

**HEAD OFFICE**

**Uttarakhand Pollution Control Board**

Gauradevi Paryavaran Bhawan

46-B, I.T. Park, Sahastradhara Road,  
Dehradun (Uttarakhand)



**Action Taken Report**

**Original Application No. 264 of 2021**

In compliance of order dated 27.10.2021  
of the

**Hon'ble National Green Tribunal,  
Principal Bench,  
New Delhi**

**February, 2022**

**Action Taken Report**  
**In the matter of Original Application No. 264 of 2021**  
**Original Application No. 264 of 2021**

In the matter of:

All Villagers of Village Gairkhal, Dhaniyakot, ..... Applicant  
Badar Kot and Ratoda, Uttarakhand

Versus

State of Uttarakhand ..... Respondent

1. That, the Hon'ble National Green Tribunal, Principal Bench, New Delhi, in the matter of O.A. No. 264 of 2021, All Villagers of Village Gairkhal, Dhaniyakot, Badar Kot and Ratoda, Uttarakhand Versus State of Uttarakhand issued following directions on 27.10.2021:

*2. In view of the above, let the State PCB ascertain facts and take remedial action, following due process of law. An action taken report may be filed within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.*

2. In compliance of order passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi on dated 27.10.2021, inspection of the area in question was conducted by the officials of Regional Office, Haldwani, District Nainital of this Board on dated 04.01.2022. Inspection of all three Stone Crushing Units viz. i) M/S Shri Maa Nanda Crusher, ii) M/S Baijnath Stone Industries Pvt. Ltd., and iii) Shri Maa Girja Stone Crusher (as mentioned in compliant letter), were done

in presence of representatives of stone crushers. Observations and present status of stone crushing units are as below:

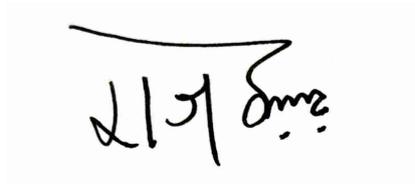
- i) As per field observations all three stone crushing units have made necessary provisions viz. water sprinklers and covered with CGI sheets is provided at dust generating points for dust containment-cum-suppression; wind breaking walls through CGI sheets; construction of metalled roads within premises; water sprinklers and water spraying through tankers for wetting of ground; and development of green belt in periphery, in order to fulfil the provisions prescribed under the Environment (Protection) Rules, 1986 as amended for stone crushing Units.
- ii) Stone Crushers were not in operation at the time of inspection; therefore, air quality monitoring could not be conducted.
- iii) All three stone crushers have obtained statutory permission for establishment under the provisions of "Uttarakhand Stone Crusher, Screening Plants, Pulveriser, Mobile Stone Crusher, Mobile Screening Plant, Hot Mix Plant, Ready Mix Plant Anugya Nitti, 2020", as amended time to time.
- iv) All three Stone Crushing units are having valid Consent to Operate/authorization up to 31.03.2026.

Copy of inspection report is enclosed herewith as Annexure-1.

3. The above said three stone crushing units were also inspected by the joint team in the matter of O.A. No. 132/2021 and some discrepancies were reported with respect to compliances of environmental norms. Directions under section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended were issued on dated 06.10.2021 to all three units for rectification and remedial measures.
4. Further, non-compliance is treated as period of violation and an environmental compensation of Rs. 1,66,500.00 is also imposed against each occupier of all three stone crushing units by the State Board on dated 02.02.2022. Copies of directions under section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 for imposition of an environmental compensation of Rs. 1,66,500.00 are enclosed herewith as Annexure-2 (i-iii).

It is evident from above that the Uttarakhand Pollution Control Board has issued necessary directions for rectification and mitigation measures in order to ensure compliance of prescribed norms. Timely completion of remedial measures and imposition of an environmental compensation, would have long term impact for ensuring appropriate operation and maintenance of air pollution Control measures and compliances of environmental norms.

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A handwritten signature in Hindi, likely belonging to a member of the Uttarakhand Pollution Control Board. The signature is written in black ink on a light background. It consists of a horizontal line at the top, followed by the characters '21/5/2012' and a stylized flourish.

