

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

Original Application No. 1276 of 2024

In the matter of

Sudarshan Singh & Ors.

Applicants

Versus

State of Punjab and Ors.

Respondent (s)

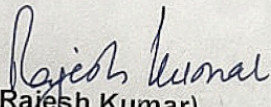
INDEX

Sr. No.	Particulars	Page No.
1.	Reply by way of affidavit of Er. Rajesh Kumar, Environmental Engineer, Regional Office, Batala on behalf of Respondent No. 2 Punjab Pollution Control Board in compliance to Order dated 08.11.2024.	1-7
2.	Annexure R-2/A The copies of Consents to Operate granted to the stone crusher (Respondent No. 10) by the Board.	8-11
3.	Annexure R-2/B Report of the Joint Committee	12-19

Submitted by

Date : 17-02-2025

Place : Batala


 (Er. Rajesh Kumar)
 Environmental Engineer,
 Punjab Pollution Control Board,
 Regional Office, Batala.

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

Original Application No. 1276 of 2024

Sudarshan Singh & Ors.

Applicants

Versus

State of Punjab and Ors.

Respondent (s)

Reply by way of affidavit of Er. Rajesh Kumar, Environmental Engineer, Regional Office, Batala on behalf of Respondent No. 2 Punjab Pollution Control Board in compliance to Order dated 08.11.2024.

I, the above-named deponent, do hereby, solemnly affirm and state as under.

RESPECTFULLY SHOWETH;

1. That the above-mentioned application is pending for adjudication before this Hon'ble Tribunal and is listed for hearing on 24.02.2025.
2. That the allegation of the applicant is that respondent No. 9 and 10 i.e. M/s Vijay Lakshmi Gram Udyog and its proprietor are involved in illegal mining at village Akalgarh, Tazpur tehsil district Pathankot, Punjab. It is alleged by the applicant that large- scale mechanized mining and operation of the crusher in the village concerned has impacted the environment adversely and that not only is illegal mining being done, but it is unregulated and unscientific, and it can also alter the course of the river flowing nearby increasing the risk of flood.



1

3. That after consideration of the matter, this Hon'ble Tribunal was pleased to pass an Order dated 08.11.2024 thereby issuing notices to the respondents with direction to file their response/reply by way of affidavit through e-filing. At the same time, vide the said Order dated 08.11.2024 this Hon'ble Tribunal was further pleased to constitute a Joint Committee comprising of the representative of Member Secretary, Central Pollution Control Board; Member Secretary, Punjab Pollution Control Board; Regional Office, MoEF&CC, Chandigarh and District Magistrate, Pathankot with direction to visit the site of respondent no. 10 and to ascertain if respondent no. 10 is complying with all the clearance conditions and the environmental norms and also to find out the source of raw material of respondent no. 10 as compared to electricity consumption and also to ascertain the extent of raw material procured illegally, if any. The committee was directed to file report before this Hon'ble Tribunal.
4. That in compliance to the orders of the Hon'ble National Green Tribunal and on the directions of the Deputy Commissioner, Pathankot the Joint Committee comprising the following officers was constituted namely:
- Shri Arashdeep Singh Lubana, Sub Divisional Magistrate, Pathankot.
 - Dr. Dharmendra Kumar Gupta, Director/Scientist 'F', MoEF&CC, Regional Office, Chandigarh.
 - Shri Jagdish Prasad Meena, Scientist 'D', CPCB, Regional Directorate, Chandigarh.
 - Er. Vishavpal Goel, Executive Engineer Cum District Mining Officer, Pathankot.
 - Er. Sukhwant Singh, Assistant Environmental Engineer, Punjab Pollution Control Board, Regional Office, Batala.
5. That the Joint Committee comprising the above-named officers has visited the site on 23.01.2025 and the issues raised by the applicant were duly considered. An officer of the Punjab Pollution Control Board was also a member of the Joint Committee. After performing the visit and inspection and considering various relevant facts in accordance with the directions of the Hon'ble National Green



Tribunal, the Joint Committee In its report has given the following conclusions and recommendations:

- a) No fresh mining In the area around the stone crusher and area shown by the applicant was observed by the Joint Team and only 5 to 6 years old mined land was found. However, It was not ascertained whether the mining has been done by the alleged stone crusher.
- b) The stone crusher has obtained Consent to Operate from the Punjab Pollution Control Board and same is valid upto 16/07/2029. Moreover, the stone crusher has obtained mining registration from the Department of Mines & Geology, which is valid upto 25/07/2025. Thus, the above-mentioned stone crusher has obtained requisite permissions from the concerned departments for its operation.
- c) The stone crusher has filed monthly returns to the Department of Mines & Geology, Punjab and has submitted the electricity bills to the Department and same has been found in order viz a viz electricity consumption and production. The stone crusher has also shown the bills of the legal source of raw material for the stone crusher.
- d) No traces of fresh mining have been found in the nearby area of the stone crusher, however, around the stone crusher, mined area was found by the Joint Committee, but there was vegetation growth over that area depicting that the mining has been carried out in that area around 5 to 6 years ago. However, it could not be ascertained whether the said mining have been done by the alleged stone crusher or some other person.
- e) The stone crusher is mostly complying with the Environmental Guidelines Issued by the CPCB for the stone crushing unit and some of the condition could not be verified due to non-operation of stone crusher.



