

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

Original Application no. 624 of 2023

In Re: News item published in The Tribune dated 28.09.2023 titled "Hills 'vanish' as illegal Mining rampant in BEET area"

Action Taken / Status Report of Environmental Engineer, Regional Office,
Rupnagar on behalf of respondent no. 3 i.e. Punjab Pollution Control Board.

Respectfully Showeth,

- 1) That the Hon'ble Tribunal has taken suo-moto cognizance of the above-mentioned case on the basis of news item dated 28.09.2023 published in the Tribune titled "Hills 'vanish' as illegal Mining rampant in BEET area". The Hon'ble Tribunal has passed orders in the case and in compliance thereof the Punjab Pollution Control Board has filed status report dated 09.01.2024 disclosing therein the action taken against the following stone crushers.
 - a) M/s New Staluj Stone Crusher (Unit-01), Nangran, Nangal, District Rupnagar.
 - b) M/s Ganga Stone Crusher (Unit-01), Khera Kalmot, Nangal, District Rupnagar.
 - c) M/s Kalgidhar Stone Crusher, Khera Kalmot, Nangal, District Rupnagar.
 - d) M/s Guru Kirpa Stone Crusher, Khera Kalmot, Nangal, District Rupnagar.
- 2) That after consideration of the replies filed by the Punjab Pollution Control Board and the Mining Department and other relevant aspects of the case, the Hon'ble Tribunal was pleased to pass an order dated 11.01.2024 thereby impleading 13 number of stone crushers as respondents in the case who have violated the norms and carried out illegal mining as disclosed in the report of Mining Department. The counsel of the Punjab Pollution Control Board has undertaken to file fresh report disclosing action against all the defaulters.
- 3) That the present status report is being filed in compliance to the order dated 11.01.2024 disclosing the action taken against the 13 defaulters stone crusher units located in the revenue estates of Villages of Haripur, Spalwa, Algram Khera Kamlot, Bhallari, Mata Swara, Agampur of District Ropar.
- 4) That the Board has taken action against the 13 number of Stone Crushers who had been impleaded as respondents in the case by invoking the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control



of Pollution) Act, 1981 as under. The action taken report is summarized in tabular form as under:

Sr. No.	Name and address of Crusher	Action Taken in brief
1	Sat Sahib Stone Crusher & Screening Plant, Vill. Haripur, Sri Anandpur Sahib, Rupnagar	<p>a) Environmental Compensation (EC) of Rs. 8, 31,250 has been imposed. The decision was conveyed to the stone crusher vide letter no. 342 dated 23.02.2024. Out of total EC imposed, the unit has deposited Rs. 2,07,813 to the Board.</p> <p>b) Directions issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of Air (Prevention and Control of Pollution) Act, 1981, vide letter no. 12133 dated 15.02.2024 for closure of unit.</p> <p>c) The electrical supply of the stone crusher has been disconnected by the Punjab State Power Corporation Ltd Authority (PSPCL).</p>
2	Adesh Stone Crusher, Vill. Algran, Tehsil Nangal, Rupnagar	<p>a) Environmental Compensation (EC) of Rs. 6,87,500 has been imposed. The decision was conveyed to the stone crusher vide letter no. 338 dated 23.02.2024.</p> <p>b) Directions issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of Air (Prevention and Control of Pollution) Act, 1981 vide letter no. 12084 dated 15.02.2024 for closure of unit.</p> <p>c) The electrical supply of the stone crusher has disconnected by the Officer of Punjab State Power Corporation Ltd.</p>
3	Sidhi Vinayak Stone Crusher, Vill. Algran, Sri Anandpur Sahib, Rupnagar	<p>a) Environmental Compensation (EC) of Rs. 7,25,000 has been imposed. The decision was conveyed to the stone crusher vide letter no. 343 dated 23.02.2024. Out of total EC imposed,</p>



		<p>the unit has deposited Rs. 1,50,000 to the Board.</p> <p>b) Directions issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of Air (Prevention and Control of Pollution) Act, 1981, vide letter no. 12121 dated 15.02.2024 for closure of unit.</p> <p>c) The electrical supply of the stone crusher has been disconnected by the Punjab State Power Corporation Ltd Authority.</p>
4	Ganga Stone Crusher, Vill. Khera Kalmot	<p>a) Environmental Compensation (EC) of Rs. 18.50 lacshas been imposed. The decision was conveyed to the office order no. 09 dated 03.01.2024.</p> <p>b) Directions issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of Air (Prevention and Control of Pollution) Act, 1981, vide letter no. 9888-89 dated 02.01.2024 for closure of unit.</p> <p>c) The electrical supply of the stone crusher has been disconnected by the Punjab State Power Corporation Ltd Authorities (PSPCL).</p> <p>d) The industry has installed 01 no. of DG set of capacity 380 KVA which has been sealed by this office.</p>
5	Grewal Stone Crusher, Vill. Khera Kalmot, Nangal, Rupnagar	<p>a) Environmental Compensation (EC) of Rs. 37,500 has been imposed. The decision was conveyed to the stone crusher vide letter no. 337 dated 23.02.2024. Out of total EC imposed, the unit has deposited Rs. 37,500 to the Board.</p> <p>b) Directions issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of Air (Prevention and Control of</p>

		<p>Pollution) Act, 1981, vide letter no. 12099 dated 15.02.2024 for closure of unit.</p> <p>c) The officer of Punjab State Power Corporation Ltd has informed that no electric connection has been supplied to the stone crusher and stone crusher was operating in the DG set. The industry has installed 02 no. of DG sets of capacities 125 KVA and 380 KVA which have been sealed by the Board.</p>
6	Kalgidhar Stone Crusher, Vill. Khera Kalmot, Nangal, Rupnagar	<p>a) Environmental Compensation (EC) of Rs. 18.50 lacs has been imposed. The decision was conveyed vide letter no. 10 dated 23.02.2024.</p> <p>b) Directions issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of Air (Prevention and Control of Pollution) Act, 1981, vide letter no. 9890-91 dated 02.01.2024 for closure of unit.</p> <p>c) The electrical supply of the stone crusher has been disconnected by the Punjab State Power Corporation Ltd Authorities.</p>
7	Bhalla Cone Crusher, vill Bhallri	<p>a) Environmental Compensation (EC) of Rs. 18,56,250 has been imposed. The decision was conveyed to the stone crusher vide letter no. 340 dated 23.02.2024. Out of total EC imposed, the unit has deposited Rs. 4,64,063 to the Board.</p> <p>b) Directions issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of Air (Prevention and Control of Pollution) Act, 1981, vide letter no. 12127 dated 15.02.2024 for closure of unit.</p> <p>c) The electrical supply of the stone crusher has been disconnected by the Punjab State Power</p>



		Corporation Ltd Authority.
8	Bharat Stone Crusher & Screening Plant, Vill: Plata, Sri Anandpur Sahib, Rupnagar	<p>a) Environmental Compensation (EC) of Rs. 5,93,750 has been imposed. The decision was conveyed to the stone crusher vide letter no. 335 dated 23.02.2024. Out of total EC imposed, the unit has deposited Rs. 1,50,000 to the Board.</p> <p>b) Directions issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of Air (Prevention and Control of Pollution) Act, 1981, vide letter no. 12139 dated 15.02.2024 for closure of unit.</p> <p>c) The electrical supply of the stone crusher has been disconnected by the Punjab State Power Corporation Ltd as informed by the Officer of PSPCL.</p>
9	Sai Stone Crusher, Vill. Swara, Sri Anandpur Sahib, Rupnagar	<p>a) Environmental Compensation (EC) of Rs. 11,75,000 has been imposed. The decision was conveyed to the stone crusher vide letter no. 339 dated 23.02.2024. Out of total EC imposed, the unit has deposited Rs. 2,93,750 to the Board.</p> <p>b) Directions issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of Air (Prevention and Control of Pollution) Act, 1981, vide letter no. 12145 dated 15.02.2024 for closure of unit.</p> <p>c) The electrical supply of the stone crusher has been disconnected by the Punjab State Power Corporation Ltd as informed by the Officer of Punjab State Power Corporation Ltd.</p>
10	A.S Brar Stone Crusher, Vill. Agampur	a) Environmental Compensation (EC) of Rs. 32,43,750 has imposed. The decision was conveyed to the stone crusher vide letter no.

		<p>341 dated 23.02.2024. Out of total EC imposed, the unit has deposited Rs. 3,00,000 to the Board.</p> <p>b) Directions issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of Air (Prevention and Control of Pollution) Act, 1981, vide letter no. 12111 dated 15.02.2024 for closure of unit.</p> <p>c) The electrical supply of the stone crusher has been disconnected by the Punjab State Power Corporation Ltd as informed by the Officer of Punjab State Power Corporation Ltd.</p>
11	Puri Stone Crusher, Vill. Palata, Sri Anandpur Sahib, Rupnagar	<p>a) Environmental Compensation (EC) of Rs. 54,75,000 has been imposed. The decision was conveyed to the stone crusher vide letter no. 336 dated 23.02.2024. Out of total EC imposed, the unit has deposited Rs. 4,00,000 to the Board.</p> <p>b) Directions issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of Air (Prevention and Control of Pollution) Act, 1981, vide letter no. 12070 dated 15.02.2024 for closure of unit.</p> <p>c) The electrical supply of the stone crusher has been disconnected by the Punjab State Power Corporation Ltd Authority.</p>
12	New Satluj Stone Crusher Unit 1, Vill. Khera Kalmot	<p>a) Environmental Compensation (Environmental Clearance) of Rs. 17,62,500 has been imposed and the same has been issued vide office order no. 08 dated 03.01.2024. Out of total EC imposed, the unit has deposited Rs. 4,40,625 to the Board.</p> <p>b) Directions issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-</p>

		<p>A of Air (Prevention and Control of Pollution) Act, 1981, vide letter no. 9878-79 dated 02.01.2024 for closure of unit.</p> <p>c) The electrical supply of the stone crusher has been disconnected by the Punjab State Power Corporation Ltd Authorities.</p>
13	<p>Pritthvee Stone Crusher & Screening Plant, Vill. Spalwa, Sri Anandpur Sahib, Rupnagar</p>	<p>a) Directions issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of Air (Prevention and Control of Pollution) Act, 1981, vide letter no. 12105 dated 15.02.2024 for closure of unit.</p> <p>b) The electrical supply of the stone crusher has been disconnected by the Punjab State Power Corporation Ltd Authority.</p>

- 5) That it is pertinent to mention here that Environmental Compensation amounting to Rs. 2,00,87,500/- has been imposed upon the above-mentioned stone crushers and the stone crushers have been directed to deposit the Environmental Compensation within 15 days. Out of the total amount of Environmental Compensation, Rs. 29,06,251/- has been deposited with the office of the Board. The copies of the orders for imposition of Environmental Compensation on the above-mentioned stone crushers are enclosed at **Annexure-A** and the copies of the directions issued by the closure of the said stone crushers are placed at **Annexure-B** for kind perusal of the Hon'ble Tribunal.
- 6) That apart from imposition of Environmental Compensation and disconnection of electricity connection of the defaulter stone crushing units as explained herein above, the Board has also decided to initiate legal action against the above said stone crushers for which the preparation of complaints under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 and filing thereof in the competent Court of Law after obtaining the approval of the Competent Authority of the Board is under active consideration.
- 7) That the Board has further taken action against eleven number of stone crushers operating in the village Khera Kalmot (Hill Side Belt). Keeping in view the facts and

circumstances of the matter, the name and address of the stone crushers with summary of action taken report is mentioned below:

Sr. No	Name of Crusher & Address	Action Taken
1.	Guru Kirpa Stone Crusher, Village Khera Kalmot, Ropar	<ul style="list-style-type: none"> • Environmental Compensation (EC) amounting to Rs. 18.50 lacs has been imposed. The decision was conveyed to the stone crusher vide letter no.11 dated 03.01.2024. • Direction issued u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of Air (Prevention and Control of Pollution) Act, 1981 vide letter no. 9886-87 dated 02.01.2024 for closure of unit. • The electrical supply of the industry was disconnected as informed by the PSPCL Authority.
2.	Ludhiana Crusher & Builder P Ltd, Village Khera Kalmot, Ropar	<ul style="list-style-type: none"> • Direction issued u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention and Control of Pollution) Act, 1981 vide letter no. 959-62 dated 02.02.2023
3.	Gill Stone Crusher, Village Khera Kalmot, Tehsil Sri Anandpur Sahib, Distt. Roopnagar	<ul style="list-style-type: none"> • Consent to operate revoked vide letter no. 3292-95 dated 12.12.2023. • Notice issued u/s 31-A of Air (Prevention and Control of Pollution) Act, 1981 and u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 vide letter no. 10179 dated 12.01.2024
4.	Mahavir Stone Crusher, Village Khera Kalmot, Nangran, Nangal, Ropar	<ul style="list-style-type: none"> • Consent to operate revoked vide letter no. 362 dated 29.02.2024 and further action is under process.
5.	Dashmesh stone crusher, Village Khera Kalmot, Ropar	<ul style="list-style-type: none"> • Consent to operate revoked vide no. 182-85 dated 31.01.2024 and further action is under process.

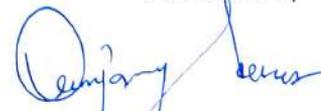
6.	Mahindra Stone Crusher, Village Khera kalmot, Nangran, Tehsil Nangal, Ropar	• Consent to operate revoked vide no. 3067-69 dated 09.08.2021. Found in non-operational condition.
7.	Gurvinder Doaba Stone Crusher, Village Khera Kalmot, Ropar	• Consent to operate revoked vide no. 388-89 dated 04.03.2024 and further action is under process.
8.	Akme Crushers & Builders Pvt. Ltd., Village Nangran (Khera Kalmot), Nangal	• Found in non-operational condition. Further action for issuance of directions not to operate the unit without compliance of environmental norms is under process.
9.	Bazari Bazar stone crusher, Village Khera Kalmot, Nangal	• The unit was found in dismantled condition.
10.	Punjab Aggregates & Minerals (P) Ltd, Village Nangran (Khera Kalmot) Ropar.	• Found in non-operational condition. Further action for issuance of directions not to operate the unit without compliance of environmental norms is under process.
11.	Soma Enterprises (Unit- I), Village Khera Kalmot, Tehsil Sri Anandpur Sahib, Distt. Roopnagar	• Found in non-operational condition. Further action for issuance of directions not to operate the unit without compliance of environmental norms is under process.

8) That the reply on behalf of the Punjab Pollution Control Board is hereby submitted in compliance to orders dated 11.01.2024 for kind consideration and appropriate orders of the Hon'ble Tribunal.

Date: 06.03.2024

Place: Rupnagar

Submitted by



Environmental Engineer
Punjab Pollution Control Board
Regional Office, Rupnagar
(On behalf of respondent no. 3)
Punjab Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ

PUNJAB POLLUTION CONTROL BOARD

No. 73

Dated. 23/09/2024

Subject: Imposition of Environmental Compensation for violation of the provisions of Environmental Laws upon M/s Sat Sahib Stone Crusher & Screening Plant, Village Haripur, Tehsil Anadpur Sahib.

Order

In order to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and maintaining or resorting the wholesomeness of water and to preserve the quality of air, the Parliament of India had enacted the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 and all these Laws are collectively and severally being referred to as the Environmental Laws. The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the above-mentioned statutes in the State of Punjab.

2) The Hon'ble National Green Tribunal in suo moto exercise of its powers on the basis of the news item dated 28.09.2023 published in the Tribune titled "Hills 'vanish' as illegal mining rampant in Beet area" has registered Original Application No. 624 of 2023. News item discloses that on account of the illegal mining, Shivalik Hills, as high as 200 feet in the Beet area of Garhshankar sub-Division, are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhi mansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining. News Report further states that illegal mining has reached to a record level of 200 ft. deep and at some places, entire hills have been erased by the mining mafia and inspite of the complaint, no action is being taken by the competent authorities.

3) The Punjab Pollution Control Board has filed short reply before the Hon'ble National Green Tribunal in O.A No. 624 of 2023 disclosing that during the visit of the area the traces of fresh as well as old mining were found and XEN Mining Rupnagar has informed that the FIRs were registered against the violators including transporters, machine operators and they have confiscated the machinery. The Hon'ble National Green Tribunal in its order

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dated 16.10.2023 has observed that the report so submitted by the Member Secretary, does not disclose the extent of illegal mining and is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.

4) The Punjab Pollution Control Board being the prescribed authority is monitoring the stone crushers of the State with regard to the compliance of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 including the code of practice laid down by the Government. It is observed by the Board many stone crushers are operating in the area and the Department of Mining has registered FIR against the units for indulgence into illegal mining. The Board has taken action against 4 Stone Crushers and Environmental Compensation was imposed in view of the facts and circumstances of the cases.

5) It is relevant to mention here that the reply filed by the Mining Department - before the Hon'ble National Green Tribunal in OA no. 624/2023 reveals that - total 110 FIRs have been registered against illegal mining in Ropar District since 01.01.2023. The Hon'ble National Green Tribunal vide order dated 11.01.2024 has observed that - through the report of Mining Department discloses the action against 13 Stone crusher but - the report submitted by the PPCB mention action only against 4 no. stone crusher.

6) After due consideration of the matter, it is observed that M/s Sat Sahib Stone Crusher & Screening Plant, was granted consent to operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and under the Air (Prevention & Control of Pollution) Act, 1981 on 19/07/2023 valid upto 18/01/2024 for Crushing, Sand, Bajri, Gravel, Gatka Boulder @ 8200 CFT/day, subject to the suitable conditions mentioned therein.

7) The premises of M/s Sat Sahib Stone Crusher & Screening Plant, Village Haripur, Tehsil Anandpur Sahib, Rupnagar was visited by the officer of the Board on 08.11.2023 and it was observed that the Stone Crusher is not complying and was violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units laid down by the Government. As such, the consents of the industry were revoked / cancelled vide Board's letter no. 2974-75 dated 20/11/2023 under the Water (Prevention & Control of Pollution) Act, 1974 & 2972-73 dated 20/11/2023 under the Air (Prevention & Control of Pollution) Act, 1981, due to the violations as mentioned above.



8) The case was considered by the Competent Authority, of the PPCB and it was decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the Stone Crusher with an opportunity of personal hearing, due to aforesaid violations. Therefore, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to M/s Sat Sahib Stone Crusher on 18/12/2023 vide Board's letter no. 9404-05 dated 08/12/2023. The proceedings were conveyed to the industry vide Board's letter no. 9989-90 dated 08/01/2024.

9) It is pertinent to mention here that - Senior Superintendent of Police Ropar has requested to cancel the registration of 13 Stone Crusher due to registration of various FIRs against them. The Mining Department after affording personal hearing to the concerned Stone Crushers has issued speaking orders to cancel the registration of all these units. The facts and circumstances of the matter had confirmed that - environmental damage has been caused by the 13 Stone Crusher in the area against whom various FIR, have been registered for illegal mining.

10) The case was considered by the Competent Authority, of the PPCB and it was decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the Stone Crusher with an opportunity of personal hearing, due to aforesaid violations. Therefore, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to M/s Sat Sahib Stone Crusher with an opportunity of personal hearing before the Chairman of the Board on 13/02/2024 vide Board's letter no. 10593-94 dated 02.02.2024.

11) No one attended the hearing of M/s Sat Sahib Stone Crusher. After hearing the officers of the Board after considering the material facts of the case, certain decisions including the decision to impose Environmental Compensation upon M/s Sat Sahib Stone Crusher as mentioned below were taken, in the case.

- i. The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed:



- a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent/ emissions from its industrial premises or through any mode.
 - c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
 - d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
 - e) That DG sets installed by the industry shall be sealed.
- ii. Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible person.
 - iii. The industry shall deposit Environmental Compensation amounting to Rs. 8,31,250/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.
- 12] That the proceedings of personal hearing held on 13.02.2024 before the undersigned, Chairman of the Board containing the decisions explained in para no. 11 above were conveyed to the unit vide letter no. 12006 dated 14.02.2024 for compliance.
- 13] It is pertinent to mention here that the Environmental Compensation for the period of violation from 12.09.2023 to 22.01.2024 was calculated in accordance with the methodology evolved by the Central Pollution Control Board in the matter of Original Application No. 593 of 2017 (WPC no. 375 of 2012) titled as Paryavaran Suraksha samiti and another v/s Union of India and others. The Environmental Compensation for the total period of violation of 133 days (12.09.2023 to 22.01.2024) was calculated to be Rs. 8,31,250/- for violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and for causing damage to the environment.
- 14] Therefore, M/s Sat Sahib Stone Crusher is hereby directed to deposit an amount of Rs. 8,31,250/- (Eight Lakh Thirty One Thousand Two Hundred Fifty Rupee only) as environmental compensation with the office of the Punjab Pollution Control Board for the period of violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 as explained in the preceding paragraphs, within 15-days from the date of receipt of this order, failing which necessary



action will be initiated for recovery of the amount of environmental compensation by adopting coercive measures.

15) Take notice that no further intimation or reminder will be issued or served by the Board in this regard after lapse of stipulated period of 15-days. The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar is directed to ensure compliance of directions.

WIRJH UR TEST
Dr. (Prof.) Adarsh Pal Vig
Chairman



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 76

Dated. 23/09/2024

Subject: Imposition of Environmental Compensation for violation of the provisions of Environmental Laws upon M/s Adesh Stone Crusher, Village Algran, Tehsil Nangal, District Rupnagar.

Order

In order to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and maintaining or resorting the wholesomeness of water and to preserve the quality of air, the Parliament of India had enacted the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 and all these Laws are collectively and severally being referred to as the Environmental Laws. The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the above-mentioned statutes in the State of Punjab.

2) The Hon'ble National Green Tribunal in suo moto exercise of its powers on the basis of the news item dated 28.09.2023 published in the Tribune titled "Hills 'vanish' as illegal mining rampant in Beet area" has registered Original Application No. 624 of 2023. News item discloses that on account of the illegal mining, Shivalik Hills, as high as 200 feet in the Beet area of Garhshankar sub-Division, are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhi mansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining. News Report further states that illegal mining has reached to a record level of 200 ft. deep and at some places, entire hills have been erased by the mining mafia and in spite of the complaint, no action is being taken by the competent authorities.

3) The Punjab Pollution Control Board has filed short reply before the Hon'ble National Green Tribunal in O.A No. 624 of 2023 disclosing that during the visit of the area the traces of fresh as well as old mining were found and XEN Mining Rupnagar has informed that the FIRs were registered against the violators including transporters, machine operators and they have confiscated the machinery. The Hon'ble National Green Tribunal in its order dated 16.10.2023 has observed that the report so submitted by the Member Secretary, does not disclose the extent of illegal mining and is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.

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- 4) The Punjab Pollution Control Board being the prescribed authority is monitoring the stone crushers of the State with regard to the compliance of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 including the code of practice laid down by the Government. It is observed by the Board many stone crushers are operating in the area and the Department of Mining has registered FIR against the units for indulgence into illegal mining. The Board has taken action against 4 Stone Crushers and Environmental Compensation was imposed in view of the facts and circumstances of the cases.
- 5) It is relevant to mention here that the reply filed by the Mining Department -before the Hon'ble National Green Tribunal in OA no. 624/2023 reveals that - total 110 FIRs have been registered against illegal mining in Ropar District since 01.01.2023. The Hon'ble National Green Tribunal vide order dated 11.01.2024 has observed that - through the report of Mining Department discloses the action against 13 Stone crusher but - the report submitted by the PPCB mention action only against 4 no. stone crusher.
- 6) After due consideration of the matter, it is observed that M/s Adesh Stone Crusher, Village Algran, Tehsil Nangal, District Rupnagar was granted consent to operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and under the Air (Prevention & Control of Pollution) Act, 1981 on 23/08/2021 valid upto 30/09/2023 for crushing, screening and washing of river bed material @ 9500 CFT/day, under orange category with conditions mentioned therein.
- 7) The industry has applied for CTOs of the Board. Accordingly, the premises of M/s Adesh Stone Crusher was visited by the officer of the Board on 05.10.2023 and it was observed that the Stone Crusher is not complying and was violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units laid down by the Government. Therefore, show cause notice was issue for refusal of applications of consent to operate under the Water Act, 1974 vide no. 2709 dated 13.10.2023 and the Air Act, 1981 vide no. 2710 dated 13.10.2023 with an opportunity of personal hearing before the Environmental Engineer on 20.10.2023 which was attended by Sh. Ravinder Singh, Representative of the industry. However, the submission made by the industry during personal hearing found not be satisfactory. As such, the applications of the industry applied for obtaining consent to operate under the Water Act, 1974 and the Air Act, 1981, were refused.
- 8) The case was considered by the Competent Authority, of the PPCB and it was decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s



31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the Stone Crusher with an opportunity of personal hearing, due to aforesaid violations. Therefore, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to M/s Adesh Stone Crusher, with an opportunity of personal hearing before the Chief Environmental Engineer the Board on 17.11.2023 vide Board's letter no. 8592-93 dated 07.11.2023. Sh. Ravinder Kumar, Proprietor of M/s Adesh Stone Crusher, Village Algran, Tehsil Nangal District Rupangar attended the hearing before the Chief Environmental Engineer, Patiala on 17.11.2023 and he informed that the stone crusher has complied with the observations raised by the officer of the Board, during the visit as well as code of practice prescribed for the stone crushing units. The proceedings were conveyed to the industry vide Board's letter no. 9991 dated 08/01/2024 for compliance.

