

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

ORIGINAL APPLICATION NO. 786/2019

Madansingh Chauhan

Applicant

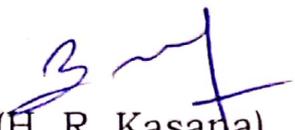
Versus

State of Rajasthan

Respondent

INDEX

S.No.	Particulars	Page No.
1.	Compliance report of the Hon'ble Tribunal order dated 17.10.2019, on behalf of Rajasthan State Pollution Control Board.	01
2.	DOCUMENTS	
	Annex-1- Photo copy of the land conversion letter dated 21-02-2005 along with consent to operate letter 26-03-2019 (Collectively) .	03
	Annex-2- Photo copy of the inspection report and monitoring report dated 20-09-2019	10
	Annex-3- Photo copy of the inspection report dated 12-03-2020 along with letter dated 12-03-2020 issued by Headmaster of Bal Bharti Public School and letter dated 12-03-2020 of villager's of Jaswar village (Collectively) .	13


(H. R. Kasana)

Regional Officer, RSPCB,
Bharatpur

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**COMPLIANCE REPORT OF THE HON'BLE TRIBUNAL
ORDER DATED 17.10.2019, ON BEHALF OF
RAJASTHAN STATE POLLUTION CONTROL BOARD.**

I, H. R. Kasana S/o Shri Jaimal Kasana, aged 56 years, at present working as Regional Officer, Rajasthan State Pollution Control Board, Bharatpur (Raj.) do, hereby submits the compliance report as follows:-

- 1) That the Hon'ble Tribunal by order dated 17.10.2019 directed inter-alia as follows:-

“Grievance in this application is that Bhagwati Stone Crusher is being operated in Village Subaki, District Bharatpur, Rajasthan which is located within 200 meters of the school and close to the habitation. The operation of the stone crusher is resulting in environmental degradation and affecting public health.”

- 2). That the disputed stone crusher i.e. M/s Bhagwati Stone Crusher, Village Jaswar, Tehsil Veir, District Bharatpur is established at land converted by letter dated 21-02-2005 for industrial purpose i.e. stone crusher and is having valid consent to operate dated 26-03-2019 from the State Board. The photo copy of the land conversion letter dated 21-02-2005

along with consent to operate letter 26-03-2019 is annexed herewith and marked as **Annexure-1 (Collectively)**.

- 3) That in compliance to the direction passed by this Hon'ble Tribunal, the officials of the State Board has conducted inspection and air monitoring of the disputed stone crusher on 20.09.2019. As per the inspection report the project proponent has installed covers on vibrating screen, jaw crusher and granulator; water sprinkling system & wind breaking wall; boundary wall and hard surface road has also been constructed, the project proponent has also done more than 33% plantation. The photo copy of the inspection report along with monitoring report is annexed herewith and marked as **Annexure-2**.
- 4) That the officials of the State Board has conducted inspection of the disputed stone crusher on 12-03-2020 for verification of nearest school and habitation around the M/s Bhagwati Stone Crusher. The photo copy of the inspection report along with letter dated 12-03-2020 issued by Headmaster of Bal Bharti Public School and letter dated 12-03-2020 of villager's of Jaswar village is annexed herewith and marked as **Annexure-3(Collectively)**.
- 5) That in the light of submissions made herein above, it is requested that the compliance report may kindly be taken on record and the original application may kindly disposed of.



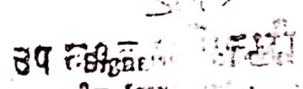
(H. R. Kasana)
Regional Officer, RSPCB,
Bharatpur

10. Other Particulars, if any.

11. The above conversion order shall be subject to the following conditions:-

- (i) The land converted for the above non-agricultural purpose shall not be used for any other non-agricultural purpose, without obtaining prior permission of the prescribed authority.
- (ii) If the applicant fails to use the land for the converted purpose within a period of 2 years from the date of the issue of this order the permission shall be withdrawn and the premium money deposited by the applicant shall be forfeited.
- (iii) No land as mentioned in rule 4 shall be used for any non-agricultural purpose.
- (iv) No part of the land converted for public utility purpose shall be used for any other non-agricultural purpose without valid permission from the prescribed Authority.

Seal of the Prescribed Authority


 District Collector
 (District Collector / SDO / Tehsil)

No.