निरीक्षण आख्या

मा0 राष्ट्रीय हरित अधिकरण में योजित मूल आवेदन सं0-264/2021 में पारित आदेश दिनांक 27.10.2021 के अनुपालन में बेतालघाट क्षेत्र में स्थापित तीन स्टोन केशरो मै0 मॉ नन्दा स्टोन केशर, बैजनाथ स्टोन स्टोन इन्डस्ट्रिज एंव मॉ गिरजा स्टोन केशर का स्थलीय निरीक्षण किया गया है। मूल आवेदन संख्या 264/2021 समस्त ग्राम वासी ग्राम- गैरखाल धनिया कोट, बादर कोट और रतौड़ा बनाम उत्तराखण्ड राज्य संख्या 264/2021 में दिनांक 27.10.2021 को मा0 राष्ट्रीय हरित अधिकरण नई दिल्ली द्वारा निम्न प्रकरण से निर्णय पारित किया गया। जिसमें प्रभावी अंश निम्नवत है।

- 1- Grievance in this application is against operation of following stone crushers, Maa Nanda Stone Crusher, Baijnath Stone Industries and Maa Girja Stone Crusher, in violation of environmental norms at Betalghat Block, Village- Ratoda, District- Nainital. The stone crushers are close to the river and cause air and noise pollution. They are also extracting ground water illegally. The application is supported by photographs.
- 2- In View of the above, let the State PCB ascertain facts and take remedial action, following due process of law. An action taken report may be filed within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of image PDF.

उपरोक्त आदेशों के मॉ में बोर्ड मुख्यालय के पत्रांक यू0के0पी0सी0बी0/एच0ओ0/सा0-183-534/2021/4714-928 दिनांक 18.11.2021 के अनुपालन में निर्देशानुसार उक्त स्टोन केशरों का निरीक्षण इस कार्यालय द्वारा दिनांक 04.01.2022 को किया गया है। आख्या निम्नवत है:-

**A. मै0 मॉ नन्दा स्टोन केशर, तहसील-बेतालघाट, जिला-नैनीताल।**

A.1- मै0 मॉ नन्दा स्टोन केशर, नैनी चौक, ग्राम- दरमिन, तहसील-बेतालघाट जिला-नैनीताल में स्थित है। इकाई का निरीक्षण उद्योग प्रतिनिधि श्री राहुल भट्ट (प्रबंधक) की उपस्थिति में किया गया। निरीक्षण के दौरान केशर संचालन में नहीं था।

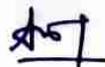
A.2- इकाई को उत्तराखण्ड औद्योगिक विकास अनुभाग-1 के कार्यालय ज्ञाप संख्या 444/VII-1/2019/12-Stone Crusher/15 Dehradun Dated 05.03.2019 द्वारा 19.11.2016 से आगामी 05 वर्ष दिनांक 18.11.2021 तक अनुज्ञा प्राप्त थी। जिसे भूतत्व एवं खनिकर्म इकाई, उद्योग निदेशालय, उत्तराखण्ड भोपालपानी, देहरादून के कार्यालय ज्ञाप संख्या 2148/स्टो0के0नवी0/खनन/भू0खनि0ई0/नैनी0/2021-2022 दिनांक 25.09.2021 द्वारा दिनांक 19.11.2021 से आगामी 10 वर्ष की अवधि के लिए नवीनीकरण किया गया है। (संलग्नक-1)

A.3- इकाई को राज्य बोर्ड द्वारा स्थापनार्थ सहमति दिनांक 15.05.2017 को प्राप्त है तथा संचालनार्थ सहमति 18.11.2021 तक प्राप्त है तथा वर्तमान में संचालनार्थ सहमति हेतु इकाई द्वारा बोर्ड की ऑनलाईन व्यवस्था में आवेदन किया गया है। (संलग्नक-2)

A.4- इकाई में जल की आपूर्ति हेतु बोरवैल स्थापित है तथा इकाई प्रतिनिधि द्वारा अवगत कराया गया कि विगत माह दिसम्बर 2021 में इकाई द्वारा जल का उपयोग 5.35KLD किया गया है। जो 10KLD से कम है। अतः जल शक्ति मंत्रालय के आदेश संख्या 50.3289 (E) दिनांक 24.09.2020 के अनुसार छूट है। (संलग्नक-3)

A.5- इकाई की स्थापना हेतु स्थल की संयुक्त जाँच दिनांक 28.12.2014 में की गयी है। आख्यानुसार प्रस्तावित स्थल औद्योगिक विकास अनुभाग-2 के शासनादेश सं0 2920/V-II-





11/68-रिट/2008 देहरादून दिनांक 18.11.2011 में दिये गये नियम एवं शर्तों के अनुरूप है।(संलग्नक-4)

A.6- पर्यावरण संरक्षण अधिनियम-1986 के अन्तर्गत स्टोन केशर के मानक व निरीक्षण के दौरान अनुपालन की स्थिति का विवरण निम्नवत है। (संलग्नक-5)

