

Item No. 2(i) & (ii):-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

**Appeal No.46 of 2022 (SZ) &
I.A. No.151 of 2022 (SZ)**

WITH

**Appeal No.47 of 2022 (SZ) &
I.A. No.153 of 2022 (SZ)**

IN THE MATTER OF

Tamil Nadu Pollution Control Board
Rep. by its Chairman
Chennai and Anr.

...Appellant(s)

Versus

Sri Raamji Sand & Blue Metals
Tirunelveli.

...Respondent(s)

Date of hearing: 08.12.2022.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Appellant (s): Mr. S. Sai Sathya Jith.

For Respondent(s): Mr. R. Saravana Kumar for Respondent.

ORDER

1. The sole respondent herein has filed an affidavit dated 07.12.2022, in which he states that this unit is established for the manufacture of M-Sand and P-Sand only and not for the manufacture of Blue Metal Jelly. For the said purpose, he also purchased a Track Mounted Crusher from Gujarat. The height of the machine is 14 feet and the entire unit includes a primary jaw crusher, a secondary cone crusher and a vertical shaft impactor and they are covered by thin sheets.
2. In Para (6) of the affidavit, he has given the manufacturing process of the unit is as follows:-
 - "a) The raw materials viz., boulders which are broken in the quarry and upto the size 24" are fed into the primary crusher (Jaw crusher) with size of 38 x 28 inches.*
 - b) Subsequently, through a conveyor, it goes into the secondary crushing unit (cone crusher), where it is crushed and then sieved in a vibratory screen to obtain blue metal up to the size of 40 mm.*
 - c) Thereafter, it goes to the Vertical Shaft Impactor (VSI), wherein material from cone crusher is crushed and then subjected for sieving in a vibratory screen, which are sent to water washing section.*
 - d) The material is then washed to obtain products M-Sand & P – Sand and then dispatched.*
 - e) The respondent submits that the water is sprinkled in the primary and secondary crusher which mitigates/ensures that there is no pollution."*
3. Process No.1 involves breaking the boulders of the size 24 Inches using the jaw crusher which is prohibited for M-Sand manufacturing activity. The usage of a jaw crusher would attract the siting criteria. However, the said aspect is subjudice before the Hon'ble High Court and the report from the NEERI has also been invited in that regard.

4. The second step in the manufacturing process of the respondent also includes a secondary crushing unit that is a Cone Crusher which is used to obtain blue metal upto the size of 40 MM after sieving. Once the jaw crusher is used, it is deemed to involve the crushing activity inviting the stipulated regulations. Only on the basis of the Board's proceedings, the appeal is filed by the Tamil Nadu Pollution Control Board.
5. Therefore, it is for the respondent to decide whether they can obtain a composite consent order from the Board to get over the siting criteria for using a stone crusher and also using a jaw crusher for manufacturing M-Sand and P-Sand.
6. Let an affidavit in this regard be filed by the respondent before the date of next hearing.
7. Post the matter on 10.01.2023.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

Appeal No.46/2022
I.A. No.151/2022 &
Appeal No.47/2022
I.A. No.153/2022
08th December, 2022. Mn.