

BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 10/2024/EZ

In the matter of:

Karunath Pazing

..... Applicant

-Versus-

Arunachal Pradesh State Pollution Control
Board & Ors.

..... Respondents

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S.L. NO. 46/29

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 10/2024/EZ**



In the matter of:
Karunath Pazing

..... Applicant

-Versus-

Arunachal Pradesh State Pollution Control
Board & Ors.

..... Respondents

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 13

I, Mayank Khemka, son of Shri Mahesh Khemka, aged about 38 years, by faith-Hindu, by Occupation- Business and having its address at 53/2, Kankulia Road, Golpark, Near Kankulia Kali Bari, Sarat Bose Road, Kolkata- 700 029, do hereby solemnly affirm and say as follows:-

1. I am the constituted attorney of the Respondent No.13 herein and as such, I am acquainted with the facts and circumstances of the present case. I am competent to affirm this instant affidavit for and on behalf of the Respondent No. 13. I am duly authorized to affirm this affidavit on this way.
2. I have gone through a copy of the application filed on behalf of the applicant (hereinafter referred to as the "said application") and I have understood the contents and purport thereof.
3. Before dealing with the allegations and/or statements made in the said application respectfully submit in the manner as follows:
 - a) The Respondent No.13 has established the aforesaid stone crusher unit in his own private land located at Moruk Area under Mebo Village having Land Possession Certificate (hereinafter referred to as the said LPC) bearing Registration No. MO/LM-14/2021/722-724 dated 21.06.2021 issued from the office of the Additional Deputy Commissioner, Mebo Sub-Division, East Siang District, Mebo and the same was approved after

Mayank Khemka

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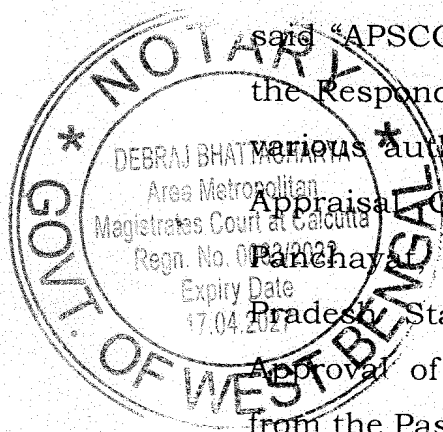
prior recommendation and NOC from the office of the Divisional Forest Officer, Pasighat Forest Division vide Office memo No. PFD/11-85/NOC(M)/2014/2595/98 dated 14.06.2021 as the said land did not fall under RF, VRF, PRF, VFMC and protected areas etc. A copy of the said LPC dated 21.06.2021 and the copy of the Order dated 14.06.2021 is annexed herewith and collectively marked as **ANNEXURE "A"**.

- b) It is stated that the Respondent No. 13 since then is working under the name and style of M/s Balaji Minerals being a stone crusher unit after due compliance with all codal formalities as envisaged in the Arunachal Pradesh Stone Crusher Guidelines, 2012 (hereinafter referred to as the said "APSCG, 2012"). Further in conformity with the said APSCG, 2012, the Respondent No. 13 dutifully obtained No Objection Certificates from various authorities such as local district administration including Geo-Appraisal Committee, Department of Forest, Gaon Burahs of local Panchayat, Department of Geology and Mining, Itanagar and Arunachal Pradesh State Pollution Control Board, Itanagar (APSPCB) and the Approval of working plan cum environment management plan issued from the Pasighat Forest Division. Copies of the NOCs and the approval of the working plan cum environment management plan issued from various authorities are annexed herewith and marked as **ANNEXURE "B"**.

- c) That as per clause 2 of the said APSCG, 2012 which provides that before issuing No Objection certificate from the Geology and Mining Department there shall be recommendation for setting up of stone crusher unit by the Geo Appraisal Committee consisting of following members i.e.:

- (1) ADC/SDO of the Sub-Division as Chairperson,
- (2) Divisional Forest Officer as Member,
- (3) Executive Engineer, PWD as Member,
- (4) Executive Engineer, WRD as Member,
- (5) Executive Engineer, PHED as Member,
- (6) Assistant Mineral Development Officer as Member Secretary.

That furthermore as per Clause 6 of the said APSCG, 2012 which provided that the Geo-Appraisal Committee "shall" while recommending any proposal for No Objection Certificate for establishment of crusher unit, take account of the following location criteria and specify the same with reference to the areas as mentioned as per the table.

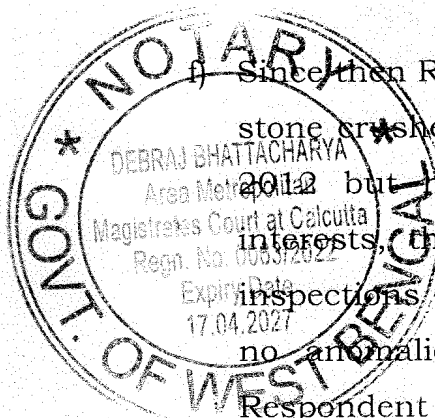


Signature Member

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- d) That the stone crusher unit of the deponent was duly certified and recommended by the aforesaid Geo Appraisal Committee to establish and operate his stone crusher unit vide Geo Appraisal Report bearing Reference No. MSD/GM-05/2014-15/607 dated September 15, 2021.
- e) That let it be mentioned herein that in order to establish and operate a stone crusher unit in the, State of Arunachal Pradesh the above mentioned procedures are the conditions precedent as per the provisions of said APSCG, 2012 and after due compliance, the Respondent No. 13 has been smoothly conducting his business of stone crusher unit in compliance with all the legal norms without any protest from any local inhabitants or authorities.

Mayank Khandu



- f) Since then Respondent No. 13 has been strictly maintaining the aforesaid stone crusher unit in conformity with the said rules of the said APSCG, 2012 but however upon the insistence of few persons with vested interests, the stone crusher unit has undergone several and various inspections from the district administration including the APSPCB and no anomalies or irregularities were found against the unit of the Respondent No. 13.

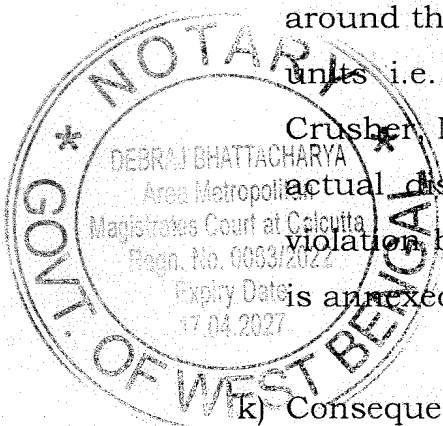
- g) It is further stated that the neighborhood land owners and the villagers of the vicinity i.e. of the Mebo village had never objected or complained to the establishment of the said stone crusher unit till date which is owned by Respondent No. 13.
- h) The Respondent No. 13 further states and submits that the person namely Shri Nogar Megu and Shri Kangkim Lego has also filed PIL No.3 of 2023 before the Hon'ble High Court at Gauhati, Itanagar Bench and the same was disposed by an Order dated March 2, 2023 where it was directed by the said Hon'ble High Court to look into the grievances of the petitioners therein.
- i) Thereafter the Additional Deputy Commissioner, Mebo issued an Order dated Mebo, the June 5, 2023 bearing reference No. MO/DEV-132/2022 upon the other statutory authorities including the Respondent no. 13 wherein all of them were directed to be present on the spot on June 7,

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2023 (Wednesday) at 0900 hours for verification. A copy of the order dated June 5, 2023 is annexed hereto and marked with as **ANNEXURE "C"**.

- j) By virtue of a report dated May 22, 2023 bearing reference No. TC order no. ESD/GM-37-2018-19/925 submitted by the Inquiry Officer, ADC, Pasighat wherein the stone crushing unit was found within the permissible limits as prescribed under the law for the time being in force and the Respondent No. 13 namely M/s Balaji Mineral Stone Crusher, Mebo had fulfilled all the parameter which was advised during the course of inspection i.e. to sprinkle water after every use of the machine and around the crusher area and the western side of the precincts be covered with the fence with long CGI sheet which is to be uniformly placed all around the boundary wall. That the said report was filed in respect of two units i.e. one M/s RKC Infra, Ayeng and M/s Balaji Mineral Stone Crusher, Mebo being Respondent no. 13. The prescribed distance and the actual distance were within the permissible limits and there was no violation by Respondent No. 13. A copy of the report dated May 22, 2023 is annexed hereto and marked as **ANNEXURE "D"**.

- k) Consequently based on the directions issued from the Department of Geology and Mining, Government of Arunachal Pradesh, Itanagar an inquiry was headed by the Additional Deputy Commissioner, East Siang District, Mebo on July 25, 2023 and it was found that the stone crusher unit of the Respondent No. 13 was established after following the prescribed procedures as per the said APSCG, 2012 and furthermore, by way of another order issued from the Office of Director, Department of Geology & Mining, Itanagar dated August 30, 2023 it was further directed to the AMDO, Mebo to submit the Action Taken Report against the stone crusher unit of the Respondent No. 13. Vide letter no. MSD/GM-05/2014-15/699 dated September 14, 2023 issued from the AMDO, Mebo where it was clearly reflected that the Geo-Appraisal Committee along with the Chairman and DFO as the member had visited the stone crusher site of the Respondent No. 13 on September 23, 2021 and was satisfied regarding the crusher unit and the same was in consonance as per the said guidelines of 2012. A copy of the letter dated September 14, 2023 is annexed hereto and marked as **ANNEXURE "E"**.