(a) Dust containment cum suppression system for the equipment.	(a) स्टोन केशर द्वारा धूल नियंत्रण हेतु धूल जनित बिन्दुओं पर Water Sprinklar स्थापित किये गये हैं तथा ध्वनि अवरोधक हेतु कशिंग बिन्दुओं GI Sheet से कर्वड किया गया है।
(b) Construction of wind breaking walls.	(b) स्टोन केशर द्वारा परिसर में GI Sheet के माध्यम से विन्ड कशिंग वाल की स्थापना की गयी है।
(c) Construction of the metalled roads within the premises.	(c) स्टोन केशर द्वारा परिसर में Metalled Road का निर्माण किया गया है।
(d) Regular cleaning and wetting of the ground within the premises.	(d) स्टोन केशर में परिसर में धूल कणों के नियंत्रण हेतु रोड पर टैंक एवं Water Sprinklar के माध्यम से पानी की छिड़काव की व्यवस्था की गई है।
(e) Growing of a green belt along the periphery.	(e) स्टोन केशर के periphery में हरित पट्टिका विकसित है।
Suspended Particulate Matter (SPM)	निरीक्षण के दौरान स्टोन केशर संचालन में नहीं था। अनुश्रवण नहीं किया गया है।

A.7- स्टोन केशर का संयुक्त निरीक्षण मा0 एन0जी0टी0 में योजित वाद संख्या मूल आवेदन संख्या 132/2021 में आदेशानुसार दिनांक 17.08.2021 को किया गया है तथा तदक्रम में कार्यालय के पत्रांक यू0के0पी0सी0बी0/आर0ओ0एच0/एस-311/22/2079-910 दिनांक 05.01.2022 द्वारा इकाई पर पर्यावरणीय क्षतिपूर्ति गणना कर आरोपित करने की संस्तुति मुख्यालय प्रेषित है। (संलग्नक-6)

**B. मै0 बैजनाथ स्टोन इन्डस्ट्रिज तहसील-बेतालघाट, जिला-नैनीताल।**

B.1- मै0 बैजनाथ स्टोन इन्डस्ट्रिज ग्राम- तल्ला गाँव, तहसील-बेतालघाट जिला-नैनीताल में स्थित है। इकाई का निरीक्षण उद्योग प्रतिनिधि श्री राजेन्द्र पाल सिंह (पार्टनर) की उपस्थिति में किया गया। निरीक्षण के दौरान केशर संचालन में नहीं था।

B.2- इकाई को उत्तराखण्ड औद्योगिक विकास अनुभाग-1 के कार्यालय ज्ञाप संख्या 1912/VII-1/49-Stone Crusher/2016 Dated 20.12.2016 द्वारा आगामी 05 वर्ष दिनांक 19.12.2021 तक अनुज्ञा प्राप्त थी। जिसे भूतत्व एवं खनिकर्म इकाई, उद्योग निदेशालय, उत्तराखण्ड भोपालपानी, देहरादून के कार्यालय ज्ञाप संख्या 2225/स्टो0के0नवी0/खनन/भू0खनि0ई0/नैनी0/2021-2022 दिनांक 28.09.2021 द्वारा दिनांक 20.12.2021 से आगामी 10 वर्ष की अवधि के लिए नवीनीकरण किया गया है। (संलग्नक-7)

B.3- इकाई को राज्य बोर्ड द्वारा स्थापनार्थ सहमति दिनांक 10.04.2018 को प्राप्त है तथा संचालानार्थ सहमति 19.12.2021 तक प्राप्त है तथा वर्तमान में संचालानार्थ सहमति हेतु इकाई द्वारा बोर्ड की ऑनलाईन व्यवस्था में आवेदन किया गया है।(संलग्नक-8)

B.4- इकाई में जल की आपूर्ति हेतु सतही जल द्वारा की जाती है। जल की आपूर्ति के संबंध में स्थानीय ग्राम प्रधान, ग्राम पंचायत दड़िमा वि0ख0 बेतालघाट (नैनीताल) द्वारा अनापत्ति संलग्न है। (संलग्नक-9)





B.5- इकाई की स्थापना हेतु स्थल की संयुक्त जाँच दिनांक 30.11.2016 में की गयी है। आख्यानसार प्रस्तावित स्थल औद्योगिक विकास अनुभाग के शासनादेश सं० 1758/VII-1/68-रिट/08 देहरादून दिनांक 19.11.2016 में दिये गये नियम एवं शर्तों के अनुरूप है। (संलग्नक-10)

B.6- पर्यावरण संरक्षण अधिनियम-1986 के अन्तर्गत स्टोन केशर के मानक व निरीक्षण के दौरान अनुपालन की स्थिति का विवरण निम्नवत है। (संलग्नक-11)

