

IN THE MATTER OF:

Sukhdeep Singh

Applicant

Versus

Haryana Pollution Control Board & Ors.

Respondents

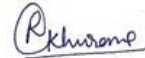
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Place: Delhi

Date: 23.12.2024

Through



Rahul Khurana, Advocate
17, Central Lane, Babar Road, Bengali Market,
New Delhi

09811894060

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PRINCIPAL BENCH, NEW DELHI

Original Application No. 1127/2024

(IA No 422/2024)

IN THE MATTER OF:

Sukhdeep Singh

Applicant

Versus

Haryana Pollution Control Board & Ors.

Respondents

INTERIM REPORT OF JOINT COMMITTEE.

MOST RESPECTFULLY SHOWETH

1. That this Hon'ble Tribunal vide order dated 11.09.2024 passed the following directions:

"6. In order to ascertain the correct position in respect of the stone crushers that are operating in violation of the siting criteria and the norms in District Yamuna Nagar, we form a Joint Committee comprising of the following: (1). Representative of the Member Secretary, Central Pollution Control Board (CPCB). (2). DFO, Yamuna Nagar. (3). Representative of Member Secretary, HSPCB. (4). District Magistrate, Yamuna Nagar.

*7. The District Magistrate, Yamuna Nagar will act as the nodal agency. **The Committee will visit the site, ascertain the number of stone crushers that are operating in District Yamuna Nagar, and also ascertain if they are following the siting criteria and environmental norms, and submit a report within 8 weeks by way of affidavit through e-filing.***

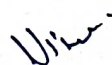
2. That a meeting of the Joint Committee was also conducted on 20.12.2024, during which the following documents pertaining to the stone crushers shared by HSPCB member were thoroughly examined: i) Siting report earlier submitted by the Forest Department vide report No. 1949 dated 03.12.2011 (attached as Annexure R/1) in respect of distance from nearest forest, and ii) the report vide dated



- 02.12.2011 (attached as **Annexure R/2**) earlier submitted by Revenue Department in respect of distance from nearest village.
3. That, the Joint Committee was informed by HSPCB Member that following the 1978 floods, the villages under reference (Doiwala, Ballewala, Mandewala and Kohliwala) in this Original Application were washed away and declared "bechirag."
 4. That, the Joint Committee was informed by HSPCB Member that the Consent to Establish earlier were granted to the stone crushers located near the villages of Doiwala, Ballewala, Mandewala and Kohliwala before 2008.
 5. That, the Joint Committee was informed that at the time of grant of Consent to Establish, the Revenue Department used Devdhar as the nearest reference point for distance calculations. However, over time, the villages were rehabilitated in these areas, and under the current circumstances, the distance parameters of some stone crushers are no longer being met. Similarly, to prevent land erosion and degradation, plantation activities (un-class forest) were carried out by the Forest Department in Devdhar Panchayat land, which was subsequently notified as a Protected Forest by the Government of India in 2013. As a result, some stone crushers no longer meet the required distance criteria from said notified forest.
 6. That as per the Haryana Government notification dated 11.05.2016, the siting criteria, including minimum distance requirements from the nearest village Phirni/Lal Dora,

forests, national parks, and wildlife sanctuaries, are applicable to the stone crushers situated outside of the notified zone. Copy of Notification dated 11.05.2016 is annexed as **Annexure R/3**.

7. That, as per above Notification dated 11/05/2016 "Those stone crushing units, which are 'established in the area outside the existing notified approved crusher zones or their extension' on a date prior to the date of Notification i.e. 11th May 2016, but fail to meet any/some/all the 'Norms for Siting of Stone Crushers in Haryana' as included in the Schedule I of the said Notification, but were operational on the date of issue of the above said notification, would be termed as 'Non Complying Units' in terms of the Notification dated 11th May 2016 and, accordingly, their operation would be subject to their assurance to comply with the stipulated conditions in 'Item Number III' of Schedule II of the Notification dated 11th May 2016, in the form of an undertaking. Such units would be given a time period of one month counted from the date of issue of this Order to furnish such undertaking in the format as is appended at Annexure-I. Such undertaking would be signed by all the Directors/Partners of the company/firm or, the sole proprietor or by the authorized person of the Unit, as the case may be.
8. That, the stone crushers, which were not meeting the siting criteria, were required to shift their Units to a site meeting the siting norms as per the provisions of the Notification dated 11th May 2016 for which suitable land was to be



procured by the respective units within three years from the date of issuance of the said Notification i.e. on or before 10th May 2019.

9. That, as per details shared with the Joint Committee by HSPCB Member that there are 217 stone crushers in Yamunanagar District, out of which 31 are situated inside the notified zone and 186 are situated outside of the notified zone.

10. That, out of the 186 stone crushers operating outside of the notified zone:

i) 80 stone crushers are complying with the siting criteria as per the notification dated 11.05.2016 and out of 80 stone crushers, 3 are dismantled & 77 are operational.

ii) 106 stone crushers are not complying with the siting criteria.

An abstract of present status of stone crushers situated outside of the notified zone which are not meeting the siting criteria is as under:-

Siting criteria Non complying & Dismantled	Siting criteria Non-complying & Operational	Siting criteria non-complying & Closed by Board	Closure orders issued by HSPCB due to not meeting siting criteria but Stayed by Appellate Authority & operational	Total
23	64	14	5	106

11. That, the Hon'ble Punjab and Haryana High Court in CWP No.12017 of 2018, passed interim order dated 02.05.2019

(Annexure R/4):

"Considering the facts and circumstances and in particular the fact that the State of Haryana has failed to come up with a response, we are constrained to pass an interim order restraining the respondent-authorities till the next date of listing from interfering in the running of the petitioners-stone crushing units by their respective proprietors at the place where they are established and also from taking any other coercive measures or refusing to grant necessary consent as and when required on the ground that they are not entitled to continue the operation at the present site in view of the notification which is impugned in this writ petition."

12. That, the Hon'ble High Court, in its judgment dated 29.11.2024 in CWP No.12017 of 2018, upheld the validity of the notification dated 11.05.2016 and dismissed the bunch of writ petitions. Copy of Judgment dated 29.11.2024 is annexed herewith as **Annexure R/5**.
13. That the Regional Officer of HSPCB, Yamuna Nagar, has issued Show Cause Notices on 20.12.2024 to 64 stone crushers which are not meeting the siting criteria as per the notification dated 11.05.2016.


It is humbly submitted that Joint Committee has examined all the relevant record and documents related to the stone crushers. However, the physical verification by visiting the site, as directed by Hon'ble NGT along with verification of the compliance of environmental norms is yet to be concluded by the Joint Committee.

It is therefore humbly prayed that the Hon'ble Tribunal may kindly consider the above findings of the Joint Committee & grant

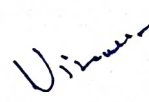
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an additional 04 weeks' time for physical verification in respect of siting criteria and environmental norms, for submitting comprehensive report alongwith action-taken report (ATR).


23/12/2024

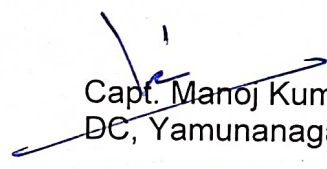
Virender Singh Punia
RO, HSPCB
Yamuna Nagar


23/12/2024

Virender Gill
District Forest Officer,
Yamuna Nagar


23/12/24

Dr. Narender Sharma
Scientist 'F'
CPCB, RD, Chandigarh


Capt. Manoj Kumar
DC, Yamunanagar

Place: Yamuna Nagar

Date: 23.12.2024

Annexure -R/1

From

Divisional Forest Officer,
Yamuna Nagar

To

Deputy Commissioner
Yamuna Nagar

No.

Date

Sub.

Civil Revision No 383 of 2008- Haryana Stone Crushers etc. Vs Ram Pal
and Others

Ref.

Your letter endstment No 15263-64 dt 29-11-2011.

As desired by you, the stone crushers situated outside the stone crusher Zone and their distance from the nearest forest land as per government record is enclosed herewith.

Encls as Above

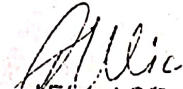
Divisional Forest Officer,
Yamuna Nagar

Endst. No. 1949 Date 3/12/11

A copy is forwarded to Regional Officer, Haryana Pollution Control Board, Jagadhri alongwith list of stone crushers situated outside the stone crusher Zone and their distance from the nearest forest land as per government record for information and necessary action.


Divisional Forest Officer,
Yamuna Nagar

Sr. No.	Name of the Stone Crusher	Distance from the nearest forest land as recorded in the Govt. Recrod
1	Aggarwal Stone Crusher, Vill Doiwala, Yamuna Nagar	740 Meter
2	Ambala Stone Crusher, Village Doiwala, Yamuna Nagar	0 Meter
3	Ambay Stone Crusher, Vill Doiwala, Yamuna Nagar	900 Meter
4	Arya Stone Crusher, Village Ballewala, Yamuna Nagar	700 Meter
5	Bala Sundri Stone Crusher, Vill Ballewala, Yamuna Nagar	400 Meter
	Balaji Stone Crusher, Vill Doiwala, Chhachhrouli, Yamuna Nagar	850 Meter
7	Balram Stone Crusher, Vill Ballewala, Yamuna Nagar	560 Meter
8	Batar Stone Crusher, Vill Doiwala, Yamuna Nagar	600 Meter
9	Batra Stone Industry, Village Doiwala, Yamuna Nagar	0 Meter
10	Bhagwai Stone Crusher, Vill Doiwala, Yamuna Nagar	550 Meter
11	Brahma Nand Stones, Village Doiwala, P.O. Devdhar, Yamuna Nagar	310 Meter
	Chander mani Stone Crusher, Vill Doiwala, Yamuna Nagar	450 Meter
13	D.K. Stone Crusher, Vill Doiwala, Yamuna Nagar	700 Meter
14	Dhilllo Stone Crusher, Village Mandeiwala, Yamuna Nagar	280 Meter
15	Diamond Crushing Plant, Village Doiwala, Yamuna Nagar	250 Meter
16	Diamond Stone Crusher, Village Doiwala, Yamuna Nagar	250 Meter
17	Gaurav Stone Crusher, Village Ballewala, Yamuna Nagar	625 Meter
18	Gayatri Stone Crusher, Ballewala, Yamuna Nagar	300 Meter


 Divisional Forest Officer
 Yamuna Nagar Forest Division

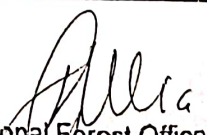
19	Godaveri Stone Crusher, Vill Doiwala, Yamuna Nagar	600 Meter
20	Goel Spintex Pvt. Limited Unit - I, Vill Doiwala, Yamuna Nagar. 9315125578	925 Meter
21	Goel Spintex Pvt. Limited Unit - II, Vill Doiwala, Yamuna Nagar. 9315125578	925 Meter
22	Haryana Stone Crusher, Vill Ballewala, Yamuna Nagar	540 Meter
23	Haryana Stone Mills (P) Ltd., Vill Doiwala, Yamuna Nagar	800 Meter
24	Himkunt Stone Crusher, Vill Doiwala, Yamuna Nagar	135 Meter
25	Him Stone Crusher, Vill Doiwala, Yamuna Nagar	750 Meter
26	Hind Stone Crusher, Village Doiwala, Yamuna Nagar	100 Meter
27	HUM Stone Crusher, Village Doiwala, P.O. Devdhar, Yamuna Nagar	925 Meter
28	Jagat Stone Crusher, Vill Ballewala, Yamuna Nagar	500 Meter
29	Jagdamba Stone Crusher, Village Doiwala, Chhachhrauli, Yamuna Nagar	750 Meter
30	Jai Ganesh Stone Crusher, Village Ballewala, Yamuna Nagar	350 Meter
31	Jai Ganpati Stone Crusher, Village Doiwala, Yamuna Nagar	650 Meter
32	Jai Krishna Stone Crusher, Vill Devdhar, Yamuna Nagar	350 Meter
33	Jai Mata Di Stone Crusher, Vill Doiwala, Yamuna Nagar	560 Meter
34	Jai Mata Stone Crusher, Vill Doiwala, Yamuna Nagar	250 Meter
35	Jamuna Gram Udyog Mandal, Vill Ballewala, Yamuna Nagar	500 Meter
36	Kamal Stone Crusher, Vill Doiwala, Yamuna Nagar	700 Meter
37	Kamboj Gram Udyog Mandal, Vill Ballewala, Yamuna Nagar	700 Meter
38	Kamboj Stone Crusher, Vill Doiwala, Yamuna Nagar	270 Meter

