

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

ORIGINAL APPLICATION NO. OF 2024/EZ

IN THE MATTER OF:

Sh. Manoj Yadav ...Applicant

Vs

Bihar Foundry and Castings Limited & Ors. ...Respondents

INDEX

S. No.	Particulars	Page No.
1.	Synopsis and List of Dates	1-13
2.	Original Application No. of 2024/EZ on behalf of Applicant Manoj Yadav	14 – 51
3.	<u>ANNEXURE A-1:</u> A true copy of the Factory inspector letter dated 18.12.1999.	52-53
4.	<u>ANNEXURE A-2:</u> A true copy of NOC (Consent to establish) from Jharkhand state pollution control board dated 20.05.2009.	54-55
5.	<u>ANNEXURE A- 3:</u> A true copy of the EC granted on 31.10.2011 to R-1, i.e. M/s BFCL.	56-61

6.	<u>ANNEXURE A-4:</u> A true copy of the TOR granted to R-1, BFCL by R-3, i.e. MoEF&CC for modification cum expansion dated 24.11.2020.	62-71
----	---	-------

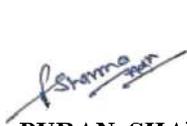
7.	<u>ANNEXURE A-5:</u> A true copy of the OM issued by R-3, MoEF&CC on 07.07.2021 titled SOP for Identification and Handling of Violation Cases.	72-80
8.	<u>ANNEXURE A-6:</u> A true copy of the relevant pages of the EAC Minutes of the Meeting (Industry I) dated 13.09.2021 and 14.09.2021.	81-93
9.	<u>ANNEXURE A-7:</u> A true copy of the relevant pages of the Minutes of Meeting of 22nd EAC (Industry I) held on 28.02.2023-01.03.2023.	94-128
10.	<u>ANNEXURE A-8:</u> A true copy of the CTO granted by Jharkhand State Pollution Control Board, vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 on 10.11.2020.	129-133

11.	<u>ANNEXURE A-9 (COLLY):</u> A true copy of the letters dated 15.05.2023 and 06.09.2023 issued by MOEF&CC.	134-141
12.	<u>ANNEXURE A-10:</u> A true copy of the Order issued by I.A. Division of MOEF&CC dated 20.09.2021.	142-143
13.	<u>ANNEXURE A-11 (COLLY):</u> A true copy of the letters issued by MOEF&CC dated 19.12.2022.	144-154
14.	<u>ANNEXURE A-12 (COLLY):</u> A true copy of report of IRO dated 05.01.2022 along with previous IROs dated 02.10.2020 and 14.02.2017	155-195
15.	<u>ANNEXURE A-13 (COLLY):</u> A true copy of the NOC dated 02.01.2021 issued by CGWA to M/s BFCL.	196
16.	<u>ANNEXURE A-14:</u> A true copy of the CEPI guidelines dated 24.10.2019.	197-201
17.	<u>ANNEXURE A-15:</u> Copy of the environment clearance application dated 12.09.2020 filed by BFCL for expansion of its plant.	202

18.	<u>ANNEXURE A-16:</u> Copy of Environment Clearance application dated 20/02/2023 filed by BFCL.	203
19.	<u>ANNEXURE A-17:</u> Copy of notification issued by the Central Government under Environment Protection Act, 1986 dated 14.09.2006	204-248
20.	<u>ANNEXURE A-18:</u> Copy of MoEF (IA-Division) Letter F. No. – 11011/310/2009- IA II (I) dated 28.01.10 issued to Respondent	249-255
21.	Affidavit of the applicant in support of the application	256
22.	Vakalatnama	257

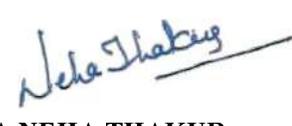

Applicant

Filed by:









PURAN SHARMA, NARENDER PAL SINGH, BHARAT SHARMA, NEHA THAKUR

ADVOCATES

SYNOPSIS AND LIST OF DATES

The BFCL (Ferro Alloy Unit) is a manufacturer of ferro-alloys operating its ferro alloy plant on Plot No1405(P) Ramgarh Industrial Area, Marar Village, Ramgarh District., Jharkhand since 1996 & presently he is manufacturing Low Carbon/Medium Carbon Ferro Alloys. Ferro-Alloys are metallurgical industries and fall within the ambit of activity 3(a), which is a primary metallurgical industry requiring environmental clearance from the Central Government.Environment (Protection) Act, 1986 (hereinafter referred to as the EPA)enacted as an umbrella legislation concerning environmental protection and has brought out rules, regulations and directives to be complied with. The Central Government notified Environment Impact Assessment Notification, 2006 (hereinafter referred to as EIA, 2006) in exercise of its powers under the EPA. EIA, 2006 categorized the projects into two categories. The Category A projects are accessed by the Central Government through MoEFand Category B projects are accessed at the State level by the State Environment Impact Assessment Authority (SEIAA). Under the schedule, metallurgical industries (ferrous and non-ferrous) are included within activity 3 (a). Primary metallurgical industry requires prior and mandatory EC from the Central Government constituted Environmental Assessment Committee. BFCL was operating a Ferro Alloy (2x5MVA) with a production of 26TPD for (Silico/Manganese) and Ferro Alloy (7.5MVA) having a capacity of 30 TPD of Silico/Manganese. It is pertinent to note that at this point there was no environmental clearance ever applied for. Subsequently, on 31.10.2011 an EC was granted for expansion in production

of [9MVA X 1= 40TPD] Unit of Ferro Silicon/ Ferro-Manganese vide reference No.-J11011/34/2010-IA.II(I). On 24.11.2020, Terms of Reference was granted to Modification cum expansion in existing Ferro Alloys Plant by Bihar Foundry and Castings Limited towards 2X6+3X9MVA SAF's + 1x12T per batch CLU Converter with matching associate facilities Product Mix Si Min having production 165TPD (58,575 TPD) or HC/MC/LC FeMn – 265 TPD (94,075 TPA), thereby increasing the production by almost three times. MoEF &CC issued an OM detailing the standard operating procedure to be followed for violation cases. It states that if no prior EC was taken then the project must be closed down. It further states that there shall be no grant or renewal of CTO till the time the project is not granted Environmental Clearance, afresh. On 13-14.09.2021, 44th Meeting of Reconstituted EAC (Industry I) of MoEF&CC where the proposal of M/s BFCL was taken up and rejected and it was summarily placed in the ambit of violation cases as per OM on SOP for Violation cases dated 07.07.2021. On 28.02.2023-01.03.2023, Minutes of Meeting of 22nd EAC (Industry I) held on 28.02.2023-01.03.2023 wherein a condition precedent of no further construction to be carried out by BFCL unless and until there is prior permission/approval by Ministry of Environment, Forest and Climate Change (MoEF&CC). Despite this, blatant violations are being carried out by BFCL in violation of the OM dated 07.07.2021 regarding SOP for violation cases by constructing and operating without a valid EC. On 23.03.1974, The Water (Prevention and Control of Pollution) Act, 1974 was enacted for the prevention and control of water pollution. Any project proponent which sought to discharge any effluent from its project is now

mandatorily required to obtain permission from respective SPCB and adhere to norms prescribed by the Central Pollution Control Boards and the respective SPCB. This permission is a two-stage mechanism. Under this mechanism the project proponents are required to obtain NOC/ Consent to Establish before starting the construction of the project. Subsequently, once the construction activities are completed, Consent to Operate is required to be obtained from the State Pollution Control Boards before commencing operations. On 29.03.1981, Air (Prevention and Control of Pollution) Act, 1981 was enacted for the prevention, control and abatement of air pollution. The NOC/ Consent to Establish and the Consent to Operate mechanism under the Air Act, 1981 is similar to that under the Water Act, 1974. On 07.03.2016, Over the years, the SPCBs adopted different mechanisms for grant of NOC, CTE and CTO under the Air Act and Water Act. To address the problem caused due to such different mechanisms, the CPCB issued directions on 07.03.2016 for Classification of Industries to ensure uniform classification of industries across the country. The classification of industries listed out the industries which would require CTE/ CTO and placed them in different categories on the basis of their pollution index. Under the schedule, metallurgical industries, both ferrous and non-ferrous come under the orange category – with a pollution index score of 41 to 59. On 03.05.2016, Jharkhand State Pollution Control Board (JSPCB) notified its own Classification of industries on the basis of the CPCB classification whereby it has classified industries into three categories, viz. Red, Orange and Green. Under the schedule, metallurgical industries, both ferrous and non-ferrous come under the orange category. Under the orange

category, the JSPCB has further subdivided the two categories based on pollution load index: High Risk category comprises industrial sectors having pollution index scores of 50 to 59 and Low Risk category having pollution index score of 41 to 49. On 10.11.2020, CTO granted by Jharkhand State Pollution Control Board, JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 in favour of sister concern of BFCL i.e. GAUTAM FERRO ALLOY till a period of 31.12.2025. This has been granted on the basis of a lapsed environmental clearance dated 31.10.2011. An order issued by I.A. Division; MoEF&CC dated 20.09.2021 stating that CTO to not be granted unless a valid EC is subsisting. It further states that no CTE/CTO to be renewed till the time a valid EC is granted. BFCL has been granted a CTO and subsequently granted a change of name in the CTO despite an order by MoEF&CC stating that renewal is impermissible in the face of lack of valid EC. On 19.12.2022, two separate Letters were issued by IA division of Ministry of Environment, Forest and Climate Change (MoEF&CC) to M/s BFCL and Additional Chief Secretary, Environment and Forests Department, Jharkhand stating that State Government/ JSPCB not grant CTO till EC is granted on the basis of OM dated 07.07.2021. It stated that construction/operation without prior EC shall be stopped immediately. BFCL in violation continues to operate the same. It further states that under the violation cases regime no CTO to be granted till grant of fresh environmental clearance. On 23.01.2023, CTO granted to sister concern of BFCL i.e. GAUTAM FERRO ALLOY changed to the name of Bihar Foundry & Castings Limited. On 15.05.2023 and 06.09.2023, letters were issued by MoEF&CC to BFCL and JSPCB wherein it is stated that no consent to operate be granted till the time the

project is granted environmental clearance on the basis of OM dated 07.07.2021. Despite this, the CTO has been granted by the Jharkhand State Pollution Control Board and continues to be in operation till 31.12.2025. Further, there is no installation of a proper continuous ambient air quality monitoring system in the plant which is capable of monitoring 5 parameters in air i.e. presence of PM 10 in air, presence of PM 2.5 in air, presence of Sox, presence of NOx and presence of CO. On 24.10.2019, CEPI issues guidelines which states that in severely polluted areas like Ramgarh, Jharkhand plantation of 40 percent needs to be carried out in the plant of BFCL to abate pollution. No such exercise has been carried out. On 02.01.2021, NOC was granted by Central Groundwater Authority to BFCL for groundwater extraction. No prior NOC was granted and the plant was operating illegally for over 20 years by drawing water. Further, the present NOC does not grant required capacity to extract as per current expanded production of ferro alloy. Integrated Regional Office, Ranchi (MOEF) (“IRO”), Govt. of India has conducted inspections of the BFCL’s plant on 05.01.2022 and previously on 02.10.2020 and 14.02.2017. On the basis of these inspections, various violations of environmental laws have been pointed out in BFCL’s ferro alloy plant. Some of these are related to lack of proper environmental clearance for running its SEAF Units, usage of pearl coke in place of pet coke, non-connection of furnace with the STACK system, non-provision of adequate living facilities for the labourers, no provision for collection and treatment of run off rainwater from the raw material storage area, non-availability of surface water harvesting structure etc. These recommendations have not been complied with even now.

There are continuing environmental violations and there is a substantial question of environment involved. Hence, this present original application.

List of Dates

23.03.1974	<p>The Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the Water Act, 1974) was enacted for the prevention and control of water pollution. The Act established the Central Pollution Control Board (hereinafter referred to as CPCB) and the State Pollution Control Board (hereinafter referred to as SPCB) as nodal authorities for Centre and States Governments, respectively, for this purpose. Any project proponent which sought to discharge any effluent from its project is now mandatorily required to obtain permission from respective SPCB and adhere to norms prescribed by the Central Pollution Control Boards and the respective SPCB. Over the years the permission was developed into a two-stage mechanism. Under this mechanism the project proponents are required to obtain NOC/ Consent to Establish before starting the construction of the project. Subsequently, once the construction activities are completed, Consent to Operate is required to be obtained from the State Pollution Control Boards before commencing operations.</p>
------------	--

29.03.1981	<p>Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as Air Act, 1981) was enacted for the prevention, control and abatement of air pollution. Similar to the mechanism under the Water Act, 1974, the Air Act, 1981 also mandated that the project proponent be required to obtain a permission from the Pollution Control Boards and comply with its norms for emissions. The NOC/ Consent to Establish and the Consent to Operate mechanism under the Air Act, 1981 is similar to that under the Water Act, 1974.</p>
23.05.1986	<p>Environment (Protection) Act, 1986 (hereinafter referred to as the EPA) enacted as an umbrella legislation concerning environmental protection and has brought out rules, regulations and directives to be complied with. Under Section 3 of the EPA, the Central Government is granted power to take measures to protection of environment. In exercise of such power the Central Government has notified various delegated legislations such as the Environmental Impact Assessment, 2006.</p>

14.09.2006	<p>The Central Government notified Environment Impact Assessment Notification, 2006 (hereinafter referred to as EIA, 2006) in exercise of its powers under the EPA. EIA, 2006 categorized the projects into two categories. The Category A projects are accessed by Central Government through MoEF and Category B projects are accessed at the State level by the State Environment Impact Assessment Authority (SEIAA). Para 2 of EIA, 2006 mandated the requirement of obtaining prior Environmental Clearance from the concerned regulatory authority for all new projects or activities listed in the Schedule; or expansion and modernization of existing projects or activities listed in the Schedule; or any change in product mix in an existing manufacturing unit included in the Schedule. Under the schedule, metallurgical industries (ferrous and non-ferrous) are included within activity 3 (a). Primary metallurgical industry requires prior and mandatory EC from the Central Government constituted Environmental Assessment Committee.</p>
31.10.2011	<p>EC granted to [9MVA X 1= 40TPD] Unit of Ferro Silicon/ Ferro-Manganese vide reference No.-J11011/34/2010-IA. II(I) of MoEF&CC at Plot No. 1405, Ramgarh Industrial Area, Marar Village, Ramgarh District in Jharkhand of M/s Bihar Foundry and Casting. Conditions of EC were not subsequently followed.</p>

07.03.2016	<p>Over the years, the SPCBs adopted different mechanisms for grant of NOC, CTE and CTO under the Air Act and Water Act. To address the problem caused due to such different mechanisms, the CPCB issued directions on 07.03.2016 for Classification of Industries to ensure uniform classification of industries across the country. The classification of industries listed out the industries which would require CTE/ CTO and placed them in different categories on the basis of their pollution index. Under the schedule, metallurgical industries, both ferrous and non-ferrous come under the orange category – with a pollution index score of 41 to 59.</p>
03.05.2016	<p>Jharkhand State Pollution Control Board (JSPCB) notified its own Classification of industries on the basis of the CPCB classification whereby it has classified industries into three categories, viz. Red, Orange and Green. Under the schedule, metallurgical industries, both ferrous and non-ferrous come under the Orange category. Under the orange category, the JSPCB has further sub-divided into</p>

	two categories based on pollution load index: High Risk category comprises industrial sectors having pollution index scores of 50 to 59 and Low Risk category having pollution index score of 41 to 49.
24.10.2019	CEPI issues guidelines which states that in severely polluted areas like Ramgarh, Jharkhand plantation of 40 percent needs to be carried out in the plant of M/s BFCL.
10.11.2020	CTO granted by Jharkhand State Pollution Control Board, JSPCB vide no. JSPCB/HO/RNC/CT 4412165/2020/1819 in favour of sister concern of M/s BFCL i.e. GAUTAM FERRO ALLOY till a period of 31/12/2025. This has been granted on the basis of a lapsed environmental clearance No.-J11011/34/2010-IA.II(I), dated 31.10.2011 issued by Ministry of Environment & Forest, Govt. of India, New Delhi.
24.11.2020	Terms of Reference granted to Modification cum expansion in existing Ferro Alloys Plant by M/s Foundry and Castings Limited located at Ramgarh Industrial Area, Survey Plot No. 1405 (P)
02.01.2021	NOC granted by Central Groundwater Authority to M/s BFCL for groundwater extraction. No prior NOC was granted and the plant was operating illegally by drawing water. Further, the present NOC does not grant required capacity to extract as per current production of ferro alloy.

07.07.2021	Ministry of Environment, Forest and Climate Change (MoEF&CC) issued an OM detailing the standard operating procedure to be followed for violation cases. It states that if no prior EC was taken then the project must be closed down. It further states that there shall be no grantor renewal of CTO till the time the project is not granted Environmental Clearance, afresh.
20.09.2021	Order issued by I.A. Division, MoEF&CC stating that CTO to not be granted unless a valid EC is subsisting. It further states that no CTE/CTO to be renewed till the time a valid EC is granted.
14.09.2021	44th Meeting of Reconstituted EAC (Industry I) where the proposal of BFCL was taken up and rejected and it was summarily placed in the ambit of violation cases.

05.01.2022	<p>Integrated Regional Office, Ranchi (MOEF) (“IRO”), Govt. of India has conducted inspections of the BFCL’s plant on 05.01.2022 and previously on 2.10.2020 and 14.02.2017. Further, on the basis of these inspections, various violations of environmental laws have been pointed out in BFCL’s ferro alloy plant. Someof these are related to non-obtaining of proper environmental clearance for running its SEAF Units, usage of pearl coke in place of pet coke, non-connection of furnace with the STACK system, non-provision of adequate living facilities for the Labourers, no provision for collection and treatment of run off rainwater from the raw material storage area, non-availability of surface water harvesting structure etc.</p>
19.12.2022	<p>Two separate Letters written by IA division of Ministry of Environment, Forest and Climate Change (MoEF&CC) to BFCL and Additional Chief Secretary, Environment and Forests Department, Jharkhand stating that State Government/ JSPCB not grant CTO till EC is granted on the basis of OM dated 07.07.2021 – SOP on Violation Cases. It stated that construction/operation without prior EC shall be stopped immediately. BFCL in violation continues to operate the same. It further states that under the violation cases regime no CTO to be granted till grant of environment clearance.</p>

23.01.2023	CTO granted to sister concern of BFCL i.e. GAUTAM FERRO ALLOY changed to the name of Bihar Foundry & Castings Limited.
28.02.2023	Minutes of Meeting of 22nd EAC (Industry I) held on 28.02.2023-01.03.2023 wherein a condition precedent of no further construction to be carried out by BFCL unless and until there is prior permission/approval by Ministry of Environment, Forest and Climate Change (MoEF&CC)
8.02.2023	Public notice issued by this Hon'ble Tribunal, Eastern Zone Kolkata.
15.05.2023	Letters issued by Ministry of Environment, Forest and Climate Change (MoEF&CC) to BFCL and JSPCB wherein it is stated that no consent to operate be granted till the time the project is granted environmental clearance on the basis of OM dated 07.07.2021 – SOP on Violation Cases Despite this, the CTO has been granted by the Jharkhand State Pollution Control Board.
01.03.2024	Order passed by this Hon'ble Tribunal.
26.05.2024	Hence, this present Original Application

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

ORIGINAL APPLICATION NO. OF 2024/EZ

IN THE MATTER OF:

Sh. Manoj Yadav ...Applicant

Vs

Bihar Foundry and Castings Limited & Ors. ...Respondents

Memo of Parties

IN THE MATTER OF :

Sh. Manoj Yadav

S/o Late Sh. V.S. Yadav

R/ o Kundu Mohalla Presently known as

Medni Nagar City Daltanganj District Palamu Jharkhand

Presently At: -

H.No. K- 82 Gali No. 26, West Gonda Delhi 110053

...Applicant

Versus

1. Bihar Foundry and Castings Limited

Through Its **Chairman/Director**

Main Road, Ranchi, P.O.- G.P.O,

PS.- Sadar, District- Ranchi, Jharkhand- 834001,

Also, At :- Ramgarh Industrial Area,

Marar Village, Ramgarh (Tehsil & District),

Jharkhand- 829117, Tel: 9234281144,

Email- bfcgfa@gmail.com

2. M/S GAUTAM FERROALLOYS LTD.

Through its Managing Director

At:- Ramgarh Industrial Area,

Marar Village, Ramgarh (Tehsil & District),

Jharkhand- 829117, Tel: 9234281144,

Email- contact@bfcfalloys.com

3. Ministry Of Environment, Forest & Climate Change,

Through **Secretary,**

Indira Paryavaran Bhawan, Jorbagh Road,

New Delhi – 110003, Tel: 011-20819308, 20819408,

Email- secy-moef@nic.in

4. Jharkhand State Pollution Control Board,

Through **Member Secretary,**

H.E.C, Dhurwa, Ranchi-834004 Jharkhand

Tel: 0651- 2400894/851/852/902/979/138,

Email- ranchijspcb@gmail.com

5. Central Pollution Control Board,

Through **Chairman,**

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Tel: 0 11-43102030, Email- ccb.cpcb@nic.in

6. Department of Forest, Environment & Climate Change,

Government of Jharkhand,

Through **Principal Secretary,**

Nepal House, Doranda Ranchi, Jharkhand -834002

Tel: 0651-2491669, 2491098, Email- ro.ranchi-mef@gov.in

7. Central Ground water Authority of India,

Through Member

18/11 Jamnagar House, Mansingh Road

New Delhi-110011,

Tel: 011-23383824, Email- mcgwa-cgwb@nic.in

8. Central Ground water Board Mid Eastern Region,

Through Regional Director

6th& 7th Floor, Lok Nayak Jai Prakash Bhawan,

Frazer Road, Dak Banglow, Patna- 800011, Bihar.

Tel: 0612-2231785, Email- rdmer-cgwb@nic.in

...Respondents

Money
Applicant

Filed by:

P. Sharma

N.P. Singh

B. Sharma

Neha Thakur

**PURAN SHARMA, NARENDER PAL SINGH, BHARAT SHARMA, NEHA THAKUR
ADVOCATES**

D-616, Lawyer's Chamber Karkardooma Court Delhi

Email: puransharmaadv63@gmail.com;

Mobile No. 9810473481, 8287916879

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

ORIGINAL APPLICATION NO ----- OF 2024/EZ

IN THE MATTER OF:

Sh. Manoj Yadav

...Applicant

Vs

Bihar Foundry and Castings Limited & Ors.

...Respondents

**APPLICATION UNDER SECTION 18(1) READ WITH SECTION 14
AND 15 OF NATIONAL GREEN TRIBUNAL ACT 2010**

To

**THE HON'BLE CHAIRMAN AND HIS COMPANION
MEMBER OF THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA**

MOST RESPECTFULLY SHOWETH:

1. That the appellant is a practicing advocate at Delhi with Enrolment D/2198/2007 with Bar Council of India and Bar Council of Delhi. The applicant has filed the present case before this Hon'ble Tribunal to safe guard the interest of the public at large.
2. That the applicant, every citizen including fellow villagers are experiencing mental and physical detriment attributable to air and water pollution instigated by the Respondents.

3. That the respondents are culpably releasing pollutants from their manufacturing plants, thereby contaminating the air and water with toxins. As a consequence, the applicant /petitioner and entire village community are subjected to the consumption of polluter air and water, leading to a gradual decline in their health. Neither the respondents nor the relevant authorities have taken any remedial measures to mitigate the pollution and safeguard to the lives of the applicant and the other villagers.
4. That the public at large applicant/petitioners relatives and villagers have exhaustively pursued recourse through appeals to both the respondents and pertinent authorities to cease the pollution, yet such entreaties have yielded no tangible result. Consequently, in pursuit of justice, the petitioner/applicant now seeks remedy before this esteemed tribunal against the aforementioned respondents
5. That the applicant/petitioner being a citizen aged about 43 years has diligently gathered the pertinent documents to submit the present complaint before this Hon'ble Tribunal. It has also come to the attention of the petitioner that two applicants, referred in the brief facts of the current applicant, are pending before this Tribunal and are scheduled for hearing on 07/08/24.
6. That the address of the Applicant is given for the purpose of serving notices and other relevant correspondences.
7. That the Applicant is citizen of India by birth and maintains a conscientious commitment to preserving the environment in a clean and orderly state, with due regards for both personal well-being and the welfare of fellow villagers.

Consistently advocating on matters of public significance, the applicant has brought forth numerous concern regarding environmental integrity. Given that the present application addresses multiple instances of environmental transgression perpetrated by BFCL, identified as respondent No. 1, the applicant has imitated this case before the Hon'ble Tribunal to uphold the collective interest of the public.

8. That the Respondent No.1 (R-1) is a private company and one of the largest manufacturers of ferrous alloy in the state of Jharkhand. It is a company registered with ROC, Jharkhand and is engaged in the business related to ferrous products, ferro alloys, ferro-silico-manganese. The Respondent No. 2 (R-2), M/s. Gautam Ferro Alloys, is a proprietorship firm owned by the directors of Bihar Foundry and Casting Ltd. and is a distinct entity. Respondent No.3 (R-3) is the nodal central ministry for environment, forest and climate change in the country. Respondent No.4 (R-4) is an autonomous body of the State of Jharkhand that deals with grant of Consents before commencement in the State. Respondent No. 5 (R-5) is the autonomous body in the Centre that deals with air pollution in the country. Respondent No.6 (R-6) is the nodal ministry in the state dealing with issues pertaining to environment, forest and climate change. Respondent No. 7 (R-7) is the nodal authority in the country for issuing NOC for extraction of groundwater in permissible limits.
9. That 3.51 acres land was granted by State Govt .in 1985 for the period of 99 years on lease to the Ferro alloy unit of Bihar Foundry & Castings Ltd. However, the environment clearance was issued to Bihar Foundry & Castings ltd., for its ferro alloy unit provides that the same is granted for 14

acres of land. Thus, there is evident discrepancy in the 1st environment clearance issue to BFCL on 31.10.2011. How MoEF & CC granted Environment Clearance for 14 Acres to Bihar foundry and castings limited as it doesn't have land documents for 14 acres of land BFCL is a habitual violator of environmental norms and is operating its polluting industry without approvals and consent of competent authorities. In 2020, Bihar Foundry & Castings Ltd. executed a lease deed for 3.67 acres of land. However, discrepancies have since been identified across various statutory and regulatory documents. The latest Consent to Operate issued by the Pollution Control Board specifies a total land area of 7.26 acres. Contradictorily, the Pre-feasibility Report, Six-Monthly Environmental Clearance Compliance Report, and Environmental Statement (Form-V) all indicate the land area as 7.76 acres. These inconsistencies in the documented land area of Bihar Foundry & Castings Ltd. have persisted since its inception, raising concerns about compliance with environmental regulations and statutory requirements.

10. That the Bihar Foundry & Castings Ltd. has failed to obtain the mandatory No Objection Certificate (NOC) and Consent to Establish from the Jharkhand State Pollution Control Board (JSPCB) for its initial 1 x 5 MVA furnace established in 1996 and its subsequent 1 x 5 MVA furnace established in 1999, as evidenced by the Factory Inspector's letter dated 18.12.1999. The requisite NOC from the JSPCB was only granted on 24.02.2000. It is pertinent to mention that Bihar Foundry & Castings Ltd. did not secure the mandatory Consent to Operate since its inception in 1996, despite this being a condition explicitly stipulated in the first NOC issued by the JSPCB on 24.02.2000. The first Consent to Operate was only obtained

by Bihar Foundry & Castings Ltd. on 12.03.2015, thereby contravening the statutory environmental regulations. (Factory Inspector's letter and the first NOC from JSPCB are attached as **Annexure-A-1 and is available on pages 52-53, and Annexure-A2 is available on pages 54-55.**

11. That it is pertinent to mention that Bihar Foundry & Castings Ltd. obtained Consent to Establish on 20.05.2009 for a 1 x 7.5 MVA furnace for the production of 30 TPD of Si-Mn ferro alloy without securing the mandatory Environmental Clearance (EC). It is astonishing that the Jharkhand State Pollution Control Board (JSPCB) granted Consent to Establish to a ferro alloy metallurgical industry, which falls under Category-A of the EIA Notification 2006. This category mandates prior Environmental Clearance from the Central Government before the establishment, expansion, or modernization of any such projects. The EIA Notification 2006 specifies a list of projects and activities that require prior environmental clearance from the concerned regulatory authority. The Consent to Establish issued on 20.05.2009 and the letter issued to Respondent No. 1 by Respondent No. 3, dated 31st October 2011, are attached as **Annexure-A-3 and is available on pages 56-61.**

12. That the competent authorities have not issued any Environmental Clearance (EC) in the name of the proprietorship firm, M/s Gautam Ferro Alloys, to date. However, the directors/promoters of Bihar Foundry & Castings Ltd. (BFCL) have fraudulently utilized the Environmental Clearances issued in the name of BFCL to obtain Consent to Operate (CTO) for M/s Gautam Ferro Alloys. This misuse of Environmental Clearances constitutes a violation of environmental laws and regulations. Consequently, the CTOs

issued to both M/s Gautam Ferro Alloys and BFCL are liable to be revoked due to this fraudulent action and non-compliance with statutory requirements.

- 13.** That it is evident from the production data that Bihar Foundry & Castings Ltd. (BFCL) has altered its product mix without obtaining the requisite prior Environmental Clearance (EC). The sanctioned production capacities were 26 TPD for Si-Mn, 30 TPD for Si-Mn, and 40 TPD for Fe-Si/Fe-Mn. However, BFCL has not adhered to these stipulations and has instead manufactured its products as per its convenience, resulting in unauthorized changes to the product mix. This deviation from the approved product mix, granted by the Jharkhand State Pollution Control Board (JSPCB) and the Ministry of Environment, Forest and Climate Change (MoEFCC), constitutes a breach of environmental regulations and statutory requirements.
- 14.** That Bihar Foundry & Castings Ltd. (BFCL) has been storing raw materials outside the plant premises without obtaining the requisite Consent to Establish (CTE) and Consent to Operate (CTO) from the Jharkhand State Pollution Control Board (JSPCB). Additionally, BFCL has not secured the necessary permissions from other relevant government authorities for such storage practices. This unauthorized storage constitutes a violation of environmental regulations and statutory requirements, thereby rendering BFCL liable for appropriate legal and regulatory actions.
- 15.** That Bihar Foundry & Castings Ltd. (BFCL) has not obtained a valid Consent to Establish (CTE), Consent to Operate (CTO), or prior Environmental Clearance (EC) for the operation of the CLU Converter used for manufacturing Low Carbon/Medium Carbon Ferro Manganese. Despite

the absence of these mandatory approvals, BFCL is manufacturing and selling Low Carbon/Medium Carbon ferro alloys to customers, including major entities such as SAIL and others, as per Domestic and International market reports. This constitutes a serious breach of environmental laws and regulatory frameworks, warranting immediate legal and regulatory intervention.

16. That the Applicant is aware that two Original Applications, O.A. No. 44/2023 and O.A. No. 141/2023, are currently pending adjudication before this bench of the Hon'ble Tribunal, pertaining to large-scale environmental violations by R-1. Subsequently, a committee was constituted, and a report based on a site inspection conducted on 13.05.2023 is also pending adjudication. In light of these facts and other emerging issues, the Applicant is filing this present Original Application to highlight the extensive and ongoing environmental violations being committed without the necessary approvals. The Applicant seeks urgent and appropriate action from this Hon'ble Tribunal to address these violations
17. That it is further pertinent to note that R-1 continues to operate and manufacture Low Carbon/Medium Carbon Ferro Alloys without possessing valid environmental compliance, thereby contravening the prevailing laws of the land. This ongoing operation without the requisite environmental approvals constitutes a flagrant breach of regulatory statutes and environmental norms.

18. That it is submitted that R-1 has set up a ferro-alloy production unit at Plot No. 1405 (P) in Ramgarh, Jharkhand. These units are operating without obtaining necessary prior and mandatory environmental permissions.
19. That it is submitted that due to the nature of units with different production capacities, R-1 has sought to play and subsequently prosper, with convenience of numbers without prior mandatory environmental clearance and consents under the Water Act, 1974 and Air Act, 1981.

I. **NON-COMPLIANCE OF ENVIRONMENTAL SAFEGUARDS RESULTING IN VIOLATIONS**

20. That R-1 is running a metallurgical industry in Ramgarh, Jharkhand. Under the aegis of a metallurgical industry, it has almost tripled its capacity without environmental compliances. The details for the same are provided hereinbelow:

Production without EC	Final expanded continuing production without EC
2x5+1x7.5+1x9 MVA SAF (Submerge Arc Furnaces) Ferro Alloys SiMin/Fe Min	2X6+3X9MVA SAF's + 1x12T per batch CLU Converter with matching associate facilities Product Mix SiMin – 165TPD (58,575 TPD) or
	HC/MC/LC FeMn – 265 TPD (94,075 TPA) depending on market scenario/demand.

- 21.** That it is submitted that the parent EIA notification, i.e. EIA, 2006 classifies metallurgical industries (ferrous and non-ferrous) for the activity carried out by R-1 as a primary metallurgical industry with activity 3(a), requiring prior and mandatory Environmental Clearance from EAC of the Central Government.
- 22.** That it is submitted that R-1 applied for Environmental Clearance for expansion of the ferro-alloy plant by installing SAF (9MVA X1 =40TPD) at plot No. 1405, Ramgarh Industrial Area, Marar Village, Ramgarh District. It is submitted that this was in addition to Ferro Alloy (2x5MVA) with a production of 26TPD for (Silico/Manganese) and Ferro Alloy (7.5MVA) having a capacity of

30 TPD of Silico/Manganese. Subsequently, EC was granted on 31.10.2011. It is submitted that for the other units no environmental clearance was ever applied for or received.

23. That it is submitted that on 24.11.2020, the R-3 granted Terms of Reference to R-1 for modification cum expansion in existing ferro alloy for entire operations 2X6+3X9MVA SAF's + 1x12T per batch CLU Converter with matching associate facilities Product Mix SiMin– 165TPD (58,575 TPD) or HC/MC/LC FeMn – 265 TPD (94,075TPA) depending on market scenario/demand. without knowing that R-1 had caused grave environmental violations. It is submitted that even at this point, R-1 had stated to R-3 that there was no violation on its part. It is submitted that R-1 had hidden a material fact – It was engaged in production of ferro-alloy, i.e. Activity 3 (a) of EIA, 2006 without environmental clearance leading to environmental loss and degradation. Copy of the TOR granted to R-1 by R-3 for modification cum expansion dated 24.11.2020 is annexed herewith as **Annexure A -4, and is available on pages 62-71.**
24. That it is submitted that the entire site has no subsisting EC at present. Even previously, the R-1 had hidden material facts which led to increase in production, i.e. expansion without environmental clearance. It is further submitted that the OM issued by R-3 dated 07.07.2021 clearly spells out that in case of violation where no subsisting EC is

present, the project must be closed down henceforth. It is further submitted that once a violation is identified, no consent to operate be granted by respective SPCB till the time of grant of EC. It is submitted that despite this OM, the project was granted CTO while an application for grant of EC is still pending adjudication by EAC. A copy of the OM issued by R-3 on 07.07.2021 titled SOP for Identification and Handling of Violation Cases is annexed and marked as **Annexure A- 5, and is available on pages 72-80.**

25. That it is submitted that subsequently R-1 applied for environmental clearance. The EAC (Industry-I) in its 44th meeting held on 13-14th September, 2021 returned the proposal since it involves violation and attracts provisions of OM dated 07.07.2021 regarding SOP for identification of violation cases. It is submitted that many inconsistencies were highlighted by the EAC in its report, resulting in black listing of the environmental consultant for the project in question. A copy of the relevant pages of the EAC Minutes of the Meeting dated 13.09.2021 and 14.09.2021 is annexed herewith as **Annexure A- 6, and is available on pages 81-93.**
26. That it is verily believed that the existing set-up is running with increased modified output despite pending EC. It is further submitted that despite not having any EC at present, the operations of the site including increased production continue unabated.
27. That subsequently, through communications, R-1's plant was treated as a violation case and penalized. Yet, the SOP dated 07.07.2021 stated

that where there is no pre-existing EC, the project must be closed down. It is humbly submitted that the project has not been closed down despite the law of the land being very clear.

28. That Minutes of Meeting of 22nd EAC (Industry I) held on 28.02.2023-01.03.2023 wherein a condition precedent of no further construction to be carried out by R-1 unless and until there is prior permission/approval by R-3 The relevant portion is reproduced herein below:

X. 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). A copy of the relevant pages of the Minutes of Meeting of 22nd EAC (Industry I) held on 28.02.2023-01.03.2023 Dated 7/03/23 is annexed herewith and marked as Annexure A- 7, and is available on pages 94-128.

29. That it is submitted that now the entire project is pending consideration by EAC for approval of EC. Until such time EC is finally granted, the entire project must be closed.

II. VIOLATION OF CONSENT MECHANISM FROM THE JHARKHAND STATE POLLUTION CONTROL BOARD

30. That the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the Water Act, 1974) was enacted for the prevention and control of water pollution. The Act established the Central Pollution Control Board (hereinafter referred to as CPCB) and the State Pollution Control Board (hereinafter referred to as SPCB) as nodal authorities for Centre and States Governments, respectively, for this purpose. Any project

proponent which sought to discharge any effluent from its project is now mandatorily required to obtain permission from respective SPCB and adhere to norms prescribed by the Central Pollution Control Boards and the respective SPCB. Over the years the permission was developed into a two stage mechanism. Under this mechanism the project proponents are required to obtain NOC/ Consent to Establish before starting the construction of the project. Subsequently, once the construction activities are completed, Consent to Operate is required to be obtained from the State Pollution Control Boards before commencing operations.

- 31.** That the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as Air Act, 1981) was enacted for the prevention, control and abatement of air pollution. Similar to the mechanism under the Water Act, 1974, the Air Act, 1981 also mandated that the project proponent be required to obtain a permission from the Pollution Control Boards and comply with its norms for emissions. The NOC/ Consent to Establish and the Consent to Operate mechanism under the Air Act, 1981 is similar to that under the Water Act, 1974.

- 32.** That over the years, the SPCBs adopted different mechanisms for grant of NOC, CTE and CTO under the Air Act and Water Act. To address the problem caused due to such different mechanisms, the R-5 issued directions on 07.03.2016 for classification of Industries to ensure uniform classification of industries across the country.

33. That the classification of industries listed out the industries which would require CTE/ CTO and placed them in different categories on the basis of their pollution index. Under the schedule, metallurgical industries, both ferrous and non-ferrous come under the orange category – with a pollution index score of 41 to 59.
34. That the R-4 notified its own Classification of industries on the basis of the CPCB classification whereby it has classified industries into three categories, viz. Red, Orange and Green. Under the schedule, metallurgical industries, both ferrous and non-ferrous come under the Orange category. Under the orange category, the JSPCB has further sub-divided into two categories based on pollution load index: High Risk category comprises industrial sectors having pollution index scores of 50 to 59 and Low Risk category having pollution index score of 41 to 49.
35. That it is submitted that R-1 had obtained a CTO granted by Jharkhand State Pollution Control Board JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 in favour of sister concern of M/s BFCL i.e. GAUTAM FERRO ALLOY on 10.11.2020 till a period of 31/12/2025. A copy of the CTO granted by Jharkhand State Pollution Control Board, R-4 vide no. JSPCB/HO/RNC/CTO- 4412165/2020/1819 on 10.11.2020 is annexed and marked as **Annexure A-8, and is available on pages 129-133.**
36. However, it was changed to the name Bihar Foundry & Castings Limited on 23.01.2023 with validity till 31.12.2025.
37. It is submitted that one of the prior conditions of violation cases has been

that consent to operate to not be granted to the project proponent till the time EC is finally granted. Thus, consent to operate can only be granted after grant of EC. This has been enabled through the SOP on Violation Cases OM brought out by MoEF&CC on 07.07.2021. It is submitted that relevant paras of the two letters written by I.A. Division, MoEF&CC on 15.05.2023 and 06.09.2023 to R- 4, i.e. Jharkhand State Pollution Control Board are reproduced hereinbelow:

1. The Ministry has issued SOP, vide an OM dated 07.07.2021 for appraisal of projects for grant of terms of reference/ environmental clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed the product mix without obtaining prior environmental clearance under the EIA Notification, 2006. As per the above said SOP, in cases of violation, action is to be taken against the project proponent by the respective State Government or the State Pollution Control Board under the provisions of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate (for the violation project) to be issued till the project is granted environmental clearance. A copy of the letters dated 15.05.2023 and 06.09.2023 is annexed and marked as Annexure A-9, (Colly) and is available on pages 134-141.

38. That Order issued by I.A. Division, MoEF&CC dated 20.09.2021 stating that CTO to not be granted unless a valid EC is subsisting. It further states that no CTE/CTO to be renewed till the time a valid EC is granted. It is

submitted that R-1 has been granted a CTO and subsequently granted a name change in the CTO despite an order by R-3 stating that renewal is impermissible in the face of lack of valid EC. **A copy of the Order issued by I.A. Division of R-3 dated 20.09.2021 is annexed and marked hereto as Annexure A-10, and is available on pages 142-143.**

39. That it is further submitted that these two letters dated 15.05.2023 and 06.09.2023 note down that R-1 has obtained consent to operate from R-4 which is the authority mandated to granted CTE/CTO. It is submitted that this runs contrary to the law of the land as prescribed by the procedure for violation cases entailed in SOP on Violation Cases OM issued by R-3 on 07.07.2021. Relevant paras of letters dated 15.05.2023 and 06.09.2023 reproduced hereinbelow:

1. The EAC noted that the existing project was accorded environmental clearance vide F. No. J-1 1011/384/2010-IA (II) (I) dated 31.10.2011. Consent to Operate for the existing unit was accorded by JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated 10.11.2020 (which is in the name of GAUTAM FERRO ALLOYS (UNIT OF BFCL) which is valid upto 31-12-2025. Subsequently name of the plant in CTO has been changed to Bihar Foundry & Castings Limited vide order dated 23.01.2023 and is valid till 31.12.2025.

40. It is submitted that the R-4 has not complied with the conditions that have been repeatedly sent by R-3. By not complying with the conditions, the SOP for Violation cases has not been complied with and shows derogation on the part of state authorities to directions issued by the Central Government.

41. It is submitted that R-4 being the nodal authority in the state must utilize provisions under the Water Act, 1974 and Air Act, 1981 to direct closure of operations to avoid the continuing damage to the environment.

III. FAILURE OF AUTHORITIES TO TAKE APPROPRIATE STEPS AGAINST M/S. BFCL

42. That it is submitted that despite being adequately informed by R-3, state parties have not taken any credible action in pursuance of OM dated 07.07.2021 wrt SOP regarding violation cases.

43. It is submitted that two separate Letters were written by IA division of R-3 to R-1 and R-6 stating that State Government/ JSPCB not grant CTO till EC is granted. It stated that construction/operation without prior EC shall be stopped immediately. BFCL in violation continues to operate the same. It further states that under the violation cases regime no CTO to be granted till grant of environment clearance. A copy of the relevant portion of the letters is reproduced herein below:

1. The Ministry has issued SOP, vide an OM dated 07.07.2021 for appraisal of projects for grant of terms of reference/environmental clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed

the product mix without obtaining prior environmental clearance under the EIA Notification, 2006. As per the above said SOP, in cases of violation, action is to be taken against the project proponent by the respective State Government or the State Pollution Control Board under the provisions of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate (for the violation project) to be issued till the project is granted environmental clearance **A copy of the letters dated 19.12.2022 is annexed and marked as Annexure A-11, (Colly) and is available on pages 144-154.**

44. It is submitted that despite express directions by R-2 issued via two letters dated 19.12.2022 to R-1 and R-5, no action was taken to rescind the CTO granted to R-1.
45. That it is submitted that similar directions were issued by R-3 on two separate letters to R-4 and R-1 regarding grant of CTO in a violation case dated 15.05.2023 and 06.09.2023 which have been cited above. It was made aware to the state authority that no CTO can be granted in a violation case till environment clearance is granted. Yet, R-1 received CTO from the relevant state authorities. It is submitted that this constitutes a grave failure on state authorities to take action against R-1.

IV. **NON-INSTALLATION OF PROPER CONTINUOUS AMBIENT AIR QUALITY MONITORING SYSTEM**

46. That it is humbly submitted that due to its location in severely polluted area

of Ramgarh, R-1 is required to install a proper continuous ambient air quality monitoring system which is capable of monitoring 5 parameters in air i.e. presence of PM 10 in air, presence of PM 2.5 in air, presence of Sox, presence of NOx and presence of CO. However, R-1 has not installed the required continuous ambient air quality monitoring system. However, EAC has ignored this crucial information and is set to recommend environment clearance even when plant of BFCL is situated in severely polluted area. R-1 be directed to comply with all the environmental norms and make payment for violation and non-compliance for expansion of its project and starting production without obtaining environmental clearance.

V. **DEFECTS POINTED BY IRO IN ITS VARIOUS INSPECTIONS**

47. That it is humbly submitted that the Integrated Regional Office, Ranchi (MOEF) (“IRO”), of R-3 has conducted inspections of the M/s BFCL’s plant on 05.01.2022. Further, on the basis of these inspections, various violations of environmental laws have been pointed out in R-1’s ferro alloy plant. Some of these are related to non-obtaining of proper environmental clearance for running its SEAF Units, usage of pearl coke in place of pet coke, non-connection of furnace with the STACK system, non-provision of adequate living facilities for the labourers, no provision for collection and treatment of run off rainwater from the raw material storage area, non-availability of surface water harvesting structure etc. These shortcomings which were pointed out by IRO have not been complied by R-1 till date which shows that R-1 is not serious to do away with violations being committed in its ferro alloy and sponge iron plant due to which its ferro alloy plant and sponge iron plant needs to be shut down completely. **Copy of report of IRO dated 05.01.2022 along with previous IROs dated 02.10.2020 and 14.02.2017 are collectively annexed and marked hereto as Annexure A-12 (COLLY), and is available on pages 155-195.**

48. That these defects pointed out by the IRO have not been rectified and R-1 is in the process of obtaining EC which would result in graveharm to the environment.

VI. **ILLEGALLY DRAWING WATER THAN PERMISSIBLE GRANTED**

49. That it may be noted that the plants require permission from the R-7 for extracting the ground water for industrial purposes. However, M/s. BFCL which is running its ferro alloy plant since 1996, did not obtain the no objection certificate for extracting ground water from R-7 till 02.01.2021 when it was granted NOC for extracting 35Kl/day ground water. Thus, R-1 & R-2 have extracted ground water illegally without obtaining any permission from the appropriate authorities for over 20 years. **Copy of the NOC dated 02.01.2021 issued to R-1 & R-2 by R-7 is annexed herein as Annexure A-13 (COLLY), and is available on page 196.**
50. That it is pertinent to note that in general practice and as per industrial standards, approximately 1 Kl/tonne water is required for production of ferro alloy using silico manganese. Further, R-1's plant prior to illegal expansion done by it had capacity of producing 96 TPD ferro alloy which would have required at least 96Kl water per day. However, BFCL was running the plant in full capacity with mere allowed capacity of 35 Kl ground water per day which clearly shows that BFCL was illegally extracting ground water even after issuance of NOC from the competent authority. For production of 265 TPD ferro alloy, minimum water requirement will be 265 Kl/ Day as in accordance with industrial standards for producing 1 tons of ferro alloy at least 1 Kl/day water is

required. Considering that R-1 has installed CLU converter, there will be additional requirement of water apart from the 265 KI/Day mentioned. Further, as per the industrial standards at least 0.5 KI/Tone of water is required for production of minimum /low carbon ferro alloy (CLU convertor). Thus, considering the size of unit, the normal functioning of the R- 1's ferro alloy plant will require at least 350-400 KI/day water (Considering 265 KI/Day for ferro alloy, 33 KI/Day water for domestic requirement as sought and minimum 50-100 KI/Day waterfor CLU convertor). R-1 is seeking to continue extracting groundwater illegally to run its ferro alloy plant since it has till date neither obtained nor sought to obtain requisite permissions to extractground water to support running of its ferro alloy plant in fullcapacity.

VII. INCORRECT INFORMATION REGARDING TOTAL LAND AREA TO AVOID REQUISITE PLANTATION

- 51.** That it is humbly submitted that R-1 has obtained environmental clearance for its sponge iron unit on 28.01.2010 and the environment clearance provides that the total land area of sponge iron unit is 14 acre in the plot bearing No. 1364. Further, R-1 has also obtained clearance for Ferro Alloys Plant located at Plot No. 1405 admeasuring 14 acres on 31.10.2011. This shows that BFCL has total 28 acres of area for its two plants of ferro alloys and sponge iron each admeasuring 14 acres. However, in the Consent to Operate dated 05.01.2016, obtained by R-1 for its ferro alloys unit which is situatedon Plot No. 1405, shows its area to be 7.26 acres only whereas the area of Sponge Iron Plant in Consent to operate dated 28.11.2019 is shown as 19 Hectare which is around 47.5

acres.

- 52.** That the only reason R-1 is manipulating the land area at this stage is to avoid mandatory plantation of 33% that is required to be done in its ferro plant. Taking total plant area of 28 acres (sponge iron unit+ ferro alloy units), R-1 is required to carry out plantation in approx. 9.24 acres of land however, R-1 has capriciously reduced the land area while obtaining environment clearances for its sponge iron plant and ferro alloy plant to avoid mandatory plantation in the 33% of the project area.
- 53.** That it is humbly submitted that the sponge iron plant and ferro alloy plant of R-1 are located at Ramgarh, Jharkhand which falls within the notified severely polluted area with clusters of Comprehensive Environmental Pollution Index (CEPI) ranging from 60-70. As per the Environment Board guidelines, the industries situated in severely polluted area are required to maintain green belt area of at least 33% which is also provided as mandatory requirement under Clause 19 of the Specific Conditions provided under the Environment Clearance issued to R-1. The Clause 19 of the Specific Conditions provided under the Environment Clearance states as follows:
- “As proposed, green belt shall be developed in 4.7 acres (33%), out of total 14 acres land within and around the plant premises as per the CPCB guidelines in consultation with DFO.”*
- 54.** That it is further submitted that in the environmental clearance granted to R-1, 33% of 14 acres of land is shown to be green belt area for the plot no. 1364 which is issued for the Sponge iron plant.

55. That it is further submitted that the R-3 and its ferro alloy plant is situated at Plot No. 1405 which also extends to 14 acres in area and thus 33% green belt is separately required for running of the FerroAlloy plant.
56. That it is however submitted that considering 28 acres of total land area comprising of Ferro Alloy plant (14 acres, Plot 1405) belonging to Respondent No. 3 and sponge iron plant (14 acres, Plot1364) belonging to Respondent No. 1, the total area required to be reserved for green belt is 9.24 acres (33% of 28 acres). However, the total area reserved for green belt combinedly by both the Respondents is even less than 4 acres.
57. That it may further be noted that as per the CEPI Guidelines dated 24.10.2019, since the plant of BFCL is within the severely polluted area, it is mandatory for BFCL to carry out plantation in 40% of its plant area. Since, as per the environment clearance issued to BFCL on 31.10.2011 clearly shows that its ferro alloy plant area is 14 acre, it is required that BFCL should carry out plantation in 40% of the 14 Acre area i.e. over 5.6 acre plant premises. Further, this 5.6 acre should be apart from the plantation done for the sponge iron plant of BFCL. Considering that total plant area of BFCL (ferro alloy + sponge iron) is around 28 acre, there should be plantation over 11.2 acre of land as per the CEPI guidelines which is not done in the case of BFCL and therefore, it should not be granted environment clearance. **Copy of the CEPI guidelines dated 24.10.2019 is annexed herein as Annexure A-14, and is available on pages 197-201.**
58. That it is further submitted that R-1 is fraudulently portraying same

stretch of green land (less than 4 acres) to obtain Consent to operate and other clearances for both of its sponge iron plant and ferro alloy plant which is in blatant violation of the applicable environment laws and Specific Conditions provided under the Environment Clearance issued to it.

59. That R-1 has thus violated almost all environmental conditions in carrying out operations of its Ferro-Alloy plant. There is no compliance with the OM dated 07.07.2021 which deals with SOP for violation cases, whereby environmental clearance has to be set in abeyance and production stopped. It has been granted a CTO in total violation of the OM dated 07.07.2021. On the contrary, R-4, the nodal state authority in the state has refused to take steps towards implementing the OM dated 07.07.2021 causing grave violation to the environment. The ferro-alloy plant is situated in heavily polluted area R-1 has shown abject failure to install continuous ambient air quality monitoring system which is capable of monitoring 5 parameters in air i.e. presence of PM 10 in air, presence of PM 2.5 in air, presence of Sox, presence of NOx and presence of CO. R-1 has failed to comply with the recommendations of the IRO dated 05.01.2022 along with previous IROs recommendations dated 02.10.2020 and 14.02.2017. R-1 is also continuously drawing water illegally going into the teeth of the conditions of the NOC granted by R-6 on 02.01.2021. It is further submitted that the mandatory green belt plantation of 40% to be carried out is missing and R-1 is using clever ways to manipulate the site plan in order to not carry it out.

60. That in the meanwhile BFCL has filed an application for environment clearance for the expansion of its ferro alloys plant. As stated above, the ferro alloys plant does not even belong to Bihar Foundry and it is a separate entity being run in the name of Gautam Ferro Alloys. **Copy of the environment clearance application dated 12.09.2020 filed by BFCL for expansion of its plant is annexed herein as Annexure A-15, and is available on page 202.**
61. That while the application for environment clearance dated 12.09.2020 and 08.12.2022 were pending, the Respondent No. 1 again filled an application dated 20.02.2023 for Environment Clearance. This application was accepted even while two previous applications for Environment clearance were pending. Copy of the environment clearance application dated 20.02.2023 filed by BFCL is annexed herein **is annexed herein as Annexure A-16, and is available on page 203.**
62. That it is humbly submitted that the Central Government while exercising its powers under Environment Protection Act, 1986 has issued a notification dated 14.09.2006, which contains a list of projects or activities that shall require prior environment clearance from the concerned regulatory authority. As per the said notification, metallurgical industries (ferrous and non-ferrous) fall under Category - A, requiring prior environment clearances from the central government before setting up, expanding or modernising any projects. Copy of the notification dated 14.09.06 **is annexed herein as Annexure A-17, and is available on pages 204-248.**
63. That the MoEF (IA-division) vide its Letter F. No. - 11011/310/2009- IA

II (I) dated 28.01.10 issued environment clearance to Respondent No. 1 for expansion of its Steel Plant at plot no. 1364, Ramgarh Industrial Area, Marar, Hazari Park, Jharkhand on the basis of the relevant documents submitted relating to the company of Respondent No. 1. Copy of the letter dated 28.01.10 06 is **annexed herein as Annexure A-18, and is available on pages 249-255.**

64. That this Hon'ble Tribunal, Eastern Bench at Kolkata has proper jurisdiction to entertain this instant application as it relates to a substantial question of environment, with the ferro-alloy plant of M/s BFCL located in Jharkhand, which is under the territorial jurisdiction of this Bench of the Hon'ble Tribunal.
65. That this present application under the provisions of Section 14, 15 is being filed within the period of limitation.
66. This application is made bonafide and in the interest of justice.
67. **GROUND S**
- A. Because R-1 is operating the ferro-alloy production unit at Plot No.1405 (P) Ramgarh Industrial Area, Marar Village, Ramgarh District in Jharkhand at without any environment clearance as per provision of EIA, 2006.
- B. Because R-1 and R-2 are under a violation case as per OM issued by R-3 on SOP for Violation Cases dated 07.07.2021 and hence is liable to be closed down.
- C. Because R- 4 has granted R-1 CTO in violation of OM issued by R-3 on SOP for Violation Cases dated 07.07.2021.
- D. Because R-1 is in violation of the OM issued by I.A. Division of R-3 dated

20.09.2021 which states that no CTE/CTO or their renewal to be granted in the face of a valid subsisting EC existing at the time.