- f) The unit shall provide proper wind-breaking walls in appropriate directions, without gaps, to contain fugitive emissions from higher transfer points on conveyors and stored material.
- g) The unit shall develop a green belt in a very scientific manner, keeping its objective in mind.
- h) The unit shall install flow measuring device at bore well and records of fresh water consumption was maintained.
- i) The unit shall obtain permission from the Punjab Water Regulation Development Authority (PWRDA) to extract groundwater from bore well.
- j) The unit shall educate engaged workers and provide them with personal protective equipment (like PPE kits) while working at the crusher.
- k) The unit should provide a name/sign board of adequate size at the main entrance.
- l) The unit may do dense plantation (native species) to combat with dust and noise pollution.
6. That as far as the facts of the case relating to Punjab Pollution Control Board are concerned, it is submitted that respondent no. 10 Stone Crusher namely M/s Vijay Luxmi Gram Udyog is situated at Village-Akalgarh, Tehsil & District-Pathankot and has obtained Consent to Establish (NOC) from the Punjab Pollution Control Board in year-1998 after fulfilment of siting criteria prescribed by the Board and verification by the Revenue Department. The stone crusher has also obtained the Consents to Operate of the Punjab Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 from time to time. The stone crusher has obtained auto-generated Consents to Operate from the Punjab Pollution Control Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, on 17.07.2024 valid upto 16.07.2029. The copies of Consents to Operate granted to the stone crusher (Respondent No. 10) by the Board are enclosed as **Annexure R-2/A.**



7. That as per the information available with the Board, the respondent stone has also obtained the registration from the Department of Mines and Geology, Government of Punjab as per the Punjab Minor Mineral Rules, 2013, which is valid till 25.07.2025. The unit is submitting the monthly returns to the Department of Mines and Geology, Punjab as per the Punjab Minor Mineral Rules, 2013.
8. That the facts relating to the compliance of environmental norms are mentioned herein below that:
- i. The monthly returns of the stone crusher are checked by the District Mining Officer, Pathankot with the consumption of electricity by the stone crusher.
 - ii. The stone crusher is procuring the raw material from the RBM desilting site of barrage project of Shahpur Kandi Dam Project at Village- Mattikot and has been authorized by the Department of Mines & Geology.
 - iii. The stone crusher is surrounded by the Agricultural Land and some orchards. There are no residential houses/school within the vicinity of the stone crusher. There is no river near the stone crusher from which the flood may occur in the nearby area as alleged in the application.
 - iv. The stone crusher has provided primary crushing unit namely jaw crusher, secondary crushing unit namely rotopactor followed by vibrating screen (02 no.) along with sand screw as machinery in the stone crushing unit.
 - v. The unit has provided ramp for the unloading of raw material into the hopper of the feeding point of the stone crusher but not provided fixed water sprinkling arrangement.
 - vi. During visit of the Joint Committee on 23.01.2025, the stone crusher was not in operation due to the non-availability of raw material. However, some earlier stocked raw material was found at the site.
 - vii. Since, the stone crusher were not in operation at the time of inspection by the Joint Committee on 23.01.2025, nothing could be observed with regard to dust emissions causing damage to crops, noise pollution and waste water discharged by the stone crushers. The monitoring of stone




crusher for verification of compliance to emission norms and noise pollution norms could not be carried out due to non-operation of the stone crusher.

- viii. The Joint Committee during visit on 23.01.2025 also verified the factual position regarding dust suppression system installed and pollution control measures taken by respondent no. 10. In this regard it is stated that the Central Pollution Control Board (CPCB) has issued Environmental Guidelines for stone crushers to prevent/suppress fugitive dust emissions from their operation. These guidelines also include regulatory/monitoring mechanism for stone crushing units. The pointwise compliance of Environmental Guidelines by the stone crusher as verified by the Joint Committee during visit on 23.01.2025 has been mentioned in the Joint Committee report and the same is enclosed herewith as **Annexure R-2/B**. The stone crusher was mostly complying with the environmental guidelines issued by the Central Pollution Control Board. However, some of the conditions could not be verified due to non-operation of the stone crusher.
9. That the reply on behalf of respondent Punjab Pollution Control Board is hereby submitted for kind consideration and appropriate orders of this Hon'ble Tribunal.

