

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO ----- OF 2024

IN THE MATTER OF:

BINAPANI YUBAK SANGHA

APPLICANTS

VERSUS

STATE OF ODISHA &ORS

RESPONDENTS

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PLACE: BHUBANESWAR

SANKAR PRASAD PANI

DATE: 22Nd March 2024

ASHUTOSH PADHY



ADVOCATE

Bubaneswar, 751002, Cell-9437279278,

Email: sankarprasadpani@gmail.com

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SYNOPSIS

That the Applicant is raising the issue of continuous Air Pollution and Water Pollution caused by the private respondent Sponge Iron Unit and inaction of the state pollution control board in taking stringent action against the defaulting unit for violation of conditions of Consent To Operate. Admittedly as revealed from the records there is continuing non-compliances since the grant of CTO and Environment Clearance the local people as well as the environment are at the receiving end of the pollution while the private respondent use to take the cream of the profit. There are photographic and video evidences suggesting huge amount of Air Pollution and the SPCB has also acknowledged the pollution in their inspection reports. In case of continuing non-compliances the CTO of the unit should have been revoked and the unit ought to have been closed as per the Section 31 A of the Air Act 1981. Further Operating the Unit without authorization under Hazardous & Other waste (Management and trans-boundary movement) Rules 2016.

LIST OF DATES

15/09/2006	EIA Notification came into force with provision for prior environment clearance for sponge iron plants with more than 200 Tons per day Capacity
11/11/2008	EC granted for the Expansion of Induction Furnace (1x8.0 MT) in the existing Steel Plant at Badtumkela, District

Sundergarh, Orissa by M/s Bhaskar Steel & Ferro Alloys Ltd.

- 23/07/2015** **CPCB came with a guideline regarding installation of on-line effluent and emission monitoring system-**
- 12/02/2019 consent for reclamation of low lying areas with fly ash
- 6th -7th April 2021 34th meeting of the Re-constituted EAC
- 07/06/2021 Environment clearance was granted for Expansion of steel plant from 0.1 MTPA to 0.26 MTPA billets
- 24/03/2023** The unit was granted Consent to Operate with 7 special conditions to control air and water pollution. The validity was up to 31/03/2023
- 16/09/2023 Show Cause Notice issued to the defaulting unit with Direction U/S 33(A) of Water (PCP) Act, 1974 & Direction U/S 31(A) of Air (PCP) Act, 1981, for non-compliance of the Consent to Operate (CTO) conditions.
- 26/02/2024 Complaint of the villagers to all the concerned authorities regarding the dumping of the pond.
- 15/03/2024 PHOTOGRAPHS SHOWING THE PRIVATE RESPONDENT IS STACKING THE WASTE MATERIALS OF THE UNIT ON THE ROAD SIDE

ABBREVIATIONS

WHRB: Waste Heat Recovery Boiler

AFBC: Atmospheric fluidised-bed combustion

DRI: Direct Reduction Induction

MTPA: Million Tons Per Annum

ESP: Electro Static Precipitator

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

*(Under Section 14, 15, 20 r/w. Section 18(1) & (2) of the National Green
Tribunal Act, 2010)*

ORIGINAL APPLICATION NO ----- OF 2024

IN THE MATTER OF:

BINAPANI YUBAK SANGHA Gamlei, Po- Tumkela, PS- lahuinipada Dist-
Sundergarh, Odisha represented by its President **APPLICANT**

Versus

- 1. STATE OF ODISHA** Through Chief Secretary, Government of
Odisha, Lokaseba Bhawan At/po-Bhuabneswar, Dist-Khurdha, 751002
email: csori@nic.in
- 2. District Collector, Sundergarh,** At/Po/Dist- Dhenkanal, 759001,
Odisha , Email: dm-dhenkanal@nic.in, dcl.adm@nic.in
- 3. Member Secretary,** Odisha State Pollution Control Board A/118, Unit-
VII, Nilakantha Nagar, Bhubaneswar, PIN-751012, Odisha Email:
paribesh1@ospcboard.org, ms.spcb@ospcboard.org
- 4. Divisional Forest Officer,** Bonai, At/PO/Dist- Bonai, 755001,
dfo.bonai@gmail.com

5. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi - 110032 Email: mscb.cpcb@nic.in,
ccb.cpcb@nic.in
6. The Secretary, Ministry of Environment and Forest Climate Change, Indira Paryavaran Bhawan, Jorbag, Newdelhi 110003, secy-moef@nic.in
7. Deputy Director General of Forests (C), **Ministry of Environment, Forest and Climate Change**, Integrated Regional Office, (Bhubaneswar), A/3, Chandersekharpur, Bhubaneswar – 751023, Email: roez.bsr-mef@nic.in
8. M/s Bhaskar Steel Alloys and Ferroalloys, Represented by It's Director
At- Badtumkela, Po- Rajamunda, Dist- Sundargarg, Pin- 770040

RESPONDENTS

- I. The address of the Counsel of Applicant is given for the service of notices of this APPLICATION
- II. The addresses of the Respondents are given above for the service of notices of this APPLICATION.
- III. That the Applicants are challenging the continuous Air pollution along with dumping of DoloChar and Flyash randomly here and there in different places and discharge the untreated water to the Brahmani River

caused by the Bhaskar Steel and Ferro Alloys in violation of conditions of Environment Clearance, Consent to Operate Conditions and CPCB guidelines. The unit has not activated the online monitoring of Stack Emission and Waste Water Discharge to the centralized server of SPCB and CPCB. Further the unit has not obtained authorization under Hazardous Waste Management and Handling Rules Hence this application.

IT IS MOST RESPECTFULLY SHOWETH

1. Applicant is a registered society having its office at Gamlei, Tumkela in the same region where the Plant is operating and the villagers of Gamlei along with other adjoining villages are at the receiving end of the pollution caused by the unit. Gamlei Upper Primary School is within 500metres of the defaulting unit. And the innocent school going children are exposed to the hazardous pollutants of the unit. Copy of the society registration certificate is here unto annexed as **ANNEXURE-1**.
2. That on 7th June 2021 EC granted for Expansion of steel plant from 0.1 MTPA to 0.26 MTPA billets [by change the configuration of DRI kilns (from 1 x 300 TPD to 1 x 350 TPD & 1 x 100 TPD), IF (from 4 x 8Tons to 4 x 12Tons & 1 x 3Tons), LF (from 1x20Tons & 1x15Tons to 1x20Tons, 1x15Tons & 1x16Tons)] out of which 0.132 MTPA to be converted to TMT

rods by CCM (from 4/7, 2 strand to 6/11, 3 strand), installing new Rolling Mill of 25 TPH along with CPP (WHRB) from 1x8MW to 1x8MW + 1x10 MW and CPP (AFBC) from 1x4MW to 1x4MW + 1x6MW **by M/s. Bhaskar Steel & Ferro Alloy Private Limited** located at village Badtumkela, Tehsil Banei, District Sundergarh, Odisha. Copy of Environment Clearance dated 7/06/2021 is annexed here with as **ANNEXURE-2**

3. That the defaulting industry M/s Bhaskar Steel & Ferro Alloys (P) Ltd., At-Bad-Tumkela, PO-Tumkela is a Sponge Iron Plant with various units with in it such as **DRI Kiln-1 x 300 TPD** (b) **Captive Power Plant (CPP) 12 MW** (8 MW WHRB+4 MW AFBC) (c) **Induction Furnace-4 x 8 T/H & Induction Furnace (1X3 T/heat) MS billets** (d) **Coal Sizer-200 TPH**, (e) **Iron Ore Crusher-100 TPH** & f) **1x10TPH Slag Crusher**.
4. Pursuant to public complaint from Villagers of Gamlei, vide E-mail dtd.05.07.2023 the unit was inspected on dtd. 11.08.2023 &11.09.2023. On the day of inspection following observations were made by the Inspecting Officers of SPCB.The Board has granted consent to operate valid up to **31.03.2024**.
 - I. The industry has earmarked **solid waste dump yard area of about 40.20acres**.

II. However the industry has **not provided boundary wall all around the dump yard.** The **height of boundary wall was not adequate and dumps height is more than the provided boundary wall.** The raw material storage yard is not properly earmarked.

III. The industry has **not provided adequate Green belt** and developed with plantation of suitable local species **which leads to rain cuts on the solid waste dump area and washout is spreading to nearby areas.**

IV. The unit has **total area about 67 acres out of which 16 acres of land has been earmarked for solid waste dumping yard adjacent to the factory premises.** At present the generated **char from the DRI section** is used in the power plant boiler as a fuel. The **generated fly ash** is supplied to the nearby brick manufacturing units. Out of total earmarked area, about 13 Acres of land has already been fully exhausted by solid waste dumping. About 0.5 Acres of the land has been partially exhausted and about 2.5 Acres of vacant land is available inside dump yard for further dumping. **However it was observed that the vacant patch of land is located towards the Village Bad- Tumkela, which is about 130 m away from the dump site. The village is located towards NE w.r.t the factory and towards East direction w.r.t the dump site. They have not covered the inactive part of the dump with the soil.** Partly garland drain has been provided at the toe inactive portion of the dump and connected to a settling

pit. The settling pond was in defunct condition and heavy silt was deposited.

V. The industry has dumped solid waste near the plot No.566 of Khata No. 21 of Muoza luthurba which may cause spreading of dolochar to the nearby agriculture field which is located adjacent to the dump site.

VI. The inactive dump yard has not been properly reclaimed by spreading layer of soil with proper compaction, consolidation and plantation which is leading to dust being air borne and creating air pollution in the area. Run-off water of the dump yard flows down to nearby low lying area and during inspection the earthen pond was filled with shrubs and sludge. No garland drain and settlement and treatment pit was there.

VII. Visible dust laden flue gas leakages were observed from inlet & outlet slip seals of DRI kiln-1.

VIII. Fugitive dust emissions were observed from the Cooler Discharge and Raw material Feed circuit areas indicating poor performances of the installed bag filters.

IX. Visible fugitive emission was also observed from various transfer points of raw materials and product handling areas.

X. Mud accumulations were observed on approach road and near main entry gate leading to poor housekeeping in the work zone areas.

XI. Housekeeping near ESP silo area and bag filters area was not satisfactory

XII. The inactive part of the dolochar dump site has not been properly leveled and covered with soil. You have not provided adequate dust sprinkling system at active part of the dump yard to prevent dust nuisance and you have not also provided garland drain all along dolochar dump site.

XIII. Installed wheel washing system was in defunct condition which is leading to dust accumulation on the internal road causing poor housekeeping.

XIV. You have dump solid waste materials like dolochar on the National High way NH-143 near the Luthurba (nearer to Brahmani river) without obtaining prior permission from Board and during inspection it was observed that there is every possibilities of washout to the nearby agriculture fields from the solid waste dump site during rainy day. You have not covered with layer of soil on the solid waste dump area.

XV. You have not provided adequate storage facility with spillage contamination facility for storage of hazardous waste materials inside the plant premises.

5. That pursuant to the inspection of the unit, a Show Cause Notice dated 16/09/2023 issued to the defaulting unit with Direction U/S 33(A) of Water

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(PCP) Act, 1974 & Direction U/S 31(A) of Air (PCP) Act, 1981, for non-compliance of the Consent to Operate (CTO) conditions. The notice further direct to carryout rectification/compliance to remove the lapses and also the unit was directed to show cause within **15 days of issues of this notice** as to why Consent to Operate will not be revoked, failing which appropriate action shall be taken against the unit.

- a) Visible dust laden flue gas leakages were observed from inlet & outlet slip seals of DRI kiln-I.
- b) Fugitive dust emissions were observed from the Cooler Discharge and Raw material Feed circuit areas indicating poor performances of the installed bag filters.
- c) Visible fugitive emission was also observed from the transfer points of raw materials and product handling areas.
- d) Dust accumulations were observed on approach road and near main entry gate leading to poor housekeeping in the work zone areas.
- e) Housekeeping near ESP silo area and bag filters area was not satisfactory.
- f) The inactive part of the dolochar dump site has not been properly leveled and covered with soil. You have not provided adequate dust sprinkling system at active part of the dump yard to prevent dust

nuisance and you have not also provided garland drain all along dolochar dump site.

- g) Installed wheel washing system was in defunct condition which is leading to dust accumulation on the internal road causing poor housekeeping.
- h) You have dump solid waste materials like dolochar on the National High way NH-143 near the Luthurba (nearer to Brahmani river) without obtaining prior permission from Board and during inspection it was observed that there is every possibilities of washout to the nearby agriculture fields from the solid waste dump site during rainy day. You have not covered with layer of soil on the solid waste dump area.
- i) You have not provided adequate storage facility with spillage contamination facility for storage of hazardous waste materials inside the plant premises.

Copy of Show Cause Notice dated 16/09/2023 is annexed here with as **ANNEXURE-3**.

6. That the Expert Appraisal Committee in its meeting held during 25-27th January, 2021 had the following observations against the erring industry,

- i. As per the RO report, the facilities namely for 50 TPH Dry Coal separator, 10 TPH slag crusher, 3 T/Heat of Induction furnace (IF) for production of M.S. Billets of capacity 2700 TPA, coal sizer of 200 TPH and iron ore crusher of **100 TPH** have been established and operated at the site except dry coal separator based on the Consent issued by Odisha Pollution Control Board without obtaining prior Environment Clearance. The committee was of the view that dry coal separator and coal sizer is a part of iron ore beneficiation process and PP could have obtained EC prior to the establishment of the same. For the remaining facilities established, EC may not be required under the purview of EIA, 2006.
- ii. As per Ministry's O.M. No. J-11015/286/2007-IA.II(I) dated 7/2/2020, any **specific non-compliance singled out** while the project is being appraised by the EAC, **the concerned sector shall issue Show Cause Notice**.
- iii. TOR point # 9 pertaining to Corporate Environment Policy has not been addressed in EIA Report.
- iv. The issues raised during the public consultation in verbatim by each stake holder and action plan to address the same in physical terms as mandated under **MoEF&CC O.M. dated 30/09/2020** have not been furnished in EIA report.
- v. Action plan for **green belt development covering 40% of the project area** has not been furnished.

vi. Details of the **pollution control devices to achieve 30 mg/Nm³ particulate emission has not been furnished.**

vii. Parking area for 200 trucks shall be provided and the area shall be indicated on the layout drawing.

viii. Details of OHS center to be established shall be furnished. Details of activities to be completed in Rs. 2.1 Cr budget shall be explained.

ix. Capacity of fly ash brick manufacturing plant shall be furnished.

x. Chapter 5 of EIA report - Analysis of alternate technology needs to be explained.

xi. **Action plan for providing impervious lining for raw material stockpiles and garland drains around the stock piles shall be submitted.**

Recommendations of the Committee held during 25-27th January, 2021

34.11.21 In view of the foregoing observations and deliberations, the committee recommended the following:

i. **Show cause notice may be issued to the unit as they have established the dry coal separator and coal sizer which are part of iron ore benefaction process without obtaining prior Environment Clearance under the provisions of EIA, 2006.**

ii. Instant proposal is being considered on merit and the same is returned in present form due to the technical shortcomings enlisted at paragraph number 29.1.21.

34.11.22 It was apprised to the EAC that following principle has been approved by the Competent Authority with respect to consideration of violation cases in the instant proposal under consideration.

i. Send the matter to the Sector EAC for consideration of the case on merit.

ii. Take action against the alleged violation as per law.

iii. Do not wait for either the evidence of action having been started or violation proceedings to finish before taking up the case on merit.

iv. The EC if given after consideration on merit would be valid from the date it is given and not with retrospective effect. For the period before it, if violation is established by the court or the competent authority, the punishment/penalty as per law would be imposed.

34.11.23 Further, apprised to the EAC that in pursuance to the EAC recommendations, following action have been initiated by the Ministry:

i. SCN was issued to the PP under section 5 of the EP Act, 1986 on **23/02/2021**.

ii. Reply to the SCN was submitted by the PP on 08/03/2021 which is under process in the Ministry. **Serious non-compliances detected. RO Requested that the Ministry may appraise the issue of coal separator.**

Copy of the minutes of the EAC meeting is here unto annexed as ANNEXURE-4

7. That though the Moef & CC has taken cognizance of installation of dry coal separator and coal sizer prior to grant of EC and same is in violation of EIA notification 2006, however no such credible action including criminal prosecution and imposition of environment compensation is evident from the EC letter.

8. There has been no spending for CSR activity in adjoining villages as committed during public hearing as well as condition imposed in Environment Clearance

9. The capital cost of the project is Rs. 270 Crores and the capital cost for environmental protection measures is proposed as Rs. 13.4Crores. The annual recurring cost towards the environmental protection measures is proposed as Rs. 1.34 Crores. It is submitted that no such environment protection measures are visible and the earmarked amount has not been spent

10. The water requirement for the project is estimated as 1400.5 m³ /day, out of which 1257.7 m³ /day of fresh water requirement will be obtained from

Brahmani river and the remaining requirement of **142.5 m³ /day** will be met from the **rain water harvesting pond**. The permission for drawl of surface water is obtained from Govt. of Odisha vide agreement dated 17/01/2020

11.Greenbelt will be developed in 13.6 ha which is about **40% of the total project area**. A **6m wide greenbelt, consisting of at least 3 tiers around plant boundary will be developed as greenbelt** and green cover as per CPCB/MoEF&CC, New Delhi guidelines. Local and native species will be planted with a density of 2500 trees per hectare. Total no. of 5160 saplings will be planted and nurtured in **6.02 hectares in 2 years**. **It is submitted that no such green belt exists around the plant and around the possible fugitive dust generating spots like Char Dumps which have not been stabilized.**

12.The industry has also **filled up one water body** on plot no 684 near Nuapada School, Nuapada Village in Lahunipada Tahasil by dumping its Char and solid waste. A complaint petition has been made on 26/02/2024 through email along with photographs. Copy of Photographs of filling of water body is annexed here with as **ANNEXURE-5**. **Such filling of pond with dolochar is in violation of Hon'ble Supreme courts judgement in Hinchlal Tiwari case.**

13. That the industry is also depositing his waste materials on road side which is clear from the photographs dated 26/02/2024 and 15/03/2024. From the

google earth image it is also clear that the industry is continuously polluting the nearby areas. Copy of the photographs dated 26/02/2024 and 15/03/2024 along with google earth image is here unto annexed as **ANNEXURE-6**.

