(Authoritative English text of the Department's nonfiction No. STE-E(5)-9/2018 dated 29-06-2021 as required under clause (3) of the Article 348 (3) of the constitution of India)

Government of Himachal Pradesh
Department of Environment, Science & Technology

No. STE-E-(5)-9/2018 **Dated: Shimla-2** **29-06-2021.**

NOTIFICATION

Whereas the Hon'ble High Court of Himachal Pradesh vide its order dated 01.06.2012 (daily order) in the matter of CWP Nos. 7949/2011 and 7951 titled as Desh Raj V/s State of HP & others and Yog Raj V/s State of H.P & Others respectively directed the State Government to consider the existing guidelines for setting up of Stone Crushing Units in Himachal Pradesh, afresh and in pursuance of the same the Department of Environment, Science & Technology issued the notification no. STE-E (3)-17/2012 dated 29.05.2014.

Whereas the Government of Himachal Pradesh, in view of the recommendations of the Expert Committee constituted by the Hon'ble National Green Tribunal in the matter of O.A. No. 358 of 2016, titled as Bhag Singh vs. Union of India & Ors. concerning to setting up of Stone Crusher Units close to the water bodies and orders dated 10.07.2019, based on views and recommendations submitted by said Hon'ble National Green Tribunal Expert Committee in its report submitted to the Hon'ble National Green Tribunal on dated 19.06.2019, has reassessed the various parameters notified for setting up of Stone Crusher Units in Himachal Pradesh.

Now therefore, keeping in view advancement in technologies and modernization of devices for controlling pollution for stone crusher industry, the Governor of Himachal Pradesh in supersession of this Department's Notification No. STE-E(3)-17/2012 dated 29.05.2014 and in exercise of the powers conferred by the Section 5 of the Environment (Protection) Act, 1986, and in pursuance of the provisions of Section 7 of the said Act, and Rule 4 of the Environment (Protection), Rules, 1986 and directions of Hon'ble High Court of HP issued in CWP No. 7949/2011, CWP No. 7951/2011 & also considering the recommendations of the Expert Committee constituted by Hon'ble National Green Tribunal in the matter of O.A. No. 358 of 2016, titled as Bhag Singh Vs. Union of India & Ors., is pleased to issue the guidelines/ directions as follows for all Stone Crusher Units (hereafter referred to as the Unit) so as to exercise greater control and vigil over the stone crushing operations to save the environment and ecology of the State, with immediate effect, namely:-

1. **Site Suitability:-**

1.1 Norms:

Taking into consideration the hill topography, availability of less land and requirement to maintain the fragile ecology of the hills, the units shall be set up keeping in view the following criteria, namely:-

Sr. No.	Criteria	Distance norms for existing stone crushers (crow flight, distance in meters) set up prior to year 2004	Distance norms for existing stone crushers (crow flight, distance in meters) set up after year 2004 to May, 2014	Distance for the Stone (crow flight, distance in meters) as per Notification dated 29.05.2014	Proposed distance for the Stone crushers to be set up in future, (crow flight, distance in meters) from the issuance of the Notification Dated 29-06-2021
1	2	3	4	5	6
1	Minimum distance from National Highway.	50 (Horizontal distance)	150	150	150
2	Minimum distance from State Highway	50	150	100	100
3	Minimum distance from link road (PMGSY, NABARD/World Bank sponsored/other District-roads)	------	75	50	50 **(condition will not be applicable to other roads except as specified in col. (2))**
4	Minimum distance from District headquarters (distance to be measured from the outer of the municipal limit of the District Headquarters)	1500	1500	1500	**1500 (may be read as 300 meters in col. (3) as per amendment vide notification no. STE-E(4)-1/ 2003-I dated 25-04-2006)**
5	Minimum distance from town or Notified Area Committee (distance to be measured from the outer of the municipal limit/Nagar Nigam/Nagar Palika/Nagar Panchayat	1500	1500	1000	**1000 (may be read as 300 meters in col. (3) as per amendment vide notification No. STE-E(4)-1/ 2003-I dated 25-04-2006)**
6	Minimum distance from village abadi-deh	250	500	500	500
7	Minimum distance from Hospital & Educational Institutions	300 (Horizontal distance)	1000	1000	1000
8	a. Minimum distance from spring, canal, functional water supply scheme including its reservoir	100	----	100 (excluding spring, canal)	100 (excluding spring, canal)
	b. Minimum distance from a percolation well, sewerage treatment plant, water infiltration galleries.	-----	----	100	100
9	Minimum distance from lakes, wetlands and reservoir of irrigation scheme, hydro power projects.	500	500	500	500