Rellic
 Divisional Forest Officer
 Yamuna Nagar Forest Division
 Yamuna Nagar


39	Kaveri Stone Crusher, Village Devdhar, Yamuna Nagar	425 Meter
40	Keshav Stone Crusher, Vill Doiwala, Yamuna Nagar	870 Meter
41	Krishna Stone Crusher, Village Devdhar, Yamuna Nagar	400 Meter
42	Kunti Stone Crusher, Vill Doiwala, Yamuna Nagar	300 Meter
43	Kurukshetra Stone Crusher, Vill-Chuharpur, Doiwala, Yamuna Nagar	825 Meter
44	Mahabali Stone Crusher, Vill Doiwala, Yamuna Nagar	362 Meter
45	Mahadev Stone Crusher, Vill Doiwala, Yamuna Nagar	275 Meter
46	Markanda Stone Crusher, Vill. Ballewala Yamuna Nagar	425 Meter
47	Mehal Stone Crusher, Vill Ballewala, Yamuna Nagar	445 Meter
48	Mehta Stone Crusher, Vill Doiwala, Yamuna Nagar	650 Meter
49	Mohindra Stone Crusher, Vill Doiwala, Yamuna Nagar	850 Meter
50	Mohit Stone Crusher, Village Doiwala, P.O., Devdhar, Yamuna Nagar	750 Meter
51	New India construction , Vill Ballewala, Yamuna Nagar	275 Meter
52	New Renukal Stone Crusher, Vill Doiwala, Yamuna Nagar	330 Meter
53	Panchkula Stone Crusher, Village Doiwala, P.O. Devdhar, Yamuna Nagar	330 Meter
54	Parkash Stone Crusher, Vill Doiwala, Yamuna Nagar	425 Meter
55	Patiala stone crusher, Vill Ballewala, Yamuna Nagar	350 Meter
56	Pooja Stone Crusher, Vill Doiwala, Yamuna Nagar	270 Meter
57	Punjab Stone Crusher, Vill Doiwala, Yamuna Nagar	180 Meter
58	Radhey Krishna Stone Crusher, Village Doiwala, Yamuna Nagar	430 Meter

Alia
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 Yamuna Nagar Forest Division

59	Ravi Stone Crusher, Vill Doiwala, Yamuna Nagar	350 Meter
60	Roop Kamal Stone Crusher, Vill Doiwala, Yamuna Nagar	700 Meter
61	Roop Ram & Sons , Vill Ballewala, Yamuna Nagar	470 Meter
62	S S. Stone Crusher, Vill Doiwala, Yamuna Nagar	30 Meter
63	Sagar Stone Crusher, Village Doiwala, Yamuna Nagar	450 Meter
64	Saraswati Stone Crusher, Vill Chuarpur, Yamuna Nagar. 9315839432	550 Meter
65	Shalimar Stone Crusher, Vill Doiwala, Yamuna Nagar	270 Meter
66	Shiv Shakti Stone Crusher, Village Doiwala, Yamuna Nagar	60 Meter
67	Shivalik Stone Crusher, Village Doiwala, Yamuna Nagar. 98963 - 32850	20 Meter
68	Shree Ganesh Stone Crusher, Village Ballewala, Yamuna Nagar	270 Meter
69	Shri Radhey Krishna Stone Crusher, Vill Doiwala, Yamuna Nagar	180 Meter
70	Shri Ram Stone Crusher, Vill Doiwala, Yamuna Nagar	375 Meter
71	Shyam Stone Curshery, Village Doiwala, Chhachhrauli, Yamuna Nagar	900 Meter
72	Sneh Stones, Vill Doiwala, Yamuna Nagar	670 Meter
73	Sohi Stone Curhsing Industry, Village Doiwala, Chhachhrauli, Yamuna Nagar	550 Meter
74	Super Stone Crusher, Vill Ballewala, Yamuna Nagar	300 Meter
75	Surindra Stone Crushing Industry, (Old Name Neelkanth) Village Doiwala, Yamuna Nagar	900 Meter
76	Tirupati Stone Crusher, Vill Doiwala, P.O. Devdhar Yamuna Nagar	300 Meter
77	United Contractor & Engg, Vill Ballewala, Yamuna Nagar	350 Meter
78	Vaishno Stone Crusher, Vill Doiwala, Yamuna Nagar	870 Meter


 Divisional Forest Officer
 Yamuna Nagar Forest Division

79	Vasundra Stone Crusher, Village Doiwala, Yamuna Nagar	422 Meter
80	Vishal Stone Crusher, Village Ballewala, Yamuna Nagar	200 Meter
81	Vishkarma Stone Crushing Co., Village Ballewala, Yamuna Nagar	400 Meter
82	Walia Stone Crushing Co., VPO Devdhar, Tehsil Chhachhrauli, Yamuna Nagar	500 Meter
83	Mohit Stone Crusher, Village kohliwala, Chhachhrouli, Yamuna Nagar	750 Meter
2N		
84	Anant Stone Crusher, Vill Aryanwala, Yamuna Nagar	460 Meter
85	Shiv Shanker Stone Crusher, Vill Kohliwala, Yamuna Nagar	1100 Meter
86	Garg stone Crusher, Vill Gulaghgrah, Yamuna Nagar	250 Meter
87	Durga Stone Crusher, Vill Chuaharpur Kalan, Yamuna Nagar	550 Meter
88	Yamuna Stone Crusher, Vill Chuaharpur, Yamuna Nagar	450 Meter
89	Shivalik Stone Crusher, Vill Chuaharpur, Yamuna Nagar	150 Meter
Lying Closed		
90	Angad Stone Crusher, Village Doiwala, Yamuna Nagar	0 Meter
	Satyam Stone Crusher, Doiwala, Yamuna Nagar	625 Meter
92	Singla Khetan Stone Crusher, Yamuna Nagar	560 Meter
93	Satguru Stone Crusher Doiwala	1050 Meter
94	Shree Krishna Stone Crusher Doiwala	375 Meter
95	Gori Sankar Stone Crusher Doiwala	400 Meter
96	Jai Shiv Groakh Stone Crusher Doiwala	375 Meter


 Divisional Forest Officer
 Yamuna Nagar Forest Division
 Yamuna Nagar

प्रथम : ————— तहसीलदार वरेंद्रशर्मा

सेवा में

हरियाणा स्टेट पब्लिक कंस्ट्रक्शन बोर्ड

S.C.O No 131 sector-17 Jyoti Chini Yamunanagar
क्रमांक 1109 ओके दिनांक 2-12-11

विषय : —

Civil Revision no. 383 of 2008 हरियाणा स्टेट पब्लिक
क्ट v/s राक पब्लिक वरेंद्रशर्मा

आप के पत्र क्रमांक नं० 3340 दिनांक 30-11-2011

के सम्बन्ध में मीटिंग द्वारा देखा जा रहा है कि
जिदि रिपोर्ट आगामी जांचाई हेतु आप की सेवा में

प्रस्तुत है।

शुक्रवार 14 फरवरी

श्री. वरेंद्रशर्मा
तहसीलदार
वरेंद्रशर्मा

Sl. No.	Name of Fire Stone Crusher	Khasra no. / Killa No.	Actual Distance from the nearest National Highway State	Actual Distance from the nearest MDR / link Road	Actual Distance from the nearest Metropolitan City	Actual Distance from the nearest Head Quarter	Actual Distance from the nearest Town Abadi	Actual Distance from the nearest Village Abadi:					Actual Distance from the nearest tourist complex	Actual distance from any contorlled area	Actual distance from approved water supply of 20 KL capacity	Actual distance from any indoor Hospital	Actual dist: from Bi
								Kohliwala	Doiwala	Ballewala	Bhrood-majra	Bhrou-kalan					
1	Ambala Stone Crusher, Doiwala, Yamuna Nagar	14/16 14/14 17/1 13/10 13/11	—	SKM 1550	N/A	90KM	1500	—	—	—	—	10KM	N/A		—	—	
2	Atish Stone Crusher, Doiwala, Yamuna Nagar	20/5, 20/6/2, 20/7 21/1-2	—	S 325	N/A	"	350	—	—	—	—	10KM	N/A		—	—	
3	Argad Stone Crusher, Doiwala, Yamuna Nagar	24/89	—	S 1320	N/A	"	1320	—	—	—	—	10KM	N/A		—	—	
4	Batra Stone Crusher, Doiwala, Yamuna Nagar	28/5, 28/6	—	S 610	N/A	"	570	—	—	—	—	10KM	N/A		—	—	
5	Barar Stone Crusher, Doiwala, Yamuna Nagar	28/7	—	S 550	N/A	"	500	—	—	—	—	10KM	N/A		—	—	
6	Bhagwati Stone Crusher, Doiwala, Yamuna Nagar	28/3, 28/6, 28/13, 28/18	—	S 680	N/A	"	440	—	—	—	—	10KM	N/A		—	—	
7	Bala Sundri Stone Crusher, Ballewala, Yamuna Nagar	9/19	—	S 450	N/A	"	400	—	—	—	—	10KM	N/A		—	—	

Annexure A

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Sr. No.	Name of the Stone Crusher	Khasra no. / Kila No.	Actual Distance from the nearest National Highway State	Actual Distance from the nearest State-Highway National Highway	Actual Distance from the MDR / Link Road	Actual Distance from the nearest Metropolitan City	Actual Distance from the nearest Head Quarter	Actual Distance from the nearest Town Abadi	Actual Distance from the nearest Village Abadi					Actual Distance from the nearest tourist complex	Actual distance from any contorlled area	Actual distance from approved water supply of 20 KL capacity	Actual distance from any 25 bed Indoor Hospital	A. dis from
									Kohlwala	Doiwala	Ballewala	Bhood-majra	Bhood-kalan					
8	Balaji Stone Crusher, Doiwala, Yamuna Nagar	28/1/11, 28/1/0/1, 29/1/5	-	5 Km.	350	NA	20 Km.	300	-	-	-	-	-	10 Km	NA	-	-	-
9	Balram Stone Crusher, Doiwala, Yamuna Nagar	15/3, 15/4	-	5	325	NA	11	225	-	-	-	-	10 Km	NA	-	-	-	
10	Brathma mand Stones, Doiwala, Yamuna Nagar	21/4/4	-	5	1450	NA	1	1500	-	-	-	-	10 Km	NA	-	-	-	
11	Chand Doixi Stone Crusher, Doiwala, Yamuna Nagar	Not available in record	-	5	1050	NA	1	1000	-	-	-	-	10 Km	NA	-	-	-	
12	Diamond Stone Crushing plant, Doiwala, Yamuna Nagar	14/3/9-10-11, 14/10	-	5	1400	NA	4	1350	-	-	-	-	10 Km	NA	-	-	-	
13	Dhillo Stone Crusher, Mandewala, Yamuna Nagar	23/1/3, 22/1/4	-	5	500	NA	28 Km	700	-	-	-	-	10 Km	NA	-	-	-	
14	D.K. Stone Crusher, Ballewala, Yamuna Nagar	21/1/13/2, 21/1/14/1, 14/2, 15/1	-	5	600	NA	20 Km	570	-	-	-	-	10 Km	NA	-	-	-	

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Sr. No.	Name of the Stone Crusher	Khasra no. / Kila No.	Actual Distance from the nearest State Highway	Actual Distance from the nearest State Highway	Actual Distagnc from the MDR / Link Road	Actual Distance from the nearest Metropolitan City	Actual Distance from the nearest Head Quater	Actual Distance from the nearest Town Abadi	Actual Distance from the nearest Village Abadi					Actual Distance from the nearest tourist complex	Actual distance from any contorlled area	Act diste fro appr water: of 20 capa
									Kohliwala	Doiwala	Ballewala	Bhood-majra	Bhood-kalan			
15	Diamond Stone Crusher Doiwala, Yamuna Nagar	14/11	State Highway	National Highway	1400	N/A	20 km	1350	-	-	-	-	-	10 Km	N/A	
16	Godaveri Stone Crusher, Doiwala, Yamuna Nagar	28/14/2/1, 14/1, 28/17/2/1, 17/2/2/1, 15/2	-	5	650	N/A	4	600	-	-	-	-	-	10 Km	N/A	
17	Goel & Co. Pvt. Ltd, Doiwala, Yamuna Nagar	29/3/1, 4, 7/2, 8, 29/3/2, 3/3	-	5	800	N/A	4	150	-	-	-	-	-	10 Km	N/A	
18	Hemkunt Stone Crusher, Doiwala, Yamuna Nagar	14/21, 14/22	-	5	1300	N/A	4	1250	-	-	-	-	-	10 Km	N/A	
19	Haryana Stone Crusher, Ballewala, Yamuna Nagar	15/8	-	5	370	N/A	4	250	-	-	-	-	-	10 Km	N/A	
20	Him Stone Crusher, Doiwala, Yamuna Nagar	21/13/2, 21/14/1, 14/2, 15/1	-	5	550	N/A	4	520	-	-	-	-	-	10 Km	N/A	
21	Hind Stone Crusher, Doiwala, Yamuna Nagar	24/10	-	5	1310	N/A	4	1260	-	-	-	-	-	10 Km	N/A	

Sr. No.	Name of the Stone Crusher	Khasra no. / Killa No.	Actual Distance from the nearest National Highway	Actual Distance from the nearest State Highway	Actual Distance from the MDR / Link Road	Actual Distance from the nearest Metropolitan City	Actual Distance from the nearest Head Quarter	Actual Distance from the nearest Town Abadi	Actual Distance from the nearest Village Abadi						Actual Distance from the nearest tourist complex	Actual distance from any controlled area	Ac dist fr appi water of 2 cap
									Kohliwala	Doiwala	Ballewala	Bhood-majra	Bhood-kalan				
22	Hum Stone Crusher, Doiwala, Yamuna Nagar	20/16, 20/17, 20/18/1, 20/23/1, 20/24	-	5 km	290	N/A	20 km	240	-	-	-	-	-	-	10 Km	N/A	
23	Jagat Stone Crusher, Ballewala, Yamuna Nagar	22/10 21/6	-	5	700	N/A	11	400	-	-	-	-	-	-	12 Km	N/A	
24	Jagat Stone Crusher, Doiwala, Devdhar, Yamuna Nagar	28/22, 9, 12, 19	-	5	425	N/A	11	325	-	-	-	-	-	-	10 Km	N/A	
25	Jai ganesh Stone Crusher, Ballewala, Yamuna Nagar	14/20 & 15/20 21/22	-	5	400	N/A	1	350	-	-	-	-	-	-	10 Km	N/A	
26	Jai Krishna Stone Crusher, Ballewala, Yamuna Nagar	85/21/2, 22, 23, 19/2, 20/1, 20/2	-	5	250	N/A	1	700	-	-	-	-	-	-	10 Km	N/A	
27	Jai Mata di Stone Crusher, Doiwala, Yamuna Nagar	16/10 & 10/7/2	-	5	1060	N/A	1	820	-	-	-	-	-	-	10 Km	N/A	
28	Jai Mata Stone Crusher, Doiwala, Yamuna Nagar	11/7(8-0) 14 (8-0), 17(8-0)	-	5	1000	N/A	1	700	-	-	-	-	-	-	10 Km	N/A	

