

BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONAL BENCH, BHOPAL

Original Application No 34/2020

Petitioner

J. R. Narayan

Versus

Respondents

State of M.P and Others

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Date: 15.07.2021

Place: Bhopal

Shrivastava
Submitted by MPPCB:-

Parul
Through Counsel
Parul Bhadoria

BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONAL BENCH, BHOPAL

Original Application No 34/2020

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ACTION TAKEN REPORT ON BEHALF OF THE RESPONDENT NO. 02,

MADHYA PRADESH POLLUTION CONTROL BOARD [MPPCB]

1. In the instant petition allegations have been raised against the operations of stone crushers in the Abadi Area of village Baijnath, Tehsil-Huzur, District- Reva, Madhya Pradesh. It has further been alleged that necessary permissions have not been obtained by the concerned authorities.
2. That in compliance of the order dated 22.09.2020 passed by the Hon'ble Tribunal, a joint committee of Madhya Pradesh pollution Control Board (MPPCB) and Central Pollution Control Board (CPCB) officials was constituted for the assessment of the environmental compensation to be levied on the stone crushers for operating without obtaining consent from Pollution Control Board to establish/ operate and having inadequate Air Pollution Control Measures.
3. It is further stated that, in compliance of the directions passed by the Hon'ble Tribunal vide order dated 18.06.2021, the answering respondent has issued show cause notices to the defaulting stone crushing units for depositing the amount of Environment Compensation [EC] as computed by the joint committee. Unit-wise details of the defaulting units are as under :-

SN	Name of the Stone Crusher	Days of Violation.	Environmental Compensation in Rupees (Rs.)	Action Taken
1.	M/s Sahara Stone Crusher of Shri Vijendra Singh. Village- Baijnath, Bholgarh	524	32,75,000/-	Notice dated 23.06.2021 issued for depositing EC
2.	M/s New Sahara Stone Crusher of Shri Vijay Kumar Tripathi. Village- Baijnath, Bholgarh	522	32,65,500/-	Notice dated 23.06.2021 issued for depositing EC

3.	M/s Kasha Stone Crusher of Shri Amit Singh Yadav. Village-Baijnath, Bholgarh	522	32,65,500/-	Notice dated 23.06.2021 issued for depositing EC
4.	M/s Ram Prem Stone Crusher of Ambuj Pandey. Village-Baijnath, Bholgarh	522	32,65,500/-	Notice dated 23.06.2021 issued for depositing EC
5.	M/s Maa Sharda Stone Crusher of Shri Virendra Bhadr Singh. Village- Baijnath, Bholgarh	522	32,65,500/-	Notice dated 23.06.2021 issued for depositing EC
6.	M/s Y.N. Stone Crusher of Shri Prabhat Shukla. Village-Baijnath, Bholgarh	522	32,65,500/-	Notice dated 23.06.2021 issued for depositing EC
7.	M/s Vrindawan Stone Crusher of Shri Shivendra Singh Patel. Village- Baijnath, Bholgarh, Huzur, Reva	522	32,65,500/-	Notice dated 23.06.2021 issued for depositing EC
8.	Kabya Stone Crusher of Shri Vinod Pandey Village Baijnath Bholgarh	524	32,75,500/-	Notice dated 23.06.2021 issued for depositing EC
9.	M/s Samrat Stone Crusher of Shri Umesh Kushwaha. Village-Baijnath, Bholgarh, Huzur, Reva	524	32,75,500/-	Notice dated 23.06.2021 issued for depositing EC
10.	M/s Shilpi Stone Crusher of Shri Narendra Singh. Village-Khaamariya, Bholgarh	260	16,25,500/-	Notice dated 23.06.2021 issued for depositing EC
11.	M/s Pawan Pathak Stone Crusher of Shri Pawan Pathak. Village- Hinouti, Bholgarh	107	6,68,750/-	Notice dated 23.06.2021 issued for depositing EC
12.	M/s Rama Associate Stone Crusher of Shri Mukesh Tripathi. Village- Hinouti, Bholgarh	106	6,62,500/-	Notice dated 23.06.2021 issued for depositing EC
13.	M/s Sidharth Shukla Stone Crusher of Shri Sidharth Shukla. Village- Hinouti, Bholgarh.	107	6,68,750/-	Notice dated 23.06.2021 issued for depositing EC

The sample copy of Show-Cause Notice dated 23.06.2021 has been enclosed herewith as **Annexure R-01**.

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4. That, the answering respondent has given an opportunity of hearing to the stone crushing units. The reply to show cause notice has been received by 2 units as on date. Further action shall be initiated by the answering respondent against the defaulting units in accordance with law.
5. Hon'ble Tribunal may kindly be pleased to take the aforesaid action taken report on record.

Date: 15.07.2021

Place: Bhopal


Submitted by MPPCB:-


Through Counsel
Parul Bhadoria



Annexure - R-1
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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. 83/ /HOPCB/2021

Bhopal, Date: 23/06/2021

To,

**M/S Sidharth Shukla Stone Crusher
Prop-Shri. Vijendra Singh
Village-Hinouti Post- Bholagarh**

Sub: Show Cause Notice for imposition of Environmental Compensation as per the directions passed by Hon'ble NGT vide its order dated 18.06.2021 in O.A. No. 34/2020 J.R.Narayan Versus State of MP and Ors

Ref: 1. NGT order dated 22.09.2020 in OA No. 34/2020.
2. NGT order dated 18.06.2021 in OA No. 34/2020.

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, you are operating a stone crushing units and it is your mandatory duty to ensure that there is no pollution in close proximity of National Highway, State Highway, Water bodies, agriculture land of the area ,as well as to act in accordance with the rules and guidelines to operate the stone crusher unit with valid consent .

WHEREAS, in the matter of **O.A. No. 34/2020 J.R.Narayan versus State of MP and ors** the Hon'ble Tribunal dealt with issue of illegal operations by stone crushing units and vide its order dated 22.09.2020 directed as under :-

"The Central Pollution Control Board and the State Pollution Control Board is directed to constitute a Committee to evaluate and calculate the environmental compensation and to proceed to realize the environmental compensation from illegal units according to law."

WHEREAS, as per the report submitted by the Joint Committee, it is evident that you were illegally operating the crushing unit without obtaining Consent to Establish,



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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

Consent to Operate and inadequate air pollution control measures in the Abadi area of village- Baijnath , Tehsil-Huzur , Distt- Rewa (MP).

THEREFORE, the joint committee in its report on imposition of Environmental Compensation [EC] [Enclosure] has recommended that you are liable to pay compensation for operating without consent to establish/operate and having inadequate air pollution control measures. The Committee recommend to impose the EC calculated by the Joint Committee in compliance of Hon'ble Tribunal's order dated 22.09.2020 as :-

SN	Name of the Stone Crusher	No. of days of violation	Environmental Compensation in Rupees (Rs.)
1	M/s Sidharth Shukla Stone Crusher unit	107	6,68,750/-

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 action is also liable to be initiated against the responsible officers under section- 39 of the Air Act of 1981.

Enclosure - As Above

For and on behalf of MPPCB

(A. A. Mishra)
Member Secretary

Endt.No.:- 832 /HOPCB/2021
Copy to :-

Bhopal, Date: 23 JUN 2021

1. The District Collector (Mines), Rewa ,M.P. for information & necessary action.
2. The Regional Officer, M. P. Pollution Control Board, Rewa, for information & necessary action.