

BEFORE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI.

O.A.No.85 OF 2021 (SZ)

M/S.Parisara Hitharakshana Samithi,

Karnataka

...Applicant

-Vs-

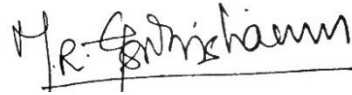
Union of India & others

...Respondents

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Dated at Chennai on this the 20th day of July, 2023



COUNSEL FOR 8TH RESPONDENT

Regional Office :

Karnataka State Pollution Control Board

Parisara Bhavan, Plot No.14B,
KIADB Indl. Area, Bethamangala Road,
Tamaka, KOLAR - 563 101.

Tele Fax : 08152-243199

e-mail : kolar@kspcb.gov.in

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ

ಪರಿಸರ ಭವನ, ಪ್ಲಾಟ್ ನಂ. 14ಬಿ,

ಕೆಐಎಡಿಬಿ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶ,

ಬೇತಮಂಗಲ ರಸ್ತೆ,

ಟಮಕ, ಕೋಲಾರ - 563 101.

ಕರ್ನಾಟಕ ರಾಜ್ಯ
ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ



towards a cleaner Karnataka

No. PCB/RO-KLR/NGT-SC/2023-24/ 625

Date: 18 JUL 2023

To,

The Member Secretary,
Karnataka State Pollution Control Board,
No. 49, 5th Floor, Parisara Bhavana,
Church Street, Bangalore-01.

Sri Mahesh
Law Officer / Legal
Cell

//Kind Attention : SEO, Mines Section //

Sir,

Sub : Submission of Inspection reports of Stone Crushers in Compliance to the directions of the Hon'ble National Green Tribunal dated : 23.03.2021 in original application (O.A.) No. 85, of 2021 filed by M/s. Parisara Hitharakshna Samithi Versus union of India and others - reg.

Ref : 1.This office letter No.1550 Dated:11.01.2023.

2.Inspection of the crusher units by the undersigned on 18.07.2023.

* * * * *

With reference to the above, as per the Board Office direction through e-mail the stone crusher unit was inspected by the undersigned on 18.07.2023 and please find herewith enclosed the inspection reports of following Stone Crushers in Compliance to the directions of the Hon'ble National Green Tribunal dated : 23.03.2021 in original application (O.A.) No. 85, of 2021 filed by M/s. Parisara Hitharakshna Samithi Versus union of India and others for your kind perusal and further necessary action.

Sl. No.	Name and address of the Stone Crusher
1	M/s. Millennium Crusher, Sy No.790, Devarayasamudra Village, Avani Hobli, Mulbagal Taluk, Kolar District.
2	M/s. Sri Balaji Crushers, Sy. No. 69, Yalagondanahalli Village, Avani Hobli, Mulbagal Taluk, Kolar District.

20/7/2023
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Sl. No.	Name and address of the Stone Crusher
3	M/s. S V S & Associates Sy. No. 68, Yelagondahalli Village, Avani Hobli, Mulbagal Taluk, Kolar District
4	M/s. G.V.V. Stone Crusher, Sy. No. 758, Devarayasamudra Village, Avani Hobli, Mulbagal Taluk, Kolar District.

This is for kind information and needful.

Yours faithfully,


**ENVIRONMENTAL OFFICER,
REGIONAL OFFICE, KOLAR.**

Copy submitted to :

- 1) The Law Officer, Legal Cell, KSPCB for kind information.
- 2) The Senior Regional Senior Environmental Officer, KSPCB, Bangalore East for kind information.

INSPECTION REPORT OF SRI, K. RAJU, ENVIRONMENTAL OFFICER,
REGIONAL OFFICE, KOLAR.

