

HARYANA GOVERNMENT
ENVIRONMENT DEPARTMENT

Notification

The 4th October, 2007

No. 16/42/2005-Env.-III. —Whereas, it is necessary and expedient to take immediate steps under Sections 5 and 7 of the Environment (Protection) Act, 1986 (29 of 1986) and rule 4 of the Environment (Protection) Rules, 1986, to maintain ecological balance in the State of Haryana and to prevent environmental degradation and avoid traffic and human health hazards.

And, whereas, Screening Plants expose their immediate environment to the following adverse influences :—

- (a) destruction of local flora, fauna and other organisms in the area of their operations;
- (b) depletion of sub soil water resources due to heavy demand for water for washing of excavated material;
- (c) degradation of land in and around the Screening Plant site on account of heavy traffic of vehicles transporting material to and fro from the site;
- (d) air pollution on account of smoke emissions and dust raised by vehicles servicing the Screening Plant site;
- (e) water pollution caused on account of discharge of washings of excavated and washed material;
- (f) degradation of land areas, from which the material is excavated;
- (g) noise pollution caused by operation of mechanical devices comprising the Screening Plant and by generator sets where in use, etc.

And, whereas, it has been made to appear that Screening Plants are being set up in various parts of the State in an unregulated and unplanned manner;

And, whereas, the State Government is committed to maintain ecological balance keeping in view the rapid industrial growth and its multifarious impact and also to maintain the sanctity of environment and to avoid health hazard for the citizens of the State;

And, whereas, the State Government is of the opinion that in view of the likely damage to the environment it is not expedient to provide an opportunity to invite objections against the proposed directions as required under sub-rule (3) of rule 4 of the Environment (Protection) Rules, 1986, in public interest.

Now, therefore, in exercise of the powers conferred by Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) read with Government of India, Ministry of Environment and Forests, Department of Environment, Forest 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, the Governor of Haryana hereby issues the following directions for screening plant units in regard to sitting parameter norms as per Schedule I and pollution control measures requirements as per Schedule II :—

SCHEDULE I

Norms for sitting of screening plants in Haryana :—

Sr. No.	Criteria	Distance in Kilometres
1	2	3
1.	Minimum distance required from the Nearest National Highway	1.00
2.	Minimum distance required from the Nearest State Highway	0.75
3.	Minimum distance required from the Nearest Major District roads and other roads	0.50
4.	Minimum distance required from the Nearest Metropolitan City	5.00
5.	Minimum distance required from the Municipal limits of any town	2.00
6.	Minimum distance required from the Nearest Town Abadi	1.50

1	2	3
7.	Minimum distance required from the Nearest Village Abadi	1.00
8.	Minimum distance required from the Nearest Tourist Complex	2.00
9.	Minimum distance required from any land recorded as forest in Government record	0.75
10.	Minimum distance required from Approved Water Supply Project	1.00
11.	Minimum distance required from any indoor treatment unit catering to 25 or more indoor patients	1.00
12.	Minimum distance required from notified Bird/Wild Life sanctuaries/a National or State Wild Life Parks	2.00
13.	Minimum distance from river or water channel, Nullah, drain	0.50
14.	Minimum distance from any educational institution	1.00

- Note.**— (i) Distances 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 screening plant unit shall be allowed to operate within the limit of siting norms as detailed above. Such screening plant units which are within the prohibited limits of siting criteria shall shift to the areas conforming siting distances within three months from the date of issuance of this notification.
- (iii) No screening plant unit in Faridabad District would be allowed to be set up outside the identified crushing zone in Faridabad District.

SCHEDULE II

Directions regarding emission norms and pollution control measures and requirements :—

Item No. I

- (i) The screening plant shall keep emissions and effluent discharge within the norms as prescribed under the Environment (Protection) Act/Rules, 1986.
- (ii) The screening plant owner shall provide structurally adequate settling tanks for settling of suspended solids in the effluents generated from the process and ensure recycling/reuse the treated water upto 90% in the process.