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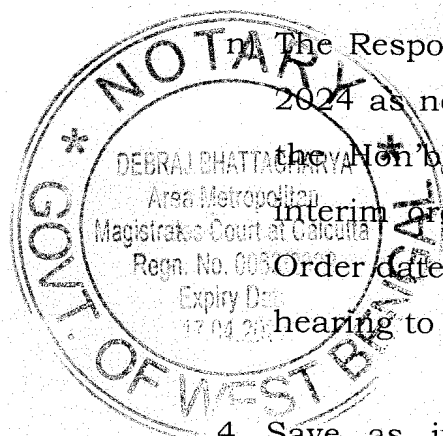
- l) The said committee again visited the stone crusher site on July 19, 2023 along with the DFO, Pasighat and physically inspected the area and found it satisfactory despite the complaints. Therefore, the NOC for the operation of the stone crusher unit was issued by the Department of Geology and Mining, Government of Arunachal Pradesh, Itanagar after taking into consideration of the said APSCG, 2012. *A copy of the guide lines is annexed hereto and marked as Annexure - 'F'.*
- m) It is further stated and submitted by the Respondent No. 13 that in the month of March, 2024 a sudden inspection was conducted by the members of the Arunachal Pradesh State Pollution Control Board, (APSPCB) on the stone crusher unit of the Respondent No. 13 and no irregularity was recorded from the end of the members of said APSPCB.

Mayank Khuntia

n) The Respondent No. 13 is highly aggrieved by the Order dated May 21, 2024 as neither the Hon'ble High Court at Gauhati, Itanagar Bench nor the Hon'ble Green Tribunal, Eastern Zone, Kolkata has passed any interim order to stop the operation of the stone crusher unit and the Order dated May 21, 2024 is passed without providing any opportunity of hearing to the Respondent No. 13 which is untenable in law.

4. Save as it would appear from the admitted records and save as expressedly admitted by me herein I deny each and all the allegations and/or statements contained in paragraphs 1 and 2 of the said application as if the same are set out and traversed at seriatim. I also respectfully submit that any statements and/or allegations contained in the said application if not specifically dealt with by me, may kindly not be construed as an admission on my behalf.

5. With reference to the statements contained in paragraph 3 of the said application I submit that save as it would appear from the admitted records and save as expressedly admitted by me herein I deny each and all the allegations contained in paragraph 3 of the said application. It is denied that there could be any inaction of the respondent authorities in preventing and controlling the illegal stone crushing of the stone crushing unit near Siku river, at Mebo District East Siang, Arunachal Pradesh without the necessary permission from the Government Authorities or the same could be violating the environmental guidelines for stone crushing units as alleged or at all. It is stated that this is an owned land and all the

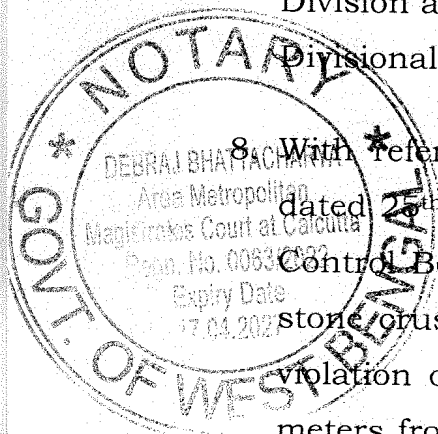


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necessary approvals were granted by every statutory authority prior to and at the time and after the commencement of the business of the said stone crushing unit.

6. With reference to paragraph 4(I), it is denied that the Private Respondent No. 13 is operating a stone crushing unit near Siku River bridge under Mebo circle, District East Siang without any environmental clearance or no objection certificate from the Pasighat Divisional Officer at Pasighat Forest Division as alleged or at all. It is stated that the environmental clearance and the no objection certificate from the Pasighat Divisional Officer were granted to the Respondent No. 13. The copies of such NOCs and environmental clearance are already annexed hereto and marked as annexure "B" herein.
7. With reference to paragraph 4(II), it is denied that the no objection certificate was cancelled by the Divisional Forest Officer, Pasighat Forest Division as alleged or at all. It is stated that the same was renewed by the Divisional Forest Officer, Pasighat Forest Division.

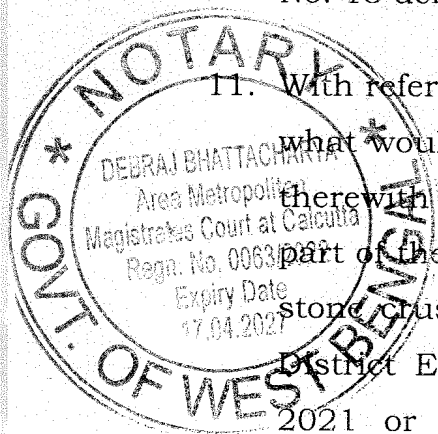
8. With reference to paragraph 4(III), it is denied that the consent order dated 25th June, 2021 granted by the Arunachal Pradesh State Pollution Control Board is liable to be cancelled or withdrawn or set aside or the stone crushing unit for which the consent order has been granted is in violation of the environmental guidelines or the same is located at 300 meters from the National Highway or 400 hundred meters from the Siku Notko Resort or the guidelines states that it should be installed at a distance of one kilometer from the National Highway or half a kilometer away from human habitat or from the point of Mebo township the stone crusher is situated at a distance of two kilometers as alleged or at all. It is stated by the Respondent no.13 that it would be evident from the report dated May 22, 2023 issued by Inquiry Officer, ADC, Pasighat wherein a table has been relied upon by the Respondent No. 13 which states that the Respondent No. 13 is within the permissible distance or area as prescribed in the rules for the time being in force, a copy of which are already annexed hereto and marked as annexure "D" herein and furthermore from the said guidelines of 2012 which would reveal the fact that the same is within the permissible limit.



Rayash Member

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9. With reference to paragraphs 4(IV), (V) and (VI), save what are the matters of record and what would appear therefrom the allegations thereto and/or inconsistent therewith are denied. It is denied that there is no forest clearance from the Forest Division or pollution control measures as required under the rules have not been implemented or the said unit are creating pollution dust or resulting in air pollution as alleged or at all. It is humbly stated that the pollution control measures as what has been prescribed by the statutory authority has been done by the Respondent No. 13 and there cannot be any cause which may result in pollution.
10. With reference to paragraphs 4(VII), (VIII) and (IX), save what are the matters of record and what would appear therefrom the allegations thereto and/or inconsistent therewith are denied. It is denied that the any of the principles or ratio of the judgment in Deepak Kumar vs State of Haryana reported in (2012) 4 SCC 629 or in Original Application No. 123 of 2014 (Himmat Singh Shekhawat -vs- State of Rajasthan and Others) is applicable in this instant case. It is further stated that the applicant for ulterior motive has made any representation, if any, and the Respondent No. 13 denies and disputes made by the applicant herein.
11. With reference to Paragraph 4(X), save what are the matters of record and what would appear therefrom the allegations thereto and/or inconsistent therewith are denied. It is denied that there could be any actions on the part of the authorities or not stopping or putting a permanent stop to the stone crushing activities near the Siku river bridge under Mebo Circle, District East Siang or in cancelling the consent order dated June 25, 2021 or that there is no Environmental Clearance or no-objection certificate from the concerned respondent authorities to operate the said units or the same is being operated in violation of the environmental guidelines of stone crushing units or are otherwise arbitrary, capricious, whimsical and bad in law as alleged or at all. It is further reiterated that the Respondent No. 13 has been operating the stone crushing unit after obtaining all the necessary licences and permissions and the same were in consonance with the said APSCG, 2012.
12. With reference to Paragraph 5 and its various sub-paragraphs, save what are the matters of record and what would appear therefrom the allegations thereto and/or inconsistent therewith are denied. The grounds mentioned herein are repetition of paragraph 4 of the said application and



Raymond Khur

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the same has been dealt in paragraph 6 to 11 of this instant counter affidavit.

13. With reference to Paragraph 6, 7 and 8, save what are the matters of record and what would appear therefrom the allegations thereto and/or inconsistent therewith are denied. It is denied that there can be any cause of action or the cause of action arose on October 31, 2023 or the same is continuing day to day till date. The Respondent No. 13 further states that the applicant is not entitled for any interim prayer as prayed for or further entitled to any prayers as prayed for. The applicant has not approached this Hon'ble Tribunal with clean hands and just with a motive of unjust enrichment.
14. In fine, I respectfully submit that none of the affidavits have made out any case for interdiction of this Hon'ble Tribunal against Respondent No. 13 and hence, the entire proceedings may kindly be dropped.
15. That the statements and/or allegations contained in paragraphs 1 to 3 of the foregoing Affidavit are true to my knowledge and those contained in paragraphs 4 to 13 are information derived from record and the rest hereof are my respectful submissions before this Hon'ble Tribunal.

