

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH
ORIGINAL APPLICATION NO. 268 OF 2022**

IN THE MATTER OF:

Amit Singh Baghel

...Applicant

Versus

State of M.P & Ors.

...Respondents

INDEX

Sr No.	Description	Pg No.
1.	Reply on behalf of Respondent No. 2 i.e., MPPCB dated 18.08.23 in compliance of the Order dated 02.05.2023 passed by the NGT, Principal Bench, in Original Application No. 268 of 2022	1-13

FILED BY



RAGHAV SHARMA

Advocate for Respondent i.e., MPPCB

Address: Basement, B5-202, Safdarjung Enclave,

New Delhi - 110029

Ph. No.: (+91)-8527066461;

Email: raghav@srcolegal.in

Current Status Report

In the Matter of

Original Application No.268/2022
'Amit Singh Baghel Vs Government of
M.P.'

w.r.to

Hon`ble National Green Tribunal Principal Bench
order dated May 02, 2023

Location: Satna, MP

**Current Status Report in the matter of "Amit Singh Baghel
V/s Government of M.P."**

The current status report in compliance of Hon'ble NGT (PB) order dated - May 02, 2023, in OA no. 268/2022 'Amit Singh Baghel Vs Government of M.P.' is as follows :-

In compliance of earlier directions of Hon'ble NGT, the Joint Committee constituted by Hon'ble Tribunal vide order dated 24.04.2022 has further look into the matter and take further remedial action by following due process of law in respect of these aspects and compliance with environmental norms. The Summary of Action Taken report in Compliance of Hon'ble NGT Direction dated 18.07.2022 is as under:-

1. The MPPCB has imposed Environmental compensation of Rs. 9,40,000/- for the deficiencies and violations committed by the M/s. Stakeholders Associates, C/o Arrow Associates, at khasra No. 98/1/KA, Village Raghuraj Nagar District- Satna.

Formula for computation of Environmental Compensation for M/s. Stakeholders Associates, C/o Arrow Associates, at khasra No. 98/1/KA, Village Raghuraj Nagar District- Satna,

EC = PI x N x R x S x LF

Where:

- EC = Environmental Compensations,
- PI = Pollution Index of Industrial Sector
- N= Number of days of Violation took place
- R = A Factor in Rupees for EC
- S = A Factor for scale operations
- LF = Location Factor

The calculation details of Environmental Compensation as per Hon'ble NGT Guideline are as Below :-

PI = 80 for Red Category Industries/ 50 for Orange category industries /30 for Green category industries. M/s. Stakeholders Associates, C/o Arrow Associates, comes under Red category Industry. Therefore PI = 80,

N = Number of days of Violation took place. In this case, the date of Complaint letter submitted to Hon'ble NGT is 16.02.2022. In

this case, N is calculated from 16.02.2022 to 03.06.2022 (i.e. date of closure order). Therefore the value of N = 94 Days (based on 25 working days/month).

R = As per formula, minimum factor Rs. 100 and maximum Rs. 500. As per Hon'ble NGT, it is suggested Rs. 250/-. Therefore R= 250/- (Considered),

S = It is 0.5 for micro/small industries, 1.0 for Medium industries, 1.5 for Large industries. The Crusher unit comes under micro/small category. Therefore, S= 0.5

LF=If the Unit is located within 10 Km outer Boundary, then the Standards are as table given below:-

S. No.	Population (Million)	* Location factor # (LF)
1.	Less than 1	1.0
2.	1 to < 5	1.25
3.	5 to < 10	1.5
4.	10 and above	2

Population of Satna is less than 1 Million. Therefore, LF is considered as 1

Therefore EC = 80x94x250x0.5x1 = Rs. 9,40,000/- (Rupees Nine lakhs Forty Thousand Only)

Board has issued Notice to M/s. Stakeholders Associates, C/o Arrow Associates, Village Raghuraj Nagar District- Satna vide Board's Letter No. 3967 dated 07.10.2022 for Environmental compensation in compliance of directions passed by Hon'ble NGT (PB). **(Annexure - 1)**

2. In continuation of the Board's Letter No. 3967 dated 07.10.2022 for Environmental compensation in compliance of directions passed by Hon'ble NGT (PB), MP Pollution Control Board has directed to M/s. Stack Holder Associates, C/o Arrow Associates, Village - Raghuraj Nagar - District - Satna, Vide order dated - 896/HOPCB/2023, Bhopal Dated 28.03.2023 to deposit the amount of Environmental Compensation with MP Pollution Control Board within 15 days from