- E.** Because CTO has been granted to R-1 despite R-3 issuing letters dated 19.12.2022 in grave violation of OM for SOP for Violation Cases dated 07.07.2021.
- F.** Because CTO has been granted to R-1 despite R-3 issuing letters dated 15.05.2023 and 06.09.2023 in grave violation of OM for SOP for Violation Cases dated 07.07.2021.
- G.** Because CTO has not been rescinded to R-3 despite letters dated 19.12.2022, 15.05.2023, 06.09.2023 and OM for SOP for Violation Cases dated 07.07.2021.
- H.** Because R-3, R-4 and R-6 have failed to take appropriate steps under the EIA, 2006, Water Act, 1974 and Air Act, 1981 to stop the illegal construction, operation and production activities of R-1.
- I.** Because R-1 has not installed a continuous ambient air quality monitoring system leading to unabated pollution.
- J.** Because R-1 has not carried out changes despite the report of IRO dated 05.01.2022 along with previous IROs dated 02.10.2020 and 14.02.2017.
- K.** Because R-1 is illegally drawing water which goes into the teeth of the conditions granted by R-7 in its NOC dated 02.01.2021.
- L.** Because R-1 has devised clever ways by showing less area to avoid the mandatory 40 percent green belt plantation to be carried out.
- M.** Because the respondents private entities have been fraudulently using environment clearances issued in name of BFCL for obtaining consent to operate for M/s Gautam Ferro Alloys Pvt. Ltd.
- N.** Because the respondent private entities, BFCL and Gautam Ferro Alloys, are admittedly separate entities, the respondent private entities are defrauding the

respondent authorities by using the clearances issued in the name of one entity to obtain approvals for the other entity interchangeably.

- O.** Because apart from the above acts of violation of environment laws and causing direct damage to the environment, the respondent private entities have also made specific breaches under the various provisions of the Air Act, Water act and the Environment Protection Act in running and expanding their factories.

They are not following the rules and guidelines and which are as follows:

Environment		Status
Air	<u>Stipulation of conditions such as:</u>	
i.	Stack emission levels should be stringent than the existing standards in terms of the identified critical Pollutants.	Not followed by the industry.

ii.	CAAQMS may be installed in all large/medium red category industries (air polluting)	Not followed by the industry.
iii.	Effective fugitive emission control measures should be imposed in the process, transportation, packing etc.	Not followed by the industry.
iv.	Transportation of materials by rail/ conveyer or belt wherever feasible.	Not followed by the industry.
v.	Encourage use of cleaner fuels (pet coke/furnace oil/ LSHS may be avoided)	Not followed by the industry.
vi.	Best Available Technology may be used for dust collection.	No Dust collection System.
vii	Increase of green belt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever feasible	Not even 20% of the total land is covered with greenbelt.

viii	Assessment of carrying capacity of transportation load on roads inside the industrial premises. If the roads required to be widened, shall be prescribed as a condition.	Carrying capacity of the roads not been assessed by the company. Roads are Not maintained properly.
------	--	--

Land	<u>Stipulation of conditions such as:</u>	
i	Increase of greenbelt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever feasible for new projects.	Not even 20% of the total land is covered with greenbelt.
ii	Stipulation of greenbelt outside the project premises such as avenue plantation, plantation in vacant areas, social forestry etc.	No outside plantation carried out by the industry.

iii	Dumping of waste (fly ash, slag, red mud, etc) may be permitted only at designated locations approved by SPCBs/ PCCs.	No such approval from Jharkhand pollution control board.
iv	More stringent norms for management of hazardous waste. The waste generated should be preferably utilized in co-processing.	No such authorization taken for Gautam Ferro Alloy.

Other Conditions (Additional)		
i.	Monitoring of compliance of EC Conditions may be submitted with third party audit every year.	It is observed that all the EC conditions are false and fabricated and EC compliance is not complied by regional director of MoEF & CC.
ii	Corporate social responsibility.	No work under corporate social responsibility.
iii	The % of the CER may be at least 1.5 times the slabs given in the OM dated 01.05.2018 for SPA and 2 times for CPA in case of Environment Clearance.	Industry never provides funds for CER activity. -

68. LIMITATION

The Applicant declares that as per the National Green Tribunal Act, 2010 this application is well within the prescribed time.

69. PRAAYER

That in light of the above facts and circumstances, it is most respectfully prayed by the appropriate orders or directions, this Hon'ble Tribunal may

be pleased to: -

1. To direct R-3 to R-6 to cancel the environmental clearance Consents and NOC granted earlier to R-1 with immediate effect.
2. To direct the R- 1 and R-2 to immediately stop the illegal operation of Low carbon/Medium Carbon Ferro Alloy plant Ferro Alloy Plant.
3. To consider the offences committed by R-1 and R-2 under the relevant provision of Air Act 1921, Water Act 1974 And Environment Protection Act 1986 And forward the same to Enforcement Directorate Constituted under PMLA Act, 2002.
4. Direct R-3 to use inherent power to issue directions under Sec. 33A of Water Act, 1974 and Sec 31A of Air Act, 1981 to order closure of operations of R-1.
5. Direct R-4 to rescind the consent to operate granted vide no. JSPCB/HO/RNC /CTO-4412165/2020/1819 to R-1 on 10.11.2020 till the time of grant of EC as it is violative of OM for SOP for Violation Cases issued on 07.07.2021.
6. Direct R-4 to rescind the consent to operate as it violates the order issued by I.A. Division of R-3 stating that no CTE/CTO or their renewal to be granted if there is no subsisting EC.
7. Direct R-4 to rescind the consent to operate granted vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 to R-1 on 10.11.2020 as it is violative of letters written by R-3 to R-1, R-4 and R-6 on 19.12.2022, 15.05.2023 and 06.09.2023.
8. Direct R-1 to comply with all the recommendations of the inspection of IRO on 05.01.2022 along with previous inspections dated 02.10.2020 and 14.02.2017.

9. Direct R-7 to revoke the NOC granted on 02.01.2021 to R-1 for illegally drawing out water.
10. Direct R-1 to plant the ensure forty percent green belt area in its ferro alloy plant to ensure environmental safeguards.
11. It is unequivocal that Bihar Foundry & Castings Ltd. has been in persistent violation of environmental norms since its inception in 1996 up to the present day. In light of these facts, we humbly pray that the Hon'ble Tribunal takes decisive and exemplary measures against Bihar Foundry & Castings Ltd.'s ferro alloy unit. Such measures are essential to ensure strict adherence to the relevant Acts, Rules, Guidelines, and orders issued by the National Green Tribunal (NGT) and the Hon'ble Supreme Court of India, thereby deterring any future transgressions that could cause irreparable harm to the environment.
12. Pass such other order/orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.


Applicant

Filed by:

   
PURAN SHARMA, NARENDER PAL SINGH, BHARAT SHARMA, NEHA THAKUR

Advocates for the Original Applicant
D-616, Lawyer's Chamber Karkardooma Court Delhi
Email: puransharmaadv63@gmail.com;

Mobile No. 9810473481, 8287916879

Date: 18.07.2024

Place: KOLKATA

ANNEXURE- A-1

कार्यालय, कात्याजा विरीधक, हजारीबाग अंचल सं०-१, हजारीबाग ।
 = = = = =

पत्रांक :-

प्रेषक.

श्री सुर्यलक्ष्मण प्रसाद,
 कात्याजा विरीधक,
 हजारीबाग अंचल सं०-१, हजारीबाग ।

सेवा में.

उप मुख्य कात्याजा विरीधक, सैधी,
 पी०-डोखडा, सैधी- 2 ।

विषय :-

हजारीबाग, दिनांक 1999 ।
 मेडर्स मोलम फेरो एन्डर्स (इन्फार्म विहार फाउण्ड्री एंड कार्टिंग सं० लि०)
 समग्र औद्योगिक क्षेत्र, मखार, पिला- हजारीबाग का विस्तारित भाग
 का मासिक के अनुमोदन के सम्बन्ध में ।

महासचय.

विषयसम्बन्धित कात्याजा, कात्याजा अधिविभाग, 1948 की धारा 2 एम (1)
 के अन्तर्गत एक निर्धारित कात्याजा है, जिसका निर्देश संख्या 6640/1/ एच०पी०पी० है ।
 पूर्व में इस कात्याजा के मासिक के अनुमोदन मुख्य कात्याजा विरीधक, विहार के पत्रांक -
 880/पी० दिनांक 3. 10. 96 के माध्यम से किया गया है । कात्याजा में एक और सफल
 डॉ. फोरे का निर्माण किया जा रहा है जिसका कात्याजा का विस्तार होता है । दखलदार
 द्वारा विस्तारित भाग से संबंधित निर्धारित कामकाज एवं मासिक कार्यालय में अर्पित किया
 गया है जिसे इस पत्र के साथ संलग्न की जा रही है ।

1. आवेदन पत्र सं०- 1 एक प्रति
2. प्रस्तावित मासिक - खर्च फा. ले आउट फा. एवं आवेदन
एलिमेंट कुल - 6 प्रति
3. उत्पादन प्रक्रिया का-
संक्षिप्त विवरण - एक प्रति
4. विवेक संकलन की प्रतियाँ - एक प्रति

उपरोक्त कामकाज एवं मासिक का अंत प्रोत्सावरी द्वारा की गई
 एवं मासिक अनुमोदन योग्य पाया गया है ।

अतः अनुमोदन हेतु मुख्य कात्याजा विरीधक, विहार, सैधी को प्रस्तावित करने की कृपा की गयी ।

अनुमोदनकः - उपरोक्त ।

विश्वास भाव

(सुर्यलक्ष्मण प्रसाद)
 कात्याजा विरीधक,
 हजारीबाग अंचल सं०-१, हजारीबाग

आपका :-

प्रतिलिपि मुख्य कात्याजा विरीधक, विहार, सैधी को सुवर्धव प्रेषित ।

(कात्याजा विरीधक)
 हजारीबाग अंचल सं०-१, हजारीबाग



आपांक: - 790 - २ सं: हजारीबाग, दिनांक 18/12/1999 । -
 प्रतिलिपि व्यवहार/ प्रबंधक, मे.सर्स गीतम फेरी एरिया (हवाई)
 बिहार, फडण्डी एण्ड कार्टिंग लि. रायमगढ़ औद्योगिक क्षेत्र म.रा.र. जिला- हजारीबाग को
 सूचनाई प्रेषित ।

(कात्यायन सिरीइक)

हजारीबाग अंचल सं० न. हजारीबाग ।

ANNEXURE -A-2



JHARKHAND STATE POLLUTION CONTROL BOARD
T.A Division Building (Ground Floor) HEC Campus, Dhurwa, Ranchi- 834004.
Phone No:-0651- 2400852, 2400851, Fax No:- 2400850..

Ref.no.....

Ranchi, Dated.....

No Objection Certificate (Consent to establish) under section 25 & 26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981.

1. Reference application no. 7843 dated 21.02.08 of M/s. Bihar Foundary & Castings Ltd., (Unit- Gautam Ferro Alloys), vill. Marar, P.O. Marar, Dist. Ramgarh for expansion of a Ferro Silico Manganese Plant for manufacturing of Silico manganese at existing Mauza Industrial Area, Ramgarh (RIADA) P.O. Marar, Dist. Ramgarh. The production capacity and proposed investment of the industry will be as follows :-

Silico manganese :-	30 MT/day
Proposed investment :-	997.00 Lakh

2. The documents relied upon :

- (i) The contents of N.O.C. application, Project report and the documents furnished in support of application.
- (ii) The related provisions of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986.

3. After considering the above, N.O.C. (Consent to establish) is accorded subject to the compliance of the following conditions :-

- (i) That, the proponent shall obtain consent to operate from State Pollution Control Board under section 25 & 26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 prior to commissioning of the plant.
- (ii) That, the proponent shall install water meter to measure the water to be consumed for different purposes to meet the requirement of the water, furnish returns of water to be consumed and pay water-cess under the Water (Prevention & Control of Pollution) Cess Act, 1977.
- (iii) That, the proponent shall obtain authorisation under the Hazardous Wastes (Management & Handling) Rule, 1989, the Bio-medical Waste (Management & Handling) Rules, 1998 and the Municipal Solid Wastes (Management & Handling) Rules, 2000 whichever is applicable.
- (iv) That, the proponent shall abide by the provisions of the Environment (Protection) Act, 1986.
- (v) That, the proponent shall maintain the quality of effluent, emission, ambient air and noise level in conformity with the standards prescribed in the Environment (Protection) Rules, 1986 and shall install online monitoring systems for them.
- (vi) That, the proponent shall collect and treat the effluent in foolproof latest system and shall recycle treated effluent to the system for reuse and shall ensure the discharge of effluent (if at all necessary) in up stream of the water intake point.
- (vii) That, the proponent shall make stack(s) of the height and with the provision(s) of emission monitoring port hole(s), ladder(s) and platform(s) as prescribed by Central Pollution Control Board.

Handwritten initials/signature

- (viii) That, the proponent shall ensure continue and uninterrupted power supply with provisions of separate energy meters for the pollution control systems to enable the pollution control systems to function uninterruptedly.
- (ix) That, the proponent shall submit the reports of effluent, emission, ambient air quality and noise level monitored before and after commissioning of the plant in compliance of the standard prescribed in the Environment (Protection) Rules, 1986.
- (xii) That, the proponent shall install fixed type water sprinklers to cover all dusty places in the premises to impart water spraying intermittently and during loading, unloading of raw materials/products and wastes.
- (xiii) That, the proponent shall do tree plantation in at least 33% of the area of the land.
- (xiv) That, the proponent shall submit a plan of rainwater harvesting with establishment of the project.
- (xv) That, the proponent shall install air pollution control devices such as fume extraction system with pulse jet type, bag filters to control emission.
- (xvi) That, the proponent shall make all roads pucca and shall maintain a good house keeping by regular cleaning and wetting of the premises and dust prone areas.
- (xvii) That, the proponent shall store all raw materials and products under shed and shall as far as practicable do their processing and transfer under foolproof cover(s) and shall install dust catchers over uncovered spaces of processing and transfer.
4. This shall be valid subject to authenticity of documents furnished in support of application and bonafide ownership and possession of the land by the proponent.
5. The Jharkhand State Pollution Control Board reserves the right to revise and/or add any other conditions, if necessary, for the protection of Environment and to ensure pollution control or any.
6. The present N.O.C. should not be considered as an assurance for granting consent to operate the proposed plant and is subject to installation of all pollution control devices and their monitoring facilities with establishment of the facilities and compliance of all conditions as mentioned above.
7. This N.O.C. is valid for a period of six months from the date of issue.

Memo no...2577

Copy forwarded to : M/s. Bihar Foundary & Castings Ltd., (Unit- Gautam Ferro Alloys), vill. Marar, P.O. Marar, Dist. Ramgarh /Chief Inspector of Factories, Doranda, Ranchi/Director Industries, Govt. of Jharkhand, Ranchi/Deputy Commissioner, Ramgarh/ Regional Office, J.S.P.C. Board, Hazaribagh/concerned officer dealing with consent.

Sd/-
(R.K. Sinha)
Member-Secretary
Ranchi, Dated. 20.5.09

R. Sinha
20/5/09
(R.K. Sinha)
Member-Secretary

ANNEXURE -A-3

56

F. No. J-11011/384/2010-IA-II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi - 110 003
E-mail: ms.industry-mef@nic.in
Tele/fax: 011 - 2436 3973
Dated: 31st October, 2011

✓ To,

The Director,
M/s Bihar Foundary and Casting Limited
Main Road, Ranchi- 834 001

Ph: 0651- 2202699

E-mail: consafescience@gmail.com / bfclgfa@gmail.com

Sub: Expansion of Ferro Alloy Plant by installing SAF (9 MVAx1= 40 TPD) for manufacture of Ferro Silicon/Ferro-Manganese at Plot No. 1405, Ramgarh Industrial Area, Marar Village, Ramgarh District in Jharkhand by M/s Bihar Foundary and Casting Limited- regarding Environmental Clearance

Sir,

This has reference to your letter no. nil dated 10.04.2011 along with copies of EIA/EMP reports and subsequent communication dated 30.06.2011 seeking environmental clearance under the provisions of EIA Notification, 2006.

2. The Ministry of Environment and Forests has examined your application. It is noted that M/s Bihar Foundary and Casting Limited have proposed for expansion of Ferro Alloy Plant by installing SAF (9 MVAx1= 40 TPD) to manufacture Ferro Silicon/Ferro-Manganese at Plot No. 1405, Ramgarh Industrial Area, Marar Village, Ramgarh District in Jharkhand. The proposed expansion will be in the existing plant area of 14 acres and green belt will be developed in 33% of the project area. No additional land is required for the proposed expansion. No R&R is involved. No national park / wildlife sanctuary and reserve forests are located within 10 km radius of the project site. Mn ore, Dolomite, Quartz and Coke will be used as raw materials. Total cost of the project is Rs. 20.0 Crores and the budget for Environment Management and Pollution Control measures is Rs. 2.0 Crores.

3. Following are the details of existing and proposed expansion facilities:

S.No	Name of the project	Existing	Proposed Expansion
1	Ferro Alloy (2x5 MVA)	26 TPD (Silico / Manganese)	---
2	Ferro Alloy (7.5 MVA)	30 TPD (Silico / Manganese)	---
3	Ferro Alloy (9 MVAx1)	----	40 TPD (Ferro Silicon/Ferro-Manganese)

4. Fume extraction system followed by bag filter to control the emissions from the submerged arc furnace and crushing house will be installed. The emissions will be dispersed

-2-

through stack of adequate height as per the CPCB / SPCB standards. Total water requirement will be 35m³/day, which will be sourced from bore wells. There will be no generation of wastewater from the process. Domestic effluent will be treated in septic tank followed by soak pit. Rain water harvesting system to recharge the ground water and reduce the fresh water consumption will be installed. Presently slag is collected and sent for crushing where the crushed slag is segregated through screen into the metallic and non metallic. The silica waste is sold for road works for filling and the metallic parts are reused in the process.

5. The Ferro Alloy Plants are listed at S.No. 3(a) in Primary Metallurgy Industry in Category 'A' under the schedule of EIA Notification, 2006 and appraised by the Expert Appraisal Committee -1 (Industry).

6. The proposal was considered by the Expert Appraisal Committee-1 (industry) in its 24th meeting held during 19th - 20th May, 2011. The Committee sought additional information for reconsideration of project. On receipt of additional information, the committee reconsidered the project in its 26th meeting held during 21st - 22nd July, 2011. The Committee recommended the proposal for environmental clearance subject to stipulation of specific conditions along with other environmental conditions. Public hearing is not required as per Para 7(i) III (b) of EIA Notification, 2006 as the project is located in notified industrial area.

7. Based on the information submitted by you, presentation made by you and consultant, M/s Consafe Science (India), Hyderabad, the Ministry of Environment and Forests hereby accords environmental clearance to the above project under the provisions of EIA Notification dated 14th September 2006 subject to strict compliance of the following Specific and General conditions:

A. SPECIFIC CONDITIONS :

- i. Compliance to all the specific and general conditions stipulated for the existing plant by the Central/State Government shall be ensured and regular reports submitted to the Ministry's Regional Office at Bhubaneswar/SPCB.
- ii. No charcoal shall be used as fuel. Pet coke shall be used as fuel instead of charcoal from unknown sources.
- iii. Continuous monitoring facilities for all the stacks and sufficient air pollution control equipments viz. fume extraction system with bag filters, ID fan and stack of adequate height to submerged arc furnace shall be provided to control emissions below 50 mg/Nm³.
- iv. The National Ambient Air Quality Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16th November, 2009 shall be followed.
- v. Secondary fugitive emissions from all the sources shall be controlled within the latest permissible limits issued by the Ministry and regularly monitored. Guidelines / Code of Practice issued by the CPCB shall be followed.
- vi. Regular monitoring of influent and effluent surface, sub-surface and ground water shall be ensured and treated wastewater shall meet the norms prescribed by the State Pollution Control Board or described under the Environment (Protection) Act, 1986 whichever are more stringent. Leachate study for the effluent generated and analysis should also be regularly carried out and report submitted to the Ministry's Regional Office at Bhubaneswar, SPCB and CPCB.

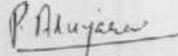
- vii. The total water requirement shall not exceed 35m³/day. Permission to draw the water from the Competent Authority shall be obtained. 'Zero' effluent discharge shall be strictly followed and no wastewater should be discharged outside the premises.
- viii. Efforts shall be made to make use of rain water harvested. If needed, capacity of the reservoir should be enhanced to meet the maximum water requirement. Only balance water requirement should be met from other sources.
- ix. Slag produced in Ferro Manganese (Fe-Mn) production shall be used in manufacture of Silico Manganese (Si-Mn). All the other ferro alloy slag shall be used in the preparation of building materials.
- x. Risk and Disaster Management Plan along with the mitigation measures should be prepared and a copy submitted to the Ministry's Regional Office at Bhubaneswar, SPCB and CPCB within three months of issue of environment clearance letter.
- xi. As proposed, green belt should be developed in at least 33 % of the project area. Selection of plant species shall be as per the CPCB guidelines in consultation with the DFO.
- xii. At least 5 % of the total cost of the project should be earmarked towards the Enterprise Social Commitment based on locals need and item-wise details along with time bound action plan should be prepared and submitted to the Ministry's Regional Office at Bhubaneswar. Implementation of such program shall be ensured accordingly in a time bound manner.
- xiii. The company shall provide housing for construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- xiv. The Company shall submit within three months their policy towards Corporate Environment Responsibility which should inter-alia address (i) Standard operating process/ procedure to bring into focus any infringement/deviation/violation of environmental or forest norms/conditions, (ii) Hierarchical system or Administrative order of the Company to deal with environmental issues and ensuring compliance to the environmental clearance conditions and (iii) System of reporting of non compliance/violation environmental norms to the Board of Directors of the company and/or stakeholders or shareholders.

A. GENERAL CONDITIONS:

- i. The project authorities must strictly adhere to the stipulations made by the Jharkhand State Pollution Control Board and the State Government.
- ii. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment and Forests.
- iii. The gaseous emissions from various process units shall conform to the load/mass based standards notified by this Ministry on 19th May, 1993 and standards prescribed from time to time. The State Board may specify more stringent standards for the relevant parameters keeping in view the nature of the industry and its size and location.

- iv. At least four ambient air quality monitoring stations should be established in the downward direction as well as where maximum ground level concentration of PM₁₀, SO₂ and NO_x are anticipated in consultation with the SPCB. Data on ambient air quality and stack emission shall be regularly submitted to this Ministry including its Regional Office at Bhubaneswar and the SPCB/CPCB once in six months.
- v. Industrial wastewater shall be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19th May, 1993 and 31st December, 1993 or as amended from time to time. The treated wastewater shall be utilized for plantation purpose.
- vi. The overall noise levels in and around the plant area shall be kept well within the standards (85 dBA) by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels should conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (daytime) and 70 dBA (nighttime).
- vii. Occupational health surveillance of the workers should be done on a regular basis and records maintained as per the Factories Act.
- viii. The company shall develop surface water harvesting structures to harvest the rain water for utilization in the lean season besides recharging the ground water table.
- ix. The project proponent shall also comply with all the environmental protection measures and safeguards recommended in the EIA/EMP report. Further, the company must undertake socio-economic development activities in the surrounding villages like community development programmes, educational programmes, drinking water supply and health care etc.
- x. Requisite amount shall be earmarked towards capital cost and recurring cost/annum for environment pollution control measures to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government. An implementation schedule for implementing all the conditions stipulated herein shall be submitted to the Regional Office of the Ministry at Bhubaneswar. The funds so provided shall not be diverted for any other purpose.
- xi. A copy of clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/Municipal Corporation, Urban Local Body and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the web site of the company by the proponent.
- xii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the MOEF at Bhubaneswar, the respective Zonal Office of CPCB and the CECB. The criteria pollutant levels namely; PM₁₀, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

- xiii. The project proponent shall also submit six monthly reports on the status of the compliance of the stipulated environmental conditions including results of monitored data (both in hard copies as well as by e-mail) to the Regional Office of MOEF, the respective Zonal Office of CPCB and the SPCB. The Regional Office of this Ministry at Bhubaneswar/ CPCB / SPCB shall monitor the stipulated conditions.
- xiv. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company alongwith the status of compliance of environmental conditions and shall also be sent to the respective Regional Office of the MOEF at Bhubaneswar by e-mail.
- xv. The Project Proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the SPCB and may also be seen at Website of the Ministry of Environment and Forests at <http://envfor.nic.in>. This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same should be forwarded to the Regional office at Bhubaneswar.
- xvi. Project authorities 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 and the date of commencing the land development work.
8. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
9. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
10. The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 and the Public (Insurance) Liability Act, 1991 along with their amendments and rules.


(Dr. P.L. Ahujarai)
Scientist -F

Copy to:-

1. The Secretary, Department of Forest, Govt. of Jharkhand, Nepal House, Ranchi.
2. The Chief Conservator of Forests, Ministry of Environment & Forests, Regional Office, (EZ) A-3, Chandrashekharpur, Bhubaneswar-715023.
3. The Chairman, Central Pollution Control Board Parivash Bhavan, CBD-cum-Office Complex, East Arjun Nagar New Delhi - 110 032.

61

-6-

4. The Chairman, Jharkhand State Pollution Control Board, T.A Division Building
(Ground Floor) HEC Campus, Dhurwa, Ranchi 834004.
5. Guard File/Monitoring File/Record File.

(Dr. P. L. Ahujarai)
Scientist 'F'

ANNEXURE-A-4

F. No. J-11011/384/2010-IAII(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: dirind-moefcc@gov.in
 Tel: 011-24695368

Dated: 24th November, 2020

To

Shri. Gaurav Budhia,
Director,
 M/s. Bihar Foundry & Casting Limited,
 Main Road, Ranchi-834001 (Jharkhand)
 Email: biharfoundary2020@gmail.com

Subject: Modification-cum-Expansion in existing Ferro Alloys Plant by **M/s. Bihar Foundry & Casting Limited** located at Ramgarh Industrial Area, Survey Plot No 1405(P), Village - Marar, **Ramgarh, Jharkhand – Prescribing of Terms of Reference (ToR) – regarding.**

Sir,

- This refers to the online application of **M/s. Bihar Foundry & Casting Limited** made vide proposal no. IA/JH/IND/172815/2020 dated 12/09/2020 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. 3(a) Metallurgical industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at Central Level.
- The proposal cited above was considered in 24th meeting of the Re-constituted EAC (Industry-I) held during 27-29th October, 2020. The EAC proceedings of the proposal is given as below.
Details submitted by the project proponent
- M/s. Bihar Foundry & Casting Limited located at Notified Ramgarh Industrial Area, Survey Plot No 1405(P), Village - Marar, Ramgarh (JHK) – 829117 proposes to expand the existing unit for manufacturing of Ferro Alloys SiMn / FeMn based on Sub Merged Arc (SAF) technology.
- The project was earlier accorded environmental clearance vide letter number J-11011/384/2010-IA.II(I) dated 31/10/2011. Consent to Operate was accorded by Jharkhand State Pollution Control Board vide Ir. no. B-42, validity of CTO is up to 31/12/2020.
- The proposed unit will be located at Plot No 1405(P), Village - Marar, Taluka: Mandu, District: Ramgarh, State: Jharkhand. – 829117.
- The land area acquired for the proposed plant is 3.1 ha which is a Government Land. No forest land is involved. The entire land has been acquired for the project. Of the total area 1.05 ha (33 %) land will be used for green belt development.
- No national park/ wildlife sanctuary/biosphere reserve/ tiger reserve/ elephant reserve etc. are reported to be located in the core and buffer zone of the project. The area also does not report to form corridor for Schedule-I fauna.

Terms of Reference for project titled "Modification-cum-Expansion in existing Ferro Alloys Plant of M/s. Bihar Foundry & Casting Limited at Notified Ramgarh Industrial Area, Survey Plot No 1405(P), Village - Marar, Ramgarh, Jharkhand".

o/c

8. Total project cost is approx Rs. 50 Crores. Proposed employment generation from proposed project will be 350 direct employment and 355 indirect employment.
9. The targeted production capacity of the SiMn –165TPD (58,575TPA) or HC/MC/LC FeMn – 265TPD (94,075TPA) depend on market scenario / demand. The ore for the plant would be procured from market sources. The ore transportation will be done through Import / Other Sources (Rail/Road/Conveyor).
10. The existing and the proposed production details are as below:

Existing Ferro Alloys units as per EC & Production	Proposal (Modification-cum-Expansion)	Final Plant Configuration & Capacity
2x5+1x7.5+1x9 MVA SAF (Submerge Arc Furnaces) Ferro Alloys SiMn/FeMn – 96TPD (34,080TPA)	1. Modification of existing 2x5 MVA SAF's to 2x6 MVA SAF's by change in transformer capacity 2. Modification of existing 1x7.5 MVA SAF to 1x9 MVA SAF by change in transformer capacity 3. New 1x9 MVA SAF 4. New 12MT per batch CLU(Creusot-Loire-Uddeholm) Converter for refining liquid HC FeMn to MC/LC FeMn 5. Matching associate facilities for operations	2x6+ 3x9 MVA SAF's + 1x12T per batch CLU Converter with matching associate facilities Product Mix SiMn – 165 TPD (58,575TPA) or HC/MC/LC FeMn – 265 TPD (94,075TPA) depend on market scenario/demand

11. The electricity load of 22.5 MW will be procured from DVC. Company has also proposed to install zero DG Set.
12. Proposed raw material and fuel requirement for project are 662.5 TPD Manganese Ore & 198.7 TPD coke. The requirement would be fulfilled by market sources as well as Imports. Fuel consumption will be mainly electricity from DVC.
13. Water Consumption for the proposed project will be 50 KLD additional and waste water generation will be recycled. Domestic waste water will be treated and industrial waste water generated will be treated and reused for cooling.
14. The proponent has mentioned that there is no court case or violation under EIA Notification to the project or related activity.

Observations of the Committee

15. The Committee noted the following:
- The proposal is to upgrade existing 5 T, 7 T EAF to 6 T and 9 T respectively and install one more 9 MVA SAF thus making the complex to have 2x6+ 3x 9 MVA SAF Complex.
 - Plant was installed after obtaining EC from MoEFCC during Oct 2011. CTO is valid till Dec 2020.
 - Land area is 7.76 acres with green belt area as 1.09 acres.
 - Water would be sourced from Damodar River.

Recommendations of the Committee

16. After deliberations, the Committee recommended the project proposal for prescribing following specific ToRs for undertaking detailed EIA and EMP study in addition to the generic ToR enclosed at Annexure-1 read with additional ToRs at Annexure-2:
 - i. Only surface Water shall be used. Ground water abstraction shall not be permitted.
 - ii. 100 % water consumed annually shall be recharged through water harvesting.
 - iii. PM level from chimneys shall be maintained at < 30 mg/Nm³ and Power plant emission norms of SO₂ and NO_x less than 100 Mg/Nm³ shall be adhered to.
 - iv. All Plant roads and approach road to plant shall be made paved and industrial vacuum cleaners shall be used to keep the plant clean and free of fugitive emissions.
 - v. The dust collected from roads, plant floors and APCDs shall be recycled to pellet plant.
 - vi. 100 % of the slag generated through the process shall be utilized.
 - vii. Plant shall operate on ZLD.
 - viii. 4th hole extraction system shall be installed on SAF for control of dust emission.
 - ix. Briquetting and Jigging plant shall be installed.
 - x. No Ferro Chrome production without prior Environment Clearance from MoEF&CC.
 - xi. AOD (Argon Oxygen Decarburization) Converter shall have secondary fume extraction facility.

Decision of MoEF&CC

17. The undersigned is directed to inform that 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 accord above-said specific ToRs, in addition to the standard ToRs and Sector Specific ToRs as enclosed at Annexure I read with additional ToRs at Annexure-2 for carrying out detailed EIA/EMP for the above project.
18. It is requested that the draft EIA Report may be prepared in accordance with the above mentioned specific ToRs and enclosed generic ToRs and additional ToRs and thereafter further necessary action including conduct of public consultation may be taken for obtaining Environment Clearance in accordance with the procedure prescribed under the EIA Notification, 2006 as amended.
19. The ToRs are valid for a period of four years from today i.e., 24/11/2020 and will expire on 23/11/2024 as per the Ministry's Notification S.O. 751 (E) dated 17/02/2020.
20. This issues with the approval of the Competent Authority.


 (A.K. Agrawal)
 Director

Copy to:-

1. Secretary, Department of Environment, Government of Jharkhand Secretariat Ranchi.
2. Regional Officer, Ministry of Environment, Forest and Climate Change, Regional Office (ECZ), Bunglow No. A-2, Shyamali Colony, Ranchi-834002.
3. Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-Cum-Office Complex, East Arjun Nagar, New Delhi-110 032.
4. Chairman, Jharkhand State Pollution Control Board, H.E.C., Dhurwa, Ranchi-834004 (Jharkhand).
5. Member Secretary, Central Ground Water Authority, West Block -II, Wing -3, Sector I, R.K.Puram, New Delhi - 110086.
6. District Collector, Ramgarh District, Jharkhand.
7. Guard File / Record file / Monitoring file.
8. MOEF&CC Website.


 (A.K. Agrawal)
 Director

ANNEXURE – I**GENERIC TERMS OF REFERENCE (ToR) IN RESPECT OF INDUSTRY SECTOR**

1. Executive Summary
2. Introduction
 - i. Details of the EIA Consultant including NABET accreditation
 - ii. Information about the project proponent
 - iii. Importance and benefits of the project
3. Project Description
 - i. Cost of project and time of completion.
 - ii. Products with capacities for the proposed project.
 - iii. If expansion project, details of existing products with capacities and whether adequate land is available for expansion, reference of earlier EC if any.
 - iv. List of raw materials required and their source along with mode of transportation.
 - v. Other chemicals and materials required with quantities and storage capacities
 - vi. Details of Emission, effluents, hazardous waste generation and their management.
 - vii. Requirement of water, power, with source of supply, status of approval, water balance diagram, man-power requirement (regular and contract)
 - viii. The project proponent shall furnish the requisite documents from the competent authority in support of drawl of ground water and surface water and supply of electricity.
 - ix. Process description along with major equipment and machineries, process flow sheet (Quantitative) from raw material to products to be provided.
 - x. Hazard identification and details of proposed safety systems.
 - xi. Expansion/modernization proposals:
 - a. Copy of all the Environmental Clearance(s) including Amendments thereto obtained for the project from MoEF&CC/SEIAA shall be attached as an Annexure. A certified copy of the latest Monitoring Report of the Regional Office of the Ministry of Environment, Forest and Climate Change as per circular dated 30th May, 2012 on the status of compliance of conditions stipulated in all the existing environmental clearances including Amendments shall be provided. In addition, status of compliance of Consent to Operate for the ongoing /existing operation of the project from SPCB/PCC shall be attached with the EIA-EMP report.
 - b. In case the existing project has not obtained environmental clearance, reasons for not taking EC under the provisions of the EIA Notification 1994 and/or EIA Notification 2006 shall be provided. Copies of Consent to Establish/No Objection Certificate and Consent to Operate (in case of units operating prior to EIA Notification 2006, CTE and CTO of FY 2005-2006) obtained from the SPCB shall be submitted. Further, compliance report to the conditions of consents from the SPCB shall be submitted.
4. Site Details
 - i. Location of the project site covering village, Taluka/Tehsil, District and State, Justification for selecting the site, whether other sites were considered.
 - ii. A toposheet of the study area of radius of 10km and site location on 1:50,000/1:25,000 scale on an A3/A2 sheet. (including all eco-sensitive areas and environmentally sensitive places)
 - iii. Co-ordinates (lat-long) of all four corners of the site.
 - iv. Google map-Earth downloaded of the project site.
 - v. Layout maps indicating existing unit as well as proposed unit indicating storage area, plant area, greenbelt area, utilities etc. If located within an Industrial area/Estate/Complex, layout of Industrial Area indicating location of unit within the Industrial area/Estate.

- vi. Photographs of the proposed and existing (if applicable) plant site. If existing, show photographs of plantation/greenbelt, in particular.
- vii. Land use break-up of total land of the project site (identified and acquired), government/private - agricultural, forest, wasteland, water bodies, settlements, etc shall be included. (not required for industrial area)
- viii. A list of major industries with name and type within study area (10km radius) shall be incorporated. Land use details of the study area
- ix. Geological features and Geo-hydrological status of the study area shall be included.
- x. Details of Drainage of the project upto 5km radius of study area. If the site is within 1 km radius of any major river, peak and lean season river discharge as well as flood occurrence frequency based on peak rainfall data of the past 30 years. Details of Flood Level of the project site and maximum Flood Level of the river shall also be provided. (mega green field projects)
- xi. Status of acquisition of land. If acquisition is not complete, stage of the acquisition process and expected time of complete possession of the land.
- xii. R&R details in respect of land in line with state Government policy

5. **Forest and wildlife related issues (if applicable):**

- i. Permission and approval for the use of forest land (forestry clearance), if any, and recommendations of the State Forest Department. (if applicable).
- ii. Land use map based on High resolution satellite imagery (GPS) of the proposed site delineating the forestland (*in case of projects involving forest land more than 40 ha*).
- iii. Status of Application submitted for obtaining the stage I forestry clearance along with latest status shall be submitted.
- iv. The projects to be located within 10 km of the National Parks, Sanctuaries, Biosphere Reserves, Migratory Corridors of Wild Animals, the project proponent shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-à-vis the project location and the recommendations or comments of the Chief Wildlife Warden thereon.
- v. Wildlife Conservation Plan duly authenticated by the Chief Wildlife Warden of the State Government for conservation of Schedule I fauna, if any exists in the study area.
- vi. Copy of application submitted for clearance under the Wildlife (Protection) Act, 1972, to the Standing Committee of the National Board for Wildlife.

6. **Environmental Status**

- i. Determination of atmospheric inversion level at the project site and site-specific micro-meteorological data using temperature, relative humidity, hourly wind speed and direction and rainfall.
- ii. AAQ data (except monsoon) at 8 locations for PM₁₀, PM_{2.5}, SO₂, NO_x, CO and other parameters relevant to the project shall be collected. The monitoring stations shall be based CPCB guidelines and take into account the pre-dominant wind direction, population zone and sensitive receptors including reserved forests.
- iii. Raw data of all AAQ measurement for 12 weeks of all stations as per frequency given in the NAQQM Notification of Nov. 2009 along with – min., max., average and 98% values for each of the AAQ parameters from data of all AAQ stations should be provided as an annexure to the EIA Report.
- iv. Surface water quality of nearby River (60m upstream and downstream) and other surface drains at eight locations as per CPCB/MoEF&CC guidelines.
- v. Whether the site falls near to polluted stretch of river identified by the CPCB/MoEF&CC.
- vi. Ground water monitoring at minimum at 8 locations shall be included.
- vii. Noise levels monitoring at 8 locations within the study area.
- viii. Soil Characteristic as per CPCB guidelines.

Terms of Reference for project titled "Modification-cum-Expansion in existing Ferro Alloys Plant of M/s. Bihar Foundry & Casting Limited at Notified Ramgarh Industrial Area, Survey Plot No 1405(P), Village - Marar, Ramgarh, Jharkhand".

- ix. Traffic study of the area, type of vehicles, frequency of vehicles for transportation of materials, additional traffic due to proposed project, parking arrangement etc.
 - x. Detailed description of flora and fauna (terrestrial and aquatic) existing in the study area shall be given with special reference to rare, endemic and endangered species. If Schedule-I fauna are found within the study area, a Wildlife Conservation Plan shall be prepared and furnished.
 - xi. Socio-economic status of the study area.
7. Impact Assessment and Environment Management Plan
- i. Assessment of ground level concentration of pollutants from the stack emission based on site-specific meteorological features. In case the project is located on a hilly terrain, the AQIP Modelling shall be done using inputs of the specific terrain characteristics for determining the potential impacts of the project on the AAQ. Cumulative impact of all sources of emissions (including transportation) on the AAQ of the area shall be well assessed. Details of the model used and the input data used for modelling shall also be provided. The air quality contours shall be plotted on a location map showing the location of project site, habitation nearby, sensitive receptors, if any.
 - ii. Water Quality modelling – in case, if the effluent is proposed to be discharged in to the local drain, then Water Quality Modelling study should be conducted for the drain water taking into consideration the upstream and downstream quality of water of the drain.
 - iii. Impact of the transport of the raw materials and end products on the surrounding environment shall be assessed and provided. In this regard, options for transport of raw materials and finished products and wastes (large quantities) by rail or rail-cum road transport or conveyor-cum-rail transport shall be examined.
 - iv. A note on treatment of wastewater from different plant operations, extent recycled and reused for different purposes shall be included. Complete scheme of effluent treatment. Characteristics of untreated and treated effluent to meet the prescribed standards of discharge under E(P) Rules.
 - v. Details of stack emission and action plan for control of emissions to meet standards.
 - vi. Measures for fugitive emission control
 - vii. Details of hazardous waste generation and their storage, utilization and disposal. Copies of MOU regarding utilization of solid and hazardous waste shall also be included. EMP shall include the concept of waste-minimization, recycle/reuse/recover techniques, Energy conservation, and natural resource conservation.
 - viii. Proper utilization of fly ash shall be ensured as per Fly Ash Notification, 2009. A detailed plan of action shall be provided.
 - ix. Action plan for the green belt development plan in 33 % area i.e. land with not less than 1,500 trees per ha. Giving details of species, width of plantation, planning schedule etc. shall be included. The green belt shall be around the project boundary and a scheme for greening of the roads used for the project shall also be incorporated.
 - x. Action plan for rainwater harvesting measures at plant site shall be submitted to harvest rainwater from the roof tops and storm water drains to recharge the ground water and also to use for the various activities at the project site to conserve fresh water and reduce the water requirement from other sources.
 - xi. Total capital cost and recurring cost/annum for environmental pollution control measures shall be included.
 - xii. Action plan for post-project environmental monitoring shall be submitted.
 - xiii. Onsite and Offsite Disaster (natural and Man-made) Preparedness and Emergency Management Plan including Risk Assessment and damage control. Disaster management plan should be linked with District Disaster Management Plan.

8. Occupational health
 - i. Details of existing Occupational & Safety Hazards. What are the exposure levels of above mentioned hazards and whether they are within Permissible Exposure level (PEL). If these are not within PEL, what measures the company has adopted to keep them within PEL so that health of the workers can be preserved,
 - ii. Details of exposure specific health status evaluation of worker. If the workers' health is being evaluated by pre-designed format, chest x rays, Audiometry, Spirometry, Vision testing (Far & Near vision, colour vision and any other ocular defect) ECG, during pre-placement and periodical examinations give the details of the same. Details regarding last month analysed data of abovementioned parameters as per age, sex, duration of exposure and department wise.
 - iii. Annual report of health status of workers with special reference to Occupational Health and Safety.
 - iv. Plan and fund allocation to ensure the occupational health & safety of all contract and casual workers.
9. Corporate Environment Policy
 - i. Does the company have a well laid down Environment Policy approved by its Board of Directors? If so, it may be detailed in the EIA report.
 - ii. Does the Environment Policy prescribe for standard operating process / procedures to bring into focus any infringement / deviation / violation of the environmental or forest norms / conditions? If so, it may be detailed in the EIA.
 - iii. What is the hierarchical system or Administrative order of the company to deal with the environmental issues and for ensuring compliance with the environmental clearance conditions? Details of this system may be given.
 - iv. Does the company have system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the company and / or shareholders or stakeholders at large? This reporting mechanism shall be detailed in the EIA report
10. Details regarding infrastructure facilities such as sanitation, fuel, restroom etc. to be provided to the labour force during construction as well as to the casual workers including truck drivers during operation phase.
11. To address the Public Hearing issues, the provisions contained under Ministry's Office Memorandum vide F.No. 22-65/2017-IA.III dated 30/09/2020 shall be adhered to.
12. Any litigation pending against the project and/or any direction/order passed by any Court of Law against the project, if so, details thereof shall also be included. Has the unit received any notice under the Section 5 of Environment (Protection) Act, 1986 or relevant Sections of Air and Water Acts? If so, details thereof and compliance/ATR to the notice(s) and present status of the case.
13. A tabular chart with index for point wise compliance of above ToRs.
14. The ToRs prescribed shall be valid for a period of three years for submission of the EIA-EMP reports along with Public Hearing Proceedings (wherever stipulated).

The following general points shall be noted:

- i. All documents shall be properly indexed, page numbered.
- ii. Period/date of data collection shall be clearly indicated.
- iii. Authenticated English translation of all material in Regional languages shall be provided.
- iv. The letter/application for environmental clearance shall quote the MOEF&CC file No. and also attach a copy of the letter.

Terms of Reference for project titled "Modification-cum-Expansion in existing Ferro Alloys Plant of M/s. Bihar Foundry & Casting Limited at Notified Ramgarh Industrial Area, Survey Plot No 1405(P), Village - Marar, Ramgarh, Jharkhand".

- v. The copy of the letter received from the Ministry shall be also attached as an annexure to the final EIA-EMP Report.
- vi. The index of the final EIA-EMP report must indicate the specific chapter and page no. of the EIA-EMP Report
- vii. While preparing the EIA report, the instructions for the proponents and instructions for the consultants issued by MOEF&CC vide O.M. No. J-11013/41/2006-IA.II (I) dated 4th August, 2009, which are available on the website of this Ministry shall also be followed.
- viii. The consultants involved in the preparation of EIA-EMP report after accreditation with Quality Council of India (QCI)/National Accreditation Board of Education and Training (NABET) would need to include a certificate in this regard in the EIA-EMP reports prepared by them and data provided by other organization/Laboratories including their status of approvals etc. Name of the Consultant and the Accreditation details shall be posted on the EIA-EMP Report as well as on the cover of the Hard Copy of the Presentation material for EC presentation.
- ix. ToRs' prescribed by the Expert Appraisal Committee (Industry) shall be considered for preparation of EIA-EMP report for the project in addition to all the relevant information as per the 'Generic Structure of EIA' given in Appendix III and IIIA in the EIA Notification, 2006. Where the documents provided are in a language other than English, an English translation shall be provided. **The draft EIA-EMP report shall be submitted to the State Pollution Control Board of the concerned State for conduct of Public Hearing. The SPCB shall conduct the Public Hearing/public consultation, district-wise, as per the provisions of EIA notification, 2006. The Public Hearing shall be chaired by an Officer not below the rank of Additional District Magistrate.** The issues raised in the Public Hearing and during the consultation process and the commitments made by the project proponent on the same shall be included separately in EIA-EMP Report in a separate chapter and summarised in a tabular chart with financial budget (capital and revenue) along with time-schedule of implementation for complying with the commitments made. The final EIA report shall be submitted to the Ministry for obtaining environmental clearance.

ANNEXURE-2**ADDITIONAL ToRs FOR****METALLURGICAL INDUSTRY (FERROUS AND NON-FERROUS)**

1. Complete process flow diagram describing each unit, its processes and operations, along with material and energy inputs & outputs (material and energy balance).
2. Emission from sulphuric acid plant and sulphur muck management.
3. Details on installation of Continuous Emission Monitoring System with recording with proper calibration system
4. Details on toxic metals including fluoride emissions
5. Details on stack height.
6. Details on ash disposal and management
7. Complete process flow diagram describing process of lead/zinc/copper/ aluminium, etc.
8. Details on smelting, thermal refining, melting, slag fuming, and Waelz kiln operation
9. Details on Holding and de-gassing of molten metal from primary and secondary aluminium, materials pre-treatment, and from melting and smelting of secondary aluminium
10. Details on toxic metal content in the waste material and its composition and end use (particularly of slag).
11. Trace metals in waste material especially slag.
12. Plan for trace metal recovery
13. Trace metals in water

Executive Summary

Executive summary of the report in about 8-10 pages incorporating the following:

- i. Project name and location (Village, Dist, State, Industrial Estate (if applicable))
- ii. Products and capacities. If expansion proposal, then existing products with capacities and reference to earlier EC.
- iii. Requirement of land, raw material, water, power, fuel, with source of supply (Quantitative)
- iv. Process description in brief, specifically indicating the gaseous emission, liquid effluent and solid and hazardous wastes. Materials balance shall be presented.
- v. Measures for mitigating the impact on the environment and mode of discharge or disposal.
- vi. Capital cost of the project, estimated time of completion
- vii. Site selected for the project – Nature of land – Agricultural (single/double crop), barren, Govt/private land, status of its acquisition, nearby (in 2-3 km.) water body, population, with in 10km other industries, forest, eco-sensitive zones, accessibility, (note – in case of industrial estate this information may not be necessary)
- viii. Baseline environmental data – air quality, surface and ground water quality, soil characteristic, flora and fauna, socio-economic condition of the nearby population
- ix. Identification of hazards in handling, processing and storage of hazardous material and safety system provided to mitigate the risk.
- x. Likely impact of the project on air, water, land, flora-fauna and nearby population
- xi. Emergency preparedness plan in case of natural or in plant emergencies
- xii. Issues raised during public hearing (if applicable) and response given
- xiii. CSR plan with proposed expenditure.
- xiv. Occupational Health Measures
- xv. Post project monitoring plan

F. No. 22-21/2020-IA.III
 Government of India
 Ministry of Environment, Forest and Climate Change
 Impact Assessment Division

Indira Paryavaran Bhawan
 Jor Bagh Road, Aliganj
 New Delhi - 110003
 sujit.baju@gov.in

Date: 7th July, 2021

Office Memorandum

Subject: 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 - Regarding.

The Ministry had issued a notification number S.O.804(E), dated the 14th March, 2017 detailing the process for grant of Terms of Reference and Environmental Clearance in respect of projects or activities which have started the work on site and/or expanded the production beyond the limit of Prior EC or changed the product mix without obtaining Prior EC under the EIA Notification, 2006.

2. This Notification was applicable for six months from the date of publication i.e. 14.03.2017 to 13.09.2017 and further based on court direction from 14.03.2018 to 13.04.2018.

3. Hon'ble NGT 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 SEIAs 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 'Polluter Pays Principle' and 'Principle of Proportionality'. It is undoubtedly important that action under statutory provisions is taken against the defaulters/violators and a decision on the closure of the project or activity or otherwise is taken expeditiously.

6. In the light of the above directions of the Hon'ble Tribunal and the issues involved, the matter has accordingly been examined in detail in the Ministry. A detailed SoP has accordingly been framed and is outlined herein. The SoP is also guided by the observations / decisions of the Hon'ble Courts wherein principles of proportionality and polluters pay have been outlined.

7. Relevant Court Cases on the issue: It is noted that while deciding issues related to violations of the Environment Protection Act, 1986 on account of running the project/activity without prior environmental clearance or in excess of capacity allowed in such clearances, **the Hon'ble courts have, *inter-alia*, deliberated on various facets involving 'violation' cases and have enunciated principles of 'Proportionality' and 'Polluter Pays' in various decisions viz. Industrial Council for Enviro-Legal Action Vs Union of India (the Bichhri village industrial pollution case) (1996 SCC [3] 212); Alembic Pharmaceuticals Ltd. Vs Rohit Prajapati & Ors. (C.A. No. 1526 of 2016, order dated 1.4.2020) and Hindustan Copper Limited Vs Union of India in (W.P. (C) No. 2364 of 2014, order dated 28.11.2014).** The salient extracts of the judgements are as under:

Issue 1: Proposal for grant of Environmental Clearance in violation cases – to be considered on merits:

i. Hon'ble High Court of Jharkhand in the matter of Hindustan Copper Limited Vs Union of India in W.P. (C) No. 2364 of 2014, vide order dated 28.11.2014

Held: "(...) action for alleged violation would be an independent and separate proceeding and therefore, consideration of proposal for environment clearance cannot await initiation of action against the project proponent."

*"(...) the proposal of the petitioner company for **environmental clearance must be examined on its merits, independent of any proposed action for the alleged violation of the environmental laws.**"*

ii. Hon'ble Madras High Court in the matter of Puducherry Environment Protection Association Vs The Union of India in W.P. No. 11189 of 2017, vide order dated 13.10.2017

Held "27. The question is whether an establishment contributing to the economy of the country and providing livelihood to hundreds of people should be closed down only because of failure to obtain prior environmental clearance, even though the establishment may not otherwise be violating

SA

pollution laws or the pollution, if any, can conveniently and effectively be checked. **The answer necessarily has to be in the negative.**"

"29. It is reiterated that protection of environment and prevention of environmental pollution and degradation are non-negotiable. At the same time, the Court cannot altogether ignore the economy of the Nation and the need to protect the livelihood of hundreds of employees employed in projects, which as stated above, otherwise comply with or can be made to comply with norms."

Issue 2: Environmental Clearance – Prospective & not ex-post facto:

Hon'ble Supreme Court in the matter of Common Cause Vs Union of India in W.P. (C) No. 114 of 2014, vide order dated 2.8.2017

Held: "(...) an EC will come into force not earlier than the date of its grant."

Issue 3: 'Principles of Proportionality' – to be applied:

Hon'ble Supreme Court in the matter of Alembic Pharmaceuticals Ltd. Vs Rohit Prajapati & Ors. in C.A. No. 1526 of 2016, vide order dated 1.4.2020

Held: "(...) this Court must take a balanced approach which holds the industries to account for having operated without environmental clearances in the past without ordering a closure of operations. The directions of the NGT for the revocation of the ECs and for closure of the units do not accord with the principle of proportionality"

Issue 4: 'Polluter pays' principle &

&

Issue 5: Costs for remedial measures implicit in Sections 3 & 5 of Environment (Protection) Act, 1986.

