

**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/ **2049-50**

Date:- **4** -02-2025

Sub:- Compliance Report of Jammu and Kashmir Pollution Control Committee in compliance to Hon'ble National Green Tribunal order dated 11.12.2024 passed in OA No. 969/ 2024, titled "Rakesh Kumar Choudhary V/s Union Territory of Jammu & Kashmir & Ors".

Sir,

In compliance to the directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi order **dated 11.12.2024** passed in OA No. **969/ 2024**, titled **"Rakesh Kumar Choudhary V/s Union Territory of Jammu & Kashmir & Ors,** the Compliance Report of the J&K Pollution Control Committee is submitted herewith.

It is, therefore, requested that the Compliance 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 **4.2.25**
J&K PCC

Copy to the:-

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

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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 Jammu & Kashmir & Ors”.**

Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal, order dated 11.12.2024 passed in OA No. 969/ 2024, titled “Rakesh Kumar Choudhary V/s Union Territory of Jammu & Kashmir & Ors”.

Background:

That the Hon'ble National Green Tribunal vide Notice dated **11-12-2024** in **OA No. 969 of 2024** issued following directions:-

“The Member Secretary, J&KPCC is directed to file an affidavit giving information as to (i) whether the NHAI project envisaged setting up of stone crushers for fulfilling its requirement in violation of environmental norms, including the siting criteria, (ii) whether there was availability of suitable sites for setting up of the stone crushers for meeting the requirements of NHAI in compliance with the norms, (iii) what were the exceptional reasons for which exemption was granted by the Chairman, J&KPCC to the projects apart from the fact that the projects were to meet the requirements of NHAI project and (iv) in how many cases exemption from applicability of siting criteria/other environmental norms has been granted by the Chairman, J&KPCC in the entire UT of Jammu and Kashmir.”

“Affidavit by Member Secretary, J&K PCC be filed at least one week before the next date of hearing.”

Status Report:

In compliance of order issued on **11-12-2024** in **OA No. 969 of 2024** by the Hon'ble National Green Tribunal, the report of the J&K Pollution Control Committee is as follows:

- i) In large projects like National Highways, the NHAI mandates that Contractor / Project Implementing agency must have its own machinery /equipment for ensuring timely execution of the project. However, irrespective of the nature of project, the environmental norms as provided under the Air (Prevention and Control of Pollution) Act, 1981 / the Water (Prevention and Control of Pollution) Act, 1974 and Environment (Protection) Act, 1986 are not relaxed.

Siting Criteria: The J&K Pollution Control Board (Now J&K PCC) has prescribed siting criteria for stone crushers from time to time. These criteria were last revised on 27.02.2023. A copy of the same is attached as **Annexure-1**.

In the said criteria, special provisions have been made for project specific stone crusher & Hot Mix Plants under **S. No. 4** which is reproduced as below:

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 the 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.

It is further submitted that being a hilly & mountainous area at certain locations, there are distinct geographical barriers that shield these stone crushers from habitation etc. In such cases also, the guidelines provide relaxation of siting criteria on the report of committee constituted for the purpose.

- ii) that the response was sought from NHAI in the matter vide this office No. JKPCC/Sc/OA969/24/1674-75; dated 17-01-2025 (**Copy enclosed as Annexure 2**) & NHAI vide its letter No. PD/JMU/Misc/2024-25/124; dated 23 Jan 25 (**Copy enclosed as Annexure 3**) has submitted that the quantum of land required for the installation of crusher, batching plants and casting yard could be identified with great difficulty. The site is located 16km away from the centre of project as no other state land/vacant land parcel could be located within the project reach.

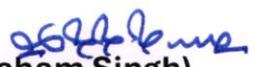
The exemption is purely based on the requirements of NHAI & no other exceptional reasons are there.

- iii) The list of project specific stone crushers that involve relaxation of siting criteria is appended as **Annexure-4**. However, it is reiterated that environmental norms as provided under the Air (Prevention and Control of Pollution) Act, 1981 / the Water (Prevention and Control of Pollution) Act, 1974 and Environment (Protection) Act, 1986 are not relaxed. The relaxation is considered with regard to provisions of the siting criteria, out of the 05 critical criteria.

Such Stone crushers are dismantled after completion of the project.

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)
Member Secretary 4.2.25
J&K PCC



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Government of Jammu and Kashmir
J&K Pollution Control Committee
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Annex-1

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



Winter office: November-April
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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 JKPC, 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 conveyor 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 conveyor belts.
- iv) The ends of the conveyor 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.

