

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

O.A. No. 607/2018

IN THE MATTER OF:-

VINOD KUMAR JANGRA

APPLICANT

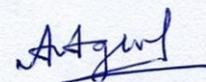
VS.

STATE OF HARYANA & ORS.

RESPONDENTS

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**AJAY AGGARWAL
SCIENTIST -E**

**CENTRAL POLLUTION CONTROL BOARD
PARIVESH BHAWAN, EAST ARJUN NAGAR,
DELHI-110032**

**DATE: 10.12.2019
PLACE: DELHI**

Central Pollution Control Board, Delhi

Status of progress and request for extension of time period for submission of the report in compliance of the Hon'ble NGT Order dated 5.9.2019, in the matter of O.A. No. 607 of 2018, Vinod Kumar Jangra Vs State of Haryana & Ors.

The Hon'ble NGT, PB, New Delhi, vide its order dated 5.9.2019 in the matter of O.A. No. 607 of 2018, Vinod Kumar Jangra Vs State of Haryana & Ors., directed as follow:

"...We also direct the CPCB to constitute a three member team to visit the area and give composite report on the subject of air pollution as well as siting of the stone crushers and their approximate numbers. The CPCB may direct establishment of sufficient number of air quality monitoring stations at suitable locations and review the effectiveness thereof at the suitable intervals. Existence and efficacy of pollution control devices of individual stone crusher may also be assessed. Online computerized continuous air quality monitoring stations may be set up wherever necessary...."

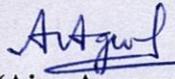
In order to comply above directions, CPCB constituted a three member team vide office order no. CPCB/IPC-V/NGT-OA-607/SC/2019/8096 dated 10.10.2019 (**Annexure-I**).

In the aforesaid matter, the three member CPCB team visited Charkhi-Dadri area, Haryana on 10.11.2019. The CPCB team visited two stone crushing units and both were found non-operational. It came to notice that all the stone crushing units located in the area had been non-operational since 1.11.2019 and would remain closed upto 11.11.2019, as per the directions of Environment Pollution (Prevention & Control) Authority (EPCA) issued vide order no. EPCA-R/2019/L-55, dated 8.11.2019 (**Annexure-II**).

Subsequently, EPCA vide order no. EPCA-R/2019/L-59, dated 18.11.2019 (**Annexure-III**) directed that hot mix plants, ready mix plants and stone crushers in Delhi-NCR to continue to remain closed, after reviewing/considering the prevailing meteorological conditions. In order to carry out the tasks, effectively, as directed by the Hon'ble NGT such as, monitoring of ambient air quality, assessing the existence & efficacy of pollution control devices of stone crushing units, etc., it is necessary that stone crushing units should be in operational condition. In this regard, CPCB vide letter of 22.11.2019 (**Annexure-IV**), requested HSPCB to inform once the units start operating, so that CPCB team can visit the area and carry out the survey/inspections/monitoring.

HSPCB vide its letter no. HSPCB/BHI/2019/19551, dated 28.11.2019 furnished a list of 322 stone crushing units located in the district, a map showing locations of the units and a list of teams constituted by HSPCB to inspect all the stone crushing units (**Annexure-V**).

In view of the closure of stone crushing units by EPCA, the Hon'ble NGT is requested for extension of time period by three months, after the date of resumption of operation of stone crushing units for carrying out the survey/inspection/monitoring of the stone crushing units located in the District Charkhi-Dadri and for the submission of composite report.


(Ajay Aggarwal)
AD & Div. Head, IPC-V



CPCB/IPC-V/NGT-OA-607/SC/2019

1381

October 10, 2019

OFFICE ORDER

Sub: Constitution of a CPCB team to comply the order of Hon'ble NGT dated 5.9.2019 in the matter of O.A No. 607 of 2018, regarding pollution due to the stone crushers operating in the Distt- Charkhi, Dadri.