(a) Dust containment cum suppression system for the equipment.	(a) स्टोन केशर द्वारा धूल नियंत्रण हेतु धूल जनित बिन्दुओं पर Water Sprinklar स्थापित किये गये हैं तथा ध्वनि अवरोधक हेतु कशिंग बिन्दुओं GI Sheet से कर्वड किया गया है।
(b) Construction of wind breaking walls.	(b) स्टोन केशर द्वारा परिसर में GI Sheet के माध्यम से विन्ड कशिंग वाल की स्थापना की गयी है।
(c) Construction of the metalled roads within the premises.	(c) स्टोन केशर द्वारा परिसर में Metalled Road का निर्माण किया गया है।
(d) Regular cleaning and wetting of the ground within the premises.	(d) स्टोन केशर में परिसर में धूल कणों के नियंत्रण हेतु रोड पर टैंक एवं Water Sprinklar के माध्यम से पानी की छिड़काव की व्यवस्था की गई है।
(e) Growing of a green belt along the periphery.	(e) स्टोन केशर के periphery में हरित पट्टिका विकसित है।
Suspended Particulate Matter (SPM)	निरीक्षण के दौरान स्टोन केशर संचालन में नहीं था। अनुश्रवण नहीं किया गया है।

B.7- स्टोन केशर का संयुक्त निरीक्षण मा० एन०जी०टी० में योजित वाद संख्या मूल आवेदन संख्या 132/2021 में आदेशानुसार दिनांक 17.08.2021 को किया गया है तथा तदक्रम में कार्यालय के पत्रांक यू०के०पी०सी०बी०/आर०ओ०एच०/बी०-137/22/2017-908 दिनांक 05.01.2022 द्वारा इकाई पर पर्यावरणीय क्षतिपूर्ति गणना कर आरोपित करने की संस्तुति मुख्यालय प्रेषित है। (संलग्नक-12)

### C. मै० श्री मॉ गिरजा स्टोन केशर तहसील-बेतालघाट, जिला-नैनीताल।

C.1- मै० श्री मॉ गिरजा स्टोन केशर, ग्राम- तल्ला गाँव, तहसील-बेतालघाट जिला-नैनीताल में स्थित है। इकाई का निरीक्षण उद्योग प्रतिनिधि श्री पुष्कर सिंह मेहरा (पार्टनर) की उपस्थिति में किया गया। निरीक्षण के दौरान केशर संचालन में नहीं था।

C.2- इकाई को उत्तराखण्ड औद्योगिक विकास अनुभाग-1 के कार्यालय ज्ञाप संख्या 1741/VII-1/38-Stone Crusher/16 Dated 16.12.2016 द्वारा आगामी 05 वर्ष की अवधि हेतु अनुज्ञा प्राप्त हैं। जिसे भूतत्व एवं खनिकर्म इकाई, उद्योग निदेशालय, उत्तराखण्ड भोपालपानी, देहरादून के कार्यालय ज्ञाप संख्या 2146/स्टो०के०नवी०/खनन/भू०खनि०ई०/नैनी०/2021-2022 दिनांक 25.09.2021 द्वारा दिनांक 16.12.2021 से आगामी 10 वर्ष की अवधि के लिए नवीनीकरण किया गया है। (संलग्नक-13)

C.3- इकाई के द्वारा राज्य बोर्ड से स्थापनार्थ सहमति दिनांक 22.09.2017 को प्राप्त है तथा संचालानार्थ सहमति 18.11.2021 तक प्राप्त है तथा वर्तमान में संचालानार्थ सहमति हेतु इकाई द्वारा बोर्ड की ऑनलाईन व्यवस्था में आवेदन किया गया है। (संलग्नक-14)

C.4 इकाई में जल की आपूर्ति हेतु बोरवैल स्थापित है तथा इकाई प्रतिनिधि द्वारा अवगत





कराया गया कि विगत माह दिसम्बर 2021 में इकाई द्वारा औसत जल का उपयोग 14.64KLD किया गया है। इकाई को भूजल उपयोग हेतु केन्द्रीय भूजल आयोग से अनुमति प्राप्त है।

(संलग्नक-15)

C.5- इकाई की स्थापना हेतु स्थल की संयुक्त जॉच दिनांक 27.09.2016 में की गयी है। आख्यानसार प्रस्तावित स्थल औद्योगिक विकास अनुभाग के शासनादेश सं0 1026/VII-1 /2015/68-रिट/2008 देहरादून दिनांक 21.07.2015 में दिये गये नियम एवं शर्तों के अनुरूप है। (संलग्नक-16)

C.6- पर्यावरण संरक्षण अधिनियम-1986 के अन्तर्गत स्टोन केशर के मानक व निरीक्षण के दौरान अनुपालन की स्थिति का विवरण निम्नवत है। (संलग्नक-17)

