

ACTION TAKEN REPORT
IN ORIGINAL APPLICATION NO. 599/2019
TITLED AS BISHAMBER SINGH VERSUS STATE
OF HARYANA,
AS PER HON'BLE NGT ORDER
DATED 03.12.2020.

Submitted to
Hon'ble National Green Tribunal
Principal Bench, New Delhi

Action Taken Report in compliance orders of Hon'ble NGT dated 03.12.2020 in the matter of OA No. 599 of 2019 titled as Bishamber Singh Vs. State of Haryana.

The Hon'ble National Green Tribunal, Principal Bench, in OA No. 599/2019 has passed the order dated (03.12.2020) and the operative part of the order is as follows:

2. *The matter was earlier considered on 11.02.2020. The Tribunal observed:-*

"4. In view of the above, let a proper siting criterion be laid down with reference to all relevant norms and carrying capacity be conducted of the area in terms of number of such units which can be sustained without violating the prescribed environment norms and the locations at which such units can be permitted. Action be taken based on such criteria and study.

5. The compliance of environmental norms by individual units may also be examined in the light of pollution control devices installed and further safeguards which need to be followed. The State Pollution Control Board to compute and impose Environment Compensation in accordance with law against the units not meeting the norms besides taking other statutory action. The representative of the District Magistrate henceforth should be of the rank of ADM and PCB nominee may be its Member Secretary. The Committee may check the working of the stone crushing and grinding when they operate at optimum capacity.

6. Let a fresh action taken report be furnished to this Tribunal by email at judicial-ngt@gov.in before the next date.

3. Accordingly, a report has been filed on 02.12.2020 by the State PCB to the fact that carrying capacity is to be conducted which requires time.

4. Accordingly, we defer the matter to 08.04.2021 for consideration along with Original Application No. 667/2018, Mahendra Singh v. State of Haryana & Ors. The directions issued in the O.A No. 667/2018 will also apply to the present application."

In compliance with the above order a committee of the following members was constituted:

1. Sh. Abhishek Meena, Additional Deputy Commissioner, Mahendergarh,
2. Sh. Narender Sharma, Additional Director, CPCB, New Delhi,
3. Sh. Kuldeep Singh, Regional Officer, HSPCB, Dharuhera Region,

During the course of time the following officers have been representative by their respective successor due to transfers:

1. Sh. Anurag Dhalia, Additional Deputy Commissioner, Mahendergarh, (Joined on 13.09.2021).
2. Sh. Sandeep Singh, Regional Officer, HSPCB, Dharuhera. (Joined on 18.08.2021).
3. Sh. Suneel Dave, Regional Director, CPCB, Chandigarh

A. Status of Mineral Grinding Units:

- (i) The Details of Mineral Grinding units given below in Table- I

Table-I

Name of the Clusters/ Villages	No. of Mineral Grinding Units
Village Bayal	43
Village Chhilro	06
Village Kamania	01
Village Khatoli Ahir	02
Village Lutufpur	03
Village Seonathepura	03
Village Tajpur	01
Village Narnaul	09
Total	68

Note: Out of 68 Nos. Mineral Grinding Units, a total 10 Nos. units are yet to be granted consent to operate.

- (ii) Out of 35 Nos. Mineral Grinding units in village Bayal, 11 Nos. units were inspected by the committee during i.e. October, 29-30, 2020. The list of units inspected is given in Table-II.

Sr. No.	Name and address of the unit	Remarks
1	Aditi Minerals Udyog, Khewat No. 296, Khatoni No. 381, Kila No. 44//9, Bayal, Narnaul	Non- operational
2	Deepak Minerals, Khewat No. 333, Khatoni No. 421, Rect//Kila No. 40//3/2(3-0), 7(9-0), 8(8-0) in the revenue state of Vill- Bayal, Narnaul, Mohindergarh	Non- operational
3	Khagendra Minerals, Khewat No. 296 Khatoni No. 381, Mustil No. 41/4,6, 42//1/2, 10/2, 41//15/3, 44//9, 12/2, 13 Vill- Bayal, Narnaul	Non- operational
4	Krishna Minerals, Khewat No. 325, Khatoni No. 425, Vill-Bayal, Narnaul, Distt- Mohindergarh	Non- operational
5	Laxmi Minerals, Khewat No. 333, Khatoni No. 421, Mustil NO. 40, Kila No. 2/2, VPO-Bayal,	Non- operational