The Hon'ble NGT, PB, New Delhi, vide order dated 5.9.2019 in the matter of O.A. No. 607 of 2018, Vinod Kumar Jangra Vs State of Haryana & Ors., directed as follow:

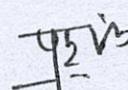
"....We also direct the CPCB to constitute a three member team to visit the area and give composite report on the subject of air pollution as well as siting of the stone crushers and their approximate numbers. The CPCB may direct establishment of sufficient number of air quality monitoring stations at suitable locations and review the effectiveness thereof at the suitable intervals. Existence and efficacy of pollution control devices of individual stone crusher may also be assessed. Online computerized continuous air quality monitoring stations may be set up wherever necessary...."

In order to comply above directions, a CPCB team comprising following officers, is hereby constituted:

1. Shri Ajay Aggarwal Scientist 'E', IPC-V Division, CPCB, Delhi
2. Shri Ankush Tiwani, Scientist 'D', AQM Division, CPCB, Delhi, and
3. Shri Abhijit Pathak, Scientist 'C', Air Quality Lab, CPCB, Delhi

Terms of Reference (TOR) of the CPCB team:

1. The CPCB team shall prepare a composite report on the subject of air pollution as well as siting of the stone crushers and their approximate numbers, as directed by Hon'ble NGT.
2. The CPCB team shall meet/visit as and when required.
3. The tenure of the CPCB team shall be upto execution of the Hon'ble NGT order, completely.
4. The payment for TA/DA shall be made/reimbursed against the receipt of claim in accordance with the Hon'ble NGT Order dated 20.4.2017 in O.A. No. 24 of 2011. The expenditure in this regard will be met from the Budget head "NGT 25%" at CPCB.


 (Dr. Prashant Gargava)
 Member Secretary

To:
All members of the CPCB team

Copy to:

- | | |
|------------------|----------------------------------|
| 1. PS to CCB | : for information of CCB, please |
| 2. PS to MS | : for information of MS, please |
| 3. DH -Law, CPCB | : for information, please |

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

निर्दिष्ट: Rohita

दिनांक: 14/10/19

O/C

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel: 43102030 22205702 वेबसाइट/WWW.CPCB.GOV.IN

**ENVIRONMENT POLLUTION (PREVENTION & CONTROL) AUTHORITY
for the National Capital Region**

**Dr. Bhure Lal
Chairman**

**EPCA-R/2019/L-55
November 08, 2019**

Urgent directions regarding GRAP

Dear Sir,

This is further to my urgent direction of November 4, 2019, regarding the measures that needed to be taken to combat the air emergency situation in Delhi-NCR.

The CPCB led task force has reviewed the weather conditions that are likely to prevail over the region and it is their assessment that the air quality will not improve in the next 48 hours and we may even see a possible decline. Given this situation, Task Force has recommended that the current measures/bans imposed should continue till Monday, November 11, 2019.

Given the above situation, EPCA is directing the following:

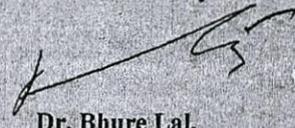
1. **Hot mix plants, stone crushers to be closed till November 11, 2019 in all NCR districts.**
2. **All coal and other fuel based industries, which have not shifted to natural gas or agro-residue (with exemption to power-plants) to remain closed in Faridabad, Gurugram, Ghaziabad, Noida, Greater Noida, Sonapat, Panipat, Bahadurgarh and Bhiwadi till November 11, 2019. In Delhi industries, which have not yet shifted to PNG to remain closed during till November 11, 2019.**
3. **Cracker burning is completely banned for this entire winter period.**

The Hon'ble Supreme Court in its hearing held on 4.11.2019, has banned **Construction activities in Delhi-NCR till further orders.**

Please note, as stated before, these measures are in addition to the directions already issued, which we had listed for your easy reference and action in our direction of November 1, 2019.