Date: 17-02-2025

Place: *Batala*

Deponent

Rajesh Kumar
(Rajesh Kumar)

Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Batala.
(On behalf of respondent no. 2
Punjab Pollution Control Board)



Verification: -

Verified that the contents of para no. 1 to 9 of the above reply by way of affidavit of the deponent are true and correct as derived from the official record. No part of the above reply is false and nothing material has been concealed therein.

Date: 17-02-2025

Place: *Batala*

Deponent

Rajesh Kumar
(Rajesh Kumar)

Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Batala.
(On behalf of respondent no. 2
Punjab Pollution Control Board)

**ATTESTED**

Certify that the deponent has been identified by Sr. *Self*.
That the above affidavit has been read over and explained to the deponent who has signed it after admitting the same to be correct.
Entered at Page No. *61*, Sr. No. *29*
Dated *17-2-2025*

Balwant Singh

Notary Public, Batala (Pb.) India

17 FEB 2025



PUNJAB POLLUTION CONTROL BOARD

Vatavaran Bhawan, Nabha Road, Patiala
Website:- www.ppcb.punjab.gov.in

AUTO GENERATED RENEWAL CERTIFICATE

Under the provisions of
Water (Prevention & Control of Pollution) Act, 1974

Office Dispatch No: OCMMS/CTO(Water)/2024/004347

Date: 16/07/2024

Industry Registration ID: R14PKT1995551

Application No: 26250396

To, **Sh Yash Pal,**
Sole Proprietor,
M/s M/s Vijay Laxmi Gram Udyog,
Vill. Kalgarh (tajpur) ,
Pathankot, Punjab, 145001

Subject : **Auto Generation of Renewal Certificate for Consent to Operate granted under the Water (Prevention & Control of Pollution) Act, 1974**

With reference to your application for renewal of Consent to Operate for operation of an industrial unit u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974, the self-declaration uploaded by Sh Yash Pal, (Sole Proprietor), is hereby acknowledged and Auto Generated Renewal Certificate is granted as per the contents of self-declaration.

1. Particulars of Auto Generated Renewal Certificate.

Certificate No.:	CTO/Renewal/PKT/2024/26250396		
Date of issue:	2024-07-16		
Date of expiry:	2029-07-16		
Certificate Type:	Renewal (Auto Generated)		
Previous CTE/CTO/Authorization No. & Validity :	Previous consent No:	Date Of Issue:	Date Of Expiry:
	10378114	2019-07-06 00:00:00.0	2024-09-30 00:00:00.0

2. Particulars provided by the industry

Name & Designation of the Occupier:	Sh Yash Pal, (Sole Proprietor)				
Address of Industrial premises:	VILL. KALGARH (TAJPUR)				
Existing Capital investment / Project Cost of the industry	26.4 (lakhs)				
Category of Industry	ORANGE				
Type of Industry	2064-Stone crushers				
Scale of the Industry	Small				
Office District	Pathankot				
CTE/CTO/Authorization applied for	5 years				
Fee Details	Payment Mode	Amount	Transaction ID	Date of Transaction	Date of verification
	NEFT	14500.00	IDIBH24193123028	2024-07-11 00:00:00.0	2024-07-16 13:47:14.257

"This is computer generated document from OCMMS by PPCB"

M/s Vijay Laxmi Gram Udyog,Vill. Kalgarh (tajpur) ,26250396

Page1

This Auto Generated Renewal Certificate is hereby issued subject to the condition that in case, if any anomaly after Auto renewal is observed, that the entrepreneurs has submitted any false/ incorrect/ incomplete/forged facts and documents, the PPCB shall initiate appropriate action for violation under the Environmental Laws/ Rules against the industry.

Annexure-A

Self Declaration

Auto renewal of consent to operate

I SH YASH PAL S/o Shri Gian Chand Aged 67 Years, Authorized Signatory SOLE PROPRIETOR (designation) of M/s M/S VIJAY LAXMI GRAM UDYOG (OCMMS ID R14PKT1995551) submitting this self declaration in favor of Member Secretary, Punjab Pollution Control Board for obtaining auto renewal of consent to establish / consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981/ Authorization under HWM Rules, 2016/ BMW Rules, 2016 (for health care facilities upto 50 beds) which is stated as under:

