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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, DELHI

Original Application No. 304/2019

In the Matter of:

M. Haridasan & Ors.

Applicant(s)

Versus

State of Kerala & Ors.

Respondent(s)

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**WRITTEN SUBMISSIONS / REPLY ON BEHALF OF THE
RESPONDENT, i.e. CENTRAL POLLUTION CONTROL BOARD
PURSUANT TO ORDER DATED 07.08.2025**

1. That, CPCB is a statutory Board constituted under Section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as "Water Act, 1974"). It performs the functions under the Water Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as "Air Act, 1981") and the Environment (Protection) Act, 1986.
2. That, at the outset, this answering respondent denies all claims, contentions, allegations and averments against answering respondent, CPCB in the above appeal contrary to anything stated or submitted in this reply. Nothing in the appeal may be deemed to have been accepted or admitted by the answering respondent for want of a specific denial or on the ground of non-traverse, save any averment which has been expressly admitted hereinafter.
3. That the matter is related to operation of stone quarries close to residence and public roads. Applications have been filed by mining lessees (project proponents) undertaking quarry mining at

various locations in Kerala, which also involves blasting.

4. That, Hon'ble Tribunal in the subject O.A. No. 304/2019 observed that the Kerala SPCB has permitted stone quarrying beyond 50 m from residence and public roads, and directed the SPCB to revisit the existing criterion based on an appropriate study. Vide order dated 28.02.2020 this Hon'ble Tribunal noted that *"...a report has been filed by the Kerala State PCB on 17.12.2019 reiterating the distance criteria of 50 mtrs and mentioning that no study is available with the CPCB."*

This Hon'ble Tribunal further noted in the order dated 28.02.2020 that *"We are of the view, as earlier observed that the distance of 50 mtrs. for stone quarry, particularly when blasts are involved, is highly inadequate and can have deleterious effect on noise and air pollution, environment and public health"* and directed CPCB to examine and lay down more stringent conditions and appropriately longer distance within one month and convey the same to the State Boards.

5. That in compliance to order dated 28.02.2020, the CPCB report, titled 'Distance criteria for permitting stone quarrying' dated 9.7.2020, concluded that following minimum distance criteria may be considered for permitting stone quarrying by SPCBs:

"6.0 Conclusion:

In view of available information, following minimum distance criteria may be considered for permitting stone quarrying by SPCBs:

Mining type		Minimum Distance	Locations
A.	When blasting	100 m	Residential/Public buildings,

	<i>is not involved</i>		<i>Inhabited sites, protected</i>
B.	<i>When blasting is involved</i>	<i>200 m</i>	<i>monuments, Heritage sites, National / State Highway, District roads, Public roads, Railway line/area, Ropeway or Ropeway trestle or station, Bridges, Dams, Reservoirs, River, Canals, Lakes, Tanks, or any other locations to be considered by States</i>

***Note: The regulations for danger zone (500 m) prescribed by Directorate General of Mines Safety also have to be complied compulsorily and necessary measures should be taken to minimize the impact on environment.*

However, if any states is already having stringent criteria than the above for minor mineral mining (i.e. more prescribed distances than the above), the same shall be applicable.”

6. That relying on the said report dated 09.07.2020 submitted by CPCB, this Hon'ble Tribunal vide order dated 21.07.2020 mandated to have minimum 100 and 200m distance for stone quarry operations without and with blasting, respectively.
7. That the above order dated 21.7.2020 was impugned in Hon'ble High Court of Kerala at Ernakulum by way of several writ petitions (WPC 19710/2020 and others) which were decided vide order dated 21.12.2020. Subsequently, Hon'ble Supreme Court vide order dated 25.10.2021 in CA No 6273 of 2021 and others tagged with CA No. 12122-12123 of 2018 concluded:

“In other words, all contentions raised in the present appeal(s) on these aspects, including on merits are left open, to be considered by the Tribunal afresh.”

8. That, in the aforesaid background, this Hon'ble Tribunal vide order dated 9.12.2021 directed further expert study and constituted a seven-member joint Committee comprising CPCB, Indian Institute of Mines/ IIT, Dhanbad, CSIR- Central Institute of Mining & Fuel Research (CIMFR), Dhanbad, CSIR-Central Building Research Institute(CBRI), Roorkee, IIT Roorkee, Wadia Institute of Himalayan Geology, Dehradun and Directorate General of Mines Safety, Gol, with CPCB as the nodal agency for coordination and compliance.

9. That in compliance of order dated 9.12.2021, the final report of the seven-member Joint Committee has been submitted on 02.03.2023 by the CPCB after detailed scientific study in 9 stone quarries selected based on the different geology, scale of operations and topography in Kerala. Accordingly, the Joint Committee has recommended in the said report dated 28.02.2023:

"1. Rock blasting should not be allowed within the radial distance of 150 m from quarry blasting zone if there exist houses or structures not belonging to the mine owner within this distance. Thus, if the blast zone is in the periphery/ boundary of the quarry lease area, distance criteria of 150 m has to be maintained from the nearest house/ structures not belonging to the mine owner.

2. Special precautions to be taken during blasting within danger zone. As per Regulation 164 (1-A, b) of Metalliferous Mines Regulation (MMR) 1961, 300 m radially from blasting site is considered as Danger Zone.

3. The stone quarry operators have to engage qualified mining engineers for overall supervision of routine blasting in scientific manner as per the CSIR-CIMFR assessment report and also for ensuring compliance to the bylaws of regulations governing the Minor Mineral Extraction, issued by the authorities from time to time.

4. Regulatory checks and surveillance mechanism needs to be strengthened by the mining regulatory authorities for effective enforcement of stone quarry regulations.”

10. That, in compliance of the order dated 07.08.2025 of this Hon'ble Tribunal, the CPCB seeks to reiterate the findings and recommendations of the Joint Committee in the report filed on 02.03.2023.
11. That, the answering respondent herein craves leave of the Hon'ble NGT to file additional reply, if required, in future.
12. That, in the light of the above submissions, it is respectfully submitted that this Answering Respondent, i.e., CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble NGT in the instant OA.



(Prasoon Gargava)

Scientist 'F'

Central Pollution Control Board