



HARYANA STATE POLLUTION CONTROL BOARD  
C-11, SECTOR-6, PANCHKULA  
Ph-2577870-73 E-mail: [hspcbho@gmail.com](mailto:hspcbho@gmail.com)

25/6

No. HSPCB/2015/2429-2440

Dated: 17/6/15

To

All The Regional Officers in the field.

Gurgaon (N)

Regional officer (GR)

**Sub: Amendment in notification dt. 18/12/1997 issued by Haryana Government Environment Department for the Stone Crushers.**

Please refer to the subject noted above.

In this connection it is intimated that matter regarding amendment in the notification dt. 18/12/1997 issued by Haryana Government Environment Department for the Stone Crushers, is under consideration for which a committee has been constituted at Head Office level. The committee has prepared a proposal for the same, copy of which is enclosed herewith for your reference. You are hereby asked to give your comments/suggestions for amendments in the provisions of the existing notification dt. 18/12/1997 of the Stone Crushers.

Further you are also asked to give the proposal for extension of the existing zones mentioned in the proposal along with the detail of land proposed for the same on format as Annexure-1.

Your reply in this regard must reach in this office within 3 days so that further action can be taken in this matter accordingly.

DA/as above

Sr. EE-I (HQ)  
for chairman

Endst. No. HSPCB / 2015/

Dated:

A copy of the above alongwith the copy of proposal forwarded to District Attorney for information and further necessary action. He is requested to give his opinion with regard to the procedure to be adopted for issuing the amended siting parameters/ procedure in view of the advice/opinion of LR, Haryana (copy enclosed) mentioned in the proceedings.

DA/As above

Sr. EE-I (HQ)  
for chairman

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4/12/6/15

Proceeding of the meetings held on 09.06.2015, 10.06.2015 and 11.06.2015 in Head Office of the committee constituted vide Head Office Order Endst. No. HSPCB/2015/2408-2411 dated 05.06.2015 for proposing and drafting the amendments in the Notification dated 18.12.1997 issued by Govt. of Haryana, Environment Department regarding stone crushers.

The meeting of the committee constituted vide Head Office Order Endst. No. HSPCB/2015/2408-2411 dated 05.06.2015 for proposing and drafting the amendments in the Notification dated 18.12.1997 issued by Govt. of Haryana, Environment Department regarding stone crushers were held on 09.06.2015, 10.06.2015 and 11.06.2015 in Head Office.

The original Notifications dated 18.12.1997, 30.10.1998, 18.10.2000 and 20.06.2001 issued by the Govt. of Haryana, Environment Department from time to time for the stone crushers are attached at **Annexure - A to Annexure- D** respectively.

It has been observed that board is already in the process of amendments in the above said Notifications in view of representations received from various stone crusher associations from time to time and has yet not been finalized. The committee is of the opinion that in the present Notification some of the provisions are not clear due to which the Board is facing the legal implications as well as practical problem in implementation of this Notification which has arose several court cases in the past as well as in present. Thus there is a need to simplify the provisions regarding siting parameters as well as for establishment and operation of the stone crushers keeping in view the present scenario.

Previously the above said Notifications were issued under section 5 of EPA, 1986. It was brought to the notice of the committee that a proposal for amendment in the above said Notifications was sent by the Board to the Government for Notification vide letter no. 402 dated 16.04.2012 which was returned by the Government vide letter no. 16/75/2010-3E dated 17.05.2012 in view of the advice of the LR, Haryana with the observation that there is no provision to issue direction by way of Notification either under section 5 of the Act or under rule 4 framed there under and it was advice to issue the necessary directions in administrative capacity. Copy of above letter is attached herewith as **Annexure- E**. There is also no provision of issuing the direction through notification under Air Act, 1981. Therefore a legal view point needs to be taken in this regard.

After detail deliberation a draft proposal with regard to the siting parameters to be prescribed has been prepared and is attached herewith as **Annexure - F**.

Some representations of the associations of the stone crushers has also been received in the Board to extend the existing stone crusher zones. The existing stone crusher zones were notified earlier vide Notification dated 18.12.1997, 30.10.1998, 18.10.2000, 20.06.2001 and 18.03.2004 and after declaration of the stone crushing zones, large no. of stone crushers have come up outside the zones as per the provisions of the Notification dated 18.12.1997. In order to have a planned growth of the crushers, the committee is of the view that a

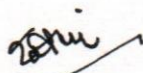
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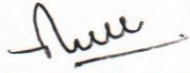
detail proposal is required to be prepared for extension of existing zones where ever required or demanded by the associations keeping in view the present need and therefore before taking the final view on this issue the following information's are required:-


1. No. of stone crushers already setup in the identified zone.
2. No. of vacancies left.
3. No. of crushers located outside around the zone alongwith the detail of land showing Khasra/ Kila no. and revenue estate marked on Sizara plan.
4. The siting distance from boundary of the proposed extension zone to the periphery of the features specified in schedule- I of Notification dated 18.12.1997.
5. The detail of land with Khasra/ Kila Nos. for developing the green belt around the zone having depth of 10 meters from the outer periphery of the zones except dhouj for which the land has already been earmarked by HUDA.

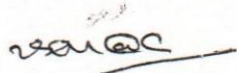
**The following recommendations has been given by the committee:-**

1. The draft proposal prepared by the committee may be sent to all RO's in the field for giving their comments and suggestions for amendments in the provisions of the existing Notifications for the stone crushers within 03 days.
2. RO's may be asked to give the proposal for extension of the existing zones if any, alongwith the details required for the extension of zones mentioned above alongwith the detail of land proposed for the same on format enclosed as Annexure - I within 03 days.
3. The District Attorney may be asked to give its opinion with regard to the procedure to be adopted for issuing the amended siting parameters/ procedure for doing the extension of existing crusher zones.

  
(J. P. Singh)  
EE- IT (HQ)

  
(Dr. S.K. Rohilla)  
Scientist- 'C' (HQ)

  
(Dinesh Kumar)  
Sr. Scientist (HQ)

  
(S. P. S. Rathi)  
Sr. EE-I (HQ)

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## Annexure- I

Information regarding identification of land for extension of existing zones.

Sr. No.	Name of Zone	Zone	Area			
			4	5	6	7
	District	Tehsil	Village with hadbast	Khasra no.	Area in Acres	Maximum No of stone crusher to be accommodate in the zone
	(i)	(ii)	(iii)	(iv)	(v)	