

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

Appeal No. 37 of 2022

IN THE MATTER OF :

Haryana State Pollution Control Board & Anr.Appellants

Versus

M/s Rathi Mineral & ChemicalsRespondent

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Place :

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Status Report on behalf of Appellant in compliance of Hon'ble NGT order dated 02.09.2022.

Most respectfully submitted:-

(1) That as per order of Hon'ble NGT following directions were issued:-

"7. Learned counsel for the appellant submitted that once violations of serious nature were established, the closure order could not be interfered with merely on one sided claim of the PP that it had rectified the deficiencies. The appellate authority should have first satisfied itself that no pollution will be caused by reopening of the unit. Even if fresh inspection is to be carried out, opening of unit could only be if there was no pollution. Environmental issues are governed by precautionary principle and right to do business is subject to environmental compliance. The impugned order interferes with the closure even before verification of the claim for compliances which is not legally permissible.

8. We find prima facie merit in the contentions and it will be against interest of justice to allow operation of impugned order atleast till independent verification of compliance status.

9. Issue notice to the respondent. In the meanwhile, the operation of the impugned order is stayed. However, the appellants are at liberty to carry out fresh inspection to ascertain the status of compliance and take a decision based on such inspection, in accordance with law.

10. We note that the Appeal is barred by limitation but learned counsel for the appellant states that this may be treated as MA in O.A No. 599/2019, *Bishamber Singh v. State of Haryana & Ors.* or an independent OA to protect environment."

Further, in view of liberty given in para no.9 of the said order, the Regional Office has asked for legal opinion and approval for fresh inspection to take further action in the matter. Now, communication has been received from Head Office vide letter No. I/140819/2022 dated 12.11.2022 with the direction to carry out fresh inspection.

- (2) That Sh. Anuj Narwal, Assistant Environmental Engineer, of Regional Office, Mahendragarh Region, Haryana State Pollution Control Board has inspected the site in compliance of Hon'ble NGT order dated 02.09.2022. The spot inspection report dated 14.11.2022 is enclosed herewith as **Annexure-A-1**.
- (3) That sampling of this unit could not be collected as unit could not run in compliance of CAQM direction issued vide letter No. 120017/27/GRAP/2021/CAQM/9709-9857 dated 29.10.2022 under Graded Response Action Plan (GRAP) Stage- III for ban/closer stone crushing and mining activities in NCR Region.
- (4) That as per inspection report, unit has provided enclosed shed alongwith closed fitting exit and entrance door to curb the dust emission from the process emission.

- (5) That unit has provided plantation near the boundary wall in four rows on adjacent land alongwith old plantation on two sides on sufficient open space of the unit. Photograph is enclosed as **Annexure-A-2**
- (6) That unit has provided sign board showing name and address of the unit but without capacity of industry at the entrance. Photographs are already enclosed as Annexure-A-2.
- (7) That sampling of air emissions shall be taken after resuming operation as per directions of CAQM.


**Regional Officer,
Mahendragarh Region**

Place : Rewari

Dated : 15.11.2022

Verification :-

Verified that contents of para no. 1 to 7 of the reply are true and correct to my knowledge and based on information derived from official record which is believed to be true and correct. No part of it is false and nothing has been kept concealed therein.


**Regional Officer,
Mahendragarh Region**

Place : Rewari

Dated : 15.11.2022

HARYANA STATE POLLUTION CONTROL BOARD
SPOT INSPECTION REPORT OF THE INDUSTRIES

1. Siting guidelines regarding location of land for grinding unit

1	The nearest point of boundary of the land is not located within 100 meters from the centre of National / State High way	Complying
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2. Pollution Control measures required to be adopted by Mineral Grinding Units are as under