Name and Address of the Crusher Inspected	M/s. G.V.V. Stone Crusher, Sy. No. 758, Devarayasamudra Village, Avani Hobli, Mulbagal Taluk, Kolar District.
Date of Inspection	18.07.2023.
Number of employees	20 No's
Person Contacted	Sri. Rajesh – Proprietor
Capital Investment & Category	Total cost of Rs. 390 Lakhs - Small-Orange.
Activity and capacity	i. Stone aggregates of different sizes (Stone Crushing) of capacity 20,000 MT/Month ii. M-Sand of capacity 31,000 MT/Month
Consent Status	Valid up to 09.01.2024
Year of commissioning	2018
Area in acres	2.00 Acres

Preamble :

M/s.G.V.V. Stone Crusher, Sy. No. 758, Devarayasamudra Village, Avani Hobli, Mulbagal Taluk, Kolar District had obtained CFO from the board vide No. AW-314779 PCB ID : 63993 Dated : 13.09.2019 for the for the production of Stone aggregates of capacity 20,000 MT/Month and M-Sand of capacity 31,000 MT/Month which is valid up to 09.01.2024.

As per the Hon'ble NGT OA No. 85 and Board Office direction crusher unit was inspected by the Regional Senior Environmental Officer, Bangalore East along with EO and DEO, Regional Office, Kolar on 17.09.2021. During inspection certain non-compliances were observed and notice was issued to the crusher authority vide this office Notice No. 205 Dated : 17.07.2021. Further, In view of the pendency of proceedings before the Hon'ble NGT south zone, Chennai OA No. 84 of 2021 and order dated : 03.09.2021 issued by Hon'ble NGT to verify the compliances the stone crusher located at Sy. No. 758, Devarayasamudra Village, Avani Hobli, Mulbagal Taluk, Kolar District inspected on 17.09.2021. Based on the observation made by the officers of this office the inspection report was forwarded to Board Office vide No. 538 Dated : 23.09.2021.

Further, as per the information given by the Legal Section over phone the stone crusher unit was inspected by the Regional Officer on 10.01.2023 and the inspection report forwarded to Board office vide No.1550 Dated: 11.01.2023.

Based on the Board office direction vide e-mail the crusher was inspected on 18.07.2023 to verify the compliances made by the stone crusher. At the time of inspection the following observations were made.

- During earlier inspection of this office on 17.09.2021 it was observed that the crusher was not operated since from one year and hence, the Environmental Compensation was not assessed. After the issue of notice by this office on 17.07.2021 the crusher authorities have applied and obtained for CF-Expansion vide order No. CTE : 329006 Dated : 03.01.2022.
- The crusher was operating at the time of inspection and plant and machinery for production of M-Sand was under progress.
- Provided continuous water sprinkling arrangements, during the operation phase of the crusher to mitigate the dust pollution.
- Crusher authorities have provided barricades towards prevailing wind direction and one side is fully covered with eucalyptus trees are developed.
- Crusher authorities have covered zinc sheet to the Primary jaw crusher, Secondary jaw crusher, Vibratory screen and conveyer belts.
- Wet mix metalling / concrete roads are provided with in the crusher premises and approach road for vehicle movement.
- Comparison of proposed stone crusher Safer Zone with sitting guidelines issued by the Govt. of Karnataka vide, The Karnataka Regulation of Stone Crusher (Amendment) Act, 2013 based on the Google map are as follows.

Sl. No.	Particulars	Prescribed	Existing
1	The distance from the nearest National Highway-75(Bangalore-Chittoor)-North direction.	200 meters	2.33 Km
2	The distance from the nearest State Highway-96 (Kolar -Bethamangala) – South West.	200 meters	11.30 Kms
3	The distance from the nearest major district road or other roads (Thattakunte-Kantharaja Circle) – North direction.	100 meters	850 Mtrs
4	The distance from the nearest (i)Revenue village- a) Thattanakunte-North b) Ramasandra- South-East c) Varadaganahalli-North-East d) Cholangunte-South-east Temple- Ramasandra-South-East School- Ramasandra-South-East	500 meters 500 meters 500 meters 500 meters 500 meters 500 meters	950 Mtrs 700 Mtr 1600 Mtrs 1400 Mtrs 700 Mtrs 700 Mtrs

5	Whether located outside the limits of Municipal corporation. City municipal corporation, town municipal council, as the case may be	Yes	Yes
6	Details of license issued by any other authorities prior to commencement of Act. (enclose copies if any)		Nil
7	Extent of land available for establishing stone Crusher	Minimum 1 acre	2-00 acre

The inspection report is forwarded to Board Office for further needful action.


