

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
(Through Video Conferencing)**

Appeal No. 04/2018(SZ)  
With  
Appeal No. 05/2018(SZ)  
With  
Appeal No. 06/2018(SZ)  
With  
Appeal No. 07/2018(SZ)  
With  
Appeal No. 08/2018(SZ)  
With  
Appeal No. 09/2018(SZ)  
With  
Appeal No. 10/2018(SZ)  
With  
Appeal No. 11/2018(SZ)  
With  
Appeal No. 12/2018(SZ)  
With  
Appeal No. 13/2018(SZ)  
With  
Appeal No. 14/2018(SZ)  
With  
Appeal No. 15/2018(SZ)  
With  
Appeal No. 16/2018(SZ)  
With  
Appeal No. 17/2018(SZ)  
With  
Appeal No. 18/2018(SZ)  
With  
Appeal No. 19/2018(SZ)  
With  
Appeal No. 20/2018(SZ)  
With  
Original Application No. 337/2018

M/s Maruthi Building Materials

Applicant(s)

Versus

The Member Secretary, Andhra Pradesh  
Pollution Control Board &Anr

Respondent(s)

With

M/s Sri Aishwarya Stone Crusher

Applicant(s)

Versus

The Member Secretary, Andhra Pradesh  
Pollution Control Board &Anr

Respondent(s)

With

M/s SASP Enterprises

Applicant(s)

Versus

The Member Secretary, Andhra Pradesh  
Pollution Control Board &Anr Respondent(s)  
With  
M/s Sri Raghavendra Traders  
and Stone Crusher Applicant(s)  
Versus

The Member Secretary, Andhra Pradesh  
Pollution Control Board &Anr Respondent(s)  
With  
M/s Ramanjaneya Stone Crusher Applicant(s)  
Versus

The Member Secretary, Andhra Pradesh  
Pollution Control Board &Anr Respondent(s)  
With  
M/s SreePavanasutha Industries Applicant(s)  
Versus

The Member Secretary, Andhra Pradesh  
Pollution Control Board &Anr Respondent(s)  
With  
M/s Sri AnjaneyaSwamy Stone Applicant(s)  
Versus

The Member Secretary, Andhra Pradesh  
Pollution Control Board &Anr Respondent(s)  
With  
M/s N.A.S. Industries Applicant(s)  
Versus

The Member Secretary, Andhra Pradesh  
Pollution Control Board &Anr Respondent(s)  
With  
M/s R.A.S. Industries Applicant(s)  
Versus

The Member Secretary, Andhra Pradesh  
Pollution Control Board &Anr Respondent(s)  
With  
M/s Sri Sai Ganesh Stone Crusher Applicant(s)  
Versus

The Member Secretary, Andhra Pradesh  
Pollution Control Board &Anr Respondent(s)  
With  
M/s Hanuman Industries Applicant(s)  
Versus

The Member Secretary, Andhra Pradesh  
Pollution Control Board &Anr Respondent(s)  
With  
M/s Sai Teja Stone Crusher Applicant(s)  
Versus

The Member Secretary, Andhra Pradesh  
Pollution Control Board &Anr Respondent(s)



Mr. Ajit Amar, Advocate  
Mr. Keshav Mohan, Advocate  
Mr. Rishi K. Awasthia, Advocate  
Mr. V. Ramasubramanian, Advocate  
Mr. ParnamPrabhakar, Advocate

### **ORDER**

As per order dated 12.11.2018, this Tribunal has come across some shortcomings and also wanted to ascertain the following things and framed the terms of reference to be considered by the Committee constituted by this Tribunal as follows.

- i. Carrying capacity in respect of both mining operations and the crusher units be undertaken by a team of experts from (i) the Indian School of Mines, Dhanbad, (ii) the Central Pollution Control Board, (iii) the State Pollution Control Board and (iv) the Department of Mines & Geology. The Department of Mines & Geology shall be the Nodal Agency.
- ii. All logistic support shall be provided to the team by the Department of Mines & Geology.

We request the Indian School of Mines, Dhanbad and the Central Pollution Control Board to depute competent experts as Members of the team stipulated in paragraph no. 9(i) above.

The Terms of Reference for consideration of the team shall be as follows:-

- i. Number of stone mining and crusher units that the area can withhold and sustain.
- ii. The sustainability of the number of such units shall also include the sustainability of the impact of such units in the surrounding villages and the environment.
- iii. The adequacy of the anti-pollution devices adopted presently by the units and, if not adequate, further measures that would be necessary and

iv. Mitigation measures for any damage caused to the environment due to such operations.

There is also a direction to Central Pollution Control Board and Andhra Pradesh Pollution Control Board to inspect the area in question and ascertain as to whether;

- (i) The Mining operations are still continuing.
- (ii) The Stone Crusher units are complying with the requirements which had been observed during joint inspection.

A joint report dated 14.01.2019 was filed by the Central Pollution Control Board and Andhra Pradesh Pollution Control Board. The joint report also shows that none of the units have complied with the directions already issued. The counsel appearing for State of Andhra Pradesh submitted that as per his request a professor named Sh. S.K. Gupta has been deputed from Indian School of Mine, Dhanbad to assist the Committee appointed by this Tribunal and they wanted at least three months time to submit a report as required by this Tribunal. Considering the fact that the order was passed on 12.11.2018, almost two months has already been over, we feel that instead of granting three months time as requested, six weeks further time can be granted for submitting a report without fail as first inspection has already been conducted by the Committee.

In the meantime, the counsel for the appellants submitted that they may be permitted to carry out the directions given and wanted restoration of the power supply for that purpose. Considering the fact that whether they can continue to operate or not itself will depend on the ultimate report that has to be filed by the joint Committee appointed by this Tribunal, we don't think that request can be granted.

The Committee is directed to submit the report within six weeks as directed. The representative of the Indian Institute of Technology, Dhanbad who is member of the Committee is directed to take all earnest attempt to help the Committee and submit the report within the time. The order of this Tribunal is directed to be communicated to all concerned by E-mail immediately. The Central Pollution Control Board is directed to supply the copy of the report submitted to the counsels appearing for the parties.

List this matter on 06<sup>th</sup> March, 2019.

K.Ramakrishnan, JM

Dr.Nagin Nanda, EM

