

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

Original Application No. 667/2018

(IA NO 372/2023, IA NO 362/2023, IA NO 346/2023, IA NO 357/2023, IA NO 278/2023, IA NO 371/2023, IA NO 120/2023, IA NO 284/2023, IA NO 370/2023, IA NO 376/2023, IA NO 353/2023, IA NO 327/2023, IA NO 381/2023, IA NO 160/2024, IA NO 338/2023, IA NO 360/2023, IA NO 713/2023, IA NO 326/2023, IA NO 392/2023, IA NO 288/2023, IA NO 107/2023, IA NO 379/2023, IA NO 336/2023, IA NO 325/2023, IA NO 380/2023, IA NO 355/2023, IA NO 436/2023, IA NO 330/2023, IA NO 382/2023, IA NO 696/2023, IA NO 364/2023, IA NO 343/2023, IA NO 359/2023, IA NO 124/2023, IA NO 122/2023, IA NO 369/2023, IA NO 694/2023, IA NO 718/2023, IA NO 321/2023, IA NO 674/2023, IA NO 385/2023, IA NO 345/2023, IA NO 361/2023, IA NO 394/2023, IA NO 697/2023, IA NO 797/2023, IA NO 683/2023, IA NO 386/2023, IA NO 365/2023, IA NO 280/2023, IA NO 276/2023, IA NO 272/2023, IA NO 695/2023, IA NO 331/2023, IA NO 366/2023, IA NO 347/2023, IA NO 352/2023, IA NO 95/2023, IA NO 395/2023, IA NO 358/2023, IA NO 339/2023, IA NO 335/2023, IA NO 363/2023, IA NO 348/2023, IA NO 374/2023, IA NO 162/2024, IA NO 340/2023, IA NO 378/2023, IA NO 373/2023, IA NO 337/2023, IA NO 396/2023, IA NO 761/2023, IA NO 384/2023, IA NO 389/2023, IA NO 341/2023, IA NO 143/2025, IA NO 349/2023, IA NO 286/2023, IA NO 391/2023, IA NO 99/2023, IA NO 356/2023, IA NO 739/2023, IA NO 390/2023, IA NO 282/2023, IA NO 274/2023, IA NO 97/2023, IA NO 328/2023, IA NO 324/2023, IA No 350/2023, IA NO 329/2023, IA NO 333/2023, IA NO 342/2023, IA No 387/2023, IA NO 723/2023, IA NO 344/2023, IA NO 334/2023, IA No 383/2023, IA NO 367/2023, IA NO 351/2023, IA NO 388/2023, IA No 375/2023, IA NO 354/2023, IA NO 332/2023, IA NO 438/2023)

Mahendra Singh

Applicant

Versus

State of Haryana & Ors.

Respondent(s)

WITH

Original Application No. 679/2018

Tejpal

Applicant

Versus

State of Haryana & Ors.

Respondent(s)

WITH

Original Application No. 599/2019

Bishamber Singh

Applicant

Versus

State of Haryana & Ors.

Respondent(s)

WITH

Original Application No. 1385/2024

News item titled "living under a dust blanket" appearing in The Hindu dated 05.12.2024

Date of hearing: 03.07.2025

Date of Uploading: 21.07.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Devesh Kumar Agnihotri, Adv. for Applicant in OA 679/2018

Respondents: Mr. Rahul Khurana, Adv. for R - 1 to 8 with Mr. Vijay Chaudhary, RO, HSPCB, Mahendergarh & Mr. Anju, AEE, HSPCB, Mahendergarh in OA 667/2018 & OA 679/2018
Mr. Rahul Khurana, Adv. for the State of Haryana & HSPCB with Mr. Vijay Chaudhary, RO, HSPCB, Mahendergarh & Mr. Anju, AEE, HSPCB, Mahendergarh in OA 599/2019
Mr. Tarun Gupta & Mr. Hirday Viridi, Advs.
Mr. Aman Bhalla, Adv. for CPCB in OA 599/2019 (Through VC)
Mr. Saurabh Rajpal, Adv. for R - 33 in OA 667/2018
Mr. Kapil Sagar, Adv. in I.A No. 143/2025
Mr. Somvir Singh Deswal & Mr. Abhishek Deswal, Advs. in I.A No. 120/2023
Ms. Pallavi Singh, Adv.
Mr. Rahul Khurana, Adv. for R - 1 & 4 with Mr. Vijay Chaudhary, RO, HSPCB, Mahendergarh & Mr. Anju, AEE, HSPCB, Mahendergarh in OA 1385/2024
Mr. Anuj Bhandari, Adv. for CPCB in OA 1385/2024

ORDER

1. These original applications relate to violation of environmental norms under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974 by the stone crushers operating in Mahendragarh District in Haryana. There is an allegation that the air quality in the area does not have the assimilative capacity to sustain them resulting in serious environmental harm and ill effect on public health.

2. In **OA No. 667/2018**, the allegation of the Applicant is as against the setting up of a stone crusher unit in Village Karota, Tehsil Narnaul, District Mahendragarh, Haryana by Respondents No. 9 and 10 in violation

of the siting criteria in the range of Aravali hills and its plantation. The Applicant has also alleged violation of environmental norms by Respondents No. 9 and 10. The Applicant has *inter-alia* prayed for imposition of the environmental compensation against the Respondents No. 9 and 10 for causing air pollution by emitting dust in the air and setting up the stone crusher in violation of the norms.

3. In **OA No. 679/2018**, the grievance of the Applicant is as against the alleged illegal setting up of stone crusher by Respondent No. 9 in Village Khatoli Jat, Nangal Choudhary, District Mahendragarh in violation of the siting criteria. The Applicant had alleged that the distance of Respondent No. 9, stone crusher from the Aravali Plantation Kila No. 8 is approximately 85 meters as against the required 100 meters as per the siting criteria. The Applicant had also alleged the violation of the environmental norms by Respondent No. 9. The Applicant had *inter-alia* prayed for imposition of the environmental compensation against the Respondent No. 9 for causing air pollution by emitting dust in the air and setting up the stone crusher in violation of the norms.

4. In **OA No. 599/2019**, the allegation of the Applicant was in respect of setting up of the mineral grinding industry by the Respondent No. 5 and running of several such industries near Village Bayal, District Mahendragarh in violation of the norms and causing air and dust pollution. The Applicant had *inter-alia* prayed for imposition of the environmental compensation against the Respondent No. 5 for causing air pollution by emitting dust in the air and setting up the stone crusher in violation of the norms.

5. **OA No. 1385/2024** was registered *suo motu* on the basis of the news item titled “living under a dust blanket” appearing in ‘The Hindu’ dated 05.12.2024 disclosing the grim reality of pollution in Mahendragarh,

Haryana and alleging unchecked stone crushing operations in the area which had created severe health, environmental and social challenges.

6. In the above four original applications, the Tribunal had issued directions from time to time, had formed joint Committees and examined the reports of the joint Committee.

7. The Tribunal by order dated 20.09.2018 passed in OA No. 667/2018 had formed a joint Committee and had called for its report. The report of the joint Committee was considered by the Tribunal in the proceedings dated 12.12.2018 and certain anomalies were noticed. Hence, by order dated 12.12.2018 the joint Committee was directed to carry out the inspection of the stone crushers in District Mahendragarh as under:

“xxxxxx.....xxx
5. We also direct joint inspection of the stone crushers in the District of Mahendergarh by a Joint Committee of District Magistrate Mahendergarh, representatives of Central Pollution Control Board and HSPCB. The HSPCB will be nodal agency. The inspection will be with reference to the sitting criteria as well as the legality of the source of the water used. All precautions are necessary as the location of the stone crushers is within the sensitive zone of Aravali range, as well as in the vicinity of the residential area and educational institution”

8. The Tribunal in the proceedings dated 24.07.2019 had considered the report of the joint Committee dated 23.07.2019 and had noticed violation of the norms and inadequate action by the authorities. Accordingly, the Deputy Commissioner, Mahendragarh was directed to ensure immediate closure of all illegally operating polluting stone crushers in the area by observing as under:

“xxxxxx.....xxx
3. Today third report has been submitted which is also inadequate to deal with the matter. According to the report dated 23.07.2019, the observations and action taken are as follows:

“

a. Siting criteria

1. There are total 158 Nos. of stone crushers; out of these 118 Nos. are installed/operational

and remaining 40 Nos. of stone crushers are under installation at various stages after obtaining CTE from HSPCB on the basis of siting norms reports submitted by the Tehsildar and DFO as per Notification 11.05.2016. Out of 118 Nos. of installed/operational stone crushers, 46 Nos. of stone crusher are not meeting the siting criteria, as mentioned in Table-2 (Sr. no. 1 to 46). Out of 40 Nos. of stone crushers which are under installation at various stages, 26 Nos. of stone crushers are not meeting the siting criteria as per notification dated 11.05.2016 & Notification dated 04.04.2019 as mentioned in Table-2(Sr. No. 47 to 72). Brief details of total 72 Nos. non complying stone crushers is described as below in Table-4:-

Table-4

Sr. No.	Remarks	Nos.
1.	Total Non-Complying stone crushers as per siting criteria	72
2.	Action already taken CTE Revoked Closed by Board due non compliances under Air Act, 1981 CTE Revocation under process Closure and CTO Revocation under process	31
3.	Show cause notices issued non complying units identified after DGPS measurement	29
4.	No Action required at this stage Operational stone crushers granted time for shifting (Annexure II &III) *Already closed by Board described above at Sr. No. 2 =04+01* Under process stone crusher shifting policy w.r.t. notification 07.11.2017 = 08	12

2. HSPCB has already revoked consent to establish of following 03 Nos. (as mentioned in Table-2, at Sr. No. 70 to 72) stone crushers which are also individual respondents in OA No. 667 of 2018 titled as Mahendra Singh Vs. State of Haryana and Ors. and OA No. 679 of 2018 titled as Tejpal Vs. State of Haryana and Ors. filed before Hon’ble National Green Tribunal respectively:-
- i) M/s. DEV SHRI KRISHNA STONE CRUSHER Khewat No. 45, Khatoni No. 53, M.No. 12, Kila No. 25/2 (3-13) M. No. 15, Kila No. 5 min East (7-0) Total 10 Kanal 13 Marla, Village-Karota, Tehsil-Narnaul, Distt. Mahendragarh.

ii) M/s. Unique Stone Crusher, Khewat No. 15, Khatoni No. 15, M. No. 11, Kila no. 11/2(2-15), 20(7-12) & 21/1 (6-9) Total 16 Kanal 16 Marla, Vill-Karota, Narnaul, Distt. Mahendragarh.

- iii) *M/s. KSY BUILDCON, Khewat No. 47, Khatoni No. 68, M. No. 9, Kila no. 15/2(3-16), 16(7-19), 24/1/1(0-16), 25/1/1(0-18) Total 13 Kanal, 09 Marla at Vill-Khatoli Jat, Nangal Chaudhary, Distt. Mahendragarh. Copies of CTEs revocation order is attached as Annexure-XIII to XV.*
3. *HSPCB has initiated action for closure and revocation of CTE/CTO as applicable against all those 29 stone crushers (s mentioned in Table -2, at Sr. No. 1 to 24 & 68 to 72) whose parameters were not accordance with measurement done earlier through Shazra & also are not meeting siting criteria as per the fresh measurement report with DGPS.*
 4. *HSPCB has also issued show cause notices for closure and revocation of CTE/CTO on 23.07.2019 as applicable under provisions of sub section 4 of section 21 of Air (Prevention and Control of Pollution) Act, 1981 against all other 29 stone crushing units (as mentioned in Table-2, at Sr. No. 31 to 42 & 51 to 67) which were found non-complying with the report (submitted by Tehsildar on 27.07.2019) after DGPS measurement and further action shall be taken accordingly.*
 5. *Two stone crushers (as mentioned in Table-2, at Sr. No. 29 to 30) have already been closed & sealed by Board due to non-compliance under Air Act, 1981.*
 6. *Five stone crushers (as mentioned in Table-2, at Sr. No. 25 to 29) have already been granted time for shifting/relocation as per notification 11.05.2016 and Govt. Order 11.06.2019, out of these one stone crusher mentioned in Table -2 at Sr. No. 29 has already been closed & sealed by Board due to non-compliance under Air Act, 1981.*
 7. *Eight stone crushers (as mentioned in Table-2, at Sr. No. 43 to 50) are not meeting siting criteria only by the municipal limits notification dated 07.11.2017 of Urban Local Bodies. If draft Urban Local Bodies Notification, dated 08.03.2019 will be finalised as such, then all these 8 stone crushers will fulfil the siting criteria. Further, decision of Govt. of Haryana regarding policy for shifting such stone crushing units as proposed by HSPCB is yet to be finalised by the Govt. of Haryana.*

b. Mechanism for drawl of Water

1. *Twenty Nos. of operating stone crushers are not taking treated water from STP of PHED as per detailed list provided by PHED (Annexure-XVI). HSPCB had issued show cause notices to submit the source of water being used and permission from any other permitted source. Only five units have submitted reply which was not found satisfactory. HSPCB has initiated action for closure and revocation of CTO against all these twenty stone crushers.*
2. *Eighteen Nos. of stone crushers falling in dark zone have installed illegal bore-well/tube-well in their premises without any permission from the GWC and illegal bore-well/tube-well has been sealed by the GWC, Narnaul as mentioned in Table-3.*
3. *Joint Committee in coordination with CGWA shall make an assessment of environmental compensation for illegal extraction of ground water by these stone crushers, in accordance with order of this Hon'ble Tribunal dated 30.11.2018 in Harinder Singh & Ors. Vs. Prateek Buildtech (India) Pvt. Ltd. & Ors and order dated 30.04.2019 in Ramkmar Vs. State of Haryana & Ors. (OA No. 1032/2018)."*
4. ***The report shows the State Administration in poor light. The State Administration is the guardian of environment and public health. In this case it appears to be oblivious of its responsibility to check the damage to the environment and to act against the polluters. There is no explanation as to how potable water has been continued to be drawn without any restriction by the State Administration even though the area is critical in terms of ground water and in spite of such illegality brought to notice. It is also not clear as to how blatant violation of air quality norms is being allowed for permitting operation of stone crusher units at the cost of public health and environment. The report does not clarify as to how many stone crushers, if any, are legitimate which do not conflict with the environment. It appears that the State Administration has not cared to fully verify the compliance of environment norms while permitting continuation of the stone crushers, even after proceedings before this Tribunal. Though the Deputy Commissioner and many officers are available, none of them is in a position to give precise information about the number of stone crushers still operating and on what basis they are being allowed.***
5. *In view of the above unsatisfactory state of affairs, we require the Deputy Commissioner, Mahendergarh to ensure immediate closure of all illegally operating polluting stone crushers in the area and initiation of action by way of prosecution and recovery of compensation which must be deterrent and relatable to the cost of restoration so that illegal activity is not profitable. The compliance of environment norms including the siting criteria, the ambient air quality, the carrying capacity of the area for permitting such polluting activity and health impact on the inhabitants may also be assessed.*

Such further compliance report be filed before the next date of hearing by email at judicial-ngt@gov.in.”

9. In the proceedings dated 03.12.2020, the Tribunal took note of the larger issue of air pollution in NCR in winter months and also examined the carrying capacity of Mahendragarh District to sustain brick kilns and invoked the precautionary principle by observing as under:

“xxxxxx.....xxx
16. It is seen from above, that there was no carrying capacity in Mahendragarh District to sustain brick kilns. Thus, stone crushers can also not be allowed in absence of carrying capacity in terms of air quality to sustain operation of stone crushers. Precautionary principle has to be applied having regard to impact of air pollution on health. Right of citizens to breathe fresh air cannot be denied and right of operating stone crushers cannot get preference over and above right to life on specious plea that the stone crushers were set up as per siting parameters allowed by the State without study of impact of the carrying capacity. As already noted, the siting norms is only one of the issues and even if this issue is to be ignored for the time being, there has to be carrying capacity in terms of air quality.

17. Accordingly, we direct that the joint Committee with the addition of the CPCB to take further steps in terms of order of this Tribunal dated 24.07.2019, quoted earlier for compliance of environmental norms in the light of the carrying capacity of the area and the health impact of the operation of stone crushers on the inhabitants. The joint Committee may go by the order of the High Court and the State Government as far as siting criteria is concerned but close illegally polluting stone crushers in terms of all other environmental norms, including the air quality, illegal water extraction. The joint Committee may also study the health impact on the inhabitants and take remedial action. The State PCB will be the nodal agency for coordination and compliance. The statutory authorities taking coercive measures may ensure due process of law.”