Please ensure compliance with the above directions.

Yours faithfully



**Dr. Bhure Lal,
Chairman, EPCA**

To
**Shri Vijay Kumar Dev, IAS
Chief Secretary, Govt. of NCT Delhi**

Copy to:

1. **Shri. Sanjeev Khirwar, IAS, Principal Secretary, Department of Environment Government of NCT of Delhi.**
2. **Shri. Arun Mishra, Member Secretary Delhi Pollution Control Committee (DPCC) Government of NCT of Delhi.**

Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar, Near Karkardooma Courts, Shahdara, Delhi 110 032
Tel/Fax: 22301955 (CPCB), Tel: 43102414 Dr. Bhure Lal, Chairman

ANNEXURE - III

ENVIRONMENT POLLUTION (PREVENTION & CONTROL) AUTHORITY
for the National Capital Region

Dr. Bhure Lal
Chairman

EPCA-R/2019/L-59
November 18, 2019

Urgent directions regarding GRAP

Dear Sir,

This is further to my urgent direction of November 13, 2019, regarding the measures that needed to be taken to combat the air emergency situation in Delhi-NCR.

EPCA has received the CPCB led Task Force review of the current air quality and their recommendations, which EPCA is directing is that **hot mix plant, ready mix plants, and stone crusher shall continue to remain closed**. Please note also that construction and demolition activity remains closed through the orders of the Hon'ble Supreme Court.

The air in the region, as you can see, has finally improved after days of dense and highly hazardous smog. This is the result of the high winds and good ventilation index we have seen over the past few days. Today, it is projected that the air quality will improve further and most parts of NCR will see moderate air quality, which is a big relief.

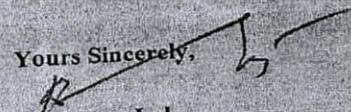
However, IMD, has alerted us that the next few days - from Tuesday, November 19, 2019 to November 21, 2019 will have very little wind and ventilation. In this circumstance, dispersion of pollutants will not happen and there is a likelihood that we will slip back to the "Very Poor" category and even "Severe" category. The situation will be aggravated in case, there is rain, which is not adequate to wash away the pollutants, but instead adds to the moisture. We have seen in this past week, how increased moisture, which traps the pollutants and creates a cloud of haze over us, leads to a sharp deterioration of air quality.

It is for this reason, we have to step up our surveillance and enforcement of local sources of pollution and crop burning. The Hon'ble Supreme Court has already directed that all authorities must ensure that tough action is taken to combat pollution. The Hon'ble Supreme Court in its direction of November 15, 2019, has directed "that Hot Spots should be cleared of pollutants within a week, which is the reasonable time-period suggested by the member secretary, CPCB.". The Monitoring Committee has also worked with you to prepare action plans for each Hot Spot. We now have to ensure implementation and enforcement.

Please also note that SAFAR has just informed us that the wind direction is favourable for intrusion of stubble burning in this coming two days. If the burning of stubble is not checked and strictly enforced, then the contribution of stubble burning can increase to up to 13 per cent of the PM 2.5 pollutant on the 19th. The Hon'ble Supreme Court has already directed stern action on this and your personal attention is needed to ensure enforcement.

Please ensure compliance with the above directions

Yours Sincerely,


Dr. Bhure Lal,
Chairman, EPCA

To
Shri Vijay Kumar Dev, IAS
Chief Secretary, Govt. of NCT Delhi

Copy to:

1. Shri. Sanjeev Khirwar, IAS, Principal Secretary, Department of Environment Government of NCT of Delhi.
2. Shri. Arun Mishra, Member Secretary Delhi Pollution Control Committee (DPCC) Government of NCT of Delhi

Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar, Near Karkardooma Courts, Shahdara, Delhi 110 032
Tel/Fax: 22301955 (CPCB), Tel: 43102414 Dr. Bhure Lal, Chairman



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

Email/Seed Post

CPCB/ IPC-V/NGT-OA-607/SC/2019

November 22, 2019

To

The Member Secretary
Haryana State Pollution Control Board
C-11, Sector-6
Panchkula-134 109
Haryana

Sub: Hon'ble NGT order dated 5/9/2019 in the matter of OA No. 607 of 2018, regarding air pollution due to stone crushers operating in the Distt. Charkhi-Dadri- information about stone crushing units.

