

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

**ORIGINAL APPLICATION No. 10/2024**



IN THE MATTER OF:

Karunath Pazing .....Applicants(s)

Versus

Arunachal Pradesh State Pollution Control Board & Ors.....Respondents(s)

**AFFIDAVIT ON BEHALF OF RESPONDENT NO. 1, ARUNACHAL PRADESH  
STATE POLLUTION CONTROL BOARD IN COMPLIANCE OF ORDER DATED  
22.07.2024.**

1. I, Mrs. Koj Rinya, IFS daughter of Late Koj Tajang, aged about 44 years working as Member Secretary, Arunachal Pradesh State Pollution Control Board, and am duly authorized by competent authority to make this reply on behalf of the Respondent No-58, Arunachal Pradesh State Pollution Control Board, and here by solemnly state and affirm as follows :-

2. That I have gone through the orders dated 06/05/2024 passed by Hon'ble NGT and understood the contents there in. I have been duly authorized by the competent authority to swear this affidavit on behalf of Respondent No-58. Further, it is stated that I have gone through the relevant files and records.

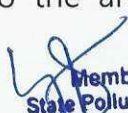
3. The present Affidavit is being filed in pursuance and compliance of the direction issued by this Hon'ble Tribunal in its order dated 22.07.2024 whereby, the Para wise replies are as below:

**Reply on Merits :**

Para No.:1 : This para is not related to the answering respondent, hence no comments.

Para No.:2 : This para is not related to the answering respondent,

*Attested*  
  
**Executive Magistrate  
Law, Legislative & Justice Deptt.**

  
**Member Secretary  
State Pollution Control Board  
Govt. of Arunachal Pradesh  
Maharajgun**



Para No.:3

hence no comments.

: This para is not related to the answering respondent, hence no comments.

Para No.:4

: This para is not related to the answering respondent, hence no comments.

Para No.:5

: This para is not related to the answering respondent, hence no comments.

Para No.:6

: With regard to contents of ParaNo.6, it is submitted that NOC from the Divisional Forest Officer (DFO) was sought by the Arunachal Pradesh State Pollution Control Board (APSPCB) before issuing Consent to Establish (CTE) and Consent to Operate (CTO) , so as to ascertain that the unit/industry is not established in any Reserve Forest or Forest area.

The DFO, Pasighat Forest Division has issued NOC vide No.PFD/II-85/NOC (M)/2014/259098 dated 14.06.2021 stating that M/s Balaji Minerals (Stone Crusher) is not located in any Reserve Forest or Forest area.

True copy of the NOC issued by the Divisional Forest Officer (DFO) Pasighat Forest Division is marked and enclosed herewith as **ANNEXURE-A**.

True copy of the Consent to Establish (CTE) and Consent to Operate (CTO) issued to M/s Balaji Minerals (Stone Crusher) vide No. APSPCB-357/2021/SBM/890-911 dated 25.06.2021 and its further renewal of consent vide No. No. APSPCB-357/2021/SBM/1291-95 dated 21.06.2024 is marked and enclosed herewith as **ANNEXURE-B**.

Based on the report of the DFO, Pasighat Forest Division, the consent order was issued and renewed by the Board.

Para No.:7

: This para is not related to the answering respondent, hence no comments.

*Attested*  
*[Signature]*  
Executive Magistrate  
Law, Legislative & Justice Deptt.  
Civil Secretariat, Itanagar  
Arunachal Pradesh  
Authorised by State Govt.

*[Signature]*  
Member Secretary  
State Pollution Control Board  
Govt. of Arunachal Pradesh

Para No.:8 : This para is not related to the answering respondent, hence no comments.

That the statements made in foregoing paragraphs are true to my knowledge and belief.



