

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,  
BHOPAL**

**Original Application No. 62/2015 (CZ)**

**Paryavaran Avam Manav Sanrakshan Samiti Vs. Union of India & 4 Ors.**

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER  
HON'BLE PROF. A.R.YOUSUF, EXPERT MEMBER**

**PRESENT : Applicant: None.**

<b>Date and Remarks</b>	<b>Order of the Tribunal</b>
<b>Order No.5 20<sup>th</sup> November, 2015</b>	<p>This Original Application was filed by the Applicant alleging that on the State Highway from Rewa to Sirmour there are three stone crushers at Umari Mod, Laua-Sagar and one stone crushers at Chachai and the same are running 24 hours and there is heavy air pollution. It was further alleged that as a result of plying of heavy trucks and dumpers to carry the material, there is again lot of air pollution and even these are located contrary to the siting norms within 10 meters of the highway.</p> <p>Vide order dated 07.08.2015, the application was admitted and notice issued. In response to the said notice, the MPPCB filed its reply. Along with the reply, the inspection reports were submitted by the MPPCB.</p> <p>The MPPCB in their reply stated that there is only one stone crusher operating in the area in the name of M/s Maruti Nandan Stone Crusher. The two others regarding which the case has been filed are hot-mix plants being run by M/s Shukla Construction Company and M/s Ram Ram Sajjan Shukla Construction Company.</p> <p>As regards M/s Maruti Nandan Stone Crushers, it was submitted that the validity of the consent granted to M/s Maruti Nandan Stone Crushers has expired on 30.04.2015 and since no renewal has been obtained and closure notice was issued to the crusher under Section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 on 12.08.2015. It has been further submitted that the stone</p>

crusher has since closed down its operation. We would accordingly therefore direct that the MPPCB shall immediately apprise the Electricity Department for disconnection of the electricity immediately as it is submitted that M/s Maruti Nandan Stone Crushers in their reply dated 07.09.2015 has stated that they have stopped operations since last more than 1 year as no construction work has been awarded to them.

As regards the hot mix plants of M/s Shukla Construction Company and M/s Ram Ram Sajjan Shukla Construction Company, it has been submitted in the reply that no consent has been obtained by them and therefore closure notices under Section 31 (A) of the Air (Prevention and Control) Act, 1981 have been issued to them. It is however submitted that the proprietor of M/s Shukla Construction Company has stated that no operations are being conducted and M/s Ram Ram Sajjan Shukla Construction Company has also stated that they are not operating the plant for the last more 4 years as no work has been awarded to them. In both these cases as per the stand of the MPPCB the hot-mix plants were operating without any consent at the time of their operations.

In that view of the matter, the MPPCB needs to initiate proceedings against both the hot-mix plants for having carried on operations without due consent to establish and to operate. The said proceedings be initiated and completed within a period of 3 months in accordance with law.

At the same time since this matter has been brought to our notice, MPPCB needs to carry out a detailed study with regard to such stone crushers and hot mix plants that may have come up as a result of road construction activities in the State and also to verify whether such plants have been established in accordance with the siting guidelines and proper consent to establish and operate have been obtained by them and whether pollution control measures as required have been

installed and are in operation. **The Member Secretary, MPPCB to whom a copy of this order shall be sent by the Registry shall direct all Regional Officers to make compliance of this order.**

**With the aforesaid direction this Original Application stands disposed of.**

.....JM  
**(DALIP SINGH)**

.....EM  
**(PROF. A.R.YOUSUF)**