Hon'ble Supreme Court in the matter of Indian Council for Enviro- Legal Action Vs Union of India (the Bichhri village industrial pollution case) in (1996 SCC [3] 212)

Held:

a) The Central Government is empowered to take all measures and issue all such directions as are called for the above purpose. The said powers will **include giving directions ... and also the power to impose the cost of remedial measures** on the offending industry and utilize the amount so recovered for carrying out remedial measures.....

SA

b) Levy of costs required for carrying out remedial measures is implicit in Sections 3 and 5 which are couched in very wide and expansive language. Sections 3 and 5 of the Environment (Protection) Act, 1986, apart from other provisions of Water and Air Acts, empower the Government to make all such directions and take all such measures as are necessary or expedient for protecting and promoting the 'environment', which expression has been defined in very wide and expansive terms in Section 2 (a) of the Environment (Protection) Act. This power includes the power to prohibit an activity, close an industry, direct to carry out remedial measures, and wherever necessary impose the cost of remedial measures upon the offending industry.

c) The question of liability of the respondents to defray the costs of remedial measures can also be looked into from accepted universally sound principle, viz., the "Polluter Pays" Principle. "The polluter pays principle demands that the financial costs of preventing or remedying damage caused by pollution should lie with the undertakings which cause the pollution, or produce the goods which cause the pollution".

8. Legal provisions:

i. The Environment (Protection) Act, 1986 mandates the Central Government to take all measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution (reference sub-section (1) of Section 3 of Environment (Protection) Act, 1986). Further, clause (xiv) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 specifies that the measures stipulated under sub-section (1) of Section 3 of the Environment (Protection) Act 1986 includes 'such other matters as the Central Government deems necessary or expedient for the purpose of securing effective implementation of the provisions of this Act'.

ii. Further, notwithstanding anything contained in any other law but subject to the provisions of the Environment Protection Act, 1986, Section 5 of the Environment (Protection) Act, 1986, provides that the Central Government may, in the exercise of powers and performance of Central Government functions under the said Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.

9. Definition of Violation and Non-compliance:

The Standard Operating Procedure (SoP) considers 'Violation' & 'Non-compliance' from the following perspective:

SL

i. "Violation" means cases where projects have either started the construction work or installation or excavation, whichever is earlier, on site or have expanded the production capacity and / or project area beyond the limit specified in the Environmental Clearance (Prior-EC) without obtaining Prior-EC or change of scope without prior approval from the Ministry.

ii. "Non-compliance" means non-compliance of terms and conditions prescribed by the Regulatory Authority in the Prior Environment Clearance accorded to the project.

10. Standard Operating Procedure – Guiding Principles:

i. Without prejudice to any other consequences, **action has to be initiated under section 15 read with section 19** of The Environment (Protection) Act, 1986 **against all violations.**

ii. Projects not allowable/permissible, for grant of EC, as per extant regulations: **To be demolished.**

iii. Projects allowable/permissible, if prior EC had been taken as per extant regulations: **To be closed until EC is granted (if no prior EC has been taken) or to revert to permitted production level (in case prior EC has been granted).**

iv. **Polluter pays:** Violators to pay for violation period - proportionate to the scale of project and extent of commercial transaction.

v. Setting up a mechanism for reporting of violation to the regulatory authority(ies).

11. SOP for dealing with the violation cases:

Step 1: Closure or Revision

Sl no.	Status of EC	Actions
1	If no prior EC has been taken	Order to close its operation
2.	If prior EC is available for existing/old unit	Order to revert the activity/production to permissible limits.
3.	If prior EC was not required for earlier production level but is now required	Restrict the activity/production to the extent to which prior EC was not required.

Step 2: Action under Environment (Projection) Act, 1986

Action under section 15 read with section 19 of the Environment (Protection) Act, 1986 shall be initiated against the violators.

SA

Step: 3: Appraisal under EIA Notification, 2006

The permissibility of the project shall be examined from the perspective of whether such activity/project was at all eligible for the grant of prior EC.

A. If not permissible:

i. The project shall be **ordered for the demolition/closure after issuing show cause notice and providing an opportunity of hearing.**

*Ex. If a red industry is functioning in a CRZ-I area which means that the activity was, in the first place, not permitted at the time of commencement of project. Therefore, the activity is not permissible and therefore it shall be **closed & demolished.***

ii. Respective regulatory authorities shall issue directions under section 5 of the Environment (Protection) Act, 1986 for such closure & demolition of the project/activity.

B. If permissible:

i. As per extant regulations at the time of scoping, if it is viewed that the project activity is otherwise permissible, Terms of Reference (TOR) shall be issued with directions to complete the impact assessment studies & submit Environmental Impact Assessment (EIA) report & Environmental Management Plan (EMP) in a time bound manner.

ii. Such cases of violation shall be subject to appropriate

(a) Damage Assessment

(b) Remedial Plan and

(c) Community Augmentation Plan by the Central level Sectoral Expert Appraisal Committees or State/Union Territory Level Expert Appraisal Committees, as the case may be.

iii. The Competent Authority shall issue directions to the project proponent, under section 5 of the Environment (Protection) Act, 1986 on case to case basis mandating payment of such amount (as may be determined based on Polluters Pay principle) and undertaking activities relating to Remedial Plan and Community Augmentation Plan (to restore environmental damage caused including its social aspects).

iv. Upon submission of the EIA & EMP report, the project shall be appraised by the Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, as if it was a new proposal. If, on examination of the EIA/EMP report, the project is considered permissible for operation as per extant regulations, the requisite Environmental Clearance shall be issued **which shall be effective from the date of issue.**

v. However, during appraisal after examination if it is found that even though the project may **be permissible but not environmentally sustainable in its present**

SA

form/configuration/features then the project shall be directed to be **modified so that the project would be environmentally sustainable.**

vi. If, however, it is not considered appropriate to issue EC, the project shall be directed to be **demolished/ closed. If such proposal is a case of expansion, the project shall be directed to revert back to the extent of activity for which EC had been granted earlier or to revert back to the extent of activity for which EC was not required (as the case may be).**

vii. Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, may insist upon public hearing to be conducted for such categories of projects for which the EIA Notification 2006, as amended from time to time, requires the public hearing to be conducted.

viii. The project proponent will be required to **submit a bank guarantee equivalent to the amount of Remediation Plan and Natural & Community Resource Augmentation Plan with Central / the State Pollution Control Board (depending on whether it is appraised at Ministry or by SEIAA).** The quantification of such liability will be recommended by Expert Appraisal Committee and finalized by Regulatory Authority. The bank guarantee shall be deposited prior to the grant of environmental clearance and **will be released after successful implementation of the Remediation plan and Natural & Community Resource Augmentation Plan.**

Note - The activities, as per above clauses, shall be undertaken simultaneously wherever feasible. Environmental Clearance, if granted, to such projects or activities, after due appraisal of EIA/EMP report, **shall be effective only from the date of issuance of such clearance** and shall be subject to compliance of obligations towards Damage Assessment, Remedial Plan & Community Augmentation Plan, etc. finalized in each case.

12. Penalty provisions for Violation cases and applications:

a. For new projects:

- i. **Where operation has not commenced:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report; [Ex: Rs.1 lakh for project cost of Rs.1 Cr]
- ii. **Where operations have commenced without EC:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report **PLUS** 0.25% of the total turnover during the period of violation. [Ex: For Rs.100 Cr project cost and Rs.100 Cr total turnover, the penalty shall be Rs.1 Cr + Rs. 0.25 Cr = Rs.1.25 Cr]

sd

b. For expansion projects:

- i. **Where operation/production with expanded capacity has not commenced:**
1% of the project cost, attributable to the expansion, incurred up to the date of filing of application along with EIA/EMP report.
- ii. **Where operation/ production with expanded capacity have commenced:**
1% of the project cost (attributable to the expansion activity) incurred upto the date of filing of application along with EIA/EMP report PLUS 0.25% of the total turnover (attributable to the expanded activity/capacity) involved during the period of violation.

12.1. Without prejudice to obligation as per (a) & (b) above, where the project or activity is considered for appraisal as above & the project proponent fails to provide required information or requisite documents or complete the requisite study for the purpose of EIA/EMP reports or does not furnish such reports within such period, as specified by the appraisal committee, without reasonable cause, it shall be inferred that the project proponent is not serious enough and the project or activity shall be directed to be demolished / closed.

12.2. The percentage rates, as above, shall be halved if the project proponent *suo-moto* reports such violations without such violations coming to the knowledge of the Government either on inquiry or complaint.

12.3. The penalty, as above, shall be in addition to liability for carrying out various remedial measures which shall be worked out based on the damage assessment for quantifying the environmental damage caused due to unauthorized project activity [as per Step 3 enumerated above].

13. Identification of Violation cases:

With a view to protecting the environment and to expeditiously bring violators into a regulatory regime so as to prevent & control environment damage caused by such violation & to determine whether operation of such projects is permissible and to take action stipulated under Section 15 of the Environment (Protection) Act, 1986 for contravention of the provisions of the said Act, Rules, orders and directions, it is expedient to also identify the cases of violation, examine and appraise such projects so as to refrain them from causing further environmental damage and also to compensate for causing damage to the environment. Therefore, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986, the Central Government hereby directs that:-

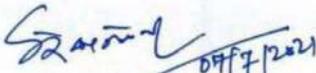
- i. State Pollution Control Boards & Union Territory Pollution Control Committees, before grant or renewal of Consents under Water(Prevention & Control of Pollution) Act, 1974 & Air (Prevention& Control of Pollution) Act, 1981, shall ensure that the project proponents applies for or possess valid Prior

Sox

Environmental Clearance in terms of extant EIA Notification and shall not grant or renew CTO (Consent to Operate) unless Environment Clearance (if applicable) has been obtained.

- ii. The Central Pollution Control Board, all State Pollution Control Boards and all Union Territory Pollution Control Committees shall identify cases of violation under their respective jurisdiction, report such cases to the Ministry or State/Union Territory Level Environmental Impact Assessment Authority, as the case may be and also revoke CTO, if granted to the unit after giving an opportunity of being heard.
- iii. The Central Pollution Control Board, all State Pollution Control Boards and all Union Territory Pollution Control Committees shall expeditiously examine the references, received from public and other bodies, relating to violations and take necessary steps as per (ii) above.

14. This is issued with the approval of the Competent Authority.


 (Dr. Sujit Kumar Bajpayee)
 Joint Secretary (IA)

To

1. Chairperson/Member Secretary of Central Pollution Control Board
2. Chairperson/Member Secretaries of all the SEIAAs/SEACs
3. Chairman/Members of all the Expert Appraisal Committees
4. Chairman/Members of all the State Pollution Control Boards and Union Territory Pollution Control Committees

Copy for information:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS for Environment, Forest and Climate Change
3. PPS to Secretary(EF&CC)
4. PPS to AS(RS) / AS (RA)/ AS (UD)/ JS(JT) / JS (MP)/ JS (NPG)
5. All the officers of IA Division
6. Website of MoEF&CC/PARIVESH/Guard file

Copy (by email) also forwarded to the Registrar, NGT, in compliance to instruction given in O.A No. 34/2020 WZ in the matter of Tanaji B. Gambhire vs. Chief Secretary, Government of Maharashtra and ors.(order dated 24.05.2021).

MoM of 44th meeting of the Re-constituted EAC (Industry-1) held on 13 – 14th September, 2021

Ministry of Environment, Forest and Climate Change
Impact Assessment Division
(Industry-1 Sector)

Date of zero draft MoM sent to Chairman: 17/09/2021

Approval by Chairman: 21/09/2021

Uploading on PARIVESH: 21/09/2021

Summary record of the Forty Fourth (44th) meeting of Re-Constituted Expert Appraisal Committee (REAC) held on 13-14th September, 2021 for environment appraisal of Industry-1 sector projects constituted under the provisions of Environment Impact Assessment (EIA) Notification, 2006.

The forty fourth meeting of the Expert Appraisal Committee (EAC) for Industry-1 Sector constituted as per the provisions of the EIA Notification, 2006 for Environment Appraisal of Industry 1 Sector Projects was held on 13-14th September, 2021 in the Ministry of Environment, Forest and Climate Change (MoEF&CC) through **video conferencing** in view of the ongoing Corona Virus Disease (Covid-19) pandemic. The list of EAC attendees is as follows:

S. No.	Name	Position	13/09/2021	14/09/2021
1.	Dr. Chhavi Nath Pandey	Chairman	Present	Present
2.	Dr. M.K. Gupta, Director, CPPRI.	Member	Present	Present
3.	Dr. Siddharth Singh,	Member	Present	Present
4.	Dr. Jagdish Kishwan	Member	Present	Present
5.	<i>Dr. Tejaswini Ananth Kumar</i>	<i>Member</i>	<i>Absent</i>	<i>Absent</i>
6.	Dr. G.V. Subramanyam	Member	Present	Present
7.	Shri. Ashok Upadhyaya	Member	Present	Present
8.	Shri. Rajendra Prasad Sharma	Member	Present	Present
9.	<i>Dr. Sanjay Deshmukh</i>	<i>Member</i>	<i>Absent</i>	<i>Absent</i>
10.	Prof. S.K. Singh	Member	Present	Present
11.	Dr. R. Gopichandran	Member	Absent	Absent
12.	Shri Jagannadha Rao Avasarala	Member	Present	Present
13.	Shri. J.S. Kamyotra	Member	Present	Present
Officials from MoEF&CC				
14.	Shri. Sundar Ramanathan	Member Secretary	Present	Present
15.	Dr. Vipin Gupta	Scientist 'B'	Present	Present

After welcoming the Committee Members, discussion on each of the agenda items was taken up. The minutes of 43rd meeting held during 26-27th August, 2021 were confirmed by the EAC as already uploaded on PARIVESH.

MoM of 44th meeting of the Re-constituted EAC (Industry-I) held on 13 – 14th September, 2021

deterioration in the baseline environment and validation could not be established by the PP as desired in the EAC meeting held on 16-17th December, 2020. During revalidation, PP failed to revalidate the traffic assessment and ecological study. The public consultation held on 4/08/2016 is almost five years old and the public needs to be apprised about the significant changes occurred in the baseline environment.

Recommendations of the Committee

44.1.17 In view of the foregoing and after deliberations, the Committee reiterated its recommendation for rejection of the proposal. Further, the Committee opined that project proponent is free to apply for seeking fresh Terms of Reference under the provisions of the EIA Notification, 2006.

44.2 Modification-cum-Expansion in existing Ferro Alloys Plant by **M/s. Bihar Foundry & Casting Limited** located at Ramgarh Industrial Area, Survey Plot No 1405(P), Village – Marar, **Ramgarh District, Jharkhand**. [Online Proposal No. IA/JH/IND/223909/2020; File No.: J-11011/384/2010-IAII(I)] – **Environment Clearance**– regarding.

44.2.1 M/s. Bihar Foundry & Casting Limited has made an online application vide proposal no. IA/JH/IND/223909/2020 dated 23/08/2021 along with copy of EIA/EMP report and Form-2 seeking Environmental Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at schedule no. 3 (a) Metallurgical industries (Ferrous & non-ferrous) under Category “A” of the schedule of the EIA notification, 2006 and appraised at Central level.

Details submitted by Project proponent

44.2.2 The details of the ToR are furnished as below:

Date of application	Consideration	Details	Date of accord
12/09/2020	24 th Re-EAC (Industry- 1) meeting held during 27-29 th October, 2020	Terms of Reference	24/11/2020

44.2.3 The project of M/s. Bihar Foundry & Casting Limited located at Ramgarh Industrial Area, Survey Plot No 1405(P), Village – Marar, Ramgarh District, Jharkhand is for Modification-cum-Expansion in existing Ferro Alloys Plant.

44.2.4 Environmental Site Settings:

SNo	Particulars	Details	Remarks
i.	Total land	3.14 ha [Private:3.14ha; Govt 0ha; Agriculture:0ha; and Grazing land: 0 ha]	Land use: Industrial
ii.	Land acquisition details as per MoEF&CC O.M. dated 7/10/2014	Acquired land: 3.14 ha (7.76 Acres) Plot no. - 1405(P). Land is already under possession of proponent	
iii.	Existence of habitation & involvement R&R, if any.	NA	
iv.	Latitude & Longitude of project site	Latitude: 23°39' 33.79" N Longitude: 85° 30' 20.85" E	

MoM of 44th meeting of the Re-constituted EAC (Industry-I) held on 13 – 14th September, 2021

SNo	Particulars	Details	Remarks
v.	Elevation of the Project site	320 m AMSL	
vi.	Involvement of Forest land if any.	NA	
vii.	Water body exists within the project site as well as study area	Project site: Name : NA Study area Damodar River, at 1.4 km S	
viii.	Existence of ESZ/ ESA/ National park/ wildlife sanctuary/ biosphere reserve/ tiger reserve/ elephant reserve etc. if any within the study area	Nil	

44.2.5 The existing project was accorded environmental clearance vide Ir. no. J-11011/384/2010-IA.II(I) dated 31/10/2011. Consent to Operate renewal for the existing unit was accorded by Jharkhand State Pollution Control Board in the name of M/s. Gautam Ferro Alloys (Unit of BFCL) vide Ir. no. Ref no JSPCB/HO/RNC/CTO/4412165/2020/1819 dated 10/11/2020. The validity of CTO is up to 31/12/2025.

44.2.6 Implementation status of the existing EC.

S No	Facilities As per EC dated 31/10/2011	Implementation Status as on 24/11/2020	Production as per CTO
1	Ferro Alloys Plant of 96 TPD (2x5 MVA SAF's and 1x7.5+1x9 MVA SAF's with Jigging unit and Micro Pelletizing facility)	Ferro Alloy Plant of 96 TPD	96 TPD

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

S No	Name	Existing Units		Proposed Units (Modification-Cum-expansion)		Total (Existing + Proposed)	
		Configuration	Production TPA	Configuration	Production TPA	Configuration	Production TPA
1	Ferro Alloy unit	2x5+1x7.5+1x9 MVA SAF	34,080	Modification of existing 2x5 MVA SAF's to 2x6 MVA SAF Modification of existing 1x7.5 MVA SAF to 1x9 MVA SAF capacity New 1x9 MVA SAF New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn	SiMn-24,495 FeMn-59,995	2x6+3x9 MVA SAF + 12MT CLU	SiMn-58,575 or FeMn-94,075

MoM of 44th meeting of the Re-constituted EAC (Industry-I) held on 13 – 14th September, 2021

- 44.2.8 The details of the raw material requirement for the proposed project along with its source and mode of transportation is given as below:

SNo	Raw Material	Quantity required per annum	Source	Distance from site (Km)	Mode of Transportation
Ferro Manganese					
1	Manganese ore	235187.5TPA	Imported (Zambia)	5 km	Rail/Road
2.	Coke	70556.25TPA	Imported	5 Km	Rail/Road
3.	Carbon paste	1411.125TPA	Local market	5 Km	Road
4.	Quartz	28222.5TPA	Local market	2 Km	Road
5.	Dolomite	23518.75TPA	Imported (Bhutan)	1000 Km	Road
Silico Manganese					
1.	Manganese Ore	146,437.5 TPA	Imported	5 km	Rail/Road
2.	Coke	43,931.25 TPA	Imported	5 km	Rail/Road
3	Carbon paste	878.625 TPA	Local market	5 Km	Road
4.	Dolomite	14,643.75 TPA	Imported (Bhutan)	1000 Km	Road
5.	FeMn Slag	29,287.5 TPA	In house	0	NA

- 44.2.9 The water requirement for the project is estimated as 50m³/day, out of which 45m³/day of fresh water requirement will be obtained from the DVC and the remaining requirement of 5m³/day will be met from the Rain water Harvesting. The permission for drawl of surface water of 0.36 MGD is obtained from office of Executive Engineer, Tenughat Dam Division vide Lr. No. 243 dated 19/02/2020.

- 44.2.10 The power requirement for the project is estimated as 22 MVA, out of which 5(existing)+ 19 MVA (Permitted) will be obtained from the DVC.

- 44.2.11 Baseline Environmental Studies:

Period	1 st December 2019 to 29 th February, 2020
AAQ parameters at site locations (Avg)	PM _{2.5} = 31.50 to 36.43 µg/m ³ PM ₁₀ = 61.50 to 80.66 µg/m ³ SO ₂ = 6.42 to 11.92 µg/m ³ NO _x = 14.50 to 22.31 µg/m ³ CO = 0.35 to 0.60 mg/m ³
AAQ modelling (Incremental GLC)	PM ₁₀ = 0.6 µg/m ³ SO ₂ = 0.4 µg/m ³ NO _x = 0.03 µg/m ³
Groundwater quality at Eight different locations	pH:7.5 to 7.92; TotalHardness:238 to346 mg/l,Chlorides:84.36to150.4mg/l, Fluoride: 0.94 to1.26 mg/l; Heavy metals are within the limits.
Surface water quality at five different locations	pH:7.54 to7.86.;DO:5.38 to7.8mg/land BOD:<5 mg/l. COD from 30.6 to 98.6 mg/l.
Noise levels	52.1 to 68.4 dBA for the day time and 42.7 to55.3 dBA for the Night time.
Traffic assessment study findings	There is no significant increment in traffic density.

MoM of 44th meeting of the Re-constituted EAC (Industry-I) held on 13 – 14th September, 2021

Flora and fauna	Presence of schedule I fauna is not recorded in study area.
-----------------	---

44.2.12 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 /Disposal
1.	Slag(Solid)	SAF's	42,600	Used in Filling low lying area and road construction
2.	Used Oil	Process	240 L /Annum	Will be sent to authorized recyclers

44.2.13 Public Consultation:

Details of advertisement given	10 th February, 2021
Date of public consultation	15 th March, 2021
Venue	Gym Khana Club Ranchi road, Ramgarh
Presiding Officer	Additional Collector, Ramgarh
Major issues raised	i. Employment ii. Pollution Control iii. Plantation

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

S No	Concerns raised during the Public Hearing	Physical activity and action plan	Tentative Budget, Rs Lacs	Target date for Implementation of action plan
1.	Employment for Local people	80% of the worker will be hired from Local villages.	53 Lakhs	31 st July 2022
2.	Pollution Control	Design and Procurement of Bag Filter, ID Fan, Heat exchanger, stack, Online Monitoring System.	25 Lakhs	31 st July 2022
3.	Plantation	Procurement of 2116 plant species suitable for plantation and development of green belt	15 lakhs	September 2022

44.2.14 The capital cost of the project is Rs 50 Crores and the capital cost for environmental protection measures is proposed as Rs 2.50 Crores. The annual recurring cost towards the environmental protection measures is proposed as Rs 0.53 Crores. The employment generation from the proposed project / expansion is 705(Regular/Contract) The details of cost for environmental protection measures is as follows:

S No	Description of Item	Existing(Rs. lakhs)	
		Capital Cost	Recurring Cost
i.	Air Pollution Control/Noise	100	25
ii.	Water Pollution Control	50	05

MoM of 44th meeting of the Re-constituted EAC (Industry-I) held on 13 – 14th September, 2021

S No	Description of Item	Existing(Rs. lakhs)	
		Capital Cost	Recurring Cost
iii.	Cost of noise pollution control	50	01
iv.	Environmental Monitoring and Management	15	09
v.	Green Belt Development	15	05
	Cost of Environment Management Cell	00	05
vi.	Cost of Occupational Health Management	20	03
	Total	250	53
	Addressed of Public Consultation concerns	71	22

44.2.15 Green belt will be developed in 1.03 ha which is about 33% of the total project area. A 10-20m 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 2575 saplings will be planted and nurtured in 1.03 hectares in 2 years.

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

44.2.17 Name of the EIA consultant: M/s. Ampl Environ Private Limited [S. No.128, List of ACOs with their Certificate no. NABET/EIA/2023/IA0061 valid up to 13.08.2023; Rev. 13, August 09, 2021].

Certified Compliance report from the regional Office

44.2.18 The Status of compliance of earlier EC was obtained from Regional Office, MOEF&CC vide letter no.103-325/11/EPE/4275, dated 09/10/2020 in the name of M/s. BFCL (Ferro Alloy Unit). The Action taken report regarding the partially/ non-complied condition was submitted to Regional officer MoEF&CC, vide letter no. BFCL/Env/2020-21/13 dated 10/11/2020 MoEF&CC(RO), Ranchi evaluated the same. The conditions which are not complied yet as per RO compliance report and action taken by PP are as given below:

S No	Conditioned not complied yet	Action taken by PP
A.	Specific conditions- Not complied	
1	condition no. vii): The project proponent has been using ground water without obtaining the approval from competent authority as on date and it was informed that their application (no.2141590/JH/IND/2019 dated 01.10.2019) still under process. The water flow meters along with running hours meters have not been installed in 4 nos. of bore well point and the daily water consumption has not been monitored. At present project proponent is being using river water from Damodar River without obtaining the approval from the competent authority despite lapse of 9 years of grant of EC in 2011. Such inordinate pendency of this matter is objectionable. It was observed that surface drainage system was	Proponent submitted that Application for seeking permission to abstract ground water for industrial use has been submitted vide letter No.- 21-4/590/JH/IND/2019 Dated 01.10.2019 which is under process. Recommendation for the same has been sent by the Executive Engineer, Tenughat Dam to the Chief Engineer, Water Resource Depart. Hazaribagh vide letter No.-243 dated 19.02.2020. The same will be submitted to MoEF&CC once the permission is obtained. PP also stated that they have filed application to DVRRRC for obtaining permission for withdrawal of surface water vide letter No.- no. 2019-20/232 Dated 30.12.2019 which is also awaited and in the meantime proponent is using water from local canal. Construction of water drainage system is also under process. Regarding Industrial waste water contained proponent submitted that there is no discharge of industrial waste

MoM of 44th meeting of the Re-constituted EAC (Industry-I) held on 13 – 14th September, 2021

S No	Conditioned not complied yet	Action taken by PP
	not yet constructed. (photo7). Industrial waste water contained in the surface water where zero discharge process has not been strictly followed by project proponent.	water from the plant as post treatment industrial water is recycled back into the process to achieve the zero liquid discharge.
	condition no. x): The Risk and Disaster management plan along with the mitigation measure is not approved by concerned Government authority.	Risk and Disaster management plan along with the mitigation measure has been prepared and is being submitted to the concerned authority Chief inspector of factory. The same will be submitted to MoEF&CC on approval.
	condition no. xiv): During the site visit discussion with project officials stated that corporate Environment Responsibility (CER) plant is yet to be prepared which they have not been doing despite being pointed out in the previous monitoring report on 14.02.2011.	Corporate Social Responsibility (CSR) is an ethical and sustainable way to mitigate environmental and social impacts under which proponent is arranging medical health camp, providing drinking water, books and stationary distribution in few local schools and bearing educational fee for poor students and sports development in the area providing sports kits and event expenses. During covid-19, proponent also distributed food items, drinking water to the extent of Rs. 31.16 Lakhs to the poor people. Corporate Environment Responsibility (CER) is under preparation and will be made available to MoEF&CC on finalisation.
Specific Condition- Partially Complied		
	Condition no. ii): Project authorities have been using pearl coke instead of pet coke. At the project site huge amount of charcoal dumps and dry wood was observed which are also being used as fuel;(photo- 5&6)	The Supreme Court has banned the use of petroleum coke or pet coke — solid-carbon, coal-like material which results from oil refining — and furnace oil in the National Capital Region (NCR) and suggested that similar steps be taken in other States. NGT has also directed CPCB to ensure ban on pet coke and furnace oil. The wood lot seen in the photos no. 6 was used for furnace pre heating after relining. Proponent declared that they are not using charcoal/wood as fuel in the process. Further proponent will ensure not to use charcoal dumps and dry wood as fuel.
	condition no. iii): on the date of project site visit it was observed that there are two stacks installed in the project stack no.-2 online stack monitoring and stack no.-1 is still not connected with online monitoring system. Both stacks data are yet to be connected with JSPCB server despite lapse of 09 years of EC in 2011.Recently on 17.10.2020 project proponent has submitted some online emission monitoring data sheet generated to JSPCB and CPCB. Project proponent should give an explanation on this regard	There are two stacks in the unit. Stack -1 is attached with furnace 3 & 4 and stack -2 is attached with furnace 1 & 2. Online stack emission monitoring system is already installed on stack I and is well connected to JSPCB & CPCB server. Online system in stack-2 has also been installed and connected with CPCB server but connectivity with JSPCB server was in process at the time of inspection, however, since 29.09.2020 data is transmitted with CPCB server and from 08.10.2020 data has also started for transmission to JSPCB server.
	Condition no.- iv It was observed that project proponent has not installed any kind of device to detect if any variation in parameter beyond the limit immediately received notification from server through SMS or Email.	The online stack emission monitoring system and PM 10 analyzer are installed and connected to JSPCB server. The data is also visible in JSPCB website in public domain. Whenever parameter exceeds the limit during power failure or data transmission is interrupted during repair it is immediately intimated to JSPCB vide email. As soon as it is restored the same is intimated through email and also visible on

MoM of 44th meeting of the Re-constituted EAC (Industry-I) held on 13 – 14th September, 2021

S No	Conditioned not complied yet	Action taken by PP								
	<p>Condition No.-v): The secondary fugitive emission data was monitored by Institute for Environmental Management, Eco Enviro Lab recognized by NABL and JSPCB. Project proponent should have been submitted a copy of letter certifying that Institute for Environmental management, Eco Enviro Lab is NABL accredited. At the project site it was observed that installed Fume Extraction System was inadequate to control fume and dust. Profise smog was observed inside the industry premises, (photos- 1 &2). Inside the industrial premises most of the pathways are neither black topped nor properly paved / concocted creating muddy condition in wet season and dusty in dry season. This location needs fixed water sprinklers, dust extractors system and sweep vacuums Vehicular movement through this area is additional cause for spread of dust pollution. The industry wastage was haphazardly placed, in the project sites indicative of poor housekeeping (phote-8). A copy of water tankers log book signed by authorized signatory must be submitted to this IRO, Ranchi</p>	<p>JSPCB website.</p> <p>The secondary fugitive emission data is monitored by Laboratories which are NABET accredited and registered in JSPCB. The whole system is online. PP has applied for the monitoring online through single window site of the State Government. It is allocated to Laboratory who are registered in JSPCB randomly. There is no option of pick & choose. Pathways inside the premises have been made concrete. The Fume Extraction System has been repaired. Installed Fume Extraction System (Thermax Make & Botliboi Engineers Make) is very efficiently working and adequate to control the fume generating during process (Photos-1&2). Little fugitive emission will be observed occasionally during tapping time which PP is planning to avoid by enhancing the capacity of section earliest. PP has also planned to fix water sprinklers around the yard and at the side of the road. Procurement of Dust extractors system and sweep vacuums is under process. In the premises regarding haphazardly placed industrial waste PP has submitted that the designated area is actually metal contaminated slag processing area which are cleared by evening after completion of the processing activities during the day time (Photos-8). Now this area has been cleaned and they have started slag processing in organized way. All the industrial wastes have been removed and a permanent water tanker has been deputed for regular spraying of water. Fugitive emission is being controlled by spraying water through tanker. Materials are being transported in vehicles duly covered to avoid fugitive emission. Pavement/construction of concrete road is still continuing and will be completed at the earliest. PP submitted water tanker log book duly signed by authorized signatory, also submitted to MoEF Regional office Ranchi. Currently water sprinkling is carried out by mobile sprinkler for mitigating ambient dust generated due to plying of vehicles. There are water tankers of 12 KL used to sprinkle water on transport road, coal and raw material dump area, etc. PP submitted the duly signed copy of Log book of usage of water through water tanker.</p>								
	<p>Condition No.- viii) The Rain water harvesting plan is not a Government approved one. Project proponent should not allow oil / grease or ore/mineral water to percolate inside the water harvesting structure.</p>	<p>The rain water harvesting plan has been prepared by Govt. approved agency and the same has been implemented. The range of oil & grease/ ore/ mineral in rain water is very less. For removal of oil from the Rainwater harvesting Systems through simple holding ponds by Gravity Separation. For removal of ore/ mineral, rain water passes through a filter and then it is allowed to recharge the ground water.</p> <table border="1" data-bbox="824 1619 1260 1732"> <thead> <tr> <th data-bbox="831 1625 862 1682">S No</th> <th data-bbox="867 1625 1019 1682">Location</th> <th data-bbox="1024 1625 1154 1682">Specification Approx</th> <th data-bbox="1159 1625 1253 1682">Total Capacity Approx</th> </tr> </thead> <tbody> <tr> <td data-bbox="831 1688 862 1726">1</td> <td data-bbox="867 1688 1019 1726">Rainwater Harvesting Pit</td> <td data-bbox="1024 1688 1154 1726">5x5x12 meters</td> <td data-bbox="1159 1688 1253 1726">300 KL</td> </tr> </tbody> </table>	S No	Location	Specification Approx	Total Capacity Approx	1	Rainwater Harvesting Pit	5x5x12 meters	300 KL
S No	Location	Specification Approx	Total Capacity Approx							
1	Rainwater Harvesting Pit	5x5x12 meters	300 KL							

MoM of 44th meeting of the Re-constituted EAC (Industry-I) held on 13 – 14th September, 2021

S No	Conditioned not complied yet	Action taken by PP																															
			(Near Work shop)																														
2			Rainwater Harvesting Pit (Near Store)	5x5x12 meters	300 KL																												
3			Rain water Harvesting Pit (Near Raw materials Yard)	5x5x12 meters	300 KL																												
	<p>Condition No.-ix) Project proponent should have submitted the year wise slag production data, quantity of recycled in the furnace and non ferrous particles used in the preparation of building materials to this IRO, Ranchi at the earliest</p>	<p>PP submitted the year wise slag production data details. The slag is crushed in the crusher, magnetic particles are removed and recycled in the furnace. Nonferrous particles are used in the filling of low lying area.</p> <table border="1" data-bbox="821 709 1297 1010"> <thead> <tr> <th data-bbox="821 709 927 856">Period</th> <th data-bbox="932 709 1053 856">Slag production in MT</th> <th data-bbox="1058 709 1164 856">Quantity recycled in the furnace in MT</th> <th data-bbox="1169 709 1297 856">Nonferrous particulars used in the building in MT/Sold to recycler</th> </tr> </thead> <tbody> <tr> <td data-bbox="821 856 927 886">2014-15</td> <td data-bbox="932 856 1053 886">16357</td> <td data-bbox="1058 856 1164 886">9814</td> <td data-bbox="1169 856 1297 886">6543</td> </tr> <tr> <td data-bbox="821 886 927 915">2015-16</td> <td data-bbox="932 886 1053 915">20965</td> <td data-bbox="1058 886 1164 915">12579</td> <td data-bbox="1169 886 1297 915">8386</td> </tr> <tr> <td data-bbox="821 915 927 945">2016-17</td> <td data-bbox="932 915 1053 945">12500</td> <td data-bbox="1058 915 1164 945">7852</td> <td data-bbox="1169 915 1297 945">4648</td> </tr> <tr> <td data-bbox="821 945 927 974">2017-18</td> <td data-bbox="932 945 1053 974">9496.450</td> <td data-bbox="1058 945 1164 974">0.00</td> <td data-bbox="1169 945 1297 974">9496.450</td> </tr> <tr> <td data-bbox="821 974 927 1003">2018-19</td> <td data-bbox="932 974 1053 1003">23172</td> <td data-bbox="1058 974 1164 1003">11172</td> <td data-bbox="1169 974 1297 1003">12000</td> </tr> <tr> <td data-bbox="821 1003 927 1010">2019-20</td> <td data-bbox="932 1003 1053 1010">16302.850</td> <td data-bbox="1058 1003 1164 1010">0.00</td> <td data-bbox="1169 1003 1297 1010">16302.850</td> </tr> </tbody> </table>				Period	Slag production in MT	Quantity recycled in the furnace in MT	Nonferrous particulars used in the building in MT/Sold to recycler	2014-15	16357	9814	6543	2015-16	20965	12579	8386	2016-17	12500	7852	4648	2017-18	9496.450	0.00	9496.450	2018-19	23172	11172	12000	2019-20	16302.850	0.00	16302.850
Period	Slag production in MT	Quantity recycled in the furnace in MT	Nonferrous particulars used in the building in MT/Sold to recycler																														
2014-15	16357	9814	6543																														
2015-16	20965	12579	8386																														
2016-17	12500	7852	4648																														
2017-18	9496.450	0.00	9496.450																														
2018-19	23172	11172	12000																														
2019-20	16302.850	0.00	16302.850																														
	<p>Condition no. xi): At the project site it was observed that as requisite, the Green Belt plantation (33%) has not yet been completely developed along the periphery of the campus. Some tree plantation has been done surrounding the project site, (photo- 7) which is inadequate as per the stipulation. There is scope for development of green belt in most of the areas of the project which should be undertaken at the earliest. To reduce air pollution in the project areas, some high value index air pollution tolerant species /i.e., Ficus bengalensis, Cassia siactea, Mangifera indica, Alstonia scholaris, Toona ciliata etc.) Should also be planted in the periphery or the campus and other available areas in project to prevent and reduce the dust pollution.</p>	<p>Plantation over an area of 49274 sq. feet has been done. Development of green belt in the boundary side is completed. 265 no of trees have been planted on 5th June, 2020 so far. (Photo-7) Plantation programme is regularly done to increase plantations in areas. Plant species are selected as per CPCB guidelines. PP is planning to plant more trees especially suggested species and plantation shall be completed by the next monsoon. PP stated that flora and fauna management plan as mentioned in EIA/EMP report will be followed.</p>																															
	<p>Condition no. xii): Project proponent has not shown the activities carried out on Enterprise Social Commitment programme during the time of site visit. The detail of the approved Enterprise Social Commitment (ESC) plan was not yet uploaded on the company website and also not yet submitted to IRO Ranchi. Third party evaluation of ESC activity should also be submitted.</p>	<p>PP reported that the company has well developed Social Commitment programme. Social commitment is implemented via a cross-functional approach. Company's overall social commitment is focused around three visions: - Education Population stabilization, health and nutrition Clean India / Green India. A cross-functional working group will be formed. The company's Vision Group will include Function Heads of Corporate Communications, Sales & Marketing, Power Projects, Environment</p>																															

MoM of 44th meeting of the Re-constituted EAC (Industry-I) held on 13 – 14th September, 2021

S No	Conditioned not complied yet	Action taken by PP																				
		Management, CSR, OHS, Finance & Accounts and Sustainability departments. Together the group will shape and implement the priorities of company's social commitment within their departments and across the group of companies.																				
	B).General Condition:																					
	Condition No.-. i): It was observed that some condition given in the CTO have not complied as yet.	The condition stipulated in CTO has been complied and submitted to JSPCB on the basis of which Unit's CTO has been granted which is valid up to 31.12.2020.																				
	Condition no. ii): Production record register has not maintained and shown at the project site. Project proponent stated that production data recorded in the Ranchi Office which is about 70km far away from the project site.	Updated Production record register has been kept at the project site.																				
	Condition no. iii): It was observed that the industry does not have effective mechanism to prevent and arrest fugitive dust generated due to movement of traffic and materials. The materials are dumped without cover and spread here and there in the project Site as source of dust pollution in the neighbouring locality during windy periods	All the industrial wastes have been removed and a permanent water tanker has been deputed for regular spraying of water. Currently water sprinkling is carried out by mobile sprinkler for mitigating ambient dust generated due to plying of vehicles. There are water tankers of 12 KL used to sprinkle water on transport road, coal and raw material dump area, etc.																				
	Condition no. iv): The project proponent has not yet installed online continuous Ambient Air Quality Monitoring system in the project site.	PM ₁₀ analyzer has been installed as directed by JSPCB and connectivity has been given to JSPCB server. The CAAQMS is very costly and it is not feasible for this type of industry. Therefore, it is requested to waive off the condition of CAAQMS keeping in view the financial condition of the project.																				
	Condition no. vii): There was not maintaining patient record register in the project site.	Pre Project health status was carried out as part of baseline study EIA/EMP report of unit. Health Camps are conducted regularly in the nearby villages. Total beneficiaries in the last 3 years are as follows: <table border="1" data-bbox="824 1226 1289 1549"> <thead> <tr> <th>Year</th> <th>Village Health Camps</th> <th>Beneficiaries</th> <th>School Health Camps</th> <th>Beneficiaries</th> </tr> </thead> <tbody> <tr> <td>2017-18</td> <td>Marar Village</td> <td>90</td> <td>Rajkiya medium school Ranchi Road</td> <td>55</td> </tr> <tr> <td>2018-19</td> <td>Mahto Tola</td> <td>78</td> <td>Shri Gurunanak Public School</td> <td>72</td> </tr> <tr> <td>2019-20</td> <td>Hesla & Marar</td> <td>102</td> <td>DAV School</td> <td>64</td> </tr> </tbody> </table>	Year	Village Health Camps	Beneficiaries	School Health Camps	Beneficiaries	2017-18	Marar Village	90	Rajkiya medium school Ranchi Road	55	2018-19	Mahto Tola	78	Shri Gurunanak Public School	72	2019-20	Hesla & Marar	102	DAV School	64
Year	Village Health Camps	Beneficiaries	School Health Camps	Beneficiaries																		
2017-18	Marar Village	90	Rajkiya medium school Ranchi Road	55																		
2018-19	Mahto Tola	78	Shri Gurunanak Public School	72																		
2019-20	Hesla & Marar	102	DAV School	64																		
	Condition no. ix): Socio-economic development activity in the surrounding villages like community development programmes, educational programmes, drinking water supply and health care etc. was not able to shown by project proponent on the date of site visit. Copy of EIA/EMP report has not yet	<table border="1" data-bbox="824 1556 1289 1730"> <thead> <tr> <th>Year</th> <th>Comm-unity develop-ment program</th> <th>Benefi-ciaries</th> <th>Education program</th> <th>Drinking water supply</th> </tr> </thead> <tbody> <tr> <td>2017-18</td> <td>Woman's day</td> <td>50</td> <td>45</td> <td>70</td> </tr> </tbody> </table>	Year	Comm-unity develop-ment program	Benefi-ciaries	Education program	Drinking water supply	2017-18	Woman's day	50	45	70										
Year	Comm-unity develop-ment program	Benefi-ciaries	Education program	Drinking water supply																		
2017-18	Woman's day	50	45	70																		

MoM of 44th meeting of the Re-constituted EAC (Industry-I) held on 13 – 14th September, 2021

S No	Conditioned not complied yet	Action taken by PP				
	submitted to IRO, Ranchi.	2018-19	Bharat vikash Parishad Marriage	25	35	140
		2019-20	Woman's Day	40	75	130
	<p>Condition no. x): No separate account has been maintained by project proponent on environmental protection measures. The year wise and activity wise expenditure incurred for environmental protection measures have not been recorded and furnished to IRO, Ranchi. Project proponent should submit the details of personnel along with their qualification associated with the environment management cell (separate lists for personnel exclusive and others)</p>	For the protection of environment, expenditure incurred in dust suppression in unit's premises, roads, etc. cleaning of oil & grease trap tank, cleaning washing platform, cleaning of garland drains, etc. in last 4 year is approx. 30.69 lakh. Expenditure incurred on infrastructural development such as school building community centre, marketing centre, dispensary, road, etc. in nearby areas is approximately 527 lakh in last 4 year. Cumulative Cost as per different head as per EIA/EMP is submitted. Other cost incurred are i) Monitoring of Ambient Air, Noise, plantation, ii) Cost under APCD etc.				
	<p>Condition no. xii): It was observed that only one half yearly compliance report dated 9 has been found uploaded in project's website. Project proponent should upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same periodically. It was also observed that the pollutant levels AAQ (ambient air quality) data has not been shown / installed in the digital display board or other manual board at a convenient location near the main gate and in the public domain in the project site.</p>	PP has reported that six monthly compliance reports along with monitoring data has been uploaded on company website "www.bfcl.in." PP ensures to give status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same periodically. PP has further reported that the display board is under construction and pollutant levels AAQ (ambient air quality) data are displayed in manual board near the main gate and also in the public domain at the project site.				
	<p>Condition no. xiv): The environmental statement 31st March in "From- V" is not yet uploaded on the website</p>	Complied.				
	<p>Condition no. xvi): As per document produced by project proponent which has certified and signed by Chartered Accountant CA, Nikesh Kumar on behalf of Mr. Vinish Kumar & CO (Chartered Accountant, FCA) on 5.10.2020 stated that the date of commencement for Ferro Alloys Division (Silico Manganese / Ferro Manganese) is 21st February, 2008 and date of financial closer for Silico Manganese / Ferro Manganese is 1st June 2014. However, as per vide email dated 10.03.2017. the project proponent mentioned that the date of commencement of the project is on 07.07 2014, and same as mentioned in the previous monitored report (letter dated 29.03.2017) and also same has mentioned in the recent submitted industry</p>	The anomaly has been corrected and is submitted to Ministry. The date of commencement is 21/02/2008 and date of completion of the project is 07/07/2014.				

MoM of 44th meeting of the Re-constituted EAC (Industry-I) held on 13 – 14th September, 2021

S No	Conditioned not complied yet	Action taken by PP
	information Performa by project proponent on dated 05.10.20. Project proponent should give an explanation on this anomaly.	

Observations of the Committee

44.2.19

The Committee observed the following:

- i. Proposed expansion project site is located in a Severely Polluted Area. Additional safeguards such as 40% green belt development and provision of Continuous Ambient Air Quality station etc. have not been proposed by the proponent.
- ii. Existing EC as well as instant EC application is in the name of M/s. Bihar Foundry and Castings Limited whereas the Consents obtained from JSPCB is in the name M/s. Gautam Ferro Alloys (Unit of BFCL). PP informed that M/s. Gautam Ferro Alloys is a common name and no such legal entity exist. This needs to be revisited by the PP to ensure that the name in the EC as well as the Consents are in the same name.
- iii. There are serious non-compliances have been reported by RO including use of GW (4 bore wells) without permission; approval of Disaster Management Plan (DMP) by Factory Inspectorate; non-implementation of CER, Continuous Ambient Air Quality Monitoring station (CAAQMS) at project site has not been installed so far; medical examination records of workers are not available; CSR activities have not been taken up and six monthly reports have not been furnished etc. No tangible efforts have been taken by the proponent to comply with the said non-compliances as reported at para no. 44.2.18.
- iv. Revised action plan for green belt development covering 40% of the project area with a density of 2500 sapling per ha will be required as the site is located in a severely polluted area.
- v. Jigging and micro pelletizing facility is available. It is not clear if any up-gradation is planned for these facilities under expansion.
- vi. Sewage treatment plant details has not been made available.
- vii. EIA report has following shortcomings;
 - a. There are three EIA coordinators, the roles and responsibilities of the coordinators are not clear. Signatures of all Team Members are scanned.
 - b. Specific TOR points (i) and (iii) pertaining to use of surface water and emission levels less than 30 mg/Nm³ have not been complied. TOR Point 9 compliance has been given at three places in pieces in Annexure 5, Chapter 6 and Annexure 8. Accredited Consultant Organization (ACO) does not understand where this point should be addressed in EIA report.
 - c. Interpretation of physical data, EB data has not been addressed in Chapter 3.
 - d. Socio-economic data have not been given in Chapter 3 and not interpreted.
 - e. In section 4.5.7.2 of Chapter 4, impact on Social Environment has been given. It is not clear as to how impact has been predicted without determining the base line in Chapter 3?
 - f. Rain water harvesting program has been addressed only for water requirement added for expansion project.
 - g. In EIA report, at one place the designation of environment head is given as GM and at another place it is ADM. On page 170 of the report, it is mentioned that

MoM of 44th meeting of the Re-constituted EAC (Industry-I) held on 13 – 14th September, 2021

- Electrical, Mechanical maintenance engineers and Security officer shall report to Environment Department.
- h. Performance testing of pollution control equipment and systems has not been included in EIA report.
 - i. Project cost and EMP cost given in Table 6.4 is in variance from the data given in the presentation.
 - j. SIA has been presented in section 7.6. Only census data have been presented in the report. There is no evidence of systematic data collection and surveys conducted by ACO for carrying out SIA study. Interpretation of data has not been presented.
 - k. In Chapter 8 CER (EMP) activities given are not as per OM of 30th Sept 2020. At one place the completion period is shown as 7 years and at another place it is 5 years. Year wise activity with physical targets have not been given as per O.M. of 30th Sept 2020.
 - l. Chapter 10 description does not follow the requirement of Appendix III of EIA notification 2006.

Recommendations of the Committee

- 42.2.21 In view of foregoing and after deliberations, the Committee recommended to return the proposal in its present form. Further, the Committee also recommended to issue a Show Cause Notice to the EIA consultant for the shortcomings in the EIA report enumerated at para no. 42.2.20.
- 44.3 Proposed Integrated Steel Plant with Beneficiation cum Palletization -1.6 MTPA capacity, Sponge iron - 7,60,000 TPA; Hot Metal/ M.S Billets/ M.S. ingots 7,50,000 TPA; Rolled Products/TMT Bars/ Structural Steel — 7,00,000 TPA & Producer Gas plant - 80,000 Nm/hr; Ferro Alloy unit of 2x9 MVA to Produce Fe-Si (OR) Fe-Mn (OR) Si-Mn (OR) Pig Iron, Power Generation 106 MW (CFBC - 40 MW, WHRB - 66 MW) by **M/s. Real Ispat & Power Limited** located at Villages Bakulahi & Dhourabhata, Tehsil Bhatapara, **District Baloda Bazar Bhatpara, Chhattisgarh**. [Online Proposal No. IA/CG/IND/127880/2019; File No.: J-11011/411/2019- IA.II(1)] – **Environment Clearance**– regarding.
- 44.3.1 M/s. Real Ispat & Power Limited has made an online application vide proposal no. IA/CG/IND/127880/2019 dated 26/08/2021 along with copy of EIA/EMP report and Form-2 seeking Environmental Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at schedule no. 3 (a) Metallurgical industries (Ferrous & non-ferrous) under Category “A” of the schedule of the EIA notification, 2006 and appraised at the Central level.

Details submitted by Project proponent

- 44.3.2 The details of the ToR are furnished as below:

Date of application	Consideration	Details	Date of accord
27 th November 2019	14 th EAC 23 – 24 December 2019	TOR	20 th January 2020

- 44.3.3 The project of M/s. Real Ispat & Power Limited located at Villages Bakulahi & Dhourabhata, Tehsil Bhatapara, District Baloda Bazar Bhatpara, Chhattisgarhis for Proposed Integrated Steel Plant with Beneficiation cum Palletization -1.6 MTPA capacity,

Page 22 of 130

**GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(IA DIVISION-INDUSTRY-1 SECTOR)**

Dated: 07.03.2023

Date of Zero Draft MoM sent to EAC:05.03.2023

Approval by Chairman:07.03.2023

Uploading on PARIVESH:07.03.2023

**MINUTES OF THE 24TH EXPERT APPRAISAL COMMITTEE
(INDUSTRY-1 SECTOR) MEETING HELD ON 28TH FEBRUARY, 2023– 1ST
MARCH, 2023**

Venue: Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110003 through Video Conferencing

Time: 10:30 AM onwards

DAY-1: FEBRUARY 28, 2023 [TUESDAY]

(i) Opening Remarks by the Chairman, EAC

Shri. Rajive Kumar, Chairman EAC welcomed the Committee members and opened the EAC meeting for further deliberations.

Shri. Rajive Kumar also appreciated the efforts of the Ministry's Team (Industry 1 Sector) for preparation and uploading the agenda of the EAC meetings and draft record of discussion very scientifically, systematically and timely on Parivesh Portal.

(ii) Details of Proposals and Agenda by the Member Secretary

Dr. R. B. Lal, Scientist 'F' & Member Secretary, EAC (Industry-1 Sector) appraised to the Committee about the details of Agenda items to be discussed during this EAC meeting.

(iii) Confirmation of the Minutes of the 23rd Meeting of the EAC (Industry-1 Sector) held during February 14-15, 2023 at MoEF&CC through VC.

The EAC, having taken note that final minutes were issued after incorporating comments offered by the EAC (Industry-1 Sector) members on the minutes of its **23rd Meeting of the EAC (Industry-1 Sector) held during February 14-15, 2023** conducted through Video Conferencing, and noted that there is a modifications/factual correction, in the minutes of the 23rd EAC meeting for the project/activities as follows:

Agenda No. 23.7: Proposed Expansion of Sponge Iron Plant From 90,000 to 1,25,000 TPA, Induction Furnace & Billet Caster from 2x12T (300 TPD) To 1x12T, 1x15T (416 TPD), Captive Power Plant from 12 to 12.5 MW, Addition of Hot Rolling Mill including galvanizing 425 TPD, & Fly Ash Brick Manufacturing Unit 1000-1200 Bricks/Hr. by M/s. Goa Sponge & Power Limited, located at Survey No. 58/I,59/I,60/I (Part), Santona Village, Sanguem Taluka, South Goa District, Goa - Consideration of Modification in TOR and violation under SOP dated 07.07.2021.

[Proposal No. IA/GA/IND/296119/2022; File No. IA-J-11011/246/2018-IA.II(I)]

The aforementioned proposal was considered and recommended by EAC in its 23rd meeting of the EAC for Industry-I sector held on 14-15th February, 2023. The PP vide email dated 27.02.2023 submitted that the condition no. (ii) was incorrectly mentioned in the MoM of 23rd EAC, which may be corrected as following -

Ref in MoM	Mentioned in the MoM of 23 rd EAC meeting	Proposed Modification / Correction
Page No. 81 Para 23.7.9 additional conditions (ii)	(ii). The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate to be issued till the project is granted EC for the Unit which violated under the provision of the EIA Notification 2006 i.e. 1.4 MTPA Iron Ore Pellet Plant.	(ii). The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate to be issued till the project is granted EC for the Unit which violated under the provision of the EIA notification 2006, i.e Proposed Expansion of Sponge Iron Plant From 90,000 to 1,25,000 TPA, Induction Furnace & Billet Caster from 2x12T (300 TPD) To 1x12T, 1x15T (416 TPD), Captive Power Plant from 12 to 12.5 MW, Addition of Hot Rolling Mill including galvanizing 425 TPD, & Fly Ash Brick Manufacturing Unit 1000-1200 Bricks/Hr.

Deliberations by the EAC:

It was informed to the Committee members that additional condition no. (ii) mentioned in the MoM of 23rd EAC for Industry-I sector held during February 14-15, 2023 pertaining to proposal agenda no. 23.7 as referred above.