Identified by me

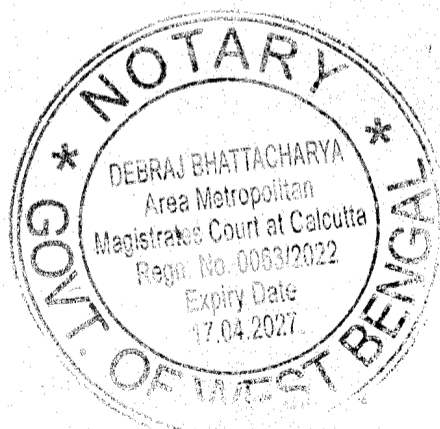
Sourasit Das

Advocate

F/2705/2023

Rajank Ghosh

DEPONENT



Solemnly Affirmed and
Declared before me U/S 139
CPC, U/S 297 (C) CRPC Deponent
Signature Identified by Advocate

D: b. Bhattacharya
Notary

04 SEP 2024

GOVT OF ARUNACHAL PRADESH
OFFICE OF THE ADDL. DEPUTY COMMISSIONER::MEBO SUB-DIVISION
EAST SIANG DISTRICT
::MEBO::

NO MO/LM-14/2021/ 722-724 Dated Mebo the 21st June/2021.

:: LAND POSSESSION CERTIFICATE ::

This is to certify that the Land Area measuring 3.7058 Hectare (37058 SQM) described below is in possession of Shri Ojing Darin S/O Shri Token Darin of Mebo village , Mebo Circle, Dist East Siang ,Arunachal Pradesh and the said land area/plot of land are free from all encumbrances as per the available records as on date.

This Certificate is issued on the basis of the NOC (NO OBJECTION CERTIFICATE) issued by the GBs of Mebo village ,adjacent Land owner and the report of DFO(T), Pasighat, East Siang District , Arunachal Pradesh as communicated vide letter NO PFD/11-85/NOC(M)/2014/2595/98 Dtd 14/6/2021.

:: DESCRIPTION OF LAND ::

1. Location of the area in which located :: At Moruk area under Mebo Village.
(Bearing Longitude and latitude stated in the Map).
2. Total area :: 3.7058 Hectare (37058 Sqm).
3. Purpose for obtaining LPC :: For setting up Stone crusher Unit.

- A. In the North:: Land of shri Mannang Yirang and Sh.Moniram Ratan
- B. In the South:: Land of shri Z.G Pertin..
- C. In the East :: Land of Dr. Bimol Ratan
- D. In the West :: Land of shri Lentik Ratan.

(Signature)
(Janes Mary Tayeng)
EAC (L.M)
:: MEBO ::

Extra Asstt Commissioner
Mebo
East Siang Dist.(A P)

(Signature)
(Ainstein Koyu)
Addl. Deputy Commissioner,
:: MEBO ::

Addl Deputy Commissioner
Mebo Sub Division
East Siang District
Mebo, A P

&&&&&&&&&

Command with Form 50/2011

GOVT. OF ARA NACHAI, PRADESH
OFFICE OF THE DIVISIONAL FOREST OFFICER
PASIGHAT FOREST DIVISION
PASIGHAT.

No. PED 11-85 NOC(W)/2014-2595-98

Dated Pasighat, the 14/6/21

To,

The Additional Deputy Commissioner
Mebo Sub-Division
East Siang District
Mebo

Subj: Issue of No Objection Certificate in favour of Shri Ojing Darin.

Ref: Your No. MO/LM-64/2021-450-452 Dated: 28.03.2021.

Sir,

The matter is regarding issue of No Objection Certificate in respect of Shri Ojing Darin, s/o Shri Tosen Darin, Mebo village for the purpose of setting up of Stone Crusher unit at Morak area of Mebo.

This department has no objection in issuing LPC for the specific plot of land measuring 3.7058 hectares (3.7058 Sgum) in favour of the applicant as the land does not fall under any RI, VRI, PRF, VPM, and protected area etc. The No.C is subject to the condition that the area should be used for the purpose as applied for.

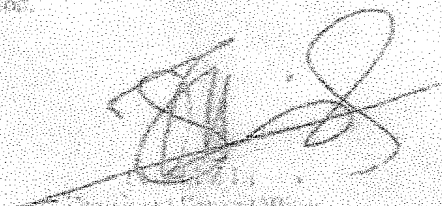
Yours faithfully

- 1. Serial copy (in original)
- 2. Annexure & etc

M17/1
Divisional Forest Officer
Pasighat Forest Division
Pasighat

Copy to:-

- 1) Shri Ojing Darin, s/o Shri Tosen Darin, Mebo village for information.
- 2) Office copy.


Divisional Forest Officer
Pasighat Forest Division
Pasighat Forest Division

TYPED COPY

PAGE NO - 10 A

GOVT. OF ARUNACHAL PRADESH
OFFICE OF THE DIVISIONAL FOREST OFFICER
PASIGHAT FOREST DIVISION
PASIGHAT

No.PFD 11-85 NOC(M) 2014 2595-98

Dated Pasighat. the 14/6/21

To,

The Additional Deputy Commissioner
Mebo Sub-Division
East Siang district
Mebo

Sub:- Issue of No Objection Certificate in favour of **Shri Ojing Darin.**

Ref:- Your No. MOLM-04 2021 450-452 Dated 28.05.2021

Sir,

The matter is regarding issue of No Objection Certificate in respect of **Shri Ojing Darin , S/o Shri Token Darin, Mebo village** for the purpose of **setting up of Stone Crusher unit at Moruk area of Mebo.**

This department has no objection in issuing LPC for the specific plot of land measuring **3.7058 hectares (3.7058 Sqm)** in favour of the applicant as the land does not fall under any RF, VRF, PRF VFMC and protected area etc. The NOC is subject to the condition that the area should be used for the purpose as applied for.

Yours faithfully,

Sd/-

Divisional Forest Officer
Pasighat Forest Division
Pasighat

Enclosed: 1) Sketch Map (in original)

2) Annexure- I & II

Copy To:-

1. Shri Ojing Darin, S/o Shri Token Darin, Mebo village for information.
2. Office copy.

Sd/-

Divisional Forest Officer
Pasighat Forest Division
Pasighat

To Whom It May Concern
No Objection Certificate

This is to certify that, there is no objection for establishment of a Stone Crusher unit at Moruk Area Mebo by Shri Ojing Darin, S/o Shri Token Darin, PO/PS:- Mebo, East Siang District, Arunachal Pradesh in the name and style of M/s Shri Balaji Minerals.

He is free to set up the said unit at the above mentioned locality and I as the Head Gaon Burah do not have any objection in establishing the same.

Date: 16/06/2021

Place: Mebo

T. D
SRI TOKEN DARIN
G.B. Mebo
Head Gaon Burah

Vill- Mebo, PO/PS: Mebo

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE FOR THE ADDL. DEPUTY COMMISSIONER
EAST SIANG DISTRICT
MEBO

MSG/GM-06/2014-15

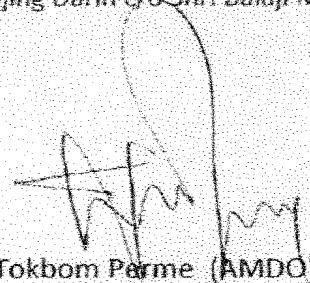
DATED 23/06/2021

NO OBJECTION CERTIFICATE

This NOC is issued shri Ojing Darin s/o Shri Token Darin Mebo Village p.o/p.s Mebo, for the establishment of stone crusher unit at Moruk area, P.O/P.S Mebo, East Siang District in the name and style of M/S Balaji Mineral. The Land belonging to Shri Ojing Darin Mebo village. The site was inspected on dated 01/06/2021 and is located as per Guideline.

Sl.no	Distance From	Distance
1.	Town	10 km
2.	Village/Human habitation	2 km
3.	National Highway/State road (centre line)	300 mtrs
4.	Sensiteve areas such as Education institution/Governmen Office/Hospital/Religious place Etc.	5 km
5.	River/streams /lake.	1.50 km
6.	Hydro Power Dam/Water supply/Bridge	1.50 km

Noc is after proper verification of the proposed crusher unit to be established at Moruk area, along with the Mineral Guard Shri Sunny Saring and Khunkap Pumo and found feasible for establishment of a crusher unit. Therefore, NOC is issued to Shri Ojing Darin c/o Shri Balaji Minerals.


 Shri Tokbom Parme (AMDO)
 East Siang District
 Mebo

Mebo
 East Siang District
 Mebo

- X -

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE DIVISIONAL FOREST OFFICER
PASIGHAT FOREST DIVISION
PASIGHAT

PFD/8-18/IND/2013/Vol-IV *2683-84*

Dated, Pasighat the *21/07/2021*

To,

The Secretary
Deptt. Of Geology and Mining
Govt. of Arunachal Pradesh
Itanagar

Sub:- Approval of working plan cum Environment Management plan of M/s Shri Balaji Minerals (Stone Crusher Unit)

Sir,

The working plan cum environment management plan of M/s Shri Balaji Minerals (Stone Crusher Unit) was examine at this end and found to be in order, it has been noted that the Unit is established at Moruk area, Mebo village, East Siang District, Arunachal Pradesh. The Unit is in process regarding pollution mater (APSPCB). The Unit has obtained all the required documents.