9) It is pertinent to mention here that - Senior Superintendent of Police Ropar has requested to cancel the registration of 13 Stone Crusher due to registration of various FIRs against them. The Mining Department after affording personal hearing to the concerned Stone Crushers has issued speaking orders to cancel the registration of all these units. The facts and circumstances of the matter had confirmed that - environmental damage has been caused by the 13 Stone Crusher in the area against whom various FIR, have been registered for illegal mining. M/s Adesh Stone Crusher, Village Algran, Tehsil Nangal, District Rupnagar is one of the Stone Crusher one- of the lists of Stone Crusher.

10) The case was considered by the Competent Authority, of the PPCB and it was decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the Stone Crusher with an opportunity of personal hearing, due to aforesaid violations. Therefore, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to M/s Adesh Stone Crusher with an opportunity of personal hearing before the Chairman of the Board on 13/02/2024 vide Board's letter no. 10599-600 dated 02.02.2024.

11) No one attended the hearing, but one person namely Sh. Gurjeet Singh, of M/s Adesh Stone Crusher (informed him as a friend of owner) without authority letter submitted written reply on behalf of crusher, which was taken on record. After hearing the officers of the Board and the representative of the unit and after considering the material facts of the case, certain decisions including the decision to impose Environmental Compensation upon M/s Adesh Stone Crusher as mentioned below were taken, in the case.



- i. The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed:
 - a) That the industry shall take all necessary steps to close down its operations
 - b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode
 - c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
 - d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
 - e) That DG sets installed by the industry shall be sealed.
 - ii. Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
 - iii. The industry shall deposit Environmental Compensation amounting to Rs. 6,87,500/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.
- 12) That the proceedings of personal hearing held on 13.02.2024 before the Chairman of the Board containing the decisions explained in para no. 11 above were conveyed to the unit vide letter no. 12026 dated 14.02.2024 for compliance.
- 13) It is pertinent to mention here that the Environmental Compensation for the period of violation from 05.10.2023 to 22.01.2024 was calculated in accordance with the methodology evolved by the Central Pollution Control Board in the matter of Original Application No. 593 of 2017 (WPC no. 375 of 2012) titled as Paryavaran Suraksha samiti and another v/s Union of India and others. The Environmental Compensation for the total period of violation of 110 days (05.10.2023 to 22.01.2024) was calculated to be Rs. 6,87,500/- for violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and for causing damage to the environment.
- 14) Therefore, M/s Adesh Stone Crusher, Village Ailgran, Tehsil Nangal, District Rupnagar is hereby directed to deposit an amount of Rs. 6,87,500/- (Six Lakhs Eighty-Seven Thousand Five Hundred Only) as environmental compensation with the office of the Punjab Pollution Control Board for the period of violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 as



explained in the preceding paragraphs, within 15-days from the date of receipt of this order, failing which necessary action will be initiated for recovery of the amount of environmental compensation by adopting coercive measures.

15) Take notice that no further intimation or reminder will be issued or served by the Board in this regard after lapse of stipulated period of 15-days. The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar is directed to ensure compliance of directions.

ਮਿਤਰ ਮਿਤ ਪੇਸ਼
Dr. (Prof.) Adarsh Pal Vig
Chairman



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 78

Dated. 23/02/2024

Subject: Imposition of Environmental Compensation for violation of the provisions of Environmental Laws upon M/s Siddhi Vanayak Stone Crusher, Village Ailgran, Rupnagar.

Order

In order to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and maintaining or resorting the wholesomeness of water and to preserve the quality of air, the Parliament of India had enacted the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 and all these Laws are collectively and severally being referred to as the Environmental Laws. The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the above-mentioned statutes in the State of Punjab.

2) The Hon'ble National Green Tribunal in suo moto exercise of its powers on the basis of the news item dated 28.09.2023 published in the Tribune titled 'Hills 'vanish' as illegal mining rampant in Beet area' has registered Original Application No. 624 of 2023. News item discloses that on account of the illegal mining, Shivalik Hills, as high as 200 feet in the Beet area of Garhshankar sub-Division, are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewai-Beet, Khuralgarh Sahib and Garhi mansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining. News Report further states that illegal mining has reached to a record level of 200 ft. deep and at some places, entire hills have been erased by the mining mafia and inspite of the complaint, no action is being taken by the competent authorities.

3) The Punjab Pollution Control Board has filed short reply before the Hon'ble National Green Tribunal in O.A No. 624 of 2023 disclosing that during the visit of the area the traces of fresh as well as old mining were found and XEN Mining Rupnagar has informed that the FIRs were registered against the violators including transporters, machine operators and they have confiscated the machinery. The Hon'ble National Green Tribunal in its order dated 16.10.2023 has observed that the report so submitted by the Member Secretary, does not disclose the extent of illegal mining and is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.

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4) The Punjab Pollution Control Board being the prescribed authority is monitoring the stone crushers of the State with regard to the compliance of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 including the code of practice laid down by the Government. It is observed by the Board many stone crushers are operating in the area and the Department of Mining has registered FIR against the units for indulgence into illegal mining. The Board has taken action against 4 Stone Crushers and Environmental Compensation was imposed in view of the facts and circumstances of the cases.

5) It is relevant to mention here that the reply filed by the Mining Department -before the Hon'ble National Green Tribunal in OA no. 624/2023 reveals that - total 110 FIRs have been registered against illegal mining in Ropar District since 01.01.2023. The Hon'ble National Green Tribunal vide order dated 11.01.2024 has observed that - through the report of Mining Department discloses the action against 13 Stone crusher but - the report submitted by the PPCB mention action only against 4 no. stone crusher.

6) After due consideration of the matter, it is observed that M/s Siddhi Vanayak Stone Crusher, Village Ailgran, Rupnagar, was granted varied 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 on 23/08/2021 upto 30/09/2023, for crushing, screening cum washing of aggregates @ 6000 sq.m /day, subject to the conditions mentioned therein. The Stone Crusher has got its 'consent to operate' auto-renewed under the Water (Prevention & Control of Pollution) Act, 1974 and under the Air (Prevention & Control of Pollution) Act, 1981 on 27.10.2023 with validity upto 27.10.2028, subject to the conditions mentioned therein.

7) The premises of M/s Siddhi Vansyank Stone Crusher, Village Ailgran was visited by the officer of the Board on 19.01.2024 and it was observed that the Stone Crusher is not complying and was violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units laid down by the Government. It is further observed that the Stone Crusher has got its 'consent to operate' auto-renewed under the above statutes by filing the wrong/ false information / documents. Hence, the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 of the industry was revoked vide letter no. 116 dated 24/01/2024 & consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 of the industry was cancelled vide letter no. 118 dated 24/01/2024.



8) It is pertinent to mention here that – Senior Superintendent of Police Ropar has requested to cancel the registration of 13 Stone Crusher due to registration of various FIRs against them. The Mining Department after affording personal hearing to the concerned Stone Crushers has issued speaking orders to cancel the registration of all these units. The facts and circumstances of the matter had confirmed that – environmental damage has been caused by the 13 Stone Crusher in the area against whom various FIR, have been registered for illegal mining.

9) The case was considered by the Competent Authority, of the PPCB and it was decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the Stone Crusher with an opportunity of personal hearing, due to aforesaid violations. Therefore, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to M/s Siddhi Vanayak Stone Crusher with an opportunity of personal hearing before the undersigned, Chairman of the Board on 13/02/2024 vide Board's letter no. 10581 dated 02/02/2024.

10) No one attended the hearing of M/s Siddhi Vanayk Stone Crusher, but one person namely Sh. Bhajan Lal, (informed him as a friend of owner) without authority letter submitted written reply on behalf of crusher, which was taken on record. After hearing the officers of the Board and the representative of the unit and after considering the material facts of the case, certain decisions including the decision to impose Environmental Compensation upon M/s Siddhi Vanayk Stone Crusher as mentioned below were taken, in the case.

i. The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed

- a) That the industry shall take all necessary steps to close down its operations.
- b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- e) That DG sets installed by the industry shall be sealed.



- ii. Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
- iii. The industry shall deposit Environmental Compensation amounting to Rs.7,25,000/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.
- 11) That the proceedings of personal hearing held on 13.02.2024 before the undersigned, Chairman of the Board containing the decisions explained in para no. 10 above were conveyed to the unit vide letter no. 12032 dated 14.02.2024 for compliance.
- 12) It is pertinent to mention here that the Environmental Compensation for the period of violation from 01.10.2023 to 24.01.2024 was calculated in accordance with the methodology evolved by the Central Pollution Control Board in the matter of Original Application No. 593 of 2017 (WPC no. 375 of 2012) titled as Paryavaran Suraksha samiti and another v/s Union of India and others. The Environmental Compensation for the total period of violation of 116 days (01.10.2023 to 24.01.2024) was calculated to be Rs. 7,25,000/- for violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and for causing damage to the environment.
- 13) Therefore, M/s Shiddi Vansyak Stone Crusher, Village Ailgran, District Rupnagar is hereby directed to deposit an amount of Rs. 7,25,000/- (Seven Lakhs Twenty Five Thousand only) as environmental compensation with the office of the Punjab Pollution Control Board for the period of violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 as explained in the preceding paragraphs, within 15-days from the date of receipt of this order, failing which necessary action will be initiated for recovery of the amount of environmental compensation by adopting coercive measures.
- 14) Take notice that no further intimation or reminder will be issued or served by the Board in this regard after lapse of stipulated period of 15-days. The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar is directed to ensure compliance of directions.

ਮੁੜੀਤ ਸਿੰਘ
 Dr. (Prof.) Adarsh Pal Vig
 Chairman



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 09.....

Dated. 3/1/2024.....

Subject: - Imposition of Environmental Compensation for violation of the provisions of Environmental Laws upon M/s Ganga Stone Crusher, Village Khera Kalmot, Nangal, Rupnagar.

Order

In order to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and maintaining or resorting the wholesomeness of water and to preserve the quality of air, the Parliament of India had enacted the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 and all these Laws are collectively and severally being referred to as the Environmental Laws. The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the above-mentioned statutes in the State of Punjab.

2) The Hon'ble National Green Tribunal in suo moto exercise of its powers on the basis of the news item dated 28.09.2023 published in the Tribune titled "Hills 'vanish' as illegal mining rampant in Beet area" has registered Original Application No. 624 of 2023. News item discloses that on account of the illegal mining, Shivalik Hills, as high as 200 feet in the Beet area of Garhshankar sub-Division, are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhi mansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining. News Report further states that illegal mining has reached to a record level of 200 ft. deep and at some places, entire hills have been erased by the mining mafia and inspite of the complaint, no action is being taken by the competent authorities.

3) The Punjab Pollution Control Board being the prescribed authority is monitoring the stone crushers of the State with regard to the compliance of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 including the code of practice laid down by the Government.

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- 4) The Punjab Pollution Control Board has filed short reply before the Hon'ble National Green Tribunal in O.A No. 624 of 2023 disclosing that during the visit of the area the traces of fresh as well as old mining were found and XEN Mining Rupnagar has informed that the FIRs were registered against the violators including transporters, machine operators and they have confiscated the machinery. The Hon'ble National Green Tribunal in its order dated 16.10.2023 has observed that the report so submitted by the Member Secretary, PPCB is vague as it does not disclose the extent of illegal mining and also does not disclose the details of the FIRs which have been registered and the equipment which has been seized. The report is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.
- 5) That it is observed by the Board many stone crushers are operating in the area, but the Department of Mining has registered FIR in which it is stated that illegal mining has taken place in the nearby area of about 4 stone crushers namely M/s Guru Kirpa Stone Crusher; M/s Kalgidhar Stone Crusher; M/s Ganga Stone Crusher of village Kheda Kalmot and M/s New Sutlej Stone Crusher (Unit-1) in the area of Nagran, Tehsil Nangal, District Roopnagar.
- 6) It is relevant to mention here that M/s Ganga Stone Crusher, Village Khera Kalmot, Tehsil Nangal, District Rupnagar was granted consent to operate by the Punjab Pollution Control Board under the provisions of Water (Prevention and Control of Pollution) Act, 1974 vide no. CTOW/Renewal/RPN/2021/16958137 dated 27/10/2021 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/RPN/2021/16958120 dated 27/10/2021 both were valid upto 30/09/2023 for operation of Crushing and screening of river bed material @ 4000 CFT/day under orange category with conditions mentioned therein. The said consents were revoked / cancelled by the Board vide no. 3841 dated 06.10.2022 because of indulgence of unit into illegal mining after receiving information from Executive Engineer, Drainage-cum-Mining Department, Sri Anandpur Sahib vide letter no. 679/Crusher dated 01.10.2022.
- 7) After the receipt of notice in the case, the premises of M/s Ganga Stone Crusher was visited by the officer of the Board on 23.10.2023 in the presence of Sh. Ajay Kumar, Accountant of the Stone Crusher. During the visit, it was observed that the stone crusher is not complying with the code of practice. Accordingly, notice to issue directions under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 was issued to the stone crusher vide letter no. 9527-28 dated 13.12.2023 with an opportunity of hearing before the Chairman of the Board on 18.12.2023. It was mentioned in the



notice that the Environmental Compensation shall be imposed upon the stone crusher and directions will be issued for its closure.

- 8) That no one from M/s Ganga Stone Crusher attended the hearing before the Chairman of the Board on 18.12.2023. The industry has also not submitted compliance of the code of practice / observations of the visiting officer raised during the visit of the stone crusher. It is also come to the knowledge from the sources that the owner of the stone crusher has been arrested by the police department for indulging in illegal mining.
- 9) The Environmental Engineer, Regional Office, Roopnagar of the Board stated that the stone crusher not submitted any record for verification to comply with the decisions of the hearing. The Executive Engineer, Mining, Rupnagar and Sri Anandpur Sahib, Water Resource Department vide his letter no. 9891/Crusher dated 31.10.2023 has informed that an FIR no. 06 has been registered against the unit regarding illegal mining and further matter is under investigation. It was further observed that stone crusher has operated without valid 'consent to operate' of the Punjab Pollution Control Board. The officer stated that in view of the violations committed by the stone crusher, Environmental Compensation (EC) amounting to Rs. 18.50 lacs had been calculated in accordance with methodology evolved by the CPCB and adopted by the Punjab Pollution Control Board.
- 10) It is observed that the stone crusher has operated the plant without valid 'consent to operate' of the Board by processing the minor minerals as raw material which may have been procured through illegal means or may be through illegal mining in the nearby area. The stone crusher was also not complying with the code of practice. The activities of the stone crusher as such contributed towards the degradation and damage to the natural environment of the area. Stern action, as such, is required to be taken against the stone crusher.
- 11) Considering the news item published in the Tribune Newspaper dated 28.9.2023 and also the fact that FIR has been registered by the Police on the complaint of mining department, Environmental Compensation amounting to Rs. 18.50 Lakh is hereby imposed upon the stone crusher for the violation of the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the code of practice



and illegal operation of the stone crusher without the valid consents of the Punjab Pollution Control Board under the above-mentioned Acts.

12) M/s Ganga Stone Crusher, Village Khera Kalmot, Tehsil Nangal, Rupnagar through its Partners is hereby directed to deposit the amount of Rs. 18.50 Lakh towards Environmental Compensation on account of the violations mentioned and described herein above, with the office of the Board within 15 days from the date of receipt of this order failing which the Board shall be constrained to recover the amount of by taking coercive action.

ਮਿਤਰ. ਮਿਤ ਪੇਸ਼
Prof. (Dr.) Adarsh Pal Vig
Chairman



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ

PUNJAB POLLUTION CONTROL BOARD

Dated. 23/09/2024

No. 77

Subject: Imposition of Environmental Compensation for violation of the provisions of Environmental Laws upon M/s Grewal Stone Crusher, Village Khera Kalmot, Tehsil Nangal, District Rupnagar.

Order

In order to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and maintaining or resorting the wholesomeness of water and to preserve the quality of air, the Parliament of India had enacted the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 and all these Laws are collectively and severally being referred to as the Environmental Laws. The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the above-mentioned statutes in the State of Punjab.

2) The Hon'ble National Green Tribunal in suo moto exercise of its powers on the basis of the news item dated 28.09.2023 published in the Tribune titled "Hills 'vanish' as illegal mining rampant in Beet area" has registered Original Application No. 624 of 2023. News item discloses that on account of the illegal mining, Shivalik Hills, as high as 200 feet in the Beet area of Garhshankar sub-Division, are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhi mansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining. News Report further states that illegal mining has reached to a record level of 200 ft. deep and at some places, entire hills have been erased by the mining mafia and in spite of the complaint, no action is being taken by the competent authorities.

3) The Punjab Pollution Control Board has filed short reply before the Hon'ble National Green Tribunal in O.A No. 624 of 2023 disclosing that during the visit of the area the traces of fresh as well as old mining were found and XEN Mining Rupnagar has informed that the FIRs were registered against the violators including transporters, machine operators and they have confiscated the machinery. The Hon'ble National Green Tribunal in its order

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dated 16.10.2023 has observed that the report so submitted by the Member Secretary, does not disclose the extent of illegal mining and is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.

4) The Punjab Pollution Control Board being the prescribed authority is monitoring the stone crushers of the State with regard to the compliance of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 including the code of practice laid down by the Government. It is observed by the Board many stone crushers are operating in the area and the Department of Mining has registered FIR against the units for indulgence into illegal mining. The Board has taken action against 4 Stone Crushers and Environmental Compensation was imposed in view of the facts and circumstances of the cases.

5) It is relevant to mention here that the reply filed by the Mining Department - before the Hon'ble National Green Tribunal in OA no. 624/2023 reveals that - total 110 FIRs have been registered against illegal mining in Ropar District since 01.01.2023. The Hon'ble National Green Tribunal vide order dated 11.01.2024 has observed that - through the report of Mining Department discloses the action against 13 Stone crusher but - the report submitted by the PPCB mention action only against 4 no. stone crusher.

6) After due consideration of the matter, it is observed that M/s Grewal Stone Crusher, was granted varied 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 and under the Air (Prevention & Control of Pollution) Act, 1981 on 28/07/2020, both valid upto 30/06/2025 for crushing of river bed material @ 4000 CFT/day, subject to the conditions mentioned therein.

7) The premises M/s Grewal Stone Crusher, Village Khera Kalmot, Tehsil Nangal, District Rupnagar was visited by the officer of the Board on 19.01.2024 and it was observed that the industry is not complying and was violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units laid down by the Government. The consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 was revoked vide letter no. 122 dated 24/01/2024 & consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 of the industry was cancelled vide letter no. 120 dated 24/01/2024.



8) It is pertinent to mention here that – Senior Superintendent of Police Ropar has requested to cancel the registration of 13 Stone Crusher due to registration of various FIRs against them. The Mining Department after affording personal hearing to the concerned Stone Crushers has issued speaking orders to cancel the registration of all these units. The facts and circumstances of the matter had confirmed that – environmental damage has been caused by the 13 Stone Crusher in the area against whom various FIR, have been registered for illegal mining.

9) The case was considered by the Competent Authority, of the PPCB and it was decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the Stone Crusher with an opportunity of personal hearing, due to aforesaid violations. Therefore, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to M/s Grewal Stone Crusher with an opportunity of personal hearing before the undersigned, Chairman of the Board on 13/02/2024 vide Board's letter no. 10583 dated 02/02/2024.

10) Sh. Tej Pal Singh, Partner of M/s Grewal Stone Crusher attended the hearing before the undersigned, Chairman of the Board on 13.02.2024 and stated that – the Stone Crusher is not involved in any kind of illegal mining. Further, he requested to give some time to comply with the entire code of practice for stone crushing unit as well as provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981. After hearing the officers of the Board and the representative of the unit and after considering the material facts of the case, certain decisions including the decision to impose Environmental Compensation upon M/s Grewal Stone Crusher as mentioned below were taken, in the case.

- i. The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed:
 - a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.



- c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- e) That DG sets installed by the industry shall be sealed.
- ii. Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
- iii. The industry shall deposit Environmental Compensation amounting to Rs. 37,500/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.
- 11) That the proceedings of personal hearing held on 13.02.2024 before the undersigned, Chairman of the Board containing the decisions explained in para no. 10 above were conveyed to the unit vide letter no. 12030 dated 14.02.2024 for compliance.
- 12) It is pertinent to mention here that the Environmental Compensation for the period of violation from 19.01.2024 to 24.01.2024 was calculated in accordance with the methodology evolved by the Central Pollution Control Board in the matter of Original Application No. 593 of 2017 (WPC no. 375 of 2012) titled as Paryavaran Suraksha samiti and another v/s Union of India and others. The Environmental Compensation for the total period of violation of 6 days (19.01.2024 to 24.01.2024) was calculated to be Rs. 37,500/- for violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and for causing damage to the environment.
- 13) Therefore, M/s Grewal Stone Crusher, Village Khera Kalmot, Tehsil Nangal, District Rupnagar is hereby directed to deposit an amount of Rs. 37,500/- (Thirty Seven Thousand Five Hundred only) as environmental compensation with the office of the Punjab Pollution Control Board for the period of violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 as explained in the preceding paragraphs, within 15-days from the date of receipt of this order, failing which necessary action will be initiated for recovery of the amount of environmental compensation by adopting coercive measures.



14) Take notice that no further intimation or reminder will be issued or served by the Board in this regard after lapse of stipulated period of 15-days. The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar is directed to ensure compliance of directions.

ਮਿਤੀ: ੨੨ ਮਾਰਚ ੨੦੨੧
Dr. (Prof.) Adarsh Pal Vig
Chairman



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 10

Dated. 3/1/2024

Subject: - Imposition of Environmental Compensation for violation of the provisions of Environmental Laws upon M/s Kalgidhar Stone Crusher, Village Khera Kalmot, Nangal, Rupnagar.

Order

In order to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and maintaining or resorting the wholesomeness of water and to preserve the quality of air, the Parliament of India had enacted the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 and all these Laws are collectively and severally being referred to as the Environmental Laws. The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the above-mentioned statutes in the State of Punjab.

2) The Hon'ble National Green Tribunal in suo moto exercise of its powers on the basis of the news item dated 28.09.2023 published in the Tribune titled "Hills 'vanish' as illegal mining rampant in Beet area" has registered Original Application No. 624 of 2023. News item discloses that on account of the illegal mining, Shivalik Hills, as high as 200 feet in the Beet area of Garhshankar sub-Division, are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhi mansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining. News Report further states that illegal mining has reached to a record level of 200 ft. deep and at some places, entire hills have been erased by the mining mafia and inspite of the complaint, no action is being taken by the competent authorities.

3) The Punjab Pollution Control Board being the prescribed authority is monitoring the stone crushers of the State with regard to the compliance of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 including the code of practice laid down by the Government.

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- 4) The Punjab Pollution Control Board has filed short reply before the Hon'ble National Green Tribunal in O.A No. 624 of 2023 disclosing that during the visit of the area the traces of fresh as well as old mining were found and XEN Mining Rupnagar has informed that the FIRs were registered against the violators including transporters, machine operators and they have confiscated the machinery. The Hon'ble National Green Tribunal in its order dated 16.10.2023 has observed that the report so submitted by the Member Secretary, PPCB is vague as it does not disclose the extent of illegal mining and also does not disclose the details of the FIRs which have been registered and the equipment which has been seized. The report is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.
- 5) That it is observed by the Board many stone crushers are operating in the area, but the Department of Mining has registered FIR in which it is stated that illegal mining has taken place in the nearby area of about 4 stone crushers namely M/s Guru Kirpa Stone Crusher; M/s Kalgidhar Stone Crusher; M/s Ganga Stone Crusher of village Kheda Kalmot and M/s New Sutlej Stone Crusher (Unit-1) in the area of Nagran, Tehsil Nangal, District Roopnagar.
- 6) It is relevant to mention here that M/s Kalgidhar Stone Crusher, Village Khera Kalmot, Tehsil Nangal, District Rupnagar was granted consent to operate by the Punjab Pollution Control Board under the provisions of Water (Prevention and Control of Pollution) Act, 1974 vide no. CTOW/Fresh/RPN/2023/22029971 dated 30/05/2023 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Fresh/RPN/2023/22029653 dated 30/05/2023 both were valid upto 29/11/2023 for operation of Crushing of river bed material @ 4000 CFT/day under orange category with conditions mentioned therein.
- 7) After the receipt of notice in the case, the premises of M/s Kalgidhar Stone Crusher was visited by the officer of the Board on 23.10.2023 in the presence of Sh. Gurpreet Singh, Operator of the Stone Crusher. During the visit, it was observed that the stone crusher is not complying with the code of practice. Accordingly, the 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 was revoked vide no. 2818 dated 28.10.2023 and 'consent to operate' under the Air (Prevention & Control of Pollution) Act, 1981 was cancelled vide no. 2820 dated 28.10.2023. After this, notice to issue directions under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 was issued to the stone crusher vide letter no. 9529-30 dated 13.12.2023 with an opportunity of hearing before the Chairman of the Board on 18.12.2023. It was mentioned in the notice that the



Environmental Compensation shall be imposed upon the stone crusher and directions will be issued for its closure.