1. That the consent to establish / consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981/ Authorization under HWM Rules, 2016/ BMW Rules, 2016 (for health care facilities upto 50 beds) was issued vide no. Dated and the same is valid upto
2. That we have not carried out any expansion / modernization / change in process/ product/ Raw material/ fuel / change in bed capacity that either changes our category (from green to orange or orange to red or so on) or our scale (from small to medium or large). Detail of changes made if any and how extra pollutant shall be treated are given in box below*
3. That we are complying with conditions of previous consent/ authorization.
4. There is no change in information provided in the prescribed application form submitted for obtaining earlier consent to establish/operate /authorization.
5. That I have not violated any of the provisions under the Water (Prevention & Control of Pollution) Act, 1974 or Air (Prevention & Control of Pollution) Act, 1981 or Environment (Protection) Act, 1986.
6. That no prohibitory directions are issued from Courts/ Appellate Authority/ National Green Tribunal/ other Judicial authority.
7. I acknowledge that any wrong / partial / forged information /document submitted by me or any false affirmation made by the undersigned, I shall be liable for action as deemed fit by the Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981/ HWM Rules, 2016/ BMW Rules, 2016.
8. In case of brick kiln , the brick kiln shall replace at least 20% of its fuel from coal to paddy straw pellets, as per the directive given by the State Government u/s 5 of EPA 1986 vide Notification No 10/574/2022-STE1/443 dated 04.11.2022 and shall maintain records of the same for monitoring and inspection by the Board.

***Details of changes if any alongwith proposed mechanism of treating extra pollutant
(fill if applicable as per point 2)**

**Applicant
YASH PAL**

Date: 16/07/2024



PUNJAB POLLUTION CONTROL BOARD

Vatavaran Bhawan, Nabha Road, Patiala
Website:- www.ppcb.punjab.gov.in

AUTO GENERATED RENEWAL CERTIFICATE

Under the provisions of
Air (Prevention & Control of Pollution) Act, 1981

Office Dispatch No: OCMMS/CTO(Air)/2024/004348

Date: 16/07/2024

Industry Registration ID: R14PKT1995551

Application No: 26250264

To, **Sh Yash Pal,**
Sole Proprietor,
M/s M/s Vijay Laxmi Gram Udyog,
Vill. Kalgarh (tajpur) ,
Pathankot, Punjab, 145001

Subject : **Auto Generation of Renewal Certificate for Consent to Operate granted under the Air (Prevention & Control of Pollution) Act, 1981**

With reference to your application for renewal of Consent to Operate for operation of an industrial unit Air (Prevention & Control of Pollution) Act, 1981, the self-declaration uploaded by Sh Yash Pal, (Sole Proprietor), is hereby, acknowledged and Auto Generated Renewal Certificate is granted as per the contents of self-declaration.

1. Particulars of Auto Generated Renewal Certificate.

Certificate No.:	CTO/Renewal/PKT/2024/26250264		
Date of issue:	2024-07-16		
Date of expiry:	2029-07-16		
Certificate Type:	Renewal (Auto Generated)		
Previous CTE/CTO/Authorization No. & Validity :	Previous consent No:	Date Of Issue:	Date Of Expiry:
	10378694	2019-07-06 00:00:00.0	2024-09-30 00:00:00.0

2. Particulars provided by the industry

Name & Designation of the Occupier:	Sh Yash Pal, (Sole Proprietor)				
Address of Industrial premises:	VILL. KALGARH (TAJPUR)				
Existing Capital investment / Project Cost of the industry	26.4 (lakhs)				
Category of Industry	ORANGE				
Type of Industry	2064-Stone crushers				
Scale of the Industry	Small				
Office District	Pathankot				
CTE/CTO/Authorization applied for	5 years				
Fee Details	Payment Mode	Amount	Transaction ID	Date of Transaction	Date of verification
	NEFT	14500.00	IDIBH24193122679	2024-07-11 00:00:00.0	2024-07-16 13:39:58.333

"This is computer generated document from OCMMS by PPCB"

M/s Vijay Laxmi Gram Udyog,Vill. Kalgarh (tajpur) ,26250264

Page1

This Auto Generated Renewal Certificate is hereby issued subject to the condition that in case, if any anomaly after Auto renewal is observed, that the entrepreneurs has submitted any false/ incorrect/ incomplete/forged facts and documents, the PPCB shall initiate appropriate action for violation under the Environmental Laws/ Rules against the industry.