Accordingly, the Pasighat Forest Division, Pasighat convey its approval working plan cum Environment Management plan period of 1(One) year subject to following terms and conditions.

- 1) The Unit shall strictly follow the guidelines issued by Govt. of Arunachal Pradesh from time to time.
- 2) Necessary records shall be maintained and the Unit shall operate as per Govt. documents.
- 3) The Unit shall be liable to inspection by Govt. agencies at any point of time to time.
- 4) No Crusher waste shall be directly disposed off in natural water bodies.
- 5) No violation of existing rule/regulations shall be undertaken at any circumstance, if founds, competent authority shall initiate necessary action without prior notice.
- 6) Sufficient dust, suppressant facilities shall be installed within the crusher premise as per guidelines.

Yours faithfully,

Enclor:- As above

Divisional Forest Officer
Pasighat Forest Division
Pasighat

Copy to:-

✓ Shri Ojing Darin, M/s Shri Balaji Minerals (Stone Crusher Unit) Mebo for information.

Divisional Forest Officer
Pasighat Forest Division
Pasighat

- 1X -

TO WHOM IT MAY CONCERN

No Objection Certificate

This is to certify that , there is no objection for establishment of a Stone Crusher unit at Moruk area, Mebo by Shri Ojing Darin , S/o Shri Token Darin, PO/PS Mebo, East Siang District, Arunachal Pradesh in the name and Style of M/S Shri Balaji Minerals .

He is free to set up the said unit at the above mentioned locality and I as the Gram Panchayat Member do not have any objection in establishing the same.

Date: 11/7/21

Place: Mebo



Gram Panchayat Member
Village Mebo
PO/PS Mebo

- X -

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE DIVISIONAL FOREST OFFICER
PASIGHAT FOREST DIVISION


PASIGHAT
Divisional Forest Officer
TO WHOM IT MAY CONCERN

This is to certify that the undersigned has ~~NO~~ **NO OBJECTION** for installation of a Stone Crusher Unit by Shri Ojing Darin, M/s Shri Balaji Minerals (Stone Crusher Unit) at Moruk area, Mebo village, East Siang District, Arunachal Pradesh subject to the following terms and condition.

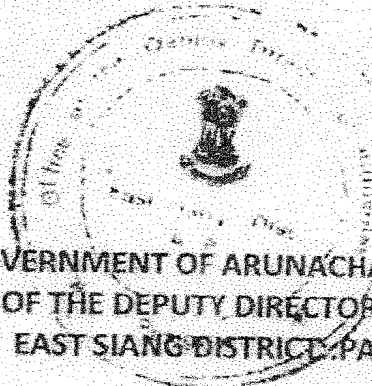
- 1) The area does not fall under any recorded Reserve Forest/PRF/ARF/Plantation of the Division.
- 2) No violation of Forest Conservation Act, 1980 shall be committed by the applicant during establishment of the unit.
- 3) Consent order/authorization shall be obtained from Arunachal Pradesh State Pollution Control Board prior to commencement of any establishment work of the proposed unit.
- 4) Trading license and other necessary permission for establishment and operation of the Unit shall be obtained from the concerned District Industry Centre.
- 5) No Objection Certificate from the local ASM/GM/ZPM and concern administration should be obtained.
- 6) The existing rules, regulation and guidelines regarding operation of this Unit issued by concerned department shall be strictly followed.
- 7) The raw materials required for the unit shall be procured from the legal sources only.
- 8) Functioning of the Unit may be restricted on Sunday and national holiday. working hours should be restricted between 0700 hrs to 1700 hrs.
- 9) The Unit shall maintain the record of procurement of raw materials and the same shall be liable for inspection any authorized Govt. officer at any reasonable time.
- 10) This No. Objection Certificate shall remain valid for a period of One Year from the date of its issue.
- 11) G.P.S Coordinates:

A)	N 28.08.57.76	E 095.23.16.48
B)	N 28.09.00.32	E 095.23.18.12
C)	N 28.08.57.655	E 095.23.30.08
D)	N 28.08.54.61	E 095.23.27.95

PFD/8-18/2013/IND/Vol-1/ 2682
Dated, Pasighat the 01/07/2021


Divisional Forest Officer
Pasighat Forest Division
Pasighat

— X6 —



**GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE DEPUTY DIRECTOR OF INDUSTRIES
EAST SIANG DISTRICT PASIGHAT**

TO WHOM IT MAY CONCERN

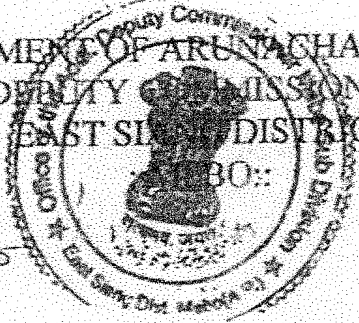
Dated: 12/07/2021

The Department of Industries, East Siang District, Pasighat has no any objection for establishment of Stone Crusher Unit by Shri Ojing Darin S/O Shri Token Darin of Village Mebo PO/PS Mebo at Moruk Area, Mebo East Siang District, Arunachal Pradesh.



Deputy Director of Industries
East Siang District: Pasighat

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE ADDL. DEPUTY COMMISSIONER::MEBO SUB-DIVISION
EAST SIANG DISTRICT



NO MO/DEV-132/2021/1223
- 1225

Dated Mebo, the 3rd Aug'2021

:: NO OBJECTION CERTIFICATE ::

This NO OBJECTION CERTIFICATE is issued to Shri Ojing Darin, proprietor of M/S Balaji Minerals, for establishment of a stone crusher unit at Moruk area, under Mebo Sub-Division.

No government infrastructure like School, Health Center or human settlement are located in the vicinity of the proposed site/land.

This NOC is issued on the strength of report submitted by AMDO Mebo, DFO Pasighat and village authorities/PRI members of concerned area.

(Ainstein Koyu)
Additional Deputy Commissioner,

::Mebo::
Addl Deputy Commissioner
Mebo Sub Division
East Siang District
Mebo/AP



- 18 -

**GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF GEOLOGY AND MINING
ITANAGAR**

Dated .31st Aug'2022

NO OBJECTION CERTIFICATE FOR ESTABLISHMENT OF CRUSHER UNIT

This is to certify that the Department of Geology and Mining has no objection in establishment of a Crusher Unit by the person as named below at the place specified herein:

- 1) SHRI OJing Darin,
- 2) M/S. Shri Balaji Mineral Stone Crusher,
- 3) Address of registered Office: Vill: Mebo, Circle: Mebo, PO/PS: Pasighat, District :East Siang
- 4) Location of Crusher Unit: Moruk(Mebo)
- 5) Details of Crusher Unit:
 - a) Make : M.B.Engineers,
 - b) Name of Manufacturer:- M.B.Engineers,
 - c) Installation capacity: 50 in cubic metre,
 - d) Production target as per DPR : 250 in cum
 - e) Production capacity as per Manufacture's detail :- 50 in cum
 - f) Estimated daily power consumption:- Own DG Set,

Terms and conditions: -

The No Objection Certificate is subject to the following terms and conditions:

- 1) This No Objection Certificate shall remain valid for a period of one year effective from date of its issue.
- 2) The No. Objection Certificate is issued only for applying consent order of the State Pollution Control Board and it does not confer any right to the Proprietor/owner of the stone crusher to extract/remove minor minerals from any area without obtaining a mining permit from the competent authority. [i.e. The Secretary (G & M) for export and DC of the district for domestic use].
- 3) Minor minerals shall be removed/ extracted in accordance with the Mining Permit granted from time to time by the competent authority from the notified quarry only. Extraction and removal of minor minerals from other than notified quarry shall not only entail cancellation of the No Objection Certificate but also prosecution as per law.
- 4) Quarry activities like collection of boulders, gravels, sands etc shall not be carried out within 1 Km both upstream and downstream of any diversion structure across the river, stream, nallah for drinking water supply scheme, dams, bridges etc.
- 5) Extraction/quarrying of minor minerals shall not be beyond 3 meter depth of the surface and operation for mining/quarrying s well as operation of the crusher machine shall be between 6 AM to 6 PM.
- 6) The proprietor/owner of crusher unit shall indemnify to the Government against any claim of third parties. Neither the Geology and Mining Department nor the State Government will be responsible for such third party claims.
- 7) The minerals left after cancellation of the NOC or the mining permits shall be forfeited and such minerals shall be deemed to be the Government property and the Geology and Mining Department may dispose of such property as per law.
- 8) Felling of trees in and around the notified quarries during removal of minor minerals and at the time of establishment of stone crusher unit shall not be allowed without prior permission of competent authority.
- 9) Every types of accident during the operation of stone crusher machine and during removal/extraction of minor minerals shall be reported to the nearest police station and the Directorate of Geology and Mining.
- 10) The proprietor/owner of the stone crusher unit shall maintain proper account of daily use of minor minerals, their disposal in details and amount of goods tax paid thereon, which shall be compiled at the end of the month and submitted in the CU Form-D to Directorate of Geology and Mining and the Deputy Commissioner of the district before every 10th day of the month.