8) That Sh. Balvir Chand, Partner M/s Kalgidhar Stone Crusher attended the hearing before the Chairman of the Board on 18.12.2023. The representatives of the industry attended the hearing and informed that the industry has not carried out any illegal mining. He further informed that the industry is in process to comply with the code of practice.

9) The Environmental Engineer, Regional Office, Roopnagar of the Board stated that the stone crusher has submitted record of returns filed with the mining department as well as minor minerals procured / processed / electricity consumed for operation of the plant and machinery to the Regional Office. On the perusal of the record it was observed that the industry / stone crusher has processed the minor minerals much more than the consented capacity. The mining department has also issued R & S form to the stone crusher showing that the industry may also indulge in illegal mining. The industry has not submitted compliance of the code of practice / observations of the visiting officer raised during the visit of the stone crusher on 23.10.2023. It was further observed that stone crusher has operated beyond the consented capacity allowed by the Punjab Pollution Control Board. The officer stated that in view of the violations committed by the stone crusher, Environmental Compensation (EC) amounting to Rs. 18.50 lacs had been calculated in accordance with methodology evolved by the CPCB and adopted by the Punjab Pollution Control Board.

10) After hearing the representative of the stone crusher, the officer of the Board, it is observed that the stone crusher has operated the plant beyond the consented capacity by processing the minor minerals as raw material which may have been procured through illegal means or may be through illegal mining in the nearby area. The stone crusher was also not complying with the code of practice. The activities of the stone crusher as such contributed towards the degradation and damage to the natural environment of the area. Stern action, as such, is required to be taken against the stone crusher.

11) After hearing the parties and considering the news item published in the Tribune Newspaper dated 28.9.2023 and also the fact that FIR has been registered by the Police on the complaint of mining department, Environmental Compensation amounting to Rs. 18.50 Lakh is hereby imposed upon the stone crusher for the violation of the provisions of the Water



(Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the code of practice and illegal operation of the stone crusher beyond the consented capacity and without the valid consents of the Punjab Pollution Control Board under the above-mentioned Acts.

12) M/s Kalgidhar Stone Crusher, Village Khera Kalmot, Tehsil Nangal, Rupnagar through its Partner Sh. Balvir Chand is hereby directed to deposit the amount of Rs. 18.50 Lakh towards Environmental Compensation on account of the violations mentioned and described herein above, with the office of the Board within 15 days from the date of receipt of this order failing which the Board shall be constrained to recover the amount of by taking coercive action.

ਮਾਫ਼ੀ ਮਿਲੇ ਪੇਸ਼

Prof. (Dr.) Adarsh Pal Vig
Chairman



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 74.....

Dated. 23/02/2024

Subject: Imposition of Environmental Compensation for violation of the provisions of Environmental Laws upon M/s Bhalla Cone Crusher, Village Bhalri, Tehsil Nangal, Anandpur Sahib, Nangal, Rupnagar.

Order

In order to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and maintaining or resorting the wholesomeness of water and to preserve the quality of air, the Parliament of India had enacted the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 and all these Laws are collectively and severally being referred to as the Environmental Laws. The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the above-mentioned statutes in the State of Punjab.

2) The Hon'ble National Green Tribunal in suo moto exercise of its powers on the basis of the news item dated 28.09.2023 published in the Tribune titled "Hills 'vanish' as illegal mining rampant in Beet area" has registered Original Application No. 624 of 2023. News item discloses that on account of the illegal mining, Shivalik Hills, as high as 200 feet in the Beet area of Garhshankar sub-Division, are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhi mansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining. News Report further states that illegal mining has reached to a record level of 200 ft. deep and at some places, entire hills have been erased by the mining mafia and inspite of the complaint, no action is being taken by the competent authorities.

3) The Punjab Pollution Control Board has filed short reply before the Hon'ble National Green Tribunal in O.A No. 624 of 2023 disclosing that during the visit of the area the traces of fresh as well as old mining were found and XEN Mining Rupnagar has informed that the FIRs were registered against the violators including transporters, machine operators and they have confiscated the machinery. The Hon'ble National Green Tribunal in its order dated 16.10.2023 has observed that the report so submitted by the Member Secretary, does not disclose the extent of illegal mining and is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.

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- 4) The Punjab Pollution Control Board being the prescribed authority is monitoring the stone crushers of the State with regard to the compliance of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 including the code of practice laid down by the Government. It is observed by the Board many stone crushers are operating in the area and the Department of Mining has registered FIR against the units for indulgence into illegal mining. The Board has taken action against 4 Stone Crushers and Environmental Compensation was imposed in view of the facts and circumstances of the cases.
- 5) It is relevant to mention here that the reply filed by the Mining Department -before the Hon'ble National Green Tribunal in OA no. 624/2023 reveals that - total 110 FIRs have been registered against illegal mining in Ropar District since 01.01.2023. The Hon'ble National Green Tribunal vide order dated 11.01.2024 has observed that - through the report of Mining Department discloses the action against 13 Stone crusher but - the report submitted by the PPCB mention action only against 4 no. stone crusher.
- 6) After due consideration of the matter, it was observed that M/s Bhalla Cone Crusher was granted consent to operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and under the Air (Prevention & Control of Pollution) Act, 1981 on 21/10/2022, valid upto 31/03/2023 for operation of Crushing, Screening & Washing of Aggregates @ 8200 CFT/day, under orange category with conditions mentioned therein.
- 7) The premises of M/s Bhalla Cone Crusher, Village Bhalri, Tehsil Nangal was visited by the officer of the Board on 08.11.2023 and it was observed that the Stone Crusher is not complying and was violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units laid down by the Government. Therefore, show cause notice for violations of the provisions of the Water Act, 1974 vide no. 2965 dated 20.11.2023 and the Air Act, 1981 vide no. 2966 dated 20.11.2023 with an opportunity of personal hearing before the Environmental Engineer on 24.11.2023. However, the industry has failed to attend the said hearing. The Stone Crusher has not given any clarification whether the material procured by the Stone Crusher is from the approved Mining sites or illegal mining sites. As such, it may also apprehend that the stone crusher may involve in illegal mining in the District Rupnagar. Thereafter, the matter has been considered by the Competent Authority and notice u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention and Control of Pollution) Act, 1981 was issued to the stone crusher vide letter no. 9427-28 dated 11.12.2023 alongwith an opportunity of personal



hearing before the Chief Environmental Engineer the Board on 18.12.2023. It was mentioned in the notice that the directions will be issued for its closure.

8) It is pertinent to mention here that - Senior Superintendent of Police Ropar has requested to cancel the registration of 13 Stone Crusher due to registration of various FIRs against them. The Mining Department after affording personal hearing to the concerned Stone Crushers has issued speaking orders to cancel the registration of all these units. The facts and circumstances of the matter had confirmed that - environmental damage has been caused by the 13 Stone Crusher in the area against whom various FIR, have been registered for illegal mining. M/s Puri Stone Crusher operating at Village Plata, Tehsil Anandpur Sahib, District Rupnagar is one of the Stone Crusher one of the list of 13 Stone Crusher.

9) The case was considered by the Competent Authority, of the PPCB and it was decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the Stone Crusher with an opportunity of personal hearing, due to aforesaid violations. Therefore, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to M/s Balla Cone Crusher with an opportunity of personal hearing before the Chairman of the Board on 13/02/2024 vide Board's letter no. 1075-76 dated 02.02.2024.

10) Sh. Naresh Kumar, Accountant of M/s Bhalla Cone Crusher attended the hearing before the Chairman of the Board on 13.02.2024 and stated that - the Stone Crusher is not involved in any kind of illegal mining on hills as it has sufficient stock in its premises. The representative submitted written reply which was taken on record. After hearing the officers of the Board and the representative of the unit and after considering the material facts of the case, certain decisions including the decision to impose Environmental Compensation upon M/s Bhalla Cone Crusher as mentioned below were taken, in the case.

- a) The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed:
- i. That the industry shall take all necessary steps to close down its operations.
 - ii. That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
 - iii. That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.



- iv. That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v. That DG sets installed by the industry shall be sealed.
- b) Legal action / launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
- c) The industry shall deposit Environmental Compensation amounting to Rs.18,56,250/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.
- 11) That the proceedings of personal hearing held on 13.02.2024 before the Chairman of the Board containing the decisions explained in para no. 10 above were conveyed to the unit vide letter no. 12011 dated 14.02.2024 for compliance.
- 12) It is pertinent to mention here that the Environmental Compensation for the period of violation from 01.04.2023 to 22.01.2024 was calculated in accordance with the methodology evolved by the Central Pollution Control Board in the matter of Original Application No. 593 of 2017 (WPC no. 375 of 2012) titled as Parysvaran Suraksha samiti and another v/s Union of India and others. The Environmental Compensation for the total period of violation of 297 days (01.04.2023 to 22.01.2024) was calculated to be Rs. 18,56,250/- for violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and for causing damage to the environment.
- 13) Therefore, M/s Bhalla Cone Crusher is hereby directed to deposit an amount of Rs. 18,56,250/- (Eighteen Lakhs Fifty Six Thousand Two Hundred Fifty only) as environmental compensation with the office of the Punjab Pollution Control Board for the period of violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 as explained in the preceding paragraphs, within 15-days from the date of receipt of this order, failing which necessary action will be initiated for recovery of the amount of environmental compensation by adopting coercive measures.
- 14) Take notice that no further intimation or reminder will be issued or served by the Board in this regard after lapse of stipulated period of 15-days. The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar is directed to ensure compliance of directions.

ਮਿਤਰ ਮਿਤਰ ਪੈਰ
 Dr. (Prof.) Adarsh Pal Vig
 Chairman

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



No. 80

Dated. 23/02/2024

Subject: Imposition of Environmental Compensation for violation of the provisions of Environmental Laws upon M/s Bharat Stone Crusher, Village Plata, Tehsil Anandpur Sahib, District Rupnagar.

Order

In order to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and maintaining or resorting the wholesomeness of water and to preserve the quality of air, the Parliament of India had enacted the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 and all these Laws are collectively and severally being referred to as the Environmental Laws. The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the above-mentioned statutes in the State of Punjab.

2) The Hon'ble National Green Tribunal in suo moto exercise of its powers on the basis of the news item dated 28.09.2023 published in the Tribune titled "Hills 'vanish' as illegal mining rampant in Beet area" has registered Original Application No. 624 of 2023. News item discloses that on account of the illegal mining, Shivalik Hills, as high as 200 feet in the Beet area of Garhshankar sub-Division, are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhi Mansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Hariipur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining. News Report further states that illegal mining has reached to a record level of 200 ft. deep and at some places, entire hills have been erased by the mining mafia and inspite of the complaint, no action is being taken by the competent authorities.

3) The Punjab Pollution Control Board has filed short reply before the Hon'ble National Green Tribunal in O.A No. 624 of 2023 disclosing that during the visit of the area the traces of fresh as well as old mining were found and XEN Mining Rupnagar has informed that the FIRs were registered against the violators including transporters, machine operators and they have confiscated the machinery. The Hon'ble National Green Tribunal in its order dated 16.10.2023 has observed that the report so submitted by the Member Secretary, does not disclose the extent of illegal mining and is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.

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4) The Punjab Pollution Control Board being the prescribed authority is monitoring the stone crushers of the State with regard to the compliance of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 including the code of practice laid down by the Government. It is observed by the Board many stone crushers are operating in the area and the Department of Mining has registered FIR against the units for indulgence into illegal mining. The Board has taken action against 4 Stone Crushers and Environmental Compensation was imposed in view of the facts and circumstances of the cases.

5) It is relevant to mention here that the reply filed by the Mining Department -before the Hon'ble National Green Tribunal in OA no. 624/2023 reveals that - total 110 FIRs have been registered against illegal mining in Ropar District since 01.01.2023. The Hon'ble National Green Tribunal vide order dated 11.01.2024 has observed that - through the report of Mining Department discloses the action against 13 Stone crusher but - the report submitted by the PPCB mention action only against 4 no. stone crusher.

6) After due consideration of the matter, it is observed that M/s Bharat Stone Crusher, Village Plata, Tehsil Anandpur Sahib, District Rupnagar., was granted consent to operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 on 24.01.2023 valid upto 30/09/2023 for crushing, screening and washing of river bed material @ 3000 CFT/day, subject to the conditions mentioned therein. The Stone Crusher has got its 'consent to operate' auto-renewed under the Water (Prevention & Control of Pollution) Act, 1974 and under the Air (Prevention & Control of Pollution) Act, 1981 on 23.10.2023 with validity upto 23.10.2028, subject to the conditions mentioned therein.

7) The premises of M/s Bharat Stone Crusher, Village Plata, Tehsil Anandpur Sahib, District Rupnagar was visited by the officer of the Board on 24.01.2024 and it was observed that the Stone Crusher is not complying and was violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units laid down by the Government. It is further observed that the Stone Crusher has got its 'consent to operate' auto-renewed under the above statutes by filing the wrong/ false information / documents. Hence, the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 of the industry was revoked vide letter no. 135 dated 25/01/2024 & consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 of the industry was cancelled vide letter no. 133 dated 25/01/2024, due to above said violations.



8) It is pertinent to mention here that - Senior Superintendent of Police Ropar has requested to cancel the registration of 13 Stone Crusher due to registration of various FIRs against them. The Mining Department after affording personal hearing to the concerned Stone Crushers has issued speaking orders to cancel the registration of all these units. The facts and circumstances of the matter had confirmed that - environmental damage has been caused by the 13 Stone Crusher in the area against whom various FIR, have been registered for illegal mining.

9) The case was considered by the Competent Authority, of the PPCB and it was decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the Stone Crusher with an opportunity of personal hearing, due to aforesaid violations. Therefore, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to M/s Bharat Stone Crusher with an opportunity of personal hearing before the undersigned, Chairman of the Board on 13/02/2024 vide Board's letter no. 10587 dated 02/02/2024.

10) Sh. Sanjeev Kumar, Partner of M/s Bharat Stone Crusher attended the hearing before the undersigned, Chairman of the Board on 13.02.2024 and stated that - the Stone Crusher is not involved in any kind of illegal mining. The representative submitted written reply which was taken on record. After hearing the officers of the Board and the representative of the unit and after considering the material facts of the case, certain decisions including the decision to impose Environmental Compensation upon M/s Bharat Stone Crusher as mentioned below were taken, in the case.

- L. The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed:
- a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
 - c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
 - d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
 - e) That DG sets installed by the industry shall be sealed.



- ii. Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
- iii. The industry shall deposit Environmental Compensation amounting to Rs. 5,93,750/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.
- 11) That the proceedings of personal hearing held on 13.02.2024 before the undersigned, Chairman of the Board containing the decisions explained in para no. 10 above were conveyed to the unit vide letter no. 12038 dated 14.02.2024 for compliance.
- 12) It is pertinent to mention here that the Environmental Compensation for the period of violation from 23.10.2023 to 25.01.2024 was calculated in accordance with the methodology evolved by the Central Pollution Control Board in the matter of Original Application No. 593 of 2017 (WPC no. 375 of 2012) titled as Paryavaran Suraksha Samiti and another v/s Union of India and others. The Environmental Compensation for the total period of violation of 95 days (23.10.2023 to 25.01.2024) was calculated to be Rs. 5,93,750/- for violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and for causing damage to the environment.
- 13) Therefore, M/s Bharat Stone Crusher is hereby directed to deposit an amount of Rs. 5,93,750/- (Five Lakhs Ninety-Three Thousand Seven Hundred Fifty Rupee only) as environmental compensation with the office of the Punjab Pollution Control Board for the period of violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 as explained in the preceding paragraphs, within 15-days from the date of receipt of this order, failing which necessary action will be initiated for recovery of the amount of environmental compensation by adopting coercive measures.
- 14) Take notice that no further intimation or reminder will be issued or served by the Board in this regard after lapse of stipulated period of 15-days. The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar is directed to ensure compliance of directions.

ਮਿਤਰ ਮਿਤਰ ਪੇਸ਼
Dr. (Prof.) Adarsh Pal Vig
 Chairman

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



No. 75

Dated. 23/02/2024

Subject: Imposition of Environmental Compensation for violation of the provisions of Environmental Laws upon M/s Sai Stone Crusher, Village Swara, Tehsil Anandpur Sahib, District Rupnagar.

Order

In order to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and maintaining or resorting the wholesomeness of water and to preserve the quality of air, the Parliament of India had enacted the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 and all these Laws are collectively and severally being referred to as the Environmental Laws. The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the above-mentioned statutes in the State of Punjab.

2) The Hon'ble National Green Tribunal in suo moto exercise of its powers on the basis of the news item dated 28.09.2023 published in the Tribune titled "Hills 'vanish' as illegal mining rampant in Beet area" has registered Original Application No. 624 of 2023. News item discloses that on account of the illegal mining, Shivalik Hills, as high as 200 feet in the Beet area of Garhshankar sub-Division, are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhi mansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining. News Report further states that illegal mining has reached to a record level of 200 ft. deep and at some places, entire hills have been erased by the mining mafia and inspite of the complaint, no action is being taken by the competent authorities.

3) The Punjab Pollution Control Board has filed short reply before the Hon'ble National Green Tribunal in O.A No. 624 of 2023 disclosing that during the visit of the area the traces of fresh as well as old mining were found and XEN Mining Rupnagar has informed that the FIRs were registered against the violators including transporters, machine operators and they have confiscated the machinery. The Hon'ble National Green Tribunal in its order dated 16.10.2023 has observed that the report so submitted by the Member Secretary, does not disclose the extent of illegal mining and is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.

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- 4) The Punjab Pollution Control Board being the prescribed authority is monitoring the stone crushers of the State with regard to the compliance of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 including the code of practice laid down by the Government. It is observed by the Board many stone crushers are operating in the area and the Department of Mining has registered FIR against the units for indulgence into illegal mining. The Board has taken action against 4 Stone Crushers and Environmental Compensation was imposed in view of the facts and circumstances of the cases.
- 5) It is relevant to mention here that the reply filed by the Mining Department -before the Hon'ble National Green Tribunal in OA no. 624/2023 reveals that - total 110 FIRs have been registered against illegal mining in Ropar District since 01.01.2023. The Hon'ble National Green Tribunal vide order dated 11.01.2024 has observed that - through the report of Mining Department discloses the action against 13 Stone crusher but - the report submitted by the PPCB mention action only against 4 no. stone crusher.
- 6) After due consideration of the matter, it is observed that M/s Sai Stone Crusher, Village Swara, Tehsil Anandpur Sahib, District Rupnagar, was granted 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 on 25/10/2021 valid upto 30/09/2023 for Crushing, Screening, washing of river bed material @ 9,000 CFT/day, subject to the conditions mentioned therein. The premises of M/s Sai Stone Crusher was visited by the officer of the Board on 10.08.2023 and it was observed that the Stone Crusher is not complying and was violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units, laid down by the Government. Thereafter, the show cause notice for revocation / cancellation under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 was issued vide Board's letter no. 2246-47 dated 28/08/2023 alongwith the opportunity of personal hearing before the Environmental Engineer, Regional Office, Rupnagar on 08/09/2023. The proceedings of the personal hearing were conveyed to the industry vide Board's letter no. 2844 dated 31/10/2023. The Stone Crusher has got its 'consent to operate' auto-renewed under the Water (Prevention & Control of Pollution) Act, 1974 and under the Air (Prevention & Control of Pollution) Act, 1981 on 04.11.2023 valid upto 04.11.2028., subject to the conditions mentioned therein.
- 7) The premises of M/s Sai Stone Crusher was visited by the officer of the Board on 20.12.2023 and it was observed that the Stone Crusher is not complying and was violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of



Pollution) Act, 1981 and code of practice for such units laid down by the Government. It is further observed that the Stone Crusher has got its 'consent to operate' auto-renewed under the above statutes by filing the wrong/ false information / documents. Hence, the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 of the industry was revoked vide letter no. 88 dated 18/01/2024 & consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 of the industry was cancelled vide letter no. 90 dated 18/01/2024.

8) It is pertinent to mention here that - Senior Superintendent of Police Ropar has requested to cancel the registration of 13 Stone Crusher due to registration of various FIRs against them. The Mining Department after affording personal hearing to the concerned Stone Crushers has issued speaking orders to cancel the registration of all these units. The facts and circumstances of the matter had confirmed that - environmental damage has been caused by the 13 Stone Crusher in the area against whom various FIR, have been registered for illegal mining.

9) The case was considered by the Competent Authority, of the PPCB and it was decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the Stone Crusher with an opportunity of personal hearing, due to aforesaid violations. Therefore, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to M/s Sai Stone Crusher with an opportunity of personal hearing before the undersigned, Chairman of the Board on 13/02/2024 vide Board's letter no. 10595 dated 02/02/2024. However, the industry has failed to attend the hearing on the said date and time.

10) No one attended the hearing of M/s Sai Stone Crusher. After hearing the officers of the Board and after considering the material facts of the case, certain decisions including the decision to impose Environmental Compensation upon M/s Sai Stone Crusher as mentioned below were taken, in the case.

i. The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed:

- a) That the industry shall take all necessary steps to close down its operations.
- b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.



- c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- e) That DG sets installed by the industry shall be sealed.
- ii. Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
- iii. The industry shall deposit Environmental Compensation amounting to Rs. 11,75,000/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.
- 11) That the proceedings of personal hearing held on 13.02.2024 before the undersigned, Chairman of the Board containing the decisions explained in para no. 10 above were conveyed to the unit vide letter no. 12028 dated 14.02.2024 for compliance.
- 12) It is pertinent to mention here that the Environmental Compensation for the period of violation from 10.08.2023 to 13.02.2024 was calculated in accordance with the methodology evolved by the Central Pollution Control Board in the matter of Original Application 188 days (10.08.2023 to 13.02.2024) was calculated to be Rs. 11,75,000/- for violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and for causing damage to the environment.
- 13) Therefore, M/s Sai Stone Crusher is hereby directed to deposit an amount of Rs. 11,75,000/- (Eleven Lakhs Seventy Five Thousand Only) as environmental compensation with the office of the Punjab Pollution Control Board for the period of violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 as explained in the preceding paragraphs, within 15-days from the date of receipt of this order, failing which necessary action will be initiated for recovery of the amount of environmental compensation by adopting coercive measures.
- 14) Take notice that no further intimation or reminder will be issued or served by the Board in this regard after lapse of stipulated period of 15-days. The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar is directed to ensure compliance of directions.

ਮੁਹਿੰਦਰ ਸਿੰਘ ਪੈਦੀ
 Dr. (Prof.) Adarsh Pal Vig
 Chairman



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 72

Dated. 23/09/2024

Subject: Imposition of Environmental Compensation for violation of the provisions of Environmental Laws upon M/s A.S Brar Stone Crusher, Village Agampur, Tehsil Anandpur Sahib, District Rupnagar.

Order

In order to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and maintaining or resorting the wholesomeness of water and to preserve the quality of air, the Parliament of India had enacted the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 and all these Laws are collectively and severally being referred to as the Environmental Laws. The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the above-mentioned statutes in the State of Punjab.

2) The Hon'ble National Green Tribunal in suo moto exercise of its powers on the basis of the news item dated 28.09.2023 published in the Tribune titled "Hills 'vanish' as illegal mining rampant in Beet area" has registered Original Application No. 624 of 2023. News item discloses that on account of the illegal mining, Shivalik Hills, as high as 200 feet in the Beet area of Garhshankar sub-Division, are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuraigarh Sahib and Garhi mansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining. News Report further states that illegal mining has reached to a record level of 200 ft. deep and at some places, entire hills have been erased by the mining mafia and inspite of the complaint, no action is being taken by the competent authorities.

3) The Punjab Pollution Control Board has filed short reply before the Hon'ble National Green Tribunal in O.A No. 624 of 2023 disclosing that during the visit of the area the traces of fresh as well as old mining were found and XEN Mining Rupnagar has informed that the FIRs were registered against the violators including transporters, machine operators and they have confiscated the machinery. The Hon'ble National Green Tribunal in its order dated 16.10.2023 has observed that the report so submitted by the Member Secretary, does not disclose the extent of illegal mining and is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.

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4) The Punjab Pollution Control Board being the prescribed authority is monitoring the stone crushers of the State with regard to the compliance of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 including the code of practice laid down by the Government. It is observed by the Board many stone crushers are operating in the area and the Department of Mining has registered FIR against the units for indulgence into illegal mining. The Board has taken action against 4 Stone Crushers and Environmental Compensation was imposed in view of the facts and circumstances of the cases.