The EAC deliberated and noted that the request of the PP may be accepted and recommended for the incorporation of the above-mentioned corrections/modifications in the minutes of the meeting. Accordingly, [Para 23.7.9, additional conditions (ii)] stands modified in the minutes of 23rd EAC (Industry-I) meeting as detailed in table above.

Details of the proposals considered during the 24th meeting **conducted** through **Video Conferencing**, deliberations made and the recommendations of the Committee are explained in the respective agenda items as under:

Consideration of Environmental Clearance Proposals

Agenda No. 24.1

Processing Units. Due to mistake by the Consultant, the proposal is submitted to Industry-I sector of IA Division.

Recommendations of the Committee

- 24.7.3 In view of the foregoing and after detailed deliberations, the committee recorded that the instant proposal pertains to 4(b)(ii) Coal Tar Processing Units schedule of the EIA Notification, 2006 which is being dealt by Industry-II sector of IA Division of MoEF&CC, therefore EAC advised the Member Secretary, Industry-I, MoEF&CC to forward the proposal to Industry-II sector of IA Division of MoEF&CC for their consideration.

Agenda No. 24.8

- 24.8 Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand- Consideration of Environmental Clearance under Violation category.**

[Proposal No. IA/JH/IND1/417175/2023; File No. J-11011/384/2010-IA-II(IND-I)]

[Consultant: Pioneer Enviro Laboratories & Consultants Pvt. Ltd.; Valid upto 11.03.2023]

- 24.8.1 M/s. Bihar Foundry & Castings Limited has made an online application vide proposal no. IA/JH/IND1/417175/2023, dated 20th February 2023 along with copy of EIA/EMP report, Form (A, B and C) and Certified Compliance report seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at S. No. 3(a) Metallurgical industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at central level.
- 24.8.2 Name of the EIA consultant: M/s Pioneer Enviro Laboratories & Consultants Pvt. Ltd. [List of ACOs with their Certificate / Extension Letter no. NABET/EIA/1922/SA 0148; valid upto 11.03.2023, as on February 27, 2023].

Details submitted by the project proponent

- 24.8.3 The detail of the ToR is furnished as below:

Date of application	Consideration	Details	Date of accord	ToR Validity

12 th September 2020	24 th meeting of EAC Dt. 27 th to 29 th October 2020	Terms of Reference	24.11.2020	23.11.2024
21 st October 2022	16 th meeting of EAC dated 3 rd November 2022	Terms of Reference (Amended-under violation)	19.12.2022	

24.8.4 The project of M/s. Bihar Foundry & Castings Limited located in Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand is for Modification cum Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn.

24.8.5 Environmental site settings

S.No.	Particulars	Details submitted by the PP																		
1.	Total land	<ul style="list-style-type: none"> Total 2.91 Ha. (7.18 Acres), of land has taken on lease from Jharkhand Industrial Area Development Authority (JIADA) for a period of 30 years. 2.91 Ha. (7.18 Acres) of Existing plant land is Industrial land. The proposed expansion will be taken up in the existing plant premises only. Additional land of 1.385 Ac. (0.56 Ha.) has been acquired for development of Greenbelt to comply with 40% of 2.91 Ha. (7.18 Acres) as the plant is situated in Ramgarh industrial area which is Severely Polluted Area . 																		
2.	Land acquisition details as per MoEF&CC,O.M.dated7/10/2014.	Total 2.91 Ha. (7.18 Acres), of land has taken on lease from Jharkhand Industrial Area Development Authority (JIADA) for a period of 30 years.																		
3.	Existence of habitation & involvement of R&R, if any.	<p>Project site: No habitation exists in the plant site</p> <p>Study Area :</p> <table border="1"> <thead> <tr> <th>Habitation</th> <th>Distance</th> <th>Direction</th> </tr> </thead> <tbody> <tr> <td>Palamu Colony</td> <td>0.4 kms.</td> <td>NE</td> </tr> <tr> <td>Marar</td> <td>0.8 kms.</td> <td>N</td> </tr> </tbody> </table>	Habitation	Distance	Direction	Palamu Colony	0.4 kms.	NE	Marar	0.8 kms.	N									
Habitation	Distance	Direction																		
Palamu Colony	0.4 kms.	NE																		
Marar	0.8 kms.	N																		
4.	Latitude and Longitude of all corners of the plant site	<p>The following are the Coordinates of the Plant site</p> <table border="1"> <thead> <tr> <th>S.No.</th> <th>Point</th> <th>Coordinates</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Point # 1</td> <td>23°39'33.79"N, 85°30'20.85"E</td> </tr> <tr> <td>2.</td> <td>Point # 2</td> <td>23°39'33.67"N, 85°30'24.03"E</td> </tr> <tr> <td>3.</td> <td>Point # 3</td> <td>23°39'26.99"N, 85°30'25.12"E</td> </tr> <tr> <td>4.</td> <td>Point # 4</td> <td>23°39'25.39"N, 85°30'23.90"E</td> </tr> <tr> <td>5.</td> <td>Point # 5</td> <td>23°39'25.35"N, 85°30'19.63"E</td> </tr> </tbody> </table>	S.No.	Point	Coordinates	1.	Point # 1	23°39'33.79"N, 85°30'20.85"E	2.	Point # 2	23°39'33.67"N, 85°30'24.03"E	3.	Point # 3	23°39'26.99"N, 85°30'25.12"E	4.	Point # 4	23°39'25.39"N, 85°30'23.90"E	5.	Point # 5	23°39'25.35"N, 85°30'19.63"E
S.No.	Point	Coordinates																		
1.	Point # 1	23°39'33.79"N, 85°30'20.85"E																		
2.	Point # 2	23°39'33.67"N, 85°30'24.03"E																		
3.	Point # 3	23°39'26.99"N, 85°30'25.12"E																		
4.	Point # 4	23°39'25.39"N, 85°30'23.90"E																		
5.	Point # 5	23°39'25.35"N, 85°30'19.63"E																		
5.	Elevation of the project site	199.5 m to 200.5 m																		
6.	Involvement of Forest Land, if	Nil																		

S.No.	Particulars	Details submitted by the PP		
	any			
7.	Water body (Rivers, Lakes, Pond, Nala, Natural Drainage, Canal etc.,) exists within the project site as well as study area	Study area:		
		Habitation	Distance	Direction
		Damodar River	1.4 Kms.	S
		Raura Nala	2.5 kms.	E
		Meramgarh Nala	5.4 Kms	E
		Unnamed stream	0.5 Kms	W
		Ramgarh Village pond	4.0 Kms	S
		Seota village Pond	1.5Kms	NE
8.	Existence of ESZ / ESA / National Park / Wildlife Sanctuary / Biosphere Reserve / Tiger Reserve / Elephant Reserve etc. if any within the study area	There are no ESZ/ESA/National Park/ Wild life sanctuary / Biosphere reserve / Tiger Reserve / Elephant Reserve within 10 km. radius of the plant.		
9.	Industrial areas / cluster (MoEF&CC Office Memorandum dated 13 th January 2010) and its subsequent amendments	Ramgarh is declared Severely Polluted area (SPA) with CEPI index 65.11 by CPCB vide No.B29012/ESS(CPA)/2015-16/ dated 26th April 2016. Compliance of all the conditions applicable to CEPI is prepared. Particulate emission will be less than 30 mg/Nm ³ .Greenbelt of 40% of the project area will be developed. CER allocation will be 1.5 times of the normal calculated amount i.e. Rs.1.34 Crores.		

- 24.8.6 The existing project was accorded environmental clearance vide F. No. J-11011/384/2010-IA (II) (I) dated 31.10.2011. Consent to Operate for the existing unit was accorded by JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated 10.11.2020 (which is in the name of GAUTAM FERRO ALLOYS (UNIT OF BFCL) which is valid upto 31-12-2025. Subsequently name of the plant in CTO has been changed to Bihar Foundries & Castings Limited vide order dated 23.01.2023 and is valid till 31.12.2025.

S. No.	EC/CTE /EC Extension Permissions	Units permitted	Date of permission	Remarks
1	CTE vide No. 3937	SEAF – 2x5 MVA 26 TPD (SiMn)	24.02.2000	CTE obtained in the Name of M/s. Gautam Ferro Alloys
2	CTE vide No.2577	SEAF – 2x7.5 MVA 30 TPD (SiMn)	20.05.2009	CTE obtained in the Name of M/s. Bihar Foundry & Castings Ltd.
3	EC (for Expansion) (MoEF, New Delhi) Vide no. J- 11011 /	SEAF – 1x9 MVA (40 TPD-FeMn) along with existing	31.10.2011	CTO obtained in the Name of M/s. Bihar Foundry & Castings Ltd. in 2015

S. No.	EC/CTE /EC Extension Permissions	Units permitted	Date of permission	Remarks
	384 /2010 - IA (II) (I)	2x5 MVA (26 TPD)1x7.5 MVA (30 TPD), TOTAL 96 TPD		
4	CTO Vide Ref. no.- B-910	2x5 MVA (26 TPD)	18.03.2014	CTO obtained in the Name of M/s. Bihar Foundry & Castings Ltd (Gautam Ferro Alloys)
5	CTO vide no. D-1924(C)	70 TPD (30+40 TPD)	07.07.2014 VALID UP TO 30.06.2015	CTO obtained in the Name of M/s. Bihar Foundry & Castings Lt. Unit Gautam Ferro Alloys
6	Consent-to-Establish (CTE) vide no. D-1510(N),	40 TPD (1x9 MVA)	21.05.2014	CTO obtained in the Name of Gautam Ferro Alloys unit of BFCL
7	Consent to operate vide no.-B-635	96 TPD (2x5 MVA + 1x7.5 MVA+ 1x9 MVA)	12.03.2015	CTO obtained in the Name of M/s. Bihar Foundry & Castings Ltd UNIT Gautam Ferro Alloys
8	Consent to operate vide no.-B-42	96 TPD (2x5 MVA + 1x7.5 MVA+ 1x9 MVA)	06.01.2016	CTO obtained in the Name of M/s. Bihar Foundry & Castings Ltd UNIT Gautam Ferro Alloys
9	Consent to operate vide no.1819	96 TPD (2x5 MVA + 1x7.5 MVA+ 1x9 MVA)	10.11.2020 valid up to 31.12.2025	CTO obtained in the Name of GAUTAM FERRO ALLOYS (UNIT OF BFCL)
10	Auto Renewal of CTO vide no.1341	96 TPD (2x5 MVA + 1x7.5 MVA+ 1x9 MVA)	23.01.2023 valid up to 31.12.2025	CTO obtained in the Name of BIHAR FOUNDRY & CASTING LIMITED , Ferro Alloys Unit

24.8.7 Implementation Status of existing EC:

S No	Facilities As per EC dated 31/10/2011	Implementation Status as on 24/11/2020	Production as per CTO
1	Ferro Alloys Plant of 96 TPD (2x5 MVA SAF's and 1x7.5+1x9 MVA SAF's with Jigging unit and Micro Pelletizing facility	Ferro Alloy Plant of 96 TPD (2x5 MVA + 1x7.5 MVA + 1x9 MVA SEAF's with Jigging unit and Micro Pelletizing facility)	96 TPD (SiMn/ FeMn)

24.8.8 The unit configuration and capacity of existing and proposed unit are given as below:

S No	Name	Existing Units		Proposed Units (Modification-Cum-expansion)		Total (Existing + Proposed)	
		Configuration	Production TPA	Configuration	Production TPA	Configuration	Production TPA
I	Ferro Alloy unit	2x5+1x7.5 +1x9 MVA SAF With Jigging unit and Micro Pelletizing facility	34,080 (96 TPD) (SiMn / FeMn)	Modification of existing 2x5 MVA to 2x6 MVA SEAFs Modification of existing 1x7.5 MVA to 1x9 MVA SEAF Existing 1x9 MVA SEAF New 1x9 MVA SEAF* New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn	SiMn-24,495 TPA (69 TPD) (or) FeMn-59,995 TPA (169 TPD)	2x6 MVA + 3x9 MVA SEAFs + 12MT CLU Converter With Jigging unit and Micro Pelletizing facility	SiMn- 58,575 TPA (165 TPD) (or) HC/MC/LC FeMn-94,075 TPA (265 TPD)
<p><i>Note:</i> * PP has reported that they have constructed 5th Furnace i.e New 1 x 9 MVA SAF & CLU converter is under construction (70% work completed). Hence PP has applied under Violation as per SOP dated 07.07.2021.</p>							

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

S.No.	Raw Material	Quantity After Expansion (TPA)	Sources	Mode of Transport
1	For Ferro Alloys (2x6 MVA + 3x9 MVA SEAFs)			
(i)	Ferro Manganese – 94,075 TPA			
a)	Manganese ore	2,35,188	Imported (South Africa)	By Rail & Road (through covered trucks)
b)	Coke	70,556	Local market / Imported (Australia)	By Rail & Road (through covered trucks)
c)	Electrode Paste	1410	Local market	By road (through covered trucks)
d)	Quartz	28,222	Localmarket	By road (through covered trucks)
e)	Dolomite	23,518	Imported (Bhutan)	By Rail & Road (through covered trucks)
	(OR)			
(ii)	Silico Manganese – 58,575 TPA			

S.No.	Raw Material	Quantity After Expansion (TPA)	Sources	Mode of Transport
a)	Manganese Ore	1,46,438	Imported (South Africa)	By Rail & Road (through covered trucks)
b)	Coke	43,930	Local market / Imported (Australia)	---
c)	Carbon paste	878	Local market	----
d)	Dolomite	14,643	Imported (Bhutan)	By road (through covered trucks)
e)	Fe-Mn Slag	29,288	Inhouse	By road (through covered trucks)

24.8.10 The total water requirement for existing plant is 35 m³/day which is being met from Groundwater source. NOC from CGWA has been obtained to abstract ground water of 35 m³/day for industrial use vide letter No. CGWA/NOC/IND/ORIG/2021/10628 dated 02/01/2021 which is valid upto 01/01/2024. The water requirement for the proposed expansion project is estimated as 148 m³/day, which will be sourced from Damodar River. The permission for drawl of surface water has been obtained from DVRRC, Damodar River (Tenughat Reservoir) Vide Lr. No. MD/DVRR/W-6(145)/2022/738-43 Dated 20-12-2022.

24.8.11 Total power consumption is 33 MW, in which meet from DVC 28.5 MW & 4.5 MW from Captive power plant of adjacent unit of BFCL.

24.8.12 Baseline Environmental Studies

Period	1st December 2019 to 29th February 2020 by M/s. Ampl Environ Pvt. Ltd. Hyderabad. Subsequently the Baseline data has been revalidated by Pioneer Enviro Laboratories & Consultants Pvt. Ltd. by collecting additional 1 month data i.e. from 1st May, to 31st May 2022.
AAQ parameters at 8 locations	<p>(1stDecember 2019 to 29thFebruary 2020)</p> <ul style="list-style-type: none"> • PM_{2.5} = 34.7 to 42.8 µg/m³ • PM₁₀ = 68.9 to 86.3 µg/m³ • SO₂ = 7.8 to 13.5 µg/m³ • NO_x = 17.4 to 26.2 µg/m³ • CO = 410 to 600 µg/m³ <p>(1stMay to 31st May 2022)</p> <ul style="list-style-type: none"> • PM_{2.5} = 34.9 to 46.2 µg/m³ • PM₁₀ = 69.1 to 79.4 µg/m³ • SO₂ = 7.8 to 13.3 µg/m³ • NO_x = 15.5 to 27.1 µg/m³ • CO = 384 to 744 µg/m³

AAQ modelling	$PM_{10} = 0.48 \mu\text{g}/\text{m}^3$ (1500 m in SE) $PM_{10}(\text{vehicular}) = 0.10 \mu\text{g}/\text{m}^3$ SO_2 = There will not be any incremental SO_2 concentrations (24 hourly) due to the proposed expansion project. $NO_x = 2.99 \mu\text{g}/\text{m}^3$ (1500 m in SE), $NO_x(\text{vehicular}) = 0.80 \mu\text{g}/\text{m}^3$ $CO(\text{vehicular}) = 0.52 \mu\text{g}/\text{m}^3$			
Ground water quality at 8 locations	Parameters	:	December 2019	May 2022
	pH	:	7.51 to 7.92	7.24 to 8.01
	TDS	:	426 to 642 mg/l	456 to 706 mg/l
	Total Hardness	:	238.3 to 346.3 mg/l	243.4 to 364.5 mg/l
	Chlorides	:	84.36 to 150.4 mg/l	99.4 to 141.6 mg/l
	Fluoride	:	0.94 to 1.26 mg/l	0.88 to 1.18 mg/l
	Heavy metals (Iron -Fe)	:	0.27 to 0.41 mg/l	0.19 to 0.34 mg/l
	Heavy metals are within the limits.			
Surface water quality	Parameter		December 2019	May 2022
	pH		7.54 to 7.86	7.08 to 7.77
	Total Hardness	:	136.02 to 278.5	122.5 to 255.8
	DO (in mg/l)	:	5.38 to 7.8	5.0 to 7.2
	BOD	:	2.4 to 20.4	2.1 to 8.6
	TDS(in mg/l)	:	318 to 543	296 to 466
	Fluoride (in mg/l)	:	0.76 to 1.14	0.71 to 0.98
	Chlorides (in mg/l)	:	67.6 to 157.1	55.3 to 133.8
Sulphates (in mg/l)	:	44.2 to 48.7	38.2 to 55.2	
Noise levels	<p>The equivalent day noise levels are ranging from 52.10 dBA to 68.40 dBA & equivalent Night noise levels are ranging from 42.70 dBA to 55.30 dBA in the study zone during 1st December 2019 to 29th February 2020 carried out by M/s. AMPL ENVIRON PVT LTD.</p> <p>Further Noise levels collected during revalidation of Noise levels in May 2022, the equivalent day noise levels are ranging from 47.80 dBA to 66.80 dBA & equivalent Night noise levels are ranging from 36.80 dBA to 53.20 dBA in the study zone .</p>			
Traffic assessment study findings	<p>Traffic study has been conducted at National Highway # 20(Ranchi – Hazaribagh) which is at 7.0 Kms from the plant site.</p> <p>Transportation of raw material, fuel& finished product will be done by Rail & road.</p> <p>Existing PCU is 1085 PCU/hr on NH#20 and existing Level of Service(LOS) is :C</p>			
	Ramgarh to Kuju	(V)	(C)	Existing LOS

	(Ramgarh City Road)	(PCU/hr)	(Capacity in PCU/hr)	V/C ratio	
	PCU/Hour	810.9	1500	0.54	C
PCU load after proposed expansion project will be 810.9 PCU/hr (Existing) + 48 PCU/hr (Additional) PCU/hr and level of service (LOS) will be: C					
	Ramgarh to Kaju (Ramgarh City Road)	(V) (PCU/hr)	(C) (Capacity in PCU/hr)	Proposed V/C ratio	LOS
	PCU/Hour	858.9	1500	0.57	C
Level of Service (LOS) of the Road as per IRC 106: 1990					
		V/C	LOS	Performance	
		0.0 – 0.2	A	Excellent	
		0.2 – 0.4	B	Very Good	
		0.4 – 0.6	C	Good	
		0.6 – 0.8	D	Fair/ Average	
		0.8 – 1.0	E	Poor	
		1.0 & Above	F	Very Poor	
The level of service will C (Good) after including additional traffic due to proposed project. <i>Hence the existing road is capable of taking the additional vehicular traffic due to the proposed expansion project.</i>					
Flora and fauna	No schedule -1 fauna found in the study area. Hence preparation of conservation plan is not applicable .				

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

S. No	Waste / By Product	Quantity (TPA)			Method of disposal
		Existing	Proposed	After expansion	
1.	Slag from FeMn	13,820	28,780	42,600	After Jigging, it will be reused in manufacture of SiMn as it contains high SiO ₂ and Silicon.
2.	Slag from SiMn	20,450	18,850	39,300	After Jigging, will be used for Road construction / Used in Filling low lying areas etc.
3.	APCS dust	840	730	1575	Will be sent to Briquetting unit.
4.	Waste oil	80	160	240	Will be given to SPCB authorized recyclers/reprocessors.
		Ltr/Annum	Ltr/Annum	Ltr/Annum	

Hazardous waste generation, storage & disposal:

1.Waste oil: 0.24 KL / Annum

This will be stored in covered HDPE drums in a designated area and will be given to SPCB authorized recyclers & re-processors..

2. Used Batteries

Used batteries will be given back to the supplier under buy back agreement with supplier.

24.8.14 Public Consultation

Details of advertisement given	10 th February 2021 (Hindi) "THE PIONEER" , (English) "HINDUSTHAN"
Date of public consultation	15 th March 2021
Venue	Public Hearing has been conducted at Gym Khana Club Ranchi road, Ramgarh, Ramgarh Tehsil & District, Jharkhand.
Chaired by	Additional District Magistrate
Issues are	<ul style="list-style-type: none"> • Employment Local people • Skill development training program. • Proper utilization of CSR fund • Pollution Control Measures • Water sprinkling on haul roads

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

- As per the Normal calculation CER budget will be Rs.0.893 Crores
- Considering the location of the plant in severely Polluted area CER budget will be 1.5 times of the normal calculated amount i.e. Rs. 1.34 Crores
- M/s. BFCL (Ferro Alloy unit) is also proposing to adopt the Marar Village as a part of Social infrastructure development and has earmarked Rs. 1.34 Crores for Social & Infrastructure developmental activities based on Social Impact Assessment (SIA) after completion of Public Hearing

S.NO.	MAJOR ACTIVITY HEADS		YEAR OF IMPLEMENTATION			TOTAL EXPENDITURE (Rs. in Lakhs)
			1 st Year (Rs. in Lakhs)	2 nd Year (Rs. in Lakhs)	3 rd Year (Rs. in Lakhs)	
A). Based on SIA Study						
1	Community & Infrastructure Development Programmes					
	i) Construction of public toilets	Physical Nos. & village	1 no. in Marar (v)	1no. in Phulsarai(v)	1 no. in Manuan(v) & 1 Nos. in Digwar(v)	10
		Budget in Lakhs	2.5	2.5	5	
ii) Providing LED Street lighting with solar panels	Physical Nos. & village	2 nos. in Hathimara (v) & 3	2nos. in Manuan (v) &	2 nos. in Digwar (v) 3 nos.	3	

S.NO.	MAJOR ACTIVITY HEADS		YEAR OF IMPLEMENTATION			TOTAL EXPENDITURE (Rs. in Lakhs)
			1 st Year (Rs. in Lakhs)	2 nd Year (Rs. in Lakhs)	3 rd Year (Rs. in Lakhs)	
			Nos. in Marar (v)	3 Nos. in Phulsarai (v)	Pochra (v)	
		Budget in Lakhs	1	1	1	
	iii) Mineral water plants	Physical Nos. & village	1 nos. in Marar (v)	1 nos. in Phulsarai (v)	1no. in Manuan (v)	9
		Budget in Lakhs	3	3	3	
	iii) Village road repair & maintenance	Physical Nos. & village	1 nos. in Marar (v)	---	---	7
		Budget in Lakhs	7	---	---	
					Total	29
2	Education					
	i) Providing Sport kits for schools	Physical Nos. & village	5 nos. in Kanjgi (v) & 10 Nos. in Marar (v)	5 no. in Manuan (v) & 10 Nos. in Digwar (v)	10 nos. in Phulsarai(v) & 10 Nos. in Painki (v)	5
		Budget in Lakhs	1.5	1.5	2	
	ii) Construction of class rooms in schools of size 8m x 5m x3 m	Physical Nos. & village	2 nos. in Kanjgi (v)	2 nos. in Seota (V)	2 nos. in Marar (V)	15
		Budget Rs in Lakhs	5	5	5	
	iii)Providing Model Anganwadi Centre in consultation with State Women and Child Development Department	Physical Nos. & village	---	Digwar (v) - 1 No.	Painki (v) - 1 No.	20
		Budget Rs in Lakhs	---	10	10	
					Total	40
3	RWH pits in the surrounding villages & De-siltation of	Physical Nos. & village	Marar (v) pond desiltation	Seota (v) pond desiltation	---	20

S.NO.	MAJOR ACTIVITY HEADS	YEAR OF IMPLEMENTATION			TOTAL EXPENDITURE (Rs. in Lakhs)	
		1 st Year (Rs. in Lakhs)	2 nd Year (Rs. in Lakhs)	3 rd Year (Rs. in Lakhs)		
	ponds		1.5m depth	1.5m depth		
		Budget in Lakhs	10	10	---	
				TOTAL (A)	89	
B). Based on Public Consultation/Hearing						
1	Impart training to the local villagers for skill development. a)DISHA Centre” along with necessary infrastructure for various vocational training program for employment generation in association with National Skill Development Mission (Automobile Repair, Welding, Electrical, Computer Hardware, Soft skills like computer programs etc.)	Physical Nos. & village	One DISHA centre in Ramgarh Town			45
		Budget in Lakhs	15	15	15	
				Total (B)	45	
		TOTAL	45	48	41	
		Grand Total (A+B)			134	
Recurring expenditures under CSR as per companies Act 2014						
<ul style="list-style-type: none"> Health checkup will be carried out periodically in surrounding villages i.e. Marar, Phulsarai, Hathimara villages @ Rs 5.0 Lakhs every year. 						

Management Compliance to Issues Raised during Public Hearing

S.No.	Issue raised	Management Response	Time schedule	Budgetary allocation
1.	Employment for local people	The proposed expansion project will generate direct employment to 750 nos. which includes skilled, semi-skilled & unskilled.	---	----

S.No.	Issue raised	Management Response	Time schedule	Budgetary allocation
		Local people will be given top priority in employment based on their qualification & experience. Skill development training program will be conducted.	2023-24 2024-25 2025-26	Rs.0.15 Cr Rs.0.15 Cr Rs.0.15 Cr Total Rs. 0.45 Cr
2.	Proper utilization of CSR fund	M/s. BFCL (Ferro Alloy unit) is also proposing to adopt the following Marar Village as a part of Social welfare development and has earmarked Rs. 1.34 Crores for Social & Infrastructure developmental activities based on Social Impact Assessment (SIA).	2023-24 2024-25 2025-26	Rs.0.45 Cr Rs.0.48 Cr Rs.0.41 Cr Total Rs. 1.34 Cr for Social & Infrastructure developmental activities
3.	Pollution Control Measures	<ul style="list-style-type: none"> In the existing plant Emission control systems such as 4th Hole Fume Extraction system with bagfilters have been provide to SEAFs and dust suppression system at unloading areas. The flue gas emissions are within the stipulated norms. Pucca internal roads has been laid in the plant area. CEMS data shows the emissions are within the stipulated norms. Zero liquid discharge is followed. All solid wastes are utilized/disposed as per permitted procedures. Greenbelt development in the existing plant helps in further mitigation of impacts due to the plant operations. SPCB has issued CTO for the plant which is valid till 31/12/2025. <p>Hence there is no adverse impact on health of people due to existing plant operations.</p> <p>In the proposed expansion project following environment protection measures will be provided for duly complying with norms stipulated by MOEF&CC / CECB:</p> <ul style="list-style-type: none"> 4th Hole Fume Extraction system with bagfilters will be provided to proposed SEAF to bring down the particulate emission to less than 30 mg/Nm³. 	2023-24 2024-25 2025-26	Budget of Rs. 4.5 Crores is earmarked for Environment Protection Measures

S.No.	Issue raised	Management Response	Time schedule	Budgetary allocation
		<ul style="list-style-type: none"> Net resultant Ground level concentrations during operation of the plant after superimposing the incremental concentrations over the maximum baseline concentrations are well within the National Ambient Air Quality Standards. As the Plant is situated in Severely Polluted area (SPA) it is proposed to develop 40% of Greenbelt. in an extent of 1.17 Ha. (2.9 Acres) by October 2023. To meet the requirement of 40% greenbelt development it is proposed to acquire additional land outside the existing plant. Effluent will be treated in ETP consisting of RO plant also and after ensuring compliance with the norms, it will be utilised for dust suppression, ash conditioning and for greenbelt development within the premises. No effluent will be discharged outside the premises. Zero liquid discharge will be followed. 		
4.	Water sprinkling on haul roads	Water tanker with water sprinkling system has been provided in the plant for regular water sprinkling on Roads.	-----	Recurring cost of Rs.5.0 Lakhs/annum

24.8.15 The capital cost of the expansion project is Rs. 89.3 Crores and the capital cost for environmental protection measures is proposed as Rs. 4.5Crores. The annual recurring cost towards the environmental protection measures is proposed as Rs. 0.72 Crores. The employment generation from the proposed existing & expansion project is 750 direct & 200 Indirect. The details of cost for environmental protection measures is as follows:

S. No	Particulars	Capital Cost (Rs.in Crores)	Recurring Cost / Annum (Rs.in Lakhs)
1	Air Emission Management		
	· 4 th Hole FES with bag filters & Stacks	2.00	20
	· other APCS & Conveyor systems	0.50	5
	· for Water Sprinkling	0.10	0.5

S. No	Particulars	Capital Cost (Rs.in Crores)	Recurring Cost / Annum (Rs.in Lakhs)
2	Wastewater Management		
	· for STP	0.40	10
	· for Garland drains	0.03	1
	· for Settling ponds	0.02	0.2
3	Solid waste Management		
	· Slag Handling & Disposal	0.20	5.0
4	Greenbelt development	0.10	2.0
6	Noise Management	0.10	1.5
7	RWH in Plant	0.10	0.2
8	Fire Safety Systems	0.50	5.0
9	Environmental Monitoring	---	4.1
	· CEMS	0.20	3.0
10	Occupational Health & Safety		
	· Occupational Health centre with Ambulance	0.15	4.5
	· Personal Protective Equipment's (PPEs)	0.10	10
	TOTAL	4.50	72.0

- 24.8.16 Total land after proposed expansion will be 2.91 Ha. (7.18 Acres). As the Plant is situated in Severely Polluted area (SPA) it is proposed to develop 40% of Greenbelt as part of the expansion i.e. in an extent of 1.17 Ha. (2.9 Acres).
- Additional safeguards such as 40% green belt within the plant premises & outside the plant premises over an extent of 1.17 Ha. (2.9 Acres).
 - Total 3000 nos. of plants will be developed over an extent of 1.17 Ha. (2.9 Acres).
 - The total Greenbelt area proposed within the Plant premises is 1.515 Acres (0.61 Ha.) which is inclusive of existing Greenbelt.
 - To meet the requirement of 40% greenbelt development it is proposed to acquire additional land outside the existing plant.

24.8.17 **Summary of Violation under EIA Notification, 2006:**

- The company has started installation of the 5th Submerged Arc Furnace of 1x9 MVA & CLU converter without completing the process of Environment Clearance because of the following reasons (Reasons for violation).
- Due to COVID restrictions and social lockdown wherein all the physical activities were restricted, PP could not move ahead with the study, interaction with officials and accordingly could not complete the process of EC due to delay from their end.
- PP also gave a completion date of 31st Dec 2021 for its 5th furnace project to its consortium of banks.
- If the completion date is exceeded by a period of 6 months, the loan account would have slipped into a NPA (Non-Performing Asset) category.
- This situation would have led to bankruptcy of the company as well.

- Thus, to avoid such situation, installation of the 5th furnace was completed along with CLU converter (70% work completed).

Present status of 5th Submerged Electric Arc Furnace & CLU converter:

- Installation of 5th Submerged Electric Arc Furnace (SEAF) of 9 MVA capacity has been completed.
- Production is not yet started in 5th SEAF
- Regarding installation of CLU converter, 70% of civil work, plant & machinery has been completed.

Accordingly TOR amendment has been obtained under violation category from the Ministry vide letter dated 19.12.2022. Now application has been submitted for EC appraisal under violation category.

Budget of remediation plan and natural and community resource augmentation plan corresponding to the ecological damage is shown below

- JSPCB has initiated action against violation.
- Application submitted for EC under violation and accordingly JSPCB has filed a case in the Hon'ble Magistrate court of Ramgarh vide no complainant case/ 117/2023 vide dated 07-01-2023
- The remediation plan and the natural and community resource augmentation plan has been prepared as an independent chapter (13) in the EIA report.

Remediation Plan and Budgetary Provisions for 3 years

Sr. No.	Environmental component	Activities Proposed	Budgetary provision			Total (in Rs.)
			1 st Year	2 nd Year	3 rd Year	
1.	Air Environment a) Ambient Air b) Air Pollution	<ul style="list-style-type: none"> • Dust Suppression and water sprinkling. • Provision of Barricades 	65,000	55,000	46,500	1,66,500
2	Noise Environment	Supply of personnel projective equipments	1,00,000	80,000	60,000	2,40,000
3	Water Environment	<ul style="list-style-type: none"> • STP and ETP • Rain water harvesting structure 	50,00,000	----	----	50,00,000
4	Land Environment	Leachate proof storage facility for productive soil and waste material	20,000	20,000	20,000	60,000
5	Ecology	Plantation in and around plant site Provision made in EMP for Rs. 10 lakhs	10,00,000	----	----	10,00,000
6	Solid and hazardous waste	• Provision of coloured	25,000	25,000	20,000	70,000

Sr. No.	Environmental component	Activities Proposed	Budgetary provision			Total (in Rs.)
			1 st Year	2 nd Year	3 rd Year	
		bins • Provision of storage facility				
7	Socio-economic (occupational health)	First aid kit and health check up	20,000	10,000	5,000	35,000
8	Energy consumption	Construction of Solar panels	1,00,000	1,00,000	50,000	2,50,000
		TOTAL	63,30,000	2,90,000	2,01,500	68,21,500
Rs. 68,21,500 (out of which 50 lakhs provision for STP, ETP, RWH and plantation and 10 Lakhs for greenbelt in and around plant site)						
NET AMOUNT: Rs. 8,21,500						

Natural Resources Augmentation Plan

Sr. No.	Activities Proposed	Yearwise Implementation and Budgetary provision in Rs.			Total Cost (Rs.)
		1 st Year	2 nd Year	3 rd Year	
1.	Development of Greenery in the surrounding area and road side plantation (along the state highway abutting the project side (100 trees in the surrounding area and 100 trees roadside Total 200 with maintenance @ 500/- per tree, total cost Rs. 1,00,000/-)	50,000	25,000	25,000	1,00,000
2	Provision of drinking water facilities through hand pumps/ dugwells/ tubewells (hand pump/ well per year in the nearby villages each year with maintenance) i.e. two tubewells per village in 3 villages	30,000	30,000	30,000	90,000
3	Repair and maintenance of roads in the nearby 6 villages with the help of gram panchayat considering 2 villages each year	40,000	40,000	40,000	1,20,000
	TOTAL	1,20,000	95,000	95,000	3,10,000

Community Augmentation Plan

Sr. No.	Activities Proposed	Year wise Implementation and Budgetary provision in Rs.	Total cost (Rs.)
---------	---------------------	---	------------------

		1st Year	2nd Year	3rd Year	
1.	Development of sanitation facilities in (provision of 2 toilets in each village)	2,00,000	2,00,000	2,00,000	6,00,000
2	Medical check-up camp in nearby areas for villages and supply of medicines (2 villages per year)	1,00,000	1,00,000	1,00,000	3,00,000
3	Assistance in providing study materials, uniforms, books to the poor students (50 students) each year	50,000	50,000	50,000	1,50,000
	TOTAL	3,50,000	3,50,000	3,50,000	10,50,000

Summary of Remediation plan, Natural Resource and Community Augmentation Plan

Sr. No.	Activity Proposed	Total(Rs.)
1	Cost of damage / Remediation plan	Rs. 8,21,500 (excluding provisions of EMP cost of Rs.60 lakhs)
2	Natural Resource Augmentation Plan	Rs.3,10,000/-
3	Community Augmentation Plan	Rs.10,50,000/-
	Total	Rs.21,81,500/-

Detail of Court Cases: Application submitted for EC under violation and accordingly JSPCB has filed a case in the Hon'ble Magistrate court of Ramgarh vide no complainant case/ 117/2023 vide dated 07-01-2023.

Deliberation on Severely Polluted area (SPA)

- 24.8.18 Since the project falls in the Ramgarh district of Jharkhand declared as Severely Polluted area (SPA), PP shall comply with all the conditions applicable to CEPI as per the submitted compliance as follows:

Environment	Stipulation of Conditions	Compliance of Mitigation measures
Air	i. Stack emission levels should be stringent than existing standards in terms of the identified critical pollutants.	The company is maintaining the limit of particulate matter emission below prescribed standard. We assure that the Particulate Emission at the Chimney Outlet will be maintained less than 30 mg/Nm ³ .
	ii. CEMS may be installed in all large/medium red category industries (air polluting) and connected to SPCB and CPCB server.	CEMS installed in stack of all Units and connected with SPCB/CPCB Server.
	iii. Effective fugitive emission	Transportation of raw materials/ solid wastes

Environment	Stipulation of Conditions	Compliance of Mitigation measures
	control measures should be imposed in the process, transportation, packing etc.	is ensured through covered trucks only. Regular Water Sprinkling is being done using Water Tankers. Major raw material is kept in closed shed Conveyor belts are used where ever required. All vehicle movements roads within all premises are pucca and regular road sweeping is being carried through road sweeping machine.
	iv. Transportation of materials by rail/conveyor belt, wherever feasible	Major raw material transportation will be by rail upto the nearest railway station and from there by road in tarpaulin covered truck. Hence road transport is minimised
	v. Encourage use of cleaner fuels (pet coke/furnace oil/LSHS may be avoided).	Coke is used instead of Pet Coke
	vi. Best available Technology may be used. For example, usage of EAF/SAF/IF in Cupola furnace. Usage of supercritical technology in place of sub-critical technology.	Ferro alloys will be manufactured through Submerged Electric Arc Furnace.
Air	vii. Increase of greenbelt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever feasible.	<ul style="list-style-type: none"> • 40% green belt is proposed to developed within the plant premises & outside the plant premises over an extent of 1.17 Ha. (2.9 Acres) • Total land after proposed expansion will be 2.91 Ha. (7.18 Acres). • <u>As the Plant is situated in Severely Polluted area (SPA) it is proposed to develop 40% of Greenbelt as part of the expansion i.e. in an extent of 1.17 Ha. (2.9 Acres).</u> • The total Greenbelt area within the Plant premises is 1.515 Acres (0.61 Ha.). • To meet the requirement of 40% greenbelt development it is proposed to acquire additional land outside the existing plant. • The details of additional land where greenbelt can be developed outside the premises is as follows ❖ Plot No. 1364P (E1) - 0.504 Acre (2039.6 SQM)

Environment	Stipulation of Conditions	Compliance of Mitigation measures
		<ul style="list-style-type: none"> ❖ Plot No. 1405 (C18) - 0.339 Acre (1373.05 SQM) ❖ Plot No. 1364P (C2&C3) - 0.025 Ac. (103.1238 SQM) ❖ Plot No. 1405P (20C) - 0.517 Ac. (2093.65 SQM) <p>Hence the total greenbelt will be 2.9 Acres [1.515 Ac (Plant Premises) + 1.385 Ac (outside plant premises) which amounts to 40 % of total land].</p>
	viii. Stipulation of greenbelt outside the project premises such as avenue plantation, plantation in vacant areas, social forestry, etc.	Avenue plantation/road side has been carried out.
	ix. Assessment of carrying of transportation load on roads inside the industrial premises if the roads required to be widened, shall be prescribed as a condition.	<p>Site is adjacent to Ramgarh City Road & NH # 20 (Ranchi – Hazaribagh) is at a distance of 7.0 Kms.</p> <p>No. of trucks required after expansion project will be 50 trucks /day or transporting raw materials, products and wastes .</p> <p>Existing road is capable of taking the additional vehicular traffic due to the proposed expansion.</p>
WATER	Stipulation of conditions such as:	Noted for compliance.
	i. Reuse /recycle of treated wastewater, wherever feasible.	Treated wastewater is being used for make-up of cooling purpose as maximum as possible.
	ii. Continuous monitoring of effluent quality/quantity in large and medium red category industries (water polluting).	Not applicable as it is only Ferro Alloy plant
	iii. A detailed water harvesting plan may be submitted by the project proponent	<p>Permission obtained from CGWA of 35 KLD for domestic use.</p> <p>The potential rain water that can be recharged / utilized to meet the plant water requirement is 16,500 m³ / year. Accordingly, the net water requirement will reduce.</p> <p>In the existing plant also rain water harvesting structure has been constructed. Now as part of expansion It is proposed to construct 2 nos. of Recharge structure as per design and all the Roof water inlet join to Recharge well so that Roof top water & surface run off storm water</p>

Environment	Stipulation of Conditions	Compliance of Mitigation measures
		recharge into ground.
	iv. Zero liquid discharge wherever techno-economically feasible.	ZLD maintained.
	v. In case, domestic waste water generation is more than 10 KLD, the industry may install STP	30 KLD of STP will be installed and treated water will be used for greenbelt development.
Land	i. Increase of green belt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever, feasible for new projects.	40 % of the land area will be covered with green belt.
	ii. Stipulation of greenbelt outside the project premises such as avenue plantation in vacant areas, social forestry, etc.	Avenue plantation/road side plantation has been carried out.
	iii. Dumping of waste (fly ash, slag, red mud, etc.) may be permitted only at designated locations approved by SPCBs/PCCs.	Not applicable as it is a Ferro Alloy plant
	iv. More stringent norms for management of hazardous waste generated should be preferably utilized in co-processing.	The unit is followed the guidelines of Hazardous and other wastes (Management and Transboundary Movement) rules, 2016.
Other Condition (Additional)	i. Monitoring of compliance of EC conditions may be submitted with third party audit every year.	Being Done
	ii. The % of the CER may be at least 1.5 times the slabs given in the OM dated 01.05.2018 for SPA and 2 times for CPA in case of Environmental Clearance.	Noted for compliance.

Certified Compliance Report from IRO, MoEF&CC

24.8.19 The Status of compliance of earlier EC was obtained from Integrated Regional Office, Ranchi vide letter no. 103-325/11/EPE/98, dated 11-02-2022 in the name of M/s. BIHAR FOUNDRY & CASTINGS LIMITED, Ferro Alloys Unit. The Action taken report regarding the partially/non-complied condition has been submitted to IRO, MoEF&CC vide dated 15-11-2022. MoEF&CC (IRO), Ranchi evaluated the same and has issued letter no. 103-325/11/EPE/742 dated 01.12.2022. The details of the observations made by IRO in the report dated 01.12.2022 along with its re-assessment / present status as furnished by the PP is given as below:

Non- compliances reported	Corrective action taken	Present status
i) Greenbelt has not been developed as per the CPCB norms	PP has acquired additional land adjacent to the existing plant for greenbelt development. PP assures that they will comply 40% of greenbelt area by Next monsoon i.e. October 2023. IRO has also mentioned in his report that they have developed plantation all along the boundary of the industry and due to constraints of space within the plant, PP has acquired additional land, outside the plant measuring around 1.1 Acre over which it is proposed to raise plantation.	PP has submitted an undertaking to the IRO that they would develop green belt by October 2023.
ii) The Prescribed method for collection and treatment of runoff rain water from the Raw material storage area has not been followed	Presently, Plant is under construction and here PP do assure that, they will provide Collection and Treatment of runoff of rainwater from the Raw material storage area by April 2023.	PP has submitted undertaking to IRO for the same.

Deliberations by the Committee

24.8.20 The Committee noted the following:

1. The instant proposal is for Modification cum Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn.
2. The EAC, constituted under the provision of the EIA Notification, 2006 comprising Expert Members/domain experts in various fields, examined the proposal submitted by the Project Proponent in desired format along with EIA/EMP reports prepared and submitted by the Consultant accredited by the QCI/ NABET on behalf of the Project Proponent.
3. The EAC noted that the Project Proponent has given an undertaking that the data and information given in the application and enclosures are true to the best of his knowledge and belief and no information has been suppressed in the EIA/EMP reports. If any part of data/information submitted is found to be false/ misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent.
4. The Committee noted that the EIA reports are in compliance of the ToR issued for the project, reflecting the present environmental status and the projected scenario for all the environmental components. The Committee deliberated on the proposed mitigation measure towards Air, Water, Noise and Soil pollutions. The Committee suggested that the storage of toxic/explosive raw materials/products shall be undertaken with utmost precautions and following the safety norms and best practices.

5. The existing project was accorded environmental clearance vide F. No. J-11011/384/2010-IA (II) (I) dated 31.10.2011. Consent to Operate for the existing unit was accorded by JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated 10.11.2020 (which is in the name of GAUTAM FERRO ALLOYS (UNIT OF BFCL) which is valid upto 31-12-2025. Subsequently name of the plant in CTO has been changed to Bihar Foundries & Castings Limited vide order dated 23.01.2023 and is valid till 31.12.2025.
6. The EAC noted the following chronology w.r.t. instant Modification cum Expansion proposal
 - M/s. Bihar Foundry & Casting Limited had initially obtained ToR vide letter dated 24.11.2020 for expansion of the existing unit for manufacturing of Ferro Alloys SiMn / FeMn based on Sub Merged Arc (SAF) technology.
 - Post compliance of ToR, PP applied for EC vide proposal no. IA/JH/IND/223909/2020 dated 23/08/2021 wherein the EAC in its 44th meeting held on 13 – 14th September, 2021 recommended to return the proposal in its present form due to shortcomings.
 - The project proponent then applied for fresh ToR vide proposal No. IA/JH/IND1/400084/2022 dated 21.10.2022 and decided to come before the committee for appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07.07.2021 pertaining to consideration of violation cases as PP has reported that they have constructed 5th Furnace i.e. New 1x9 MVA SAF & CLU converter is under construction without prior environmental clearance.
 - The EAC noted that it is a fit case of violation and to be apprised based on the provisions of the SOP dated 07.07.2021 [Violation Cases].
 - The EAC also took into consideration the request of PP submitted through written representation vide letter dated 03.11.2022 for appraisal of the proposal dated 21.10.2022 as modification/ amendment in TOR granted vide letter No. J-11011/384/2010-IAII(I) dated 24.11.2020 under violation category instead of issuance of fresh TOR.
 - After deliberations, the Committee recommended the project proposal for modification in TOR letter No. J-11011/384/2010-IAII(I) dated 24.11.2020 w.r.t. appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07/07/2021 pertaining to consideration of violation cases with stipulation of additional specific conditions. Accordingly, TOR Amendment was granted by MoEF&CC vide letter dated 19.12.2022.
7. The EAC further noted the following w.r.t. violation:
 - The company has started installation of the 5th Submerged Arc Furnace of 1x9 MVA & CLU converter without completing the process of Environment Clearance because of the following reasons (Reasons for violation).
 - Due to COVID restrictions and social lockdown wherein all the physical activities were restricted, PP could not move ahead with the study, interaction with officials and accordingly could not complete the process of EC due to delay from their end.

- PP also gave a completion date of 31st Dec 2021 for its 5th furnace project to its consortium of banks.
 - If the completion date is exceeded by a period of 6 months, the loan account would have slipped into a NPA (Non-Performing Asset) category.
 - This situation would have led to bankruptcy of the company as well.
 - Thus, to avoid such situation, installation of the 5th furnace was completed along with CLU converter (70% work completed).
 - The company has prepared a Natural and Community Resource Augmentation plan for an amount of Rs. 21,81,500/- [Cost of damage / Remediation – Rs. 8,21,500/-, Natural Resource Augmentation Plan - Rs.3,10,000/- and Community Augmentation Plan - Rs.10,50,000/-]
 - Application submitted for EC under violation and accordingly JSPCB has filed a case in the Hon'ble Magistrate court of Ramgarh vide no complainant case/ 117/2023 vide dated 07-01-2023.
8. The EAC deliberated on the Natural and Community Resource Augmentation plan and found it satisfactory.
 9. JSPCB has filed a case in the Hon'ble Magistrate court of Ramgarh vide no complainant case/ 117/2023 vide dated 07-01-2023 to initiate credible action against M M/s. Bihar Foundry & Casting Limited for the offence committed u/s 19 of Environment (Protection) Act, 1986. This is filed as per provisions of the SOP dated 07.07.2021.
 10. The EAC observed that the project falls in the Ramgarh district of Jharkhand. Ramgarh is declared as Severely Polluted area (SPA) with CEPI index 65.11 by CPCB vide No. B29012/ESS(CPA)/2015-16/ dated 26th April 2016. The EAC advised PP to comply with all the conditions applicable to CEPI.
 11. Total project land is 2.91 ha (7.18 Acres) which is taken on lease from Jharkhand Industrial Area Development Authority (JIADA) for a period of 30 years. Existing plant land is Industrial land. The proposed expansion will be taken up in the existing plant premises only. Additional land of 1.385 Ac. (0.56 Ha.) has been acquired for development of Greenbelt to comply with 40% of 2.91 Ha. (7.18 Acres) as the plant is situated in Ramgarh industrial area which is Severely Polluted Area.
 12. The nearest human settlement from the project site is Palamu Colony (0.4 km, NE) and Marar (0.8 km, N).
 13. Damodar River (1.4 Km, S), Raura Nala (2.5 km, E), Meramgarh Nala (5.4 Km, E), Unnamed stream (0.5 Km, W), Ramgarh Village pond (4.0 Km, S) and Seota village Pond (1.5 Km, NE) exists within the study area of 10 km from the project site. The EAC is of the opinion that water bodies shall not be disturbed. Mitigation measures w.r.t. safeguarding the water bodies shall be implemented.
 14. The water requirement for the proposed expansion project is estimated as 148 m³/day, which will be sourced from Damodar river.
 15. As the Plant is situated in Severely Polluted area (SPA) it is proposed to develop 40% of Greenbelt as part of the expansion i.e. in an extent of 1.17 Ha. (2.9 Acres). Total 3000 nos. of plants will be developed over an extent of 1.17 Ha. (2.9 Acres). The total Greenbelt area proposed within the Plant premises will be 1.515 Acres (0.61 Ha.) which is inclusive of existing. Greenbelt The EAC deliberated on the greenbelt action plan and found it satisfactory.

16. The Committee has found that the baseline data and incremental GLC due to the proposed project within NAAQ standards.
17. The committee deliberated details of carbon foot prints and carbon sequestration study w.r.t. proposed project and found them to be satisfactory.
18. The Committee also deliberated on the public hearing issues along with revised action plan submitted by the proponent to address the issues raised during the public hearing and found it satisfactory.
19. The EAC deliberated on the proposal with due diligence in the process as notified under the provisions of the EIA Notification, 2006, as amended from time to time and accordingly made the recommendations to the proposal. The Experts Members of the EAC found the proposal in order and recommended for grant of environmental clearance.
20. The environmental clearance recommended to the project/activity is strictly under the provisions of the EIA Notification 2006 and its subsequent amendments. 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. The project proponent shall obtain necessary permission as mandated under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, as applicable from time to time, from the State Pollution Control Board, prior to construction & operation of the project.

Recommendations of the Committee:

- 24.8.21 In view of the foregoing and after detailed deliberations, the committee **recommended** the instant proposal for grant of Environment Clearance under the provisions of EIA Notification, 2006 and SOP dated 07.07.2021 and subject to the stipulation of following specific conditions and general conditions;

A. Specific Conditions:

- ii. The PP needs to comply all the points of TOR for Violation Project and follow SOP dated 07.07.2021 issued by the Ministry of Environment, Forest & Climate Change, for identification & handling of Violation cases under EIA notification 2006.
- iii. The project proponent shall comply with all the environmental protection measures and safeguards proposed in the documents submitted to the Ministry. All the recommendations made in the EIA/EMP in respect of environmental management, and risk mitigation measures relating to the project shall be implemented.
- iv. The project proponent shall utilize modern technologies for capturing of carbon emitted and shall also develop carbon sink/carbon sequestration resources capable of capturing more than emitted. The implementation report shall be submitted to the IRO, MoEF&CC in this regard.
- v. **The total amount of Rs. 21.815 Lakhs shall be spent on Remediation plan and Natural Resource Augmentation Plan and Community Resource Augmentation Plan which**

shall be implemented in a period of 3 years as per the action plan details given in EIA Report and summarized below.