10	Minimum distance from natural water spring	500	500	100 (as at Sr. No. 8 (a)	100 (as at Sr. No. 8 (a)
11	Minimum distance from notified parks	----	2000	2000	2000
12	Minimum distance from sanctuaries	----	1000	1000	1000
13	Minimum distance from bridge sight	----	200 upstream 300 downstream	200 upstream 300 downstream	200 upstream 300 downstream
14	Minimum distance from the canal and perennial rivulets	(100 for canal)	----	100	100

Note:- Keeping in view the representations received from Stone Crusher Owners, Associations from time to time w.r.t. interpretation of above applicability of parameters committee felt imperative to clarify that:

1. *The recommendations are prospective in nature and shall be imposed from date of notification for future.*
2. *Similarly, applicability of the earlier notifications issued on dated 29.04.2003, 10.09.2004, 25-04-2006 and 29.05.2014, are also of prospective e.g. the regulatory authorities must take note that the stone crushers set up prior to 29-04-2003 will be governed by the parameters of col. (3).*

1.2 Notes:

1.2.1 All distances shall be measured as crow flies from the highest node of the crusher conveyor belt to the outer periphery of the revenue unit or the municipal limits or the periphery of the feature concerned.

1.2.2 In the guidelines distances are relaxable in the case of any natural barrier between the site of the Unit and any of the features indicated in the guidelines Natural barrier may be defined as "any natural physical entity except any kind of River/Khad/Natural Stream/Tree Canopy which obstructs the physical view and /or prevents the movement of Air and Noise so as to keep Air and Noise Pollution within prescribed limits".

The Government may relax the guidelines for a limited period in specific cases wherein setting up of stone crushing unit is necessary in public interest but it is not practically feasible to adhere to any or all of the guidelines, provided that such relaxation will be considered only on the recommendation of the Joint Inspection Committee as proposed in Para 1.3.2.

1.2.3 In case of Shimla Town the sitting norms shall be as per the directions of the Hon'ble High Court of Himachal Pradesh dated 26.07.1993 in CWP No. 51 of 199 titled as "Court on its own motion versus State of Himachal Pradesh & Others".

1.3 Joint Inspection Committee for site appraisal:

1.3.1 The Unit shall apply /obtain "Provisional Registration" from the Department of Industries for obtaining pre-production clearances from other Government Departments.

1.3.2 The site for setting up the Unit shall be appraised and approved by the Joint Inspection Committee consisting of the following:--

1. Sub-Divisional Officer(Civil) concerned	Chairman
2. Divisional Forest Officer or his representative	Member
3. Representative of HP State Pollution Control Board.	Member
4. Executive Engineer, HPPWD or his representative	Member
5. Executive Engineer, Jal Shakti Vibhag or his representative	Member

6. Representative of Department of Tourism — Member
7. Surveyor — Member
8. Soil Conservation Expert from Agriculture Department equivalent or above Sub Divisional Soil Conservation Officer — Member
9. Geologist or Mining Officer — Member Secretary

1.3.3 The Committee constituted in Para 1.3.2 is in supersession of the Industries Department Notification No. Udyog I (Chh) 4-1/85-II dated 26.04.1993, 24.12.1998 and STE-E(3)5/20014 dated 29.05.2014. The approval of the Committee shall be the basis for issue of clearance and approval including those of the Himachal Pradesh State Electricity Board Ltd., Himachal Pradesh State Pollution Control Board and permanent registration with the Department of Industries.