5) It is relevant to mention here that the reply filed by the Mining Department -before the Hon'ble National Green Tribunal in OA no. 624/2023 reveals that - total 110 FIRs have been registered against illegal mining in Ropar District since 01.01.2023. The Hon'ble National Green Tribunal vide order dated 11.01.2024 has observed that - through the report of Mining Department discloses the action against 13 Stone crusher but - the report submitted by the PPCB mention action only against 4 no. stone crusher. ,

6) After due consideration of the matter, it is observed that M/s A.S Brar Stone Crusher, Village Agampur, Tehsil Anandpur Sahib, District Rupnagar was granted consent to operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and under the Air (Prevention & Control of Pollution) Act, 1981 on 06/01/2021, both valid upto 30/09/2023 for operation of Crushing, Screening and Washing of Aggregates @ 6000 CFT/Day, subject to the conditions mentioned therein. The consents to operate granted to the industry were revoked / cancelled vide Board's letter no. 3971 dated 28.10.2022, due to the certain violations.

7) The premises of M/s A.S Brar Stone Crusher was visited by the officer of the Board on 30.08.2023 and it was observed that the Stone Crusher is not complying and was violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units laid down by the Government.

8) The case was considered by the Competent Authority, of the PPCB and it was decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the Stone Crusher with an opportunity of personal hearing, due to aforesaid violations. Therefore, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to M/s A.S Brar Stone Crusher, with an opportunity of personal hearing before the Chief Environmental



Engineer the Board on 18.12.2023 vide Board's letter no. 9479-80 dated 12/12/2023. The proceedings were conveyed to the industry vide Board's letter no. 9999 dated 08/01/2024.

9) It is pertinent to mention here that – Senior Superintendent of Police Ropar has requested to cancel the registration of 13 Stone Crusher due to registration of various FIRs against them. The Mining Department after affording personal hearing to the concerned Stone Crushers has issued speaking orders to cancel the registration of all these units. The facts and circumstances of the matter had confirmed that – environmental damage has been caused by the 13 Stone Crusher in the area against whom various FIR, have been registered for illegal mining. M/s Adesh Stone Crusher, Village Algran, Tehsil Nangal, District Rupnagar is one of the Stone Crusher one- of the lists of Stone Crusher.

10) The case was considered by the Competent Authority, of the PPCB and it was decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the Stone Crusher with an opportunity of personal hearing, due to aforesaid violations. Therefore, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to M/s A.S Brar Stone Crusher with an opportunity of personal hearing before the undersigned, Chairman of the Board on 13/02/2024 vide Board's letter no. 10579 dated 02/02/2024.

11) Sh. Gurjeet Singh, Partner of M/s A.S Brar Stone Crusher attended the hearing before the undersigned, Chairman of the Board on 13.02.2024 and stated that – the Stone Crusher is not involved in any kind of illegal mining. The representative submitted written reply which was taken on record. After hearing the officers of the Board and the representative of the unit and after considering the material facts of the case, certain decisions including the decision to impose Environmental Compensation upon M/s A.S Brar Stone Crusher as mentioned below were taken, in the case.

- i. The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed:
 - a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
 - c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.



- d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- e) That DG sets installed by the industry shall be sealed.
- ii. Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
- iii. The industry shall deposit Environmental Compensation amounting to Rs. 32,43,750/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.
- 12) That the proceedings of personal hearing held on 13.02.2024 before the undersigned, Chairman of the Board containing the decisions explained in para no. 11 above were conveyed to the unit vide letter no. 12004 dated 14.02.2024 for compliance.
- 13) It is pertinent to mention here that the Environmental Compensation for the period of violation from 22.08.2022 to 22.01.2024 was calculated in accordance with the methodology evolved by the Central Pollution Control Board in the matter of Original Application No. 593 of 2017 (WPC no. 375 of 2012) titled as Paryavaran Suraksha samiti and another v/s Union of India and others. The Environmental Compensation for the total period of violation of 519 days (22.08.2022 to 22.01.2024) was calculated to be Rs. 32,43,750/- for violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and for causing damage to the environment.
- 14) Therefore, M/s A.S Brar Stone Crusher is hereby directed to deposit an amount of Rs. 32,43,750/- (Thirty Two Lakhs Forty Three Thousand Seven Hundred Fifty Rupee Only) as environmental compensation with the office of the Punjab Pollution Control Board for the period of violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 as explained in the preceding paragraphs, within 15-days from the date of receipt of this order, failing which necessary action will be initiated for recovery of the amount of environmental compensation by adopting coercive measures.
- 15) Take notice that no further intimation or reminder will be issued or served by the Board in this regard after lapse of stipulated period of 15-days. The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar is directed to ensure compliance of directions.

Dr. (Prof.) Adarsh Pal Vig
Chairman



No. 79

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

254

Dated. 23/08/2024

Subject: Imposition of Environmental Compensation for violation of the provisions of Environmental Laws upon M/s Puri Stone Crusher, Village Plata, Tehsil Anandpur Sahib, District Rupnagar.

Order

In order to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and maintaining or resorting the wholesomeness of water and to preserve the quality of air, the Parliament of India had enacted the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 and all these Laws are collectively and severally being referred to as the Environmental Laws. The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the above-mentioned statutes in the State of Punjab.

2) The Hon'ble National Green Tribunal in suo moto exercise of its powers on the basis of the news item dated 28.09.2023 published in the Tribune titled "Hills 'vanish' as illegal mining rampant in Beet area" has registered Original Application No. 624 of 2023. News item discloses that on account of the illegal mining, Shivalik Hills, as high as 200 feet in the Beet area of Garhshankar sub-Division, are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhi mansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining. News Report further states that illegal mining has reached to a record level of 200 ft. deep and at some places, entire hills have been erased by the mining mafia and inspite of the complaint, no action is being taken by the competent authorities.

3) The Punjab Pollution Control Board has filed short reply before the Hon'ble National Green Tribunal in O.A No. 624 of 2023 disclosing that during the visit of the area the traces of fresh as well as old mining were found and XEN Mining Rupnagar has informed that the FIRs were registered against the violators including transporters, machine operators and they have confiscated the machinery. The Hon'ble National Green Tribunal in its order

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dated 16.10.2023 has observed that the report so submitted by the Member Secretary, does not disclose the extent of illegal mining and is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.

4) The Punjab Pollution Control Board being the prescribed authority is monitoring the stone crushers of the State with regard to the compliance of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 including the code of practice laid down by the Government. It is observed by the Board many stone crushers are operating in the area and the Department of Mining has registered FIR against the units for indulgence into illegal mining. The Board has taken action against 4 Stone Crushers and Environmental Compensation was imposed in view of the facts and circumstances of the cases.

5) It is relevant to mention here that the reply filed by the Mining Department - before the Hon'ble National Green Tribunal in OA no. 624/2023 reveals that - total 110 FIRs have been registered against illegal mining in Ropar District since 01.01.2023. The Hon'ble National Green Tribunal vide order dated 11.01.2024 has observed that - through the report of Mining Department discloses the action against 13 Stone crusher but - the report submitted by the PPCB mention action only against 4 no. stone crusher.

6) After due consideration of the matter, it is observed that M/s Puri Stone Crusher, operating in Village Plata, Tehsil Anandpur Sahib, District Rupnagar., was granted varied 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 and under the Air (Prevention & Control of Pollution) Act, 1981 on 01.02.2021 valid upto 30.09.2023 for screening and washing of river bed material @ 4000 CFT/day, subject to the conditions mentioned therein. The 'consents to operate, however, were revoked / cancelled by the Board vide letter no. 954 dated 26.04.2022, as the sone crusher had failed to submit the mining certificate in compliance to the decision of personal hearing dated 31.08.2021. The Stone Crusher has got its 'consent to operate' auto-renewed under the Water (Prevention & Control of Pollution) Act, 1974 and under the Air (Prevention & Control of Pollution) Act, 1981 on 09.11.2023 with validity upto 09.11.2028, subject to the conditions mentioned therein.

7) The premises of M/s Puri Stone Crusher, Village Plata, Tehsil Anandpur Sahib was visited by the officer of the Board on 19.01.2024 and it was observed that the Stone



Crusher is not complying and was violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units laid down by the Government. It is further observed that the Stone Crusher has got its 'consent to operate' auto-renewed under the above statutes by filing the wrong/false information / documents. Hence, the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 of the industry was revoked vide letter no. 124 dated 24/01/2024 & consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 of the industry was cancelled vide letter no. 126 dated 24/01/2024.

8) It is pertinent to mention here that - Senior Superintendent of Police Ropar has requested to cancel the registration of 13 Stone Crusher due to registration of various FIRs against them. The Mining Department after affording personal hearing to the concerned Stone Crushers has issued speaking orders to cancel the registration of all these units. The facts and circumstances of the matter had confirmed that - environmental damage has been caused by the 13 Stone Crusher in the area against whom various FIR, have been registered for illegal mining. M/s Puri Stone Crusher operating at Village Plata, Tehsil Anandpur Sahib, District Rupnagar is one of the Stone Crusher out of the list of 13 Stone Crusher.

9) The case was considered by the Competent Authority, of the PPCB and it was decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the Stone Crusher with an opportunity of personal hearing, due to aforesaid violations. Therefore, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to M/s Puri Stone Crusher with an opportunity of personal hearing before the Chairman of the Board on 13/02/2024 vide Board's letter no. 10586 dated 02/02/2024.

10) Sh. Naresh Kumar, Accountant of M/s Puri Stone Crusher attended the hearing before the Chairman of the Board on 13.02.2024 and stated that - the Stone Crusher is not involved in any kind of illegal mining. The representative submitted written reply which was taken on record. After hearing the officers of the Board and the representative of the unit and after considering the material facts of the case, certain decisions including the decision to impose Environmental Compensation upon M/s Puri Stone Crusher as mentioned below were taken, in the case.



- i. The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed:
 - a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
 - c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
 - d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
 - e) That DG sets installed by the industry shall be sealed.
 - ii. Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
 - iii. The industry shall deposit Environmental Compensation amounting to Rs. 54,75,000/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.
- 11) That the proceedings of personal hearing held on 13.02.2024 before the undersigned Chairman of the Board containing the decisions explained in para no. 10 above were conveyed to the unit vide letter no. 12036 dated 14.02.2024 for compliance.
- 12) It is pertinent to mention here that the Environmental Compensation for the period of violation from 31.08.2021 to 24.01.2024 was calculated in accordance with the methodology evolved by the Central Pollution Control Board in the matter of Original Application No. 593 of 2017 (WPC no. 375 of 2012) titled as Paryavaran Suraksha samiti and another v/s Union of India and others. The Environmental Compensation for the total period of violation of 876 days (31.08.2021 to 24.01.2024) was calculated to be Rs. 54,75,000/- for violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and for causing damage to the environment.



13) Therefore, M/s Puri Stone Crusher is hereby directed to deposit an amount of Rs. 54,75,000/- (Fifty-Four Lakhs Seventy-Five Thousand only) as environmental compensation with the office of the Punjab Pollution Control Board for the period of violation of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 as explained in the preceding paragraphs, within 15-days from the date of receipt of this order, failing which necessary action will be initiated for recovery of the amount of environmental compensation by adopting coercive measures.

14) Take notice that no further intimation or reminder will be issued or served by the Board in this regard after lapse of stipulated period of 15-days. The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar is directed to ensure compliance of directions.

M/205 217 PEST
Dr. (Prof.) Adarsh Pal Vig
Chairman



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 08

Dated. 3/1/2024

Subject: Imposition of Environmental Compensation for violation of the provisions of Environmental Laws upon M/s New Satluj Stone Crusher (Unit-1), Village Nangran, Tehsil Nangal, Rupnagar.

Order

In order to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and maintaining or resorting the wholesomeness of water and to preserve the quality of air, the Parliament of India had enacted the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 and all these Laws are collectively and severally being referred to as the Environmental Laws. The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the above-mentioned statutes in the State of Punjab.

2) The Hon'ble National Green Tribunal in suo moto exercise of its powers on the basis of the news item dated 28.09.2023 published in the Tribune titled "Hills 'vanish' as illegal mining rampant in Beet area" has registered Original Application No. 624 of 2023. News item discloses that on account of the illegal mining, Shivalik Hills, as high as 200 feet in the Beet area of Garhshankar sub-Division, are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhi mansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining. News Report further states that illegal mining has reached to a record level of 200 ft. deep and at some places, entire hills have been erased by the mining mafia and inspite of the complaint, no action is being taken by the competent authorities.

3) The Punjab Pollution Control Board being the prescribed authority is monitoring the stone crushers of the State with regard to the compliance of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 including the code of practice laid down by the Government.



- 4) The Punjab Pollution Control Board has filed short reply before the Hon'ble National Green Tribunal in O.A No. 624 of 2023 disclosing that during the visit of the area the traces of fresh as well as old mining were found and XEN Mining Rupnagar has informed that the FIRs were registered against the violators including transporters, machine operators and they have confiscated the machinery. The Hon'ble National Green Tribunal in its order dated 16.10.2023 has observed that the report so submitted by the Member Secretary, PPCB is vague as it does not disclose the extent of illegal mining and also does not disclose the details of the FIRs which have been registered and the equipment which has been seized. The report is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.
- 5) That it is observed by the Board many stone crushers are operating in the area, but the Department of Mining has registered FIR in which it is stated that illegal mining has taken place in the nearby area of about 4 stone crushers namely M/s Guru Kirpa Stone Crusher; M/s Kalgidhar Stone Crusher; M/s Ganga Stone Crusher of village Kheda Kalmot and M/s New Sutlej Stone Crusher (Unit-1) in the area of Nangran, Tehsil Nangal, District Roopnagar.
- 6) It is relevant to mention here that M/s New Satluj Stone Crusher (Unit-1), Village Nangran, Tehsil Nangal, District Rupnagar was granted consent to operate by the Punjab Pollution Control Board under the provisions of Water (Prevention and Control of Pollution) Act, 1974 vide no. CTOW/Fresh/RPN/2023/21229657 dated 28/03/2023 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Fresh/RPN/2023/21229666 dated 28/03/2023 both were valid upto 30/09/2024 for operation of Crushing of river bed material @ 4700 CFT/day under orange category with conditions mentioned therein.
- 7) After the receipt of notice in the case, the premises of M/s New Satluj Stone Crusher (Unit-1) was visited by the officer of the Board on 09.10.2023 in the presence of Sh. Narinder Pal, Supervisor of the Stone Crusher. During the visit, it was observed that the stone crusher is not complying with the code of practice. Also, the Executive Engineer, Mining has informed that there is FIR against the unit bearing no. 146 dated 29/09/2023 for indulgence into illegal mining. Accordingly, the 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 was revoked vide no. 2814 dated 26.10.2023 and the 'consent to operate' under the Air (Prevention & Control of Pollution) Act, 1981 was cancelled vide no. 2816 dated 26.10.2023 because of non-compliance with the code of practice and indulgence of unit into illegal mining. Thereafter, notice to issue directions under the Water (Prevention and Control of



Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 was issued to the stone crusher vide letter no. 9425-26 dated 11.12.2023 with an opportunity of hearing before the Chairman of the Board on 18.12.2023. It was mentioned in the notice that the Environmental Compensation shall be imposed upon the stone crusher and directions will be issued for its closure.

8) That Sh. Rajinder Kumar, Owner of M/s New Satluj Stone Crusher (Unit-1) attended the hearing before the Chairman of the Board on 18.12.2023 and informed that the industry has not carried out any illegal mining. He further informed that the industry is in process to comply with the code of practice.

9) The Environmental Engineer, Regional Office, Roopnagar of the Board stated that the stone crusher has submitted record of returns filed with the mining department as well as minor minerals procured / processed / electricity consumed for operation of the plant and machinery to the Regional Office. On the perusal of the record it was observed that the industry / stone crusher has processed the minor minerals much more than the consented capacity. The mining department has also issued R & S form to the stone crusher showing that the industry may also indulge in illegal mining. There is FIR against the unit bearing no. 146 dated 29/09/2023 for indulgence into illegal mining. The industry has not submitted compliance of the code of practice / observations of the visiting officer raised during the visit of the stone crusher on 23.10.2023. It was further observed that stone crusher has operated beyond the consented capacity allowed by the Punjab Pollution Control Board. The officer stated that in view of the violations committed by the stone crusher, Environmental Compensation (EC) amounting to Rs. 17.625 lacs had been calculated in accordance with methodology evolved by the CPCB and adopted by the Punjab Pollution Control Board.

10) After hearing the representative of the stone crusher, the officer of the Board, it is observed that the stone crusher has operated the plant beyond the capacity allowed in the 'consent to operate' of the Board by processing the minor minerals as raw material which may have been procured through illegal means or may be through illegal mining in the nearby area. There is an FIR against the unit for indulgence into illegal mining. The stone crusher was also not complying with the code of practice. The activities of the stone crusher as such contributed towards the degradation and damage to the natural environment of the area. Stern action, as such, is required to be taken against the stone crusher.



11) After hearing the parties and considering the news item published in the Tribune Newspaper dated 28.9.2023 and also the fact that FIR has been registered by the Police on the complaint of mining department, Environmental Compensation amounting to Rs. 17.625 Lakh is hereby imposed upon the stone crusher for the violation of the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the code of practice and illegal operation of the stone crusher beyond the capacity allowed in the consents of the Punjab Pollution Control Board under the above-mentioned Acts.

12) M/s New Satluj Stone Crusher (Unit-1), Village Nangran, Tehsil Nangal, Rupnagar through its Owner Sh. Rajinder Kumar is hereby directed to deposit the amount of Rs. 17.625 Lakh towards Environmental Compensation on account of the violations mentioned and described herein above, with the office of the Board within 15 days from the date of receipt of this order failing which the Board shall be constrained to recover the amount of by taking coercive action.

ਮਿਤਰ ਮਿਤ ਪੇਸ਼

Prof. (Dr.) Adarsh Pal Vig
Chairman



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜੇਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



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ਨੰਬਰ _____

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ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਖੇਡਾਂ ਦੇ ਖੇਤਰ, ਪੁਲਿਸ ਠਾਣਾ
ਸ: ਵਾਤਾ: ਵਿਜ. - 1/27/2023, ਨਾਭਾ / ਜੁਲੀਆ / ਕਲਕਤਾ

REGISTERED

To

M/s Sat Sahib Stone Crusher & Screening Plant,
Village Haripur,
Tehsil Anandpur Sahib, Rupnagar

Subject:

Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the stone crusher.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet / plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for discharge of effluent/ emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/air pollution control device, so as to contain the various pollutants within the standards laid down by the Board, in the effluent / emissions discharged by the industry.

And whereas, the industry was granted consent to operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 vide no. CTOW/Fresh/RPN/2023/22586114 dated 19/07/2023 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Fresh/RPN/2023/22586097 dated 19/07/2023, both having validity upto 18/01/2024 for Crushing, Sand, Bajri, Gravel, Gatka Boulder @ 8200 CFT/day, subject to the suitable conditions mentioned therein.

And whereas, the industry was visited by the Officers of the Regional Office, Rupnagar on 08.11.2023 and contacted Sh. Shiv Kumar and Sh. Deepak, Munshi of the industry. During visit, it was observed as under: -

1. The industry is having Stone Crushing as well as Screening and Washing units. Both these units are having separate lines independent of each other and the unit is not using washed material for crushing purpose. Therefore, the industry is to be considered having Dry Stone Crushing unit.
2. The unit was not in operation due to maintenance work.
3. The plantation / vegetation around the crusher found covered with dust layers.
4. All the dust emitting points are not covered properly.
5. All the ends of conveyor belts are not covered with proper chutes.
6. All the dust emitting points / machinery is not provided with water spray system.
7. No water spray system provided on all the transfer points.
8. Cleaning of approach roads is not carried out.
9. The approach roads and ramp are not metalled.
10. The openings of housings for movement of mechanical drives etc are not sealed with rubber flaps.
11. There is no water spray system at all which is to be interlocked with the main crushing operation.
12. Path between the crusher and the metaled road is not brick paved / cement pavers.
13. Water spray system is not provided along the boundary wall, main entrance and approach roads as per requirement.
14. Fresh plant saplings are planted along the boundary of the unit.
15. Settling tanks are provided but are not commissioned yet.
16. The settling tanks are bypassed and provision given to discharge the wastewater into surface water.
17. System to re-circulate the wastewater is not provided.
18. The 900 V-Notch at the outlet of settling system is not provided.
19. Emission analysis is not carried out.
20. Annual health survey of the workers is not done.
21. The domestic effluent from office side and labour side toilets is discharge into underground tanks from where no discharge point observed.

22. There is tubewell as source of fresh water and no water meter is installed with the same.

And whereas, the industry has failed to comply with the conditions imposed in the consent to operate granted to it under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, thus, violating the provisions of the said Acts.

And whereas, the consents to operate granted to the industry were revoked / cancelled vide Board's letter no. 2974-75 dated 20/11/2023 under the Water (Prevention & Control of Pollution) Act, 1974 & 2972-73 dated 20/11/2023 under the Air (Prevention & Control of Pollution) Act, 1981, due to the violations as mentioned above.

And whereas, the industry is not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units, intentionally and deliberately.

And whereas, the Hon'ble NGT has taken Sua Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. Further, the news item disclosed that on account of illegal mining, Shivalik Hills as high as 200 feet in the Beet area of Garhshankar Sub Division are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.

And whereas, the stone crusher has not given any clarification whether the material procured by the Stone crusher is from the approved Mining site or illegal mining sites. As such, it may also apprehended that the stone crusher may involve in illegal mining in the District Rupnagar.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued to the industry with an opportunity to appear in person before the Chief Environmental Engineer(P) Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala on 18/12/2023 vide Board's letter no. 9404-05 dated 08/12/2023.

And whereas, after hearing the officer of the Board, representative of the industry and material facts on the record, the Chief Environmental Engineer (P) decided as under: -

1. The stone crusher shall provide permanent pipeline alongwith sprinklers for sprinkling of water on raw material, within 07 days.
2. The stone crusher shall stabilize its roads and ramp with interlocking / antiskiding tiles, within 15 days.
3. The stone crusher shall submit copy of the monthly returns filed by it with the mining department to the PPCB every month.
4. The stone crusher shall comply with the complete code of practice prescribed by the Board as well as by CPCB and the observations raised by the Board during the visit to the plant, within 07 days.
5. The stone crusher shall ensure that all vehicles carrying minor mineral to the stone crusher must equipped with radio-frequency identification tags as well as Global Positioning System (GPS) for tracking latest by 28/02/2023 and submit compliance to the Board, in this regard.
6. The stone crusher shall ensure that the stone crusher is operated only by processing legalized minor mineral from the approved mining site for which Environmental Clearance / Consent to operate has been granted by the department of mining / department of environment, Govt. of Punjab. The stone crusher shall also certify whether the legally approved mining site falls in the plain land area / mountain area / forest area / river bed area / de-silted area or any other area as per the record of revenue / water resources / Indian Forest Act, 1927 / The Punjab Security of Land Tenures Act / master plan of the area as notified by department of Town & Country Planning.
7. The stone crusher shall submit a bank guarantee amounting to Rs. 2.0 lacs, within 07 days, as an assurance to comply with the Environment laws.
8. The Environmental Engineer, Regional Office, Rupnagar shall keep vigil whether the stone crusher is operating by procuring the minor minerals from the approved mining site for which Environment Clearance / Consents granted by the Board. It shall also be certified by Regional Office as whether the legally approved mining site falls in the plain land area / mountain area/ forest area / river bed area / de-silted area or any other area as per the record of revenue / water resources / Indian Forest Act, 1927 / The Punjab Security of Land Tenures Act / master plan of the area as notified by department of Town & Country Planning. In case any violations / discrepancy observed in reference to mining / environmental guidelines / SOP, Regional Office shall calculate the quantum of Environmental damage caused due to the said violation / activity and also check the details of FIR filled (If any) and the equipment/ vehicles seized of the stone crusher for any illegal mining and send its report, within 10 days.

And whereas, the proceedings were conveyed to the industry vide Board's letter no. 9989-90 dated 08/01/2024.

And whereas, the case is pending in the Hon'ble National Green Tribunal and in the last hearing in the Hon'ble NGT on 11.01.2024, a list of 13 stone crushers has been submitted by the mining department, which were indulged in illegal mining. Further, Hon'ble NGT directed the Board to take action against all these 13 stone crushers for violating the environmental norms. Action taken report is to be placed in the Hon'ble NGT before the next date of hearing i.e. 11.03.2024.

And whereas, the stone crusher is in this list of 13 stone crushers indulged in the illegal mining as submitted by the mining department in the Hon'ble NGT.

And whereas, the Environmental Engineer, Regional Office, Rupnagar has reported that the industry has not submitted the compliance of the decisions of the personal hearing given to it by the Chief Environmental Engineer (P) on 18.12.2023 as well as has not deposited the bank guarantee amounting to Rs. 2.0 lacs in compliance of the decision of the personal hearing so far. Also, XEN, Mining vide his letter no. 768 dated 19.01.2024, received through e-mail dated 19.01.2024 has intimated that the registration of the unit has been cancelled due to indulgence into illegal mining activities. Further, there are FIRs against the unit bearing no. 94 dated 06.08.2019 and no. 17 dated 27.01.2023 regarding illegal mining activities. Also, Regional Office has calculated the Environment Compensation required to be imposed on the stone crusher amounting to Rs. 8,31,250/-.

And whereas, the industry is not serious about the decisions of the personal hearing, provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and violating the Environmental Laws intentionally & deliberately.

