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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI**

**ORIGINAL APPLICATION NO. 630/2019**

**President Shree Guru Gorak Nath Jee Maharaj  
Vikas Sewa Siksha Samiti**

Applicant

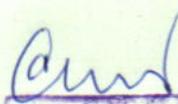
Versus

**State of Rajasthan**

Respondents

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(Vijay Sharma)  
Regional Officer, RSPCB  
राजस्थान राज्य प्रदूषण  
नियंत्रण मण्डल, कोटा  
Kota, Rajasthan

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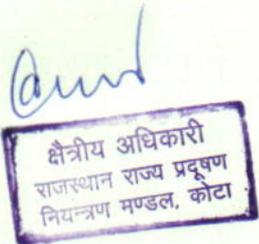
**COMPLIANCE REPORT OF THIS HON'BLE TRIBUNAL  
ORDER DATED 06.03.2020, ON BEHALF OF  
RAJASTHAN STATE POLLUTION CONTROL BOARD.**

I, Vijay Sharma S/o Shri Krishna Kumar Sharma, aged about 47 years, at present working as Regional Officer, Rajasthan State Pollution Control Board, Kota (Raj.) do, hereby submits the compliance report as follows:-

- 1) That the Hon'ble Tribunal by order dated 06.03.2020 directed as follows:-

***"2. Accordingly, a report has been filed on 03.03.2020 by the SPCB as follows:***

***"2. That in compliance of this Hon'ble Tribunal order inspection of M/s Jyoti Kiran Stone Crusher, at Khasra no. 203/137, Village Faliya, Tehsil Chhipa Barod, District Baran was conducted on 20.12.2019 jointly by a team of officials from District Administration, Mining Department, Forest Department, Agriculture Department and Health Department. During the course of inspection the stone crusher was nonoperative for maintenance of machinery. The team had also inspected the said mining pit at village Chainpuriya Khasra no. 96/26. During the course of inspection it was observed that pit of surface area about 21 meters x 55 meters is there within the Khasra no. 96/26. The pit was filled with rain water. As reported by the Asst. Mining Engineer, the Department of Mining & Geology has not issued any permission/permit for mining on the said land. It has also***



*been reported that looking to the site conditions, mining in the pit might have been done prior to the last rainy season (approx- 6 month ago) and there are no marks/ sign of recent mining activities in the area. The photo copy of the joint inspection reports are annexed herewith and marked as Annexure - 1 (Collectively).*

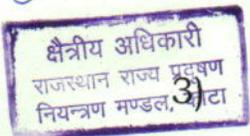
*As per the physical observation of pollution control measures at the stone crusher, the RSPCB had issued show cause notice on 19/02/2020 for intended revocation of consent to operate and intended directions under section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981. RSPCB has given opportunity of being heard (OBH) to the project proponent to submit reply and requisite details/documents, if he desires so, in person or through his representative on 02.03.2020 at 3.00 PM. The photo copy of the show cause notice dated 19.02.2020 is annexed herewith and marked as Annexure-2.*

*3. That the OBH was conducted on 02.03.2020 and attended by the Director of the unit. During OBH, it was decided that the project proponent shall complete the remaining work of construction of boundary wall by 30.04.2020 and shall also submit bank guarantee of Rs. 1 Lakh as a surety in this regard. Also, Environment Compensation shall be imposed for the past violation as per guidelines of the State Board."*

**3. Let further action taken report in pursuance of above be furnished before the next date by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in)."**

- 2) That in compliance of the directions passed by this Hon'ble Tribunal order and to ensure the compliance of decision taken in the OBH, the officials of the state board visited the unit i.e. M/s Jyoti Kiran Stone Crusher on 16.07.2020, during the course of inspection certain deficiencies were observed and a site memo was given to the unit representative in this regard.

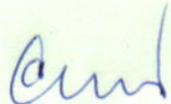
That the unit submitted the reply to the deficiencies observed during inspection dated 16.07.2020 through email on 11.08.2020, 13.08.2020 and 14.08.2020. The officials of the state board again inspected the unit on 14.08.2020 to verify the compliances done by the unit with respect to the



deficiencies observed during inspection dated 16.07.2020. The officials in their inspection dated 14.08.2020 have observed as follows:- *'The unit has provided required pollution control measures (except adequate plantation) within the premises.'* The photo copy of the inspection reports dated 16.07.2020 and 14.08.2020 alongwith photographs are annexed herewith and marked as **Annexure-1 (Collectively)**.