Sl. No.	Name of the Stone Crusher	Khasra no. / Killa No.	Actual Distance from the nearest National Highway	Actual Distance from the nearest State Highway	Actual Distance from the MDR / Link Road	Actual Distance from the nearest Metropolitan City	Actual Distance from the nearest Head Quarter	Actual Distance from the nearest Town Abadi	Actual Distance from the nearest Village Abadi					Actual Distance from the nearest tourist complex	Actual distance from any controlled area	Actual distal for appro water si of 20 capac
									Kohliwala	Doiwala	Ballewala	Bhoo-d-majra	Bhoo-d-kalan			
29	Jai shiv shanker Stone Crusher (C/o Aggarwal Stone Crusher), Doiwala, Yamuna Nagar	21/17/18	-	5/12	460	NA	20 Km	425	-	-	-	-	-	10 Km	NA	✓
30	Jamuna Gram Udyog mandal, Ballewala, Yamuna Nagar	8/25, 8/16, 8/15	-	5	350	NA	4	300	-	-	-	-	-	10 Km	NA	✓
18	Kamal Stone Crusher, Doiwala, Yamuna Nagar	21/17/21, 7/2, 6/12, 6/22	-	5	575	NA	1	570	-	-	-	-	-	10 Km	NA	✓
2	Kurukshetra Stone Crusher, Doiwala, Yamuna Nagar	21/3, 21/8, 12/13/1	-	5	525	NA	4	500	-	-	-	-	-	10 Km	NA	✓
3	Kamboj Gram Udyog mandal, Ballewala, Yamuna Nagar	8/19, 8/12	-	5	150	NA	1	100	-	-	-	-	-	10 Km	NA	✓
4	Kamboj Stone Crusher, Doiwala, Yamuna Nagar	15/17, 15/24/25	-	5	1180	NA	1	1130	-	-	-	-	-	10 Km	NA	✓
5	Keshav Stone Crusher, Doiwala, Yamuna Nagar	20/6/1, 21/10/1, 21/9/1	-	5	425	NA	1	450	-	-	-	-	-	10 Km	NA	✓

Sr. No.	Name of the Stone Crusher	Khasra no. / Kila No.	Actual Distance from the nearest National Highway	Actual Distance from the nearest State Highway	Actual Distance from the MDR / Link Road	Actual Distance from the nearest Metropolitan City	Actual Distance from the nearest Head Quarter	Actual Distance from the nearest Town Abadi	Actual Distance from the nearest Village Abadi					Actual Distance from the nearest tourist complex	Actual distance from any contorlled area	Actual distar from approi water st of 20 capac
									Kohliwala	Doiwala	Ballewala	Bhood-majra	Bhood-kalan			
36	Kaveri Stone Crusher, Ballewala, Yamuna Nagar	85/12/1 12/2 13	—	5 Km	350	NA	20 Km	650	—	—	—	—	—	10 Km	NA	✓
37	Krishna Stone Crusher, Ballewala, Yamuna Nagar	85/15/1 85/14, 85/17/2	—	5	350	NA	1	650	—	—	—	—	—	10 Km	NA	✓
38	Mahadev Stone Crusher, Doiwala, Yamuna Nagar	23/2, 23/9	—	5	1020	NA	1	980	—	—	—	—	—	10 Km	NA	✓
39	Markanda Stone Crusher, Ballewala, Yamuna Nagar	22/1/2 22/3	—	5	650	NA	1	450	—	—	—	—	—	10 Km	NA	✓
40	Mehal Stone Crusher, Ballewala, Yamuna Nagar	20/5, 21/1	—	5	625	NA	1	425	—	—	—	—	—	10 Km	NA	✓
41	Mohit Stone Crusher, Khohiwala, Yamuna Nagar	14/1/2, 19	—	5	550	NA	1	220	—	—	—	—	—	10 Km	NA	✓
84	Mehta Stone Crusher, Doiwala, Yamuna Nagar	21/24	—	5	530	NA	1	500	—	—	—	—	—	10 Km	NA	✓

Sr. No.	Name of the Stone Crusher	Khasra no. / Kila No.	Actual Distance from the nearest National Highway	Actual Distance from the nearest State Highway	Actual Distance from the MDR / Link Road	Actual Distance from the nearest Metropolitan City	Actual Distance from the nearest Head Quarter	Actual Distance from the nearest Village Abadi					Actual Distance from the nearest tourist complex	Actual distance from any controlled area	Actual distance for approvals of 20 caps	
								Kohliwala	Doiwala	Ballewala	Bhood-majra	Bhood-kalan				
43	Mohindra Stone Crusher, Additional Screening Plant, Ballewala, Yamuna Nagar	28/1/02, 28/11	-	5 Km	350	N/A	20 Km	300	-	-	-	-	-	10 Km	N/A	
44	Panchkula Stone Crusher, Doiwala, Yamuna Nagar	11/8	-	5	550	N/A	11	500	-	-	-	-	-	10 Km	N/A	
45	Patiala Stone Crusher, Ballewala, Yamuna Nagar	9/12/2 & 14/12	-	5	550	N/A	0	500	-	-	-	-	-	10 Km	N/A	
46	Parkesh Stone Crusher, Ballewala, Yamuna Nagar	9/20/21 14/1 14/10/11	-	5	475	N/A	4	425	-	-	-	-	-	10 Km	N/A	
47	Pooja Stone Crusher (Unit - D), Doiwala, Yamuna Nagar	23/3, 23/8	-	5	1100	N/A	4	1050	-	-	-	-	-	10 Km	N/A	
48	Radhey Krishna Stone Crusher, Doiwala, Yamuna Nagar	10/16 10/17	-	5	1050	N/A	11	1000	-	-	-	-	-	10 Km	N/A	
49	Ravi Stone Crusher, Ballewala, Yamuna Nagar	15/6 & 15	-	5	1350	N/A	1	1300	-	-	-	-	-	10 Km	N/A	

Sr. No.	Name of the Stone Crusher	Khasra no. / Kila No.	Actual Distance from the nearest National Highway	Actual Distance from the nearest State Highway	Actual Distance from the MDR / Link Road	Actual Distance from the nearest Metropolitan City	Actual Distance from the nearest Head Quarter	Actual Distance from the nearest Town Abadi	Actual Distance from the nearest Village Abadi					Actual Distance from the nearest tourist complex	Actual distance from any contorted area	Ac dist from appi water of 2 cap
									Kohliwala	Doiwala	Ballewala	Blood-majra	Blood-kalan			
50	Renuka Stone Crusher, Ballewala, Yamuna Nagar	23/1	State Highway	5 Km	970	N/A	20 Km	920								
51	Roop Kamal Stone Lnds, Vill Kohliwala, Yamuna Nagar	28/3/1, 21/1/2, 22, 23/1, 28/3, 1/13, 18	-	5	480	N/A	20 Km	450								
52	Roop Ram and sons, Doiwala, Yamuna Nagar	15//13, 14/1	-	5	1140	N/A	20 Km	1070								
53	Sagar Stone Crusher, Doiwala, Yamuna Nagar	15//18/1, 15/13	-	5	1140	N/A	20	1070								
54	Sarsawati Stone Crusher, Chuppur, Yamuna Nagar	42//5/6	-	NA	NA	N/A	18 Km	670								
55	Sat Guru Stone Crusher, Doiwala, Yamuna Nagar	20//23/2, 27, 29/12	-	5	125	N/A	20 Km	100								
56	Satyam Stone Crusher, Ballewala, Yamuna Nagar	8//13, 14	-	5	250	N/A	20 Km	200								

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Sr. No.	Name of the Stone Crusher	Khasra no. / Kila No.	Actual Distance from the nearest National Highway	Actual Distance from the nearest State Highway	Actual Distance from the MDR / Link Road	Actual Distance from the nearest Metropolitan City	Actual Distance from the nearest Head Quarter	Actual Distance from the nearest Town Abadi	Actual Distance from the nearest Village Abadi					Actual Distance from the nearest tourist complex	Actual distance from any contolled area	Actri dista froi appro water si of 20 capac	
									Kohliwala	Doiwala	Ballewala	Bhood-majra	Bhood-kalan				
57	Shyam Stone Crushering co., Yamuna Nagar	29/5 6, 8-0, 8-0	State Highway	National Highway	MDR / Link Road	Metropolitan City	Head Quarter	Mela									
58	Shiv Shakti Stone Crusher, Doiwala, Yamuna Nagar	14/22/8, 23/4, 12	-	5 Km	875	N/A	20 Km	825	-	-	-	-	-	-	10 Km	N/A	
59	Shivalik Stone Crusher, Doiwala, Yamuna Nagar	24/2, 24/3	-	5	1370	N/A	20	1420	-	-	-	-	-	-	10 Km	N/A	
60	Shree Krishna Stone Crusher, Doiwala, Yamuna Nagar	22/21	-	5	680	N/A	20	630	-	-	-	-	-	-	10 Km	N/A	
	Shri Radhey Krishna Stone Crusher, Doiwala, Yamuna Nagar	23/6, 7/1	-	5	1290	N/A	20	1170	-	-	-	-	-	-	10 Km	N/A	
	Singla Stone Crusher, Doiwala, Yamuna Nagar	10/4, 11/1/1, 10/5	-	5	950	N/A	20	500	-	-	-	-	-	-	10 Km	N/A	
	SS Stone Crusher, Doiwala, Yamuna Nagar	23/16, 25/2, 24/2, 21, 283/1, 26/5/2	-	5	1250	N/A	20	1200	-	-	-	-	-	-	10 Km	N/A	

Sr. No.	Name of the Stone Crusher	Khasra no. / Killa No.	Actual Distance from the nearest National Highway	Actual Distance from the nearest State Highway	Actual Distance from the MDR / Link Road	Actual Distance from the nearest Metropolitan City	Actual Distance from the nearest Head Quater	Actual Distance from the nearest Town Abadi	Actual Distance from the nearest Village Abadi / Lal dora					Actual Distance from the nearest tourist complex	Actual distance from any contorlled area	Actual distar for appro water si of 20 capac
									Kohliwala	Doiwala	Ballewala	Bhood-majra	Bhood-kalan			
54	Super Stone Crusher, Doiwala, Yamuna Nagar	21/15, 21/7, 22/1	-	5 Km	650	KH	20 Km.	400	-	-	-	-	-	10 Km	NA	-
55	Sohi Stone Crushing Indus., Ballewala, Yamuna Nagar	8/24	-	5	300	KH	20	225	-	-	-	-	-	10 Km	NA	-
23	Shree Ganesh Stone Crusher, Doiwala, Yamuna Nagar	15/15, 15/16	-	5	1350	KH	20	1300	-	-	-	-	-	10 Km	NA	-
57	Shalimar Stone Crusher, Doiwala, Yamuna Nagar	15/16	-	5	1350	KH	20	1200	-	-	-	-	-	10 Km	NA	-
58	Shri Ram Stone Crusher, Doiwala, Yamuna Nagar	28/22, 9, 12, 19	-	5	400	KH	20	350	-	-	-	-	-	10 Km	NA	-
59	Sneh Stone Industries, Doiwala, Yamuna Nagar	21/16/2, 21/7	-	5	600	KH	20	520	-	-	-	-	-	10 Km	NA	-
88	Trupati Stone Crusher, Doiwala, Yamuna Nagar	14/2	-	5	1500	M	20	1450	-	-	-	-	-	10 Km	NA	-

Sl. No.	Name of the Stone Crusher	Khasra no. / Kila No.	Actual Distance from the nearest National Highway	Actual Distance from the nearest State Highway	Actual Distance from the MDR / Link Road	Actual Distance from the nearest Metropolitan City	Actual Distance from the nearest Head Quarter	Actual Distance from the nearest Town Abadi	Actual Distance from the nearest Village Abadi					Actual Distance from the nearest tourist complex	Actual distance from any controlled area	Actual distance from approved water supply of 20
									Kohliwala	Doiwala	Ballewala	Bhood-majra	Bhood-kalan			
21	Unit - 1 construction (Supri Stone Crusher), Ballewala, Yamuna Nagar	20/4-5-6-7-8	State	National Highway	550 meters	1 km	20	350	-	-	-	-	-	10 Km	NA	
22	Vashno Stone Crusher, Devarh, Yamuna Nagar	9/6, 9/7, 9/24, 9/24, 9/23, 9/22	-	5 km	800	1 km	20	780	-	-	-	-	-	10 Km	NA	
23	Vasundra Stone Crusher, Doiwala, Yamuna Nagar	20-Nov	-	5	1490	1 km	20	1530	-	-	-	-	-	10 Km	NA	
24	Vishal Stone Crusher, Doiwala, Yamuna Nagar	23/4 & 7/2	-	5	1120	1 km	20	1120	-	-	-	-	-	10 Km	NA	
25	Vishkerna Stone Crushing co., Ball Majra, Yamuna Nagar	22/7-8-9	-	5	550	2 km	20	350	-	-	-	-	-	10 Km	NA	
26	Walia Stone Crushing co., Devarh, Yamuna Nagar	84/15/3, 15/1, 15/2, 14/1, 14/1/1/1, 14/1/1/2	-	5	250	1 km	20	250	-	-	-	-	-	10 Km	NA	
27	Arva Stone Crusher, Ballewala, Yamuna Nagar	15/1, 8/21	-	5	250	1 km	20	100	-	-	-	-	-	10 Km	NA	

