

Jammu and Kashmir Pollution Control Committee

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**The Consultant Judicial,
Hon'ble National Green Tribunal,
Principal Bench,
New Delhi.**

No: JKPCC/NGT/OA 969/2024/ **1539-40**

Date:- **10** -12-2024

Sub:- Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal, order dated 07.11.2024 passed in O.A No. 969 of 2024 News Item titled "Rakesh Kumar Choudhary V/s Union Territory of J&K"

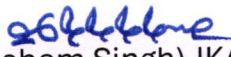
Sir,

In compliance to the directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated **07.11.2024** passed in OA No. **969 of 2024** News Item titled "**Rakesh Kumar Choudhary V/s Union Territory of J&K**", the Report of the J&K Pollution Control Committee is submitted herewith.

It is, therefore, requested that the Report may kindly be taken on record and placed before the Hon'ble NGT for consideration.

Yours faithfully,

Encl:- As Above


(Ghansham Singh) JKAS
Member Secretary
J&K PCC **10.12.24**

Copy to the:-

- 1) Sh. G.M Kawoosa, Government Standing Counsel for UT of Jammu and Kashmir, New Delhi for information and necessary action.

Before the Hon'ble National Green Tribunal
Principal Bench, New Delhi

Original Application No. 969 of 2024

IN THE MATTER OF

"Rakesh Kumar Choudhary V/s Union
Territory of J&K".

Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal, order dated 07.11.2024 passed in O.A No. 969 of 2024 News Item titled "Rakesh Kumar Choudhary V/s Union Territory of J&K"

Background:

That the Hon'ble National Green Tribunal vide order dated 07-11-2024 in OA No. 969 of 2024 directed as follows:-

"7. Notices shall be issued to the respondents to enable them to file their reply within 2 weeks after receipt of notice. Respondents 1, 2 and 3 besides other, shall also disclose the provision whereunder siting criteria has been relaxed or can be relaxed.

8. Respondents 4 and 5 shall also be served notices through Deputy Commissioner, Jammu and he shall submit service report within 10 days.

Status Report:

In compliance to the directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi on 07-11-2024 in OA No. 969 of 2024, the report of the J&K Pollution Control Committee is submitted as under:-

It is submitted that erstwhile Jammu and Kashmir Pollution Control Board during 26th Board meeting held on 25-06-2012 had decided and authorized Chairman of the Board/Committee to take decision on case to case basis



with the support of experts, in cases of relaxation of criteria for grant of consent to stone crushers and hot mix plants in respect of habitation, educational Institution, HCE etc keeping in view the local topographical conditions of the areas on exceptional basis and not as a general rule (**copy enclosed as Annexure-A**).

Subsequently, the J&K Pollution Control Committee has issued revised guidelines including siting criteria for establishment and operation of stone crushers and hot mix plants in the J&K vide order No. **37-JKPC** of **2023** dated **27-02-2023**, whereby the Chairman, J&K Pollution Control Committee has been made competent to relax any of the siting parameters including any of three critical criteria out of five critical criteria, on case to case basis, keeping in view the topographical conditions of the area and the revised guidelines is also applicable to the project specific stone crushers and hot mix plants (**copy enclosed as Annexure-B**).

Para 4.2 of the revised guidelines / siting criteria for establishment and operation of stone crushers and Hot Mix Plants in J&K notified vide Order No. 37-JKPC of 2023 dated 27-02-2023 reads as under :

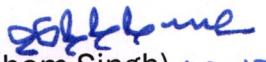
Siting Criteria for Project Specific Stone Crushers/Hot Mix Plants : The revised siting criteria shall be applicable to Project Specific Stone Crusher and Hot Mix Plants. However, the Competent Authority i.e. Chairperson J&K Pollution Control Committee in exercise of powers conferred upon him / her in the 26th Board Meeting of J&K PCB, based on expert opinion, may relax any of the siting parameters including any of three critical criteria out of five critical criteria, on case to case basis, keeping in view the topological conditions of the area. Consents to Project Specific units shall be granted for a specific period commensurate with the life of the project with State of Art PCDs/PCMs to be adopted by the project proponents.



In terms of para **4.2** of the aforesaid revised guidelines issued by the J&K Pollution Control Committee, the J&K PCC in exercise of the powers conferred upon him/her in **26th Board Meeting** of the J&K PCB, based on the expert opinion may relax any of the siting parameters including any of the three critical criteria out of five critical criteria, on case to case basis, keeping in view the topographical conditions of the area in project specific stone crushers / hot mix plants.

Prayer:

In the premises, it is therefore respectfully prayed that the report may kindly be taken on record before the Hon'ble National Green Tribunal for consideration.


(Ghansham Singh) 10.12.24
Member Secretary
J&K PCC



GOVERNMENT OF JAMMU AND KASHMIR
J & K STATE POLLUTION CONTROL BOARD
 Sheikh-Ul-Alam Campus, Behind Govt. Silk Factory Rajbagh
 Srinagar.

MINUTES OF THE 26TH BOARD MEETING OF J&K SPCB HELD ON 25.06.2012 AT BANQUET HALL, SRINAGAR UNDER THE CHAIRMANSHIP OF SH. LAL CHAND, IFS, CHAIRMAN, J&K STATE POLLUTION CONTROL BOARD.

The following officers attended the meeting :-

- | | | |
|-------------------------------|--|--------------------|
| 1. Sh. Suresh Chugh, IFS | Director, Env. & Remote Sensing | (Member) |
| 2. Sh. M.A.Kakroo, IAS | Transport Commissioner
(representing Principal Secretary, Transport) | (Member). |
| 3. Sh. K.L.Khajuria, KAS | Commissioner, Jammu Municipal Corporation | (Member) |
| 4. Sh. Farooq Renzu KAS | Vice Chairman, Srinagar Development Authority | (Member) |
| 5. Sh. Irfan Yasin | Vice Chairman, Lakes & Waterways Dev. Authority | (Member) |
| 6. Sh.R.K.Razdan | Managing Director, J&K SICOP | (Member) |
| 7. Sh. M. Muazzam | Managing Director, J&K SIDCO | |
| 8. Dr.Mohd. Shafi | Deputy Director, Health Services, Kashmir
(representing Director, Health Services, Kashmir) | |
| 9. Dr.Baldev R.Sharma | Deputy Director, Health Services, Jammu
(representing, Director, Health Services, Jammu) | |
| 10. Sh. Y.V.Sharma | President, Chamber of Commerce & Industries Jammu. | (Member) |
| 11. Sh. Zahoor A. Bhat | President, Federation of Industries Kashmir | (Member) |
| 12. Sh. Mohd. Ashraf | Rtd. Deputy General Manager, J&K Industries | (Member) |
| 13. Sh. Anil Suri | President, Federation of Industries, Jammu | (Special Invitee) |
| 14. Sh. Arun Kumar Tikku, IFS | | (Member Secretary) |

At the outset, Member Secretary welcomed all the esteemed members of the newly constituted Board along with other participants and informed the members that last Board meeting was held in 2010 and reason for conducting Board Meeting after a long period, is because of time consumed by the Government to re-constitute the Board. He assured members that the Board in future will meet frequently as per the spirit of the Water (Prevention and Control of Pollution) Act 1974. With the above stated opening remarks he requested all esteemed members to actively deliberate on the agenda items and give their valuable suggestions for running the Board more effectively. To begin with he requested the Chairman, J&K SPCB to share his views with the Board members.