And whereas, the Environmental damage has been done in the area by the stone crusher and FIR has been lodged against the stone crusher by the mining department. As damage has been caused to the environment, the Environmental Compensation as well as legal action against the stone crusher and its responsible partners / directors alongwith strict action u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31- of the Air (Prevention & Control of Pollution) Act, 1981 is required to be initiated against the stone crusher.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the industry after affording an opportunity of personal hearing, due to aforesaid violations.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 issued vide Board's letter no. 10593 dated 02/02/2024 with an opportunity to appear in person before the Chairman of the Board in his office Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala on 13/02/2024 at 11.00 AM alongwith the following proposed directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That Environmental Compensation shall be imposed on the industry for polluting the environment.
- vi) That legal action shall be initiated against the industry and its responsible persons.
- vii) That DG sets installed by the industry shall be sealed.

And whereas, but, the industry has failed to attend the hearing on the said date and time.

And whereas, after hearing the officers of the Board, facts of the record, the Chairman of the Board has taken the following ex-parte decisions: -

- 1) The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed:
 - a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent/ emissions from its industrial premises or through any mode.
 - c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.

- d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- e) That DG sets installed by the industry shall be sealed.
- 2) Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible person.
- 3) The industry shall deposit Environmental Compensation amounting to Rs.8,31,250/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.

And whereas, the proceedings were conveyed to the industry with a copy to Regional Office, Rupnagar vide Board's letter no. 12006-07 dated 14/2/2024 for compliance.

Now, therefore, the Competent Authority of the Board in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and after thoroughly examining the case of the stone crusher, has decided to issue following directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent/ emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That DG sets installed by the industry shall be sealed.

In case of failure to comply with the above said directions, the industry and the partners or any other person(s) responsible to comply with the above directions under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 37 of the Air (Prevention and Control of Pollution) Act, 1981.

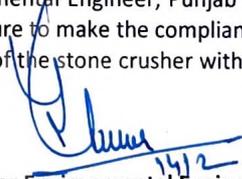
This issue with the approval of the Competent Authority of the Board.


Senior Environmental Engineer (ZP-1)
for & on behalf of the
Punjab Pollution Control Board

Endst. no. 12/34

Dated 15-2-24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar for information and ensure to make the compliance of the above said directions. Further, it is requested to seal the DG set of the stone crusher within 7-days and submit compliance to this office.


Senior Environmental Engineer (ZP-1)
for and on behalf of the
Punjab Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜ਼ੋਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



Phone no. 0175-2301182

e-mail : ppcbsee_zp1@yahoo.com

ਨੰਬਰ 12085

REGISTERED

To

M/s Adesh Stone Crusher,
Village Algran,
Tehsil Nangal, District Rupnagar

Subject:

Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the stone crusher.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet / plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for discharge of effluent/ emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/air pollution control device, so as to contain the various pollutants within the standards laid down by the Board, in the effluent / emissions discharged by the industry.

And whereas, the industry was granted consent to operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 vide no. CTOW/Fresh/RPN/2021/16303669 dated 23/08/2021 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Fresh/RPN/2021/16303665 dated 23/08/2021 dated 22/12/2022, both were valid upto 30/09/2023 for crushing, screening and washing of river bed material @ 9500 CFT/day, subject to the conditions mentioned therein.

And whereas, the industry was visited by the officers of the Regional Office, Rupnagar on 05.10.2023 and contacted Sh. Fateh Singh, Munshi of the industry. During visit, it was observed as under:

- 1) The industry has installed 03 Jaw crushers, 02 Rotapactor, 02 Dry screens and 01 Wet screen.
- 2) Lot of dust emissions were observed during operation of unit at the time of the visit.
- 3) There is one independent line of dry crushing operation.
- 4) The ends of conveyer belts are not covered with proper chutes.
- 5) The regular spray is not being done on Jaw / Roller crushers and only open water pipe is given for pouring water on material. During operation of crusher it found in-effective.
- 6) The water spray system is provided on the boundary wall and main entrance.
- 7) The approach roads and ramp are not metalled.
- 8) The regular cleaning of approach roads is not being carried out.
- 9) The openings of the housings are not sealed with flexible rubber flaps.
- 10) The water spray system is not interlocked with main crushing operation.
- 11) The path between the crusher and the metalled road is not brick / cement concrete paved.
- 12) Annual health survey of health workers is not submitted.
- 13) The settling tanks are provided but the depth of the same could not be verified as these were filled fully with silt.
- 14) The wastewater after settling tank is discharge into the river.
- 15) The system to re-circulate the wastewater is out of order.
- 16) The settling tank is not maintained properly and is fully filled with silt material.
- 17) V-Notch at the outlet of settling tank is not provided and the record of discharge is not maintained.
- 18) The representative of the industry informed that fine material / silt produced in the settling tank is being used for land filling.
- 19) Green belt is provided along the periphery. However, need more plantation.
- 20) There are 2 no. of underground tank constructed for discharge of domestic effluent without any outlet. It is informed by the industry that these tanks are got emptied out with the help of moveable tankers for disposal of wastewater at unknown place.
- 21) There is one tubewell as source of fresh water and no water meter is provided with the same.

And whereas, the industry has failed to comply with the conditions imposed in the consent to operate granted to it under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, thus, violating the provisions of the said Acts.

And whereas, the industry is not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units, intentionally and deliberately.

And whereas, the industry was given opportunity of personal hearing before the Environmental Engineer, Regional Office, Rupnagar on 20.10.2023 which was attended by Sh. Ravinder Singh, Representative of the industry. The submission made by the industry during personal hearing found not to be satisfactory.

And whereas, the application of the industry for obtaining consents to operate under the Water Act, 1974 & the Air Act, 1981 were refused by the Regional Office, due to above mentioned violations and recommended further action against the stone crusher.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued to the industry with an opportunity to appear in person before the Chief Environmental Engineer(P), Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala on 16.10.2023 vide Board's letter no. 8592 dated 07/11/2023.

And whereas, after hearing the officer of the Board, representative of the industry and material facts on the record, the Chief Environmental Engineer (P) decided as under: -

1. The stone crusher shall provide permanent pipeline along with sprinklers for sprinkling of water on raw material, within 07 days.
2. The stone crusher shall stabilize its roads and ramp with interlocking / antiskidding tiles, within 15 days.
3. The stone crusher shall submit copy of the monthly returns filed by it with the mining department to the PPCB every month.
4. The stone crusher shall comply with the complete code of practice prescribed by the Board as well as by CPCB and the observations raised by the Board during the visit to the plant, within 07 days.
5. The stone crusher shall ensure that all vehicles carrying minor mineral to the stone crusher must be equipped with radio-frequency identification tags as well as Global Positioning System (GPS) for tracking latest by 28/02/2023 and submit compliance to the Board, in this regard.
6. The stone crusher shall ensure that the stone crusher is operated only by processing legalized minor mineral from the approved mining site for which Environmental Clearance / Consent to operate has been granted by the department of mining / department of environment, Govt. of Punjab. The stone crusher shall also certify whether the legally approved mining site falls in the plain land area / mountain area / forest area / river bed area / de-silted area or any other area as per the record of revenue / water resources / Indian Forest Act, 1927 / The Punjab Security of Land Tenures Act / master plan of the area as notified by department of Town & Country Planning.
7. The stone crusher shall submit a bank guarantee amounting to Rs. 2.0 lacs, within 07 days, as an assurance to comply with the Environment laws.
8. The Environmental Engineer, Regional Office, Rupnagar shall keep vigil whether the stone crusher is operating by procuring the minor minerals from the approved mining site for which Environment Clearance / Consents granted by the Board. It shall also be certified by Regional Office as whether the legally approved mining site falls in the plain land area / mountain area / forest area / river bed area / de-silted area or any other area as per the record of revenue / water resources / Indian Forest Act, 1927 / The Punjab Security of Land Tenures Act / master plan of the area as notified by department of Town & Country Planning. In case any violations / discrepancy observed in reference to mining / environmental guidelines / SOP, Regional Office shall calculate the quantum of Environmental damage caused due to the said violation / activity and also check the details of FIR filled (If any) and the equipment/ vehicles seized of the stone crusher for any illegal mining and send its report, within 10 days.

And whereas, the proceedings were conveyed to the industry vide Board's letter no. 9991 dated 08/01/2024 for compliance.

And whereas, the Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. Further, the news item disclosed that on account of illegal mining, Shivalik Hills as high as 200 feet in the Beet area of Garhshankar Sub Division are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla,

Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.

And whereas, the case is pending in the Hon'ble National Green Tribunal and in the last hearing in the Hon'ble NGT on 11.01.2024, a list of 13 stone crushers has been submitted by the mining department, which were indulged in illegal mining. Further, Hon'ble NGT directed the Board to take action against all these 13 stone crushers for violating the environmental norms. Action taken report is to be placed in the Hon'ble NGT before the next date of hearing i.e. 11/03/2024.

And whereas, the stone crusher is in this list of 13 stone crushers indulged in the illegal mining as submitted by the mining department in the Hon'ble NGT.

And whereas, the Environmental Engineer, Regional Office, Rupnagar has reported that the industry has not submitted the compliance of the decisions of the personal hearing given to it by the Chief Environmental Engineer (P) on 17.11.2023 as well as has not deposited the bank guarantee amounting to Rs. 2.0 lacs in compliance of the decision of the personal hearing so far. Also, XEN, Mining vide his letter no. 768 dated 19.01.2024, received through e-mail dated 19.01.2024 has intimated that the registration of the unit has been cancelled due to indulgence into illegal mining activities. Further, there are FIRs against the unit bearing no. 88 dated 25.07.2022 and no. 11 dated 19.01.2023 regarding illegal mining activities. Also, Regional Office has calculated the Environment Compensation required to be imposed on the stone crusher amounting to Rs. 6,87,500/-.

And whereas, the industry is not serious about the decisions of the personal hearing, provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and violating the Environmental Laws intentionally & deliberately.

And whereas, the Environmental damage has been done in the area by the stone crusher and FIR has been lodged against the stone crusher by the mining department. As damage has been caused to the environment, the Environmental Compensation as well as legal action against the stone crusher and its responsible partners / directors alongwith strict action u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 is required to be initiated against the stone crusher.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the industry after affording an opportunity of personal hearing, due to aforesaid violations.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 issued vide Board's letter no. 10599 dated 02/02/2024 with an opportunity to appear in person before the Chairman of the Board in his office Punjab Pollution Control Board, Vatavarn Bhawan, Nabha Road, Patiala on 13/02/2024 at 11.00 AM alongwith the following directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That Environmental Compensation shall be imposed on the industry for polluting the environment.
- vi) That legal action shall be initiated against the industry and its responsible persons.
- vii) That DG sets installed by the industry shall be sealed.

And whereas, however, no one attended the hearing, but one person namely Sh. Gurjeet Singh, (informed him as a friend of owner) without authority letter submitted written reply on behalf of crusher, which was taken on record.

And whereas, after hearing the officers of the Board, facts of the record and the representative of the industry, the Chairman of the Board decided as under: -

- 1) The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed :
 - a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
 - c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
 - d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.

- e) That DG sets installed by the industry shall be sealed.
- 2) Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
- 3) The industry shall deposit Environmental Compensation amounting to Rs. 6,87,500/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.

And whereas, the proceedings were conveyed to the industry with a copy to Regional Office, Rupnagar vide Board's letter no. 12026-27 dated 14/2/2024 for compliance.

Now, therefore, the Competent Authority of the Board in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and after thoroughly examining the case of the stone crusher, has decided to issue following directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent/ emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That DG sets installed by the industry shall be sealed.

In case of failure to comply with the above said directions, the industry and the partners or any other person(s) responsible to comply with the above directions under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 37 of the Air (Prevention and Control of Pollution) Act, 1981.

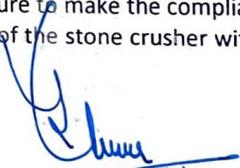
This issue with the approval of the Competent Authority of the Board.


Senior Environmental Engineer (ZP-1)
for & on behalf of the
Punjab Pollution Control Board

Endst. no. 12025

Dated 15-2-24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar for information and ensure to make the compliance of the above said directions. Further, it is requested to seal the DG set of the stone crusher within 7-days and submit compliance to this office.


Senior Environmental Engineer (ZP-1)
for and on behalf of the
Punjab Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜ਼ੋਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



Phone no. 0175-2301182

e-mail : ppcbsee_zp1@yahoo.com

ਨੰਬਰ _____

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ ਦਫਤਰ, ਰੁਪਨਗਰ

REGISTERED ਸ:ਵਾਤਾ:ਵਿਜ.-1/21/3/ਸੀ.ਸਹ./ਪੁਲੀ.ਸਹ./ਕਲਰਕ

To

M/s Siddhi Vanayak Stone Crusher,
Village Ailgran, Tehsil Sri Anandpur Sahib,
Distt. Rupnagar

Subject:

Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the stone crusher.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet / plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for discharge of effluent/ emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/air pollution control device, so as to contain the various pollutants within the standards laid down by the Board, in the effluent / emissions discharged by the industry.

And whereas, the industry was granted varied consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTO/Renewal/RPN/2021/16532011 dated 23/08/2021 and the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/RPN/2021/16532008 dated 23/08/2021, both valid upto 30/09/2023, for crushing of river bed material @ 6000 CFT/day, subject to the conditions mentioned therein.

And whereas, the industry has got its 'consent to operate' Auto-Renewed under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTO/Renewal/RPN/2023/24037514 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTO/Renewal/RPN/2023/24037461 dated 27.10.2023 valid upto 27.10.2028, subject to the conditions mentioned therein.

And whereas, the Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. Further, the news item disclosed that on account of illegal mining, Shivalik Hills as high as 200 feet in the Beet area of Garhshankar Sub Division are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.

And whereas, the case is pending in the Hon'ble National Green Tribunal and in the last hearing in the Hon'ble NGT on 11.01.2024, a list of 13 stone crushers has been submitted by the mining department, which were indulged in illegal mining. Further, Hon'ble NGT directed the Board to take action against all these 13 stone crushers for violating the environmental norms. Action taken report is to be placed in the Hon'ble NGT before the next date of hearing i.e. 11/03/2024.

And whereas, the stone crusher is in this list of 13 stone crushers indulged in the illegal mining as submitted by the mining department in the Hon'ble NGT.

And whereas, the industry was visited by the officer of Regional Office, Rupnagar on 19.01.2024 and observed that the industry is not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units laid down by the Government.

And whereas, the industry was found violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 as well as code of practice for such type of units. Further, the industry has got its 'consent to operate' Auto-Renewed by filing the wrong/ false information/ documents.

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And whereas, the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 of the industry was revoked vide letter no. 116 dated 24/01/2024 & consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 of the industry was cancelled vide letter no. 118 dated 24/01/2024, due to above said violations.

And whereas, the industry is not serious to comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 as well as code of practice and violating the Environmental Laws intentionally & deliberately.

And whereas, the Environmental Engineer, Regional Office, Rupnagar has reported that there are FIR registered against the stone crusher against illegal mining and also not complying with the code of practice prescribed for stone crushing units. Also, Regional Office has calculated the Environment Compensation required to be imposed on the stone crusher amounting to Rs. 7,25,000/-.

And whereas, the Environmental damage has been done in the area by the stone crusher and FIR has been lodged against the stone crusher by the mining department. As damage has been caused to the environment, the Environmental Compensation as well as legal action against the stone crusher and its responsible partners / directors alongwith strict action u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 is required to be initiated against the stone crusher.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the industry after affording an opportunity of personal hearing, due to aforesaid violations.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued with an opportunity to appear in person before the Chairman of the Board in his office Punjab Pollution Control Board, Vatavarn Bhawan, Nabha Road, Patiala on 13/02/2024 at 11.00 AM vide Board's letter no. 10581 dated 02/02/2024 alongwith the following proposed directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That Environmental Compensation shall be imposed on the industry for polluting the environment.
- vi) That legal action shall be initiated against the industry and its responsible persons.
- vii) That DG sets installed by the industry shall be sealed.

And whereas, however, no one attended the hearing, but one person namely Sh. Bhajan Lal, (informed him as a friend of owner) without authority letter submitted written reply on behalf of crusher, which was taken on record.

And whereas, after hearing the officers of the Board, facts of the record and the representative of the industry, the Chairman of the Board decided as under: -

- 1) The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed :
 - a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
 - c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
 - d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.

- e) That DG sets installed by the industry shall be sealed.
- 2) Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
- 3) The industry shall deposit Environmental Compensation amounting to Rs. 7,25,000/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.

And whereas, the proceedings were conveyed to the industry with a copy to Regional Office, Rupnagar vide Board's letter no. 12032-33 dated 14/2/2024 for compliance.

Now, therefore, the Competent Authority of the Board in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and after thoroughly examining the case of the stone crusher, has decided to issue following directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent/ emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That DG sets installed by the industry shall be sealed.

In case of failure to comply with the above said directions, the industry and the partners or any other person(s) responsible to comply with the above directions under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 37 of the Air (Prevention and Control of Pollution) Act, 1981.

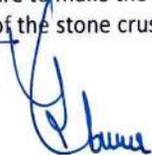
This issue with the approval of the Competent Authority of the Board.


Senior Environmental Engineer (ZP-1)
for & on behalf of the
Punjab Pollution Control Board

Endst. no. 12122

Dated 15-2-24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar for information and ensure to make the compliance of the above said directions. Further, it is requested to seal the DG set of the stone crusher within 7-days and submit compliance to this office.


Senior Environmental Engineer (ZP-1)
for and on behalf of the
Punjab Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜ਼ੋਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



Life
Lifestyle for
Environment

Phone no. 0175-2301182

ਨੰਬਰ _____

e-mail : ppcbsee_zp1@yahoo.com

ਮਿਤੀ _____

REGISTERED

To

M/s Ganga Stone Crusher,
Village Khera Kalmot,
Tehsil Anandpur Sahib, District Rupnagar.

Subject: Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981.

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the stone crusher.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet / plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for discharge of effluent / emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/air pollution control device, so as to contain the various pollutants within the standards laid down by the Board, in the effluent / emissions discharged by the industry.

And whereas, the industry was granted 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTOW/Renewal/RPN/2021/16958137 dated 27/10/2021 valid upto 30/09/2023 for Crushing and Screening of river bed material @ 4000 CFT/day alongwith domestic effluent @ 0.5 KLD to be discharged onto land for plantation after septic tank, subject to the conditions mentioned therein.

And whereas, the above said 'consent to operate' granted under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 were revoked / cancelled by the Regional Office of Board vide no. 3841 dated 06.10.2022 due to indulgence of unit into illegal mining.

And whereas, the industry was visited by the officers of the Board on 23.10.2023 and contacted Sh. Ajay Kumar, Accountant of the industry. During visit, it was observed as under:

1. The industry is a stone crushing unit and is not in operation. However, the condition of the same indicates that the same is being operated.
2. It has installed 03 no. Jaw crushers, 02 no. Rotapactor and 04 no. Dry screens.
3. The metallic display board with information is not provided. Only incomplete information is provided through painted wall.
4. The dust emitting points are not enclosed /covered properly.
5. Ends of conveyor belts are not covered with proper chutes.
6. Water spray system is not provided on the dust emitting points.
7. No provision for water spray on the boundary is given.
8. There is no provision to clean the approach roads.
9. The approach roads and the ramp are not metaled.
10. Green belt consisting of three rows of trees is not provided along the periphery.
11. The opening of the housing for the movement of mechanical drives are not covered with the rubber flappers.
12. The disposal of process waste is not known.
13. There is no provision to interlock the main crushing operation with water spray system.
14. The path between the crusher and the metaled road is not paved.
15. The emission analysis report is not submitted.
16. Annual health survey report of the workers is not submitted.
17. Soakage pit provided for disposal of domestic effluent.
18. A DG set of capacity 380 KVA is installed which is provided with canopy but without stack.
19. One tubewell is installed as source of fresh water and no water meter is provided with the same.
20. The tax invoice no. GANGA2324/1335 dated 09.10.2023 of the industry was obtained during visit for dispatch of 20MM material of quantity 600 CFT to Ceigall India Limited, Sri Chamkaur Sahib, which indicates the unit is being operated.

And whereas, Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District.

And whereas, the Executive Engineer, Mining, Rupnagar and Sri Anandpur Sahib, Water Resource Department vide his letter no. 9891/Crusher dated 31.10.2023 received through e-mail dated 01.11.2023 has informed that an FIR no. 06 has been registered against the unit regarding illegal mining and further matter is under investigation.

And whereas, the industry has failed to comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and with the code of practice laid down by the Government of Punjab for such units, intentionally and deliberately.

And whereas, the industry has failed to comply with the conditions imposed in the consent to operate granted to it under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, thus, violating the provisions of the said Acts.

And whereas, the industry is not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units, intentionally and deliberately.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued to the industry with an opportunity to appear in person before the Chief Environmental Engineer(P) Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road Patiala on 28.11.2023 vide Board's letter no. 8814-15 dated 17/11/2023.

And whereas, the representative of the industry attended the hearing and submitted the reply of notice in writing which was taken on record. The representative of the industry could not submit a satisfactory reply to the observations raised by the officers of the Board. It was further apprised by the Environmental Engineer that Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. The Executive Engineer, Mining, Rupnagar and Sri Anandpur Sahib, Water Resource Department vide his letter no. 9891/Crusher dated 31.10.2023 received through e-mail dated 01.11.2023 has informed that an FIR no. 06 has been registered against the unit regarding illegal mining and further matter is under investigation.

And whereas, after hearing the officer of the Board, representative of the industry and taking material facts placed by Environmental Engineer, Regional Office, Rupnagar on the record. The Chief Environmental Engineer (P) was of the view that as Hon'ble National Green Tribunal has registered an original application vide no. 624/2023 in suo moto exercise of powers on the basis of news item dated 28/09/2023 published in the Tribune titled as "Hills 'vanish' as illegal mining rampant in Beet area". The news item disclosed that on account of illegal mining Shivalik Hills as high as 200 feet in the Beet area of Garhshankar Sub Division are slowly are vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.

And whereas, a short reply has been filed on the behalf of Member Secretary, Punjab Pollution Control Board. The Hon'ble National Green Tribunal has found the report so submitted by the Board vague as it does not disclose the extent of illegal mining and also does not disclose the details of the FIRs which have been registered and the equipment which has been seized. The report is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.

And whereas, as the case is pending in the Hon'ble National Green Tribunal, action taken report is to be placed in the Hon'ble NGT before the next date of hearing i.e. 11/01/2024. Further, environmental damage has been done in the area by the stone crusher and FIR has been lodged against the stone crusher by the mining department. As damage has been caused to the environment, the Environmental Compensation is required to be imposed on the stone crusher alongwith strict action u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31- of the Air (Prevention & Control of Pollution) Act, 1981 is required to be initiated against the stone crusher.

And whereas, after hearing the officers of the Board and the representatives of the industry, the Chief Environmental Engineer (P) of the Board decided that: -

1. The stone crusher shall submit the details of the minor mineral procured alongwith weighment slip issued by mining department, material processed / crushed, electricity consumed in operation of the plant & material sold in the market w.e.f January, 2023 to till date within 07 days in the office of Environmental Engineer, Regional Office, Rupnagar.
2. The stone crusher shall submit copy of the monthly returns filed by it to the mining department from January to November, 2023 within 07 days and also shall continue this practice every month in future.
3. The stone crusher shall comply with the complete code of practice prescribed by the Board as well as observations raised by the Board during the visit to the plant, within 07 days.

4. Environmental Engineer, Regional Office, Rupnagar shall scrutinize the record to be submitted by the stone crusher as per decision sr. no 1 & 2 as well as verify the compliance of the code of practice by the unit at site and send its report / comments, within 15 days.
5. Environmental Engineer, Regional Office Rupnagar shall verify whether the stone crusher has operated by procuring the minor minerals from the approved mining site for which Environment Clearance / Consents granted by the Board in the period January-November, 2023. In case any violations / discrepancy observed in reference to mining / environmental guidelines / SOP, Regional Office shall calculate the quantum of Environmental damage caused due to the said violation / activity and send its report, within 15 days.
6. Environmental Engineer, Regional Office, Rupnagar shall also verify the compliance of the conditions of the Environment Clearance as well as consents granted under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 granted to the mining sites from where the stone crusher is procuring its minor minerals, within 15 days and send its report.
7. The stone crusher shall be reheard before the Chairman of the Board in the second week of December, 2023 by issuing notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 as well as notice to impose Environment Compensation on the unit for the operation of the stone crusher in violation of mining Rules / Environmental guidelines / SOPs.

And whereas, the proceedings were conveyed to the industry vide letter No. 9523-24 dated 13/12/2023 for compliance.

And whereas, as per the decisions no. 7 of the personal hearing held on 17/11/2023 before the Chief Environmental Engineer (P) of the Board, it has been decided to issue notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the project after affording an opportunity of personal hearing before the Chairman of the Board, due to aforesaid violations.

And whereas, the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 proposes to direct you as under:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That Environmental Compensation shall be imposed on the industry for polluting the environment.
- vi) That legal action shall be initiated against the industry and its responsible persons.
- vii) That DG sets installed by the industry shall be sealed.