- 4) That in compliance of the decision taken in the OBH, the unit has also deposited a bank guarantee of Rs. 1 Lakh in favor of Member Secretary, Rajasthan State Pollution Control Board which can be forfeited in case of non-compliances of consent conditions.

That in the light of submissions made herein above, it is requested that the compliance report may kindly be taken on record.

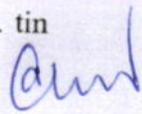
  
(Vijay Sharma)  
क्षेत्रीय अधिकारी  
RSPCB, Kota  
नियन्त्रण मण्डल, कोटा

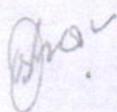
**Inspection report**  
OF  
M/s Jyoti Kiran Stone Crusher, Village Faliya, Tehsil Chhipa Barod, District Baran.

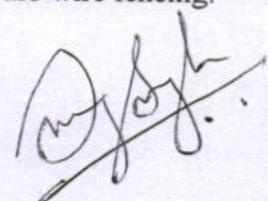
Name & Address	M/s Jyoti Kiran Stone Crusher, Village Faliya, Tehsil Chhipa Barod, District Baran.
Product	Stone Grit and Dust @ 100 TPD (as per CTO)
Category	Red & Small
Status of Operation	Non-operational
Consent Status	<ul style="list-style-type: none"> <li>Unit was granted CTO vide H.O. letter dated 31/08/2018 for production of stone grit and dust @ 100 TPD, with validity upto 31/07/2023.</li> </ul>

**Visit observations:**

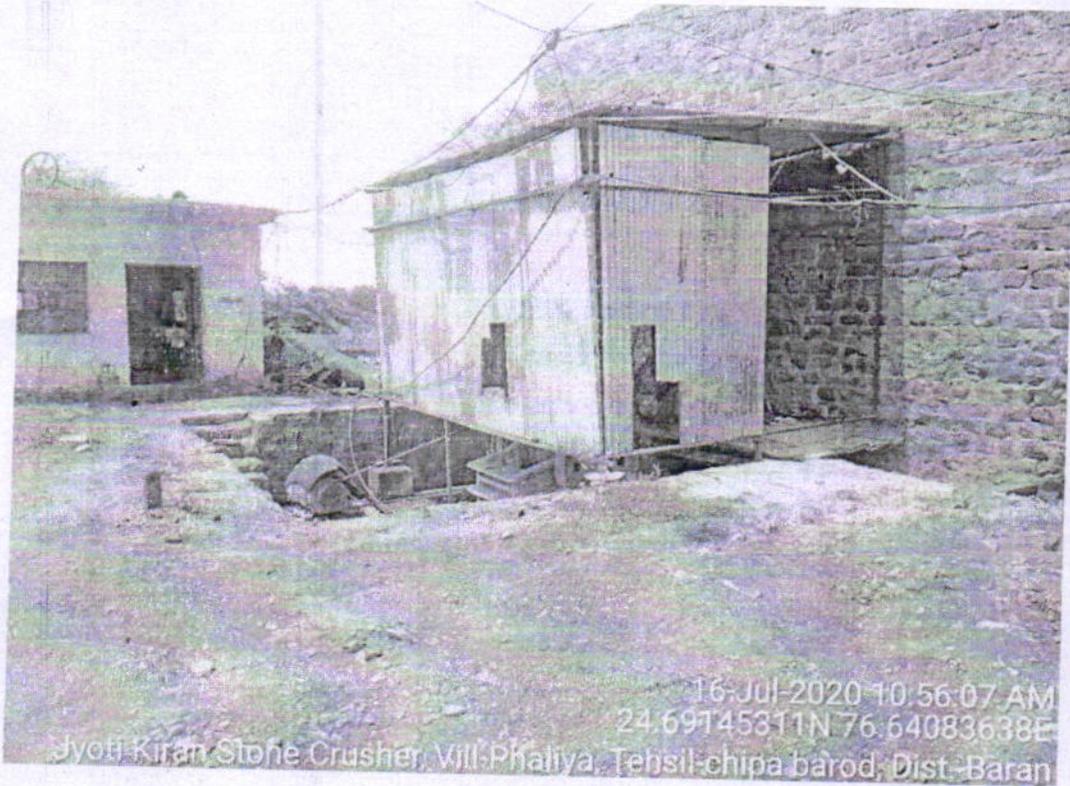
- The undersigned official visited M/s Jyoti Kiran Stone Crusher, Village Faliya, Tehsil Chhipa Barod, District Baran on 16/07/2020, in the presence of Sh. Ravi Tailor (Muneem), in reference to H.O. letter dated 04/03/2020 and repeated complaints received from Shri Guru Gorakhnath Ji Maharaj Vikas Seva Siksha Samiti, Kota.
- During visit plant was found non-operational due to repairing of jaw.
- Display board was provided outside the unit.
- One jaw crusher (15" x 30") was installed and was found partially covered with G.I. tin sheets. Sprinkler was provided at the jaw crusher.
- Two granulators (6" x 36") and one primary screen (10' x 5') were installed and were found partially covered with G.I. tin sheets. Sprinklers were provided at the granulators and primary screen.
- One secondary screen (18' x 5') was installed and was found partially covered with G.I. tin sheets.
- Water sprinklers have been provided at transfer points connecting screen to the conveyors.
- The conveyor chutes of dust conveyor were not provided with elongated cone.
- Wind breaking wall has been provided with the product conveyors of the stone crusher.
- Plantation was inadequate. Unit representative was advised to provide more plantation.
- Adequate water storage was provided for sprinkling purposes and source of water is through borewell inside the premises.
- The unit has provided demarcation around the area of the premises using barb wire fencing.
- Unit has provided metalled road (murrum) within the premises.