14. The landowners, primarily dependent on cultivation and belonging to the tribal community, are facing challenges in farming as the water on their land cannot be drained due to the obstruction created by the boundary wall.
15. It is pertinent to mention here that the unit is supposed to be Zero Liquid discharge, however at no point of time be it dry or rainy season, the unit continues to discharge the water to outside, which is a clear violation of the Conditions of CTO. That in this regard the farmers have also complained time and again regarding the contaminated water and skin irritation when they work in their field. Further the agriculture fields are also damaged with black polluted water from the M/s Bhaskar Steel Alloys and Ferroalloys industry and for that the yield of the paddy crops are declining.
16. That pursuant to CPCB direction dated 23rd July 2015 in respect of installation of online emission monitoring system in respect of PM and SO parameters and online effluent monitoring system wrt PH, Phenol, Cyanide and flow in iron and steel industries is mandatory. The letter also suggests that flow meter and web camera may be installed in case of Zero Liquid Discharge units by 31st March 2015. That this Direction also refers to letter dated 29th May 2015 that no further extension of time will be given after 30th June 2015 **and withdrawal of consent to operate along with forfeit of**

bank guarantee of non-complying units will be the only option. It is pertinent to mention here that though the installation of online Continuous emission monitoring system (CEMS) has been there for name shake but same has never been connected to the central server and not even a single data has been shared in the RT-DAS (Real Time Data Acquisition System) system of SPCB Odisha. CPCB direction dated **23rd July 2015** is annexed here unto as **ANNEXURE-7**.

17. That after verification of the website of SPCB, the applicant could know that at least 248 industries have registered but the unit in question has not even registered as of 17th March 2022 with <https://ospcb-rtdas.com/registration.html> , the site that facilitate **Integration with Central Server for Real Time Monitoring** and hence there is no question of sharing of online emission data in the central sever managed by CPCB. This is clear cut violation of CPCB direction and for which the SPCB should have issued a closure notice the unit but the state board is kind enough at the cost of environment to allow operation of a highly polluting unit for last 2 years since March 2020.

18. That the photographs of different time clearly suggest that the air pollution of the Unit continue to be unabated. The open dumping of FlyAsh, Iron Fines along the roadside without any measures to prevent dust fugitive, during monsoon the waste water from the dump yards damages the adjoining agricultural lands of the villagers. The black dusts from the unit use to spread

as a layer over the water bodies of adjoining villages and Brahmani River there by polluting the water body. People complain of skin diseases and irritation after taking bath in these water bodies. People also complain about the eye irritation and respiratory problem because of the exposure to continuous air pollution by the Unit. The housekeeping of the plant is absolutely unsatisfactory. As Such the unit does not have adequate green belt of 33 percent of the plant area.

19.The continuous discharge of untreated process water is in contravention to the Environment Clearance condition and Supreme Court judgment in Paryavaran Surakshya Samiti Case. It is further submitted that the Hon'ble Tribunal has directed the State Pollution Control Board to take appropriate action against the respondent unit for such violation. However the board did took no tangible action against the erring unit.

20.Open ash dumping/ dolochar outsideand inside the boundary wall of the unit is creating fugitive pollution and damages to the agricultural lands. Untreated waste water discharge to Brahmani River continues on day to day basis that finally meet with Brahmani River. Other than air pollution, sponge iron industries pose a problem of solid waste. Industries of this capacity produce, on an average, 0.37 ton of char per ton of sponge iron. **Normally the Char as waste comprises about 57 per cent of the total solid waste generated from the plant.**

21.The land owners are not able to cultivate their land because of the water could not be drained from their land as the Boundary wall prevents drainage of the water.

22.Air and dust pollution during non-monsoon days is rampant and unbearable. Fugitive dust generated from running of vehicles, activities within plant premises, dust from dumping site, etc., are a major problem. Although the unit have installed ESP, but they do not run them during night thus increasing the pollution levels and the ESP is for eye wash. Sponge Iron unit exhibited abnormally high emissions from the ESP. Leakage of flue gases from the kiln was also observed. Its bag filter at the product house location was non functional and the visibility of fugitive dust was very high in three different sets of inspection reports over the two year period

23.The unit has no system for wastewater recycling and treatment, complaints about the disposal of char and fly ash, which has become a nuisance in this area, No spending of money on peripheral development. Most of the roads are in a miserable condition, the leafy vegetables which used to fetch them good income grow no more, complaints of irritation in respiratory track, irritation in skin and foul smell.

24.It is pertinent to mention here that that unit is supposed to be Zero Liquid discharge, however at no point of time be it dry or rainy season, the unit continues to discharge the water to outside, which is a clear violation of the Conditions of CTO. That in this regard the villagers have also complained

time and again regarding the contaminated water and skin irritation when they work in their field. Further the agriculture fields are also damaged with black polluted water from the industry and for that the yield of the paddy crops are declining.

Copy of the CTO dated 24/03/2023 is here unto annexed as **ANNEXURE-8**.

25. In Para 17 of the Paryavaran Surakshya Samiti Judgement dated 22nd Feb 2017 and same is reproduced as follows. It would be in the interest of implementation of the objective sought to be achieved, to also require each concerned State (and each, concerned Union Territory) to make **provision for “online, real time, continuous monitoring system” to display emission levels, in the public domain, on the portal of the concerned State Pollution Control Board**. We are informed that at least three State Governments have already adopted the aforesaid measures. Such measures shall be put in place by all the concerned State Governments (including, the concerned Union Territories), within six months from today.

26. That the villagers have also **requested the authorities to immediately inquiry into the issue and ensure the closure order is fully implemented with seizure of the unit and criminal prosecution against the owner of the company under Environment Protection Act 1986 and Air Act 1981, Water Act 1974 along with provisions of Indian Penal Code for defying the government order and fouling the water bodies and polluting the air.**

27. Section 3 of the Prevention of Money-Laundering Act, 2002, reads as under:- “3. Offence of money-laundering- Whosoever directly or indirectly attempts to indulge or knowingly assists or knowingly is a party or is actually involved in any process or activity connected [proceeds of crime including its concealment, possession, acquisition or use and projecting or claiming] it is untainted property shall be guilty of offence of money-laundering.”
28. Section 4 of the Act which prescribes the punishment for money laundering, reads as under:- “4. Punishment for money-laundering- Whoever commits the offence of money-laundering shall be punishable with rigorous imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine. Provided that where the proceeds of crime involved in money-laundering relates to any offence specified under paragraph 2 of Part A of the Schedule, the provisions of this section shall have effect as if for the words “**which may extend to seven years**”, the words “which may extend to ten years” had been substituted.”
29. That para 13 of order dated 6/01/2022 in Original Application No. 92/2021/EZ (DakshinaBanga Mastyajibi Forum vs Union of India) A conjoint reading of Sections 3, 4 and Sections 43 and 44 of the **Prevention of Money-Laundering Act, 2002** and paragraphs 25, 26 and 27 of the Schedule thereto would show that **if air, water, ground and environment**

pollution is caused in an area, not only the person causing environmental pollution but any person indirectly or knowingly aiding or assisting such act would also be liable for causing illegal financial gain to such violator.

30. That the MoEFCC while issuing office memorandum dated 7/07/2021 for Standard Operating Procedure (SOP) for Identification and handling of violation cases under EIA Notification 2006 in compliance to order of Hon'ble National Green Tribunal in O.A. No.34/2020 WZ has relied upon the orders passed by Hon'ble NGT and relevant portion of Office Memorandum is reproduced as follows

“ in Original Application No. 287 of 2020 in the matter of Dastak N.G.O. VS Synochem Organics Pvt. Ltd. &Ors. and in applications pertaining to same subject matter in Original Application No. 298 of 2020 in **Vineet Nagar Vs. Central Ground Water Authority &Ors.**, vide order dated 03.06.2021 held that "(...) **for past violations, the concerned authorities are free to take appropriate action in accordance with polluter pays principle, following due process**".

4. Further, the Hon'ble National Green Tribunal in O.A No. 34/2020 WZ in the matter of Tanaji B. Gambhire vs. Chief Secretary, Government of Maharashtra and ors., vide order dated 24.05.2021 has directed that "...a proper SoP be laid down for grant of EC in such cases so as to address the gaps in binding law and practice being currently followed. The MoEF may also consider circulating such SOP to all SEIAAS in the country".

5. Therefore, in compliance to the directions of the Hon'ble NGT a Standard Operating Procedure (SoP) for dealing with violation cases is required to be drawn. The Ministry is also seized of different categories of violation' cases which have been pending for want of an approved structural/procedural framework based on "Polluters Pays Principle' and 'Principle of Proportionality'. It is undoubtedly important, action under statutory provisions is taken against the defaulters/violators decision on the closure of the project or activity or otherwise is taken expeditiously"

GROUND

A. That the Consent to Operate order is liable to be revoked for continuous non-compliance of the conditions imposed in Consent to Operate.

B. That the **unit is non-compliant since the date of its operation** and the unit has been asked to show cause several times for non-compliance of CTO conditions

C. That the Consent to operate as well as Environmental Clearance was renewed time and again despite of non-compliance of conditions .

D. In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to

prevent environmental degradation. The precautionary principle comes into play, which shifts the ‘burden of proof’ on the proponent of the activity to show that his activity does not pose a threat of severe harm to the environment. The Supreme Court of India (“SC”) adopted the ‘strong’ version of the principle as part of the ‘law of the land’ in the Vellore Citizens Welfare Forum v. Union of India and Ors. (“Popularly known as **Vellore Case**” 1996 5 SCC 647, WP 914/1991 Judgement dated 28/08/1996)

E. That Section 20 of the NGT Act, 2010 recognizes the three core principles while passing any order, decision or award, and states that the Tribunal shall apply three core principles, including the ‘**principles of sustainable development, precautionary principle, and the polluter pays principle**’. The principles have the potential to play an important role in shaping the performance of industries/commercial enterprises and make them adopt environmentally responsible practices.

F. That the operation of a defaulter unit is against the Precautionary Principle. The Precaution may be defined as "caution in advance", "caution practiced in the context of uncertainty", or informed prudence. Two ideas lie at the core of the principle: one of the primary foundations of the precautionary principle, and globally accepted definitions, results from the work of the Rio Conference, or "Earth Summit" in 1992. Principle 15 of the Rio Declaration notes

G. The degradation of environment caused by the industry or any damage to the environment has to be made good by the industry. The industry has been a persistent defaulter and any direction to comply with the conditions of the consent order is in conformity with law

H. State Pollution Control Board, Odisha vs M/s Swastik Ispat Pvt. Ltd. Appeal No 68 of 2012, a five judge bench of NGT Newdelhi, delivered the judgment on 9th January 2014 has addressed the issue of Periodic Inspection and the role of SPCB when a unit failed to comply the CTO conditions . The relevant paragraphs are reproduced as follows

“71. Section 21 of the Air Act places restrictions, both on establishment and operation of any industrial plant located in an air pollution control area without previous consent of the Board. The legislative intent behind this provision would lead to decipher two concepts - one, the consent for the purpose of establishing an industrial plant while the other for operation of that plant. The purpose of this Section is to ensure that when a unit or an industrial plant is given consent to operate, the unit ought to have satisfied all the conditions stated in the order of consent to establish and would have installed the requisite effluent treatment plants and other anti-pollution devices to ensure that it causes no pollution. It necessarily implies that this is the rule and permitting a unit to operate, subject to satisfaction of certain time bound conditions, is an exception, that too a rare one. **To adopt exception as a rule is not the intent of this law.** We are unable to appreciate the practice adopted by the Boards for granting

consents for short terms like on a yearly or six-monthly basis and that too subject to varied conditions. Consent to operate should be granted preferably for a longer period and continuation should require maintenance and operation of the plant ensuring 'no pollution'. It must not be used as a device to hamper industrial development and cause avoidable loss to the industry. The purpose should be prevention and control of pollution. For better management of its affairs and for ensuring prevention and control of pollution, the Board should adopt the practice of granting consents for a substantial and reasonable period while ensuring that the anti-pollution devices and the Effluent Treatment Plants have been installed and the unit is 'compliant' and 'non-polluting' one. The scheme behind Sections 21 to 26 and 31A of the Air Act is that the Board is empowered to grant, refuse, renew and even cancel the consent. **Wherever an industry to whom the consent has been granted conditionally, fails to satisfy or comply with the conditions imposed, the Board can withdraw the said consent in accordance with law.** Thus, there is no purpose in law to grant consent for six months or three months, as has been done in the present case. This certainly **appears to us to be an arbitrary exercise of powers.** Greater obligation is placed upon the Board, particularly in view of the Constitutional mandate to prevent and control pollution and to ensure that a clean and decent environment is provided to the public at large. This is the statutory obligation upon the Board. The Board must formulate its policies in a manner which will

be in consonance with the scheme of the Air Act and the Constitutional mandate and would better serve the public interest.

72. Thus, we direct that the Boards henceforth **shall clearly formulate their inspection policy, which should be fair, transparent and objective.** Further, we direct that all the Boards henceforth **shall grant consent to operate only to those units which have satisfied the conditions imposed and have installed ETP/Antipollution devices as directed under the order of consent to establish. Such units should also be compliant and non-polluting.** The consent should be granted preferably for a period of two years or even more. During the period thus allowed, the Board should make inspections in terms of its 'inspection policy'. **If the unit/industry is found to be defaulting, has failed to comply with the conditions of the consent order or failed to install ETPs/Antipollution devices and there is malfunctioning of the unit, the consent should be revoked or renewal denied in accordance with the provisions of the Air Act. Such mechanism should be a rule and its exception is to be in rare cases.**

73. Wherever the Board requires a unit to furnish bank guarantee for compliance of conditions of consent order, installation of antipollution devices and ensuring that it is a pollution-free unit, then, in such cases, the Board should ensure that its order provides for a **'time targeted action plan'**. In default of which and upon inspection, such bank guarantee would be liable to be invoked/encashed for environmental compensation and restoration purposes.

Making such provision would ensure, on the one hand, that the industry does not cause avoidable pollution and on the other, the Board performs its functions timely and effectively.

LIMITATION

That Unit fail to comply the CTO conditions in it's every inspection and the last show cause was issued on 16th September 2023, and, the continuing pollution as evident from the photographs dated 26/02/2024 and 15/03/2024. Hence the application is filed in time and there is a subsisting cause of action because of the non-compliance of Consent to operate letter and hence the original application is not barred by limitation.

INTERIM PRAYER

Constitute an independent fact finding committee of Central Pollution Control Board and experts from IIT Kharagpur to assess the efficacy of Pollution Control Devices and actual operation of such antipollution control devices by energy audit and other scientific methodology and further assess the environmental compensation for ecological loss.

PRAYER

In view of the facts and ground set out in the Original application, the applicants humbly pray for the following reliefs

I. The Consent to Operate Order and Environment Clearance granted in favour of Private Respondent may be suspended till full compliance of all the conditions imposed in Consent to Operate Letter.

II. Direct the private respondent to restore the water bodies which has been filled up by the private respondent to its original condition

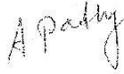
III. Direct the Private Respondent to remove the solid waste dumped outside the premises and stabilize the active dump site by adopting necessary measures so as to prevent the fugitive dust pollution

IV. Constitute a committee to assess the environment compensation for the past and continuing violation of EC and CTO conditions.

V. Criminal Prosecution the managing Director of the erring industry for violations of Environment protection Act 1986 , Air Act 1981 and Water Act 1974.

Pass such other orders/directions as may be deemed fit and proper (including appropriately moulding the reliefs in the bonafide interests of justice.

By the Applicant Through

Date-22/03/2024

ADVOCATES

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO OF 2024

IN THE MATTER OF:

BINAPANI YUBAK SANGHA

APPLICANT

VERSUS

STATE OF ODISHA AND ORS

RESPONDENTS

AFFIDAVIT

22 MAR 2024

I Bibhuti Bhusan Pati, aged about 36 years, S/o-Panchanan Pati, At-Gamlei, Po- Tumkela, PS- lahuinipada Dist- Sundergarh, Odisha and I do hereby solemnly affirm, and declare as under:

1. That I am the President of Binapani Yubak Sangha the Applicant Organisation in the abovementioned application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
2. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

Bibhuti Bhusan Pati
DEPONENT

VERIFICATION

Verified on this the 22 MAR 2024 2024 at Agm
that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By

Advocate

Bibhuti Bhusan Pati
VERIFICANT



The above named deponent(s) being duly identified by Sri. Advocate Bhubaneswar.

Appears before me on oath that the contents of this affidavit are true to the best of their knowledge and belief.

22 MAR 2024

Deponent(s) Notary, Bhubaneswar

JANMEJAYA RAUTRAY
NOTARY, GOVT. OF ODISHA
BHUBANESWAR
REGD. NO-CN-86/2012
Mob. No. - 9337121273



Certificate of Registration of Societies
ACT XXI OF 1860

No. 10258 / of 1976-1977
583

I hereby certify that Benapani
yuban Sanaha Samaleka-Gandhi
Po- Pankela Dist- Sundargarh
has this day been registered under the Societies
Registration Act (No. XXI of 1860).

