

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH,  
AT KOLKATA**

**O.A. No. 182/2024/EZ**

**IN THE MATTER OF:**

HAWA

... APPELLANT(S)

**VERSUS**

STATE OF ARUNACHAL PRADESH

...RESPONDENTS(S)

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Place : KOLKATA

Date : 21/04/25

Through:

*Ashok Prasad*

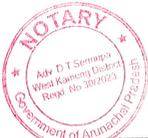
(Ashok Prasad)  
Advocate,  
Counsel for State of A.P.



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

~~ORIGINAL APPLICATION NO. 51/2023/EZ~~

ORIGINAL APPLICATION NO. 182/2024/EZ



IN THE MATTER OF :

HAWA

... Applicant(s)

Versus

State of Arunachal Pradesh

.....Respondent(s)

**Affidavit on behalf of Deputy Commissioner, West Kameng District, for the compliance of order dated 25.09.2024 by Hon'ble NGT/EZ, Kolkata.**

I Shri Jotin Lingj, aged about 46 years, by working as Assistant Mineral Development Officer (AMDO) in the Office of the Deputy Commissioner, Govt. of Arunachal Pradesh, Ministry of District Administration, District West Kameng – PIN -790001, do hereby solemnly affirm and declare as under:-

1. That, I am duly authorized and competent to swear this affidavit on behalf of Deputy Commissioner, West Kameng, (R-4), Arunachal Pradesh, in the above matter.
2. That I have read and understood the order passed by the Hon'ble NGT dated 25.09.2024 and filing this affidavit in compliance of direction passed by the Hon'ble Tribunal.

Handwritten initials and date: B, 22/9/24

That the Deponent is fully conversant with the facts of the case on the basis of the official record and duly authorized and competent to swear this present affidavit on behalf of Deputy Commissioner, West Kameng, Arunachal Pradesh. That as per direction of the Hon'ble Tribunal vide solemn order dated 25.09.2024, Ld. Tribunal directed "The



Inspection Committee shall visit the site and submit a Fact Finding Report with regard to the allegations made in the Original Application. In case environmental violations are confirmed, the Committee shall identify the violators so that they may be impleaded in the present Original Application as Respondents and be given an opportunity of being heard."

A copy of the such report is annexed herewith and marked as Annexure- "A"

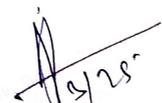
  
DEPONENT

**VERIFICATION**

I Shri Jotin Lingi, the above-named deponent do hereby verify that, the contents of the above affidavit are true and correct to my knowledge based on official records, no part of it is false and nothing materials has been concealed there from.

Signed and verified on this 28<sup>th</sup> Day of March, 2025 at Bomdila.

  
DEPONENT

  
28/3/25

Identified by Me

Advocate



	<b>GOVERNMENT OF ARUNACHAL PRADESH</b> <b>OFFICE OF THE ADDITIONAL DEPUTY COMMISSIONER</b> <b>RUPA: WEST KAMENG</b> E-Mail: <a href="mailto:adcofficerupa@gmail.com">adcofficerupa@gmail.com</a>	<b>ADC</b>
No.RJ-01/2018-19/		Dated Rupa, the 18 <sup>th</sup> Nov 2024.

To

The Deputy Commissioner  
West Kameng District  
Bomdila (AP)

**Sub: - FACT FINDING REPORT OF COMMITTEE IN COMPLIANCE OF HON'BLE  
NGT MATTER (O.A. NO. 182/2024/EZ - HAWA VS STATE OF AP).**

Madam,

In pursuance of Hon'ble National Green Tribunal Eastern Zone Bench, Kolkata, O.A. No. 182/2024/ EZ Dated 25.09.2024 and DC, Bomdila endorsement No. 4539 Dated 21.10.2024, this Office constituted a Committee vide Order No. RJ-01/2018-19 Dated 28.10.2024 with the following members:

1. Shri Anil C. Ranveer, Sc-E, CPCB;
2. Shri Jumli Kato, Sc-B, APSPCB; and
3. Shri Lobsang Tsetan, ADC, Rupa

The Committee carried out field inspection on 14.11.2024. The Fact Finding Report of the Committee, as prepared thereof, is enclosed herewith along with all relevant enclosures.