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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.

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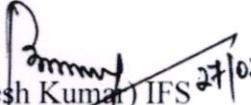
7.3. Emission Standards for Hot Mix Plant:

- a. Emission standards - **Particulate Matter**- Not more than 150mg/Nm³
- b. National Ambient Air Quality Standards- CPCP Notification No. B-29016/20/90/PCI-1 dated 18-11-2009 to be followed.
- c. 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.

- i) *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.*
- ii) *The distance between the two clusters should not be less than 2 kms.*
- iii) *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

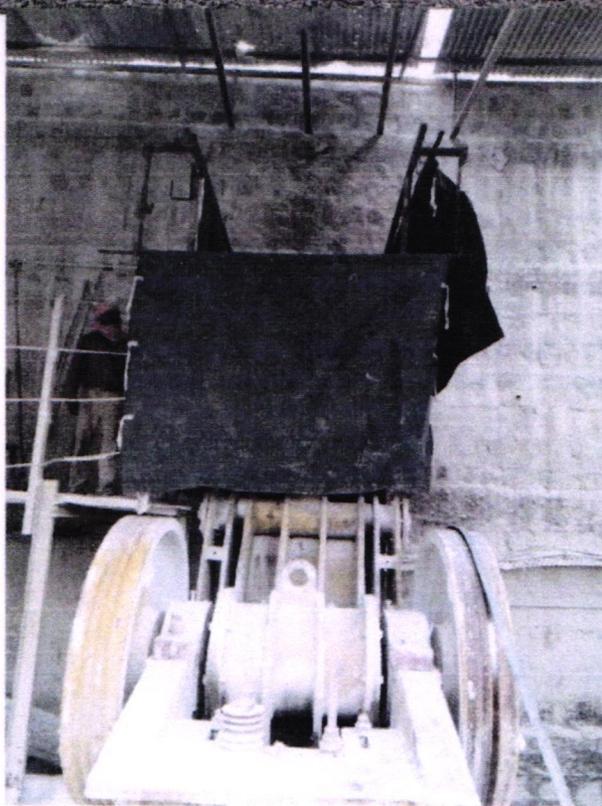

 (K. Ramesh Kumar) IFS 27/02/23
 Member Secretary
 J&K Pollution Control Committee,
 Jammu


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.





**Jammu and Kashmir
Pollution Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

0191 - 2472881, 2476925



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ITUWTSA
NEW DELHI 2024

Annex - 2.
Parivesh Bhavan, Forest Complex
Transport Nagar, Jammu, 180 006

Silk Factory Road
Rajbagh, Srinagar, 190 008

The Project Director,
National Highway Authority of India,
Jammu.

No:- JKPCC/Sc/OA969/24/ *1674-75*

Dated:- *17* -01-2025.

Sub:- Hon'ble NGT Order dated 11-12-2024 in OA No. 969/2024 titled Rakesh Kumar Choudhary Versus Union Territory of India & Ors.

Sir,

Please refer to the subject captioned above. In this connection, I am directed to enclose Hon'ble NGT Order dated 11-12-2024 in OA No. 969/2024 titled Rakesh Kumar Choudhary Versus Union Territory of India & Ors. The Hon'ble National Green Tribunal directed as:-

7. *" The Member Secretary, J&KPCC is directed to file an affidavit giving information as to (i) whether the NHAI project envisaged setting up of stone crushers for fulfilling its requirement in violation of environmental norms, including the siting criteria, (ii) whether there was availability of suitable sites for setting up of the stone crushers for meeting the requirements of NHAI in compliance with the norms, (iii) what were the exceptional reasons for which exemption was granted by the Chairman, J&KPCC to the projects apart from the fact that the projects were to meet the requirements of NHAI project."*

You are requested to submit the response as per the above mentioned points to this office by or before 22-01-2025.

Yours faithfully,

Encl: Hon'ble NGT Order dated 11-12-2024.