Given under my hand at Cuttack

this 21st day of September

One thousand nine hundred and Seventy six



Heed asseens
Registrar of Societies,
Orissa

F. No. J-11011/491/2008-IA.II(I)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj,
New Delhi – 110003

E-mail: r.sundar@nic.in
Tel: 011-24695304
Dated: 7th June, 2021

To

Shri. Ashish Beriwal,
Director,
M/s. Bhaskar Steel & Ferro Alloy Private Limited,
SRMB House, 7, Khetra Das Lane, Kolkata,
West Bengal – 700 012
Email: ashish.beriwala@srmsteel.com ; Tel: 033 22113636

Subject: Expansion of steel plant from 0.1 MTPA to 0.26 MTPA billets [by change the configuration of DRI kilns (from 1 x 300 TPD to 1 x 350 TPD & 1 x 100 TPD), IF (from 4 x 8Tons to 4 x 12Tons & 1 x 3Tons), LF (from 1x20Tons & 1x15Tons to 1x20Tons, 1x15Tons & 1x16Tons)] out of which 0.132 MTPA to be converted to TMT rods by CCM (from 4/7, 2 strand to 6/11, 3 strand), installing new Rolling Mill of 25 TPH along with CPP (WHRB) from 1x8MW to 1x8MW + 1x10 MW and CPP (AFBC) from 1x4MW to 1x4MW + 1x6MW **by M/s. Bhaskar Steel & Ferro Alloy Private Limited** located at village Badtumkela, Tehsil Banei, **District Sundergarh, Odisha – Environment Clearance** – regarding.

Sir,

1. This refers to the online application of M/s. Bhaskar Steel & Ferro Alloy Private Limited made vide proposal no. IA/OR/IND/193242/2020 dated 15/01/2021 and subsequently revised application vide proposal number IA/OR/IND/206041/2020 dated 26/03/2021 along with copy of EIA/EMP report and Form 2 seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed expansion project activity is listed at schedule no. 3(a) Metallurgical industries (ferrous & nonferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at Central level.
2. The aforesaid proposal was considered by the EAC (Industry 1) in its 29th and 34th meeting held on 27/01/2021 and 15- 16th April, 2021 respectively. The proceedings of the said EAC meetings are as given below:

Details submitted by Project proponent

3. The proposal cited above was originally accorded ToR on 31/07/2015. Public hearing for the project was held on 25/05/2018 and application for grant of EC was submitted on 29/06/2020. The maximum extended validity period of the ToR is for a period of four years i.e., till 30/07/2019. As per the Ministry's O.M. dated 29/08/2017, if the proposal for EC has not been submitted within the validity period of ToR, the process shall be started de-novo. In view of this, the proposal was returned to the PP with a request to start the process de-novo. Accordingly, the proponent started the process de-novo by applying for fresh ToR

Environmental Clearance for "Expansion of steel plant from 0.1 MTPA to 0.26 MTPA billets [by change the configuration of DRI kilns (from 1 x 300 TPD to 1 x 350 TPD & 1 x 100 TPD), IF (from 4 x 8Tons to 4 x 12Tons & 1 x 3Tons), LF (from 1x20Tons & 1x15Tons to 1x20Tons, 1x15Tons & 1x16Tons)] out of which 0.132 MTPA to be converted to TMT rods by CCM (from 4/7, 2 strand to 6/11, 3 strand), installing new Rolling Mill of 25 TPH along with CPP (WHRB) from 1x8MW to 1x8MW + 1x10 MW and CPP (AFBC) from 1x4MW to 1x4MW + 1x6MW by M/s. Bhaskar Steel & Ferro Alloy Private Limited located at village Badtumkela, Tehsil Banei, District Sundergarh, Odisha."

o/c

along with a request to consider the proposal based on the public hearing held on 25/05/2018.

4. The details of the ToR are furnished as below:

Date of Application	Consideration	Details	Date of Accord
07/08/2020	22 nd meeting of EAC held during 26 - 28 th August 2020	Terms of Reference	18/09/2020

5. The project of M/s Bhaskar Steel & Ferro Alloys Ltd located in Badtumkela Village, Banei Tehsil, Sundergarh District, Odisha State is for enhancement of production of steel billet from 0.1 MTPA to 0.26 MTPA out of which 0.132 MTPA to be converted to TMT rods.

6. Environmental Site Settings:

S No	Particulars	Details
i.	Total land	33.99 ha [Private: 33.99 ha] Land use: Land already acquired and converted for Industrial usage.
ii.	Land acquisition details as per MoEF&CC O.M. dated 7/10/2014	Land already acquired and converted for Industrial usage.
iii.	Existence of habitation & involvement of R&R, if any.	The expansion is carried out within existing premises with no habitation within the premises.
iv.	Latitude and Longitude of the project site	21°49'48.53''N to 21°49'56.73'' N Latitudes and 84°55'30.52'' E to 84° 56'01.31'' N Longitudes.
v.	Elevation of the project site	152 m
vi.	Involvement of Forest land if any.	No forest land is involved
vii.	Water body exists within the project site as well as study area	<u>Project site: Nil</u> <u>Study area</u> Brahmani River at a distance of 1.68 km
viii.	Existence of SZ/ ESA/ national park / wildlife sanctuary/ biosphere reserve/ tiger reserve/ elephant reserve etc. if any within the study area	NIL

7. The existing project was accorded environmental clearance vide letter no. J-11011/491/2008-IA II(I) dated 11/11/2008. Consent to Operate for the existing unit was accorded by Odisha State Pollution Control Board vide Ir. no. 3662/IND-I-CON-523. The validity of CTO is up to 31.03.2021.

8. Implementation status of the existing EC:

S. No.	Facilities	Units	As per EC dated 11/11/2008	Implementation Status as on 10/04/2021	Production as per CTO
1.	DRI Kiln	TPD	1 x 300	Commissioned	96000 TPA

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S. No.	Facilities	Units	As per EC dated 11/11/2008	Implementation Status as on 10/04/2021	Production as per CTO
2.	Induction Furnace	T	4 x 8		102400 TPA
3.	Ladle Furnace	T	1x20, 1x15		Matching
4.	CPP -WHRB	MW	8		8 MW
5.	CPP - AFBC	MW	4		4 MW
6.	Coal Sizer	TPH	200 (CTE no 18563/Ind-II-NOC-5235 dt 04.11.2011)		200 TPH
7.	Iron Ore Crusher	TPH	100 (CTE no 18563/Ind-II-NOC-5235 dt 04.11.2011)	100 TPH	
8.	Slag Crusher	TPH	10 (CTE no 18563/Ind-II-NOC-5235 dt 04.11.2011)	10 TPH	
9.	Dry Coal Separator	TPH	50 (CTE no 18563/Ind-II-NOC-5235 dt 04.11.2011)	Installed not commissioned	CTO shall be considered only obtaining EC.

9. The unit configuration and capacity of existing and proposed project is given as below:

S. No	Name	Existing Units		Proposed Units		Total (Existing + Proposed)	
		Configuration	Production TPA	Configuration	Production TPA	Configuration	Production TPA
1.	DRI Kiln	1x300 TPD	96000	1x350 + 1x100 TPD	144000	1x300 + 1x350 + 1x100 TPD	240000
2.	IF with LF	4x8 T IF, 1x20 T & 1x15 T LF	102400	4x12T, 1x3T IF & 1x16T LF	163200	4x8 T + 4x12T + 1x3 T IF with 1x20T + 1x15T+1x 16T LF	265600
3.	RM	Nil	nil	25 TPH	1,32,000	25 TPH	1,32,000
4.	CPP (WHRB)	1x8MW	8 MW	1x10MW	10MW	1x8 MW + 1x10 MW	18 MW
5.	CPP (AFBC)	1X4MW	4 MW	1x6 MW	6MW	1x4MW+ 1x6MW	10MW
6.	Dry coal separator	1x50 TPH	Installed Not commissioned	-	-	1x50 TPH	
7.	Coal sizer with Truck tipper	1x200 TPH	Nil	-	-	1x200 TPH	
8.	Mobile crusher	1x100TPH	Nil	-	-	1x100 TPH	
9.	Slag crusher	1x10 TPH	Nil	-	-	1x10 TPH	

10. The details of the raw material requirement for the proposed project/ expansion cum proposed project along with its source and mode of transportation is given as below:

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S No	Raw Material	Quantity required per annum			Source	Distance from site (Kms)	Mode of Transportation
		Existing	Expansion	Total			
1	Hematite Iron ore	143200	214800	358000	OMC	140	Rail
2	Coal for DRI	116000	174000	290000	MCL	138	Rail
3	Boiler grade Coal	24000	36000	60000	MCL	138	Rail
4	Pig	13520	16480	30000	Local purchase	11	Road
5	Scrap	6760	8240	15000	Local purchase	4	Road
6	Sponge Iron	-	20000	20000	Local purchase	11	Road
7	Lime stone	6000	9000	15000	Biramitrapur	95	Rail

11. The water requirement for the project is estimated as 1400.5 m³ /day, out of which 1257.7 m³/day of fresh water requirement will be obtained from Brahmani River and the remaining requirement of 142.5 m³ /day will be met from the rain water harvesting pond. The permission for drawl of surface water is obtained from Govt. of Odisha vide agreement dated 17/01/2020.

12. The power requirement for the project is estimated as 28 MW, out of which 28 MW will be obtained from the CPP.

13. Baseline Environmental Studies:

Period	01 st March, 2019 to 31 st May, 2019
AAQ parameters at 8 locations	PM _{2.5} = 15.0 to 35.0 µg/m ³ PM ₁₀ = 45.0 to 82.0 µg/m ³ SO ₂ = 4.0 to 13.0 µg/m ³ NO ₂ = 8.0 to 29.0 µg/m ³
AAQ modelling (Incremental GLC)	PM ₁₀ = 3.0 µg/m ³ SO ₂ = 4.45 µg/m ³
Ground water quality at 8 locations	pH: 6.8 to 7.3, Total Hardness: 102 to 165 mg/l, Chlorides: 16 to 53 mg/l, Fluoride: 0.13 to 0.45 mg/l. Heavy metals are within the limits.
Surface water quality at 8 locations	pH: 6.8 to 7.8; DO: 5.9 to 7.2 mg/l and BOD: 4 to 10 mg/l. COD from 6.8 to 17 mg/l
Noise levels	54.1 to 63.2 dBA for the daytime and 43.1 to 53.6 dBA for the Night time.
Traffic assessment study findings	At present 495 heavy, 421 light, 239 two wheelers and 216 three wheelers move in adjacent road meeting NH143. The total emission for present scenario is 1.46 µg/m ³ Total suspended particulates (TSP), 5.0 µg /m ³ NO _x and 6.0 µg /m ³ CO. Due to proposed expansion additional 100 heavy, 90 light, 316 two wheelers and 48 three wheelers will ply resulting

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	in additional 0.35 µg/m ³ TPS, 2.00 µg/m ³ NOx and 2.04 µg/m ³ CO.
Flora and fauna	No schedule I fauna exists in the study area.

14. The details of solid and hazardous waste generation along with its mode of treatment/disposal is furnished as below:

S No	Type of Waste	Source	Quantity generated (TPA)	Mode of Treatment
SOLID WASTE				
1	Char	DRI Kiln	36,000	Use in AFBC
2	IF Slag	Induction Furnace	32,000	To be used in Land Fill after iron recovery
3	Fly Ash	CPP AFBC	1,28,000	To be given to cement plant & use in Brick Manufacturing
4	Bottom ash	CPP AFBC	20,000	Use in brick manufacturing
HAZARDOUS WASTE				
1	Used Grease	Moving equipment	500	Stored temporarily and being lifted by authorized Vendor.
2	Used Oil Filters	Compressors, power packs, vehicles.	70 nos	
3	Waste Jute/Cotton	Use for cleaning machines	200	
4	Oily Sludge	Power Pack Rooms	40	
5	Used Oil	Transformer and all Mechanical Engines	6.2	

15. Public Consultation:

Details of Advertisement given	17/04/2018
Date of Public Consultation	25/05/2018
Venue	Ground near RMC Godown, Saleibahal, Sunderagr, Odisha
Presiding Officer	District Magistrate
Major Issues Raised	<ul style="list-style-type: none"> i. Concern on Pollution control, ii. Employment opportunities, iii. Drinking water facilities, iv. Education & Training and v. other peripheral developments.

Action plan as per MoEF&CC O.M. dated 30/9/2020:

S No	Concerns raised during the Public Hearing	Physical activity and action plan	Tentative Budget, Rs Lacs	Target for implementation of action plan		
				1 st yr. in lakhs	2 nd yr. in lakhs	3 rd yr. in lakhs
1	Training course for technical persons on advance industrial technology and exposure to industrial process, energy	Establishment + Training material+ stipend + faculty	45	15	15	15

Environmental Clearance for "Expansion of steel plant from 0.1 MTPA to 0.26 MTPA billets [by change the configuration of DRI kilns (from 1 x 300 TPD to 1 x 350 TPD & 1 x 100 TPD), IF (from 4 x 8Tons to 4 x 12Tons & 1 x 3Tons), LF (from 1x20Tons & 1x15Tons to 1x20Tons, 1x15Tons & 1x16Tons)] out of which 0.132 MTPA to be converted to TMT rods by CCM (from 4/7, 2 strand to 6/11, 3 strand), installing new Rolling Mill of 25 TPH along with CPP (WHRB) from 1x8MW to 1x8MW + 1x10 MW and CPP (AFBC) from 1x4MW to 1x4MW + 1x6MW by M/s. Bhaskar Steel & Ferro Alloy Private Limited located at village Badtumkela, Tehsil Banei, District Sundergarh, Odisha."

S No	Concerns raised during the Public Hearing	Physical activity and action plan	Tentative Budget, Rs Lacs	Target for implementation of action plan		
				1 st yr. in lakhs	2 nd yr. in lakhs	3 rd yr. in lakhs
	conservation, safety and environment protection					
2	Providing 12W solar LED street light (preferably solar) on road	• Rajamunda to Tumkela – 3.6 km Lighting in Gamlei, Urumkela & Saradhapur @ 10 nos. Lighting in Gamlei road – 3.6 km	13.6	5.6	2.4	5.6
3	Construction of traffic post at Rajamunda chawk		05	05	-	-
4	Supply of drinking water	Installation of 10 nos. of tube wells @ 1.1 lakhs in villages after consultation with local administration	11	4	3	4
5	Development of MSW dump yard	Under swachha Bharat yojana dump yard to be rebuilt, supply of bins for waste collection and tractors	46	22	-	24
6	Medical check up camp & medicines	Free health check-up camp and distribution of free medicines in consultation with local administration	35	11	11	13
7	Construction of toilets	Construction of 2 nos. of community toilets in consultation with local administration	50	25	-	25
8	Plantation & Distribution of saplings in and around the villages	Adoption of 5 villages for plantation and distribution of saplings @1000 plants /village	5.5	2.2	1.1	2.2
9	Technical & Infrastructural aid to farmers	Providing high yield paddy seeds, fertilizers, and drip irrigation points with electricity	16.4	8.2	-	8.2
Total			227.5	----	----	----

16. The capital cost of the project is Rs. 270 Crores and the capital cost for environmental protection measures is proposed as Rs. 13.4 Crores. The annual recurring cost towards the environmental protection measures is proposed as Rs. 1.34 Crores. The employment generation from the proposed expansion is 1000. The details of cost for environmental protection measures are as follows:

S. No.	Description of Item	Existing (Rs. In lakhs)	
		Capital Cost	Recurring Cost
i.	Air Pollution Control/ Noise	470	47
ii.	Waste water management	80	8

Environmental Clearance for "Expansion of steel plant from 0.1 MTPA to 0.26 MTPA billets [by change the configuration of DRI kilns (from 1 x 300 TPD to 1 x 350 TPD & 1 x 100 TPD), IF (from 4 x 8Tons to 4 x 12Tons & 1 x 3Tons), LF (from 1x20Tons & 1x15Tons to 1x20Tons, 1x15Tons & 1x16Tons)] out of which 0.132 MTPA to be converted to TMT rods by CCM (from 4/7, 2 strand to 6/11, 3 strand), installing new Rolling Mill of 25 TPH along with CPP (WHRB) from 1x8MW to 1x8MW + 1x10 MW and CPP (AFBC) from 1x4MW to 1x4MW + 1x6MW by M/s. Bhaskar Steel & Ferro Alloy Private Limited located at village Badumkela, Tehsil Banei, District Sundergarh, Odisha."

S. No.	Description of Item	Existing (Rs. In lakhs)	
		Capital Cost	Recurring Cost
iii.	Solid waste management	200	20
iv.	Environmental monitoring	100	10
v.	Occupational health	210	21
vi.	Safety equipments & Disaster Management budget	180	18
vii.	Green Belt Development	100	10
Total		1340	134

17. Greenbelt will be developed in 13.6 ha which is about 40% of the total project area. A 6m wide greenbelt, consisting of at least 3 tiers around plant boundary will be developed as greenbelt and green cover as per CPCB/MoEF&CC, New Delhi guidelines. Local and native species will be planted with a density of 2500 trees per hectare. Total no. of 5160 saplings will be planted and nurtured in 6.02 hectares in 2 years.
18. Name of the EIA consultant: M/s Global Tech Enviro Experts Pvt. ltd [S.No. 92, List of ACOs with their Certificate / Extension Letter no. Rev. 09, Apr. 12, 2021].

Certified compliance report from Regional Office

19. The Status of compliance of earlier EC was obtained from Regional Office, Bhubaneswar vide letter no. 101-520/09/EPE, dated 20/03/2020 in the name of M/s Bhaskar Steel & Ferro Alloys Ltd. The Action taken report regarding the partially/non-complied condition was submitted to Regional officer MoEF&CC, Bhubaneswar vide letter no. BSFAPL/RKL/20-21/21 dated 06/06/2020. MoEF&CC (RO), evaluated the same and has issued letter dated 11/01/2021. The details of the observations made by RO in the report dated 11/01/2021 along with its re-assessment / present status as furnished by the PP is given as below:

Sl.	Non-compliances details	Observation of RO (abridged)	Condition no.			Re-assessment by RO / Response by PP
			EC date	Specific	General	
1	PAs have not installed online ambient air quality monitoring stations in the project site	PAs are monitoring by third party monitoring agency. Online monitoring will be installed along with expansion project.	11/11/2008	No condition mentioned in EC		Partially Complied Response By PP: Online monitoring will be installed along with expansion project.
2	It is required to provide NABL accreditation of M/s R V Briggs & Co. Pvt. Ltd	PAs have submitted copies of NABL Accreditation	11/11/2008			Complied.
3	Provide photograph of surface runoff collection & treatment system	Photographs provided	11/11/2008			Complied.
4	As per preamble total project area is	Total project area is 34 ha. 1.8 acres	11/11/2008			Complied.

