

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

**Original Application No. 35(T<sub>HC</sub>) of 2014  
(CW 1968/13)**

**IN THE MATTER OF:**

**Ganpat Ram Mirdha Vs. State of Rajasthan & Ors.**

**CORAM :** HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER  
HON'BLE Mr. RANJAN CHATTERJEE, EXPERT MEMBER

**Present:**

<b>Applicants:</b>	<b>Applicants in person</b>
<b>Respondent No. 1:</b>	<b>Mr. Shiv Mangal Sharma, AAG, Mr. Shrey Kapoor and Mr. Saurabh Rajpal, Advs.</b>
<b>Respondent No. 2:</b>	<b>Ms. Alpana Poddar, Adv.</b>
<b>Respondent No. 3:</b>	<b>Mr. Rajkumar, Adv. and Mr. S.L. Gundli, SLO</b>
<b>Respondent No. 5:</b>	<b>Mr. S.A. Zaidi and Ms. Gulnaz Parveen, Advs.</b>

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 15</b> <b>September 2, 2015</b>	<p><b>Original Application No. 35(T<sub>HC</sub>) of 2014 (CW 1968/13)</b></p> <p>Learned counsel appearing for the Rajasthan Pollution Control Board submits that two stone crushers M/s Baba Ram Dev Stone Crusher and M/s Kamlesh Stone Crusher are found to be non-compliant and polluting stone crushers and they fail to carry out the directions of the Board passed vide Order dated 31<sup>st</sup> August, 2015 and they have been ordered to be shut down.</p> <p>Let the Rajasthan Pollution Control Board ensure that these stone crushers are shut down forthwith. We are also informed that the electricity supply of these stone crushers has already been disconnected.</p> <p>In view of the above, we direct that both these stone crushers should not be permitted to operate unless they become environmentally compliant and non-polluting and would be permitted to operate with the approval of the Orders of the Board by the Tribunal.</p> <p>Learned counsel appearing for the 10 Stone</p>

Crushers who have now been found to be compliant and non-polluting submits that they would pay a sum of Rs. 1 Lakh each as and by way of compensation for the damage to the environment due to their past generations of pollution for years within two months from today. This amount shall be paid to the Rajasthan Pollution Control Board which in turn along with Forest Department and State of Rajasthan would spend the amount in bringing up the green belt in the area as well as taking other anti pollution measures. He further states that they were admittedly operating since 1990 and each stone crusher would plant 100 trees including 75 trees they have already planted and additional 25 trees of the local species within one month from today. It will be the responsibility of each of the stone crusher to protect and ensure that these saplings grow into full trees.

We accept the statement made on behalf of these stone crushers. They abide by their undertaking.

The Pollution Control Board and the State Government shall conduct a joint inspection and ensure that the directions contained herein are complied with. In the event of default each stone crusher would be liable to pay further sum of Rs. 1 lakh subject to specific orders of the Tribunal in that behalf.

With the above directions, Original Application No. 35(THC) of 2014 (CW 1968/13) stands disposed of without any order as to costs.

**M.A. No. 620 of 2015**

This Misc. Application does not survive for consideration in view of the fact that the main Application itself stands disposed.

Accordingly, M.A. No. 620 of 2015 stands disposed of without any order as to costs.

.....,CP  
(Swatanter Kumar)

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

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

.....,EM  
(Prof. A.R. Yousuf)

.....,EM  
(Ranjan Chatterjee)