(4)

133

the date of receiving of this order in the account of MPPCB with Account No. – 6310001200000043, IFSC Code PUNB0631000. (Annexure -2)

3. In compliance of the Board's order dated 28th march 2023, M/s. Stack Holders Associates informed that the imposed Environmental Compensation of an amount of Rs. 9,40,000/- (Nine Lakhs Forty Thousand) has been deposited in the account of Member Secretary MPPCB, Bank Acc. No. - 6310001200000043, IFSC Code - PUNB0631000, Via UTR No. HDFCR52023051756970335, Dated – 17.05.2023. (Annexure - 3)
4. In addition to the above, the Closure order issued by Board vides letter no. 272, dated – 03.06.2022 is still continued.


(K.P. Soni) 7/08/2023

Regional Officer, MPPCB, Satna

**MADHYA PRADESH POLLUTION CONTROL BOARD**

Paryawaran Parisar, E-5, Arera Colony, Bhopal-462016
Phone (0755)-2466191, 2464428, Fax (0755)-2463742, E-mail:it_mppcb@rediffmail.com

No.

/HOPCB/2022

Bhopal, Date: / /2022

To,

M/s Stakeholder Associates,
C/o Arrow Associates
Village- Raghuraj Nagar
District- Satna

Sub - Imposing Environmental Compensation as per the directions passed by Hon'ble NGT(PB) vide its order dated 18.07.2022 in O.A. No. 268/2022 Amit Singh Baghel Vs State of Madhya Pradesh.

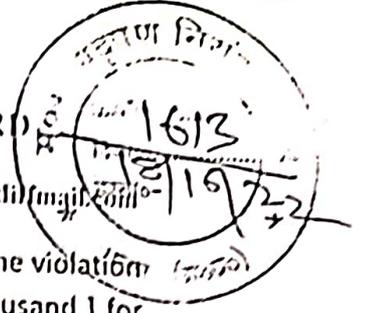
WHEREAS, MP Pollution Control Board (MPPCB) is a statutory body constituted under section 4 of the Water (Prevention & Control of Pollution) Act, 1974 and has been entrusted with the responsibilities of enforcement of the Environment Laws prevailing in the state.

WHEREAS, in the matter of O.A. No. 268/2022 Amit Singh Baghel Vs State of Madhya Pradesh, the Hon'ble Tribunal dealt with the issue of mining in District-Satna in violation of environmental norms due to which dust spread over to the surrounding field caused damages to the nearby crops.

WHEREAS, The Hon'ble tribunal vide its order dated 27.04.2022 constituted a committee comprising of Collector, Satna and MP Pollution Control Board and directed the committee to submit a Factual and action taken report. The committee submitted its report on 27.06.2022

WHEREAS, you are operating stone crushing unit and during the site visit, it is found that you have provided water sprinkler with the conveyer belts but not installed adequate pollution control measures like - boundary wall all around the crusher unit, proper screen cover of the crusher unit. It has only road side boundary wall, which has been found damaged due to wind pressure etc; it is your mandatory duty to ensure that there is no pollution.

MADHYA PRADESH POLLUTION CONTROL BOARD
 Paryawaran Parisar, E-5, Arera Colony, Bhopal-462016
 Phone (0755)-2466191, 2464428, Fax (0755)-2463742, E-mail:it_mppcb@rediffmail.com



THEREFORE, you are liable to pay the Environmental Compensation for the violation of environmental norms to the tune of Rs 9,40,000 /- [Nine Lakh Forty Thousand] for the period of violation i.e. from 16.02.2022 to 03.06.2022 as proposed by Regional Officer, Satna calculated as per guidelines provided by the Hon'ble National Green Tribunal.

You are, hereby, given an opportunity of hearing and submit your reply/objection (if any) pertaining to above stated computation of Environmental Compensation within 15 days. In case no reply is received within 15 days from the date of issue of this notice, above proposed Environmental Compensation shall be confirmed and compensation amount shall be deposited in the following account :-

Bank and Branch	Punjab national Bank
Account No.	6310001200000043
Beneficiary Name	Member Secretary
IFSC Code	PUNB0631000

AND in case of failure, action is liable to be initiated against you under the Air (Prevention & Control of Pollution) Act of 1981 and other relevant Act.