25/1/25
(Ghansham Singh) JKAS

Member Secretary
J&K PCC

Copy to the:-

- i) Regional Director, PCC Jammu for information.

marked



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार

NATIONAL HIGHWAYS AUTHORITY OF INDIA
(Ministry of Road Transport and Highways, Govt. of India)

प.का.ई- जम्मू 315/1, दूसरी मंजिल, चन्नी हिम्मत- जम्मू - 180 015

Project Implementation Unit, 315/1, 2nd Floor, Channi Himmat- Jammu - 180 015

दूरभाष/Tel-0191-3511750, 0191-2467491

ईमेल- jam@nhai.org, वेबसाइट- www.nhai.gov.in



PD/JMU/Misc/2024-25/ 124

Dated: 23 Jan 25

Member Secretary

Jammu and Kashmir

Pollution Control Committee

Sub: Hon'ble NGT order dated 11.12.2024 in OA No. 969/2024 titled Rakesh Kumar Choudhary Vs Union of India & ORs-Reply-Reg.

Sir,

Please refer office letter No. JKPCC/Sc/OA969/24/1674-75 dated 17.01.2025 regarding the cited subject.

In this regard, the desired report in the matter is attached hereinunder:

Enclosure: As Above

(Rajiv Kumar)

Project Director

NHAI, PIU-Jammu

Report in response to Member Secretary, J&K, PCC office letter No. JKPC/Sc/OA969/24/1674-75 dated 17.01.2025.

1) The Delhi-Amritsar-Katra Expressway is being executed in 5 packages in the UT of J&K. The project packages pass through district Pathankot (Punjab), Kathua, Samba, Jammu & Reasi. The projects will have following benefits:

- Delhi to Amritsar within 4 – 4½ hours and Delhi to Katra within 6 – 6½ hours. New green field alignment to reduce distance between Delhi to Amritsar/Katra by about 40 km.
- Connectivity to industrial/economic hubs- Ambala in Haryana, UT of Chandigarh, Mohali, Sangrur, Patiala, Ludhiana, Jalandhar, Kapurthala in Punjab; Kathua, Jammu in J&K as well as tourist/ religious centers of Himachal Pradesh.
- Access to developed markets and reduction in logistics costs. Enhance the connectivity of underdeveloped districts.

2) UT of J&K had leased out the mining blocks for a period of 5 years in 2021-22 but environment clearance was granted for a period of 2 years only which lapsed and could not be renewed for a long period because of non-existence of the Environment Clearance Committee. Therefore, no legal source for procurement of aggregates in the required quantum was available in UT of J&K except a few operational mining blocks with around 10% supply capacity against the requirement. Vide letter No. 6167-70 dated 07.12.2023, Divisional Commissioner, Jammu submitted report to the UT Administration that the aggregate availability across region is grossly inadequate to fulfil the project requirement because of lapse of EC. Concessionaire vide several letters on record has submitted effect on work progress due shortage of minor minerals. Minister RT&H vide DO letter dated 21.12.2023 addressed to Hon'ble LG UT of J&K requested for resolving the mining issue.

3) As per the concession agreement between NHAI and the executing agencies, procurement of raw material is the obligation of the concessionaires. Further, compliance with laws, by laws is the contractual obligation of the concessionaire. However, extending cooperation to the concessionaire in obtaining requisite permits required for construction of project is the contractual obligation of NHAI. Further, MORTH and UT of J&K have entered into a state support agreement wherein the state government acknowledge that implementation of the projects required continued support and grant of certain rights and authorities by the state government to the concessionaire for mobilization of resources by the concessionaires.

4) Accordingly, a symbiotic solution was derived wherein the flood prone sites identified by the Irrigation and Flood Control Department of UT of J&K proposed for carrying out of dredging of the shoals were utilized to fulfil the raw material requirement of the prestigious mega project in the UT of J&K. As the identified flood prone site was located in the river, purely temporary project specific crusher has been installed to process the shoals into construction material on the land allotted by the J&K government. It is pertinent to mention that the quantum of land required for the installation of crusher, batching plants and casting yard could be identified with great difficulty and after consuming a lot of project time. No state land/ vacant land parcel of the required quantum/ size could be located within the project reach. Therefore, the available site around 16 Km away from the centre of the project was taken up for the construction of camp/ casting yard/ crusher/ mixing plant of the concessionaire of Pkg-16 of Delhi Amritsar Katra Expressway i.e. M/s Vijaypur Kunjwani Highways Pvt. Ltd.