Chairman, J&K SPCB while welcoming the Board members in the maiden Board meeting of newly constituted Board said that our state being a Green State where tourism is the main stake & it attracts large number of tourists because of its lush green meadows, water bodies, glaciers, etc. But at the same time State is not exception to the problems like global warming, climate change which needs to be addressed appropriately. He further informed that mandate of the Board is to maintain balance between development and conservation of environment and because of fragile eco system of our State our responsibility to conserve gets doubled for ensuring sustainable development. He further said that number of issues got accumulated during the period Board's constitution was in pipeline and as Chairman of the Board he has taken some decisions pertaining to administration as well as industries to facilitate the industrial promotion from time to time which needs ratification of the Board members.

He requested Member Secretary, SPCB to formally start the Board meeting proceedings as per agenda items.

Item No.1 : Follow up of the Minutes of the 25th Board Meeting

The Board members with one voice confirmed the decisions taken in the 25th Board Meeting from Item No. 25:1 to 25:8.

Item No. 2: Review of Siting Criteria for Stone Crushers and new guidelines there for:

A difficulty has been experienced over the years in considering the cases for grant of consent in case of stone crushers due to the siting criteria in vogue resulting in some litigation as well. There has to be relation between the criteria fixed and purpose to be achieved but having regard of topographical position of the state which is not uniform and varies from place to place, it may not be proper to have the uniform siting criteria for all topographical positions.

The review is also necessitated by the fact that different parameters have been fixed for different human activities like habitation, educational institutions and health care establishments whileas it ought to have been one parameter envisaging same distance.

At places natural barriers like Plateaus, Hill locks etc exist in between the proposed site and the fixed siting parameter and in such a situation prescribed distance can be relaxed. Similarly in case of project specific units which are to be run with definite life viz, completion of the project, the parameters are to be taken into account viz a viz the life of the project coupled with the topography of the area on case to case basis.

In addition in case a unit is proposed in a cluster and the site is not permissible on account of any human activity like agriculture, habitation, educational institute etc. slightly different norms shall govern the establishment/operation of stone crushers in such cluster.

Last but not least are the cases of such stone crushers which have been established at permissible sites with requisite permissions but over a period of time land use around such units changed rendering the site of the units not permissible for operation of the crusher as per present siting criteria. In such cases the criteria has to be objectively applied on case to case basis. Since sea changes in technology have taken place and keeping in view the environmental requirements of the State, the Board has framed guidelines/comprehensive document for stone crushers & Hot Mix Plants which is being finalized shortly.

Pending finalization and approval of the above said guidelines / comprehensive document for stone crusher and Hot mix plants, the Board may like to approve interim guidelines placed as **Annexure-I.**

Decision :

Taking part in the discussions the Transport Commissioner desired to have specific stone crusher zones whileas the Vice Chairman SDA desired to keep in mind the Master Plans while permitting the stone crushers. President FOI Kashmir sought permanent solution instead of temporary relaxation to stone crushers and his views were also endorsed by President Chamber of Commerce & Industries Jammu. With these observations the Board:-

i). authorized Chairman to take decision on case to case basis with the support of experts, in the cases of relaxation of criteria for grant of consent to stone crushers and Hot Mix Plants in respect of habitation, educational institution, HCE, etc keeping in view the local topographical conditions of the areas on exceptional basis and not as a general rule .

ii). the Board shall recommend to the Government for identify zones for stone crushers.

Item No.3: Consent to Hotel Industry

Hotel Industry falls in Orange category as per Uniform Consent Mechanism and accordingly consent in this category is presently being issued with validity of two years. J&K being a tourist state with good number of hotels, restaurants, cafeterias, eating points etc making the Hotel industry as one of the dominant industries in the State. Accordingly different fee structure was prescribed for this industry, copy whereof is placed herewith as **Annexure-II.**

Having regard of the pollution potential of this industry especially in respect of water pollution, setting up of STPs is imperative for hotels. In certain urban areas especially civil lines of Jammu and Srinagar City, space is biggest constrain for setting up of STPs. Similarly in other areas small hoteliers have found it difficult to set up individual STPs and in such areas proposal for setting up of common STPs by the government is under consideration with ERA/UEED. There was a demand from the Hotel Association to raise the consent period from two years and it is accordingly proposed that hotels meeting the approved guidelines of the Board shall be considered for consent for three years on case to case basis subject to regular monitoring of the STP of the Hotel.

With a view to provide some breathing time to government and small hoteliers for setting up of STPs and to ensure that the soil and water is not loaded with pollution, the Board came up with an arrangement by way of guidelines for hoteliers, and interim policy decision taken in light of minutes of meeting issued by the Tourism Department, copy apiece whereof is placed as **Annexure-III & IV.**

The Board may accordingly like to :

- i. Approve the enhancement the validity period of consent from 2 to 3 years in case of hotels meeting the guidelines of the Board.*
- ii. Approve the guidelines Prescribed for the hotel Industry.*
- iii. Approve the interim policy decision taken in light of minutes of meeting of the Tourism Department.*
- iv. Approve the fee structure for the hotel industry.*

Decision

After threadbare discussions on the issue, it was unanimously decided that Board should recommend to the Government for providing subsidy to hoteliers for setting up STPs. For small hotels UEED / ERA may be advised to construct special drains to connect these hotels with STPs. With these observations, the Board approved the item.

Item No. 4: Ban on Polythene Carry bags

Polythene being a non biodegradable product has been posing grave threat to human health and environment which was somewhat more threatening for the J & K State owing to its fragile eco system. With enactment J&K State Non Biodegradable Material (Management, Handling & Disposal) Act 2007, ban on polythene carry bags has been imposed in the state under this Act vide SRO182 of 2008. J&K Pollution Control Board has been declared as Prescribed Authority under the Act vide SRO 411 of 2007 and in terms of rules framed under the Act, it is enjoined upon Municipal bodies and the Deputy Commissioners to enforce the ban/Act within their jurisdictions.