**ENVIRONMENTAL OFFICER,
 REGIONAL OFFICE, KOLAR.**

INSPECTION REPORT OF SRI, K. RAJU, ENVIRONMENTAL OFFICER,
REGIONAL OFFICE, KOLAR.

Name and Address of the Crusher Inspected	M/s. Millennium Crusher, Sy No.790, Devarayasamudra Village, Avani Hobli, Mulbagal Taluk, Kolar District.
Date of Inspection	18.07.2023.
Number of employees	18 No's
Person Contacted	Sri. S. Kumar - Partner
Capital Investment & Category	Total cost of Rs. 446 Lakhs - Small-Orange.
Activity and capacity	i. Stone aggregates of different sizes (Stone Crushing) of capacity 120 TPH (20,000 MT/Month) ii. M-Sand of capacity 80 TPH (31,000 MT/Month)
Consent Status	Valid up to 31.03.2024
Year of commissioning	2010
Area in acres	1.14 Acres

Preamble: M/s. Millennium Crusher, Sy. No. 790, Devarayasamudar Village, Avani Hobli, Mulbagal Taluk, Kolar District is an existing Stone Crusher unit and obtained consent for operation for carrying out stone aggregates of capacity 20,000 MT/Month M-sand of capacity of 31,000 MT/Month respectively which is valid up to 31.03.2024 .

As per the direction of NGT OA No. 85/2021 (SZ) Dated : 23.03.2021 and Board Office direction, the said crusher unit was inspected by the Regional Senior Environmental Officer, Bangalore-East on 08.07.2021 along with Regional Officer and Deputy Environmental Officer, Regional Office, Kolar. At the time of inspection some non-compliances were observed. Accordingly this office has issued Show-Cause Notice to the crusher authorities.

Further, The Hon'ble NGT order has passed on order in the matter of the O.A. No. 85 of 2021 (SZ) dated : 03.09.2021 stating that, neither Karnataka State Pollution Control Board / State Level Environmental Impact Assessment Authority have not assessed Environmental compensation even through certain violations have been noted during the inspection by the ZSEO, Bangalore East on 08.07.2021. Based on the Hon'ble NGT order the said stone crusher unit was inspected by the Regional Officer along with Deputy Environmental Officer of this office on 17.09.2021 to verify the compliances made by the stone crusher. At the time of inspection the following non-compliances were noticed.

- Crusher unit was not provided Continuous water sprinkling arrangements and authorities have been advised to provide to continuous Water sprinkling arrangement, during the operation phase of the crusher to mitigate the dust pollution during the operation of the crusher.

- Metaled / concrete roads are not provided with in the crusher premises and approach road for vehicle movement it may cause the fugitive dust emission.

Based on the above non-compliances this office has submitted a report to Zonal office, Bangalore East on 23.09.2021 with recommended to issue “**Notice of Proposed Directions**” to stone crusher as per the relevant provisions Water Act, 1974 and Air Act, 1981. Accordingly RSEO, Bangalore – East has issued Notice of Proposed Directions to the said crusher on 04.10.2021 and also recommended to Board Office to issue demand for Environmental Compensation of Rs. 2,66,250/- to the above said stone crusher. Accordingly the Board Office has issued the Demand for Environmental Compensation of Rs. 2,66,250/- under the section 31 (A) of the Air (Prevention & Control of Pollution) Act 1981, Read with Rule 20 (A) of Air (Prevention & Control of Pollution) Rules.