Sir,

With reference to the above mentioned NGT order of 5.9.2019, a three member CPCB team carried out a visit to Charkhi Dadri area on 10.11.2019. The CPCB team met officials from other departments at the office of District Commissioner (DC), Charkhi-Dadri, Haryana, wherein it was informed that stone crushers in the district were non-operational since 1st November, 2019 and will remain closed upto 11th November, 2019 as per the directions of Environment Pollution (Prevention & Control) Authority. The CPCB team visited two stone crushers, namely, M/s Shiv Stone Crusher, Village- Atela Kalan and M/s Satyaveer Stone Crusher, Village- Pichopa Kalan, Charkhi-Dadri, Haryana, and both the units were found non-operational. The CPCB team closely observed both the units for the manufacturing process, pollution control measures adopted by the units, siting criteria etc.

In order to comply Hon'ble NGT order, CPCB team along with HSPCB will carry out survey of the area, ambient air quality monitoring and inspection of the individual stone crushing units for compliance verification with respect to existence & efficacy of pollution control devices, etc. HSPCB is hereby requested to provide the following information:

- A list of all the stone crushing units operating/located in Charkhi-Dadri along with the relevant information such as GPS locations, production capacities etc. in the enclosed performa.
- A map showing locations of these units. This will also help in deciding the locations for carrying out ambient air quality monitoring.
- The distances and compliance details according to the siting norms for all the stone crushing units.

HSPCB is further requested to inform CPCB once the units start operating again, so that CPCB team can, accordingly, visit the area and carry out the survey/inspections.

Yours faithfully,

Ajagwal

(Ajay Aggarwal)

AD & Div. Head, IPC-V

Mobile: 9868210860

Email: ipc5division.cpcb@gov.in

Encl: as above

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

दिनांक.....

दिनांक.....

25/11/19

o/c

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



Regional Office

Haryana State Pollution Control Board,

SCF-32, Opp. Community Centre, Sector-13, HSVP, Bhiwani

Email-hspcbrojr@gmail.com



No. HSPCB/BHI/2019/ 1955

To,

The Chairman,
Central Pollution Control Board,
New Delhi

REGIONAL OFFICE
C.P.C.B.
138962
03/12

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

Dated: 28/11/19

138962
0 DEC 2019

Kind Attn: Sh. Ajay Aggarwal, (AD & Div. Head, IPC-V)

Central Pollution Control Board
Parivesh Bhavan, East Arun.

Sub: Regarding inspection of stone crushers in District Charkhi Dadri in OA No. 607/2018 titled as Vinod Kumar Jangra Vs State of Haryana and Ors and OA No. 446/2019 titled as All members of village panchayat pichopa kalan, Charkhi Dadri Vs state of Haryana & Ors.

Ref.- Hon'ble NGT Order dated 05.09.2019 and your good self office letter no. CPCB/IOPC-V/NGT-OA-607/SC/2019 dated 22.11.2019

In this connection, it is intimated that competent Authority of the Board has constituted the teams to inspect all the stone crushers of District Charkhi Dadri vide order no. 3336-74 dated 21.11.2019 in compliance of OA No. 607/2018 titled as Vinod Kumar Jangra Vs State of Haryana and Ors and OA No. 446/2019 titled as All members of village Panchayat Pichopa Kalan, Charkhi Dadri Vs state of Haryana & Ors. (Annexure-1).