States like Himachal Pradesh, Haryana, Maharashtra, Kerla, Delhi etc. have also enacted their own legislations/norms to deal with environmental problems posed by polythene, whileas Delhi, Haryana and Himachal Pradesh along with J&K have also banned polythene carry bags in their states, as rules framed under Environment Protection Act known as Plastic Waste (Management and Handling) Rules were not found much effective as Central Rules permit use of polythene carry bags of 40 microns and above.

So far the enforcement of the Act and Rules of the state on the subject are concerned, Board has seized 452.40 Qtls. of polythene carry bags of which 250 qtls have been confiscated after following the procedure. However, confiscated material is yet to be disposed off. This is in addition to seizures made by the Municipal Authorities.

The Board has also coordinated the activities with regard to enforcement of ban between Municipal bodies, Deputy Commissioners and Commercial/ Sales Tax Department etc.

Similarly a proposal was mooted for effecting certain amendments in the Act and the Legislature has accordingly amended the Act in March, 2012. In addition notification for empowering officers of related Departments to compound the offences has also been got issued.

Despite this, polythene carry bags have not diminished upto desired level from the market. This is primarily because of illegal import of the product from other states.

Some traders and manufacturers came forward with alternative degradable and compostable polythene and samples were sent to CIEPT, Chennai for testing. Test results received have been shared with CPCB and State Government vide letter dated 07-10-2011. While CPCB confirmed the degradability /compost ability of samples analyzed of only one of the traders, the State Govt. desired to place the matter before the Board with regard to degradability result of CIEPT and provision of rule 5 (C) of Central Rules related to permissibility of polythene carry bags of 40 microns and above. All the communications referred to herein above are placed on record as **Annexure-V -IX**. The issue is also pending adjudication before the Hon'ble High Court in OWP No. 338/2012 and couple of other Public Interest Litigations (PILs) are also being adjudicated by the Hon'ble High Court regarding polythene issue.

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In addition it is proposed to auction the confiscated polythene carry bags after rendering all confiscated material in capable of being used. An undertaking with indemnity bond or bank guarantee equal to the amount of auction shall be taken from the successful bidder as a surety that the material shall not be reprocessed for manufacture of banned item of polythene carry bags.

The Board may accordingly like to consider the approval of :-

- i. Allowing the manufacturing and marketing of biodegradable polythene carry bags in the state, as tested by CIEPT & certified by Central Pollution Control Board.
- ii. Allowing the disposal of confiscated polythene carry bags after rendering the confiscated material in capable of being re-used by punching / shredding.

Observations:-

V.C.SDA was of the view that polythene manufacturing units should be sealed by the Board and the Board should recommend their rehabilitation along with the traders effected by the ban on Shahtosh and Fur as all these bans are related with environment.

Decision

In the beginning Shri P.K. Shastri was allowed to make presentation of his view point of allowing biodegradable polythene carry bags in the state. All the members and participants discussed the item at length and Transport Commissioner, V.C. SDA, Director Environment, Commissioner Jammu Municipal Corporation, V.C. LAWDA were of the opinion that the Ban on polythene carry bags should be enforced first in letter and spirit and there after question of alternatives would arise as the ban order has stood the judicial scrutiny upto Hon'ble Supreme Court. Mr. Anil Suri was of the view of allowing polythene carry bags with 40 Microns thickness. After deliberating upon the item, following decisions were taken

- i. Being the Prescribed Authority, the Board should first ensure implementation and enforcement of ban on manufacturing, use and sale of Polythene Carry Bags in the State.
- ii. Chairman shall frame an Expert Committee by including members having technical expertise & representatives of trade & industry regarding biodegradable polythene carry bags which shall submit its report in a time bound manner to be fixed by the Chairman.
- iii. Regarding disposal of confiscated polythene carry bags lying in both the Regional offices, the Board authorised the Chairman to frame a committee to supervise punching / shredding of confiscated material & then choose any method of safe disposal.
- iv. The Board shall launch massive awareness about the ill effects of the polythene carry bags.

Item No. 5 : Item No 5. Deposition of consent money to Government Exchequer.

The J&K SPCB was constituted by the State Govt. in 1987 as per the provisions of water (Prevention & Control of Pollution) Act, 1974, with power and function under Air (Prevention & Control of Pollution) Act, 1981. Later, on 22nd Sept. 1988, provisions of the Environment

(Protection) Act, 1986 were also entrusted to the Board for implementation. In order to implement the Pollution Laws (PC laws) effectively in State, the Board commenced its activities in 1987 with a meagre staff. Separate two Regional offices at Srinagar & Jammu were opened in the year 1996. Today, the Board has its offices in all the districts of the state on Rental Basis.

Board is not revenue earning Department. It has to grant consent to operate / establish to the industrial units in the state. A consent fee charged from these small, medium and large scale industries which are classified into categories on the basis of their pollution potentials also accrue to the board. The Issuance of consent is time consuming job and requires on spot inspections, field visits, monitoring and fulfillment of formalities by the unit holder's. The exigencies in this behalf are made good out of this consent budget as approved by the Board. A sum of ` .13.00 crore ending march as consent money is presently available with board.

The activities of the Board have increased tremendously since its inception, which demands establishment of new District offices-Cum-Labs at District level. All the district offices of Board are running in rental accommodation & steps have been taken for acquisition of land/construction of District-cum-lab at Samba, Kathua, Udhampur, Budgam, and District Pulwama and other districts. Funds under Plan, Non plan are very meager therefore need to be supplemented by consent money for effective implementation of pollution related law in Jammu and Kashmir.

However, Finance Department vide letter No; FST/Accts/Bgt/2010-11 Dated: - 02.12.2010 has directed the JKSPCB to deposit money in excess to ` 2.00 crore into Govt exchequer. The issue has also been raised during recent budget discussion with finance department wherein finance department agreed to withhold it till outcome of Board meeting

Decisions

After detail deliberations on the Agenda Item, all members were of the view that instead of depositing money to Government ex-chequer, Board should utilize the money for improvement in infrastructure, up gradation of labs, launching of awareness & up gradation/construction of Common Effluents Treatment Plants (CETPs) at designated industrial estates one each at Jammu and Kashmir.

Item No. 6 : On line Consent Mechanism

The Board is in the process of operationalising of **Online Consent Management and Monitoring System (OCMMS)** once operational the OCCMS would connect all sub offices of the Board as per JKSPCB requirement with our central office and make system more efficient and transparent which will reduce the pendency of cases in securing NOC from the board. To achieve above said objectives, the software has been developed/customized in technical collaboration with NIC, New Delhi under guidance & support of MOEF, Government of India New Delhi.

To make the system operational, the board needs hardware infrastructure for which an amount to the tune of `50.00 lac has been proposed for FY 2012-13 in budget Estimate 2012-13. An amount to the tune of `6.82.00 has already been incurred during FY 2011-12.

Observations:-

The President Federation of Industries, Kashmir observed that the Board should consider the digitization and mapping of Red and Orange category units.

