

Joint Committee Inspection Report

Submitted in reference to

Hon'ble National Green Tribunal (NGT)

Central Bench, Bhopal

Order dated 24.05.2023

in the matter of

Original Application No.. 36/2023 (CZ)

Corrected Environmental Compensation Calculation

Bijendra Kumar Mala & Anr

Vs

State of Madhya Pradesh

Member of the Team

1. Sh. Anurag Tiwari, SDM, Huzur, Rewa
2. Sh. Milindkumar Nimje, Scientist- C" CPCB, Regional Directorate, Bhopal
3. Dr. Pushpendra Singh, Regional Officer, MPPCB, Rewa

The EC was calculate in the orange category But Stone Crusher is in red category industry i.e. Now EC has been calculated on the basic of red category industry. The corrected EC calculation been filed before Hon'ble NGT.

C. Environmental Compensation

Penalty on non-compliance of the consent conditions and illegal activities

The Environmental compensation is based on the EC policy framed by the CPCB in compliance of order 31.08.2018 in O.A. 593/2017.

The joint committee based on its understanding has amount to be imposed as penalty on non-compliance of the consent conditions/ show cause notices.

The particulars defined under penalty formula are below for the area under concern i.e stone crushers, Huzur Distt: Rewa

$$EC = Pi \times N \times R \times S \times Lf$$

Pollution Index for crushers : 80@ (Red Category)

N= Number of Days

Non-compliance period : The first day when consent was invalid to the last updated status on compliance

R (Rupees) : Rs. 250

S (Scale of Operation) : Factor for scale of operation : 0.5

Varied based on the consented capacity@

(@ Scale of operation of stone crusher was taken as defined in CPCB) comprehensive Industry Document Series COINDS/78/2007-08 on Stone Crusher (Feb 2009)

Small scale : 3-25 TPH (factor for scale of operation is : 0.5)

Medium Scale : 25-100 TPH (factor for scale of operation is : 1.0)

Large scale : 100 TPH (factor for scale of operation is : 1.5)

The daily hours of operation of a stone crusher were taken = 10 hrs

Total Days of operation in a year were taken = 225 days@ 19 days per month

(Note : The days of non-compliance were calculated based on maximum 225 operational days in a year)

LF (Location Factor): 1.0 (based on the population of the city/town as per the census of India falls under less than 1 Million population) Nearby city Rewa population is 2.37 lakhs (2011 census)

Table No: 2. The Environmental Compensation days calculation of non compliance

S. No.	Name of the stone crusher	1st Day violation observed	Last day of Reported Status	Total Number of days of non-compliance	Remark
1.	M/s Pradeep Stone Crusher	27.02.2021	15.06.2023	516	The unit was seized since 15.06.2023
2.	M/s Panday Stone Crusher	01.10.2021	15.06.2023	386	
3.	M/s Jagdaba (Janardan Tiwari) Stone Crusher	01.01.2022	15.06.2023	329	
4.	M/s Suneel Dwivedi Stone Crusher	19.02.2022	15.06.2023	301	
5.	M/s Om Shri Radhe Radhe Stone Crusher (Rama Kant Singh)	01.03.2023	15.06.2023	66	
6.	M/s Jai Stone Crusher (Tripathi)	01.10.2021	16.06.2023	386	The unit was seized since 16.06.2023
7.	M/s Krishna Minerals and Mining Stone Crusher	01.08.2022	16.06.2023	199	
8.	M/s Vikky Stone Crusher (Vijay Singh)	22.10.2020	16.06.2023	592	
9.	M/s Jai Hanuman Stone Crusher (Saukhi Singh)	08.08.2020	16.06.2023	640	
10.	M/s Gargi Stone Crusher	10.11.2022	16.06.2023	133	
11.	M/s Durga Stone Crusher (Pyasi)	16.02.2023	16.06.2023	76	
12.	M/s Baghwati Stone Crusher (Shubham)	01.06.2023	16.06.2023	9	
13.	M/s Bajrang Stone Crusher (Ram Lal Singh)	15.03.2019	19.06.2023	976	
14.	M/s Moni (Kobara Tarmik) Stone Crusher	01.04.2015	19.06.2023	1847	
15.	M/s Shri Ram Stone Crusher (Rajendra Tamrkar)	14.03.2022	19.06.2023	301	
16.	M/s Pooja Stone Crusher	26.05.2023	15.06.2023	15	Operation is prohibited for required of information 15.06.2023