For and on behalf of MPPCB

A. A. Mishra
 (A. A. Mishra)
 Member Secretary

Endt.No.: 3968 /MOPCB/2022

Bhopal, Date: / /
 07 OCT 2022

Copy to:-

1. The District Collector, Satna M.P. for information and necessary action.
2. Regional Officer, M. P. Pollution Control Board, Satna, for information & necessary action.

प्रयोगशाला प्रभारी/सहायक संचालक/वैज्ञानिक
 कनिष्ठ. वैज्ञानिक I/कनिष्ठ. वैज्ञानिक II
 लेखापाल/स्थापना

(Signature)
 क्षेत्रीय अधिकारी

**MADHYA PRADESH POLLUTION CONTROL BOARD**

Paryawaran Parisar, E-5, Arera Colony, Bhopal-462016

Phone (0755)-2466191, 2464428, Fax (0755)-2463742, E-mail:it_mppcb@rediffmail.com

No. 896 /HOPCB/2023

Bhopal, Date: 2/8/2023

ORDER

Hon'ble National Green Tribunal (PB) vide order dated 27.04.2022 constituted a joint committee of State PCB and Collector, District-Satna were directed to submit a factual and action taken report. The committee visited the site on 26.05.2022, and submitted its report on 18.06.2022 with the following recommendation:-

- a. At Village - Dewra, there is a Crusher M/s. Stakeholders Associates, C/o Arrow Associates, at khasra No. 98/1/KA, Village Raghuraj Nagar, District -Satna (M.P.). This Stone crusher is located at Dewra, which is just adjacent to the village Nagar, District- Satna (M.P.). Dewra, Tehsil - Rewera, Tehsil Raghuraj
- b. The Regional Office, MP Pollution Control Board Satna M.P. has issued closure direction dated 03.06.2022 to the crusher unit i.e. M/s. Stakeholders Associates, C/O Arrow Associates, at khasra No. 98/1/KA, Village Dewra, Tehsil - Raghuraj Nagar, District - Satna (M.P.), directing them not to operate the Crusher Unit till proper rectifications are done.

After consideration of report, Hon'ble Tribunal in its order dated 18.07.2022 directed as under -:

"It is evident from the report that there is no Stone Crusher Unit in the name of M/s. Kesar Star Stone Crusher at Village Rewara, Tehsil Raghuraj Nagar, District Satna but there is a Crusher M/s. Stakeholders Associates, C/o Arrow Associates, at khasra No. 98/1/KA, Village Raghuraj Nagar, District - Satna to which closure direction dated 03.06.2022 has been issued by the Regional Office, MP Pollution Control Board Satna M.P. for violation of environmental norms but no action has been taken for assessment of environmental compensation" and In compliance above order, Joint Committee submitted its report vide email dated 11.10.2022 before the Hon'ble tribunal.

137

MADHYA PRADESH POLLUTION CONTROL BOARD

Paryawaran Parisar, E-5, Arera Colony, Bhopal-462016
Phone (0755)-2466191, 2464428, Fax (0755)-2463742, E-mail:it_mppcb@rediffmail.com



Further, MPPCB had issued show-cause notice dated 07.10.2022 against M/s Stakeholder Associates, Village- Raghuraj Nagar, District-Satna for imposing the Environmental compensation and your submission dated 06.12.2022 was not found satisfactory. To verify the compliance made by M/s Stakeholder Associates, Regional officer, Satna inspected the site on 28.12.2022 and observed inadequate pollution control measures.

Therefore, you are liable to pay the Environmental Compensation to the tune of Rs 9,40,000/- [Nine Lakh Forty Thousand] for the period of violation i.e. from 16.02.2022 to 03.06.2022 (94 days) in violation of environmental norms and operating without adequate pollution control measures. The amount of Environmental compensation has been approved by the committee in its meeting dated 09.02.2023.

You are, hereby, directed to deposit the amount of environmental compensation with MP Pollution Control Board within 15 days from the date of receiving of this order in the account of MPPCB with Account no 6310001200000043 IFSC code PUNB0631000.

(CHANDRA MOHAN THAKUR)
MEMBER SECRETARY

Bhopal, Date: 28 MAR 2023

Endt.No:- 897 /HOPCB/2023

Copy to:-

1. M/s Stakeholder Associates, C/o Arrow Associates, Village- Raghuraj Nagar, District-Satna .
2. The District Collector, Satna ,M.P. for information.
3. The Regional Officer, M. P. Pollution Control Board, Satna, for information & necessary action.