As per direction of Environmental Pollution (Prevention & Control) Authority, of all the stone crushing units of District Charkhi Dadri are non operational since 1st November, 2019 and same was observed by the team of CPCB visited the area on 10.11.2019.

The list of stone crushing units is attached as Annexure-2. The maps showing locations of stone crushing units is attached as Annexure-3. This office has already requested to Tehsildar Charkhi Dadri/Badra, Divisional Forest Officer, Charkhi Dadri to submit the siting parameters as per notification dated 11.05.2016 vide letter no. 19205-19207 Dated 15.11.2019. The compliance regarding siting parameters norms will be submitted after obtaining the siting parameters reports from Tehsildar Charkhi Dadri/Badra, Divisional Forest Officer, Charkhi Dadri.

Keeping in the view of above, it is requested to convey this office whether to carry out inspection of the non operational stone crushing units, so that further course of action may be taken in this regard.

DAI- As above

Regional Officer
Bhiwani Region

Dated:.....

Endst. No. HSPCB/BHI/2019/.....

- A copy of the above is forwarded to the following for information please
1. The Chairman, Haryana state Pollution Control Board, Panchkula
 2. Deputy Commissioner, Charkhi Dadri for information please.
 3. Sh Anil Grover, Additional Advocate General, A-147, 2nd Floor, Defence Colony, New Delhi

Regional Officer
Bhiwani Region



HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA
Ph-0172-577870-73, Fax No. 2581201

Order

Consequent upon the recommendation made by Regional Officer, HSPCB, Bhiwani vide his letter no. HSPCB/BHI/2019/19023 dt.15.11.2019 regarding constitution of the teams for inspection of 322 stone crushing units (as per list annexed at annexure - A) situated in Distt. Charkhi Dadri and Bhiwani in view of the directions passed by Hon'ble NGT vide orders dated 05.09.2019 in the matter of No.607/2018 titled as Vinod Kumar Jangra Vs State of Haryana & Ors and OA No.446/2019 titled as All member of Village Panchyat Pichipa Kalan, Charkhi Dadri Vs. state of Haryana & Ors the following teams are hereby constituted:-

Sr. No.	Name of the team	Sr. No. of stone crushing units to be inspected based on list.
1	Smt. Neha Sahran, AEE, Faridabad	1 to 9
2	Sh. Ram Niwas, Scientist-B, Faridabad	10 to 18
3	Sh. Neeraj Bala, Scientist-B, Faridabad	19 to 27
4	Sh. Vikas Grewal, Scientist-B, Dharuhera	28 to 36
5	Sh. Mohit Moudgil, AEE- Dharuhera	37 to 45
6	Sh. Divyanshu, AEE, Dharuhera	46 to 54
7	Sh. Ravinder Yadav, AEE, Bahadurgarh	55 to 63
8	Sh. Ujjwal Kumar, AEE, Bahadurgarh	64 to 72
9	Sh. Shashi Bhushan, JEE, Bahadurgarh	73 to 81
10	Sh. Ranbir Singh, Sc-B, Bahadurgarh	82 to 90
11	Sh. Dinesh Yadav, AEE, Gurugram (South)	91 to 99
12	Sh. Ajay Singh, AEE, Gurugram (South)	100 to 108
13	Sh. Divyansh Krishna, AEE, Gurugram (South)	109 to 117
14	Sh. Navneet Bhardwaj, AEE, Gurugram (South)	118 to 126
15	Sh. Dinesh Kumar, AEE, Gurugram (North)	127 to 135
16	Sh. Sachin Narwal, AEE, Gurugram (North)	136 to 144
17	Sh. Vijay Choudhary, AEE Gurugram (North)	145 to 153
18	Sh. Hardik, AEE, Gurugram (North)	154 to 162
19	Sh. Lalit Malik, AEE, Sonipat	163 to 171
20	Sh. Vikas Hooda, JEE, Sonipat	172 to 180
21	Sh. Abhijeet, Sonipat	181 to 189
22	Smt. Akansha Tanwar, AEE, Ballabgarh	190 to 198
23	Sh. Sachin Kumar, AEE, Ballabgarh	199 to 207
24	Sh. Randeep Sidhu, AEE, Ballabgarh	208 to 216
25	Dr. Monika, Scientist-B, Ballabgarh	217 to 225
26	Dr. Sunil Kumar Sheoran- Scientist-B, Hisar	226 to 234
27	Sh. Rajinder Singh, AEE, Hisar	235 to 243
28	Sh. Apurnesh, Scientist-B, Hisar	244 to 252
29	Sh. Pardeep Singh, AEE, Panipat	253 to 261
30	Sh Vipin Kumar, AEE, Panipat	262 to 270
31	Sh Anuj, AEE, Panipat	271 to 279

