

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (PIL) No. 139 of 2025

Skand Kumar Singh

.....Petitioner

Versus

State of Uttarakhand & others

.....Respondents

Present:-

Mr. S.R.S. Gill, Advocate for the petitioner.

Mr. Yogesh Chandra Tiwari, Standing Counsel and Mr. Sachin Mohan Singh Mehta, Brief Holder for the State/respondent nos. 1 to 4.

Mr. Aditya Pratap Singh, Advocate for the respondent no. 5.

Dated: 25th July, 2025

Coram: **Hon'ble Ravindra Maithani, J.**
 Hon'ble Alok Mahra, J.

Hon'ble Ravindra Maithani, J. (Oral)

Heard learned counsel for the petitioners and perused the record.

2. Admit.
3. Learned C.S.C. takes notices for the respondent nos. 1 to 4.
4. Mr. Aditya Pratap Singh, Advocate for the respondent no. 5.
5. Issue notices to the respondent no.6, returnable within six weeks.
6. Steps to be taken within a week.
7. Respondents may file counter affidavit within four weeks.
8. Two weeks thereafter, rejoinder affidavit, if any, may be filed.
9. List thereafter.
10. Heard on Interim Relief Application, IA No.1 of 2025

11. The petitioner is aggrieved by installation of stone crushers by the respondent no.6/M/S Sai Kripa Stone Crusher ("the stone crusher") at a distance of 200 metres from the densely populated area. By the interim relief application, the petitioner claims that during the pendency of the petition, the construction and operation of the stone crusher may be stopped.

12. Learned counsel for the petitioner submits that the stone crusher is being constructed within 200 meters of the densely populated area; Government Inter College, schools. Gram Panchayat Officer, Anganwadi centre, residential houses etc. are nearby situated; the college principal had on multiple occasions informed it to the authorities that the construction of the stone crusher may be stopped, as it may impede the educational activities in the school; as per the Central Pollution Control Guidelines, the construction and operation of new stone crushers may only be established in dedicated crusher zones, as per the policies of the State Pollution Control Boards/Pollution Control Committees.

13. In fact, the petitioner has also filed certain maps to show the location of the stone crusher.

14. Learned counsel for the respondent no.5/Uttarakhand Environment Protection and Pollution Central Board submits that, in fact, as per the Central Pollution Control Board Policy, new stone crushers may only be allowed to operate in dedicated crusher zones.

15. Admittedly, the crusher, in question, is not in designated crusher zone. The CPCB guidelines, which have been

enclosed by the petitioner as Annexure No.5 to the writ petition, records the impact of stone crushing operations. According to it, such operation releases a substantial amount of fugitive dust, which not only pollutes the environment, but also cause a health hazard to the workers and the surrounding population. Within 300 metres of the residential area also, such crushers may not be established. It is within 300 metres, but as per the report, the house owners have given their no objections.

16. Respondents may file their objections to the interim relief application. In the meanwhile, the respondent no.6 shall not carry out the construction activities and operation of the stone crusher. The respondent no.4, District Magistrate, Dehradun, shall ensure it.

17. List this matter on 08.10.2025, for hearing on interim relief application.

(Alok Mahra, J.)

(Ravindra Maithani, J.)

25.07.2025

Ravi Bisht