(CHANDRA MOHAN THAKUR)
MEMBER SECRETARY

Chandra
M.P. PCB
प्रयोगशाला प्रभारी/सहायक संचालक, पर्यावरण
कमि. वैज्ञानिक I/कमि. वैज्ञानिक II
लेखापाल/रजिस्ट्रार

क्षेत्रीय अधिकारी

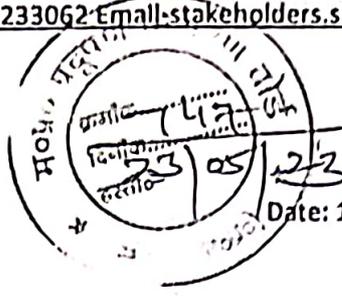
138 STAKEHOLDERS ASSOCIATES

Annexure-3

1173, Sector-1 Rohtak, Haryana -124001 Mo.7898233062 Email:stakeholders.satna@gmail.com

Ref.

Date :



Date: 17-05-2023

To

Regional Office
M.P. Pollution Control Board
Rewa Road , Satna M.P

Ref: Your Letter No. 69/ R.O / PCB/East/2023, Satna, Dt. 13-04-2023

Sub: Submission of Penalty of Environmental compensation INR 9,40,000 and request to open all restriction on us to run crusher

Dear Sir

We have deposited the said penalty of INR 9,40,000 In Member Secretary M.P P.C.B , Bank A/c No. 6310001200000043 , IFSC : PUNB 0631000 Via UTR No. HDFCR52023051756970335 dt. 17-05-2023 as environmental compensation

Kindly open all restriction on our crusher

Regards

For: Stakeholder Associates



Encl:

- 1- Photocopy of Demand letter no. 69/ R.O/P.C.B/ East/ 2023 Satna, dt. 13/4/2023
- 2- TRGS Copy With UTR NO HDFCR52023051756970335 dt. 17-05-2023

उत्तर
प्रयोगशाला प्रबन्धी/सहायक संतुष्टि
कमि. वेद्यमिष 1/कमि. वेद्यमिष II
वेद्यमिष/सहायक

देशीय अधिकारी

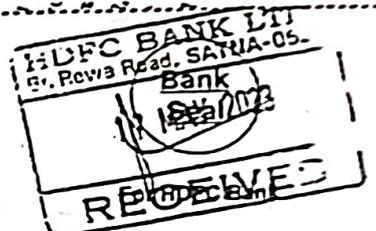
50215
50227

Customers Copy

Received application for RTGS / NEFT for an amount of Rs. 940000/- vide Cash / Cheque number 000353 dt 17/05/23 credited to Account number 631000120000043 of PNB, Shopet Bank with IFSC Code PUNB0631000. Customers will be guided by the Terms and Conditions mentioned in the form. HDFC Bank will accept no liability for any consequences arising out of erroneous details provided by the Customer.

Request for MG / DD / RTGS and NEFT can also be placed using Netbanking

HDFCRS2023051756970325.



12:14 pm

HDFC Bank : RTGS
money transfer Txn No
HDFCR52023051756970335
for Rs INR 9,40,000.00 has been
credited to MEMBER SECRETARY
MP POLUTION on 17-05-2023 at
16:25:14



14
क्षेत्रीय कार्यालय,
म.प्र.प्रदूषण नियंत्रण बोर्ड,

शीवा रोड गेहर वाई पारा, रातना (म.प्र.)
e-Mail-romppcb_satna@rediffmail.com, website- www.mppcb.nic.in

O/C (12)

क्रमांक.....69 /क्षे.का/प्र.नि.बो./पूर्व/2023,

रातना, दिनांक 13/4/2023

प्रति,

मेसर्स स्टेक होल्डर्स एसोसियेट्स C/o एरो एसोसियेट्स,
ग्राम- रेवरा, तहसील- रघुराजनगर,
जिला-सतना (म.प्र.)