Environmental Clearance for "Expansion of steel plant from 0.1 MTPA to 0.26 MTPA billets [by change the configuration of DRI kilns (from 1 x 300 TPD to 1 x 350 TPD & 1 x 100 TPD), IF (from 4 x 8Tons to 4 x 12Tons & 1 x 3Tons), LF (from 1x20Tons & 1x15Tons to 1x20Tons, 1x15Tons & 1x16Tons)] out of which 0.132 MTPA to be converted to TMT rods by CCM (from 4/7, 2 strand to 6/11, 3 strand), installing new Rolling Mill of 25 TPH along with CPP (WHRB) from 1x8MW to 1x8MW + 1x10 MW and CPP (AFBC) from 1x4MW to 1x4MW + 1x6MW by M/s. Bhaskar Steel & Ferro Alloy Private Limited located at village Badtunkela, Tehsil Banei, District Sundergarh, Odisha."

Sl.	Non-compliances details	Observation of RO (abridged)	Condition no.			Re-assessment by RO / Response by PP
			EC date	Specific	General	
	1.8 acres. It is required to provide detailed information regarding development of green belt	mentioned is typographical error.				
5	Detailed point wise compliance status of all environmental protection measures and safeguards recommended in EIA/EMP report to be submitted.	PAs are in process of complying all environmental protection measures. Detailed expenditure statement submitted to RO, Bhubaneshwar.	11/11/2008	i) to xi)	-	Being Complied.

Serious non-compliances detected. RO Requested that the Ministry may appraise the issue of coal separator.

It has been observed that PAs have obtained Consent-To-Establish (CTE) from State Pollution Control Board, Odisha for 50 TPH Dry Coal separator and 10 TPH slag crusher vide letter no. 18563/INDII-NOC-5235 dated 04.11.2011. The said components were not mentioned in EC and as per the Special Condition No.-1 of CTE: "The proponent has to seek clarification from the MoEF, Govt. of India or SEIAA, Orissa regarding applicability of EIA notification, 2006 for installation of 50 TPH dry coal separator by air jigging method". However, PAs have not approached Ministry for clarification. The said component was installed in the existing plant and applied for Consent-To-Operate (CTO). As per the CTO vide letter no. 3181/IND-I-CON-5237 dated 28.03.2019, it has been mentioned that "The CTO for Dry Coal Separator (50 TPH) through air jigging shall be considered only after obtaining EC or Clarification from MoEF&CC, Govt. of India regarding EIA applicability as per CTE condition." In addition, it has been observed that PAs have obtained CTE for installation of 3 T/Heat of Induction furnace (IF) for production of M.S. Billets of capacity 2700 TPA inside the existing premises vide letter no. 1746/Ind-II-NOC-5963 dated 25.01.2016. The same has also not mentioned in EC. Subsequently, PAs have included the 1 x 3 TPH in the amended TOR vide letter no. J- 1011/491/2008-IA.II (I) dated 17.11.2016 and 18.08.2017. It is requested to the Ministry may appraise the above issues.

Consideration of proposal on merit

20. The following principle as approved by the Competent Authority has been adopted in instant case as the PP has established dry coal separator and coal sizer is a part of iron ore beneficiation process without obtaining Environment Clearance under the provisions of EIA, Notification 2006.
- Send the matter to the Sector EAC for consideration of the case on merit.
 - Take action against the alleged violation as per law.
 - Do not wait for either the evidence of action having been started or violation proceedings to finish before taking up the case on merit.
 - The EC if given after consideration on merit would be valid from the date it is given and not with retrospective effect. For the period before it, if violation is established by the court or the competent authority, the punishment/penalty as per law would be imposed.
21. In pursuance to the aforesaid direction, the proposal was considered by the EAC and following action have been taken by the Ministry with respect to the violation aspect.

Environmental Clearance for "Expansion of steel plant from 0.1 MTPA to 0.26 MTPA billets [by change the configuration of DRI kilns (from 1 x 300 TPD to 1 x 350 TPD & 1 x 100 TPD), IF (from 4 x 8Tons to 4 x 12Tons & 1 x 3Tons), LF (from 1x20Tons & 1x15Tons to 1x20Tons, 1x15Tons & 1x16Tons)] out of which 0.132 MTPA to be converted to TMT rods by CCM (from 4/7, 2 strand to 6/11, 3 strand), installing new Rolling Mill of 25 TPH along with CPP (WHRB) from 1x8MW to 1x8MW + 1x10 MW and CPP (AFBC) from 1x4MW to 1x4MW + 1x6MW by M/s. Bhaskar Steel & Ferro Alloy Private Limited located at village Badtumkela, Tehsil Banei, District Sundergarh, Odisha."

- a. Show cause notice was issued to the unit on 23/02/2021 as the project proponent has established the dry coal separator and coal sizer which are part of iron ore beneficiation process without obtaining prior Environment Clearance under the provisions of EIA, 2006. Project proponent submitted their reply on 8/3/2021. In this regard, personal hearing held on 30/04/2021. State Government of Odisha has been requested to initiate action against the project proponent under the provisions of section 15 read with section 19 of the Environment (Protection) Act, 1986 for the period for which the facilities namely 200 TPH coal sizer and 50 TPH dry coal separator have been established without obtaining prior Environment Clearance under the provisions of EIA Notification, 2006.
- b. Letter has been issued to the project proponent stating that online ambient air quality monitoring station shall be installed at the site by December, 2021 with a copy to Odisha Pollution Control Board (OPCB) and Regional Office of the MoEF&CC. In case, if the PP failed to install the online AAQ station by Dec, 2021, OPCB may be requested to initiate appropriate legal action against the PP for non-compliance of the same.

Observations of the Committee

22. The Committee noted the following:

- i. The Committee noted that the EIA/EMP report is found to be in order reflecting the present environmental concerns and the projected scenario for all the environmental components. The Committee has found the baseline data reported and incremental GLC due to the proposed project are within NAAQ standards.
- ii. The Committee has also deliberated on the issues raised during the public hearing as well as action plan to address various issues and found the Action Plan satisfactory.
- iii. The EAC has considered the proposal as per the directions of the Competent Authority referred at para 20 above.

Recommendations of the Committee

23. In view of the foregoing and after detailed deliberations, the committee recommended the instant proposal on merit for grant of Environment Clearance under the provisions of EIA Notification, 2006 subject to the specific conditions and general conditions as per the Ministry's Office Memorandum No. 22-34/2018-III dated 9/8/2018 based on project specific requirements. These recommendations of the Committee may be considered by the Ministry in the light of processing and decision of the Ministry on the Show Cause Notice (SCN) issued to the proponent.

Decision of MoEF&CC

24. The Ministry of Environment, Forest and Climate Change has examined the proposal in accordance with the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and after accepting the recommendations of the Expert Appraisal Committee (Industry-1) hereby decided to grant Environment Clearance for instant proposal of M/s Bhaskar Steel & Ferro Alloy Private Limited on merit under the provisions of EIA Notification, 2006 subject to the following specific conditions and general conditions as per the Ministry's Office Memorandum No. 22-34/2018-III dated 9/8/2018 based on project specific requirements. Further, the EC accorded is valid from the date it is given.

A. Specific conditions

Environmental Clearance for "Expansion of steel plant from 0.1 MTPA to 0.26 MTPA billets [by change the configuration of DRI kilns (from 1 x 300 TPD to 1 x 350 TPD & 1 x 100 TPD), IF (from 4 x 8Tons to 4 x 12Tons & 1 x 3Tons), LF (from 1x20Tons & 1x15Tons to 1x20Tons, 1x15Tons & 1x16Tons)] out of which 0.132 MTPA to be converted to TMT rods by CCM (from 4/7, 2 strand to 6/11, 3 strand), installing new Rolling Mill of 25 TPH along with CPP (WHRB) from 1x8MW to 1x8MW + 1x10 MW and CPP (AFBC) from 1x4MW to 1x4MW + 1x6MW by M/s. Bhaskar Steel & Ferro Alloy Private Limited located at village Badtunkela, Tehsil Banei, District Sundergarh, Odisha."

- i. No ground water abstraction shall be permitted.
- ii. Particulate matter emission from stacks shall not exceed 30 mg/Nm³.
- iii. Plant roads shall be paved and an industrial vacuum cleaner shall be deployed to clean the roads regularly to keep fugitive emission under control.
- iv. Green belt shall be 34% with tree density of 2500 trees per ha inside the factory and additional 4.5 ha land shall be acquired adjacent to plant site to make it 40 %.
- v. Treated effluent from the plant shall be reused and recycled completely. STP shall be installed to treat domestic sanitary waste water.
- vi. 85 to 90 % hot charging shall be done and remaining through reheating furnace.
- vii. Rain water harvesting shall be implemented as per the action plan (Annual rain water harvesting potential 460900 m³) submitted to the Ministry.
- viii. 2.05 acres of land shall be allotted near main gate for parking of 175 vehicles inside the plant.
- ix. Occupational Health centre shall be provided within the plant premises.
- x. Impervious lining in raw materials storage area and garland drains with catch pits to trap run off material shall be provided.

B. General conditions

I. Statutory compliance:

- i. The Environment Clearance (EC) granted to the project/ activity is strictly under the provisions of the EIA Notification, 2006 and its amendments issued from time to time. It does not tantamount/ construe to approvals/ consent/ permissions etc., required to be obtained or standards/conditions to be followed under any other Acts/Rules/Subordinate legislations, etc., as may be applicable to the project.

II. Air quality monitoring and preservation

- i. The project proponent shall install 24x7 continuous emission monitoring system at process stacks to monitor stack emission as well as two Continuous Ambient Air Quality Station (CAAQS) for monitoring AAQ parameters with respect to standards prescribed in Environment (Protection) Rules 1986 as amended from time to time. The CEMS and CAAQMS shall be connected to SPCB and CPCB online servers and calibrate these systems from time to time according to equipment supplier specification through labs recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- ii. The project proponent shall monitor fugitive emissions in the plant premises at least once in every quarter through laboratories recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- iii. Appropriate Air Pollution Control (APC) system shall be provided for all the dust generating points including fugitive dust from all vulnerable sources, so as to comply prescribed stack emission and fugitive emission standards.
- iv. The project proponent shall provide leakage detection and mechanized bag cleaning facilities for better maintenance of bags.
- v. Recycle and reuse iron ore fines, coal and coke fines, lime fines and such other fines collected in the pollution control devices and vacuum cleaning devices in the process after briquetting/ agglomeration.
- vi. The project proponent shall ensure covered transportation and conveying of ore, coal and other raw material to prevent spillage and dust generation.
- vii. The project proponent shall provide primary and secondary fume extraction system at all melting furnaces.
- viii. Wind shelter fence and chemical spraying shall be provided on the raw material stock piles.

Environmental Clearance for "Expansion of steel plant from 0.1 MTPA to 0.26 MTPA billets [by change the configuration of DRI kilns (from 1 x 300 TPD to 1 x 350 TPD & 1 x 100 TPD), IF (from 4 x 8Tons to 4 x 12Tons & 1 x 3Tons), LF (from 1x20Tons & 1x15Tons to 1x20Tons, 1x15Tons & 1x16Tons)] out of which 0.132 MTPA to be converted to TMT rods by CCM (from 4/7, 2 strand to 6/11, 3 strand), installing new Rolling Mill of 25 TPH along with CPP (WHRB) from 1x8MW to 1x8MW + 1x10 MW and CPP (AFBC) from 1x4MW to 1x4MW + 1x6MW by M/s. Bhaskar Steel & Ferro Alloy Private Limited located at village Badtumkela, Tehsil Banei, District Sundergarh, Odisha."

- ix. Design the ventilation system for adequate air changes as per prevailing norms for all tunnels, motor houses, Oil Cellars.

III. Water quality monitoring and preservation

- i. The project proponent shall install 24x7 continuous effluent monitoring system with respect to standards prescribed in Environment (Protection) Rules 1986 (G.S.R 414 (E) dated 30th May 2008; G.S.R 277 (E) dated 31st March 2012 (applicable to IF/EAF); S.O. 3305 (E) dated 7th December 2015 (Thermal Power Plants) as amended from time to time and connected to SPCB and CPCB online servers and calibrate these system from time to time according to equipment supplier specification through labs recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- ii. The project proponent shall monitor regularly ground water quality at least twice a year (pre- and post-monsoon) at sufficient numbers of piezometers/sampling wells in the plant and adjacent areas through labs recognized under Environment (Protection) Act, 1986 and NABL accredited laboratories.
- iii. Sewage Treatment Plant shall be provided for treatment of domestic wastewater to meet the prescribed standards.
- iv. Garland drains and collection pits shall be provided for each stock pile to arrest the run-off in the event of heavy rains and to check the water pollution due to surface run off.

IV. Noise monitoring and prevention

- i. Noise quality shall be monitored as per the prescribed Noise Pollution (Regulation and Control) Rules, 2000 and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.

V. Energy Conservation measures

- i. Energy conservation measures may be adopted such as adoption of solar energy and provision of LED lights etc., to minimize the energy consumption.

VI. Waste management

- i. Used refractories shall be recycled as far as possible.
- ii. 100% utilization of fly ash shall be ensured. All the fly ash shall be provided to cement and brick manufacturers for further utilization and Memorandum of Understanding in this regard shall be submitted to the Ministry's Regional Office.
- iii. Oily scum and metallic sludge recovered from rolling mills ETP shall be mixed, dried, and briquetted and reused in melting Furnaces.
- iv. Kitchen waste shall be composted or converted to biogas for further use.

VII. Green Belt

- i. Green belt shall be developed in an area equal to 33% of the plant area with a native tree species in accordance with CPCB guidelines. The greenbelt shall inter alia cover the entire periphery of the plant
- ii. The project proponent shall prepare GHG emissions inventory for the plant and shall submit the programme for reduction of the same including carbon sequestration including plantation.

VIII. Public hearing and Human health issues

- i. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.

Environmental Clearance for "Expansion of steel plant from 0.1 MTPA to 0.26 MTPA billets [by change the configuration of DRI kilns (from 1 x 300 TPD to 1 x 350 TPD & 1 x 100 TPD), IF (from 4 x 8Tons to 4 x 12Tons & 1 x 3Tons), LF (from 1x20Tons & 1x15Tons to 1x20Tons, 1x15Tons & 1x16Tons)] out of which 0.132 MTPA to be converted to TMT rods by CCM (from 4/7, 2 strand to 6/11, 3 strand), installing new Rolling Mill of 25 TPH along with CPP (WHRB) from 1x8MW to 1x8MW + 1x10 MW and CPP (AFBC) from 1x4MW to 1x4MW + 1x6MW by M/s. Bhaskar Steel & Ferro Alloy Private Limited located at village Badtumkela, Tehsil Banei, District Sundergarh, Odisha."

- ii. The project proponent shall carry out heat stress analysis for the workmen who work in high temperature work zone and provide Personal Protection Equipment (PPE) as per the norms of Factory Act.
- iii. Occupational health surveillance of the workers shall be done on a regular basis and records maintained.

IX. Corporate Environment Responsibility

- i. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 30/09/2020.
- ii. The company shall have a well laid down environmental policy duly approve by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.
- iii. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.

X. Miscellaneous

- i. The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
- ii. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- iii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
- iv. The project proponent shall monitor the criteria pollutants level namely; PM₁₀, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects and display the same at a convenient location for disclosure to the public and put on the website of the company.
- v. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
- vi. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- vii. The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.

Environmental Clearance for "Expansion of steel plant from 0.1 MTPA to 0.26 MTPA billets [by change the configuration of DRI kilns (from 1 x 300 TPD to 1 x 350 TPD & 1 x 100 TPD), IF (from 4 x 8Tons to 4 x 12Tons & 1 x 3Tons), LF (from 1x20Tons & 1x15Tons to 1x20Tons, 1x15Tons & 1x16Tons)] out of which 0.132 MTPA to be converted to TMT rods by CCM (from 4/7, 2 strand to 6/11, 3 strand), installing new Rolling Mill of 25 TPH along with CPP (WHRB) from 1x8MW to 1x8MW + 1x10 MW and CPP (AFBC) from 1x4MW to 1x4MW + 1x6MW by M.s. Bhaskar Steel & Ferro Alloy Private Limited located at village Badtunkela, Tehsil Banei, District Sundergarh, Odisha."

- viii. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
- ix. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
- x. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xi. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xii. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xiii. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
- xiv. Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

25. This issues with the approval of the Competent Authority.


(Sundar Ramanathan)
Scientist 'E'

Copy to:-

1. Secretary, Department of Environment, Government of Odisha, Secretariat, Bhubaneswar.
2. Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032.
3. Regional Officer, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, A/3, Chandrasekharapur, Bhubaneswar – 751023.
4. Chairman, Odisha State Pollution Control Board, Parivesh Bhawan, A/118 Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012.
5. Chief Wildlife Warden, Govt. of Odisha, 5th Floor, BDA Apartments, Prakruti Bhawan, Nilakantha Nagar, Nayapalli, Bhubaneswar-751012
6. Member Secretary, Central Ground Water Authority, A2, W3 Curzon Road Barracks, K.G. Marg, New Delhi-110001.
7. District Collector, Sundergarh District, Odisha.
8. Guard File/Record File/Monitoring File.
9. MoEF&CC Website.


