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**HP STATE POLLUTION CONTROL BOARD**  
**BELOW BCS, PHASE-III, NEW SHIMLA (H.P.)**

No. PCB-OA No. 186/2020-

12972

Dated: 13.12.2021

From: Member Secretary

To

✓ The Registrar General  
Hon'ble National Green Tribunal  
Faridkot House, Copernicus Marg, New Delhi-110001

**Subject: Compliance/Action Taken Report in compliance to Hon'ble NGT's order dated 01.11.2021, passed in Execution Application No. 34/2021 in O.A. No. 186/2021 titled as Mahinder Kumar & Ors. Vs. State of Himachal Pradesh, before the Hon'ble NGT, Delhi.**

Sir,

Kindly refer to the order dated 01.11.2021, passed by Hon'ble NGT in the afore-cited matter related to running of Hot Mix Plant by the respondent No. 8 i.e. M/s Amit Construction in alleged violation of environmental norms at Village Madhubaad, Post office Jasourgarh, Tehsil Churah, District Chamba, H.P. wherein following directions have been passed qua the State Board:-

*"1 This application has been filed by applicants raising a grievance that order dated 03.08.2021 passed by this Tribunal in O.A. 186/2021 has not been acted upon by the authorities concerned despite communication of the order by applicant to the authorities concerned and repeated reminders. Applicant has further states that Project Proponent is still continuing with the activities causing pollution and State PCB who was directed to take remedial action has not taken any action whatsoever.*

4. In the above facts and circumstances, we find it appropriate to have a factual report from State PCB to inform as to what action has been taken pursuant to order dated 03.08.2021. Let the action taken report be filed by State PCB within one month, to the Tribunal, by e-mail 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...."

In compliance to Hon'ble NGT's previous order dated 03.08.2021 passed in O.A. No. 186/2021 and order dated 01.11.2021 passed in Execution Application No. 34/2021, it is submitted that as per report dated 24.11.2021 received from Regional Officer, HPSPCB, Chamba, the site of hot mix plant was inspected by Board's officials on 10.08.2021, 22.10.2021 and 16.11.2021 and based on shortcomings observed during site visit, notices/directions were issued to the unit for improvements. Copy of the report of Regional Officer, HPSPCB, Chamba is annexed as **Annexure R-4/1**.

It is further submitted that there is no citing criteria notified by the State Government for establishment of hot mix plants in the State of Himachal Pradesh. As per report dated 24.11.2021, received from Regional Officer, HPSPCB, Chamba, the site was inspected on 10.08.2021 by the officials of the Regional Office, HPSPCB, Chamba. During

inspection, the unit was not found in operation and was at installation stage. However, a show cause notice dated 18.08.2021, was issued to the unit to make improvements with respect to pollution control devices and attend the following observations i.e. (i) The wet scrubber is not attached to settling-cum-recirculation tank (ii) The vehicular movement area at site of hot mix plant needs proper stabilization for controlling the fugitive dust emissions (iii) The unit has to provide wind breaking wall/curtain towards road site and habitation area (iv) Sound proof DG set is required for operation of hot mix plant since the DG set has been found installed without the enclosure (v) To provide pit for storage of settled sludge.

Thereafter, the site of hot mix plant was again inspected by the officials of Regional Office, Chamba on 22.10.2021 and during inspection, unit was found operational and therefore, a notice dated 28.10.2021 was issued to the unit and was directed to immediately stop the operation of hot mix plant until unit obtains the Consent to Operate (CTO) of the State Board.

As per report of Regional Officer, HPSPCB, Chamba, the site of hot mix plant was again recently inspected on 16.11.2021 by the officials of Regional Office, HPSPCB, Chamba. During inspection, unit was found non-operational and pollution control devices (PCDs) were installed, however the unit need improvements in wind breaking wall and need to ensure water sprinkling to control fugitive emissions. The unit has applied for Consent to Operate-fresh, but same shall be granted when required PCDs are installed though, at present, hot mix plant has not been found in operation.

The copy of Action Taken Report received from Regional Officer, Chamba is annexed as **Annexure R-4/1**, which may kindly be placed on record please.

**(Encl: as above)**

Yours faithfully,

  
**Member Secretary**  
**HPSPCB, Shimla**

ANNEXURE R-4/1



**H.P. STATE POLLUTION CONTROL BOARD**

Office: VPO Rajpura, Tehsil & Distt. Chamba, Pin-176310 (H.P.)  
Phone: 01899-237426  
Website: <http://www.hppcb.nic.in> e-mail: [pcbchamba@gmail.com](mailto:pcbchamba@gmail.com)

No-PCB/RO/CBA/676/M/s A.C.C. Hot Mix Plant/2021-<sup>1095</sup> Date- 24.11.2021

To

The Member Secretary,  
H.P. State Pollution Control Board,  
Shimla, 09.