10. The action taken report dated 27.09.2021 was filed before the Tribunal by the State PCB on behalf of the joint Committee disclosing as under:-

“xxx xxx xxx

7. In pursuance of above, action taken report dated 27.09.2021 has been filed by the State PCB on behalf of the joint Committee. The report mentions 18 clusters where these stone crushers were mainly operating. The health impact as per letter of the CMO dated 16.06.2021, showing 100% increase in diseases, is mentioned. The carrying capacity has been found to be in the negative due to existing high pollution load. It has been recommended that new stone crushing units and non-compliant units may not be allowed. The remaining may

be allowed subject to safeguards such as water sprinkling, covering of the conveyor belt to minimize dust generation, paving of the roads to minimize pollution during transportation and undertaking regular health survey. The report also mentions need for further study to ascertain the number and capacity of stone crushers which could be allowed in the light of ambient air quality and also source apportionment study. The operative part of the report is reproduced below:

“A. Status of Stone Crushing Units

- (i) A report mentioning the consent and operating status of the stone crushing units in the District Mahendergarh was filed before the Hon’ble NGT, vide dated 23.07.2019.
- (ii) The status of the stone crushing units has further been modified as on date (at the time of reporting), wherein the consent to establish and consent to operate were revoked by the Board and the same is enclosed. **(Annexure- I).**
- (iii) The stone crushing units which were found using ground water without obtaining requisite permission from Central Ground Water Authority (CGWA) have also issued Show Cause Notice for imposing Environmental Compensation **(Annexure-II).**
- (iv) The stone crushing units are mainly operating in different clusters and the detail of the same is given below:

Table- I

Tehsil	Name of the Clusters/ Villages	No. of Stone Crushing Units
Mahendergarh (34)	Village Garhi	21
	Village Zerpur	13
Narnaul (21)	Village Kultajpur	6
	Village Lutufpur	9
	Village Faizabad	1
	Village Mandlana	1
	Village Raghunathpura	1
	Village Karota	3
Nangal Chaudhary (107)	Village Gangutana	19
	Village Bakhrija	17
	Village Begopur	24
	Village Dholera	15
	Village Jainpur	12
	Village KhatoliAhir	13
	Village Berundla	3
	Village Panchnota	2
	Village KhatoliJat	1

	Village Bayal	1
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- (v) It is also placed on record by the Committee that out of 162 Nos. stone crushing units, the HSPCB has monitored 48 Nos. stone crushers for verification of the compliance prior to order Hon'ble NGT order dated 03.12.2020 and status of the same is also enclosed (**Annexure- III**). Out of 48 Nos. units it is submitted that only 05 Nos. found non-compliant in regards to installation of non-adequate air pollution control devices and with the prescribed emission standards. The detail is attached with Annexure- III.
- (vi) HSPCB has established 02 Nos. Ambient air Quality Monitoring Stations (Manual) at Nangal Chaudhary and Mahendergarh. The monitoring of PM 2.5 and PM 10 is undertaken as per the guidelines prescribed by CPCB. The Ambient Air monitoring network was commissioned from February, 2020, however sufficient data could not be gathered for its analysis due to pandemic.

B. Health Impact on the inhabitants

- (i) The concerned CMO vide letter No. PH/2021/72 dated 16.06.2021 has forwarded Air Borne Disease Report, District Mahendergarh for the period 2011 to 2020 (**Annexure- IV**).
- (ii) **The report suggests that the number of cases were 21329 in the year of 2011 which has increase to 42309 in the year of 2019, an increase of 100 % cases in the span of 8 to 9 years.**
- (iii) The report however has not indicated the cause of air borne Disease as neither has identified any specific reason of increasing the air borne disease.

C. Assessment of Carrying Capacity

- (i) This refers to the Table 1, mentioned at Para No. A (iv) and which identifies the three clusters of stone crushing units in the District Mahendergarh. The minimum distance between two clusters is found approx. 5 km and the maximum distance is approx. 40 km.
- (ii) The maximum stone crushing units are operating in the Tehsil of Nangal Chaudhary and considered to be within the area of 15 Sq. km. Further, the maximum number of stone crushing units operating in Villages Bakhrija (17), Begopur (24) and Dholera (15) and therefore becomes the prominent source of air pollution.
- (iii) The data of ambient air quality for assessment of carrying capacity are gathered as follows:

Table- II (Stone Crusher Operational)

Pre-Monsoon			
Particulars	Tehsil-Nangal Choudhary	Tehsil-Narnaul	Tehsil-Mahendergarh
Study Area (km ²)	225	49	225

Mixing height (km)	0.6362	0.6362	0.6344
Volume of air in the study area (km ³)	143	31	143
PM10 (µg/m ³)	669	298	Monitoring not undertaken due to non-operation of Stone crushing units
Total Estimated load of particulate matter in ambient air in the study area during study period	95667	9238	
Assimilative Carrying Capacity (kg)	14300	3100	
Supportive Carrying Capacity (kg)	-81367	-6138	

Table- III (Stone Crusher Operational)

Post-Monsoon			
Particulars	Tehsil-Nangal Choudhary	Tehsil-Narnaul	Tehsil-Mahendergarh
Study Area (km ²)	225	49	225
Mixing height (km)	0.4483	0.4483	0.4483
Volume of air in the study area (km ³)	101	22	101
PM10 (µg/m ³)	427	273	299
Total Estimated load of particulate matter in ambient air in the study area during study	43127	6006	30199
Assimilative Carrying Capacity	10100	2200	10100
Supportive Carrying Capacity (kg)	-33027	-3806	-20099

Table- IV (Stone Crusher Non-Operational)

Pre-Monsoon			
Particulars	Tehsil-Nangal Choudhary	Tehsil-Narnaul	Tehsil-Mahendergarh
Study Area (km ²)	225	49	225
Mixing height (km)	0.555	0.555	0.6344
Volume of air in the study area	125	27	143
PM10 (µg/m ³)	499	241	493
Total Estimated load of particulate matter in ambient air in the study area	62375	6507	70499
Assimilative Carrying	12500	2700	14300
Supportive Carrying Capacity	-49875	-3807	-56199

Table- V (Stone Crusher Non-Operational)

Post-Monsoon			
Particulars	Tehsil-Nangal Choudhary	Tehsil-Narnaul	Tehsil-Mahendergarh
Study Area (km ²)	225	49	225
Mixing height (km)	0.463	0.463	0.463
Volume of air in the study area	104	23	104
PM10 (µg/m ³)	380	220	411

Total Estimated load of particulate matter in ambient air in the study area during	39520	5060	42744
Assimilative Carrying Capacity	10400	2300	10400
Supportive Carrying Capacity	-29120	-2760	-32344

Note:- As there is no Sound Detection and Ranging (SODAR) station in district Mohindergarh, so atmospheric mixing height of Delhi (i.e. SODAR station located at CPCB, East Arjun Nagar, New Delhi) is considered for calculation.

- (iv) **The above data have been prepared basis on the Ambient Air Quality Monitored by HSPCB on 18 locations on dated 05.03.2021 to 08.03.2021 (Pre-Monsoon) and 24.08.2021 to 27.08.2021 (Post-Monsoon) covering the cluster, the village phirni and distance from the stone crushing units. The data reveal that the supporting carrying capacity in all the Tehsils of District Mahendergarh found to be negative. This implies that the total pollution generation due to industrial and domestic activities including transportation (auto emission and road dust etc.) is over the assimilative carrying capacity of the study region.**

Recommendation

The following recommendations are made considering the status of stone crushing units and assessment of carrying capacity.

- a. No new stone crushing units of any capacity shall further be allowed to establish & operate in the region including any expansion of the existing units.**
- b. The stone crushing units which were reported not confirming to the notified siting criteria shall remain close and be shifted as per the Notification dated 11.05.2016 and amended 04.04.2019.**
- c. The stone crushing units shall provide water sprinkling system and cover the conveyer the belt to ensure minimum dust generation from their operation for further improvement of air quality. It is also recommended that the units shall provide telescoping chute at the level of loading/un-loading of the finished crushed material to avoid any suspension of the same.**
- d. The stone crushing unit may provide concrete/pacca road to assess the crushing and transport area and provide adequate water sprinkling arrangement so as to minimise the dust formation.**
- e. The Department of Health shall undertake regular survey of the workers and nearby inhabitants to ascertain the impact on inhabitants especially due to operation of stone crushing units besides other air polluting activities.**

A detailed study needs to be undertaken for ascertaining the number and capacity of stone crushing units that can be allowed to operate so as to bring the ambient air quality of the region within the notified standard. A source apportionment study may suffix the need.”

11. The Tribunal in the proceedings dated 15.11.2021 had considered the above report dated 27.09.2021 and stand of the unit undertaking mineral grinding or stone crushing including association of the crusher owners and employees and noticed the negative carrying capacity and observed about closure of polluting units unless it is ensured that there are adequate safeguards enabling operation of stone crushers without adding to the pollution. The observation of the Tribunal in this regard in the order dated 15.11.2021 was as under:

“xxxxxx.....xxx
15. In view of above the report and showing negative carrying capacity not only non-complying but also other polluting units may have to be closed unless it is ensured that there are adequate safeguards enabling operation of stone crushers without adding to the pollution load. In respect of units grinding minerals other than stones, same approach has to be adopted if they add to the existing pollution load. Safeguards can be maintaining distance from habitation and educational/health care institutions, inter se distance, limiting the number to sustainable level, afforestation/development of a green belt around the periphery of the area upto 25 meters from location of stone crushers and in any pockets of land available nearby to improve the micro climate and to act as barrier against air pollution. The District Administration may also undertake paving the roads in and around the crushing area in additional water sprinkling on regular basis in the interest of public health of the citizens affected by the air pollution generated in the process.”

12. In the aforesaid background, the Tribunal had constituted a six member Committee by the order dated 15.11.2021 by directing as under:

“xxxxxx.....xxx
16. Let a six-member joint Committee of CPCB, State PCB, District Magistrate, Mahindragarh, jurisdictional Conservator of Forest, nominee of IIT Delhi with expertise on the subject of air pollution and a Pulmonologist, nominated by DG Health, Haryana meet within two weeks and ponder over the issue. The CPCB and the State PCB will be nodal agency for coordination and compliance. They may interact with the stake holders, including the representatives of the stone crushers, who may be informed about proceedings before this Tribunal by the State PCB, in coordination with any other concerned authorities, in an appropriate manner by e-mail or otherwise. Any expenses to be incurred will be borne by the State PCB, subject to further orders. The District Magistrate may provide logistics for execution of the order. The Committee may give a report about the number of stone crushers and mineral grinding units which can be allowed and subject to what conditions, having regard to air pollution load and adverse impact on public health. The report may be

furnished within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF which may also be uploaded on the website of the State PCB for information of all the affected stone crushers who will be at liberty to file their comments, if any, to the report before this Tribunal within 15 days of uploading of the report.”

13. In the proceedings dated 18.01.2023, the Tribunal had considered the subsequent reports and had directed remedial action for recovery of compensation for past violation prohibiting illegally operating stone crushers till compliance and to the extent of carrying capacity. The Tribunal in the proceedings dated 18.01.2023 also took note of the order passed on the same day in the matters concerning stone crushers illegally operating in adjoining Charkhi Dadri District of Haryana. Accordingly, the Tribunal observed as under:

“xxxxxx.....xxx

8. It is disappointing to note flagrant violation of law and attempt of authorities to cover up the same in violation of earlier orders of this Tribunal. It is difficult to understand reason for such blatant attempt on the part of concerned officers to help violators, who need to be dealt with as per law for sustainable development and protection of environment and public health, ignoring economic interest of violators. In spite of negative carrying capacity of the area in terms of air quality, large number of stone crushers are being permitted to continue. Air quality monitoring stations at Secretariat of Narnaul and STP of Mahindergarh have no relevance for determining air quality of the area where stone crushers are functioning. Giving irrelevant data from such stations only helps violators to take false plea that air quality in the area is good while data from area where stone crushers may show different picture. There is nothing to show that requisite green belts have been developed nor action has been taken against such blatant violations.

9. Dealing with similar situations of stone crushers illegally operating in adjoining Charkhi Dadri District of Haryana, the Tribunal by separate order passed today, observed:

“10. In the light of above discussion, we direct remedial action for recovery of compensation for past violations, prohibiting illegally operating stone crushers till compliance and to the extent of carrying capacity.

11. To capture Robust data to the area, CPCB may install at least 5 more CAAQMS at suitable locations. It will be open to CPCB to install more, if found necessary. Pending setting up of CAAQMS, manual stations may be installed. The number of operating stone crushers be suitably reduced as directed earlier so as to be within the carrying capacity, maintaining appropriate inter-se distance as

may be suggested by CPCB. Consistent with order dated 26.10.2021, from November to February, no stone crushing unit be allowed to operate in the area unless the air quality index is moderate and above i.e. below 200. 12. We also fix interim compensation at the rate of Rs. 20 Lakhs against each of the stone crushers operating in the area on 'Polluter Pays' principle. Compensation will cover the period from 5 years prior to filing of this Application and till date. The amount is being fixed at floor level on conservative basis even if particular stone crushers may have operated for shorter period. This will apply to all 343 identified stone crushers as mentioned in para 5 of the report of the joint Committee dated 17.01.2023. The amount may be collected by the State PCB by coercive action on failure of deposit within one month. The amount be used for restoration of environment in the area. Final compensation be fixed by joint Committee of District Magistrate, Charkhi Dadri, Member Secretary, State PCB, CPCB, Forest Department and DFO. CPCB and State PCB will jointly act as nodal agency for coordination and compliance. The Committee may put all the stone crushers to notice of this order and if any stone crusher is aggrieved by order of this Tribunal may be at liberty to move this Tribunal. The units which have been identified as non-compliant may be closed forthwith. The units which are not identified but are operating in violation of norms may also be proceeded against for closure till compliance forthwith. The numbers of units which are to be allowed to operate should be fixed having regard to the carrying capacity. The exercise may be overseen by ACS Environment, Haryana.

13. Action taken report with compliance status as on 30.04.2023 may be filed by 15.05.2023.

List for further consideration on 22.05.2023.

Member Secretary, State PCB and District Magistrate, Charkhi Dadri may remain present in person by Video Conferencing on the next date."

10. Following the above, we direct that remedial action for recovery of compensation for past violations, prohibiting illegally operating stone crushers till compliance and to the extent of carrying capacity. To capture Robust data to the area, CPCB may install at least 5 more CAAQMS at suitable locations. It will be open to CPCB to install more, if found necessary. Pending setting up of CAAQMS, manual stations may be installed. The number of operating stone crushers be suitably reduced as directed earlier so as to be within the carrying capacity, maintaining appropriate inter-se distance as may be suggested by CPCB. Consistent with order dated 26.10.2021, from November to February, no stone crushing unit be allowed to operate in the area unless the air quality index is moderate and above i.e. below 200. We also fix interim compensation at the rate of Rs. 20 Lakhs against each of the stone crushers operating in the area on 'Polluter Pays' principle. Compensation will cover the period from 5 years prior to filing of this Application and till date. The amount is being fixed at floor level on conservative basis even if particular stone crushers may

have operated for shorter period. The amount may be collected by the State PCB by coercive action on failure of deposit within one month. The amount be used for restoration of environment in the area. Final compensation be fixed by joint Committee of District Magistrate, Mahendergarh, Member Secretary, State PCB, CPCB, Forest Department and DFO. CPCB and State PCB will jointly act as nodal agency for coordination and compliance. The Committee may put all the stone crushers to notice of this order and if any stone crusher is aggrieved by order of this Tribunal may be at liberty to move this Tribunal. The units which have been identified as non-compliant may be closed forthwith. The units which are not identified but are operating in violation of norms may also be proceeded against for closure till compliance forthwith. The numbers of units which are to be allowed to operate should be fixed having regard to the carrying capacity. The exercise may be overseen by ACS Environment, Haryana. Action taken report with compliance status as on 30.04.2023 may be filed by 15.05.2023.”

14. The detailed order passed by the Tribunal on 18.01.2023 in OA No. 607/2018 relating to the same issue concerning the adjoining District of Charkhi Dadri in Haryana is reproduced below:

“1. The issue for consideration is the remedial action for enforcement of the environmental norms under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974 by the stone crushers in District Charkhi Dadri, Haryana. According to the applicant, as per the RTI response of Haryana State PCB, dated 18.06.2019, 260 stone crushers are in operation in the District Charkhi Dadri. According to the applicant, the air quality in the area does not have assimilative capacity to sustain the same, resulting in violation of air and water pollution norms, adversely affecting the environment and public health. In view of subsequent reports showing violations in the adjoining District Bhiwani also, scope of these proceedings has been extend to the stone crushers in the said area also.

2. The matter has been considered by several orders in the last more than four years, including orders dated 05.09.2019, 19.08.2020, 02.02.2021 and 26.10.2021.