Continued Next Page -2

- 11) During transportation of such crushed stones from the Stone Crusher Unit to other places, pacca challan with machine numbering shall be issued by the Manager/authorized agent of the proprietor which shall have to be countersigned by the concerned AMDO.
- 12) The owner/proprietor of the crusher units ensure that all the statutory provisions of the following acts and rules are complied with during operation of crusher unit ;
- (i) The Mines and Minerals (Development and Regulation) Act, 1957.
 - (ii) The Arunachal Pradesh Minor Minerals Concession Rules, 2020.
 - (iii) The Air (Prevention and Control of Pollution) Act, 1981 and Rules framed there under.
 - (iv) The Water (Prevention and Control of Pollution) Act, 1981 and Rules framed there under.
 - (v) The Environment (Protection) 1986 and Rules framed there under.
 - (vi) The Noise Pollution (Regulation and Control) Rules, 2000.
- 13) No expansion to the crusher units shall be allowed or electric connection provided by the Department of Power in the extended part of the plant without prior No Objection Certificate issued to that effect from the Geology and Mining Department.
- 14) Every stone crusher owner shall ensure that the emission standards as per the statute and as notified by the State Environment and Forest Department are adhered to.
- 15) Every stone crusher owner shall adopt pollution control measures as notified by the State Environment and Forest Department or as amended from time to time.
- 16) The Geology and Mining Department may impose any such further conditions as it may deem fit for the protection and sustainable use of minor minerals.
- 17) The proprietor/owner of the crusher shall also submit a return by 10th of every month, giving details of total quantity of minerals crushed, electricity consumed, power generated in case of captive power generated run crusher, fuel consumption in case of diesel run crusher, number of labour employed and wages paid etc.
- 18) The crusher owner shall allow the inspecting staff, access to the crusher and make available all records relating to operation of the crusher and verification of source of legal supply of minor minerals and stocks.


Sd/- (Anirudh S.Singh), IRS
Secretary (Geology & Mining),
Govt of Arunachal Pradesh,
Itanagar

Dated Itanagar the 31st Aug'2022

Memo No.DGM/NOC/CU/760 /2020

Copy to:-

1. The Deputy Commissioner, Pasighat, East Siang District, for kind information please.
2. The ADC, Mebo, East Siang District, for kind information please.
3. The Divisional Forest Officer, Pasighat, East Siang District, for kind information please.
4. The Member Secretary, Arunachal Pradesh State Pollution Control Board, Yupia, for kind information please.
5. The AMDO, Mebo, East Siang District for information and with the direction to strictly follow the APMCR-2020 and guidelines issued in this regard from time to time.
6. Shri Ojing Darin, Proprietor, M/s Shri Balaji Mineral Stone Crusher, Vill.Mebo, P.O Pasighat, East Siang District for compliance
7. Office Copy


(T. Rumi),
Jt. Secretary (G & M),
Govt of Arunachal Pradesh,
Itanagar

TO WHOM IT MAY CONCERN

NO OBJECTION CERTIFICATE

This is to certify that, there is no objection for establishment of a **HOT MIX PLANT/BATCHING PLANT** Moruk Area Mebo by Shri Ojing Darin, S/o Shri Token Darin PO/PS Mebo East Saing District Arunachal Pradesh in the name and style of **M/S SRI BALAJI MINERALS**. He is free to setup the site unit at the above mentioned locality and I as the Gam Burah do not have any objection in establishing the same.

Date:- 15/11/2022

Place:- Mebo


Statik Mebo

Asst. Gam Burah

Gam Burah Mebo

Vill-Mebo, PO/PS Mebo

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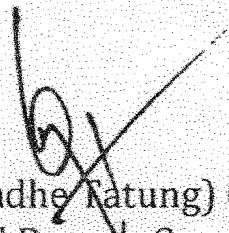
GOVT OF ARUNACHAL PRADESH
OFFICE OF THE ADDL. DEPUTY COMMISSIONER:: MEBO SUB-DIVISION
EAST SIANG DISTRICT

NO MO/DEV- 132/2022/3030-3081 Dated Mebo, the 22nd Nov'2022

NO OBJECTION CERTIFICATE

This **NO OBJECTION CERTIFICATE** is issued to Shri Ojing Darin, proprietor of **M/S Sri Balaji Minerals**, for establishment of a Hot Mix Plant/ Batching Plant at Moruk Area under Mebo Sub-Division within the premises of existing stone crusher unit.

This NOC is issued on the basis of 'NOC' furnished to proprietor of M/s Balaji Minerals by the village authorities of Mebo village.


(Radhe Katung) C.O
Additional Deputy Commissioner
Mebo
Mebo
East Siang Distt. (A.P.)

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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
PASIGHAT.

O R D E R

In pursuance of this office memo No.PFD/8-8/IND/2013/Vol-II/5889-93 dtd. 30/12/2022 and NO OBJECTION CERTIFICATE issued by Head Gaon Bura & Gaon Bura of Mebo establishment of Stone Crusher Unit M/s Balaji minerals, Stone Crusher Unit by Shri Ojing Darin.

The M/s Balaji minerals, Stone Crusher Unit, Mebo by Ojing Darin may function their unit as usual at same location until further order.

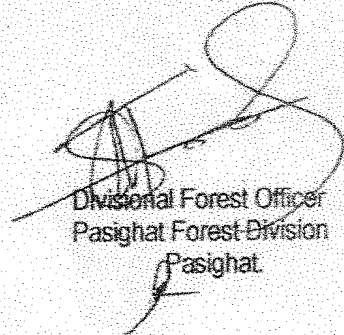
Sd/
Divisional Forest Officer
Pasighat Forest Division
Pasighat.

Memo No.PFD/8-18/IND/2013/Vol-III 327-30

Dated Pasighat, the 12/1/23

Copy to :-

1. The Addl. D.C., Mebo for favour of his kind information please.
2. The Range Officer, Mebo for information.
3. M/s Balaji minerals, Stone Crusher Unit, Mebo for information
4. Shri Ojing Darin, Mebo for information.


 Divisional Forest Officer
 Pasighat Forest Division
 Pasighat.

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GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE ADDL. DEPUTY COMMISSIONER::SUB-DIVISION
EAST SIANG DISTRICT::

::MEBO::

NO MO/DEV-132/2022/

Dated Mebo, the 5th June, 2023

ORDER

In pursuance to order No.ESD/ESTT-149/04 (Pt)/177 dated Pasighat the 31st May, 2023, it is hereby informed to all concerned that spot verification will be conducted on 07/06/2023 (WEDNESDAY) at 0900 Hours of following Stone Crusher Units namely 1. M/S RKC Infra Ayeng 2. M/S Balaji Mineral Stone Crusher Mebo.

Hence all the members of Geo-Appraisal Committee, GBs of Ayeng Village, Proprietors of M/S RKC Infra Ayeng, M/S Balaji Minerals stone crusher, Mebo are directed to be present on the spot at the mentioned date and time.

Sd/-

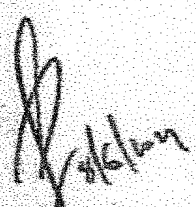
(Ainstein Koyu)
 Addl. Deputy Commissioner
 Mebo

Dated Mebo, the 5th June, 2023

NO MO/DEV-132/2022/

Copy to:-

1. The Addl. Deputy Commissioner, East Siang District, Pasighat for kind information.
2. The Divisional Forest Officer (T), Pasighat for information and necessary action.
3. The Executive Engineer, PWD, Pasighat for information and necessary action.
4. The Executive Engineer, WRD, Pasighat for information and necessary action.
5. The Executive Engineer, PHED, Pasighat for information and necessary action.
6. The Assistant Mineral Development Officer, Mebo for information and necessary action.
7. All HGB/GBs of Ayeng and Mebo for information and necessary action.
8. The Proprietor of M/S RKC Infra Ayeng and M/S Balaji Mineral stone crusher for information and necessary action.
9. The Prantik Care The Earth Geo info Solution Pvt Ltd with a directed to accompany the inspection team.
10. Office copy.


 (James Mary Tayeng) EAC
 For Addl. Deputy Commissioner
 Mebo

REPORT

Ref: DC' order No ESD/GM-37/2018-19/925

Dated 22nd May 2023.

As per the order of the authority self enquired into the alleged complaint made by one Shri Nogar Megu of Ngopok village and Shri Kangkim Lego of Ngopok village of Ayeng village for immediate stopping of the following Stone crushers viz.