(Sundar Ramanathan)
Scientist 'E'



STATE POLLUTION CONTROL BOARD, ODISHA
(Department of Forest, Environment & CC, Government of Odisha)
REGIONAL OFFICE, ROURKELA
At-Near Panposh Hockey Chowk, PO-Panposh
Rourkela – 769004, Dist-Sundargarh, Odisha

No. 4004 /MISC-PC-2022-23

By Speed Post/E-Mail
Date. 16/09/2023

From

Dr. A.K. Mallick,
Sr. Env. Scientist & Regional Officer

To

The Private Secretary (Public Complaint Cell),
State Pollution Control Board, Odisha,
Bhubaneswar-12

Sub: Submission of Action Taken report of public complaint made against M/s Bhaskar Steel & ferro Alloys Pvt. Ltd., At-Bad Tumkela, PO-Tumkela, Dist-Sundargarh -Reg...

Sir,

In inviting reference to the subject cited above, it is to intimate that, M/s Bhaskar Steel & ferro Alloys Pvt. Ltd., At-Bad Tumkela, PO-Tumkela, Dist-Sundargarh was inspected on dtd.11.08.2023 and dtd.11.08.203 in connection with the public complaint received by this office regarding Air & water pollution caused by the abovesaid integrated Sponge Iron unit. The detail enquiry report and Action Taken Report are submitted herewith for your kind information and necessary action.

Encl:-As Above

Yours faithfully,


REGIONAL OFFICER

Memo No. 4005 /Dt. 16/09/2023

Copy forwarded to the Chief Environmental Engineer (C), State Pollution Control Board, Odisha, Bhubaneswar-12 for favour of kind information.


REGIONAL OFFICER

O/C

**INSPECTION REPORT OF M/s. BHASKAR STEEL & FERRO ALLOYS PVT. LTD.,
AT- BAD-TUMKELA, PO-TUMKELA, DIST- SUNDARGARH, ODISHA.**

M/s Bhaskar Steel & Ferro Alloys (P) Ltd., At-Bad-Tumkela, PO-Tumkela was inspected on dtd. 11.08.2023 & 11.09.2023 in connection with the public complaint received from Mr. Gajendra sahu and other villagers of Gamlei and adjoining villages by this office vide E-mail dtd.05.07.2023 & dtd.01.09.2023. Mr. Sheikh Shafi, Asst. Vice President of the unit was present on the day of inspection.

Background:

The Board has granted consent to operate valid up to 31.03.2024 for manufacturing of (a) Sponge Iron- DRI Kiln-I x 300 TPD (b) Captive Power Plant (CPP) 12 MW (8 MW WHRB+ 4 MW AFBC) (c) Induction Furnace-4 x8 T/H & Induction Furnace (1X3 T/heat) MS billets (d) Coal Sizer- 200 TPH, (e) Iron Ore Crusher-100 TPH & f) 1x10TPH Slag Crusher.

On the day of inspection Sponge Iron- DRI Kiln @1 x 300 TPD, Captive Power Plant (CPP)@12 MW (8 MW WHRB+ 4 MW AFBC), Induction Furnace@4 x8 T/H, Coal Sizer@200 TPH, Iron Ore Crusher @ 100 TPH and Slag Crusher @ 1x10 TPH were under normal operation.

Observations made during inspection:-

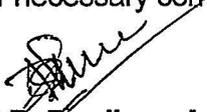
- The industry has earmarked solid waste dump yard area of about 40.20 acres. However the industry has not provided boundary wall all around the dump yard. The height of boundary wall was not adequate and dumps height is more than the provided boundary wall. The raw material storage yard is not properly earmarked.
- The industry has not provided adequate Green belt and developed with plantation of suitable local species which leads to rain cuts on the solid waste dump area and washout is spreading to nearby areas.
- The unit has total area about 67 acres out of which 16 acres of land has been earmarked for solid waste dumping yard adjacent to the factory premises. At present the generated char from the DRI section is used in the power plant boiler as a fuel. The generated fly ash is supplied to the nearby brick manufacturing units. Out of total earmarked area, about 13 Acres of land has already been fully exhausted by solid waste dumping. About 0.5 Acres of the land has been partially exhausted and about 2.5 Acres of vacant land is available inside dump yard for further dumping. However it was observed that the vacant patch of land is located towards the Village Bad-Tumkela, which is about 130 m away from the dump site. The village is located towards NE w.r.t. the factory and towards East direction w.r.t the dump site. They have not covered the inactive part of the dump with the soil. Partly garland drain has been provided at the toe inactive portion of the dump and connected to a settling pit. The settling pond was in defunct condition and heavy silt was deposited.
- The industry has dumped solid waste near the plot No.566 of Khata No. 21 of Muoza luthurba which may cause spreading of dolochar to the nearby agriculture field which is located adjacent to the dump site.
- The inactive dump yard has not been properly reclaimed by spreading layer of soil with proper compaction, consolidation and plantation which is leading to dust being air borne and creating air pollution in the area. Run-off water of the dump yard flows down to nearby low lying area and during inspection the

earthen pond was filled with shrubs and sludge. No garland drain and settlement and treatment pit was there.

- Visible dust laden flue gas leakages were observed from inlet & outlet slip seals of DRI kiln-I.
- Fugitive dust emissions were observed from the Cooler Discharge and Raw material Feed circuit areas indicating poor performances of the installed bag filters.
- Visible fugitive emission was also observed from various transfer points of raw materials and product handling areas.
- Mud accumulations were observed on approach road and near main entry gate leading to poor housekeeping in the work zone areas.
- Housekeeping near ESP silo area and bag filters area was not satisfactory
- The inactive part of the dolochar dump site has not been properly leveled and covered with soil. You have not provided adequate dust sprinkling system at active part of the dump yard to prevent dust nuisance and you have not also provided garland drain all along dolochar dump site.
- Installed wheel washing system was in defunct condition which is leading to dust accumulation on the internal road causing poor housekeeping.
- You have dump solid waste materials like dolochar on the National High way NH-143 near the Luthurba (nearer to Brahmani river) without obtaining prior permission from Board and during inspection it was observed that there is every possibilities of washout to the nearby agriculture fields from the solid waste dump site during rainy day. You have not covered with layer of soil on the solid waste dump area.
- You have not provided adequate storage facility with spillage contamination facility for storage of hazardous waste materials inside the plant premises.

Conclusion :-

In view of the above observation made during inspection and non compliance to the Consent to Operate Condition, suitable direction may be issued to the industry for necessary compliance.


Sri S.R. Pradhan, A.E.S



STATE POLLUTION CONTROL BOARD, ODISHA
 (Department of Forest & Environment, Government of Odisha)
REGIONAL OFFICE, ROURKELA
 At-Near Panposh Hockey Chowk, Po-Panposh
 Rourkela – 769004, Dist-Sundargarh, Odisha

No. 4002...../CTO-0687

Date 16/09/2023.....

By Speed Post / By Email

To

The Director

M/s. Bhaskar Steel & Alloys and Ferro Alloys Pvt. Ltd.,
Plot No.X/15, Civil Township Area 7&8, Rourkela
Dist-Sundargarh-769004

Sub: Direction U/S 33(A) of Water (PCP) Act, 1974 & Direction U/S 31(A) of Air (PCP) Act, 1981, for non-compliance of the Consent to Operate (CTO) conditions during inspection-Reg...

Sir,

Inviting reference to above subject, it is to inform that public complaints were received by this office alleging Air & Water pollution in the locality due to operation of your integrated sponge iron plant. In this connection an inspection was conducted by officials of this office to your integrated sponge iron plant on dated 11.08.2023 & 11.09.2023. Sri S.K Shafi, AVP of the unit was present at the site during inspection. Following non-compliances were observed during inspection:

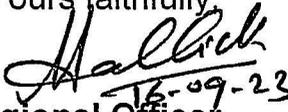
- a) Visible dust laden flue gas leakages were observed from inlet & outlet slip seals of DRI kiln-I.
- b) Fugitive dust emissions were observed from the Cooler Discharge and Raw material Feed circuit areas indicating poor performances of the installed bag filters.
- c) Visible fugitive emission was also observed from the transfer points of raw materials and product handling areas.

o/c

- d) Dust accumulations were observed on approach road and near main entry gate leading to poor housekeeping in the work zone areas.
- e) Housekeeping near ESP silo area and bag filters area was not satisfactory.
- f) The inactive part of the dolochar dump site has not been properly leveled and covered with soil. You have not provided adequate dust sprinkling system at active part of the dump yard to prevent dust nuisance and you have not also provided garland drain all along dolochar dump site.
- g) Installed wheel washing system was in defunct condition which is leading to dust accumulation on the internal road causing poor housekeeping.
- h) You have dump solid waste materials like dolochar on the National Highway NH-143 near the Luthurba (nearer to Brahmani river) without obtaining prior permission from Board and during inspection it was observed that there is every possibilities of washout to the nearby agriculture fields from the solid waste dump site during rainy day. You have not covered with layer of soil on the solid waste dump area.
- i) You have not provided adequate storage facility with spillage contamination facility for storage of hazardous waste materials inside the plant premises.

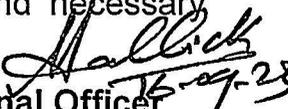
Therefore, you are hereby directed U/S 33(A) of Water (PCP) Act, 1974 & Direction U/S 31(A) of Air (PCP) Act, 1981 to comply the above non compliances observed during inspection within 15 days of issue of this direction and action taken report please be submitted to this office immediately.

Yours faithfully,


16-09-23
Regional Officer

Memo No. 4003 /Dt. 16/09/2023

Copy forwarded to the Member Secretary/ Chief Env. Engineer(C), State Pollution Control Board, Bhubaneswar-12 for kind information and necessary action.


16-09-23
Regional Officer

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- vii. The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
 - viii. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
 - ix. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
 - x. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
 - xi. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
 - xii. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
 - xiii. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
 - xiv. Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
- 34.11 Expansion of steel plant from 0.1 MTPA to 0.26 MTPA billets [by change the configuration of DRI kilns (from 1 x 300 TPD to 1 x 350 TPD & 1 x 100 TPD), IF (from 4 x 8Tons to 4 x 12Tons & 1 x 3Tons), LF (from 1x20Tons & 1x15Tons to 1x20Tons, 1x15Tons & 1x16Tons)] out of which 0.132 MTPA to be converted to TMT rods by CCM (from 4/7, 2 strand to 6/11, 3 strand), installing new Rolling Mill of 25 TPH along with CPP (WHRB) from 1x8MW to 1x8MW + 1x10 MW and CPP (AFBC) from 1x4MW to 1x4MW + 1x6MW **by M/s. Bhaskar Steel & Ferro Alloy Private Limited** located at village Badtumkela, Tehsil Banei, **District Sundergarh, Odisha** [Online Proposal No.IA/OR/IND/206041/2020;File No J-11011/491/2008-IA.II(I)] – **Environment Clearance** – regarding.
- 34.11.1 M/s. Bhaskar Steel & Ferro Alloy Private Limited has made an online application vide proposal no. IA/OR/IND/206041/2020 dated 26/03/2021 along with copy of EIA/EMP report and Form 2 seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed expansion project activity is listed at schedule no. 3(a) Metallurgical industries (ferrous & nonferrous) under Category “A” of the schedule of the EIA Notification, 2006 and appraised at Central level.

Details submitted by Project proponent

34.11.2 The proposal titled “*modification cum expansion of existing project form 0.1 MTPA billet to 0.25 MTPA rolled product at Badtumkela District Sundergarh, Odisha by M/s Bhaskar Steel and ferro Alloys*” was originally accorded ToR on 31/07/2015 and subsequently amended on 18/07/2017. Public hearing for the project was held on 25/05/2018 and application for grant of EC was submitted on 29/06/2020. The maximum extended validity period of the ToR is for a period of four years i.e., till 30/07/2019. As per the Ministry’s O.M. dated 29/08/2017, if the proposal for EC has not been submitted within the validity period of ToR, the process shall be started de-novo. In view of this, the proposal was returned to the PP with a request to start the process de-novo. Accordingly, the proponent started the process de-novo by applying for fresh ToR along with a request to consider the proposal based on the public hearing held on 25/05/2018.

34.11.3 The details of the ToR are furnished as below:

Date of Application	Consideration	Details	Date of Accord
07/08/2020	22 nd meeting of EAC held during 26 th - 28 th August 2020	Terms of Reference	18/09/2020

34.11.4 The project of M/s Bhaskar Steel & Ferro Alloys Ltd located in Badtumkela Village, Banei.Tehsil, Sundergarh District, Odisha State is for enhancement of production of steel billet from 0.1 MTPA to 0.26 MTPA out of which 0.132 MTPA to be converted to TMT rods.

34.11.5 Environmental Site Settings

S. No.	Particulars	Details
i.	Total land	33.99 ha [Private: 33.99 ha] Land use: Land already acquired and converted for Industrial usage.
ii.	Land acquisition details as per MoEF&CC O.M. dated 7/10/2014	Land already acquired and converted for Industrial usage.
iii.	Existence of habitation & involvement of R&R, if any.	The expansion is carried out within existing premises with no habitation within the premises.
iv.	Latitude and Longitude of the project site	21°49’48.53’’N to 21°49’56.73’’ N Latitudes and 84°55’30.52’’ E to 84° 56’01.31’’ N Longitudes.
v.	Elevation of the project site	152 m
vi.	Involvement of Forest land if any.	No forest land is involved
vii.	Water body exists within the project site as well as study area	Project site: Nil Study area Name with distance – Brahmani River at a distance of 1.68 km
viii.	Existence of SZ/ ESA/ national park / wildlife sanctuary/ biosphere reserve/	NIL

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S. No.	Particulars	Details
	tiger reserve/ elephant reserve etc. if any within the study area	

34.11.6 The existing project was accorded environmental clearance vide letter no. J-11011/491/2008-IA II(I) dated 11/11/2008. Consent to Operate for the existing unit was accorded by Odisha State Pollution Control Board vide Ir. no. 3662/IND-I-CON-523. The validity of CTO is up to 31.03.2021.

34.11.7 Implementation status of the existing EC:

Sl. No.	Facilities	Units	As per EC dated 11/11/2008	Implementation Status as on 10/04/2021	Production as per CTO
1.	DRI Kiln	TPD	1 X 300	Commissioned	96000 TPA
2.	Induction Furnace	T	4 X 8		102400 TPA
3.	Ladle Furnace	T	1X20, 1X15		Matching
4.	CPP -WHRB	MW	8		8 MW
5.	CPP - AFBC	MW	4		4 MW
6.	Coal Sizer	TPH	200 (CTE no 18563/Ind-II-NOC-5235 dt 04.11.2011)		200 TPH
7.	Iron Ore Crusher	TPH	100 (CTE no 18563/Ind-II-NOC-5235 dt 04.11.2011)		100 TPH
8.	Slag Crusher	TPH	10 (CTE no 18563/Ind-II-NOC-5235 dt 04.11.2011)		10 TPH
9.	Dry Coal Separator	TPH	50 (CTE no 18563/Ind-II-NOC-5235 dt 04.11.2011)	Installed not commissioned	CTO shall be considered only obtaining EC.

34.11.8 The unit configuration and capacity of existing and proposed project is given as below:

S. No.	Name	Existing Units		Proposed Units		Total (Existing + Proposed)	
		Configuration	Production TPA	Configuration	Production TPA	Configuration	Production TPA
1.	DRI Kiln	1X300 TPD	96000	1X350 + 1X100 TPD	144000	1X300 + 1X350 + 1X300 TPD	240000
2.	IF with LF	4X8 T IF, 1X20 T & 1X15 T LF	102400	4X12T, 1X3T IF & 1X16T LF	163200	4X8 T + 4X12T +1X3 T IF with 1X20 T+1X15t+1 X 16T LF	265600
3.	RM	Nil	nil	25 TPH	1,32,000	25 TPH	1,32,000

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S. No.	Name	Existing Units		Proposed Units		Total (Existing + Proposed)	
		Configuration	Production TPA	Configuration	Production TPA	Configuration	Production TPA
4.	CPP (WHRB)	1x8MW	8 MW	1x10MW	10MW	1x8 MW+1x10 MW	18 MW
5.	CPP (AFBC)	1X4MW	4 MW	1X6 MW	6MW	1x4MW+1x6MW	10MW
6.	Dry coal separator	1x50 TPH	Installed Not commissioned	-	-	1x50 TPH	
7.	Coal sizer with Truck tipper	1X200 TPH	Nil	-	-	1x200 TPH	
8.	Mobile crusher	1x100TPH	Nil	-	-	1x100 TPH	
9.	Slag crusher	1x10 TPH	Nil	-	-	1x10 TPH	

34.11.9 The details of the raw material requirement for the proposed project/ expansion cum proposed project along with its source and mode of transportation is given as below:

S. No.	Raw Material	Quantity required per annum			Source	Distance from site (Kms)	Mode of Transportation
		Existing	Expansion	Total			
1	Hematite Iron ore	143200	214800	358000	OMC	140	Rail
2	Coal for DRI	116000	174000	290000	MCL	138	Rail
3	Boiler grade Coal	24000	36000	60000	MCL	138	Rail
4	Pig	13520	16480	30000	Local purchase	11	Road
5	Scrap	6760	8240	15000	Local purchase	4	Road
6	Sponge Iron	-	20000	20000	Local purchase	11	Road
7	Lime stone	6000	9000	15000	Biramitrapur	95	Rail

34.11.10 The water requirement for the project is estimated as 1400.5 m³ /day, out of which 1257.7 m³/day of fresh water requirement will be obtained from Brahmani river and the remaining requirement of 142.5 m³ /day will be met from the rain water harvesting pond. The permission for drawl of surface water is obtained from Govt. of Odisha vide agreement dated 17/01/2020.

