

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

OA No. 666/2024

In the matter of:

Om Prakash & ors.

.....Applicant

Versus

State of H.P. & ors.

....Respondents

Index

Sr. No.	Description of Documents	Page No(s)
1	Reply on behalf of the Respondent No. 2 i.e. HPSPCB in compliance to order dated 03-07-2024.	1-15
2	Annexure-R-2/1 Copy of Hon'ble NGT order dated 11-01-2023 passed in OA No. 863/2022.	16-17
3	Annexure-R-2/2 Copy of Hon'ble High Court order dated 18-04-2024 in CWP No. 4994/2023.	18-22
4	Annexure-R-2/3 Copy of Hon'ble High Court order dated 18-04-2023 passed in CWP No. 4585/2023.	23-27
5	Annexure-R-2/4 Copy of State Govt. notification / guideline dated 29-06-2021.	28-35
6	Annexure-R-2/5 Copy of Consent to Operate dated 19-07-2024 issued by the State Board to Respondent No. 11.	36-42

7	Annexure-R-2/6 Copy of Consent to Operate dated 19-07-2024 issued by the State Board to Respondent No. 12.	43-49
8	Annexure-R-2/7 Copy of letter dated 28-03-2023 issued by the Regional Officer, HPSPCB Una.	50
9	Annexure-R-2/8 Copy of Sample analysis report dated 14-08-2024 of Respondent No. 11.	51
10	Annexure-R-2/9 Copy of sample analysis report dated 14-08-2024 of Respondent No. 12.	52

Dated: 05-09-2024

Place: Una

Respondent No. 2
HPSPCB

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 666/2024

In the matter of:-

Shri Om Prakash & Ors.

.....Applicant

Versus

State of Himachal Pradesh & Ors.

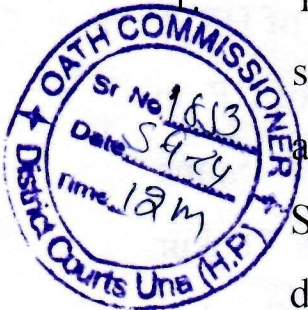
.....Respondent(s)

Reply on behalf of respondent No. 2 i.e.
HP State Pollution Control Board in
compliance to order dated 03-07-2024.


May it please your Lordships:-

Preliminary Submissions:-

That this Hon'ble Tribunal has already adjudicated upon the similar issue raised in the present petition in another matter also i.e. OA No. 863/2022 titled as Joginder Singh & Ors vs State of HP wherein vide order dated 11-1-2023 while disposing off the matter passed the following directions:-




Regional Officer
H.P.State Pollution Control Board
Phase-IV, Rakkar Colony,
Distt. Una (H.P.)-174303


Regional Officer
H.P.State Pollution Control Board
Phase-IV, Rakkar Colony,
Distt. Una (H.P.)-174303

“.....3. In our view, this aspect can be looked into by the concerned authorities. Hence, we dispose of this application directing Himachal Pradesh Pollution Control Board (HPPCB) and District Magistrate, Una, (Himachal Pradesh) to visit the site in question, collect relevant information and find out if there is any violation of environmental norms and if the said Committee finds complaint to be correct, they shall take appropriate remedial and preventive action in accordance with law within two months.


4. Nodal agency will be District Magistrate, Una, Himachal Pradesh for coordination and compliance.

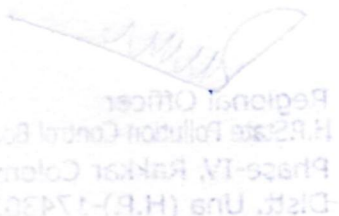
5. With the above directions, this application is disposed of.....”.

Copy of order dated 11-1-2023 passed by Hon'ble NGT is annexed as **Annexure R-2/1**.



That two other petitions i.e. CWP No. 4994/2023 titled as Subhash Chand & Ors vs State of HP & Ors. and CWP No. 4585/2023 titled as Deepak Kumar & Ors. vs State of HP & Ors. were also filed before the Hon'ble High Court of HP on the similar grounds against the installation of Stone Crushers by Respondent No. 10 & 11 namely M/s Thakur Enterprises and M/s Shree Shree Rudra Stone Crusher


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Distt. Una (H.P.)-174303

which were dismissed by the Hon'ble High Court of HP vide judgments dated 18-04-2024. As such the controversy involved in the present matter has already been adjudicated upon by Hon'ble High Court of HP, as such present Original Application deserves to be dismissed. Copies of judgments passed by Hon'ble High Court of HP in these two petitions are annexed as **Annexure R-2/2 and Annexure R-2/3** respectively.

Para-wise reply on merits:-


- 1-3. Contents of para 1-3 are a matter of record and need no reply.
4. Contents of para 4 relate to issue of jurisdiction of Hon'ble Tribunal are a matter of record and need no reply from the replying respondent.

Reply to facts of the case:

- 1-2. That the contents of para-1 regarding issuance of notification dated 11-8-2004 by the State Govt. wherein a Policy Guidelines for Registration, Location, Installation and Working of stone crushers have been notified are a matter of record. It is submitted that the said policy was framed after the intervention of the Hon'ble High Court of HP in CWP No. 228/2002 titled as Desh Raj vs State of HP & Ors.




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3. That the contents of para 3 relate to revision of Policy Guidelines for the stone crushers on the directions of the Hon'ble High Court of HP and distance criteria are a matter of record. It is further submitted that such guidelines have been amended from time to time and latest amendment in Guidelines for Stone Crushers was done by the State Govt. on 29-06-2021 are in force in the State at present. Copy of guidelines dated 29-6-2021 are annexed as **Annexure-R-2/4**.

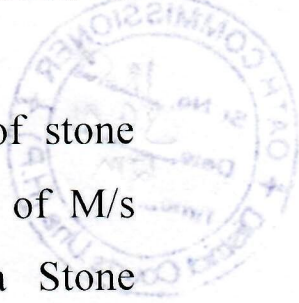

4. Contents of para 4 relate to petitioner's residential status, their ownership of land and tubewells for irrigation, which are a matter of record and need no reply from the replying Respondent.

That the contents of para 5 relate to issues of ownership of land by the petitioner's/villagers and tube wells allegedly located in the surrounding sites of Stone Crushers of Respondent No. 10 & 11 which do not pertain to and need no reply from the replying respondent.

6. That the contents of para 6 relate to installation of stone crushers by respondent No. 10 & 11 in the name of M/s Thakur Enterprises and M/s Shree Shree Rudra Stone Crusher. In this regard it is submitted that in the State of HP




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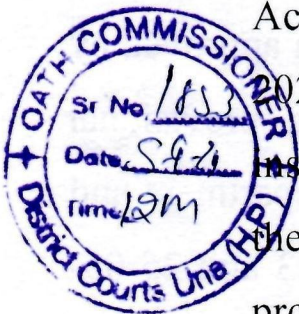


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no one can install a stone crusher except in accordance with Policy Guidelines notified by the State Govt. The process of installation of stone crushers starts with the site selection by the Joint Appraisal Committee under the Chairmanship of SDO (C) of the area concerned. Thereafter stone crushing unit need to obtain provisional registration from the Industries Department. It is further submitted the w.r.t. distance criteria the policy guidelines has been amended from time to time and at the time of setting of stone crushers of Respondent No. 10 & 11 at Village Dharampur, Tehsil Haroli, Distt. Una (HP) the Notification dated 29-05-2014 (Annexure A-2) was in force.

As far as respondent Board is concerned it has granted Consent to Establish as well as Consent to Operate to the Stone Crushers of the Respondent No. 10 & 11 as detailed below:-

M/s Thakur Enterprises

The State Board has granted Consent to Establish under Water Act, 1974 & Air Act, 1981 to the Respondent No. 10 on 01-03-2021 subject to pollution control norms prescribed for installation of stone crushers after the site has been approved by the Site Appraisal Committee, unit had obtained prior provisional registration and mining lease from the Industry

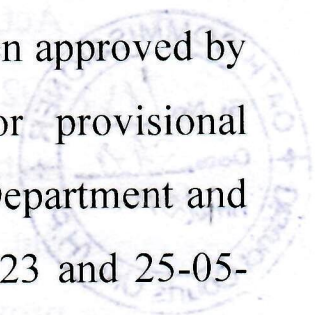
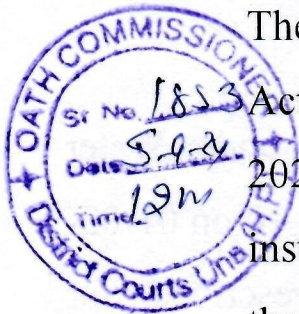



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Department. The unit has also obtained Environmental Clearance from the competent authority on 11-6-2018. The said CTE was renewed by the respondent Board on 04-04-2022, 01-04-2023 and 03-07-2024. Further, the respondent Board has granted Consent to Operate to the Respondent No. 10 on 19-07-2024 which is valid up to 27/10/2024 after verification of installation of the requisite pollution control devices as prescribed in the Guidelines for Stone Crushers issued by the Department of Environment, Science & Technology of HP vide notification dated 29-06-2021. Furthermore, the Industries Department of HP has also issued Permanent Registration on 19-07-2024 to the Respondent No. 10. Copy of Consent to Operate issued by the respondent Board is annexed as **Annexure R-2/5**.

M/s Shree Rudra Stone Crusher

The State Board has granted Consent to Establish under Water Act, 1974 & Air Act, 1981 to the Respondent No. 11 on 09-02-2021 subject to pollution control norms prescribed for installation of stone crushers after the site has been approved by the Site Appraisal Committee, obtained prior provisional registration and mining lease from the Industry Department and the CTE was renewed on 26-05-2022, 03-04-2023 and 25-05-2024. Further, the State Board has granted Consent to Operate

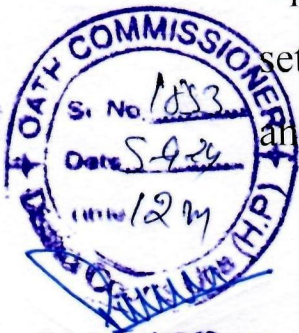


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Distt. Una (H.P.)-174303

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Distt. Una (H.P.)-174303

to the Respondent No. 11 on 19-07-2024 which is valid up to 31-03-2025 after verification of installation of the requisite pollution control devices as prescribed in the Guidelines for Stone Crushers issued by the Department of Environment, Science & Technology of HP vide notification dated 29-06-2021. Furthermore, the unit has also obtained Environmental Clearance from competent authority on 15-7-2021 and the Industries Department of HP has issued Permanent Registration on 19-07-2024 to the Respondent No. 11. Copy of Consent to Operate issued by respondent Board is annexed as **Annexure-R-2/6**.