Member Secretary  
Arunachal Pradesh SPCB  
Member Secretary  
State Pollution Control Board  
Govt. of Arunachal Pradesh  
Naharlagun

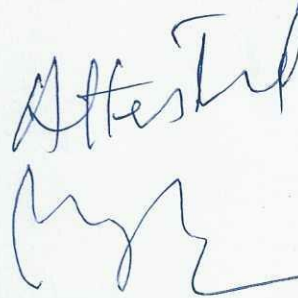
**VERIFICATION:**

I the deponent above named do hereby verified at Naharlagun on this.....<sup>18<sup>th</sup></sup>..... day of October, 2024 that the contents of my reply affidavit are true and correct to the best of my knowledge and belief. NO part of the same is false and no material has been concealed therefrom.



Member Secretary  
Arunachal Pradesh SPCB  
Member Secretary  
State Pollution Control Board  
Govt. of Arunachal Pradesh  
Naharlagun

Sworn before me



Executive Magistrate  
Law, Legislative & Justice Deptt.  
Civil Secretariat, Itanagar  
Arunachal Pradesh  
Authorised by State Govt.

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

PASIGHAT  
235

Dated Pasighat, the 14/6/21

To:

ANNEXURE - (A)

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. MO/LM-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.

- Enclo:-
- 1) Sketch map (in original)
  - 2) Annexure-I & II

(V. M I Z E)  
Divisional Forest Officer  
Pasighat Forest Division  
Pasighat.

Copy to:-

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

(V. M I Z E)  
Divisional Forest Officer  
Pasighat Forest Division  
Pasighat.

  
Member Secretary  
State Pollution Control Board  
Govt. of Arunachal Pradesh  
Naharlagun

SCHEDULE - V  
[See rule 7 (1)]  
**ARUNACHAL PRADESH STATE POLLUTION CONTROL BOARD**  
**GOVERNMENT OF ARUNACHAL PRADESH**  
**NAHARLAGUN**  
\*\*\*



No. APSPCB- 357/2021/SBM/ 8907-911

Date 25 / 06 / 2021

**CONSENT ORDER**

Consent to Establish/Operate under Section 25 / 26 of the Water (Prevention and Control of Pollution) Act, 1974, as amended and under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, be referred as Water Act, Air Act, respectively.

Consent is hereby granted to **M/s Shri Balaji Minerals** for operation of a **Stone Crusher** at Moruk area, PO/PS Mebo, East Siang District, Arunachal Pradesh located in the area declared under the provisions of the Water Act/Air Act and Rules subject to the provisions of the Act and Rules and the orders that may be made further and subject to the following terms and conditions:

1. The Consent to operate is granted for a period of three (03) years w.e.f 23.06.2021 to 22.06.2024 after which the applicant shall apply for renewal of consent to operate before three months from the date of expiry.
2. The Consent is valid for the manufacture of the following products/by -products with the capital investment (land, building and Plant & Machinery) of Rs. 80.29 Lakhs

Sl.No.	Product	Maximum Daily/Annually (in Cum/Tones)
1.	Stone Chips	70 TPH

3. The Industry falls under Orange category of the Arunachal Pradesh Water (Prevention & Control of Pollution) Rules 2000 and subsequent amendments as per schedule- VIII of notification.
4. Conditions under Air Act:

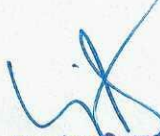
- (i) The applicant shall erect the chimney (s)/stack(s) of the following specifications if installed in near future:

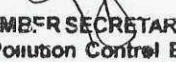
Stack height for DG Set to be as per equation,  $\rightarrow H=h+0.2\sqrt{KVA}$ ,

Where,  $H$ =Height of the Stack,  $h$ =height of the D.G. Set (0.5m)

$KVA$ =Capacity of the D.G Set

The height of the chimney of DG Set should be as per above equation from the ground level.

  
Member Secretary  
State Pollution Control Board  
Govt. of Arunachal Pradesh  
Naharlagun

  
MEMBER SECRETARY  
State Pollution Control Board  
Department of Environment & Forest  
Naharlagun, A.P.