1	All the jaw crushers, pulverizers, granulators must be installed inside enclosures	Provided
2	The enclosures around jaw crushers, pulverizers, granulators must be rigid and fitted with self-closing doors and close-fitting entrances and exists	Enclosure shed provided along with doors on exist & entrance point.
3	Where conveyors pass through the enclosures, flexible covers must be installed at entries and exists of the conveyors to the enclosure	Covered Metal sheet on conveyer belt from feeding of Raw material.
4	Outlets of pulverizers must be attached to pulse jet type fabric bag filters	provided bag filters
5	All rotary screens must be totally enclosed in housing. Screen houses must be rigid and reasonably dust tight	enclosed covered shed but that reasonably dust tight, some void left in some places
6	Where containment of dust within the screen house structure is not successful then a dust extraction and collection system, attached to pulse jet type fabric bag filters must be provided	provided pipe to bag filters to collect dust but not operating.
7	For better environmental protection practices, the energy efficiency and production efficiency must be maximized. For this purpose effective belt scraper such as the pre-cleaner blades made of hard wearing materials and provided with pneumatic tensioner, or equivalent device, should be installed at the head pulley of designated conveyor as required to dislodge fine dust particles that may adhere to the belt surface and to reduce carry back of fine materials on the return belt. Bottom plates should also be provided for the conveyor unless it has been demonstrated that the corresponding belt scraper is effective and well maintained to prevent falling material from the return belt	Not provided
8	Except for those transfer points which are placed within a totally enclosed structure such as a screen house, all transfer points to and from conveyor must be attached to bag filters or other pollution control equipment	provided pipe connected
9	Openings for any enclosed structure for the passage of conveyors should be fitted with flexible seal	provided green sheet
10	Suitable storage silos of adequate capacity must be constructed for collection and storage of the mineral powder so as to prevent fugitive emissions due to material fall from conveyor belts and during material handling	provided -04 No's silos

M. Be

11	Wherever feasible, free falling transfer points from conveyors to stockpiles should be fitted with flexible curtains or be enclosed with chutes designed to minimize the drop height	Chutes provide at 1 No drop height / point
12	All open stockpiles for aggregates of size in excess 5 mm must be kept sufficiently wet by water spraying. The stockpiles of aggregates 5 mm in size or less must be suitably covered to ensure that the same is not carried away (or whipped out) by the wind	No stock observed except Rodi laying near feeding section.
13	Scattered piles gathered beneath belt conveyors, inside and around enclosures must be cleared regularly	N.A. as unit not operational
14	The mineral powder during process within the plant must be transferred pneumatically through chutes	Transferred through covered conveyor belt
15	The handling and storage of the dust collected by the dust collection system should not cause any fugitive particulate emissions	N.A. as not in operation
16	Trucks carrying finished material bags should be covered with tarpaulin	N.A. as no trucks
17	A high standard of housekeeping should be maintained. Any piles of materials accumulated on or around the relevant plant shall be cleaned up regularly	complying

3. Plantation for Environmental Care:-

1	Minimum 33% of the land on which industry is established or proposed to be established is covered by plantation	sufficient open space on 02 No. side of plant boundary for tree plantation on which tree plantation already done.
2	At least two rows of tall trees of suitable species are planted along the boundary on all the sides and such plantation should be carried out within a minimum width of 10 meter	Add. plantation grown near boundary of the unit in 04 rows in addition to prev/old plantation on 02 sides.
3	If the soil is not fit for plantation, the project proponent will impost soil and ensure that saplings with minimum height of 5 feet are lanted	—

4. General Conditions:-

1	A sign Board showing the name, address and capacity of the industry should be displayed at the entrance of the site.	Sign board provided with name & address of plant but without mentioning capacity.
2	In case the industry intends to use ground water more than 25 kilolitres/day, the industry must obtain prior permission from the competent authority (Central Ground Water Authority) for withdrawal of ground water.	N.A. as less requirement & submitted PHED agreement & old receipts for procurement of treated water

Signature of representative
of Unit

Signature of Inspecting
Officers
ANUJ AEE

14/11/2022

FOR: RATHI MINERALS & CHEMICALS

PARTNER



