**Sub: Reg. order dated 01.11.2021, passed by the Hon'ble NGT in Execution Application No. 34/2021 in O.A. No. 186/2021, titled as Mahinder Kumar & Ors. Vs. State of H.P. & Ors., pending therein.**

Sir,

This is in reference to your office letter no. 11393, dated 16.11.2021 on the subject cited above. In this context, please find enclosed herewith the action taken report w.r.t. M/s Amit Construction Govt. Contractor (Hot Mix Plant) Village Madhuwar, PO Jasorgarh, Tehsil Churah, Distt. Chamba.

Submitted for your kind perusal and further necessary action, please

Encls.- 1. Action taken report (02 Pages)  
2. Annexure I to VII (12 Pages)

Yours faithfully,

**Dr. R.K. Nadda,  
Sr. Environmental Engineer,  
HPSPCB Chamba**

O/C

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### Action Taken Report

In compliance to order dated 03.08.2021, passed by the Hon'ble NGT in O.A. No. 186/2021, titled as Mahinder Kumar &Ors. Vs. State of H.P. &Ors., the site of M/s Amit Construction Govt. Contractor (Hot Mix Plant) Village Madhuwar, PO Jasorgarh, Tehsil Churah, Distt. Chamba was inspected by board officials time to time on dated 10.08.2021, 22.10.2021 and 16.11.2021 and various direction were during the inspections.

It is submitted that there is no citing criteria for establishment of Hot Mix Plant in the state. The consent to establish under Air Act and Water Act was granted to Hot Mix Plant in name and style M/s Amit Construction Govt. Contractor (Hot Mix Plant) Village Madhuwar, PO Jasorgarh, Tehsil Churah, Distt. Chamba vide letter no. 676, dated 07.06.2021. **(Copy Enclosed as annexure-II)** in view of the notification issued vide No. PCB/Review Meeting/NOCs/2019-19462-78 dated 09-09-2019 **(Copy Enclosed as annexure-I)**, as the said unit is falls in Orange category. therefore, CTE was granted to the unit

The concerned site was visited by the Jr. Environmental Engineers, HPSPCB Chamba on dated 10.08.2021 and detail action taken report along with the joint inspection report was sent the Head office, Shimla vide letter no PCB/OA No. 186/2021- 1918 dated 18.08.2021 **(Copy Enclosed as annexure-III)**, and again vide letter no. PCB/OA No. 186/2021- camp at Dharamshala, dated 17.09.2021 **(Copy Enclosed as annexure-IV)**. Furthermore, a show cause notice was issued to the unit to make improvements in PCDs to minimize air and noise pollution at the site as per field observation vide letter no. HPSPCB/RO/CBA/676/2020-628-631 dated 18.08.2021 **(Copy Enclosed as annexure-V)** to attend following observation such as per earlier observations:

1. The wet scrubber is not attached to settling-cum-recirculation tank
2. The vehicular movement area at the site of Hot Mix Plant needs proper stabilization for controlling the fugitive dust emissions.

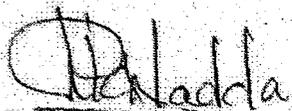
3. The unit has to provide wind breaking wall/curtain towards road site and habitation area.
4. Sound proof DG set is required for operation of Hot Mix Plant since the DG set has been found installed without the enclosure.
5. To provide pit for storage of settled sludge.

Afterward, on dated 22.10.2021, during the visit of Jr. Environmental Engineer -I HPSPCB, Chamba concerned Hot Mix Plant was found operational therefore, notice was issued to the unit vide letter no. PCB/RO CBA/676/M/s Amit Construction HMP/2020-1007-09 dated 28.10.2021 (Copy Enclosed as annexure-VI), to immediately stop operation of hot mix plant without prior consent from the State Board.

However, the site was visited recently, on dated 16.11.2021 by the Jr. Environmental Engineers-II, HSPCB Chamba. During inspection it was found that the unit was not in operation. It has installed the PCDs but it still needs improvement in wind breaking wall, and pavement of working area for controlling the fugitive dust emissions. The unit has also applied for CTO- fresh and case for the CTO-fresh is under process and will be processed accordingly when the required PCDs are installed, at present Hot Mix Plant has been found closed.