- (ii) The applicant shall install a comprehensive air pollution control system consisting of control measures as detailed below and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards:

**Stone  
Crusher  
Suspended  
Particulate  
Matter**

**The standards consists of two parts:**

- i) Implementation of the following Pollution Control Measures.
  - a) Dust containment cum suppression system for the equipment
  - b) Construction of wind breaking walls.
  - c) Constructions of metalled roads within the premises.
  - d) Regular cleaning and wetting of ground within the premises.
  - e) Growing of a green belt along the periphery.

- ii) Quantitative standard of SPM:

The suspended particulate matter Contribution value at a distance of 40 M from a controlled isolated as well as from a unit located in cluster should be less than 600mg/Nm<sup>3</sup>. The measurements are to be conducted at least twice a month for all the 12 months in a year.

**Standards for emissions of air pollutants:**

- |     |                 |                                       |
|-----|-----------------|---------------------------------------|
| (a) | SPM,            | Not to exceed 600 mg/ Nm <sup>3</sup> |
| (b) | SO <sub>2</sub> | Not to exceed 30 µg/ m <sup>3</sup>   |
| (c) | NO <sub>2</sub> | Not to exceed 30 µg/ m <sup>3</sup>   |

- (iii) The industry owner shall strictly adhere to the conditions as imposed by the Board, besides he/she shall take all prescribed measures and efforts for installation of pollution control devices to keep the levels of pollution/emissions) as amended thereafter in the prescribed permissible limits(as per Air Act, 1981)
- (iv) The owner shall ensure that no air pollution problem or any nuisance created in the area due to discharge of emissions from the industry.
- (v) The owner shall comply with the National Ambient Air Quality Standards as per E (P) Act (refer rule 3 (3B).

- (vi) Compliance under Noise Pollution (Regulation and Control) Rules, 2000 as amended from time to time.

The owner shall take adequate measure for control of noise from its own source within the premises so as to maintain ambient air quality standards in respect of noise to less than 75 db (A) during day time and 70 db (A) during night time. Daytime is reckoned in between 6 am to 10 pm and night time is 10 pm to 6 am.

5. Conditions for Waste Management:

A. Under Solid Waste Management Rules, 2016

- i. The Occupier shall segregate and store the waste generated by them in three separate streams namely bio-degradable, non biodegradable and domestic hazardous waste in colour coded bins and handover segregated wastes to authorized waste pickers or waste collectors as per the direction or notification by the local authorities from time to time. The following specifications may be adopted:

**Type of Waste**

**Colour of Bins**

Bio-degradable waste

Green

Recyclable waste (Plastic/metal canes)


White/Blue

Other Wastes

Black

- ii. The occupier shall not throw, burn or bury the solid waste generated by him/her on streets, open public spaces outside his/her premises or in the drain or water bodies.
- iii. The occupier shall pay such user fee for solid waste management, as specified in the bye laws of the local bodies.
- iv. The occupier shall facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorized waste pickers or the authorized recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body
- B. Under Plastic Waste Management Rules, 2016
- i. The occupier shall take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with Solid waste Management Rules, 2016 or as amended from time to time.
- ii. The occupier shall not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to urban local body or gram panchayat or agencies appointed by them or registered waste pickers, registered recyclers or waste collection agencies.
- iii. The occupier shall pay user fee or charge as may be specified in the bye laws of the local bodies for plastic waste management such as waste collection or operation of the facility thereof etc.

  
Member Secretary  
State Pollution Control Board  
Govt. of Arunachal Pradesh  
Naharlagun

  
MEMBER SECRETARY  
State Pollution Control Board  
Department of Environment & Forest  
Naharlagun, A.P.