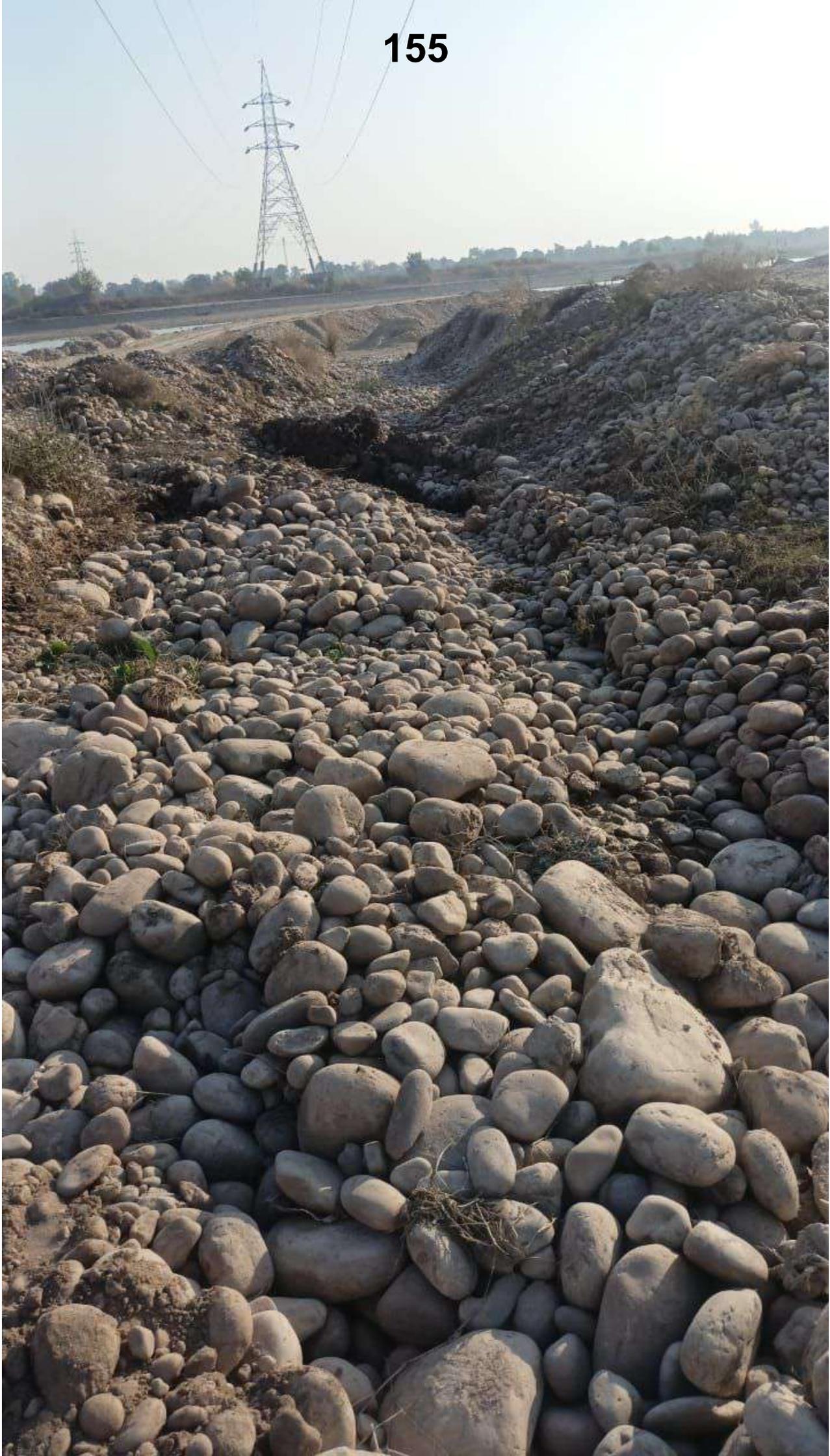
5) All the environment safety measures are being implemented by the concessionaire. Photographs of the adopted measures such as green sheet/ water sprinkling etc implemented at site are enclosed herewith.