2. Emission Norms and Pollution Control Measures:

2.1.1 Standards:-

2.1.2 The suspended particulate matter measured between 3 meters and 10 meters from any process equipment of a unit shall not exceed 600 micrograms per cubic meter

2.1.3 The suspended particulate matter contribution value at a distance of 40 meters from a controlled isolation as well as from a unit located in a cluster shall be less than 600 mg/Nm3. The measurements are to be conducted at least twice a month for all the 12 months in a year.

2.1.4 The noise levels (leq.) shall be maintained within the standards for noise as specified in Schedule -III, of the Environment (Protection) Rules, 1986.

2.2 Pollution Control Measures:

2.2.1 Every unit shall provide a wind breaking wall along with suitable enclosure to ensure adequate dust containment.

2.2.2 Every Unit shall have a dust suppression system with water spray and sprinkling system.

2.2.3 Dust extraction and collection system shall be provided at crusher and transfer points in every Unit.

2.2.4 Every Unit shall have adequate water supply along with at least two days water storage facility for running pollution control equipments.

2.2.5 Facility for regular cleaning and wetting of the ground shall be provided.

2.2.6 Trees of suitable species shall be planted to develop a green belt within and along the boundary of the premises.

2.2.7 Every Unit shall have a separate energy meters for pollution control devices wherever the energy is consumed for operating them and record thereof shall be maintained and made available to the Himachal Pradesh State Environment Protection and Pollution Control Board (hereinafter referred to as State Board) whenever demanded.

2.2.8 The stone crushing unit shall be provided with acoustic enclosure near jaw sheds and shall be properly designed and approved by the State Pollution Control Board as per Central Pollution Control Board norms to control noise pollution in accordance with the Environment (Protection) Act,1986.

2.2.9 Dust suppression system, water sprinkler used in stone crusher shall be of uniform technology as it was noticed that at different location different kind of sprinkler system were being used which were observed and found to be causing wastage of water and excessive use of water. The mist, spray nozal system being quite efficient in controlling the dust pollution, shall be installed for dust suppression.

2.2.10 The wind breaking walls shall be reconstructed scientifically with application of wind rose diagram for the unit i.e. towards, the predominant direction of wind and natural profile of the area.

2.2.11 The tree plantation shall be verified with comparison to the capacity, time of establishment of the unit, proper monitoring of growth of trees shall be recorded with photo monitoring on annual basis while giving renewal of Consent to Operate etc. linked with date of establishment of the units number of tree plants.

2.2.12 The water mists spray nozal system shall be interlocked with stone crushing unit main energy supply and water supply meter.

2.3 Further Advancement in pollution control devices for proposed and existing units:

2.3.1 Stone crushers unit project proponent shall cover all the conveyor belts as well as provide dusts skirt at material transfer point.

2.3.2 Stone Crusher unit project proponent shall provide wind breaking L shape wall of height more than the 3 ft from the highest conveyor belt to reduce noise pollution as well as air borne dust emission pollution due to wind velocity as designed by a qualified engineer.

2.3.3 All approach roads and ramps shall be properly paved so that it does not lead to dust pollution.

2.3.4 Crusher shall be covered and water sprinkling system shall be provided on crusher to suppress the dust generated due to material handling/ loading/ unloading activities.

2.3.5 Regular cleaning and wetting of the uncovered area, ground within the premises.

2.3.6 Growing of at least three rows canopy of evergreen species to be planted along the periphery of the crushing units to reduce noise as well as fugitive emission/dust pollution.

2.3.7 Speed control, low speed means less dust. For vehicles speeds limit 20 Km/h in 1 Km periphery of unit.

2.3.8 Housekeeping-clean up spills promptly. Adequate toilet facilities for manpower at stone crushers and mining lease area shall be provided by the stone crusher owners.

2.3.9 All the stone crushers shall have to construct a RCC/ concrete stone masonry wall on valley side wherever applicable to ensure that the downstream water sources etc. are not affected.