## 6. General Conditions:

- i. The Consent is valid for operation of a Stone Crusher only. Any change in the establishment capacity shall have to be intimated to the Board. For any enhancement of the above, fresh consent has to be obtained from Arunachal Pradesh State Pollution Control Board.
- ii. The industry owner shall be liable to pay environmental compensation in case of any damage is caused to the environment.
- iii. The industry owner shall abide by the directions of the Board which will be issued from time to time. Any infringement/violation or transgression of the statutory enactments of Environment (Protection) Act & Rules framed/applicable thereof be the unit holder shall be sufficient cause to prosecute the violator.
- iv. The industry shall be under surveillance monitoring of Arunachal Pradesh State Pollution Control Board.
- v. The industry owner shall provide adequate arrangement for fighting the accidental leakage/discharge of any air pollutant/gas/liquid from the vessel, mechanical etc which are likely to cause fire hazard including environmental pollution.
- vi. It shall be the responsibility of the industry owner to ensure that there are no complaints from the surrounding areas due to pollution caused by it.
- vii. The industry has to install Environmental Information Display Board of size 6 x 4 outside the main gate. The name of the unit, project cost, production capacity, Products, raw materials, Hazardous wastes generated along with Consent & authorization order No. & date etc is to be mentioned in the display board as per the directions of Hon'ble Supreme Court of India.

## 7. Other conditions:


- (a) The stone crusher unit shall install adequate pollution control measures including erection of G.I. Sheets cover and the sprinklers during operations.
- (b) The Crusher shall be covered and water sprinkling system shall be provided on crusher to suppress the dust generated due to material handling/loading/unloading activity.
- (c) All conveyor belts shall be adequately covered by G.I. Sheet / M.S. sheet only.
- (d) Regular wetting of roads shall be carried out to suppress the ground level dust within the premises to control the air borne dust emission due to wind velocity.
- (e) All approach roads and ramps shall be mettled.
- (f) Curtain or wall shall be provided surrounding the stone crusher unit.
- (g) Display board shall be provided at the entrance of stone crusher indicating survey no, name and address of owner and the unit.
- (h) Fine dust generated due to screening / crushing / grading shall be disposed off into abandoned mines.
- (i) The suspended particulate matter measured between 3 to 10 meter from any process equipment of a stone crushing unit shall not exceed 600 microgram per m<sup>3</sup>.

- (j) Stone crushing units shall not be allowed/permitted in sanctuary, National Parks & their eco-sensitive area.
- (k) Stone crushing Units shall have to comply with the provision of the Wildlife Act 1972 & their amendments.
- (l) Stone crushing Unit shall not be allowed/ permitted within 1 Km from the periphery of ancient/Historical monuments & archaeological sites.
- (m) Time to time, Unit shall comply with all prevailing Environmental Acts/Rules.

8. Self Monitoring Schedule:

Applicant shall get the samples of treated effluents/ emissions hazardous wastes/ leachates analyzed from the laboratory recognized by the SPCB/PCC/CPCB/ MoEF& CC, New Delhi and confirm to the limits stipulated. Test report shall be sent to the State Pollution Control Board during the time of renewal of the consent order (Analysis frequency could be different for various sources as may be specified by the Board).

9. Notwithstanding anything contained in this consent, the Board (APSPCB) hereby reserves its right and power under Section 27(2) of Water (Prevention and Control of Pollution) Act, 1974 and under Section 21(4) of Air (Prevention and Control of Pollution) Act, 1981 to review any or all the conditions imposed herein and make such alternation as deemed fit and stipulate any additional conditions by the Board. The APSPCB may revoke or suspend the order, if implementation of any of the above conditions is not satisfactory.

  
 (Koj Rinya, IFS)  
 Member Secretary  
 State Pollution Control Board  
 Department of Environment & Forest  
 Naharlagun, A.P.  
 Date 25/06/2021

No. APSPCB- 357/2021/SBM / 8907-911

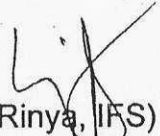
To,

Shri Ojing Darin (Proprietor)  
 M/s Shri Balaji Minerals (Stone Crusher)  
 Moruk area, PO/PS Mebo  
 East Siang District, Arunachal Pradesh

Copy to:-

1. The Director of Industries, Govt. of A.P, Itanagar for kind information please.
2. The Deputy Commissioner, Pasighat, Govt. of A.P, East Siang District for kind information .
3. The Deputy Director of Industries, DIC, Pasighat, Govt. of A.P, East Siang District for kind information .
4. Office copy.