34.11.11 The power requirement for the project is estimated as 28 MW, out of which 28 MW will be obtained from the CPP.

34.11.12 Baseline Environmental Studies:

Period	01 st Mar 2019 to 31 st May 2019
AAQ parameters at 8 locations	PM _{2.5} = 15.0 to 35.0 µg/m ³ PM ₁₀ = 45.0 to 82.0 µg/m ³ SO ₂ = 4.0 to 13.0 µg/m ³ NO ₂ = 8.0 to 29.0 µg/m ³
AAQ modelling (Incremental GLC)	PM ₁₀ = 3.0 µg/m ³ SO ₂ = 4.45 µg/m ³
Ground water quality at 8 locations	pH: 6.8 to 7.3, Total Hardness: 102 to 165 mg/l, Chlorides: 16 to 53 mg/l, Fluoride: 0.13 to 0.45 mg/l. Heavy metals are within the limits.
Surface water quality at 8 locations	pH: 6.8 to 7.8; DO: 5.9 to 7.2 mg/l and BOD: 4 to 10 mg/l. COD from 6.8 to 17 mg/l
Noise levels	54.1 to 63.2 for the daytime and 43.1 to 53.6 for the Night time.
Traffic assessment study findings	At present 495 heavy, 421 light, 239 two wheelers and 216 three wheelers move in adjacent road meeting NH143. The total emission for present scenario is 1.46 µg/m ³ Total suspended particulates (TSP), 5.0 µg/m ³ NO _x and 6.0 µg/m ³ CO. Due to proposed expansion additional 100 heavy, 90 light, 316 two wheelers and 48 three wheelers will ply resulting in additional 0.35 µg/m ³ TPS, 2.00 µg/m ³ NO _x and 2.04 µg/m ³ CO.
Flora and fauna	No schedule I fauna exists in the study area.

34.11.13 The details of solid and hazardous waste generation along with its mode of treatment/disposal is furnished as below:

S. No.	Type of Waste	Source	Quantity generated (TPA)	Mode of Treatment
SOLID WASTE				
1	Char	DRI Kiln	36,000	Use in AFBC
2	IF Slag	Induction Furnace	32,000	To be used in Land Fill after iron recovery
3	Fly Ash	CPP AFBC	1,28,000	To be given to cement plant & use in Brick Manufacturing
4	Bottom ash	CPP AFBC	20,000	Use in brick manufacturing
HAZARDOUS WASTE				
1	Used Grease	Moving equipment	500	Stored temporarily and being lifted by

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2	Used Oil Filters	Compressors, power packs, vehicles.	70 nos	authorized Vendor.
3	Waste Jute/Cotton	Use for cleaning machines	200	
4	Oily Sludge	Power Pack Rooms	40	
5	Used Oil	Transformer and all Mechanical Engines	6.2	

34.11.14 Public Consultation:

Details of Advertisement given	17/04/2018
Date of Public Consultation	25/05/2018
Venue	Ground near RMC Godown, Saleibahal, Sunderagr, Odisha
Presiding Officer	District Magistrate
Major Issues Raised	<ul style="list-style-type: none"> i. Concern on Pollution control, ii. Employment opportunities, iii. Drinking water facilities, iv. Education & Training and v. other peripheral developments.

Action plan as per MoEF&CC O.M. dated 30/09/2020

Sl.No	Concerns raised during the Public Hearing	Physical activity and action plan	Tentative Budget, Rs Lacs	Target for implementation of action plan		
				1 st yr. in lakhs	2 nd yr. in lakhs	3 rd yr. in lakhs
1	Training course for technical persons on advance industrial technology and exposure to industrial process, energy conservation, safety and environment protection	Establishment + Training material + stipend + faculty	45	15	15	15

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Sl.No	Concerns raised during the Public Hearing	Physical activity and action plan	Tentative Budget, Rs Lacs	Target for implementation of action plan		
				1 st yr. in lakhs	2 nd yr. in lakhs	3 rd yr. in lakhs
2	Providing 12W solar LED street light (preferably solar) on road	Rajamunda to Tumkela – 3.6 km Lighting in Gamlei, Urumkela & Saradhapur @ 10 nos. Lighting in Gamlei road – 3.6 km	13.6	5.6	2.4	5.6
3	Construction of traffic post at Rajamunda chawk		05	05	-	-
4	Supply of drinking water	Installation of 10 nos. of tubewells @ 1.1 lakhs in villages after consultation with local administration	11	4	3	4
5	Development of MSW dump yard	Under swachha Bharat yojana dump yard to be rebuilt, supply of bins for waste collection and tractors	46	22	-	24
6	Medical check up camp & medicines	Free health checkup camp and distribution of free medicines in consultation with local administration	35	11	11	13
7	Construction of toilets	Construction of 2 nos. of community toilets in consultation with local administration	50	25	-	25
8	Plantation & Distribution of saplings in and around the villages	Adoption of 5 villages for plantation and distribution of saplings @ 1000 plants /village	5.5	2.2	1.1	2.2

Sl.No	Concerns raised during the Public Hearing	Physical activity and action plan	Tentative Budget, Rs Lacs	Target for implementation of action plan		
				1 st yr. in lakhs	2 nd yr. in lakhs	3 rd yr. in lakhs
9	Technical & Infrastructural aid to farmers	Providing high yield paddy seeds, fertilizers, and drip irrigation points with electricity	16.4	8.2	-	8.2
Total			227.5	----	----	-----

34.11.15 The capital cost of the project is Rs. 270 Crores and the capital cost for environmental protection measures is proposed as Rs. 13.4 Crores. The annual recurring cost towards the environmental protection measures is proposed as Rs. 1.34 Crores. The employment generation from the proposed expansion is 1000. The details of cost for environmental protection measures are as follows:

S. No.	Description of Item	Existing (Rs. In lakhs)	
		Capital Cost	Recurring Cost
i.	Air Pollution Control/ Noise	470	47
ii.	Waste water management	80	8
iii.	Solid waste management	200	20
iv.	Environmental monitoring	100	10
v.	Occupational health	210	21
vi.	Safety equipments & Disaster Management budget	180	18
vii.	Green Belt Development	100	10
Total		1340	134

34.11.16 Greenbelt will be developed in 13.6 ha which is about 40% of the total project area. A 6m wide greenbelt, consisting of at least 3 tiers around plant boundary will be developed as greenbelt and green cover as per CPCB/MoEF&CC, New Delhi guidelines. Local and native species will be planted with a density of 2500 trees per hectare. Total no. of 5160 saplings will be planted and nurtured in 6.02 hectares in 2 years.

34.11.17 The proponent has reported that there is no violation under EIA Notification, 2006/court case/show cause/direction related to the project under consideration.

34.11.18 Name of the EIA consultant: M/s Global Tech Enviro Experts Pvt ltd [S.No. 92, List of ACOs with their Certificate / Extension Letter no. Rev. 09, Apr. 12, 2021].

34.11.19 **Certified compliance report from Regional Office:**

The Status of compliance of earlier EC was obtained from Regional Office, Bhubaneswar *vide* letter no. 101-520/09/EPE, dated 20/03/2020 in the name of M/s Bhaskar Steel & Ferro

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Alloys Ltd. The Action taken report regarding the partially/non-complied condition was submitted to Regional officer MoEF&CC, Bhubaneshwar vide letter no. BSFAPL/RKL/20-21/21 dated 06/06/2020. MoEF&CC (RO), evaluated the same and has issued letter dated 11/01/2021. The details of the observations made by RO in the report dated 11/01/2021 along with its re-assessment / present status as furnished by the PP is given as below:

Sl.	Non-compliances details	Observation of RO (abridged)	Condition no.			Re-assessment by RO / Response by PP
			EC date	Specific	General	
1	PAs have not installed online ambient air quality monitoring stations in the project site	PAs are monitoring by third party monitoring agency. Online monitoring will be installed along with expansion project	11/11/2008	No condition mentioned in EC		Partially Complied Response By PP: Online monitoring will be installed along with expansion project.
2	It is required to provide NABL accreditation of M/s R V Briggs & Co. Pvt Ltd	PAs have submitted copies of NABL Accreditation	11/11/2008			Complied.
3	Provide photograph of surface runoff collection & treatment system	Photographs provided	11/11/2008			Complied.
4	As per preamble total project area is 1.8 acres. It is required to provide detailed information regarding development of green belt	Total project area is 34 ha. 1.8 acres mentioned is typographical error.	11/11/2008			Complied.

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Sl.	Non-compliances details	Observation of RO (abridged)	Condition no.			Re-assessment by RO / Response by PP
			EC date	Specific	General	
5	Detailed point wise compliance status of all environmental protection measures and safeguards recommended in EIA/EMP report to be submitted.	PAs are in process of complying all environmental protection measures. Detailed expenditure statement submitted to RO, Bhubaneshwar.	11/11/2008	i) to xi)	-	Being Complied.

Serious non-compliances detected. RO Requested that the Ministry may appraise the issue of coal separator.

It has been observed that PAs have obtained Consent-To-Establish (CTE) from State Pollution Control Board, Odisha for 50 TPH Dry Coal separator and 10 TPH slag crusher vide letter no. 18563/INDII-NOC-5235 dated 04.11.2011. The said components were not mentioned in EC and as per the Special Condition No.-1 of CTE: “The proponent has to seek clarification from the MoEF, Govt. of India or SEIAA, Orissa regarding applicability of EIA notification, 2006 for installation of 50 TPH dry coal separator by air jigging method”. However, PAs have not approached Ministry for clarification. The said component was installed in the existing plant and applied for Consent-To-Operate (CTO). As per the CTO vide letter no. 3181/IND-I-CON-5237 dated 28.03.2019, it has been mentioned that “The CTO for Dry Coal Separator (50 TPH) through air jigging shall be considered only after obtaining EC or Clarification from MoEF&CC, Govt. of India regarding EIA applicability as. per CTE condition.” In addition, it has been observed that PAs have obtained CTE for installation of 3 T/Heat of Induction furnace (IF) for production of M.S. Billets of capacity 2700 TPA inside the existing premises vide letter no. 1746/Ind-II-NOC-5963 dated 25.01.2016. The same has also not mentioned in EC. Subsequently, PAs have included the 1 X 3 TPH in the amended TOR vide letter no. J-1011/491/2008-IA.II () dated 17.11.2016 and 18.08.2017. It is requested to the Ministry may appraise the above issues.

34.11.20 M/s Bhaskar Steel & Ferro Alloy Private Limited has made earlier online application IA/OR/IND/193242/2020 dated 15/01/2021 and Re-constituted EAC considered the proposal in 29th meeting held during 25-27th January, 2021. The Observation and recommendation of EAC is given below:

Observations of the Committee held during 25-27th January, 2021

- i. As per the RO report, the facilities namely for 50 TPH Dry Coal separator, 10 TPH slag crusher, 3 T/Heat of Induction furnace (IF) for production of M.S. Billets of capacity 2700 TPA, coal sizer of 200 TPH and iron ore crusher of 100 TPH have been

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- established and operated at the site except dry coal separator based on the Consent issued by Odisha Pollution Control Board without obtaining prior Environment Clearance. The committee was of the view that dry coal separator and coal sizer is a part of iron ore beneficiation process and PP could have obtained EC prior to the establishment of the same. For the remaining facilities established, EC may not be required under the purview of EIA, 2006.
- ii. As per Ministry's O.M. No. J-11015/286/2007-IA.II(I) dated 7/2/2020, any specific non-compliance singled out while the project is being appraised by the EAC, the concerned sector shall issue Show Cause Notice.
 - iii. TOR point # 9 pertaining to Corporate Environment Policy has not been addressed in EIA Report.
 - iv. The issues raised during the public consultation in verbatim by each stake holder and action plan to address the same in physical terms as mandated under MoEF&CC O.M. dated 30/09/2020 have not been furnished in EIA report.
 - v. Action plan for green belt development covering 40% of the project area has not been furnished.
 - vi. Details of the pollution control devices to achieve 30 mg/Nm³ particulate emission has not been furnished.
 - vii. Parking area for 200 trucks shall be provided and the area shall be indicated on the layout drawing.
 - viii. Details of OHS center to be established shall be furnished. Details of activities to be completed in Rs. 2.1 Cr budget shall be explained.
 - ix. Capacity of fly ash brick manufacturing plant shall be furnished.
 - x. Chapter 5 of EIA report - Analysis of alternate technology needs to be explained.
 - xi. Action plan for providing impervious lining for raw material stockpiles and garland drains around the stock piles shall be submitted.

Recommendations of the Committee held during 25-27th January, 2021

- 34.11.21 In view of the foregoing observations and deliberations, the committee recommended the following:
- i. Show cause notice may be issued to the unit as they have established the dry coal separator and coal sizer which are part of iron ore beneficiation process without obtaining prior Environment Clearance under the provisions of EIA, 2006.
 - ii. Instant proposal is being considered on merit and the same is returned in present form due to the technical shortcomings enlisted at paragraph number 29.1.21.
- 34.11.22 It was apprised to the EAC that following principle has been approved by the Competent Authority with respect to consideration of violation cases in the instant proposal under consideration.
- i. Send the matter to the Sector EAC for consideration of the case on merit.
 - ii. Take action against the alleged violation as per law.
 - iii. Do not wait for either the evidence of action having been started or violation proceedings to finish before taking up the case on merit.
 - iv. The EC if given after consideration on merit would be valid from the date it is given and not with retrospective effect. For the period before it, if violation is established

by the court or the competent authority, the punishment/penalty as per law would be imposed.

34.11.23 Further, apprised to the EAC that in pursuance to the EAC recommendations, following action have been initiated by the Ministry:

- i. SCN was issued to the PP under section 5 of the EP Act, 1986 on 23/02/2021.
- ii. Reply to the SCN was submitted by the PP on 08/03/2021 which is under process in the Ministry.

34.11.24 The revised application was submitted vide proposal no IA/OR/IND/206041/2020 dated 26/03/2021 and considered by the EAC (Industry 1) in its 34th meeting of the Re-constituted EAC (Industry-I) held on 15- 16th April, 2021. The observations and recommendations of EAC is given as below.

Observations of the Committee

34.11.25 The Committee noted the following:

- i. The Committee noted that the EIA/EMP report is found to be in order reflecting the present environmental concerns and the projected scenario for all the environmental components. The Committee has found the baseline data reported and incremental GLC due to the proposed project are within NAAQ standards.
- ii. The Committee has also deliberated on the issues raised during the public hearing as well as action plan to address various issues and found the Action Plan satisfactory.
- iii. The EAC has considered the proposal as per the directions of the Competent Authority referred at para 34.11.22.

Recommendations of the Committee

34.11.26 In view of the foregoing and after detailed deliberations, the committee recommended the instant proposal on merit for grant of Environment Clearance under the provisions of EIA Notification, 2006 subject to the following specific conditions and general conditions as per the Ministry's Office Memorandum No. 22-34/2018-III dated 9/8/2018 based on project specific requirements. These recommendations of the Committee, may be considered by the Ministry in the light of processing and decision of the Ministry on the Show Cause Notice (SCN) issued to the proponent.

A. Specific conditions

- i. No ground water abstraction shall be permitted.
- ii. Particulate matter emission from stacks shall not exceed 30 mg/Nm³.
- iii. Plant roads shall be paved and an industrial vacuum cleaner shall be deployed to clean the roads regularly to keep fugitive emission under control.
- iv. Green belt shall be 34% with tree density of 2500 trees per ha inside the factory and additional 4.5 ha land shall be acquired adjacent to plant site to make it 40 %.
- v. Treated effluent from the plant shall be reused and recycled completely. STP shall be installed to treat domestic sanitary waste water.

- vi. 85 to 90 % hot charging shall be done and remaining through reheating furnace.
- vii. Rain water harvesting shall be implemented as per the action plan (Annual rain water harvesting potential 460900 m³) submitted to the Ministry.
- viii. 2.05 Ac land shall be allotted near main gate for parking of 175 vehicles inside the plant.
- ix. Occupational Health center shall be provided within the plant premises.
- x. Impervious lining in RM storage area and garland drains with catch pits to trap run off material shall be provided.

B. General conditions

I. Statutory compliance:

- i. The Environment Clearance (EC) granted to the project/ activity is strictly under the provisions of the EIA Notification, 2006 and its amendments issued from time to time. It does not tantamount/ construe to approvals/ consent/ permissions etc., required to be obtained or standards/conditions to be followed under any other Acts/Rules/Subordinate legislations, etc., as may be applicable to the project.

II. Air quality monitoring and preservation

- i. The project proponent shall install 24x7 continuous emission monitoring system at process stacks to monitor stack emission as well as two Continuous Ambient Air Quality Station (CAAQS) for monitoring AAQ parameters with respect to standards prescribed in Environment (Protection) Rules 1986 as amended from time to time. The CEMS and CAAQMS shall be connected to SPCB and CPCB online servers and calibrate these systems from time to time according to equipment supplier specification through labs recognised under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- ii. The project proponent shall monitor fugitive emissions in the plant premises at least once in every quarter through laboratories recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- iii. Appropriate Air Pollution Control (APC) system shall be provided for all the dust generating points including fugitive dust from all vulnerable sources, so as to comply prescribed stack emission and fugitive emission standards.
- iv. The project proponent shall provide leakage detection and mechanized bag cleaning facilities for better maintenance of bags.
- v. Recycle and reuse iron ore fines, coal and coke fines, lime fines and such other fines collected in the pollution control devices and vacuum cleaning devices in the process after briquetting/ agglomeration.
- vi. The project proponent shall ensure covered transportation and conveying of ore, coal and other raw material to prevent spillage and dust generation.
- vii. The project proponent shall provide primary and secondary fume extraction system at all melting furnaces.
- viii. Wind shelter fence and chemical spraying shall be provided on the raw material stock piles.
- ix. Design the ventilation system for adequate air changes as per prevailing norms for all tunnels, motor houses, Oil Cellars.