3. Vide order dated 05.09.2019, the Tribunal considered the report of the Chief Secretary, Haryana dated 02.08.2019 to the effect that action was taken against nineteen (19) non-compliant stone crushers and action was in process against twelve (12) more non-compliant stone crushers. The Tribunal found that the action taken was not adequate as admitted violation of norms of air quality was continuing and there was no adequate monitoring mechanism to enforce right of citizens to clean environment. Accordingly, the Tribunal directed the Chief Secretary, Haryana to take further action for enforcement of law for protection of environment and public health. The Tribunal also directed the Central Pollution Control Board (CPCB) to constitute a three-member team to give a composite report on the subject of air

pollution and compliance of siting criteria. The Tribunal also directed establishment of air quality monitoring stations and to assess efficacy of pollution control devices by the stone crushers.

4. *Vide order dated 19.08.2020, the matter was considered in the light of the reports of CPCB and Chief Secretary, Haryana, which clearly depicted serious violations of environmental norms and inadequacy of the action taken. The Tribunal accordingly constituted a seven Member joint Committee comprising three members team of CPCB (senior level), Member Secretary, State PCB, Member Secretary, SEIAA, Haryana, Divisional Forest Officer, Charkhi Dadri and the Additional District Magistrate, Charkhi Dadri.*

5. *Vide order dated 02.02.2021, the matter was considered in the light of the report dated 31.01.2021, filed by the seven-Member Committee finding that there was no carrying capacity of the ambient environment to sustain the activities of the stone crushers, without adequate mitigation measures and without following the siting norms. Accordingly, the Tribunal directed remedial measures for enforcing the environmental norms and the Rule of Law. The Tribunal directed that polluting activities beyond the carrying capacity of the environment may be stopped and only such activities may be allowed which can be sustained on the principle of Sustainable Development. The statutory Authorities were directed to exercise their jurisdiction, following due process of law.*

6. *By last order dated 26.10.2021, there was further review in light of action taken report has been filed on 27.09.2021 by the State PCB. It was observed:-*

*“5. In pursuance of the above, an action taken report has been filed on 27.09.2021 by the State PCB. **The status report gives the list of 339 stone crushers to whom the consent was granted.** It gives list of 22 stone crushers which were inspected along with the Monitoring Committee constituted by this Tribunal out of which 5 were found to be non-compliant and were closed. The remaining were found to be individually compliant. On 2nd inspection of 14 stone crushers, 10 were found to be non-complaint, which included 4 units which were earlier non-compliant and 6 units which were found to be non-complaint later. Four were found to be compliant. 10 units were closed/ recommended to be closed accordingly. On 3rd inspection on 17.06.2021 and 01.07.2021, 2 more units were found to be non-compliant and were closed. Assessment of compensation against 14 units was in progress. Compensation had already been assessed against 40 non-compliant units amounting to Rs. 4.76 Crores. 27 units out of them have deposited the compensation while proceedings have been initiated for recovery against the remaining. Prosecution has been filed/proposed against 35 units. **Compensation has also been assessed for illegal extraction of ground water amounting to Rs. 31.66 Crores approximately against 278 units. We note that for such assessment the area has been taken to be safe category even though it is critical.** 34 units have been found to be not meeting the siting criteria and action has been taken for withdrawal of the CTE/CTO. It is further stated that even 339 stone crushers in District Charkhi Dadri 246 were in operation and the*

remaining have been identified for dismantling. 4 have been closed.

6. In view of the report, we are concerned with the issue of permissibility of functioning of the said 246 stone crushers which are said to be in operation. The list is as follows:-

“List of CTO of Stone Crusher units in operation at present:-

xxx.....xxx.....xxx

7. The conclusion in the report is as follows:-

“Conclusion:-

1. The inspection of stone crusher zone Charkhi Dadri have been conducted by Monitoring Committee headed by Justice Pritam Pal, Smt. Urvashi Gulati, Rtd. IAS, Sh. Baburam Ex. MS PPCB alongwith District administrative, Charkhi Dadri on dated 17.03.2021 and 18.03.2021 during visit the committee inspected 22. Nos. of stone crushing units in various cluster. The detailed report of this inspection has already been noted above.
2. The inspection of stone crusher zone Charkhi Dadri have been conducted by Monitoring Committee headed by Justice Pritam Pal, Smt. Urvashi Gulati, Rtd. IAS, Sh. Baburam Ex. MS PPCB alongwith District administrative, Charkhi Dadri on dated 23.07.2021 and 24.07.2021. The detailed report of this inspection has already been noted above.
3. The Regional office, Bhiwani has requested the 03 Nos. instate namely TERI (The Energy and Resource Institute, Lodhi Road, New Delhi) and NEERI (National Environmental Engineering Research Institute, Delhi Zonal Centre, Naraina, New Delhi and Dr. Vivek Narayan Singh, Head of Department, Environment Protection Division (EPD), Shri Ram Institute for Industrial Research, 19, University road, New Delhi. However, the proposal has been received from TERI and NEERI only & to complete the procedure for allotment of the work of study of apportionment, minimum 03 nos. of quotations are required. Once the procedure is complete the work will be allotted to the institute.
4. No new stone crusher of any capacity has been allowed to established in District Charkhi Dadri.”
8. We have considered the report dated 27.09.2021 in pursuance of order dated 02.02.2021. **The report does not mention status of compliance of directions in para 7 of the said order requiring stopping of polluting activities beyond carrying capacity and also requiring that only such activity may be allowed which the environment can sustain irrespective of date of setting up of the stone crushers. Needless to say that mere compliance by individual stone crusher is not enough if the environment does not have capacity to sustain the**

polluting activity in question. on account of pre-existing pollution load. In such situation, stone crushers can be allowed only if they do not contribute further to the pollution load by taking such mitigation measures, as viable. Standard laid down for an individual units are subject to assimilative capacity of the environment to sustain additional air pollution load as laid down by this Tribunal vide order dated 17.02.2021 in O.A. No. 1016/2019, Utkarsh Panwar v. CPCB & Ors., dealing with the issue of prohibiting/regulating brick kilns in NCR, having regard to the absence of carrying capacity of the environment. Contrary to that, report merely mentions that no new stone crushers have been allowed. Action taken against stone crushers beyond carrying capacity which environment cannot sustain, has not been mentioned. Further, legality of measurement of raw material for the stone crushers needs to be ascertained and remedial action taken. The Committee being constituted may look into the aspect. Thus, in view of absence of carrying capacity and unsustainability of the stone crushers prima-facie the stone crushers may be liable to be closed to the extent the same are not sustainable. The list of operating stone crushers also mentions District Bhiwani at many places, apart from Charkhi Dadri, which was initially the subject matter of consideration. Thus, the said District will also, to the extent necessary, have to be covered by the remedial action. The report dated 31.01.2021 relates to the study period of 250 days from 04.03.2020 to 08.11.2020. The relevant table has been quoted earlier and is reproduced below for ready reference:-

“The carrying capacity assessment of ambient air environment, of District Charkhi Dadri as estimated by the Joint Committee based on the available data of Continuous Ambient Air Quality Monitoring Station (CAAQMS) located in the district, for time period of 250 days i.e. 04.03.2020 to 08.11.2020 for the predominant air quality parameter i.e. PM₁₀, is as follows:

Particulars	Values	Summer Season	Monsoon Season	Post Monsoon Season
<i>Area of District (km²)</i>	<i>1370</i>	<i>1370</i>	<i>1370</i>	<i>1370</i>
<i>Mixing height (km)</i>	<i>0.691</i>	<i>0.745</i>	<i>0.672</i>	<i>0.643</i>
<i>Volume of air in the district</i>	<i>946</i>	<i>1021</i>	<i>921</i>	<i>882</i>
<i>PM₁₀ (pg/m³)</i>	<i>265</i>	<i>246</i>	<i>177</i>	<i>409</i>
Total Estimated load of particulate matter in ambient air in the district in	250815	251508	162671	360369
Assimilative Carrying Capacity (kg)	94647	102073	92112	88153
Supportive Carrying Capacity (kg)	-156168	-149435	-70558	-272216

9. It is well known fact that from the period from November to February, which has not been taken into account, the air

quality is certainly inferior to the rest of the year. In view of negative carrying capacity, only those stone crushers can be permitted which do not add to the pollution load by adopting appropriate technology or methodology enabling functioning without deterioration to the air quality, during the operation of the stone crushers or during the transportation of raw material and finished product.

10. Number of stone crushers to be permitted may have to be suitably reduced to maintain adequate distance inter-se, as per formula suggested in above report of the Expert Committee which is reproduced below:-

“(ii) Considering the stone dust settlement behaviour, the inter-se distance between two stone crushing units may be kept as:

$$d = (h_1 \cdot N_1 + h_2 \cdot P_2) / 100$$

Where, d = inter-se distance between two stone crushing units (in meter)

h_1 & h_2 = height of highest nodes for unit 1 & 2, respectively (in meter)

P_1 & P_2 = production capacity for unit 1 & 2, respectively (in MTD)

11. There is also need to implement the recommendations in the report of the Expert of the Committee dated 31.01.2021. Further solution to be considered for permitting operation of stone crushers can be development of a green belt around the periphery of the area where stone crushers are located of the width ranging from 25 meters to 50 meters, wherever viable. Any other pockets of land available may also be considered for afforestation within the crushing zone to improve the micro climate. The District Administration may also undertake paving the roads in and around the crushing area in additional water sprinkling on regular basis in the interest of public health of the citizens affected by the air pollution generated in the process.

12. Let a joint Committee of CPCB, State PCB, District Magistrates Charkhi Dadri and Bhiwani, jurisdictional Conservator of Forest, nominee of IIT Delhi who may be expert on the subject of air pollution and a Pulmonologist nominated by DG Health, Haryana meet within two weeks and ponder over the issue. They may interact with the stake holders including the representatives of the stone crushers, who may be informed about the proceedings before this Tribunal by the State PCB in coordination with any other concerned authorities in an appropriate manner by e-mail or otherwise. The CPCB and the State PCB will be nodal agency for coordination and compliance. Any expenses to be incurred will be borne by the State PCB subject to further orders. The District Magistrate may provide logistics for execution of the order. The report may be furnished within three months by email by e-mail at judicial-ngt@gov.in preferably in the form of searchable

PDF/ OCR Support PDF and not in the form of Image PDF which may be also be uploaded on the website of the State PCB for information of all the affected stone crushers who will be at liberty to file their comments, if any, to the report before this Tribunal within 15 days of uploading of the report.”

7. *It is a matter of regret that the Committee failed to give report as expected within three months. We record our disapproval for such conduct on the part of the members of the Committee in a matter of such urgency. This observation may be conveyed to the Members of the Committee by CPCB and remedial action be taken for future.*

8. *We may now refer to the reports filed. The first report was filed by the State PCB on 08.11.2022, after more than one year of order dated 26.10.2021. Such delay itself has greatly prejudiced the environment and public health as the Tribunal has already found that there was no carrying capacity for continued operations of stone crushers without additional equipments ensuring that there is no addition to air pollution. The authorities have failed to take adequate remedial action in the light of observations of this Tribunal. The report dated 08.11.2022 merely mentions that first meeting was held on 28.12.2021 wherein road map for implementation of recommendations in report dated 31.01.2021 was discussed. Second report filed on 17.01.2023 refers to status of obtaining plantation plans, as reported by the DFO, Charkhi Dadri. The report shows that most of the stone crushers have not even obtained plantation plans. What to talk of undertaking plantations. Surprising, learned Counsel for State PCB has stated that action has been proposed only against those who have not sought plans and those who have sought plans are not being proceeded against even when they have failed to undertake plantations and are continuing in violation of law. He has given list of 24 stone crushers who have not undertaken plantation and against whom merely show cause notices has been issued though failure is since more than one year. **We fail to understand what is the compulsion before the authorities in ignoring such large scale violations.** Let Chairman, State PCB take remedial action, including action against erring officers involved in the process, coordinating with all concerned State authorities.*

9. *The report further mentions that air quality was monitored at three locations with manual AAQ machines in October, 2022 which show the level of PM₁₀ to be 361, 281 and 393 which is much in excess of the laid down standards. No remedial action has been taken by the State PCB for revoking consents under the Air (Prevention and Control of Pollution) Act, 1981 when there is no assimilated carrying capacity of the air quality in the area and stone crushers and adding to air pollution and not even complying with requirement of plantations. No compensation on polluter pays principle has been assessed and recovered. It is further stated that the District Administration is in the process of paving the roads around the stone crushing zones and undertaking water sprinkling to control the dust emissions at State expense without requiring the violators to remedy their wrong. The report further mentions comments of nominee of IIT as follows:-*

“1) We notice that PM₁₀ were very high during the monitoring time. Long-term monitoring of PM₁₀ and PM₂₅ are required regularly inside the crusher zone, so that

reliable data can be established for operating and non-operating periods

2) Dispersion modelling needs to be carried out to estimate the dispersion of PM generated by the crushing units in contrasting meteorological conditions. Carrying capacity analysis will allow us to generate data to decide on the optimum number of units based on the meteorological conditions.

3) Whenever the PM₁₀ Values exceed ‘high’ levels, the number of running crusher units needs to be reduced and the operating period should be shortened.

4) Movement of heavy- duty vehicles need to be restricted while crushers are running. Specific timing should be allotted to transport material from crusher zones while the crusher units entirely shut down.

5) In the winter, local activities like wood fires and the burning of angithi etc. should not permitted or need to reduce.”

10. The above comments show rampant violation of the air quality norms, PM₁₀ being very high with no remedial action by authorities. Thus, consideration of prayer for seeking further time will only help continuing violations and damage and cannot be accepted as bonafide after more than one year of earlier order. Such prayer may only covering up the failure of the authorities in not doing their duties as expected by this Tribunal. The prayers will stand declined.

11. We may note some relevant observations in earlier order of this Tribunal in connected matters order dated 03.12.2020, O.A. No. 667/2018, **Mahendra Singh vs. State of Haryana & Ors.**, in the context of permissibility of Stone Crushers in NCR as follows:-

“9. It is well known that NCR is facing air pollution issues and, in winter months, the problem is further aggravated. Polluting activities, even if otherwise legitimate, are required to be stopped/regulated to avoid adverse health impact on account of air pollution. **Stone crushers add to air pollution.** On that account as per Graded Response Action Plan for Delhi & NCR (GRAP), the stone crushers in NCR have to be automatically closed when the air quality is ‘severe’. Relevant portion of the Graded Response Action Plan is as follows:-

“

Severe (ambient PM2.5or PM10concentration value is more than 250 µg/m3 or 430µg/m3 respectively)	Agency responsible/ Implementing Agency
Close brick kilns, Hot Mix plants, Stone Crushers	Chairpersons Delhi Pollution Control Committee, State Pollution Control Boards of Haryana, Rajasthan, and Uttar Pradesh
	Superintendent of Police and Deputy Commissioner of respective districts

”

10. GRAP is self-operating but does not exclude assessment-based restrictions. **Permissibility of stone crushers depends on the available air quality and impact of operation of such stone crushers on the environment and public health in a particular area.** In this regard, we may notice the observations of the Hon'ble Supreme Court in some matters. In **M.C. Mehta v. Union of India, (1992) 3 SCC 256, at page 257**, it was observed:

“...Utter disregard to environment has placed Delhi in an unenviable position of being the world's third grubbier, most polluted and unhealthy city as per a study conducted by the World Health Organisation. **Needless to say that every citizen has a right to fresh air and to live in pollution-free environments.**

3. For the reasons to be recorded and pronounced at a later stage we order and direct as under:

(1) **The mechanical stone crushers established/operating in Lal Kuan, Anand Parbat, Rajokri, Tughlakabad and in any other area of the Union territory of Delhi shall stop operating/functioning with effect from August 15, 1992. No stone crusher shall operate in the Union territory of Delhi from August 15, 1992 onward.**

(2) **The mechanical stone crushers established/operating in Suraj Kund, Lakhanpur, Lakkarpur, Kattan, Gurukul, Badkhal, Pallinangla, Saraikhaja, Anangpur and Ballabgarh areas of Haryana shall stop operating/functioning with effect from August 15, 1992. No stone crusher shall operate in the above-said area from August 15, 1992 onward.**

11. Again, in **M.C. Mehta v. Union of India, (2006) 11 SCC 582, at page 586**, it was observed :

“While conducting a study of environmental problems of the Aravalli hills and preparation of action plan for restoration of environmental quality in Gurgaon district, **the Central Mine Planning and Design Institute Limited (CMPDI), had inter alia noted that in the Aravalli hills, large number of activities, operations of stone crushers and deforestation besides other activities are causing environmental degradation. These mines are usually located in clusters in remote mineral-rich districts/areas where living standards are lower and understanding of people towards environmental impact is also poor.** In the past, the mine operators took no note of environmental damage. In fact, they were not even conscious about it. The attitude of the mining community is to ignore the environmental concerns. In the majority of the cases, the environmental concerns are ignored for making quick profits. The small mines (less than 5 hectares) and the mining of minor minerals which are no doubt small

individually but have damaging characteristics when in clusters e.g. the **mines of granite, marble, slates, quartzite, etc. (falling under minor minerals) are no less damaging than the others**, especially when the processing is taken into consideration. **The mining activities result in disturbance of land surface, altering drainage pattern and land use, besides the pollution problems, which may lead to the environmental problems of air, water and noise pollution and solid waste pollution.**”

12. In *People Right and Social Responsibility Centre v UoI*, (2010) 14 SCC 769, it was noted that **persons at and close to stone crushers suffer from Silicosis disease against which safeguards are to be adopted.**

13. In *Arjun Gopal & Ors. v. UOI & Ors.*¹, the Hon’ble Supreme Court noted the **adverse impact of unsatisfactory air quality on health** and air quality grading as follows:

“5. In India, air quality standards are measured in terms of the Air Quality Index (hereinafter “AQI”). The AQI was launched in India on 17-10-2014 by the Ministry of Environment and Forests. According to the press release of the Press information Bureau of the same date, it consists of a comprehensive set of parameters to monitor and asses the air quality. The AQI considers eight pollutants (PM₁₀, PM_{2.5}, NO₂, SO₂, CO, O₃, NH₃, and Pb), and based on the levels of these pollutants six categories of AQI ranging from “Good” to “Severe” have been prescribed. The index also suggests the health effects of the pollution category wise. The gradation of AQI and its health impact is extracted below:

Table 1

AQI	Associated Health Impacts
Good (0-50)	Minimal impact.
Satisfactory (51-100)	May cause minor breathing discomfort to sensitive people.
Moderately polluted (101-200)	May cause breathing discomfort to people with lung disease such as asthma, and discomfort to people with heart disease, children and older adults.
Poor (201-300)	May cause breathing discomfort to people on prolonged exposure, and discomfort to people with heart disease.
Very Poor (301-400)	May cause respiratory illness to the people on prolonged exposure. Effect may be more pronounced in people with lung and heart diseases.
Severe May (401-500)	May cause respiratory impact even on healthy people, and serious health impacts on people with lung/heart disease. The health impacts may be experienced even during light physical activity.