Note: - 1. The date of CTO expired was consider as a first day violation observed. The last day of violation action taken by District task force committee was considered.

2. No. 16 Stone crusher was found was operational dated 26.05.2023 without CTO therefore it was taken 1st day of violation.

Table : 3. The calculated Environmental Compensation is as tabulated below:
The Environmental Compensation liable to be paid by 16 stone crushers is calculated as under :-

S. No.	Name of the stone crusher	Environmental Compensation factors					Total EC in Rs.
		PI	N	R	S	LF	
1.	M/s Pradeep Stone Crusher	80	516	250	0.5	1.0	51,60,000/-
2.	M/s Panday Stone Crusher	80	386	250	0.5	1.0	38,60,000/-
3.	M/s Jagdamba (Janardan Tiwari) Stone Crusher	80	329	250	0.5	1.0	32,90,000/-
4.	M/s Suneel Dwivedi Stone Crusher	80	301	250	0.5	1.0	30,10,000/-
5.	M/s Om Shri Radhe Radhe Stone Crusher (Rama Kant Singh)	80	66	250	0.5	1.0	6,60,000/-
6.	M/s Jai Stone Crusher (Tripathi)	80	386	250	0.5	1.0	38,60,000/-
7.	M/s Krishna Minerals and Mining Stone Crusher	80	199	250	0.5	1.0	19,90,000/-
8.	M/s Vikky Stone Crusher (Vijay Singh)	80	592	250	0.5	1.0	59,20,000/-
9.	M/s Jai Hanuman Stone Crusher (Saukhi Singh)	80	640	250	0.5	1.0	64,00,000/-
10.	M/s Gargi Stone Crusher	80	133	250	0.5	1.0	13,30,000/-
11.	M/s Durga Stone Crusher (Pyasi)	80	76	250	0.5	1.0	7,60,000/-
12.	M/s Baghwati Stone Crusher (Shubham)	80	9	250	0.5	1.0	90,000/-
13.	M/s Bajrang Stone Crusher (Ram Lal Singh)	80	976	250	0.5	1.0	97,60,000/-
14.	M/s Moni (Kobara Tarmik) Stone Crusher	80	1847	250	0.5	1.0	1,84,70,000/-
15.	M/s Shri Ram Stone Crusher (Rajendra Tamrkar)	80	301	250	0.5	1.0	30,10,000/-
16.	M/s Pooja Stone Crusher	80	15	250	0.5	1.0	1,50,000/-

Table : 4 The list of stone crusher where Environment Compensation is not imposed