7. That the contents of para-7 relate to issue of grant of NOC by Gram Panchayat Dharampur, which pertains and calls for reply of the Respondent No. 9 and need no reply from the replying respondent.
8. That the contents of para 8 relate to installation of stone crusher by respondent No. 11 in the name of M/s Shree Shree Rudra Stone Crusher. In this regard as already submitted in para 6 the State Board has granted Consent to Establish & Operate to the Respondent No. 11 as per policy guidelines for setting up of stone crushers notified by the State Government and subject to installation of adequate pollution control

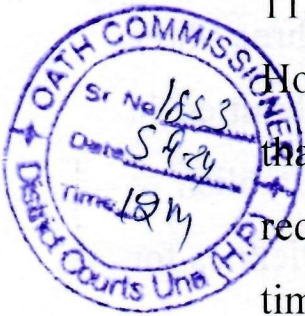


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measures propose by the unit to prevent the air and water pollution from the operation of stone crusher.

9. Contents of para -9 relates to issues of grant of NOC by Gram Panchayat Dharampur, which pertains and calls for reply of the Respondent No. 9 and need no reply from the replying respondent.
10. In reply to para-10 as already submitted above, the sites of the stone crushers of Respondent No. 10 & 11 at village Dharampur was approved by the Site Appraisal Committee under the Chairmanship of SDO (C) of the area concerned which found the sites suitable as per State Govt. guidelines/notification dated 29-05-2014 for installation of stone crusher.
11. That the contents of para 11 relate to registration of another OA No. 863/2022 on the compliant of Sh. Joginder Singh against installation of stone crusher by Respondent No. 10 & 11. It is submitted that said matter was disposed off by the Hon'ble NGT vide order dated 26-04-2023 with directions that it may be ensured that the unit does not operate without requisite CTO and if violations continue beyond specified time, the unit may be closed till compliance.




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12. Contents of para 12 pertains to and calls for reply of the Jal Shakti Vibhag and need no reply from the replying respondent.
13. In reply to para 13 it is submitted that a complaint was received in the Regional Office of HPSPCB Una from the residents of VPO Dharampur, Tehsil Haroli, Distt. Una (HP) against the installation of stone crushers of Respondent No. 10& 11. In this regard, the State Board has already replied to the complainants vide letter dated 28-03-2023. Copy of letter is enclosed as **Annexure-R-2/7**.
14. That the contents of para 14 relate to impact of the dust of stone crushers on the agriculture crops. It is submitted that the State Board has carried out ambient air monitoring of the Stone Crushers of Respondent No. 10 & 11 on dated 27-07-2024 and 29-07-2024 respectively. The analysis reports of the ambient air samples has been found within the prescribed limits vide reports dated 14-08-2024 of the Stone Crusher of M/s Thakur Enterprises (Unit-IV) and of M/s Shree Shree Rudra Stone Crusher (Unit-II). Copies of analysis reports are enclosed herewith as **Annexure-R-2/8 & Annexure-R-2/9** respectively.


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Phase-IV, Rakkar Colony,
Distt. Una (H.P.)-174303



15. Contents of para 15 pertains to and calls for reply of the Respondent No. 5 (SDM Haroli) and need no reply from the replying respondent.


16. Contents of para 16 are denied. It is submitted that in compliance to order dated 11-01-2023 passed by the Hon'ble NGT in another matter OA No. 863 of 2022 titled as Joginder Singh v/s State of HP & Ors., the Joint Inspection team under the Chairmanship of Deputy Commissioner Una has inspected the sites under question on 16-02-2023 and a factual report dated 24-03-2023 was submitted to Hon'ble NGT. The said matter was disposed off by the Hon'ble NGT on the report of Joint Committee.

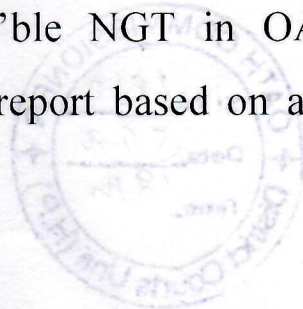
17. Contents of para -17 relate to affidavit of elected member of Gram Panchayat Dharampur regarding grant of NOC, which no not pertains to and need no reply from the replying respondent.

Contents of para 18 pertains to the Jal Shakti Vibhag and Mining Officer Una and which need no reply from the replying respondent.

19-22 That the contents of para 19-22 are denied. As already submitted in para 16 supra, the Joint Inspection Committee constituted by Hon'ble NGT in OA No. 863/2022 has submitted a factual report based on actual positions before





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Distt. Una (H.P.)-174303



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the Hon'ble NGT and the same has already been considered and the matter was disposed off. No appeal has been raised by the petitioner in the matter till date. Moreover, as already submitted in preliminary submissions paras the two other petitions i.e. CWP No. 4994/2023 titled as Subhash Chand & Ors vs State of HP & Ors. and CWP No. 4585/2023 titled as Deepak Kumar & Ors. vs State of HP & Ors. were also filed before the Hon'ble High Court of HP on the similar grounds against the installation of Stone Crushers by Respondent No. 10 & 11 which were dismissed by the Hon'ble High Court of HP vide judgments dated 18-04-2024. As such the controversy involved in the present matter has already been adjudicated upon by Hon'ble High Court of HP and Hon'ble NGT.

23. Contents of the para-23 related to the report of Joint Inspection Committee are denied. The report of committee is based upon the factual position and it is not contrary to any policy/guidelines of the State of HP as alleged.
24. Contents of the para-24 relate to site plan of village Dharmpur prepared by Architect. As already submitted in paras supra, the sites of the stone crushers of Respondent No. 10 & 11 at village Dharmpur were approved by the Site Appraisal Committee under the Chairmanship of SDO (C) of


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Phase-IV, Rakkar Colony,
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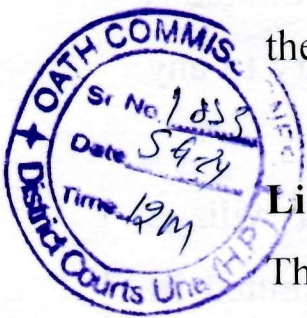


the area concerned which found the sites suitable as per State Govt. guidelines/notification dated 29-05-2014 for installation of stone crusher.

25. Contents of para 25 relates to issues of grant of NOC by Gram Panchayat Dharampur, which pertains and calls for reply of the Respondent No. 9 and need no reply from the replying respondent.

26. Contents of para 26 relate to installation of stone crushers in violation to guidelines. It is submitted that respondent Board has already granted Consent to Operate to the Respondent No. 10 & 11 as per policy guidelines for setting up of stone crushers notified by the State Government and subject to installation of adequate pollution control measures propose by the unit to prevent the air and water pollution from the operation of stone crusher..

5A-U. Contents of para 5A-U already stand controverted in view of the detailed submissions made in paras supra.



Limitation :-

That the contents of this para are denied. It is submitted that the site of stone crushers of respondent No. 10 & 11 were approved by the Joint Appraisal Committee in the year 2020 and the respondent Board has granted consent to establish to

Reg. In-
H.P. State
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Distt. Una (H.P.)-174303
Control Board



Regional Officer
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Distt. Una (H.P.)-174303

the stone crushers in the year 2021 and the present matter has been filed in the year 2024 as such the present Original Application is barred by limitation provided under section 16 of National Green Tribunal Act, 2010.

Prayer:-

In view of submissions made hereinabove and facts & circumstances of the case, it is therefore prayed that the Original Application may kindly be dismissed qua the respondent Board. Any other order deemed fit and appropriate, may be passed in the interest of justice.



Respondent No. 2

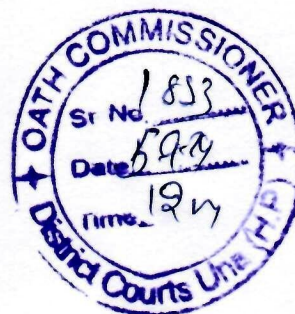
HPSPCB

H.P. State Police

**Phase-IV, Rakkar Colony,
Distt. Una (H.P.)-174303**

Date: 05/09/2024

Place: Una



BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****Original Application No. 666/2024****(I.A. No. 275/2024)****In the matter of:-**

Shri Om Prakash & Ors.

.....Applicant

Versus

State of Himachal Pradesh & Ors.

.....Respondent(s)

AFFIDAVIT

I, Praveen Kumar S/o Jagdish Ram aged 48 years, presently working as Regional Officer, H.P. State Pollution Control Board, Una, H.P. do hereby solemnly declare and affirm on oath as under :-

1. That the deponent has been duly authorized to file reply and the accompanying reply has been drafted at my instance and under my instructions.

That the contents of reply paras 1-4, sub paras 1-26 and para 5(A-U) are true and correct to the best of my knowledge,



[Signature]
Regional Officer
H.P.State Pollution Control Board
Phase-IV, Rakkar Colony,
Distt. Una (H.P.)-174303

-16-

ANNEXURE-R-2/1

Item No. 09

Court No. 2

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

Original Application No. 863/2022

Joginder Singh & Ors.

Applicant(s)

Versus

State of H.P.

Respondent

Date of hearing: 11.01.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER****Application is registered based on a complaint received by post****ORDER**

1. This original application under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as **NGT Act, 2010**) has been registered on a letter petition dated 10.07.2022 sent by the members of Gram Panchayat Sainsowal, Tehsil Haroli, District Una, Himachal Pradesh.

2. The grievance is that village Dharampur is a big village wherein a stone crusher has been installed which is likely to damage agricultural land, crops etc. in the village due to emission of dust and would also cause air pollution damaging environment in general and that of village Dharampur, in particular. It would also cause health hazard to the residents.

-17-

3. In our view, this aspect can be looked into by the concerned authorities. Hence, we dispose of this application directing Himachal Pradesh Pollution Control Board (HPPCB) and District Magistrate, Una, (Himachal Pradesh) to visit the site in question, collect relevant information and find out if there is any violation of environmental norms and if the said Committee finds complaint to be correct, they shall take appropriate remedial and preventive action in accordance with law within two months.