Table 2

¹ (2017) 1 SCC 412

AQI Category, Pollutants and Health Breakpoints								
AQI category (Range)	PM ₁₀ 24-hr	PM _{2.5} 24-hr	NO ₂ 24-hr	O ₃ 8-hr	CO 8-hr (mg/m ³)	SO ₂ 24-hr	NH ₃ 24-hr	Pb 24-hr
Good (0-50)	0-50	0-30	0-40	0-50	0-1.0	0-40	0-200	0-0.5
Satisfactory (51-100)	51-100	31-60	41-80	51-100	1.1-2.0	41-80	201-400	0.5-1.0
Moderately polluted (101-200)	101-250	61-90	81-180	101-168	2.1-10	81-380	401-800	1.1-2.0
Poor (201-300)	251-350	91-120	181-280	169-208	10-17	381-800	801-1200	2.1-3.0
Very poor (301-400)	351-430	121-250	281-400	209-748*	17-34	801-1600	1200-1800	3.1-3.5
Severe (401-500)	430+	250+	400+	748+*	34+	1600+	1800+	3.5+”

12. This Tribunal vide order dated 15.10.2010 in O.A. No. 1016/2019, **Utkarsh Panwar Vs. CPCB** considered the issue in the context of closing/restricting the brick kilns in absence of carrying capacity of the air quality in the NCR. Relevant observations are as follows:-

“17. In *Arjun Gopal & Ors. v. UOI & Ors.*², it was observed that the residents of NCR faced severe air quality standards which were worst in the World. It had serious adverse health impact. Life of citizens in NCR had been brought to virtual standstill. The Capital was smoked into an environmental emergency of unseen proportions. It will be appropriate to extract some observations from the judgment:-

“4. The onset of winter and the festival/marriage season this year, presented to the residents of NCR severe concerns regarding the air quality standards. According to reports, the air quality standards in early November of this year were the worst in the world. **It is reported that the PM_{2.5} levels recorded were “beyond scale” values (see India's Air Quality Among World's Worst Over Diwali Weekend: Report. 4-11-2016, Hindustan Times).** The report indicates that 24-hour average of PM_{2.5} levels in South Delhi in 2016 were 38% higher than on the Diwali night of 2015. The day after Diwali, these levels were twice as high as the day after Diwali in 2015, crossing 650 µg/m³, which is 26 times above the WHO's standards or levels considered safe. Shockingly, on the morning of 1-11-2016, Delhi woke up to an average PM_{2.5} level of over 700 µg/m³ — some of the highest levels recorded the world over and 29 times above WHO standards. The report further states that the WHO guideline for 24-hour average PM_{2.5} levels is 25 µg/m³ and with an annual average PM_{2.5} level of 122 µg/m³, Delhi's air is the worst among global megacities with dense populations. We have particularly referred to the PM 2.5 levels because of the extreme effects and near invisibility of this type of particulate matter. PM_{2.5} or particulate matter 2.5 (PM_{2.5}), refers to tiny particles or droplets in the air

² (2017) 1 SCC 412

that are two-and-one-half microns or less in width. It may be noted that the widths of the larger particles in the PM_{2.5} size range would be about thirty times smaller than that of a human hair. These particles primarily emanate from vehicle exhausts and other operations that involve the burning of fuels such as wood, heating oil or coal, and of course, use of fire crackers.

5.
xxx.....xxx.....xxx

6. Reports indicate that AQI in Delhi was much above the severe standard, shooting off the AQI 500 mark on many days this November. On the day after Diwali, it was more than 14 times the safe limits (see Delhi's Pollution Levels Peaks at 14-16 Times Safe Limits, 31-10-2016, The Hindu). The adverse health effects of these hazardous levels of pollution are only too evident from the table given above. We do not intend to refer to the multiplicity of reports and data on this front.

7. The hazardous levels of air pollution in the last few weeks has spared very few from its ill effects. The life of the citizens of NCR was brought to a virtual standstill, not to speak about the plight of the thousands of mute flora and fauna in NCR. Schools were declared shut, denizens of the city advised to stay indoors, construction activities stopped, power stations shut and ban imposed on burning of garbage and agricultural waste. The fall in air quality has had a significant impact on people's lifestyle as well. The rising costs to protect against air pollution are substantial. It has come to our notice that people are queuing up to purchase protective masks and air purification systems in the wake of dense smog all over the NCR. In short, the capital was “smogged” into an environmental emergency of unseen proportions.

8. The adverse effects of these extreme levels of air pollution spare no one — the young, the old, the infirm and even the future generations. A study of the data of the Global Health Depository of the World Health Organisation reveals that India has the world's highest death rate from chronic respiratory diseases and that about 1.5 million people in India die annually due to indoor and outdoor pollution (see Delhi Wakes up to an Air Pollution Problem it cannot Ignore, 15-2-2015, The New York Times). The Kolkata-based Chittaranjan National Cancer Institute (CNCI), in a study commissioned and handed over to the Central Pollution Control Board, found that key indicators of respiratory health, lung function to palpitation, vision to blood pressure, of children in Delhi, between four and 17 years of age, were

worse off than their counterparts elsewhere. It also found that more than 40% of the school children suffer from lung damage (see *Landmark Study Lies Buried*, 2-4-2015, *The Indian Express*). We note with apprehension that there are nascent studies that suggest that pollution can lower children's IQ, hurt their test scores and increase the risks of autism, epilepsy, diabetes and even adult-onset diseases like multiple sclerosis (see *Holding Your Breath in India*, 29-5-2015, *The New York Times*).

9. It has been brought to our notice that the severe air pollution in the NCR is leading to multiple diseases and other health related issues amongst the people. It is said that the increase in respiratory diseases like asthma, lung cancer, bronchitis, etc. is primarily attributable to the worsening air quality in the NCR. The damage being caused to people's lungs is said to be irreversible. Other health related issues like allergies, temporary deafness are also on the rise. Various experts have pointed towards multiple adverse effects of air pollution on human health like premature deaths, rise in mortality rates, palpitation, loss of vision, arthritis, heart ailments, cancer, etc.

10. When we refer to these extreme effects, we are not merely referring to the inconvenience caused to people, but to abject deprivation of a range of constitutionally embedded rights that the residents of NCR ought to have enjoyed. Needless to state, the grim situation of air quality adversely affected the right to education, work, health and ultimately, the right to life of the citizens, and this Court is constitutionally bound to address their grave concerns. May we remind ourselves, that this is not the first time that this Court was impelled into ensuring clean air for the citizens of the capital region (see *M.C. Mehta v. Union of India* [*M.C. Mehta v. Union of India*, (1998) 6 SCC 60] · [*M.C. Mehta v. Union of India*, (1998) 9 SCC 589] , *M.C. Mehta v. Union of India* [*M.C. Mehta v. Union of India*, (1998) 8 SCC 648] and *M.C. Mehta v. Union of India* [*M.C. Mehta v. Union of India*, (1998) 8 SCC 206]).”

18. In the context of banning sale of crackers having adverse impact on the air quality, it was held that **even if there were several sources of pollution, a particular polluting activity could be prohibited**. No equality could be pleaded in this regard. Right to trade was not absolute and could be restricted for protection of Environment which was a specific Directive Principle of State Policy enforcement of which was a reasonable restriction on fundamental right to trade. The ‘Precautionary Principle’ of environmental law allows prohibition of a polluting activity even in absence of scientific certainty.”

19. Carrying capacity is a facet of sustainable development. It is inherent in 'Precautionary Principle' as well as in 'Inter-generational Equity'. In *MC Mehta v. UOI & Ors.*, construction activity in the catchment area of Badkhal were directed to be restricted/regulated to the level of Carrying capacity. It was observed that:-

“Preventive measures have to be taken keeping in view of the carrying capacity of the ecosystem operating in the environmental surroundings under consideration.”

20. In *Vellore Citizens' Welfare Forum v. UOI & Ors.*³, it was observed that quality of human life is to be improved within the carrying capacity to supporting ecosystem. Relevant extract is as follows:-

“10..... During the two decades from Stockholm to Rio “Sustainable Development” has come to be accepted as a viable concept to eradicate poverty and improve the quality of human life while living within the carrying capacity of the supporting ecosystems. “Sustainable Development” as defined by the Brundtland Report means “Development that meets the needs of the present without compromising the ability of the future generations to meet their own needs”. We have no hesitation in holding that “Sustainable Development” as a balancing concept between ecology and development has been accepted as a part of the customary international law though its salient features have yet to be finalised by the international law jurists.”

21. These observations are reiterated in (2006) 6 SCC 371.⁴

22 to 23 xxx..... xxx..... xxx

24. The Tribunal has a mandate to follow these principles under Section 20 read with Section 15 of the National Green Tribunal Act, 2010 and can issue appropriate directions for enforcement of these principles, as laid down in *Mantri Techzone Pvt. Ltd. v. Forward Foundation and Ors.*,⁵ and the *Director General (Road Development) NHAI v. Aam Aadmi Lok Manch.*⁶ Environmental rule of law requires strict enforcement of these principles as laid down in *Hanuman Laxman Aroskar v. UOI*.⁷

25. This Tribunal in O.A. No. 681/2018, vide order dated 21.08.2020, dealt with the remedial measures for restoration of air quality in 122 Non-attainment cities, including Delhi where air quality is generally beyond norms. The Tribunal directed stopping polluting activities, including brick kilns and assessment of carrying capacity of urban areas to take policy decisions to control polluting potential activities beyond carrying capacity. The Tribunal observed:-

³ (1996) 5 SCC 647

⁴ Para 66 to 76

⁵ 2019 SCC online SC 322, Para 43-47

⁶ AIR 2020 (SC) 3471, Para 75

⁷ (2019) 15 SCC 401

“3. The Tribunal noted the concern arising from such large scale air pollution which grapples the country in spite of statutory mechanism under the Air Act, directions of the CPCB under section 18(1)(b), dated 29.12.2015 and directions of the Hon’ble Supreme Court for control of **vehicular pollution⁸, industrial and construction sector pollution⁹, power sector pollution¹⁰ and agricultural sector pollution¹¹** and orders of this Tribunal dealing with the said issues¹². The Tribunal also referred to a Comprehensive Action Plan (CAP) for air pollution control for NCR prepared in pursuance of order of the Hon’ble Supreme Court dated 06.2.2017 by the Environment Pollution (Prevention and Control) Authority (EPCA) in consultation with the CPCB and Delhi Pollution Control Committee (DPCC) on 05.04.2017¹³ and Graded Response Action Plan (GRAP) notified by the MoEF&CC on 12.01.2017 stipulating specific steps for different levels of air quality such **as improvement in emission and fuel quality and other measures for vehicles, strategies to reduce vehicle numbers, non-motorised transport network, parking policy, traffic management, closure of polluting power plants and industries including brick kilns, control of generator sets, open burning, open eateries, road dust, construction dust, etc.**¹⁴

4. Implementation of prescribed norms in the light of legal provisions and court directions remains a challenge. The consequence is that India is being ranked high in terms of level of pollution compared to many other countries with enormous adverse impact on public health. Most victims are children, senior citizens and the poor.¹⁵

⁸ Rural Litigation and Entitlement Kendra, Dehradune and Others Vs State of U.P. Others (1985) 2 SCC 431, M.C. Mehta v. Union of India (2001) 3 SCC 756, M.C. Mehta v. Union of India (1998) 6 SCC 63, M.C. Mehta v. Union of India (2002) 4 SCC 356, M.C. Mehta v. Union of India (1998) 6 SCC 60

⁹ M.C. Mehta v. Union of India (1997) 2 SCC 353, M.C. Mehta v. Union of India and Shriram Foods and Fertilizer Industries and Anr. (1986) 2 SCC 176, Rural Litigation and Entitlement Kendra, Dehradun v. State of U.P. (1985) 2SCC 431, Mohd. Haroon Ansari v. District Collector (2004) 1 SCC 491, Union of India v. Union Carbide Co. (1989) 1 SCC 674, M.C. Mehta v. Union of India (1992) 3 SCC 256, Sterlite Industries (India) Ltd. etc. v. Union of India & Ors.(2013) 4SCC 575 , M.C. Mehta v. Union of India (2004) 6 SCC 588, M.C. Mehta v. Kamal Nath (2000)6 SCC 213

¹⁰ Consumer Education and Research Centre v. Union of India (1995)3 SCC 42, Dahanu Taluka Environment Protection group and Ors. v. Bombay Suburban Electricity Supply Company Ltd. and Ors (1991) 2SCC 539

¹¹ Arjun Gopal and Ors v. Union of India and Ors (2017) 16 SCC 280, Dr. B.L Wadhera v. Union of India and Ors (1996) 2 SCC 594

¹² Vardhman Kaushik v. Union of India and Ors. O.A no. 21 of 2014, Vikrant Kumar Tongad v. Environment Pollution (Prevention and Control) Authority and Ors, O.A No. 118 of 2013, Satish Kumar v. Union of India and Ors, O.A. No. 56 (T_{HC}) OF 2013, Smt. Ganga Lalwani V. Union of India and Ors. O.A No. 451 of 2018

¹³ Report No.71, EPCA-R/2-17/L-21, Comprehensive Action Plan for air pollution control with the objective to meet ambient air quality standards in the National Capital Territory of Delhi and National Capital Region, including states of Haryana, Rajasthan and Uttar Pradesh.

¹⁴ S.O.118(E), Notification, Ministry of Environment, Forest and Climate Change

¹⁵ <https://www.thehindu.com/sci-tech/energy-and-environment/india-ranks-177-out-of-180-in-environmental-performance-index/article22513016.ece>, <https://www.ndtv.com/delhi-news/delhis-air-pollution-has-caused-of-death-of-15-000-people-study-1883022>.

5. The GRAP categorises levels of pollution as severe plus, severe, very poor, moderate to poor. The action to be taken in such situations includes **stopping entry of trucks, stopping construction activities, odd and even scheme of private vehicles, shutting of schools, closing of brick kilns, stone crushers, hot mix plants, power plants, intensifying public transport services, mechanized cleaning of road, and sprinkling of water, stopping the use of diesel generator sets, enhancing parking fees, etc.**

6. The MoEF&CC has by various notifications put restrictions on activities in Coastal areas, Flood plains, Taj corridor Eco-sensitive zones, etc. in view of ecological sensitivity and impact of such activities on environment if such activities are carried out in unregulated areas. This needs to be extended to the NACs in view of impact on public health and environment to give effect to the 'Precautionary' and 'Sustainable Development' principles."

