 1972 the Governor of Pb. is pleased to notify the following instructions, namely :-

1. A person desirous of starting a brick kiln shall apply for the issue of a licence to the Distt. Magistrate in the Prescribed Performa appended to the aforesaid order.
2. The licence shall be granted subject to the following conditions :-

a) Brick kiln shall not be installed :-

- i) Within the radius of 750 meters from the residential areas in cities mentioned in the schedule and 500 meters from the residential areas in other towns / villages.

Explanation :- The radius from residential areas shall be determined from the revenue record (Lal Laqir) or the Municipal limits whichever is near shall form the basis for measuring this distance-

- ii) 100 meters from a garden or nursery.

Explanation :- The distance of 100 meters for garden or nursery shall be determined from the vessel of the kiln.

("Garden" means a piece of land measuring one acre (0.4 Hactare) or above on which fruit trees are grown and "Nursery means a piece of land measuring one kanal (0.1 Hectare) or above where plants are reared for sale or transplantation).

- b) No licence shall be issued in the name of a person whose licence has been cancelled earlier for contravention of the provisions of the aforesaid order or who has been convicted under section 7 of the Essential commodities Act, 1955 or section 6 of the East Pb. Control of Bricks Supplies Act, 1949 or contravention of any Order under rule 114 of the Defence of India Rules.
 - c) No licence shall be granted in the name of a minor person unless two major working partners are included in the prospective licensee firm. An affidavit shall be obtained from the applicant to the effect that he has no other licence nor he has any partnership rights any other brick kiln.
 - d) A person to whom a brick kiln licence is issued shall not be allowed to set up his kiln adjoining the land of the other kiln (this implies that the prospective brick kiln owner shall set up his/her kiln at such a site in his /her land that the periphery of such brick kiln does not touch the land of the neighboring kilns.)
3. The licensing authority shall satisfy itself before granting the licence that the new kiln does not :-
 - i) Contravene the provisions of the Master Plan prepared by the Town and Country Planning Deptt.
 - ii) Go against the restrictions laid in the Development Plan.

- iii) Lie within 100 meters of a schedule road or a State highway. The Distance of 100 meters shall be calculated from the centre line of the schedule road as specified in schedule of Road notified by the Local Bodies from by the town and Country Planning Deptt.
 - iv) Go against any development proposal or restrictions of a special area issued by the Govt. or the Town and Country Planning Deptt. Or by the Local bodies from time to time.
4. The conditions laid down in clauses 2 and 3 above shall not apply in respect of the licences already issued for kilns in operation except that clauses 2 (a) and (b) and 3 shall be apply at the time of shifting of kiln site by old licensees.
 5. The licence issued under the Order shall not be renewed if the Brick kiln owner is a defaulter in the payment of fee, security or in the payment of fines or forfeited amount of security or delivery of bricks on permits issued by the licensing authority in respect of coal allotted by the Food and Supplies Deptt. Or coal supplied by the P.W.D. or Housing Board or by any other Govt. Deptt. / Public Sector under taking or Semi-Govt. undertaking.
 6. Before a licence is renewed, it shall be necessary for the applicant to satisfy the licensing authority that the kiln was in operation for atleast once in the previous year.
 7. The power to relax any of these conditions shall vest with the State Govt. in the Food and Supplies Deptt.

Schedule

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| 1. Amritsar | 2. Bhatinda. |
| 3. Jullundur. | 4. Ludhiana |
| 5. Patiala. | 6. Pathankot. |
| 7. Sahibzada Ajit Singh Nagar (Mohali) . | |

Sd/- G. Balkrishanan
Secretary to Govt. Punjab,
Food and Supplies Deptt.

No. 7608-IS-76/50464 Dt. Chandigarh the 11th October , 1976.

A copy is forwarded to :-

1. All Heads of Deptt. in the State.
2. All the Distt. Magistrate in the State.
3. Commissioners of Divisions , Jullundur, Ferozpur and Patiala.
4. All Distt. Food and Supplies Controllers in The State.
5. Deputy Director (Field) Food and Supplies Deptt. Jullundur, Ferozpur and Patiala.

for information and necessary action .

Sd/- Chanan Singh,
Joint Director Supplies,
For Director Food and Supplies , Pb.

No. 7608-IS-76/ 50465 Dt. Chandigarh the 11th October , 1976.

1. Director of Health Services, Pb.
2. The Chief Town Planner, Punjab
3. Director of Agriculture , Pb.
4. Director Local Government Deptt. Pb.
5. Chief Engineer, B & R Pb. Patiala

for information and necessary action

Sd/- Chanan Singh,
Joint Director Supplies,
For Director Food and Supplies , Pb.