1. M/s. Balaji Mineral Stone Crusher Mebo
2. M/s. AKC Infra Stone Crusher Ayeng.

The ADC Mebo, who is chairman of the Geo-Appraisal Committee has submitted all related and relevant documents pertaining to issue of permission to the above Stone crushers

1. Geo Appraisal Report
2. NOC in CU Form-A
3. CST Registration
4. Trading License
5. Demand Draft of Rs. 10000/- Challan of NOC Fee
6. NOC from ADC Mebo.
7. NOC from DFO
8. NOC from D.D.J
9. Working Plan cum Environment Management Plan from DFC.
10. NOC from respective Geon Suras.
11. NOC from AMDO mentioning distance criteria.
12. Land Possession Certificate, lease agreement.
13. Consent order from Andhra Pradesh State Pollution Control Board.
14. NOC from Secretary Geology & Mining Govt. of A.P.
15. Sketch map with boundary description.
16. DPR verified by AMDO & D.D.J.

After having gone through all these related papers, spot verification was carried out on 07/06/2023 at both the site viz.

1. M/s. Balaji Mineral Stone Crusher, Mebo
2. M/s. AKC Infra Stone Crusher, Ayeng

The following observations have been made-

TYPED COPY

PAGE NO - 24 A

REPORT

Ref: DC order no ESD/GM-37/2018-19/925

Dated 22nd May 2023.

As per the order of authority self enquired into the alleged complaint made by one of Shri Nogor Megu of Ngopok village and Shri Kanakim Lego of Ngopok village of Ayeng village immediate stopping of the following Stone crusher viz.-

1. M/s Balaji Minerals Stone Crusher Mebo.
2. M/s RKC Infra Stone Crusher Ayeng.

The ADC Mebo, who is chairman of the Geo- Appraisal Committee has submitted and related and relevant documents pertaining to issue of permission to the the above Stone Crushers

1. Geo Appraisal Report
2. NOC IN CU Format
3. CSM Registration
4. Trading License.
5. *-Illegible-*
6. NOC from ADC Mebo.
7. NOC from DFO.
8. NOC from DDI
9. Working Plan cum Environment Management Plan from DFC.
10. NOC from respective Gaon Buras.
11. NOC from AMDO mentioning distance
12. Land possession Certificate, lessee agreement.
13. Consent order from Arunachal Pradesh State Pollution Control Board.
14. NOC from Secretary Geology & Mining Govt. of A.P.
15. Sketch map *-Illegible-* under description.
16. DPR verified by AMDO & DD.

After having gone through at these related papers, spot verification was carried out on 07/05/2023 at both the site viz.

1. M/s Balaji Mineral Stone Crusher, Mebo.
2. M/s RKC Infra Stone Crusher, Ayeng.

The following observations have been made:-

Sl. No	Parameters	M/s RKC Infra, Ayang	M/s. Balaji Mineral Stone Crusher, Mebo	Prescribed Distance	Remarks
1.	Sl. No. 5.1 (c) Distance from village/human habitation	2.5	2.5	1 Km	
2.	Sl. No. 5.1 (d) Distance from Wildlife Sanctuary/reserve forest	More than 5 km	More than 5 km	5 Km or buffer zone declared for the same by the state Govt.	
3.	Sl. No. 5.1 (e) Distance from NH/ State road (from centre line)	411 mtrs	314 mtrs	200 mtrs	
4.	Sl. No. 5.1 (f) Distance from sensitive areas such as Educational Institute/Govt Offices/Market/ hospital/ religious places/ tourists spots.	Does not arise	Does not arise	1 km	
5.	Sl. No. 5.1 (g) Distance from River/Lake/ Stream	Small Irrigational canals (Doodh) flow at the boundary		500mtr	
6.	Distance from Bridges/Hydro Power Dams/Water Supply diversion structure etc.		557 mtr	1 Km	One headwork is undertaken by PHED dept for supply of drinking water to the population of Renegat area which is 547 Mtrs from the stone crusher.
7.	Whether NOC from Secretary, Geology and mining obtained	Yes, vide No. DGM/NOC/CU/624/2022/12 S. 495 Dated 01/06/2022	Yes, vide No. DGM/NOC/CU/760/2022 1, 1197-101 Dated 01/08/2022		
8.	Whether consent order from APSPCB obtained	Yes, vide No. APSPCB-798/2021/RAC/4567-72 Dated 22/12/2021 (valid w.e.f 30/12/21 to 8, 12/2024)	Yes, vide No. APSPCB-357/2021/SBM/8507-911 Dated 25/06/2021 (valid w.e.f 23/06/21 to 23/06/2024)		

SL No.	Parameters	M/s RKC Infra, Ayeng	M/s. Balaji Mineral Stone Crusher, Mebo	Prescribed Distance	Remarks
1.	SL No. 6.1 (C) Distance from village, human habitation	2.5	2.5	1 Km	
2.	SL No. 6.1 (d) Distance from Wildlife Sanctuary/reserve forest.	More than 5 Km	More than 5 Km	5 Km or buffer zone declared for the same by the state Govt.	
3.	Sl. No. 6.1(e) Distance from NH/State road (from central line)	411mtrs	-illegible- mtrs	200 mtrs	
4.	Sl. No. 6.1(f) Distance from sensitive areas such as Educational Isntitute/Govt Offices/Market/Hospital/Religious places/ tourist spots	Does not arise	Does not arise	1 Km	
5.	Sl. No. 6.1(g) Distance from River/Lake/Stream	-illegible-		500 mtrs	
6.	Distance from Bridges/Hydro Power Dams/Water Supply diversion structure etc.		-illegible-	1 Km	One Headwork Is Undertaken By PHED Dept For Supply Of Drinking Water To The Population Of Ranaghat area which is 647 Mtrs from the stone crushers.
7.	Whether NOC from Secretary, Geology and Mining obtained	Yes, vide no. - illegible-	Yes, vide no. DGM/NOC/CU/760/ 2022/1297-102 Dated 31/08/2022		
8.	Whether consent order from APSPCB obtained	Yes, vide no. APSPCB 796/2021/RNC/ 4567-72 Dated 22/12/2021 (valid w.e.f. 10/12/21 to 9/12/2024)	Yes, vide no. APSPCB 357/2021/SBN/890 7-911 Dated 25/06/2021 (valid w.e.f. 23/06/21 to 22/06/2024)		

Further M/s Balaji Mineral Store Crusher, Mebo have fulfilled all the parameter have advised to sprinkle water after every use of the machine in and around the crusher area. In the western side they have covered the fence with long C.I.I sheet which is to be uniformly placed all around the boundary wall.

M/s R.K.C Infra Ayeng was advised to sprinkle the water sufficiently after every use. A water sirtax (Tank) is to be placed above the machine for watering the area for dust pollution. The connecting Road from the highway should be watered sufficiently on daily basis.

Submitted to DC for his orders.

(Oli Perma)
Inquiry Officer
ADC, Pasigat

TYPED COPY

PAGE NO:- 26 A

Further M/s Balaji Mineral Store Crusher, Mebo have fulfilled all the parameter have advised to sprinkle water after every use of the machine in and around the crusher area. In the western side they have covered the fence with long C.G.I. sheet which is to be uniformly placed all around the boundary wall.

M/s R.K.C Infra, Ayeng was advised to sprinkle the water sufficiently after every use. A water sintex (Tank) is to be placed above the machine for watering the area for dust pollution. The connecting Road from the highway should be watered sufficiently on daily basis.

Submitted to DC for his perusal.

Sd/-

Inquiry Officer
ADC, Pasighat

GOVT. OF ARUNACHAL PRADESH
OFFICE OF THE ADDITIONAL DEPUTY COMMISSIONER
EAST SIANG DISTRICT, MEBO

MSD/GM-05/2014-15/699

Dated 14/09/2023

To,
The Director
Geology and mining Deptt.
Govt. of Arunachal Pradesh, Itanagar.

Sub: Action Taken Report and Submission of the Inquiry Report of the Deputy Commissioner and Addl. Deputy Commissioner Pasighat.

Sir,
In response to your letter no DGM/CU/MISC/2026/2012(PT-1)2144-49. Dated 30th Aug 2023 received on 12th Of sept 2023.

The following line's are drawn for your kind perusal and understanding of the matter.

Firstly,
The Geo-Appraisal Committee along with the Chairman and DFO as the member visited the stone crusher site on dated 23rd Sept 2021(M/S Balaji Minerals)and 1st March 2022 (M/S BXC Infra). The Geo-Appraisal Committee satisfied with all the rules and regulations of APSCG-12 gave their signatures in sound mind and health in CU Form B (enclosed). There after the NOC was issued to both the stone crusher unit by the Secretary Geology and Mining Govt. of Arunachal Pradesh on dated 31st Aug 2022. As the NOC is valid for 1(one) year. The NOC expired on 1st Aug 2023. The Geo-Appraisal Committee again visited both the stone crusher site on dated 19th july 2023. The Geo-Appraisal Committee along with the DFO Pasighat physically inspected the area and gave his signature in full sound and mind despite the complains in CU-Form B (enclosed). The Geo-Appraisal Report have been forwarded to your office for renewal of their NOC Sign by the Deputy Commissioner Pasighat being the chairman on dated 11th Aug 2023. The matter may be looked into as both the stone crusher unit have been establish as per APSCG-12 Enclosed (1) CU-Form B(Geo-Appraisal Committee Dated july and Aug -22) (2) CU-Form B (Geo-Appraisal Committee dated 11th Aug 23.)