7to13..xxx.....xxxx.....xxx

14. According to the CPCB, draft framework has been prepared and SA study completed in four States (for 05 cities). Study was under progress in 14 States (for 54 cities), and at proposal stage in 10 States (for 37 cities). Methodology for carrying capacity has been shared with State PCBs/PCCs. Twelve (12) States/UTs have given the details of the carrying capacity and the remaining have yet to take necessary steps. CC/SA studies are pre requisite for meaningful planning to enforce environmental law. This pre-requisite should have been undertaken long ago. Air quality norms have been statutorily laid down under the Air (Prevention and Control of Pollution) Act, 1981 as well as the Environment (Protection) Act, 1986 and such norms are being flagrantly violated, which has been made by the Parliament a criminal offence. If the rule of law has to have meaning and guilty are to be punished, the policies of the State have to be based on scientific studies to contain polluting activities within the scope of Carrying Capacity."

26. Dealing with the issue of air pollution in manufacture of tiles at Morbi in Gujrat, vide order dated 6.3.2019 OA 20/17 Babubhai v GPCB, this Tribunal directed closure of industries operating with coal unless they shifted to natural gas. This was referred in the earlier order of this Tribunal in the present matter. It was further observed that while under the orders of the Hon'ble Supreme Court, **GRAP was laid down providing for closing of specified activities on crossing of air quality norms as laid down in the GRAP, the same did not debar consideration of further situations requiring closure/regulation...."**

13. In the light of above discussion, we direct remedial action for recovery of compensation for past violations, prohibiting illegally operating stone crushers till compliance and to the extent of carrying capacity.

14. To capture Robust data to the area, CPCB may install at least 5 more CAAQMS at suitable locations. It will be open to CPCB to install more, if found necessary. Pending setting up of CAAQMS, manual stations may be installed. The number of operating stone crushers be suitably reduced as directed earlier so as to be within the carrying capacity, maintaining appropriate inter-se distance as may be suggested by CPCB. Consistent with order dated 26.10.2021, from November to February, no stone crushing unit be allowed to operate in the area unless the air quality index is moderate and above i.e. below 200.

15. We also fix interim compensation at the rate of Rs. 20 Lakhs against each of the stone crushers operating in the area on 'Polluter Pays' principle. Compensation will cover the period from 5 years prior to filing of this Application and till date. The amount is being fixed at floor level on conservative basis even if particular stone crushers may have operated for shorter period. This will apply to all 343 identified stone crushers as mentioned in para 5 of the report of the joint Committee dated 17.01.2023. The amount may be collected by the State PCB by coercive action on failure of deposit within one month. The amount be used for restoration of environment in the area. Final compensation be fixed by joint Committee of District Magistrate, Charkhi Dadri, Member Secretary, State PCB, CPCB, Forest Department and DFO. CPCB and State PCB will jointly act as nodal agency for coordination and compliance. The Committee may put all the stone crushers to notice of this order and if any stone crusher is aggrieved by order of this Tribunal may be at liberty to move this Tribunal. The units which have been identified as non-compliant may be closed forthwith. The units which are not identified but are operating in violation of norms may also be proceeded against for closure till compliance forthwith. The numbers of units which are to be allowed to operate should be fixed having regard to the carrying capacity. The exercise may be overseen by ACS Environment, Haryana.

16. Action taken report with compliance status as on 30.04.2023 may be filed by 15.05.2023.

List for further consideration on 22.05.2023.

Member Secretary, State PCB and District Magistrate, Charkhi Dadri may remain present in person by Video Conferencing on the next date.

A copy of this order be forwarded to District Magistrate, Charkhi Dadri, Member Secretary, State PCB, CPCB, Forest Department and DFO by e-mail for compliance."

15. The Tribunal by the above orders concerning District Manhendragarh and District Charkhi Dadri had fixed the interim compensation of Rs. 20 lakhs against each of the Stone crusher operating in the area by invoking the principle of "Polluter Pays" giving liberty to the

aggrieved stone crusher to move the Tribunal. The joint Committee was directed to fix the final compensation.

16. The above orders of the Tribunal dated 18.01.2023 were subject matter of challenge before the Hon'ble Supreme Court. The Hon'ble Supreme Court vide order dated 24.02.2023 had disposed of the Civil Appeal No. 1407/2023 by directing as under:

“Having heard learned Counsel for the respective parties and considering the impugned order(s) passed by the NGT, we are of the opinion that if any of the individual stone crusher has any objection against the order passed by the NGT, they may approach the NGT as per the liberty reserved by the Tribunal in the impugned order itself. As and when such applications are made, the Tribunal to consider the same in accordance with law and on its own merits and considering the individual cases to be put forward before the NGT. If such applications are made within a period of two weeks from today, the learned NGT to consider the same in accordance with law and on merits and to take into consideration the individual cases to be brought to the knowledge of the NGT at the earliest and preferably within a period of six weeks from the date of receipt of such applications.

Till the applications are filed, no coercive action shall be taken.

The present Appeals are accordingly disposed of.

Pending applications including the applications for impleadment shall stand disposed of.”

17. The above order of the Tribunal dated 18.01.2023 was also challenged in another Civil Appeal and Hon'ble Supreme Court vide order 06.11.2023 passed in C.A. No. 5550/2023 in matter of M/s Chander Stone Crusher Vs. State of Haryana had set aside the direction contained in the paragraph 15 of the impugned order dated 18.01.2023 only in relation to the said appellant on the ground of violating the principles of natural justice by holding as under:

“Heard the learned counsel appearing for the appellant and the learned counsel appearing for the respondent-State of Haryana. The other respondents have been served with the notice. The respondent No.8 who is the original complainant before the National Green Tribunal has been served with the notice. But he is not represented.

The grievance of the appellant is about the directions issued in the paragraph 15 of the impugned judgment. This direction is against

343 identified stone crusher units, as mentioned in the report of the Joint Committee dated 17th January, 2023. Further direction issued by the Tribunal is that the Joint Committee will issue notice to the stone crusher units and if any stone crusher unit is aggrieved by the order of the Tribunal, that unit will be at liberty to move the Tribunal.

A drastic order was passed by the National Green Tribunal fixing the interim compensation of Rs.20,00,000/- (Rupees twenty lakhs) payable by each of the stone crusher operating units, including the present appellant. Admittedly, the present appellant was not a party to the complaint filed by the eighth respondent. Thus, in our view, the Tribunal has committed a breach of elementary principles of natural justice. The impugned order shows that the Original Application is still kept pending.

We, therefore, set aside the directions contained in the paragraph 15 of the impugned judgment only in relation to the appellant.

If the respondent No.8 wants any direction to be issued by the Tribunal against the appellant, he is free to implead the appellant and seek appropriate relief in the pending Original Application.

We make it clear that we have not made any adjudication on the merits of the controversy.

The appeal is accordingly allowed on the above terms.”

18. After the aforesaid orders of the Hon’ble Supreme Court, a number of applications for impleadment have been filed and those applicants - stone crushers were impleaded and have been heard. We have also heard the stone crusher owners whose application for impleading, if any, is pending.

19. On 01.02.2024, the Tribunal had considered the issue of fixing the final compensation and accepted the submission of the impleaded stone crushers about fixing the final compensation by the joint Committee after giving them opportunity of hearing. Accordingly, on 01.02.2024, the Tribunal had directed as under:

“xxxxxx.....xxx

4. So far as the issue of fixing final compensation is concerned, counsel for all the impleaded Stone Crushers have submitted that they have no objection if the Joint Committee fixes the final compensation after giving them an opportunity of hearing. Hence, we direct the Joint Committee comprising of District Magistrate, Charkhi Dadri and Mahendragarh, Representative of Member Secretary of State PCB and

CPCB, concerned DFO and RO MoEF&CC, to fix the final compensation after determining the extent and period of violation and after giving opportunity of hearing to all the concerned stone crushers and after duly complying with the principles of natural justice. RO will act as nodal agency for coordination and compliance. The joint committee will also ascertain the source of raw material and compliance of all the requisite norms by these stone crushers and carrying capacity of that area and make recommendations in respect of the closure of the defaulting stone crusher, if any. We make it clear that report of the joint committee will be treated to be recommendatory in nature.

5. The joint committee will make an endeavor to complete the above exercise within three months and will submit a detailed report before the Tribunal."

20. In compliance of the above direction, the joint Committee has submitted its report dated 25.04.2024. The joint Committee has considered the baseline dated 01.02.2024 and has calculated the compensation. The joint Committee has imposed final environmental compensation of Rs. 6,01,75,000/- as against 94 units.

21. Learned Counsel appearing for the HSPCB has submitted that subsequently one more unit has been added and the amount of environmental compensation has increased to Rs. 6,09,56,250/-.

22. The action taken report dated 25.04.2025 is extracted below:

"Action Taken Report in compliance with Hon'ble National Green Tribunal, Principal Bench, New Delhi vide order dated 01.02.2024 in the matter of OA No. 667/2018 (Mahendra Singh Versus State of Haryana and Ors.) with OA No. 679/2018 (Tejpal Versus State of Haryana and Ors.), in OA No. 599/2019 (Bishamber Singh Versus State of Haryana and Ors.).

The stone crushers are located in the district of Mahendragarh, Haryana in the various villages of 03 Nos. of Tehsil namely i) Mahendragarh ii) Narnaul and iii) Nangal Chaudhary. There are total 133 Nos. stone crushing units in district Mahendragarh as per order of Hon'ble NGT since 2013.

Hon'ble NGT passed the following directions in order dated 01.02.2024 in OA NO. 667/2018, 679/2018 & 599/2019: -

"4. So far as the issue of fixing final compensation is concerned, counsel for all the impleaded Stone Crushers have submitted that they have no objection if the Joint Committee fixes the final compensation after giving them an opportunity of hearing. Hence, we direct the Joint Committee comprising of

District Magistrate, Charkhi Dadri and Mahendragarh, Representative of Member Secretary of State PCB and CPCB, concerned DFO and RO MoEF&CC, to fix the final compensation after determining the extent and period of violation and after giving opportunity of hearing to all the concerned stone crushers and after duly complying with the principles of natural justice. RO will act as nodal agency for coordination and compliance. The joint committee will also ascertain the source of raw material and compliance of all the requisite norms by these stone crushers and carrying capacity of that area and make recommendations in respect of the closure of the defaulting stone crusher, if any. We make it clear that report of the joint committee will be treated to be recommendatory in nature.

5. The joint committee will make an endeavor to complete the above exercise within three months and will submit a detailed report before the Tribunal".

The Action Taken Report in compliance with the above directions, passed by Hon'ble National Green Tribunal, New Delhi, is as under: -

1. The joint committee meeting held at Charkhi Dadri on 11.03.2024 at 11.30 AM and it was decided that

(a) The date 01.02.2024 will be considered as the base line date for providing record data by HSPCB to joint committee for consideration regarding levy of environment compensation.

(b) The recommendation regarding imposing of environment compensation for the violating period of environmental norms by the stone crusher units from 01.01.2013 to 01.02.2024 will be calculated as per methodology prepared by the Central Pollution Control Board (CPCB) and adopted by Haryana State Pollution Control Board (HSPCB) vide order no. 6073 dated 29.04.2019 & HSPCB/PLG/2021/2343-2350 dated 22.12.2021.

The environmental compensation for violations is determined using the following formula:

$$EC = PI \times N \times R \times S \times LF$$

Where,

EC: Environmental Compensation in
 PI: Pollution Index of industrial sector
 N: Number of days of violation took place
 R: Factor in Rupees (₹) for EC
 S: Factor for scale of operation
 LF: Location factor

Pollution Index (PI):

Red: 80
 Orange: 50
 Green: 30

Number of days (N):

N is the period between the day of violation observed/ due date of direction's compliance and the day of compliance verified by the Regional office.

Factor in Rupees (R):

The CPCB recommends R as 250 for the calculation of Environmental Compensation in cases of violation.

Factor for scale of operation (S):

*Small/micro: 0.5
Medium: 1.0
Large: 1.5*

Location factor (LF):

Value of Location Factor will be based on population of the city/town and location of the industrial activity. LF will be 1.0 in case unit is located at a distance> 10 Km. from the municipal boundary.

The Joint 'Committee has recommended the final environment compensation based of above mentioned methodology.

2. The compliance status of stone crushing units located in District Mahendragarh as on 01.02.2024 is summarized below in table: -

A.	Units found Complying as per provision of notification dated 11.05.2016	81
B.	Units found non-complying as per provision of notification dated 11.05.2016 and details are as under: -	52
	(i) Units closed by Board	17
	(ii) CTE/CTO revoked by Board	06
	(iii) Units found dismantled	11
	(iv) Closed of its own	18

*3. The data of AQI from period i.e. April 01, 2023 to March 31, 2024 captured by already installed 01 No. CAAQM station at Mini Secretariat, Narnaul is enclosed in **Annexure-1**. Monitoring the Ambient Air Quality was done following the norms prescribed by CPCB. HSPCB has setup 05 manual monitoring stations and started operating at the 05 identified locations of District Mahendragarh for monitoring of air quality nearby the stone crushing clusters until CAAQMS stations are installed by CPCB. The status of the air quality at these five locations is placed in **Annexure-2**.*

4. Based on the above methodology, the final environment compensation is calculated are given in below: -

*The joint committee has recommended levy of final environment compensation against **94 units**, amounting **Rs. 6,01,75,000/-** for*

period 01.01.2013 to 01.02.2024 (as per methodology formulated by CPCB & adopted by HSPCB).

HSPCB and Hon'ble NGT vide order dated 18.01.2023 has imposed environment compensation (including interim environmental compensation) against **14** units, amounting Rs. **1,95,00,000/-**. Out of these 14 units, **10** units has deposited EC of amount Rs. **1,59,87,500/-** and the remaining **04** units, amounting to Rs. **35,12,500/-** are balance to be recovered.

Further, Joint Committee constituted by Hon'ble NGT has issued notice for personal hearing to all the stone crushing units on dated 28.02.2024 and on dated 22.012024. The constituted joint committee has heard the individual unit on dated 06.03.2024, 04.04.2024 and 05.04.2024 at Canal Rest House, Irrigation Department, Singhana Road, Narnaul as per direction of Hon'ble NGT.

The details of Final Environmental Compensation recommendation by Joint Committee for period 01.01.13 to 01.02.2024 with details of violation, period of violation, EC already imposed, EC recovered, EC pending for recovery and final amount of EC after given personal hearing to individual unit is attached as **Annexure-3**.

It is humbly prayed that the above Action Taken Report may be considered please.”

23. Alongwith the report, the details of the units and environmental compensation imposed are enclosed as Annexure A-3 which is as under:

“Annexure-3

Sr No.	Respondent No. (IA)	Present / Absent in Personal Hearing	Name and address of the unit	Status of unit (CTO valid upto)	Past violation details	Period of violation (In days) from the period i.e. 01.01.2013 to 01.02.2024 (period)	Calculation of EC amount by	EC already imposed by HSPCB and as per NGT order dated 18.01.2023	EC already deposited	Previous EC amount pending to be	Final EC recommendation amount by Joint Committee
1	12 (94-95 of 2023)	Present	SHREE BALAJI GRIT UDYOG (4-0), 8/2 min West (6-0), 0) Total 28 Kanal 0 Marla at Village- Gangutana, Tehsil- Nangal, Chaudhary, Distt-Mohindergarh	31.03.2029							
2	13 (96-97 of 2023)	Present	SHREE RAM STONE 17), 2/1 (1-12), 2/4 (2-16) Village-Dholera, Tehsil- Nangal Chaudhary, Distt- Mohindergarh	31.03.2026	Not adequate DFO,	95 from 08.05.2023	593750				593750
3	14 (98-99 of 2023)	Present	Shree Balaji Stone Crusher, 18), Village-Dholera, Tehsil-	31.03.2027							
4	15 (106-107 2023)	Present	ASHA STONE CRUSHING CO, & Kila No. 62 / / 5/2(6-16), 6 total 13 Kanal 8 Marla	31.03.2028							
5	16 (119 of 2023)	Present	GANESH STONE CRUSHER Khewat No. 75, Khatoni No. 81, M.No. 8, Kila No. 23 (8-0) At Village-Khatoli Ahir, Tehsil-Nangal Chaudhary, Distt- Mohindergarh	31.03.2028	Not adequate plantation reported by DFO, Mahendragarh	186 from 08.05.2023 to 09.11.2023	1162500	2000000	2000000	-	(-) 837500
6	17 (121-122 2023)	Present	SHRI RAM STONE CRUSHER 25, M./Kila No. 46//21 (8-0), Kanal 14 Marla at Village Mohindergarh	31.03.2029							
7	18 (123-124 2023)	Present	Baba Kheta Nath Stone Crusher, Kila No. 109/2/1, Zerpur, M/garh	31.03.2027							
8	19	Present	SATYAM STONE CRUSHER	31.03.2026	Not adequate	95 from 08.05.2023	593750				593750