Annexure-A

Self Declaration

Auto renewal of consent to operate

I SH YASH PAL S/o Shri Gian Chand Aged 67 Years, Authorized Signatory SOLE PROPRIETOR (designation) of M/s M/S VIJAY LAXMI GRAM UDYOG (OCMMS ID R14PKT1995551) submitting this self declaration in favor of Member Secretary, Punjab Pollution Control Board for obtaining auto renewal of consent to establish / consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981/ Authorization under HWM Rules, 2016/ BMW Rules, 2016 (for health care facilities upto 50 beds) which is stated as under:

1. That the consent to establish / consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981/ Authorization under HWM Rules, 2016/ BMW Rules, 2016 (for health care facilities upto 50 beds) was issued vide no. Dated and the same is valid upto
2. That we have not carried out any expansion / modernization / change in process/ product/ Raw material/ fuel / change in bed capacity that either changes our category (from green to orange or orange to red or so on) or our scale (from small to medium or large). Detail of changes made if any and how extra pollutant shall be treated are given in box below*
3. That we are complying with conditions of previous consent/ authorization.
4. There is no change in information provided in the prescribed application form submitted for obtaining earlier consent to establish/operate /authorization.
5. That I have not violated any of the provisions under the Water (Prevention & Control of Pollution) Act, 1974 or Air (Prevention & Control of Pollution) Act, 1981 or Environment (Protection) Act, 1986.
6. That no prohibitory directions are issued from Courts/ Appellate Authority/ National Green Tribunal/ other Judicial authority.
7. I acknowledge that any wrong / partial / forged information /document submitted by me or any false affirmation made by the undersigned, I shall be liable for action as deemed fit by the Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981/ HWM Rules, 2016/ BMW Rules, 2016.
8. In case of brick kiln , the brick kiln shall replace at least 20% of its fuel from coal to paddy straw pellets, as per the directive given by the State Government u/s 5 of EPA 1986 vide Notification No 10/574/2022-STE1/443 dated 04.11.2022 and shall maintain records of the same for monitoring and inspection by the Board.

***Details of changes if any alongwith proposed mechanism of treating extra pollutant
(fill if applicable as per point 2)**

**Applicant
YASH PAL**

Date: 16/07/2024

Report of the Joint Committee in the matter of OA NO. 1276/2024 titled as Sudarshan Singh & Ors. V/s State of Punjab & Others in compliance to the orders of Hon'ble National Green Tribunal dated 08/11/2024.

1. Background and Orders of Hon'ble National Green Tribunal:

- 1.1 The matter is regarding the allegation of the applicant regarding illegal mining being done by a stone crusher namely M/s Vijay Luxmi Gram Udyog (Respondent No. 10) situated at Village-Akalgarh, Tehsil & District-Pathankot in the vicinity of the stone crusher and non-compliance of Environmental Norms. The Hon'ble' NGT has passed following directions vide order dated 08/11/2024 (Annexure-1).
- 1.2 **Para No. 5.** - Having regard to the seriousness of allegation made in the OA, the Hon'ble NGT has formed a Joint Committee comprising of (1) the Representative of the Member Secretary, Central Pollution Control Board (CPCB), (2) Member Secretary, Punjab Pollution Control Board (PPCB), (3) Regional Office, MoEF&CC, Chandigarh and (4) District Magistrate, Pathankot. District Magistrate, Pathankot who will act as a coordinating agency in the Joint Committee.
- 1.3 **Para No. 6.** - The Joint Committee will visit the site and ascertain the extent of illegal mining and the persons responsible for the same. The Joint Committee will also visit the site of Respondent No 10 and will ascertain if Respondent No. 10 is complying with all the clearance conditions and the environmental norms and also find out the source of raw material of Respondent No. 10 as compared to the electricity consumption and ascertain the extent of raw material procured illegally, if any, by the said respondent. The Joint Committee will also give a restoration plan for the damage caused to the area on account of the illegal mining.

2. Compliance of the orders of Hon'ble National Green Tribunal:

2.1 Constitution of the Joint Committee:

In compliance to the orders of Hon'ble National Green Tribunal, a Joint Committee comprising of the following Members of the Joint Committee was constituted.

1. Shri Arashdeep Singh Lubana, Sub Divisional Magistrate, Pathankot.
2. Dr. Dharmendra Kumar Gupta, Director/Scientist 'F', MoEF&CC, Regional Office, Chandigarh.
3. Shri Jagdish Prasad Meena, Scientist 'D', CPCB, Regional Directorate, Chandigarh.
4. Er. Vishavpal Goel, Executive Engineer Cum District Mining Officer, Pathankot
5. Er. Sukhwant Singh, Assistant Environmental Engineer, Punjab Pollution Control Board, Regional Office, Batala.



2.2. Site Visits:

The site visit was undertaken by the Joint Committee on 23/01/2025, the date communicated by the office of Deputy Commissioner, Pathankot vide letter no. 128-30 dated 20/01/2025 (**Annexure-2**). Sub Divisional Officer and Junior Engineer, Mining Department, Pathankot were also present during the site visit.