Your's Faithfully

(Tokbom Perme)AMDO
For Addl Deputy Commissioner
East Siang District, Mebo

Dated 14th Sept 2023.

MSD/GM-05/2014-15/699

- Copy to:
- 1. The Secretary Geology and Mining Deptt. Govt of Arunachal Pradesh Itanagar for kind Information please.
 - 2. The Deputy Commissioner East Siang District Pasighat for kind information please.
 - 3. The Assistant Mineral Development Officer Pasighat for kind information.
 - 4. Office copy.

Your Faithfully

(Tokbom Perme)AMDO
For Addl Deputy Commissioner
East Siang District, Mebo

CHAPTER-VIII
The Arunachal Pradesh Gazette, January 15, 2013



The Arunachal Pradesh Gazette

PUBLISHED BY AUTHORITY

No. 1, Vol. XXIV, Naharlagun, Tuesday, January 15, 2013 Pausa 25, 1934 (Saka)

Separate paging is given to each part in order that it may be filed as a separate compilation.

GUIDELINES FOR ISSUING NO OBJECTION CERTIFICATE OF GEOLOGY AND MINING DEPARTMENT FOR ESTABLISHMENT OF STONE CRUSHER UNIT IN THE STATE OF ARUNACHAL PRADESH

ARUNACHAL PRADESH STONE CRUSHER GUIDELINES, 2012

The 3rd January, 2013

No. DGM/NOC/C-UNIT/1016/2007/7319-21.-Stone Crushing Industry is an important industrial sector in the State engaged in producing crushed stone which is raw material for various construction activities like construction of Roads, Bridges Highways, Buildings, Canals, etc. It has been observed in recent days that in view of increased demand of crushed stones for various development projects, a number of stone crusher units have come up haphazardly in almost all the districts and as a result of it, indiscriminate unlawful extraction of minor minerals are being going on.

These stone crusher industries though socio-economically an important sector, it is imperative that the establishment of crusher industries and their operations should be regulated immediately to prevent indiscriminate unlawful mining of minor minerals as well as to plug the pilferage of revenue on minor minerals.

And having regards to the above, the Department of Geology and Mining has decided to come up with the guidelines in consonance with the Arunachal Pradesh Minor Mineral Concession Rules-2002 to be considered while issuing No Objection Certificate of the department for setting up of stone crushing plant in the State.

The guidelines shall be called as the Arunachal Pradesh Stone Crusher Guidelines, 2012 and shall be effective from the date of its publication in the official gazette.

1. No Objection Certificate of Geology and Mining Department for establishment of stone crusher.

1.1. No person shall install or run any stone crusher in any area within the State of Arunachal Pradesh without prior No Objection Certificate from the Department of Geology and Mining. Intended persons/firms/companies shall apply for No Objection Certificate in CU Form - A, to the Secretary (Geology & Mining). Such applications shall be submitted through the Deputy Commissioner of the district along with the following documents;

1.1.1. Detail Project Report of the proposed stone crusher unit duly prepared by the competent person and verified by the concerned Assistant Mineral Development Officer and Deputy Director of Industries department of the concerned district.

1.1.2. The proprietor of the unit shall submit the Working Plan-cum-Environment Management plan duly approved by the Forest Department along with the application form for No Objection Certificate.

1.1.3. Geo Appraisal Report submitted by the Geo Appraisal Committee to the Deputy Commissioner of the district.

1.1.4. Bank Draft of Rs. 10,000/- (Rupees ten Thousand) being fee for NOC in favour of the Secretary (Geo & Mining) payable at Itanagar or Treasury challan of the said amount to be paid in the Head of Account "Account -0853 (800) NFMMI"

1.1.5. Land Possession Certificate (LPC) or land allotment order or lease agreement with land owner and site plan (in scale) of the land on which the stone crusher is proposed to be installed, showing the location

- 2 -

The Arunachal Pradesh Gazette, January 15, 2013

of the stone crusher with reference to various siting parameters as specified herein or amended from time to time.

1.1.6. Sketch map with boundary description and coordinates of the land where the crusher unit is proposed shall also be enclosed with the application form.

1.1.7. No Objection Certificate from the DFO of the area.

1.1.8. No Objection Certificate from the concerned Circle Officer/EAC.

1.1.9. No Objection Certificate from the concerned GB/ASIA of the area.

1.1.10. A certificate from the concerned administrative officer and AMDO as to distance of sensitive locations from the proposed site of the stone crusher unit as specified in para-15 hereafter.

1.1.11. Dealership registration under the Arunachal Pradesh Goods Tax Act-2005 from the Tax and Excise Department.

1.2. A stone crusher should have a minimum working area ranging from 2 to 3 acres of land, depending upon the size of the stone crusher for raising machinery/plant and stacking of raw material/finished product. In case of private land, lease agreement and specific consent in writing of land owner shall be enclosed together with the application form.

2. Joint inspection of the proposed location of Crusher Unit by the Geo-Appraisal Committee.

2.1. Before issuing No Objection Certificate from the Geology and Mining Department, there shall be a joint inspection of the proposed areas applied for setting up of stone crusher unit by the Geo Appraisal Committee consisting with the following members. The Deputy Commissioner of the district shall issue necessary orders for joint inspection of the proposed location upon requisition from the Geology and Mining Department.

- | | |
|---|---------------------|
| (a) ADC/SDO of the Sub-Division | -- Chairperson |
| (b) Divisional Forest Officer | -- Member |
| (c) Executive Engineer, PWD | -- Member |
| (d) Executive Engineer, WRD | -- Member |
| (e) Executive Engineer, PHED | -- Member |
| (f) Assistant Mineral Development Officer | -- Member Secretary |

NB:

- (i) At least four members shall have to visit the proposed site during the Joint Inspection
- (ii) The applicant shall have to arrange transportation of the members for the visit to the proposed location

2.2. After joint inspection, the Geo Appraisal Committee will submit its report in the CU Form-B with recommendations for issuing NOC, if it finds the proposal feasible, to the Deputy Commissioner of the district who may, if satisfied with the report of Geo Appraisal Committee, forward the report to the Secretary (Geology & Mining) for consideration along with the application form.

2.3. Based on the report of Geo Appraisal Committee forwarded by the concerned Deputy Commissioner, the Geology and Mining Department may consider the application for No Objection Certificate and such certificate shall, if approved by the Government, be issued in the CU Form-C which shall be the basis for obtaining pre-production clearance from other Government departments.

2.4. The No Objection Certificate shall be valid for one year from the date of issuance of the certificate and may be considered for renewal subject to satisfactory performance and observance of all the terms and conditions stipulated in the No Objection Certificate.

2.5. After the No Objection Certificate of Geology and Mining Department, the consent order from the Arunachal Pradesh State Pollution Control Board (APSPCB) and registration with the Industries Department shall be obtained. The production operation of the Crusher Unit shall commence only after the consent Order of State Pollution Control Board and registration with the industries department.

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2.6. In case of Government run crusher units like BRTF, PWD, RWD etc. or crusher units of public sector undertakings meant for development projects within the state namely NHPC, NEEPCO, Railway etc the registration with industries department shall not be required.

2.7. The Department of Power shall give electric connection to the crusher unit only after obtaining No Objection Certificate from the Geology & Mining Department.

2.8. Already established stone crusher units shall also have to apply for obtaining No Objection Certificate of Geology and Mining Department in the CU Form within a period of 4 (four) month from the date of publication of these Guidelines and they have to produce valid consent order issued by Arunachal Pradesh State Pollution Control Board (APSPCB), if already obtained from the State Pollution Control Board. The detail revenue payment made so far since inception of the unit and clearance of Tax payment shall also be submitted along with the application form.

2.9. In case the Geology and Mining Department is of the opinion that it is not expedient to issue No Objection Certificate or renew it, taking into consideration the various factors as per the recommendations of the Geo Appraisal Committee, the Secretary (Geology and Mining) may after giving an opportunity of being heard and for reasons to be recorded in writing and communicated to the applicant, refuse to grant or renew the No Objection Certificate or may cancel the No Objection Certificate issued earlier which will result immediate closure of the stone crusher unit.

3. Renewal of No Objection Certificate of Crusher Units.

3.1. In case of the renewal of the No Objection Certificate, the owner/proprietor of the stone crusher shall apply together with all the documents related to payment of royalty and tax for the renewal at least two months before the expiry of the No Objection in CU-Form "A" in the office of the Deputy Commissioner.

3.2. If the Deputy Commissioner is satisfied with the performance of the Crusher Unit and compliance with the terms and conditions stipulated in the No Objection Certificate he will order for joint inspection of the Crusher Plant by the Geo-Appraisal committee.

3.3. The application in CU Form - A for renewal of the No Objection Certificate along with Geo-Appraisal Report, documents related to payment of royalty on minor minerals used by the crusher Units, details of their disposal and Tax Clearance Certificate shall be forwarded to the Secretary (Geology and Mining) by the Deputy Commissioner for consideration.