Name of the Stone Crusher	Khasra no. / Kila No.	Actual Distance from the nearest National Highway	Actual Distance from the nearest State Highway	Actual Distance from the MDR / Link Road	Actual Distance from the nearest Metropolitan City	Actual Distance from the nearest Head Quarter	Actual Distance from the nearest Town Abadi	Actual Distance from the nearest Village Abadi					Actual Distance from the nearest tourist complex	Actual distance from any controlled area	Actual distance from approve water sup of 20 K capacit
								Kohliwala	Doiwala	Ballewala	Bhood-majra	Bhood-kalan			
8 Gaurav Stone Crusher, Ballewala, Yamuna Nagar	15/2	-	5 Km	300	NH11	20	770	-	-	✓	-	-	10 Km	N/A	-
9 Gayatri Stone Crusher, Balliwala, Yamuna Nagar	14/9	-	5	570	NH11	20	520	-	-	✓	-	-	10 Km	N/A	-
10 Gouri Shanker Stone Crusher, Doiwala, Yamuna Nagar	22/14, 15, 17/1	-	5	920	NH11	20	850	-	-	✓	-	-	10 Km	N/A	-
11 Jai Shiv Gorakh Stone Crusher, Ballewala, Yamuna Nagar	85//18, 85/19	-	5	280	NH11	20	650	-	-	✓	-	-	10 Km	N/A	-
12 Kunti Stone Crusher, Doiwala, Yamuna Nagar	15/23	-	5	1120	NH11	20	1090	-	-	✓	-	-	10 Km	N/A	-
13 Mahabali Stone Crusher, Doiwala, Yamuna Nagar	15//22	-	5	1120	NH11	20	1050	-	-	✓	-	-	10 Km	N/A	-
14 Mohit Stone Crusher, Doiwala,	11//19	-	5	1530	NH11	20	1530	-	-	✓	-	-	10 Km	N/A	-

Sl. No.	Name of the Stone Crusher	Khasra no. / Kila No.	Actual Distance from the nearest National Highway	Actual Distance from the nearest State Highway	Actual Distance from the MDR / Link Road	Actual Distance from the nearest Metropolitan City	Actual Distance from the nearest Head Quarter	Actual Distance from the nearest Village Abadi / Lal dora					Actual Distance from the nearest tourist complex	Actual distance from any conforled area	Actual distance from approved water supply of 20 l capacity	
								Kohliwala	Doiwala	Ballewala	Bhrod-majra	Bhrod-kalan				
85	Punjab State Doiwala Yamuna Nagar (Unit - II) Crusher	14/12	—	5 Km	1400	N/A	20	1250	—	—	—	—	—	10 Km	N/A	
86	Haryana Stone Mills Pvt. Ltd, Doiwala, Yamuna Nagar	21/19, 21/20	—	5	425	N/A	20	400	—	—	—	—	—	10 Km	N/A	
87	Surendra Stone Crusher industry, Doiwala, Yamuna Nagar (1st Kanth)	29/5, 29/6, 29/7/1	—	5	250	N/A	20	200	—	—	—	—	—	10 Km	N/A	
88	New India Construction Co., Doiwala, Yamuna Nagar (Choudhary Brothers)	15/5, 6, 15, 16	—	5	1350	N/A	20	1300	—	—	—	—	—	10 Km	N/A	
89	M/s Porri stone Crusher, Doiwala, Yamuna Nagar	23/3, 8	—	5	1100	N/A	20	1050	—	—	—	—	—	10 Km	N/A	
90	M/s Jai Ganpati stone Crusher, Doiwala, Yamuna Nagar	10/21/3, 15/1, 9/2, 10, 11, 12/1	—	5	1100	N/A	20	1000	—	—	—	—	—	10 Km	N/A	

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Name of the Stone Crusher	Khasra no. / Killa No.	Actual Distance from the nearest National Highway State Highway National Highway M. level	Actual Distance from the nearest State Highway National Highway M. level	Actual Distance from the MDR / Link Road	Actual Distance from the nearest Metropolita n City	Actual Distance from the nearest Head Qurater	Actual Distance from the nearest Town Abadi	Actual Distance from the			Distance from the nearest tourist complex	Actual distance from any contorlled area	Actual distance from approved water supply of 20 KL capacity	Ac disi for 25 In Ho:
								Kohliwala	Doiwala	Ballew				
Anant Traders, Vill Araya Yamuna Nagar	78/3, 78/8	41	NH 650	650	N.A.	25 Km	850 31218519 Km	-	-	-	5 Km	N.A.	-	-
Durga Stone Crusher, Churpur, Yamuna Nagar	41/9	→	NH 0	-	N.A.	18 Km	900 353719 Km	-	-	-	18 Km	N.A.	-	-
Garg Stone Cr., Gulab Garh, Yamuna Nagar	13/16, 14/17/1, 14/19/2, 14/20	-	NH 400	-	N.A.	18 Km	500 32019 Km	-	-	-	13 Km	N.A.	-	-
Shivailik Stone Crusher, Churpur, Yamuna Nagar	51/9, 51/10, 51/11	-	400	-	N.A.	18 Km	800 38532 Km	-	-	-	12 Km	N.A.	-	-
Shiv Shanker Stone Crusher, Kohliwala, Yamuna Nagar	19/ 7,8,13,14,1 5,8-8-8-0, 2-13-5-7, 9-5	-	650	-	N.A.	8 Km	450	✓	-	-	11 Km	N.A.	-	-
Yamuna Stone Crusher, Churpur, Yamuna Nagar	42/11/3/2	-	35	-	N.A.	18 Km	600 35532 Km	-	-	-	18 Km	N.A.	-	-

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HARYANA GOVT. GAZ. (EXTRA.), MAY 11, 2016
(VYSK. 21, 1938 SAKA)

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[Authorised English Translation]

HARYANA GOVERNMENT
ENVIRONMENT DEPARTMENT

Notification

The 11th May, 2016

No. S.O. 12/C.A. 29/1986/Ss. 5 and 7/2016.—Whereas article 48-A of the Constitution of India interalia envisages that the State shall endeavour to protect the environment;

And, whereas it is necessary and expedient to take immediate steps under sections 5 and 7 of the Environment (Protection) Act, 1986 (Central Act 29 of 1986) and section 19 of the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981) and rules framed thereunder and to maintain ecological balance in the State to prevent environmental degradation and to avoid traffic and human health hazards;

And, whereas the State Government has already taken a decision to maintain ecological balance keeping in view the industrial development and also to maintain the quality of environment and to avoid health hazard for the residents of the area;

And, whereas as per Haryana Government, Environment Department, notification No. S.O. 126/C.A.29/86/S.5 & 7/97, dated the 18th December, 1997, directions were given for stone crushing units in regard to siting criteria norms as per Schedule-I, emission norms and pollution control measures requirements as per Schedule-II, identification of zones and availability of sites as per Schedule-III and procedure for establishment and operation in identified zones as per Schedule-IV;

And, whereas the State Government has made several amendments in the aforesaid notification issued vide Notification No. S.O.150/C.A.29/1986/S.5 and 7/1998, dated the 30th October, 1998, No. S.O.125/ C.A.29/ 1986/S.5/2000, dated the 18th October, 2000, No. S.O. 85/C.A 29/86/S. 5 and 7/2001, dated the 20th June, 2001 and No. S.O.31/C.A.29/1986/Ss.5 and 7/2004, dated the 18th March, 2004;

And whereas the State Government is of the opinion that it is necessary and expedient to issue a fresh notification by superseding the existing notification;

Now, therefore, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986, (Central Act 29 of 1986) read with Government of India, Ministry of Environment and Forests, Department of Environment, Forests and Wildlife, Notification No. S.O. 152 (E), dated the 10th February, 1988, and in pursuance of the provisions of section 7 of the said Act and rule 4 of the Environment (Protection) Rules, 1986, and in supersession of the Haryana Government, Environment Department, Notification No. S.O.126/C.A.29/86/S.5 and 7/97, dated the 18th December, 1997, Notification No. S.O.150/C.A.29/1986/S.5 and 7/1998, dated the 30th October, 1998, No. S.O.125/C.A.29/1986/S.5/2000, dated the 18th October, 2000, No. S.O. 85/C.A 29/86/S. 5 and 7/2001, dated the 20th June, 2001 and No. S.O.31/C.A.29/1986/S.5 & 7/2004, dated the 18th March, 2004, and in pursuance of Haryana Government, Environment Department, Notification No. 16/75/2007-3 Env, dated the 21st October, 2015, the Governor of Haryana hereby issues the following directions for stone crushing units in regard to siting criteria norms as per Schedule-I, emission norms and pollution control measure requirements as per Schedule-II, already established stone crusher zones as per Schedule-III and procedure for establishment and operation in identified zones as per Schedule-IV.

Any action taken in pursuance of the superseded notifications referred to above will be deemed to have been taken under the provisions of this notification so far as it is not inconsistent with the provisions of this notification, namely:—

SCHEDULE I

NORMS FOR SITING OF STONE CRUSHERS IN HARYANA

Serial Number	Criteria	Distance in Kilo Meter
1	2	3

1.	Minimum distance required from the nearest National Highway and State Highway	1.0
2.	Minimum distance required from the nearest outer limit of major district roads and other roads	0.1
3.	Minimum distance required from the limits of National Capital Territory of Delhi	5.0
4.	Minimum distance required from the limits of nearest Municipal Corporation.	3.0
5.	Minimum distance required from the nearest Town/City/Municipal Limits	1.5
6.	Minimum distance required from the nearest Village Phirmi. In case if there is no phirmi then the distance will be measured from village Lal Dora	1.0
7.	Minimum distance required from any land recorded as forest in Government record (revenue or forest department) except strip forests / plantation along roads, canals, railway lines and bunds.	0.5
8.	Minimum distance required from any strip forests/ plantation along roads, canals, railway lines and bunds etc. recorded as forest in Government record (revenue or forest department).	0.1
9.	Minimum distance required from approved water supply scheme open to sky of 20 Kl capacity.	1.5
10.	Minimum distance required from any indoor health treatment unit catering to 25 or more bed for catering indoor patients	1.0
11.	Minimum distance required from National Parks, Wild Life Sanctuaries and Conservation Reserves	2.0

The following directions are also given in respect of above said schedule:

- i. All distances unless specifically mentioned above are to be measured as the crow flies from the nearest boundary of the land of the stone crusher to the periphery of the feature concerned.
- ii. The notified approved crusher zones and their extension would not be affected by the above siting minimum distance criteria as the feasibility of having a conglomeration of stone crushing units in conjunction with the above siting criteria may not be possible. The above mentioned siting criteria will only be applicable to stone crushing units to be established in the area outside the existing notified, approved crusher zones or their extension.
- iii. No stone crushing unit will be allowed to be set up or operate outside the identified crusher zones in Faridabad and Palwal Districts (earstwhile Faridabad District).
- iv. No new stone crusher unit will be allowed to be set up in Gurgaon District outside the identified stone crusher zones.
- v. In case eco sensitive zone of a protected area like National Park, Wild Life Sanctuary or Conservation Reserve is notified having restrictions for a distance more than two kms, then the same shall be adhered to.
- vi. The distance of the stone crushers from various prescribed locations will be certified / verified by the concerned Tehsildar and for the forest land the report regarding the siting distance will be taken from concerned Divisional Forest Officer. The concerned Regional Officer of the Board shall verify distances of the prescribed locations other than those verified by Divisional Forest Officer or Tehsildar.

Schedule-II

EMISSION NORMS AND POLLUTION CONTROL MEASURES REQUIREMENTS

Item Number 1

Pollution Control Parameters:-

The suspended particulate matter (hereinafter referred to as SPM) measured between 3 meters and 10 metres from any process equipment of a stone crushing unit shall not exceed 600 micrograms per cubic metre. The measurements of SPM are to be conducted as per Environment Protection Act, 1986 and rules made thereunder.