21/2/05

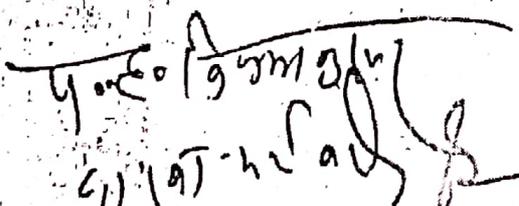
Copy to 412-417

1. The District Collector.....

2. Gram Panchayat.....

3. The applicant Shri.....

श्रीला सांखला पति श्री महेश सांखला निवा. गुवा
 तहसील महुना जि. बीसा


 21/2/05


 Signature of the prescribed Authority



Regional Office Bharatpur
Rajasthan State Pollution Control Board

Page No. 05



Registered

File No : F(Tech)/Bharatpur(Weir)/786(1)/2018-2019/2759-2760

Order No : 2018-2019/Bharatpur/7116

Unit Id : 10742

Date: 26/03/2019

M/s Bhagwati Stone Crusher

Village- Jaswar , Tehsil:Weir

District:Bharatpur

Sub: Consent to Operate under section 21(4) of the Air (Prevention & Control of Pollution) Act, 1981.

Ref: Your application for Consent to Operate dated 20/12/2018 and subsequent correspondence.

Sir,

Consent to Operate under the provisions of section 21/(4) of the Air (Prevention & Control of Pollution) Act, 1981, (hereinafter to be referred as the Air Act) as amended to date and rules & the orders issued thereunder is hereby granted for your Stone Crusher plant situated at Village- Jaswar Tehsil:Weir District:Bharatpur , Rajasthan, subject to the following conditions:-

- 1 That this Consent to Operate is valid for a period from 01/05/2019 to 30/04/2024 .
- 2 That this Consent is granted for manufacturing / producing following products / by products or carrying out the following activities or operation/processes or providing following services with capacities given below.

Particular	Type	Quantity with Unit
STONE GRIT & DUST	Product	500.00 TPD

- 3 That this consent to operate is for existing plant, process & capacity and separate consent to establish/operate is required to be taken for any addition / modification / alteration in process or change in capacity or change in fuel.
- 4 That the sources of air emissions along with pollution control measures and the emission standards for the prescribed parameters shall be as under:

Sources of Air Emissions	Pollution Control Measures	Prescribed	
		Parameter	Standard
D.G. Set(160KVA)	ACOUSTIC ENCLOSURE , ADEQUATE STACK HEIGHT	--	--

Signature



Regional Office Bharatpur
Rajasthan State Pollution Control Board



Page No. 06

Registered

File No : F(Tech)/Bharatpur(Wehr)/706(1)/2018-2019/2759-2760

Date: 26/03/2019

Order No: 2018-2019/Bharatpur/7116

Unit Id : 10742

- 5 That the Stone Crusher plant will comply with the standards as prescribed vide MOEF notification No. GSR 826(R) dated 16th November, 2009 with respect to National Ambient Air Quality Standards.
- 6 That the industry shall maintain the following pollution control measures & fugitive emission standards

Sources of fugitive Emissions	Pollution Control Measures	Prescribed	
		Parameter	Standard
Stone Crushing Unit	1. CONSTRUCTION OF METALLED OR HARD SURFACED ROADS WITHIN THE PREMISES 2. Construction of wind breaking walls 3. Dust containment cum suppression system for the equipment 4. Growing of a green belt along with Periphery 5. Regular cleaning and wetting of the ground within the premises 6. Vibrating Screen Covered	SPM	600 µg/m ³ To be measured at a distance of 3 to 10 meters from the process

- 7 That the project proponent shall be liable to remit outstanding consent fee; if any, on account of lapsed consent period/consent to establish/default period/additional consent fee as and when asked for.
- 8 That the pollution control measures should be installed as per details contained in guidelines for Abatement of pollution in stone crusher industry issued by the Board vide letter no. SCMG(Gen-3)/RPCB/307 dated 05/06/2018. The guidelines are available on website of the Board (www.rpcb.nic.in).
- 9 That proponent shall employ the best available technology and physical Infrastructure capable of controlling the air pollution during crushing operation.
- 10 That the total capital cost of the project shall not exceed to Rs. 52.18 Lacs which includes the capital investment of land, building & plant & machinery.