3.4. If the application for renewal of No Objection Certificate submitted is not disposed of before the expiry of the period of validity of the No Objection Certificate, it shall be deemed to have been extended by a further period till the Geology and Mining Department passes any order thereon.

4. Terms and Conditions of No Objection Certificate.

4.1. The No Objection Certificate issued by the Geology and Mining Department will only enable the owner/proprietor of crusher unit for applying Consent Order from the State Pollution Control Board and it does not confer the proprietor/owner of the stone crusher any right to extract/ remove minor minerals from any area without valid mining permit. For removal/extraction of minor minerals mining permit has to be obtained from the competent authority. [i.e. The Secretary (G & M) for export to outside the district and the Deputy Commissioner of the district while for domestic use.]

4.2. Minor minerals shall be removed/extracted in accordance with the Mining permit granted from time to time by the competent authority from the notified quarry only. Extraction and removal of minor minerals from other than notified quarry shall not only entail cancellation of the No Objection Certificate but also prosecution under section-21 of the Mines and Minerals (Development and Regulation) Act-1957 read with rule-45 of the Arunachal Pradesh Minor Mineral Concession Rules-2002.

4.3. Quarry activities like collection of boulders, gravels, sands etc shall not be carried out within 1 Km both upstream and downstream of any diversion structure across the river, stream, nallah for drinking water supply scheme, dams, bridges etc.

4.4. Extraction/quarrying of minor minerals shall not beyond 3-meter depth of the surface.

- 4.5. Operation for mining/quarrying as well as operation of the crusher machine shall be between 6AM to 6 PM.
- 4.6. The proprietor/owner of crusher unit shall indemnify to the Government against any claim of third parties. Neither the Geology and Mining Department nor the State Government will be responsible for such third-party claims.
- 4.7. The minerals left after cancellation of the No Objection Certificate, or the mining permits shall be forfeited, and such minerals shall be deemed to be the Government Property and the Geo and Mining Department may dispose of such property as per law.
- 4.8. Felling of trees in and around the notified quarries during removal of minor minerals and at the time of establishment of stone crusher unit shall not be allowed without prior permission of competent authority.
- 4.9. Every type of accident during the operation of stone crusher machine and during removal/ extraction of minor minerals shall be reported to the nearest police station and the Directorate of Geology and Mining.
- 4.10. The proprietor/owner of the stone crusher unit shall maintain proper account of daily use of minor minerals, their disposal in details and amount of goods tax paid Thereon, which shall be compiled at the end of the month and every 10th day of the month.
- 4.11. During transportation of crushed stones from the Stone Crusher Unit to other places, pacca challan with machine numbering shall be issued by the Manager / agent of the proprietor which shall have to be counter signed by the concerned AMDO; in default trucks/carriers of finished product of crusher units shall not be allowed to cross mineral check gates.

5. Other terms and conditions for running of crushers industries.

- 5.1. The owner/proprietor of the crusher units shall ensure that all the statutory provisions of the following acts and rules are complied with during operation of crusher units;
 - 5.1.1. The Mines and Minerals (Development & Regulation) Act, 1957.
 - 5.1.2. The Arunachal Pradesh Minor Mineral Concession Rules, 2002.
 - 5.1.3. The Air (Prevention and Control of Pollution) Act, 1981 and rules framed thereunder.
 - 5.1.4. The Water (Prevention and Control of Pollution) Act, 1981 and rules framed thereunder.
 - 5.1.5. The Environment (Protection) 1986 and Rules framed thereunder.
 - 5.1.6. The Noise Pollution (Regulation and Control) rules 2000.
- 5.2. No consent for expansion to any crusher unit shall be given by State Pollution Control Board or electric connection provided by the Department of Power, without prior No Objection Certificate issued to that effect from the Geology and Mining Department.
- 5.3. Every stone crusher owner shall ensure that the emission standards as per the statute and as notified by the State Environment and Forest Department are adhered to.
- 5.4. Every stone crusher owner shall adopt pollution control measures as notified by the State Environment and Forest Department or as amended from time to time.
- 5.5. The Geology and Mining Department may impose any such further conditions as it may deem fit for the conservation and sustainable use of minor minerals.
- 5.6. The owner/proprietor of crusher unit shall allow the inspecting staff, access to the crusher and make available all records relating to operation of the crusher and verification of source of legal supply of minor minerals and stocks.

6. Minimum distance criteria for the stone crushing plant from sensitive and vulnerable places shall be as under;

6.1. The Geo Appraisal Committee shall, while recommending any proposal for No Objection Certificate for establishment of crusher unit, take account of the following location criteria and specify the same with reference to the following

Sl. No.	Distance from	Distance
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6.1.(a)	Class A and above town and cities limit	3 Km
6.1.(b)	Other Towns	2 Km
6.1.(c)	Village/human habitation	1 Km
6.1.(d)	Wildlife Sanctuary/reserve forest	5 Km or buffer zone declared for the same by the State Government.
6.1.(e)	National Highway/State Road (From centre line)	200 meters
6.1.(f)	Sensitive areas such as educational institute/ Government/Offices/market/hospital/religious places /Tourist spots.	1 Km
6.1.(g)	River/lake/Stream	500 mtr
6.1.(h)	Bridges/Hydro Power Dams/Water supply diversion structure etc.	1 Km

6.2. In case of exiting stone crushing plant already located at a distance less than 200 meter from highways/state road, the unit shall provide minimum 6-meter-high compound wall or barrier of GI sheets along their plot periphery towards highway/road side and also plant adequate numbers of trees on the boundary to reduce dust.

K. Kholie, IAS
Secretary (G & M),
Government of Arunachal Pradesh,
Itanagar.

CU-Form A

To
The Secretary
Department of Geology and Mining
Government of Arunachal Pradesh
Itanagar.

(Through the Deputy Commissioner, District.....)

Sub: Application for No Objection Certificate to Establish Stone Crusher Unit.

Sir,
I intend to establish a one (1) Stone Crusher Unit and therefore, the following necessary information/ documents are submitted hereby for consideration.

- 1. Name of the applicant/proprietor :
- 2. Father's/husband's Name : Vill..... Circle P.S.....
- 3. Present Address : Distt..... Tel/Mobile No.....
(Address proof shall be enclosed)
- 4. Permanent Address : Vill..... Circle P.S.....
(A copy of PRC shall be enclosed) : Distt..... Tel/Mobile No.....
- 5. Nationality :
- 6. Name & Address of Firm/Company :
- (Profile of the Firm/Company shall be enclosed) :

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7. Name & Address of the proposed location : Name of the location
(Sketch Map of the area in scale shall be enclosed) Village:.....
Circle:.....
Sub division:.....
District:.....

8. Detail of the Crusher Machine and its installation Capacity
(a) Make.....
(b) Name of manufacturer.....
(c) Installation capacity.....in cubic mtr.
(d) Production target as per Detailed Project Report (DPR) in cubic mtr.
(e) Production capacity as per manufacturer's detail in cubi mtr.
(f) Estimated daily power consumption

9. Purpose of the installation of Crusher unit
(a) Whether for Domestic consumption or for export of crushed stone.....
(b) If so name of the project or place where to be exported

10. Details of the notified quarries from where minor minerals shall be collected.
(a copy of the same shall be enclosed)
(a) Name of the Quarry:.....
(b) Village:..... Circle.....
(c) Sub division:..... District.....
(d) Area of the quarry in acres
(e) Estimated reserves of minor minerals..... in cumtrs.

11. Distance from the notified quaries from where extraction/ mining shall be done.

12. Date of installation of crusher unit (in case of renewal or where crusher unit is already functional) :

13. Details of revenue on minor minerals paid so far (in case of renewal or where the crusher unit is already functional)
(a) Amount of Revenue paid Rs.....
(b) Total quantity of minor minerals used.....
(c) Where crushed stones supplied.....
(d) Copies of mining permits/Transportation challan obtained shall be enclosed.

14. Details of Consent Order and SSI registration number (in case of renewal or where the crusher unit is already functional) : Copies of documents shall be enclosed.

Date:

Yours faithfully

Signature of the applicant

Place

N.B: Apart from above the following documents shall be enclosed.

1. Detail Project Report duly verified by the concerned Assistant Mineral Development Officer and Deputy Director of Industries department of the district.
2. Working Plan-cum-Environment Management Plan duly approved by the Forest Department.
3. Bank Draft of Rs. 10,000 (Rupees Ten Thousand) being fee for NOC in favour of the Secretary (Geology and Mining) payable at Itanagar or Treasury challan of the said amount to be paid in the Head of Account "Account-0853 (800) NFMMI".
4. Land Possession Certificate (LPC) or Land allotment order or lease agreement with land owner and site plan/sketch map (in scale) of the land on which the stone crusher is proposed to be installed, showing the location of the stone crusher with reference to various sitting parameters as specified herein or amended from time to time.

**BEFORE THE HONOURABLE NATIONAL GREEN
TRIBUNAL**

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 10/2024/EZ

In the matter of:

Karunath Pazing

..... Applicant

-Versus-

Arunachal Pradesh State Pollution Control
Board & Ors.

..... Respondents

COUNTER AFFIDAVIT ON BEHALF OF
RESPONDENT NO. 13

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