(a) Dust containment cum suppression system for the equipment.	(a) स्टोन केशर द्वारा धूल नियंत्रण हेतु धूल जनित बिन्दुओं पर Water Sprinklar स्थापित किये गये हैं तथा ध्वनि अवरोधक हेतु कशिंग बिन्दुओं GI Sheet से कर्वड किया गया है।
(b) Construction of wind breaking walls.	(b) स्टोन केशर द्वारा परिसर में GI Sheet के माध्यम से विन्ड कशिंग वाल की स्थापना की गयी है।
(c) Construction of the metalled roads within the premises.	(c) स्टोन केशर द्वारा परिसर में Metalled Road का निर्माण किया गया है।
(d) Regular cleaning and wetting of the ground within the premises.	(d) स्टोन केशर में परिसर में धूल कणों के नियंत्रण हेतु रोड पर टैंक एवं Water Sprinklar के माध्यम से पानी की छिड़काव की व्यवस्था की गई है।
(e) Growing of a green belt along the periphery.	(e) स्टोन केशर के periphery में हरित पट्टिका विकसित है।
Suspended Particulate Matter (SPM)	निरीक्षण के दौरान स्टोन केशर संचालन में नहीं था। अनुश्रवण नहीं किया गया है।

C.7- स्टोन केशर का संयुक्त निरीक्षण मा0 एन0जी0टी0 में योजित वाद संख्या मूल आवेदन संख्या 132/2021 में आदेशानुसार दिनांक 17.08.2021 को किया गया है तथा तदकम में कार्यालय के पत्रांक यू0के0पी0सी0बी0/आर0ओ0एच0/एस-326/22/2078-909 दिनांक 05.01.2022 द्वारा इकाई पर पर्यावरणीय क्षतिपूर्ति गणना कर आरोपित करने की संस्तुति मुख्यालय प्रेषित है। (संलग्नक-18)

उपरोक्तानुसार मै0 मै0 मॉ नन्दा स्टोन केशर, बैजनाथ स्टोन स्टोन इन्डस्ट्रिज एंव मॉ गिरजा स्टोन केशर पर मा0 एन0जी0टी0 में योजित वाद संख्या मूल आवेदन संख्या 132/2021 में मुख्यालय के पत्रांक यू0के0पी0सी0बी0/एच0ओ0/सा0-183-514/2021/5431-1059 दिनांक 16.12.2021 के अनुपाल में पर्यावरणीय क्षतिपूर्ति आंकलित कर आरोपित करने हेतु कार्यालय पत्रांक दिनांक 05.01.2022 द्वारा संस्तुति सहित प्रेषित की गयी है। आख्या अवलोकनार्थ एवं आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।

(शुभम गुसाई)  
अवर अभियन्ता

(हरीश चन्द्र जोशी)  
सहा0वैज्ञा0 अधिकारी

क्षेत्रीय अधिकारी

सदस्य सचिव

**HEAD OFFICE****Uttarakhand Pollution Control Board****"Gauradevi Paryavaran Bhawan"****46B, IT Park, Sahastradhara Road, Dehra Dun (Uttarakhand)****Web : www.ueppcb.uk.gov.in. E-mail : msukpcb@yahoo.com****Ref.: UKPCB/HO/Gen-183-514/2022/169****Date: 02.02.2022****Speed Post****To,**

**M/s Shri Maa Nanda Crusher,  
Naini Chowk, Betalghat,  
Vill. Darmin, Betalghat,  
District Nainital (Uttarakhand)**

**Directions under Section 31(A) of Air (Prevention and Control of Pollution) Act-1981, as amended.**

**WHEREAS**, the Central Government has made the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981; and vide provisions of these Acts every water/air polluting industry/unit/operation/ process is required to obtain consent to establish and consent to operate from the State Pollution Control Board; and

**WHEREAS**, for the purpose of protecting and improving the quality of environment and preventing and abating environmental pollution, the standards for discharge/emission of environmental pollutants from the industries, operations or processes have been specified under the Environment (Protection) Rules, 1986; and it is mandatory to every industry, operations or processes to keep their effluent/emission quality within the specified norms all the time; and

**WHEREAS**, M/S Shri Maa Nanda Stone Crusher, located at Naini Chowk, Betalghat, Vill. Darmin, Betalghat, District Nainital, Uttarakhand (herein after referred as "Unit") is a stone crushing industry and categorized under orange category of industry; and

**WHEREAS**, under the Environment (Protection) Rules, 1986 standards for stone crushing units are notified; and every stone crushing unit shall strictly adhere to prescribed norms; and

**WHEREAS**, Hon'ble National Green Tribunal (NGT) in the matter of O.A. No. 132/2021 (I.A. No. 122/82021) Manoj Joshi Vs State of Uttarakhand & Ors., on dated 14.06.2021, *inter alia* issued following directions:

*2. Having regard to the averments in the application, which are sought to be supported by photographs annexed and the media reports, we find it appropriate to require a joint Committee of CPCB, State PCB, SEIAA, Uttarakhand and the District Magistrates concerned, Nainital, to undertake visit to the sites and ascertain the compliance status of functioning of the said stone crushers. The State PCB will be Nodal Agency for coordination and compliance. The Committee may give its report within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF and also upload the same on website of State PCB simultaneously so that the concerned parties/Departments can access the same for further course of action.*

