

Item No. 06

(Court No. 1)

**BEFORE THE NATIONAL GREEN TRIBUNAL**

(By Video Conferencing)

Original Application No. 37/2021

Tejpal

Applicant

Versus

State of Haryana & Ors.

Respondent(s)

Date of hearing: 26.10.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Mr. Raj Kumar, Advocate

Respondent: Mr. Anil Grover, Senior AAG and Mr. Rahul Khurana, Advocate for HSPCB

**ORDER**

1. Grievance in this application originally was against functioning of a stone crusher operated by Respondent No. 9, M/s KSY Buildcon, Village Khatoli Jat, Nangal Choudhary, District Mahendragarh, Haryana in violation of environmental norms, particularly the siting criteria. It is stated that against the prescribed distance of 100 meters from the plantation, the stone crusher in question is at a distance of 85 meters from the Aravalli plantation; the distance from the village boundary is 920 meters, as against the prescribed distance of 1000 meters; the distance from the Municipal limit is 1209 meters against the prescribed distance of 1500 meters.

2. Vide order dated 17.02.2021, the Tribunal sought a factual and action taken report from a joint Committee of CPCB, State PCB and Deputy Commissioner, Mahindergarh.

3. In pursuance of above, an action taken report has been filed on 27.09.2021 based on visit to the site on 18.03.2021. The report mentions that the Consent to Establish granted was on 13.03.2018 which was revoked on 07.12.2018 for not complying with the consent conditions. Later, consent was granted again on 30.12.2019 by reducing the size of the area but in the light of laid down siting criteria with regard to distance from educational institutions, the consent was again refused on 22.04.2021 and the unit is not permitted to operate. The report further mentions that prosecution has been initiated on 15.03.2021 for violations of the provisions of the Air (Prevention and Control of Pollution) Act, 1974 against the project proponent.

In view of above, no further order appears to be necessary.

The application is disposed of.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

October 26, 2021  
Original Application No. 37/2021  
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