  
 क्षेत्रीय अधिकारी  
 राजस्थान राज्य प्रदूषण  
 नियन्त्रण मण्डल, कोटा





- Unit has installed an old D.G. set of 250 KVA, without acoustic enclosure and having adequate stack height.



PHOTOGRAPH SHOWING PARTIALLY COVERED JAW INSIDE THE UNIT



PHOTOGRAPH SHOWING PARTIALLY COVERED GRANULATORS AND PRIMARY SCREEN INSIDE THE UNIT

*and*  
क्षेत्रीय अधिकारी  
राजस्थान राज्य प्रदूषण  
नियन्त्रण मण्डल, कोटा

*and*

*and*



PHOTOGRAPH SHOWING WIND BREAKING WALLS AND NON-AVAILABILITY OF ELONGATED CONE WITH THE PRODUCT CONVEYORS

At the time of inspection, a site memo was given to the Unit's representative for the observed deficiencies (copy enclosed). The unit has submitted reply for the aforesaid site memo vide e-mail dated 11/08/2020, 13/08/2020 and 14/08/2020 along with photographs (copy enclosed), according to which above deficiencies have been rectified.

*Anurag Singh*  
 क्षेत्रीय अधिकारी  
 राजस्थान राज्य प्रदूषण  
 नियंत्रण मण्डल, कोटा