2.4 Parameters in the context of changing weather conditions in the face of Climate Change- Mitigation of impacts thereof:-

2.4.1 In order to mitigate the dust emission pollution impacts in surrounding areas of stone crushing units, the readjustment in setting up of conveyor belts, crushing units, screening units may be done by taking into consideration the GLC (Ground Level Concentration) values of SPM (Suspended Particulate Matter) PM2.5. The scenario of dispersion of RSPM 2.5/ 10 at ground level is important for risk assessment and mitigation. The monitoring of these parameters shall be undertaken on yearly basis and the proof of monitoring with geo-tagged photographs.

2.4.2 In case the GLC, wind rose assessment shall be done for all the stone crushing unit and readjustment shall be made in sitting the crushing units, the risks of dust pollution will be mitigated significantly by rebuilding the wind breaking walls.

2.4.3 Install rain water harvesting tanks of adequate capacity based on potential with rain water use system.

2.4.4 Registration of Stone Crusher Units with Ground Water Authority in case ground water is to be extracted.

2.4.5 The rainwater harvesting, tree plantation shall be essential/ mandatory for the stone crushing units in the State to mitigate the climate change impacts.

2.4.6 The stone crusher with the capacity >100000 tones per year shall install air quality measuring sensors e.g. purpleair.com and this shall be monitored by the HP State Pollution Control Board on real time basis.

**The proposed conditions/norms should be applicable retrospectively for all existing stone crushers of capacity>10,000 MT/ annum.*

2.5. Impact of Stone Crusher Units location on the hydrological, soil & water conservation, environment aspects such as air, water, flora and fauna.

2.5.1 In case of stone crusher units with washing plants, the sedimentation tanks commensurate to the plant's capacity needs shall be built immediately so that effluents are not drained in the open directly which ultimately feeds the river.

2.5.2 In that case, the effluents from sedimentation tank shall be treated and the usable raw material such as silt, soil shall be reused in field, road construction, brick making etc.

2.5.3 Provisions for proper drainage scheme for evacuation of storm water needs shall be in place.

2.5.4 The crusher units using ground water shall register their ground water abstraction structures with the State Ground Water Authority under the H.P. Ground Water (Regulation & Control of Development and Management) Act, 2005. The process is online at emerginghimachal.gov.in.

2.5.5 Those crushers using surface water from rivers, khads, nallahs shall get the requisite permission from the concerned Executive Engineer of Jal Shakti Vibhag.

2.5.6 The regular water sprinkling in and around the stone crushing units is of utmost relevance to minimize the dust pollution impact on flora through rain water harvesting shall be done.

2.5.7 The effective water sprinklers shall be installed at crushing units to suppress the dust generated at the crushing unit.

2.5.8 Dumping of waste material in river water source shall be completely prohibited.

2.6. Washing units-waste water treatment:

2.6.1 Washing unit Stone crushers shall construct adequate no. of earthen de silting chambers followed by a Cement concrete (Pucca) storage tank of adequate capacity from where the wash water shall be re-circulated back in the washing activities lifted through a sludge pump. The size of tanks to be decided based on capacity of unit.

2.6.2 The stone crusher units having washing plants shall construct sedimentation tanks as per the plant capacity based on following calculations:

a) For washing units regular water supply is required which needs to be regulated through Ground Water Board/ Jal Shakti Vibhag concerned through meeting and registration.

b) 100 CFT washing of sand leads to ~ 1250 lt. water is required i.e. about 1100 lt. waste water is generated from production of sand.

e.g. A washing unit of a Stone Crusher with capacity of $2\frac{1}{2}^{inch}$ / second water supply takes 30 minutes to produce 400 CFT sand which means about:

= $2\frac{1}{2}^{inch}$ x 30" x 60"
= 1800 x $2\frac{1}{2}^{inch}$
= 4500-5000 ltrs. of water is required for production of ~ 400 CFT sand.

