

HARYANA GOVERNMENT
ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT

Notification

The 11th November, 2022

No. 16/10/2015-3Env.— Whereas, article 48-A of the Constitution of India *inter-alia* envisages that the State shall endeavor to protect the environment;

Whereas, it is necessary and expedient to take immediate steps under sections 5 and 7 of the Environment (Protection) Act, 1986 (Central Act 29 of 1986) and section 19 of the Air (Prevention and Control of Pollution Act, 1981 (Central Act 14 of 1981) and rules framed there under to maintain ecological balance in the State to prevent environmental degradation and to avoid human health hazards;

And Whereas, the State Government has already taken a decision to maintain ecological balance keeping in the view industrial development and also to maintain the quality of environment and to avoid health hazard for the residents of the area;

And Whereas, as per Haryana Government, Environment Department, notification No. S.O. 12/C.A.29/1986/S.5 and 7/2016, dated the 11th May, 2016, directions were given for stone crushing units in regard to siting criteria norms as per Schedule I, emission norms and pollution control measures requirement as per Schedule II, identification of zones and availability of sites as per Schedule III and procedure for establishment and operation in identified zones as per Schedule IV;

Now, therefore, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986, (Central Act 29 of 1986) read with Government of India, Ministry of Environment and Forests, Department of Environment, Forests and Wildlife, Notification No. S.O. 152 (E), dated the 10th February, 1988 and in pursuance of the provisions of section 7 of the said Act and rule 4 of the Environment (Protection) Rules 1986, and supersession of the Haryana Government, Environment Department, Notification No. S.O. 12/C.A. 29/1986/Ss. 5 and 7/2016 dated 11th May 2016, The Governor of Haryana hereby proposes to issue the following directions for establishment of stone crushers in regard to siting criteria norms as per Schedule I and emission norms and pollution control measures requirement as per Schedule II;

Now, therefore, in exercise of the powers conferred under clause (a) of sub-rule (3) of rule-4 of the Environment (Protection) Rules 1986, notice is hereby given that draft of notification shall be taken into consideration by the Government on or after expiry of a period of thirty days from the date of publication of draft notification in the Official Gazette, together with objection or suggestion, if any, which may be received in the office of all the Additional Chief Secretary to Government, Haryana, Environment Department, Chandigarh from any person with respect to the notification:-

SCHEDULE I
NORMS FOR SITING OF STONE CRUSHERS IN HARYANA

Serial No.	Criteria	Distance in KM
1	2	3
1.	Minimum distance required from the nearest National Highway and State Highway	0.5
2.	Minimum distance required from the limits of National Capital Territory of Delhi	5.0
3.	Minimum distance required from the limits of nearest Municipal Corporation of the same district.	2.0
4.	Minimum distance required from the nearest Town/City/Municipal Limits	1.0
5.	Minimum distance required from the nearest Village Phirni. In case if there is no phirni then the distance be measured from <i>abadidehand</i> in case of <i>be-chirag</i> revenue estate (to be certified by the Tehsildar concerned), actually on the spot, the distance will be measured from the nearest inhabited revenue estate.	0.5
6.	Minimum distance required from any land recorded as forest in Government record (revenue or forest department) except strip forests / plantation alongroads, canals, railway lines and bunds.	0.25

Serial No.	Criteria	Distance in KM
1	2	3
7.	Minimum distance required from approved water supply scheme open to sky of 20 KL capacity.	1.0
8.	Minimum distance required from any indoor health treatment unit catering to 25 or more bed for catering indoor patients	1.0
9.	Minimum distance required from National Parks, Wild Life Sanctuaries and Conservation Reserves	2.0 (NP) 1.0 (WLS)
10.	Minimum distance required from education institutions	0.5
11.	Minimum distance required from any mining area / hillock	0.5

The following directions are also given in respect of above said Schedule:

- (i) All distances, unless specifically mentioned above, except the distance from village, are to be measured as the crow flies from the nearest boundary of the land of the stone crusher to the periphery of the feature concerned.
- (ii) In case of villages where any hill / hillock / mountain fall between the individual stone crusher and the village, the distance criteria from the village shall be considered along the shortest line of hill / hillock / mountain, with the condition that there should be a minimum of 300m distance from the foot of the hill / hillock / mountain for safeguarding the environment and the decision in this regard shall be taken on case to case basis considering the local environment.
- (iii) The existing, approved crusher zones and their extension shall not be affected by the above siting minimum distance criteria as the feasibility of heaving a conglomeration of stone crushing units in conjunction with the above siting criteria may not be possible. The above mentioned siting criteria shall only be applicable to stone crushing units to be established in the area outside the existing, approved crusher zones or their extension.
- (iv) The crusher zones shall be identified and approved by the Mining and Geology Department, after taking concurrence from all the stakeholder Departments and Haryana State Pollution Control Board.
- (v) No stone crushing unit shall be allowed to be set up or operate outside the identified crusher zones in Faridabad, Palwal (earstwhile Faridabad District) and Gurugram Districts.
- (vi) In case, eco sensitive zone of a protected area like National Park, Wild Life Sanctuary or Conservation Reserve is notified having restrictions for a distance of more than one / two kms, as the case may be, then the same shall be adhered to.
- (vii) The distance of the stone crushers from various prescribed locations shall be certified/verified by the concerned Tehsildar and for the forest land the report regarding the siting distance shall be taken from the Divisional Forest Officer concerned. The Regional Officer of the Board concerned, shall verify distances of the prescribed locations other than those verified by Divisional Forest Officer or Tehsildar.

SCHEDULE II

EMISSION NORMS AND POLLUTION CONTROL MEASURES REQUIREMENTS

Item I

Pollution Control Parameters:

The suspended particulate matter (hereinafter referred to as SPM) measured between 3 meters and 10 meters from any process equipment of a stone crushing unit shall not exceed 600 micrograms per cubic meter. The measurements of SPM are to be conducted as per Environment (Protection) Act, 1986 (Central Act 29 of 1986) and rules made thereunder.

Item II

Pollution Control Measures:

The following pollution control devices and measures are required to be installed and operated as mandatory obligation by the stone crushing units under the Environment (Protection) Rules, 1986, namely:-

1. Dust containment cum suppressing system for the equipment in the form of covered sheds and sprinklers;
2. All existing stone crushers shall ensure additional air pollution control measures like laying of tiles in the entire area of the unit, fully covering their conveyors and installing fogger machines in their units, within a period of one year of issuance of the notification.