**WHEREAS**, in compliance of order of the Hon'ble NGT, Joint Team inspected the stone crushing Units in questions on dated 17.08.2021 and observed some deficiencies with respect to provisions of the Environment (Protection) Rules, 1986 as amended and Uttarakhand Stone Crusher, Screening Plant, Mobile Stone Crusher, Mobile Screening

Plant, Pulverizer Plant, Hotmix Plant, Redymix Plant Anugya Nitti, 2020 as amended; and

**WHEREAS**, based on recommendation of Joint Team, following directions were issued to the Unit i.e. M/S Shri Maa Nanda Stone Crusher, under Section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended time to time, on dated 06.10.2021:

1. The Unit shall provide ducting and scrubbing system in cover shed to arrest dust.
2. The Unit shall provide adequate pucca settling tanks for wastewater treatment.
3. The Unit shall provide water sprinklers with proper pressure per the State Policy, 2020.
4. The Unit shall provide adequate green belt as per State Policy, 2011.
5. The Unit shall complete metalled road as per State Policy, 2011.
6. The Unit shall maintain proper logbook for water tankers used for sprinkling.
7. The Unit shall ensure compliance of conditions as per permission granted by the Industrial Development Section, Govt. of Uttarakhand, District Magistrate and UKPCB, as well as conditions stipulated in State Policy, 2020.

**WHEREAS**, the Hon'ble NGT in the matter of O.A. No. 132/2001, on dated 10.12.2021 *inter alia* issued following directions:

4. *We find that though several deficiencies have been noted in the report, no punitive action has been taken for failure in the past or for future till compliance, including assessment and recovery of compensation on polluter pays principle, which is required for enforcing the law of the land. The State PCB may accordingly initiate such action as per law. Further, in terms of new Policy dated 02.01.2020, changed siting criteria be followed for any grant/renewal of consent by the State PCB after the date of the said policy.*

**WHEREAS**, in compliance of the order of the Hon'ble NGT, inspection of the Unit was carried out by officials of Regional Office, Haldwani (Nainital) of this Board on dated 04.01.2022 and recommended for imposition of an environmental compensation due to operation of unit without appropriate air pollution control measures.

**NOW THEREFORE**, considering the above observations, and in exercise of the powers conferred under section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended time to time, an environment compensation of **Rs. 166,500.00** only is imposed against the occupier(s) of the Unit, in accordance of order of the Hon'ble NGT in the matter of OA No. 593/2017 and subsequent decision taken and procedure adopted by the State Board in its 22<sup>nd</sup> Board Meeting. The occupier(s) of the Unit shall submit demand draft of Rs.1,66,500.00 in favor of Member Secretary, Uttarakhand Pollution Control Board payable at Dehradun within 30 days of issue of above directions. Further, Occupier(s) of the Unit is hereby directed not to operate the Unit without appropriate air pollution control measures and valid Consent to operate of the Board.

This issues with approval of Competent Authority of the Board.

  
S.P. Subudhi, IFS  
Member Secretary

Copy to:

1. District Magistrate, Nainital for kind information please.
2. Regional Officer, UKPCB, Regional Office, Haldwani (Nainital) for information and necessary action.
3. Guard File.

  
Member Secretary



**HEAD OFFICE**  
**Uttarakhand Pollution Control Board**  
**"Gauradevi Paryavaran Bhawan"**  
**46B, IT Park, Sahasradhara Road, Dehra Dun (Uttarakhand)**  
 Web : [www.ueppcb.uk.gov.in](http://www.ueppcb.uk.gov.in). E-mail : [msukpcb@yahoo.com](mailto:msukpcb@yahoo.com)

Ref.: UKPCB/HO/Gen-183-514/2022/ 170

Date: 2.02.2022

**Speed Post**

To,

M/s Baijnath Stone Industries Pvt. Ltd.,  
 Vill. Tallagaon, Betalghat,  
 District Nainital (Uttarakhand)

**Directions under Section 31(A) of Air (Prevention and Control of Pollution) Act-1981, as amended.**

**WHEREAS**, the Central Government has made the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981; and vide provisions of these Acts every water/air polluting industry/unit/operation/ process is required to obtain consent to establish and consent to operate from the State Pollution Control Board; and

**WHEREAS**, for the purpose of protecting and improving the quality of environment and preventing and abating environmental pollution, the standards for discharge/emission of environmental pollutants from the industries, operations or processes have been specified under the Environment (Protection) Rules, 1986; and it is mandatory to every industry, operations or processes to keep their effluent/emission quality within the specified norms all the time; and