Regional Office Bharatpur
Rajasthan State Pollution Control Board



Regulator

File No : T(Tech)/Bharatpur(Weir)/706(1)/2018-2019/2759-2760

Order No: 2018-2019/Bharatpur/7116

Unit Id : 10742

Date: 26/03/2019

- 11 That the adequate pollution control measure shall be provide at primary, secondary and tertiary crushing units, vibratory screens, grizzlies, belt conveyors, storage pile & bins, transfer points and during transportation so as to ensure the compliance of the standards prescribed under Environment (Protection) Rules'1986.
- 12 That the raw material should be obtained from legal sources only and get it verified by concerned competent department. In case at any stage raw material procured from illegal source is found to be used, the sole responsibility will be of the project proponent.
- 13 That the water storage facility shall be provided at the stone crusher site and its capacity shall not be less than 3000 liters.
- 14 That the water used for spraying/sprinkling/ irrigation of vegetation planted as green belt should preferably be treated waste water.
- 15 That the control emissions of fugitive nature from premises of stone crusher unit, water sprinkler system shall be installed at all strategic locations with plant and machinery i.e. into feed hopper, at inlet and outlet of primary and secondary crusher, at outlet of vibrating screen with all material conveyors and drop point of dust conveyers etc.
- 16 That a sign board showing the name address and capacity of crusher shall be maintained at the entrance of the premises.
- 17 That the premises of the stone crushing industry shall be clearly demarcated by fencing/wall.
- 18 That no ground water shall be abstracted without prior permission from CGWA.
- 19 That the total water consumption shall not exceed 4.0 KLD, including water for domestic usage.
- 20 Minimum 33% of the area for the stone crusher industry should be covered by plantation and at least two rows of tall trees of suitable species should be planted within and along the boundary of premises to develop a green belt.
- 21 That no discharge of the trade effluent shall be made within or outside the premises the domestic effluent shall be dispose of into soak pit through septic tank.
- 22 That the raw material shall be procured from valid sources as informed to the Board (i.e. from ML No. 315/04, owned by M/s Bhagwati Stone Crusher) and daily record of the raw material procured and production shall be maintained by the industry.
- 23 That this consent will not be used as an evidence for ascertaining the land title and its use.

Signature and
Date
13



Regional Office Bharatpur
Rajasthan State Pollution Control Board

Page No. 8



Registered

File No : F(Tech)/Bharatpur(Weir)/786(1)/2018-2019/2759-2760

Order No : 2018-2019/Bharatpur/7116

Date: 26/03/2019

Unit Id. : 10742

File No
Order No
Date

- 24 That the grant of consent shall not absolve the project proponent from making compliance of other statutory obligations prescribed under any other law or directions of courts or any other instrument for the time being in force.
- 25 That the project proponent shall apply for Consent to Operate under Air Act '81 and should carry out commercial operation only after Consent to Operate is granted.
- 26 That this Consent to Operate is being issued without physical verification / inspection of unit for adequacy of pollution control measures provided and compliance of last consent conditions. And if on verification any violation is observed, this consent shall be revoked and legal action shall be initiated accordingly.
- 27 That the industry shall submit application for renewal of consent at least 120 days before expiry of consent.
- 28 That, notwithstanding anything provided hereinabove, the State Board shall have power and reserves its right, as contained under section 21(6) of the Air Act to review anyone or all the conditions imposed here in above and to make such variation as it deemed fit for the purpose of Air Act.
- 29 That the grant of this Consent to Operate is issued from the environmental angle only, and does not absolve the project proponent from the other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility to comply with the conditions laid down in all other laws for the time-being in force, rests with the industry/ unit/ project proponent.
- 30 That the grant of this Consent to Operate shall not, in any way, adversely affect or jeopardize the legal proceeding, if any, instituted in the past or that could be instituted against you by the State Board for violation of the provisions of the Act or the Rules made thereunder.

This Consent to Operate shall also be subject, besides the aforesaid specific conditions, to the general conditions given in the enclosed Annexure. The project proponent will comply with the provisions of the Air Act and to such other conditions as may, from time to time, be specified, by the State Board under the provisions of the aforesaid Act(s). Please note that, non compliance of any of the above stated conditions would tantamount to revocation of Consent to Operate and project proponent / occupier shall be liable for legal action under the relevant provisions of the said Act(s).

Signature
Date
Place

Regional Office Bharatpur
Rajasthan State Pollution Control Board

Page No. 09



Registered

File No : E(Tech)/Bharatpur(Water)/706(1)/2018-2019/2759-2760
Order No : 2018-2019/Bharatpur/7116
Unit Id : 10712
Date: 26/03/2019

Yours Sincerely

Regional Officer{ Bharatpur }

Copy To:-
1 Master File.

Regional Officer{ Bharatpur }



Inspection Report

The aforesaid unit was inspected by undersigned board officials on dt. 20.09.2019 for verification of present status of the plant & pollution control measures (PCM) installed by the unit.

The unit has installed a stone crushing unit comprises of Jaw crusher, Granulators, vibrating screen and conveyors. At the time of inspection, unit was found operational. The status of pollution control measures was as under.