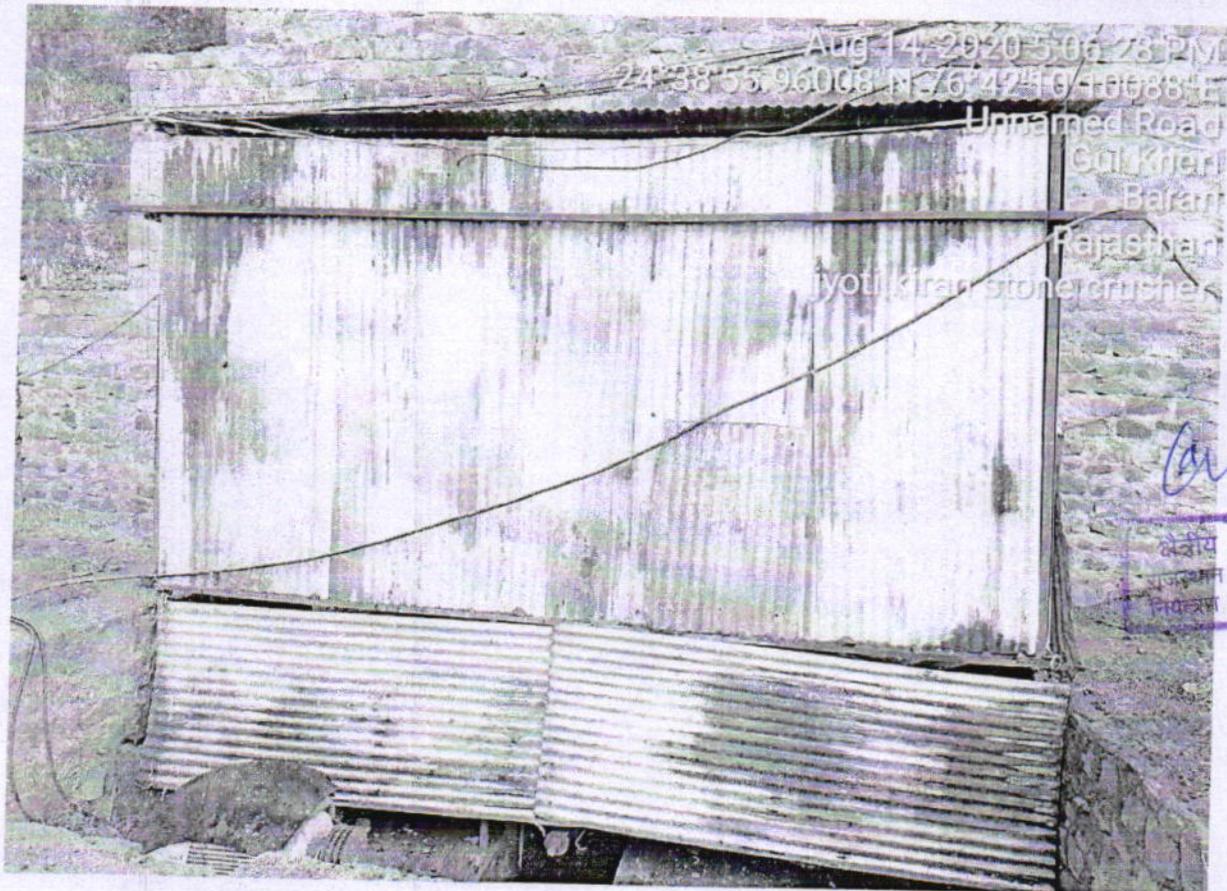
Further the unit was again inspected on 14/08/2020 by **Anurag Singh, JEE** in presence of **Sh. Parth Mittal (Manager)** in order to verify the contents of the aforesaid reply and during inspection it was found that unit has rectified the deficiencies mentioned in the site memo. The observations are as below:

S. No.	Deficiency	Observations
i	Jaw crusher was found partially covered.	Jaw crusher has been completely covered with G.I. tin sheets.

*Anurag*

*Anurag Singh*

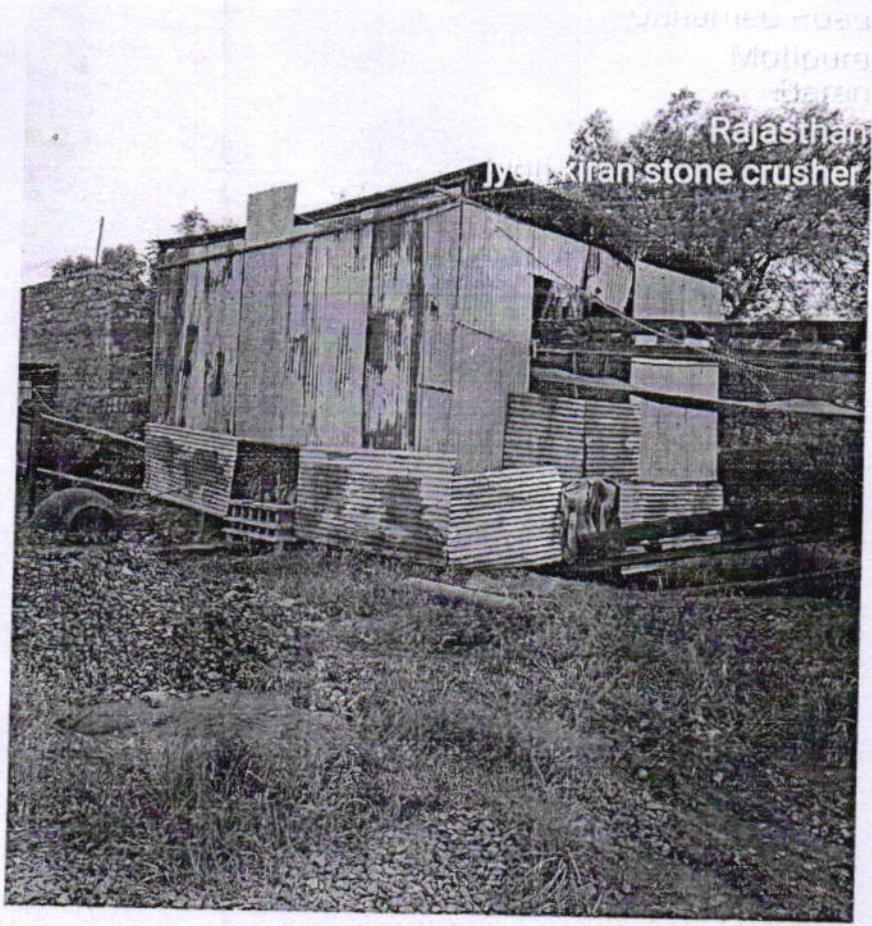
ii	Primary screen and Granulators were partially covered.	Primary screen and granulators were found completely covered with G.I. tin sheets.
iii	Screen was found partially covered.	Screen was found completely covered with G.I. tin sheets.
iv	End hooper has not been provided with the duct conveyor.	Product conveyors were provided with end hoopers.
v	The D.G. set has not been provided with acoustic enclosure.	The D.G. set has been removed from the site.