And whereas, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued to the industry with an opportunity to appear in person before the Chief Environmental Engineer(P) Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala on 18/12/2023 vide Board's letter no. 9527-28 dated 13/12/2023.

And whereas, Environmental Engineer, Regional Office, Rupnagar intimated that the industry has not submitted any record for verification to comply with the decisions of the hearing before CEE(P). Further, the industry has also not submitted compliance of the code of practice / observations of the visiting officer raised during the visit of the stone crusher. She also informed that from the sources it come to know that the owner of the stone crusher has been arrested by the police department for indulging in the mining department.

And whereas, after hearing the officer of the Board and taking material facts on record, the Chairman of the Board was of the view that the stone crusher is operating its unit without compliance of the code of practice. Also, as Police department has arrested the owner of the stone crusher, establishes the fact that the stone crusher is engaged in illegal mining of the minor minerals. As damage has been caused by the stone crusher to the environment, the Environmental Compensation is required to be imposed on the stone crusher. As such, the Chairman of the Board has taken ex parte decision as under: -

1. The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be issued to the industry: -
 - i) That the industry shall take all necessary steps to close down its operations.
 - ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.

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- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- 2. The industry shall deposit Environment Compensation amounting to Rs. 18.50 lacs for violating the environmental norms, within 07 days in the office of Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.
- 3. Environmental Engineer, Regional Office, Rupnagar shall prepare remediation / utilization plan for the environment damage caused by the industry in the vicinity, within 15 days.
- 4. Environmental Engineer, Regional Office, Rupnagar shall submit its report w.r.t the decision no. 1,2 & 3 and submit its report, within 15 days.
- 5. The copy of the proceedings be also sent to the Director, Mining, Department of Water Resources, Punjab with request to impose environment compensation on the stone crusher for illegal mining as per the action plan for assessment and recovery of compensation for illegal sand mining and utilization of recovered compensation for restoration of environment prepared by CPCB in compliance to the orders of Hon'ble NGT dated 26.02.2021 in OA no. 360/2015 and CPCB directions dated 11.06.2021.

And whereas, the proceedings were conveyed to the industry vide letter no. 9858-59 dated 02/01/2024 for compliance as well as Director Mining, Department of Water Resources, Punjab vide letter no. 9859 - A dated 02/01/2024 for information and necessary action.

Now, therefore, the Competent Authority of the Board in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and after thoroughly examining the case of the stone crusher, has decided to issue following directions: -

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.

In case of failure to comply with the above said directions, the industry and the partners or any other person(s) responsible to comply with the above directions under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 & u/s 37 of the Air (Prevention and Control of Pollution) Act, 1981.

This issue with the approval of the Competent Authority of the Board.

sh
Senior Environmental Engineer (ZP-1)
for & on behalf of the
Punjab Pollution Control Board

Dated 2/1/2024

Endst. no. 9889

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar for information and ensure to make the compliance of the above said directions.

[Signature]
Senior Environmental Engineer (ZP-1)
for and on behalf of the
Punjab Pollution Control Board

ਸਿੰਗਲ ਪ੍ਰਕਾਰ ਦੇ ਕੇਸ ਲਈ, ਖੇਤਰੀ ਦਫਤਰ, ਰੂਪਨਗਰ
ਪ੍ਰਕਾਰ ਨੰ. - 1/2/3/4/5/6/7/8/9/10/11/12/13/14/15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100/101/102/103/104/105/106/107/108/109/110/111/112/113/114/115/116/117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000

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ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜ਼ੋਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



e-mail : ppcbsee_zp1@yahoo.com

Phone no. 0175-2301182

ਨੰਬਰ _____

REGISTERED

To

M/s Grewal Stone Crusher,
Village Khera Kalmot, Tehsil Nangal,
Distt. Rupnagar

Subject:

Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the stone crusher.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet / plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for discharge of effluent/ emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/air pollution control device, so as to contain the various pollutants within the standards laid down by the Board, in the effluent / emissions discharged by the industry.

And whereas, the industry was granted varied 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTOW/Renewal/RPN/2020/13040948 dated 28/07/2020 and the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/RPN/2020/13040929 dated 28/07/2020, both valid upto 30/06/2025 for crushing of river bed material @ 4000 CFT/day, subject to the conditions mentioned therein.

And whereas, the Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. Further, the news item disclosed that on account of illegal mining, Shivalik Hills as high as 200 feet in the Beet area of Garhshankar Sub Division are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.

And whereas, the case is pending in the Hon'ble National Green Tribunal and in the last hearing in the Hon'ble NGT on 11.01.2024, a list of 13 stone crushers has been submitted by the mining department, which were indulged in illegal mining. Further, Hon'ble NGT directed the Board to take action against all these 13 stone crushers for violating the environmental norms. Action taken report is to be placed in the Hon'ble NGT before the next date of hearing i.e. 11/03/2024.

And whereas, the stone crusher is in this list of 13 stone crushers indulged in the illegal mining as submitted by the mining department in the Hon'ble NGT.

And whereas, the industry was visited by the officer of Regional Office, Rupnagar on 19.01.2024 and observed that the industry is not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units laid down by the Government.

And whereas, the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 of the industry was revoked vide letter no. 122 dated 24/01/2024 & consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 of the industry was cancelled vide letter no. 120 dated 24/01/2024, due to above said violations.

And whereas, the industry was found violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 as well as code of practice for such type of units.

And whereas, the industry is not serious to comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 as well as code of practice and violating the Environmental Laws intentionally & deliberately.

And whereas, the Environmental Engineer, Regional Office, Rupnagar has reported that there are FIR registered against the stone crusher against illegal mining & mining license has been cancelled by the mining department and the industry is also not complying with the code of practice prescribed for stone crushing units. Also, Regional Office has calculated the Environment Compensation required to be imposed on the stone crusher amounting to Rs. 37,500/-.

And whereas, the Environmental damage has been done in the area by the stone crusher and FIR has been lodged against the stone crusher by the mining department. As damage has been caused to the environment, the Environmental Compensation as well as legal action against the stone crusher and its responsible partners / directors alongwith strict action u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 is required to be initiated against the stone crusher.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the industry after affording an opportunity of personal hearing, due to aforesaid violations.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 issued vide Board's letter no. 10583 dated 02/02/2024 with an opportunity to appear in person before the Chairman of the Board in his office Punjab Pollution Control Board, Vatavarn Bhawan, Nabha Road, Patiala on 13/02/2024 at 11.00 AM alongwith the following proposed directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That Environmental Compensation shall be imposed on the industry for polluting the environment.
- vi) That legal action shall be initiated against the industry and its responsible persons.
- vii) That DG sets installed by the industry shall be sealed.

And whereas, the representative of the industry attended the hearing informed that his crusher is not involved in any kind of illegal mining. Further, he requested to give some time to comply with the entire code of practice for stone crushing unit as well as provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

And whereas, after hearing the officers of the Board, facts of the record and the representative of the industry, the Chairman of the Board decided as under: -

- 1) The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed :
 - a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent/ emissions from its industrial premises or through any mode.

- c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
 - d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
 - e) That DG sets installed by the industry shall be sealed.
- 2) Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
 - 3) The industry shall deposit Environmental Compensation amounting to Rs. 37,500/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.

And whereas, the proceedings were conveyed to the industry with a copy to Regional Office, Rupnagar vide Board's letter no. 12030-31 dated 14/2/2024 for compliance.

Now, therefore, the Competent Authority of the Board in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and after thoroughly examining the case of the stone crusher, has decided to issue following directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent/ emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That DG sets installed by the industry shall be sealed.

In case of failure to comply with the above said directions, the industry and the partners or any other person(s) responsible to comply with the above directions under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 37 of the Air (Prevention and Control of Pollution) Act, 1981.

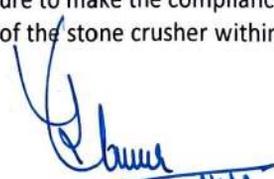
This issue with the approval of the Competent Authority of the Board.


Senior Environmental Engineer (ZP-1)
for & on behalf of the
Punjab Pollution Control Board

Endst. no. 12100

Dated 15/2/24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar for information and ensure to make the compliance of the above said directions. Further, it is requested to seal the DG set of the stone crusher within 7-days and submit compliance to this office.


Senior Environmental Engineer (ZP-1)
for and on behalf of the
Punjab Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜ਼ੋਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



LIFE
Lifestyle for
Environment

Phone no. 0175-2301182

ਨੰਬਰ _____

e-mail : ppcbsee_zp1@yahoo.com

ਮਿਤੀ _____

REGISTERED

To

M/s Kalgidhar Stone Crusher,
Village P.O. Khera Kalmot,
Tehsil Nangal, District Rupnagar.

Subject: Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981.

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the stone crusher.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet / plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for discharge of effluent / emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/air pollution control device, so as to contain the various pollutants within the standards laid down by the Board, in the effluent / emissions discharged by the industry.

And whereas, the industry was granted consent to operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 vide no. CTOW/Fresh/RPN/2023/22029971 dated 30/05/2023 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Fresh/RPN/2023/22029653 dated 30/05/2023, both valid upto 29/11/2023 for operation of Crushing of river bed material @ 4000 CFT/day, subject to the conditions mentioned therein.

And whereas, the industry was visited by the officers of the Regional Office, Rupnagar on 23.10.2023 and contacted Sh. Gurpreet Singh, Operator, representative of the industry. During visit, it was observed as under: -

1. The industry is a stone crushing unit and was not in operation due to maintenance problem.
2. It has installed 03 Jaw crushers, 03 Dry screens, 01 Rotapactor.
3. All the dust emitting points are not enclosed /covered properly.
4. Ends of conveyor belts are not covered with proper chutes.
5. Water spray system is not provided on the dust emitting points.
6. No provision for water spray on the boundary is given.
7. There is no provision to clean the approach roads.
8. The approach roads and the ramp are not metaled.
9. Green belt consisting of three rows of trees is not provided along the periphery.
10. The opening of the housing for the movement of mechanical drives are not covered with the rubber flappers.
11. The water spray system is not interlocked with main crushing operation.
12. The path between the crusher and the vehicle movement area is not paved.
13. Annual health survey report of the workers is not submitted.
14. The septic tank is provided for treatment of domestic effluent. However, same is broken and treated wastewater is discharged onto land for stagnation.
15. One submersible is installed as source of fresh water and no water meter is provided with the same.

And whereas, Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. Accordingly, an FIR against has been registered by the mining department against the violators regarding illegal mining in the area nearby the stone crusher and the matter is under the investigation.

And whereas, the industry has failed to comply with the conditions imposed in the consent to operate granted to it under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, thus, violating the provisions of the said Acts.

And whereas, the industry is not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units, intentionally and deliberately.

And whereas, the consents to operate granted to the industry under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 were revoked / cancelled vide Board's letter no. 2818 dated 28/10/2023 and vide letter No. 2820 dated 28/10/2023, respectively, due to the above said violations.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the industry after affording an opportunity of personal hearing, due to aforesaid violations.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued to the industry with an opportunity to appear in person before the Chief Environmental Engineer (P) Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala on 28.11.2023 vide Board's letter no. 8812-13 dated 17/11/2023.

And whereas, the representative of the industry attended the hearing and submitted the reply of notice in writing which was taken on record. The representative of the industry could not submit a satisfactory reply to the observations raised by the officers of the Board. It was further apprised by the Environmental Engineer that Hon'ble NGT has taken Suo Moto through O.P. No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. The Mining Department has lodged against the violators regarding illegal mining in the area nearby the stone crusher and the matter is under the investigation.

And whereas, after hearing the officer of the Board, representative of the industry and taking material facts placed by Environmental Engineer, Regional Office, Rupnagar on the record. The Chief Environmental Engineer (P) was of the view that as Hon'ble National Green Tribunal has registered an original application vide no. 624/2023 in suo moto exercise of powers on the basis of news item dated 28/09/2023 published in the Tribune titled as "Hills 'vanish' as illegal mining rampant in Beet area". The news item disclosed that on account of illegal mining Shivalik Hills as high as 200 feet in the Beet area of Garhshankar Sub Division are slowly are vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.

And whereas, a short reply has been filed on the behalf of Member Secretary, Punjab Pollution Control Board. The Hon'ble National Green Tribunal has found the report so submitted by the Board vague as it does not disclose the extent of illegal mining and also does not disclose the details of the FIRs which have been registered and the equipment which has been seized. The report is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.

And whereas, as the case is pending in the Hon'ble National Green Tribunal, action taken report is to be placed in the Hon'ble NGT before the next date of hearing i.e. 11/01/2024. Further, environmental damage has been done in the area by the stone crusher and FIR has been lodged against the stone crusher by the mining department. As damage has been caused to the environment, the Environmental Compensation is required to be imposed on the stone crusher alongwith strict action u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31- of the Air (Prevention & Control of Pollution) Act, 1981 is required to be initiated against the stone crusher.

And whereas, after hearing the officers of the Board and the representatives of the industry, the Chief Environmental Engineer (P) of the Board decided that: -

1. The stone crusher shall submit the details of the minor mineral procured alongwith weightment slip issued by mining department, material processed / crushed, electricity consumed in operation of the plant & material sold in the market w.e.f January, 2023 to till date within 07 days in the office of Environmental Engineer, Regional Office, Rupnagar.
2. The stone crusher shall submit copy of the monthly returns filed by it to the mining department from January to November, 2023 within 07 days and also shall continue this practice every month in future.
3. The stone crusher shall comply with the complete code of practice prescribed by the Board as well as observations raised by the Board during the visit to the plant, within 07 days.
4. Environmental Engineer, Regional Office, Rupnagar shall scrutinize the record to be submitted by the stone crusher as per decision sr. no 1 & 2 as well as verify the compliance of the code of practice by the unit at site and send its report / comments, within 15 days.
5. Environmental Engineer, Regional Office Rupnagar shall verify whether the stone crusher has operated by procuring the minor minerals from the approved mining site for which Environment Clearance / Consents granted by the Board in the period January-November, 2023. In case any violations / discrepancy observed in reference to mining / environmental guidelines / SOP, Regional Office shall calculate the quantum of Environmental damage caused due to the said violation / activity and send its report, within 15 days.

6. Environmental Engineer, Regional Office, Rupnagar shall also verify the compliance of the conditions of the Environment Clearance as well as consents granted under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 granted to the mining sites from where the stone crusher is procuring its minor minerals, within 15 days and send its report.

7. The stone crusher shall be reheard before the Chairman of the Board in the second week of December, 2023 by issuing notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 as well as notice to impose Environment Compensation on the unit for the operation of the stone crusher in violation of mining Rules / Environmental guidelines / SOPs.

And whereas, the proceedings were conveyed to the industry vide letter no. 9525-26 dated 13/12/2023 for compliance.

And whereas, as per the decisions no. 7 of the personal hearing held on 17/11/2023 before the Chief Environmental Engineer (P) of the Board, it has been decided to issue notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the project after affording an opportunity of personal hearing before the Chairman of the Board, due to aforesaid violations.

And whereas, the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 proposes to direct you as under:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That Environmental Compensation shall be imposed on the industry for polluting the environment.
- vi) That legal action shall be initiated against the industry and its responsible persons.
- vii) That DG sets installed by the industry shall be sealed.

And whereas, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued to the industry with an opportunity to appear in person before the Chief Environmental Engineer(P) Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala on 18/12/2023 vide Board's letter no. 9529-30 dated 13/12/2023.

And whereas, the Environmental Engineer, Regional Office, Rupnagar intimated that the industry has submitted record of the returns filed to the mining department as well as minor minerals procured / processed / electricity consumed for operation of the plant & machinery to the Regional Office. Further, on the perusal of the record, it was found that the industry has processed the minor minerals much more than the consented capacity. Further, mining department has also issued R & S form to the stone crusher showing that the industry may also indulge in illegal mining. The industry has not submitted compliance of the code of practice / observations of the visiting officer raised during the visit of the stone crusher. She informed that the Regional Office, Rupnagar has calculated Environmental Compensation (EC) as per the methodology of the CPCB and Environmental Compensation (EC) of Rs. 18.50 lacs can be imposed on the stone crusher for violating the environmental laws.

And whereas, the representatives of the industry attended the hearing informed that the industry has not carried out any illegal mining. He further informed that the industry is in process to comply with the code of practice.

And whereas, after hearing the officer of the Board, representative of the industry and taking material facts on record, the Chairman of the Board was of the view that operation of the stone crusher beyond its consented capacity by processing of minor mineral as raw material and operating without compliance of the code of practice shows it has caused environmental damage. Also, from the letters of the mining department as well as FIR lodged against the stone crusher, establishes the fact that the stone crusher is engaged in illegal mining of the minor minerals. As damage has been caused by the stone crusher to the environment, the Environmental Compensation is required to be imposed on the stone crusher. As such, it was decided as under: -

1. The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be issued to the industry:-

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜੇਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



Phone no. 0175-2301182

e-mail : ppcbsee_zp1@yahoo.com

ਨੰਬਰ _____

REGISTERED

To

M/s Bhalla Cone Crusher,
Village Bhalri, Nangal,
Tehsil, Anandpur Sahib & District Rupnagar.

Subject:

Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981.

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the stone crusher.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet / plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for discharge of effluent/ emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/air pollution control device, so as to contain the various pollutants within the standards laid down by the Board, in the effluent / emissions discharged by the industry.

And whereas, the industry was granted consent to operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 vide no. CTOW/Renewal/RPN/2022/20145454 dated 21/10/2022 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/RPN/2022/19964765 dated 21/10/2022, both valid upto 31/03/2023 for operation of Crushing, Screening & Washing of Aggregates @ 8200 CFT/day, Subject to the conditions mentioned therein.

And whereas, the industry was visited by the officers of the Regional Office, Rupnagar on 08/11/2023 and contacted Sh. Saurav, Munshi of the industry. During visit, it was observed as under:-

- 1) The industry was not in operation during visit due to maintenance work. However, same is operational.
- 2) The industry has installed 04 no. Jaw crushers, 04 no. Rotapactor, 05 no. Dry screens, 01 no. Wet screen.
- 3) The ends of conveyer belts are not covered with appropriate chutes.
- 4) The regular spray is not being done on Jaw / Roller crushers / transfer points.
- 5) The water spray is not done on boundary wall and main entrance.
- 6) The internal vehicle movement area is being water sprinkled with the help of moveable tanker.
- 7) All the approach roads and ramps are not prepared appropriately.
- 8) The waste water from the industry is being discharged into river Swan.
- 9) The arrangements have not been provided to re-circulate the wastewater
- 10) The settling tanks are not being used for treatment of wastewater.
- 11) The 900 V-Notch at the outlet of settling tank is not provided and the record of discharge is not maintained.
- 12) Appropriate green belt is not provided along the boundary of the unit. Only one side is provided with plantation.
- 13) The dust emitting points are not covered properly.
- 14) The conveyer belts are of good quality.
- 15) The approach roads are not cleaned.
- 16) The approach roads and the ramp is not metaled.
- 17) The openings of the housing are not covered with rubber flappers.
- 18) The water spray system is not interlocked with the main crushing operation.
- 19) The path between the crusher and the vehicle movement area is not paved.
- 20) The emission analysis report is not submitted by the unit.
- 21) The annual health survey of the workers is not conducted.
- 22) There is underground tank for collection of domestic effluent is provided with discharge onto land for stagnation in the plantation area.

- 23) The DG set of capacity 62.5 KVA is installed with canopy but without stack.
- 24) One tubewell is installed as source of fresh water and no water meter is provided with the same.
- 25) The Tax Invoice of the industry having no. 6668 dated 08.11.2023 is obtained for supply of stone dust at Rampura Phul indicating the operation of the unit.
- 26) There is an automobile work shop also with the unit for repair / maintenance of trucks / tippers/ earth moving machines etc. There was lot of spillage of waste / used oil in the work shop. The unit is not having 'consent to operate' / authorization of the Board to run the said work shop.

And whereas, earlier, show cause notice for violations of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 was issued to the industry by the Regional Office alongwith an opportunity of personal hearing before the Environmental Engineer, Regional Office, Rupnagar on 24/11/2023. However, the industry has failed to attend the said hearing.

And whereas, the industry has failed to comply with the conditions imposed in the consent to operate granted to it under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 and operating its unit without valid consents of the Board, thus, violating the provisions of the said Acts.

And whereas, the industry is not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units, intentionally and deliberately.

And whereas, the Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. Further, the news item disclosed that on account of illegal mining, Shivalik Hills as high as 200 feet in the Beet area of Garshankar Sub Division are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.

And whereas, the stone crusher has not given any clarification whether the material procured by the Stone crusher is from the approved Mining site or illegal mining sites. As such, it may also apprehended that the stone crusher may involve in illegal mining in the District Rupnagar.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued to the industry with an opportunity to appear in person before the Chief Environmental Engineer(P) Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala on 18/12/2023 vide Board's letter no. 9427-28 dated 11/12/2023.

And whereas, after hearing the officer of the Board, representative of the industry and material facts on the record, the Chief Environmental Engineer (P) decided as under: -

1. The stone crusher shall provide permanent pipeline alongwith sprinklers for sprinkling of water on raw material, within 07 days.
2. The stone crusher shall stabilize its roads and ramp with interlocking / antiskidding tiles, within 15 days.
3. The stone crusher shall submit copy of the monthly returns filed by it with the mining department to the PPCB every month.
4. The stone crusher shall comply with the complete code of practice prescribed by the Board as well as by CPCB and the observations raised by the Board during the visit to the plant, within 07 days.
5. The stone crusher shall ensure that all vehicles carrying minor mineral to the stone crusher must equipped with radio-frequency identification tags as well as Global Positioning System (GPS) for tracking latest by 28/02/2023 and submit compliance to the Board, in this regard.
6. The stone crusher shall ensure that the stone crusher is operated only by processing legalized minor mineral from the approved mining site for which Environmental Clearance / Consent to operate has been granted by the department of mining / department of environment, Govt. of Punjab. The stone crusher shall also certify whether the legally approved mining site falls in the plain land area / mountain area / forest area / river bed area / de-silted area or any other area as per the record of revenue / water resources / Indian Forest Act, 1927 / The Punjab Security of Land Tenures Act / master plan of the area as notified by department of Town & Country Planning.
7. The stone crusher shall submit a bank guarantee amounting to Rs. 2.0 lacs, within 07 days, as an assurance to comply with the Environment laws.

8. The Environmental Engineer, Regional Office, Rupnagar shall keep vigil whether the stone crusher is operating by procuring the minor minerals from the approved mining site for which Environment Clearance / Consents granted by the Board. It shall also be certified by Regional Office as whether the legally approved mining site falls in the plain land area / mountain area / forest area / river bed area / de-silted area or any other area as per the record of revenue / water resources / Indian Forest Act, 1927 / The Punjab Security of Land Tenures Act / master plan of the area as notified by department of Town & Country Planning. In case any violations / discrepancy observed in reference to mining / environmental guidelines / SOP, Regional Office shall calculate the quantum of Environmental damage caused due to the said violation / activity and also check the details of FIR filled (If any) and the equipment / vehicles seized of the stone crusher for any illegal mining and send its report, within 10 days.

And whereas, the proceedings were conveyed to the industry vide Board's letter no. 10114-15 dated 10/01/2024.

And whereas, the case is pending in the Hon'ble National Green Tribunal and in the last hearing in the Hon'ble NGT on 11.01.2024, a list of 13 stone crushers has been submitted by the mining department, which were indulged in illegal mining. Further, Hon'ble NGT directed the Board to take action against all these 13 stone crushers for violating the environmental norms. Action taken report is to be placed in the Hon'ble NGT before the next date of hearing i.e. 11.03.2024.

And whereas, the stone crusher is in this list of 13 stone crushers indulged in the illegal mining as submitted by the mining department in the Hon'ble NGT.

And whereas, the Environmental Engineer, Regional Office, Rupnagar has reported that the industry has not submitted the compliance of the decisions of the personal hearing given to it by the Chief Environmental Engineer (P) on 18.12.2023 as well as has not deposited the bank guarantee amounting to Rs. 2.0 lacs in compliance of the decision of the personal hearing so far. Also, XEN, Mining vide his letter no. 768 dated 19.01.2024, received through e-mail dated 19.01.2024 has intimated that the registration of the unit has been cancelled due to indulgence into illegal mining activities. Further, there are FIRs against the unit bearing no. 138 dated 12.09.2022 and no. 144 dated 26.09.2023 regarding illegal mining activities. Also, Regional Office has calculated the Environment Compensation required to be imposed on the stone crusher amounting to Rs. 18,56,250/-.

And whereas, the industry is not serious to comply with the decisions of the personal hearing, provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and violating the Environmental Laws intentionally & deliberately.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the industry after affording an opportunity of personal hearing, due to aforesaid violations.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 issued vide Board's letter no. 10575 dated 02/02/2024 with an opportunity to appear in person before the Chairman of the Board in his office Punjab Pollution Control Board, Vatavarn Bhawan, Nabha Road, Patiala on 13/02/2024 at 11.00 AM alongwith the following proposed directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That Environmental Compensation shall be imposed on the industry for polluting the environment.
- vi) That legal action shall be initiated against the industry and its responsible persons.
- vii) That DG sets installed by the industry shall be sealed.