4. Nodal agency will be District Magistrate, Una, Himachal Pradesh for coordination and compliance.

5. With the above directions, this application is disposed of.

6. A copy of this order be forwarded to HPPCB and the District Magistrate, Una, Himachal Pradesh by email for compliance.

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

January 11, 2023
AVT



-18-

ANNEXURE-R-2/9

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.4994 of 2023

Decided on: 18.04.2024

Subhash Singh & others

...Petitioners

Versus

State of H.P. & others

...Respondents

*Coram***The Hon'ble Mr. Justice M.S. Ramachandra Rao, Chief Justice****The Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge***Whether approved for reporting?*

For the petitioners: Mr. R.K. Gautam, Senior Advocate with Mr. Jai Ram Sharma and Mr. Sahil Dixit, Advocates.

For the respondents: Mr. Pranay Pratap Singh, Additional Advocate General, for the respondents-State.

Ms.Salochana Rana, Advocate, for respondent no.6.

Mr.Abhishek Nagta, Advocate vice Mr.Parmod Singh Thakur, Advocate, for respondent no.7.

Mr.Deepak Kaushal, Senior Advocate with Mr. Aditya Chouhan, Advocate, for respondent no.8.

M.S. Ramachandra Rao, Chief Justice (Oral)

In this writ petition, the petitioners are assailing No Objection Certificate issued by the 7th respondent-Gram panchayat and the order for installation of stone crusher machine of respondent no.8.

2. Inter alia, it is contended that as per notification issued on 29.05.2014 laying guidelines for setting up of stone crusher certain norms have been laid down and one such norm is that there should be a minimum distance of 500 meters maintained from the village abadi deh. It is alleged that Khasra no.5085 is classified as village abadi deh and the site where the petitioners proposes to start the stone crusher in Khasras no.5209, 5194, 5164, 5192, 5195, 5163, 5196 and 5191 of village Dharampur falls within this distance of 500 meters.

3. There was a joint inspection conducted on 17.12.2020 by a Committee consisting of officials of various departments. It recorded that the minimum distance from the village abadi deh is 565 meters and not less than 500 meters.

4. This appears to have been challenged before the National Green Tribunal, Principal Bench, New Delhi by one Joginder Singh and others and the said OA no.863 of 2022 was disposed of on 11.01.2023 directing the Himachal Pradesh Pollution Control Board and the District Magistrate, Una to visit the site in question, collect relevant information and find out if there is any violation of environmental norms. It was also directed that if the Committee finds complaint to be correct, they shall take

appropriate remedial and preventive action in accordance with law within two months. Thereafter, a set of instructions Annexure R-6/2 were issued by the District Magistrate, Una to various officials. The said report itself mentions in para C clause (v) that the Sub Divisional Officer (Civil), Haroli, District Una through a letter dt. 22nd February, 2023 had submitted his report alongwith map showing the distance of the crusher site to the nearest abadi deh or abadis of residents and the distance of the nearest edge of crusher site from the embankment of river Swan, and that the said report reveals that the proposed sites are fulfilling the site parameters as framed in the notification dt. 29th June, 2021 issued by the Department of Science & Technology, Government of Himachal Pradesh.

5. In the reply filed by the State at para-2 it is stated that the required distance from abadi deh is 500 meters and that the Committee on the spot has found that the actual distance is 565 meters.

6. Learned counsel for the petitioners disputes this measurement on the basis of Annexure P-6 a private Architects drawing showing certain distances.

7. We are afraid that such disputed question of fact cannot be adjudicated in proceedings under Article 226 of the Constitution of India since they may require evidence to be taken at the site.

8. That part, there was a contention also raised by the petitioners about the violation of a norm specified for setting up of a stone crusher with regard to irrigation scheme which requires a minimum distance of 500 meters from the location of the stone crusher unit.

9. But what appears to be located near the stone crusher site is not an irrigation scheme according to the joint inspection report dt. 17.12.2020.

10. The 8th respondent has also filed a CMP no.4994 of 2024 undertaking to comply with each and every guidelines and directions issued by the competent authorities for prevention of pollution through dust or otherwise to the neighbouring lands and that he would install all the plants and machineries including pollution control devices as mentioned in the Deputy Commissioner's report and notification dt. 29th June, 2021 and then only after examining the said machineries, permission to operate

pollution through dust or otherwise to the neighbouring lands, and that he would install all the plants and machineries including pollution control devices as mentioned in the Deputy Commissioner's report and notification dt. 29th June, 2021, and then only after examining the said machineries, permission to operate may be granted to him by the Pollution Control Board and other departments.

12. In this view of the matter, we are not inclined to grant any relief to the petitioners in this Writ petition, which is accordingly dismissed. Interim order granted earlier is also vacated.

13. Pending miscellaneous application(s), if any also stand disposed of.

(M.S. Ramachandra Rao)
Chief Justice

(Jyotsna Rewal Dua)
Judge

April 18, 2024
(vt)

- 23 -

ANNEXURE-R-2/3**IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA****CWP No.4585 of 2023****Decided on: 18.04.2024**

Deepak Kumar & others

...Petitioners

Versus

State of H.P. & others

...Respondents

*Coram***The Hon'ble Mr. Justice M.S. Ramachandra Rao, Chief Justice****The Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge***Whether approved for reporting?*

For the petitioners: Mr. R.K. Gautam, Senior Advocate with Mr. Jar Ram Sharma and Mr. Sahil Dixit, Advocates.

For the respondents: Mr. Pranay Pratap Singh, Additional Advocate General, for the respondents-State.

Ms. Salochana Rana, Advocate, for respondent no.5.

Mr. Abhishek Nagta, Advocate vice Mr. Parmod Singh Thakur, Advocate, for respondent no.6.

Mr. Deepak Kaushal, Senior Advocate with Mr. Aditya Chouhan, Advocate, for respondent no.7.

M.S. Ramachandra Rao, Chief Justice (Oral)

In this writ petition, the petitioners are assailing No Objection Certificate issued by the 6th respondent-Gram panchayat and the order for installation of stone crusher machine of respondent no.7.

2. Inter alia, it is contended that as per notification issued on 29.05.2014 laying guidelines for setting up of stone crusher certain norms have been laid down and one such norm is that there should be a minimum distance of 500 meters maintained from the village abadi deh. It is alleged that Khasras no.5119 and 5085 are classified as village abadi deh and the site where the petitioners proposes to start the stone crusher in khasras no.5151 and 5158 of village Dharampur falls within this distance of 500 meters.

3. There was a joint inspection conducted on 27.10.2020 by a Committee consisting of officials of various departments. It recorded that the minimum distance from the village abadi deh is 575 meters and not less than 500 meters.

4. This appears to have been challenged before the National Green Tribunal, Principal Bench, New Delhi by one Joginder Singh and others and the said OA no.863 of 2022 was disposed of on 11.01.2023 directing the Himachal Pradesh Pollution Control Board and the District Magistrate, Una to visit the site in question, collect relevant information and find out if there is any violation of environmental norms. It was also directed that if the Committee finds complaint to be correct, they shall take appropriate remedial and preventive action in accordance with law

within two months. Thereafter, a set of instructions Annexure R-7/3 were issued by the District Magistrate, Una to various officials. The said report itself mentions in para C clause (v) that the Sub Divisional Officer (Civil), Haroli, District Una through a letter dt. 22nd February, 2023 had submitted his report alongwith map showing the distance of the crusher site to the nearest abadi deh or abadis of residents and the distance of the nearest edge of crusher site from the embankment of river Swan, and that the proposed sites are fulfilling the site parameters as framed in the notification dt. 29th June, 2021 issued by the Department of Science & Technology, Government of Himachal Pradesh.

5. Learned counsel for the petitioners contends that the said report of the Sub Divisional Officer (Civil), Haroli, District Una dt. 22nd February, 2023 mentions only Khasra no.5119 and there is no reference to Khasra no.5085 therein. The fact remains that the said letter of Sub Divisional Officer (Civil), Haroli, District Una dt. 22nd February, 2023 mentions that only one abadi (house) exists in Khasra no.5119, and the same cannot be equated to abadi deh.

6. In the reply filed by the State at para-2 it is stated that the required distance from abadi deh is 500 meters and that the

Committee on the spot has found that the actual distance is 575 meters.

7. Learned counsel for the petitioners disputes this measurement on the basis of Annexure P-6 a private Architects drawing showing certain distances.

8. We are afraid that such disputed question of fact cannot be adjudicated in proceedings under Article 226 of the Constitution of India since they may require evidence to be taken at the site .

9. That part, there was a contention also raised by the petitioners about the violation of a norm specified for setting up of a stone crusher with regard to irrigation scheme which requires a minimum distance of 500 meters from the location of the stone crusher unit.

10. But what appears to be located near the stone crusher site is not an irrigation scheme according to the joint inspection report dt. 27th October, 2020 (R 7/2) and according to Annexure R-5 dt 06.09.2023, it is only a tube well.

11. The 7th respondent has also filed a CMP no.4887 of 2024 undertaking to comply with each and every guideline and directions issued by the competent authorities for prevention of

pollution through dust or otherwise to the neighbouring lands, and that he would install all the plants and machineries including pollution control devices as mentioned in the Deputy Commissioner's report and notification dt. 29th June, 2021, and then only after examining the said machineries, permission to operate may be granted to him by the Pollution Control Board and other departments.

12. In this view of the matter, we are not inclined to grant any relief to the petitioners in this Writ petition, which is accordingly dismissed. Interim order granted earlier is also vacated.

13. Pending miscellaneous application(s), if any also stand disposed of.

(M.S. Ramachandra Rao)
Chief Justice

(Jyotsna Rewal Dua)
Judge

April 18, 2024
(vt)

-28-

(Authoritative English text of the Department's nonfiction No. STE-E(5)-9/2018 dated 29-06-2021 as required under clause (3) of the Article 348 (3) of the constitution of India)

Government of Himachal Pradesh
Department of Environment, Science & Technology

No. STE-E-(5)-9/2018

Dated: Shimla-2

29-06-2021.

NOTIFICATION

Whereas the Hon'ble High Court of Himachal Pradesh vide its order dated 01.06.2012 (daily order) in the matter of CWP Nos. 7949/2011 and 7951 titled as Desh Raj V/s State of HP & others and Yog Raj V/s State of H.P & Others respectively directed the State Government to consider the existing guidelines for setting up of Stone Crushing Units in Himachal Pradesh, afresh and in pursuance of the same the Department of Environment, Science & Technology issued the notification no. STE-E (3)-17/2012 dated 29.05.2014.