P.T.O

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32	Sh. Nipun, AEE, HEPC	280 to 288
33	Sh. Manish Yadav, AEE, Bhiwani	289 to 296
34	Sh. Ombir Singh, AEE, Bhiwani	297 to 307
35	Sh. Harish Kumar, AEE, Bhiwani	308 to 322

The above said teams shall carried out the inspections & will prepare spot inspection report specifying self details covering all aspects in accordance with notification dt.11.05.2016 & collect the samples of the stone crushing units indicated against each team in the above table immediately and submit the final report to Regional Officer, HSPCB, Bhiwani with-in 03 days positively. The Regional Officer HSPCB, Bhiwani will be the Nodal Officer and he will coordinate with all team members and direct them to provide the specific information required to be submitted to Hon'ble NGT. Further, RO, Bhiwani is directed to submit the complete report to the constituted joint committee within stipulated time period. Requisite official, vehicle and sampling equipments should be taken by the team themselves from their respective regions. Improper / deficient report shall invite disciplinary action against the concerned officers of the team without any notice and time.

DA: Annexure-A.

Dated Panchkula the,
21th Nov, 2019

Sh. Ashok Kheterpal
Chairman, HSPCB

Dated 21.11.2019

Endst. No. HSPCB/2019/ 3336-74

A copy of the above is forwarded to the following for information and further necessary action.

1. The Deputy Commissioner, Charkhi Dadri and Bhiwani
2. Smt. Neha Saharn, AEE, Faridabad
3. Sh. Ram Niwas, Scientist-B, Faridabad
4. Neeraj Bala, Scientist-B, Faridabad
5. Vikas Grewal, Scientist-B, Dharuhera
6. Sh. Mohit Moudgil, AEE- Dharuhera
7. Sh. Divyanshu. AEE, Dharuhera
8. Sh. Ravinder Yadav, AEE, Bahadurgarh
9. Sh. Ujjwal Kumar, AEE, Bahadurgarh
10. Sh. Shashi Bhushan, JEE, Bahadurgarh
11. Sh. Ranbir Singh, Sc-B, Bahadurgarh
12. Sh. Dinesh Yadav, AEE, Gurugram (South)
13. Sh. Ajay Singh, AEE, Gurugram (South)
14. Sh. Divyansh Knshna, AEE, Gurugram (South)
15. Sh. Navneet Bhardwaj, AEE, Gurugram (South)
16. Sh. Dinesh Kumar, AEE, Gurugram (North)
17. Sh. Sachin Narwal, AEE, Gurugram (North)
18. Sh. Vijay Choudhary, AEE Gurugram (North)
19. Sh. Hardik, AEE, Gurugram (North)
20. Sh. Lalit Malik, AEE, Sonipat
21. Sh. Vikas Hooda, JEE, Sonipat
22. Sh. Abhijeet, Sonipat.
23. Smt Akansha Tanwar, AEE, Ballabgarh
24. Sh. Sachin Kumar, AEE, Ballabgarh
25. Sh. Randeep Sidhu, AEE, Ballabgarh
26. Dr. Monika, Scientist-B, Ballabgarh
27. Dr. Sunil Kumar Sheoran- Scientist-B, Hisar
28. Sh. Rajinder Singh, AEE, Hisar
29. Sh. Apurnesh, Scientist-B, Hisar.
30. Sh. Pardeep Singh, AEE, Panipat
31. Sh. Vipin Kumar, AEE, Panipat.
32. Sh. Anuj AEE, Panipat.
33. Sh. Nipun, AEE, HEPC
34. Sh. Manish Yadav, AEE, Bhiwani
35. Sh. Ombir Singh, AEE, Bhiwani
36. Sh. Harish Kumar, AEE, Bhiwani
37. The PS to Chairman, HSPCB
38. The PA to Member Secretary, HSPCB