1	Name of Unit	M/s. Bhagwati Stone Crusher
2	Location	Village- Jaswar, Tehsil- Weir, Distt. Bharatpur
3	Date of Inspection	20.09.2019
4	Name of Unit representative	Shri Sunil Kumar (Manager), mob-8107455684

<u>CRUSHING UNITS</u>		
S.No.	Source	Details of PCM
1	Inlet of Primary Stone Crusher (Jaw Crusher)	Covered & water sprinkles Provided
2	The outlet of Primary Stone Crusher (Jaw Crusher Size)	Covered & water sprinkles Provided
3	Outlet of all Secondary Stone Crusher(Granulators)	Covered & water sprinkles Provided
4	Inlet of Tertiary Stone Crusher	Covered & water sprinkles Provided
5	Outlet of tertiary Stone Crusher	Covered & water sprinkles Provided
6	Water sprayers at the feeding inlet of Stone Crusher	Water sprinkles Provided
7	Whether enclosures are rigid and fitted with self-closing doors and close-fitting entrances on exits	Yes
8	Whether flexible covers installed at entries and exits of the conveyors to the enclosure.	Yes

VIBRATORY SCREENS AND GRIZZLIES UNIT

S.No.	Source	Details of PCM
1	Whether totally enclosed in rigid and reasonably dust tight housing	Screens Covered
2	Whether flexible covers installed at entries and exits of the conveyors to the housing or provided a dust extraction and collection system	Yes
3	Whether all grizzlies are enclosed on top and from three sides	Yes
4	Whether Water sprayers installed at the feeding and outlet areas	Provided

BELT CONVEYORS

S.No.	Source	Details of PCM
1	Whether all transfer points to and from conveyors are enclosed or placed within a totally enclosed structure.	No
2	Whether water spraying system installed.	Yes
3	Does openings for any enclosed structure for the passage of conveyors is fitted with flexible seals	Yes

STORAGE PILES AND BINS

S.No.	Source	Details of PCM
1	For free falling transfer points from conveyors to stock piles the industry has provided	Funnel type structure provided
2	Whether water spraying system provided to keep the surface of all surge piles and stockpiles of blasted rocks and aggregates sufficiently wet.	Yes

(Signature)

3	Whether water spraying system provided to keep wet open stockpiles for aggregates of size in excess of 5 mm.	Yes
4	Whether stockpiles of aggregates 5 mm in size or less are suitably covered	Yes
5	Whether scattered piles are cleaned regularly	Yes

MATERIAL TRANSPORTATION

S.No.	Source	Details of PCM
1	Whether the approach road to site of stone crusher from the nearest metalled public road is paved or hard surfaced	Hard surfaced road Provided
2	Whether the active haul roads inside the works are adequately wetted with water	Arrangement made
3	Whether wheel cleaning facilities are provided for delivery trucks.	No

OPERATION AND MAINTENANCE

S.No.	Source	PCM
1	Use of wetting agents in water used for spraying	No
2	Condition of water spraying systems used for dust suppression.	Satisfactory
3	Water storage facility at the site.	Provided (Capacity-Approx 5000 Ltrs.)
4	Condition of dust extraction and collection system	Satisfactory
5	Housekeeping	Satisfactory
6	Fencing/boundary wall around the premises	Boundary wall provided

PLANTATION FOR ENVIRONMENTAL CARE

1	Area of crusher premises	1619sqm
2	Whether plantation done within premises	Yes
3	Whether plantation done all along the boundary of the premises	Plantation done within factory premises.
4	Whether soil in the premises is fit for survival of plant or not.	Yes
5	If plantation done on any other land, ownership rights/ location of other such land	No
6	No. of Plants	Approx 180
7	Area under plantation	620sqm
8	Status of Plants	Satisfactory

MATERIAL TRANSPORTATION

1	Sign Board displayed showing the name, address and capacity of the stone crusher industry or not	Yes
2	Valid source for raw material	From valid source only MI. no-315/04
3	Permission obtained from CGWA for withdrawal of ground water in excess of 25 KLD.	NA

Status of compliance of EP Act, 1986:-

1. Boundary wall has provided around the crusher area.
2. Unit was operational during inspection, so ambient air monitoring was conducted and report attached.
3. There was a DG set of 160KVA, provided with acoustic enclosure and sufficient stack height.

C.S

(Rakesh Gupta)

R.O. RPCB Bharatpur.