Whereas the Government of Himachal Pradesh, in view of the recommendations of the Expert Committee constituted by the Hon'ble National Green Tribunal in the matter of O.A. No. 358 of 2016, titled as Bhag Singh vs. Union of India & Ors. concerning to setting up of Stone Crusher Units close to the water bodies and orders dated 10.07.2019, based on views and recommendations submitted by said Hon'ble National Green Tribunal Expert Committee in its report submitted to the Hon'ble National Green Tribunal on dated 19.06.2019, has reassessed the various parameters notified for setting up of Stone Crusher Units in Himachal Pradesh.

Now therefore, keeping in view advancement in technologies and modernization of devices for controlling pollution for stone crusher industry, the Governor of Himachal Pradesh in supersession of this Department's Notification No. STE-E(3)-17/2012 dated 29.05.2014 and in exercise of the powers conferred by the Section 5 of the Environment (Protection) Act, 1986, and in pursuance of the provisions of Section 7 of the said Act, and Rule 4 of the Environment (Protection), Rules, 1986 and directions of Hon'ble High Court of HP issued in CWP No. 7949/2011, CWP No. 7951/2011 & also considering the recommendations of the Expert Committee constituted by Hon'ble National Green Tribunal in the matter of O.A. No. 358 of 2016, titled as Bhag Singh Vs. Union of India & Ors., is pleased to issue the guidelines/ directions as follows for all Stone Crusher Units (hereafter referred to as the Unit) so as to exercise greater control and vigil over the stone crushing operations to save the environment and ecology of the State, with immediate effect, namely:-

1. Site Suitability:-

1.1 Norms:

Taking into consideration the hill topography, availability of less land and requirement to maintain the fragile ecology of the hills, the units shall be set up keeping in view the following criteria, namely:-



-29-

Sr. No.	Criteria	Distance norms for existing stone crushers (crow flight, distance in meters) set up prior to year 2004	Distance norms for existing stone crushers (crow flight, distance in meters) set up after year 2004 to May, 2014	Distance for the Stone (crow flight, distance in meters) as per Notification dated 29.05.2014	Proposed distance for the Stone crushers to be set up in future, (crow flight, distance in meters) from the issuance of the Notification Dated 29.05.2014
1	2	3	4	5	6
1	Minimum distance from National Highway.	50 (Horizontal distance)	150	150	150
2	Minimum distance from State Highway	50	150	100	100
3	Minimum distance from link road (PMGSY, NABARD/World Bank sponsored/other District-roads)	---	75	50	50 (condition will not be applicable to other roads except as specified in col. (2))
4	Minimum distance from District headquarters (distance to be measured from the outer of the municipal limit of the District Headquarters)	1500	1500	1500	1500 (may be read as 300 meters in col. (3) as per amendment vide notification no. STE-E(4)-1/ 2003-I dated 25-04-2006)
5	Minimum distance from town or Notified Area Committee (distance to be measured from the outer of the municipal limit/Nagar Nigam/Nagar Palika/Nagar Panchayat)	1500	1500	1000	1000 (may be read as 300 meters in col. (3) as per amendment vide notification No. STE-E(4)-1/ 2003-I dated 25-04-2006)
6	Minimum distance from village abadi-deh	250	500	500	500
7	Minimum distance from Hospital & Educational Institutions	300 (Horizontal distance)	1000	1000	1000
8	a. Minimum distance from spring, canal, functional water supply scheme including its reservoir	100	---	100 (excluding spring, canal)	100 (excluding spring, canal)
	b. Minimum distance from a percolation well, sewerage treatment plant, water infiltration galleries.	---	---	100	100
9	Minimum distance from lakes, wetlands and reservoir of irrigation scheme, hydro power projects.	500	500	500	500

10	Minimum distance from natural water spring	500	500	100 (as at Sr. No. 8 (a))	100 (as at Sr. No. 8 (a))
11	Minimum distance from notified parks	----	2000	2000	2000
12	Minimum distance from sanctuaries	----	1000	1000	1000
13	Minimum distance from bridge sight	----	200 upstream 300 downstream	200 upstream 300 downstream	200 upstream 300 downstream
14	Minimum distance from the canal and perennial rivulets	(100 for canal)	----	100	100

Note:- Keeping in view the representations received from Stone Crusher Owners, Associations from time to time w.r.t. interpretation of above applicability of parameters committee felt imperative to clarify that:

1. *The recommendations are prospective in nature and shall be imposed from date of notification for future.*
2. *Similarly, applicability of the earlier notifications issued on dated 29.04.2003, 10.09.2004, 25-04-2006 and 29.05.2014, are also of prospective e.g. the regulatory authorities must take note that the stone crushers set up prior to 29-04-2003 will be governed by the parameters of col. (3).*

1.2 Notes:

1.2.1 All distances shall be measured as crow flies from the highest node of the crusher conveyor belt to the outer periphery of the revenue unit or the municipal limits or the periphery of the feature concerned.

1.2.2 In the guidelines distances are relaxable in the case of any natural barrier between the site of the Unit and any of the features indicated in the guidelines Natural barrier may be defined as "any natural physical entity except any kind of River/Khad/Natural Stream/Tree Canopy which obstructs the physical view and /or prevents the movement of Air and Noise so as to keep Air and Noise Pollution within prescribed limits".

The Government may relax the guidelines for a limited period in specific cases wherein setting up of stone crushing unit is necessary in public interest but it is not practically feasible to adhere to any or all of the guidelines, provided that such relaxation will be considered only on the recommendation of the Joint Inspection Committee as proposed in Para 1.3.2.

1.2.3 In case of Shimla Town the sitting norms shall be as per the directions of the Hon'ble High Court of Himachal Pradesh dated 26.07.1993 in CWP No. 51 of 199 titled as "Court on its own motion versus State of Himachal Pradesh & Others".

1.3 Joint Inspection Committee for site appraisal:

1.3.1 The Unit shall apply /obtain "Provisional Registration" from the Department of Industries for obtaining pre-production clearances from other Government Departments.

1.3.2 The site for setting up the Unit shall be appraised and approved by the Joint Inspection Committee consisting of the following:--

- | | |
|--|----------|
| 1. Sub-Divisional Officer(Civil) concerned | Chairman |
| 2. Divisional Forest Officer or his representative | Member |
| 3. Representative of HP State Pollution Control Board. | Member |
| 4. Executive Engineer, HPPWD or his representative | Member |
| 5. Executive Engineer, Jal Shakti Vibhag or his representative | Member |

- 31-
- | | |
|--|------------------|
| 6. Representative of Department of Tourism | Member |
| 7. Surveyor | Member |
| 8. Soil Conservation Expert from Agriculture Department equivalent or above Sub Divisional Soil Conservation Officer | Member |
| 9. Geologist or Mining Officer | Member Secretary |

1.3.3 The Committee constituted in Para 1.3.2 is in supersession of the Industries Department Notification No. Udyog I (Chh) 4-1/85-II dated 26.04.1993, 24.12.1998 and STE-E(3)5/20014 dated 29.05.2014. The approval of the Committee shall be the basis for issue of clearance and approval including those of the Himachal Pradesh State Electricity Board Ltd., Himachal Pradesh State Pollution Control Board and permanent registration with the Department of Industries.

2. Emission Norms and Pollution Control Measures:

2.1.1 Standards:-

- 2.1.2 The suspended particulate matter measured between 3 meters and 10 meters from any process equipment of a unit shall not exceed 600 micrograms per cubic meter
- 2.1.3 The suspended particulate matter contribution value at a distance of 40 meters from a controlled isolation as well as from a unit located in a cluster shall be less than 600 mg/Nm³. The measurements are to be conducted at least twice a month for all the 12 months in a year.
- 2.1.4 The noise levels (leq.) shall be maintained within the standards for noise as specified in Schedule -III, of the Environment (Protection) Rules, 1986.

2.2 Pollution Control Measures:

- 2.2.1 Every unit shall provide a wind breaking wall along with suitable enclosure to ensure adequate dust containment.
- 2.2.2 Every Unit shall have a dust suppression system with water spray and sprinkling system.
- 2.2.3 Dust extraction and collection system shall be provided at crusher and transfer points in every Unit.
- 2.2.4 Every Unit shall have adequate water supply along with at least two days water storage facility for running pollution control equipments.
- 2.2.5 Facility for regular cleaning and wetting of the ground shall be provided.
- 2.2.6 Trees of suitable species shall be planted to develop a green belt within and along the boundary of the premises.
- 2.2.7 Every Unit shall have a separate energy meters for pollution control devices wherever the energy is consumed for operating them and record thereof shall be maintained and made available to the Himachal Pradesh State Environment Protection and Pollution Control Board (hereinafter referred to as State Board) whenever demanded.
- 2.2.8 The stone crushing unit shall be provided with acoustic enclosure near jaw sheds and shall be properly designed and approved by the State Pollution Control Board as per Central Pollution Control Board norms to control noise pollution in accordance with the Environment (Protection) Act, 1986.
- 2.2.9 Dust suppression system, water sprinkler used in stone crusher shall be of uniform technology as it was noticed that at different location different kind of sprinkler system were being used which were observed and found to be causing wastage of water and excessive use of water. The mist, spray nozal system being quite efficient in controlling the dust pollution, shall be installed for dust suppression.

ling

- 2.2.10 The wind breaking walls shall be reconstructed scientifically with application of wind rose diagram for the unit i.e. towards, the predominant direction of wind and natural profile of the area.
- 2.2.11 The tree plantation shall be verified with comparison to the capacity, time of establishment of the unit, proper monitoring of growth of trees shall be recorded with photo monitoring on annual basis while giving renewal of Consent to Operate etc. linked with date of establishment of the units number of tree plants.
- 2.2.12 The water mists spray nozal system shall be interlocked with stone crushing unit main energy supply and water supply meter.