Hence, it is submitted that the concerned Hot Mix Plant has been inspected time to time and notices were served whenever violation was observed. The State Pollution Control Board shall keep vigil over the unit in case any violation is observed regulatory action shall be initiated under Water Act and Air Act also.

Submitted for your kind perusal and further necessary action, please

  
**Dr. R.K. Nadda,**  
**Sr. Environmental Engineer,**  
**HPSPCB Chamba**



## Office Order

Consequent upto the decision taken in the meeting to review NOCs asked/given by Departments, held on 22.8.2019 under the Chairmanship of the Chief Secretary to the Govt. of Himachal Pradesh and minutes endorsed to this office amongst others vide letter No.Ind-A(F)16-2/2019 dated 6.9.2019 by the Additional Chief Secretary (Inds.) to the Govt. of HP, following directions for issuing consent under Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 are issued.

1. There shall be no requirement of field inspection while considering the cases of Consent to Establish of Orange and Green category activity(industrial/commercial/or any other activity/projects) under Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 other than Red Category activity.
2. No Objection Certificate (NOCs) of Panchayat shall not be mandatory at the time of processing Consent to Establish and Consent to Operate cases under Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974.
3. Single Window Clearance applications shall be scrutinised to assess pollution control measures only and there shall not be any site suitability assessment during processing of such cases.

(R.D. Dhiman)

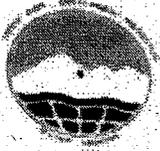
Additional Chief Secretary (Env. Sc. & Tech), Govt. HP  
-cum-Chairman, HPSPCB,

Endst. No.PCB/Review Meeting/NOCs/2019- 19462-78 Dated 9-9-2019  
Copy forwarded to the following for information:

1. The Additional Chief Secretary (Inds.) to the Govt. of HP.
2. The Senior Environmental Engineers/Environmental Engineers/Assistant Environmental Engineers, HPSPCB, Poanta, Baddi, Dharamshala, Bilaspur, Shimla, Rampur, Parwanoo, Kullu, Chamba and Una for information and necessary action.
3. The Pr. Scientific Officers/Sr. Scientific Officers/Scientific Officers, HPSPCB, Shimla, Parwanoo, Sundernagar, Poanta and Dharamshala for information.
4. The System Manager, HPSPCB, Shimla for information and to upload the office order on the Website of the State Board.

(R.D. Dhiman)

Additional Chief Secretary (Env. Sc. & Tech), Govt. HP  
-cum-Chairman, HPSPCB



## H.P.STATE POLLUTION CONTROL BOARD

HIM PARIVESH, PHASE-III, NEW SHIMLA-171009.

Website:- <http://hppcb.nic.in>

HPSPCB No : 676

Date: 07/06/2021

Industry Registration ID: HP02563853

Application No : 3744832

To,

Amit construction govt. contractor ( hot mix plant)  
Village madhuwar po. jasorgarh tehsil churah distt. chamba  
Tissa  
Chamba  
176316

Subject: Consent to Establish u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981.

With reference to your application for obtaining 'Consent to Establish' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981, you are hereby, authorized to Establish an industrial unit subject to the Terms and Conditions as mentioned in this Consent letter.

### 1. Particulars of Consent to Establish under Water Act, 1974 and Air Act, 1981 granted to the industry

Consent No.	CTE/BOTH/NEW/RO/2021/3744832
Date of issue :	07/06/2021
Date of expiry :	06/06/2022
Certificate Type :	NEW
Previous CTE No. & Validity :	

### 2. Particulars of the Industry

Name & Designation of the Applicant	Amit Garg , (Owner)	
Address of Industrial premises	Amit construction govt. contractor ( hot mix plant), Village madhuwar po jasorgarh tehsil churah distt. chamba, Tissa, Chamba-176316	
Capital Investment of the Industry	47.85 lakhs	
Category of Industry	Orange	
Type of Industry	2037-Hot mix plants	
Scale of the Industry	Small	
Office District	Chamba	
Capacity	3000MT/month Bitumen concrete, sand mix concrete.	
Raw Materials (Name with quantity per day)		
Raw Materials	Quantity	Unit
Bitumen, Concrete, Sand	3150	M.T./Month

"This is computer generated document from OCMMMS by HPSPCB"

Amit construction govt. contractor ( hot mix plant), Village madhuwar po jasorgarh tehsil churah distt. chamba, Tissa, Chamba, 176316

Products (Name with quantity per day)

Name of Products	Unit	Quantity	Intermediate Product	Principal Use
Bitumen, Concrete, Sand Mix (HMP)	M.T./Month	3000	-	Road Metaling

Details of the Effluent Treatment Plant

Type of Effluent	Capacity(KLD)	Quantity(KLD)
Septic Tank	31.50	1

Mode of Disposal

Description	Quantity(in KLD)	Method of Treatment	Method of Disposal
Domestic	1	Soak Pit/Septic Tank	Other

Quantity of fuel required (in TPD) and capacity of boilers/ Furnace/Thermo heater etc.