Every washing unit is required to built waste water de-silting chamber of rational capacity i.e. for example, if the capacity of unit is

~ 10 Truck per day	=	waste water chamber of minimum 25,000 lts. of at least half of the expected waste water quantity in one go shall be provided.
~20 truck per day	=	Minimum of 50,000 lts. of at least half of the expected waste water quantity in one go shall be provided.

The water would be 100% recycled and there would be zero liquid discharge. Verification of waste water silting chamber and recycling would be a mandatory condition for Consent to Establish & Renewal of Consent to Operate.

3 **Procedure for establishment and operation to be followed by the State Board:**

3.1.1 The State Board shall issue conditional "Consent to Establish" to the unit only after the Joint Inspection Committee has recommended the case and the unit agrees to fulfill the Pollution Control measures given in para-2.1 and 2.2.

3.1.2 The State Board shall issue "Consent to Operate" only if the unit has taken measure to comply with the conditions given in the "Consent to Establish".

3.1.3 Every unit shall get - monitoring for Air and Noise conducted regularly and submit the reports to the State Pollution Control Board.

3.1.4 The State Board shall be the Authority to ensure the compliance of the Pollution Control measures given on these guidelines/directions and shall do the necessary monitoring of the unit as per schedule of monitoring approved by the State Board/Department of Science & Technology, Himachal Pradesh, Shimla.

3.1.5 Every unit shall follow any other direction(s) issued by the State Government from time to time.

4. Latest technologies advancement and availability of modern machinery and equipments for setting up of stone crusher units:

Keeping in view the technological advancements, availability of modern machinery and equipment, in the state following technologies shall be specifically linked with capacity of the plant in following manner:-

Sr. No.	Capacity of Stone Crushing Unit	Technology	Covered shed
1	Up to 20000 Tons/year	Conventional stone crusher technologies, jaw crushing with or without screening rolling screening	Yes
2	>20,000 to 1,00,000 Tones/year	Jaw crushing with wetting of raw material at hoper with water spray nozal of ¼ inch per second capacity.	To cover conveyor belts as well with nozal sprayer on conveyor belts acoustic ends.
3	>1,00,000 tones / year and above	Jaw plus Cone crushing unit with Screener with wetting of raw material at hoper with water spray nozal of ½ inch per second capacity.	Closed loop system to cover conveyor belts with acoustic enclosures. Nozals sprayer on conveyor belts.

The amendments in the notification shall be subject to any other order passed by Hon'ble High Court in CMP No. 8459 of 2019 of CWP No. 2067 of 2019 State of Himachal Pradesh & ors. Petitioners/ applicants versus Bhag Singh & others. CWP No. 4342 of 2019 M/s Jai Mateshwari Stone Crusher Petitioner/ applicant versus State of Himachal Pradesh & ors.

By order

Kamlesh Kumar Pant, IAS
Principal Secretary (Env. S&T) to the
Government of Himachal Pradesh

Endst. No. STE-E-(5)-9/2018 Dated: Shimla-2, 29-06-2021.

Copy forwarded for information and necessary action to:-

1. The Secretary to the Governor, Himachal Pradesh, Shimla-171002.
2. The SPS/PS to the Chief Minister/Ministers, H.P Shimla-2.
3. The Sr. Private Secretary to the Chief Secretary to the Government of H.P.
4. All the Administrative Secretaries to the Government of H.P.
5. All the Divisional Commissioners in HP.
6. All the Heads of Department in H.P.
7. All the Deputy Commissioners in H.P
8. All the Superintendents of Police in H.P.
9. The Director (Env., Sci. & Tech.), Himachal Pradesh.
10. The Member Secretary, State Council for Science & Technology, HP.
11. The Member Secretary, HP State Pollution Control Board, Shimla-9
12. ALR-cum-Under Secretary (Law) to the Govt. of H.P Shimla-171002.
13. All the Municipal Corporations H.P.
14. All the Executive Officers/Secretaries of Municipal Councils/ Nagar Panchayats in Himachal Pradesh.
15. Guard file.

29-6-2021
(Satpal Dhiman)
Joint secretary (Env.,Sci.&Tech.) to the
Govt. of Himachal Pradesh
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