2.3 Further Advancement in pollution control devices for proposed and existing units:

- 2.3.1 Stone crushers unit project proponent shall cover all the conveyor belts as well as provide dusts skirt at material transfer point.
- 2.3.2 Stone Crusher unit project proponent shall provide wind breaking L shape wall of height more than the 3 ft from the highest conveyor belt to reduce noise pollution as well as air borne dust emission pollution due to wind velocity as designed by a qualified engineer.
- 2.3.3 All approach roads and ramps shall be properly paved so that it does not lead to dust pollution.
- 2.3.4 Crusher shall be covered and water sprinkling system shall be provided on crusher to suppress the dust generated due to material handling/ loading/ unloading activities.
- 2.3.5 Regular cleaning and wetting of the uncovered area, ground within the premises.
- 2.3.6 Growing of at least three rows canopy of evergreen species to be planted along the periphery of the crushing units to reduce noise as well as fugitive emission/dust pollution.
- 2.3.7 Speed control, low speed means less dust. For vehicles speeds limit 20 Km/h in 1 Km periphery of unit.
- 2.3.8 Housekeeping-clean up spills promptly. Adequate toilet facilities for manpower at stone crushers and mining lease area shall be provided by the stone crusher owners.
- 2.3.9 All the stone crushers shall have to construct a RCC/ concrete stone masonry wall on valley side wherever applicable to ensure that the downstream water sources etc. are not affected.

2.4 Parameters in the context of changing weather conditions in the face of Climate Change- Mitigation of impacts thereof:-

- 2.4.1 In order to mitigate the dust emission pollution impacts in surrounding areas of stone crushing units, the readjustment in setting up of conveyor belts, crushing units, screening units may be done by taking into consideration the GLC (Ground Level Concentration) values of SPM (Suspended Particulate Matter) PM2.5. The scenario of dispersion of RSPM 2.5/ 10 at ground level is important for risk assessment and mitigation. The monitoring of these parameters shall be undertaken on yearly basis and the proof of monitoring with geo-tagged photographs.
- 2.4.2 In case the GLC, wind rose assessment shall be done for all the stone crushing unit and readjustment shall be made in sitting the crushing units, the risks of dust pollution will be mitigated significantly by rebuilding the wind breaking walls.
- 2.4.3 Install rain water harvesting tanks of adequate capacity based on potential with rain water use system.
- 2.4.4 Registration of Stone Crusher Units with Ground Water Authority in case ground water is to be extracted.
- 2.4.5 The rainwater harvesting, tree plantation shall be essential/ mandatory for the stone crushing units in the State to mitigate the climate change impacts.

2.4.6 The stone crusher with the capacity ⁻³³⁻ >100000 tones per year shall install air quality measuring sensors e.g. purpleair.com and this shall be monitored by the HP State Pollution Control Board on real time basis.

**The proposed conditions/norms should be applicab^le retrospectively for all existing stone crushers of capacity >10,000 MT/ annum.*

2.5. Impact of Stone Crusher Units location on the hydrological, soil & water conservation, environment aspects such as air, water, flora and fauna.

- 2.5.1 In case of stone crusher units with washing plants, the sedimentation tanks commensurate to the plant's capacity needs shall be built immediately so that effluents are not drained in the open directly which ultimately feeds the river.
- 2.5.2 In that case, the effluents from sedimentation tank shall be treated and the usable raw material such as silt, soil shall be reused in field, road construction, brick making etc.
- 2.5.3 Provisions for proper drainage scheme for evacuation of storm water needs shall be in place.
- 2.5.4 The crusher units using ground water shall register their ground water abstraction structures with the State Ground Water Authority under the H.P. Ground Water (Regulation & Control of Development and Management) Act, 2005. The process is online at emerginghimachal.gov.in.
- 2.5.5 Those crushers using surface water from rivers, khads, nallahs shall get the requisite permission from the concerned Executive Engineer of Jal Shakti Vibhag.
- 2.5.6 The regular water sprinkling in and around the stone crushing units is of utmost relevance to minimize the dust pollution impact on flora through rain water harvesting shall be done.
- 2.5.7 The effective water sprinklers shall be installed at crushing units to suppress the dust generated at the crushing unit.
- 2.5.8 Dumping of waste material in river water source shall be completely prohibited.

2.6. Washing units-waste water treatment:

- 2.6.1 Washing unit Stone crushers shall construct adequate no. of earthen de silting chambers followed by a Cement concrete (Pucca) storage tank of adequate capacity from where the wash water shall be re-circulated back in the washing activities lifted through a sludge pump. The size of tanks to be decided based on capacity of unit.
- 2.6.2 The stone crusher units having washing plants shall construct sedimentation tanks as per the plant capacity based on following calculations:
- For washing units regular water supply is required which needs to be regulated through Ground Water Board/ Jal Shakti Vibhag concerned through meeting and registration.
 - 100 CFT washing of sand leads to ~ 1250 lt. water is required i.e. about 1100 lt. waste water is generated from production of sand.

e.g. A washing unit of a Stone Crusher with capacity of $2\frac{1}{2}$ inch / second water supply takes 30 minutes to produce 400 CFT sand which means about:

$$\begin{aligned}
 &= 2\frac{1}{2} \text{ inch} \times 30'' \times 60'' \\
 &= 1800 \times 2\frac{1}{2} \text{ inch} \\
 &= 4500-5000 \text{ ltrs. of water is required for production of } \sim \\
 &\quad 400 \text{ CFT sand.}
 \end{aligned}$$

-34-

Every washing unit is required to built waste water de-silting chamber of rational capacity i.e. for example, if the capacity of unit is

- ~ 10 Truck per day = waste water chamber of minimum 25,000 lts. of at least half of the expected waste water quantity in one go shall be provided.
- ~20 truck per day = Minimum of 50,000 lts. of at least half of the expected waste water quantity in one go shall be provided.

The water would be 100% recycled and there would be zero liquid discharge. Verification of waste water silting chamber and recycling would be a mandatory condition for Consent to Establish & Renewal of Consent to Operate.

3 Procedure for establishment and operation to be followed by the State Board:

- 3.1.1 The State Board shall issue conditional "Consent to Establish" to the unit only after the Joint Inspection Committee has recommended the case and the unit agrees to fulfill the Pollution Control measures given in para-2.1 and 2.2.
- 3.1.2 The State Board shall issue "Consent to Operate" only if the unit has taken measure to comply with the conditions given in the "Consent to Establish".
- 3.1.3 Every unit shall get - monitoring for Air and Noise conducted regularly and submit the reports to the State Pollution Control Board.
- 3.1.4 The State Board shall be the Authority to ensure the compliance of the Pollution Control measures given on these guidelines/directions and shall do the necessary monitoring of the unit as per schedule of monitoring approved by the State Board/Department of Science & Technology, Himachal Pradesh, Shimla.
- 3.1.5 Every unit shall follow any other direction(s) issued by the State Government from time to time.

4. Latest technologies advancement and availability of modern machinery and equipments for setting up of stone crusher units:

Keeping in view the technological advancements, availability of modern machinery and equipment, in the state following technologies shall be specifically linked with capacity of the plant in following manner:-

Sr. No.	Capacity of Stone Crushing Unit	Technology	Covered shed
1	Up to 20000 Tons/year	Conventional stone crusher technologies, jaw crushing with or without screening rolling screening	Yes
2	>20,000 to 1,00,000 Tones/year	Jaw crushing with wetting of raw material at hoper with water spray nozal of ¼ inch per second capacity.	To cover conveyor belts as well with nozal sprayer on conveyor belts acoustic ends.
3	>1,00,000 tones / year and above	Jaw plus Cone crushing unit with Screener with wetting of raw material at hoper with water spray nozal of ½ inch per second capacity.	Closed loop system to cover conveyor belts with acoustic enclosures. Nozals sprayer on conveyor belts.

-35-

The amendments in the notification shall be subject to any other order passed by Hon'ble High Court in CMP No. 8459 of 2019 of CWP No. 2067 of 2019 State of Himachal Pradesh & ors. Petitioners/ applicants versus Bhag Singh & others. CWP No. 4342 of 2019 M/s Jai Mateshwari Stone Crusher Petitioner/ applicant versus State of Himachal Pradesh & ors.

By order

Kamlesh Kumar Pant, IAS
Principal Secretary (Env. S&T) to the
Government of Himachal Pradesh


Endst. No. STE-E-(5)-9/2018

Dated: Shimla-2,

29-06-2021.

Copy forwarded for information and necessary action to:-

1. The Secretary to the Governor, Himachal Pradesh, Shimla-171002.
2. The SPS/PS to the Chief Minister/Ministers, H.P Shimla-2.
3. The Sr. Private Secretary to the Chief Secretary to the Government of H.P.
4. All the Administrative Secretaries to the Government of H.P.
5. All the Divisional Commissioners in HP.
6. All the Heads of Department in H.P.
7. All the Deputy Commissioners in H.P.
8. All the Superintendents of Police in H.P.
9. The Director (Env., Sci. & Tech.), Himachal Pradesh.
10. The Member Secretary, State Council for Science & Technology, HP.
11. The Member Secretary, HP State Pollution Control Board, Shimla-9
12. ALR-cum-Under Secretary (Law) to the Govt. of H.P Shimla-171002.
13. All the Municipal Corporations H.P.
14. All the Executive Officers/Secretaries of Municipal Councils/ Nagar Panchayats in Himachal Pradesh.
15. Guard file.


 (Satpal Dhiman) 29-6-2021
 Joint secretary (Env., Sci. & Tech.) to the
 Govt. of Himachal Pradesh
 Phone No.0177-2621874



H.P.STATE POLLUTION CONTROL BOARD

HIM PARIVESH, PHASE-III, NEW SHIMLA-171009

ANNEXURE R-2/5

HPSPCB No : 620

Date: 19/07/2024

Industry Registration ID: HP12836425

Application No : 12720989

To,

Thakur Enterprises Unit IV
VPO Dharampur, Tehsil Haroli District Una HP

Una
177209

Subject: Consent to Operate u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981.

With reference to your application for obtaining 'Consent to Operate' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981, you are hereby, authorized to operate an industrial unit subject to the Terms and Conditions as mentioned in this Consent letter.