The representative of the industry attended the hearing informed that his crusher is not involved in any kind of illegal mining on hills as it has sufficient stock in its premises. Further, he requested to give some time to comply with the entire code of practice for stone crushing unit. The

representative of the industry has submitted written reply during the hearing, which was taken on record.

And whereas, after hearing the officers of the Board, facts of the record and the representative of the industry, the Chairman of the Board decided as under: -

- 1) The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed:
 - a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
 - c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
 - d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
 - e) That DG sets installed by the industry shall be sealed.
- 2) Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
- 3) The industry shall deposit Environmental Compensation amounting to Rs.18,56,250/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.

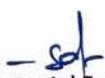
And whereas, the proceedings were conveyed to the industry with a copy to Regional Office, Rupnagar vide Board's letter no. 12011-12 dated 14/2/2024 for compliance.

Now, therefore, the Competent Authority of the Board in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and after thoroughly examining the case of the stone crusher, has decided to issue following directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That DG sets installed by the industry shall be sealed.

In case of failure to comply with the above said directions, the industry and the partners or any other person(s) responsible to comply with the above directions under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 37 of the Air (Prevention and Control of Pollution) Act, 1981.

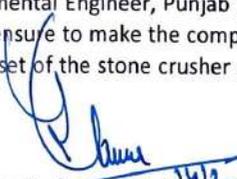
This issue with the approval of the Competent Authority of the Board.


Senior Environmental Engineer (ZP-1)
for & on behalf of the
Punjab Pollution Control Board

Endst. no. 12128

Dated 15-2-24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar for information and to ensure to make the compliance of the above said directions. Further, it is requested to seal the DG set of the stone crusher within 7-days and submit compliance to this office.


Senior Environmental Engineer (ZP-1)
for and on behalf of the
Punjab Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜ਼ੋਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



LIFE
Lifestyle for
Environment

Phone no. 0175-2301182

e-mail : ppcbsee_zp1@yahoo.com

ਨੰਬਰ _____

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਖੇਤਰੀ ਦਫਤਰ, ਰੂਪਨਗਰ

ਸ਼ਾਖਾ: ਮਿੱਠ, -1/2/3/ਸੀ. ਸਾਹ / ਜੁਨੀ. ਸਾਹ / ਕਲਰਕ

REGISTERED

ਨਾਈ ਡਾਕ

To

M/s Bharat Stone Crusher,
Village Plata, Anandpur Sahib,
Distt. Rupnagar

Subject:

Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the stone crusher.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet / plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for discharge of effluent/ emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/air pollution control device, so as to contain the various pollutants within the standards laid down by the Board, in the effluent / emissions discharged by the industry.

And whereas, the industry was granted varied 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTOW/Fresh/RPN/2023/20820912 dated 24.01.2023 and the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Fresh/RPN/2023/20820904 dated 24.01.2023, both valid upto 30/09/2023 for crushing, screening and washing of river bed material @ 3000 CFT/day, subject to the conditions mentioned therein.

And whereas, the industry has got its 'consent to operate' Auto-Renewed under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTO/Renewal/RPN/2023/23998022 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTO/Renewal/RPN/2023/23997997 dated 23.10.2023, both valid upto 23.10.2028, subject to the conditions mentioned therein.

And whereas, the Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. Further, the news item disclosed that on account of illegal mining, Shivalik Hills as high as 200 feet in the Beet area of Garshankar Sub Division are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.

And whereas, the case is pending in the Hon'ble National Green Tribunal and in the last hearing in the Hon'ble NGT on 11.01.2024, a list of 13 stone crushers has been submitted by the mining department, which were indulged in illegal mining. Further, Hon'ble NGT directed the Board to take action against all these 13 stone crushers for violating the environmental norms. Action taken report is to be placed in the Hon'ble NGT before the next date of hearing i.e. 11/03/2024.

And whereas, the stone crusher is in this list of 13 stone crushers indulged in the illegal mining as submitted by the mining department in the Hon'ble NGT.

And whereas, the industry was visited by the officers of the Regional Office, Rupnagar on 24.01.2024 and observed that the industry is not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units laid down by the Government as well as involved in illegal mining.

And whereas, the industry was found violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 as well as code of practice for such type of units. Further, the industry has got its 'consent to operate' Auto-Renewed by filing the wrong/ false information / documents.

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And whereas, the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 of the industry was revoked vide letter no. 135 dated 25/01/2024 & consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 of the industry was cancelled vide letter no. 133 dated 25/01/2024, due to above said violations.

And whereas, the the industry is not serious to comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 as well as code of practice and violating the Environmental Laws intentionally & deliberately.

And whereas, the Environmental Engineer, Regional Office, Rupnagar has reported that there are FIRs registered against the stone crusher against illegal mining and also not complying with the code of practice prescribed for stone crushing units. Also, Regional Office has calculated the Environment Compensation required to be imposed on the stone crusher amounting to Rs. 5,93,750/-.

And whereas, the Environmental damage has been done in the area by the stone crusher and FIR has been lodged against the stone crusher by the mining department. As damage has been caused to the environment, the Environmental Compensation as well as legal action against the stone crusher and its responsible partners/ directors alongwith strict action u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 is required to be initiated against the stone crusher.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the industry after affording an opportunity of personal hearing, due to aforesaid violations.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued with an opportunity to appear in person before the Chairman of the Board in his office Punjab Pollution Control Board, Vatavarn Bhawan, Nabha Road, Patiala on 13/02/2024 at 11.00 AM vide Board's letter no. 10587 dated 02/02/2024 alongwith the following proposed directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That Environmental Compensation shall be imposed on the industry for polluting the environment.
- vi) That legal action shall be initiated against the industry and its responsible persons.
- vii) That DG sets installed by the industry shall be sealed.

And whereas, the representative of the industry attended the hearing informed that his crusher is not involved in any kind of illegal mining. Further, he requested to give some time to comply with the entire code of practice for stone crushing unit as well as provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

And whereas, after hearing the officers of the Board, facts of the record and the representative of the industry, the Chairman of the Board decided as under: -

- 1) The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed :
 - a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
 - c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.

- d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- e) That DG sets installed by the industry shall be sealed.
- 2) Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
- 3) The industry shall deposit Environmental Compensation amounting to Rs. 5,93,750/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.
- And whereas, the proceedings were conveyed to the industry with a copy to Regional Office, Rupnagar vide Board's letter no. 12038-39 dated 14/2/2024 for compliance.

Now, therefore, the Competent Authority of the Board in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and after thoroughly examining the case of the stone crusher, has decided to issue following directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent/ emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That DG sets installed by the industry shall be sealed.

In case of failure to comply with the above said directions, the industry and the partners or any other person(s) responsible to comply with the above directions under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 37 of the Air (Prevention and Control of Pollution) Act, 1981.

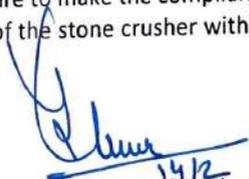
This issue with the approval of the Competent Authority of the Board.


Senior Environmental Engineer (ZP-1)
for & on behalf of the
Punjab Pollution Control Board

Endst. no. 12140

Dated 15-2-24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar for information and ensure to make the compliance of the above said directions. Further, it is requested to seal the DG set of the stone crusher within 7-days and submit compliance to this office.


Senior Environmental Engineer (ZP-1)
for and on behalf of the
Punjab Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜੇਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



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Phone no. 0175-2301182

e-mail : ppchsee_zp1@yahoo.com

ਨੰਬਰ _____

REGISTERED

To

M/s Sai Stone Crusher,
Village Swara,
Tehsil Anandpur Sahib, District Rupnagar

Subject:

Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the stone crusher.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet / plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for discharge of effluent/ emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/ air pollution control device, so as to contain the various pollutants within the standards laid down by the Board, in the effluent / emissions discharged by the industry.

And whereas, the industry was granted 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTOW/Renewal/RPN/2021/16773195 dated 25/10/2021 & the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/RPN/2021/16773050 dated 25/10/2021, both valid upto 30/09/2023 for Crushing, Screening, washing of river bed material @ 9,000 CFT/day, subject to the conditions mentioned therein.

And whereas, the industry was visited by the officers of the Regional Office, Rupnagar on 10.08.2023 and contacted Sh. Parveen Kumar, Munshi of the industry. During visit, it was observed as under:

1. The industry is a stone crushing – cum – screening and washing unit and was not in operation.
2. It has installed 03 Jaw crushers, 01 Dry screens, 02 Rotapactor, 01 Wet screen.
3. All the dust emitting points are not enclosed /covered properly.
4. Water spray system is not provided on the boundary wall and main entrance as per requirement.
5. Green belt consisting of three rows of trees is not provided along the periphery. Only one side is provided with the plantation.
6. Regular spray is not being done on all the dust emitting points like jaw / roller crushers.
7. Conveyor belts of good quality are provided for crushing system. However, on washing system side conveyor belt is not having good quality.
8. Ends of conveyor belts are not covered with proper chutes.
9. Water sprinkling system is not provided on berm of ramp and approach road to keep these wet.
10. The approach roads and ramps are of appropriate material duly compacted.
11. Settling tanks are not observed.
12. No provisions observed to discharge wastewater into surface water.
13. Annual health survey of the workers is not conducted.
14. No treatment of domestic effluent is provided.
15. One tubewell is installed as source of fresh water and no water meter is provided with the same.

And whereas, the industry was found violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 as well as code of practice for such type of units.

And whereas, the show cause notice for revocation / cancellation of the consents to operate granted to the industry under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 was issued vide Board's letter no. 2246-47 dated 28/08/2023 alongwith the opportunity of personal hearing before the Environmental Engineer, Regional Office, Rupnagar on 08/09/2023. After the hearing, it was decided as under: -

1. The industry shall not operate its unit without obtaining 'consent to operate' of the Board and complying with the code of practice laid down by the Board for such units.
2. It is hereby made clear that if the industry found in operation without obtaining 'consent to operate' of the Board further action shall be taken against it as per Law / Act without affording any further opportunity of show cause or personal hearing.

And whereas, the proceedings of the personal hearing were conveyed to the industry vide Board's letter no. 2844 dated 31/10/2023.

And whereas, the industry has got its 'consent to operate' Auto-Renewed under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 vide dated 04.11.2023, both valid upto 04.11.2028.

And whereas, the industry was visited by the officers of the Regional Office, Rupnagar on 20.12.2023 and contacted Sh. Anuj Saini, Chowkidar of the industry as no other responsible person was available there. During visit, it was observed as under: -

1. The industry is a stone crushing – cum – screening and washing unit and was not in operation.
2. It has installed 03 Jaw crushers, 01 Dry screens, 02 Rotapactor, 01 Wet screen.
3. All the dust emitting points are not enclosed /covered properly.
5. Appropriate chutes at the end of conveyor belt are not provided.
6. Water spray is not provided at the dust emitting machinery / points.
7. The approach roads and ramps are of appropriate material duly compacted. However, these are in very bad conditions.
8. Settling tanks are not provided.
9. There is provision to discharge wastewater into surface water.
10. No treated wastewater recirculation system is provided.
11. Water sprinkling system is not provided on berm of ramp, approach road and boundary wall to keep these wet.
12. Green belt consisting of three rows of trees is not provided along the periphery. Only one side is provided with the plantation.
13. Annual health survey of the workers is not conducted.
14. No treatment of domestic effluent is provided and same is disposed of in open atmosphere without treatment.
15. One tubewell is installed as source of fresh water and no water meter is provided with the same.

And whereas, the industry has still not attended the observations as raised by the Board during previous visit and has got its 'consent to operate' Auto-Renewed by filling wrong information/ self-declaration.

And whereas, the Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. Further, the news item disclosed that on account of illegal mining, Shivalik Hills as high as 200 feet in the Beet area of Garhshankar Sub Division are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.



And whereas, the case is pending in the Hon'ble National Green Tribunal and in the last hearing in the Hon'ble NGT on 11.01.2024, a list of 13 stone crushers has been submitted by the mining department, which were indulged in illegal mining. Further, Hon'ble NGT directed the Board to take action against all these 13 stone crushers for violating the environmental norms. Action taken report is to be placed in the Hon'ble NGT before the next date of hearing i.e. 11/03/2024.

And whereas, the stone crusher is in this list of 13 stone crushers indulged in the illegal mining as submitted by the mining department in the Hon'ble NGT.

And whereas, the Environmental Engineer, Regional Office, Rupnagar has reported that there are FIRs no. 99 dated 09.08.2022 and 181 dated 28.12.2022 registered against the owners of stone crushers against illegal mining and also not complying with the code of practice prescribed for stone crushing units. Further, the industry has got its 'consent to operate' Auto-Renewed by filling wrong information/ self-declaration. Further, Environmental Engineer, Regional Office has calculated the Environmental Compensation required to be imposed on the stone crusher to the tune of Rs. 11,75,000/- for violating the environmental norms.

And whereas, the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 of the industry was revoked vide letter no. 88 dated 18/01/2024 & consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 of the industry was cancelled vide letter no. 90 dated 18/01/2024, due to above said violations.

And whereas, the industry is not serious to comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 as well as code of practice and violating the Environmental Laws intentionally & deliberately.

And whereas, the Environmental damage has been done in the area by the stone crusher and FIR has been lodged against the stone crusher by the mining department. As damage has been caused to the environment, the Environmental Compensation as well as legal action against the stone crusher and its responsible partners / directors alongwith strict action u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 is required to be initiated against the stone crusher.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the industry after affording an opportunity of personal hearing, due to aforesaid violations.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 issued vide Board's letter no. 10595 dated 02/02/2024 with an opportunity to appear in person before the Chairman of the Board in his office Punjab Pollution Control Board, Vatavarn Bhawan, Nabha Road, Patiala on 13/02/2024 at 11.00 AM alongwith the following directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That Environmental Compensation shall be imposed on the industry for polluting the environment.
- vi) That legal action shall be initiated against the industry and its responsible persons.
- vii) That DG sets installed by the industry shall be sealed.

And whereas, however, the industry has failed to attend the hearing on the said date and time.

And whereas, after hearing the officers of the Board, facts of the record, the Chairman of the Board has taken the following ex-parte decisions: -

- 1) The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed:
 - a) That the industry shall take all necessary steps to close down its operations.

- b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
 - c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
 - d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
 - e) That DG sets installed by the industry shall be sealed.
- 2) Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
 - 3) The industry shall deposit Environmental Compensation amounting to Rs. 11,75,000/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.

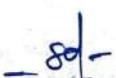
And whereas, the proceedings were conveyed to the industry with a copy to Regional Office, Rupnagar vide Board's letter no. 12028-29 dated 14/2/2024 for compliance.

Now, therefore, the Competent Authority of the Board in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and after thoroughly examining the case of the stone crusher, has decided to issue following directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent/ emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That DG sets installed by the industry shall be sealed.

In case of failure to comply with the above said directions, the industry and the partners or any other person(s) responsible to comply with the above directions under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 37 of the Air (Prevention and Control of Pollution) Act, 1981.

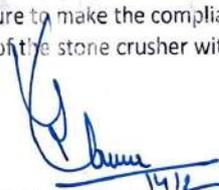
This issue with the approval of the Competent Authority of the Board.


Senior Environmental Engineer (ZP-1)
for & on behalf of the
Punjab Pollution Control Board

Endst. no. 12196

Dated 15-2-24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar for information and ensure to make the compliance of the above said directions. Further, it is requested to seal the DG set of the stone crusher within 7-days and submit compliance to this office.


Senior Environmental Engineer (ZP-1)
for and on behalf of the
Punjab Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜ਼ੋਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



Phone no. 0175-2301182

ਨੰਬਰ _____

REGISTERED

e-mail : ppcbsee_zp1@yahoo.com

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਜ਼ੋਨਲ ਦਫਤਰ, ਪਟਿਆਲਾ
ਸ.ਵਾਤਾਵਰਣ-1/2/3/4/5/6/7/8/9/10/11/12/13/14/15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100

To

M/s A.S Brar Stone Crusher,
Village Agampur,
Tehsil Anandpur Sahib, District Rupnagar.

Subject:

Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the stone crusher.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet / plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for discharge of effluent/ emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/air pollution control device, so as to contain the various pollutants within the standards laid down by the Board, in the effluent / emissions discharged by the industry.

And whereas, the industry was granted consent to operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 vide no. CTOW/Renewal/RPN/2021/13918740 dated 06/01/2021 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/RPN/2021/13917920 dated 06/01/2021, both valid upto 30/09/2023 for operation of Crushing, Screening and Washing of Aggregates @ 6000 CFT/Day, subject to the conditions mentioned therein.

And whereas, the consents to operate granted to the industry were revoked / cancelled vide Board's letter no. 3971 dated 28.10.2022, due to the certain violations.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 was issued to the industry vide Board's letter no. 1549-50 dated 03/03/2023 alongwith opportunity of personal hearing before the Chief Environmental Engineer (P) on 13/03/2023. After hearing it was decided as under:

1. The industry shall submit a bank guarantee amounting to Rs. 50,000/- as an assurance to comply with the environmental laws within 7 days.
2. The Environmental Engineer shall encash the above said bank guarantee immediately after the receipt of the same.
3. The industry shall comply with code of practice as prescribed by the Board in toto, within 15 days.
4. The industry shall apply for obtaining consent to operate of the Board under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 within 15 days.
5. The Environmental Engineer, Regional Office, Rupnagar shall visit the industry to verify the contentions of the representative of the industry as well as to process consent applications to be applied by the industry immediately after 15 days.
6. Further action shall be taken after receipt of report / recommendations from the Regional Office.

And whereas, the proceedings were conveyed to the industry vide Board's letter no. 1941 dated 24/03/2023.

And whereas, in compliance of the decisions of the personal hearing, the industry has submitted bank guarantee amounting to Rs. 50,000/- which was encashed by the Regional Office.

And whereas, the industry was visited by the officers of the Regional Office, Rupnagar on 30/08/2023 and contacted Sh. Kewal Ram, Munshi of the industry. During visit, it was observed as under:-

- 1) The industry has installed 02 Jaw crushers, 02 Dry screens, 02 Rotapactor, 01 Wet screen.
- 2) All the dust emitting points are not enclosed / covered properly.
- 3) The ends of conveyer belts are not provided with proper chutes.
- 4) The regular spray is not being done on Jaw / Roller crushers.
- 5) The water spray is not done only boundary wall and main entrance.
- 6) All the approach roads and ramps are not as per guidelines and are in very bad conditions.
- 7) The settling tanks are provided but size are not appropriate. Further, these were filled with silt and depth could not be verified.
- 8) No provision observed to discharge the wastewater into inland surface water.
- 9) No arrangements have been provided to re-circulate the treated wastewater in the washing process or for sprinkling purpose.
- 10) The settling tank is not maintained properly.
- 11) The V-Notch at the outlet of settling tank is not provided.
- 12) The fine material / silt produced in the settling tank is used for land filling.
- 13) Appropriate green belt consisting of three rows of trees is not provided along the periphery.
- 14) The representative of the industry informed that there is underground tank for treatment of domestic effluent. However, no outlet is observed with the said system.
- 15) DG set of unknown capacity with inadequate stack.
- 16) The representative of the industry informed that the unit is being operated for 5 to 6 hours/ day.
- 17) The tubewell is installed as source of fresh water but no water meter provided with the same.

And whereas, the industry has failed to comply with the conditions imposed in the consent to operate granted to it under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 as well as violating the code of practice prescribed for such units, thus, violating the provisions of the said Acts.

And whereas, the industry is operating its unit without valid consents of the Board under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981, failed to provide adequate pollution control arrangements for water and air pollution. Thus, violating the provisions of the said acts and polluting the environment willfully and deliberately.

And whereas, the Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. Further, the news item disclosed that on account of illegal mining, Shivalik Hills as high as 200 feet in the Beet area of Garshankar Sub Division are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.

And whereas, the stone crusher has not given any clarification whether the material procured by the Stone crusher is from the approved Mining site or illegal mining sites. As such, it may also apprehended that the stone crusher may involve in illegal mining in the District Rupnagar.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued to the industry with an opportunity to appear in person before the Chief Environmental Engineer(P) Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala on 18/12/2023 vide Board's letter no. 9479-80 dated 12/12/2023.

And whereas, after hearing the officer of the Board, representative of the industry and material facts on the record, the Chief Environmental Engineer (P) decided as under: -

1. The stone crusher shall provide permanent pipeline alongwith sprinklers for sprinkling of water on raw material, within 07 days.

2. The stone crusher shall stabilize its roads and ramp with interlocking / antiskidding tiles, within 15 days.
3. The stone crusher shall submit copy of the monthly returns filed by it with the mining department to the PPCB every month.
4. The stone crusher shall comply with the complete code of practice prescribed by the Board as well as by CPCB and the observations raised by the Board during the visit to the plant, within 07 days.
5. The stone crusher shall ensure that all vehicles carrying minor mineral to the stone crusher must be equipped with radio-frequency identification tags as well as Global Positioning System (GPS) for tracking latest by 28/02/2023 and submit compliance to the Board, in this regard.
6. The stone crusher shall ensure that the stone crusher is operated only by processing legalized minor mineral from the approved mining site for which Environmental Clearance / Consent to operate has been granted by the department of mining / department of environment, Govt. of Punjab. The stone crusher shall also certify whether the legally approved mining site falls in the plain land area / mountain area / forest area / river bed area / de-silted area or any other area as per the record of revenue / water resources / Indian Forest Act, 1927 / The Punjab Security of Land Tenures Act / master plan of the area as notified by department of Town & Country Planning.
7. The stone crusher shall submit a bank guarantee amounting to Rs. 2.0 lacs, within 07 days, as an assurance to comply with the Environment laws.
8. The Environmental Engineer, Regional Office, Rupnagar shall keep vigil whether the stone crusher is operating by procuring the minor minerals from the approved mining site for which Environmental Clearance / Consents granted by the Board. It shall also be certified by Regional Office as whether the legally approved mining site falls in the plain land area / mountain area / forest area / river bed area / de-silted area or any other area as per the record of revenue / water resources / Indian Forest Act, 1927 / The Punjab Security of Land Tenures Act / master plan of the area as notified by department of Town & Country Planning. In case any violations / discrepancy observed in reference to mining / environmental guidelines / SOP, Regional Office shall calculate the quantum of Environmental damage caused due to the said violation / activity and also check the details of FIR filled (If any) and the equipment / vehicles seized of the stone crusher for any illegal mining and send its report, within 10 days.

And whereas, the proceedings were conveyed to the industry vide Board's letter no. 9999 dated 08/01/2024.

And whereas, the case is pending in the Hon'ble National Green Tribunal and in the last hearing in the Hon'ble NGT on 11.01.2024, a list of 13 stone crushers has been submitted by the mining department, which were indulged in illegal mining. Further, Hon'ble NGT directed the Board to take action against all these 13 stone crushers for violating the environmental norms. Action taken report is to be placed in the Hon'ble NGT before the next date of hearing i.e. 11.03.2024.

And whereas, the stone crusher is in this list of 13 stone crushers indulged in the illegal mining as submitted by the mining department in the Hon'ble NGT.

And whereas, the Environmental Engineer, Regional Office, Rupnagar has reported that the industry has not submitted the compliance of the decisions of the personal hearing given to it by the Chief Environmental Engineer (P) on 18.12.2023 as well as has not deposited the bank guarantee amounting to Rs. 2.0 lacs in compliance of the decision of the personal hearing so far. Also, XEN, Mining vide his letter no. 768 dated 19.01.2024, received through e-mail dated 19.01.2024 has intimated that the registration of the unit has been cancelled due to indulgence into illegal mining activities. Further, there are FIRs against the unit bearing no. 34 dated 19.04.2022 and no. 63 dated 19.05.2023 regarding illegal mining activities. Also, Regional Office has calculated the Environment Compensation required to be imposed on the stone crusher amounting to Rs. 32,43,750/-.

And whereas, the industry is not serious to comply with the decisions of the personal hearing, provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and violating the Environmental Laws intentionally & deliberately.

And whereas, the Environmental damage has been done in the area by the stone crusher and FIR has been lodged against the stone crusher by the mining department. As damage has been caused to the environment, the Environmental Compensation as well as legal action against the stone crusher and its responsible partners / directors alongwith strict action u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 is required to be initiated against the stone crusher.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the industry after affording an opportunity of personal hearing, due to aforesaid violations.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 issued vide Board's letter no. 10579 dated 02/02/2024 with an opportunity to appear in person before the Chairman of the Board in his office Punjab Pollution Control Board, Vatavarn Bhawan, Nabha Road, Patiala on 13/02/2024 at 11.00 AM alongwith the following directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That Environmental Compensation shall be imposed on the industry for polluting the environment.
- vi) That legal action shall be initiated against the industry and its responsible persons.
- vii) That DG sets installed by the industry shall be sealed.

And whereas, the representative of the industry attended the hearing informed that the crusher is in process to comply with the observations of the visiting officer of the Board and requested to give some time to comply with the entire code of practice for stone crushing unit as well as provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981. The representative of the industry has also submitted written reply during the hearing, which was taken on record.