Decision

The Board approved the item while appreciating the initiative taken by the Board for switching over to On- line Consent Mechanism as it will provide efficient and transparent service to entrepreneurs, which is also in consonance with the State Government's e-Governance policy.

Item No.7: Extension of Exemption list to units outside Industrial Areas

The Board has already exempted 40 No. of least polluting activities/industries from the consent of the Board with the condition that such units shall function in industrial areas only. The Industrial Associations have been requesting for extension of exemption list to other areas also but it may not be advisable to extend the whole exemption list to other areas, as some activities may cause disturbances in peaceful life of people or in other human activities. Accordingly it is proposed to extend the exemption list in respect of activities/units, indicated in **Annexure -X** to outside industrial areas also as these activities may not prove source of pollution or discomfort for the local inhabitants subject to the conditions, as enumerated therein

Decision

The Board approved the Extension of Exemption List to units outside Industrial Areas subject to the condition that these activities may not prove source of pollution or discomfort for the local inhabitants.

Item No. 8 : Appointment of Mr. B.A. Wani as Scientist "B".

Shri B. A. Wani had faced the selection process for his recruitment in Pollution Control Board along with other candidates for the post of Scientist "B". Qualification prescribed for the post was M.Sc. Chemistry or Environmental Sciences with minimum 55% marks. Mr. Wani possessed Master's Degree in Environmental Sciences with 56% marks and was thus eligible for the post of Scientist "B". However the selection committee did not select Mr. Wani as such he was not recommended for appointment. This resulted in preferring a writ petition by Mr. Wani bearing SWP No. 129/2003 challenging the selection of selected candidates on the ground that he was betterly placed as against them, so far qualification prescribed for the post in advertisement is concerned. After couple of interim directions from the Hon'ble Court Mr. Wani was made to withdraw the writ petition on the assurance of his appointment as Scientist "B" in the Board.

Accordingly the issue of Mr. Wani's appointment in the Board was taken up with the Government in a response whereof the administrative department vide letter dated 24-08-2004 desired to take decision in the matter at Boards level and if required the issue be placed before the Board. Copy of the letter is placed as **Annexure-XI**. This resulted in even drafting of order copy whereof is placed as **Annexure-XII** but for certain reasons Mr. Wani could not be appointed which resulted in fresh writ petition by him bearing SWP No. 234/2005 wherein the draft order is also in focus. In view of some orders of the Hon'ble Court matter was placed before the Board in its 23rd meeting and though the majority supported his appointment as Scientist "B", it was finally resolved to get the case re-examined administratively. Relevant extract of the minutes is annexed as **Annexure-XIII**.

Now the Hon'ble Court vide its order dated 14-07-2011 and 31-05-2012 has directed to place the matter before the Board again and get the appointment issue of Mr. Wani settled. Copy a piece of Hon'ble Courts order is placed on record as **Annexure-XIV & XV**. Mr. Wani is working on adhoc basis as Research Assistant for past 14 years and ever since the selection of other candidates as Scientist "B" in 2000, he is craving for his appointment as Scientist "B". The incumbent possess the requisite qualification for the post of Scientist "B" and has also gained experience in the Board, whileas the post of Scientist "B" is also available.

Hence the Board may like to decide appointment of Mr. Wani as Scientist "B" in view of foregoing discussions.

Decision

The Board approved the appointment of Sh. Bashir Ahmad Wani as Scientist "B" in light of directions of the Hon'ble Court, subject to observance of all required formalities as per norms.

Item No.: 9 Re-designation of one post of Junior Stenographer as Computer Assistant

Shri Tanveer Ahmad Sofi was deputed to Pollution Control Board in April, 1998 against the post of Computer Assistant. However all the posts of computer Assistants were filled up by SSRB by direct Recruitment and Mr. Sofi was adjusted against the post of Junior Scale Stenographer. Further vide Order No. 62 dated 16-06-2004 he was absorbed in the Board as Computer Assistant but continued to draw salary against the post of Junior Stenographer. In the meanwhile one post of Computer Assistant became available due to the resignation of one Shri Sudhir Singh and as a sequel thereto Mr. Sofi's salary was drawn against the said post. Some Data Operators, who were aspiring for promotion against this post were aggrieved of the action and matter figured at different forums of the Government including General Administration Department and Forest Department in the Secretariat. Finally the Government has instructed to place the matter before the Board in its ensuing meeting for consideration, to the post facto approval of the re-designation of the post of Junior Stenographer as Computer Assistant and subsequent, permanent absorption of Shri Tanveer Ahmad Sofi against the said post, copy of the letter from Administrative Department is placed as **Annexure-XVI**. This shall also result in redressal of the grievances of Ms. Princy Thaploo who is senior most Data Operator working against the post since 1998 and craving for the promotion, resulting in filing of the writ petition. It may be in place to mention that since Mr. Sofi is currently holding the post of Computer Assistant, no post is available for considering Ms.. Princy Thaploo Data Operation for promotion. Re-designation of

the post of Jr. Stenographer as Computer Assistant shall result in easing out the problem of stagnation and fixing of seniority.

Hence in view of the foregoing discussions the Board may like to approve the re-designation of one post of Junior Stenographer as Computer Assistant as both the posts carry same pay.

Decision

The Board approved the re-designation of one post of Junior Stenographer as Computer Assistant.

Item No.10: Approval of Guidelines for Brick Kiln.

Pending enactment of the Brick Kiln Act and framing of rules there under, the Board, with a view to regulate the functioning of Brick Kilns in the State, issued guidelines for Brick Kilns on 21-03-2010- Copy placed as **Annexure-XVII**. With enactment of the J&K Brick Kiln (Regulation) Act 2010 and rules framed there under, above said guidelines became more relevant as same are in conformity with the requirements of the Act. Since the Board could not meet after issuance of the Guidelines, Board may accord approval to the Guidelines for Brick Kilns.

Observations:-

The President Federation of Industries, Kashmir desired to delegate power of renewals of consent to Regional Directors

Decision

The Board approved the Guidelines for Brick Kiln.

Item No. 11 : Confirmation of Public Service Commission

15 Officers of the Board are working in the pre-revised pay scale of 7500-12000(9300-34800+ Grade pay of 45800) and above. Their services could not be made quasi permanent for want of confirmation by PSC. It may in place to mention that at the time of appointment of these officers the Board had not framed Recruitment Rules as such PSC declined to make selection against the posts in Gazetted scale viz 7500-12000 (9300-34800+ Grade pay of 4800)and above. Accordingly Government appointed a selection Committee which after following due procedure made selection against these posts. Now the Board has framed the Recruitment Rules for the Board employees and same are under consideration of the Government. Keeping in view the service interests of these officers detailed out in **Annexure-XVIII**, it is proposed to get the confirmation of their services from PSC.

