

Item No. 02

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 739/2018

Residents of Gram Panchayat Varahiya

Applicant

Versus

State of M.P.

Respondent

Date of hearing: 29.07.2021

**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**

Respondent: Mr. Raj Kumar, Advocate for CPCB
Ms. Parul Bhadoria, Advocate for MPPCB

ORDER

1. The issue for consideration is the dust pollution by stone crusher in District Satna, Madhya Pradesh. It is alleged that the stone crushers are operating illegally within the distance of 5 to 10 meters from National Highway which is against the siting policy.

2. The matter was first considered on 19.11.2018 and thereafter on several occasions in light of factual reports furnished to the Tribunal. Last order being dated 01.07.2020 in light of report of the State PCB dated 27.04.2020. The operative part of the said order is reproduced below:-

"8. An action taken report has also been filed by the MP PCB on 27.04.2020 assessing compensation against individual stone crushers for violation of environmental norms from 19.12.2018 to 31.03.2019. While some of the defaulting stone crushers are said to have made the deposit, the remaining have not yet made by deposit.

The MP PCB may take further action accordingly and not allow the stone crushers which have not yet made the deposit to function till the deposit is made and till the environmental norms are complied. CPCB may circulate the compensation regime to all PCBs/PCCs to serve as a guiding factor for assessment of compensation based on different fact situations.

Further report about the status of compliance may be furnished by the State PCB before the next date 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.”

3. Accordingly, the State PCB has filed its compliance report on 26.07.2021 as follows:

*“3. That, in compliance of the directions passed by the Hon'ble Tribunal direction was issued to 19 defaulting stone crusher units to deposit the amount of Environment Compensation proposed by the committee. Out of 19 defaulting stone crusher units, 18 have deposited the penalty amount. The list of the stone crusher, the amount of Environment Compensation paid by them and present status has been provided in the list enclosed herewith as **Annexure-1**, Out of these 18, only 3 stone crushing units are in operation at present having valid consent to operate.*

4. However, one crushing unit i.e. M/s Neelam stone crusher has still not deposited the amount of Environment Compensation levied on it. The crushing unit [M/s Neelam stone crusher] is not in operation and criminal prosecution has been initiated against it before the court of Chief Judicial Magistrate, Satna.”

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

July 29, 2021
Original Application No. 739/2018
SN