PHOTOGRAPH SHOWING COMPLETELY COVERED JAW CRUSHER OF THE UNIT

*Chauhan*

*Asif*



PHOTOGRAPH SHOWING COMPLETELY COVERED PRIMER SCREEN AND GRANULATORS OF THE UNIT



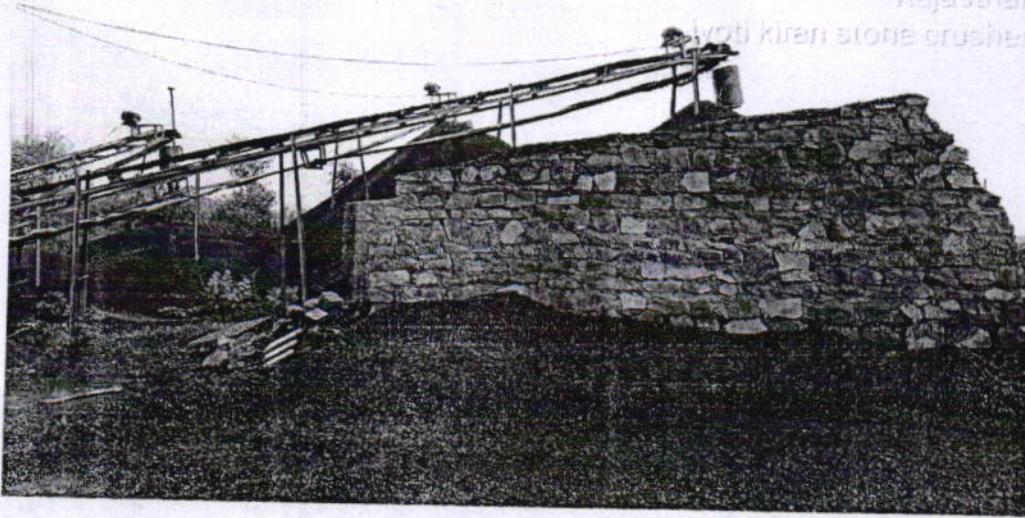
क्षेत्रीय अधिकारी  
 राजस्थान राज्य प्रदूषण  
 नियन्त्रण मण्डल, कोटा

PHOTOGRAPH SHOWING COMPLETELY COVERED SCREEN OF THE UNIT

*Handwritten signature*

*Handwritten signature*

24° 38' 49" N 76° 41' 41" E  
Unnamed Road  
Halkheri  
Baran  
Rajasthan  
Vrati kiran stone crusher



PHOTOGRAPH SHOWING WIND BREAKING WALLS AND EN HOOPERS WITH THE PRODUCT CONVEYORS

The unit has provided required pollution control measures (except adequate plantation) within the premises.

(Ashok Kumar Jeliya)  
Asst. Env. Engineer,  
RSPCB, RO Kota

(Anurag Singh)  
Junior Env. Engineer,  
RSPCB, RO Kota

**Recommendations of R.O. :** In view of above, in case unit has already submitted any bank guarantee/ guarantee money for plantation, decision on forfeiture of bank guarantee may be taken in case stipulated time for plantation completed. Further, unit may be asked for additional/fresh bank guarantee for plantation.

(Vijay Sharma)  
Regional Officer,  
RSPCB, RO Kota