**WHEREAS**, M/S Baijnath Stone Industries Pvt. Ltd., located at Vill. Tallagaon, Betalghat, District Nainital, Uttarakhand (herein after referred as "Unit") is a stone crushing industry and categorized under orange category of industry; and

**WHEREAS**, under the Environment (Protection) Rules, 1986 standards for stone crushing units are notified; and every stone crushing unit shall strictly adhere to prescribed norms; and

**WHEREAS**, Hon'ble National Green Tribunal (NGT) in the matter of O.A. No. 132/2021 (I.A. No. 122/82021) Manoj Joshi Vs State of Uttarakhand & Ors., on dated 14.06.2021, *inter alia* issued following directions:

*2. Having regard to the averments in the application, which are sought to be supported by photographs annexed and the media reports, we find it appropriate to require a joint Committee of CPCB, State PCB, SEIAA, Uttarakhand and the District Magistrates concerned, Nainital, to undertake visit to the sites and ascertain the compliance status of functioning of the said stone crushers. The State PCB will be Nodal Agency for coordination and compliance. The Committee may give its report within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF and also upload the same on website of State PCB simultaneously so that the concerned parties/Departments can access the same for further course of action.*

**WHEREAS**, in compliance of order of the Hon'ble NGT, Joint Team inspected the stone crushing Units in questions on dated 17.08.2021 and observed some deficiencies with respect to provisions of the Environment (Protection) Rules, 1986 as amended and Uttarakhand Stone Crusher, Screening Plant, Mobile Stone Crusher, Mobile Screening

Plant, Pulverizer Plant, Hotmix Plant, Redymix Plant Anugya Nitti, 2020 as amended; and

**WHEREAS**, based on recommendation of Joint Team, following directions were issued to the Unit M/S M/S Baijnath Stone Industries Pvt. Ltd., under Section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended time to time, on dated 06.10.2021:

1. The Unit shall expedite to install ducting and scrubbing system in cover shed to arrest dust.
2. The Unit shall provide proper and complete cover shed in conveyor belts.
3. The Unit shall provide adequate green belt as per State Policy, 2016.
4. The Unit shall provide flow meter at water intake point and maintain proper logbook.
5. The Unit shall take necessary permission from concerned authority for use of surface water (River Kosi).
6. The unit shall provide adequate settling tanks for wastewater treatment.
7. The Unit shall ensure compliance of conditions as per permission granted by the Industrial Development Section, Govt. of Uttarakhand, District Magistrate and UKPCB, as well as conditions stipulated in State Policy, 2020.

**WHEREAS**, the Hon'ble NGT in the matter of O.A. No. 132/2001, on dated 10.12.2021 *inter alia* issued following directions:

*4. We find that though several deficiencies have been noted in the report, no punitive action has been taken for failure in the past or for future till compliance, including assessment and recovery of compensation on polluter pays principle, which is required for enforcing the law of the land. The State PCB may accordingly initiate such action as per law. Further, in terms of new Policy dated 02.01.2020, changed siting criteria be followed for any grant/renewal of consent by the State PCB after the date of the said policy.*

**WHEREAS**, in compliance of the order of the Hon'ble NGT, inspection of the Unit was carried out by officials of Regional Office, Haldwani (Nainital) of this Board on dated 04.01.2022 and recommended for imposition of an environmental compensation due to operation of unit without appropriate air pollution control measures.

**NOW THEREFORE**, considering the above observations, and in exercise of the powers conferred under section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended time to time, an environment compensation of **Rs. 166,500.00** only is imposed against the occupier(s) of the Unit, in accordance of order of the Hon'ble NGT in the matter of OA No. 593/2017 and subsequent decision taken and procedure adopted by the State Board in its 22<sup>nd</sup> Board Meeting. The occupier(s) of the Unit shall submit demand draft of Rs.1,66,500.00 in favor of Member Secretary, Uttarakhand Pollution Control Board payable at Dehradun within 30 days of issue of above directions. Further, Occupier(s) of the Unit is hereby directed not to operate the Unit without appropriate air pollution control measures and valid Consent to operate of the Board.

This issues with approval of Competent Authority of the Board.

  
S.P. Subudhi, IFS  
Member Secretary

**Copy to:**

1. District Magistrate, Nainital for kind information please.
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3. Guard File.