III. Water quality monitoring and preservation

- iv. The project proponent shall install 24x7 continuous effluent monitoring system with respect to standards prescribed in Environment (Protection) Rules 1986 (G.S.R 414 (E) dated 30th May 2008; G.S.R 277 (E) dated 31st March 2012 (applicable to IF/EAF); S.O. 3305 (E) dated 7th December 2015 (Thermal Power Plants) as amended from time to time and connected to SPCB and CPCB online servers and calibrate these system from time to time according to equipment supplier specification through labs recognised under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- v. The project proponent shall monitor regularly ground water quality at least twice a year (pre- and post-monsoon) at sufficient numbers of piezometers/sampling wells in the plant and adjacent areas through labs recognised under Environment (Protection) Act, 1986 and NABL accredited laboratories.
- vi. Adhere to 'Zero Liquid Discharge'.
- vii. Sewage Treatment Plant shall be provided for treatment of domestic wastewater to meet the prescribed standards.
- viii. Garland drains and collection pits shall be provided for each stock pile to arrest the run-off in the event of heavy rains and to check the water pollution due to surface run off.

IV. Noise monitoring and prevention

- ii. Noise quality shall be monitored as per the prescribed Noise Pollution (Regulation and Control) Rules, 2000 and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.

V. Energy Conservation measures

- iii. Energy conservation measures may be adopted such as adoption of solar energy and provision of LED lights etc., to minimize the energy consumption.

VI. Waste management

- ii. Used refractories shall be recycled as far as possible.
- iii. 100% utilization of fly ash shall be ensured. All the fly ash shall be provided to cement and brick manufacturers for further utilization and Memorandum of Understanding in this regard shall be submitted to the Ministry's Regional Office.
- iv. Oily scum and metallic sludge recovered from rolling mills ETP shall be mixed, dried, and briquetted and reused in melting Furnaces.
- v. Kitchen waste shall be composted or converted to biogas for further use.

VII. Green Belt

- ii. Green belt shall be developed in an area equal to 33% of the plant area with a native tree species in accordance with CPCB guidelines. The greenbelt shall inter alia cover the entire periphery of the plant
- iii. The project proponent shall prepare GHG emissions inventory for the plant and shall submit the programme for reduction of the same including carbon sequestration including plantation.

VIII. Public hearing and Human health issues

- iii. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.

- iv. The project proponent shall carry out heat stress analysis for the workmen who work in high temperature work zone and provide Personal Protection Equipment (PPE) as per the norms of Factory Act.
- v. Occupational health surveillance of the workers shall be done on a regular basis and records maintained.

IX. Corporate Environment Responsibility

- iv. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 30/09/2020.
- v. The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.
- vi. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly report to the head of the organization.

X. Miscellaneous

- i. The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
- ii. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- iii. The project proponent shall upload the status of compliance of the stipulated environmental clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
- iv. The project proponent shall monitor the criteria pollutants level namely; PM₁₀, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects and display the same at a convenient location for disclosure to the public and put on the website of the company.
- v. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
- vi. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- vii. The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities,

MoM of 34th meeting of the Re-constituted EAC (Industry-I) held on 15–16th April, 2021

commencing the land development work and start of production operation by the project.

- viii. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
- ix. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
- x. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xi. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xii. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xiii. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
- xiv. Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

34.12 Brownfield project for substantial expansion by installation of production facilities for production of: Sponge Iron 200,000 TPA; Mild Steel Billet 300,000 TPA and/or Rerolled Steel Products through Hot Charging 150,000 TPA; Rerolled Steel Product through Reheating Furnace 150,000 TPA; MS Black Pipe Mill 140,000 TPA, Galvanizing plant 140,000 TPA, Captive Power 20MW (12MW through WHRB and 8MW through AFBC) and Fly Ash Bricks 69,300 TPA by **M/s. Kalindi Ispat Private Limited** located at Village-Belpan, Tahsil- Masturi, **District- Bilaspur, Chhattisgarh** [Online Proposal No.IA/CG/IND/207065/2021;File No IA-J-11011/126/2021-IA-II(I)]– **Prescribing for Terms of Reference** – regarding.

34.12.1 M/s. Kalindi Ispat Private Limited has made an application online vide proposal no. IA/CG/IND/207065/2021 dated 05/04/2021 along with the application in prescribed format (Form-I), copy of pre-feasibility report and proposed ToRs for undertaking detailed EIA study as per the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at S. No. Project Activity 3(a) Metallurgical Industries and 1(d) Thermal Power Plant under Category “A” of the schedule of the EIA Notification, 2006 and being appraised at Central Level.

34.12.2 The EIA consultant – M/s. Anacon Labs vide email dated 14/04/2021 expressed their inability to participate in the meeting and requested to consider the same in the next meeting.

34.12.3 In this regard, it was apprised to the EAC that as per MoEF&CC Office Memorandum No. 22-35/2020-IA.III dated 18/11/2020 pertaining to “Streamlining the process of grant of Environment Clearance process”, “All projects, placed in the agenda, should be considered by the EAC notwithstanding the non-attendance of the Project Proponent or his consultant in

FROM THE BELOW ATTACHED PHOTOGRAPHS IT IS CLEAR THAT THE POND WHICH WAS NEAR TO THE NUAPADA VILLAGE SCHOOL WAS COMPLETELY DUMPED BY USING THE DEBRIS/DOLOCHAR/FLY ASH/WASTE MATERIALS OF THE M/s. BHASKAR STEEL & FERRO ALLOY.





PHOTOGRPH DATED 26/02/2024 AND 15/03/2024 WHICH SHOWS THAT THE PRIVATE RESPONDENT IS STACKING THE WASTE MATERIALS OF THE UNIT ON THE ROAD SIDE WHICH CREATES HINDRANCE TO THE TRAVELERS.





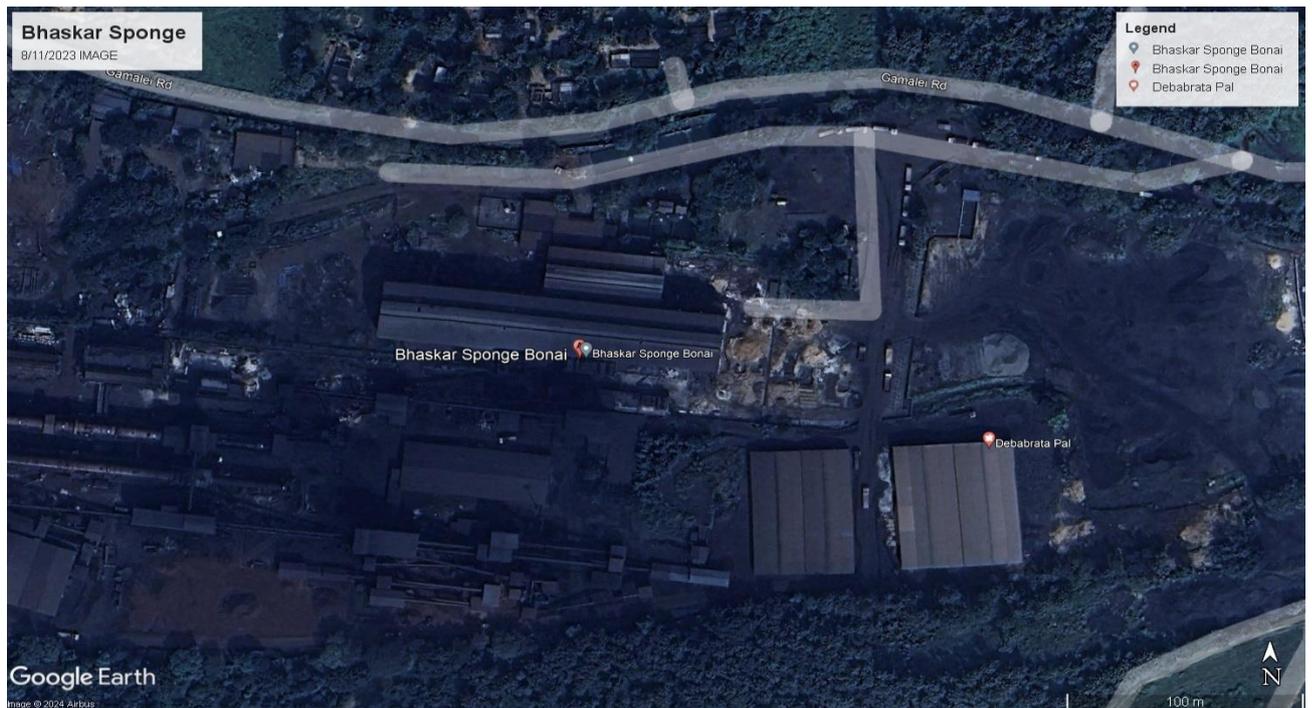




THE BELOW ATTACHED GOOGLE EARTH IMAGE SHOWS THE CLOSE PROXIMITY OF THE BRAMHANI RIVER TO THE POLLUTING UNIT NAMEDLY BHASKAR SPONGE IRON.



FROM THE BELOW ATTACHED PHOTOGRAPHS IT IS CLEAR THAT THE NEARBY AREA OF THE UNIT IS COMPLETELY BLAKENED DUE TO HEAVY POLLUTION AND THE PHOTOGRAPHS ALSO SUGGESTS THAT THE UNIT IS DOING OPEN COAL DUMPING .





केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
(पर्यावरण एवं वन मंत्रालय, भारत सरकार)
(MINISTRY OF ENVIRONMENT & FORESTS, GOVT. OF INDIA)

BY REGISTERED AD

B-29016/04/06/PC1-1/

July 23, 2015

To

All Integrated Steel Plants & Sponge Iron Plants
(As per the list enclosed)

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding installation of on-line effluent and emission monitoring system- Notice thereof

WHEREAS, the Integrated Steel Plants & Sponge Iron Plants are identified as one of the 17 categories of highly polluting industries which have been discharging environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on the water and air quality; and

WHEREAS, there is need to inculcate habit of self monitoring mechanism within the industries for complying with the prescribed standards and this can be achieved by the methods like installing online effluent and emission monitoring devices; and

WHEREAS, for strengthening the monitoring and compliance through self regulatory mechanism, online source emission and effluent monitoring systems need to be installed and operated by the industries on 'polluter pays principle'; and

WHEREAS, a direction under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 was issued on February 05, 2014 to all the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) for installation of online emission monitoring system w.r.t. PM and SO₂ parameters & online effluent monitoring system w.r.t. pH, phenol, cyanide and flow in iron & steel industries; and

WHEREAS, it was clarified that flow meter and web camera may be installed in case of units with zero liquid discharge (ZLD) by March 31, 2015 vide guidelines uploaded on website of CPCB dated November 07, 2014; and

WHEREAS, considering the requests/ representations received from industries/ industrial associations/ SPCBs / PCCs, an extension of time upto June 30, 2015 for installation of online monitoring systems was granted vide direction dated March 02, 2015 under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981; and

WHEREAS, a letter vide dated May 29, 2015 was issued by the Chairman CPCB to all the SPCBs/ PCCs informing that no further extension of time will be given after June 30, 2015 and withdrawal of consent to operate along with forfeit of bank guarantee of non-complying Units will be the only option; and

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

'Parivesh Bhawan', East Arjun Nagar, Delhi - 110032

दूरभाष / Tel. : 43102030, फैक्स / Fax : 22305793, 22307078, 22307079, 22301932, 22304948

ई-मेल / e-mail : cpcb@nic.in वेबसाइट / Website : www.cpcb.nic.in

WHEREAS, concerned SPCB/ PCC have issued a direction under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of the Air (Prevention & Control of Pollution) Act, 1974 to install the online monitoring system by June 30, 2015 and to submit bank guarantee of 100% of the cost of online emission & effluent monitoring system; and

WHEREAS, Hon'ble Supreme court of India has expressed concern regarding non implementation of direction of statutory bodies on various matters; and

WHEREAS, Hon'ble National Green Tribunal in its order dated 15th December, 2014 in the matter of Krishan Kant Singh Vs. M/s. Hindustan Cocacola Beverages Pvt. Ltd., Mehdiganj, Rajatalab, Varanasi stated that "it seems appropriate introduction of online monitoring system for the industries needs to be explored and if it is possible to provide for joint online monitoring system"; and

WHEREAS, CPCB has explored installation of online monitoring device in the other countries and has come to conclusion that the online monitoring devices are essential for improving compliance as the conventional monitoring systems are not able to capture violations on regular basis; and

WHEREAS, CPCB has held stakeholders consultation with industrial associations and SPCBs/PCCs on 06.08.2014, 19.09.2014, 29.09.2014, 08.10.2014, 16.10.2014, 09.01.2015, 08.04.2015 and 16.06.2015 regarding time bound implementation of installation of these devices; and

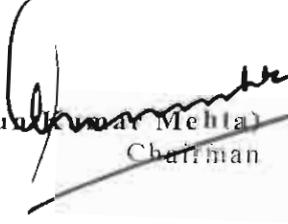
WHEREAS the Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

NOW, THEREFORE, based on all material facts available with CPCB, in exercise of powers vested under Section 5 of The Environment (Protection) Act, 1986 notice is hereby served to the unit to showcase why the unit should not be closed down if the unit has not complied fully with the directions issued w.r.t. installation of online emission & effluent monitoring system by June 30, 2015 and hereby further directed to comply with the following directions:

1. The Unit shall submit documentary evidence regarding status of installation of online emission & effluent monitoring system.
2. The Unit shall submit the status on connectivity for submission of online 24 X 7 monitoring data at SPCBs/PCCs and CPCB.
3. The Unit shall submit the details as per Annexure- I through,
 - a. Email id- cems.cpcb@nic.in
 - b. Uploading the data on the link provided on CPCB website (www.cpcb.nic.in)
 - c. By speed post

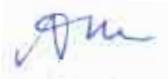
to the Member Secretary, Central Pollution Control Board.

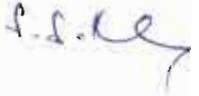
The compliance of above directions shall be submitted to this office within 15 days of the receipt of the directions. In case of failure to comply with the said directions necessary action as deemed fit under the provision of the Environment (Protection) Act 1986 will be taken by CPCB.

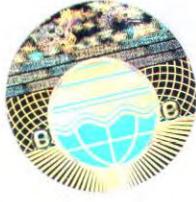

(Arun Kumar Mehta)
Chairman

Copy to:

1. The Chairman
SPCBs/PCCs
2. The Advisor (CP Division)
Ministry of Environment, Forests and Climate Change
Prithvi Wing, 2nd Floor, Room No. 216
Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road
New Delhi - 110003
3. The Incharge, Zonal Offices
Central Pollution Control Board
4. The Incharge, IT, CPCB


(A.B. Akolkar)
Member Secretary





CONSENT ORDER

1

SPEED POST**STATE POLLUTION CONTROL BOARD, ODISHA**

(DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA)

A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012

Phone-2561909/ EPABX : 2561909/2562847

E-mail: paribesh1@ospcboard.org / Website: www.ospcboard.orgNo. 4574 / IND-I-CON-5237Dt. 24-03-2023**CONSENT ORDER**

Sub: Consent for Existing / New operation of the plant under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981.

Ref: i. Your online application ID No. 664215, dtd. 05.4.2016
ii. The unit's letter No.

This Consent to Operate order is hereby granted under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of Air (Prevention & Control of Pollution) Act, 1981 and rules framed there under to

Name of the Industry: M/s. BHASKAR STEEL AND FERRO ALLOY PRIVATE LTD.

Name of the Occupier & Designation; Mr. Mukesh Agarwal, Director

Address: At : Badtumkela, PO : Rajamunda, Dist- Sundargarh – 770040

This consent order is valid for the period upto 31.3.2023

This consent order is valid for the product quantity, specified outlets, discharge quantity and quality, specified chimney/stack, emission quantity and quality of emissions as specified below. This consent is granted subject to the general and special conditions stipulated therein.

A. Details of Products Manufactured

Sl. No.	Product	Quantity
01.	Induction Furnace (1 x 3 T/Heat) MS Billets	2700 TPA



B. Discharge permitted through the following outlet subject to the standard

Outlet No.	Description of outlet	Point of discharge	Quantity of discharge	Prescribed standard
1.	Domestic effluent	Treated in STP and will be reused in plantation	No discharge	pH - 6.5-9.0 BOD <30mg/l TSS <100mg/l Fecal Coliform (FC) MPN/100ml <1000
2	Cooling water	To be completely recycled	No discharge	--

C. Emission permitted through the following stack subject to the prescribed standard

Chimney / Stack No.	Description of Stack	Stack height (m)	Quantity of emission (Nm ³ /hr)	Prescribed Standard for PM (mg/Nm ³)
1.	Stack attached to Bag Filter of Induction Furnace 1 x 3 T/Heat and existing fourth Furnace 1 x 8 T/Heat	20	30,000	100

D. Disposal of solid waste permitted in the following manner

Sl. No.	Type of Solid waste	Quantity generated (TPD)	Quantity to be reused on site (TPD)	Quantity to be reused off site (TPD)	Quantity disposed off (TPD)	Description of disposal site
1.	Slag from Induction Furnace	--	--	--	--	To be stored in designated area after recovery of metal and used for road construction and low land filling

E. GENERAL CONDITIONS FOR ALL UNITS

1. The consent is given by the Board in consideration of the particulars given in the application. Any change or alternation or deviation made in actual practice from the particulars furnished in the application will also be the ground liable for review/variation/revocation of the consent order under section 27 of the Act of Water (Prevention & Control of Pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981 and to make such variations as deemed fit for the purpose of the Acts.
2. The industry would immediately submit revised application for consent to operate to this Board in the event of any change in the quantity and quality of raw material / and products / manufacturing process or quantity /quality of the effluent rate of emission / air pollution control equipment / system etc.
3. The applicant shall not change or alter either the quality or quantity or the rate of discharge or temperature or the route of discharge without the previous written permission of the Board.
4. The application shall comply with and carry out the directives/orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. . In case of non-compliance of any order/directives issued at any time and/or violation of the terms and conditions of this consent order, the applicant shall be liable for legal action as per the provisions of the Law/Act.
5. The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.