Item No. II

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

- (i) Construction of metalled road within the premises of the screening plant;
- (ii) The screening plant owner shall stack its raw/processed material only in the screening plant area which should 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) Growing of the green belt along the periphery of the screening plant. The depth of the green belt to be provided by the screening plant unit should be at least ten meters all along the periphery and total number of the trees so planted and properly maintained being not less than five hundred trees;
- (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 owner shall ensure that the material received for screening/processing comes from approved mining area, 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;

- (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 also obtain consent to operate on a year to year *i.e.* annual basis.
- (ix) In case of permanent closure of unit, the area should be rehabilitated to its original position.

Item No. III

Every screening plant must possess and operate in a minimum area of one and half acre of land (1.5 acres) owned by the screening plant owner or having a lease of minimum twenty years in his favour.

Item No. IV

- (i) In case of any conflict between any existing statutory provisions and any administrative orders issued by any authority including the Haryana State Pollution Control Board, the statutory provisions shall be applicable and prevail according to the settled law of India.
- (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 restrictions.

H. C. DISODIA,

Financial Commissioner and Principal Secretary to
Government Haryana, Environment Department.

[Authorized English Translation]

HARYANA GOVERNMENT
ENVIRONMENT DEPARTMENT**Notification**

The 23rd July, 2008

No. S.O. 64/C.A. 29/1986/S. 5 and 7/2008.—Whereas representations were received from Screening Plants Associations in the State to review the siting parameter norms, lease period, land area, consent period, tree plantation and relaxation for existing units;

And whereas the matter was reviewed in the 3rd review meeting of Haryana State Pollution Control Board held on 18th December, 2007, and certain amendments were suggested by the Board as per decision taken in the 3rd review meeting;

And, whereas, the Government, after considering the recommendations of Haryana State Pollution Control Board, has decided to amend the above said notification in respect of following siting norms, lease period, land area, consent period, tree plantation and relaxation for the existing units;

Now, therefore, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986) read with Government of India, Ministry of Environment and Forests, Department of Environment, Forest 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, the Governor of Haryana hereby makes the following amendment in Haryana Government, Environment Department, notification No. 16/42/2005-Env. III, dated the 4th October, 2007, in regard to siting parameter norms and pollution control measures requirements for screening plants, namely :—

Amendment

In the Haryana Government, Environment Department, notification No. 16/42/2005-Env. III, dated the 4th October, 2007,—

I. In Schedule I, under columns 1, 2 and 3,—

- (i) for serial numbers 2 and 3 and entries thereagainst, the following serial numbers and entries thereagainst shall be substituted, namely :—

1	2	3
“2.	Minimum distance required from the Nearest State Highway	0.50
3.	Minimum distance required from the Nearest Major District roads and other roads	0.25”;

(ii) for serial numbers 5, 6 and 7 and entries thereagainst, the following serial numbers and entries thereagainst shall be substituted, namely :—

1	2	3
"5.	Minimum distance required from the Municipal limits of any town	1.00
6.	Minimum distance required from the Nearest Town Abadi	1.00
7.	Minimum distance required from the Nearest Village Abadi	0.50";

(iii) for serial number 11 and entries thereagainst, the following serial number and entry thereagainst shall be substituted, namely :—

1	2	3
"11.	Minimum distance required from any indoor treatment unit catering to 25 or more indoor patients	2.00";

(iv) for serial number 14 and entry thereagainst, the following serial number and entry thereagainst shall be substituted, namely :—

1	2	3
"14.	Minimum distance required from any educational institution	1.00 (except from village schools);

II. In Schedule II,—

(i) in item No. II—

(a) for sub-item (iv) and entry thereagainst, the following sub-item and entry thereagainst shall be substituted, namely :—

"(iv) Substantial plantation along the edge of the plot.";

(b) in sub-item (viii), for the words and letters "on a year to year *i.e.* annual basis", the words "for a period of two years" shall be substituted";

(ii) for Item No. III, the following Item No. shall be substituted,

namely :—

“Item No. III

Every screening plant must 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 in his favour.”;

(iii) after Item No. IV, the following note shall be added at the end, namely :—

“Note.—Existing screening plants shall have to comply with these norms within a period of 2 years.”.

P. K. GUPTA,

Financial Commissioner and Principal Secretary
to Government, Haryana, Environment Department.