1. Particulars of Consent to Operate under the Water Act, 1974 and Air Act, 1981 granted to the industry

Consent No.	CTO/BOTH/NEW/RO/2024/12720989
Date of issue :	01/04/2024
Date of expiry :	27/10/2024
Certificate Type :	NEW
Previous CTE/CTO No. & Validity :	

2. Particulars of the Industry

Name & Designation of the Applicant	Rajender Singh, (Proprietor)
Address of Industrial premises	Thakur Enterprises Unit IV, VPO Dharampur, Tehsil Haroli District Una HP, ,Una-177209
Capital Investment of the Industry	218.63 lakhs
Category of Industry	Orange
Type of Industry	2064-Stone crushers
Scale of the Industry	Small
Office District	Una
Capacity	

Raw Materials (Name with quantity per day)

Raw Materials	Quantity	Unit
Sand, Stone & Bajri	57000	M.T./Year

Products (Name with quantity per day)

-37-

Name of Products	Unit	Quantity	Intermediate Product	Principal Use
Sand & Bajri	M.T./Year	57000	-	Infrastructure Material

Details of the Effluent Treatment Plant

Type of Effluent	Capacity	Quantity
Septic Tank	24	0.920
Pre-treatment	10	6

Mode of Disposal

Description	Quantity(in KLD)	Method of Treatment	Method of Disposal
Domestic	0.920	Soak Pit/Septic Tank	Soak Pit/Septic Tank
Industrial Process	6	Pre-treatment	Recycle

Quantity of fuel required (in TPD) and capacity of boilers/ Furnace/Thermo heater etc.

Type	No.of Boiler/'Heater /Evaporator/Incinerator/D G Set/Other	Capacity	Type of Boiler/'Heater s/Evaporators /Incinerator/D G Sets/Others	Type of Fuel	Fuel consumption rate in MT/hour or KL/hour or M3 /hour
Others	1 No.	-	Rotopactor & Jaw Machine	Electricity	As per Requirement

Type of Air Pollution Control Devices installed

Equipment Type	Equipment Name	Date/proposed date of installation	Efficiency(%reduction)	Final concentration of pollution being emitted
Wind Breaking Wall, Three Layer Plantation, Telescopic Chutes, Water Sprinkler, Covered machinery	Others	Mon Jan 01 00:06:00 IST 2024	99 %	SPM less than 600 microgrammes/ Nm3



Approved By

**Member Secretary
(H. P. State Pollution Control Board)**

Endst. No.:

Copy To:-

1. The Regional Officer, HPSPCB Regional Office Una for information with direction that all the consent conditions are complied with and all the PCDs provided shall be maintained and operated to achieve the norms.



ANIL
JOSHI

Digitally signed by
ANIL JOSHI
Date: 2024.07.19
16:27:03 +05'30'

**Anil Joshi, IFS
Member Secretary
For & on behalf of
(H. P. State Pollution Control Board)**

-39-

TERMS AND CONDITIONS

A. SPECIFIC CONDITIONS

1. This 'Consent to Operate' is only for the purpose and under the provision of Water Act, 1974 and Air Act, 1981 as the case may be, and will not construed as substitute for mandatory clearances required for the project under any other law/regulation/direction/order and the applicant shall obtain any such mandatory clearance before taking any steps to establish industry/ industrial plant, operation or process or any treatment and disposal system or an extension or addition thereto.
2. Nothing in this Consent shall be deemed to neither preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subjected to under this or any other Act.
3. The unit shall apply for further renewal/extension in the validity of the Consent, before the expiry of this 'Consent to Operate'.
4.
 - i) The unit shall ensure compliance of Waste Management Rules i.e. Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016/ Plastic Waste Management Rules, 2016/ E-Waste (Management) Rules, 2016/Construction & Demolition Waste Management Rules, 2016 and Manufacture, Storage & Import of Hazardous Chemical Rules, 1989 and provisions made thereunder, as amended from time to time, without any adverse effect on the environment, in any manner (As Applicable).
 - ii) The unit shall made provisions for the compliance Solid Waste Management Rules, 2016 and provisions made thereunder and unit shall also not practice burning activity of solid waste/waste generated from fuel within/outside premises, to avoid public nuisance.
5. This 'Consent to Operate' is for:-
 - i) The emissions from all sources conforming to the norms as prescribed in Schedule-I of Environment (Protection) Rules, 1986 as amended from time to time.
 - ii) Noise and Ambient Air Quality shall be maintained within Ambient Air Quality Standards for noise as specified in Schedule-III of Environment (Protection) Rules, 1986 and Noise Pollution (Regulation and Control) Rules, 2000, as amended from time to time.
 - iii) The effluent (Domestic/Industrial) shall conform to the limits as prescribed in Schedule-I or Schedule-VI or Industry specific standards of Environment (Protection) Rules, 1986 as amended from time to time.
 - iv) Sewage and sullage generated from the unit to be disposed-off in a properly designed septic tank system/Sewage Treatment Plant/ Public Sewer System (as applicable).
6. The unit shall ensure regular operation and maintenance of Pollution Control Devices to achieve the norms as prescribed in Environment (Protection) Act, 1986 and the achievement of the adequacy and efficiency of the effluent treatment plant/pollution control devices/re-circulation system installed shall be the entire responsibility of the unit.
7. The unit shall ensure regular operation and maintenance of separate energy meter/flow meter for running pollution control devices and shall also maintain record with respect to operation of air pollution control device/effluent treatment plant, so as to the satisfy the Board regarding the regular operation of air pollution control device/effluent treatment plant and shall maintain log book for the monthly reading / record.
8. **CONDITIONS UNDER WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974.**
 - a) The unit shall maintain the record regarding the daily water consumption as per flow meter installed.
 - b) The unit shall ensure that terminal manhole(s) at the end of each collection system and a manhole upstream of final outlet (s) out of the premises of the industry for measurement of flow and for taking samples.

-40-

- c) The pollution control devices shall be interlocked with the manufacturing process of the industry (if applicable) and the authorized outlet and mode of disposal shall not be changed without the prior written permission of the Board. Unit shall not use any unauthorized out-let(s) for discharging effluents from its premises.
- d) Solids, sludge, filter backwash or other pollutant removed from or resulting from treatment or control of waste waters shall be disposed-off in scientific manner.

9. **CONDITIONS UNDER AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981.**

- a) The unit shall ensure port-holes, platforms and/or other necessary facilities as may be required for collecting samples of emissions from any chimney, flue or duct or any other outlets as per the specifications mentioned in 'Consent to Establish'.
 - b) The unit shall discharge air emissions through a stack of minimum height as specified in 'Consent to Establish' and shall follow standards laid down from time to time.
 - c) For industrial furnaces and kilns, the criteria for selection of stack height would be based on fuel used for the corresponding steam generation & as per specification.
 - d) Unit shall ensure Stack height for diesel generating sets as per specification mentioned in 'Consent to Establish'.
 - e) The unit shall provide proper and adequate air pollution control arrangements for control emission from its coal/fuel handling area and emissions from handling, transportation and processing of raw material & product of the industry, as applicable.
 - f) The unit shall ensure regular operation and maintenance of installed canopy and stack of the D.G sets so as to control the noise & air pollution in order to comply with the provision of notification No GSR-371 E dated 17-5-2002 or direction as issued by MOEF from time to time, under Environment (Protection) Act, 1986.
 - g) The unit shall ensure disposal of boiler ash/fuel ash through authorized person or within premises in a scientific manner (as the case may be) and shall maintain proper record for the same, if applicable.
 - h) The unit shall ensure that terminal manhole(s) at the end of each collection system and a manhole upstream of final outlet (s) out of the premises of the industry for measurement of flow and for taking samples.
10. The unit shall ensure valid and approved on-site and off-site emergency plan, approved by the Chief Inspector of Factories, Himachal Pradesh (If applicable).
11. The unit shall ensure regular operation and maintenance of real time online monitoring equipment's and provisions for the un-interrupted transfer of data as per guidelines of CPCB (if applicable).
12. The unit shall provide adequate arrangements for fighting the accidental leakages/ discharge of any air pollutant/gas/liquids from the vessels, mechanical equipment's etc. which are likely to cause environmental pollution.
13. The unit shall plant & maintain minimum three layer of trees so far possible as per plantation guide (may be download from the website <http://hppcb.nic.in/plantationguide.pdf>) all along the boundary of the industrial premises and check air/water/noise pollution at source.
14. Any guidelines issued by the Central Government/State Government/MoEF/CPCB/SPCB/any other authority concerned, shall be binding.
15. This 'Consent to Operate' is subject to orders on any litigation pending in any Court of Law. Any direction/order issued by any court shall be binding (if any).
16. The Board reserves the right to revoke the 'Consent to Operate' granted to the industry at any time, in case the industry is found violating the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 as amended from time to time.
17. The unit shall comply with any other conditions laid down or directions issued in due course by the Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

B. OTHER CONDITIONS

- 41-
1. The unit shall comply with the conditions imposed by the MoEF/State Level Environment Impact Assessment Authority/ District Level Environment Impact Assessment Authority in the environmental clearance granted to it as required under EIA notification dated 14-9-06, if applicable.
 2. The issuance of this consent does not convey any property right in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State or Local Laws or Regulations.
 3. Stone Crusher units shall comply with the provisions of guidelines notified by the State Government vide Notification No: STE-E(3)-11/2012, dated 29-05-2014 (If Applicable).
 4. Brick Kiln units shall comply with the provisions of guidelines notified by the MoEF vide Notification No. G.S.R.233.(E), dated-15-03-2018 and by the State Government vide Notification No. STE-E(5)-6/2013, dated-07-03-2014 (If Applicable).
 5. Hydroelectric Projects shall install Online Real Time Monitoring System for the measurement of 15% of minimum discharge in lean season as per orders of Court/Government. The unit shall also ensure provisions for the regular and uninterrupted transfer of data from the real time online monitoring system for 15% of minimum discharge of flow to SPCB, failing which unit shall be liable for action on account of violation of the directions issued by Court/Government/SPCB in this regard (If Applicable).
 6. Unit shall strictly adhere to the capacity approved by the Industries Department/ Department of Tourism & Civil Aviation/any other concerned Authority (As Applicable).
 7. The unit shall not cause any nuisance/traffic hazard in vicinity of the area.
 8. The unit shall ensure that there will not be significant visible dust emissions beyond the property line.
 9. The unit shall obtain and submit Insurance cover as required under the Public Liability Insurance Act, 1991.
 10. The unit shall put display Board indicating environmental data in the prescribed format at the main entrance gate.
 11. The unit shall maintain record regarding the operation of effluent treatment plant i.e. record of quantity of chemicals and energy utilized for treatment and sludge generated from treatment so as to satisfy the Board regarding regular and proper operation of pollution control equipment.
 12. Any amendments/revisions made by the Board/CPCB/MOEF in the emission/stack height standards shall be applicable to the industry from the date of such amendments/revisions.