	(271-272 2023)		19/2, VILLAGE BEGOPUR		DFO,						
9	20 (273-274 2023)	Present	Siddhi Vinayak Stone Crusher VIII-Dholera, 19/2 (6-12) & Khewat No. 22 (1 -15) total measuring 8 K 7 M MAHENDRAGARH	31.03.2026	Non-compliance w.r.t. APCM as	94 from 26.08.2015 to 27.11.2015	587500				587500
10	21 (275-276 2023)	Present	Mahalaxmi Stone Crusher, Khewat No. 197, Khatoni	31.03.2027	Non-compliance w.r.t. APCM as Not adequate DFO, Mahendragarh	163 from 08.05.2017 to 17.10.2017 95 from 08.05.2023	1612500				1612500
11	22 (277-278 2023)	Present	Rajokari Stone Cr. (Kontech Crushing Co.,) (7-1) & 8//25/2 (5-12) Vill-	31.03.2027	Non-compliance w.r.t. APCM as Non-compliance w.r.t. APCM as per notification dated 11.05.2016	09 from 26.08.2015 to 03.09.2015 17 from 25.04.2017 to 11.05.2017	162500				162500
12	23 (279-280 2023)	Present	JAI BHARAT STONE CRUSHER Khewat No. 107, at Village-Begopur, Nangal	31.03.2025	Non-compliance w.r.t. APCM as Not adequate DFO, Mahendragarh Non-compliance w.r.t. APCM as per notification dated 11.05.2016	85 from 30.06.2020 to 22.09.2020 95 from 08.05.2023 49 from 14.10.2023 to 01.12.2023	1431250	531250	531250		900000
13	24 (281-282 2023)	Present	Nirvaan Infrastructure At Khewat No. 143, Khatoni No. Lutafpur, Terhsil-Narnaul	31.03.2028	Non-compliance w.r.t. APCM as	34 from 07.03.2019 to 09.04.2019	212500				212500
14	25 (283-284 2023)	Present	Sheranwali Stone Crusher, Khewat No. 25,	31.03.2028	Not adequate plantation	95 from 08.05.2023 to 10.08.2023	593750				593750
15	26 (285-286 of 2023)	Present	Shree Shyam Stone Crusher, No. 51 / / 13, (8-0), 17/3/3 (3-16), 18(8-0),	31.03.2027	Not adequate DFO, Mahendragarh	95 from 08.05.2023	593750				593750
16	27 (287-288 2023)	Present	Satyam Stone Crusher, 57/12/2, 13/2, 18,19/1, 19/2 Mohindergarh	31.03.2027							
17	28 (32 0- 321 of 202 3)	Present	SHRI RADHEY MINES PRIVATE LIMITED, Khewat No. 10, Khatoni NO. 13, M.No. 8, Kila No. 23 (2-0), 24 Min South (2-18) & M.No. 13, Kila No. 4/1 (7- 2) total 12 Kanal 0 Marla at Village-Gangutana, tehsil-Nangal Chaudhary, Distt-Mohindergarh	31.03.2029							
18	29 (393-394 2023)	Present	SHRI RAM STONE CRUSHER, 49, Kila No. 3 (7-11) & 4 (7- Panchnota, Nangal	31.03.2029							
19	30 (694-695 2023)	Present	Haryana stone crusher Kila Mahendergarh	31.03.2027	Not adequate DFO,	95 from 08.05.2023	593750				593750
20	31 (696-697 2023)	Present	Shree Baba Jairamdass Grit Udyog, Khewat No. 5,	31.03.2027	Not adequate plantation	95 from 08.05.2023 to 10.08.2023	593750				593750
21	32 (713 of 2023)	Present	Karan Stone Cr., Khasra no. 109/12 (7-	Closed of its own	Non-compliance w.r.t. APCM as	104 from 14.04.2014 to 26.07.2014	650000				650000
22	33 (718 of	Present	Shiv Sunder Grit Udyog, Kila No.	Closed of its own	Non-compliance w.r.t. APCM as Non-compliance w.r.t. APCM as per notification dated 11.05.2016	31 from 18.09.2013 to 18.10.2013 12 from 04.09.2015 to 15.09.2015	268750				268750
23	324 of 2023	Present	Lakshmi Stone Crusher, Khasra No. 268, Kila No. 70/1, Khatoni No. 322 to 324 (25 Kanal 14 marla) Kultajpur Road, Lutufpur, Narnaul, Distt- Mohindergarh	Closed of its own	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	26 from 06.02.2020to 02.03.2020	162500				162500
24	325 of 2023	Present	Laxmi Stone Crusher Khewat No 14/2 (3-4), 15/2(3-19), 16/2(2-0), 17/1(3-0) at Village Kultajpur, Narnaul District-Mohindergarh	31.03.2027	Non-compliance notification dated 11.05.2016	18 from 29.10.2019to	112500				112500
25	326 of	Present	Bajrang Stone Crusher Kila No. 24/1 (1-16) & 24/2 Dholera, Nangal Chaudhary District Mohindergarh	31.03.2027							
26	327 of 2023	Present	Bajrang Stone Crusher, 53 total 260 kanal 15 marla Vill.-Faizabad, Narnaul	Closed by	Non-compliance notification dated 11.05.2016	176 from 04.03.2022	1100000				1100000
27	328 of	Present	M J ENTERPRISES, Khewat (6-3), 25/1 (1-14), 16/2 (0- Narnaul, District- Mohindergarh	31.03.2028							
28		Present	Balaji Stone Crushing	31.03.2028	Not adequate	95 from 08.05.2023	593750				593750

	329 of 2023		(1-13) Vill Garhi, PO-Khudana, Distt-Mohindergarh		DFO, Mahendragarh						
29	330 of 2023	Present	Mahashiv Stone Crusher 22, Kila No. 19//25, 8-0, 31//5, 8-0, 30//1, 3-0 Vill-Jainpur, Narnaul, Distt-Mahendragarh	31.03.2028	Non-compliance notification dated 11.05.2016	50 from 17.08.2015	312500				312500
30	331 of 2023	Present	Banshi Stone Crusher, measuring 21 Kanal 18 marla Vill-Bayal, Narnaul, Distt-Mohindergarh	31.03.2025	Not adequate DFO, Mahendragarh	186 from 08.05.2023	1162500	2000000	2000000	-	(-) 837500
31	332 of 2023	Present	Maman Grit Udyog, Khasra Mohindergarh	Closed of its	Not adequate DFO, Mahendragarh	95 from 08.05.2023	593750				593750
32	333 of 2023	Present	Pooja Stone Crusher, Kila no. Vill-Garhi, Mohindergarh	31.03.2027	Non-compliance notification dated 11.05.2016	63 from 21.08.2015	393750				393750
33	334 of 2023	Present	Bhaqwati Grit Udyog, Khewat Vill-Zerpur, Mohindergarh	31.03.2027	Non-compliance notification dated 11.05.2016	10 from 22.08.2015	62500				62500
34	335 of 2023	Present	Parkash Stone Crusher, and Kila no. 57//7-8, 13/1, 14/1/1, Vill-Begopur, Narnaul	31.03.2027	Not adequate DFO, Mahendragarh	95 from 08.05.2023	593750				593750
35	336 of 2023	Present	BHAWANI GRIT UDYOG No. 17/1(7-11), 18/1 min Village-Khatoli Ahir, Tehsil-nangal Chaudhary, Distt-Mohindergarh	31.03.2028	Not adequate DFO,	186 from 08.05.2023	1162500	2000000	2000000	-	(-) 837500
36	337 of	Present	Rohit Stone Crusher no. 8/15, 16 (16 kanal 12 Mohindergarh	31.03.2027							
37	338 of	Present	Sheetla stone Crusher, 8/15, 16) 16 kanal 12 marla Mohindergarh	Closed by	Non-compliance notification	26 from 16.07.2015	162500				162500
38	339 of 2023	Present	Dev Shri Krishna Stone Crusher, Khewat No. 31, Khatoni No. 34, M.No. 98, Kila No. 20/3 & 21 (8-16) Zerpur, Distt-Mohindergarh	31.03.2027	Non-compliance w.r.t. APCM as per notification dated	173 from 05.03.2022 to 25.08.2022	1081250	1081250	1081250	-	0
39	340 of 2023	Present	Shiv Grit Udyog, Khasra no. kanal 14 marla Village-Garhi, Tehsil & District-Mohindergarh	Closed of its	Non-compliance notification dated 11.05.2016	46 from 10.07.2018	287500				287500
40	341 of ---	Present	SHIV SHAKTI STONE No. 277, M.No. 52, Kila No. Total 8 Kanal 0 Marla at Mohinergarh	31.03.2029	Not adequate DFO,	95 from 08.05.2023	593750				593750
41	342 of 2023	Present	Shivalya Stone Crusher, Kila no. 57//9/2, 10/1, 10/2, 12/1 & 13/1 Vill- Begopur, Narnaul, Distt-Mohindergarh	31.03.2027	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	28 from 16.07.2015 to 12.08.2015	175000				175000
42	343 of 2023	Present	Shivalik Stone Crusher Co., Khewat no. 19, Khatoni no. 22, kila no. 13//3, 4/2, (4-11), (0-18) Vill-Gangutana, Nangal Chaudhary, Narnaul	31.03.2027	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750
43	344 of 2023	Present	Jai Shree Shyam Stone Crusher (Formerly Shivam Stone Crusher), Khewat no. 8, khatoni no. 10, kila n. 109/6/2/1(2-11)/15 (9-16), 16 (8-0) Vill-zerpur, Mohindergarh	Closed by Board	Non-compliance w.r.t. APCM as per notification dated 11.05.2016 Not adequate plantation reported by DFO, Mahendragar	63 from 22.08.2015 to 23.10.2015 65 from 09.11.2023 to 12.01.2024	800000				800000
44	345 of 2023	Present	SHREE BALAJI GRIT UDYOG M.No. 56, Kila No. 13/3 (5-2), 18(2-4), 13/1 (2-15) & 13/2 (2 Marla 4 sarsai) Total 10 Kanal 3 Marla 4 Sarsai at Village-Begopur, Tehsil-Nangal Chaudhary, Distt-Mohindergarh	31.03.2028	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750
45	346 of 2023	Present	DHARAM GRIT UDYOG M.No. 56, Kila No. 7/1 (7-8), 7/3 & 8/1/2 (4 - 12) & 7/2, 7/4, 8/1/1 (6 marla 5 sarsai) Total 12 Kanal 6 Marla 5 Sarsai at Village-Begopur, Nangal Chaudhary, Distt-Mohindergarh	31.03.2029	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750
46	347 of 2023	Present	SHREE GANPATI STONE CRUSHER, Kh. No 66, Khatoni No 70, M.No. 7, Kila No 10/2 min West-South (2-10) & M.No. 8 Kila No 6(8-0), 7 min East-South (2-0) Total 12 K.10 M. at VIII-Khatoli Ahir, Nangal Chaudhary, Distt-Mohindergarh	31.03.2028							
47	348 of 2023	Absent	Shree Ganpati Stone Crusher, Khewat No. 12, Khatoni No. 41, Mustkil & Kila No. 8//2/2 (4-8) & 8//3/1 (5-4) Vill. Bakhrija, P.O Dholera, Narnaul Distt-Mohindergarh	Closed by Board	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	84 from 01.07.2020 to 22.09.2020	525000				525000

48	349 of 2023	Present	HINDUSTHAN STONE CRUSHER, M.No. 11, Kila No. 9/2(4-0), 12/1(4-0), 12/2(3-11) & 13/1(3-11) Total 15 Kanal 02 Marla at VIII-Khatoli Ahir, Nangal Chaudhary, Distt-Mohindergarh	31.03.2028							
49	350 of 2023	Present	SHREE NARAYAN STONE CRUSHER, Khewat No. 18, Khatoni NO. 20, M.No. / Kila No. 24//24 Min East (6-0) & 27//4 Min North (6-0) total 12 Kanal 0 Marla AT VIII-Khatoli Ahir, Nangal Chaudhary Distt-Mohindergarh	31.03.2027	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750
50	351 of 2023	Present	Ishwar Stone Crushing Co., Khewat No. 24, Khatoni No. 53, Kila No. 7/11/1(2-19, 11/2(4-5), 12, Vill. Bakhrija, Narnaul	31.03.2027	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	28 from 16.07.2015 to 12.08.2015	175000				175000
51	352 of 2023	Present	Jai Durga Maa Stone Crusher, Kila no. 44/4, 5, 8, 7, 8 khewat no. 87, khatoni no. 156 Vill Garhi, Mohindergarh	Closed of its own							
52	353 of 2023	Present	SHREE OM INFRASTRUCTURE COMPANY, Khewat No. 46, Khatoni NO. 48, M.No. 23, Kila No. 21/1 Min East (2-18), 22/1/1 (4-16), 22/2/1 (10) & 23/1 (4-8) total 13 Kanal 02 Marla at Village Berundla, Nangal Chaudhary, Distt-Mohindergarh	Closed by Board							
53	354 of 2023	Present	Jai Hanuman Stone Crusher Company Kila No. 19//16(7-11), 20//11(2-8), 20(2-17) Vill-Jainpur, Tehsil-Narnaul, Distt-Mohindergarh	31.03.2025							
54	355 of 2023	Present	JAI HIND STONE CRUSHER Khewat No. 173, Khatoni No. 202, M.No. 16, Kila No. 19 (5-12), 20/1 (0-4), 21 (0-5) & 22 (5-19) Total 12 Kanal 0 Marla at Village Lutafpur, Narnaul, District-Mohindergarh	31.03.2026	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750
55	356 of 2023	Present	Shree Shyam Stone Crusher Khewat No. 177, Khatoni No. 243, M.No. 43, Kila No. 9 (5-2) & 12 (3-18) at Vill-Kultajpur, Tehsil-Narnaul Distt-Mohindergarh	31.03.2028	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	16 from 03.05.2022 to 18.05.2022	100000				100000
56	357 of 2023	Present	Jai Stone Crusher Co., Khewat no. 16, Khatoni no. 46-48, Kita no. 35, Tadadi rakba 145 kanal 9 marla Vill-Bakhrija, Narnaul, Mohindergarh	31.03.2029	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750
57	358 of 2023	Present	Karota Stone Grinding, Khewat no. 32, khatoni no. 64, kila no. 12//20 (9-0), khewat no. 33, Khatoni no. 65, kila no. 13//16(6-12) Vill- Karota, Narnaul, Distt-Mohindergarh	Closed by Board	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	174 from 05.03.2022 to 26.08.2022	1087500	1087500	-	1087500	1087500
58	359 of 2023	Present	SHREE SHYAM BABA STONE CRUSHER M.No. 11, Kila No. 20/2 min East (2-0), 19/2 min West (2-0), 21/1/1 min East (1-11), 22 min West(2-11) & 21/1/2(1-16) Total 9 Kanal 18 Marla at Vill-Khatoli Ahir, Nangal Chaudhary, Distt-Mohindergarh	31.03.2027	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750
59	360 of 2023	Present	Krishna Stone Crusher Khewat No. 365, Khatoni No. 409 (51/22) 2/19, 410 (51/23/2), 1/18, 411 (51/23/1) 2/5, 412(51/23/2) 413 (51/23/2) at Vill-Dholera, Narnaul, Distt-Mohinergarh	31.03.2027	Non-compliance w.r.t. APCM as per notification dated 11.05.2016 Not adequate plantation reported by DFO, Mahendragarh Non-compliance w.r.t. APCM as per notification	163 from 08.05.2017 to 17.10.2017. 95 from 08.05.2023 to 10.08.2023 35 from 28.10.2023 to 01.12.2023	1831250				1831250
60	361 of 2023	Present	VINAYAK CONSTRUCTION COMPANY Khewat No. 173, Khatoni No. 202, M.No. 16, Kila No. 20/1/2 (3-19) & 21/1 (4-1) VillLutafpur, Narnaul, District-Mohindergarh	31.03.2027	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750