A. Remediation Plan and Budgetary Provisions for 3 years

Sr. No.	Environmental component	Activities Proposed	Budgetary provision			Total (in Rs.)
			1 st Year	2 nd Year	3 rd Year	
1.	Air Environment a) Ambient Air b) Air Pollution	<ul style="list-style-type: none"> Dust Suppression and water sprinkling. Provision of Barricades 	65,000	55,000	46,500	1,66,500
2	Noise Environment	Supply of personnel projective equipments	1,00,000	80,000	60,000	2,40,000
3	Water Environment	<ul style="list-style-type: none"> STP and ETP Rain water harvesting structure 	50,00,000	----	----	50,00,000
4	Land Environment	Leachate proof storage facility for productive soil and waste material	20,000	20,000	20,000	60,000
5	Ecology	Plantation in and around plant site Provision made in EMP for Rs. 10 lakhs	10,00,000	----	----	10,00,000
6	Solid and hazardous waste	<ul style="list-style-type: none"> Provision of coloured bins Provision of storage facility 	25,000	25,000	20,000	70,000
7	Socio-economic (occupational health)	First aid kit and health check up	20,000	10,000	5,000	35,000
8	Energy consumption	Construction of Solar panels	1,00,000	1,00,000	50,000	2,50,000
		TOTAL	63,30,000	2,90,000	2,01,500	68,21,500

Rs. 68,21,500 (out of which 50 lakhs provision for STP, ETP, RWH and plantation and 10 Lakhs for greenbelt in and around plant site) : NET AMOUNT: Rs. 8,21,500

B. Natural Resources Augmentation Plan

Sr. No.	Activities Proposed	Yearwise Implementation and Budgetary provision in Rs.			Total Cost (Rs.)
		1 st Year	2 nd Year	3 rd Year	
1.	Development of Greenery in the surrounding area and road side plantation (along the state highway abutting the project side (100 trees in the surrounding area and 100 trees	50,000	25,000	25,000	1,00,000

Sr. No.	Activities Proposed	Yearwise Implementation and Budgetary provision in Rs.			Total Cost (Rs.)
		1 st Year	2 nd Year	3 rd Year	
	roadside Total 200 with maintenance @ 500/- per tree, total cost Rs. 1,00,000/-)				
2	Provision of drinking water facilities through hand pumps/ dugwells/ tubewells (hand pump/ well per year in the nearby villages each year with maintenance) i.e. two tubewells per village in 3 villages	30,000	30,000	30,000	90,000
3	Repair and maintenance of roads in the nearby 6 villages with the help of gram panchayat considering 2 villages each year	40,000	40,000	40,000	1,20,000
	TOTAL	1,20,000	95,000	95,000	3,10,000

C. Community Augmentation Plan

Sr. No.	Activities Proposed	Year wise Implementation and Budgetary provision in Rs.			Total cost (Rs.)
		1 st Year	2 nd Year	3 rd Year	
1.	Development of sanitation facilities in (provision of 2 toilets in each village)	2,00,000	2,00,000	2,00,000	6,00,000
2	Medical check-up camp in nearby areas for villages and supply of medicines (2 villages per year)	1,00,000	1,00,000	1,00,000	3,00,000
3	Assistance in providing study materials, uniforms, books to the poor students (50 students) each year	50,000	50,000	50,000	1,50,000
	TOTAL	3,50,000	3,50,000	3,50,000	10,50,000

Total: Summary of Remediation plan, Natural Resource and Community Augmentation Plan

Sr. No.	Activity Proposed	Total (Rs.)
1	Cost of damage / Remediation plan	Rs. 8,21,500 (excluding provisions of EMP cost of Rs.60 lakhs)
2	Natural Resource AugmentationPlan	Rs.3,10,000/-
3	Community Augmentation Plan	Rs.10,50,000/-
	Total	Rs. 21,81,500/-

- vi. The project proponent shall submit a bank guarantee of an amount of Rs. 21.815 lakhs towards Remediation plan and Natural and Community Resource Augmentation plan with the CPCB prior to the grant of environmental clearance (EC) as per SOP 07.07.2021.
- vii. Project proponent shall ensure that the plan shall be completed in three years whereas the bank guarantee shall be for five years. The bank guarantee shall be released by the CPCB after successful implementation of Remediation plan, Natural Resource Augmentation Plan and Community Resource Augmentation plan.
- viii. Project proponent has to submit Rs. 89.296 Lakhs towards penalty provisions as per SOP dated 07.07.2021 to the SPCB prior to the grant of EC as penalty for the violation activity in addition to Damage Assessment cost. The cost of Penalty as per MoEF&CC's OM dated 07.07.2021 is detailed as below:

Particulars	Value (Rs. In Lakhs)	1% Penalty Cost (Rs. In Lakhs)
Cost of the construction of SAF	1817.80	18.178
Cost of the construction of CLU convertor	7111.80	71.118
Total Cost of Penalty		89.296

- ix. The project falls in the Ramgarh district of Jharkhand declared as Severely Polluted area (SPA), PP shall comply with all the conditions applicable to CEPI as per the Ministry's OM. A Report has to be submitted to IRO, MoEF&CC in this regard.
- x. The total water requirement is estimated as 148 m³/day, which shall be sourced from Damodar river. PP shall obtain necessary permission from the Competent Authority.
- xi. Following additional arrangements to control fugitive dust shall be provided:
- Fog / Mist Sprinklers at all conveyors point and on bulk raw material storage area (at the transfer points) like Iron Ore, Coal and for Fly Ash and similar solid waste storage areas.
 - Proper covered vehicle shall be used while transport of materials.
 - Wheel washing mechanism shall be provided in entry and exit gates with complete recirculation system.
- xii. All internal road and connecting road from project site to main highway shall be developed and maintained with suitable Million Axle Standard (MSA) as per the traffic load due to existing and proposed project.
- xiii. Performance test shall be conducted on all pollution control systems every year and report shall be submitted to Regional Office of the MoEF&CC.
- xiv. PP shall carry out periodically occupational health survey as per the applicable norms.
- xv. The 4th hole extraction system shall be provided in the Submerged Arc Furnaces.
- xvi. 100% of the slag generated through the process shall be utilised.
- xvii. No Ferro-chrome production shall be carried out without prior Environmental clearance from MOEF&CC.
- xviii. AOD (Argon Oxygen Decarburisation) Convertor shall have Secondary Fume extraction facility.
- xix. The proposed project shall be designed as "Zero Liquid Discharge" Plant. ETP shall be installed and there shall be no discharge of effluent from the plant. Domestic effluent shall

- be treated in Sewage Treatment Plant. Suitable measures shall be adopted for sewage water handling to ensure no contamination of any kind of water body.
- xx. The company shall also undertake rain water harvesting measures as per the plan submitted in the EIA/EMP report and reduce water dependence from the outside source.
 - xxi. The nearest human settlement from the project site is Palamu Colony (0.4 km, NE) and Marar (0.8 km, N).
 - xxii. Damodar River (1.4 Km, S), Raura Nala (2.5 km, E), Meramgarh Nala (5.4 Km, E), Unnamed stream (0.5 Km, W), Ramgarh Village pond (4.0 Km, S) and Seota village Pond (1.5 Km, NE) exists within the study area of 10 km from the project site. The EAC is of the opinion that water bodies shall not be disturbed. Mitigation measures w.r.t. safeguarding the water bodies shall be implemented.
 - xxiii. As reported, PP shall adopt Marar Village and prepare and implement a robust plan to develop it into model villages in next 10 years.
 - xxiv. Briquetting and Jigging plant shall be installed in Ferro Alloys Plant.
 - xxv. A proper action plan must be implemented to dispose of the electronic waste generated in the industry.
 - xxvi. Three tier Green Belt shall be developed in at least 40% of the project area in a time frame of one year with native species all along the periphery of the project site of adequate width and tree density shall not be less than 2500 per ha. Survival rate of green belt developed shall be monitored on periodic basis to ensure that damaged plants are replaced with new plants in the subsequent years. PP shall develop greenbelt in the form of shelter belt comprising of total of 6 rows of 2x2 m plantation with tall trees & broad leaves with thick canopy alongwith windshield inside the plant premises to act as green barrier for air pollution & noise levels towards Palamu Colony (0.4 km, NE) and Marar (0.8 km, N). Compliance status in this regard, shall be submitted to concerned Regional Office of the MoEF&CC.
 - xxvii. Greening and Paving shall be implemented in the plant area to arrest soil erosion and dust pollution from exposed soil surface.
 - xxviii. Particulate matter emission from stacks shall be less than 30 mg/Nm³. Dry gas cleaning systems shall be provided by the project proponent to meet particulate matter emission norms of less than 30mg/Nm³ for the furnace flue gases.
 - xxix. The PP shall minimize the evaporation losses in jigging operation to less than 10% using suitable advanced process.
 - xxx. The PP shall install CO sensors at the furnace top level and the monitoring report shall be submitted to the IRO, MoEFCC in this regard.
 - xxxi. Action Plan for fire fighting system including provision for flame detectors, temperature actuated heat detectors with alarms, automatic sprinkler system, fixing the location of fire water tanks, separate power system for fire fighting, involvement of qualified and trained fire personnel, nearest fire station & time required to reach the proposed site shall be prepared and implemented.
 - xxxii. The Piezometric wells shall be established in all directions surrounding the project area to monitor groundwater levels and determine aquifer parameters such as transmissibility, hydraulic conductivity, storage, to sample groundwater for chemical/ heavy metals/ toxic leachates and microbiological analysis.

- xxxiii. The PP shall adopt the best practices of House-keeping in the whole project area and specially where the tailings are proposed to be stacked.
- xxxiv. All the commitments made to the public during the Public Hearing/Public Consultation shall be satisfactorily implemented. The action plan based on the social impact assessment study of the project as per the EMP in accordance to the Ministry's OM dated 30.09.2020 shall be strictly implemented and progress shall be submitted to the Regional Office of MoEF&CC.
- xxxv. The Plastic Waste Management Rules 2016, inter-alia, mandated banning of identified Single Use Plastic (SUP) items with effect from 01/07/2022. In this regard, CPCB has issued a direction to all the State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) on 30/06/2022 to ensure the compliance of Notification published by Ministry on 12/08/2021. The technical guidelines issued by the CPCB in this regard is available at <https://cpcb.nic.in/technical-guidelines-3/>. All the project proponents are hereby requested to sensitize and create awareness among people working within the Project area as well as its surrounding area on the ban of SUP in order to ensure the compliance of Notification published by this Ministry on 12/08/2021. A report, along with photographs, on the measures taken shall also be included in the six monthly compliance report being submitted by the project proponents.
- xxxvi. The project proponent shall adopt the Clean Air practices like mechanical collectors, wet scrubbers, fabric filters (bag houses), electrostatic precipitators, combustion systems (thermal oxidizers), condensers, absorbers, adsorbers, and biological degradation. Controlling emissions related to transportation shall include emission controls on vehicles as well as use of cleaner fuels. Sufficient numbers of additional truck mounted Fog/Mist water cannons shall be procured and operated regularly inside the project premises and also in the surrounding villages to arrest suspended dust in the atmosphere.

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. 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); 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.
- 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 recognised 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. The project proponent shall provide the ETP for effluents of rolling mills to meet the standards prescribed in G.S.R 277 (E) 31st March 2012 (applicable to IF/EAF) as amended from time to time.
- v. 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.
- vi. Tyre washing facilities shall be provided at the entrance/exit of the plant gates.

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.
- ii. Kitchen waste shall be composted or converted to biogas for further use.

VII. Green Belt

- i. 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.
- ii. Project proponent shall submit a study report on De-carbonization program, which would essentially consist of company's carbon emissions, carbon budgeting/ balancing, carbon sequestration activities and carbon capture, use and storage and offsetting strategies. Further, the report shall also contain time bound action plan to reduce its carbon intensity of its operations and supply chains, energy transition pathway from fossil fuels to Renewable energy etc. All these activities/ assessments should be measurable and monitor able with defined time frames.

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.
- 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. Environment Management

- 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. As part of Corporate Environment Responsibility (CER) activity, company shall adopt nearby villages based on the socio-economic survey and undertake community developmental activities in consultation with the village Panchayat and the District Administration as committed.
- 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.
- ii. 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, NOx (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.
- 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. The PP shall put all the environment related expenditure, expenditure related to Action Plan on the PH issues, and other commitments made in the EIA/EMP Report etc. in the company web site for the information to public/public domain. The PP shall also put the information on the left over funds allocated to EMP and PH as committed in the earlier ECs and shall be carried out and spent in next three years, in the company web site for the information to public/public domain.
- x. 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).
- xi. 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.
- xii. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xiii. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xiv. 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.

- xv. 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.

Re-Consideration of Environmental Clearance Proposal

Agenda No. 24.9

- 24.9 Installation of Induction Furnace & Rolling Mill for production of Ingots, Billets 5,00,000 TPA and TMT Bars & Long product: 5,00,000 TPA respectively (In addition to Existing 3,24,000 TPA Sponge Iron Plant, 0.216 MTPA Coal Washery & 25 MW Power Plant) of M/s Lloyds Metals and Energy Limited, located at Plot A-1 and A-2, MIDC Area, Ghugus, Chandrapur, Maharashtra – Consideration of Environmental Clearance.**

[Proposal No.: IA/MH/IND1/404101/2022; and IA/MH/IND1/417900/2023 File No. IA-J-11011/243/2019-IA-II(IND-I)]

[Consultant: Pollution and Ecology Control Services; Valid upto 10.04.2023]

- 24.9.1 M/s. Lloyds Metals & Energy Limited has made an online application vide proposal no. IA/MH/IND1/404101/2022 dated 19th December 2022 along with copy of EIA/EMP report, Forms (Part A, B and C) and certified compliance report seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at S. No. 3(a) Metallurgical industries (ferrous & non-ferrous) and 1(d) Thermal Power Plants under Category “A” of the schedule of the EIA Notification, 2006 and appraised at Central Level.
- 24.9.2 Name of the EIA consultant: M/s Pollution and Ecology Control Services, Nagpur [List of ACOs with their Certificate / Extension Letter no. QCI/NABET/ENV/ACO/23/2634; valid upto 10.04.2023, as on February 27, 2023].

Details submitted by Project proponent

- 24.9.3 The details of the ToR are furnished as below:

Date of Application	Consideration	Details	Date of Accord	Validity
24.06.2019	13 th Meeting of Re-constituted EAC (Industry-1) held on 27 th to 29 th	Terms of Reference	10 th February 2020	9 th February 2023

ANNEXURE- A-8**JHARKHAND STATE POLLUTION CONTROL BOARD**

TOWNSHIP ADMINISTRATION BUILDING, HEC COMPLEX, DHURWA, RANCHI 834004
Telephone: 0651-2400850 (Fax)/ 2400851/2400852/2401847/2400979/2400139

Ref No. JSPCB/HO/RNC/CTO-4412165/2020/1819

Dated : 2020-11-10

Consent to operate (CTO) under section 25 /26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981

1. Application (s) dated 2020-10-03 of GAUTAM FERRO ALLOYS (UNIT OF BFCL), Occupier Name :HARI KRISHNA BUDHIA for consent under section 25 (1)(b)/25 (1) (c)/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21(1) of the Air (Prevention & Control of Pollution) Act,1981..
2. **Documents Relied Upon:**
 - (a) The content of Environmental Clearance (EC) vide ref. No.-J11011/34/2010-IA.II(I), Dated-31.10.2011 issued by Ministry of Environment & Forest, Govt. of India, New Delhi.
 - (b) The content of Consent-to-Establish (CTE), vide Ref. No.
 - (i) T-551, Dated- 24.02.2000 for 26 TPD,
 - (ii) 2577 , Dated-20.05.2009 for 30 TPD &
 - (iii) D-1510(N), Dated. 21.05.2014 for 40 TPD.
 - (c) The content of Consent-to-Operate (CTO), vide Ref. No. B-42, Dated. 06.01.2016.
 - (d) The content of Inspection Report (IR) vide Ref. No. 936 Dated. 08.09.2020.
 - (e) The content of self certificate regarding procurement of raw material from valid sources.
3. The consent is granted under section 25 / 26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 to operate the project in Mauza -MARAR , P S -RAMGARH , District -RAMGARH , as follows:

Project	Site-Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			Date of issue To
Before Expansion	1405 (P)	7.26 Acre	35 Crore	Ferro Alloys Silico/ Manganese - 96 TPD (as per previous CTO)	31/12/2025

(A) Specific Conditions:

1. That, the occupier shall obtain raw materials from valid source only.
2. That, the occupier shall operate and maintain online stack emission monitoring system with connectivity to Jharkhand State Pollution Control Board server.
3. That, the occupier shall do regular cleaning and wetting of the ground and shall maintain good housekeeping.
4. That, the occupier shall install and operate fixed type water sprinklers at all dusty places inside the plant.
5. That, the occupier shall upgrade, operate and maintain air pollution control device such as fume extraction system and bag filters.
6. That, the occupier shall utilize solid waste properly.
7. That, the occupier shall comply all the conditions of EC and CTO and submit its six monthly compliance report to the Board alongwith recent analysis report successively.
8. That, this CTO supersedes the CTO granted vide ref. no. B-42, dated 06.01.2016.
9. That, the occupier shall submit applications for renewal of consent under section 25 / 26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 again 120 days prior to the date of expiry of this consent with documents showing compliance of all of the above conditions.

(B) General Conditions :

- (1) That, the occupier shall maintain the **National Ambient Air Quality Standard** given below:

S N	Pollutant	Time Weighted Average	Concentration in Ambient Air	
			Industrial, Residential, Rural and Other Area	Ecologically Sensitive Area (notified by Central Govt.)
(1)	(2)	(3)	(4)	(5)
1.	Sulphur Dioxide (SO ₂), µg/m ³	Annual 24 hours	50 80	20 80
2.	Nitrogen Dioxide (NO ₂), µg/m ³	Annual 24 hours	40 80	30 80
3.	Particulate Matter (size less than 10 µm) or PM ₁₀ , µg/m ³	Annual 24 hours	60 100	60 100
4.	Particulate Matter (size less than 2.5 µm) or PM _{2.5} , µg/m ³	Annual 24 hours	40 60	40 60
5.	Ozone(O ₃), µg/m ³	8 hours 1 hour	100 180	100 180
6.	Lead (Pb) µg/m ³	Annual 24 hours	0.50 1.0	0.50 1.0
7.	Carbon Monoxide (CO) mg/m ³	8 hours 1 hour	02 04	02 04
8.	Ammonia (NH ₃) µg/m ³	Annual 24 hours	100 400	100 400
9.	Benzene (C ₆ H ₆) µg/m ³	Annual	05	05
10.	Benzo(a) Pyrene(BaP) Particulate Phase only ng/m ³	Annual	01	01
11.	Arsenic (As) ng/m ³	Annual	06	06
12.	Nickel (Ni) ng/m ³	Annual	20	20
Note : Serial no. 1 to 4 – Mandatory Serial no. 5 to 12 As applicable for specific type of industry.				

- (2) That, the occupier shall maintain the emission quality within the standard and the quantity, as follows:

S N	Parameter	Standard
1	Particulate Matter	150 mg/Nm ³

- (3) That, the occupier shall keep process effluent in close-circuit and the quality of effluent from other sources in conformity with the standard (s) and the discharge quantity as below:

S N	Parameter	Standard
1	Total Suspended Solids	100 mg/L
2	BOD	30 mg/L
3	COD	250 mg/L
4	Oil & Grease	10 mg/L

- (4) That, the occupier shall dispose of solid wastes as follows:

S N	Waste Type	Mode of Disposal
1	Hazardous Carbonaceous Wastes	In co-processing in high temperature furnaces or kilns
2	Hazardous Non-Carbonaceous Wastes	In TSDF
3	Non-Carbonaceous Non-Hazardous solid wastes/ Mine Over Burden	As a substitute of Soil or Mineral

- (5) That, the occupier shall keep D G Set(s) within acoustic enclosure and shall keep the height(s) of exhaust pipe(s) as per Central Pollution Control Board norm.
- (6) That, the occupier shall install and maintain Central Ground Water Board/ State Ground Water Directorate approved system of rain water harvesting-cum-ground water recharge and submit the photographic view of the structures within a month.
- (7) That, the occupier shall grow and maintain greenery of the project in the periphery and other available spaces and shall continue enhancing its plant density and biodiversity.
- (8) That, the occupier shall submit environmental statement with supporting stoichiometric calculations analyses reports, every year latest by 30th September of the next financial year.
- (9) That, the occupier shall submit report(s) duly monitored and issued by an NABL accredited / ISO 9001:2008 and OHSAS 18001:2007 certified laboratory in compliance sub-para (2), (3), (4) and (5) of paragraph 3 of this CTO yearly at required periodicity.

- (10) That, this CTO is valid subjected to the validity of mining Lease/Mining Plan/Ecofriendly/Environmental Clearance, if applicable. In case of no renewal of Mining Lease/Mining Plan, this consent shall be treated as revoked automatically.
- (11) That, this CTO is issued from the environmental angle only and does not absolve the occupier from other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility to comply with these conditions laid down in all other laws for the time-being in force, rests with the industry/ unit/ occupier.
- (12) That, this CTO shall not in any way, adversely affect or jeopardize the legal proceeding , if any, instituted in the past or that could be , instituted against you by the State Board for violation of the provisions of the Act or the Rules made there under.
- (13) That, the occupier shall comply with all applicable provisions of the Water (Prevention & Control of Pollution) Act, 1974; the Water (Prevention & Control of Pollution) Cess Act, 1977; the Air (Prevention & Control of Pollution) Act, 1981; and the Environment (Protection) Act, 1986 and Rules made there under.
4. **That, this CTO shall not absolve the occupier from making compliance of other statutory prescribed under any law or direction of courts or any other instrument for the time being in force.**
5. **That, this CTO is being issued on the basis of information/ documents/ certificate submitted by the unit. This CTO will be revoked if any of the information/documents/certificates/undertaking given by the occupier is found false/fictitious/forged in future.**
6. **The Order shall be valid subject to compliance of all other legal requirements applicable to the unit.**
7. **The State Board reserve the right to revoke, withdraw or make any reasonable variation / change / alteration in conditions of this consent.**

This is issued with the approval of the Competent authority

[Rajeev Lochan Bakshi]
Member Secretary

Memo No. : JSPCB/HO/RNC/CTO-
4412165/2020/1819

Dated : 2020-11-10

Copy to: Sri Hari Krishna Budhia (MD), M/s Gautam Ferro Alloys (Unit of BFCL), At+P.O.- Marar, Ramgarh-Industrial Area, Dist.- Ramgarh(Jharkhand)/ Director of Industry, Government of Jharkhand, Ranchi/ Chief Inspector of factories, Ranchi/ Deputy Commissioner, Ramgarh/ DFO, Ramgarh/ Regional officer, Ro, Hazaribagh for information & ensuring compliance of the above conditions. Regional Officer, Hazaribagh is requested to examine the status of compliance every year and shall submit the report to the Board.

[Rajeev Lochan Bakshi]
Member Secretary

True Copy/-

ANNEXURE- A-9 (COLLY)



F. No. J-11011/384/2010-IA-II(IND-I)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
 Vayu Wing, 3rd Floor, Aliganj
 Jorbagh Road, New Delhi - 110003

Dated: 15th May, 2023

To,

The Member Secretary,
Jharkhand State Pollution Control Board
CTI Colony, Sector 4, Birsa Nagar
Vandraw Rd, CTI Colony, Sector 4, Birsa Nagar
Ranchi, Jharkhand- 834 004
E-Mail: ranchijspcb@gmail.com

Sub.: Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand – Violation case as per SOP dated 07.07.2021-regarding

Sir,

This has reference to your proposal No. IA/JH/IND1/417175/2023, dated 20th February 2023 for environmental clearance (EC) to the project for Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand, as per the provisions of Ministry's OM dated 07.07.2021 [Violation SOP].

2. The Ministry has issued SOP, vide an OM dated 07.07.2021 for appraisal of projects for grant of terms of reference/environmental clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed the product mix without obtaining prior environmental clearance under the EIA Notification, 2006. As per the above said SOP, in cases of violation, action is to be taken against the project proponent by the respective State Government or the State Pollution Control Board under the provisions of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate (for the violation project) to be issued till the project is granted environmental clearance.

3. The proposed project activity is listed at schedule no. 3(a) Metallurgical industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at central level. The proposal was considered and recommended by the EAC (Industry 1) in its 24th meeting held on 28th Feb – 1st March 2023 under violation category.

4. The EAC noted that the existing project was accorded environmental clearance vide F. No. J-11011/384/2010-IA (II) (I) dated 31.10.2011. Consent to Operate for the existing unit was accorded by JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated

10.11.2020 (which is in the name of GAUTAM FERRO ALLOYS (UNIT OF BFCL) which is valid upto 31-12-2025. Subsequently name of the plant in CTO has been changed to Bihar Foundries & Castings Limited vide order dated 23.01.2023 and is valid till 31.12.2025.

5. The EAC further noted that the company has started installation of the 5th Submerged Arc Furnace of 1x9 MVA & CLU converter without completing the process of Environment Clearance. As these units were installed without prior environmental clearance, the project falls under violation and is appraised under the provision of S.O. 804 (E) issued by MoEF&CC dt. 14.03.2017 and OM, dt. 07.07.2021 regarding SOP for identification and handling for projects under violation.

6. The Committee observed that JSPCB has filed a case in the Hon'ble Magistrate court of Ramgarh vide no complainant case/ 117/2023 vide dated 07-01-2023 to initiate credible action against M M/s. Bihar Foundry & Casting Limited for the offence committed u/s 19 of Environment (Protection) Act, 1986

7. It may further be mentioned that an application has been registered by the Hon'ble NGT against the proposed project and constituted a joint Committee comprising State PCB, CPCB, Regional Officer, MoEF&CC, Ranchi and District Magistrate, Hazaribagh who shall visit the site, collect relevant information and submit factual report as also action taken, if any, to this Tribunal. State PCB will be the nodal agency for coordination and compliance

8. In view of the above, the undersigned has been directed to request you kindly submit the requisite documents/information regarding the credible action taken by you against the Project Proponent u/s 19 of the E(P) Act, 1986 and also submit the factual report as directed by NGT with intimation to this Ministry.

9. This issues with approval of the competent authority.

Rajesh P. Rastogi
15.05.23

(Dr. Rajesh P. Rastogi)
Scientist 'C'/Deputy Director
Tele-fax: 011-20819343
Email-rp.rastogi@gov.in

Copy to: -

1. M/s Bihar foundry and casting Limited, Plot No.0 1405, Ramgarh Industrial Area, Marar 607, Ramgarh - 829117, Jharkhand. E-mail: bfelferroalloys@gmail.com
2. The Member Secretary, Central Pollution Control Board Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi - 32. E-mail: mscb.cpcb@nic.in
3. District Magistrate, Ramgarh Tehsil & District, Jharkhand

Copy for information to: -

1. The Additional Chief Secretary, Environment & Forests Department, Government of Jharkhand, Secretariat, Nepal House, Doranda, Ranchi-834001.
2. The Regional Officer, Ministry of Env., Forest and Climate Change, Integrated Regional Office, Bunglow No. A-2, Shyamali Colony, Ranchi-834002
3. Guard File/Monitoring File/Website/Record File/Parivesh Portal.

Rajesh P. Rastogi
15.05.23

(Dr. Rajesh P. Rastogi)
Scientist 'C'/Deputy Director
Tele-fax: 011-20819343
Email-rp.rastogi@gov.in



F. No. J-11011/384/2010-IA-II(IND-I)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
 Vayu Wing, 3rd Floor, Aliganj
 Jorbagh Road, New Delhi - 110003

Dated: 6th Sept., 2023

To,

M/s Bihar foundry and casting Limited,
 Plot No.0 1405, Ramgarh Industrial Area,
 Marar 607, Ramgarh - 829117, Jharkhand.
 E-mail: bfclferroalloys@gmail.com

Sub.: Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand-Submission of Bank Guarantee as per SOP dated 07.07.2021 regarding

Sir,

This has reference to your proposal No. IA/JH/IND1/417175/2023, dated 20th February 2023 for environmental clearance (EC) to the project for Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand, as per the provisions of Ministry's OM dated 07.07.2021 [Violation SOP].

2. The Ministry has issued SOP, vide an OM dated 07.07.2021 for appraisal of projects for grant of terms of reference/environmental clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed the product mix without obtaining prior environmental clearance under the EIA Notification, 2006. As per the above said SOP, in cases of violation, action is to be taken against the project proponent by the respective State Government or the State Pollution Control Board under the provisions of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate (for the violation project) to be issued till the project is granted environmental clearance.

3. The proposed project activity is listed at schedule no. 3(a) Metallurgical industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at central level. The proposal for environmental clearance was considered by the EAC in its 24th meeting held on 28th Feb – 1st March 2023.

4. The EAC noted that the existing project was accorded environmental clearance vide F. No. J-11011/384/2010-IA (II) (I) dated 31.10.2011. Consent to Operate for the existing unit was accorded by JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated 10.11.2020 (which is in the name of GAUTAM FERRO ALLOYS (UNIT OF BFCL) which is valid upto 31-12-2025. Subsequently name

M/s Bihar foundry and casting Ltd.

of the plant in CTO has been changed to Bihar Foundries & Castings Limited vide order dated 23.01.2023 and is valid till 31.12.2025.

5. The EAC further noted that the company has started installation of the 5th Submerged Arc Furnace of 1x9 MVA & CLU converter without completing the process of Environment Clearance. As these units were installed without prior environmental clearance, the project falls under violation and is appraised under the provision of S.O. 804 (E) issued by MoEF&CC dt. 14.03.2017 and OM, dt. 07.07.2021 regarding SOP for identification and handling for projects under violation.

6. As per the MoEF&CC OM dated 07.07.2021, M/s Bihar Foundry & Castings Limited, the company prepared a Natural and Community Resource Augmentation plan for an amount of Rs. 21,81,500/- [Cost of damage / Remediation – Rs. 8,21,500/-, Natural Resource Augmentation Plan - Rs.3,10,000/- and Community Augmentation Plan - Rs.10,50,000/-] for 3 years.

7. The Committee observed that JSPCB has filed a case in the Hon'ble Magistrate court of Ramgarh vide no complainant case/ 117/2023 vide dated 07-01-2023 to initiate credible action against M/s Bihar Foundry & Castings Limited and others for the offence committed u/s 19 of Environment (Protection) Act, 1986 in compliance of MoEF & CC TOR letter J-11011/384/2010-IAII(I) dated 24.11.2020 followed by TOR Amendment dated 19.12.2022.

8. The committee found the EIA/EMP report satisfactory and in consonance with the ToR, and recommended the proposal for environmental clearance with certain conditions in terms of the provisions of the Ministry's SOP vide an OM dated 07.07.2021, inter-alia, include the following:

- (i) PP needs to comply all the points of TOR for Violation Project and follow SOP dated 07.07.2021 issued by the Ministry of Environment, Forest & Climate Change, for identification & handling of Violation cases under EIA notification 2006.
- (ii) The total amount of Rs. 21.815 Lakhs shall be spent on Remediation plan and Natural Resource Augmentation Plan and Community Resource Augmentation Plan which shall be implemented in a period of 3 years as per the action plan details given in EIA Report.
- (iii) The project proponent shall submit a bank guarantee of an amount of Rs. 21.815 lakhs towards Remediation plan and Natural and Community Resource Augmentation plan with the CPCB prior to the grant of environmental clearance (EC) as per SOP 07.07.2021.
- (iv) Project proponent shall ensure that the plan shall be completed in three years whereas the bank guarantee shall be for five years. The bank guarantee shall be released by the CPCB after successful implementation of Remediation plan, Natural Resource Augmentation Plan and Community Resource Augmentation plan.
- (v) Project proponent has to submit Rs. 89.296 Lakhs towards penalty provisions as per SOP dated 07.07.2021 to the SPCB prior to the grant of EC as penalty for the violation activity in addition to Damage Assessment cost.

9. As per the provisions contained in the Ministry's SOP vide an OM dated 07.07.2021, the project proponent is required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the Central Pollution Control Board and the quantification will be recommended by EAC and finalized by Regulatory Authority and the bank guarantee shall be deposited prior to the grant of EC and will be released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after the recommendation by Regional Office of the Ministry, Expert Appraisal Committee and approval of the Regulatory Authority.

10. The Ministry accepts the recommendations of the EAC (Industry-1) regarding quantum of bank guarantee towards remediation plan and natural and community resource augmentation plan. In this regard, you are required to submit the bank guarantee of Rs. 21.815 lakhs /- having minimum validity of 5 years, with the Central Pollution Control Board for consideration of the project for environmental

M/s Bihar foundry and casting Ltd.

clearance. The bank guarantee shall be released after successful implementation of the remediation plan and natural and community resource augmentation plan, and after the recommendation by Regional Office of the Ministry, Expert Appraisal Committee and approval of the Regulatory Authority.

11. This issues with approval of the competent authority.

(Dr. Rajesh P. Rastogi)
Scientist 'C'/ Deputy Director

Copy to:-

1. The Member Secretary, Central Pollution Control Board Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi – 32. *(with the request to confirm the receipt of the bank guarantee from the project proponent, as stated above).*
2. The Member Secretary, Jharkhand Pollution Control Board, Town Administrative Building, HEC, Dhurwa, Ranchi- 824004. *(SPCB shall submit the proof of credible action taken against the Project Proponent u/s 19 of the E(P) Act, 1986).*

Copy for information to:-

1. The Additional Chief Secretary, Environment & Forests Department, Government of Jharkhand, Secretariat, Nepal House, Doranda, Ranchi-834001.
2. The Regional Officer, Ministry of Env., Forest and Climate Change, Integrated Regional Office, Bungalow No. A-2, Shyamali Colony, Ranchi-834002
3. Guard File/Monitoring File/Website/Record File/Parivesh Portal.

(Dr. Rajesh P. Rastogi)
Scientist 'C'/ Deputy Director



F. No. J-11011/384/2010-IA-II(IND-I)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
 Vayu Wing, 3rd Floor, Aligunj
 Jorbagh Road, New Delhi - 110003

Dated: 6th Sept., 2023

To

M/s Bihar foundry and casting Limited,
 Plot No.0 1405, Ramgarh Industrial Area,
 Marar 607, Ramgarh - 829117, Jharkhand.
 E-mail: bfclferroalloys@gmail.com

Sub: Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand - Penalty provisions i.e., 1% of project cost attributable to the expansion-regarding

Sir,

This has reference to your proposal No. IA/JH/IND1/417175/2023, dated 20th February 2023 for environmental clearance (EC) to the project for Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand, as per the provisions of Ministry's OM dated 07.07.2021 [Violation SOP].

2. The Ministry has issued SOP, vide an OM dated 07.07.2021 for appraisal of projects for grant of terms of reference/environmental clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed the product mix without obtaining prior environmental clearance under the EIA Notification, 2006. As per the above said SOP, in cases of violation, action is to be taken against the project proponent by the respective State Government or the State Pollution Control Board under the provisions of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate (for the violation project) to be issued till the project is granted environmental clearance.

3. The proposed project activity is listed at schedule no. 3(a) Metallurgical industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at central level. The proposal for environmental clearance was considered by the EAC in its 24th meeting held on 28th Feb – 1st March 2023.

4. The EAC noted that the existing project was accorded environmental clearance vide F. No. J-11011/384/2010-IA (II) (I) dated 31.10.2011. Consent to Operate for the existing unit was accorded by JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated 10.11.2020 (which is in the name of

M/s Bihar foundry and casting Ltd.

GAUTAM FERRO ALLOYS (UNIT OF BFCL) which is valid upto 31-12-2025. Subsequently name of the plant in CTO has been changed to Bihar Foundries & Castings Limited vide order dated 23.01.2023 and is valid till 31.12.2025.

5. The EAC further noted that the company has started installation of the 5th Submerged Arc Furnace of 1x9 MVA & CLU converter without completing the process of Environment Clearance. As these units were installed without prior environmental clearance, the project falls under violation and is appraised under the provision of S.O. 804 (E) issued by MoEF&CC dt. 14.03.2017 and OM, dt. 07.07.2021 regarding SOP for identification and handling for projects under violation.

6. As per the provisions contained in the Ministry's SOP vide an OM dated 07.07.2021, the project proponent is required to submit an amount of Rs 89.296 Lakhs towards penalty provisions as per SOP dated 07.07.2021 to the SPCB prior to the grant of EC as penalty for the violation activity in addition to Damage Assessment cost. The cost of Penalty as per MoEF&CC's OM dated 07.07.2021 is detailed as below: -

Particulars	Value (Rs. In Lakhs)	1% Penalty Cost (Rs. In Lakhs)
Cost of the construction of SAF	1817.80	18.178
Cost of the construction of CLU convertor	7111.80	71.118
Total Cost of Penalty		89.296

7. The Ministry accepts the recommendations of the EAC (Industry-1) regarding penalty for the violation activity. **In this regard, you are required to submit Rs. 89.296/- Lakhs towards penalty provisions, as per SOP dated 07.07.2021 to the SPCB for consideration of the project for environmental clearance.**

8. This issues with approval of the competent authority.


(Dr. Rajesh P. Rastogi)
Scientist 'C'/ Deputy Director

Copy to:-

1. The Member Secretary, **Jharkhand Pollution Control Board, Town Administrative Building, HEC, Dhurwa, Ranchi- 824004-(a) Please provide the credible proof of the receipt of Penalty as mentioned above; (b) Further, SPCB is also requested to submit the proof of credible action taken against the Project Proponent u/s 19 of the E(P) Act, 1986, as per SOP dated 07.07.2021.**

Copy for information to:-

1. The Additional Chief Secretary, Environment & Forests Department, Government of Jharkhand, Secretariat, Nepal House, Doranda, Ranchi-834001.
2. The Member Secretary, Central Pollution Control Board Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi – 32.
3. The Regional Officer, Ministry of Env., Forest and Climate Change, Integrated Regional Office, Bungalow No. A-2, Shyamali Colony, Ranchi-834002
4. Guard File/Monitoring File/Website/Record File/Parivesh Portal.


(Dr. Rajesh P. Rastogi)
Scientist 'C'/ Deputy Director

F. No. J-11011/384/2010-IA-II(IND-I)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
 Vayu Wing, 3rd Floor, Aliganj
 Jorbagh Road, New Delhi - 110003

Dated: 6th Sept., 2023

To,

M/s Bihar foundry and casting Limited,
 Plot No.0 1405, Ramgarh Industrial Area,
 Marar 607, Ramgarh - 829117, Jharkhand.
 E-mail: bfcferroalloys@gmail.com

Sub.: Modification-cum-Expansion of Ferro Alloy Plant (under violation)
Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of
existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF,
establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for
refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings
Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village,
Ramgarh Tehsil & District, Jharkhand – Consideration for Environmental
clearance under violation category- Reg.

Sir,

This is with reference to your proposal No. IA/JH/IND1/417175/2023, dated 20th February 2023 for environmental clearance (EC) to the project mentioned above.

- i. The above mentioned proposal was considered and recommended by the EAC in its 24th meeting held on 28th Feb – 1st March 2023. The Ministry has further examined your proposal and suggested to submit/furnish the following information:
 - ii. Status of pending court cases and its order.
 - iii. Subject to compliance of the condition: PP has submitted undertaking to IRO to develop the prescribed method for collection and treatment of runoff rain water from the Raw material storage by April 2023.
3. In view of the above, the undersigned has been directed to request you kindly furnish the above information at your earliest.
4. This issues with approval of the competent authority.



(Dr. Rajesh P. Rastogi)
Scientist 'C'/ Deputy Director

True Copy/-

ANNEXURE- A-10

F. No. IA3-22/19/2021-IA.III [E 164361]
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi-110 003

Dated: 20th September, 2021

ORDER

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 to not grant or renew CTO unless Environment Clearance, as applicable, has been obtained – regarding.

Whereas, prior Environmental Clearance is a statutory requirement for project/activities covered in the schedule of the EIA Notification 2006, issued under section 3 of the Environment (Protection) Act, 1986.

2. And whereas, obtaining the consents under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 is mandatory for all industrial units in Red, Orange and Green categories.
3. And whereas, the grant of EC and Consents are requirements under different statutes and are not inter-dependent and can be carried out as a parallel process.
4. And whereas, many a times it has been observed that while industrial units are in possession of valid 'Consent to Establish' (CTE)/ 'Consent to Operate' (CTO) issued by State Pollution Control Boards (SPCBs)/ UT Pollution Control Committees (UTPCC), however, they have not obtained the Environmental Clearance (EC), even though it was required as per provisions of EIA Notification 2006.
5. And whereas, it has been observed that this situation is arising because majority of the SPCBs/ UTPCCs are issuing CTE/CTO to projects without ascertaining the applicability of prior EC to projects/ activities, resulting in an avoidable situation of closure for even those industries also who seek to carry out their activities following due procedure.

6. Now therefore, in exercise of powers conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, hereby directs that all SPCB/UTPCC shall:

- i. Ascertain the applicability of EIA Notification at the time of grant/renewal of CTE and stipulate appropriate condition for obtaining Environmental Clearance (EC), if applicable, before construction/commencement of project/activity.
- ii. Ensure that the project proponent possesses a valid Prior EC in terms of the extant EIA Notification, if applicable, at the time of grant/renewal of CTO and no CTO shall be granted or renewed unless EC, if applicable, has been obtained.

7. This is issued with the approval of the Competent Authority.


(A K Agrawal)
Director

To

Chairmen of all State/UT Pollution Control Boards and Pollution Control Committees

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to AS(RA)/JS(SKB)
5. Chairman of all the Expert Appraisal Committees
6. Chairperson/Member Secretaries of all the SEIAAs/SEACs
7. All the Officers of IA Division, MOEFCC
8. Website MoEF&CC/ Guard file.

ANNEXURE- A-11 (COLLY)



File No. IA-J-11011/384/2010-IA-II(IND-I)
Government of India
Ministry of Environment, Forest and Climate Change
 (Impact Assessment Division)

Indira Paryavaran Bhawan
 Vayu Wing, 3rd Floor, Jorbagh Road,
 New Delhi - 110003

Dated: 19th December, 2022

To,

M/S Bihar foundry and casting Limited,
 Plot No.0 1405, Ramgarh Industrial Area,
 Marar Village, Ramgarh, Jharkhand – 829 117
 Email: bfclferroalloys@gmail.com

Subject: Modification cum Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry and Casting Limited, located at Plot No.0 1405, Ramgarh Industrial Area, Village Marar, District Ramgarh, Jharkhand – Consideration for Modification of TOR under SOP dated 07.07.2021 (Violation Case)– regarding.

Sir,

This has reference to your proposal No. IA/JH/IND1/400084/2022 dated 21.10.2022 along with Form-1 and copy of PFR seeking amendment in Terms of Reference accorded by the Ministry vide letter no. J-11011/384/2010-IAII(I) dated 24.11.2020.

2. The proposal was considered by the EAC (Industry 1) in its 16th meeting held during 3rd November, 2022. The proposed project activity is listed at S. No. 3(a) Metallurgical Industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification and appraised at central level. The EAC proceeding of the said meeting is furnished as below. The minutes of the meeting and all the project documents are available on PARIVESH portal which can be accessed at <https://parivesh.nic.in>

Details submitted by Project proponent

3. M/s. Bihar Foundry and Casting Limited had earlier applied for grant of ToR vide proposal no. IA/JH/IND/172815/2020 dated 12/09/2020 for expansion of the existing unit for manufacturing of Ferro Alloys SiMn / FeMn based on Sub Merged Arc (SAF) technology. Accordingly, Terms of Reference was issued vide letter no. J-11011/384/2010-IAII(I) dated 24.11.2020.

4. The instant proposal of M/S Bihar Foundry & Castings Limited located at Plot No.0 1405, Ramgarh Industrial Area, Village Marar, District Ramgarh, Jharkhand is for seeking modification in ToR dated 24.11.2020 for appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07.07.2021 pertaining to consideration of violation cases as PP has reported that the company has constructed 5th Furnace i.e., New 1 x 9 MVA SAF & CLU converter is under construction without prior environmental clearance. PP is ready to comply all the points of TOR for Violation Project and follow SOP dated 07.07.2021 for handling of Violation cases under EIA notification 2006.

5. Reason for seeking amendment in ToR: Post compliance of ToR dated 24.11.2020, the PP had applied for EC vide proposal no. IA/JH/IND/223909/2020 dated 23/08/2021. The proposal was appraised by the EAC in its 44th meeting held on 13 – 14th September, 2021 wherein after deliberations, the Committee recommended to return the proposal in its present form, since, the proposal attracts provisions

of S.O. 804 (E) issued by MoEF&CC dated 14.03.2017 and OM, dated 07.07.2021 regarding SOP for identification and handling for the projects under Violation, as the company has constructed 5th Furnace i.e., New 1 x 9 MVA SAF & CLU converter is under construction without prior environmental clearance.

6. The existing project was accorded environmental clearance vide lr. no. J-11011/384/2010-IA.II(I) dated 31/10/2011. Consent to Operate renewal for the existing unit was accorded by Jharkhand State Pollution Control Board in the name of M/s. Gautam Ferro Alloys (Unit of BFCL) vide lr. no. Ref no JSPCB/HO/RNC/CTO/4412165/2020/1819 dated 10/11/2020. The validity of CTO is up to 31/12/2025. PP has submitted that they have submitted a request letter to JSPCB for name Change in CTO which is under process.

7. Implementation status of the existing EC:

S No	Facilities As per EC dated 31/10/2011	Implementation Status as on 24/11/2020	Production as per CTO
1	Ferro Alloys Plant of 96 TPD (2x5 MVA SAF's and 1x7.5+1x9 MVA SAF's with Jigging unit and Micro Pelletizing facility)	Ferro Alloy Plant of 96 TPD	96 TPD

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

S No	Name	Existing Units		Proposed Units (Modification-Cum-expansion)		Total (Existing + Proposed)	
		Configuration	Production TPA	Configuration	Production TPA	Configuration	Production TPA
1	Ferro Alloy unit	2x5+1x7.5 +1x9 MVA SAF With Jigging unit and Micro Pelletizing facility	34,080 (96 TPD) (SiMn / FeMn)	Modification of existing 2x5 MVA to 2x6 MVA SEAFs Modification of existing 1x7.5 MVA to 1x9 MVA SEAF Existing 1x9 MVA SEAF New 1x9 MVA SEAF* New 12MT per batch CLU Converter for refining liquid HC FeMn to	SiMn- 24,495 TPA (69 TPD) (or) FeMn- 59,995 TPA (169 TPD)	2x6 MVA + 3x9 MVA SEAFs + 12MT CLU Converter With Jigging unit and Micro Pelletizing facility	SiMn- 58,575 TPA (165 TPD) (or) HC/MC/LC FeMn-94,075 TPA (265 TPD)

S No	Name	Existing Units		Proposed Units (Modification-Cum-expansion)		Total (Existing + Proposed)	
		Configuration	Production TPA	Configuration	Production TPA	Configuration	Production TPA
				MC/LC FeMn			
Note:							
* PP has reported that they have constructed 5 th Furnace i.e New 1 x 9 MVA SAF & CLU converter is under construction (hence PP is applying a Fresh Application for E.C. under Violation as per SOP dated 07.07.2021)							

9. The total water requirement for existing plant is 35 m³/day which is being met from Groundwater source. NOC from CGWA has been obtained to abstract ground water of 35 m³/day for industrial use vide letter No. CGWA/NOC/IND/ORIG/2021/10628 dated 02/01/2021 which is valid upto 01/01/2024. The total water requirement for the expansion project is estimated as 148 m³/day, which will be met from the Damodar River (Tenughat Reservoir) for which WRD, Govt. of Jharkhand has given a Recommendation letter.

10. Total power consumption is 33 MW, in which meet from DVC 28.5 MW & 4.5 MW from Captive power plant of adjacent unit of BFCL.

11. The capital cost of the project is Rs. 89.3 Crores. Employment generation from proposed project will be 250 nos. through direct employment and 500 nos. through indirect employment.

12. It has been reported by PP that there is no court case is pending related to the project, however, there is a violation under EIA Notification, 2006 related to the project under consideration. The PP has started installation of the 5th Submerged Arc Furnace of 1x9 MVA & CLU converter without completing the process of Environment Clearance because of the following reasons:

- Due to COVID restrictions and social lockdown wherein all the physical activities were restricted, PP could not move ahead with the study, interaction with officials and accordingly could not complete the process of EC due to delay from their end.
- PP has also given a completion date of 31st Dec 2021 for 5th furnace project to their consortium of banks.
- If the completion date is exceeded by a period of 6 months, the loan account will slip into a NPA (Non-Performing Asset) category.
- This situation would have led to bankruptcy of their company as well.
- Thus, to avoid such situation, installation/completion of the 5th furnace has been completed along with CLU converter.

Deliberation by the Committee

13. The EAC noted the following

- i. The instant proposal is for Modification cum Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn.

- ii. The EAC noted that M/s. Bihar Foundry & Casting Limited had earlier obtained ToR vide letter dated 24.11.2020 for expansion of the existing unit for manufacturing of Ferro Alloys SiMn / FeMn based on Sub Merged Arc (SAF) technology. Post compliance of ToR, PP applied for EC vide proposal no. IA/JH/IND/223909/2020 dated 23/08/2021 wherein the EAC in its 44th meeting held on 13 – 14th September, 2021 recommended to return the proposal in its present form due to shortcomings.
- iii. The project proponent in the instant application has applied for fresh ToR and decided to come before the committee for appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07.07.2021 pertaining to consideration of violation cases as PP has reported that they have constructed 5th Furnace i.e. New 1x9 MVA SAF & CLU converter is under construction without prior environmental clearance.
- iv. PP has also reported that the Public Hearing for the project was already held on 15/03/2021.
- v. The EAC noted that it is a fit case of violation and to be apprised based on the provisions of the SOP dated 07.07.2021 [Violation Cases]. The Project proponent has to comply all the procedure as laid down in the SOP dated 07.07.2021.
- vi. The EAC has also advised that the Consultant should properly guide to the PP so that such violation has not arisen by the PP.
- vii. The EAC also took into consideration the request of PP submitted through written representation vide letter dated 03.11.2022 for appraisal of the instant proposal as modification/ amendment in TOR granted vide letter No. J-11011/384/2010-IAII(I) dated 24.11.2020 under violation category instead of issuance of fresh TOR.
- viii. Baseline data was earlier collected by previous Consultant M/s. Ampl Environ Pvt Ltd. Hyderabad from 1st December 2019 to 29th February 2020. Subsequently the baseline data has been collected for further period of one month i.e. in May 2022 for Re-validation of Baseline data for preparation of EIA report by M/s. Pioneer Enviro Laboratories & Consultants Pvt. Ltd.
 - In pursuance to MoEF&CC O.M. vide F. No. IA3-22/10/2022-IA.III, dated 8th June 2022, the baseline data shall not be more than three years old at the time of submission of application for consideration of EC. Also, at the time of application for EC, in case baseline data is older than three years, but less than five years old in the case of River valley and HEP Projects, or less than four years old in the case of other projects, the same shall be considered, subject to the condition that it is revalidated with one season fresh non-monsoon data collected after three years of the initial baseline data. The Committee advised the PP to take note of it while submitting the application for EC and if the application is not submitted within the timelines, fresh baseline data for three months shall be collected in pursuance to Ministry's Guidelines.
 - In pursuance to Ministry's OM No. IA3-22/10/2022-IA.III [E 1772581], dated 8th June, 2022 pertaining to Certified Compliance Report (CCR) of the Integrated Regional Office of the Ministry of Environment, Forest and Climate Change/ or concerned authority on the status of compliance of conditions stipulated in all the existing environment clearances including amendments shall be provided. A Certified Compliance Report (CCR) issued by the concerned Authority shall be valid for a period of one year from the date of inspection. The Committee advised the PP to take note of it while submitting the application for EC.
- ix. Further, the EAC observed that the project falls in the Ramgarh district of Jharkhand. Ramgarh is declared as Severely Polluted area (SPA) with CEPI index 65.11 by CPCB vide No. B29012/ESS(CPA)/2015-16/ dated 26th April 2016. The EAC advised PP to comply with all the conditions applicable to CEPI.

- x. Existing EC as well as instant ToR application is in the name of M/s. Bihar Foundry and Castings Limited whereas the Consents obtained from JSPCB is in the name M/s. Gautam Ferro Alloys (Unit of BFCL). PP informed that that they have submitted a request letter to JSPCB for name Change in CTO which is under process.

Recommendations of the Committee

14. After deliberations, the Committee recommended the project proposal for modification in TOR letter No. J-11011/384/2010-IAII(I) dated 24.11.2020 w.r.t. appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07/07/2021 pertaining to consideration of violation cases. All the terms and conditions stipulated in ToR letter no. J-11011/384/2010-IAII(I) dated 24.11.2020 shall remain the same with stipulation of the following specific conditions:

- i. The State Government/SPCB shall take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate to be issued till the project is granted EC.
- ii. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR).
- iii. Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.
- iv. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter (13) in the EIA report by the accredited consultants.
- v. Budget of remediation plan and natural and community resource augmentation plan corresponding to the ecological damage shall be completed within three years and to be prepared accordingly.
- vi. The project proponent shall require to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority.
- vii. Project proponent shall implement penalty provisions i.e., 1% of project cost attributable to the expansion, incurred up to the date of filing of application along with the EIA/EMP report as contained in the paragraph 12 of the Standard Operating Procedure dated 7/07/2021 shall be complied with.
- viii. In pursuance to MoEF&CC OMs dated 31st October, 2019 & 30th December, 2019 issued in compliance of the order of Hon'ble NGT in OA No. 1038/2018 dated 19th August, 2019, the compliance of all the conditions applicable to CEPI shall be prepared. Greenbelt shall be planned in 40% of the project area. CER allocation shall be 1.5 times of the normal calculated amount.
- ix. The project proponent shall obtain name change in Consents (CTE/CTO) for the existing project in the name of M/s. Bihar Foundry and Castings Limited.
- x. The PP shall submit the Action Plan as per Ministry's OM dated 30.09.2020 on the issues raised during the PH. In this instant case the PH was already conducted by the SPCB as per provisions of the EIA Notification, 2006.

xi. The validity of the TOR will be counted from the earlier granted TOR by the Ministry.

Decision of MoEF&CC

15. The Ministry of Environment, Forest and Climate Change (MoEF&CC) has considered the aforesaid proposal based on the recommendations of the Expert Appraisal Committee (Industry 1) and hereby decided to grant amendment in the ToR dated 24.11.2020 w.r.t. appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07/07/2021 pertaining to consideration of violation cases with **stipulation of the specific conditions at Para 14 above and the following condition:**

The construction/ operation of 5th Furnace which has been constructed/ under construction without prior EC shall be stopped immediately till EC is granted. PP should also ensure that PH has been conducted strictly as per plant configuration provided in the EIA & EMP report/ modified ToR. SPCB shall ensured the same.

16. All other terms and conditions mentioned in the earlier TOR letter J-11011/384/2010-IAH(I) dated 24.11.2020 shall remain unchanged.

17. The PP shall obtain fresh Terms of Reference in case of change in scope of the project if any.

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



(Dr. R. B. Lal)
Scientist 'E'/Additional Director
 Tele-fax: 011-20819346
Email-rb.lal@nic.in

Copy to: -

1. The Additional Chief Secretary, Environment & Forests Department, Government of Jharkhand, Secretariat, Nepal House, Doranda, Ranchi-834001.
2. Principal Chief Conservator of Forests and HoFF, Van Bhawan Jharkhand Sate at-Doranda P.O. Doranda, Ranchi-834002 Jharkhand.
3. The Director General of Forest, Ministry of Environment, Forest and Climate Change, New Delhi.
4. The Regional Officer, Ministry of Env., Forest and Climate Change, Integrated Regional Office, Bunglow No. A-2, Shyamali Colony, Ranchi-834002.
5. The Member Secretary, Central Pollution Control Board Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi – 32
6. The Member Secretary, Jharkhand Pollution Control Board, Town Administrative Building, HEC, Dhurwa, Ranchi- 824004.- **The construction/ operation of 5th Furnace which has been constructed/ under construction without prior EC shall be stopped immediately till EC is granted. PP should also ensure that PH has been conducted strictly as per plant configuration provided in the EIA & EMP report/ modified ToR. SPCB shall ensured the same.**
7. Member Secretary, Central Ground Water Authority, Jamnagar House, 18/11, Man Singh Road Area, New Delhi, Delhi 110001

8. Monitoring Cell, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi
9. District Collector, Giridih, Jharkhand
10. Guard File/Monitoring File/ Parivesh Portal /Record File



(Dr. R. B. Lal)
Scientist 'E'/Additional Director
Tele-fax: 011-20819346
Email-rb.lal@nic.in



F. No. IA-J-11011/384/2010-IA-II(IND-I)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

By Speed Post/Online

Indira Paryavaran Bhawan
 Jorbagh Road, New Delhi - 110003

Dated: 19th December, 2022

To,

The Additional Chief Secretary,
 Environment & Forests Department,
 Government of Jharkhand, Secretariat,
 Nepal House, Doranda, Ranchi-834001

Sub: Modification cum Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry and Casting Limited, located at Plot No.0 1405, Ramgarh Industrial Area, Village Marar, District Ramgarh, Jharkhand - credible action taken against the Project Proponent u/s 19 of the E(P) Act, 1986, as per SOP dated 07.07.2021 – regarding.