C. SPECIAL CONDITIONS

-42-

1. The Unit shall neither change the type of products nor shall exceed the production beyond the approved capacity without obtaining consent of the state Board.
2. This consent of the State Board shall be only for the purpose and under the provisions of the Water Act, 1974, Air Act, 1981 shall not be considered as substitute or pre-requisite clearances required from other departments.
3. This consent is subject to ratification of State Board or any litigation pending at any Court of Law.
4. Unit shall ensure compliance to the notified guidelines dated 29.06.2021 issued by the DEST.
5. Unit shall ensure compliance to the guidelines issued by CPCB before 17.10.2024 positively.
6. The Regional Officer shall ensure that the sampling of the crusher is conducted as per the frequency prescribed by the State Board.
7. The mining operation shall be performed strictly as per the approved EMP and unit shall comply with the conditions of EC, Grant order/Deed and PMT.
8. The unit shall immediately provide CCTV cameras and connect with the servers to display.
9. This consent is subject to Final outcome in Hon'ble NGT vide OA No. 358/2016 as well as in Hon'ble High Court vide CWP No. 2067 of 2019 and subjected to the outcome/decision of Hon'ble High Court CWP No. 4994 of 2023 titles as Subhash Singh & Ors versus State of HP and Ors.
10. Unit shall apply separately for CTE/CTO-Expansion for Second EC dated 19.05.2023 of mining lease area bearing Khasra Nos. 5452 & 5455/1 measuring 02-93-58 Hect. (Pvt. Land/River Bed).



By Order
Member Secretary
(H. P. State Pollution Control Board)

-43-



ANNEXURE-R-2/6



H.P.STATE POLLUTION CONTROL BOARD

HIM PARIVESH, PHASE-III, NEW SHIMLA-171009

HPSPCB No : 619

Date: 19/07/2024

Industry Registration ID: HP12614365

Application No : 12724502

To,

Shree Shree Rudra Stone Crusher and Screening Plant Unit II
VPO Dharampur, Tehsil Haroli District Una HP

Una
177209

Subject: Consent to Operate u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981.

With reference to your application for obtaining 'Consent to Operate' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981, you are hereby, authorized to operate an industrial unit subject to the Terms and Conditions as mentioned in this Consent letter.

1. Particulars of Consent to Operate under the Water Act, 1974 and Air Act, 1981 granted to the industry

Consent No.	CTO/BOTH/NEW/RO/2024/12724502
Date of issue :	12/07/2024
Date of expiry :	31/03/2025
Certificate Type :	NEW
Previous CTE/CTO No. & Validity :	

2. Particulars of the Industry

Name & Designation of the Applicant	Kapil Sharma, (Proprietor)
Address of Industrial premises	Shree Shree Rudra Stone Crusher and Screening Plant Unit II, VPO Dharampur, Tehsil Haroli District Una HP, ,Una-177209
Capital Investment of the Industry	58.58 lakhs
Category of Industry	Orange
Type of Industry	2064-Stone crushers
Scale of the Industry	Small
Office District	Una
Capacity	

Raw Materials (Name with quantity per day)

Raw Materials	Quantiry	Unit
Boulders and Sand	7516.6	M.T./Year

Products (Name with quantity per day)

-44-

Name of Products	Unit	Quantity	Intermediate Product	Principal Use
Sand & Bajri	M.T./Year	7516.6	--	Infrastrure Use

Details of the Effluent Treatment Plant

Type of Effluent	Capacity	Quantity
Septic Tank	24	0.400
Pre-treatment	10	6

Mode of Disposal

Description	Quantity(in KLD)	Method of Treatment	Method of Disposal
Domestic	0.400	Soak Pit/Septic Tank	Soak Pit/Septic Tank
Industrial Process	6	Pre-treatment	Recycle

Quantity of fuel required (in TPD) and capacity of boilers/ Furnace/Thermo heater etc.

Type	No.of Boiler/'Heater /Evaporator/Incinerator/D G Set/Other	Capacity	Type of Boiler/'Heaters/Evaporators/Incinerator/D G Sets/Others	Type of Fuel	Fuel consumption rate in MT/hour or KL/hour or M3 /hour
Others	1 No.	-	Rotopactor & Jaw Machine	Electricity	As per Requirement

Type of Air Pollution Control Devices installed

Equipment Type	Equipment Name	Date/proposed date of installation	Efficiency(%reduction)	Final concentration of pollution being emitted
Wind Breaking Wall, Telescopic Chutes, Three Layer Plantation, Metalled Road, Water Sprinkler etc.	Others	Mon Jan 01 00:06:00 IST 2024	99 %	SPM<600.00 Microgram per cubic meter at all time



Approved By
Member Secretary
(H. P. State Pollution Control Board)

-45-

Endst. No.:

Copy To:-

1. The Regional Officer, HPSPCB, Una for information and shall ensure to operate the unit as per consent condition with adequate PCDs.



ANIL Digitally signed
JOSHI by ANIL JOSHI
Date: 2024.07.19
17:14:14 +05'30'

Anil Joshi, IFS
Member Secretary
For & on behalf of
(H. P. State Pollution Control Board)

TERMS AND CONDITIONS

A. SPECIFIC CONDITIONS

1. This 'Consent to Operate' is only for the purpose and under the provision of Water Act, 1974 and Air Act, 1981 as the case may be, and will not construed as substitute for mandatory clearances required for the project under any other law/regulation/direction/order and the applicant shall obtain any such mandatory clearance before taking any steps to establish industry/ industrial plant, operation or process or any treatment and disposal system or an extension or addition thereto.
2. Nothing in this Consent shall be deemed to neither preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subjected to under this or any other Act.
3. The unit shall apply for further renewal/extension in the validity of the Consent, before the expiry of this 'Consent to Operate'.
4.
 - i) The unit shall ensure compliance of Waste Management Rules i.e. Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016/ Plastic Waste Management Rules, 2016/ E-Waste (Management) Rules, 2016/Construction & Demolition Waste Management Rules, 2016 and Manufacture, Storage & Import of Hazardous Chemical Rules, 1989 and provisions made thereunder, as amended from time to time, without any adverse effect on the environment, in any manner (As Applicable).
 - ii) The unit shall made provisions for the compliance Solid Waste Management Rules, 2016 and provisions made thereunder and unit shall also not practice burning activity of solid waste/waste generated from fuel within/outside premises, to avoid public nuisance.
5. This 'Consent to Operate' is for:-
 - i) The emissions from all sources conforming to the norms as prescribed in Schedule-I of Environment (Protection) Rules, 1986 as amended from time to time.
 - ii) Noise and Ambient Air Quality shall be maintained within Ambient Air Quality Standards for noise as specified in Schedule-III of Environment (Protection) Rules, 1986 and Noise Pollution (Regulation and Control) Rules, 2000, as amended from time to time.
 - iii) The effluent (Domestic/Industrial) shall conform to the limits as prescribed in Schedule-I or Schedule-VI or Industry specific standards of Environment (Protection) Rules, 1986 as amended from time to time.
 - iv) Sewage and sullage generated from the unit to be disposed-off in a properly designed septic tank system/Sewage Treatment Plant/ Public Sewer System (as applicable).
6. The unit shall ensure regular operation and maintenance of Pollution Control Devices to achieve the norms as prescribed in Environment (Protection) Act, 1986 and the achievement of the adequacy and efficiency of the effluent treatment plant/pollution control devices/recirculation system installed shall be the entire responsibility of the unit.
7. The unit shall ensure regular operation and maintenance of separate energy meter/flow meter for running pollution control devices and shall also maintain record with respect to operation of air pollution control device/effluent treatment plant, so as to the satisfy the Board regarding the regular operation of air pollution control device/effluent treatment plant and shall maintain log book for the monthly reading / record.
8. **CONDITIONS UNDER WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974.**
 - a) The unit shall maintain the record regarding the daily water consumption as per flow meter installed.
 - b) The unit shall ensure that terminal manhole(s) at the end of each collection system and a manhole upstream of final outlet (s) out of the premises of the industry for measurement of flow and for taking samples.

-47-

- c) The pollution control devices shall be interlocked with the manufacturing process of the industry (if applicable) and the authorized outlet and mode of disposal shall not be changed without the prior written permission of the Board. Unit shall not use any unauthorized out-let(s) for discharging effluents from its premises.
- d) Solids, sludge, filter backwash or other pollutant removed from or resulting from treatment or control of waste waters shall be disposed-off in scientific manner.
9. **CONDITIONS UNDER AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981.**
- a) The unit shall ensure port-holes, platforms and/or other necessary facilities as may be required for collecting samples of emissions from any chimney, flue or duct or any other outlets as per the specifications mentioned in 'Consent to Establish'.
- b) The unit shall discharge air emissions through a stack of minimum height as specified in 'Consent to Establish' and shall follow standards laid down from time to time.
- c) For industrial furnaces and kilns, the criteria for selection of stack height would be based on fuel used for the corresponding steam generation & as per specification.
- d) Unit shall ensure Stack height for diesel generating sets as per specification mentioned in 'Consent to Establish'.
- e) The unit shall provide proper and adequate air pollution control arrangements for control emission from its coal/fuel handling area and emissions from handling, transportation and processing of raw material & product of the industry, as applicable.
- f) The unit shall ensure regular operation and maintenance of installed canopy and stack of the D.G sets so as to control the noise & air pollution in order to comply with the provision of notification No GSR-371 E dated 17-5-2002 or direction as issued by MOEF from time to time, under Environment (Protection) Act, 1986.
- g) The unit shall ensure disposal of boiler ash/fuel ash through authorized person or within premises in a scientific manner (as the case may be) and shall maintain proper record for the same, if applicable.
- h) The unit shall ensure that terminal manhole(s) at the end of each collection system and a manhole upstream of final outlet (s) out of the premises of the industry for measurement of flow and for taking samples.
10. The unit shall ensure valid and approved on-site and off-site emergency plan, approved by the Chief Inspector of Factories, Himachal Pradesh (If applicable).
11. The unit shall ensure regular operation and maintenance of real time online monitoring equipment's and provisions for the un-interrupted transfer of data as per guidelines of CPCB (if applicable).
12. The unit shall provide adequate arrangements for fighting the accidental leakages/ discharge of any air pollutant/gas/liquids from the vessels, mechanical equipment's etc. which are likely to cause environmental pollution.
13. The unit shall plant & maintain minimum three layer of trees so far possible as per plantation guide (may be download from the website <http://hppcb.nic.in/plantationguide.pdf>) all along the boundary of the industrial premises and check air/water/noise pollution at source.
14. Any guidelines issued by the Central Government/State Government/MoEF/CPCB/SPCB/any other authority concerned, shall be binding.
15. This 'Consent to Operate' is subject to orders on any litigation pending in any Court of Law. Any direction/order issued by any court shall be binding (if any).
16. The Board reserves the right to revoke the 'Consent to Operate' granted to the industry at any time, in case the industry is found violating the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 as amended from time to time.
17. The unit shall comply with any other conditions laid down or directions issued in due course by the Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