Item Number II

Pollution Control Measures:-

The following pollution control devices and measures are required to be installed and operated as mandatory obligation by the stone crushing units under the Environment Protection Rules, 1986:

- (A.) Dust containment cum suppressing system for the equipment in the form of covered sheds and sprinklers;
- (B.) Construction of approved wind breaking wall of at least 50 meter length and minimum 16 feet height alongwith provision of telescopic chute to ensure that the crushed material from the nod is released from a point which is at least 2 feet below the height of the wind breaking wall. The wall shall be structurally sound and shall cover the vulnerable abadi side of the crusher unit.
- (C.) Construction and maintenance of metalled roads for vehicular movement within the premises of the crushing units or within the zone housing the stone crushing units as approved by the Haryana State Pollution Control Board at the time of grant of Consent to Establish.
- (D.) The metalled roads to be provided either individually within the premises or jointly by the crushers in the approved crusher zones will be as determined by Haryana State Pollution Control Board in consultation with E-in-C, PWD(B&R). These roads shall be constructed as per satisfactory specifications of construction and maintenance. Haryana State Pollution Control Board will have the authority to cancel continued operation of stone crusher in zone or isolated sites or premises within zones where such metalled roads are not satisfactorily constructed or maintained individually or jointly as applicable to the area in question.
- (E.) Regular cleaning and wetting of the ground within the premises and the remaining enclosure of the crushing units and the zone where the unit is situated.
- (F.) All stone crushing units shall provide a green belt along the periphery having avenue plantation of two rows after approval of plantation plan by the Divisional Forest Officer concerned. Till plantation within the premises is fully developed, the project proponent shall erect a barrier/ barricade along the periphery to contain the dust emissions. Such barricade should completely enclose the premises from all sides and may be either a boundary wall or of flexible cloth (tarpaulin etc.) or a combination of two. The height of the barricade shall not be less than the height of the highest tip of the conveyor belts.
- (G.) The stone crushing units shall provide at least 50 number sprinklers alongwith a water storage facility of minimum 10 Kilolitre capacity. Further they must sprinkle at least 10 kilolitre of water per day for a stone crushing capacity of 100 tones per day and pro rata accordingly for higher capacity crushing units.
- (H.) In order to ensure the regular operation of sprinklers system, the stone crushing units will provide inter locking system alongwith separate energy meter having load survey and demand features.
- (I.) A complete hour-wise log book as recorded by the energy meter for the consumption of energy by such pollution control measure be made available to the Haryana State Pollution Control Board or its authorised officers immediately on its demand on the spot or within a period of three working hours thereafter at the most;

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- (J.) The stone crushing units shall obtain raw material only from legal sources and will have exclusive contract with the legitimate mining lease holders and will submit complete data relating to the sources and quantity of raw material utilized and exploited by the stone crushing units alongwith production data, taxes and duties paid as applicable thereon under the law of land;
- (K.) A green belt along any approved notified zone will be for a depth of atleast 100 meters or along the periphery of the crusher zone with minimum 10 rows of such trees in the direction of the depth of the green belt. The spacing of such trees along the periphery shall not exceed 8 meters along the periphery. The nature of trees to be planted and their protection measures required for such tree plantation shall be subject to the approval of the concerned Divisional Forest Officer. The responsibility for planting and maintaining of green belt shall be with all the stone crushing units operating at that time and in case any stone crushing unit does not comply with this direction, the Board shall get it done at the expense of the defaulting stone crushing unit. If the units fail to pay the expenditure incurred by the Board, then the units will be treated as defaulters in law and debarred from operating their stone crushers inspite of their being a valid activity otherwise.
- (L.) No stone crusher will be allowed to be set up in choe, stream or river bed within their flood protection embankments.
- (M.) Consent policy orders dated the 6th March, 2014 of the Haryana State Pollution Board notified on 15th April, 2014 as amended from time to time will also be applicable for obtaining consent to establish and consent to operate under Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974) and Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981).

Item Number III

Non-complying units to be shifted

All the stone crushing units, which do not meet the siting criteria prescribed in this notification shall have to shift to a site meeting the siting parameters as per Schedule-I of this notification or to identified zone depending on availability of vacant sites in the zone, within three years from the date of issuance of this notification which is extendable for another one year provided that stone crushing unit procures the land for a site meeting the siting norms as per this notification, before the expiry of three years and applies to Haryana State Pollution Control Board.

Item Number IV

Requirement of Land

Every new stone crushing unit whether in notified zone or outside, must possess and operate in a minimum area of one acre of land (crushing capacity up to 10000 Cubic feet per day with one set of machinery) and 1.5 acre of land (crushing capacity more than 10000 Cubic feet per day or with more than one set of machinery). In case land is taken on lease, then the lease should be registered with revenue authority and if the land is taken on lease from Panchayat then it should be with the written permission of the Principal Secretary to Government Haryana, Panchayat and Development Department. The lease period should not be less than twenty years and should be irrevocable.

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SCHEDULE-III
IDENTIFIED STONE CRUSHER ZONES

Sr. No.	Name of Zone	Zone	Area					7	8
			4	5	6	7	8		
1	2	3	Tehsil	Village with hadbast	Khasra No.	Area in Acres	Maximum No of stone crusher to be accomodate in the zone		
	(i)	(ii)	(iii)	(iv)	(v)				
1	Bilha	Panchkula	Panchkula	Bilha 237	<p>28</p> <p>1,2,3,4,5/1,5/2,6,7, 8,9,10,11,12,13,14 15,16/1,16/2,17,18/1, 18/2,19/1,19/2,20,21, 22,23/1,23/2,24,25</p> <p>29</p> <p>1,2/1,22/2,3,4/1,4/2, 4/3,5,6/1,6/2,6/3, 7/1,7/2,8,9/1,9/2,10, 11,12/1,12/2,13/1, 13/2,14/1,14/2,15, 16,17,18,19/1,19/2, 20,21,22/1,22/2,22/3, 23/1, 23/2, 23/3, 24/1,24/2,25/1,25/2</p> <p>30</p> <p>1,2,3/1,3/2,4,8/1, 8/1/2,8/2,9/1,9/2, 9/3,10,11/1,11/2,12, 13/1,19/1,19/2,20, 21/1,21/2,22/1,22/2</p> <p>32</p> <p>1,2/1,2/2,3,4/1,4/2, 5/1,5/2,6,7/1,7/2, 8,8/1,8/2/1,8/2/2, 9,10/1,10/2,10/3, 11/1,11/2,11/3,12, 13/1,13/2,14,15,17, 18,19/1,19/2,20, 21,22,23/1,23/2,24</p>	98 Acres, 3 Kanal and 18 Marla	50		

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1	Bilha	Panchkula	Panchkula	Bilha 237	<u>33</u> 1,2/1,2/2,3/1,3/2, 4,5,6,7/1,7/2,8,9, 10,11,12/1,12/2,13/1, 13/2,14,15/1,15/2	98 Acres, 3 Kanal and 18 Marla	50
2.	Burj Kotian	Panchkula	Kalka	Burj Kotian 196	325 Min,326 to 331, 334,335,356 to 404,405 Min, 406 Min, 416 Min.	105 Acres	36
3.	Khanak	Bhiwani	Tosham	Khanak 34	<u>205</u> 20,21,22,23 <u>216</u> 3,4,6,7,8,13,14,15, 16,17,18,23,24,25. <u>217</u> 13,14,15,16,17,18, 23,24,25 <u>218</u> 6,11,15,16,19,20, 21, 22, 25 <u>219</u> 3,8,9,10,11,12,13, 17,18,19,20,21, 22,23 <u>220</u> 1,2,3,4,5,6,7,8,9, 10,11,12,13,14,15, 16,17,18,19, 20, 21,22,23,24,25 <u>234</u> 1,2,3,4,5,6,7,8,9, 10,11,12,13,14,15, 16,17,18,19,20, 21,22,23,24,25 <u>235</u> 1,2,3,4,5,8/1,8/2,9, 10,11,12,13/1,13/2, 18,19,20,21,22, 23, <u>236</u> 1,2,5,6/1,6/2,9,10, 11,12,15,16,19,20, 21,22,25	<u>237.64</u> Acres	93

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3.	Khanak	Bhiwani	Tosham	Khanak, 34	<u>237</u> 3,4,5,6,7,8,13,14, 15,16,17,18,23,24, 25 <u>238</u> 1,2,3,4,5,6,7,8,9, 10,11,12,13,14,17, 18,19,20,21,22/1, 22/2,23/1,23/3,23/2, 24/1,24/2,25/1,25/2 <u>242</u> 2,3,4,5,6, <u>243</u> 3,4,5,6,7,8,15 <u>244</u> 1,2,5,6,9,10,11, 12,15,16 <u>245</u> 1,2,3,8,9,10,11, 12,13,17,18,19,20 <u>246</u> 1,2,3,4,5,6,7,8,9, 10,11,12,13,14,15, 16,17,18,19,20,21, 22,23,24,25 <u>258</u> 1,2,3,4,5,6,7,8, 10	<u>237.64</u> <u>Acres</u>	93
4.	Dadam	Bhiwani	Tosham	Dadam 36	<u>10</u> 4,5,6,7,14,15,16 <u>11</u> 1,2,3,4,5,6,7,8/1,8/2, 9/1, 9/2,10,11, 12, 13, 14, 15,16, 17, 18, 19,20,23, 24/1, 24/2,25 <u>12</u> 10,13,14/1,14/2,15, 16,17,18, 23,24, 25/1,25/2 <u>13</u> 11,16,19/1,19/2,20, 21,22,25	<u>81.1</u> <u>Acres</u>	

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4.	Dadam	Bhiwani	Tosham	Dadam 36	<u>14</u> 21,22,23,24 <u>16</u> 1,2,7,8,9,10,11,12, 13,14,15 <u>17</u> 1,2,3,8/1,8/2,9,10, 11,12,13 <u>18</u> 1,2/1,2/2,5,6,9,10, 11,12,15,20 <u>19</u> 3,4,6,7,8,13,14,15, 16,17,18 <u>20</u> 4,5,6,7	81.1 Acres	
5	Naurangpur	Gurgaon	Gurgaon	Naurangpur- 157	<u>77</u> 16,17,18,22/1,22/2, 23/1,23/2,24,24/2, 25/1, 25/2 <u>14</u> 20,21,22 <u>74</u> 10,11 <u>75</u> 2,3,4,5,6,7,8,9,12, 13, 14, 15,16, 17, 18, 19,19/1, 20/1, 20/2,21/1,21/2,22, 23,24,25 <u>76</u> 16/1,16/2,17/1,17/2, 18/1,18/2,19/1,19/2, 20/1,20/2,21/1,21/2, 22,23,24,25 <u>85</u> 3,4,5,6,7,8,11 Min- East,12 Min-East, 13 Min North, 14/1 Min -North, 14/2 Min-North, 16 Min North, 19 Min North, 20 Min West	104 acres, 3 Kanal, 4 Marla	80

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5	Naurangpur	Gurgaon	Gurgaon	Naurangpur-157	<u>86</u> 1/1,1/2,2,3,4,5,6/1, 6/2,7/1,7/2, 8/1, 8/2,9,10, 11Min- North, 12/1, 12/2, 13,14,16,17,18,19/1, 19/2, Min- North, 20/1, Min North <u>87</u> 1/1,1/2,1/3,2,8,4,5, 6,7,8,9,10/1,10/2, 11,12,13,14,15,16, 17,18,19,2 <u>88</u> 1,2,9,10,11,20 <u>91</u> 110 Min-East	104 acres, 3 Kanal, 4 Marla	80
6	Indri Rewason	Mewat	Nuh	Indri 197	<u>173</u> 1/1,1/2,1/3,2,3,4, 5/1,5/2,6,7,8,9/2,9/1, 10,12/1, 12/2, 13/1, 13/2,14/1,14/2,15/1, 15/2,16,17,18,23, 24,25 <u>175</u> 4,5,6,15 <u>172</u> 1,2,3,4,7,8,9,10/1, 10/2, 11, 12, 13/1, 13/2, 14,17,18, 19, 20, 21,22,23, 24 <u>176</u> 1,2,3,8,9,10,11,12	372 Kanals	18
7	Indri Rewason	Mewat	Nuh	Rewason 108	<u>45</u> 3/2,7,8,13,14,15, 16,17/1,17/2,18/1, 18/2,19/1,22,23,24/1, 24/2, 25, 44 20		

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7	Indri Rewason	Mewat	Nuh	Rewason 108	<u>58</u> 1/2,2,3,4,5/1, 5/2, 6,7/1, 7/2, 8,9/1, 9/2, 9/3, 10, 11/1, 11/2, 12,13,14,15,16,17, 18,19, 23, 24 <u>59</u> 1,10 <u>60</u> 4		
8	Raisina	Gurgaon	Sohna	Raisina 184	<u>100</u> 22Min-East, 23 Min- East, 24 <u>125</u> 1 Min-East 2,3,4,5,6,7, 8,9/1,9/2,10,11,12/1, 12/2,13,14,15,16, 17/1,17/2,18,19,20, 21,22,23,24, 25/1, 25/2, 26 <u>126</u> 1,10,11,20,21 <u>129</u> 1,10 <u>130</u> 1,2,3,4,5,6,7,8,9,10	41 acres, 2 Kanal, 5 Marla	
9	Balla Majra	Yamuna Nagar	Chhachhrauli	BallaMajra 71	<u>10</u> 16,17,21,22,23,24,25 <u>13</u> 1 to 12	80 Acres, 0 Kanal, 11 Marla	16
10	Doiwala	Yamuna Nagar	Chhachhrauli	Doiwala 69	<u>16</u> 1,2 to 17,18/1,18/2, 19/1,19/2,20 to 25 <u>22</u> 1,2/1,2/2,2/3,3/1,3/2, 3/3,4/1,4/2,7,8, 9, 10/1,10/2,10/3,11/1, 11/2,12/1,12/2,13,14, 17/1,17/2,18,19,20/1, 20/2,21,22/1,22/2,23, 24/1, 24/2 <u>27</u> 1,2,3,4,5/1,5/2,6,7/1, 7/2,8,9,10/1,10/2,11 to 15,17,18,19,20		