3. Construction of approved wind breaking wall of at least 50 meter length and minimum 16 feet height alongwith provision of telescopic chute to ensure that the crushed material from the nod is released from a point which is at least 2 feet below the height of the wind breaking wall. The wall shall be structurally sound and shall cover the vulnerable abadi side of the crusher unit.
4. Construction and maintenance of metalledroads for vehicular movement within the premises of the crushing units or within the zone housing the stone crushing units as approved by the Haryana State Pollution Control Board at the time of grant of Consent to Establish.
5. The metalled roads to be provided either individually within the premises or jointly by the crushers in the approved crusher zones will be as determined by Haryana State Pollution Control Board in consultation with Engineer-in-Chief, Public Works Department (Bridge & Road). These roads shall be constructed as per satisfactory specifications of construction and maintenance. Haryana State Pollution Control Board will have the authority to cancel continued operation of stone crusher in zone or isolated sites or premises within zones where such metalled roads are not satisfactorily constructed or maintained individually or jointly as applicable to the area in question.
6. Regular cleaning and wetting of the ground within the premises and the remaining enclosure of the crushing units and the zone where the unit is situated.
7. All stone crushing units shall provide a green belt along the periphery having avenue plantation of two rows after approval of plantation plan by the Divisional Forest Officer concerned. Till plantation within the premises is fully developed, the project proponent shall erect a barrier/barricade along the periphery to contain the dust emissions. Such barricade should completely enclose the premises from all sides and may be either a boundary wall or of flexible cloth (tarpaulin etc.) or a combination of two. The height of the barricade shall not be less than the height of the highest tip of the conveyor belts.
8. The stone crushing units shall provide at least 50 number sprinklers alongwith a water storage facility of minimum 10 kiloliter capacity. Further they must sprinkle at least 10 kilolitre of water per day for a stone crushing capacity of 100 tones per day and *pro rata* accordingly for higher capacity crushing units.
9. In order to ensure the regular operation of sprinklers system, the stone crushing units shall provide inter locking system alongwith separate energy meter having load survey and demand features.
10. A log book, containing the daily data, as recorded by the energy meter for the consumption of energy by such pollution control measure be made available to the Haryana State Pollution Control Board or its authorized officers immediately on its demand on the spot or within a period of three working hours thereafter at the most;
11. The stone crushing units shall obtain raw material only from legal sources and will have exclusive contract with legitimate mining lease holders and will submit complete data relating to the sources and quantity of raw material utilized and exploited by the stone crushing units alongwith production data, taxes and duties paid as applicable thereon under the law of land;
12. A green belt along any approved zone shall be for a depth of atleast 100 meters or along the periphery of the crusher zone with minimum 10 rows of such trees in the direction of the depth of the green belt. The spacing of such trees along the periphery shall not exceed 8 meters along the periphery. The nature of trees to be planted and their protection measures required for such tree plantation shall be subject to the approval of the concerned Divisional Forest Officer. The responsibility for the planting and maintaining of green belt shall be collectively with the stone crusher association of all the stone crushing units operating in the zone and in case the association fails to ensure the compliance of the norms, the operation of all the crushers in that zone shall be suspended by the State Pollution Control Board till the compliance is made in this regard.
13. No stone crusher will be allowed to be set up in choe, steam or river bed within their flood protection embankments.
14. Consent policy orders dated the 6th March, 2014 of the Haryana State Pollution Control Board notified on 15th April, 2014 as amended from time to time shall also be applicable for obtaining consent to establish and consent to operate under Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974) and Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981)

Item III

Requirement of Land

Every new stone crushing unit whether in approved zone or outside, must possess and operate in a minimum area of one acre of land, if it has only one set of machinery and at least 1.5 acre of land if it has more than one

set of machinery. In case land is taken on lease, then the lease should be registered with revenue authority and if the land is taken on lease from Panchayat then it should be with the written permission of the Principal Secretary to Government Haryana, Panchayat and Development Department. The lease period shall not be less than seven years and shall be irrevocable.

Item IV

Resolving the issues relating to subsequent introduction of new establishments, affecting the existing stone crushers

In those instances, where, due to subsequent introduction of a new establishment requiring the siting norms (a new road, a new notified forest, an expanded Municipal area, a new education institution, a new Health Care Facility, etc.), compelling the existing stone crusher units to be shifted, the fact that in the modern, expanding and developing urban / rural mapping, it is unavoidable to introduce the above mentioned establishments for the over-all development and modernization of the society, is recognized, but the crusher units which have established themselves have to face shifting involving considerable cost. It is, therefore, mandatory for all the stone crusher units to take an NOC from all the Departments concerned, before their establishment that there would be no additional siting norm requiring establishment, at least for the next five years in the area under question which might affect the proposed stone crushing unit, and in case, if under unavoidable circumstances, such establishments are allowed, necessary precautions shall be the responsibility of the new establishment as well, besides imposition of additional pollution control measures on the stone crusher unit. Thus, the consent shall be renewed after every five years, only after taking the necessary NOC and undertaking from the crusher unit concerned. Further, in cases, where the new establishments requiring siting parameters have been introduced subsequently, half of the distance criteria for such units, along with the stringent norms of Air Pollution Control Measures (APCM) for the unit shall be considered, on case to case basis. Those units, which are not even meeting the half earmark shall need to be relocated, within a period of one year.

VINEET GARG,
Additional Chief Secretary to Government Haryana,
Environment and Climate Change Department.