Decision

The Board approved the item for forwarding the names of officers to PSC for confirmation of their services.

Agenda Part - II

Consent Budget 2012 – 13 J&K State Pollution Control Board

The Board after getting details of various items proposed in the Consent Budget approved the expenditure for the year 2011-2012 & Budget for the year 2012-13 was also approved.

Supplementary Agenda

Item No 1.: Rationalization of Consent Fee:

Pursuant to the decisions taken in 23rd Board Meeting, a committee was constituted for rationalization of consent fee for industries. The Committee has made major headway and is likely to submit its report shortly. Proposal for revised consent fee as per the report of the Committee shall be placed before the Board in next meeting.

Decisions :

The committee will submit its report shortly for revised consent fee and will be placed in the next Board Meeting.

Item No. 3: Regularization of Adhoc Employees.

Like other Departments and Organization Pollution Control Board also engaged some educated youth against different vacancies in different capacities to tide over the shortage of manpower. The engagement as well as their regularization of services of these employees came through different scrutinizes and have been discussed at various foras including the Board, the State Government & the Hon'ble High Court. Even State Vigilance Organization also took; the cognizance of the matter w.r.t. 13 engagements made and necessary clarification has been provided to it. Thereafter, on the directions of the Hon'ble, the State Government put on hold the method proposed for dealing with the adhoc employees vide Govt. Order dated 13.08.2004 copy whereof is placed as Annexure-B. Finally the Government came up with a policy through a Legislation the Jammu and Kashmir Civil Services (Spl. Provisions Act 2010) for regularization of the services of adhoc, contractual and consolidated appointees on fulfilment of certain conditions prescribed therein. Accordingly matter was taken up with the Government for regularization of the services of adhoc and other employees in accordance with the Rule-5 of the Act. However, the Government is apparently of the view that the Board being the Statutory Body can settle the issue at the Board's level itself.

It is accordingly proposed to regularize the services of adhoc employees of the Board whose particulars are give in Annexure-C on the touch stone of the J&K Civil Services Special Provisions Act, 2010.

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Decision :

The Board members authorized Chairman, J&K SPCB to take decision in light of Jammu and Kashmir Civil Service (Spl. Provisions Act 2010) for regularization of the adhoc, consolidated & contractual employees.

The meeting ended with a vote of thanks to the chair.

No: SPCB/PS/MS/26th BM/12/78-93

Dt: 26.07.2012.

Member Secretary

Copy to the:

1. Chairman, J&K, SPCB for information.
2. All Board Members
3. Office file.

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Act
ely
re
ard



Winter office: November-April
Parvesh Bhawan, Gladni,
Transport Nagar, Narwal,
Jammu (J&K) 180006.
Ph. Fax. 0191-2476925

Government of Jammu and Kashmir
J&K Pollution Control Committee
Jammu

Annex- B

Summer Office: May-October
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Sub:- Revised Siting Criteria / Guidelines for establishment of new Stone Crushers / Hot Mix Plants.

ORDER No.:- 40 -JKPCC of 2023
DATE:- 27-02-2023

In pursuance to the decision taken in the 2nd Board Meeting of J&K Pollution Control Committee (36th Board Meeting) held on 10-02-2023, the revised siting criteria / guidelines for establishment of new Stone Crushers / Hot Mix Plants as appended in **Annexure 'A'**, shall come into force with immediate effect.

Issued with the approval of Competent Authority.

(K. Ramesh Kumar) IFS
Member Secretary
J&K Pollution Control Committee,
Jammu

No:- JKPCC/PS/MS/2023/ 312-333

Date:- 27-02-2023.

Copy to the:-

- i) Principal Secretary to Govt., Housing and Urban Development Deptt., Civil Secretariat, Jammu.
- ii) Principal Secretary to Govt., Industries and Commerce Deptt., Civil Secretariat, Jammu.
- iii) Secretary to Govt., Transport Department, Civil Secretariat, Jammu.
- iv) Secretary to Govt., Health and Medical Education Department, Civil Secretariat, Jammu.
- v) Member Secretary, Central Pollution Control Board, Delhi.
- vi) Commissioner, Municipal Corporation, Jammu.
- vii) Managing Director, Small Industrial Corporation, Jammu and Kashmir.
- viii) Addl. Secretary, Forest, Ecology and Environment Department, J&K.
- ix) Regional Officer, Ministry of Environment, Forest and Climate Change, Jammu.
- x) Medical Superintendent, Government Medical College, Jammu.
- xi) Professor Anil K. Raina, Department of Environmental Science, University of Jammu.
- xii) Dr. Pankaj Chandan, Director, Nature, Wildlife and Climate Change, National Development Foundation (NDF), Jammu.
- xiii) P.A to Chairperson J&K PCC for kind information of the Chairperson.

Copy also forwarded to the following for information and necessary action:-

- i) Regional Director, Pollution Control Committee, Jammu / Kashmir.
- ii) Director, Industries & Commerce Department, Jammu / Kashmir.
- iii) Director, Geology & Mining Department, Jammu / Kashmir.
- iv) P. S to Principal Secretary to Government, Department of Forest, Ecology and Environment, Civil Secretariat, Jammu
- v) P.S to Principal Chief Conservator of Forests / (HoFF) J&K, Jammu.
- vi) I/c Website, J&K Pollution Control Committee, Jammu for uploading the same of the website of J&K PCC.



Winter office: November-April
Parivesh Bhawan, Gladni,
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Government of Jammu and Kashmir
J&K Pollution Control Committee
Jammu

Summer Office: May-October
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Sub: - Revised Guidelines including Siting Criteria for Establishment and Operation of Stone Crushers and Hot Mix Plants in J&K.

Order No. 37 -JKPCC of 2023

Date: 27 -02-2023

In order to regulate the Stone Crushers / Hot Mix Plants in the Union Territory of Jammu and Kashmir, the Department of Mining, Government of J&K vide SO 60 dt. 23.02.2021 has issued the Jammu and Kashmir Stone Crushers / Hot and Wet Mixing Plants Regulation Rules, 2021, wherein it is stipulated as under :-

Rule 3(1) A Stone Crusher /Hot and Wet Mixing Plant is not a mining unit but a processor of minerals obtained from a source with a valid mineral concession. Such units shall be regulated by laws, rules and other provisions applicable to industrial units.

Rule 3(2) No permission/license would be needed by a stone crusher/hot and wet mixing from the Mining Department except where it also engages in mining, which activity shall be regulated by laws / rules applicable to mining.

Rule 3 Stone Crusher / Hot and Wet Mixing Plant shall establish /operate only on securing: -

- (i) Consent to Establish/Operate from the Jammu and Kashmir Pollution Control Board issued as per the procedure/guidelines and siting criteria prescribed by the Jammu and Kashmir Pollution Control Board.
- (ii) No objection Certificate from Deputy Commissioner concerned regarding title verification of land and its usage; and
- (iii) Registration with the District Industries Centre (DIC) if the unit holder intends to avail any incentives available in the Industrial Policy.