2.3 Report of the Joint Committee:-

2.3.1. Issues raised by the applicants during the site visit:

The following key issues were raised by the applicants before the Joint Committee:-

- i. During site inspection Joint committee met Shri Surjit Singh (Applicant-3) at his residence at Village-Akalgarh, he intimated that the respondent Stone Crusher has done illegal mining in the Agricultural Land having joint holding of the land (owner of stone crusher and Shri Surjit Singh). Regular complaints have been made to the Mining Department against the stone crusher doing illegal mining. Further, due to the mining in the Agriculture Land, the water level of the ground water has fallen and has also caused high risk of flood.
- ii. Shri Ashok Singh (Applicant-2) was also called at the site and he informed that his Agriculture Land has also been illegally mining by the said stone crusher and has also degraded the environment. Apart from the above, the stone crusher is non-complying with the various rules and regulations of Department of Mines & Geology, Punjab and Punjab Pollution Control Board.
- iii. Thereafter, both the applicants, has shown the agriculture land to the Joint Committee near the stone crusher and alleged that the yield of their crops have been decreased due to the operation of the stone crusher and mining. The soil erosion in the Agricultural land were also shown to the team.

2.3.2. Observations and Findings of the Joint Committee:

The stone crusher M/s Vijay Luxmi Gram Udyog is situated at Village-Akalgarh, Tehsil & District-Pathankot and has obtained Consent to Establish (NOC) from the Punjab Pollution Control Board in year-1998 after fulfilment of siting criteria prescribed by the Board and verification by the Revenue Department. Thereafter, the stone crusher has obtained auto-generated Consent to Operate from the Punjab Pollution Control Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, which are valid upto 16/07/2029 (**Annexure-3**).

- i. The stone crusher has obtained registration from the Department of Mines & Geology, Govt. of Punjab as per the Punjab Minor Mineral Rules, 2013, which is valid till 25/07/2025 (**Annexure-4**). Further, the unit submits the monthly returns to the Department of Mines &

Handwritten signature/initials

- Geology, Punjab as per the Punjab Minor Mineral Rules, 2013. The copy of the monthly returns along with electricity bills are attached as **(Annexure-5)**.
- ii. It is pertinent to mention here that these returns are checked by the District Mining Officer, Pathankot with the consumption of electricity by the stone crusher. The stone crusher is procuring the raw material from the RBM desilting site of barrage project of Shahpur Kandi Dam Project at Village-Mattikot and has been authorized by the Department of Mines & Geology.
 - iii. The stone crusher is surrounded by the Agricultural Land and some orchards. There are no residential houses/school within the vicinity of the stone crusher. There is no river near the stone crusher from which the flood may occur in the nearby area as alleged in the application.
 - iv. The stone crushing unit has provided primary crushing unit namely jaw crusher, secondary crushing unit namely rotopactor followed by vibrating screen (02 no.) along with sand screw as machinery in the stone crushing unit.
 - v. The unit has provided ramp for the unloading of raw material into the hopper of the feeding point of the stone crusher but not provided fixed water sprinkling arrangement.
 - vi. During visit, the stone crusher was not in operation due to the non-availability of raw material. However, some earlier stocked raw material was found at the site.
 - vii. Since, the stone crusher were not in operation at the time of inspection, nothing could be observed with regard to dust emissions causing damage to crops, noise pollution and waste water discharged by the stone crushers. Further, monitoring of stone crushers for verification of compliance to emission norms and noise pollution norms could not be done for the same reason.
 - viii. The Joint Committee also verified the factual position regarding dust suppression system installed and pollution control measures taken by respondent No. 10 (Stone Crusher). In this regard, Central Pollution Control Board (CPCB) has issued Environmental Guidelines for stone crushers, to prevent/suppress fugitive dust emissions from their operation. These guidelines also include regulatory/monitoring mechanism for stone crushing units. The pointwise compliance of Environmental Guidelines by the stone crusher verified by the Joint Team is as under :-

S. No.	Fugitive Emission Source Locations/ Particulars.	Checklist/requirement for compliance of conditions of Environmental guidelines.	Status of Compliance as on 23/01/2025, as verified by the Joint Committee.
1	Unloading area of raw material Primary Crusher, Screeners, conveyers belts transfer points.	Water sprinklers installed with adequately designed nozzles.	The stone crusher has provided sprinklers in the movement area and water sprinkling is being done at the vibrating screen.