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Project Specific Stone Crusher - District Baramulla		
S.No	Name of the Stone Crusher	Expected date of completion of the Project
1	M/S S&P Infrasfructure Veevan Khanpora and .	None of these Units have applied in PCC to seek cvon sent and legal notices have also bee issued.
2	M/S S&P Infrastructure at Renji Pattan	None of these Units have applied in PCC to seek cvon sent and legal notices have also bee issued.
Project Specific Stone Crusher - District Shopian		
3	M/s Friends Stone Crusher , Heff Shopian	Not Known, U/H could not produce any authentic document although asked for.
Project Specific Stone Crusher - District Ganderbal		
4	APCO Infratech pvt ltd at Gagangir Ganderbal (Sonamarg Tunnel Project)	The Stone crusher is Project Specific for Sonamarg Tunnel and project almost completed minimal work for slop stabilization in progress. Consent status PCC/digital/25065123796 of 2025 dt. 09-01-2025 valid upto Aug,
5	Megh Engineering & Infrastructure ltd, Balthal Sonamarg (Zojila Tunnel Project)	The Stone crusher removed from the site in August 2024 and dismantled.
6	Border Road Organization , Stone Crusher at wusan Ganderbal (Srinagar Sonamarg - Ladakh NH)	Closure order issued by JK PCC order No. 256 JK PCC of 2024. No valid consent from JK PCC
Project Specific Stone Crusher - District Budgam		
7	M/s. Archean Stone Crusher, Sehporo Magam	Non functional
8	M/s.NKC,Prolect PVt ltd Gudsathu Budgam	Functional
9	M/s BLA- Brhamputra, name changed M/s Pacific Stone Crusher Arigam Khansahib Budgam	Stone Crusher still functional illegally after completion of the project
10	M/s MAX-Infrastructures Lasjan Budgam	Up gradation of road from L049-Shiva to Karma, Stage U (Batch 1 for the year 2018-19 PMGSY div. Baramulla of road from L049-Shiva to Karma, Stage U (Batch 1 for the year 2018-19 div. Baramulla. Up gradation of Up gradation of maintains of road from L025- trikubal to Gundli Ibrahim stage U (batch 1, 2018-19) PMGSY div., Baramulla

11	M/s Hope Construction, Lasjan budgam.	Development of various link roads in Qammarwarie / Quamarabad including parimpora, providing laying and compaction of ready made of bituminous Mix on Srinagar Baramulla uri road for three years w.e.f August 2021 to August, 2024.
12	M/s GRG Infracon Summerbugh.	Up gradation of Sumbal Bandipora road to Ajas. Completion of work in five years w.e.f 2017to August 2022.
13	M/s Adnan construction Lajan Budgam.	Up gradation of road from Boninum to Kutbal sublet work by hyderabad based company under ADB funding project.
14	M/s. Ramkay Infrastructure H.M .P pvt ltd.	Rehabilitation, strengthening of four lining of Srinagar to Banihal section from KM 187 to 189 (Banlhal bypass and KM 220. 700 to KMs 286.110 of NH 1A in state of J&K.
15	M/s. G.N Builders Rakhshallna Budgam.	Smart city project Namely Re-development of polo road as pedestrian walk way w.e.f 2022
Project Specific Stone Crusher - District Bandipora		
16	M/s Rajinder Infrastructure Pvt. Ltd., Satish Agarwal & Company IV at Sarai Dangarpora Sumbal Bandipora. CTO F for 1 year granted vide consent Order No:- PCC/digital/24044697394 of 2024, dated 14/10/2024.:	Ending year 2026
Project Specific Stone Crusher - District Kulgam		
17	M/s B.S Builders, Khasra no. 526 Village Chekpora Bemdora kulgam.	March- 2026 (CTE issued vide No. PCC/digital/24014375125 of 2024 dated 09.05.2024 for a period of one year from the date of issue). The said Stone Crusher is ready to operate.
Project Specific Stone Crusher - District Kupwara		
18	M/S Iqbal Stone Crusher, Sarkoli, Kalaroos, Kupwara	31-10-2028
19	M/S JK Road Construction Co., Pvt Ltd., Stone Crusher, Karnah, Tanghdar	December, 2026
20	M/S Bhat & Sons Stone Crusher, Pushwari, Machil, Kupwara	August, 2025