(Satyavan Singh)

ISO, RPCB Bharatpur

FORM - X
RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE STATE BOARD ANALYST

(See Rule - 10)

Final Report

Report No. : 1238

Report On : 29/09/2019

I hereby certify that I Rajendra Singh Meena, State Board Analyst duly appointed under sub Section(2) of Section 29 of the Air (Prevention & Control of Pollution) Act, 1981 received on the 23/09/2019 from Mr Satyavan Singh, JSO, Bharatpur, RSPCB Bharatpur a sample of Ambient Air Quality of M/S Bhagwati Stone Crusher, Plant - Stone Crusher [10742], City- Jaswar Tehsil- Weir, District- Bharatpur. Collected from AAQM approx. 10 meters away from jaw crusher Collected on 20/09/2019. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on 29/09/2019 and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	SPM $\mu\text{g}/\text{m}^3$	592

The condition of the seals, fastening and container on receipt was as follows : Intact

Signed This On 29/09/2019

BOARD ANALYST

Rajasthan State Pollution Control Board

Regional Office Bharatpur

Inspection Report

The aforesaid unit was inspected by undersigned Board officials on dt. 12.03.2020 for verification of nearest school and habitation around the crusher plant, present status of the plant and pollution control measures (PCM) installed by the unit.

1	Name of Unit	M/s. Bhagwati Stone Crusher
2	Location	N.V.- Jaswar, Tehsil-Weir, Distt.-Bharatpur
3	Date of Inspection	12.03.2020
4	Name of Unit representative	Shri Ramveer Gurjar (Partner)

During inspection following points were observed-

1. The plant was non-operative during the inspection.
2. The nearest school named 'Bal Bharti Public School' is approx 300 m in NE direction from crusher. The School was closed at the time of inspection. However Headmaster Mr. Bhupendra Singh has given a certificate that there is no any objection as well as adverse impact is being observed during operation of the unit. (Certificate enclosed)
3. The nearest village- Jaswar, is exists approx 1100 m in NE direction. The villagers have given a statement related to no objection with the operation of stone crusher. (Statement enclosed)
4. Geographically the crusher is bounded with Rocky hills from three sides, the distance of hill in west direction is approx 200 m and in south direction is approx 300 m and in east direction is approx 1600 m. These rocky hills are working as wind breakers for the crusher.

Previously the unit was inspected by the Board Officials on dt. 20.09.2019, the status of PCM and other details are same as earlier. (Copy enclosed)

3
(H R Kasana)

R.O. RPCB Bharatpur

कार्यालय बाल भारती पब्लिक स्कूल

जसवर (भुसावर) भरतपुर : राज.

प्रेषक :-

प्रधानाध्यापक

बाल भारती पब्लिक स्कूल
जसवर (भुसावर) भरतपुर : राज०
M.: 9828049542, 6350578361

प्रेषित :-

श्रीयुक्त.....
.....
.....

क्रमांक :

प्रमाण पत्र

दिनांक..12/03/2020

प्रमाणित किया जाता है। कि मैं भूपेन्द्रसिंह 5% देवसिंह उम्र लगभग 37 वर्ष है। तन्ना मैं उक्त विद्यालय बाल भारती पब्लिक स्कूल जसवर वरुण भुसावर में स्थित है का प्रधानाध्यापक हूँ। हमारे नजदीक 300-350 मीटर की दूरी पर पहले से ही एक एक क्लेशर M/S भगवती हरोन क्लेशर जसवर में है।

जिसके संचालन से हमें कोई आपत्ती नहीं है। इस क्लेशर मशीन से किया भी तरह का कोई तकलीफ नहीं है।



प्रधानाध्यापक

बाल भारती पब्लिक विद्यालय
जसवर (भरतपुर)

दिनांक.....
12/03/2020

ग्राम - जसवर

हम सभी ग्रामवासी निवासी जसवर तह ० भुसावर
इंडियर को लाक्षा मानकर व्याज करते हैं कि

१. M/S अजावती हयोग क्लेशर हमारे ग्राम जसवर से लगभग
1.25 (सवा किलोमीटर) की दूरी पर है।

२. यह है कि इस क्लेशर कि छोड़े इष्ट, फोल्डिंग का ग्रामवासियों
आमवा फलल आदि पर विपरीत प्रभाव नहीं है।

३. इस क्लेशर मशीन के चलने से हमें कोई आपत्ति नहीं है।

४. इस क्लेशर के सेनालक व्यवहार कुशल रख लहेयों पवति के
है तथा समय समय पर मरद करते रहे हैं।

समय पर यह लिखा काम आवे।

१. मेरेन्द्र राजपुत - 8890231429 गौरेन्द्र सिंह

२. पुरन सिंह - 9784993231 पुरन

३. अशोक - 6377819917 अशोक

४. प्रदीप जसवर 7073283040 प्रदीप

५. राजेश जसवर 6377188919 राजेश

६. दीपक - 8828337755 दीपक