This is for favour of your kind information and further submission of the Report please.

Yours faithfully



(Lobsang Tsetan) APCS  
Additional Deputy Commissioner  
Rupa: Dist West Kameng  
Arunachal Pradesh



## COMMITTEE REPORT

IN COMPLIANCE TO HON'BLE NGT, EZ, KOLKATA  
ORDER DATED 25.09.2024  
IN THE MATTER OF O.A. NO. 182/ 2024  
(HAWA V/S STATE OF ARUNACHAL PRADESH)

GOVERNMENT OF ARUNACHAL PRADESH,  
OFFICE OF THE ADDITIONAL DEPUTY COMMISSIONER,  
RUPA, WEST KAMENG DISTRICT.

[November, 2024]



## 1. BACKGROUND:

The present Original Application (O.A.) No. 182/ 2024 has been registered by Hon'ble National Green Tribunal (NGT), Eastern Zone Bench (EZ), Kolkata on the basis of a letter petition submitted by the applicant, HAWA sent through E-mail to the office of the Registry, NGT dated 29.06.2024.

Allegation in the letter petition is that there is ongoing illegal crusher operations and mining activities in Rupa area of West Kameng District, Arunachal Pradesh, but no action has been initiated by the State administration till date, as alleged.

The allegations in the letter petition are as under:

- a) These crushers and mining activities have been operating for several years without necessary licenses and tax payments.
- b) The crusher is located adjacent to the main road, causing significant noise and air pollution, which disturbs the mental peace of local residents.
- c) The mining in the Gachham area of Rupa, West Kameng District, Arunachal Pradesh, exemplifies the collusion between the District Administration and the illegal mining operators.
- d) Rapid deforestation is occurring due to these mining activities, with an adverse effect likely to become evident during the upcoming monsoon season.

Hon'ble NGT, EZ, Kolkata vide order dated 25.09.2024 (copy marked and enclosed as **Annexure-I**) in the matter of O.A. No. 182/2024 (HAWA V/s State of Arunachal Pradesh) issued relevant directions, which is reproduced below:

"... 12. Considering the allegations made, we deem it appropriate to constitute a Committee comprising of the following members:

- i. Senior Scientist, Arunachal Pradesh State Pollution Control Board;
- ii. Senior Scientist, Central Pollution Control Board;
- iii. District Magistrate or his representative of Senior rank not below the rank of Additional District Magistrate (ADM)

13. The District Magistrate shall be the Nodal office for all logistic purposes and for filing the report of the Inspection Committee on affidavit..."

## 2. Constitution of Committee:

The Competent Authority of Government of Arunachal Pradesh, Rupa, District West Kameng nominated Shri Lobsang Tsetan, APCS, Additional Deputy Commissioner (ADC), Rupa, District West Kameng to represent the Committee. The ADC was made Nodal Officer for compliance of the order.

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15.11.2024

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Addl. Deputy Commissioner  
Rupa West Kameng District  
Arunachal Pradesh



The competent Authority of CPCB nominated Sh. Anil C. Ranveer, Scientist-E, Regional Directorate North East (RDNE), CPCB, Shillong to represent in the Committee.

The competent Authority of Arunachal Pradesh State Pollution Control Board (APSPCB) nominated Sh. Jumli Kato, Scientist-B, APSPCB, Naharlagun to represent in the Committee.

The Committee constituted comprises of following members:

1. Sh. Anil C. Ranveer Scientist-E, RDNE, CPCB, Shillong.
2. Sh. Jumli Kato, Scientist-B, APSPCB, Naharlagun.
3. Sh. Lobsang Tsetan, APCS, ADC, Rupa, Dist West Kameng.