Sir,

This has reference to a proposal No. IA/JH/IND1/400084/2022 dated 21.10.2022 for Amendment in Terms of Reference to the project for Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry and Casting Limited, located at Plot No.0 1405, Ramgarh Industrial Area, Village Marar, District Ramgarh, Jharkhand, as per the provisions of Ministry's OM dated 07.07.2021.

2. The Ministry has issued SOP vide an OM dated 07.07.2021 for appraisal of projects for grant of terms of reference/environmental clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed the product mix without obtaining prior environmental clearance under the EIA Notification, 2006. As per the above said Notification, in cases of violation, action is to be taken against the project proponent by the respective State Government or the State Pollution Control Board under the provisions of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate to be issued till the project is granted environmental clearance.

3. The proposed project activity is listed at schedule no. 3(a) Metallurgical Industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at Central Level.

4. Based on the recommendations of EAC, M/s. Bihar Foundry & Casting Limited was granted ToR vide letter no. 11011/384/2010-IAII(I) dated 24.11.2020 for Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn.

5. Post compliance of ToR, PP applied for EC vide proposal no. IA/JH/IND/223909/2020 dated 23/08/2021 wherein the EAC in its 44th meeting held on 13 – 14th September, 2021 recommended to return the proposal in its present form due to shortcomings.

6. Consequently, the instant proposal for modification of ToR dated 24.11.2020 was considered by the EAC in its 16th meeting held during 3rd November, 2022 under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures (SOP) dated 07/07/2021 pertaining to consideration of violation cases as the PP has reported that the company has constructed 5th Furnace i.e., New 1 x 9 MVA SAF & CLU converter is under construction without prior environmental clearance.

7. Based on the deliberations made by the EAC, the project proponent vide letter dated 03.11.2022 through email dated 03.11.2022 has requested that instead of appraising the instant proposal for fresh ToR, the said proposal be appraised as modification/ amendment in TOR granted vide letter No. J-11011/384/2010-IAII(I) dated 24.11.2020 under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07/07/2021 pertaining to consideration of violation cases.

8. After deliberations, the Committee **recommended** the project proposal for **modification in TOR letter No. J-11011/384/2010-IAII(I) dated 24.11.2020** w.r.t. appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07/07/2021 pertaining to consideration of violation cases. All the terms and conditions stipulated in ToR letter no. J-11011/384/2010-IAII(I) dated 24.11.2020 shall remain the same with stipulation of the following specific conditions:

- i. The State Government/SPCB shall take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate to be issued till the project is granted EC.
- ii. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR).
- iii. Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.
- iv. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter (13) in the EIA report by the accredited consultants.
- v. Budget of remediation plan and natural and community resource augmentation plan corresponding to the ecological damage shall be completed within three years and to be prepared accordingly.
- vi. The project proponent shall require to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority.
- vii. Project proponent shall implement penalty provisions i.e., 1% of project cost attributable to the expansion, incurred up to the date of filing of application along with the EIA/EMP report as contained in the paragraph 12 of the Standard Operating Procedure dated 7/07/2021 shall be complied with.

- viii. In pursuance to MoEF&CC OMs dated 31st October, 2019 & 30th December, 2019 issued in compliance of the order of Hon'ble NGT in OA No. 1038/2018 dated 19th August, 2019, the compliance of all the conditions applicable to CEPI shall be prepared. Greenbelt shall be planned in 40% of the project area. CER allocation shall be 1.5 times of the normal calculated amount.
- ix. The project proponent shall obtain name change in Consents (CTE/CTO) for the existing project in the name of M/s. Bihar Foundry and Castings Limited.
- x. The PP shall submit the Action Plan as per Ministry's OM dated 30.09.2020 on the issues raised during the PH. In this instant case the PH was already conducted by the SPCB as per provisions of the EIA Notification, 2006.
- xi. The validity of the TOR will be counted from the earlier granted TOR by the Ministry.

9. The matter was examined in the Ministry and the undersigned has been directed to request the State Government/SPCB to take the credible action against the Project Proponent u/s 19 of the E(P) Act, 1986, as per SOP dated 07.07.2021. Further, **the construction/ operation of 5th Furnace which has been constructed/ under construction without prior EC shall be stopped immediately till EC is granted. PP should also ensure that PH has been conducted strictly as per plant configuration provided in the EIA & EMP report/ modified ToR. SPCB shall ensured the same and submit the compliance report in this regard.**

10. This issues with approval of the competent authority.



(Dr. R. B. Lal)
Scientist 'E'/Additional Director
Tele-fax: 011-24695362
Email-rb.lal@nic.in

Copy to:-

1. The Member Secretary, Jharkhand Pollution Control Board, Town Administrative Building, HEC, Dhurwa, Ranchi- 824004. (JPCB shall submit the proof of credible action taken against the Project Proponent u/s 19 of the E(P) Act, 1986.)-**The construction/ operation of 5th Furnace which has been constructed/ under construction without prior EC shall be stopped immediately till EC is granted. PP should also ensure that PH has been conducted strictly as per plant configuration provided in the EIA & EMP report/ modified ToR. SPCB shall ensured the same and submit the compliance report in this regard.**
2. M/S Bihar foundry and casting Limited, Plot No.0 1405, Ramgarh Industrial Area, Marar Village, Ramgarh, Jharkhand - 829117. Email: bfcferroalloys@gmail.com – **The construction/ operation of 5th Furnace which has been constructed/ under construction without prior EC shall be stopped immediately till EC is granted. PP should also ensure that PH has been conducted strictly as per plant configuration provided in the EIA & EMP report/ modified ToR.**

Copy for information to: -

1. The Regional Officer, Ministry of Env., Forest and Climate Change, Integrated Regional Office, Bungalow No. A-2, Shyamali Colony, Ranchi-834002.
2. The Chairman, Central Pollution Control Board, CBD-Cum-Office Complex, East Arjun Nagar, New Delhi-110 032.
3. Guard File/Monitoring File/Website/Record File/Parivesh Portal.



(Dr. R. B. Lal)
Scientist 'E'/Additional Director
Tele-fax: 011-24695362
Email-rb.lal@nic.in

ANNEXURE- A-12 (COLLY)

Government of India
Ministry of Environment, Forests and Climate Change (MoEF&CC)
Integrated Regional Office - Ranchi

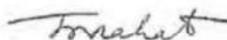
MONITORING REPORT
PART I
DATA SHEET

File No: 103-325/11/EPE/

- 1 Project Type : Industry
 River valley / Mining / Industry /
 Thermal / Nuclear / Other Specify
- 2 Name of the project : Bihar Foundry & Casting Ltd.
 (Ferro Alloys Unit)
- 3 a. Clearance letter(s) / OM No. and : J-11011/384/2010-IA-II (I) Dated-
 dated 31.10.2011
 b. CTE and CTO : CTE- Memo No. T-551, Dated-
 24.02.2000 & 2577 Dated- 20.05.2009
 and PC/NOC/HBZ/288/09/ D-1510 (N)
 Ranchi Dated- 21.05.2014.
 CTO- JSPCB/HO/RNC/CTO-
 4412165/2020/1819 dated 10.11.2020
 with validity up to 31.12.2025.
- 4 Locations : Industrial Area, Marar, Ramgarh
 a. Taluk(s) : Mandu
 District : Ramgarh
 b. State (s) : Jharkhand-829117
 c. Latitudes / Longitudes : 23°39'33.79"N 85°30'20.85"E
 23°39'33.67"N 85°30'24.03"E
 23°39'25.52"N 85°30'25.28"E
 23°39'25.35"N 85°30'19.63"E
- 5 Address of correspondence
 a. Address of concerned project Chief : Shri Gaurav Budhia (Director)
 Engineer (with Pin Code & : Main Road Ranchi -834001 Jharkhand
 telephone / telex / fax numbers : Mo. 9631087691
 Email- bfclgfa@gmail.com
 b. Address of Executive Project : Shri B.K. Gupta (General Manager -
 Engineer/ Manager (with Pin : Environment) Industrial Area, Marar
 Code/fax numbers) : Dist- Ramgarh,
 Jharkhand-829117
 Mo. 9955989422
 Email- bfclgfa@gmail.com
- 6 Salient features:
 a. Salient features of the project : 2x5 MVA, 1x7.5 MVA and 1x9 MVA
 Submerged Arc Furnaces
 b. of the environmental management : Covered in the EIA/EMPs submitted to
 plans the Ministry of Environment, Forests
 and Climate Change (MoEF&CC) from
 time to time for approval at the time of
 grant of Environmental clearance (EC).
- 7 Breakup of the project area:
 a. Project area : 14 acres (As per the EC accorded).

Mehar

- 8 Break up of project affected population with enumeration of those losing houses / dwelling units only, agricultural land only, both dwelling units and agricultural land and landless labourers / artisans : That unit is located in notified industrial area, Marar, Dist. Ramgarh, Jharkhand and this industrial land has been allotted in 1974. Since it is an industrial land there is no affected population in the area (as reported by PP).
- a SC,ST/Adivasis : Not Applicable
- b Others : Not Applicable
- 9 Financial Details:
- a Project cost as originally planned and subsequent revised estimates and the years of price reference : 20.00 Crores. (As per the EC accorded).
- b Allocations made for environmental management plans, with item wise and year wise breakup : Rs 2.0 Crore (As per the EC accorded).
- c Benefit cost ratio / internal rate of return and the years of assessment : Details not furnished
- d Whether (c) includes the cost of environmental management as shown in (b) above : -
- e Total expenditure on the Project so far : Details not furnished
- f Actual expenditure incurred on the environmental management plans so far : April 2019 to Sept 2021
Rs.27,252,621.65 (as reported by PP).
- 10 Forest land requirement:
- a The status of approval for a diversion of forest land for non-forestry use : Not applicable as no forest land is involved (as reported by PP).
- b The status of compensatory afforestation, if any :
- c The status of clear felling :
- d Comments on the viability and sustainability of compensatory afforestation programme in the light of actual field experience so far :
- 11 The status of clear felling in non-forest area (such as submergence area of reservoir, approach road), if any, with quantitative information : Not Applicable (as reported by PP).
- 12 Status of construction:
- a Date of commencement : 21.05.2014 (as reported by PP).
Date of completion (actual and / or planned) : 07.07.2014 (as reported by PP).
- 13 Reasons for the delay if the project is yet to start. : Not Applicable
- 14 Date of site visit:



- a The dates on which the project : 02.10.2020
was monitored by the Regional
Office on previous occasions, if
any
- b Date of site visit for this : 05.01.2022
monitoring report



Photo1: A view of the display board



Photo2: A view of the briquetting unit



Photo3: A view of tarpaulin covered raw material



Photo 4: A view of the green belt along the boundary



Photo 5: A view of rain water recharge pit



Photo6: A view of the coal kept in covered shed.

Tarakhat

PART-II&III
DESCRIPTIVE REPORT ON STATUS OF COMPLIANCE TO THE CONDITIONS OF
THE ENVIRONMENTAL CLEARANCE AND ENVIRONMENTAL MANAGEMENT

Subject: Expansion of Ferro Alloy Plant by Installing SAF (9MVAx1=40TPD) for manufacture of Ferro Silicon/Ferro-Manganese at Plot no 1405, Ramgarh Industrial Area Marar District Ramgarh, Jharkhand by M/s Bihar Foundry and Casting Ltd.

Reference: EC letter no. J-11011/384/2010-IA-II (I) dated 31.10.2011.

PRESENT STATUS OF THE PROJECT

Ministry of Environment, Forests and Climate Change accorded Environmental Clearance vide letter no. J-11011/384/2010-IA-II(I) dated: 31.10.2011 to M/s Bihar Foundry and Casting Ltd. for Expansion Ferro Alloy Plant by Installing SAF (9MVAx1=40TPD) for manufacture of Ferro Silicon/Ferro-Manganese at Plot no 1405, Ramgarh Industrial Area Marar District Ramgarh, Jharkhand. The above project was monitored by the Integrated Regional Office Ranchi on 05.01.2022 along with the following representatives of the PP:

- i. Mr Anant Seth, Vice President
- ii. Mr. Ganapati Verma GM Production
- iii. Mr Vinay Gupta, GM Environment

As per the Environmental Clearance accorded vide letter dated 31.10.2011 details of existing and proposed expansion facilities indicated are as follows.

Sl No	Name of the Project	Existing	Proposed Expansion
1	Ferro Alloy (2x5MVA)	26 TPD (Silico Manganese)	--
2	Ferro Alloy (7.5MVA)	30 TPD (Silico Manganese)	--
3	Ferro Alloy (9MVAx1)	--	40 TPD (Ferro silicon/ Ferro manganese)

During visit five SAF has been observed at the site. Four was in operation and one said to be in maintenance. The report is submitted on the basis of field visit and as per the information provided by the Project Proponent. The status of compliance on the stipulated conditions contained in the EC cited above is given below:

SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE
01.	Compliance to all the specific and general conditions stipulated for the existing plant by the Central/State Government shall be ensured and regular reports submitted to the Ministry's Regional Office at	BEING COMPLIED Six Monthly compliance for the period April 2021 to September 2021 has been submitted to the Integrated Regional Office vide email dated 26.11.2021.

Tranahat

SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE
	Ranchi/SPCB.	
02.	No charcoal shall be used as fuel. Pet coke shall be used as fuel instead of charcoal from unknown sources.	PARTIALLY COMPLIED Charcoal has not been observed to be used as fuel. However, project authority using pearl coke and coal in place of pet coke.
03.	Continuous monitoring facilities for all the stacks and sufficient air pollution control equipments viz. fume extraction system with bag filters, ID fan and stack of adequate height to submerged arc furnace shall be provided to control emissions below 50 mg/Nm ³ .	PARTIALLY COMPLIED Two stack has been provided for the four furnace. One furnace has not been connected to stack. Continuous monitoring facility has been provided for particulate matter for two stack. Fume extraction system with bag filter has been provided. During visit stack emission observed to be less than 50 mg/Nm ³ . However, fumes were found to be escape sideways also which indicate inefficient fume extraction system.
04.	The National Ambient Air Quality Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16 th November, 2009 shall be followed.	BEING COMPLIED Ambient air quality monitoring data has been furnished for twelve parameter, vide report dated 25.11.2021. The parameters are within NAAQS, 2009.
05.	Secondary fugitive emissions from all the sources shall be controlled within the latest permissible limits issued by the Ministry and regularly monitored. Guidelines / Code of Practice issued by the CPCB shall be followed.	BEING COMPLIED Coal was found to be kept in covered shed. Raw materials were mostly covered with tarpaulin. Fugitive emission monitoring data dated 20.11.2021 has been furnished. Data reported to be 476.59µg/M3 and 479.12 µg/M3.
06.	Regular monitoring of influent and effluent surface, sub-surface and ground water shall be ensured and treated wastewater shall meet the norms prescribed by the State Pollution Control Board or described under the Environment (Protection) Act, 1986 whichever are more stringent. Leachate study for the effluent generated and analysis shall also be regularly carried out and report submitted to the Ministry's Regional Office at Ranchi, SPCB and CPCB.	BEING COMPLIED Cooling water has been recycled. Ground water monitoring has been done from the bore well, and monitoring data dated 20.11.2021 has been furnished. Leachate analysis data of dated 20.11.2021 has been furnished.
07.	The total water requirement shall not exceed 35 m ³ /day and prior Permission to draw the water from Competent Authority shall be obtained. Zero' effluent discharge	BEING COMPLIED As per the environmental statement for the year 2020-21, water consumption reported to be 35m ³ /day. Bore well was found to be fitted with water meter.

Trachet

SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE
	shall be strictly followed and no wastewater shall be discharged outside the premises.	Approval has been obtained from CGWA vide letter no CGWA/NOC/IND/ORIG/2021/10628 dated-02.01.2021 which is valid up to 01.01.2024. Cooling water has been re-circulated.
08.	Efforts shall be made to make use of rain water harvested. If needed, capacity of the reservoir should be enhanced to meet the maximum water requirement. Only balance water requirement should be met from other sources.	BEING COMPLIED Rain water recharge pit has been constructed. Approval has been obtained from CGWA for withdrawal of ground water vide letter no CGWA/NOC/IND/ORIG/2021/10628 dated 02.01.2021 which is valid up to 01.01.2024.
09.	Slag produced in Ferro Manganese (Fe-Mn) production shall be used in manufacture of Silico Manganese (Si-Mn). All the other ferro alloy slag shall be used in the preparation of building materials.	BEING COMPLIED As per the production data furnished presently only ferro manganese are being produced. It was informed that ferro manganese slag are being sized and sent to jiggling plant for extraction of metals and remaining slag sold to silico manganese manufacturing unit.
10.	Risk and Disaster Management Plan along with mitigation measures should be prepared and a copy submitted to the Ministry's Regional Office at Ranchi, SPCB and CPCB within three months of issue of environment clearance letter.	PARTIALLY COMPLIED A copy of approved Risk and Disaster Management Plan for one SAF has been furnished. Risk and Disaster Management Plan as per the capacity of the unit need to be furnished.
11.	As proposed, green belt shall be developed in at least 33 % of the project area. Selection of plant species shall be as per the CPCB guidelines in consultation.	PARTIALLY COMPLIED Plantation has been observed in patches, not all along the boundary as per CPCB norms.
12.	At least 5% of the total cost of the project should be earmarked towards the Enterprise Social Commitment based on locals need and item-wise details along with time bound action plan should be prepared and submitted to Ministry's Regional Office at Ranchi. Implementation of such program shall be ensured accordingly in a time bound manner.	BEING COMPLIED As per the EC accorded total cost of the project is Rs. 20.00 crores. 5% of that is Rs. 1.00 crores. Project authority reported an expenditure of Rs. 128.763 Lakhs from April 2018 to August 2021 on health, education, medical, social work etc.
13.	The company shall provide housing for construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, safe drinking	PLEASE REFER BELOW During visit the industry was in operation. Condition can't be verified at present.

Imahub

SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE															
	water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.																
14.	The Company shall submit within three months their policy towards Corporate Environment Responsibility which should inter-alia address (i) Standard operating process/ procedure to being into focus any infringement/deviation/violation of environmental or forest norms/conditions, (ii) Hierarchical system or Administrative order of the Company to deal with environmental issues and ensuring compliance to the environmental clearance conditions and (iii) System of reporting of non compliance/violation environmental norms to the Board of Directors of the company and/or stakeholders or shareholders.	BEING COMPLIED Project Proponent furnished a copy of the environment policy of Gautam Ferro Alloy unit of BFCL. The policy inter-alia includes sustainability, control of air pollution, control of water pollution, solid waste management, implementation of policy, annual environmental budget etc.															
B. GENERAL CONDITIONS:																	
01	The project authorities must strictly adhere to the stipulations made by the Jharkhand State Pollution Control Board and the State Government	BEING COMPLIED Consent to Establish has been obtained vide letter no. T-551 dated 24.12.2000, Memo No. - 2577 dated 20.05.2009 and Memo no. PC/NOC/HBG/288/09/D-1510(N) dated 21.05.2014. Consent to Operate has been obtained vide letter no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated 10.11.2020 for Ferro Alloy Silico/Manganese - 96 TPD with a validity up to 31.12.2025.															
02	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment and Forests.	NOT COMPLIED During visit five SAF has been observed at the site. Four SAF was in operation and one said to be in maintenance. As per the EC accorded four SAF with 96 TPD ferro silicon/ ferro manganese has been indicated. Production reported has been tabulated below: <table border="1"> <thead> <tr> <th>Year</th> <th>Fe-Si</th> <th>Fe-Mn</th> </tr> </thead> <tbody> <tr> <td>2017-18</td> <td>32215.610</td> <td>00</td> </tr> <tr> <td>2018-19</td> <td>30146.060</td> <td>00</td> </tr> <tr> <td>2019-20</td> <td>21511.995</td> <td>9666.605</td> </tr> <tr> <td>2020-21</td> <td>6034.5</td> <td>21998.971</td> </tr> </tbody> </table>	Year	Fe-Si	Fe-Mn	2017-18	32215.610	00	2018-19	30146.060	00	2019-20	21511.995	9666.605	2020-21	6034.5	21998.971
Year	Fe-Si	Fe-Mn															
2017-18	32215.610	00															
2018-19	30146.060	00															
2019-20	21511.995	9666.605															
2020-21	6034.5	21998.971															

Jonah

SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE		
		2021-22 (6M)	0000	17606.190
03	The gaseous emissions from various process units shall conform to the load/mass based standards notified by this Ministry on 19 th May, 1993 and standards prescribed from time to time. The State Board may specify more stringent standards for the relevant parameters keeping in view the nature of the industry and its size and location.	BEING COMPLIED		
		During visit stack emission observed to be less than 50 mg/Nm ³ . Fugitive emission monitoring data dated 20.11.2021 has been furnished. Data reported to be 476.59 µg/M3 and 479.12 µg/M3.		
04	At least four ambient air quality monitoring stations should be established in the downward direction as well as where maximum ground level concentration of PM ₁₀ , SO ₂ and NO _x are anticipated in consultation with the SPCB. Data on ambient air quality and stack emission shall be regularly submitted to this Ministry including its Regional Office at Ranchi and the SPCB / CPCB once in six months.	PARTIALLY COMPLIED		
		Ambient air quality monitoring data of four location has been furnished to Regional Office. However, details of consultation with the SPCB for installation of Ambient Air Quality stations needs to be furnished.		
05	Industrial wastewater shall be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19 th May, 1993 and 31 st December, 1993 or as amended from time to time. The treated wastewater shall be utilized for plantation purpose.	PARTIALLY COMPLIED		
		Cooling water recycle through cooling tower and storage tank. However, proper collection and treatment of runoff rain water from the raw materials storage area needs to be done.		
06	The overall noise levels in and around the plant area shall be kept well within the standards (85 dBA) by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels should conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (daytime) and 70 dBA (nighttime).	BEING COMPLIED		
		As per the noise level Monitoring data furnished for dated 20.11.2021 Noise level varies from 74.0 dBA to 48.1 dBA during day time and 58.6 dBA to 49.2 dBA during night time.		
07	Occupational health surveillance of the workers should be done on a regular basis and records maintained as per the Factories Act.	PARTIALY COMPLIED		
		Project Proponent reported in the submitted six monthly compliance that Periodical medical examinations of employees are organized as per factory act. Project Proponent has furnished fifteen medical checkup records.		

Tonahat

SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE
		However, occupational health surveillance of the worker needs to be carried out regularly.
08	The company shall develop surface water harvesting structures to harvest the rain water for utilization in the lean season besides recharging the ground water table.	PARTIALLY COMPLIED Ground water recharge structure has been constructed; however, surface water harvesting structure needs to be constructed.
09	The project proponent shall also comply with all the environmental protection measures and safeguards recommended in the EIA/EMP report. Further, the company must undertake socio-economic development activities in the surrounding villages like community development programmes, educational programmes, drinking water supply and health care etc.	PARTIALLY COMPLIED Status of environmental protection measure has already been depicted in the environmental clearance conditions. EIA/EMP has not been available at IRO Ranchi. Protection measure such as to channelize the fume through the stack, dust extraction system in raw material unloading area, rain water storage pond, etc needs to be implemented. Project authority reported an expenditure of Rs. 128.763 Lakhs from April 2018 to August 2021 on health, education, medical social work etc.
10	Requisite amount shall be earmarked towards capital cost and recurring cost/annum for environment pollution control measures to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government. An implementation schedule for implementing all the conditions stipulated herein shall be submitted to the Regional Office of the Ministry at Ranchi. The funds so provided shall not be diverted for any other purpose.	BEING COMPLIED As per the EC accorded Rs. 2.00 crores has been allotted for environmental management and pollution control measure as capital cost for pollution. PP reported an expenditure of Rs 27252623.62 from April 2019 to September 2021.
11	A copy of clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/Municipal Corporation, Urban Local Body and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the web site of the company by the proponent.	BEING COMPLIED EC letter has been uploaded at the website. A letter has furnished from ward parsad, Ramgarh indicating receipt of Environmental clearance of M/s Bihar Foundry and Casting Limited.
12	The project proponent shall upload the status of compliance of the	BEING COMPLIED Six monthly compliance for the period

Toralab

SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE
	stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the MOEF at Ranchi. the respective Zonal Office of CPCB and the CECB. The criteria pollutant levels namely; PM10, SO ₂ , NO _x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.	Apr21 to Sep21 has been furnished to IRO Ranchi vide email dated 26.11.2021 and uploaded on the website of the company. Display board has been provided at the main gate to display the online stack particulate monitoring data and online PM10 monitoring data.
13	The project proponent shall also submit six monthly reports on the status of the compliance of the stipulated environmental conditions including results of monitored data (both in hard copies as well as by e-mail) to the Regional Office of MOEF, the respective Zonal Office of CPCB and the SPCB. The Regional Office of this Ministry at Ranchi/ CPCB / SPCB shall monitor the stipulated conditions	BEING COMPLIED Six monthly compliance for the period Apr21 to Sep21 has been furnished to IRO Ranchi vide email dated 26.11.2021.
14	The environmental statement for each financial year ending 31 st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental conditions and shall also be sent to the respective Regional Offices of the MOEF at Ranchi by e-mail.	BEING COMPLIED Environmental statement has been submitted to IRO Ranchi vide email dated 06.08.2021 and uploaded on the website.
15	The Project Proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the SPCB and may also be seen at Website of the Ministry of	COMPLIED As per the document furnished advertisement regarding accord of Environmental clearance has been published in the Ranchi express and Sunmarg on 04.11.2011

Tonahat

SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE
	Environment and Forests at http://envfor.nic.in . This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same should be forwarded to the Regional office at Ranchi.	
16	Project authorities 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 and the date of commencing the land development work.	COMPLIED The date of financial closure for Silico/Ferro manganese reported as 01 st June 2014, and date of start of construction of 40 TPD furnace reported to be 21 st May 2014.

Comments and End note:-Status of implementation of stipulated conditions: - It is inferred from above that following are the non-compliances observed against the stipulated conditions of the Environmental Clearance

Following condition is not complied

1. (General Condition ii) During visit five SAF has been observed at the site. Four SAF was in operation and one said to be in maintenance. As per the EC accorded four SAF with 96 TPD ferro silicon/ ferro manganese has been indicated. Production reported has been tabulated below:

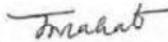
Year	Fe-Si	Fe-Mn
2017-18	32215.610	00
2018-19	30146.060	00
2019-20	21511.995	9666.605
2020-21	6034.5	21998.971
2021-22 (6M)	0000	17606.190

Following condition are partially complied

- (Specific condition ii) Charcoal has not been observed to be used as fuel. However, project authority using pearl coke and coal in place of pet coke.
- (Specific condition iii) Two stack has been provided for the four furnance. One furnance has not been connected to stack. Continuous monitoring facility has been provided for particulate matter for two stack. Fume extraction system with bag filter has been provided. During visit stack emission observed to be less than 50 mg/Nm³. However, fumes were found to be escape sideways also which indicate inefficient fume extraction system.

Tonahat

3. (Specific Condition x) A copy of approved Risk and Disaster Management Plan for one SAF has been furnished. Risk and Disaster Management Plan as per the capacity of the unit needs to be furnished.
4. (Specific Condition xi) Plantation has been observed in patches, not all along the boundary as per CPCB norms.
5. (General Condition iv) Ambient air quality monitoring data of four location has been furnished to Regional Office. However, details of consultation with the SPCB for installation of Ambient Air Quality stations need to be furnished.
6. (General Condition v) Cooling water recycle through cooling tower and storage tank. However, proper collection and treatment of runoff rain water from the raw materials storage area needs to be provided.
7. (General Condition vii) Project Proponent reported in the submitted six monthly compliance that Periodical medical examinations of employees are organized as per factory act. Project Proponent has furnished fifteen medical checkup records. However, occupational health surveillance of the worker needs to be carried out regularly.
8. (General Condition viii) Ground water recharge structure has been constructed; however, surface water harvesting structure need to be constructed.
9. (General Condition ix) Status of environmental protection measure has already been depicted in the environmental clearance conditions. EIA/EMP has not been available at IRO Ranchi. Protection measure such as to channelize the fume through the stack, dust extraction system in raw material unloading area, rain water storage pond, etc has not been implemented. Project authority reported an expenditure of Rs. 128.763 Lakhs from April 2018 to August 2021 on health, education, medical social work etc.


(Dr. T.H. Mahato)
Scientist 'D'

Government of India
Ministry of Environment, Forests and Climate Change (MoEF&CC)
Integrated Regional Office – Ranchi
MONITORING REPORT
PART I
DATA SHEET

File No. 103-325/11/EPE

1		Project Type	Industry
2		Name of the project	Bihar Foundry & Castings Ltd. Unit: Gautam Ferro Alloys
3	a.	Clearance letter(s) / OM No. and dated	J-11011/384/2010-IA-II (I) Dated-31.10.2011
4		<u>Locations</u>	Industrial Area Marar
	a.	Taluk(s) District	Mandu Ramgarh
	b.	State (s)	Jharkhand-829117
	c.	Latitudes / Longitudes	23°39'33.79"N 85°30'20.85"E 23°39'33.67"N 85°30'24.03"E 23°39'25.52"N 85°30'25.28"E 23°39'25.35"N 85°30'19.63"E
5		<u>Address of correspondence</u>	
	a.	Address of concerned project Chief Engineer (with Pin Code & telephone / telex / fax numbers)	Shri Gaurav Budhia (Director) Main Road Ranchi -834001 Jharkhand Mo. 9631087691 Email- bfcfgfa@gmail.com
	b.	Address of Executive Project Engineer/ Manager (with Pin Code/fax numbers)	Shri S.P. Mishra (General Manager -Environment) Industrial Area Marar Dist- Ramgarh, Jharkhand-829117 Mo. 9534141224 Email- bfcfgfa@gmail.com
6		<u>Salient features:</u>	
	a.	Salient features of the project	1. 2x5 MVA Submerged Arc Furnaces 2. 1x 7.5 MVA Submerged Arc Furnaces 3. 1x9 MVA Submerged Arc Furnaces
	b.	of the environmental management plans	As per project proponent, Ferro Alloys Complex:- Ferro Alloys unit (1x 7.5 MVA Submerged Arc Furnaces) (1x9 MVA Submerged Arc Furnaces) Bag filter along with Fume dust extraction system already installed. Ferro Alloys unit (2x5 MVA Submerged Arc furnaces) Bag filter along with Fume dust extraction system already installed. All environmental Monitoring reports such as, Ambient Air Quality, water quality, Stack Emission, Fugitive Emission & Noise monitoring by NABL accredited laboratory
7		<u>Breakup of the project area:</u>	
	a.	Project area	14 Acre as per EC

8	Break up of project affected population with enumeration of those losing houses / dwelling units only, agricultural land only, both dwelling units and agricultural land and landless labourers / artisans	That unit is located in notified industrial area Marar Dist Ramgarh Jharkhand. This clause is not relevant.	
	a	SC,ST/Adivasis	Not Applicable
	b	Others	Not Applicable
9	<u>Financial Details:</u>		
	a	Project cost as originally planned and subsequent revised estimates and the years of price reference	20.00 Cr. As per EC
	b	Allocations made for environmental management plans, with item wise and year wise breakup	Rs. 40.00 Lakh (Includes the cost of Chimany, Bag filter & online monitoring system etc.)
	c	Benefit cost ratio / internal rate of return and the years of assessment	Details not provided
	d	Whether (c) includes the cost of environmental management as shown in (b) above	Details not provided
	e	Total expenditure on the Project so far	20.00 Cr.
	f	Actual expenditure incurred on the environmental management plans so far	45.00 Lakhs
10	<u>Forest land requirement:</u>		
	a	The status of approval for a diversion of forest land for non-forestry use	Project proponent stated that not applicable as no forest land is acquired for the project.
	b	The status of compensatory afforestation, if any	
	c	The status of clear felling	
	d	Comments on the viability and sustainability of compensatory afforestation programme in the light of actual field experience so far	
11	The status of clear felling in non-forest area (such as submergence area of reservoir, approach road), if any, with quantitative information	Not relevant.	As per project proponent
12	<u>Status of construction:</u>		
	a	Date of commencement	2009
		Date of completion (actual and / or planned)	07.07.2014
13	Reasons for the delay if the project is yet to start.	Not relevant, Project is running	
14	<u>Date of site visit:</u>		
	a	The dates on which the project was monitored by the Regional Office on previous occasions, if any	14.02.2017
	b	Date of site visit for this monitoring report	02.10.2020

PART – II

Descriptive report on status of compliance to conditions of environmental clearance

1.	Project type	Industry
2.	Name of the project	Bihar Foundry & Castings Ltd. Unit: Gautam Ferro Alloys
3.	No & date of Environmental Clearance	F. No. J-11011/384/2010-IA-II (I) Dated- 31.10.2011
4.	Address for correspondence	
	(a) Project Office	Shri Gaurav Budhia (Director) Main Road Ranchi -834001 Jharkhand Mo. 9631087691 Email- bfclgfa@gmail.com
	(b) Corporate Office	Shri S. P. Mishra (General Manager - Environment) Industrial Area Marar Dist- Ramgarh, Jharkhand-829117 Mo. 9534141224 Email- bfclgfa@gmail.com
5.	Date of site visits :	
	(a) Dates of earlier monitoring	14.02.2017
	(b) Date of monitoring	02.10.2020

The project was visited on 02.10.2020 along with Mr. Anant Shet (Vice President operation), Mr. S.P. Mishra (G.M. Environment) Mr. Arjun (Environment Officer) and Dr. S.C. Jain (Consultant). Based on the site visit, documents provided and discussion held with project officials, the point-wise status of compliance to the various environmental clearance conditions, are as follows.

SL. No.	CONDITIONS	STATUS OF COMPLIANCE
A. SPECIFIC CONDITIONS :		
i.	Compliance to all the specific and general conditions stipulated for the existing plant by the Central / State Govt. shall be ensured and regular reports submitted to the Ministry and its Regional Office at Ranchi / SPCB.	Being complied: Currently project proponent is being submitted half yearly compliance report on regular intervals to this IRO Ranchi.
ii.	No charcoal shall be used as fuel. Pet coke shall be used as fuel instead of charcoal from unknown sources.	Partially complied: Project proponent stated that they have been using Electric Arc Furnace for running of the plant. There is no use of charcoal / pet coke as fuel. Project authorities have been using pearl coke instead of pet coke. At the project site huge amount of charcoal dumps and dry wood was observed which are also being used as fuel.(Photo- 5&6)
iii.	Continuous monitoring facilities for all the stacks and sufficient air pollution control equipments viz. fume extraction system with bag filters, ID fan and stack of adequate height to submerged arc furnace shall be provided to control emissions below 50mg / nm ³ .	Partially complied: Project proponent proponent informed that they have installed one stack online emission monitoring system and another stack it is in process and data is being transmitted to CPCB and JSPCB servers. On the date of project site visit it was observed that there are two stack installed in the project. Stack no. 2

		<p>online emission monitoring system was observed and stack no. 1 is not yet connect with online monitoring system. Both stacks data are yet to be linked to JSPCP server, despite lapse of 9 years of grant of EC in 2011. Recently on 07.10.2020 project proponent has sent some online emission monitored data sheet generated to JSPCB and CPCB. Project proponent should give an explanation on this regards.</p>
iv.	<p>The National Ambient Air Quality Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16th November, 2009 shall be followed.</p>	<p>Partially complied: Project proponent ensured that the National Ambient Air Quality Standards issued by the Ministry vide G.S.R. No. 826 (E) dated 16th November, 2009 is being followed. Ambient air quality monitored reports submitted by project authorities are within the prescribed standards which were monitored by Institute for Environmental Management, Eco Enviro Lab recognized by NABL and JSPCB. It was observed that project proponent has not installed any kind of device to detect if any variation in parameter beyond the limit immediately received notification from server through SMS or mail.</p>
v.	<p>Secondary fugitive emission from all the sources shall be controlled within the latest permissible limits issued by the Ministry and regularly monitored, Guidelines /code of practice issued by the CPCB shall be followed.</p>	<p>Partially complied: Project proponent stated that to control secondary fugitive emission provision has been made for regular water sprinkling by a water tankers and pipe sprinklers laid near areas prone to air pollution. The submitted monitored data of fugitive emissions in the plant premises which was found within the limits. The secondary fugitive emission data was monitored by Institute for Environmental Management, Eco Enviro Lab recognized by NABL and JSPCB. Project proponent should have submitted a copy of letter certifying that Institute for Environmental Management, Eco Enviro Lab is NABL accredited. At the project site it was observed that installed Fume Extraction System was inadequate to control fume and dust. Profuse smog was observed inside the industry premises. (Photos-1&2). Inside the industrial premises most of the pathways are neither black topped nor properly paved / concreted creating muddy condition in wet season and dusty in dry season. This location needs fixed water sprinklers, dust extractors system and sweep vacuums. Vehicular movement through this area is additional cause for spread of dust pollution. The industry wastage was</p>

		haphazardly placed, in the project sites indicative of poor housekeeping, (photo-8). A copy of water tankers log book signed by authorized signatory must be submitted to this IRO, Ranchi
vi.	Regular monitoring of influent and effluent surface, sub-surface and ground water shall be ensured and treated wastewater shall meet the norms prescribed by the state pollution control board or described under the Environment (Protection) Act, 1986 whichever are more stringent. Leachate study for the effluent generated and analysis shall also be regularly carried out and report submitted to all the Ministry's Regional office at Ranchi SPCB and CPCB.	Partially complied: Project proponent has been submitted waste water test reports and ground water test reports of surrounding bore well area of the industry which were analyzed by third party and data were found in within the limit. The data were monitored by <i>Institute for Environmental Management, Eco Enviro Lab recognized by NABL and JSPCB. Project proponent should have submitted a copy of letter certifying that Institute for Environmental Management, Eco Enviro Lab is NABL accredited. Same as mentioned in the general condition no. v.</i>
vii.	The total water requirement shall not exceed 35m ³ /day. Permission to draw the water from competent Authority shall be obtained. Zero, effluent discharge shall be strictly followed and no wastewater shall be discharge outside the premises.	Not complied yet: The project proponent has been using ground water without obtaining the approval from competent authority as on date and it was informed that their application (no. 21-4/590/JH/IND/2019 dated 01.10.2019) still under process. The water flow meters along with running hours meters have not been installed in 4 nos. of bore well point and the daily water consumption has not been monitored. At present project proponent is being using river water from Damodar river without obtaining the approval from competent authority despite lapse of 9 years of grant of EC in 2011. Such in ordinate pendency of this matter is objectionable. It was observed that surface drainage system was not yet constructed. (photo-7). Industrial waste water contained in the surface water where zero discharge process has not been strictly followed by project proponent.
viii.	Efforts shall be made to make use of rain water harvested. If needed, capacity of the reservoir should be enhanced to meet the maximum water requirement. Only balance water requirement should be met from other sources.	Partially complied: At the project site there are three rain water collected pits and allowed to be collected in the lowest level sumps to augment the ground water resources gradually. The rain water harvesting plan is not a Government approved one. Project proponent should not allow oil / grease or ore/mineral water to percolate inside the water harvesting structure.
ix.	Slag produced in Ferro Manganese (Fe-Mn) production shall be used in manufacture of Silico Manganese (Si-Mn). All the other ferro alloy slag shall be used in the preparation of building materials.	Partially complied: The slag is crushed in the crusher the magnetic particles are removed and recycle in the furnace. Non ferrous particles used in the filling of low laying area. The monitoring of heavy metal such as, Pb, As, Ni

Approval from SPCB for
Back filling in a designated
Area ? CERI guidelines

		etc. has been done and submitted. Project proponent should have submitted the year wise slag production data, quantity of recycled in the furnace and non ferrous particles used in the preparation of building materials to this IRO, Ranchi at the earliest.																		
x.	Risk and Disaster management plan along with mitigation measures, should be prepared and a copy submitted to the Ministry's regional Office at Ranchi, SPCB and CPCB within three months of issue of environment clearance letter.	Not complied yet: As per submitted documents by projet proponent stated that the disaster management plan a copy has been submitted to the Ministry of Regional office at Ranchi, Jharkhand SPCB and CPCB. However, the Risk and Disaster Management plan along with mitigation measures is not approved by concerned Government authority.																		
xi.	As proposed, green belt shall be developed in at least 33% of the project area. Selection of plant species shall be as per the CPCB guidelines in consultation with the DFO.	<p>Partially complied: As per the submitted six monthly report by project proponent stated that plantation programme is being carried out regularly. Plant species are selected as per CPCB guidelines. Year wise plantation data and numbers of survival of plants are given here;</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Total plantation (nos.)</th> <th>Survival (nos.)</th> </tr> </thead> <tbody> <tr> <td>2015-2016</td> <td>478</td> <td>272</td> </tr> <tr> <td>2016-2017</td> <td>606</td> <td>408</td> </tr> <tr> <td>2017-2018</td> <td>546</td> <td>284</td> </tr> <tr> <td>2018-2019</td> <td>536</td> <td>295</td> </tr> <tr> <td>2019-2020</td> <td>556</td> <td>354</td> </tr> </tbody> </table> <p>At the project site it was observed that as requisite, the Green Belt plantation (33%) has not yet been completely developed along the periphery of the campus. Some tree plantation has been done surrounding the project site, (photo- 7) which is inadequate as per the stipulation. There is scope for development of green belt in most of the areas of the project which should be undertaken at the earliest. To reduce air pollution in the project areas, some high value index air pollution tolerant species (i.e., <i>Ficus bengalensis</i>, <i>Cassia siamea</i>, <i>Mangifera indica</i>, <i>Alstonia scholaris</i>, <i>Toona ciliate</i> etc.) should also be planted in the periphery of the campus and other available areas in project to prevent and reduce the dust pollution.</p>	Year	Total plantation (nos.)	Survival (nos.)	2015-2016	478	272	2016-2017	606	408	2017-2018	546	284	2018-2019	536	295	2019-2020	556	354
Year	Total plantation (nos.)	Survival (nos.)																		
2015-2016	478	272																		
2016-2017	606	408																		
2017-2018	546	284																		
2018-2019	536	295																		
2019-2020	556	354																		
xii.	At least 5% of the total cost of the project should be earmarked towards the Enterprise Social Commitment based on locals need and item-wise details along with time bound action plan should be prepared and submitted to Ministry's regional	Partially complied: As per the submitted six monthly report by project proponent stated that 5% of the project cost has been spent towards Enterprise Social Commitment. During the period 2018-2019 an amount of expenditure made of Rs.																		

	Office at Ranchi. Implementation of such program shall be ensured accordingly in a time bound manner.	20, 75,000/- and in the year 2019-2020 was made of Rs. 625,791/-. Project proponent has been submitted some copies of news paper published activity conducted on Enterprise Social Commitment. The head of expenditure made are given below. <ol style="list-style-type: none"> 1. Environment 2. Health programme 3. Education 4. Public family Project proponent has not shown the activities carried out on Enterprise Social Commitment programme during the time of site visit. The detail of the approved Enterprise Social Commitment (ESC) plan was not yet uploaded on the company website and also not yet submitted to IRO Ranchi. Third party evaluation of ESC activity should also be submitted.
xiii.	The company shall provide housing for construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, safe drinking water medical health care crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.	Complied : As per the project authorities this condition is being complied with.
xiv.	The company shall submit within three months their policy towards corporate Environment Responsibility which should inter-alia address (i) Standard operating process / procedure to be being into focus any infringement / divination / violation of environmental or forest norms/conditions, (ii) Hierarchical system or Administrative order of the company to deal with environmental issues and ensuring compliance to the environmental clearance conditions and (iii) System of reporting of non compliance/violation environmental norms to the Board of directors of the company and/or stakeholder or shareholders.	Not complied yet: The project authorities have submitted vide their ref 2016-17/1543 dated 31.01.2017 some steps towards corporate environmental responsibility (CER). During the site visit discussion with project officials stated that Corporate Environment Responsibility (CER) plant is yet to be prepared which they have not been doing despite being pointed out in the previous monitoring report on 14.02.2017.
B. GENERAL CONDITIONS:		
i.	The project authorities must strictly adhere to the stipulations made by the Jharkhand Pollution Control Board (JPCB) and the State Government	Partially complied: Project proponent stated that all the stipulations made by Jharkhand state pollution control board (JSPCB) is being followed. The CTO has been issued by JSPCB vide letter no. JSPCB/HO/RNC/CTO-571493/2016/686 on dated 26.09.2016 which is valid up to 31.12.2020 and same is being submitted to RO, Ranchi. It was observed that some condition given in the CTO have not complied as yet.

ii.	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment and Forests.	<p>Partially complied: Project proponent stated no further Expansion / Modification done without prior permission of MoEFCC, Govt. of India. Project proponent has been submitted year wise production details during the year 2016 to January 2020, which are as follows.</p> <table border="1" data-bbox="873 451 1360 970"> <thead> <tr> <th>Year wise</th> <th>Production</th> <th>Quantity in (MT)</th> <th>Raw material consumption</th> <th>Quantity in MT</th> </tr> </thead> <tbody> <tr> <td rowspan="3">2016-2017</td> <td rowspan="3">Ferro Manganese/Silico Manganese</td> <td rowspan="3">22840.42</td> <td>Mn ore</td> <td>28518.387</td> </tr> <tr> <td>Coke</td> <td>8011.559</td> </tr> <tr> <td>Coal</td> <td>980.128</td> </tr> <tr> <td rowspan="3">2017-2018</td> <td rowspan="3">Ferro Manganese/Silico Manganese</td> <td rowspan="3">32215.61</td> <td>Mn ore</td> <td>65473.565</td> </tr> <tr> <td>Coke</td> <td>17726.185</td> </tr> <tr> <td>Coal</td> <td>7285.525</td> </tr> <tr> <td rowspan="3">2018-2019</td> <td rowspan="3">Ferro Manganese/Silico Manganese</td> <td rowspan="3">30146.060</td> <td>Mn ore</td> <td>55268.250</td> </tr> <tr> <td>Coke</td> <td>11458.005</td> </tr> <tr> <td>Coal</td> <td>12193.525</td> </tr> <tr> <td rowspan="3">2019-2020</td> <td rowspan="3">Ferro Manganese/Silico Manganese</td> <td rowspan="3">31178.600</td> <td>Mn ore</td> <td>74055.460</td> </tr> <tr> <td>Coke</td> <td>4726.035</td> </tr> <tr> <td>Coal</td> <td>15870.970</td> </tr> </tbody> </table> <p>Production record register has not maintained and shown at the project site. Project proponent stated that production data recorded in the Ranchi Office which is about 70km far away from the project site.</p>	Year wise	Production	Quantity in (MT)	Raw material consumption	Quantity in MT	2016-2017	Ferro Manganese/Silico Manganese	22840.42	Mn ore	28518.387	Coke	8011.559	Coal	980.128	2017-2018	Ferro Manganese/Silico Manganese	32215.61	Mn ore	65473.565	Coke	17726.185	Coal	7285.525	2018-2019	Ferro Manganese/Silico Manganese	30146.060	Mn ore	55268.250	Coke	11458.005	Coal	12193.525	2019-2020	Ferro Manganese/Silico Manganese	31178.600	Mn ore	74055.460	Coke	4726.035	Coal	15870.970
Year wise	Production	Quantity in (MT)	Raw material consumption	Quantity in MT																																							
2016-2017	Ferro Manganese/Silico Manganese	22840.42	Mn ore	28518.387																																							
			Coke	8011.559																																							
			Coal	980.128																																							
2017-2018	Ferro Manganese/Silico Manganese	32215.61	Mn ore	65473.565																																							
			Coke	17726.185																																							
			Coal	7285.525																																							
2018-2019	Ferro Manganese/Silico Manganese	30146.060	Mn ore	55268.250																																							
			Coke	11458.005																																							
			Coal	12193.525																																							
2019-2020	Ferro Manganese/Silico Manganese	31178.600	Mn ore	74055.460																																							
			Coke	4726.035																																							
			Coal	15870.970																																							
iii.	The gaseous emissions from various process units shall conform to the load/mass based standards notified by this Ministry on 19 th May, 1993 and standards prescribed from time to time. The State Board may specify more stringent standards for the relevant parameters keeping in view the nature of the industry and its size and location.	<p>Partially complied : As per the submitted six monthly report by project proponent stated that all necessary arrangements have been made to control gaseous emission from all sources as per guide-lines fixed by CPCB. Also the fact reflects in the submitted monitored report which was monitored by Institute for Environmental Management, Eco Enviro Lab recognized by NABL and JSPCB. Project proponent should have submitted a copy of letter certifying that Institute for Environmental Management, Eco Enviro Lab is NABL accredited same as mentioned in the general condition no.v. It was observed that the industry does not have effective mechanism to prevent and arrest fugitive dust generated due to movement of traffic and materials. The materials are dumped without cover and spread here and there in the project site as source of dust pollution in the neighbouring locality during windy periods.</p>																																									

iv.	At least four ambient air quality monitoring stations shall be established in the downward direction as well as where maximum ground level concentration of SPM, SO ₂ and NO _x are anticipated in consultation with the Jharkhand SPCB. Data on ambient air quality and stack emission should be regularly submitted to this Ministry including its Regional Office at Bhubaneswar and the Jharkhand PCB / CPCB once in six months.	Partially complied: Ambient air monitoring is being regularly carried out at four different stations within the surrounding in plant premises, which were located in consultation with the visiting officers of state pollution control board Jharkhand and reports are being submitted to regional office, MoEF & CC, Ranchi. Ambient air quality reports & stack emission has been submitted to IRO Ranchi where data are found within the standard norms. The project proponent has not yet installed online continuous Ambient Air Quality Monitoring system in the project site.
v.	Industrial wastewater shall be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19 th May, 1993 and 31 st December, 1993 or as amended from time to time. The treated wastewater shall be utilized for plantation purpose.	Partially complied: As per project proponent there is no waste water discharge from the plant, as this is zero discharge units. It was observed that surface drainage system was not yet constructed. Industrial waste water contained in the surface water where zero discharge process has not been strictly followed by project proponent same as mentioned in the specific condition no.vii.
vi.	The overall noise levels in and around the plant area shall be kept well within the standards (85 dBA) by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels should conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (daytime) and 70 dBA (nighttime).	Complied: As per the submitted documents by project proponent stated that the overall noise levels in and around the plant area shall be kept well within the standards (85 dBA). The ambient noise levels shall conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (daytime) and 70 dBA (night time).
vii.	Occupational health surveillance of the workers shall be done on a regular basis and records maintained as per the Factories Act.	Partially complied: Project proponent stated that they have conducted occupational health surveillance of the workers on a regular basis. In this regards some health checkup report has been submitted to IRO, Ranchi which was certified by registered medical officer. There was not maintaining patient record register in the project site.
viii.	The company shall develop surface as well as ground water harvesting structures to harvest the rain water for utilization in the lean season besides recharging the ground water table.	Partially complied: The project does not have any surface pond / lake in the plant. They have constructed three rain water harvesting structure in the project site. <i>The rain water harvesting plan is not a Government approved one. Project proponent should not allow oil / grease or ore/mineral water to percolate inside the water harvesting structure same as mentioned in the specific condition viii</i>
ix.	The project proponent shall also comply with all the environmental protection measures and safeguards recommended in the EIA/EMP report. Further, the company must undertake socio-economic development activities in the	Partially complied: Project proponent has been submitted some documents on activity carried out for socioeconomic development. Socio-economic development activity in the surrounding villages like community development

	surrounding villages like community development programmes educational programmes drinking water supply and health care etc.	programmes, educational programmes, drinking water supply and health care etc. was not able to shown by project proponent on the date of site visit. Copy of EIA/EMP report has not yet submitted to IRO, Ranchi
x.	Requisite amount shall be earmarked towards capital cost and recurring cost / annum for Environmental pollution control measures to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government. The funds so provided shall not be diverted for any other purpose.	Partially complied. Project proponent stated that all furnaces are connected with the bag filter along with ID fan. No separate account has been maintained by project proponent on environmental protection measures. The year wise and activity wise expenditure incurred for environmental protection measures have not been recorded and furnished to IRO, Ranchi. Project proponent should submit the details of personnel along with their qualification associated with the environment management cell (separate lists for personnel exclusive and others)
xi.	A copy of clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad / Municipal Corporation, Urban Local Body and the local NGO, if any, from whom suggestions / representations, if any, were received while processing the proposal. The clearance letter shall also be put on the web site of the company by the proponent.	Being complied : The clearance letter has been sent to all concerned and put it on the company's website www.bfcl.in .
xii.	The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the MOEF, the respective Zonal Office of CPCB and the JPCB. The criteria pollutant levels namely; SPM, RSPM, SO ₂ , NO _x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.	Partially complied: Project proponent stated that results of monitored data uploaded on the website to pollution control board servers. It was observed that only one half yearly compliance report dated 30.10.19 has been found uploaded in project's website. Project proponent should upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same periodically. It was also observed that the pollutant levels AAQ (ambient air quality) data has not been shown / installed in the digital display board or other manual board at a convenient location near the main gate and in the public domain in the project site.
xiii.	The project proponent shall also submit six monthly reports on the status of the compliance of the stipulated environmental conditions including results of monitored data (both in hard copies as well as by e-mail) to the Regional Office of MOEF, the respective Zonal Office of CPCB and the JPCB. The Regional Office of this Ministry / CPCB / JPCB shall monitor the stipulated conditions.	Being complied: At present six monthly compliance reports are being submitted regularly on the status of implementation of the stipulated environmental safeguards to the MoEF & CC, Integrated Regional office Ranchi, and JSPCB & CPCB.

xiv.	The environmental statement for each financial year ending 31 st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental conditions and shall also be sent to the respective Regional Offices of the MOEF by e-mail.	Partially compliance: The environmental statement for the financial year-2018-19 and 2019-20 has been submitted to the Integrated Regional office of the Ministry of Environment and Forest, Ranchi. The environmental statement for each financial year ending 31st March in "From- V" is not yet uploaded on the website.
xv.	The Project Proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the SPCB and may also be seen at Website of the Ministry of Environment and Forests at http://envfor.nic.in . This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same shall be forwarded to the Regional office.	Complied: The project proponent has been submitted copies of the news paper advertisement which was published in the 'Ranchi Express' and 'Sanmarg' in the Year 2011.
xvi.	Project authorities 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 and the date of commencing the land development work.	Partially complied: Project proponent stated that the plant is already in running conditions so financial closure has already been achieved. As per document produced by project proponent which has certified and signed by Chartered Accountant CA, Nikesh Kumar on behalf of Mr. Vinish Kumar & CO (Chartered Accountant, FCA) on 5.10.2020 stated that the date of commencement for Ferro Alloys Division (Silico Manganese / Ferro Manganese) is 21 st February, 2008 and date of financial closer for Silico Manganese / Ferro Manganese is 1 st June 2014. However, As per vide email dated 10.03.017, the project proponent mentioned that the date of commencement of the project is on 07.07 2014, and same as mentioned in the previous monitored report (dated 14.02.2017) and also same has mentioned in the recent submitted industry information proforma by project proponent on dated 05.10.20. Project proponent should give an explanation on this anomaly.

