

HARYANA GOVERNMENT
ENVIRONMENT DEPARTMENT

Notification

The 23rd November, 2015

No. 16/42/2005-3 Env.— Whereas, article 48-A of the Constitution of India inter alia envisages that the State shall endeavour to protect the environment;

And, 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 traffic and human health hazards;

And, whereas, the State Government has already taken a decision to maintain ecological balance keeping in view the 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. 16/42/2005-Env.-III, dated the 4th October, 2007, directions were given for screening plant units in regard to siting criteria norms as per Schedule-I and emission norms and pollution control measures/ requirements as per Schedule-II.

And, whereas, the State Government has made amendments in the aforesaid Notification issued *vide* Notification No. S.O. 64/C.A.29/1986/S.5 and 7/2008, dated the 23rd July, 2008.

And, whereas, representations were received from Screening Plant Associations in the State to review the siting parameters norms.

And, whereas, the State Government is of the opinion that it is necessary and expedient to issue a fresh notification for issuing directions for screening plant unit with regard to siting criteria norms.

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 in supersession of the Haryana Government, Environment Department, Notification No. 16/42/2005-Env.-III, dated the 4th October, 2007 and Notification No. S.O. 64/C.A.29/1986/S.5 and 7/2008, dated the 23rd July, 2008, the Governor of Haryana hereby proposes to issue the following directions for screening plant units with regard to siting criteria norms as per Schedule-I and emission norms and pollution control measure requirements as per Schedule-II.

And, whereas, in view of clause(a) of sub-rule (3) of rule 4 of the Environment (Protection) Rules, 1986, notice is hereby given that the draft of the notification shall be taken into consideration by the Government on or after the expiry of a period of fifteen days from the date of the publication, together with objections and suggestions, if any, which may be received in the office of the Principal Secretary to Government, Haryana, Environment Department, from any person with respect to the draft notification, before the expiry of the period so specified:-

Any action taken in pursuance of the superseded notifications referred to above shall be deemed to have been taken under the provisions of this notification so far as it is not inconsistent with the provisions of this notification.

SCHEDULE I

Norms for siting of screening plants in Haryana:—

| Serial Number | Criteria | Distance in Kilometers |
|---------------|--|------------------------|
| 1 | 2 | 3 |
| 1. | Minimum distance required from the Nearest National Highway | 0.25 |
| 2. | Minimum distance required from the Nearest State Highway | 0.10 |
| 3. | Minimum distance required from the Nearest Metropolitan City | 5.00 |
| 4. | Minimum distance required from the Municipal limits of any town | 0.25 |
| 5. | Minimum distance required from the Nearest Town Abadi | 0.50 |
| 6. | Minimum distance required from the Nearest Village Abadi | 0.25 |
| 7. | Minimum distance required from the Nearest Tourist Complex | 1.00 |
| 8. | Minimum distance required from any land recorded as forest in Government record (revenue or forest department) except strip forests/plantation along roads, canals, railway lines and bunds. | 0.20 |

| | | |
|-----|--|------|
| 9. | Minimum distance required from approved water supply scheme open to sky of 20 KL capacity | 0.25 |
| 10. | Minimum distance required from any indoor health treatment unit catering to 25 or more indoor patients | 0.50 |
| 11. | Minimum distance required from notified Bird/Wild Life Sanctuaries/a National or State Wild Life Parks | 0.20 |
| 12. | Minimum distance from river or water channel, Nullah, drain | 0.10 |
| 13. | Minimum distance from any educational institution | 0.50 |

The following directions are also given in respect of above said schedule.