61	362 of 2023	Present	ARIHANT STONE CRUSHER Khwat No. 235, Khatoni No. 262, M.No. 57, Kila No. 2/2 (8-0) Total 8 Kanal 0 Marla at Village-Begopur, tehsil-Nangal Chaudhary, Distt-Mohindergarh	31.03.2028							
62	363 of 2023	Present	Yaduvanshi Stone Crusher, Khewat No. 98//10 (8-0), 98/11 (7- 11), 99/6 (8-0), 15/1 (3- 16) Vill-Zerpur, Distt- Mohindergarh	CTO Revoked	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	63 from 22.08.2015 to 23.10.2015	393750				393750
63	364 of 2023	Present	Bajrang Bali Stone Crusher, Khasra No. 98//17/2/2, 24, 109//4/1, 3/2, 18/3/2 Vill-Zerpur, Narnaul, Mohindergarh	Closed by Board	Not adequate plantation reported by DFO, Mahendragarh	274 from 08.05.2023 to 05.02.2024	1712500				1712500
64	365 of 2023	Present	DEV SHRI KRISHNA STONE CRUSHER Khewat No. 234, Khatoni No. 261, M.No. 52, Kila No. 19 (8-0) & 18 min East (4- 0) at Village- Begopur, Tehsil-Nangal Chaudhary, Distt- Mohindergarh	31.03.2027	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	38 from 18.09.2018 to 25.10.2018	237500				237500
65	365 of 2023	Present	JAI BABA SHYAM STONE CRUSHER M.No. 51, Kila No. 16/2/2/2 (1-1) & 25/3 (5-19), M.No. 52 Kila NO. 21/1/1(5-0) Total 12 Kanal 0 Marla at Village- Dholera, Tehsil-Nangal Chaudhary, District-	31.03.2028							
66	365 of 2023	Present	JAI SHREE SHYAM STONE CRUSHER M.No. 51, Kila No. 23/3 (1-10), 24(7-11), 16/2/2/1(0-6), 17/2/2(0-10), 17/3/2(0-3), 25/1(1- 18) & 25/2 (0-2) Total 12 Kanal 0 Marla at Vill-	31.03.2028	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750
67	365 of 2023	Present	SHREE GANESH STONE CRUSHER, Khewat No. 73, Khatoni No. 80, M.No. 52, Kila No. 20/1 Min North (4-15), 11/1 Min South (0- 12), 11/2 Min South (2- 15) at Village-Begopur, Tehsil-Nangal Chaudhary, Distt-Mohindergarh	31.03.2028	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750
68	366 of 2023	Present	HARE KRISHNA STONE CRUSHER Khewat No. 14, Khatoni No. 43, M.No. 3, Kila No. 24/1(7-0), M.No. 8, Kila No. 4/1/1 (1- 19) at Village-Bakhrija, Tehsil- Nangal Chaudhary, District- Mohindergarh	CTO Revoked							
69	367 of 2023	Present	SHRI HARI STONE CRUSHER Khewat No. 157, Khatoni No. 185, M.No. 16, Kila No. 9/3(2-0), 11/3 (2- 01), 12 (8-0) at Village- Lutaipur, Tehsil-Narnaul, District-Mohindergarh	31.03.2028	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750
70	368 of 2023	Present	Maa Durga St. Cr. (Dalal Construction Co.), Kila no. 110-1/2 (6-0), 2//(2-0), 2(8-0) Vill- zerpur, Mohindergarh	31.03.2027	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	81 from 02.03.2023 to 21.05.2023	506250				506250
71	369 of 2023	Present	Shree Ram Stone Crusher, Khewat no. 13, khatoni no. 26, kila no. 19//6 (4-5), 7 (1-8), 14(1-4), 15/1 (5-0) total land (11 kanal 17 Marla) Vill.-Jainpur, Narnaul, Distt. Mohindergarh	31.03.2025	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	47 from 03.06.2019 to 19.07.2019	293750				293750
72	370 of 2023	Present	Jai Hanuman Stone Crusher, Kila no. 110//11(6-11) 110//19(7- 16), 110//20(8-0) Vill- zerpur Mandola, Mohindergarh	Closed of its own							
73	371 of 2023	Present	Jai Hind Stone Crusher, Kila no. 50 (25 kanal 3 marla) VPO- Jainpur, Narnaul, Distt. Mohindergarh	31.03.2027	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	30 days from 29.05.2019 to 27.06.2019	187500	187500	187500	-	0
74	372 of 2023	Present	Jai Shree Krishna Stone Crusher, Khewat No. 11, Khatoni No. 25, Mustil & Kila No. 16/23 (1-0), 19/3(7-14) total 16 Kanal 14 marla Vill- Jainpur, Narnaul, Mohindegarh	31.03.2028	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750
75	373 of 2023	Present	Shree Shyam Grit Udyog, Khasra No. 24, Kila No. 16 & 17, total 16 Kanal, Vill.-Garhi, Mohindergarh	Closed of its own							

76	374 of 2023	Present	JC STONE CRUSHER Khewat No. 63, Khatoni No. 67, M.No. 8, Kila No. 14 min East (6-0) & 15 Min West(6-0) total 12 Kanal 0 Marla at VIII- Khatoli Ahir, Nangal Chaudhary, Distt- Mohindergarh	31.03.2026	Not adequate plantation reported by DFO, Mahendragarh	92 from 10.08.2023 to 09.11.2023	575000					575000
77	375 of 2023	Present	JAI DURGA STONE CRUSHER, Khewat No. 5, Khatoni NO. 5, M.No. 56, Kila No. 14 (8-0) total 8 Kanal 0 Marla at Village Begopur, Nangal Chaudhary, Distt- Mohindergarh	31.03.2026	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750					593750
78	376 of 2023	Present	SHREE GANESH STONE CRUSHER, M.No. 7, Kila NO. 1/1 Min West (4- 06-1), 1/2 Min West (0-13-8) & 10 min West (5-0) 10 Kanal 0 Marla at Vill-Bakhrija, Nangal Chaudhary, Distt- Mohindergarh	31.03.2025								
79	378 of 2023	Present	Om Grit Crusher, Khewat no. 15, Khatoni no. 45, kila no. 7//8 (4-8) & 9 (9-13) total 14 Kanal 1 Marla Vill.-Bakhrija, Narnaul	31.03.2026	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	21 from 17.04.2018 to 07.05.2018	131250					131250
80	379 of 2023	Present	JMD Stone Crushing Company Part I Khewat No. 5, Khatoni No. 5, Kila NO. 16//20, 21 Min Vill-Jainpur, Narnaul, Distt-Mohindergarh	31.03.2026	Not adequate plantation reported by DFO, Mahendragarh	186 from 08.05.2023 to 09.11.2023	1162500	2000000	2000000	-		(-) 837500
81	380 of 2023	Present	JMD Stone Crushing Company Part II Khewat No. 5, Khatoni No. 5, Kila NO. 16//21 Min, 19//1 VillJainpur, Narnaul Distt- Mohindergarh	Closed by Board	Not adequate plantation reported by DFO, Mahendragarh	137 from 08.05.2023 to 21.09.2023	856250	2000000	2000000	-		(-) 1143750
82	381 of 2023	Present	Raj Stone Crusher, Khewat no. 178, hatoni no. 203, kila no. 56/15 & 57 //1 (14 kanal 8 marla) Vill.-Begopur, Narnaul, Distt. Mohindergarh	31.03.2027	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	35 from 18.09.2018 to 22.10.2018	218750					218750
83	382 of 2023	Present	Jayoti Stone Crusher, Khewat no. 7, Khatoni no. 36, kila no. 8//5/ 2(3- 3), 6/1(3-3) & 7 (7-11) Vill-Bakhrija, Narnaul, Distt-Mohindergarh	31.03.2027	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750					593750
84	383 of 2023	Present	SHIKOHPUR STONE CRUSHER COMPANY, Khewat No. 288, Khatoni No. 319, M.No. 62, Kila No. 7/1/2 (6-10), 15/1(1-10) at Village-Dholera, tehsil-Nangal Chaudhary, Distt- Mohindergarh	31.03.2028								
85	384 of 2023	Present	Shiv Stone Crusher Khewat No. 362, Khatoni No. 402, M. No. 50, Kila No. 17 At Vill-Dholera, Nangal Chaudhary, Narnaul, Distt- Mohindergarh	31.03.2027	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	54 from 08.05.2017 to 30.06.2017	337500					337500
86	385 of 2023	Present	Mahadev Stone Crusher Khewat No. 190, Khatoni No. 256, M.No.44, Kila No. 6/4 (4-04), 7/1(3-8), 14/2/1(0-4), 15/1(0-5) Total 8 kanal 01 Marla at Village-Kultajpur, Narnaul District- Mohindergarh	31.03.2026	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750					593750
87	386 of 2023	Present	SHREE KRISHNA STONE CRUSHING MILLS, Kila No. 98(20/1), 19,18(2/2), 23(2/1) VILLAGE ZERPUR, DISTRICT- MOHINDERGARH	31.03.2029								
88	387 of 2023	Present	New Haryana Stone Crusher, Khasra no. 57//8, 9/1, 13/1, Vill- Begopur, Narnaul, Distt- Mohindergarh	31.03.2027	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	12 from 16.07.2015 to 27.07.2015	75000					75000
89	388 of 2023	Present	Yaduvanshi Grit Udyog, Khewat No. 98, Khatoni No. 165, Kila No. 8, total 58 kanal 15 Marla Vill-Garhi, Mohindergarh	31.03.2028	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	92 from 21.08.2015 to 20.11.2015	575000					575000
90	389 of 2023	Present	Nihal Stone crusher, Kila no. 56//6, 15 Min (15 kanal 11 Marla) Vill- Begopur, Narnaul, Distt- Mohindergarh	31.03.2027								

91	390 of 2023	Present	Jai Bajrang Bali Stone Crusher, Khasra no. 23/1/2, 10 Vill-Gangutana, Narnaul	31.03.2027	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	50 from 17.08.2015 to 05.10.2015	312500				312500
92	391 of 2023	Present	DEV STONE CRUSHER, M. No. 53, Kila No. 16/1(4-8), 16/2(3-4) & M.No. 52, Kila No. 20/2(1-12) Total 9 Kanal 4 Marla at Village-Begopur, Nangal Chaudhary, Distt-Mohinergarh	31.03.2028							
93	391-392 of 2023	Present	DEVA STONE CRUSHER, Khewat No. 6, Khatoni NO. 6, M.No. / Kila No. 7//22/1 (7-04) & 22//2/2/1 (4-16) total 12 Kanal 0 Marla at VIII- Berundla, Nangal Chaudhary Distt-Mohindergarh	31.03.2027	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750
94	395 of 2023	Present	NEW SIDDHI VINAYAK STONE CRUSHER, Khewat No. 37, Khatoni No. 41, M.No. 25, Kila No. 17 (8-0), 24(2-16) & 25 min West (1-4) Total 12 Kanal 0 Marla, VIII-Khatoli Ahir, Nangal Chaudhary, Distt-Mohindergarh	31.03.2028							
95	396 of 2023	Present	SHREE VINAYAK STONE CRUSHER Khewat No. 8, Khata No. 8, M.No. 42, Kila No. 19/2(5-6), 20/1 (4-12), 21/2 (4-11) 22/1 (4-11) At Village-Kultajpur, Tehsil-Narnaul,	31.03.2025	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750	2000000	2000000	-	(-) 1143750
96	436 of 2023	Present	LAXMI VISHNU STONE CRUSHING COMPANY, Khewat No. 10, Khatoni NO. 22, Kila No. 31//5(8-0) & 30//1(1-10), At Village-Jainpur, Tehsil- Nangal Chaudhary, District-Mohindergarh	31.03.2028	Non-compliance w.r.t. APCM as per notification dated 11.05.2016 Not adequate plantation reported by DFO, Mahendragarh	30 from 29.05.2019 to 27.06.2019 186 from 08.05.2023 to 09.11.2023	1350000	2187500	2187500	-	(-) 837500
97	438 of 2023	Present	Shree Shyam Stone Crusher, KHEWAT NO. 36, KHATONI NO. 88, M.NO. 43, KILA NO. 16/2 (6-0) & 17(6-0), AT VILLAGE-GARHI, DISTRICT-MOHINDERGARH	31.03.2028	Not adequate plantation reported by DFO, Mahendragarh	95 from 08.05.2023 to 10.08.2023	593750				593750
98	674 of 2023	Present	Baba Jethu Ji Stone Crusher, Khasra/ kila no. 18/19, Vill. Gangutana, Mohindergarh	Closed of its own	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	11 from 17.08.2015 to 27.08.2015	68750				68750
99	739 of 2023	Absent	RAO STONE CRUSHER, Khewat No. 5, Khatoni NO. 5, M.No. / Kila No. 23//10/2 min West South(0-2), 23//11 Min West South (2-6), & 24//15 Min East South(7-9) total 9 Kanal 17 Marla at Vill-Khatoli Ahir, Nangal Chaudhary, Distt-Mohindergarh	31.03.2027							
100		Absent	Baba Jamna Giri Stone Crusher Khewat No. 121, Khatoni No. 190, M.No. 49, Kila No. 18 at Vill-Garhi, DisttMohindergarh	Dismantled	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	78 from 23.03.2016 to 08.06.2016	487500				487500
101		Absent	Balaji Stone Crusher Khewat No. 23, Khatoni No. 57, M.No. 49, Kila No. 17(8-0) at Vill-Garhi, Distt-Mohindergarh	CTO Revoked	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	78 from 23.03.2016 to 08.06.2016	487500				487500
102	797 of 2023	Present	Bhagwati Stone crusher, Kita no. 45//8/2/2, 9/1, 10/1, Vill. Mandlana, Distt-Mohindergarh	Closed by Board	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	174 from 05.03.2022 to 26.08.2022	1087500	1087500	-	1087500	1087500
103		Absent	Bharat Stone Crusher, Khasra/ kila no. 44//14/1, 15/2/1 Vill-Garhi, Mohindergarh	Dismantled	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	92 from 21.08.2015 to 20.11.2015	575000				575000
104		Absent	Chhawri Stone Crusher, Khewat No. 9, Khatoni NO. 38, M.No. 8, Kila No. 7/2 & 8/1 at Vill-Bakhrija, Narnaul, Distt-Mohindergarh	Closed by Board	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	81 from 04.07.2020 to 23.09.2020	506250	506250	-	506250	506250

105		Present	Deepak Construction Co., Khasra No. 211, Vill Raghunathpura, Distt. Mohindergarh	Closed by Board							
106		Absent	Godara Stone Crusher Rect/Kila Nos. 14, 15, 6 total 17 Kanal 6 Marla Vill-Garhi, Distt-Mohindergarh	Closed by Board							
107		Absent	Hydel Construction Pvt. Ltd & Mobile Drill Master (Joint Venture) - HMJV Khewat No. 171, Khatoni No. 232 & 235, Mustil No. 43/1/1 (616), 44/4(7-11) 5 (7-11), 7/2 total 26 kanal Village-Kultajpur, Narnaul Distt-Mohindergarh	Closed of its own							
108		Absent	Jai Hanuman Stone Crusher Khewat No. 23, Khatoni NO. 56, Kila No. 49//6/2(8-0) at Village Garhi, DistrictMohindergarh	Dismantled							
109		Absent	Jai Maa Kamakhaya Industries (Superb Star Promoters Private Limited), Khewat No. 20, Khatoni No. 22, Kila No. 30//3 (5-16) & 4(3- 16) Vill-Gangutana, Nangal Chaudhary Distt-Mohindergarh	Closed by Board	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	175 from 05.03.2022 to 26.08.2022	1093750				1093750
110		Absent	Jai Mata Di Stone Crusher (FormerlyJagdamba Stone Crusher), Khewat no. 16, khatoni no. 48, kila no. 7/19,20 Vill. Bakhrija, Narnaul Distt- Mohindergarh	Closed by Board	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	79 from 24.06.2020 to 10.09.2020	493750				493750
111		Absent	K S Y BUILDCON, Khewat No. 50, Khatoni NO. 72, M.No. 9, Kila No. 15/2/2 (2-17), 16/2 Min West (5-14) & 17/1 (0-9) total 9 Kanal 0 Marla at Village Khatoli Jat, Nangal Chaudhary, Distt-Mohindergarh	CTE Revoked	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	124 from 06.10.2018 to 06.02.2019	775000				775000
112		Absent	Karni Maa Stone Crusher, Khewat No. 144, Khatoni No. 217, M.No.71, Kila No. 3(6-9) & 8(1-11) at Village Garhi, Distt-Mohindergarh	Closed of its own	Non-compliance w.r.t. APCM as per notification dated 11.05.2016 Non-compliance w.r.t. APCM as per notification dated 11.05.2016	78 from 23.03.2016 to 08.06.2016 164 from 20.03.2018 to 30.08.2018	1512500				1512500
113		Absent	Keshav Stone Crusher Formely Yograj Infrastructure, Plant-III, Kila no. / Khasra no. 23//11,20, Vill. Gangutana, Narnaul	CTO Revoked	Not adequate plantation reported by DFO, Mahendragarh	186 from 08.05.2023 to 09.11.2023	1162500				1162500
114		Present	Krishna Arjun Buildtech Pvt. Ltd., Khewat No. 14, Khatoni No. 43, 44, Mustil & Kila No. 14 / / 11/2(3-15), 19(2-10), 22(2-18), 12(5-4), 13/2(3-1) Vill-Bakhrija, Narnaul, Distt-Mohindergarh	CTO Revoked	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	28 from 16.07.2015 to 12.08.2015	175000				175000
115		Absent	KSY Grit Udyog, Khewat no. 182, khatoni no. 209, 57//14-1(0-17), 15/1(4-5), 15/2 (1-5), Total 6 kanal 7 Marla & 57//14/2(3-2), 57//7(5- 18) total 9 kanal 0 marla Vill.-Begopur, Narnaul	Dismantled	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	28 from 16.07.2015 to 12.08.2015	175000				175000
116		Absent	Maa Durga Stone Crusher, Khasra No. 11/1/2(3-8), 11//2 (7-11) Vill- Khatoli Ahir, Distt-Mohindergarh	Dismantled	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	171 from 18.07.2018 to 04.01.2019	1068750				1068750
117		Absent	Maa Sherawali Stone Crushing Co Khewat No. 163, Khatoni No. 228, Kila no. 24/23, 25/3,4, 58/2/2,3,18/4/2 Vill Zerpur, Distt-Mohindergarh	Closed of its own	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	79 from 12.07.2013 to 28.09.2013	493750				493750
118		Absent	Mungipa Stone Crusher, Khewat No. 18, Khatoni No. 20, Kila No. 12/2, 110/3, 18/3/9 village Zerpur, Mohindergarh	Dismantled	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	153 from 11.04.2014 to 10.09.2014	956250				956250
119		Absent	Pooja Milling And Crushing Unit Mustil No-23, Kila No.16, Village- Gangutana, Nangal Choudhary, Distt.Mohindergarh	Dismantled	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	153 from 07.06.2018 to 17.09.2018	956250				956250
120		Present	Rathi Stone Crusher Co., Khasra no./ kila no. 30//18 Vill- Gangutana, Mohindergarh	Closed of its own							