Some photographs of the project site during project monitoring period (Dated 02.10.2020)



1&2 Photo of profuse smog inside the industry

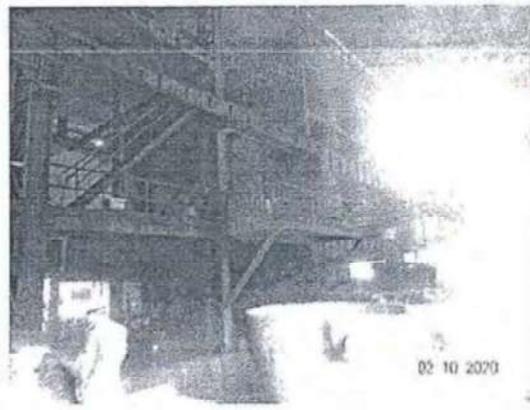


Photo no. 2



3 &4. Photo of raw materials stockyard without cover



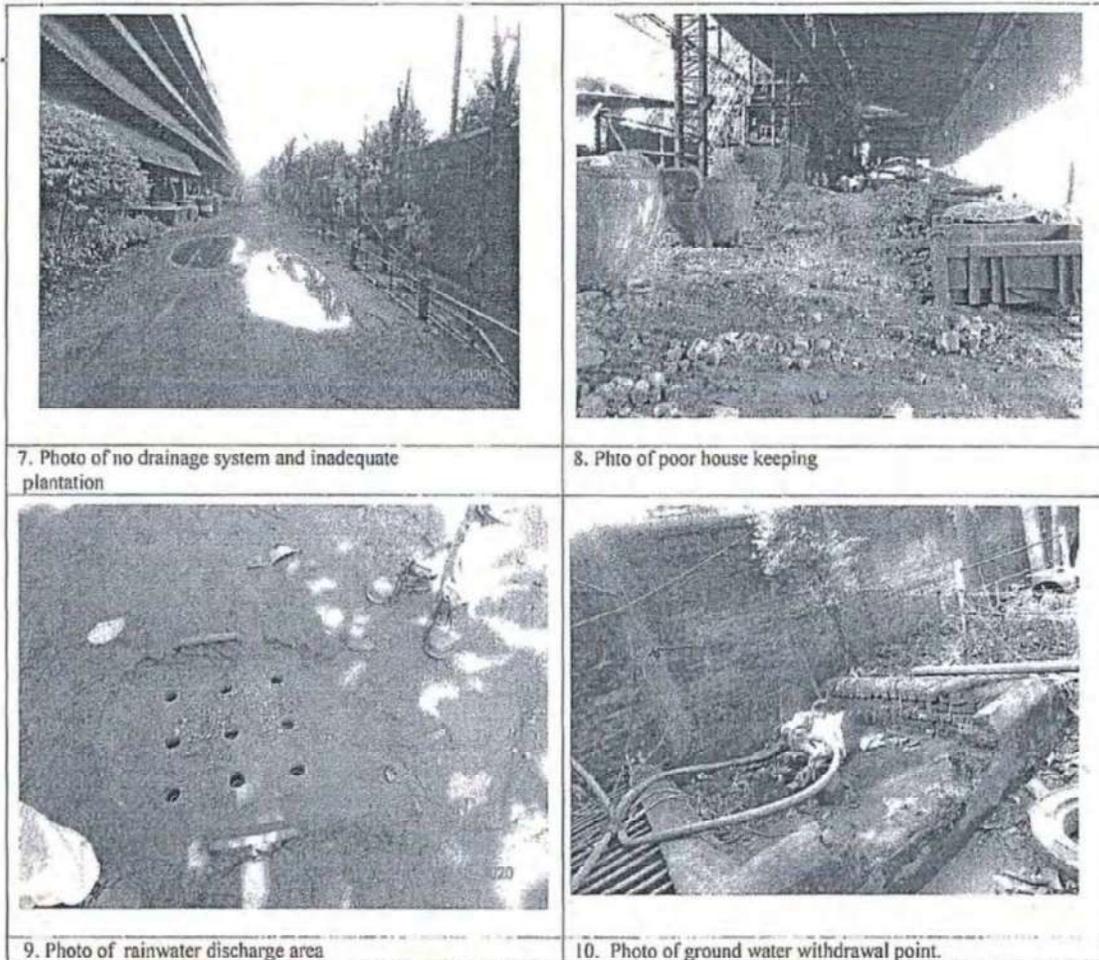
Photo no. 4



5. Photo of charcoal dump



6. Photo of firewood stock



Summary of the report

Site inspection of the project has been carried out on 02.10.2020. Following observations were made during the site inspection that needs special attention:

Following conditions are not yet complied:

A. Specific Conditions:

Condition no. vii): The project proponent has been using ground water without obtaining the approval from competent authority as on date and it was informed that their application (no. 21-4/590/JH/IND/2019 dated 01.10.2019) still under process. The water flow meters along with running hours meters have not been installed in 4 nos. of bore well point and the daily water consumption has not been monitored. At present project proponent is being using river water from Damodar River without obtaining the approval from competent authority despite lapse of 9 years of grant of EC in 2011. Such inordinate pendency of this matter is objectionable. It was observed that surface drainage system was not yet constructed. (photo-7). Industrial waste water contained in the surface water where zero discharge process has not been strictly followed by project proponent.

Condition no. x): The Risk and Disaster Management plan along with mitigation measures is not approved by concerned Government authority.

Condition no. xiv): During the site visit discussion with project officials stated that Corporate Environment Responsibility (CER) plan is yet to be prepared which they have not been doing despite being pointed out in the previous monitoring report on 14.02.2017.

Following conditions found to be partially complied:

A.) Specific Conditions :

Condition no. ii): Project authorities have been using pearl coke instead of pet coke. At the project site huge amount of charcoal dumps and dry wood was observed which are also being used as fuel.(photo- 5&6)

Condition no. iii): On the date of project site visit it was observed that there are two stack installed in the project. Stack no. 2 online emission monitoring system was observed and stack no. 1 is not yet connect with online monitoring system. Both stacks data are yet to be linked to JSPCP server, despite lapse of 9 years of grant of EC in 2011. Recently on 07.10.2020 project proponent has sent some online emission monitored data sheet generated to JSPCB and CPCB. Project proponent should give an explanation on this regards.

Condition no. iv): It was observed that project proponent has not installed any kind of device to detect if any variation in parameter beyond the limit immediately received notification from server through SMS or mail.

Condition no. v): The secondary fugitive emission data was monitored by Institute for Environmental Management, Eco Enviro Lab recognized by NABL and JSPCB. Project proponent should have submitted a copy of letter certifying that Institute for Environmental Management, Eco Enviro Lab is NABL accredited. At the project site it was observed that installed Fume Extraction System was inadequate to control fume and dust. Profuse smog was observed inside the industry premises, (photos-1&2). Inside the industrial premises most of the pathways are neither black topped nor properly paved / concreted creating muddy condition in wet season and dusty in dry season. This location needs fixed water sprinklers, dust extractors system and sweep vacuums. Vehicular movement through this area is additional cause for spread of dust pollution. The industry wastage was haphazardly placed, in the project sites indicative of poor housekeeping. (photo-8). A copy of water tankers log book signed by authorized signatory must be submitted to this IRO, Ranchi

Condition no. viii): The rain water harvesting plan is not a Government approved one. Project proponent should not allow oil / grease or ore/mineral water to percolate inside the water harvesting structure.

Condition no. ix): Project proponent should have submitted the year wise slag production data, quantity of recycled in the furnace and non ferrous particles used in the preparation of building materials to this IRO, Ranchi at the earliest.

Condition no. xi): At the project site it was observed that as requisite, the Green Belt plantation (33%) has not yet been completely developed along the periphery of the campus. Some tree plantation has been done surrounding the project site, (photo- 7) which is inadequate as per the stipulation. There is scope for development of green belt in most of the areas of the project which should be undertaken at the earliest. To reduce air pollution in the project areas, some high value index air pollution tolerant species (*i.e., Ficus bengalensis, Cassia siamea, Mangifera indica, Alstonia scholaris, Toona ciliata etc.*) should also be planted in the periphery of the campus and other available areas in project to prevent and reduce the dust pollution.

Condition no. xii): Project proponent has not shown the activities carried out on Enterprise Social Commitment programme during the time of site visit. The detail of the approved Enterprise Social Commitment (ESC) plan was not yet uploaded on the company website and also not yet submitted to IRO Ranchi. Third party evaluation of ESC activity should also be submitted.

B). General Conditions:

Condition no. i): It was observed that some condition given in the CTO have not complied as yet.

Condition no. ii): Production record register has not maintained and shown at the project site. Project proponent stated that production data recorded in the Ranchi Office which is about 70km far away from the project site.

Condition no. iii): It was observed that the industry does not have effective mechanism to prevent and arrest fugitive dust generated due to movement of traffic and materials. The materials are dumped without cover and spread here and there in the project site as source of dust pollution in the neighbouring locality during windy periods.

Condition no. iv): The project proponent has not yet installed online continuous Ambient Air Quality Monitoring system in the project site.

Condition no. vii): There was not maintaining patient record register in the project site.

Condition no. ix): Socio-economic development activity in the surrounding villages like community development programmes, educational programmes, drinking water supply and health care etc. was not able to shown by project proponent on the date of site visit. Copy of EIA/EMP report has not yet submitted to IRO, Ranchi.

Condition no. x): No separate account has been maintained by project proponent on environmental protection measures. The year wise and activity wise expenditure incurred for environmental protection measures have not been recorded and furnished to IRO, Ranchi. Project proponent should submit the details of personnel along with their qualification associated with the environment management cell (separate lists for personnel exclusive and others)

Condition no. xii): It was observed that only one half yearly compliance report dated 30.10.19 has been found uploaded in project's website. Project proponent should upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same periodically. It was also observed that the pollutant levels AAQ (ambient air quality) data has not been shown / installed in the digital display board or other manual board at a convenient location near the main gate and in the public domain in the project site.

Condition no. xiv): The environmental statement for each financial year ending 31st March in "From- V" is not yet uploaded on the website.

Condition no. xvi): As per document produced by project proponent which has certified and signed by Chartered Accountant CA, Nikesh Kumar on behalf of Mr. Vinish Kumar & CO (Chartered Accountant, FCA) on 5.10.2020 stated that the date of commencement for Ferro Alloys Division (Silico Manganese / Ferro Manganese) is 21st February, 2008 and date of financial closer for Silico Manganese / Ferro Manganese is 1st June 2014.

However, as per vide email dated 10.03.2017, the project proponent mentioned that the date of commencement of the project is on 07.07 2014, and same as mentioned in the previous monitored report (letter dated 29.03.2017) and also same has mentioned in the recent submitted industry information proforma by project proponent on dated 05.10.20. Project proponent should give an explanation on this anomaly.


(Dr. Hemen Hazarika)
Scientist "D"

**MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
EASTERN CENTRAL ZONE, RANCHI
MONITORING REPORT**

Part -I, Data Sheet

1. Project type	Industry		
2. Name of the Project	Bihar Foundry & Castings Ltd. Unit: Gautam Ferro Alloys		
3. No & date of Environment Clearance	J-11011/384/2010-1A-II(I) dated 31.10.2011		
4. Locations: District & State	Marar, Ramgarh, Jharkhand		
5. Address of correspondence:			
a. Address of concerned project Chief Engineer (with Pin Code & telephone/telex/fax numbers)	Deepak Chittore, GM(Plant), Pin Code: 834001 Phone: 0651-2202699/ Mob: 09934012689		
b. Address of Executive Project Engineer /Manager (with Pin Code/fax numbers)	Er. A. Alam (Civil), PGCM/DGMM Ramgarh Cantt. Pin Code: 829122; Mob: 9835322042		
6. Salient features			
(a) Of the project	Existing capacity for ferro alloy is 26 TPD (2* 5 MVA), for 30 TPD (7.5 MVA) and 40 TPD (9 MVA). Project area as per EC is 14 acres. Total project cost as given in EC is 20 crores.		
(b) Of the EMP	33 % of area should be developed as green belt. Budget for EMP and pollution control is 2 crores. Safe environment for workmen must be provided. No charcoal shall be used as fuel.		
7. Project area	Forest	Non-Forest	Total
			14 acres
8. Break-up of project affected population, with enumeration of those, no. of housing or dwelling have been affected losing houses/dwelling units only, Agriculture land and less Labourers /artisans.	None, As Industrial unit is located Industrial Area notified in 1973.		
9. Project Cost /financial details	Parameters	Amount	
	(a) Project cost as originally planned and subsequent revised estimates and the years of price reference.	Project Cost of Rs. 15 crores including Rs.4.00 crores Pollution control device.(as per project proponent)	
	(b) Allocations made for environmental management plans, with item wise and year wise break up.	Above Rs. 1.5 crore per year. This includes Rs.90 lakhs per year	

		towards electricity operation of pollution control device.(As per project proponent)
	(c)Total expenditure on the Project so far	As (a) above Rs.15.00 crores
	(d) Actual expenditure incurred on the environmental management plans so far.	Rs.4.00 Crores(as claimed by project proponent)
10. Forest land requirement: a. The status of approval for and Diversion of forest land for Non-forestry use b. The status of compensatory afforestation c. The status of clear felling d. Comments on the viability &Sustainability of Compensatory Afforestation programme in the Light of actual field experience so far.	N.A.	
11. The status of clear felling in non -forest area (such as submergence area of Reservoir approach roads) if any with Quantitative information.	NA	
12. Status of the construction of project	Date of commencement	Date of completion commissioning/commercial production
		07.07.2014
13. Date of site visits		
(a) Dates on which the project was monitored by this office on previous occasions.		
(b) Date of present visit	14.02.2017	

PART - II

Descriptive Report on status of compliance to conditions of Environmental Clearance.

1	Name of the project	Expansion of Ferro Alloys Plant of M/s Bihar Foundry & Castings Ltd.
2	No & date of environmental clearance	J-11011/384/2010-IA.II(I) dated 31.10.2011
3	Address for correspondence	:
	(a) Registered Office	The Managing Director, Bihar Foundry & Castings Ltd. Unit: Gautam Ferro Alloys, Main Road, Ranchi-834001.
	(b) Project Office	Factory Incharge/Director Bihar Foundry & Castings Ltd. Unit: Gautam Ferro Alloys, Industrial Area, Ramgarh. P.O-Marar, Dist- Ramgarh-829117.
4	Date of site visits:	
	(a) Dates of earlier monitoring	
	(b) Date of Monitoring	14.02.2017

The project was visited on 14.02.2017 along with Shri Deepak Chittore, GM (Plant), Shri Vishnu Upadhayay, GM (Admin), Shri Neeraj Mishra, Lab incharge and Environment Cell member, Shri Deepak Tindha, Supervisor, M/s Bihar Foundry & Castings Ltd., Unit: Gautam Ferro Alloys, Ramgarh. Based on the site visit, documents provided and discussion held with project officials, status of compliance of various environmental clearance conditions, is as follows:

Sl. No	A. SPECIFIC CONDITIONS	COMPLY
i	Compliance to all the specific and general conditions stipulated for the existing plant by the Central/State Government shall be ensured and regular reports submitted to the Ministry's Regional Office at Ranchi/SPCB.	Partially Complied. The project proponent has submitted only three half yearly compliance reports till date vide Letter No. 2012-13/688A dated-27.07.2012, letter No. 2014-15/611 dated-14.08.2014, letter No. 2016-17/1456A dated-06.01.2017 (revised vide letter No. 2016-17/1543 dated-31.01.2017). Environmental statement has been submitted from 01.04.2012 to 31.03.2013 for 2012-13 vide Letter No.2013-14/235 dated 23.05.2013 and for period 01.04.2015 to 31.03.2016 vide letter no 2016-17/1543 dated 31.01.2017. It shows that project authorities are irregular in submitting the compliance reports to Regional office of MOEFCC. Half yearly compliance reports should be submitted regularly as per EIA notification.

ii	No charcoal shall be used as fuel. Pet coke shall be used as fuel instead of charcoal from unknown sources.	<p>Reportedly complied. The project authorities vide their letter no. Ref 2016-17/1543 dated 31.01.2017 have informed that there is no use of charcoal/pet coke as fuel. It was observed during site visit that they have electric arc furnace for manufacturing of ferro alloys and the project authorities claimed that charcoal /petcoke was not used as fuel in such furnace. However as per the reports submitted they are using Steam coal, bez. coke and Pet coke as raw material in the plant.</p>
iii	Continuous monitoring facilities for all the stacks and sufficient air pollution control equipments viz. fume extraction system with bag filters, ID fan and stack of adequate height to submerged arc furnace shall be provided to control emissions below 50 mg/Nm ³ .	<p>Partially Complied. As per the stack Gas Analysis Report submitted by Project proponent for sampling date 28.11.2016 (Report of Envirocheck) the concentration of particulate matter is 36.47 mg/Nm³ but as per the stack monitoring report (date of sampling 14.12.2015 and 25.12.2015) of Jharkhand State Pollution Control Board dust concentration is 144.29 mg/Nm³ and 129.87 mg/Nm³ respectively which is more than the EC condition.</p>
iv	The National Ambient Air Quality Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16 th November, 2009 shall be followed.	<p>Partially Complied. Ambient Air Quality Emission reports submitted by project authorities are within the prescribed standards. The report of Ambient Air Quality prepared by Envirocheck lab mentions that its laboratory is in Dhanbad, Jharkhand whereas Envirocheck Kolkata, West Bengal lab is NABL accredited. The project proponent should submit copy of letter certifying that Envirocheck, Dhanbad lab is NABL accredited.</p>
v	Secondary fugitive emissions from all the sources shall be controlled within the latest permissible limits issued by the Ministry and regularly monitored. Guidelines / Code of Practice issued by the CPCB shall be followed.	<p>Partially Complied. During site visit manual water sprinkling was observed at some places through pipes. The project authorities vide their email dated 09.03.2017 has sent a copy of the details of their water tanker vehicle no. JH01BY/4653 which they claim is used for water sprinkling to minimize dust pollution. Water tanker could not be seen at the site and the project authorities said that it was sent to provide water to nearby people. Running hours and diesel consumption report of water tanker from April 2016 to Jan 2017 has been submitted to RO Ranchi by project authorities. However the above report doesn't mention the designation of the person signing it. A log book of water tanker should</p>

		be maintained mentioning its daily diesel consumption, running hours, breakdown hours, etc. and it must be signed daily by some official of the project. It must be ensured that water sprinkling is done for sufficient time by the tanker to minimize dust pollution. It is also suggested to have permanent water pipes layed at places in the plant and to have water sprinkling to minimize dust pollution.
vi	Regular monitoring of influent and effluent surface, sub-surface and ground water shall be ensured and treated wastewater shall meet the norms prescribed by the State Pollution Control Board or described under the Environment (Protection) Act, 1986 whichever are more stringent. Leachate study for the effluent generated and analysis shall also be regularly carried out and report submitted to the Ministry's Regional Office at Ranchi, SPCB and CPCB.	Partially complied. The project authorities claim that there is no effluent generation at their ferro alloy plant. They claimed that Water is being used for cooling purpose which is recycled through cooling tower. However a quality control lab was found in the plant and chemicals were used in the lab. It is suggested to have the sample of effluent discharged from the lab must be checked and report submitted to Regional office.
vii	The total water requirement shall not exceed 35 m ³ /day and prior Permission to draw the water from Competent Authority shall be obtained. Zero' effluent discharge shall be strictly followed and no wastewater shall be discharged outside the premises.	Partially Complied. Ground water used is recorded in water meter sealed by JSPCB. The project authorities have submitted letter no 2015-16/875 dated 22.09.2015 to Member secretary, JSPCB for water consumption cess for period July 2014 to June 2015. Latest water cess report must be submitted i.e. for the year 2015-16 with supporting documents that Project is not consuming water for more than 35 m ³ /day. As per the project authorities Zero effluent discharge is strictly followed but in the industry information proforma filled and submitted by the project authorities it is mentioned that 10 KL water is discharged.
viii	Efforts shall be made to make use of rain water harvested. If needed, capacity of the reservoir should be enhanced to meet the maximum water requirement. Only balance water requirement should be met from other sources.	Partially Complied. Copy of the Rain water Harvesting plan prepared by Ketki Consultancy Engineering Services Ranchi has been submitted by project authorities. However the plan is not a Government approved one. Rain water harvesting structures were found at the plant as can be seen form photographs 1&2. It was suggested to project proponent to not allow oil/ grease or ore/mineral water to percolate inside the water harvesting structures. It was also told to project

		authorities to remove all the ore/mineral from the vicinity of the water harvesting structures to avoid contamination of Ground water.												
ix	Slag produced in Ferro Manganese (Fe-Mn) production shall be used in manufacture of Silico Manganese (Si-Mn). All the other ferro alloy slag shall be used in the preparation of building materials.	<p>Reportedly complied. The details of slag production and its use submitted by project proponent is as given below:</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Slag produced (units in MT)</th> <th>Qty recycled in the Furnace (Units in MT)</th> <th>Non-Ferrous particulars used in the preparation of Building Material (Units in MT)</th> </tr> </thead> <tbody> <tr> <td>2014-15</td> <td>16357</td> <td>9814</td> <td>6543</td> </tr> <tr> <td>2015-16</td> <td>20965</td> <td>12579</td> <td>8386</td> </tr> </tbody> </table> <p>The slag is crushed in crusher. The magnetic particles are removed and recycled in the furnace, whereas non ferrous particles are used in preparation of building material.</p>	Year	Slag produced (units in MT)	Qty recycled in the Furnace (Units in MT)	Non-Ferrous particulars used in the preparation of Building Material (Units in MT)	2014-15	16357	9814	6543	2015-16	20965	12579	8386
Year	Slag produced (units in MT)	Qty recycled in the Furnace (Units in MT)	Non-Ferrous particulars used in the preparation of Building Material (Units in MT)											
2014-15	16357	9814	6543											
2015-16	20965	12579	8386											
x	Risk and Disaster Management Plan along with mitigation measures should be prepared and a copy submitted to the Ministry's Regional Office at Ranchi, SPCB and CPCB within three months of issue of environment clearance letter.	<p>Partially Complied. As per the project authorities for the purpose of risk and disaster management plan, retired Chief Inspector of Factories, Bihar had prepared On-site Emergency plan (copy submitted) which was submitted to Inspector of Factories office in the year 1998. However it is not approved by the concerned Government Authority. A Copy of Risk and Disaster Management Plan was submitted before to the Ministry's Regional Office at Ranchi on 27.07.2012 which was also not Government approved.</p>												
xi	As proposed, green belt shall be developed in at least 33 % of the project area. Selection of plant species shall be as per the CPCB guidelines in consultation with the DFO.	<p>Partially Complied. The project proponent has submitted plantation details for the year 2012 to 2016. As per the details submitted, 529 nos of plants were planted in the area of 3515 ft² in year 2012, 452 nos of plants were planted in the area of 4535 ft² in year 2013, 489 nos of plants were planted in the area of 2180 ft² in year 2014, 478 nos of plants were planted in the area of 9448 ft² in year 2015 and 606 nos of plants were planted in the area of 9737 ft² in year 2016. Therefore, total trees (including flowers) planted from year 2012 to 2016 is 29415 ft² or 0.675 acres only as against 4.62 acres as per EC.</p>												

		<p>Many of the plants shown in plantation are flowering plants like Rose, Marigold, and Lotus etc. During onsite inspection it was observed that at places near the periphery/ boundary trees are negligible (Photographs no.3 & 4) or very sparse. More green belt should be developed along the periphery & inside the plant in consultation with DFO so that green belt development becomes 33% of the project area (Total project area as per EC is 14 acres)</p>
xii	<p>At least 5% of the total cost of the project should be earmarked towards the Enterprise Social Commitment based on locals need and item-wise details along with time bound action plan should be prepared and submitted to Ministry's Regional Office at Ranchi. Implementation of such program shall be ensured accordingly in a time bound manner.</p>	<p>Partially Complied. The project proponent has submitted details of year wise expenditure forwards Enterprise Social Commitment (ESC) form the 2012-13 to the year 2015-16 and as per the report an amount of Rs 1, 24, 55,820/- has been spent on ESC. Project proponent has also submitted copies of some ledger accounts in support of above ESC expenditure. Further supporting documents were not shown to RO Ranchi to establish percentage expenditure on ESC.</p>
xiii	<p>The company shall provide housing for construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.</p>	<p>Complied. As per the project authorities this condition has been complied.</p>
xiv	<p>The Company shall submit within three months their policy towards Corporate Environment Responsibility which should inter-alia address (i) Standard operating process/ procedure to being into focus any infringement/deviation/violation of environmental or forest norms/conditions, (ii) Hierarchical system or Administrative order of the Company to deal with environmental issues and ensuring compliance to the environmental clearance conditions and (iii) System of reporting of non compliance/violation environmental norms to the Board of Directors of</p>	<p>Partially complied. The project authorities have submitted vide their ref 2016-17/1543 dated 31.01.2017 some steps towards Corporate Environment Responsibility (CER). However the Company should submit their policy towards Corporate Environment Responsibility according to the condition stipulated in EC.</p>

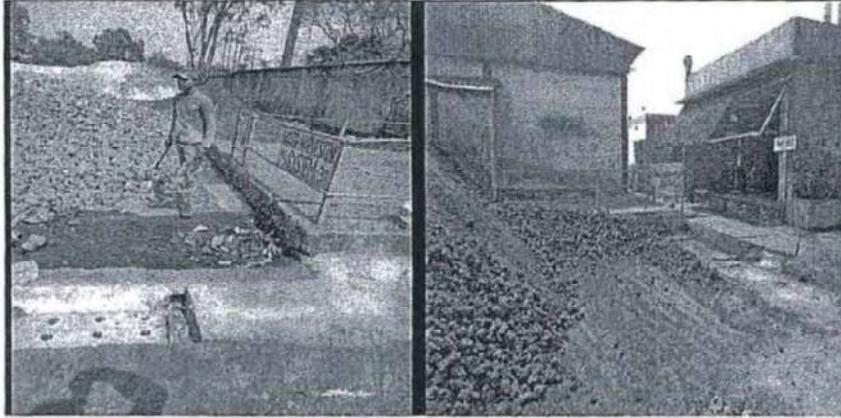
the company and/or stakeholders or shareholders.	
--	--

Sl. No	B. GENERAL CONDITIONS:	COMPLIANCE
i	The project authorities must strictly adhere to the stipulations made by the Jharkhand State Pollution Control Board and the State Government	Partially complied. The project proponent has submitted a compliance report of CTO given by Jharkhand State Pollution Control Board. On analyzing it was found that some of the conditions given in the CTO have not been fully complied.
ii	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment and Forests.	Reportedly Complied. The project authorities have assured to abide by the condition.
iii	The gaseous emissions from various process units shall conform to the load/mass based standards notified by this Ministry on 19 th May, 1993 and standards prescribed from time to time. The State Board may specify more stringent standards for the relevant parameters keeping in view the nature of the industry and its size and location	Partially Complied. As per the stack Gas Analysis Report submitted by Project proponent for sampling date 28.11.2016 (Report of Envirocheck) the concentration of particulate matter is 36.47 mg/Nm ³ but as per the stack monitoring report (date of sampling 14.12.2015 and 25.12.2015) of Jharkhand State Pollution Control Board dust concentration is 144.29 mg/Nm³ and 129.87 mg/Nm³ respectively which is more than the EC condition.
iv	At least four ambient air quality monitoring stations should be established in the downward direction as well as where maximum ground level concentration of PM ₁₀ , SO ₂ and NO _x are anticipated in consultation with the SPCB. Data on ambient air quality and stack emission shall be regularly submitted to this Ministry including its Regional Office at Ranchi and the SPCB / CPCB once in six months.	Partially complied. The project has three Ambient Air Quality Monitoring Stations. The project authorities assured that they will increase one more monitoring station with the consultation of JSPCB. The project is very irregular in submitting data on ambient air quality and stack emissions.
v	Industrial wastewater shall be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19 th May, 1993 and 31 st December, 1993 or as amended from time to time. The treated wastewater shall be utilized for plantation purpose.	Complied. As per the project authorities no wastewater is being discharged from the Ferro Alloy plant as the water is reused the water for cooling purpose from their cooling tower.
vi	The overall noise levels in and around the plant area shall be kept well within the standards (85 dBA) by providing noise	Partially complied. As per the reports submitted by project proponent the Noise levels are within the

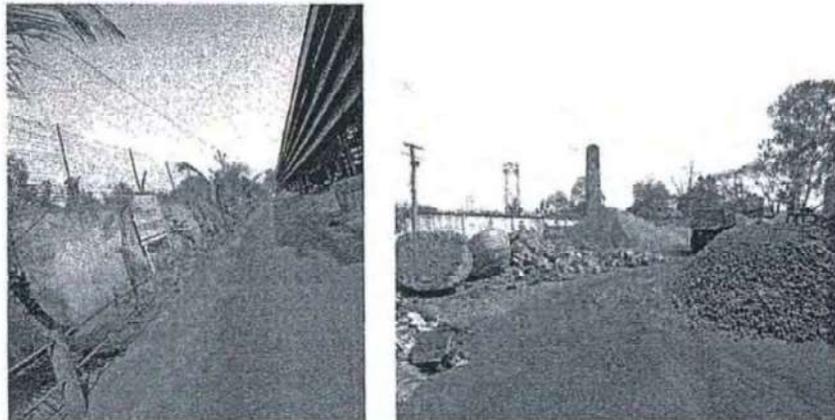
	control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels should conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (daytime) and 70 dBA (nighttime).	permissible limits. The report of results of Noise Level study prepared by Envirocheck lab mentions that its laboratory is in Dhanbad, Jharkhand whereas Envirocheck Kolkata, West Bengal lab is NABL accredited. The project proponent should submit copy of letter certifying that Envirocheck, Dhanbad lab is NABL accredited.
vii	Occupational health surveillance of the workers should be done on a regular basis and records maintained as per the Factories Act.	Partially complied. The project authorities have submitted a certificate by Dr.V.K. Chaturvedi, M.B.B.S citing that 75 workers and 101 workers of the plant had undergone occupational health surveillance in the year 2015 and 2014 respectively. However a sample health check copy of some of the workers indicating the types of medical examinations held on them needs to be submitted to RO Ranchi.
viii	The company shall develop surface water harvesting structures to harvest the rain water for utilization in the lean season besides recharging the ground water table.	Partially complied. The project does not have any surface pond/lake in its plant. They have constructed three Rain Harvesting structures in the plant. It was suggested to project proponent to not allow oil/grease or ore/mineral water to percolate inside the water harvesting structures. It was also told to project authorities to remove all the ore/mineral from the vicinity of the water harvesting structures to avoid contamination of Ground water.
ix	The project proponent shall also comply with all the environmental protection measures and safeguards recommended in the EIA/EMP report. Further, the company must undertake socio-economic development activities in the surrounding villages like community development programmes, educational programmes, drinking water supply and health care etc.	Partially complied. Bag filters to control the emissions from the submerged arc furnace were found during onsite inspection. Rain water harvesting system has been made. However, more socio-economic development activities in the surrounding villages must be done and details must be submitted.
x	Requisite amount shall be earmarked towards capital cost and recurring cost/annum for environment pollution control measures to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government. An implementation schedule for implementing all the conditions stipulated herein shall be submitted to the Regional Office of the	Partially complied. The project proponent has submitted that Rs. 2.5 crores have been spent on establishment of fume extraction system, bag filter systems, etc., Rs. 75.00 lakhs approx has been spent for development of Greenbelt till February 2017 and Expenditure on Environmental Cell

	Ministry at Ranchi. The funds so provided shall not be diverted for any other purpose.	members salary and wages comes Rs. 60.00 lakhs approx. per annum. They also claim that the expenditure cost per year is about Rs.85 lakhs mainly due to cost of electrical energy use in operation for pollution control measures. However an implementation schedule for implementing all the conditions stipulated herein has not been submitted to the Regional Office Ranchi.
xi	A copy of clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/Municipal Corporation, Urban Local Body and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the web site of the company by the proponent.	Partially complied. The project authorities claim that they have submitted copy of the clearance letter to the respective agencies. However the clearance letter was not found on the web site of the company.
xii	The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the MOEF at Ranchi, the respective Zonal Office of CPCB and the CECB. The criteria pollutant levels namely; PM10, SO ₂ , NO _x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.	Partially complied. Only one six monthly compliance report dated 14.08.2014 has been found uploaded in project's website. The project proponent shall as per EIA notification upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically. PM10, SO ₂ , NO _x , levels indicated for the project was displayed near the main gate of the company in the public domain.
xiii	The project proponent shall also submit six monthly reports on the status of the compliance of the stipulated environmental conditions including results of monitored data (both in hard copies as well as by e-mail) to the Regional Office of MOEF, the respective Zonal Office of CPCB and the SPCB. The Regional Office of this Ministry at Ranchi/ CPCB / SPCB shall monitor the stipulated conditions	Partially complied. The project proponent has submitted only three half yearly compliance reports till date vide Letter No. 2012-13/688A dated-27.07.2012, letter No. 2014-15/611 dated-14.08.2014, letter No. 2016-17/1456A dated-06.01.2017 (revised vide letter No. 2016-17/1543 dated-31.01.2017). It shows that project authorities are irregular in submitting the compliance reports to Regional office of MOEFCC. Half yearly compliance reports should be submitted regularly as per EIA

		notification 2006.
xiv	The environmental statement for each financial year ending 31 st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental conditions and shall also be sent to the respective Regional Offices of the MOEF at Ranchi by e-mail.	Partially complied. Only two Environmental statement has been submitted till date viz.from 01.04.2012 to 31.03.2013 vide Letter No.2013-14/235 dated 23.05.2013 and for period 01.04.2015 to 31.03.2016 vide letter no. 2016-17/1543 dated 31.01.2017. It shows irregularities in submitting environmental statement. Environmental statement was not found put on the website of the company.
xv	The Project Proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the SPCB and may also be seen at Website of the Ministry of Environment and Forests at http://envfor.nic.in . This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same should be forwarded to the Regional office at Ranchi.	Partially Complied. The project authorities submitted copy of the newspaper advertisement but it does not make clear the name of newspaper and the date of advertisement. Later they informed that advertisement was published in 'Ranchi Express' and 'Sanmarg', Ranchi in the year 2011.
xvi	Project authorities 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 and the date of commencing the land development work.	Not complied. No communication/letter was found in which project authorities have informed Regional office of MOEFCC about date of commencing the land development work. Recently vide their letter dated 10.03.2017, the project proponent has submitted that the date of commissioning of the project is on 07.07.2014.



Photograph 1 Water harvesting system no.3 at the plant. Photograph 2 Water harvesting system no.2 at the plant.



Photograph 3 Plantation at one of the boundaries. Photograph 4 Plantation at other boundary of the plant.

Summary of the report

Site inspection of the project has been carried out on 14.02.2017. Following observations were made during the site inspection that needs special attention:

Specific Conditions:

Following conditions were **partially complied**:

(**Condition no. i**): Project authorities are irregular in submitting the compliance reports to Regional office of MOEFCC. Half yearly compliance reports should be submitted regularly as per EIA notification 2006.

(Condition no. iii): As per the stack monitoring report (date of sampling 14.12.2015 and 25.12.2015) of Jharkhand State Pollution Control Board dust concentration is 144.29 mg/Nm³ and 129.87 mg/Nm³ respectively which is more than the EC condition.

(Condition no. iv) : The report of Ambient Air Quality prepared by Envirocheck lab mentions that its laboratory is in Dhanbad, Jharkhand whereas Envirocheck Kolkata, West Bengal lab is NABL accredited. The project proponent should submit copy of letter certifying that Envirocheck, Dhanbad lab is NABL accredited.

(Condition no. v): The running hours and diesel consumption report of water tanker doesn't mention the designation of the person signing it. A log book of water tanker should be maintained mentioning its daily diesel consumption, running hours, breakdown hours, etc and it must be signed daily by some official of the project. It must be ensured that water sprinkling is done for sufficient time by the tanker to minimize dust pollution. It is also suggested to have permanent water pipes laid at places in the plant and to have water sprinkling to minimize dust pollution.

(Condition no. vi) : A quality control lab was found in the plant and chemicals were used in the lab. It is suggested to have the sample of effluent discharged from the lab must be checked and report submitted to Regional office.

(Condition no. vii) : Latest water cess report must be submitted i.e for the year 2015-16 with supporting documents that Project is not consuming water for more than 35 m³/day. As per the project authorities Zero effluent discharge is strictly followed but in the industry information proforma filled and submitted by the project authorities it is mentioned that 10 KL water is discharged.

(Condition no. viii) : The Rain water Harvesting plan is not a Government approved one. It was suggested to project proponent to not allow oil/grease or ore/mineral water to percolate inside the water harvesting structures. It was also told to project authorities to remove all the ore/mineral from the vicinity of the water harvesting structures to avoid contamination of Ground water.

(Condition no. x) : The risk and disaster management plan is not approved by the concerned Government Authority.

(Condition no. xi) : Total trees (including flowers) planted from year 2012 to 2016 is 29415 ft² or 0.675 acres only as against 4.62 acres as per EC. Many of the plants shown in plantation are flowering plants like Rose, Marigold, and Lotus etc. During onsite inspection it was observed that at places near the periphery/ boundary trees are negligible (Photographs no.3 & 4) or very sparse. More green belt should be developed along the periphery & inside the plant in consultation with DFO so that green belt development becomes 33% of the project area (Total project area as per EC is 14 acres).

(Condition no. xii) : Further supporting documents were not shown to RO Ranchi to establish percentage expenditure on ESC.

(Condition no. xiv) : The Company should submit their policy towards Corporate Environment Responsibility according to the condition stipulated in EC.

General Conditions:

Following condition was **not complied**:

(Condition no. xvi) : No communication/letter was found in which project authorities have informed Regional office of MOEFCC about date of commencing the land development work.

Following conditions were **partially complied**:

(Condition no. i) : On analyzing it was found that some of the conditions given in the CTO has not been fully complied.

(Condition no. iii): As per the stack monitoring report (date of sampling 14.12.2015 and 25.12.2015) of Jharkhand State Pollution Control Board dust concentration is 144.29 mg/Nm³ and 129.87 mg/Nm³ respectively which is more than the EC condition.

(Condition no. iv) : The project authorities assured that they will increase one more monitoring station with the consultation of JSPCB. The project is very irregular in submitting data on ambient air quality and stack emissions.

(Condition no. vi) : The report of results of Noise Level study prepared by Envirocheck lab mentions that its laboratory is in Dhanbad, Jharkhand whereas Envirocheck Kolkata, West Bengal lab is NABL accredited. The project proponent should submit copy of letter certifying that Envirocheck, Dhanbad lab is NABL accredited.

(Condition no. vii) : A sample health check copy of some of the workers indicating the types of medical examinations held on them needs to be submitted to RO Ranchi.

(Condition no. viii) : It was suggested to project proponent to not allow oil/grease or ore/mineral water to percolate inside the water harvesting structures. It was also told to project authorities to remove all the ore/mineral from the vicinity of the water harvesting structures to avoid contamination of Ground water.

(Condition no. ix) : More socio-economic development activities in the surrounding villages must be done and details must be submitted.

(Condition no. x) : An implementation schedule for implementing all the conditions stipulated herein has not been submitted to the Regional Office Ranchi.

(Condition no. xi) : The clearance letter was not found on the web site of the company.

(Condition no. xii) : Only one six monthly compliance report dated 14.08.2014 has been found uploaded in project's website. The project proponent shall, as per EIA notification, upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically.

(Condition no. xiii): Project authorities are irregular in submitting the compliance reports to Regional office of MOEFCC. Half yearly compliance reports should be submitted regularly as per EIA notification 2006.

(Condition no. xiv): It is found that there are irregularities in submitting environmental statement. Environmental statement was not found put on the website of the company.

(Condition no. xv) : The newspaper copy does not make clear the date of advertisement.

(Condition no. xvi) : No communication/letter was found in which project authorities have informed Regional office of MOEFCC about date of commencing the land development work.



(Rajeev Ranjan)
Scientist 'D'

True Copy/-



जल शक्ति मंत्रालय
जल संसाधन, नदी विकास
और गंगा संरक्षण विभाग
केन्द्रीय भूमि जल प्राधिकरण
Government of India
Ministry of Jal Shakti
Department of Water Resources,
River Development & Ganga Rejuvenation
Central Ground Water Authority

(भूजल निकासी हेतु अनापत्ति प्रमाण पत्र)

NO OBJECTION CERTIFICATE (NOC) FOR GROUND WATER ABSTRACTION

Project Name:	Bfcl- Gautam Ferro Alloys		
Project Address:	Plot1405 (p), Marar Industrial Area, Ps Ramgarh		
Town:	Mandu (ct)	Block:	Mandu
District:	Ramgarh	State:	Jharkhand
Pin Code:			
Communication Address:	Managing Director, M/s Bihar Foundry And Castings Ltd, Main Road, Ranchi-834001, Namkum, Ranchi, Jharkhand - 834001		
Address of CGWB Regional Office :	Central Ground Water Board Mid Eastern Region, 6th & 7th Floor, Lok Nayak Jai Prakash Bhawan, Frazer Road Dak Banglow, Patna, Bihar - 800011		

1. NOC No.:	CGWA/NOC/IND/ORIG/2021/10628											
2. Application No.:	21-4/590/JH/IND/2019	3. Category: (GWRE 2017)	Semi Critical									
4. Project Status:	Existing Project		5. NOC Type:	New								
6. Valid from:	02/01/2021		7. Valid up to:	01/01/2024								
8. Ground Water Abstraction Permitted:												
	Fresh Water		Saline Water	Dewatering	Total							
	m ³ /day	m ³ /year	m ³ /day	m ³ /year	m ³ /day	m ³ /year						
	35.00	12775.00										
9. Details of ground water abstraction /Dewatering structures												
	Total Existing No.:2				Total Proposed No.:1							
	DW	DCB	BW	TW	MP	MPu	DW	DCB	BW	TW	MP	MPu
Abstraction Structure*	0	0	2	0	0	0	0	0	1	0	0	0
*DW- Dug Well; DCB-Dug-cum-Bore Well; BW-Bore Well; TW-Tube Well; MP-Mine Pit;MPu-Mine Pumps												
10. Ground Water Abstraction/Restoration Charges paid (Rs.):				76650.00								
11. Number of Piezometers(Observation wells) to be constructed/ monitored & Monitoring mechanism.				No. of Piezometers			Monitoring Mechanism					
				1			Manual	DWLR**	DWLR With Telemetry			
**DWLR - Digital Water Level Recorder				1			1	0	0			

(Compliance Conditions given overleaf)

This is an auto generated document & need not to be signed.

18/11, जयनगर हाउस, मानसिंह रोड, नई दिल्ली - 110011 / 18/11, Jannagar House, Mansingh Road, New Delhi-110011

Phone: (011) 23383561 Fax: 23382051, 23386743

Website: cgwa-noc.gov.in

पानी बचाये - जीवन बचाये
SAVE WATER - SAVE LIFE

CGWA No Objection Certificate of M/s Bihar Foundry & Castings Limited-Ferro Alloys Unit

NOC Ref No.

CGWA/NOC/IND/ORIG/2021/10628 dated

02.01.2021 to Validity up to-01.01.2024

True Copy/-

ANNEXURE- A-14

239484/2019/IA

No. Q-16017/38/2018-CPA
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
(CP Division)

1st Floor, Agni Block,
Indira Paryavaran Bhawan,
Jor Bagh Road,
Aliganj, New Delhi-110003

Dated: 24th October, 2019

To,

Member Secretary
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi-110032

Subject: - Compliance of Hon'ble NGT order dated 19.08.2019 (published on 23.08.2019) in O. A. No. 1038 2018 – reg.

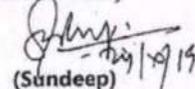
Sir,

Please refer to your letter No. CPCB/IPC-VII/CEPI/NGT/2019 dated 18.10.2019 regarding the subject mentioned as above. In this context, find enclosed herewith the mechanism for environmental management of Critically and Severely Polluted Areas and consideration of activities/projects in such areas in compliance of directions issued by Hon'ble National Green Tribunal on 19.08.2019 (published on 23.08.2019) in O. A. No. 1038 2018. The enclosed Mechanism may be shared with the State/UT Governments and SPCB/PCCs for implementation. However, the report regarding CEPI and EPI assessment study done by CPCB may be put up to the Ministry for further deliberation.

This issues with the approval of the Competent Authority.

Encl: as above

Your Faithfully


(Sundeep)

Director/Scientist 'F'

Email: sundeep.moef@gmail.com

Phone/Fax:011-24695339

239484/2019/IA

Mechanism evolved after consultation with stakeholders for new activities/ expansion by Red & Orange Category of industries in Critically/ Severely Polluted areas

A. Environmental Management of CPAs and SPAs

Protocol to be followed by the State Pollution Control Boards (SPCBs)/ Pollution Control Committees(PCCs) For improvement of environmental quality in the Critically Polluted Areas (CPAs) and Severely Polluted areas(SPAs)

- i. The CEPI score assessment done by CPCB may be used as warning tool by the State Governments, SPCBs and other concerned to understand the severity of pollution existing in the area and to formulate appropriate action plan.
- ii. The State Govts. / Union Territories / SPCBs/PCCs may finalize the time bound action plans within three months for the identified CPAs and SPAs to restore environment quality within norms. Short term and long term action points have to be formulated with time frames of up to one year and more than one year, as may be required, respectively.
- iii. The action plan may be prepared by a committee constituted by Chief Secretary. Representative of industries association may be included in the committee constituted. The final preparation of action plan including its execution may be overseen by the Chief Secretary of the concerned state. The same may shall be submitted to CPCB for consideration & approval.
- iv. While preparing action plans, the committee constituted by the Chief Secretary shall follow the directions, issued by CPCB under section 18(1) (b) of the Water (Prevention & Control of pollution) Act, 1974 and the Air (Prevention & Control of pollution) Act,1981 on 26.04.2016, which include (i) environmental quality monitoring in all CPAs, (ii) installation of continuous ambient air quality monitoring stations/ Strengthening of manual monitoring stations (iii) installation of continuous water quality monitoring stations, (iv) application of revised CEPI version and (v) action plan & monitoring. Long term and short term action plans, along with sector and region wise action points, should be defined clearly with time lines and responsible implementing agencies. Additionally, Source apportionment Studies may be conducted to ascertain contribution from sources including industries for planning actions.
- v. The progress of implementation of action points may be reviewed by district and State Level Monitoring Committees, quarterly. It would be ensured that there is no slippage either in terms of time frame or the activities to be completed relating to the action plan. In case of delay/inefficiency in implementation of action plan, the concerned State

M/2019/1A

Government will take appropriate action against the responsible authorities, implementing agencies, industries, etc. under the provisions of relevant acts/laws.

- vi. The SPCBs/PCCs may undertake environmental quality monitoring for evaluating CEPI in the critically and severely polluted areas falling under their jurisdiction through an outside third party recognized agency (laboratory) under Environment (Protection) Act, 1986 and accredited under NABL. The frequency of monitoring may be twice in a year i.e. pre- monsoon season and post-monsoon season.
 - vii. The action plans prepared for the CPAs/SPAs, environmental quality monitoring data, evaluated CEPI scores (as per revised CEPI-2016 concept) and progress reports of committee meetings to be placed in public domain through their respective State Govts. / UTs / SPCBs / PCCs websites. CPCB may also review the progress of implementation of action plans of CPAs/ SPAs on a quarterly basis.
 - viii. In case CEPI scores of a particular CPA continue to be in critical category for a year, MoEF&CC may review the action plans with the concerned State Govt. / Union territory and impose additional safeguards such as revising the time limits for implementation of action points, supplementary action points and may recommend penal action against the authorities responsible for implementation of action plan for environmental management of CPAs/SPAs.
 - ix. CPCB may also carry out re-assessment of CEPI scores in CPAs, with concurrence of MoEF&CC and report outcome for further consideration and decision by MoEF&CC
 - x. Carrying capacity study of the each of the area may be carried out by State Govts. / Union Territories /SPCBs/PCCs based on the protocols prepared by CPCB.
- B. Consideration of proposals for grant of Environmental clearance for new and expansion activities listed in 'Red' and 'Orange' Categories located in Critically Polluted Areas and Severely Polluted areas:
- i. Any project or activity specified in Category B1 will be appraised at the Central Level, if located in whole or in part within 5 km from the boundary of Critically Polluted Areas or Severely Polluted Areas. However, Category B2 projects shall be considered at state level stipulating Environmental Clearance conditions as applicable for the Category 'B1' project/activities.

239484/2019/IA

- ii. Proposals located in CPAs and SPAs may be examined by the sectoral Expert Appraisal Committee (EAC) during scoping/appraisal based on the CEPI scores of Air/Water/Land Environment as published by CPCB from time to time. In such proposals, appropriate mitigation measures for the environment possessing higher CEPI score may be made by EAC in the form of recommendations/decision. These recommendations may be explicitly mentioned in the Terms of Reference/Environmental Clearance letter and to be ensured by the member secretary concerned.
- iii. SPCBs/PCCs may prescribe following additional conditions, deemed fit for grant Consent to establish (CTE)/Consent to Operate (CTO) to those projects/activities of Red/Orange Categories located in CPAs/SPAs which are not covered under the provisions of the EIA Notification, 2006.

Environment	Mitigation Measures
Air	<p><u>Stipulation of conditions such as:</u></p> <ul style="list-style-type: none"> i. Stack emission levels should be stringent than the existing standards in terms of the identified critical pollutants. ii. CEMS may be installed in all large/medium red category industries (air polluting) and connected to SPCB and CPCB server. iii. Effective fugitive emission control measures should be imposed in the process, transportation, packing etc. iv. Transportation of materials by rail/conveyor belt, wherever feasible. v. Encourage use of cleaner fuels (pet coke/ furnace oil/LSHS may be avoided). vi. Best Available Technology may be used. For example, usage of EAF/SAF/IF in place of Cupola furnace. Usage of Supercritical technology in place of sub-critical technology. vii. Increase of green belt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever feasible. viii. Stipulation of greenbelt outside the project premises such as avenue plantation, plantation in vacant areas, social forestry, etc.

2019/11A

	ix. Assessment of carrying capacity of transportation load on roads inside the industrial premises. If the roads required to be widened, shall be prescribed as a condition.
Water	<p><u>Stipulation of conditions such as:</u></p> <ul style="list-style-type: none"> i. Reuse/recycle of treated wastewater, wherever feasible. ii. Continuous monitoring of effluent quality/quantity in large and medium Red Category Industries (water polluting). iii. A detailed water harvesting plan may be submitted by the project proponent
	<ul style="list-style-type: none"> iv. Zero liquid discharge wherever techno-economically feasible. v. In case, domestic waste water generation is more than 10 KLD, the industry may install STP.
Land	<p><u>Stipulation of conditions such as:</u></p> <ul style="list-style-type: none"> i. Increase of green belt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever, feasible for new projects. ii. Stipulation of greenbelt outside the project premises such as avenue plantation, plantation in vacant areas, social forestry, etc. iii. Dumping of waste (fly ash, slag, red mud, etc.) may be permitted only at designated locations approved by SPCBs/ PCCs. iv. More stringent norms for management of hazardous waste. The waste generated should be preferably utilized in co-processing.
Other Condition(Additional):	<ul style="list-style-type: none"> i. Monitoring of compliance of EC conditions may be submitted with third party audit every year. ii. The % of the CER may be at least 1.5 times the slabs given in the OM dated 01.05.2018 for SPA and 2 times for CPA in case of Environmental Clearance.

ANNEXURE- A-15

S.No	Proposal Details	Location	Important Dates	Category	Company/Proponent	Type of project	* Att
1	<p>Proposal No : IA/JH/IND/172815/2020</p> <p>File No : J-11011/384/2010-IA.II(I)</p> <p>Proposal Name : Modification-cum-Expansion in existing Ferro Alloys Plant of M/S Bihar Foundry & Casting Limited at Notified Ramgarh Industrial Area, Survey Plot No 1405(P), Village - Marar, Ramgarh (JHK) - 829117</p>	<p>State : Jharkhand</p> <p>District : Ramgarh</p> <p>Tehsil : No Data</p>	<p>Date of Submission for TOR : 12 Sep 2020</p> <p>Proposal Accepted by MS on : 18 Sep 2020</p> <p>Date of TOR Granted : 24 Nov 2020</p>	Industrial Projects - 1	BIHAR FOUNDRY & CASTING LIMITED	Expansion	    



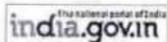
(HTTPS://SWACHHBHARAT.MYGOV.IN/)



Power To Empower

(WWW.DIGITALINDIA.GOV.IN)

(HTTPS://DATA.GOV.IN/)



(HTTPS://INDIA.GOV.IN/)



(HTTPS://WWW.MYGOV.IN/)

(HTTP://MEITY.GOV.IN/)



(HTTP://WWW.PMINDIA.GOV.IN/EN/)



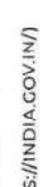
(HTTP://WWW.NIC.IN/)



MeitY

© Content Owned, Updated and Maintained by Ministry of Environment, Forest and Climate Change, Government of India
 Terms & Conditions (<http://parivesh.nic.in/TermsandConditions.aspx>) | Privacy Policy (<http://parivesh.nic.in/privacypolicy.aspx>) | Copyright Policy (<http://parivesh.nic.in/CopyrightPolicy.aspx>) | Hyperlinking Policy (<http://parivesh.nic.in/HyperlinkingPolicy.aspx>) | Accessibility Statement (<http://parivesh.nic.in/Accessibilitystatement.aspx>) | Disclaimer (<http://parivesh.nic.in/Disclaimer.aspx>) | Contact Us (<http://parivesh.nic.in/contact.aspx>)
 For any Technical support, Please Contact EFCCID, NIC, New Delhi, monitoring-fc(at)nic(dot)in

S.No	Proposal Details	Location	Important Dates	Category	Company/Proponent	Type of project	Attached Files	FC is Required ?	Wildlife Is Required ?	EDS by MoEFCC	Via
1	<p>Proposal No : IA/JH/IND/417175/2023</p> <p>File No : J-1101/384/2010-IA-11(IND-1)</p> <p>Proposal Name : Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by BIHAR FOUNDRY & CASTINGS LIMITED</p>	<p>State :</p> <p>District :</p> <p>Tehsil :</p>	<p>Date of Submission for TOR : NA</p> <p>Date of TOR Granted : NA</p> <p>Date of Submission for EC : 20 Feb 2023</p>	Industrial Projects - 1	BIHAR FOUNDRY AND CASTINGS LIMITED	Expansion	 (auth/ECReport_New.aspx?pid=44329&status=New)	N/A	N/A		 pi



(HTTPS://INDIA.GOV.IN/)
(HTTP://WWW.NIC.IN/)

(HTTPS://WWW.MYGOV.IN/)
(HTTP://WWW.MYGOV.IN/)

(HTTPS://WWW.PMINDIA.GOV.IN/EN/)
(HTTP://WWW.PMINDIA.GOV.IN/EN/)

(HTTPS://DATA.GOV.IN/)
(HTTPS://DATA.GOV.IN/)

(WWW.DIGITALINDIA.GOV.IN)
(WWW.DIGITALINDIA.GOV.IN)

(MEITY HTTP://MEITY.GOV.IN/)
(HTTP://MEITY.GOV.IN/)

**(Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii)
MINISTRY OF ENVIRONMENT AND FORESTS
New Delhi 14th September, 2006
Notification**

S.O. 1533(E). - Whereas, a draft notification **under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing** certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India¹, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy **as approved by the Union Cabinet on 18th May, 2006** and the procedure specified in the notification, by the Central Government or the State or Union territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India ,Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 1324 (E) dated the 15th September ,2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

¹Includes the territorial waters

2. Requirements of prior Environmental Clearance (EC):- The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

- (i) All new projects or activities listed in the Schedule to this notification;
- (ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;
- (iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

3. State Level Environment Impact Assessment Authority:- (1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member – Secretary to be nominated by the State Government or the Union territory Administration concerned.