And whereas, after hearing the officers of the Board, facts of the record and the representative of the industry, the Chairman of the Board decided as under: -

- 1) The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed :
 - a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
 - c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
 - d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
 - e) That DG sets installed by the industry shall be sealed.
- 2) Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
- 3) The industry shall deposit Environmental Compensation amounting to Rs. 32,43,750/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.

And whereas, the proceedings were conveyed to the industry with a copy to Regional Office, Rupnagar vide Board's letter no. 12004-05 dated 14/2/2024 for compliance.

Now, therefore, the Competent Authority of the Board in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and after thoroughly examining the case of the stone crusher, has decided to issue following directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent/ emissions from its industrial premises or through any mode.

- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That DG sets installed by the industry shall be sealed.

In case of failure to comply with the above said directions, the industry and the partners or any other person(s) responsible to comply with the above directions under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 37 of the Air (Prevention and Control of Pollution) Act, 1981.

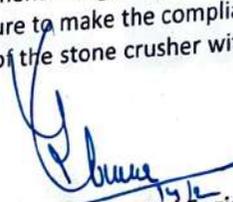
This issue with the approval of the Competent Authority of the Board.

-sd/-
 Senior Environmental Engineer (ZP-1)
 for & on behalf of the
 Punjab Pollution Control Board

Dated 15-2-24

Endst. no. 12112

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar for information and ensure to make the compliance of the above said directions. Further, it is requested to seal the DG set of the stone crusher within 7-days and submit compliance to this office.


 Senior Environmental Engineer (ZP-1)
 for and on behalf of the
 Punjab Pollution Control Board



Phone no. 0175-2301182

ਨਿਬਰ

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜੇਨਲ ਦਫ਼ਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



e-mail : ppchsee_zp1@yahoo.com

REGISTERED

To

M/s Puri Stone Crusher,
VPO Plata, Tehsil Anandpur Sahib,
Distt. Rupnagar

Subject:

Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the stone crusher.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet / plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for discharge of effluent/ emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/air pollution control device, so as to contain the various pollutants within the standards laid down by the Board, in the effluent / emissions discharged by the industry.

And whereas, the industry was granted varied 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTO/Renewal/RPN/2021/14393942 dated 01/02/2021 valid upto 30/09/2023 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/RPN/2021/14393859 dated 01/02/2021 valid upto 30/09/2023 for screening and washing of river bed material @ 4000 CFT/day, subject to the conditions mentioned therein.

And whereas, the 'consent to operate' were revoked / cancelled by the Board vide no. 954 dated 26.04.2022, because it had failed to submit the mining certificate in compliance to the decision of personal hearing dated 31.08.2021.

And whereas, the industry has got its 'consent to operate' Auto-Renewed under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTO/Renewal/RPN/2023/24154829 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTO/Renewal/RPN/2023/24154808 dated 09.11.2023 valid upto 09.11.2028, subject to the conditions mentioned therein.

And whereas, the Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. Further, the news item disclosed that on account of illegal mining, Shivalik Hills as high as 200 feet in the Beet area of Garhshankar Sub Division are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.

And whereas, the case is pending in the Hon'ble National Green Tribunal and in the last hearing in the Hon'ble NGT on 11.01.2024, a list of 13 stone crushers has been submitted by the mining department, which were indulged in illegal mining. Further, Hon'ble NGT directed the Board to take action against all these 13 stone crushers for violating the environmental norms. Action taken report is to be placed in the Hon'ble NGT before the next date of hearing i.e. 11/03/2024.

And whereas, the stone crusher is in this list of 13 stone crushers indulged in the illegal mining as submitted by the mining department in the Hon'ble NGT.

And whereas, the industry was visited by the officer of the Regional Office, Rupnagar on 19.01.2024 and observed that the industry is not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units laid down by the Government.

And whereas, the industry was found violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 as well as code of practice for such type of units. Further, the industry has got its 'consent to operate' Auto-Renewed by filing the wrong/ false information / documents.

And whereas, the consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 of the industry was revoked vide letter no. 124 dated 24/01/2024 & consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 of the industry was cancelled vide letter no. 126 dated 24/01/2024, due to above said violations.

And whereas, the industry is not serious to comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 as well as code of practice and violating the Environmental Laws intentionally & deliberately.

And whereas, the Environmental Engineer, Regional Office, Rupnagar has reported that there are FIR registered against the stone crusher against illegal mining and also not complying with the code of practice prescribed for stone crushing units. Also, Regional Office has calculated the Environment Compensation required to be imposed on the stone crusher amounting to Rs. 54,75,000/-.

And whereas, the Environmental damage has been done in the area by the stone crusher and FIR has been lodged against the stone crusher by the mining department. As damage has been caused to the environment, the Environmental Compensation as well as legal action against the stone crusher and its responsible partners / directors alongwith strict action u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 is required to be initiated against the stone crusher.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the industry after affording an opportunity of personal hearing, due to aforesaid violations.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued with an opportunity to appear in person before the Chairman of the Board in his office Punjab Pollution Control Board, Vatavarn Bhawan, Nabha Road, Patiala on 13/02/2024 at 11.00 AM vide Board's letter no. 10585 dated 02/02/2024 alongwith the following proposed directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That Environmental Compensation shall be imposed on the industry for polluting the environment.
- vi) That legal action shall be initiated against the industry and its responsible persons.
- vii) That DG sets installed by the industry shall be sealed.

And whereas, the representative of the industry attended the hearing informed that his crusher is not involved in any kind of illegal mining. Further, he requested to give some time to comply with the entire code of practice for stone crushing unit as well as provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981. The written reply submitted by the industry during the hearing was taken on record.

And whereas, after hearing the officers of the Board, facts of the record and the representative of the industry, the Chairman of the Board decided as under: -

- 1) The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed :
 - a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.

- c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
 - d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
 - e) That DG sets installed by the industry shall be sealed.
- 2) Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.
 - 3) The industry shall deposit Environmental Compensation amounting to Rs. 54,75,000/- for violating the environmental norms, within 7 days in the office of the Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.

And whereas, the proceedings were conveyed to the industry with a copy to Regional Office, Rupnagar vide Board's letter no. 12036-37 dated 14/2/2024 for compliance.

Now, therefore, the Competent Authority of the Board in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and after thoroughly examining the case of the stone crusher, has decided to issue following directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent/ emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That DG sets installed by the industry shall be sealed.

In case of failure to comply with the above said directions, the industry and the partners or any other person(s) responsible to comply with the above directions under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 37 of the Air (Prevention and Control of Pollution) Act, 1981.

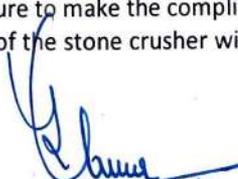
This issue with the approval of the Competent Authority of the Board.

-sd-
Senior Environmental Engineer (ZP-1)
for & on behalf of the
Punjab Pollution Control Board

Endst. no. 12071

Dated 15/2/24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar for information and ensure to make the compliance of the above said directions. Further, it is requested to seal the DG set of the stone crusher within 7-days and submit compliance to this office.


Senior Environmental Engineer (ZP-1)
for and on behalf of the
Punjab Pollution Control Board



Phone no. 0175-2301182

ਨੰਬਰ _____

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜ਼ੋਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



LiFE
Lifestyle for
Environment

e-mail : ppcbsee_zp1@yahoo.com

ਮਿਤੀ _____

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To

REGISTERED

M/s New Satluj Stone Crusher Unit-1,
VPO Nangran, Anadpur Sahib,
Rupnagar.

Subject:

Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981.

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the stone crusher.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet / plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for discharge of effluent / emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/air pollution control device, so as to contain the various pollutants within the standards laid down by the Board, in the effluent / emissions discharged by the industry.

And whereas, the industry was granted consent to operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 vide no. CTOW/Fresh/RPN/2023/21229657 dated 28/03/2023 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Fresh/RPN/2023/21229666 dated 28/03/2023, both valid upto 30/09/2024 for operation of Crushing of river bed material @ 4700 CFT/day, subject to the conditions mentioned therein.

And whereas, the industry was visited by the officers of the Regional Office, Rupnagar on 09.10.2023 and contacted Sh. Narinder Pal (Supervisor), representative of the industry. During visit, it was observed as under:-

- 1) The industry is a stone crushing unit and is operational. However, it was not in operation during visit due to maintenance problem.
- 2) It has installed 02 Jaw crushers, 03 Dry screens, 02 Rotapactors.
- 3) The metallic display board with information is not provided.
- 4) All the dust emitting points are not enclosed /covered properly.
- 5) The conveyor belts of good quality are provided.
- 6) Ends of conveyor belts are not covered with proper chutes.
- 7) Water spray system is not provided on the dust emitting points.
- 8) No provision for water spray on the boundary is given.
- 9) There is no provision to clean the approach roads.
- 10) The approach roads and the ramp are not metallic.
- 11) Green belt consisting of three rows of trees is not provided along the periphery. Only staggered plants are provided.
- 12) The opening of the housing for the movement of mechanical drives are not covered with the rubber flappers.
- 13) The process waste / earth material is used for filling of low lying area.
- 14) The water spray system is not interlocked with main crushing operation.
- 15) The path between the crusher and the metaled road is not paved.
- 16) Annual health survey report of the workers is not submitted.
- 17) No treatment of domestic effluent is provided.
- 18) One tubewell is installed as source of fresh water and no water meter is provided with the same.
- 19) Further, the matter was taken up with the Mining Department and it has issued a report regarding joint inspection on 12.10.2023 vide no. 4155-58/Inspection dated 12.10.2023 which is received through whatsapp by your goodself. In the said report it is mentioned that

(Handwritten signature)

an FIR against bearing no. 146/29.09.2023 has been registered against the unit alongwith the owner of land adjoining to the unit, however, the owners of crusher and land are mentioned as unknown. The XEN, Mining Department has informed that the identification of the owners in above said FIRs is matter of investigation by the Police Department. Further, the quantity of mined material is mentioned as about 11,20,000 CFT.

And whereas, the Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. Accordingly, an FIR against bearing no. 146/29.09.2023 has been registered by the mining department against the unit alongwith the owner of land adjoining to the unit, however, the owners of crusher and land are mentioned as unknown. The XEN, Mining Department has informed that the identification of the owners in above said FIRs is matter of investigation by the Police Department. Further, the quantity of mined material is mentioned as about 11,20,000 CFT.

And whereas, industry has failed to comply with the conditions imposed in the consent to operate granted to it under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, thus, violating the provisions of the said Acts.

And whereas, the industry is not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and code of practice for such units, intentionally and deliberately.

And whereas, the consents to operate granted to the industry under the provisions of the Water Act, 1974 & the Air Act, 1981 were revoked / cancelled vide Board's letter no. 2814-17 dated 26/10/2023, due to the above said violations.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the industry after affording an opportunity of personal hearing, due to aforesaid violations.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued to the industry with an opportunity to appear in person before the Chief Environmental Engineer (P) Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala on 17.11.2023 vide Board's letter no. 8594-95 dated 07/11/2023.

And whereas, the representative of the industry attended the hearing and submitted the reply of notice in writing which was taken on record. The representative of the industry could not submit a satisfactory reply to the observations raised by the officers of the Board. It was further apprised by the Environmental Engineer that Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. Further, an FIR against bearing no. 146/29.09.2023 has been registered by the mining department against the unit alongwith the owner of land adjoining to the unit, however, the owners of crusher and land are mentioned as unknown. The XEN, Mining Department has informed that the identification of the owners in above said FIRs is matter of investigation by the Police Department. Further, the quantity of mined material is mentioned as about 11,20,000 CFT.

And whereas, after hearing the officer of the Board, representative of the industry and taking material facts placed by Environmental Engineer, Regional Office, Rupnagar on the record. The Chief Environmental Engineer (P) was of the view that as Hon'ble National Green Tribunal has registered an original application vide no. 624/2023 in suo moto exercise of powers on the basis of news item dated 28/09/2023 published in the Tribune titled as "Hills 'vanish' as illegal mining rampant in Beet area". The news item disclosed that on account of illegal mining Shivalik Hills as high as 200 feet in the Beet area of Garhshankar Sub Division are slowly are vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.

And whereas, a short reply has been filed on the behalf of Member Secretary, Punjab Pollution Control Board. The Hon'ble National Green Tribunal has found the report so submitted by the Board vague as it does not disclose the extent of illegal mining and also does not disclose the details of the FIRs which have been registered and the equipment which has been seized. The report is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.

And whereas, as the case is pending in the Hon'ble National Green Tribunal, action taken report is to be placed in the Hon'ble NGT before the next date of hearing i.e. 11/01/2024. Further, environmental damage has been done in the area by the stone crusher and FIR has been lodged against the stone crusher by the mining department. As damage has been caused to the environment, the Environmental Compensation is required to be imposed on the stone crusher alongwith strict action u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31- of the Air (Prevention & Control of Pollution) Act, 1981 is required to be initiated against the stone crusher.

And whereas, after hearing the officers of the Board and the representatives of the industry, the Chief Environmental Engineer (P) of the Board decided that:

1. The stone crusher shall submit the details of the minor mineral procured alongwith weighment slip issued by mining department, material processed / crushed, electricity consumed in operation of the plant & material sold in the market w.e.f January, 2023 to till date within 07 days in the office of Environmental Engineer, Regional Office, Rupnagar.
2. The stone crusher shall submit copy of the monthly returns filed by it to the mining department from January to November, 2023 within 07 days and also shall continue this practice every month in future.
3. The stone crusher shall comply with the complete code of practice prescribed by the Board as well as observations raised by the Board during the visit to the plant, within 07 days.
4. Environmental Engineer, Regional Office, Rupnagar shall scrutinize the record to be submitted by the stone crusher as per decision sr. no 1 & 2 as well as verify the compliance of the code of practice by the unit at site and send its report / comments, within 15 days.
5. Environmental Engineer, Regional Office Rupnagar shall verify whether the stone crusher has operated by procuring the minor minerals from the approved mining site for which Environment Clearance / Consents granted by the Board in the period January-November, 2023. In case any violations / discrepancy observed in reference to mining / environmental guidelines / SOP, Regional Office shall calculate the quantum of Environmental damage caused due to the said violation / activity and send its report, within 15 days.
6. Environmental Engineer, Regional Office, Rupnagar shall also verify the compliance of the conditions of the Environment Clearance as well as consents granted under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 granted to the mining sites from where the stone crusher is procuring its minor minerals, within 15 days and send its report.
7. The stone crusher shall be reheard before the Chairman of the Board in the second week of December, 2023 by issuing notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 as well as notice to impose Environment Compensation on the unit for the operation of the stone crusher in violation of mining Rules / Environmental guidelines / SOPs.

And whereas, the proceedings were conveyed to the industry vide letter No. 9386-87 dated 08/12/2023 for compliance.

And whereas, as per the decisions no. 7 of the personal hearing held on 17/11/2023 before the Chief Environmental Engineer (P) of the Board, it has been decided to issue notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the project after affording an opportunity of personal hearing before the Chairman of the Board, due to aforesaid violations.

And whereas, therefore, the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 proposes to direct the stone crusher as under:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That Environmental Compensation shall be imposed on the industry for polluting the environment.
- vi) That legal action shall be initiated against the industry and its responsible persons.
- vii) That DG sets installed by the industry shall be sealed.

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And whereas, notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued to the industry with an opportunity to appear in person before the Chief Environmental Engineer(P) Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala on 18/12/2023 vide Board's letter no. 9425-26 dated 11/12/2023.

And whereas, Environmental Engineer, Regional Office, Rupnagar intimated that the industry has submitted record of the returns filed to the mining department as well as minor minerals procured / processed / electricity consumed for operation of the plant & machinery to the Regional Office. Further, on the perusal of the record, it was found that the industry has processed the minor minerals much more than the consented capacity. Further, mining department has also issued R & S form to the stone crusher showing that the industry may also indulge in illegal mining. The industry has not submitted compliance of the code of practice / observations of the visiting officer raised during the visit of the stone crusher. She informed that the Regional Office, Rupnagar has calculated Environmental Compensation (EC) as per the methodology of the CPCB and Environmental Compensation (EC) of Rs. 17.625 lacs can be imposed on the stone crusher for violating the environmental laws.

And whereas, the representatives of the industry attended the hearing informed that the industry has not carried out any illegal mining. He further informed that the industry is in process to comply with the code of practice.

And whereas, after hearing the officer of the Board, representative of the industry and taking material facts on record, the Chairman of the Board was of the view that operation of the stone crusher beyond its consented capacity by processing of minor mineral as raw material and operating without compliance of the code of practice shows it has caused environmental damage. Also, from the letters of the mining department as well as FIR lodged against the stone crusher, establishes the fact that the stone crusher is engaged in illegal mining of the minor minerals. As damage has been caused by the stone crusher to the environment, the Environmental Compensation is required to be imposed on the stone crusher. As such, it was decided as under: -

1. The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be issued to the industry:-
 - i) That the industry shall take all necessary steps to close down its operations.
 - ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
 - iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
2. The industry shall deposit Environment Compensation amounting to Rs. 17.625 lacs for violating the environmental norms, within 07 days in the office of Environmental Engineer, Regional Office, Rupnagar. The orders in this regard shall be issued separately.
3. Environmental Engineer, Regional Office, Rupnagar shall prepare remediation / utilization plan for the environment damage caused by the industry in the vicinity, within 15 days.
4. Environmental Engineer, Regional Office, Rupnagar shall submit its report w.r.t the decision no. 1,2 & 3 and submit its report, within 15 days.
5. The copy of the proceedings be also sent to the Director, Mining, Department of Water Resources, Punjab with request to impose environment compensation on the stone crusher for illegal mining as per the action plan for assessment and recovery of compensation for illegal sand mining and utilization of recovered compensation for restoration of environment prepared by CPCB in compliance to the orders of Hon'ble NGT dated 26.02.2021 in OA no. 360/2015 and CPCB directions dated 11.06.2021.

And whereas, the proceedings were conveyed to the industry vide letter no. 9848-49 dated 02/01/2024 for compliance as well as Director Mining, Department of Water Resources, Punjab vide letter no. 9849 - A dated 02/01/2024 for information and necessary action.

Now, therefore, the Competent Authority of the Board in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and after thoroughly examining the case of the stone crusher, has decided to issue following directions: -

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.

iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.

In case of failure to comply with the above said directions, the industry and the partners or any other person(s) responsible to comply with the above directions under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 & u/s 37 of the Air (Prevention and Control of Pollution) Act, 1981.

This issue with the approval of the Competent Authority of the Board.

st
Senior Environmental Engineer (ZP-1)
for & on behalf of the
Punjab Pollution Control Board

Dated 02/01/24

Endst. no. 9879

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar for information and ensure to make the compliance of the above said directions.

21/12/23
Senior Environmental Engineer (ZP-1)
for and on behalf of the
Punjab Pollution Control Board

ਪੰਜਾਬ ਪਾਵਰ ਟੈਕਨੋਲੋਜੀ ਕੋਰਪੋਰੇਸ਼ਨ, ਖੇਡਰੀ ਸੜਕ, ਰੂਪਨਗਰ
ਸ: ਡੀ. ਡੀ. - 192131 ਸਾ. / ਜੁਨੀ. ਸਾ. / ਕਲਕਤ
ਨਵੀਂ ਡਾਕ

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ਵਾਤਾਵਰਣ ਇੰਜੀਨੀਅਰ
ਕਾਇਮੀ ਨੰ: 118 ਮਿਤੀ: 12/1/24

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ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜ਼ੋਨਲ ਦਫ਼ਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



Phone no. 0175-2301182

e-mail : ppbsee_zp1@yahoo.com

ਨੰਬਰ _____

REGISTERED

To

M/s Prithvee Stone Crusher & Screening Plant,
Village Spalwan, Tehsil Anandpur Sahib,
Distt. Rupnagar

Subject:

Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) of the Board as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for establishment of the stone crusher.

And whereas, it is mandatory on the part of the industry to obtain the consent of the Board to operate an outlet / plant as required u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981, for discharge of effluent/ emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/air pollution control device, so as to contain the various pollutants within the standards laid down by the Board, in the effluent / emissions discharged by the industry.

And whereas, the unit was earlier issued directions u/s 33-A and u/s 31-A for non-compliances observed by the officer of the Board, subsequently, directions were also issued to PSPCL authorities for disconnection of the electricity available with the industry.

And whereas, the industry was granted 'consent to operate' of the Board under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTOW/Varied/RPN/2024/24260719 dated 03.01.2024 valid upto 30.09.2024 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Varied/RPN/2024/24260928 dated 08.01.2024 valid upto 30.09.2024 for operation of crushing screening & washing of river bed material @ 4500 CFT/day, subject to the conditions mentioned therein.

And whereas, the Board has also directed the PSPCL Authorities vide Board's letter no. 9981-82 dated 08.01.2024 for restoration of supply of electricity temporarily upto 30.09.2024.

And whereas, the industry was visited by the Officers of the Board on 28.11.2023 and accordingly, granted 'consent to operate' under Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981, subject to the conditions mentioned therein.

And whereas, the Executive Engineer / Ropar / Sri Anandpur Sahib, Drainage-cum-Mining and Geology Division, WRD, Punjab vide his letter no. 768 dated 19.01.2024 has intimated that the mining registration of the unit has been cancelled.

And whereas, the Hon'ble NGT has taken Suo Moto through OA No. 624/2023 w.r.t News item published in the Tribune dated 28.09.2023 entitled "Hills 'vanish' as illegal mining rampant in beet area" of Garhshankar and certain villages of Rupnagar District. Further, the news item disclosed that on account of illegal mining, Shivalik Hills as high as 200 feet in the Beet area of Garhshankar Sub Division are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.

And whereas, the case is pending in the Hon'ble National Green Tribunal and in the last hearing in the Hon'ble NGT on 11.01.2024, a list of 13 stone crushers has been submitted by the mining department, which were indulged in illegal mining. Further, Hon'ble NGT directed the Board to take action against all these 13 stone crushers for violating the environmental norms. Action taken report is to be placed in the Hon'ble NGT before the next date of hearing i.e. 11.03.2024.

And whereas, the stone crusher is in this list of 13 stone crushers indulged in the illegal mining as submitted by the mining department in the Hon'ble NGT.

And whereas, the consent to operate granted under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 were revoked / cancelled by the Regional Office of Board vide no. 163-64 & 165-66 dated 29/01/2024, respectively due to indulgence of unit into illegal mining.

And whereas, the industry is not serious to comply the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and violating the Environmental Laws intentionally & deliberately.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notice u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 for proposing closure of the industry after affording an opportunity of personal hearing, due to aforesaid violations.

And whereas, the notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 & u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 has been issued with an opportunity to appear in person before the Chairman of the Board in his office Punjab Pollution Control Board, Vatavarn Bhawan, Nabha Road, Patiala on 13/02/2024 at 11.00 AM vide Board's letter no. 10650 dated 05/02/2024 alongwith the following proposed directions:

- i) That the industry shall take all necessary steps to close down its operations.
- ii) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That Environmental Compensation shall be imposed on the industry for polluting the environment.
- vi) That legal action shall be initiated against the industry and its responsible persons.
- vii) That DG sets installed by the industry shall be sealed.

And whereas, however, the industry has failed to attend the hearing on the said date and time.

And whereas, after hearing the officers of the Board, facts of the record, the Chairman of the Board has taken the following ex-parte decisions: -

- 1) The following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 shall be confirmed :
 - a) That the industry shall take all necessary steps to close down its operations.
 - b) That the industry shall stop forthwith discharging any effluent / emissions from its industrial premises or through any mode.
 - c) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
 - d) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
 - e) That DG sets installed by the industry shall be sealed.
- 2) Legal action/ launching the prosecution under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be taken against the industry and its responsible persons.

And whereas, the proceedings were conveyed to the industry with a copy to Regional Office, Rupnagar vide Board's letter no. 12040-41 dated 14/2/2024 for compliance.

Now, therefore, the Competent Authority of the Board in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 & 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and after thoroughly examining the case of the stone crusher, has decided to issue following directions:

- i) That the industry shall take all necessary steps to close down its operations.

- ii) That the industry shall stop forthwith discharging any effluent/ emissions from its industrial premises or through any mode.
- iii) That the industry will immediately stop its activities and will not restart the same unless all necessary water and air pollution control measures are taken and obtains valid consents of the Board.
- iv) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- v) That DG sets installed by the industry shall be sealed.

In case of failure to comply with the above said directions, the industry and the partners or any other person(s) responsible to comply with the above directions under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 37 of the Air (Prevention and Control of Pollution) Act, 1981.

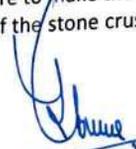
This issue with the approval of the Competent Authority of the Board.


Senior Environmental Engineer (ZP-1)
for & on behalf of the
Punjab Pollution Control Board

Dated 15-2-24

Endst. no. 12106

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Rupnagar for information and ensure to make the compliance of the above said directions. Further, it is requested to seal the DG set of the stone crusher within 7-days and submit compliance to this office.


Senior Environmental Engineer (ZP-1)
for and on behalf of the
Punjab Pollution Control Board