Type	No.of Boiler/Heater/ Evaporator/Incinerator/DG Set/Other	Capacity	Type of Boiler/Heaters /Evaporators/Incinerator/DG Sets/Others	Type of Fuel	Fuel consumption rate in MT/hour or KL/hour or M3 /hour
DG Sets	1	100 KVA	Equipped with canopy	Diesel	5 ltrs/h

Type of Air Pollution Control Devices installed

Equipment Type	Equipment Name	Date/proposed date of installation	Efficiency(%reduction)	Final concentration of pollution being emitted
Stack of 10 Meters Height with Cyclones & wet scrubber	Others	Thu Jan 07 00:06:00 IST 2021	-	-
Stack	DG Sets	Thu Jan 07 00:06:00 IST 2021	-	-

RAMESH KUMAR NADDA

Digitally signed by RAMESH KUMAR NADDA Date: 2021.06.07 17:18:47 +05'30'

Dr. RK Nadda Senior Environment Engineer For & on behalf of (H. P. State Pollution Control Board)

-Regd Post-



**H.P. STATE POLLUTION CONTROL BOARD**  
VPO Rajpura, Tehsil & District Chamba (H.P.), PIN 176310  
Phone No. 01899-237426

Website: <http://hppcb.nic.in>

e-mail: [pcbchamba@gmail.com](mailto:pcbchamba@gmail.com)

No: PCB/OA No. 186/2021- 1918

Date: 18.08.2021

To

The Member Secretary,  
HP State Pollution Control Board,  
Him Parivesh Bhawan, Phase-III,  
New Shimla-09 H.P.

**Subject: Regarding order dated 03.08.2021, passed by the Hon'ble NGT in O.A. No. 186/2021, titled as Mahinder Kumar & Ors. Vs. State of H.P. & Ors., pending therein.**

Sir,

Kindly refer to your office letter No: PCB-O.A. No. 186/2021-5521, dated: 05/08/2021 on the subject cited above. In this regard the para wise comments in the above matter related to this office are enclosed herewith as Annexure-I.

This is submitted in favor of your kind information and further necessary action please.

Yours faithfully,

Encls: Annexure-1 & (Pages 1 to 11)

  
Dr. R.K. Nadda  
Sr. Environmental Engineer



Para wise reply: Hon'ble NGT OA No. 186/2021, titled as Mahinder Kumar & Ors. Vs. State of H.P. & Ors.

Para No. 1: It is admitted that the State Board has issued consent to establish to the unit M/s Amit Construction Govt. Contractor (Hot Mix Plant) Village Madhuwar, PO Jasorgarh, Tehsil Churah, Distt. Chamba vide letter no. 676, dated 07.06.2021. Further as per the Office Order No. PCB/Review Meeting/NOCs/2019-19462-78, dated 09/09/2019 "There shall be no requirement of field inspection while considering the cases of Consent to Establish of Orange and Green category activity under Air and Water Act". Since Hot Mix Plant is in Orange category, so the site inspection was not required and hence was not conducted prior to the grant of Consent to Establish. At present there is no citing criteria for the setting up a hot mix plant. (Copies enclosed as **Annexure - A**)

Para No 2: As alleged that the Hot Mix plant in question is about 50 meters away from the Government Primary School. In order to verify the distance, site was inspected by HPSPCB and it was found that the Primary School is at a distance of 130 meters (approximately) from the Stack (Chimney) of the Hot Mix Plant. It is further added that the Hot Mix plant is still under establishment. The distances of nearby houses, etc were also measured, detailed report of which, is enclosed as **Annexure - B**. The Hot Mix Plant i.e. M/s Amit Construction Govt. Contractor (Hot Mix Plant) Village Madhuwar, PO Jasorgarh, Tehsil Churah, Distt. Chamba is still under establishment and has provided the Pollution Control Devices such as cyclone/dust collector attached with the Thermo drum & mixing unit, followed by the wet scrubber with stack of height six meters. The unit has also provided 03 no. of settling-cum-recirculation tanks for the treatment and recirculation of scrubbing water. The unit has provided ladder, sampling platform and porthole as stack monitoring facility.

