

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

**Appeal No. 40/2015  
(M.A. No. 478/2015)**

**M/s. Mahabir Stone Crushing Co. Ltd.  
Vs.  
Haryana State Pollution Control Board & Ors.**

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER**

**Present: Applicant/Appellant(s) :Mr. Narender Hooda, Sr. Adv. and Ms. Bano  
Deshwal, Adv.  
Respondent No. 1 :Mr. Anil Grover, AAG, Ms. Noopur Singhala,  
Mr. Rahul Khurana, Adv.**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<p style="text-align: center;"><b>Item No. 5 July 3, 2015</b></p> <p style="text-align: center;">JG</p>	<p style="text-align: center;">Heard. Perused.</p> <p>The Appellants Stone Crushing Units operating at Mohabatabad Zone -II, Faridabad, Haryana are praying for setting aside the orders dated 26-02-2015 and 03-04-2015 passed by the Haryana State Pollution Control Board and for grant of permission to them to run their operations. According to them, they have taken all such requisite measures to control and regulate the pollution arising out of their activity of stone crushing.</p> <p>We have before us the Status Report filed on behalf of the Haryana State Pollution Control Board dated 02-07-2015 which reveals that the Appellants Stone Crushing Units are compliant and have taken such measures required to regulate and the control pollution.</p> <p>We have now seen from the records that there are saplings planted to create the requisite green belt which would act as a wind breaker and would also enrich the environment.</p> <p style="text-align: center;">It is, thus, revealed that the stone crushing units</p>

have been in operation since 1992 and yet the requisite green belt was not in place till the time the Haryana State Pollution Control Board swung into action and the saplings were planted.

Lack of such green belt over a period of two decades or more has certainly affected the environment adversely and for this the appellants units need to be adequately saddle with compensation. We have come to a conclusion, considering the length of period passed and the damage done to the environment that every stone crushing unit needs to be saddled with compensation amount of Rs. Two lakhs which shall be paid by the each of the stone crushing unit as condition precedent for starting their operations. The compensation shall be paid to the Haryana State Pollution Control Board, which shall be utilized by the HSPCB in conjunction with the Forest Department for developing the green belt all around the stone crushing units.

It is further revealed that the stone crushing units were enjoying supply of water brought from a borewell of Faridabad Municipal Corporation located at 3 kms distance through pipeline. However, this line presently is out of order and the water is being obtained by the stone crushers by means of tankers through the same borewell. To ensure uninterrupted and assured supply of water, it is necessary that such supply is made available to each of the stone crushing units through the pipeline. This will leave no excuse for any party to avoid taking the requisite anti pollution measures which can be taken upon utilization of water.

The Learned Counsel appearing for the appellants submits that the appellant would welcome the supply of the water through the pipeline. However, it is for the Faridabad Municipal Corporation to take such measures as to restore the water supply through the existing pipeline. He further submits that the appellants are ready to invest funds for getting water supply through pipeline restored and pay the water bills that would be raised upon the assessment of the water consumption through electro-magnetic flow meters. For passing appropriate effective orders, we find that the Faridabad Municipal Corporation is a necessary party in the present case, we, therefore, issue Notice to Faridabad Municipal Corporation. Notice be served on Faridabad Municipal Corporation by Dasti.

Notice made returnable on 7<sup>th</sup> July, 2015.

At this stage the Learned Counsel appearing on behalf of the appellants submits that the stone crushing units have financial difficulties and as such the payment of compensation may be allowed to be made in two installments, the first installment to be paid on or before the next date of hearing and the second one to be paid within six months time from today.

List this case on 7<sup>th</sup> July, 2015 for final disposal.

.....,JM  
(U.D. Salvi)

.....,EM  
(Dr. D.K. Agrawal)