Project Specific Stone Crusher - District Ramban		
21	M/s SRM Engineers and Developers Stone Crusher Chachwah, (Railway Project Specific)	Already completed (Closure order issued vide No. 54 JKPC of 2022 dated 10.08.2022)
22	M/s TRG Industries Pvt. Ltd./RK Infratech Stone Crusher Jowahri, Hadog- sumber road (Railway Project Specific)	Already completed (Closure order issued vide No. 93 JKPC of 2024 dated 25.05.2024)
23	M/s ABCI Infrastructural Pvt. Ltd T-74 R B tunnel project Tatnihal, Banihal, Ramban (Railway Project Specific)	Already completed (Closure order issued vide No. 234JKPC of 2024 dated 31.10.2024)
24	M/s A.N Builders and contractors, (Stone Crusher & Hot Mix Plant), Nard mullah Nallah, Sangaldan, Tehsil-Gool, Ramban (PMGSY road Project Specific)	30.06.2025 (Closure order issued vide No. 229 JKPC of 2024 dated 31.10.2024)
25	M/s K S Constructions JV Sumber Ramban (Railway Project Specific)	Already completed (Closure order issued vide No. 94 JKPC of 2024 dated 28.05.2024).
26	M/s Ciegall India Ltd. Digdol, Ramban (NH44 Project Specific)	24.09.2026 (CTO) valid upto September, 2025)
Project Specific Stone Crusher - District Udhampur		
27	M/s Vidya Projects Pvt. Ltd. (Stone Crusher) Village Kannah Ramnagar Udhampur	December, 2025
28	M/s R.K Gupta and compny Stone Crusher, village Gurlang (Kahah) Ramnagar, Udhampur	March, 2026
29	M/s AH Wani Stone Crusher, village Badhole, Tehsil Ramnagar district Udhampur	May, 2027
30	M/s SRM Projects, (Stone Crusher)Village Bain Tehsil Chenani District Udhampur	January, 2027
31	M/s Ram Lal & Sons (Stone Crusher) Village Kanah, Ramnagar, Udhampur.	February, 2026
32	M/s AQ Shan Constructions Stone Crusher and Hot Mix Plant Village Panora, Basantgarh, Ramnagar, Udhampur.	June, 2025

33	M/s Gammon Engineers and Contractors Pvt. Ltd stone Crusher at Moud Udhampur.	Completed
Project Specific Stone Crusher - District Jammu North		
34	52 RCC GREF Stone Crusher Manwal, Jammu.	Not Specified
35	Gayatri Projects P Ltd Kot Bhalwal Jammu	August, 2025
36	Green Earth Infrastructure Pvt Ltd. Completed Village Keour, Tehsil Akhnoor, Mehra Mandrian, Jammu	Completed
37	Bharat Constructions India Private Limited Village Kheri , Raipur Janipur Jammu North,	June, 2025
38	Shivalaya Construction Company Pvt. Ltd. Village Chak Daulat , Tehsil Mandal Jammu North	August, 2025
39	Gawar Construction Limited Village Jagti Tehsil Nagrota Jammu North, Jammu	November, 2025
40	Shree Balaji Engicons Limited MCJ Park Trans Asia Building Ware House Nehru Market Jammu North	January, 2025
Project Specific Stone Crusher - District Jammu South		
41	M/s Shivalaya Construction Company Pvt. Ltd Bālōl Nallah, Jallo Chak Jammu (Stone Crusher for crushing of C&D waste	December,2025. Closure order has been issued vide No:237-JK PCC of 2024 dated 07.12.2024 for illegal establishment and operation of unit.
Project Specific Stone Crusher - District Kathua		
42	Rajesh Kumar Contractor Private Ltd. Village Dhaggar Tehsil Bani, Kathua	February, 2025
43	Megha Engineering and Infrastructure Limited Sakta Chak, Kathua	10.05.2025
44	SGF Infra Pvt. ltd. Village ChandalTehsil Banni Kathua	December, 2025
Project Specific Stone Crusher - District Rajouri		
45	M/s Oasis PRIL JV infra Project Sanghpur, Chingus, Rajouri	29.04.2025