2	Primary crushers, Secondary crushers, Screeners and tertiary crushers.	Enclosures by GI/MS sheets on top and at least three sides completely from the ground level (Upload photo/videos).	The primary crusher and the secondary crushers are enclosed with GI Sheets and from the top to prevent fugitive emissions during crushing.
3	Secondary, Tertiary crushers and Screener.	Dry extraction cum bag filter followed by cyclone.	The raw material (River Bed Material) of the stone crusher is in wet form and washing water is also used during screening therefore, dry extraction could not be done.
4	Covering of Conveyor belts from node to node with a thick sheet of suitable material.	Covering of Conveyor belts.	The stone crusher has covered the conveyor belts with GI sheets.
5	At discharge points.	Flexible Telescopic chute from top of discharge point to the ground level (Upload photo).	The unit has provide conventional chutes only.
6	GI/MS/brick wind breaking wall of 3-ft more than the highest node of the crusher along the periphery of crusher.	Wind breaking wall	Provided, but Committee observed that the stone crusher has not provided wind breaking wall of adequate height.
7	Roads	Metalled/concrete roads within the premises. Ramps and the entire ground area inside the premises should also be metalled.	The roads and ramp are stabilized with river bed material and aggregates.
8	Suppression of dust within the premises.	Arrangement of rotating water sprinkling system/Fogger/Anti-smog gun in the premises to suppress dust within the premises to control dust emission re suspension.	The stone crusher has provided sprinklers in the movement area and water sprinkling is being done at the vibrating screen.
9	Green belt.	Plantation of 2-3 rows of tall trees around the periphery of crusher	Natural Plantation done around periphery, however same needs to be enhanced. At the time of the visit, the committee observed a very scanty plantation on the periphery of the stone crusher.
10	CCTV/PTZ camera.	CCTV/PTZ cameras installed at the entrance and all corners of the premises of the unit covering entire area with minimum of 30 days data storage.	Provided at entrance and at one corner. The unit was advised to provide more cameras in the vicinity.
11	Jaw Shed.	The stone crushing unit shall be provided with acoustic enclosure near jaw sheds and shall be properly designed and approved by	The primary crusher and the secondary crushers are enclosed with GI Sheets.



2	Primary crushers, Secondary crushers, Screeners and tertiary crushers.	Enclosures by GI/MS sheets on top and at least three sides completely from the ground level (Upload photo/videos).	The primary crusher and the secondary crushers are enclosed with GI Sheets and from the top to prevent fugitive emissions during crushing.
3	Secondary, Tertiary crushers and Screener.	Dry extraction cum bag filter followed by cyclone.	The raw material (River Bed Material) of the stone crusher is in wet form and washing water is also used during screening therefore, dry extraction could not be done.
4	Covering of Conveyor belts from node to node with a thick sheet of suitable material.	Covering of Conveyor belts.	The stone crusher has covered the conveyor belts with GI sheets.
5	At discharge points.	Flexible Telescopic chute from top of discharge point to the ground level (Upload photo).	The unit has provide conventional chutes only.
6	GI/MS/brick wind breaking wall of 3-ft more than the highest node of the crusher along the periphery of crusher.	Wind breaking wall	Provided, but Committee observed that the stone crusher has not provided wind breaking wall of adequate height.
7	Roads	Metalled/concrete roads within the premises. Ramps and the entire ground area inside the premises should also be metalled.	The roads and ramp are stabilized with river bed material and aggregates.
8	Suppression of dust within the premises.	Arrangement of rotating water sprinkling system/Fogger/Anti-smog gun in the premises to suppress dust within the premises to control dust emission re suspension.	The stone crusher has provided sprinklers in the movement area and water sprinkling is being done at the vibrating screen.
9	Green belt.	Plantation of 2-3 rows of tall trees around the periphery of crusher	Natural Plantation done around periphery, however same needs to be enhanced. At the time of the visit, the committee observed a very scanty plantation on the periphery of the stone crusher.
10	CCTV/PTZ camera.	CCTV/PTZ cameras installed at the entrance and all corners of the premises of the unit covering entire area with minimum of 30 days data storage.	Provided at entrance and at one corner. The unit was advised to provide more cameras in the vicinity.
11	Jaw Shed.	The stone crushing unit shall be provided with acoustic enclosure near jaw sheds and shall be properly designed and approved by	The primary crusher and the secondary crushers are enclosed with GI Sheets.

4.



		the State Pollution Control Board	
12	Spray Nozzle System.	The water mists spray nozzle shall be interlocked with stone crushing unit main energy supply and water supply meter.	Could not be verified as the stone crusher was not in operation.
13	Approach Roads.	All approach roads and ramps shall be properly paved so that it does not lead to dust pollution.	The roads and ramp are stabilized with river bed material and aggregates.
14	Washing Plant.	In case of stone crusher units sedimentation tanks commensurate to the plant's capacity needs shall be built immediately so that effluents are not drained in the open directly which ultimately feeds the river.	Complying.
15	Sedimentation tank.	In that case, the effluent from sedimentation tank shall be treated and the silt, soil shall be reused in field, road construction, brick making etc.	Complying.