After issue of “Notice of Proposed Directions” and Demand of Environmental Compensation, the crusher authorities have submitted reply letter to the Notice of Proposed Directions to this office on 12.10.2021. Based on the reply letter submitted by the crusher authorities the said crusher unit was again inspected by the Regional Officer along with Deputy Environmental Officer of this office on 08.11.2021 to verify the compliances made to the direction of the Board. Based on the observation made by the officers of this office the inspection report was forwarded to Board Office vide No. 711 Dated : 12.11.2021.

Further, as per the information given by the Legal Section over phone the stone crusher unit was inspected by the Regional Officer on 10.01.2023 and the inspection report forwarded to Board office vide No.1550 Dated: 11.01.2023.

Based on the Board office direction vide e-mail the crusher was inspected on 18.07.2023 to verify the compliances made by the stone crusher. At the time of inspection the following observations were made.

- Crusher authorities have covered zinc sheet to the Primary jaw crusher, Secondary jaw crusher, Vibratory screen and conveyer belts.
- Crusher authorities have provided barricades towards the prevailing wind direction.
- Crusher authorities have provided sufficient green belt in the crusher premises.
- Wet mix metalling / concrete roads are provided with in the crusher premises and approach road for vehicle movement.
- Provided continuous water sprinkling arrangements, during the operation phase of the crusher to mitigate the dust pollution.
- The crusher authorities have paid Environmental Compensation of Rs. 2,66,250/- on 04.11.2021 through NEFT of Bank of Baroda vide UTR No.BARBH21308825073 (copy enclosed for kind reference).

- Comparison of stone crusher Safer Zone with sitting guidelines issued by the Govt. of Karnataka vide The Karnataka Regulation of Stone Crusher (Amendment) Act, 2013 are as follows as per Google map.

Sl. No.	Particulars	Prescribed	Existing
1	The distance from the nearest National Highway-75(Bangalore-Chittoor) towards North direction.	200 meters	2.20 Kms
2	The distance from the nearest State Highway-96 (Kolar-Bethamangala) towards South	200 meters	10.50 Kms
3	The distance from the nearest major district road or other roads (Thattanakunte – Kantharaja Circle) North direction.	100 meters	900 Mts
4	The distance from the nearest (i) Revenue villages a) Varadaganahalli – North-East b) Ramasandra- East c) Thattanakunte – North d) Cholanagunte- South-East (ii) Temple – Ramasandra –East (iii) School - Ramasandra-East	500 meters 500 meters 500 meters 500 meter 500 meters 500 meters	1400 mtrs 850 mtrs 900 mtrs 900 mtrs 850 mtrs 850 mtrs
5	Whether located outside the limits of Municipal corporation. City municipal corporation, town municipal council, as the case may be	Yes	Yes
6	Details of license issued by any other authorities prior to commencement of Act. (enclose copies if any)	-	-
7	Extent of land available for establishing stone Crusher	Minimum 1 acre	2.00 Acres

The inspection report is forwarded to Board Office for further needful action.


**ENVIRONMENTAL OFFICER,
 REGIONAL OFFICE, KOLAR.**

- Metaled / concrete roads are not provided with in the crusher premises and approach road for vehicle movement it may cause the fugitive dust emission.

Based on the above non-compliances this office has submitted a report to Zonal office, Bangalore East on 23.09.2021 with recommended to issue “**Notice of Proposed Directions**” to stone crusher as per the relevant provisions Water Act, 1974 and Air Act, 1981. Accordingly RSEO, Bangalore – East has issued Notice of Proposed Directions to the said crusher on 04.10.2021 and also recommended to Board Office to issue demand for Environmental Compensation of Rs. 2,66,250/- to the above said stone crusher. Accordingly the Board Office has issued the Demand for Environmental Compensation of Rs. 2,66,250/- under the section 31 (A) of the Air (Prevention & Control of Pollution) Act 1981, Read with Rule 20 (A) of Air (Prevention & Control of Pollution) Rules.