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11	Burjkotian Extension	Panchkula	Panchkula	Burjkotian Extension-196	174 Min, 152 Min, 118 Min, situated in between the link road on one side and the Ghaggar River Bank on other side	34 Acres	
12	Dhouj	Faridabad	Faridabad Stone Crushing Zone	Dhouj	<p>9</p> <p>7 Min, 8,9,10,11, 12, 13,14,Min,17 Min, 18,19,20,21,22,23, 24 Min</p> <p>10</p> <p>1 Min, 6 Min,7 Min, 8, 9, 10, 11, 12, 13, 14Min, 15 Min, 16 Min, 17 Min, 18, 19, 20, 21,22,23, 24Min, 25Min</p> <p>11</p> <p>5 Min,15 Min,16 Min, 25 Min</p> <p>12</p> <p>5 Min, 6Min</p> <p>13</p> <p>1,2,3,4,5,6 Min, 7 Min,8 Min, 9 Min,10Min, 15 Min,16 Min, 25 Min</p> <p>14</p> <p>1,2,3,4 min, 5 min, 6 min, 7min, 8,9,10, 11,12,13,14min, 15min,16,17,18,19, 20,21,22,23,24,25</p> <p>15</p> <p>1,2 min,8 min,9 min, 10,11,12,13min, 17 min, 18min, 19,20,21,22,23, 24 min</p> <p>25</p> <p>1,2,3,4 min,7min, 8,9,10,11,12, 13min, 14 min,18min, 19,20, 21,22,23min</p>		

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12	Dhouj	Faridabad	Faridabad Stone Crushing Zone	Dhouj	<p style="text-align: center;"><u>26</u></p> <p>1,2,3,4,5,6,7,8,9,10, 11,12,13,14,15,16, 17,18,19,20,21,22, 23,24,25</p> <p style="text-align: center;"><u>27</u></p> <p>5 min,6 min,15 min, 16 min, 25 min</p>		
	Green Belt	<u>100 Meter wide around the stone crusher zone in addition to the stone crusher zone area</u>			<p style="text-align: center;"><u>5</u></p> <p>24 min, 25min</p> <p style="text-align: center;"><u>6</u></p> <p>21 min,22,23,24,25</p> <p style="text-align: center;"><u>7</u></p> <p>21,22,23,24,25min</p> <p style="text-align: center;"><u>8</u></p> <p>18min,19,20,21,22, 23 min</p> <p style="text-align: center;"><u>9</u></p> <p>1,2,3,4,5min,6min, 7min,14 min,15min, 16, 17 min,24min,25</p> <p style="text-align: center;"><u>10</u></p> <p>1min,2,3,4,5,6min, 7min, 14 min,15, 16, 17min,24min,25min</p> <p style="text-align: center;"><u>11</u></p> <p>4min, 5min,6min, 7min,14min,15, 16 min, 17min, 24min, 25min</p> <p style="text-align: center;"><u>12</u></p> <p>4min, 5min,6min, 7min, 14 min,15, 16 min, 17min</p> <p style="text-align: center;"><u>13</u></p> <p>6min,7min,8min, 9min,10min,11,12, 13,14,15min,16min, 17min,18min,19min, 20min,24min,25min</p> <p style="text-align: center;"><u>14</u></p> <p>4min,5min,6min, 7min,14min,15min</p>		

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	Green Belt	<u>100 Meter wide around the stone crusher zone in addition to the stone crusher zone area</u>			<p style="text-align: center;"><u>15</u></p> <p>2min,3min,4min, 7min, 8min,9min, 13min,14min,15min, 6min,17min,18min, 24min,25min</p> <p style="text-align: center;"><u>25</u></p> <p>4min,5min,6min, 7min,13min, 14min,15min,16min, 17,18min,24,25min</p> <p style="text-align: center;"><u>27</u></p> <p>4min,5min,6min, 7min,13min, 14min, 15min,16min,17, 18min,24,25min</p> <p style="text-align: center;"><u>30</u></p> <p>4min,5,6,7min</p> <p style="text-align: center;"><u>31</u></p> <p>1,2,3,4,5,6,7,8,9,10</p> <p style="text-align: center;"><u>32</u></p> <p>1,2,3min,4,5min, 6min,7min,8min,9,10.</p>		
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Note:

Beside above notified zones, two more stone crushing zones i.e. at village Pali and Mohabtabad of District Faridabad has been notified by Mines and Geology Department vide Notification No. S.O.37/ H.A.15/ 92/ S.2/ 93 dated 30.04.1993.

Schedule IV**Procedure for establishment and operation of stone crushing units in identified zones**

1. Existing Stone Crushing units working anywhere in the State of Haryana which do not fall in the areas as specified in Schedule-I or in identified zones as per Schedule-III will have to either shift after obtaining consent to establish (NOC) from Haryana State Pollution Control Board to a site meeting the siting criteria as per Schedule-I or at available sites in the identified crushing zones as per schedule-III or close down the unit without involving any claim against any Authority.
2. The following policy will be adopted for the consideration of the applicant for consent to establish (NOC) for setting up of crushing units in the identified zones as per Schedule- III in order of following priority:
 - 2.1 The first priority will be given for such crushing units which were ordered to be closed down or ordered to be shifted under the final orders of any Judicial Authority from their previous location anywhere in Haryana. But no stone crushing unit will be considered for resiting anywhere outside the district where they were previously operating according to the district boundaries as applicable on the date when the Judicial Orders restraining them came in force. Interse priority of such crushing units for resiting will be made according to the date when the Judicial order came in force. However, such stone crushing unit shall have to file a complete application for the consent to Establish (NOC) to the Haryana State Pollution Control Board for the issue of Consent to Establish (NOC) within a period of six months from the date be extended for another six months by the Haryana State Pollution Control Board. Any relaxation beyond this period for a further period of six months may be granted in public interest by the State Government by recording reasons. Any application for the Consent to Establish (NOC) which could not be accepted for want of availability of site will however be treated as not time barred and limitation period will commence form the date of availability of site within the identified zones.
 - 2.2 The second priority would be given for stone crushing unit for resiting which were closed by the Haryana State Pollution Control Board or the Government of Haryana, Environment Department on account of non- compliance of siting criteria norms. The time limit for such applications will be according to the criteria as specified in para 2.1 above.
 - 2.3 No units that shut down their stone crushing activities without any legal restraint order on them whether in the past or in the future would be considered for issue of any Consent to Establish (NOC) for being resited in any approved crushing zone unless they have already been so accommodated by the authority that was competent to issue consent to establish (NOC) here before.
 - 2.4 The applications for allotment of any available stone crushing sites within the identified zone will be made henceforth to the Haryana State Pollution Control Board in response to public advertisement notices published at least in two English and two Hindi daily newspaper widely circulated in the State of Haryana No. existing application shall be entertained and they shall have to apply afresh for response to the public advertisement.
 - 2.5 The applications for Consent to Establish (NOC) in identified zone will be decided by a Committee consisting of Chairman, Haryana State Pollution Control Board, Director , Environment and Member Secretary, Haryana State Pollution Control Board and the same will be headed by the Chairman, Haryana State Pollution Control Board.
 - 2.6 Consent to operate of any stone crusher unit given in the past or to be given in the future shall be non-transferable except for the case of natural transfer by inheritance.
 - 2.7 Any Consent to establish (NOC) issued before this notification by Haryana State Pollution Control Board whether for resiting in identified zone or isolated site shall be valid for a period not exceeding six months from the date of issue of this notification. However, if consent to establish (NOC) is issued after the issue of this notification it shall be valid for a period not exceeding nine months from the date of issue of any such fresh consent to Establish (NOC).

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3. In case of any conflict between any existing statutory provisions and any administrative orders issued by any authority including Haryana State Pollution Control Board, the statutory provision will be applicable according to the settled law of India.
4. Irrespective of any other provisions above to the contrary no stone crushing unit whether within any approved crushing zone or outside the zone would be allowed to operate in violation of any other applicable legal restrictions statute and rules legislated and enforced or prescribed by the Competent Legislative Authority or the prescribing authority including the Town and Country Planning Department, Haryana whether in the past or in future. The issue of No Objection Certificate by the Haryana State Pollution Control Board will not be treated as any permission to violate any such statutory legal restrictions.
- 5.

ANURAG RASTOGI,
Principal Secretary to Government Haryana,
Environment Department.

54319—C.S.—H.G.P., Chd.

CWP-12107-2018 (O&M)

M/s Ambala Stone Crusher and others
Vs
State of Haryana and others

Present: Mr. Puneet Bali, Senior Advocate,
with Mr. Vibhav Jain, Advocate,
Ms. Rubai J. Singh, Advocate,
Mr. Sachin Jain, Advocate,
for the petitioners.
Mr. Deepak Balyan, Addl. AG, Haryana,
for respondents No. 1 and 2.
Mr. Lokesh Sinhal, Advocate,
for respondent No. 3.

* * * *

CM-6590-2019

Leave is granted to place on record the replication alongwith Annexure P-20 filed on behalf of the petitioners and the application is allowed.

CWP-12107-2018

Despite orders dated 13.11.2018 and 29.01.2019 allowing time to file written statement, no response has been filed on behalf of the State of Haryana. Today, a prayer has been made to grant further four weeks' time for the purpose.

Time prayed for is allowed.

List on 18.07.2019.

Considering the facts and circumstances and in particular the fact that the State of Haryana has failed to come up with a response, we are constrained to pass an interim order restraining the respondent-authorities till the next date of listing from interfering in the running of the petitioners- stone crushing units by their respective proprietors at the place where they are established and also from taking any other coercive measures or refusing to grant necessary consent as and when required on the ground that they are not entitled to continue the operation at the present site in view of the notification which is impugned in this writ petition.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

02.05.2019

For Subsequent orders see CWP-19538-2020, CWP-1012-2021, CWP-10871-2019 and 24 more.

2024:PHHC:158409

**In the High Court of Punjab and Haryana, at Chandigarh****Civil Writ Petition No. 12107 of 2018 (O&M)****Reserved On: 19.11.2024**
Pronounced On: 29.11.2024

M/s Ambala Stone Crushers and Others

... Petitioner(s)

Versus

State of Haryana and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Sheel Nagu, Chief Justice.
Hon'ble Mr. Justice Anil Kshetarpal.**Present:** Mr. Shailendra Jain, Senior Advocate
with Ms. Richa Sharma, Advocate
for the petitioner(s) (In CWP-11305-2019).Ms. Bhagyashri, and Mr. Shivam Sharma, Advocates
for the petitioner(s) (In CWP-19945-2020, CWP-12107-2018,
CWP-30125-2018 and CWP-20595-2021).Mr. Sanjeev Sharma, Senior Advocate
with Mr. Sandeep Singh and Mr. Jugansh Goyal, Advocates
for the petitioner(s) (In CWP-27094-2017).Mr. Chetan Slathia, Advocate
for the petitioner(s) (In CWP-11209-2019).Mr. Tarun Gupta, Advocate,
for the petitioner (s) (In CWP-9374-2021, CWP-11694-2020,
CWP-15981-2021 and CWP-19538-2020).Mr. Rajinder S.Rana, Advocate,
for the petitioner(s) (In CWP-12771-2019 and CWP-10871-
2019).Mr. Raj Kumar Gupta, Advocate,
for the petitioner(s) (In CWP-5101-2021 and CWP-5103-2021).Mr. Vijayveer Singh, Advocate
for Mr. Akshay Jindal, Advocate,
for the petitioner(s) (In CWP-15299-2020).

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Mr. D.S.Patwalia, Senior Advocate
with Mr.Abhishek Singh, Advocate,
for the petitioner(s) (In CWP-9577-2019, CWP-11163-2019
and CWP-3992-2020).

Mr. Surender Dhull, Advocate,
for the petitioner(s) (In CWP-12683-2019).

Mr. Pankaj Gupta and Mr. Paras Jain, Advocates
for the petitioner(s) (In CWP-1012-2021).

Mr. Deepak Basatia, Advocate
for the petitioner(s) (In CWP-11204-2019, CWP-12636-2019,
CWP-13526-2019, CWP-5796-2020 and CWP-5666-2020).

Mr. Surender Dhull, Advocate,
for the petitioner(s) (In CWP-12683-2019).

Mr. Abhishek Singh, Advocate
for the petitioner(s) (In CWP-17483-2020).

Mr. Himanshu Arora, Advocate
for the petitioner(s) (In CWP-9713-2019).

Mr. Amandeep Singh Talwar and Mr. Abishai Alfred George,
Advocates, for the petitioner(s) (In CWP-3286-2021).

Mr. Ankur Mittal, Additional Advocate General, Haryana
with Mr. Saurabh Magu, Deputy Advocate, General, Haryana
and Mr. Karan Jindal, AAG, Haryana, for State of Haryana.

Mr. Ankur Mittal, Mr. Deepak Sabharwal, Ms. Kushaldeep
Kaur, Mr. Siddhanth Arora and Ms. Saanvi Singla, Advocates
for the Haryana State Pollution Control Board.

Anil Kshetarpal, J.

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1. Factual Background

1.1 With the consent of the learned counsel representing the parties, 28 connected writ petitions, detail whereof is given at the foot of the judgment, shall stand disposed of by this common judgment. In all these writ petitions, the petitioners have assailed the State Government's final notification issued on 11.05.2016 and the amended notification issued on 04.04.2019 laying down the norms for location of stone crushers in the State.