### 3. Observations of the Committee:

- i. The Committee noted that, the applicant, HAWA had forwarded the same letter petition i.e. illegal operation of crushing units located in Rupa area to Deputy Commissioner (DC), Bomdila on 29.06.2024. Thereafter, DC Bomdila endorsed the matter to ADC, Rupa for furnishing a factual report.
- ii. In compliance to the complaint received by the office of ADC, Rupa, he issued a Prohibitory Order directing the stone crusher operators to stop the illegal crushing units with immediate effect vide its order dated 03.07.2024 (**Annexure-II**). He further affected joint survey of the all-crushing units for operational status (running, defunct or closed) through Tsering Pentsom, EAC and Yeshi Pema, AMDO.
- iii. All the four crushing units had submitted their response/ reply to the ADC, Rupa during the period from 09.07.2024 to 11.07.2024 stating that they are operating within government norms.
- iv. Thereafter the ADC, Rupa constituted a Committee for sealing of illegal crushing units operational in Rupa area vide order dated 12.07.2024 (**Annexure-III**). The Committee visited all the 4 (four) crushing units and sealed 3 (three) units on the basis of lack of proper/ renewed documents violating the guidelines under "the Arunachal Pradesh Stone Crusher Guidelines-2012" (**Annexure-IV**) vide his order dated 15.07.2024. The ADC, Rupa has submitted a comprehensive visit and sealing report to the Deputy Commissioner, West Kameng district, Bomdila vide report dated 15.07.2024 (**Annexure-V**).
- v. The Deputy Commissioner, West Kameng district, Bomdila issued an order to Mineral Guards for carrying out inspections in regular intervals of the stone crushers sealed by the ADC, Rupa vide order dated 22.07.2024 (**Annexure-VI**).
- vi. The ADC, Rupa forwarded application to the Secretary, Geology and Mining Department, Government of Arunachal Pradesh, recommending to issue NOC for 03 crushing units.

J Kato  
15.11.2024

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Addl. Deputy Commissioner  
Rupa West Kameng District  
Arunachal Pradesh



- vii. The Committee visited four crushers on 14.11.2024 under the jurisdictions of ADC, Rupa, Dist. West Kameng. The observations of the Committee for crushing units are summarized in following section.

**I. M/s Sange Stone Crusher, Rupa.**

- The Unit has valid Consent to Operate (CTO) up to 04.02.2025 issued by ASPCB on 30.04.2024 (**Annexure-VII**).
- The display board at the entrance gate was not found during the visit by the Committee.
- At the time of visit, the unit was not in operation.
- The unit has production capacity of 24000 cum per annum of Stone chips, gravels & stone dust as per CTO.
- The owner of the stone crusher, Sh. Sange Dorjee Khrame, informed that the Crusher was established during the year 2019.
- The ADC Rupa issued sealing order on 15.07.2024 for not having NOC from the Geology and Mining Department, Government of Arunachal Pradesh.
- The ADC, Rupa forwarded application of the crushing unit to the Secretary, Geology and Mining Department, Government of Arunachal Pradesh, recommending for issue of NOC vide its letter dated 15.10.2024 (**Annexure-VIII**).
- Water Sprinkling arrangement was found at the top of crushing unit. However, the closed conveyer belt for conveying crashing stones was not observed by the Committee in the premises during the visit.
- The Committee observed that, the unit is located 50m from small/ seasonal nallah, 30m from road and 1.3km from Chug Bridge.
- Deforestation, as alleged in the complaint, was not found by the Committee on its visit.
- Photographs taken during the Committee visit on 14.07.2024 as well as sealing process of 15.07.2024 are enclosed at **Annexure- A**.

**II. M/s Thongon Stone Crusher, Rupa**

- The Unit has valid Consent to Operate (CTO) up to 22.04.2026 issued by ASPCB on 19.07.2024 (**Annexure-IX**).
- The display board at the entrance gate was not found by the Committee during the visit.
- At the time of visit the unit was not in operation.
- The Unit has production capacity of 80 tonnes per hour (TPH) Stone chips as per CTO.
- The owner of the stone crusher, Sh. Dondu Thongon, informed that the Crusher was established during the year 2019.
- The ADC Rupa issued sealing order on 15.07.2024 for not having NOC from Geology and Mining Department, Government of Arunachal Pradesh.