After issue of “Notice of Proposed Directions” and Demand of Environmental Compensation, the crusher authorities have submitted reply letter to the Notice of Proposed Directions to this office on 13.10.2021. Based on the reply letter submitted by the crusher authorities the said crusher unit was again inspected by the Regional Officer along with Deputy Environmental Officer of this office on 08.11.2021 to verify the compliances made to the direction of the Board. Based on the observation made by the officers of this office the inspection report was forwarded to Board Office vide No. 711 Dated : 12.11.2021.

Further, as per the information given by the Legal Section over phone the stone crusher unit was inspected by the Regional Officer on 10.01.2023 and the inspection report forwarded to Board office vide No.1550 Dated: 11.01.2023.


Based on the Board office direction vide e-mail the crusher was inspected on 18.07.2023 to verify the compliances made by the stone crusher. At the time of inspection the following observations were made.

- The crusher was operating at the time of inspection.
- Crusher authorities have covered zinc sheet to the Primary jaw crusher, Secondary jaw crusher, Vibratory screen and conveyer belts.
- Crusher authorities have provided barricades and one side is fully covered with eucalyptus trees are developed.
- Crusher authorities have provided sufficient green belt in the crusher premises.
- Wet mix metalling / concrete roads are provided with in the crusher premises and approach road for vehicle movement. The water sprinkling arraignment was made to avoid the dust generated during the vehicle movement.
- Provided continuous water sprinkling arrangements to mitigate the dust pollution.

- The crusher authorities have paid Environmental Compensation of Rs.2,66,250/- on 08.11.2021 through NEFT of Pragati Krishna Gramina Bank vide UTR No.PKGBH21312870295 (copy enclosed for kind reference).
- Comparison of stone crusher Safer Zone with sitting guidelines issued by the Govt. of Karnataka vide The Karnataka Regulation of Stone Crusher (Amendment) Act, 2013 are as follows as per Google map.

Sl. No.	Particulars	Prescribed	Existing
1	The distance from the nearest National Highway-75(Bangalore-Chittoor) towards North direction.	200 meters	6.6 Kms
2	The distance from the nearest State Highway-96 (Kolar-Bethamangala) towards South-West direction.	200 meters	5.0 Kms
3	The distance from the nearest major district road or other roads (Yalagondanahalli - Minnajenahalli) towards East direction.	100 meters	500 Mts
4	The distance from the nearest (i) Revenue villages a) Yalagondanahalli - North b) Minnajenahalli - South c) Pichaguntalahalli - North-East (ii) Temple - Minnajenahalli - South-East (iii) School - Minnajenahalli - South-East	500 meters 500 meters 500 meters 500 meters 500 meters	1.1 Kms 1 Kms 1.25 Kms 1.00 Kms 1.00 Kms
5	Whether located outside the limits of Municipal corporation. City municipal corporation, town municipal council, as the case may be	Yes	Yes
6	Details of license issued by any other authorities prior to commencement of Act. (enclose copies if any)	--	--
7	Extent of land available for establishing stone Crusher	Minimum 1 acre	2.00 Acres

The inspection report is forwarded to Board Office for further needful action.


**ENVIRONMENTAL OFFICER,
REGIONAL OFFICE, KOLAR.**

INSPECTION REPORT OF SRI, K. RAJU, ENVIRONMENTAL OFFICER, REGIONAL OFFICE, KOLAR.