  
 Member Secretary  
 State Pollution Control Board  
 Govt. of Arunachal Pradesh  
 Naharlagun

  
 (Koj Rinya, IFS)  
 Member Secretary  
 MEMBER SECRETARY  
 State Pollution Control Board



**SCHEDULE - V**  
**[See rule 7 (1)]**  
**ARUNACHAL PRADESH STATE POLLUTION CONTROL BOARD**  
**GOVERNMENT OF ARUNACHAL PRADESH**  
**NAHARLAGUN**

\*\*\*

No. APSPCB- 357/2021/SBM/1291-95

Date 21/06/2024

**CONSENT ORDER**

Consent to Establish/Operate under Section 25 / 26 of the Water (Prevention and Control of Pollution) Act, 1974, as amended and under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, be referred as Water Act, Air Act, respectively.


Renewal of consent is hereby granted to **M/s Shri Balaji Minerals** for operation of stone crusher at Moruk area, PO/PS Mebo, East Siang District, Arunachal Pradesh located in the area declared under the provisions of the Water Act/Air Act and Rules subject to the provisions of the Act and Rules and the orders that may be made further and subject to the following terms and conditions:

1. The Consent to operate is granted for a period of 03 (Three) years w.e.f 23.06.2024 to 22.06.2027, after which the applicant shall apply for renewal of consent to operate before three months from the date of expiry.
2. The Consent is valid for the manufacture of the following products/by – products with the capital investment (land, building and Plant & Machinery) of Rs.80.29 Lakhs.

Sl.No.	Product	Maximum Daily/Annually (in Cum/Tones)
1.	Stone Chips	70 TPH

3. The Industry falls under Orange category of the Arunachal Pradesh Water (Prevention & Control of Pollution) (Amendment) Rules 2020 as per schedule- VIII of notification.
4. Conditions under Air Act:
  - (i) The applicant shall erect the chimney (s)/stack(s) of the following specifications if installed in near future:  
 Stack height for DG Set to be as per equation, →  $H=h+0.2\sqrt{KVA}$ ,  
 Where, H=Height of the Stack, h=height of the D.G. Set (0.5m)  
 KVA=Capacity of the D.G Set

  
**Member Secretary**  
**State Pollution Control Board**  
**Govt. of Arunachal Pradesh**  
**Naharlagun**

  
**Member Secretary**  
**State Pollution Control Board**  
**Govt. of Arunachal Pradesh**  
**Naharlagun**

The height of the chimney of DG Set should be as per above equation from the ground level.

- (ii) The applicant shall install a comprehensive air pollution control system consisting of control measures as detailed below and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards:

**Stone Crusher**      **Suspended Particulate Matter**      **The standards consists of two parts:**

- i) Implementation of the following Pollution Control Measures.
  - a) Dust containment cum suppression system for the equipment
  - b) Construction of wind breaking walls.
  - c) Constructions of metalled roads within the premises.
  - d) Regular cleaning and wetting of ground within the premises.
  - e) Growing of a green belt along the periphery.

- ii) Quantitative standard of SPM:

The suspended particulate matter Contribution value at a distance of 40 M from a controlled isolated as well as from a unit located in cluster should be less than 600mg/Nm<sup>3</sup>. The measurements are to be conducted at least twice a month for all the 12 months in a year.

**Standards for emissions of air pollutants:**

- |     |                 |               |                         |
|-----|-----------------|---------------|-------------------------|
| (a) | SPM,            | Not to exceed | 600 mg/ Nm <sup>3</sup> |
| (b) | SO <sub>2</sub> | Not to exceed | 30 µg/ m <sup>3</sup>   |
| (c) | NO <sub>x</sub> | Not to exceed | 30 µg/ m <sup>3</sup>   |

- (iii) The industry owner shall strictly adhere to the conditions as imposed by the Board in this schedule, besides he/she shall take all prescribed measures and efforts for installation of pollution control devices to keep the levels of pollution/emissions) as amended thereafter in the prescribed permissible limits(as per Air Act, 1981).
- (iv) The owner shall comply with the National Ambient Air Quality Standards as per E (P) Act (refer rule 3 (3B)).