Para No 3: Directions to the unit has been issued by this office vide letter no. 523, dated: 11/08/2021 for the shortcomings observed during the inspection dated: 10/08/2021 to comply with these directions before submitting the application for Consent to Operate which already stands returned online to the unit. (Copy enclosed as **Annexure - C**)



Dr. R. K. Nadda  
Sr. Environmental Engineer

### Joint inspection Report

In compliance to the order dated 03.08.2021, passed by the Hon'ble NGT in O.A. No. 186/2021, titled as Mahinder Kumar & Ors. Vs. State of H.P. & Ors., the site of M/s Amit Construction Govt. Contractor (Hot Mix Plant) Village Madhuwar, PO Jasorgarh, Tehsil Churah, Distt. Chamba was visited on dated 10.08.2021 by the Jr. Environmental Engineers. The site was inspected thoroughly and the inspection report is as under:

#### **Distance from Hot Mix Plant:**

At present there are no siting criteria for the installation of a Hot Mix plant notified or defined by MoEF/CPCB or the State Government, whereas the team measured the distance between the hot mix plant and School, Commercial Shops, and residential houses.

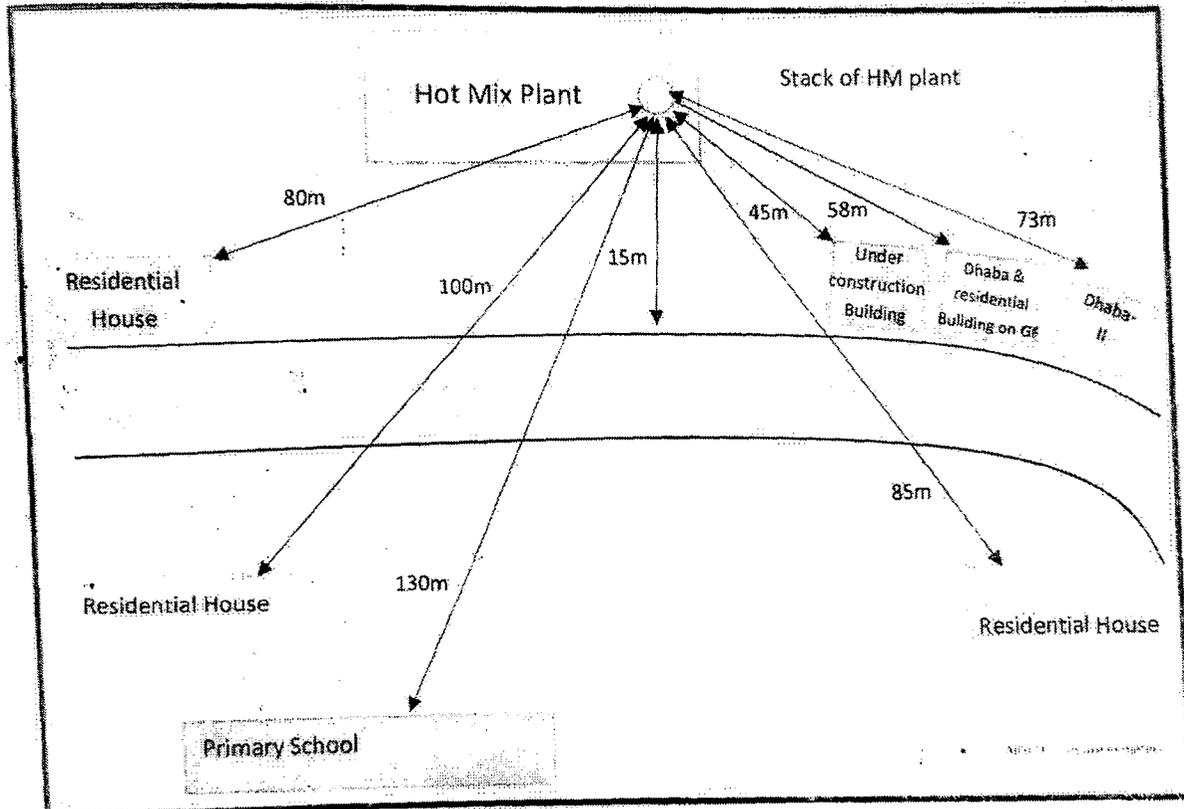


Fig.1 Distance measurement from Hot Mix Plant.