- Note:-**
- (i) Distance shall be measured following the same principles and methodology as followed in measuring distances in Public Works Department, Building and Road Department or in the Revenue Department as per technical conditions and convenience.
 - (ii) No siting criteria shall be applicable with respect to distance from the Nearest Major District Roads and other roads subject to construction of wind braking wall of twelve feet height above the metalled surface alongwith the road side.
 - (iii) No Screening plant unit shall be allowed to operate which is not meeting siting norms as prescribed above. Such screening plant units which are within the prohibited limits of siting criteria shall shift to the areas conforming to prescribed siting distances.
 - (iv) No screening plant unit in Faridabad District shall be allowed to be set up outside the identified crushing zone in Faridabad District.
 - (v) The distance prescribed above at serial number 11 with respect to notified Bird/Wild Life sanctuaries/a National or State Wild Life Parks shall be applicable only in those cases where eco sensitive zone have yet not been declared or proposed by Ministry of Environment and Forest and Climate Change, Government of India in such cases.
 - (vi) In case eco sensitive zone of protected area like national park, wild life sanctuary or conservation reserve is notified having restriction for a specified distance, then the same shall be adhered to.
 - (vii) The screening plants shall not operate any activity of stone crushing/ pulverizing/grinding in their plant.
 - (viii) In case of river, the distance shall be measured from the flood protection embankment on the outer side of the river. Where there is no flood protection embankment, the distance shall be measured from the outer edge of the "Gair Mumkin Land" as per revenue record, recorded as Gair Mumkin Nadi, Choe or similar nomenclature identifying a water body on the outer side of the choe/river.
 - (ix) The distance of the screening plant units 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 concerned Divisional Forest Officer. The concerned Regional Officer of the Board 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 and requirements:-

Item No. I

- (i) The screening plant units shall keep air emissions/noise levels and effluent discharge within the norms as prescribed under the Environmental (Protection) Act, 1986 and the rules framed thereunder.

Item No. II

The following pollution control devices are required to be installed and operated as a mandatory obligation by the screening plant units:-

- (i) All screening plants shall construct a metalled road within the premises of the plant;
- (ii) The screening plant units shall stack its raw/processed material only in the screening plant area which shall be properly identified and, preferably, enclosed by a wall.

- (iii) Regular cleaning and wetting of the ground within the premises of the screening plant and the road leading to such screening plant for dust containment;
- (iv) All screening plant units shall provide 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 shall completely enclose the premises from all sides either by a boundary wall or 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.
- (v) The silt generated by the screening plant shall be disposed of scientifically in the low lying areas and owner of screening plant shall make a proper plan for the same;
- (vi) The screening plant units shall ensure that the material received for screening/processing comes from approved mining lease holders, where extraction has taken place as per a mining plan/scheme of mining or terms of reference of mining contract as applicable and duly approved by competent authority/Mines and Geology Department. The owner shall submit proof to this effect to the Haryana State Pollution Control Board at the time of applying for Consent to Establish/Consent to Operate.
- (vii) The screening plants shall furnish to the Haryana State Pollution Control Board the complete data relating to the source and quantity of raw material legitimately utilized or exploited by the screening plant units and also its production data and taxes and duties paid as applicable thereon under the law of land;
- (viii) Every screening plant, shall obtain consent to establish from the Haryana State Pollution Control Board and shall not operate without obtaining consent to operate from the Board.
- (ix) In case of permanent closure of unit, the area shall be rehabilitated to its original position.
- (x) The screening plant unit shall provide proper adequate pollution control measures before starting of production.
- (xi) The screening plants shall provide structurally sound and adequate by sized settling tanks (3 No.) for settling of suspended solids in the effluents generated from the process and ensure recycling/reuse of the treated water upto ninety percent in the process.
- (xii) The screening plants shall provide the adequate pollution control measure/devices based upon the environmentally sound technology including acoustic enclosures to meet the norms prescribed under Environment (Protection) Rules, 1986 for ambient air quality with respect to noise for the sensitive zones.

Item No. III

Every screening plant shall possess and operate in a minimum area of one acre of land (1.0 acre) owned by the screening plant owner or having a lease of minimum five years duly registered in his favour.

Item No. IV

- (i) In case of any conflict between any existing statutory provision and any administrative orders issued by any authority including the Haryana State Pollution Control Board, the statutory provisions shall be applicable.
- (ii) Irrespective of any other reason to the contrary, no screening plant unit would be allowed to operate in violation of any other applicable legal restrictions, statute and rules legislated as enforced or prescribed by the Competent Legislative Authority or the prescribing authority including the Town and Country Planning Department, Haryana, Mines and Geology Department, Haryana, Forest Department, Haryana or Central Ground Water Authority etc., whether in the past or in future. The issue of consent to establish certificate by the Haryana State Pollution Control Board shall not be treated as any permission to violate any such statutory legal notifications.

ANURAG RASTOGI,
Principal Secretary to Government Haryana,
Environment Department.