1.2 In order to comprehend the issues involved, the relevant facts, in brief, are required to be noticed. Under Sections 3 and 5 of the Environment (Protection) Act, 1986 (hereinafter referred to as "the 1986 Act"), the Central Government has power to take measures to protect and improve the environment while regulating the areas where certain operations, industries, or processes shall not be carried out or shall be carried out subject to certain safeguards. Section 5 enables the Central Government to issue directions in writing for implementation of the aforesaid measures

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including the closure, prohibition or regulation of any industry, operation or process. Section 23 enables the Central Government to delegate its powers and functions under the 1986 Act to any officer, State Government or any other authority except the enabling power to constitute an authority under sub-section (3) of Section 3 and to make rules under Section 25.

1.3 The Central Government vide the notification issued on 10.02.1988 delegated the powers vested in it under Section 5 to the State Governments of Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Mizoram, Orissa, Rajasthan, Sikkim and Tamil Nadu. In view of the delegated powers, the State Governments have been issuing directions including laying down the norms for location of the various industries which cause pollution to provide healthy environment for the residents and to maintain ecological balance. The State of Haryana on 21.10.2015 invited objections while issuing a draft notification proposing to lay down the norms for location of the stone crushers. During the hearing, the Government Counsel has disclosed that 22 objections were received, which were considered and eventually final notification was issued on 11.05.2016 giving three years' period to the existing stone crushers to shift while making a provision for grant of extension for a period of one more year after the expiry of initial period of three years.

2. Arguments put forth by the learned counsel representing the parties

2.1 The learned counsel representing the parties have been heard at length and their respective synopsis/notes of submissions have also been

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considered.

2.2 Mr. Shailendra Jain, Senior Advocate, the petitioners' counsel has submitted that the final notification issued on 11.05.2016 by the State of Haryana is notified under a wrong provision of law i.e. Section 5 and 7 of the 1986 Act read with Rule 4 of the Environment (Protection) Rules, 1986 (hereinafter referred to as "the 1986 Rules"). In other words, the submission is that vide the notification dated 10.02.1988 the Central Government has not delegated its powers under Section 3(2)(v). Hence, the State of Haryana has no jurisdiction to lay down norms for location of stone crushers. It has further been submitted that the directions in Section 5 of the 1986 Act pertain to closure, prohibition or regulation of any industry whereas the impugned notifications relate to siting parameters and Section 3(2)(v) of the 1986 Act confers the said power. It has been asserted by the learned counsel that the only power vested with the State Government vide the notification issued on 10.02.1988 is under Section 5 of the 1986 Act. Moreover, the procedure as laid down in Rule 5 of the 1986 Rules has not been followed by the State Government.

2.3 The learned counsel argues that the notification dated 11.05.2016 is violative of both substantive as well as the procedural provisions contained in the 1986 Act and the 1986 Rules. He asserts that the introduction of item No. III of Schedule-II of the impugned notification has been made only to help those stone crushing units which are lying closed since 2012 in order to give them a new lease of life initially for a period of three years.

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2.4 The learned counsel also submits that under the rule of estoppel, respondents No. 4 and 5 cannot refuse to renew/grant consent to operate without any omission and commission on the petitioner's part after allowing them to operate their stone crushers continuously from 19 to 22 years particularly when the petitioners have made their huge investments in erection and installation of the stone crushers. Furthermore, the petitioners will suffer grave injuries if their stone crushers are closed due to the issuance of the impugned notifications as it will not only cause loss of employment to hundreds of employees but will also result in loss of capital investment made by the petitioners for establishment of the stone crushers.

2.5 In the end, it has been argued that the crushing zones as proposed in villages Doewala and Balewala, District Yamuna Nagar, can be expanded to include all the stone crushers located around the proposed crusher zones as it will solve the problem efficaciously.

2.6 Finally, it has been argued that the notification infringes upon the petitioners' fundamental rights of practice any profession, to carry out any occupation, trade or business as guaranteed to all the citizens under Article 19 (1)(g) of the Constitution of India and the petitioners hold the licenses to operate their stone crushers for the period upto 31.03.2022.

2.7 Mr. D.S.Patwalia, Senior Advocate, while drawing the attention of the Court to Clause (ii) of the policy, submits that exemption from shifting has been granted to the existing stone crushers located in the notified approved crushing zones which is discriminatory and arbitrary, as all the stone crushing units which are not in consonance with the location

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criteria prescribed have been directed to shift within three years from the date of issuance of the impugned notification.

2.8 Mr. Sanjeev Sharma, Senior Advocate, has contended that the notification is arbitrary because the minimum distance is to be calculated from the boundary of the stone crushing unit irrespective of the size of plot. He also asserts that the State Government has failed to make a provision to calculate the distance of place where the machines are installed for crushing the stone vis-a-vis the size of the plot or area.

2.9 Mr. Vaibhav Jain, Advocate, has sent a written note of his submissions drawing the attention of the Court to the litigation which was decided by the National Green Tribunal on 09.01.2014. It is submitted that the petitioner herein set up their stone crushers in accordance with the prevalent policy decisions from time to time. The learned counsel has submitted that the method of measurement used in the impugned notification is unfair in comparison with the notifications issued in the year 1992/1997.

2.10 It has also been submitted that when the stone crushers were established, the adjoining land was not notified as a forest area because in the jamabandi, the forest area has been recorded for the first time in the year 2007-08 hence the petitioners who had set up their units much before the declaration of Forest, should not be forced to shift. In the end, it has been contended that the petitioners' vested rights cannot be taken away by issuing the executive instructions.

2.11 Additionally, Mr. Tarun Gupta, Advocate, has also challenged the correctness of the amended notification issued on 04.04.2019 which lays

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down the requirement of 500 meters distance between the educational institutions and the stone crushers. He further submits that the school in the vicinity was constructed subsequently where the stone crusher had already been established. Hence, a direction to the stone crushers to shift cannot be issued as they were established prior in point of time and the educational institution came into existence subsequently. Apart from that the learned counsel representing the petitioners in various other writ petitions have adopted the arguments of the learned senior counsels.

2.12 Per contra, Mr. Ankur Mittal, Additional Advocate General, Haryana, has submitted that the requirement of protecting the environment cannot be static and the environment can be protected by a dynamic approach and keeping in view the directive principles of State policy as envisaged in the Constitution, the State is bound to make efforts for maintaining delicate balance between the requirement of healthy environment and industrialization.

2.13 The learned counsel while referring to the various notifications issued from time to time, submitted that the norms for location of the crushing units have been laid down from time to time as per the need of the hour. He has submitted that Section 5 of the 1986 Act must be read in conjunction with Section 3 of the Act for harmonious construction of the statutory provisions. He has also submitted that same notification issued on 10.02.1988 was the subject matter of adjudication before the Supreme Court in *A.P. Pollution Control Board II v. Prof. M.V. Nayudu (Retd.) and Others (2001) 2 SCC 62*. He further submitted that sufficient time/period of

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three years' time has been given to the existing units to shift which is extendable by another year in the identified safe zones. He also submitted that exemption to units existing in already notified crushing zones have been granted only in those areas where sufficient safety measures were possible and the procedure as prescribed under Rules 4 and 5 of the 1986 Rules has been followed.

2.14 Mr. Deepak Sabharwal, Advocate, has submitted that the stone crushers cause air pollution and they are harmful for the environment.

3. Analysis and Discussion

I Harmonious interpretation of Section 3, 5 and 23 of the 1986 Act for effective environmental protection.

3.1 Before adjudicating upon the merits of the case, it is significant to note that the 1986 Act was enacted to protect and prevent environment from further degradation while making efforts to improve in order to make it healthier and livable in accordance with the decision taken at the United Nations Conference on the Human Environment held in Stockholm in June 1972. As per Section 2(a), the word "environment" includes water, air and land and the inter-relationship which exists among and between water, air and land, and human beings.

3.2 Section 3 of the 1986 Act enables the Central Government with expansive powers including the measures enlisted in Section 3(2) of the 1986 Act. Section 3(2) uses the word "include" to give a wider/extensive construction.

3.3 Section 5 enables the Central Government to issue directions in

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exercise of its powers and performance of its functions under the Act. In substance, Sections 3 and 5 enable the Central Government to issue directions and take such measures to protect and improve environment.

3.4 Section 23 is non-obstante provision which enables the Central Government to delegate all its powers and functions under the 1986 Act to any officer, State Government or any other authority except the power to constitute authority under Section 3(3) of the Act and to make rules under Section 25. In other words, the Central Government is entitled to delegate all its powers and functions except as provided under Section 3(3) and the rule making power under Section 25 to achieve the goals of protecting and improving the environment. It is in that context, the notification issued on 10.02.1988 is required to be construed which is extracted as under:-

“In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 the Central Government hereby delegates the powers vested in it under section 5 of the Act to the State Governments of Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Mizoram, Orissa, Rajasthan, Sikkim and Tamil Nadu subject to the condition that the Central Government may revoke such delegation of powers in respect of all or any one or more of the State Governments or may itself invoke the provisions of section 5 of the Act, if in the opinion of the Central Government such a course of action is necessary in public interest.”

3.5 The first argument of Mr. Shailendra Jain, Senior Advocate, lacks substance because Sections 3 and 5 are required to be read in conjunction with each other to enable the appropriate authority to take steps

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for protecting the environment. The enabling power under Section 3(2)(v) to restrict the areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out cannot be read in isolation of the enabling power of giving directions.

3.6 In para 43 of *A.P. Pollution Control Board's case (supra)* the Supreme Court held that as per notification dated 10.02.1988, Andhra Pradesh Government, as delegatee of the Central Government is entitled to lay down the norms for establishment operation and continuance of the industries. Though the main question involved in the aforesaid judgment was different, however, the Court interpreted same notification in Para 43, which reads as under:-

“43. Under Section 3(2)(v) above extracted, the Central Government or the State Government as its delegate, could issue directions as permitted by Section 5. Now Section 3(2)(v) permits restriction specifying "areas" in which industrial operations or processes shall not be carried out or shall be carried out subject to certain safeguards. The notification issued by the State Government in GO 111 dated 8.3.96 falls within the first part i.e. where industries shall not be carried out. This is a total prohibition within 10 KM of the two reservoirs. When such a prohibition was in force, the State Government could not obviously grant any exemption to a specified industry like the seventh respondent, located within the 'area'. Nor was it permissible for the State to direct the appellant-Board to prescribe conditions for grant of NOC.”

3.7 Moreover, Sections 3 and 5 of the 1986 Act are part of the same scheme and series. The right to life is higher than the right to carry business

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as provided under Article 19 of the Constitution of India. The notification being environment centric is not required to be interfered with unless it is totally arbitrary or the authority issuing it lacks power.

II. Lack of specificity in allegations regarding violation of notification and Rules of the 1986 Act

3.8 The petitioner has, in para 24(d) of the writ petition, made vague assertion that the notification dated 11.05.2016 is violative of both substantial and procedural law without any further elaboration. Even during hearing, the petitioners' counsel made no efforts to draw the attention of the Court to any substantive violation which may have impact on the validity of the notification. Rule 4 of the 1986 Rules provides for an opportunity to file the objections. However, the petitioner has not alleged that an opportunity to file objections was not given. Moreover, an opportunity was granted to all the stake holders to file their objections.

3.9 Rule 4 of the 1986 Rules provides that before issuing proposed direction a notice of 15 days shall be required to be served while giving him an opportunity to file objections. Though the petitioner in Civil Writ Petition No. 11305 of 2019 has not disclosed about the draft notification dated 21.10.2015, however, in Civil Writ Petition No. 9577 of 2019, the same has been annexed as Annexure P16. It is evident that while issuing the draft notification, fifteen days period was given to all stake holders to file objections before the Additional Chief Secretary to Government of Haryana, Environment Department. It has been stated by the learned State counsel that 22 objections were received which were considered and decided after granting an opportunity of hearing.

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3.10 While alleging infringement of the procedure, the petitioner is required to make specific averments while elaborating the infringement so alleged. In the absence thereof the Court cannot be expected to decide. The onus lies on the petitioner to clearly outline and substantiate the infringement for the Court to adjudicate effectively.

III. Unsubstantiated claims regarding revival of closed stone crushers under the impugned notification

3.11 With regard to the argument based on item No. III of Schedule-II of the notification, it is evident that all the stone crushing units that are not located within the location parameters laid down as per Schedule I are required to be shifted within a period of three years from the date of notification which is extendable for a period of one year. The learned counsel representing the petitioners have failed to elaborate as to how already closed crushers will get new lease of life.

IV. Doctrine of Estoppel and Government Obligations

3.12 Clause (ii) of notification exempts the existing stone crushers from shifting if they are located in the notified approved crushing zones. The stone crushers that are neither located in the approved crushing zones nor fulfill the new guidelines for location of the stone crushers have been asked to shift their location as per new policy. It is clear that the government never made a promise that the location parameters shall never change.

3.13 The argument put forth by the learned counsel representing the petitioner is without merit, as the earlier notification did not establish any binding promise between the government and the petitioner. Furthermore, the government cannot be prohibited from fulfilling its statutory obligations

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under the 1986 Act, if it determines, in the interest of the public, that such actions are necessary. Undoubtedly, the doctrine of estoppel binds the government in cases of contracts and promises. However, it is a well settled principle that estoppel cannot be invoked against the government if the action is taken to prevent it from acting in public interest or fulfilling its statutory duties. The Supreme Court has outlined exceptions regarding the applicability of the rule of estoppel. Reliance in this regard can be placed on *Kasinka Trading and Another v. Union of India and Another AIR 1995 (SC) 874*, the relevant paras are extracted hereunder:-

“12. The doctrine of promissory estoppel or equitable estoppel is well established in the administrative law of the country. To put it simply, the doctrine represents a principle evolved by equity to avoid injustice. The basis of the doctrine is that where any party has by his word or conduct made to the other party an unequivocal promise or representation by word or conduct, which is intended to create legal relations or effect a legal relationship to arise in the future, knowing as well as intending that the representation, assurance or the promise would be acted upon by the other party to whom it has been made and has in fact been so acted upon by the other party, the promise, assurance or representation should be binding on the party making it and that party should not be permitted to go back upon it, if it would be inequitable to allow him to do so, having regard to the dealings, which have taken place or are intended

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to take place between the parties.