  
Member Secretary

**HEAD OFFICE****Uttarakhand Pollution Control Board****"Gauradevi Paryavaran Bhawan"**

46B, IT Park, Sahastradhara Road, Dehra Dun (Uttarakhand)

Web : www.ueppcb.uk.gov.in. E-mail : msukpcb@yahoo.com

Ref.: UKPCB/HO/Gen-183-514/2022/ 168

Date: 02.02.2022

Speed Post

To,

M/s Sri Maa Girja Stone Crusher,  
Vill. Tallgaon, Betalghat,  
District Nainital (Uttarakhand)

**Directions under Section 31(A) of Air (Prevention and Control of Pollution) Act-1981, as amended.**

**WHEREAS**, the Central Government has made the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981; and vide provisions of these Acts every water/air polluting industry/unit/operation/ process is required to obtain consent to establish and consent to operate from the State Pollution Control Board; and

**WHEREAS**, for the purpose of protecting and improving the quality of environment and preventing and abating environmental pollution, the standards for discharge/emission of environmental pollutants from the industries, operations or processes have been specified under the Environment (Protection) Rules, 1986; and it is mandatory to every industry, operations or processes to keep their effluent/emission quality within the specified norms all the time; and

**WHEREAS**, M/S Sri Maa Girja Stone Crusher, located at Vill. Tallagaon, Betalghat, District Nainital, Uttarakhand (herein after referred as "Unit") is a stone crushing industry and categorized under orange category of industry; and

**WHEREAS**, under the Environment (Protection) Rules, 1986 standards for stone crushing units are notified; and every stone crushing unit shall strictly adhere to prescribed norms; and

**WHEREAS**, Hon'ble National Green Tribunal (NGT) in the matter of O.A. No. 132/2021 (I.A. No. 122/82021) Manoj Joshi Vs State of Uttarakhand & Ors., on dated 14.06.2021, *inter alia* issued following directions:

*2. Having regard to the averments in the application, which are sought to be supported by photographs annexed and the media reports, we find it appropriate to require a joint Committee of CPCB, State PCB, SEIAA, Uttarakhand and the District Magistrates concerned, Nainital, to undertake visit to the sites and ascertain the compliance status of functioning of the said stone crushers. The State PCB will be Nodal Agency for coordination and compliance. The Committee may give its report within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF and also upload the same on website of State PCB simultaneously so that the concerned parties/Departments can access the same for further course of action.*

**WHEREAS**, in compliance of order of the Hon'ble NGT, Joint Team inspected the stone crushing Units in questions on dated 17.08.2021 and observed some deficiencies with respect to provisions of the Environment (Protection) Rules, 1986 as amended and Uttarakhand Stone Crusher, Screening Plant, Mobile Stone Crusher, Mobile Screening

Plant, Pulverizer Plant, Hotmix Plant, Redymix Plant Anugya Nitti, 2020 as amended; and

**WHEREAS**, based on recommendation of Joint Team, following directions were issued to the Unit M/S Sri Maa Girja Stone Crusher, under Section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended time to time, on dated 06.10.2021:

1. The Unit expedite to install ducting and scrubbing system in cover shed to arrest dust.
2. The Unit shall provide water sprinklers with proper pressure per the State Policy, 2020.
3. The Unit shall complete cover shed in conveyor belts.
4. The Unit shall provide adequate green belt as per State Policy.
5. The Unit shall ensure compliance of conditions as per permission granted by the Industrial Development Section, Govt. of Uttarakhand, District Magistrate and UKPCB, as well as conditions stipulated in State Policy, 2020.

**WHEREAS**, the Hon'ble NGT in the matter of O.A. No. 132/2001, on dated 10.12.2021 *inter alia* issued following directions:

*4. We find that though several deficiencies have been noted in the report, no punitive action has been taken for failure in the past or for future till compliance, including assessment and recovery of compensation on polluter pays principle, which is required for enforcing the law of the land. The State PCB may accordingly initiate such action as per law. Further, in terms of new Policy dated 02.01.2020, changed siting criteria be followed for any grant/renewal of consent by the State PCB after the date of the said policy.*

**WHEREAS**, in compliance of the order of the Hon'ble NGT, inspection of the Unit was carried out by officials of Regional Office, Haldwani (Nainital) of this Board on dated 04.01.2022 and recommended for imposition of an environmental compensation due to operation of unit without appropriate air pollution control measures.

**NOW THEREFORE**, considering the above observations, and in exercise of the powers conferred under section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 as amended time to time, an environment compensation of **Rs. 166,500.00** only is imposed against the occupier(s) of the Unit, in accordance of order of the Hon'ble NGT in the matter of OA No. 593/2017 and subsequent decision taken and procedure adopted by the State Board in its 22<sup>nd</sup> Board Meeting. The occupier(s) of the Unit shall submit demand draft of Rs.1,66,500.00 in favor of Member Secretary, Uttarakhand Pollution Control Board payable at Dehradun within 30 days of issue of above directions. Further, Occupier(s) of the Unit is hereby directed not to operate the Unit without appropriate air pollution control measures and valid Consent to operate of the Board.

This issues with approval of Competent Authority of the Board.

  
S.P. Subudhi, IFS  
Member Secretary

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2. Regional Officer, UKPCB, Regional Office, Haldwani (Nainital) for information and necessary action.
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Member Secretary