46	M/s CS Construction Pvt. Ltd & Ramiya Construction Pvt. Ld JV DraJ. Koteranka, Rajouri	22.01.2026
47	M/s S S Builders, village Thandapani sunderbani, Rajouri	31.03.2025
48	M/s Dharam Raj contracts Pvt. Ltd. Badakhana, Thanamandi Rajouri	25.06.2025
Project Specific Stone Crusher - District Poonch		
49	CS construction Company PVT. Dundhak Poonch	December, 2025
50	TBA Infrastructure Suran kote Jan 2025	January, 2025
51	Dharam Raj construction Company PVT. Bufliaz Poonch.	May, 2025
52	Suran valley Stone Crusher Sanai Surankote	November, 2026
53	Patel Engineering Stone crusher Bufliaz poonch	December, 2025
54	Ghulam Nabi Mir Stone crusher & Hot mix plant Mangnar Poonch June 2027	June, 2027
55	MY Stone Crusher Dingla Poonch	March, 2026
Project Specific Stone Crusher - District Reasi		
56	M/s Thakur Stone Crusher & Hot Mix Plant, village Channa, Tehsil Chassana, Reasi	30.04.2027
57	M/s Allied road Infra stone Crusher, village Budhan, Tehsil Thursoo, Reasi	31.12.2025
58	M/s Vethesta consturction and Prince constructions (JV), Stone crusher & HMP), Village Gota, Tehsil Chassana	Information not available. Closure order stands issued after the project proponent failed to furnish a valid work order from PMGSY department.
59	M/s Chashti construction (Stone Crusher & HMP), Vilage Channa Tehsil Chassana, Reasi.	Information not available. Closure order stands issued after the project proponent failed to furnish a valid work order from Chief Engineer, Project Sampark.
60	M/s A. N Builders, village Thanole, Tehsil Tharakote, Reasi	Information not available. Closure proceedings initiated after the project proponent failed to seek Consent to operate the stone crusher for execution of work order allotted by PMGSY department.

Project Specific Stone Crusher - District Kishtwar		
61	Afcon Jal Joint Venture Ltd. Pakal Dul Hydroelectric Project near Dam Site Kishtwar (Stone Crusher).	September, 2026
62	Jai Prakash Associates Ltd. Pakal Dul hydroelectric Project Swarbhati Kishtwar (Stone Crusher).	September, 2026
63	Larsen & Turbo Limited. Pakal Dul Hydroelectric Project Cherji Road Kwar District Kishtwar (Stone Crusher).	September, 2026
64	Patel Engineering limited, Kiru Galhar Bhatta, Stone Crusher (600TPH). Kiru Hydroelectric Project.	March, 2026
65	Patel Engineering Ltd. Kiru Galhar Bhata. Kishtwar, Stone Crusher (200TPH). Kiru Hydroelectric Project.	March, 2026
66	Patel Engineering Ltd. Kwar Padyarna Kishtwar, Stone Crusher (300TPH). Kwar Hydroelectric Project.	December, 2027
67	Patel Engineering Ltd. Kwar (Stone Crusher Downstream right Bank) of Kwar Hydroelectric Project, Padyarna Kishtwar	December, 2027
68	Megha Engineering & Infrastructures Ltd Near Downstream Bridge, Drabshalla Kishtwar (Stone Crusher). Ratle Hydroelectric Project.	November, 2028
69	Megha Engineering & Infrastructures Ltd. Near upstream Bridge, Drabshalla Kishtwar.(Stone Crusher). Ratle Hydroelectric Project.	November, 2028
70	SGF Infra Pvt Ltd. (Stone Crusher) Village Mingli Tehsil Warwan District Kishtwar.	November, 2026
71	Shivam Build Con Associates Stone Crusher, Sohal Paddar Kishtwar.	Project completed and unit not in operation .

72	Vethesta Construction Stone Crusher Village Dasbal Mulwarwan block Marwah Kishtwar.	September, 2027
73	APS Hydro Pvt. Ltd & Unique Construction (JV) Stone Srusher Hidyak Kishtwar.	June, 2026
Project Specific Stone Crusher - District Doda		
74	M/s Wali Stone Crusher, Village Dudwar Gandoh, Doda	Valid up to May 2024 & the renewal case is under process. The unit holder has uploaded allotment/Extension work from Executive Engineer PMGSY Division Thatri up to 24-10-2029.
75	APCO Infra Tech PW. LTD. Village Jangalwar, Panchayat Paryote, Block Khellani District Doda	Consent Valid up to June 2025. The unit holder has uploaded allotment/Extension work for 14-02-2025 from NHIDCL
76	M/s Sukrala Stone Crusher, Village Mohalla District Doda	Consent Valid up to October 2025. The unit holder has uploaded allotment / extension work from Superintending Engineer PWD(R&B) Circle Doda up to 29-03-2025.
77	E5 Infra Structure PW. LTD. Village Goha Tehsil Marmat, District Doda	Consent Valid upto October 2024. The unit holder has not applied for renewal, the unit is found operational and has not uploaded any allotment/Extension work for NHIDCL Legal action may be initiated against the company.
78	M/s Diamond Stone Crusher Village Malanoo Khara, District Doda	Consent valid upto September 2024. The unit holder has not uploaded any allotment/Extension work for NHIDCL, Covering and water sprinkling system is found damaged. The Legal action may be initiated against the unit holder.