1. Hot Mix Plant is 15m away from the State highway.
2. Primary School is situated on hill side and it is approximately 130m away from the Hot Mix Plant.
3. There are 04 residential houses near the hot mix plant which are 58m, 85m, 80m, and 100m away from the Hot Mix Plant.
4. One construction Building is situated near the plant and it is about 45 m away.
5. Commercial activities such as confectionary Shops and Dhabas start after 58m away from the stack of the Hot Mix Plant.

All the Distances were measured manually by the measuring tape. (Photographs enclosed)

**Detail regarding PCDs:**

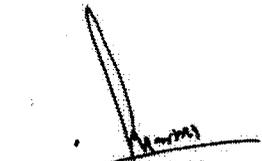
During the inspection, none was present at the site. We tried calling the in-charge but could not get through to him. At the time of inspection unit was found not in operation. The report of PCDs is as under:

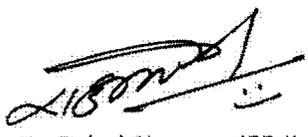
- The unit is a drum-type hot mix plant with four feeder bins. A multi-cyclone dry dust collector is attached with the Thermo drum & mixing unit, followed by the wet scrubber. A stack of 6m is attached with the Hot Mix Plant. The unit has provided 03 nos of settling-cum-recirculation tank for the treatment of scrubbing water. The unit has provided the porthole and sampling platform for stack monitoring.

Since the unit has been granted consent to establish vide letter no. 676, dated 07.06.2021, and at the time of inspection unit was not in operation. Consent to operate was applied by the unit but it was returned online due to the reason that proper detail of PCDs were not provided. Detail of discrepancies is as under:

**Observations:**

- The scrubbing water tank is not attached to settling-cum-recirculation tank.
- The vehicular movement area at the site of Hot Mix Plant was not concreted or stabilized with stone aggregated and no provision has been made for regular wetting of internal road/working platform.
- It is required to provide the wind breaking wall toward the road side and habitation area of the Hot Mix Plant.
- The unit has to provide sound proof DG set for the operation of the plant.

  
Er. Rahul Sharma, JEE-I,  
HPSPCB, Chamba

  
Er. Rahul Sharma, JEE-II,  
HPSPCB, Chamba



**H.P. STATE POLLUTION CONTROL BOARD**  
VPO Rajpura, Tehsil & District Chamba (H.P.), PIN 176310  
Phone No. 01899-237426

Website: <http://hppcb.nic.in>

e-mail: [pcbchamba@gmail.com](mailto:pcbchamba@gmail.com)

No: PCB/OA No. 186/2021- Camp at Dharamshala.  
To

Date: 17-09-2021

The Member Secretary,  
HP State Pollution Control Board,  
Him Parivesh Bhawan, Phase-III,  
New Shimla-09 H.P.

Subject: **Regarding order dated 03.08.2021, passed by the Hon'ble NGT in O.A. No. 186/2021, titled as Mahinder Kumar & Ors. Vs. State of H.P. & Ors., pending therein.**

Sir,

Kindly refer to your office letter No: PCB-O.A. No. 186/2021-6475, dated: 24/08/2021 on the subject cited above. In this regard it is submitted that the Hon'ble National Green Tribunal : *"Directed In view of above, we direct the State PCB to take further remedial measures in the matter within one month from the date of receipt of a copy of this order, following due process of law. It will be open to the applicants to bring updated status of violations to the notice of state PCB"*

In this connection it is submitted that inspection was carried out with respect to the distances of school and surroundings and unit was found not in operation as PCB has not granted any consent to operate. As desired by the Hon'ble NGT necessary action has already been initiated by issuing show cause notice vide No.628-631 dated 18.08.2021 to provide foolproof pollution control measures. State Pollution Control keep vigil that unit may not start without adequate PCDs and without consent to operate as per provision of law.

This is submitted in favor of your kind information and further necessary action please.

Encls: Annexure-I (Action taken report)

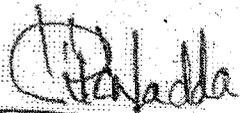
Yours faithfully,

Dr. R.K. Nadda  
Sr. Environmental Engineer  
HPSPCB, Chamba  
Camp at Dharamshala.