CONSENT ORDER

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6. The issuance of this consent does not convey any property right in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State laws or regulation.
 7. This consent does not authorize or approve the construction of any physical structure or facilities or the undertaking of any work in any natural water course.
 8. The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
 9. An inspection book shall be opened and made available to Board's Officers during their visit to the factory.
 10. The applicant shall furnish to the visiting officer of the Board any information regarding the construction, installation or operation of the plant or of effluent treatment system / air pollution control system / stack monitoring system any other particulars as may be pertinent to preventing and controlling pollution of Water / Air.
 11. Meters must be affixed at the entrance of the water supply connection so that such meters are easily accessible for inspection and maintenance and for other purposes of the Act provided that the place where it is affixed shall in no case be at a point before which water has been tapped by the consumer for utilization for any purposes whatsoever.
 12. Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below:
 - a) Industrial cooling, spraying in mine pits or boiler feed,
 - b) Domestic purpose
 - c) Process
 13. The applicant shall display suitable caution board at the place where the effluent is entering into any water-body or any other place to be indicated by the Board, indicating therein that the area into which the effluents are being discharged is not fit for the domestic use/bathing.
 14. Storm water shall not be allowed to mix with the trade and/or domestic effluent on the upstream of the terminal manholes where the flow measuring devices will be installed.
 15. The applicant shall maintain good house-keeping both within the factory and the premises. All pipes, valves, sewers and drains shall be leak-proof. Floor washing shall be admitted into the effluent collection system only and shall not be allowed to find their way in storm drains or open areas.
 16. The applicant shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems install or used by him to achieve with the term(s) and conditions of the consent.
 17. Care should be taken to keep the anaerobic lagoons, if any, biologically active and not utilized as mere stagnation ponds. The anaerobic lagoons should be fed with the required nutrients for effective digestion. Lagoons should be constructed with sides and bottom made impervious.
 18. The utilization of treated effluent on factory's own land, if any, should be completed and there should be no possibility of the effluent gaining access into any drainage channel or other water courses either directly or by overflow.
 19. The effluent disposal on land, if any, should be done without creating any nuisance to the surroundings or inundation of the lands at any time.
 20. If at any time the disposal of treated effluent on land becomes incomplete or unsatisfactory or create any problem or becomes a matter of dispute, the industry must adopt alternate satisfactory treatment and disposal measures.
 21. The sludge generated from treatment units shall be dried in sludge drying beds and the drained liquid shall be taken to equalization tank of treatment plant.
 22. The effluent treatment units and disposal measures shall become operative at the time of commencement of production.
 23. The applicant shall provide port holes for sampling the emissions and access platform for carrying out stack sampling and provide electrical outlet points and other arrangements for chimneys/stacks and other sources of emissions so as to collect samples of emission by the Board or the applicant at any time in accordance with the provision of the Act or Rules made therein.
 24. The applicant shall provide all facilities and render required assistance to the Board staff for collection of samples / stack monitoring / inspection.
 25. The applicant shall not change or alter either the quality or quantity or rate of emission or install, replace or alter the air pollution control equipment or change the raw material or manufacturing process resulting in any change in quality and/or quantity of emissions, without the previous written permission of the Board.
-



CONSENT ORDER

26. No control equipments or chimney shall be altered or replaced or as the case may be erected or re-erected except with the previous approval of the Board.
 27. The liquid effluent arising out of the operation of the air pollution control equipment shall be treated in the manner to the meet the prescribed standards by the Board in accordance with the provisions of Water (Prevention and Control of Pollution) Act, 1974 (as amended).
 28. The stack and ambient monitoring system installed by the applicant shall be opened for inspection to this Board at any time.
 29. There shall not be any fugitive or episodal discharge from the premises.
 30. In case of such episodal discharge/emissions the industry shall take immediate action to bring down the emission within the limits prescribed by the Board in conditions/stop the operation of the plant. Report of such accidental discharge /emission shall be brought to the notice of the Board within 24 hours of occurrence.
 31. The applicant shall keep the premises of the industrial plant and air pollution control equipments clean and make all hoods, pipes, valves, stacks/chimneys leak proof. The air pollution control equipments, location, inspection chambers, sampling port holes shall be made easily accessible at all times.
 32. Any upset condition in any of the plant/plants of the factory which is likely to result in increased effluent discharge/emission of air pollutants and / or result in violation of the standards mentioned above shall be reported to the Headquarters and Regional Office of the Board by fax / speed post within 24 hours of its occurrence.
 33. The industry has to ensure that minimum three varieties of indigenous species of trees are planted at the density of not less than 1000 trees per acre. The trees may be planted along boundaries of the industries or industrial premises. This plantation is stipulated over and above the bulk plantation of trees in that area.
 34. The solid waste such as sweeping, wastage packages, empty containers residues, sludge including that from air pollution control equipments collected within the premises of the industrial plants shall be disposed off scientifically to the satisfaction of the Board, so as no to cause fugitive emission, dust problems through leaching etc., of any kind.
 35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by :
 - i) Land fill in case of inert material, care being taken to ensure that the material does not give rise to leachate which may percolate into ground water or carried away with storm run-off.
 - ii) Controlled incineration, wherever possible in case of combustible organic material.
 - iii) Composting, in case of bio-degradable material.
 36. Any toxic material shall be detoxicated if possible, otherwise be sealed in steel drums and buried in protected areas after obtaining approval of this Board in writing. The detoxication or sealing and burying shall be carried out in the presence of Board's authorized persons only. Letter of authorization shall be obtained for handling and disposal of hazardous wastes.
 37. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard, vary all or any of such condition and thereupon the applicant shall be bound to comply with the conditions so varied.
 38. The applicant, his/heirs/legal representatives or assignees shall have no claim whatsoever to the condition or renewal of this consent after the expiry period of this consent.
 39. The Board reserves the right to review, impose additional conditions or condition, revoke change or alter the terms and conditions of this consent.
 40. Notwithstanding anything contained in this conditional letter of consent, the Board hereby reserves to it the right and power under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 to review any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Act by the Board.
 41. The conditions imposed as above shall continue to be in force until revoked under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 A of Air (Prevention & Control of Pollution) Act, 1981.
 42. The industry shall comply to all the conditions stipulated under Charter on Corporate Responsibility for Environmental Protection (CREP) guidelines in a time bound manner as envisaged there in. (if applicable)
 43. The industry shall comply to the conditions stipulated in CTE order issued by ODISHA State Pollution Control Board.
 44. The industry shall abide by E(P) Act, 1986 and Rules framed there-under
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CONSENT ORDER

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45. In case the consent fee is revised upward or the fees paid is found to be inadequate for any reason during this period, the industry shall pay the differential fees to the Board (for the remaining years) to keep the consent order in force. If they fail to pay the adequate amount within the period stipulated by the Board the consent order will be revoked without prior notice.
46. The Board reserves the right to revoke/refuse consent to operate at any time during period for which consent is granted in case any violation is observed and to modify/ stipulate additional conditions as deemed appropriate.

GENERAL CONDITIONS FOR UNITS WITH INVESTMENT OF MORE THAN Rs 50 CRORES, AND 17 CATEGORIES OF HIGHLY POLLUTING INDUSTRIES (RED A).

1. The applicant shall analyze the effluent / emissions and Ambient Air Quality every month through approved laboratory for the parameters indicated in TABLE- 'B', 'C' & Part -'B' as mentioned in this order and shall furnish the report thereof to the Board on monthly basis.
2. The following information shall be forwarded to the Member Secretary on or before 10th of every month.
 - a) Performance / progress of the treatment plant.
 - b) Monthly statement of daily discharge of domestic and/or trade effluent.
3. Non-compliance with effluent limitations
- a) If for any reason the applicant does not comply with or is unable to comply with any effluent limitations specified in this consent, the applicant shall immediately notify the consent issuing authority by telephone and provide the consent issuing authority with the following information in writing within 5 days of such notification.
 - i) Causes of non-compliance
 - ii) A description of the non-compliance discharge including its impact on the receiving waters.
 - iii) Anticipated time of continuance of non-compliance if expected to continue or if such condition has been corrected the duration or period of non-compliance.
 - iv) Steps taken by the applicant to reduce and eliminate the non-complying discharge and
 - v) Steps to be taken by the applicant too prevent the condition of non-compliance.
- b) The applicant shall take all reasonable steps to minimize any adverse impact to natural waters resulting from non-compliance with any effluent limitation specified in this consent including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.
- c) Nothing in this consent shall be construed to relieve the applicant from civil or criminal penalties for non-compliance whether or not such non-compliance is due to factors beyond his control, such as break-down, electric failure, accident or natural disaster.
4. Proper housekeeping shall be maintained inside the factory premises including process areas by a dedicated team.
5. The industry must constitute a team of responsible and technically qualified personnel who will ensure continuous operation of all pollution control devices round the clock (including night hours) and should be in a position to explain the status of operation of the pollution control measures to the inspecting officers of the Board at any point of time. The name of these persons with their contact telephone numbers shall be intimated to the concerned Regional Officer and Head Office of the Board and in case of any change in the team it shall be intimated to the Board immediately.
6. The industry shall engage dedicated qualified manpower to ensure continuous and effective operation of online stack / Ambient Air Quality / Effluent monitoring stations for maintenance of database, real time data transfer to SPCB server, data analysis and co-ordination with concerned personnel of process units for taking corrective measures in case of non-compliances and to respond to the instructions of SPCB in this matter.

F. SPECIAL CONDITIONS

Air Pollution Control & Water Pollution Control

1. The unit shall provide swiveling hood for fume extraction followed by bag filter for treatment of flue gas generated from Induction Furnace to control Particulate Matter emission within prescribed standard of 100 mg/Nm³.



2. The dust from APC devices of the bag filter shall be collected through mechanized dust handling system to a silo.
3. The work zone and internal roads connected to Induction Furnace shall be made concreted / black topped.
4. The unit shall provide port hole and platform facilities at the bag filter attached to Induction Furnace to facilitate stack monitoring.
5. The ambient air quality shall confirm to the National Ambient Air Quality standard as per the notification of MoEF dated 16 Nov 2009 (Annexed).
6. Cooling water shall be completely recycled in a closed circuit.
7. After recovery of metal from the slag generated from Induction Furnace shall be stored in earmarked area and used for road construction and low land filling inside the premises.

The occupier must comply with the conditions stipulated in section A, B, C, D, E and F to keep this consent order valid.

To,

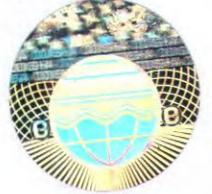
**The Director,
M/s. Bhaskar Steel and Ferro Alloy Pvt. Ltd,
At : Badtumkela, PO : Rajamunda,
Dist- Sundargarh – 770040**

Encl : As above

MEMBER SECRETARY

STATE POLLUTION CONTROL BOARD, ODISHA

Memo No. 4575 /Dt. 24-03-2023



Copy forwarded to;

- i) Regional Officer, State Pollution Control Board, Rourkela
- ii) District Collector, Sundargarh
- iii) D.F.O, Sundargarh
- iv) Director of Mines, Odisha, Bhubaneswar
- v) Director Factories & Boiler, Bhubaneswar
- vi) Consent Register / HWM Cell, Bhubaneswar

CHIEF ENV. ENGINEER

STATE POLLUTION CONTROL BOARD, ODISHA



General Standards for discharge of environment pollutants PART-A:EFFLUENTS

Sl.No.	Parameters	Standards			
		Inland surface	Public sewers	Land for irrigation	Marine Costal Areas
		(a)	(b)	(c)	(d)
1.	Colour & odour	Colourless/Odourless as far as practicable	-----	See 6 of Annex-1	See 6 of Annex-1
2.	Suspended Solids (mg/l)	100	600	200	For process wastewater – 100 b. For cooling water effluent 10% above total suspended matter of influent.
3.	Particular size of SS	Shall pass 850	----	-----	
5.	pH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
6.	Temperature	Shall not exceed 5 ⁰ C above the receiving water temperature	-----	-----	Shall not exceed 5 ⁰ C above the receiving water temperature
7.	Oil & Grease mg/l max.	10	20	10	20
8.	Total residual chlorine	1.0	----	-----	1.0
9.	Ammonical nitrogen (as N) mg/l max.	50	50	-----	50
10.	Total Kjeldahl nitrogen (as NH ₃) mg/1 max.	100	----	-----	100
11.	Free ammonia (as NH ₃) mg/1 max.	5.0	----	-----	5.0
12.	Biochemical Oxygen Demand (5 days at (20 ⁰ C) mg/1 max.	30	350	100	100
13.	Chemical Oxygen Demand, mg/1 max.	250	----	-----	250
14.	Arsenic (as As) mg/1 max.	0.2	0.2	0.2	0.2
15.	Mercury (as Hg) mg/1 max.	0.01	0.01	-----	0.001
16.	Lead (as pb) mg/1 max.	01.	1.0	-----	2.0



CONSENT ORDER

17.	Cardmium (as Cd) mg/l max.	2.0	1.0	-----	2.0
18.	Hexavalent Chromium (as Cr + 6) mg/l max.	0.1	2.0	-----	1.0
19.	Total Chromium (as Cr) mg/l max.	2.0	2.0	-----	2.0
20.	Copper (as Cu) mg/l max.	3.0	3.0	-----	3.0
21.	Zinc (as Zn) mg/l max.	5.0	15	-----	15
22.	Selenium (as Sc) mg/l max.	0.05	0.05	-----	0.05
23.	Nickel (as Nil) mg/l max.	3.0	3.0	-----	5.0
24.	Cyanide (as CN) mg/l max.	0.2	2.0	0.2	0.02
25.	Fluoride (as F) mg/l max.	2.0	15	-----	15
26.	Dissolved Phosphates (as P) mg/l max.	5.0	-----	-----	-----
27.	Sulphide (as S) mg/l max.	2.0	-----	-----	5.0
28.	Phenolic compounds as (C ₆ H ₅ OH) mg/l max.	1.0	5.0	-----	5.0
29.	Radioactive materials a. Alpha emitter micro curle/ml. b. Beta emitter micro curle/ml.	10 ⁷ 10 ⁶	10 ⁷ 10 ⁶	10 ⁸ 10 ⁷	10 ⁷ 10 ⁶
30.	Bio-assay test	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent
31.	Manganese (as Mn)	2 mg/l	2 mg/l	-----	2 mg/l
32.	Iron (Fe)	3 mg/l	3 mg/l	-----	3 mg/l
33.	Vanadium (as V)	0.2 mg/l	0.2 mg/l	-----	0.2 mg/l
34.	Nitrate Nitrogen	10 mg/l	-----	-----	20 mg/l



PART-B : NATIONAL AMBIENT AIR QUALITY STANDARDS

Sl. No.	Pollutants	Time Weighed Average	Concentrate of Ambient Air		
			Industrial Residential, Rural and other Area	Ecologically Sensitive Area (notified by Central Government)	Methods of Measurement
(1)	(2)	(3)	(4)	(5)	(6)
1.	Sulphur Dioxide (SO ₂), µg/m ³	Annual * 24 Hours **	50 80	20 80	-Improved west and Gaeke - Ultraviolet fluorescence
2.	Nitrogen Dioxide (NO ₂), µg/m ³	Annual * 24 Hours **	40 80	30 80	- Modified Jacob & Hochheiser (Na-Arsenite) - Chemiluminescence
3.	Particulate Matter (size less than 10µm) or PM ₁₀ µg/m ³	Annual * 24 Hours **	60 100	60 100	-Gravimetric - TOEM - Beta Attenuation
4.	Particulate Matter (size less than 2.5µm) or PM _{2.5} µg/m ³	Annual * 24 Hours **	40 60	40 60	-Gravimetric - TOEM - Beta Attenuation
5.	Ozone (O ₃) µg/m ³	8 Hours ** 1 Hours **	100 180	100 180	- UV Photometric - Chemiluminescence - Chemical Method
6.	Lead (Pb) µg/m ³	Annual * 24 Hours **	0.50 1.0	0.50 1.0	-AAS/ICP method after sampling on EMP 2000 or equivalent filter paper. - ED-XRF using Teflon filter
7.	Carbon Monoxide (CO) mg/m ³	8 Hours ** 1 Hours **	02 04	02 04	- Non Dispersive Infra Red (NDIR) Spectroscopy
8.	Ammonia (NH ₃) µg/m ³	Annual* 24 Hours**	100 400	100 400	-Chemiluminescence - Indophenol Blue Method
9.	Benzene (C ₆ H ₆) µg/m ³	Annul *	05	05	-Gas Chromatography based continuous analyzer - Adsorption and Desorption followed by GC analysis
10.	Benzo (a) Pyrene (BaP)-Particulate phase only, ng/m ³	Annual*	01	01	-Solvent extraction followed by HPLC/GC analysis
11.	Arsenic (As), ng/m ³	Annual*	06	06	-AAS/ICP method after sampling on EPM 2000 or equivalent filter paper
12.	Nickel (Ni),ng/m ³	Annual*	20	20	-AAS/ICP method after sampling on EPM 2000 or equivalent filter paper

** Annual arithmetic mean of minimum I04 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

** 24 hourly or 08 hourly or 01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year, 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.

BEFORE THE NATIONAL GREEN TRIBUNAL

Original Application/Appeal No. _____ of 2024

In re:

BINAPANI YUBAK SANGH, GAMLEI

APPLICANT

VERSUS

STATE OF ODISHA and Others

RESPONDENTS

KNOW ALL to whom these present shall come – Bibhuti BHusan Pati, aged about 36 years, S/o-Panchanan Pati, At- Gamlei, Po- Tumkela, PS- lahuinipada Dist- Sundergarh, Odisha and President of Binapani Yuban Sangh Gamlei the above named Applicant do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :-**Sankar Prasad Pani**, Ashutosh Padhy, **Advocates, Plot— 2132/4814, Nageswartangi, Bhubaneswar, 751002**

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 22nd day of March 2024 Accepted subject to the terms of fees.

S. Pani
Advocate
A. Padhy

Client

Client

Bibhuti Bhusan
Pati