	Narnaul	
6	Santosh Minerals, 41/11/2, 12/1 VPO-Bayal, Narnaul	Non- operational
7	Shree Jee Minerals, Khewat No. 347, M.No. 40, Kila No.10 (8-0) at Vill-Bayal, Nangal Chaudhary, Distt-Mohindergarh	Non- operational
8	Rama Minerals Company, Khewat No. 376, Khatoni No. 479, Mustil/ Kila No. 72//22 (8-0), Bayal, VPO-Narnaul	Non- operational
9	Ashoka Minerals , Rect//Kila No. 40//4 in the revenue state of Vill- Bayal, Narnaul:-	Operational
10	Radhey Radhey Minerals Khewat No. 319, Khatoni No. 397, M.No.- 64, Kila No. 16 min West (6-2) & 17 min East (5-18) at Vill-Bayal, Nangal Chaudhary, Distt-Mohindergarh	Operational
11	Rathi Mineral & Chemicals, Khewat No. 23, Khatoni No. 47, Mustil No. 74, 4/1, 7/2 (1-4), 8 (0-8) Bayal, Narnaul	Operational

- (iii) The committee in association with HSPCB has undertaken compliance verification of operational units (03 Nos.) and all 03 were found non-complying with the prescribed air emission standard of particulate matter (150 mg/Nm³).
- (iv) In addition to above, M/s Rama Minerals Company, Khewat No. 376, Khatoni No. 479, Mustil/ Kila No. 72//22 (8-0), Village- Bayal, Tehsil-Nangal Chaudhary has been closed by HSPCB found violating the conditions of consent to establish and consent to operate as said unit has made expansion of plant & machinery without the mandatory permission from the HSPCB.
- (v) HSPCB has issued closure directions to all non-complying units and also sealed the premises besides referring the matter to Special Environment Court, Faridabad.

B. Assessment of Carrying Capacity

- (i) In order to assess carrying capacity ambient air quality monitoring has undertaken by HSPCB from 28.10.2020 to 22.11.2020. Ambient Air Quality was monitored by the Board at 03 locations at Near Petrol Pump, Village Bayal, Govt. High School, Village Bayal and M/s Baba Rupdass Mineral grinding unit located in mineral grinding cluster respectively. Based on the available background concentration of data of air quality, the following approach was followed for estimating the carrying capacity of ambient air environment in the study area of village Bayal and applying box model. It is assumed that the impact of mineral grinding units in

Village Bayal, Tehsil Nangal Choudhary, District Mohindergarh is restricted to a square of side 3 Km accordingly the study area is taken as 9 Km². The carrying capacity is estimated on the day when mineral grinding units are operational along with other air polluting activities.

The atmospheric mixing height in the study area lied between 277 to 568 meters on day of operation of mineral grinding units. The 90 percentile value which is majorly dominant during the study period is taken and accordingly this value was used to calculate the volume of the ambient air in the study area, as a product of atmospheric mixing height and the study area under reference.

The average concentration of PM10 in ambient air was found to be varying between 50 to 238 µg/m³ in study of village Bayal Tehsil Nangal Chaudhary. The 90 percentile value which is majorly dominant during the study period is taken and this value was used to calculate the total load of PM10 in the study area, as a product of predominant PM10 particulate matter concentration and volume of the ambient air upto mixing height, in the study area.

The national ambient air quality standard (NAAQS) for PM10 i.e. 100 µg/m³ and when multiplied by the volume of air in the study area, it provided the assimilative carrying capacity of the study area for the study period.

Supportive carrying capacity of the study area was computed by taking the difference of assimilative carrying capacity of the area & total estimated load of PM10 in the study area.

The carrying capacity assessment of ambient air environment, of study area of District Mohindergarh has estimated by the Joint Committee based on the available data of ambient air quality monitored in the study area of village Bayal, Tehsil Nangal Chaudhary is as follows:

Table- I

Particulars	Village Bayal, Tehsil-Nangal Chaudhary
Study Area (km ²)	9
Mixing height (km)	0.512
Volume of air in the study area (km ³)	5
PM10 (µg/m ³)	205
Total Estimated load of particulate matter in ambient air in the study area in a study period (kg)	1025
Assimilative Carrying Capacity (kg)	500
Supportive Carrying Capacity (kg)	-525

Note:- As there is no Sound Detection and Ranging (SODAR) station in district Mohindergarh, so atmospheric mixing height of Delhi (i.e. SODAR station located at CPCB, East Arjun Nagar, New Delhi) is considered for calculation.

C. Recommendation

The following recommendations are made considering the status of mineral grinding units and assessment of carrying capacity.

- (i) No new mineral grinding units of any capacity may further be allowed to establish & operate including any expansion of the existing units in the light of the carrying capacity.
- (ii) Mineral grinding unit shall be covered all the discharge air emission points and will installed requisite air pollution control measures to suppress the dust generated due to material handling, loading/ unloading activity.
- (iii) Further, the recommendations made in the report file dated 27.9.2021 in the matter of OA No. 667/2018 (Mahendra Singh Vs. State of Haryana and Ors) with OA No. 679/2018 (Tejpal Vs. State of Haryana and Ors.) also be considered.
- (iv) HSPCB has to finalized the siting criteria for establishment of mineral grinding units immediately.


Sandeep Singh
Regional Officer
HSPCB, Dharuhera


Suneel Dave,
Regional Director, CPCB
Chandigarh


Ajay Kumar, IAS.
District Magistrate
Mahendergarh