Oh
Env. Engineer (HQ)
For Chairman.

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Item Nos. 03

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 607/2018

(With report dated 05.08.2019)

Vinod Kumar Jangra

Applicant(s)

Versus

State of Haryana & Ors.

Respondent(s)

Date of hearing: 05.09.2019

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

For Applicant(s): Mr. Vinod Kr. Jangra, Applicant in person

For Respondent(s): Mr. Anil Grover, AAG with Mr. Rahul Khurana,
Advocate, Advocate, Mr. Harish, AEE for HSPCB

ORDER

1. The issue for consideration is the remedial action for enforcement of the environmental norms under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974 in District Charkhi Dadri on account of operation of stone crushers. According to the RTI response of Haryana State PCB to the applicant dated 18.06.2019, 260 stone crushers are in operation in the District Charkhi Dadri.
2. This Tribunal considered the matter in the light of the report furnished on 11.02.2019 and 24.04.2019 by the State PCB about the ground situation. On both the occasions, the reports were not found to be satisfactory. Vide order dated 25.04.2019, the Tribunal directed

the Chief Secretary, Haryana to look into the matter including the conduct of the officers involved in giving reports and the failure of the State PCB.

3. The report of the Chief Secretary dated 02.08.2019 is that the matter was taken up with the Deputy Commissioner and the State PCB who reported that action has been taken against illegal and non-compliant stone crushers. Nineteen stone crushers were closed and action against twelve was in process. The report does not appear to be based on correct information in view of what has transpired during the course of hearing today. Even the officer of the State PCB from the ground level, who claims to have recently joined, has admitted that there is air pollution and no monitoring mechanism nor any monitoring equipment. In the area.
4. In view of above, the Chief Secretary may take action against the persons giving false information and ensure that ground level action is taken to monitor the air quality and preventing pollution. For the purpose, carrying capacity assessment of the area may be done and credible monitoring mechanism established which does not appear to be in existence at this moment. The polluting activities may be closed, prosecution initiated against the polluters and environmental compensation assessed and recovered. The siting criteria should also take care of *inter-se* location apart from distance from the habitation. These steps are necessary for enforcement of law as well as public health of the inhabitants suffering from air pollution. Further compliance report may be filed by the Chief Secretary before the next date of hearing.

5. We also direct the CPCB to constitute a three member team to visit the area and give composite report on the subject of air pollution as well as siting of the stone crushers and their approximate numbers. The CPCB may direct establishment of sufficient number of air quality monitoring stations at suitable locations and review the effectiveness thereof at the suitable intervals. Existence and efficacy of pollution control devices of individual stone crusher may also be assessed. Online computerized continuous air quality monitoring stations may be set up wherever necessary. The Deputy Commissioner, Charkhi Dadri may extend all necessary help to the team of CPCB. The Superintendent of Police may provide necessary security for the purpose. The State PCB may also provide such assistance as may be necessary.

6. A copy of this order be sent to the CPCB, State PCB, Deputy Commissioner and S.P Charkhi Dadri and the Chief Secretary, Haryana by email.

List for further consideration on 13.12.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

Dr. Nagin Nanda, EM

September 05, 2019
Original Application No. 607/2018
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