**Action Taken Report: O.A No. 186/2021, titled as Mahinder Kumar & Ors. Vs State of H.P. & Ors.**

The unit in the name & style M/s unit M/s Amit Construction Govt. Contractor (Hot Mix Plant) Village Madhuwar, PO Jasorgarh, Tehsil Churah, Distt. Chamba as alleged that the Hot Mix plant in question is about 50 meters away from the Government Primary School, to verify the distance, site was inspected by HPSPCB and it was found that the Primary School is at a distance of 130 meters (approximately) from the Stack (Chimney) of the Hot Mix Plant. It is further added that the Hot Mix plant is still under establishment. The distances of nearby houses, etc were also measured. The Hot Mix Plant i.e. M/s Amit Construction Govt. Contractor (Hot Mix Plant) Village Madhuwar, PO Jasorgarh, Tehsil Churah, Distt. Chamba is still under establishment and has provided the Pollution Control Devices such as cyclone/dust collector attached with the Thermo drum & mixing unit, followed by the wet scrubber with stack of height six meters. The unit has also provided 03 no. of settling-cum-recirculation tanks for the treatment and recirculation of scrubbing water. The unit has provided ladder, sampling platform and porthole as stack monitoring facility.

Since, the unit obtained the consent to establish under water Act,1974 and Air Act,1981 vide no. HPSPCB No.676 dated: 07.06.2021, which is valid up to 06.06.2022 and not came in operation as so far. Inspection was conducted on dated 10.08.2021( Detailed report enclosed). The unit has already been issued show cause notice vide this office letter no.HPSPCB/RO/CBA/676/2020-628-631 not to operate the Hot mix plant without valid consent to operate and also directed to install adequate pollution control measures to avoid any pollution problem from the Hot mix plant (copy enclosed).



**Dr. R.K.Nadda**

**Sr. Environmental Engineer  
HPSPCB,Chamba**



# H.P. STATE POLLUTION CONTROL BOARD

Office: VPO Rajpura, Tehsil & Distt-Chamba, Pin-176310 (H.P.)

Phone: 01899-237426

Website : <http://www.hppcb.nic.in> e-mail : [pcbchamba@gmail.com](mailto:pcbchamba@gmail.com)

ANNEXURE - V



No- HPSPCB/RO/CBA/ 676 /2020 - 628-631

Date: 18.08.2021

To

Sh. Abdul Majid Khan,  
Authorized signatory Amit Construction Company,  
V.P.O. Nakrod, Tehsil Churah, Distt Chamba.

Subject: - Show Cause notice under Environment Protection act 1986, Water act, 1974, Air act 1981.

Whereas, your Hot Mix Plant in the name and style of M/S Amit Construction Company established in Village Madhuwar, PO Jasorgarh Tehsil Churah Distt. Chamba (HP) was inspected on dated 10.08.2021 by Jr. Environmental Engineers, HPSPCB, Chamba and observed that still unit is not in operation and is in installation stage. It is informed that your ONLINE application no. 3843907 for grant of Consent to operate has been returned ONLINE on date 19.07.2021 due to incomplete detail of various Pollution Control Measures which are required to be provided before grant of consent to operate viz. settling cum recirculation tank, pit for settled solids, septic tank design. Therefore, proper pollution control devices to control the emissions from the hot mix plant have not been provided as so far. The following are the Observations which need to be attended before resubmission of the Consent to operate application to State Board:

- The wet scrubber ( Tank) is not attached to settling-cum-recirculation tank.
- The vehicular movement area at the site of Hot Mix Plant needs proper stabilization for control of fugitive emissions.
- The unit has to provide wind breaking wall/ curtain towards road side and habitation area.
- Sound proof DG set is required for operation of Hot Mix Plant since DG set has been found installed without enclosure.
- To provide pit for storage of settled solids.

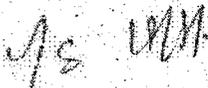
Further, you are directed not to operate the Hot Mix Plant without obtaining Consent to Operate from The State Board under provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

  
Dr. R.K. Nadda,  
Sr. Environmental Engineer,  
HPSPCB Chamba

Copy to:

1. The Member Secretary, HPSPCB, Shimla-09, for your kind information and necessary action please.
2. The Executive Engineer HPPWD, Division Tissa, Tehsil Churah, Distt. Chamba for favor of kind information and necessary action please.

  
Dr. R.K. Nadda,  
Sr. Environmental Engineer,  
HPSPCB Chamba





# -16-

## H.P. STATE POLLUTION CONTROL BOARD

Office: VPO Rajpura, Tehsil & Distt. Chamba, Pin-176310 (H.P.)

Phone: 01899-237426

Website : <http://www.hppcb.nic.in> e-mail : [pcbchamba@gmail.com](mailto:pcbchamba@gmail.com)

No. PCB/RO/CBA/676/M/s Amit Construction HPM/2020.

