

[Authoritative English text of this Department notification number STE-E(4)-1/2003 dated 29-4-2003 as required under Clause (3) of Article 348 of the Constitution of India.]

Government of Himachal Pradesh  
Department of Science and Technology.

No. STE-E(4)-1/2003

Dated: Shimla-2, 29-4-2003.

### NOTIFICATION

Whereas the Hon'ble High Court of Himachal Pradesh in CWP -228/2002 titled as Desh Raj versus State of Himachal Pradesh and Others, vide its interim order dated 3-3-2003, has directed the State Government to frame appropriate guidelines to carry out purposes and objectives of the Environment Protection Act, 1986;

And whereas it is also necessary and expedient to take immediate steps under section 5 of the Environment (Protection) Act, 1986 and rules framed thereunder and to maintain the ecological balance in the State of Himachal Pradesh to prevent the environmental degradation and to avoid traffic and human health hazards;

And whereas the Government of India, in exercise of powers conferred by section 23 of the Environment (Protection) Act, 1986 has delegated its powers under section 5 of the said Act to the State Government vide notification No.S.O.152(E) dated 10th February, 1988;

And whereas the Stone Crushing Units in the State of Himachal Pradesh are causing air pollution, traffic and human health hazards;

Now, therefore, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986, read with Government of India, Ministry of Environment and Forests, Department of Environment, Forest and Wild Life 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 directions of the Hon'ble High Court of Himachal Pradesh issued in CWP No.228/2002 dated 3-3-2003, the Governor of Himachal Pradesh, is pleased to hereby notify the following guidelines/directions for all Stone Crushing Units hereinafter 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:-

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## 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 siting criteria, namely:-

S.No.	Criteria	Distance
1.	Minimum distance from national highway/ Nearest state highway	100 Mtrs
2.	Minimum distance from the District Headquarter	1.5 Kms
3.	Minimum distance from any town/Notified Area Committee	1.00 Kms
4.	Minimum distance from Village Abadi deh	250 Mtrs
5.	Minimum distance from Hospital or Educational Institute	1.00 Kms
6.	Minimum distance from Springs, Canals, reservoirs and functional water supply schemes	100 Mtrs
7.	Minimum distance from notified Lakes and Wetlands	500 Mtrs

### 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 case of presence of any natural barrier between the site of the Unit and any of the features indicated in the guidelines.

1.2.3. In case of Shimla Town the siting norms shall be as per the directions of the Hon'ble High Court of Himachal Pradesh dated 26-7-1993 in CWP No. 51 of 1993 titled as "Court on its own motion versus State of Himachal Pradesh and 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 a 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 the Himachal Pradesh State Environment Protection and Pollution Control Board. | Member.           |
| 4. Executive Engineer, Public Works Department or his representative.                               | Member.           |
| 5. Executive Engineer, Irrigation and Public Health Department or his representative.               | Member.           |
| 6. Representative of the Department of Tourism.   | Member.           |
| 7. Geologist or Mining Officer  | Member Secretary. |

1.3.3. The Committee constituted in para 1.3.2. is in supersession of Industries Department Notification No. Udyog I (Chh)4-1/85-II dated 26-4-93 and 24-12-1998. The approval of the Committee shall be basis for issue of clearance and approval including those of Himachal Pradesh State Electricity Board, Himachal Pradesh State Environment Protection and Pollution Control Board and permanent registration by the Department of Industries.

2. Emission Norms and Pollution Control Measures-

2.1. Standards

2.1.1. 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.

2.1.2. 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/Nm<sup>3</sup>. The measurements are to be conducted at least twice a month for all the 12 months in a year.

2.1.3. The Sound level (Leq.) at 1 meter outside the boundary of the site should not exceed 55 dB(A).

2.2. Pollution Control Measures:

2.2.1. Every Unit shall provide a wind breaking wall alongwith 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 alongwith 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 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.
- 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 measures to comply with the conditions given in the "Consent to Establish".
- 3.1.3 Every Unit shall ensure self-monitoring with respect to pollution control standards.
- 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 and Technology, Himachal Pradesh, Shimla-171002.
- 3.1.5 Every Unit shall follow any other directions issued by the State Government from time to time.

By Order

Secretary (S&T) to the  
Government of HP.

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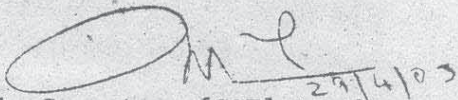
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Endst. No. As above.

Dated: Shimla-2, 29-4-2003

Copy for information and further necessary action to :

01. The Secretary to the Governor, H.P., Shimla-2.
02. All Administrative Secretaries, Govt. of H.P., Shimla-2.
03. The Private Secretaries to the Chief Minister; Cabinet Ministers, State Ministers and Parliamentary Secretaries, H.P.
04. The P.S. to the Chief Secretary to the Govt. of H.P.
05. All Deputy Commissioners, Himachal Pradesh.
06. All Heads of Department in H.P.
07. The Member Secretary, H.P. SEP & PCB, Paryavaran, Bhawan, Below BCS, Phase-III, New Shimla, Shimla-9.
08. The Member Secretary, H.P. SCSTE, SDA-Complex, Kasumpti, Shimla-171009.
09. The Deputy Secy.(Law) to the Govt.of HP, Shimla-2.
10. The Controller, Printing and Stationery, H.P. Govt. Press, Shimla-5 for publishing in the Rajpatra.
11. Guard File.