Accordingly in pursuance to the SO 60 dated 23-02-2021, the revised guidelines as under including siting criteria for establishment and operation of Stone Crushers and Hot Mixing Plants in the Union Territory of Jammu and Kashmir shall be applicable with immediate effect.

2. Consent to Establish / Operate for Stone Crushers and Hot Mix Plants: -

In light of above, the Consent to Establish / Operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 shall be processed by the J&K Pollution Control Committee through online portal (www.jkocmms.nic.in) for which proprietor of such units falling within the provisions of SO 60 dated 23-02-2021 has to fulfill the following operational guidelines including siting criteria henceforth.

3. Revised Siting Criteria for establishment and operation of Stone Crushers and Hot Mix Plants: -

The siting criteria applicable as per guidelines issued vide No. SPCB/PS/CH/PA/IV/131-135 dt. 09.02.2004 is revised as below and shall be applicable w.e.f. date of issuance of guidelines.


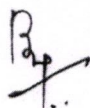
S. No.	Siting Parameters	Siting Criteria for Existing Stone Crusher and Hot Mix Plants operating with Consent to Establish / Operate before date of issuance of guidelines	Siting Criteria for establishment of New Stone Crushers and Hot Mix Plants after the date of issuance of guidelines	Remarks
1.	a) National Highway in plain areas	100 m	100 m	-
	b) National Highway in sub Mountainous areas	50 m	50 m	-
2.	a) State Highway and other District roads in plain areas.	50 m	50 m	-
	b) Highway and other roads in Sub Mountainous areas.	50 m	30 m	-
3.	Jammu and Srinagar City Municipal Limits	01 Km	01 Km	Critical Criteria
4.	Nearest Residential Area / Abadi	500 m	500 m *	Critical Criteria
5.	Health Care Establishment	02 Km	02 Km	Critical Criteria
6.	Educational Institution or other similar institution	01 Km	01 Km	Critical Criteria
7.	a) Eco-Sensitive Zone for Protected Areas	-	As per Notification issued by MoEFCC, GoI / Hon'ble Supreme Court Orders	Critical Criteria
	b) Notified Bird Sanctuary / National Park / Wild Life Area	01 Km	-do-	-
8.	Forest Land	01 Km	300 m	-
9.	Nearest Tourist Complex/Resorts	01 Km	01 Km	-
10.	Approved Water Supply of 20 Kilo liter	01 Km	01 Km	-
11.	Historical Monuments and Heritage sites identified by the ASI	-	500 m	-
12.	a) Orchards / Saffron Fields	Waived off	a) 500 m	-
	b) Abi-awal		b) 200 m	
13.	Controlled Area	Waived off	200	-

* There should not be a single residential house within 150 meters from proposed sites.

Definitions: -

- i) **Residential Area /Abadi:** 20 or more residential houses within radius of 500 m shall constitute residential area as per orders of Hon'ble Supreme Court of India in Civil Appeal No 10732/1995 dt. 25/4/1990. It shall be a critical siting criteria.
- ii) **Health Care Establishment:** Means primary health centre or above of Health and Medical/Education Deptt. or recognized private HCE with minimum of 10 beds. It shall be critical siting criteria.
- iii) **Controlled Area:** An area under permanent occupation of Defense / Belt Forces.
- iv) **Approved Water Supply:** The approved water supply of more than 20 KLD where system for treatment of water for drinking purposes is involved in open or a spring/lake used for drinking purposes. Tube well/ Overhead tanks/ covered reservoirs/ rivers are not covered under this.
- v) **Educational Institution:** Govt. Primary School or above or Govt. recognized Private School; College, University etc. It shall be critical siting criteria.
- vi) **Orchard/Abi-awal/Saffron Fields:** - Land use of more than 10 kanals shall only be considered as Orchard / Saffron field / Abi-awal, Un-irrigated land should not be covered under this.
- vii) All distances referred in siting criteria shall be aerial / crow fly distances.
- viii) **Cluster:** Cluster is defined as "a group of five or more than five stone crushers/HMPs/BMPs or both located in close proximity to each other". For individual stone crushers within the cluster the PCDs & PCMs already recommended by the Board for stone crushers and Hot Mix Plants, should be adopted as identified by the Regional Director, J&K Pollution Control Committee Kashmir vide No. **RDK/PS/39 dt. 23/1/2021**, detailing A to K sub-clusters having 178 HMP/SCs Lasjan, Rakh-Shalina, Golepora belt in Budgam District.

- 3.1. All the parameters to be measured from centre of crushing point and distance to be measured is aerial distance i.e., crow fly distance as per KMZ file of google map.
- 3.2. The entrepreneur including govt. agencies find it difficult especially in hilly areas to locate suitable land for stone crushers and hot mix plants which is more than 1 km away from forest areas while also being 500 m away from Residential Area. Thus, the referred distance of 1 km in revised siting criteria for stone crushers reduced to **300** meters.
- 3.3. For certain locations defying the siting criteria especially critical siting criteria, no new unit shall be allowed to be established / operated. However, the case may be considered on account of distinct geographical barriers, which may be verified after site inspection by the Committee of Experts comprising respective Regional Director JKPCC, Divisional / District Officer concerned, adjoining Divisional / District Officer and Scientist-in-Charge Air laboratory, which shall be followed by detailed report and presentation by the committee justifying the recommendations.
- 3.4. The Consent to Operate (Renewal) shall be considered for issuance for a period of **1 to 3** years, depending upon the siting criteria, compliance status and state of art PCDs/ PCMs adopted in the unit. The proprietors of units must apply by online mode **45 days** before the expiring of consent, ensuring that the unit has valid consent well before expiry for operation.
- 3.5. The Consent to Operate (Renewal) application applied after expiry date shall be charged with **double the consent fee** for period of **upto 6 months** delay followed by **four times consent fee** in addition for subsequent delay in filing application.
- 3.6. These guidelines / siting criteria is also applicable to integrated wet mix plants, but standalone wet mix plant shall be considered for consent under green category only as per prevailing norms with diligent efforts to reduce emissions and ensure proper waste management.

4. Project Specific Stone Crushers and Hot Mix Plants: -



4.1. Definition of Project Specific Activity:- A temporary Stone Crusher / Hot Mix Plant established exclusively for construction of National Highways, State Highways or any other infrastructural Government Project and Government approved Public Private Partnership Project having definite period for the project completion, would qualify as a Project Specific Stone Crusher or Project Specific Hot Mix Plant or both. This shall be subject to condition that the unit holder must obtain a 'Letter of Allotment' of the project work in his/her favour specifying the exact nature, extent and period of the allotted work/project from an officer not below the rank of Executive Engineer of the department/agency executing the said project.