- (2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.
- (3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.
- (5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub- paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.
- (6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).
- (7) All decisions of the SEIAA shall be taken in a meeting and shall ordinarily be unanimous:
Provided that, in case a decision is taken by majority, the details of views, for and against it, shall be clearly recorded in the minutes and copy thereof sent to MoEF."

4. Categorization of projects and activities:-

- (i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.
- (ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;
- (iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, will require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. "In the absence of a duly constituted SEIAA

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

or SEAC, a Category 'B' project shall be considered at Central Level as a Category 'B' project;"

5. Screening, Scoping and Appraisal Committees:-

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

- (a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;
- (b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;
- (c) The EAC and SEAC shall be reconstituted after every three years;
- (d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;
- (e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

6. Application for Prior Environmental Clearance (EC):-

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-

7(i) The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

I. Stage (1) - Screening:

In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project . The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

II. Stage (2) - Scoping:

(i) "Scoping": refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects or activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form1/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub- group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction/Township/Commercial Complexes /Housing) shall not require Scoping and will be appraised on the basis of Form 1/ Form 1A and the conceptual plan.

- (ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form 1. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities .If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form 1, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.
- (iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

III. Stage (3) - Public Consultation:

- (i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

- (a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
- (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
- III "(cc) maintenance dredging provided the dredged material shall be disposed within port limits.";
- III "(d) All Building or Construction projects or Area Development projects (which do not contain any category 'A' projects and activities) and Townships (item 8(a) and 8(b) in the Schedule to the notification)."
- e) all Category 'B2' projects and activities.
- f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.
- (ii) The Public Consultation shall ordinarily have two components comprising of:-
 - (a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;
 - (b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.
- (iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five) of a request to the effect from the applicant.
- (iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period directly to the regulatory authority concerned as above, the regulatory

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) . (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days,.

- (v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.
- (vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form, within seven days of the receipt of a written request for arranging the public hearing. Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.
- (vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

IV. Stage (4) - Appraisal:

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.
- (ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.
- (iii) The appraisal of an application shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days. The prescribed procedure for appraisal is given in Appendix V ;

7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:

All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product –mix shall be made in Form I and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

8. Grant or Rejection of Prior Environmental Clearance (EC):

- (i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.
- (ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.
- (iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned..

- (iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.
- (v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.
- (vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.

9. Validity of Environmental Clearance (EC):

The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

10. Post Environmental Clearance Monitoring:

- IV (i)(a) In respect of Category 'A' project, it shall be mandatory for the project proponent to make public the environment 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 where the project is located and in addition, this shall also be displayed in the project proponent's website permanently.
- (b) In respect of Category 'B' projects, irrespective of its clearance by MoEF / SEIAA, the project proponent shall prominently advertise in the newspapers indicating that the project has been accorded environment clearance and the details of the MoEF website where it is displayed.
- (c) The Ministry of Environment and Forests and the State/Union Territory Level Environmental Impact Assessment Authorities (SEIAAs), as the case may be, shall also place the environmental clearance in the public domain on Governmental portal.
- (d) 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.”;
- IV (ii) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year.
- IV (iii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.

11. Transferability of Environmental Clearance (EC):

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

12. Operation of EIA Notification, 1994, till disposal of pending cases:

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27th January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I , or continue operation of some or all provisions of the said notification, for a period not exceeding one year from the date of issue of this notification.

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

SCHEDULE

(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity		Category with threshold limit		Conditions if any
		A	B	
1		Mining, extraction of natural resources and power generation (for a specified production capacity)		
(1)	(2)	(3)	(4)	(5)
^v 1(a)	(i) Mining of minerals. (ii) Slurry pipelines (coal lignite and other ores) passing through national parks / sanctuaries / coral reefs, ecologically sensitive areas.	≥ 50 ha. of mining lease area in respect of non-coal mine lease. > 150 ha of mining lease area in respect of coal mine lease. Asbestos mining irrespective of mining area All projects.	<50 ha ≥ 5 ha .of mining lease area in respect of non-coal mine lease. ≤ 150 ha ≥ 5 ha of mining lease area in respect of coal mine lease.	General Condition shall apply Note: Mineral prospecting is exempted.”;
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects		<u>Note</u> Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey
1(c)	River Valley projects	(i) ≥ 50 MW hydroelectric power generation; (ii) ≥ 10,000 ha. of culturable command area	(i) < 50 MW ≥ 25 MW hydroelectric power generation; (ii) < 10,000 ha. of culturable command area	^v “General Condition shall apply. Note: Irrigation projects not involving submergence or inter-state domain shall be appraised by the SEIAA as Category ‘B’ Projects.”;

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
1(d)	Thermal Power Plants	^v " ≥ 500 MW (coal / lignite / naphtha & gas based); ≥ 50 MW (Pet coke diesel and all other fuels including refinery residual oil waste except biomass); ≥ 20 MW (based on biomass or non hazardous municipal waste as fuel).";	< 500 MW (coal / lignite / naphtha & gas based); <50 MW ≥ 5MW (Pet coke, diesel and all other fuels including refinery residual oil waste except biomass); ≥ 20 MW > 15 MW (based on biomass or non hazardous municipal waste as fuel).";	^v "General Condition shall apply. Note: (i) Power plant up to 15 MW, based on biomass and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt. (ii) Power plant up to 15 MW, based on non-hazardous municipal waste and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt. (iii) Power plants using waste heat boiler without any auxiliary fuel are exempt.";
1(e)	Nuclear power projects and processing of nuclear fuel	All projects		
2		Primary Processing		
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	<1million ton/annum throughput of coal	General Condition shall apply (If located within mining area the proposal shall be appraised together with the mining proposal)
2 (b)	Mineral beneficiation	≥ 0.1million ton/annum mineral throughput	< 0.1million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

3				
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	a) Primary metallurgical industry All projects b) Sponge iron manufacturing ≥ 200 TPD c) Secondary metallurgical processing industry All toxic and heavy metal producing units $\geq 20,000$ tonnes /annum	Sponge iron manufacturing < 200 TPD Secondary metallurgical processing industry i.) All toxic and heavy metal producing units $< 20,000$ tonnes /annum ii.) All other non-toxic secondary metallurgical processing industries > 5000 tonnes/annum	v "General condition shall apply. Note: (i) The recycling industrial units registered under the HSM Rules, are exempted. (ii) In case of secondary metallurgical processing industrial units, those projects involving operation of furnaces only such as induction and electrical arc furnace, submerged arc furnace, and cupola with capacity more than 30,000 tonnes per annum (TPA) would require environmental clearance. (iii) Plant / units other than power plants (given against entry no. 1(d) of the schedule), based on municipal solid waste (non-hazardous) are exempted."
3(b)	Cement plants	≥ 1.0 million tonnes/annum production capacity	< 1.0 million tonnes/annum production capacity. All Stand alone grinding units	General Condition shall apply
4				
(1)	(2)	(3)	(4)	(5)
4(a)	Petroleum refining industry	All projects	-	-
4(b)	Coke oven plants	$\geq 2,50,000$ tonnes/annum	$< 2,50,000$ & $\geq 25,000$ tonnes/annum	v "General Condition shall apply."
4(c)	Asbestos milling and asbestos based products	All projects	-	-

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
4(d)	Chlor-alkali industry	≥300 TPD production Capacity or a unit located out side the notified industrial area/ estate	√ "(i) All projects irrespective of the size, if located in a Notified Industrial Area/ Estate. (ii) <300 tonnes per day (TPD) and located outside a Notified Industrial Area/ Estate."	√ "General as well as specific condition shall apply. No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this notification."
4(e)	Soda ash Industry	All projects	-	-
4(f)	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units out side the industrial area	All new or expansion of projects located within a notified industrial area/ estate	√ "General as well as specific condition shall apply."
5		Manufacturing / Fabrication		
5(a)	Chemical fertilizers	√ "All projects except Single Super Phosphate."	√ "Single Super Phosphate."	-
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects -	-	-
5(d)	Manmade fibers manufacturing	Rayon	Others	General Condition shall apply
5(e)	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)	Located out side the notified industrial area/ estate -	Located in a notified industrial area/ estate	√ "General as well as specific condition shall apply."

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
5(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	^v "General as well as specific condition shall apply."
5(g)	Distilleries	(i) All Molasses based distilleries (ii) All Cane juice/ non-molasses based distilleries ≥ 30 KLD	All Cane Juice / non-molasses based distilleries - <30 KLD	General Condition shall apply
5(h)	Integrated paint industry	-	All projects	General Condition shall apply
5(i)	Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp with out bleaching	Pulp manufacturing and Pulp & Paper manufacturing industry	Paper manufacturing industry without pulp manufacturing	General Condition shall apply
5(j)	Sugar Industry	-	≥ 5000 tcd cane crushing capacity	General Condition shall apply
5(k)	^v Omitted			
6		Service Sectors		
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks / sanctuaries / coral reefs / ecologically sensitive areas including LNG Terminal	All projects		-

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
6(b)	Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 2000)	-	All projects	General Condition shall apply
7		Physical Infrastructure including Environmental Services		
7(a)	Air ports	^v "All projects including airstrips, which are for commercial use."	-	^v "Note: Air strips, which do not involve bunkering/ refueling facility and or Air Traffic Control, are exempted."
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)	Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	Industrial estates housing at least one Category B industry and area <500 ha. Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.	^v "General as well as special conditions shall apply. Note: 1. Industrial Estate of area below 500 ha. and not housing any industry of Category 'A' or 'B' does not require clearance. 2. If the area is less than 500 ha. but contains building and construction projects > 20,000 Sq. mts. And or development area more than 50 ha it will be treated as activity listed at serial no. 8(a) or 8(b) in the Schedule, as the case may be."
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
7(e)	^v "Ports, harbours, break waters, dredging."	≥ 5 million TPA of cargo handling capacity (excluding fishing harbours)	< 5 million TPA of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity	^v "General Condition shall apply. Note: 1. Capital dredging inside and outside the ports or harbors and channels are included; 2. Maintenance dredging is exempt provided it formed part of the original proposal for which Environment Management Plan (EMP) was prepared and environmental clearance obtained."
7(f)	Highways	i) New National High ways; and ii) Expansion of National High ways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State.	^v " i) All State Highway Project; and ii) State Highway expansion projects in hilly terrain (above 1,000 m AMSL) and or ecologically sensitive areas."	General Condition shall apply. Note: Highways include expressways."
7(g)	Aerial ropeways	^{v(xvi)(a)} "(i) All projects located at altitude of 1,000 mtr. And above. (ii) All projects located in notified ecologically sensitive areas."	^{v(xvi)(b)} "All projects except those covered in column (3)."	General Condition shall apply
7(h)	Common Effluent Treatment Plants (CETPs)		All projects	General Condition shall apply
7(i)	Common Municipal Solid Waste Management Facility (CMSWMF)		All projects	General Condition shall apply
8		Building /Construction projects/Area Development projects and Townships		
8(a)	Building and Construction projects		≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area)
8(b)	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++	++All projects under Item 8(b) shall be appraised as Category B1

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

Note:-**V(xvii) "General Condition (GC):**

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as identified by the Central Pollution Control Board from time to time, (iii) Eco-sensitive areas as notified under section 3 of the Environment (Protection) Act, 1986, such as, Mahabaleshwar Panchgani, Matheran, Pachmarhi, Dahanu, Doon Valley, and (iv) inter-State boundaries and international boundaries:

Provided that the requirement regarding distance of 10 km of the inter-State boundaries can be reduced or completely done away with by an agreement between the respective States or U.Ts sharing the common boundary in case the activity does not fall within 10 kilometres of the areas mentioned at item (i), (ii) and (iii) above."

Specific Condition (SC):

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre -defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

[No. J-11013/56/2004-IA-II (I)]
(R.CHANDRAMOHAN)

JOINT SECRETARY TO THE GOVERNMENT OF INDIA

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

APPENDIX I
(See paragraph – 6)
FORM 1

VI(a) **“(I) Basic Information**

Serial Number	Item	Details
1.	Name of the project/s	
2.	S. No. in schedule	
3.	Proposed capacity/area/length/tonnage to be handled/command area/lease area/number of wells to be drilled	
4.	New/Expansion/Modernization	
5.	Existing Capacity/Area etc.	
6.	Category of Project i.e. 'A' or 'B'	
7.	Does it attract the general condition? If Yes, please specify.	
8.	Does it attract the specific condition? If Yes, please specify.	
9.	Location	
	Plot/Survey/Khasra No.	
	Village	
	Tehsil	
	District	
	State	
10.	Nearest railway station/airport along with distance in kms.	
11.	Nearest Town, city, District Headquarters along with distance in kms.	
12.	Village Panchayats, Zilla Parishad, Municipal Corporation, Local body (complete postal addresses with telephone nos. to be given)	
13.	Name of the applicant	
14.	Registered Address	
15.	Address for correspondence:	
	Name	
	Designation (Owner/Partner/CEO)	
	Address	
	Pin Code	
	E-mail	
	Telephone No.	
	Fax No.	
16.	Details of Alternative Sites examined, if any. Location of these sites should be shown on a topo sheet.	Village-District-State 1. 2. 3.
17.	Interlinked Projects	
18.	Whether separate application of interlinked project has been submitted?	

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

19.	If yes, date of submission	
20.	If no, reason	
21.	Whether the proposal involves approval/clearance under: If yes, details of the same and their status to be given. (a) The Forest (Conservation) Act, 1980 ? (b) The Wildlife (Protection) Act, 1972 ? (c) The C.R.Z. Notification, 1991 ?	
22.	Whether there is any Government Order/Policy relevant/ relating to the site ?	
23.	Forest land involved (hectares)	
24.	Whether there is any litigation pending against the project and/or land in which the project is propose to be set up ? (a) Name of the Court. (b) Case No. (c) Orders/directions of the Court, if any and its relevance with the proposed project.	

(II) Activity

- Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Clearance of existing land, vegetation and buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bore houses, soil testing?		
1.5	Construction works?		
1.6	Demolition works?		
1.7	Temporary sites used for construction works or housing of construction workers?		
1.8	Above ground buildings, structures or earthworks including linear structures, cut And fill or excavations		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

1.9	Underground works including mining or tunneling?		
1.10	Reclamation works?		
1.11	Dredging?		
1.12	Offshore structures?		
1.13	Production and manufacturing processes?		
1.14	Facilities for storage of goods or materials?		
1.15	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.16	Facilities for long term housing of operational workers?		
1.17	New road, rail or sea traffic during construction or operation?		
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.20	New or diverted transmission lines or pipelines?		
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.22	Stream crossings?		
1.23	Abstraction or transfers of water from ground or surface waters?		
1.24	Changes in water bodies or the land surface affecting drainage or run-off?		
1.25	Transport of personnel or materials for construction, operation or decommissioning?		
1.26	Long-term dismantling or decommissioning or restoration works?		
1.27	Ongoing activity during decommissioning which could have an impact on the environment?		
1.28	Influx of people to an area in either temporarily or permanently?		
1.29	Introduction of alien species?		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

1.30	Loss of native species or genetic diversity?		
1.31	Any other actions?		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		
2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, sand / soil (expected source – MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spoil, overburden or mine wastes		
4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment.		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources.		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		
6.7	From any other sources		

7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)?		

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	Lead to development of supporting. lities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: <ul style="list-style-type: none"> • Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) • housing development • extractive industries • supply industries • other 		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(III) Environmental Sensitivity

S.No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		
2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, esting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (<i>hospitals, schools, places of worship, community facilities</i>)		
10	Areas containing important, high quality or scarce Resources (<i>ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals</i>)		
11	Areas already subjected to pollution or environmental damage. (<i>those where existing legal environmental standards are exceeded</i>)		
12	Areas susceptible to natural hazard which could cause the project to present environmental Problems (<i>earthquakes, subsidence, landslides, erosion, Flooding or extreme or adverse climatic conditions</i>)		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(IV). Proposed Terms of Reference for EIA studies

^{VI(b)} "I hereby given undertaking that the data and information given in the application and enclosures are true to the best of my knowledge and belief and I am aware that if any part of the data and information submitted is found to be false or misleading at any stage, the project will be rejected and clearance give, if any to the project will be revoked at our risk and cost."

Date: _____

Place: _____

Signature of the applicant
With Name and Full Address
(Project Proponent/Authorised Signatory)

NOTE:

1. The projects involving clearance under Coastal Regulation Zone Notification, 1991 shall submit with the application a C.R.Z. map duly demarcated by one of the authorized agencies, showing the project activities, w.r.t. C.R.Z. (at the stage of TOR) and the recommendations of the State Coastal Zone Management Authority (at the stage of EC). Simultaneous action shall also be taken to obtain the requisite clearance under the provisions of the C.R.Z. Notification, 1991 for the activities to be located in the CRZ.
2. The projects to be located within 10 km of the National Prks, Sancturies, Biosphere Reserves, Migratory Corridors of Wile Animals, the project proponenet shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-à-vis the project location and the recommendations or comments of the Chief Wildlife Warden thereon (at the stage of EC)."
3. All correspondence with the Ministry of Environment & Forests including submission of application for TOR/Environmental Clearance, subsequent clarifications, as may be required from time to time, participation in the EAC Meeting on behalf of the project proponenet shall be made by the authorized signatory only. The authorized signatory should also submit a document in support of his claim of being and authorized signatory for the specific project."

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

APPENDIX II
(See paragraph 6)

FORM-1 A (only for construction projects listed under item 8 of the Schedule)

CHECK LIST OF ENVIRONMENTAL IMPACTS

(Project proponents are required to provide full information and wherever necessary attach explanatory notes with the Form and submit along with proposed environmental management plan & monitoring programme)

1. LAND ENVIRONMENT

(Attach panoramic view of the project site and the vicinity)

- 1.1. Will the existing landuse get significantly altered from the project that is not consistent with the surroundings? (Proposed landuse must conform to the approved Master Plan / Development Plan of the area. Change of landuse if any and the statutory approval from the competent authority be submitted). Attach Maps of (i) site location, (ii) surrounding features of the proposed site (within 500 meters) and (iii) the site (indicating levels & contours) to appropriate scales. If not available attach only conceptual plans.
- 1.2. List out all the major project requirements in terms of the land area, built up area, water consumption, power requirement, connectivity, community facilities, parking needs etc.
- 1.3. What are the likely impacts of the proposed activity on the existing facilities adjacent to the proposed site? (Such as open spaces, community facilities, details of the existing landuse, disturbance to the local ecology).
- 1.4. Will there be any significant land disturbance resulting in erosion, subsidence & instability? (Details of soil type, slope analysis, vulnerability to subsidence, seismicity etc may be given).
- 1.5. Will the proposal involve alteration of natural drainage systems? (Give details on a contour map showing the natural drainage near the proposed project site)
- 1.6. What are the quantities of earthwork involved in the construction activity-cutting, filling, reclamation etc. (Give details of the quantities of earthwork involved, transport of fill materials from outside the site etc.)

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- 1.7. Give details regarding water supply, waste handling etc during the construction period.
- 1.8. Will the low lying areas & wetlands get altered? (Provide details of how low lying and wetlands are getting modified from the proposed activity)
- 1.9. Whether construction debris & waste during construction cause health hazard? (Give quantities of various types of wastes generated during construction including the construction labour and the means of disposal)

2. WATER ENVIRONMENT

- 2.1. Give the total quantity of water requirement for the proposed project with the breakup of requirements for various uses. How will the water requirement met? State the sources & quantities and furnish a water balance statement.
- 2.2. What is the capacity (dependable flow or yield) of the proposed source of water?
- 2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical, biological characteristics with class of water quality)
- 2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)
- 2.5. Will there be diversion of water from other users? (Please assess the impacts of the project on other existing uses and quantities of consumption)
- 2.6. What is the incremental pollution load from wastewater generated from the proposed activity? (Give details of the quantities and composition of wastewater generated from the proposed activity)
- 2.7. Give details of the water requirements met from water harvesting? Furnish details of the facilities created.
- 2.8. What would be the impact of the land use changes occurring due to the proposed project on the runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term basis? Would it aggravate the problems of flooding or water logging in any way?

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- 2.9. What are the impacts of the proposal on the ground water? (Will there be tapping of ground water; give the details of ground water table, recharging capacity, and approvals obtained from competent authority, if any)
- 2.10. What precautions/measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)
- 2.11. How is the storm water from within the site managed?(State the provisions made to avoid flooding of the area, details of the drainage facilities provided along with a site layout indication contour levels)
- 2.12. Will the deployment of construction labourers particularly in the peak period lead to unsanitary conditions around the project site (Justify with proper explanation)
- 2.13. What on-site facilities are provided for the collection, treatment & safe disposal of sewage? (Give details of the quantities of wastewater generation, treatment capacities with technology & facilities for recycling and disposal)
- 2.14. Give details of dual plumbing system if treated waste used is used for flushing of toilets or any other use.

3. VEGETATION

- 3.1. Is there any threat of the project to the biodiversity? (Give a description of the local ecosystem with it's unique features, if any)
- 3.2. Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the trees & vegetation affected by the project)
- 3.3. What are the measures proposed to be taken to minimize the likely impacts on important site features (Give details of proposal for tree plantation, landscaping, creation of water bodies etc along with a layout plan to an appropriate scale)

4. FAUNA

- 4.1. Is there likely to be any displacement of fauna- both terrestrial and aquatic or creation of barriers for their movement? Provide the details.

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- 4.2. Any direct or indirect impacts on the avifauna of the area? Provide details.
- 4.3. Prescribe measures such as corridors, fish ladders etc to mitigate adverse impacts on fauna

5. AIR ENVIRONMENT

- 5.1. Will the project increase atmospheric concentration of gases & result in heat islands? (Give details of background air quality levels with predicted values based on dispersion models taking into account the increased traffic generation as a result of the proposed constructions)
- 5.2. What are the impacts on generation of dust, smoke, odorous fumes or other hazardous gases? Give details in relation to all the meteorological parameters.
- 5.3. Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure and measures proposed for improvement including the traffic management at the entry & exit to the project site.
- 5.4. Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.
- 5.5. Will there be significant increase in traffic noise & vibrations? Give details of the sources and the measures proposed for mitigation of the above.
- 5.6. What will be the impact of DG sets & other equipment on noise levels & vibration in & ambient air quality around the project site? Provide details.

6. AESTHETICS

- 6.1. Will the proposed constructions in any way result in the obstruction of a view, scenic amenity or landscapes? Are these considerations taken into account by the proponents?
- 6.2. Will there be any adverse impacts from new constructions on the existing structures? What are the considerations taken into account?
- 6.3. Whether there are any local considerations of urban form & urban design influencing the design criteria? They may be explicitly spelt out.
- 6.4. Are there any anthropological or archaeological sites or artefacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

7. SOCIO-ECONOMIC ASPECTS

- 7.1. Will the proposal result in any changes to the demographic structure of local population? Provide the details.

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- 7.2. Give details of the existing social infrastructure around the proposed project.
- 7.3. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values? What are the safeguards proposed?

8. BUILDING MATERIALS

- 8.1. May involve the use of building materials with high-embodied energy. Are the construction materials produced with energy efficient processes? (Give details of energy conservation measures in the selection of building materials and their energy efficiency)
- 8.2. Transport and handling of materials during construction may result in pollution, noise & public nuisance. What measures are taken to minimize the impacts?
- 8.3. Are recycled materials used in roads and structures? State the extent of savings achieved?
- 8.4. Give details of the methods of collection, segregation & disposal of the garbage generated during the operation phases of the project.

9. ENERGY CONSERVATION

- 9.1. Give details of the power requirements, source of supply, backup source etc. What is the energy consumption assumed per square foot of built-up area? How have you tried to minimize energy consumption?
- 9.2. What type of, and capacity of, power back-up to you plan to provide?
- 9.3. What are the characteristics of the glass you plan to use? Provide specifications of its characteristics related to both short wave and long wave radiation?
- 9.4. What passive solar architectural features are being used in the building? Illustrate the applications made in the proposed project.
- 9.5. Does the layout of streets & buildings maximise the potential for solar energy devices? Have you considered the use of street lighting, emergency lighting and solar hot water systems for use in the building complex? Substantiate with details.
- 9.6. Is shading effectively used to reduce cooling/heating loads? What principles have been used to maximize the shading of Walls on the East and the West and the Roof? How much energy saving has been effected?
- 9.7. Do the structures use energy-efficient space conditioning, lighting and mechanical systems? Provide technical details. Provide details of the transformers and motor efficiencies, lighting intensity and air-conditioning load assumptions? Are you using CFC and HCFC free chillers? Provide specifications.
- 9.8. What are the likely effects of the building activity in altering the micro-climates? Provide a self assessment on the likely impacts of the proposed construction on

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

creation of heat island & inversion effects?

- 9.9. What are the thermal characteristics of the building envelope? (a) roof; (b) external walls; and (c) fenestration? Give details of the material used and the U-values or the R values of the individual components.
- 9.10. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans.
- 9.11. If you are using glass as wall material provides details and specifications including emissivity and thermal characteristics.
- 9.12. What is the rate of air infiltration into the building? Provide details of how you are mitigating the effects of infiltration.
- 9.13. To what extent the non-conventional energy technologies are utilised in the overall energy consumption? Provide details of the renewable energy technologies used.

10. Environment Management Plan

The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize adverse environmental impacts as a result of the activities of the project. It would also delineate the environmental monitoring plan for compliance of various environmental regulations. It will state the steps to be taken in case of emergency such as accidents at the site including fire.

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

APPENDIX III

(See paragraph 7)

GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESMENT DOCUMENT

S.NO	EIA STRUCTURE	CONTENTS
1.	Introduction	<ul style="list-style-type: none"> • Purpose of the report • Identification of project & project proponent • Brief description of nature, size, location of the project and its importance to the country, region • Scope of the study – details of regulatory scoping carried out (As per Terms of Reference)
2.	Project Description	<ul style="list-style-type: none"> • Condensed description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following: <ul style="list-style-type: none"> • Type of project • Need for the project • Location (maps showing general location, specific location, project boundary & project site layout) • Size or magnitude of operation (incl. Associated activities required by or for the project) • Proposed schedule for approval and implementation • Technology and process description • Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose • Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope) • Assessment of New & untested technology for the risk of technological failure

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

3.	Description of the Environment	<ul style="list-style-type: none"> • Study area, period, components & methodology • Establishment of baseline for valued environmental components, as identified in the scope • Base maps of all environmental components
4.	Anticipated Environmental Impacts & Mitigation Measures	<ul style="list-style-type: none"> • Details of Investigated Environmental impacts due to project location, possible accidents, project design, project construction, regular operations, final decommissioning or rehabilitation of a completed project • Measures for minimizing and / or offsetting adverse impacts identified • Irreversible and Irretrievable commitments of environmental components • Assessment of significance of impacts (Criteria for determining significance, Assigning significance) • Mitigation measures
5.	Analysis of Alternatives (Technology & Site)	<ul style="list-style-type: none"> • In case, the scoping exercise results in need for alternatives: • Description of each alternative • Summary of adverse impacts of each alternative • Mitigation measures proposed for each alternative and • Selection of alternative
6.	Environmental Monitoring Program	<ul style="list-style-type: none"> • Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget & procurement schedules)
7.	Additional Studies	<ul style="list-style-type: none"> • Public Consultation • Risk assessment • Social Impact Assessment. R&R Action Plans
8.	Project Benefits	<ul style="list-style-type: none"> • Improvements in the physical infrastructure • Improvements in the social infrastructure

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

		<ul style="list-style-type: none"> • Employment potential –skilled; semi-skilled and unskilled • Other tangible benefits
9.	Environmental Cost Benefit Analysis	If recommended at the Scoping stage
10.	EMP	<ul style="list-style-type: none"> • Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA
11	Summary & Conclusion (This will constitute the summary of the EIA Report)	<ul style="list-style-type: none"> • Overall justification for implementation of the project • Explanation of how, adverse effects have been mitigated
12.	Disclosure of Consultants engaged	<ul style="list-style-type: none"> • The names of the Consultants engaged with their brief resume and nature of Consultancy rendered

APPENDIX III A

(See paragraph 7)

CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report: -

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
7. Environment Management Plan

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

APPENDIX IV

(See paragraph 7)

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District -wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

2.0 The Process:

2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is covering more than one District or State or Union Territory, the public hearing is mandated in each District, State or Union Territory in which the project is located and the applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The Applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and in the official language of the state/local language, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the following authorities or offices, within whose jurisdiction the project will be located:

- (a) District Magistrate/District collector/Deputy commissioner/s
- (b) Zila Parishad or Municipal Corporation or Panchayats Union
- (c) District Industries Office
- (d) Urban Local Bodies (ULBs) / PRIs Concerned / Development authorities.
- (d) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the abovementioned authorities except the Regional Office of MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

inspection in select offices or public libraries or any other suitable location etc. They shall also additionally make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices as given in para 2.2.

3.0 Notice of Public Hearing:

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7(seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional vernacular Daily / Official State Language. A minimum notice period of 30(thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing. In places where the newspapers do not reach, the Competent Authority should arrange to inform the local public about the public hearing by other means such as by way of beating of drums as well as advertisement / announcement on radio / television.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and then only on the recommendation of the concerned District Magistrate/District collector/Deputy Commissioner, the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances, fresh date, time and venue for the public consultation shall be decided by the Member – Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate/District collector/Deputy Commissioner and notified afresh as per procedure under 3.1 above.

4.0 Supervision and Presiding over the Hearing:

4.1 The District Magistrate/District collector/Deputy Commissioner or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall Supervise and preside over the entire public hearing process.

5.0 Videography

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while Forwarding it to the Regulatory Authority concerned.

6.0 Proceedings

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- 6.2 There shall be no quorum required for attendance for starting the proceedings.
- 6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.
- 6.4 Persons present at the venue shall be granted the opportunity to seek information or clarifications on the project from the Applicant. The summary of the public hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the local/vernacular language and the agreed minutes shall be signed by the District Magistrate/District collector/Deputy Commissioner or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.
- 6.5 A Statement of the issues raised by the public and the comments of the Applicant shall also be prepared in the local language or the Official State language, as the case may be, and in English and annexed to the proceedings:
- 6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate/District collector/Deputy Commissioner, and the SPCB or UTPCC . The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings which may be sent directly to the concerned regulatory authorities and the applicant concerned.

7.0 Time period for completion of public hearing

7.1 The public hearing shall be completed within a period of 45 (forty five) days from date of receipt of the request letter from the Applicant. Thereafter the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within 8(eight) days of the completion of the public hearing.Simultaneously, a copy will also be provided to the project proponent.The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations incorporating the concerns expressed in the public hearing along with action plan and financial allocation, item-wise, to address those concerns.”.

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45(forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this notification.

APPENDIX –V

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(See paragraph 7)

PROCEDURE PRESCRIBED FOR APPRAISAL

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents where public consultations are mandatory:

- Final Environment Impact Assessment Report [20(twenty) hard copies and 1 (one) soft copy]
- A copy of the video tape or CD of the public hearing proceedings
- A copy of final layout plan (20 copies)
- A copy of the project feasibility report (1 copy)

2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC /SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form -1or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal.

3. Where a public consultation is not mandatory, the appraisal shall be made on the basis of the prescribed application Form 1 and EIA report, in the case of all projects and activities other than Item 8 of the Schedule. In the case of Item 8 of the Schedule, considering its unique project cycle, the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and make recommendations on the project regarding grant of environmental clearance or otherwise and also stipulate the conditions for environmental clearance."

4. Every application shall be placed before the EAC/SEAC and its appraisal completed within 60 days of its receipt with requisite documents / details in the prescribed manner.

5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.

6. The minutes of the EAC /SEAC meeting shall be finalised within 5 working days of the meeting and displayed on the website of the concerned regulatory authority. In case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions. In case the recommendations are for rejection, the reasons for the same shall also be explicitly stated.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533 (E), dated 14th September, 2006 and amended vide S.O. 1737 (E), dated the 11th October, 2007.

APPENDIX VI

(See paragraph 5)

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

COMPOSITION OF THE SECTOR/ PROJECT SPECIFIC EXPERT APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS AND THE STATE/UT LEVEL EXPERT APPRAISAL COMMITTEES (SEACs) FOR CATEGORY B PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT

1. The Expert Appraisal Committees (EAC(s) and the State/UT Level Expert Appraisal Committees (SEACs) shall consist of only professionals and experts fulfilling the following eligibility criteria:

Professional: The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA/MSc Degree, or (ii) in case of Engineering /Technology/Architecture disciplines, 4 years formal training in a professional training course together with prescribed practical training in the field leading to a B.Tech/B.E./B.Arch. Degree, or (iii) Other professional degree (e.g. Law) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/article ship and pass examinations conducted by the concerned professional association (e.g. Chartered Accountancy),or (v) a University degree , followed by 2 years of formal training in a University or Service Academy (e.g. MBA/IAS/IFS). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.

Expert: A professional fulfilling the above eligibility criteria with at least 15 years of relevant experience in the field, or with an advanced degree (e.g. Ph.D.) in a concerned field and at least 10 years of relevant experience.

Age: Below 70 years. However, in the event of the non-availability of /paucity of experts in a given field, the maximum age of a member of the Expert Appraisal Committee may be allowed up to 75 years

2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields /disciplines. In the event that persons fulfilling the criteria of "Experts" are not available, Professionals in the same field with sufficient experience may be considered:

- **Environment Quality Experts:** Experts in measurement/monitoring, analysis and interpretation of data in relation to environmental quality
- **Sectoral Experts in Project Management:** Experts in Project Management or Management of Process/Operations/Facilities in the relevant sectors.
- **Environmental Impact Assessment Process Experts:** Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process
- **Risk Assessment Experts**
- **Life Science Experts in floral and faunal management**
- **Forestry and Wildlife Experts**

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- **Environmental Economics Expert with experience in project appraisal**
 - 3. The Membership of the EAC shall not exceed 15 (fifteen) regular Members. However the Chairperson may co-opt an expert as a Member in a relevant field for a particular meeting of the Committee.
 - 4. The Chairperson shall be an outstanding and experienced environmental policy expert or expert in management or public administration with wide experience in the relevant development sector.
 - 5. The Chairperson shall nominate one of the Members as the Vice Chairperson who shall preside over the EAC in the absence of the Chairman /Chairperson.
 - 6. A representative of the Ministry of Environment and Forests shall assist the Committee as its Secretary.
 - 7. The maximum tenure of a Member, including Chairperson, shall be for 2 (two) terms of 3 (three) years each.
 - 8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.
-

ANNEXURE- A-18

F. No. J-11011/310/2009- IA II (I)
 Government of India
 Ministry of Environment and Forests
 (I.A. Division)

Paryavaran Bhawan
 CGO Complex, Lodhi Road
 New Delhi – 110 003

E-mail : pb.rastogi@nic.in
 Telefax : 011: 2436 7668

Dated 28th January, 2010

To, ✓
 The Managing Director
 M/s Bihar Foundry and Casting Ltd.
 Main Road, Ranchi - 834 001
 Jharkhand

E-mail : consafescience@gmail.com / bfclgfa@gmail.com ; Fax No. : 0651-2202799 ;

Subject : Expansion of Steel Plant [Sponge Iron Plant 99,000 TPA; Ingots/billets 75,000 TPA; MS Structures/Bars 49,500 and Captive Power Plant 10 MW] at Plot No. 1364, Ramgarh Industrial Area, Village Marar, District Hazaribagh, Jharkhand by M/s Bihar Foundry and Casting Ltd. – Environment clearance reg.

Ref. : Your letter no. 2009-10/139 dated 14th August, 2009.

Sir,

This has reference to your letter no. 2009-10/139 dated 14th August, 2009 alongwith Form I, Pre-feasibility Report, draft Terms of References, EIA/EMP report and subsequent communications vide letter dated 14th November, 2009 for environmental clearance on the above mentioned project.

2.0 The Ministry of Environment and Forests has examined the application. It is noted that proposal is for the expansion of Steel Plant (Sponge Iron Plant 99,000 TPA; Ingots/billets 75,000 TPA; MS Structures/Bars 49,500 and Captive Power Plant 10 MW) at Plot No. 1364, Ramgarh Industrial Area, Village Marar, District Hazaribagh, Jharkhand by M/s Bihar Foundry and Casting Ltd. Total land acquired for the proposed project is 14 acres. A copy of the Special Gazette No. 52(a) dated 27th March, 1974 regarding notified Ramgarh industrial area is submitted. Proposed expansion will be taken up within the existing plant premises. No rehabilitation and resettlement (R & R) is involved. No national Park/wild life sanctuary/reserve forest is located within 10 km radius of the project site. Total cost of the project is Rs. 74.00 Crores. Following are the details of existing and proposed facilities.

S. N.	Details	Capacity (TPA)	
		Existing	Proposed
1	Sponge Iron Plant (3x100 TPD)	--	99,000
2	Induction Furnace	33,660 (1x6 TPC & 2x3 TPC)	75,000 (1x10 TPH)
3	Rolling Mill	16,500 (50 TPD)	49,500 (150 TPD)
4	Captive Thermal Power Plant WHRB AFBC	--	10 MW 6 MW (3x11 TPH) 4 MW (1x 25 TPH)

3.0 Sponge iron will be manufactured in rotary kiln. Sponge Iron, scrap, fluxes and ferro alloys will be charged in the induction furnace to manufacture molten metal which will be subsequently refined in a ladle refining furnace and transported to the continuous casting machine to cast the molten steel into billets. The billets will be fed into a preheating furnace and passed through the rolls of rolling mill to achieve finished products. The captive power plants viz. waste heat recovery boiler (WHRB) will be based on the waste heat of the flue gases from the plant while AFBC will be based on the char from DRI and coal.

4.0 Electrostatic precipitator (ESP), dust settling chamber (DSC), after burning chamber (ABC), gas conditioning tower (GCT), bag filters, dust extraction and dust suppression system will be provided to control emissions. Total ground water requirement will be 300 m³/day. All the wastewater will be treated and used for ash conditioning, slag cooling / green belt development. No liquid effluent will be discharged outside the plant. Char from DRI kiln will be used as fuel in AFBC boiler. Iron ore fines will be reused in the process and also sold to cement industries. Dust from coal crushing and screening bag filters will be reused in rotary kiln. Dust collected from rotary kiln will be sold to mini cement plants. Wet scrapper sludge will be given to brick manufacturers. Kiln accretion and slag from induction furnace will be used properly. Fly ash will be disposed off to brick manufacturing plants/cement plants. Mill scales from re-rolling mill will be used in induction furnace.

5.0 No public hearing/consultation is required as per Section (iii), Stage (3), Para (i)(b) of EIA Notification 2006.

6.0 Public Hearing / Public Consultation meeting was held on 30th July, 2009.

7.0. The Ministry of Environment and Forests hereby accords environmental clearance to the above project under the provisions of EIA Notification dated 14th September, 2006 subject to strict compliance of the following specific and general conditions:

A. SPECIFIC CONDITIONS :

- i) Compliance to all the specific and general conditions stipulated for the existing plant by the Central/State Govt. shall be ensured and regular reports submitted to the Ministry and its Regional Office at Bhubaneswar.
- ii) Efforts shall be made to reduce RSPM levels in the ambient air and a time bound action plan shall be submitted. Continuous stack monitoring facilities for all the stacks shall be provided and sufficient air pollution control devices viz. Electrostatic precipitator (ESP) and bag filters etc. shall be provided to keep the emission levels below 50 mg/Nm³. At no time, the emission level shall go beyond the prescribed standards. Interlocking facilities shall be provided so that process can be automatically stopped in case emission level exceeds the limit.
- iii) Electrostatic precipitator (ESP) shall be provided to DRI kilns, AFBC boiler and waste heat recovery boiler (WHRB) to control gaseous emissions within 100 mg/Nm³. Hot gases from DRI kiln shall be passed through Dust Settling Chamber (DSC) to remove coarse solids and After Burning Chamber (ABC) to burn CO completely and used in waste heat recovery boiler (WHRB). The gas then shall be cleaned in ESP before leaving out into the atmosphere through ID fan and stack of adequate height. Fume extraction system with bag filters shall be provided to induction furnace and ladle furnace and the cleaned gases shall be passed through a stack of adequate ✓

height. Wet scrubber and stack of adequate height shall be provided to rolling mill. Data on ambient air quality, stack emissions and fugitive emissions shall regularly submitted to the Ministry's Regional Office at Bhubaneswar, Jharkhand Pollution Control Board (JPCB) and Central Pollution Control Board (CPCB) once in six months.

- iv) The National Ambient Air Quality Emission Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16th November, 2009 shall be followed.
- v) In-plant control measures for checking fugitive emissions from all the vulnerable sources including Bag filters shall be provided at coal and iron ore screen and crusher house, product house, cooler discharge, intermediate bins, coal injection points of DRI plant. Dust extraction system with bag filters shall be provided to crusher house, screens, transferring chutes, junction towers and feed points below reclaim hoppers. Dust suppression system with sprinklers shall be provided at raw material stock piles (coal, iron ore etc.) to control fugitive dust emissions. Further, specific measures like asphaltting of the roads within premises shall be carried out to control fugitive emissions. Fugitive emissions shall be controlled, regularly monitored and records maintained.
- vi) Gaseous emission levels including secondary fugitive emissions from all the sources shall be controlled within the latest permissible limits issued by the Ministry and regularly monitored. Guidelines / Code of Practice issued by the CPCB shall be followed. New standards issued by the Ministry for the sponge iron plant in May, 2008 shall be followed.
- vii) Vehicular pollution due to transportation of raw material and finished product shall be controlled. Proper arrangements shall also be made to control dust emissions during loading and unloading of the raw material and finished product.
- viii) Total ground water requirement shall not exceed 300 m³/day and prior 'Permission' for the drawl of 300 m³/day ground water from the central Ground Water Authority / State Ground Water Board (CGWA/SGWB) shall be obtained. All the effluent from effluent treatment plant shall be neutralized in a neutralization pit and used for gardening and washing. All the acidic and alkaline regeneration wastewater from the demineralization (DM) plant, cooling tower blow down, boiler blow down and wastewater from rolling mill shall be mixed in a central monitoring basin (CMB), neutralized and after settling in settling tank shall be used for ash conditioning, slag cooling / green belt development. Runoff from the coal storage yard shall be discharged to the sump and sludge shall be disposed off in environment-friendly manner.
- ix) Efforts shall be made to make use of rain water harvested. If needed, capacity of the reservoir shall be enhanced to meet the maximum water requirement. Only balance water requirement shall be met from other sources.
- x) 'Zero' effluent discharge shall be strictly followed and no wastewater shall be discharged outside the premises. Domestic wastewater shall be treated in septic tanks followed by soak pit and used for green belt development.
- xi) The water consumption shall not exceed 16 m³/Ton of Steel as per prescribed standard.

- xii) Regular monitoring of influent and effluent surface, sub-surface and ground water shall be ensured and treated wastewater shall meet the norms prescribed by the State Pollution Control Board or described under the E(P) Act whichever are more stringent. Leachate study for the effluent generated and analysis shall also be regularly carried out and report submitted to the Ministry's Regional Office at Bhubaneswar, Jharkhand SPCB and CPCB.
- xiii) All the char from DRI plant shall be utilized in AFBC boiler of power plant and no char shall be disposed off anywhere else. AFBC boiler shall be installed simultaneously alongwith the DRI plant to ensure full utilization of char from the beginning. Dust collected from coal crushing and screening bag filter shall be reused in rotary kiln. All the SMS slag, kiln accretions etc. shall also be properly utilized. Mill scales from re-rolling mill shall be used in induction furnace. Dust collected from rotary kiln shall be sold to mini cement plants. Wet scrapper sludge shall be given to brick manufacturers. All the other solid waste including broken refractory mass shall be properly disposed off in environment-friendly manner. Oily waste and spent oil shall be provided to authorized recyclers/reprocessors.
- xiv) All the slag from induction furnace shall be used for land filling inside the plant or used as building material only after passing through Toxic Chemical Leachability Potential (TCLP) test. Toxic slag shall be disposed in secured landfill as per CPCB guidelines. Otherwise, hazardous substances shall be recovered from the slag and output waste and be disposed in secured landfill as per CPCB guidelines.
- xv) Proper handling, storage, utilization and disposal of all the solid waste shall be ensured and regular report regarding toxic metal content in the waste material and its composition, end use of solid/hazardous waste shall be submitted to the Ministry's Regional Office at Bhubaneswar, Jharkhand SPCB and CPCB.
- xvi) A time bound action plan shall be submitted to reduce solid waste, its proper utilization and disposal.
- xvii) Proper utilization of fly ash shall be ensured as per Fly Ash Notification, 1999 and subsequent amendment in 2003. All the fly ash shall be provided to cement and brick manufacturers for further utilization and 'Memorandum of Understanding' shall be submitted to the Ministry's Regional Office at Bhubaneswar.
- xviii) A Disaster Management Plan shall be prepared and a copy submitted to the Ministry's Regional Office at Bhubaneswar, Jharkhand SPCB and CPCB within 3 months of issue of environment clearance letter.
- xix) As proposed, green belt shall be developed in 4.7 acres (33 %), out of total 14 acres land within and around the plant premises as per the CPCB guidelines in consultation with DFO.
- xx) All the recommendations made in the Charter on Corporate Responsibility for Environment Protection (CREP) for the Steel Plants shall be implemented.
- xxi) The company shall provide housing for construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile ✓

STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.

B. GENERAL CONDITIONS:

- i. The project authorities must strictly adhere to the stipulations made by the Jharkhand Pollution Control Board (JPCB) and the State Government.
- ii. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment and Forests.
- iii. The gaseous emissions from various process units shall conform to the load/mass based standards notified by this Ministry on 19th May, 1993 and standards prescribed from time to time. The State Board may specify more stringent standards for the relevant parameters keeping in view the nature of the industry and its size and location. At no time, the emission level shall go beyond the prescribed standards. Interlocking facilities shall be provided so that process can be automatically stopped in case emission level exceeds the limit.
- iv. At least four ambient air quality monitoring stations shall be established in the downward direction as well as where maximum ground level concentration of SPM, SO₂ and NO_x are anticipated in consultation with the Jharkhand SPCB. Data on ambient air quality and stack emission should be regularly submitted to this Ministry including its Regional Office at Bhubaneswar and the Jharkhand PCB / CPCB once in six months.
- v. Industrial wastewater shall be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19th May, 1993 and 31st December, 1993 or as amended from time to time. The treated wastewater shall be utilized for plantation purpose.
- vi. The overall noise levels in and around the plant area shall be kept well within the standards (85 dBA) by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels should conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (daytime) and 70 dBA (nighttime).
- vii. Occupational health surveillance of the workers shall be done on a regular basis and records maintained as per the Factories Act.
- viii. The company shall develop surface as well as ground water harvesting structures to harvest the rainwater for utilization in the lean season besides recharging the ground water table.
- ix. The project proponent shall also comply with all the environmental protection measures and safeguards recommended in the EIA/EMP report.
- x. As proposed, Rs. 4.00 Crores and Rs. 0.40 Crores shall be earmarked towards total capital cost and recurring cost/annum for the environmental pollution control measures and judiciously utilized to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government. The funds so provided shall not be diverted for any other purpose.

- xi. A copy of clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad / Municipal Corporation, Urban Local Body and the local NGO, if any, from whom suggestions / representations, if any, were received while processing the proposal. The clearance letter shall also be put on the web site of the company by the proponent.
- xii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the MOEF, the respective Zonal Office of CPCB and the JPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.
- xiii. The project proponent shall also submit six monthly reports on the status of the compliance of the stipulated environmental conditions including results of monitored data (both in hard copies as well as by e-mail) to the Regional Office of MOEF, the respective Zonal Office of CPCB and the JPCB. The Regional Office of this Ministry / CPCB / JPCB shall monitor the stipulated conditions.
- xiv. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company alongwith the status of compliance of environmental conditions and shall also be sent to the respective Regional Offices of the MOEF by e-mail.
- xv. The Project Proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the SPCB and may also be seen at Website of the Ministry of Environment and Forests at <http://envfor.nic.in>. This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same should be forwarded to the Regional office.
- xvi. Project authorities 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 and the date of commencing the land development work.

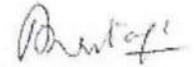
8.0. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.

9.0. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.

10.0. Any appeal against this environmental clearance shall lie with the National Environment Appellate Authority, if preferred within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Act, 1997.

iv

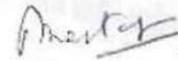
11.0. The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous Wastes (Management and Handling) Rules, 2003 and the Public (Insurance) Liability Act, 1991 alongwith their amendments and rules



(Dr. P. B. Rastogi)
Director

Copy to :

1. The Secretary, Department of Environment, Govt. of Jharkhand, Jharkhand.
2. Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi - 110 032.
3. Chairman, Jharkhand Pollution Control Board, Jharkhand, Town Administrative Building, H.E.C., Dhuwa, Raanchi - 824004, Jharkhand.
4. The Chief Conservator of Forests (Eastern), Regional Office (EZ), A/3, Chandrasekharpur, Bhubaneswar - 751 023, Orissa.
5. Adviser (IA-II), Ministry of Environment and Forests, Paryavaran Bhavan, CGO Complex, New Delhi.
6. Monitoring Cell, Ministry of Environment and Forests, Paryavaran Bhavan, CGO Complex, New Delhi.
7. Monitoring Cell
8. Guard File.
9. Record File.



(Dr. P. B. Rastogi)
Director

28/1/10

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH AT KOLKATA
ORIGINAL APPLICATION NO. OF 2024/EZ

IN THE MATTER OF:

Sh. Manoj Yadav ...Applicant
Vs
Bihar Foundry and Castings Limited & Ors. ...Respondents

AFFIDAVIT

I, **Manoj Yadav** S/o Late Sh. V.S. Yadav R/ o Kundu Mohalla Presently known as Medni Nagar City Daltanganj District Palamu Jharkhand **Presently At: - H.No. K- 82 Gali No. 26, West Gonda Delhi 110053**, do hereby solemnly affirm and declare as under:

1. That I am the Applicant in the above noted Application and as such I am fully conversant with the facts and circumstances of the Petition/Application.
2. That the contents of the accompanying Application are true and correct to the best of my knowledge.
3. That I have gone through and understood the contents of the accompanying Petition/Application as the same has been vernacular stated before me in Hindi also and the contents of the same are true and correct to the best of my knowledge and submissions made therein are based on legal advice and believed by me to be true and correct to the best of my knowledge.

Manoj Yadav
Id. v. Sh. V.S. Yadav
thumb impression in my presence

Manoj
DEPONENT



VERIFICATION:-

22 JUN 2024

Verified at New Delhi on this 22nd day of June, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and supporting material has been produced therefrom.

CERTIFIED THAT THE DEPONENT
S/o. W/o. D/o. Sh...
R/o...
Identified by Sh. Smt...
Has solemnly affirmed before me at Delhi
on 22 JUN 2024
that the contents of the affidavit which have
been read & explained to him are true and
correct to his knowledge.

Manoj
DEPONENT



257

IN THE HON'BLE COURT OF Honble. N. G. T. Fakhri Zone At KOLKATA
MANOJ YADAV Plaintiff/Petitioner/Complainant

Versus

Bihar Foundry and Castings Ltd & Co. Defendant/Respondent/Accused

Know all to whom this present shall come that I/we Manoj Yadav S/o Shri. V.S. Yadav R/o K-22 gate No. 26 west Ghanta Delhi 53
The above named Applicant do hereby appoint

PURAN SHARMA BHARAT SHARMA NEHA THAKUR

E.No. D-521/89

E.No. D-2032/19

E.N. D-5221/19

PRAXOUS DE LEGAL LAW FIRM

Chamber No. D-616, D-Block, Karkardooma Courts, Delhi

M.No.: 9810473481, 8287916879

Email ID: puransharmaadv63@gmail.com, Bharatsharma8001@gmail.com

I/we the undersigned appoint and authorized the above named advocates to act, file, appear, plead withdraw, compromise, submit the case to arbitration, admit and/or deny the documents, to sign, to file, verify and present pleadings, appeals, cross objections or petitions for review, revision, executions or the other petitions or affidavits for other documents as may be deemed necessary or proper for the prosecution of my/our case in the Hon'ble Supreme Court of India, all High Courts of India, all District Courts of India, in which the same may be tried or heard, in all stages subject to payment of fees for each stage/stages payable by me/us.

I/we further agreed that my/our above-named advocates can appoint and instruct any other legal practitioner, agent to appear and plead my/our case/cases on their behalf, at any stage and in any Court of law, authorities. I/we the undersigned do hereby agree that my advocates can withdraw, receive money, cheques, cash and grant receipts from the Courts on my/our behalf at any stage and my/our advocates shall not be responsible for the result of the case, from any corner. I/we agree not to hold my/our advocates or this substitute responsible for the result of the case. All the costs ordered by the Court shall be of my/our advocates which shall be received and retained with by them.

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 advocates 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 fees is paid, I/we will not be entitled for the refund of the same in any case whatsoever and in case it prolongs for more than 3 years, the original fee shall be paid again by me/us.

I/we do hereunto set my/our band these presents the contents of which have been understood by me/us on this 22nd June 2024

Accepted subject to the terms of fees.

Puransharma
Advocate
Neha Thakur
Pr.

Client

Manoj
Client