Dated: 28/10/2021

From: Sr. Environmental Engineer

1007-9

Shri Abdul Marid Khan  
Authorized Signatory, Amit Construction Company  
V.P.O Nakrod, Tehsil Churah, Distt. Chamba.

**Subject: Show Cause Notice under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.**

Whereas the site of M/s Amit Construction Govt. Contractor (Hot Mix Plant) Village Madhuwar, PO-Jasorgarh, Tehsil Churah, Distt. Chamba was inspected by the Jr. Environmental Engineer-I HPSPCB, Chamba on dated 22.10.2021 and it was found that you are operating the Hot Mix Plant without prior consent to operate from State board and also you have not complied the directions issued by this office letter no 628-631 dated 18.08.2021 to till date. Point wise observations are as under:

- To be provided the wind breaking/curtain wall towards road side and habitation area but it was not found adequate needs to raise the height of the wind breaking wall.
- Needs to provide the pits for settled solids.
- The vehicular movement area at the site of hot mix plant needs proper stabilization for control of fugitive emission.

Whereas the facts stated above tantamount to violation of the section 25 & 26 of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 of the Air (Prevention and Control of Pollution) Act, 1981 rendering you liable for action as provided in section 41, 42 and 44 of the Water (Prevention and Control of Pollution) Act, 1974 and section 21 of the Air (Prevention and Control of Pollution) Act, 1981 attracting with fine (s) up to Rupees Ten thousand and imprisonment up to six years.

Whereas in addition to above, unit would also be liable to regulatory action under section 33-A of Water (Prevention & Control of Pollution) Act, 1974 and section 21 of the Air (Prevention and Control of Pollution) Act, 1981 which provides (a) the closure, prohibition or regulation of any industry, operation or process; or (b) the stoppage or regulation of supply of electricity, water or any other services.

Therefore you are once again hereby directed to immediately stop the operation of the Hot Mix Plant until you have not obtained the consent to operate from state board and improve all the Air pollution control devices to control the air pollution.

However, before proceeding against you, you are hereby afforded an opportunity to comply the provisions of aforesaid acts and immediately apply online for Consent to Establish/operate within 03 days. You are also directed to show cause within 07 days either in person or through authorized person as to why the action under the aforesaid provisions of law should not be taken against you for failure to comply the provisions of Water & Air Acts.

Please note that in the event of failure to comply with above directions, penal and legal actions stated above shall be initiated against you for the above-mentioned violations and non-compliance at your risk and cost.

Dr. R.K. Nanda  
Sr. Environmental Engineer  
HPSPCB, Chamba

Copy to:-

1. The Deputy Commissioner Chamba for kind information and necessary action please.
2. The Member Secretary HP State Pollution Control Board Shimla for kind information and necessary action please.

Dr. R.K. Nanda  
Sr. Environmental Engineer  
HPSPCB, Chamba

**H.P. STATE POLLUTION CONTROL BOARD**

Office: VPO Rajpura, Tehsil &amp; Distt-Chamba, Pin-176310 (H.P.)

Phone: 01899-237426

Website: <http://www.hppcb.nic.in> e-mail: [pcbchamba@gmail.com](mailto:pcbchamba@gmail.com)No- HPSPCB/RO/CBA/ 676 /2021 - 1093-94  
To

Dated: 24.11.2021

M/s Amit Construction Company,  
V.P.O. Nakrod, tehsil Churah, Distt Chamba.Subject: - regarding your application for CTO fresh.  
Sir,

With reference to online application for grant of Consent to Operate, your unit was inspected on dated 16.11.2021 by the Board Officials and was found not in operation. During inspection, it has been found that the installed Pollution Control Devices (PCDs) as provided for control and abatement of pollution need following improvements:

- Raise the height of existing wind breaking wall.
- The working area should be metalled to control the dust emissions.
- Ensure water sprinkling in Hot Mix Plant area.

Therefore, you are hereby directed to incorporate above improvements in the already provided PCDs to further control the dust emissions from the Hot Mix Plant. It is informed that your application could be processed only after providing above said additional measures. You are hereby directed to submit Self-stack monitoring report within one month after the grant of Consent to Operate by the State Board.

Therefore, you are directed, not to operate the Hot Mix Plant without having prior consent to operate from the State Board and comply with the above said directions immediately so that your application regarding consent to operated could be processed accordingly.



Dr. R.K. Nadda,  
Sr. Environmental Engineer,  
HPSPCB Chamba

Copy to:

1. The Member secretary, HPSPCB, Shimla-09, for your kind information and necessary action please.



Dr. R.K. Nadda,  
Sr. Environmental Engineer,  
HPSPCB Chamba