X

## 5. General Conditions:


- i. The Consent is valid for operation of a Stone Crusher only. Any change in the establishment capacity shall have to be intimated to the Board. For any enhancement of the above, fresh consent has to be obtained from Arunachal Pradesh State Pollution Control Board.
- ii. The industry owner shall be liable to pay environmental compensation in case of any damage is caused to the environment.
- iii. The industry owner shall abide by the directions of the Board which will be issued from time to time. Any infringement/violation or transgression of the statutory enactments of Environment (Protection) Act & Rules framed/applicable thereof be the unit holder shall be sufficient cause to prosecute the violator.
- iv. It shall be the responsibility of the industry owner to ensure that there are no complaints from the surrounding areas due to pollution caused by it.
- v. The industry has to install Environmental Information Display Board of size 6 x 4 outside the main gate. The name of the unit, project cost, production capacity, Products, raw materials, Hazardous wastes generated along with Consent & authorization order No. & date etc is to be mentioned in the display board as per the directions of Hon'ble Supreme Court of India.

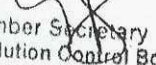
## 6. Other conditions:

- (a) The Crusher shall be covered and water sprinkling system shall be provided on crusher to suppress the dust generated due to material handling/loading/unloading activity.
- (b) Regular wetting of roads shall be carried out to suppress the ground level dust within the premises to control the air borne dust emission due to wind velocity.
- (c) Curtain or wall shall be provided surrounding the stone crusher unit.


## 7. Self Monitoring Schedule:

Applicant shall get the samples of treated effluents/ emissions hazardous wastes/ leachates analyzed from the laboratory recognized by the SPCB/PCC/CPCB/ MoEF& CC, New Delhi and confirm to the limits stipulated. Test report shall be sent to the State Pollution Control Board during the time of renewal of the consent order (Analysis frequency could be different for various sources as may be specified by the Board).

  
Member Secretary  
State Pollution Control Board  
Govt. of Arunachal Pradesh  
Naharlagun

  
Member Secretary  
State Pollution Control Board  
Govt. of Arunachal Pradesh  
Naharlagun

8. Notwithstanding anything contained in this consent, the Board (APSPCB) hereby reserves its right and power under Section 27(2) of Water (Prevention and Control of Pollution) Act, 1974 and under Section 21(4) of Air (Prevention and Control of Pollution) Act, 1981 to review any or all the conditions imposed herein and make such alternation as deemed fit and stipulate any additional conditions by the Board. The APSPCB may revoke or suspend the order, if implementation of any of the above conditions is not satisfactory.

  
(K. Rinya, IFS)  
Member Secretary

Member Secretary  
State Pollution Control Board  
Govt. of Arunachal Pradesh  
Naharlagun

No. APSPCB- 357/2021/SBM/ 1291 -95


Date 21 / 06 /2024

To,

Sri. Ojing Darin (Proprietor)  
M/s Shri Balaji Minerals (Stone Crusher)  
Moruk area, PO/PS Mebo  
East Siang District, Arunachal Pradesh

Copy to:-

1. The Director of Industries, Govt. of A.P, Itanagar for kind information please.
2. The Deputy Commissioner, Pasighat, Govt. of A.P, East Siang District for kind information.
3. The Assistant Mineral Development Officer, Deptt. of Geology & Mining, Govt. of A.P , East Siang District for kind information.
4. Office copy.

  
(K. Rinya, IFS)  
Member Secretary

Member Secretary  
State Pollution Control Board  
Govt. of Arunachal Pradesh  
Naharlagun