  
29/4/03  
Addl. Secretary [S&T] to the  
Government of Himachal Pradesh.

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[Authoritative English text of this Department's Notification Number STE-E(4)-1/2003-I dated 10-09-2004 as required under clause (3) of the Article 348 of the Constitution of India.]

Government of Himachal Pradesh  
Department of Science and Technology

No. STE-E(4)-1/2003-I

Dated: Shimla-2, 10<sup>th</sup> September 2004

**NOTIFICATION**

In exercise of the powers conferred by section 5 of the Environment [Protection] Act, 1986 as delegated to the State Government by the Government of India, Ministry of Environment and Forests, Department of Environment, Forests and Wild-life vide Notification No. S.O. 152 [E] dated 10<sup>th</sup> January, 1988 read with section 21 of the General Clauses Act, 1897, the Governor of Himachal Pradesh, is pleased to amend this Department's Notification No. STE-E[4]-1/2003 dated 29-04-2003 [hereinafter called the said notification] in public interest, with immediate effect,-

*S*  
Amendment of  
Notification

- (a). Under the Heading "Site Suitability" at Sr. No. 1 for the existing para "1.1 Norms", the following shall be substituted, namely:-

**"1.1 Norms:**

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

*S*

Sr.No.	Criteria	Distance for Existing Stone-Crushers (crow flight* distance in meters)	Distance for Stone-Crushers to be set up in Future (crow flight distance in meters)
1.	Minimum distance from National or State Highway	50 (horizontal distance)	150

2.	Minimum distance from link road or other roads.	---	75
3.	Minimum distance from district Head Quarter	1,500	1,500
4.	Minimum distance from Town or Notified Area Committee	1,000	1,000
5.	Minimum distance from Village-abadi-doh	250	500
6.	Minimum distance from hospital and educational institutions	300 (horizontal distance)	1,000
7.	Minimum distance from a spring, Canal, reservoir or functional water supply scheme	100	---
8.	Minimum distance from notified lakes and Wetlands.	500	500
9.	Minimum distance from natural water spring	---	500
10.	Minimum distance from notified Parks	---	2000
11.	Minimum distance from Sanctuaries	---	1000
12.	Minimum distance from bridge-site	---	200 upstream 300 down-stream

Note: \*Except in item nos. 1 & 6

1. The owners of existing stone crushers falling between 50 meters to 100 meters from a National or State highway and between 300 meters to 1000 meters from a hospital/ educational institution shall install extra pollution control devices and well designed artificial barrier so as to keep air and noise pollutions well within the prescribed limits.

*Slu*

Norms for these additional measures are being notified separately.

2. Sound levels shall conform to the provisions of the Environment Protection Rules, 1986.
3. Rest of the provisions/norms shall continue to remain same as contained in the said notification."

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- (b) In the said notification signs and figures "3-3-2003" wherever occurring shall be substituted by the signs and figures "3-4-2003."

By Order,

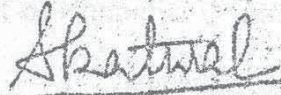
( Sanjeev Gupta )  
Secretary (Science and Technology) to  
the Government of Himachal Pradesh.

Endst. No. As above.

Dated: Shimla-2, 10<sup>th</sup> September, 2004

Copy forwarded for information and necessary action to:

1. The Secretary to the Governor, Himachal Pradesh, H.P. Shimla-2.
2. The Pr. Secretary to the Chief Minister, H.P. Shimla-2.
3. The P.S. to all the Cabinet Ministers/State Minister/Parliamentary Secretaries, H.P. Shimla-2.
4. The P.S. to the Chief Secretary to the Government of Himachal Pradesh.
5. The ACS-cum-Secretary (Inds) to the Government H.P. Shimla-2 w.r.t. letter number Ind.B(E)2-3/2003-II dated 09.08.2004.
6. All Administrative Secretaries, to the Government of H.P.
7. All Heads of the Department, H.P.
8. All Deputy Commissioners in H.P.
9. The Member Secretary, H.P. State Environment Protection and Pollution Control Board, Paryavaran Bhawan, Phase-III, below BCS, New Shimla-9.
10. The Member Secretary, H.P. State Council for Science, Technology and Environment, SDA-Complex, Kasumpti, Shimla-9.
11. The Controller, Printing and Stationary, I.P. Government Press, Shimla-3 for publishing in the Rajpatra.
12. Guard file.

  
Additional Secretary (S&T) to the  
Government of Himachal Pradesh.

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