S. No.	Name of the stone crusher	Remark
1.	M/s Mahadev Stone Crusher	Consent is Valid APCD is installed.
2.	M/s Satguru Stone Crusher	Already dismantle
3.	M/s Rudra Stone Crusher	Consent is Valid APCD is installed.
4.	M/s Samrat Infra Company Stone Crusher (Kushwayha)	Consent is Valid APCD is installed.
5.	M/s Suneeta Dwivedi (Bajrang) Stone Crusher	Consent is Valid APCD is installed.
6.	M/s Y.N. Stone Crusher	Permanently Closed NGT Case OA 34/2020 (CZ) seized
7.	M/s Maa Kalika Stone Crusher	Consent is Valid APCD is installed.
8.	M/s Samrat Stone Crusher Stone Crusher	Consent is Valid APCD is installed.
9.	M/s Sahara Stone Crusher	Permanently Closed NGT Case OA 34/2020 (CZ) seized
10.	M/s Pandey Stone Crusher (Kabya)	Consent is Valid APCD is installed.
11.	M/s Guru ji Stone Crusher Vill. Baijnath teh. Huzur Distt. Rewa	Plant is closed since long and proprietor is expired.
12.	M/s Krishna Crushing (Guru Mukh) Stone Crusher	Consent is Valid APCD is installed.
13.	M/s Sidhivinyak Stone Crusher (Arudendra Payasi)	Consent is Valid APCD is installed.
14.	M/s Mahalaxmi Stone Crusher (Moti Yadav)	Consent is Valid APCD is installed.
15.	M/s Govind Stone Crusher (Govind Yadav)	Consent is Valid APCD is installed.
16.	M/s Aparna Stone Crusher	Consent is Valid APCD is installed.

D. Recommendation of the Joint Committee: -

1. It is proposed to impose Environmental compensation amount on the 16 stone crushers for non-complying the norms as tabulated below:

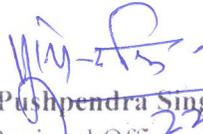
S. No.	Name of the stone crusher	Total EC in Rs.
1.	M/s Pradeep Stone Crusher	51,60,000/-
2.	M/s Panday Stone Crusher	38,60,000/-
3.	M/s Jagdamba (Janardan Tiwari) Stone Crusher	32,90,000/-
4.	M/s Suneel Dwivedi Stone Crusher	30,10,000/-
5.	M/s Om Shri Radhe Radhe Stone Crusher (Rama Kant Singh)	6,60,000/-
6.	M/s Jai Stone Crusher (Tripathi)	38,60,000/-
7.	M/s Krishna Minerals and Mining Stone Crusher	19,90,000/-
8.	M/s Vikky Stone Crusher (Vijay Singh)	59,20,000/-
9.	M/s Jai Hanuman Stone Crusher (Saukhi Singh)	64,00,000/-
10.	M/s Gargi Stone Crusher	13,30,000/-
11.	M/s Durga Stone Crusher (Pyasi)	7,60,000/-
12.	M/s Baghwati Stone Crusher (Shubham)	90,000/-
13.	M/s Bajrang Stone Crusher (Ram Lal Singh)	97,60,000/-
14.	M/s Moni (Kobara Tarmik) Stone Crusher	1,84,70,000/-
15.	M/s Shri Ram Stone Crusher (Rajendra Tamrkar)	30,10,000/-
16.	M/s Pooja Stone Crusher	1,50,000/-

2. In compliance of the directions passed by the Hon'ble tribunal, *"Those stone crushers which are closed may not be allowed to open without remedial measures, including accountability for the past violations and compliance of Environmental norms"*
3. Stone crusher operation shall be only permitted in case they have rented owned mine.

4. Plantation requires collected effort from all of the stone crusher as contribution for plantation by the forest department.
5. Water sprinkler are required to function on road frequently twice in a day by contribution of the stone crusher to the local panchyat.
6. M/s. Ultra Tech Cement, Bela is a major stake holder in this area. They have cement plant as well as major mining of lime stone which causes major transportation of trucks, and dumpers in these area on the road, therefore, M/s. Ultra Tech have to provide water sprinkler trucks to the approach road twice a day.
7. Mining department should issue permit pit pass as per the production capacity granted in the consent.


(Anurag Tiwari)
22/08/23
SDM, Huzur Rewa
(Collector representative)


(Milind Kumar Nimje)
22/08/2023
Scientist-C, CPCB, RD-Bhopal
Milind Nimje
Scientist-C
Regional Directorate
Central Pollution Control Board
Bhopal (M.P.)


(Dr. Pushendra Singh)
22/10/2023
Regional Officer
M.P. Pollution Control Board
Rewa (M.P.)