4.2. Siting Criteria for Project Specific Stone Crushers/ Hot Mix Plants: - The revised siting criteria shall be applicable to Project Specific Stone Crushers and Hot Mix Plants. However, the Competent Authority i.e. Chairperson J&K Pollution Control Committee in exercise of powers conferred upon him / her in the 26th Board meeting of J&K PCB, based on expert opinion, may relax any of the siting parameters including **any of three critical** criteria out of five critical criteria, on case to case basis, keeping in view the topological conditions of the area. Consents to Project Specific units shall be granted for a specific period commensurate with the life of the project with State of Art PCDs/PCMs to be adopted by the project proponents.

5. Check list of documents required for CTE / Operation for Stone Crushers and Hot Mix Plants:

A)	For Consent to Establish (Fresh/ Renewal)	B)	For Consent to Operate (Fresh/ Renewal)
(i)	Detailed Project Report (DPR) with plant and machinery financial implications, having specific detailed chapter on PCMs / PCDs proposed. <i>PCMs / PCDs should be adequate, conforming to the guidelines and incorporating new / latest technology.</i>	(i)	CTE copy for CTO (F) cases
(ii)	Land papers and 'No Objection Certificate' from Deputy Commissioner regarding title verification of land and its usage as per Rule 3 (3) (ii) of SO 60 dt. 23/02/2021.	(ii)	CTO (F) copy for CTO (R) cases
(iii)	Consent fee by online mode	(iii)	Consent fee by online mode
(iv)	KMZ / KML file of the site	(iv)	NOC as per Rule 3(3) (ii) of SO 60 for old Stone Crushers/ Hot Mix Plants if not submitted earlier (only once required)
(v)	CTE (F) copy for CTE(R) case	(v)	Notice / Closure Order /Withdrawal issued by JKPC in past, if any.
(vi)	Forest distance certificate from DFO Territorial	(vi)	Annual consumption of raw material and its certified and valid source.
(vi)	Eco-sensitive Zone certificate from Wildlife Warden of the area	(vii)	Document for legitimate source of water connection from competent authority
		(viii)	SMR from recognized laboratory
		(ix)	Photographs of the PCDs /PCMs adopted with date and duly labelled along with name of the unit with geo tagging.

	(x)	Photographic proof of display board (6' x 4') installed at the entry of the unit, reflecting name and address, capacity of the unit, consent order no. and details of PCDs / PCMs adopted, written in big legible bold letters.
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6. OPERATIONAL GUIDELINES FOR STONE CRUSHERS: -

6.1. All the stone crushers shall take the following pollution control measures: -

- i) All the dust emitting points like Jaw/Roller crusher, screens/classifiers must be properly enclosed/covered with CGI sheet enclosure or of other solid material but not by tarpaulin.
- ii) Conveyor belts should be of proper quality material instead of used tyres covered.
- iii) The conveyer belts provided to carry different grades of materials must be fully covered with a thick sheet of suitable material with adequate water sprinkling provided at different points on conveyer belts.
- iv) The ends of the conveyer belts may be provided with properly designed telescopic chute of adequate length so that the dust generated from the section is contained at the source (*see pictures enclosed as Annexure-1*).
- v) Regular water spray should be carried out at all dust emitting points and transfer points. Water spray should also be done on the boundary as per requirement. The unit should provide water sprinklers on the conveyors carrying raw material from bunker/bin to the crusher. The water should be sprayed in the form of mist with the help of a motor.
- vi) Regular cleaning of approach roads should be carried out and all the approach roads and ramps should be metalled.
- vii) A green belt consisting of three rows of broad-leaved trees (out of which one row of tall trees and two rows of medium sized trees) planted in staggered manner, must be provided along the periphery.
- viii) The discharge of treated / sewage effluents into inland surface water may not be allowed and the respective units should either re-use the treated effluent water for washing purpose etc. or use the same for sprinkling purpose to suppress the dust generated from these sources including emission due to movement of vehicles.
- ix) Annual Health survey of workers should be conducted.
- x) The openings of housing for the movement of mechanical drivers, conveyor belts etc. should be properly sealed with flexible rubber flaps.
- xi) The process waste i.e. fine material should not be dumped along the road side and should be used for filling up of low-lying areas.
- xii) The suspended **Particulate Matter** contribution value at a distance of **3 to 10 meters** from a controlled, isolated as well as from a unit located in cluster should be less than **600 µg/Nm³**.




- xiii) The project proponent shall take adequate measures for control of noise from its own sources within the premises so as to maintain ambient air quality standards in respect of noise to less than **75 db (A)** during day time.
- xiv) All the material should be transported in covered vehicles.
- xv) Dumps of raw and finished products should not be more than 3m height and should have enclosure on three sides of 4m height. Regular wetting of these dumps should be done so that no dust is emitted during blowing of wind.
- xvi) A ten to twelve feet brick or CGI sheets wall as boundary/ wind breaking wall facing the road as well as towards residential area with a well-defined single entry from the road to be provided in the unit.
- xvii) Fine dust accumulated in the crushing areas should be periodically cleaned and the dumps should be covered with tarpaulin to arrest erosion by wind.
- xviii) **For establishment of new Stone Crushing unit and Hot Mix Plant**, in addition to meeting the siting criteria and the prescribed PCDs and PCMs, the project proponent must have a **minimum land availability** as per the land type defined in **SO 60 dt. 23.02.2021** for better operational conditions as per the details given below:
 - a) For stone crusher having only one jaw / cone type crusher with capacity upto **25TPH**, and standalone Hot Mix Plants:**04 kanals**
 - b) For stone crusher having two or more jaws/ cone crushers with capacity**25 to 100TPH:06 kanals**
 - c) For stone crusher with capacity upto **25 TPH** with Hot Mix Plant:**06 kanals**
 - d) For stone crusher with capacity**25 to 100 TPH** with Hot Mix Plant:**08 kanals**
 - e) For large stone crusher having two or more jaws/ cone crushers with capacity **more than 100 TPH** with Hot Mix Plant:**12 kanals**
- xix) All stone crushers and HMPs must have a **legal source of raw material**.
- xx) It is advisable to have a full coverage (like industrial shed) preferably for new crushers and all the old stone crushers shall adopt the full coverage of the units within 5 years from the date of issuance of the guidelines.

6.2. Additional Guidelines for existing old and consented stone crushing units: -

The existing stone crushers as on January 2022, which do not meet the guidelines, in addition to the above pollution control measures must augment PCDs and have following State of Art PCDs / PCMs: -

- i) All such existing old stone crushing units consented prior to coming into force of these guidelines must develop three rows of thick green belt all along the periphery of the unit. This green belt must include a row of adequate number of broad-leaved tree species having good canopy.
- ii) All such existing old and consented stone crushing units must construct at least ten to twelve feet high permanent wind breaking brick wall/CGI Sheets barrier all along the periphery of the unit.