13. *It has been settled by this Court that the doctrine of promissory estoppel is applicable against the Government also particularly where it is necessary to prevent fraud or manifest injustice. The doctrine, however, cannot be pressed into aid to compel the Government or the public authority "to carry out a representation or promise which is contrary to law or which was outside the authority or power of the officer of the Government or of the public authority to make". There is preponderance of judicial opinion that to invoke the doctrine of promissory estoppel clear, sound and positive foundation must be laid in the petition itself by the party invoking the doctrine and that bald expressions, without any supporting material, to the effect that the doctrine is attracted because the party invoking the doctrine has altered its position relying on the assurance of the Government would not be sufficient to press into aid the doctrine. In our opinion, the doctrine of promissory estoppel cannot be invoked in the abstract and the courts are bound to consider all aspects including the results sought to be achieved and the public good at large, because while considering the applicability of the doctrine, the courts have to do equity and the fundamental principles of equity must for ever be present to the mind of the court, while considering the applicability of the doctrine. The doctrine must yield when the*

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equity so demands if it can be shown having regard to the facts and circumstances of the case that it would be inequitable to hold the Government or the public authority to its promise, assurance or representation.

14. 13. *The ambit, scope and amplitude of the doctrine of promissory estoppel has been evolved in this country over the last quarter of a century through successive decisions of this Court starting with Union of India v. Anglo Afghan Agencies Pvt. Limited. References in this connection may be made with advantage to Century Spinning & Manufacturing Co. Ltd. and Anr. v. The Ulhasnagar Municipal Council and Anr. : Motilal Padampat Sugar Mills Co. (P) Ltd. v. State of UP and Ors. : Jit Ram Shiv Kumar and Ors. Etc. v. State of Haryana and Anr. : Union of India v. Godfrey Philips India Ltd. : Indian Express Newspaper (Bom) Pvt. Ltd. and Ors. v. Union of India and Ors. : Pournami Oil Mills and Ors. v. State of Kerala and Anr. [1986] Supp. SCC 728 : Bakul Oil Industries and Anr. v. State of Gujarat and Anr. : Asstt. Commissioner of Commercial Taxes and Ors. v. Dharmendra Trading Co. and Ors. : Amrit Banaspati Co. Ltd. And Anr. v. State of Punjab and Anr. and Union of India and Ors. v. Hindustan Development Corporation and Ors. [1993]3 JT SC 15. In Godfrey Philips India Ltd., this Court opined: (SCC p. 388, para 13)*

"We may also point out that the doctrine of promissory

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estoppel being an equitable doctrine, it must yield when the equity so requires; if it can be shown by the Government or public authority that having regard to the facts as they have transpired, it would be inequitable to hold the Government or public authority to the promise or representation made by it, the Court would not raise an equity in favour of the person to whom the promise or representation is made and enforce the promise or representation against the Government or public authority. The doctrine of promissory estoppel would be displaced in such a case, because on the facts, equity would not require that the Government or public authority should be held bound by the promise or representation made by it."

3.14 Environmental laws prioritize public interest as a result the government must act in alignment to the requirements of time. It is significant to note that public interest must over-ride any consideration of private loss and gain. The principle of promissory estoppel is not rigid; as an equitable doctrine, it must be adapted to fit the specific circumstances of each case. The applicability of doctrine of estoppel against the government depends upon balancing equity and public interest. The government must be permitted to modify its stance if overriding public interest demands it. In situations where public interest prevails, the principle of estoppel cannot be enforced in a rigid manner.

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3.15 Under Article 48A of the Constitution of India, it is the responsibility of the governments to protect and improve environment. The petitioners may have established their stone crushers pursuant to the earlier policy decisions. However, the environmental requirements are not static, as they must be dynamic. With the development in the area, the priority of the government is to maintain ecological balance as a part of its responsibility to ensure sustainable development, environmental protection and welfare of its citizens. The government holds a unique and critical role in maintaining ecological balance through policies, enforcement and taking proactive and ethical responsibility for the environment to ensure balance between development and conservation.

3.16 Right to life is higher than the rights flowing from Article 19 i.e. to carry business. The business of stone crushers is considered *res extra commercium* and is, therefore, subject to stringent regulation. The pollution caused by the stone crushers is inherently injurious to the health of all living beings including humans, wildlife, rivers and plants. The efforts made to maintain delicate ecological balance which is the need of the hour particularly in view of rising pollution is not required to be interfered with.

3.17 Although stone crushers are a vital sector from a socio-economic perspective, but they generate significant amounts of fine fugitive dust. The dust poses serious health risk to workers and nearby communities, contributing to respiratory illnesses. Additionally, it diminishes visibility, inhibits vegetation growth, and negatively impacts the area's aesthetics. To mitigate or control these emissions, measures must be implemented. Stone

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crushers are critical to infrastructure and construction industries but they also pose significant environmental and health challenges. The Court must balance socio-economic development with environmental protection, ensuring that activities like stone crushing are conducted sustainably and within the legal framework.

3.18 Therefore, the petitioners contention regarding the applicability of rule of Estoppel lacks merit. The rule of Estoppel is not applicable to the facts of the present case.

V. Potential impact of the impugned notification on worker's employment

3.19 Similarly, there is no substance in the argument of the learned counsel that the impugned notification will cause loss of employment because the workers can shift to new crushing zones as and when the stone crushers are set up in the allowed areas.

VI. Court's lack of technical know-how and limited jurisdiction

3.20 Likewise, there is no substance in the submission that the crushing zones as proposed in villages Deowala and Balewala, District Yamuna Nagar, can be expanded. This Court, in the absence of any technical know-how, is unable to make any suggestions particularly when the scope of jurisdiction in exercise of power of judicial review is limited. In the absence of material to show that the policy decision is fundamentally flawed, the Court is not expected to interfere.

VII. Challenge to Item-III of Schedule-II of notification as arbitrary and discriminatory

3.21 Clause (ii) exempts the existing stone crushers from shifting if

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they are located in the new notified approved crushing zones as the government will take adequate safety measures to fulfill the requirements of co-existence so as to maintain delicate balance between ecology and the requirement of industrialization. Hence, this argument is insubstantial as the exempted stone crushers will not operate without strict regulations. The classification and differential treatment accorded to the stone crushers are neither arbitrary nor discriminatory. They are rooted in reasonable grounds, with a clear objective of balancing industrial activity and environmental sustainability. Units that have demonstrated adherence to pollution control regulations, posed minimal risk to public health, or are located in areas with negligible environment impact have been exempted. The State has assured the Court that strict regulatory measures shall be implemented to ensure that the exempted units comply with applicable environmental and safety standards

VIII. Adequate time provided for alternative arrangements

3.22 The next argument of the learned counsel also has no substance because the government has granted three years' time to all the polluting stone crushing units to shift which is extendable by another year. Hence, sufficient time has been granted to the stone crushers to make alternative arrangements.

IX. Consideration of distance calculation provision in policy context

3.23 Similarly, the provision for calculating distance from the nearest boundary of the plot in which the stone crushers are installed to the periphery of the featured concern is neither arbitrary nor illogical. The

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learned counsel has tried to impress upon the Court that the machine which crushes the stones may be located in the inner side or on the rear side of the plot. The Court is not expected to decide the validity of the notification only on assumptions. No concrete evidence has been given to show prejudice caused. Moreover, it is a policy decision taken by the competent authority keeping in view the environmental requirement.

3.24 With reference to the orders dated 09.01.2014 passed by the National Green Tribunal, it would be noticed that the location parameters have been notified subsequently, hence, the aforesaid order is not applicable to the facts of the present case.

3.25 As already noticed, the requirement to protect the environment and prevent further degradation evolves over time and cannot remain static. While some of the petitioners may have established their units in compliance with notification issued in the years 1992 and 1997, however, to protect the living beings on the mother earth, the regulatory measures are required to be taken.

X. Area declared as 'Forest' after establishment of stone crushers

3.26 Similarly, there is no substance in the argument that when the stone crushers were set up the land was not notified as a Forest. On this ground, the policy cannot be quashed. Moreover, it is the State which being the guardian is required to take tough decisions to make the earth livable. As already noticed, the petitioners do not have any vested right to continue to operate from the area which has become injurious to health of living beings due to development.

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XI. Validity of 2019 Amendment and its implications

3.27 As already noticed, the State Government vide notification dated 11.05.2016, laid down the norms for location of the stone crushers in order to prevent further damage to all the living beings in the area. For the same reasons, which have already been recorded, this Court does not find that the stone crushers can be permitted to exist within the periphery of 500 meters from the educational institutions even if the schools came into existence subsequently.

3.28 The learned counsel has also challenged the refusal of the State to grant 'consent to operate' to the petitioners in terms of the amended notification. As already noticed, the consent to operate itself cannot be granted particularly when the stone crushing unit does not fulfill the siting norms laid down by the State.

3.29 The reliance placed on the judgment passed in *Jayam & Company v. Assistant Commissioner and Another (2016) 15 SCC 125* is also wholly misplaced because the Court in the aforesaid judgment has examined the legality of a fiscal legislation. The same parameters cannot be applied to a notification which makes an attempt to preserve and protect all the living beings on the earth. Moreover, as already held, the stone crushing units and the schools cannot co-exist side by side because it would adversely impact the health of the children who are the future of the nation.

3.30 It is significant to note that protection of the environment is a dynamic and evolving responsibility that requires constant adaptation to address emerging challenges and prevent degradation. Activities that pose a

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significant risk to ecological balance, such as the stone crushing operations, demand stringent regulatory oversight to safeguard natural resources and the well being of all living beings. Upholding these principles not only aligns with constitutional and legal obligations but also secures the planet's health for future generations.

4. Decision

4.1 In view of the aforesaid discussion, the result is inevitable. The writ petitions lack merit and as a result are hereby dismissed.

4.2 The miscellaneous application(s) pending, if any, in all the writ petitions, shall stand disposed of.

**(Anil Kshetarpal)
Judge**

**(Sheel Nagu)
Chief Justice**

November 29th, 2024

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

Sr.No	Case No.	Petitioner's Name	Respondent's Name
1.	CWP-27094-2017	Shri Balaji Grit Udyog	State of Haryana and Others
2.	CWP-30125-2018	M/s Walia Stone Crushing Company	State of Haryana and Others
3.	CWP-9577-2019	M/s New Markanda Stone Crusher and Others	State of Haryana and Others
4.	CWP-9713-2019	M/s Haryana Stone Crusher and Others	State of Haryana and Others
5.	CWP-10871-2019	M/s Kaveri Stone Crusher and Others	State of Haryana and Others
6.	CWP-11163-2019	M/s Vasundhra Stone Crusher and Others	State of Haryana and Others
7.	CWP-11204-2019	M/s Shree Ganesh Stone Crusher	State of Haryana and Others
8.	CWP-11209-2019	M/s Diamond Crushing Plant and Others	State of Haryana and Others
9.	CWP-11305-2019	Kurukshetra Stone Crusher and Another	State of Haryana and Others
10.	CWP-12636-2019	M/s Angad Stone Crusher	State of Haryana and Others

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11.	CWP-12683-2019	M/s Sneh Stone Crusher	State of Haryana and Others
12.	CWP-12771-2019	Kamboj Gram Udyog Mandal and Another	State of Haryana and Others
13.	CWP-13526-2019	M/s Shivalik Stone Crusher	State of Haryana and Others
14.	CWP-3992-2020	M/s New Markanda Stone Crusher and Others	State of Haryana and Others
15.	CWP-5666-2020	M/s Walia Stone Crushing Company	State of Haryana and Others
16.	CWP-5796-2020	M/s Parkash Stone Crusher	State of Haryana and Others
17.	CWP-15299-2020	M/s Om Sai Stone Crusher	State of Haryana and Others
18.	CWP-17483-2020	M/s Guru Kirpa Enterprises	State of Haryana and Others
19.	CWP-19945-2020	M/s Suraj Stone Crushing Co. and Others	State of Haryana and Others
20.	CWP-11694-2020	Shree Vinayak Stone Crusher	State of Haryana and Others
21.	CWP-1012-2021	M/s Prakash Stone Crusher and Another	State of Haryana and Others
22.	CWP-3286-2021	M/s Jewra Stone Crushing Mills and Others	State of Haryana and Others
23.	CWP-5101-2021	M/s Meenu Stone Crushing and Others	State of Haryana and Others
24.	CWP-5103-2021	M/s Capital Stone Crushing Mills and Others	State of Haryana and Others
25.	CWP-9374-2021	M/s Ksy Buildcon	State of Haryana and Others
26.	CWP-15981-2021	Jai Maa Kamakhya Industries	State of Haryana and Others
27.	CWP-20595-2021	M/s Chaudhary Stone Crusher and Another	State of Haryana and Others

**(Anil Kshetarpal)
Judge**

**(Sheel Nagu)
Chief Justice**

November 29th, 2024

“DK”