

**APPEAL NO. 3A OF 2009**

2. 20.06.2009            Learned Law Officer appearing for the Board files a memo. enclosing therewith the joint inspection report in terms of the order passed by this Authority on 7.5.2009.

Perused the aforesaid report and heard Mr.Animesh Mohanty, learned counsel for the appellant, and Mr. B. P. Pattajoshi, learned Law Officer of the Board.

In the joint inspection report filed today, it has been stated that the appellant stone crusher unit does not conform to the siting criteria as per the notification of the State Govt. in the Forest and Environment Department dated 13.5.1998 read with the notification dated 1.8.2006 with respect to its distance from the nearest village, i.e., Kesaipali.

Since the appellant unit does not conform to the siting criteria fixed by the State Govt. in regard to its location from the nearest village, we are not inclined to interfere with the impugned order of closure passed by the State Pollution Control Board vide Annexure-12. The appeal is accordingly dismissed having no merit.

..... *Sd/* -.....  
Justice B.P. Das,  
Chairman

..... *Sd/* -.....  
Prof. G.B. Behera,  
Member

..... *Sd/* -.....  
Dr. C.R. Mohapatra,  
Member