- iii) All such existing old and consented stone crushing units must install permanent and mechanical **water sprinkling system** interlocked with the crushing point and other allied machinery of the stone crushers, and in no case the stone crushers shall operate without a functional water sprinkling system. A permanent water storage tank of a minimum **2000 lt.** capacity must be installed
- iv) All such existing old and consented stone crushing units must be operated only during day hours i.e. from **8.00 a.m.** to **6.00 p.m.**, and must ensure the emissions below prescribed limits under all circumstances.
- v) All such existing old and consented stone crushing units shall be accorded **Consent to Operate (Fresh/Renewal)** for a period of **1 year** at a time, subject to adhering to the norms referred and satisfactory control of emissions.
- vi) All such existing old and consented stone crushing units especially those which do not meet at least critical three siting criteria w.r.t. Residential Area, Educational Institution, Hospital, Nursing Home and are **within the jurisdiction of Non-attainment Cities (NAC) Jammu and Srinagar** must also plan **shifting** to the suitable site/s, in the interest of their functioning **within two years of coming in force of these guidelines**, no CTO(R) shall be accorded for any such cases afterwards.
- vii) The referred guidelines / siting criteria for the stone crushers with advisory as referred above shall be applicable to the **integrated Hot Mix plants** as well.

6.3. In addition to aforementioned guidelines, old and established CLUSTERS shall follow the following additional guidelines:

- i) The Stone Crushers and Hot Mix Plants which are already existing in the form of a certified cluster e.g. Lasjan belt, Rakshalina etc. shall be allowed to function subject to the condition that State of Art PCDs and PCMs including dust containment through regular sprinkling, and no fresh/new Stone Crusher and/or Hot Mix Plant shall be allowed to be established in the clusters henceforth.
- ii) A collective biological barrier/green belt (comprising of a minimum of 05 rows of broad-leaved trees/plants) be provided all around the clusters, especially towards the habitation and National Highway, jointly by all the unit holders.
- iii) Only one approach from National Highway/scheduled Road is provided to the cluster.
- iv) All new clusters of stone crushers in future shall get the layout plan approved from Competent Authority before establishment.

6.4. Continuation of restriction for establishment of fresh units: -

The restriction imposed in Lasjan area of Rakshalina – Summerbugh – Golepora vide No. SPCB/T/151/4014-20 dt. 28.08.2010 shall continue and no fresh stone crusher /hot mix plant be allowed to be established /operated till further orders.

7. OPERATIONAL GUIDELINES FOR HOTMIX PLANTS: -

7.1. Pollution Control Equipment / Devices for Hot Mix Plants:

- *For Batch Hot Mix Plants [capacity ranging from 100 to 200 TPH]*
 - i. Dual cyclone followed by bag filters.
 - ii. Stack of 15m height with proper platform and monitoring porthole for checking emissions.
- *For Drum Hot Mix Plant [capacity ranging from 20 to 90 TPH]*
 - i. Multi cyclone followed by venture scrubber.
 - ii. Stack of 15 m height with proper platform and monitoring porthole for checking emissions.

7.2. All Hot Mix Plants shall take the following Pollution Control Measures (PCMs):

- i) All roads/vehicular movement areas at the site of Hot Mix Plant should be *pucca* / stabilized with stone aggregate and regular sprinkling of the water be ensured so that no dust is generated with vehicular movement. Water sprinkling system shall be provided in all possible dust emanating area for suppression.
- ii) Hot Mix Plant should discharge flue gases after the dust control system through a stack with minimum height of **15 m** with necessary platform and port holes for periodic collection of stack emission samples.
- iii) The aggregates loading into hopper bin area shall be closed on three sides with metal sheets and the access side shall have plastic air curtains/multi sheet rubber flaps so as to arrest the emission generated during loading.
- iv) Conveyor belts shall be fully covered (top and sides).
- v) All hot mix plants shall **use diesel/LDO only**, in no case fuels such as solvents industrial wastes, fire wood shall be used.
- vi) A dedicated energy meter to be provided for the motor attached to the dust control system and reading to be recorded on daily basis.
- vii) Stack/AAQ/ANL survey to be periodically (once in a year) conducted and reports should be furnished to JKPCC.
- viii) Maintain good housekeeping practices wherever possible within the unit premises to control fugitive dust emission.
- ix) Wherever possible, day time operation is to be preferred rather than night time operation to take advantage of favourable metrological condition prevailing during day time.
- x) Adequate measures of safety for workers working in Hot Mix plant shall be taken. Personal protective devices such as goggles, mask, helmet and safety should be provided to workers.
- xi) All machineries (pumps and blowers) details to be displayed along with their capacity and power consumption (KW) in addition to the total power consumption in the Hot Mix Plant for inspection purposes.
- xii) All aggregates stored within the premises shall not be stacked beyond the height of **3m** from ground level.

7.3. Emission Standards for Hot Mix Plant:

- Emission standards - **Particulate Matter**- Not more than 150mg/Nm³
- National Ambient Air Quality Standards- CPCP Notification No. B-29016/20/90/PCI-1 dated 18-11-2009 to be followed.
- The Noise Pollution (Regulation and Control) Rules, 2000 as notified by MoEFCC S.O. 123(E) dated 4-02-2000 to be followed.

7.4. Cluster of Stone Crushers / Hot Mix Plants except project specific Stone Crushers / Hot Mix Plants in case of new establishment.

- To avoid clustering and mushrooming growth of stone crushers / hot mix plants in a particular area. Not more than five stone crusher/ hot mix plant shall be allowed to establish in a radius of 1 km.*
- The distance between the two clusters should not be less than 2 kms.*
- Only one single road for transporting material to and fro from cluster shall be allowed to be used, which should not pass through any village preferably.*

Encl: Annexure-1

(K. Ramesh Kumar) IFS
Member Secretary
J&K Pollution Control Committee,
Jammu

27/02/23

No:- JKPCC/S/MS/2023/246-274
Date:- 27-02-2023.

Copy to the:-

- 1) Regional Director, JK Pollution Control Committee, Jammu / Kashmir.
- 2) Director, Industries and Commerce Department, Jammu / Kashmir.
- 3) All Divisional Officers, Pollution Control Committee, Jammu / Kashmir.
- 4) P.S to Principal Secretary to Government, Forest, Ecology and Environment Department, Government of J&K for kind information of the Principal Secretary.
- 5) P.S to Principal Secretary to Govt, Industries and Commerce Department, Government of J&K for kind information of the Principal Secretary.
- 6) P.A to Chairperson for kind information of the Chairperson, J&K PCC.
- 7) I/c Website, Pollution Control Committee, Jammu for uploading the same on the website of JKPCC.