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15.11.2024

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Addl. Deputy Commissioner  
Rupa West Kameng District  
Arunachal Pradesh



- The ADC, Rupa forwarded application of the crushing unit to the Secretary, Geology and Mining Department, Government of Arunachal Pradesh, recommending to issue NOC vide its letter dated 29.08.2024 (**Annexure-X**).
- Water sprinkling arrangement was found at the top of crushing unit. However, the closed conveyor belt, for conveying crushed stones, was not found by the Committee in the premises during the visit.
- The Committee observed that, the unit is located 50m from small/ seasonal nallah, 100m from road and 1.5 km from Chug Bridge.
- The deforestation was not observed by the Committee as alleged in the matter.
- Photographs taken during the Committee visit on 14.07.2024 as well as sealing process of 15.07.2024 are enclosed at **Annexure-A**.

### III. M/s Firong Traders, Rupa.

- The Consent to Operate (CTO) was valid up to 14.07.2022 issued by ASPCB. (**Annexure-XI**).
- The display board at the entrance gate was not found by the Committee during the visit.
- At the time of visit the unit was not in operation.
- The Unit has production capacity of 24000 cum per annum of stone chips, gravels & stone dust as per CTO.
- The owner of the stone crusher, Sh. Rinchin Khandu, informed that the Crusher was established during the year 2020.
- The ADC Rupa issued sealing order on 15.07.2024 for not having NOC from Geology and Mining Department, Government of Arunachal Pradesh as well as CTO from ASPCB.
- Water Sprinkling arrangement was found at the top of crushing unit. However, the closed conveyer belt for conveying crashing stones was not found by the Committee in the premises during the visit.
- The Committee observed that, the unit is located more than 300m from river, 300m from road.
- The deforestation was not observed by the Committee as alleged in the matter.
- Photographs taken during the Committee visit on 14.07.2024 as well as sealing process of 15.07.2024 are enclosed at **Annexure -A**.

### IV. M/s Karma Traders, Rupa

- The Unit has valid CTO up to 21.06.2027 issued by ASPCB on 16.05.2024 (**Annexure-XII**).
- The display board at the entrance gate was not found by the Committee during the visit.
- At the time of visit the unit was not in operation.
- The Unit has production capacity of 6000 cum per annum of Stone chips as per CTO.

J. K. Kalle  
15.11.2024

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Addl. Deputy Commissioner  
Rupa West Kamang District  
Arunachal Pradesh



- The owner of the stone crusher, Sh. Sange Karma, informed that the Crusher was established during the year 2021.
- The ADC, Rupa forwarded application of the crushing unit to the Secretary, Geology and Mining Department, Government of Arunachal Pradesh, recommending to issue NOC vide its letter dated 21.12.2023 (**Annexure-XIII**).
- Water Sprinkling arrangement was found at the top of crushing unit. However, the closed conveyer belt for conveying crashing stones was not observed by the Committee in the premises during the visit.
- The Committee observed that, the unit is located more than 500m from river, 300m from road.
- The deforestation was not observed by the Committee as alleged in the matter.
- Photographs taken during the Committee visit on 14.07.2024 as well as sealing process of 15.07.2024 are enclosed at **Annexure -A**.

#### 4. Recommendations of the Committee:

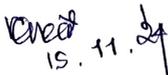
- i. The units may be allowed to operate with valid/proper permissions from concerned departments/authority.
- ii. The crushing units may be directed to install display board at the entrance gate of the units as per order of Hon'ble Supreme Court of India and compliance of the same may be ensure by concerned department/authority.
- iii. The units may be directed to follow the Environmental Guidelines for Stone Crushing Units published by CPCB in the year 2023 and same may be ensure by ASPCB.
- iv. The concerned authority i.e. Geology and Mining Department, Government of Arunachal Pradesh may be directed to process and issue the NOC to the crushing units within the time frame as per Rules.
- v. The units may be directed to use closed conveyor belt system for transportation of crushing stones/chips.
- vi. The units may be directed to provide Personal protective equipments (PPEs) to the workers as per rules.
- vii. The units may be directed to maintain proper house-keeping in the premises.

  
(Jumli Kato) 15.11.2024  
Scientist- B

APSPCB, Naharlagun

  
(Anil C. Ranveer)  
Scientist- E

RDNE, CPCB, Shillong

  
(Lobsang Tsetan) APCS  
Addl. Deputy Commissioner  
Rupa, Dist West Kameng  
Addl. Deputy Commissioner  
Rupa West Kameng District  
Arunachal Pradesh