Name and Address of the Crusher Inspected	M/s. S V S & Associates Sy. No. 68, Yelagondahalli Village, Avani Hobli, Mulbagal Taluk, Kolar District
Date of Inspection	18.07.2023.
Number of employees	18 No's
Person Contacted	Sri. Jagadeesh - Partner
Capital Investment & Category	Total cost of Rs. 165 Lakhs - Small-Orange.
Activity and capacity	i. Stone aggregates of different sizes (Stone Crushing) of capacity 26,000 MT/Month ii. M-Sand of capacity 26,000 MT/Month
Consent Status	Valid up to 30.09.2023
Year of commissioning	2011
Area in acres	1.27 Acres

Preamble :

S V S & Associates (Formerly M/s. Venkateshwara Stone Crusher) Sy. No. 68, Yelagondahalli Village, Avani Hobli, Mulbagal Taluk, Kolar District had obtained CFO from the board vide No. AW-308703 PCB ID : 74885 Dated : 30.11.2018 for the for the production of Stone aggregates of capacity 26,000 MT/Month and M-Sand of capacity 26,000 MT/Month valid up to 30.09.2023.

As per the direction of NGT OA No. 85/2021 (SZ) Dated : 23.03.2021 and Board Office direction, the said crusher unit was inspected by the Regional Senior Environmental Officer, Bangalore-East on 08.07.2021 along with Regional Officer and Deputy Environmental Officer, Regional Office, Kolar. At the time of inspection some non-compliances were observed. Accordingly this office has issued Show-Cause Notice to the crusher authorities.

Further, The Hon'ble NGT order has passed on order in the matter of the O.A. No. 85 of 2021 (SZ) dated : 03.09.2021 stating that, neither Karnataka State Pollution Control Board / State Level Environmental Impact Assessment Authority have not assessed Environmental compensation even through certain violations have been noted during the inspection by the ZSEO, Bangalore East on 08.07.2021. Based on the Hon'ble NGT order the said stone crusher unit was inspected by the Regional Officer along with Deputy Environmental Officer of this office on 17.09.2021 to verify the compliances made by the stone crusher. At the time of inspection the following non-compliances were noticed.

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- The crusher was operating at the time of inspection.
- Provided continuous water sprinkling arrangements, during the operation phase of the crusher to mitigate the dust pollution.
- Crusher authorities have covered zinc sheet to the Primary jaw crusher, Secondary jaw crusher Vibratory screen and conveyer belts.
- Crusher authority has provided barricades towards prevailing wind direction and one side is fully covered with eucalyptus trees are developed.
- Wet mix metalling / concrete roads are provided with in the crusher premises and approach road for vehicle movement.

- The crusher authorities have paid Environmental Compensation of Rs.2,66,250/- on 11.11.2021 through RTGS of Union Bank of India vide UTR No.BARB202111111315799226 (copy enclosed for kind reference).
- Comparison of stone crusher Safer Zone with sitting guidelines issued by the Govt. of Karnataka vide The Karnataka Regulation of Stone Crusher (Amendment) Act, 2013 are as follows as per Google map.

Sl. No.	Particulars	Prescribed	Existing
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2	The distance from the nearest State Highway-96 (Kolar-Bethamangala) towards South-West direction.	200 meters	5.0 Kms
3	The distance from the nearest major district road or other roads (Yalagondanahalli - Minnajenahalli) towards East direction.	100 meters	300 Mts
4	The distance from the nearest (i) Revenue villages a) Yalagondanahalli - North b) Minnajenahalli - South c) Pichaguntalahalli – North-East (ii) Temple – Minnajenahalli – South-East (iii) School - Minnajenahalli South-East	500 meters 500 meters 500 meters 500 meters 500 meters	1.1 Kms 1 Kms 1.25 Kms 1.00 Kms 1.00 Kms
5	Whether located outside the limits of Municipal corporation. City municipal corporation, town municipal council, as the case may be	Yes	Yes
6	Details of license issued by any other authorities prior to commencement of Act. (enclose copies if any)	-	-
7	Extent of land available for establishing stone Crusher	Minimum 1 acre	2.00 Acres

The inspection report is forwarded to Board Office for further needful action.


**ENVIRONMENTAL OFFICER,
REGIONAL OFFICE, KOLAR.**