B. OTHER CONDITIONS

1. The unit shall comply with the conditions imposed by the MoEF/State Level Environment Impact Assessment Authority/ District Level Environment Impact Assessment Authority in the environmental clearance granted to it as required under EIA notification dated 14-9-06, if applicable.
2. The issuance of this consent does not convey any property right in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State or Local Laws or Regulations.
3. Stone Crusher units shall comply with the provisions of guidelines notified by the State Government vide Notification No. STE-E(3)-11/2012, dated 29-05-2014 (If Applicable).
4. Brick Kiln units shall comply with the provisions of guidelines notified by the MoEF vide Notification No. G.S.R.233.(E), dated-15-03-2018 and by the State Government vide Notification No. STE-E(5)-6/2013, dated-07-03-2014 (If Applicable).
5. Hydroelectric Projects shall install Online Real Time Monitoring System for the measurement of 15% of minimum discharge in lean season as per orders of Court/Government. The unit shall also ensure provisions for the regular and uninterrupted transfer of data from the real time online monitoring system for 15% of minimum discharge of flow to SPCB, failing which unit shall be liable for action on account of violation of the directions issued by Court/Government/SPCB in this regard (If Applicable).
6. Unit shall strictly adhere to the capacity approved by the Industries Department/ Department of Tourism & Civil Aviation/any other concerned Authority (As Applicable).
7. The unit shall not cause any nuisance/traffic hazard in vicinity of the area.
8. The unit shall ensure that there will not be significant visible dust emissions beyond the property line.
9. The unit shall obtain and submit Insurance cover as required under the Public Liability Insurance Act, 1991.
10. The unit shall put display Board indicating environmental data in the prescribed format at the main entrance gate.
11. The unit shall maintain record regarding the operation of effluent treatment plant i.e. record of quantity of chemicals and energy utilized for treatment and sludge generated from treatment so as to satisfy the Board regarding regular and proper operation of pollution control equipment.
12. Any amendments/revisions made by the Board/CPCB/MOEF in the emission/stack height standards shall be applicable to the industry from the date of such amendments/revisions.

C. SPECIAL CONDITIONS

-49-

1. The Unit shall neither change the type of products nor shall exceed the production beyond the approved capacity without obtaining consent of the state Board.
2. This consent of the State Board shall be only for the purpose and under the provisions of the Water Act, 1974, Air Act, 1981 shall not be considered as substitute or pre-requisite clearances required from other departments.
3. This consent is subject to ratification of State Board or any litigation pending at any Court of Law.
4. Pollution Control devices provided by the unit shall comply with norms as prescribed under Environment protection rules, 1986.
5. Unit shall ensure compliance to the notified guidelines of DEST.
6. Unit shall ensure compliance to notified guidelines of CPCB by 17.10.2024 positively.
- 7.. The unit shall be sole responsible to obtain and renew all other mandatory permissions required for the operation of stone crusher and its mining activities.
- 8.The Regional Officer shall ensure that the sampling of the crusher is conducted as per the frequency prescribed by the State Board.
- 9.This consent is subject to any other orders issued by any Court of law and ratification of the State Board.
10. The mining operation shall be performed strictly as per the approved EMP and unit shall comply with the conditions of EC, Grant order/Deed and PMT.
10. Capacity is as per earlier issued consents Sand & Bajri @7516.60 M.T./Year.
11. Unit shall apply separately for CTE-Expansion for second EC dated 19.05.2023 of mining lease area bearing Khasra Nos. 5452 & 5455/1 measuring 02-93-58 Hect. (Pvt. Land/River Bed).
12. Unit shall install server & mobile linked CCTV cameras for online monitoring mechanism immediately.



By Order
Member Secretary
(H. P. State Pollution Control Board)



-50- ANNEXURE-R-217

H.P. STATE POLLUTION CONTROL BOARD

Regional Office Una

Office: Phase-IV Rakkar Colony, Tehsil & Distt. Una, Pin-174303(H.P.)

Phone: 01975-238131

Website : <http://www.hppcb.nic.in> e-mail : pcbrouna2@gmail.com



No. HPSPCB/RO/Una/Common Complaint/2022-

4015

Dated:

28/03/2023

From: Regional Officer

To

Sh. Sanjay Kumar (Mobile No. 8805305933) & Ors.,

R/o VPO Dharampur, Tehsil Haroli,

Distt. Una (HP).

Subject:

गांव धर्मपुर में आबादियों तथा कृषि योग्य भूमि में जबरदस्ती क्रैशर लगवाये जाने पर, आवश्यक कारवाई हेतु प्रार्थना पत्र।

Sir,


This has to reference with representation dated 30/01/2023 submitted by you along with other residents of Village Dharampur, Tehsil Haroli, Distt. Una (HP) against the establishment of stone crushers in VPO Dhamrampur, Tehsil Haroli, Distt. Una (HP). In this regard, it is to inform you that this office has already issued Consent to Establish under the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 to the following Stone Crushers:

1. Thakur Enterprises Unit-IV, VPO Dharampur, Tehsil & Distt. Una (HP) vide e-Consent dated 01/03/2021.
2. Shree Shree Rudra Stone Crusher and Screening Plant Unit-II, VPO Dharampur, Tehsil Haroli, Distt. Una (HP) vide e-Consent dated 26/05/2022.

Stone Crushers are falls under the Consent Mechanism of the State Board and Consent to Establish was granted to the above said Stone Crushers subject to the pollution control norms after completion of all formalities (i.e. provisional registration issued by the State Geologist, GoHP, etc.). It is also to inform you that Joint Inspection Committee under the Chairmanship of SDO (C) Haroli has already inspected the proposed site of the stone crusher and on the recommendation of the Site Appraisal Committee provisional registration was issued to the above said both Stone Crushers by the State Geologist, GoHP.

It is also pertinent to mention here that the said complaint matter is already under consideration of the Hon'ble NGT vide OA No. 863/2022 titled as Joginder Singh v/s State of HP & Ors. Also, in compliance to the Hon'ble NGT order dated 11/01/2023 in the said Original Application, the joint inspection of the site was already carried out by the joint inspection team under the Chairmanship of Deputy Commissioner Una on 16/02/2023.

This is for favour of your kind information and further necessary action please.


 Er. Praveen Kumar
 Regional Officer
 HPSPCB Una

010

-51-

ANNEXURE-R-2/8



**H.P.STATE POLLUTION CONTROL BOARD
REPORT BY STATE BOARD ANALYST
(Stack/Ambient Air) Monitoring Report**

Report No: 13217182/A-13602

14/08/2024

I hereby certify that I **Sunil Rana, SO**, State Board Analyst duly appointed under sub-section (2) of section 29 of the Air (Prevention and Control of Pollution) Act, 1981 received on **29/07/2024** from **Praveen Kumar Dhiman , AEE**, HP State Pollution Control Board **RO Una** a **Grab** sample of **8.0 meters from crushing machinery of Thakur Enterprises Unit IV, VPO Dharampur, Tehsil Haroli District Una HP, Haroli Distt. Una, H.P. 177209** on dated **27/07/2024** for analysis. The sample was in a condition fit for analysis reported below:

I further certify that I have analyzed the aforementioned sample on **29/07/2024** to **14/08/2024** and declare the result of analysis is to be as follows :-

SAMPLING PARAMETERS					
Sr. No.	Parameter Name	Results	Units	Permissible Limit	Remark/Result Analysis
1	SPM	257.57	microgrammes/m ³	600	Within Permissible Limit

The condition of the seals, fastening and container on receipt was as follows:-

Filter paper was enclosed in sealed envelope with the impression of **HPPCB 104**. The envelope contained details of sample like source of sample, time and date of collection, name and designation of person who had collected the sample.

Signed this on **14/08/2024**

Remarks of Lab Head:

Pl compare results with notified standards.



**Sunil Rana, SO
(State Board Analyst)
RL Una**

From:

H.P. STATE POLLUTION CONTROL BOARD,
RL Una

To:

Thakur Enterprises Unit IV
VPO Dharampur, Tehsil Haroli District Una HP, Haroli,



-52- ANNEXURE-R-2/9

H.P. STATE POLLUTION CONTROL BOARD
REPORT BY STATE BOARD ANALYST
(Stack/Ambient Air) Monitoring Report

Report No: 13230229/A-13603

14/08/2024

I hereby certify that I **Sunil Rana, SO**, State Board Analyst duly appointed under sub-section (2) of section 29 of the Air (Prevention and Control of Pollution) Act, 1981 received on **31/07/2024** from **Gurpreet Singh Atwal, JEE**, HP State Pollution Control Board **RO Una** a **Grab** sample of **9 m from jaw crusher** of **Shree Shree Rudra Stone Crusher and Screening Plant Unit II, 5151,5158 VPO Dharampur, Tehsil Haroli District Una HP, Haroli Distt. Una, H.P. 177209** on dated **29/07/2024** for analysis. The sample was in a condition fit for analysis reported below:

I further certify that I have analyzed the aforementioned sample on **31/07/2024** to **14/08/2024** and declare the result of analysis is to be as follows :-

SAMPLING PARAMETERS					
Sr. No.	Parameter Name	Results	Units	Permissible Limit	Remark/Result Analysis
1	SPM	209.29	microgramm es/m ³	600	Within Permissible Limit

The condition of the seals, fastening and container on receipt was asfollows:-

Filter paper was enclosed in sealed envelope with the impression of **Hppcb253**. The envelope contained details of sample like source of sample, time and date of collection, name and designation of person who had collected the sample.

Signed this on **14/08/2024**

Remarks of Lab Head:

Pl compare results with notified standards.



Sunil Rana, SO
(State Board Analyst)
RL Una

From:

H.P. STATE POLLUTION CONTROL BOARD,
 RL Una

To:

Shree Shree Rudra Stone Crusher and Screening Plant Unit II
 5151,5158 VPO Dharampur, Tehsil Haroli District Una HP, Haroli,