- i. From the perusal of above-mentioned Environmental Guidelines, it has been found that the proper compliance of guidelines could not be verified as the stone crusher was not in operation. However, the stone crusher is partially complying with the some of the Environmental Guidelines issued by the CPCB.
- ii. The area around the stone crusher and the area shown by the applicant in the petition was also visited by the Joint Team and no fresh mining was observed in that area. However, around the stone crusher, mined area was found by the Joint Committee, but there were vegetation growth on that area depicting that the mining has been carried out in that area around 5 to 6 years ago. However, it could not be ascertained whether the said mining have been done by the alleged stone crusher or some other person.
- iii. In some of the area where earlier mining has been done, an orchard of Lithci Fruit, Guava has been developed by the land owner after the proper levelling and land development.
- iv. It is also come to the notice of the Joint Team that there are some land dispute between the applicants and the owner of the stone crusher.
- v. The unit is located at Latitude 32.24162 N, Longitude 75.614582 E, further reported has approximate area of about One Acres.
- vi. The unit has installed a weighbridge at its premises for weighing raw materials and finished products; however, during the visit, it was found to be non-operational
- vii. The unit has installed a vibrating screening system that is not enclosed with GI/MS sheet on the top and at least three sides from the ground level. Additionally, a flexible pipe is provided for manual water sprinkling.

- viii. Furthermore, some portions of the conveyor belts remain uncovered, while covers have been provided at other locations.
- ix. The unit is meeting its water requirement through one bore well for drinking and sprinkling purpose. Flow meter has not installed at the tube well and a record of the same was not maintained.
- x. The unit has not obtained permission to extract groundwater from the Punjab Water Regulation Development Authority (PWRDA). At the time of the visit, the committee observed a very scanty plantation on the periphery of the stone crusher. The committee observed that the stone crusher has not provided wind breaking wall.

3. Conclusion and Recommendations:-

- 3.1 No fresh mining in the area around the stone crusher and area shown by the applicant was observed by the Joint Team and only 5 to 6 years old mined land was found. However, it was not ascertained whether the mining has been done by the alleged stone crusher.
- 3.2 The stone crusher has obtained Consent to Operate from the Punjab Pollution Control Board and same is valid upto 16/07/2029. Moreover, the stone crusher has obtained mining registration from the Department of Mines & Geology, which is valid upto 25/07/2025. Thus, the above mentioned stone crusher has obtained requisite permissions from the concerned departments for its operation.
- 3.3 The stone crusher has filed monthly returns to the Department of Mines & Geology, Punjab and has submitted the electricity bills to the Department and same has been found in order viz a viz electricity consumption and production. The stone crusher has also shown the bills of the legal source of raw material for the stone crusher.
- 3.4 No traces of fresh mining have been found in the nearby area of the stone crusher, however, around the stone crusher, mined area was found by the Joint Committee, but there was vegetation growth over that area depicting that the mining has been carried out in that area around 5 to 6 years ago. However, it could not be ascertained whether the said mining have been done by the alleged stone crusher or some other person.
- 3.5 The stone crusher is mostly complying with the Environmental Guidelines issued by the CPCB for the stone crushing unit and some of the condition could not be verified due to non-operation of stone crusher.
- 3.6 The unit shall provide proper wind-breaking walls in appropriate directions, without gaps, to contain fugitive emissions from higher transfer points on conveyors and stored material.
- 3.7 The unit shall develop a green belt in a very scientific manner, keeping its objective in mind.
- 3.8 The unit shall install flow measuring device at bore well and records of fresh water consumption was maintained.
- 3.9 The unit shall obtain permission from the Punjab Water Regulation Development Authority (PWRDA) to extract groundwater from bore well.

6.




- 3.10 The unit shall educate engaged workers and provide them with personal protective equipment (like PPE kits) while working at the crusher.
- 3.11 The unit should provide a name/sign board of adequate size at the main entrance.
- 3.12 The unit may do dense plantation (native species) to combat with dust and noise pollution.

Prayer:-

It is humbly prayed that the above report of the Joint Committee may be considered and taken on record and appropriate orders be passed please.


Shri Arashdeep
Singh Lobana,
Sub Divisional
Magistrate,
Pathankot.


Dr. Dharmendra
Kumar Gupta,
Director/Scient
ist 'F', MoEF
&CC, Regional
Office,
Chandigarh.


Shri Jagdish
Prasad Meena,
Scientist 'D',
CPCB,
Regional
Directorate,
Chandigarh.


Er. Vishavpal
Goel,
Executive
Engineer
Cum District
Mining
Officer,
Pathankot.


Er. Rajesh
Kumar, EE
PPCB, RO,
Batala.


Er. Sukhwant
Singh, AEE,
PPCB, RO,
Batala.