121	893 of 2023	Present	Sadashiv Stone Crusher, Kila no. 76/5, 70/21, 77/1,2 khewat no. 6, khatoni no. 18 Vill-Garhi Khudana, Distt-Mohindergarh	31.03.2026	Non-compliance w.r.t. APCM as per notification dated 11.05.2016 Non-compliance w.r.t. APCM as per notification dated 11.05.2016	57 from 30.10.2013 to 25.12.2013 58 from 03.08.2015 to 29.09.2015	718750				718750
122		Absent	Shivam Stone Crushing Company, Khewat No. 19, Khatoni No. 21, Mustil & Kila No. 30//8/1(9-18), 9/1(0-17) Village Gangutana Tehsil Narnaul District Mohindergarh	Dismantled							
123		Absent	Shree Balaji Stone Crusher, Kila no. 19/2, 9, 10, 11/1, khewat no. 4, 5, 6 Village Jainpur, Narnaul Distt. - Mohindergarh	Closed by Board	Non-compliance w.r.t. APCM as per notification dated 11.05.2016 Non-compliance w.r.t. APCM as per notification dated	122 from 23.01.2014 to 24.05.2014 138 from 09.02.2017 to 26.06.2017	1625000				1625000
124		Present	Shree Ganesh Stone Crusher, Khasra no. / kila no. 18/21 (7-4) & 23/1 (1-4) Vill-Gangutana, Narnaul, Distt. Mohindergarh	Closed by Board	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	212 from 07.06.2018 to 04.01.2019	1325000				1325000
125		Absent	Shree Shyam Stone Crusher, Khewat no. 19, khatoni no. 21, kila no. 109/14/2, 17 (2-0) (7-9) Vill.-Zerpur Madola, Mohindergarh	Dismantled							
126		Absent	SHRI VINAYAK STONE CRUSHER, Khewat No. 10, Khatoni No. 10, M.No. 28, Kila No. 1 (8-0) & 10 min North (4-0) Total 12 Kanal 0 Marla at Vill-Berundla, Tehsil-Nangal Chaudhary, Distt-Mohindergarh	Closed by Board	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	133 from 14.02.2020to 26.06.2020	831250	831250	-	831250	831250
127		Absent	SURYA STONE CRUSHER Khewat No. 23, Khatoni No. 56, M.No. 50, Kila No. 10/2/2(7-6), 11/1(7-01), 9/3/2(0-14), 12/1/1(0-8) Total 15 Kanal 09 Marla at Village-Garhi, District-Mohindergarh	Dismantled							
128	159/160 of 2024	Present	T & R Milling and Crushing Unit Mustil No. 23, Kila No. 3, Vill Gangutana, Narnaul Mohindergarh	Closed of its own							
129	161/162 of 2024	Present	T & R STONE CRUSHER, Mustil No. 23, Kila No. 2, VILLAGE-GANGUTANA, NAGAL CHODHARY, NARNUAL, Mohindergarh	Closed of its own							
130		Absent	Universal Stone Crusher, Khewat No. 16, Khatoni No. 29, Kila No. 19//4(2-16), 6(4-5), 7(8-0), 14(8-0), 15/1(5-0), 17(7-11) Vill- Jainpur, Distt-Mohindergarh	Closed of its own	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	50 from 17.08.2015 to 05.10.2015	312500				312500
131		Absent	Vinayak Stone Crusher, Khasra no. 82 Min (24-0) VPO- Jainpur, Narnaul, Distt-Mohindergarh	Dismantled	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	50 from 17.08.2015 to 05.10.2015	312500				312500
132	683 of 2023	Present	Vishal Stone Crusher, Khewat no. 13, khatoni no. 26, Kila no. 19//14, min (4-5) & 17(7-11) Vill.-Jainpur, Narnaul, Distt. Mohindergarh	Closed of its own							
133		Absent	Yog Milling And Crushing Unit Mustil no.-23,Kila no.-15,Village-Gangutana, Nangal Choudhary, Narnaul Mahendragarh	Closed of its own	Non-compliance w.r.t. APCM as per notification dated 11.05.2016	103 from 07.06.2018 to 17.09.2018	643750				643750
Total							60175000	19500000	15987500	3512500	44375000 ”

24. It is not disputed before the Tribunal that all the stone crusher units against whom the compensation has been calculated by the joint Committee were given opportunity of hearing by the joint Committee. None of the stone crusher has raised any objection in respect of calculation of the environmental compensation done by the joint Committee. Hence, the environmental compensation calculated by the joint Committee is accepted by the Tribunal and environmental compensation upon the defaulting stone crushers is accordingly levied.

25. The HSPCB has filed report regarding estimation of the carrying capacity of the Ambient Air Environment of District Mahendergarh on 05.08.2024. The carrying capacity report of Mahendergarh is as under :-

“xxxxxx.....xxx

*Based on the geographical location of stone crushing units/clusters in Mahendragarh district, the Board has identified majorly ten clusters for ambient air quality assessment and selected one location for manual monitoring in each cluster. It is to mention here that the source monitoring of stone crushing operation and ambient air quality monitoring at one location in each cluster were carried out by Regional Office, HSPCB, Mahendragarh and analysis report issued by HSPCB Laboratory, Gurugram. The locations of the manual monitoring stations are selected as per windrose diagram data considering the wind speed and wind directions. A copy of the windrose pattern is enclosed as **Annexure-1**.*

The results of parameters i.e. particulate matter (PM10) as per manual air quality monitoring stations installed in District Mahendragarh are tabulated below: -

Sr. No.	Cluster Name (Nearby)	Location Coordinates (Lat. Long.)	Parameter (d) PM10 (ug/m3)	Notified standards
1	Village Kultaipur	28.050533,	70	100
2	Village Lutufpur	28.046244,	72	100
3	Village Bakhrija-	27.909294.	66	100
4	Village Zerpur	28.322266,	68	100
5	Village Garhi	28.426940,	75	100
6	Village Gangutana	27.877754,	78	100
7	Village Bayal-	27.863005,	76	100
8	Village Dholera	27.935156,	81	100
9	Village Khatoli Ahir	27.965187,	68	100
10	Village Jainpur	27.904036,	74	100
		Average	72.80	100

The concentration of PM10, in ambient air assessed via continuous ambient air quality monitoring station installed at Mini

Secretariat, Narnaul, District Mahendragarh (28.059756, 76.113412) and the results for the period from January, 2024 to July, 2024 are attached as Annexure-2 and the same is reproduced in the table as under.

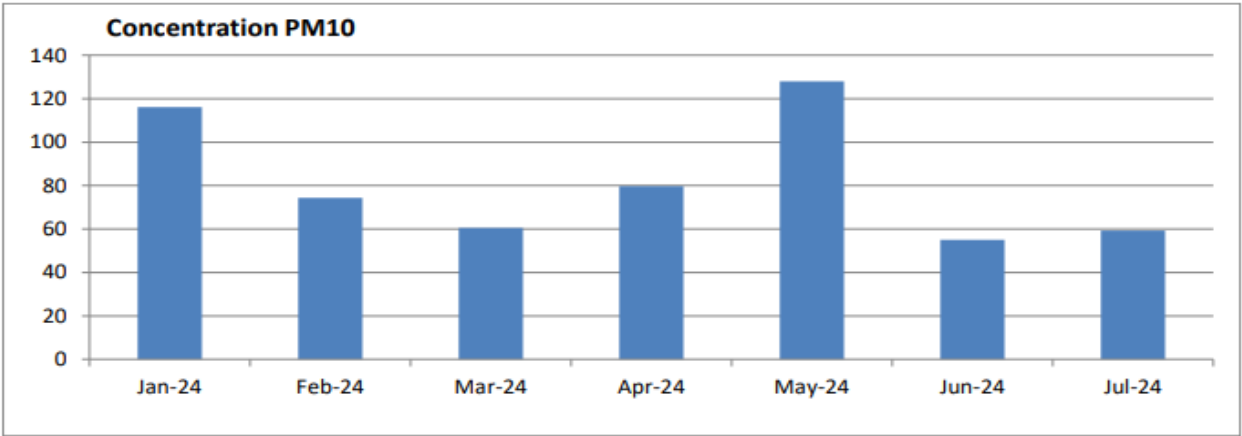


Table depicting PM10 concentration from January, 2024 to July, 2024.

The following formulae/equations were used to arrive at the conclusion with regard to available supportive carrying capacity: -

Estimation of total existing PM10 load: Total area in Km2 : a; 1859 Km² Average Atmospheric Mixing Height/Depth during a particular period in Km: b= 0.4483 Km. Total Volume of Air in the district during a particular period in Km3 : a x b = c, $C = 1859 \times 0.4483 = 833.3897 \text{ Km}^3$ Average PM10 Concentration of Ambient Air in the area for a particular period in Kg/Km3 : d Therefore, Total estimated load of particulate matter (PM10) in ambient air of the area during a particular period (x): $c \times d = \mathbf{x \text{ Kg}}$ $X \text{ (90 percentiles)} = 78.30 \times 833.3897 = 65254.41 \text{ kg.}$ $X \text{ (average PM10 manual)} = 72.80 \times 833.3897 = 60670.77 \text{ kg.}$ $X \text{ (average PM10 CAAQMS)} = 82.11 \times 833.3897 = 68429.63 \text{ kg.}$
Estimation of Assimilative Carrying Capacity w.r.t. PM10: Total Volume of Air in the area during a particular period in Km3 : c NAAQS Standard for Particulate Matter (PM10) : $100 \mu\text{g}/\text{m}^3$ i. e. $100 \text{ Kg}/\text{Km}^3$ Therefore, Assimilative Capacity w.r.t PM10 in ambient air of the area in a particular period (y) : $c \times 100 = \mathbf{y \text{ Kg}}$ $Y = 833.3897 \times 100 = 83338.97 \text{ kg}$ Estimation of Supportive carrying Capacity w.r.t. PM10: Supportive Carrying Capacity (z) = Assimilative Carrying Capacity (y) - Total Estimated Load (x)

The average of PM₁₀ concentration are used to calculate the total load of PM10 load in the district, as a product of predominant PM₁₀, particulate matter concentration and volume of the ambient air upto mixing height, in the district Mahendragarh. In order to estimate the carrying capacity PM₁₀ is considered to be a critical parameter being the prime contributor in Air Quality Index and greatly emitted by those various stone crushing units.

It is also recommended statistically to consider the most prevailing value by determining the 90 percentile when such data of Ambient Air Quality which are spatial in nature with regard to time

and space and therefore used for assessment of carrying capacity of Air Environment. The Board has felt the need of estimating the carrying capacity considering the average value of PM₁₀ monitored through manual stations & continuous monitoring system already installed

- The 90 percentile value of PM₁₀ of 10 clusters is found to be 78.30 µg/m³.
- While the average PM10 concentration is 72.8 µg/m3.
- Considering the CAAQMS Data the Average PM₁₀ Concentration is 82.11 µg/m3.
- Thus, pollution load with regard to PM10 concentration of manual monitoring stations taking into account most prevailing 90 percentile concentrations is 65254.41 Kg while with average PM₁₀ concentration is estimated to be 60670.77 Kg.
- Thus, pollution load with regard to PM10 concentration of continuous monitoring stations taking into account average PM₁₀ concentration is estimated to be 68196.28 Kg.
- The above estimates are based on the average mixing height is between 0.4483 Km to 0.6362 Km, the meteorological variable i.e. mixing height is considered from the previous study is taken as 0.4483 Km is used for analysis.
- Total area of the Mahendragarh district is taken as 1859 Km2. (Reference: District Statistical-abstracts, Mahendragarh). Copy of the same is enclosed as **Annexure-3**.
- The national ambient air quality standard (NAAQS) for PM₁₀ i.e. 100 µg/m3 and when multiplied by the volume of air in the district Mahendragarh, it provided the average assimilative capacity of the district for the study period.
- The existing pollution load (PM₁₀) estimated for determining the supportive carrying capacity is the sum total of the PM₁₀ emissions from all known and unknown activities/sources having pollution potential.

Supportive carrying capacity of the district Mahendragarh was computed by taking the difference of assimilative carrying capacity of the area & total estimated load of PM₁₀ in the district.

Therefore, on the basis the above, the following is the estimation of the carrying capacity:-

Basis	Pollution Load (kg of PM ₁₀) (x)	Assimilative Capacity (kg of PM ₁₀) (y)	Supportive Capacity (kg of PM ₁₀) (z)
90 percentile of PM ₁₀ concentration manual clusters	65254.41	65254.41	18084.56
Average of PM ₁₀ concentration manual clusters	60670.77	83338.97	22668.2
Average of PM ₁₀ concentration continuous	68429.63	83338.97	14909.34

<i>monitoring system (Period January, 2024 to July, 2024)</i>			
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Therefore, the resultant supportive carrying capacity is dependent on various factors and may not be attributed to a single source. As a result, the criteria governing the setting up of stone crushing units is based on sitting norms and the emission standards as per notification dated 11.05.2016 and amended thereafter.

It may be concluded from the above table, as such there is positive supportive carrying capacity available in the ambient air environment with reference to PM₁₀ for the district Mahendragarh.”

26. The above carrying capacity report requires to be cross checked by an expert body, therefore, we direct the District Magistrate, Mahendragarh to submit the carrying capacity report alongwith all the supporting document to the Member Secretary, CPCB within two weeks. The member secretary CPCB will get the carrying capacity report cross-checked by an expert body and ascertain the correct carrying capacity of District Mahendragarh within three months. The HSPCB and other regulatory agencies of District Mahendragarh will ensure that the carrying capacity so determined by the CPCB through the expert body is not exceeded or violated.

27. It is necessary that the stone crusher set up in District Mahendergarh comply with the siting criteria and CTO condition. Hence, we constitute a joint Committee comprising of representatives of Member Secretary, CPCB, HSPCB and District Magistrate, Mahendergarh, where District Magistrate, Mahendergarh will be the nodal agency. The joint Committee will ascertain the compliance of siting criteria and CTO conditions in respect of each of the stone crushers set up/operating in the District Mahendergarh within in three months and will submit the report to the Registrar General of the Tribunal through e-mail at judicial-ngt@gov.in. On the basis of the report of the joint Committee, the Member Secretary, HSPCB will ensure remedial and punitive action against the defaulting stone crushers after following the principles of natural justice

and will submit report before the Registrar General of the Tribunal through email at judicial-ngt@gov.in within six months.

28. Against levy of final environmental compensation by the joint Committee by the report dated 25.04.2025, none of the stone crusher units have raised any objection. Hence, we have levied the EC accordingly. The HSPCB is directed to recover the environmental compensation calculated by the joint Committee from the stone crusher units which have not deposited the same till now. It will be open to the HSPCB to take coercive measures to recover the same as expeditiously as possible preferably within a period of three months. The recovered environmental compensation shall be used for implementation of the recommendations of the carrying capacity study and other restoration measures to mitigate air pollution. HSPCB shall oversee this implementation.

29. The action taken report will be submitted by the HSPCB about recovery of EC and by the CPCB about carrying capacity by 03.10.2025 before the Registrar General of the Tribunal via email at judicial-ngt@gov.in preferably in the form of a searchable PDF/OCR-supported PDF and not in the form of an Image PDF. In respect of siting criteria the report by the joint Committee and HSPCB will be submitted in terms of direction in previous paragraph. If deemed necessary, the matter will be listed for consideration before the bench again.

30. The OAs are accordingly disposed of.

31. All the pending IAs will also stand disposed of.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

July 03, 2025
OA No. 667/2018 and connected matters
dv