विषय:- पर्यावरणीय क्षतिपूर्ति रूपये 9,40,000/- जमा किये जाने बावत्।

सन्दर्भ:-बोर्ड मुख्यालय का आर्डर क्रमांक 896 दिनांक 28.03.2023 ।

—000—

महोदय,

उपरोक्त विषय में लेख है कि आपके उद्योग मेसर्स स्टेक होल्डर्स एसोसियेट्स C/o एरो एसोसियेट्स, ग्राम- रेवरा, तहसील- रघुराजनगर, जिला-सतना (म.प्र.) के विरुद्ध माननीय एन.जी.टी. द्वारा गठित कमेटी द्वारा पर्यावरणीय शर्तों का पालन नहीं पाये जाने के कारण दिनांक 16.02.2022 से 03.06.2022 तक (कुल 94 दिन) का रूपये 9,40,000/- पर्यावरणीय क्षतिपूर्ति अधिरोपित की गयी है, सुलभ अवलोकन हेतु छायाप्रति संलग्न है।

अतः आपको निर्देशित किया जाता है कि तत्काल उक्त राशि खाता नं. 6310001200000043 IFSC Code PUNB 0631000 पर जमा करें अन्यथा निर्मित किन्ही विषम परिस्थितियों में समस्त जिम्मेदारी आपकी मानी जावेगी।

संलग्न:-उपरोक्तानुसार।

O/C

(के.पी.सोनी)

क्षेत्रीय अधिकारी,

सतना, दिनांक 13/4/2023

पृ.क्रमांक.....70... /क्षे.का/प्र.नि.बो./पूर्व/2023,
प्रतिलिपि,

माननीय सदस्य सचिव महोदय, म.प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनाार्थ प्रेषित।

(के.पी.सोनी)

क्षेत्रीय अधिकारी,

म.प्र.प्रदूषण नियंत्रण बोर्ड,

सतना (म.प्र.)

O/C



142

13

गहलतपूर्ण

क्षेत्रीय कार्यालय
म.प्र. प्रदूषण नियंत्रण बोर्ड,
सीमा रोड गैहर-अगरपाटन गाई पासा, सतना (म.प्र.)
e-Mail:-rompppcb_satna@rediffmail.com, website:-www.mppcb.nic.in

कमांक ६२६ /क्ष.का./प्रतिबो/पूर्व/2023,

सतना, दिनांक 16.08.2023

पति,

वित्त अधिकारी,
म.प्र. प्रदूषण नियंत्रण बोर्ड,
भोपाल (म.प्र.)

विषय :- माननीय राष्ट्रीय हरित अधिकरण में प्रचलित प्रकरण ओ.ए. नं. 268/2022 में मेसर्स स्टेक होल्डर एसोसियेट्स, सतना द्वारा पर्यावरणीय क्षतिपूर्ति जमा किये जाने की पुष्टि विषयक।

- संदर्भ:- 1. बोर्ड मुख्यालय का आर्डर कमांक 896 दिनांक 28.03.2023 ।
2. उद्योग का पत्र कमांक निरंक दिनांक निरंक, कार्यालय में प्राप्ति दिनांक 23.05.2023 ।

उपरोक्त विषय में उद्योग मेसर्स स्टेक होल्डर एसोसियेट्स, सतना के संदर्भित पत्र का अवलोकन होवे। उद्योग इकाई द्वारा सूचित किया गया है कि उद्योग द्वारा, Member Secretary MPPCB, A/c No. 6310001200000043, IFSC : PUNB0631000 में अधिरोपित पर्यावरणीय क्षतिपूर्ति के रूप में रूपये 9,40,000 मात्र (रूपये नौ लाख चालीस हजार मात्र) UTR No. HDFCR52023051756970335 दिनांक 17.05.2023 द्वारा जमा करा दिये गये हैं। अतः उपरोक्तानुसार क्षतिपूर्ति के रूप में जमा की गयी राशि की पुष्टि प्राथमिकता के आधार पर तत्काल किये जाने का अनुरोध है। कृपया सूचित होवे कि उक्त का प्रकरण, माननीय राष्ट्रीय हरित अधिकरण प्रिंसिपल बेंच में प्रक्रियाधीन है।

संलग्न:- उपरोक्तानुसार।
(कुल पृष्ठ- 03)

To, R/O - SATNA

M.R.No. 2845/87

Dt. 25/8/2023

Amt. Rs 9,40,000/-
Received.

17/08/2023.
Finance Officer
M.P. Pollution Control Board
Bhopal

(के.पी. सोनी)
क्षेत्रीय अधिकारी
म.प्र. प्रदूषण नियंत्रण बोर्ड,
सतना (म.प्र.)