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

OA. No. 183/2023

IN THE MATTER OF:

VISHAL KUMAR

....APPLICANTS

VERSUS

BIHAR FOUNDRY AND CASTING LTD & ORS

....RESPONDENTS

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Sandeep Roy

Scientist D,
CPCB, Kolkata

Filed through


Sibojyoti Chakrobarti
Counsel
for CPLB

Dated: 24/05/2024

Place: Kolkata

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OA. No. 183/2023



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....RESPONDENTS

REPLY ON BEHALF OF CENTRAL POLLUTION CONTROL BOARD (i.e.)

Respondent No. 4

I, Sandeep Roy S/o Late Shri Mahesh Chandra Roy, aged about 44 years, having office at the Regional Directorate, Central Pollution Control Board, Southend Conclave, Block No.502, 5th & 6th floor, 1582, Rajdanga Main Road, Kolkata-700107, do hereby state as follows:

1. That, I am working in the capacity of Scientist 'D', Regional Directorate, Central Pollution Control Board (hereinafter referred to as CPCB), Kolkata. I am fully conversant with the facts of the case and hence, competent and authorize to submit the present Reply.
2. That, I have read and understood the averments made by Applicant in synopsis, list of dates, grounds and annexures enclosed with the Original Application and at the outset it is respectfully submitted that all averments made in the present Application are denied unless specifically admitted by the answering respondent and are also borne out of available record of the case.

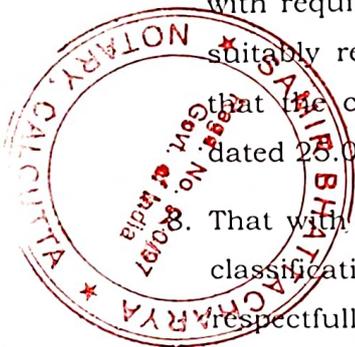
PRELIMINARY SUBMISSIONS:-

3. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and control) Act, 1974. It performs the functions under The Water (Prevention and control) Act, 1974 (hereinafter referred as Water Act), The Air (Prevention and control) Act, 1981 (hereinafter referred as Air Act) and The Environment (Protection) Act, 1986.

4. That the present Original Application is concerned with Respondent No. 1, a private company, which is alleged to be one of the largest manufacturers which deals with ferrous alloys in the State of Jharkhand and is also alleged of continuing large scale operations without proper environmental clearances.

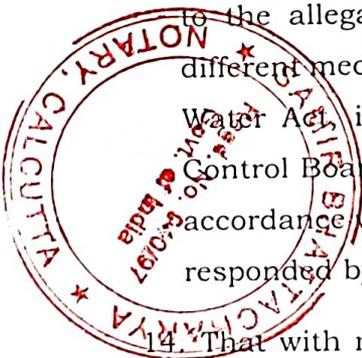
PARAWISE REPLY:-

5. That with regard to the averments made under Para 1 to 4 are regarding introduction of Applicant and Respondents. Hence, it is respectfully submitted that the same need no comment from this respondent no. 4, CPCB.
6. That with regard to the averments made under Para 5 relating to O.A. No. 44/2023/EZ, it is humbly submitted that Hon'ble NGT appointed a committee comprised of representatives from Jharkhand State Pollution Control Board (JSPCB) and Ministry of Environment, Forest & Climate Change (MoEF&CC) along with Central Pollution Control Board vide its order dated 28.4.2023. It is also submitted that M/s Bihar Foundry & Casting Ltd. located at Ramgarh was visited by the committee members on 13.05.2023 and the committee report has been submitted by Jharkhand SPCB by affidavit dated 25.05.2023 before Hon'ble NGT. The committee report examined certain alleged non-compliances
7. That with regard to the averments made under Para 6 to 9 relating to the allegations over Respondent No. 1 (concerning Industry details) of operating without prior environmental permissions. In this regard it is humbly submitted that metallurgical industries are required to operate with requisite environmental permissions and these allegations may be suitably replied by the concerned respondents. It is further submitted that the committee report submitted by Jharkhand SPCB by affidavit dated 25.05.2023 has also examined certain alleged non-compliances.
8. That with regard to the averments made under Para 10 relating to the classification of metallurgical industries as per EIA notification, it is respectfully submitted that as per EIA Notification dated 14.09.2006, the metallurgical industries (ferrous and non-ferrous) fall under category 3(a) of the list of projects or activities requiring prior environmental clearance.
9. That with regard to the averments made under Para 11 relates to the grant of environmental clearance (EC) dated 31.10.2011 to Respondent No. 1 for expansion of the ferro-alloy plant and allegation relating to not applying for grant of EC for other units. It is humbly submitted that these

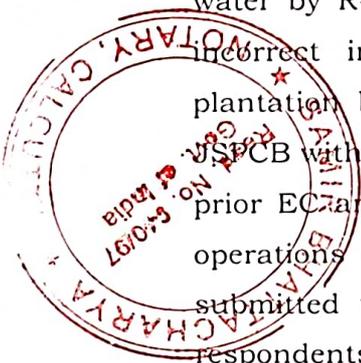


allegations may be suitably replied by the concerned respondents. It is further submitted that the committee report submitted by Jharkhand SPCB by affidavit dated 25.05.2023 has also examined certain alleged non-compliances.

10. That with regard to the averments made under Para 12, relating to the allegations regarding Respondent No. 1 indulging in production of ferro-alloy without EC leading to environmental loss, it is respectfully submitted that these allegations may be suitably replied by the concerned respondents. It is further submitted that the committee report submitted by Jharkhand SPCB by affidavit dated 25.05.2023 has also examined certain alleged non-compliances.
11. That with regard to the averments made under Para 13 to 17, except para 15, relates to OM issued by R-2 on 07.07.2021 titled 'SOP for Identification and Handling of Violation Cases', Copy of EAC (Industry-I) Minutes of the 44th meeting dated 13.09.2021 and 14.09.2021 and minutes of meeting of 24th EAC (Industry I) held on 28.02.2023. These are matter of record, hence it is respectfully submitted that no comments are required from this Answering respondent.
12. That with regard to the averments made under Para 15 and 18 relates to the allegations over Respondent No. 1 of operating without requisite EC. In this regard it is humbly submitted that metallurgical industries are required to operate with requisite environmental clearance. It is further submitted that the committee report submitted by Jharkhand SPCB by affidavit dated 25.05.2023 has examined the alleged non-compliances.
13. That with regard to the averments made under Para 19, 20 & 21 relates to the allegations of violation of consent mechanism and adoption of different mechanism for grant of NOC, CTE and CTO under the Air Act and Water Act, it is respectfully submitted that Jharkhand State Pollution Control Board (JSPCB) is the concerned agency to look after the same in accordance with, Water Act & the Air Act and hence these may suitably be responded by Respondent 3.
14. That with regard to the averments made under Para 22 relating to the classification of industries by CPCB, it is humbly submitted that modified directions under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 regarding harmonization of classification of industrial sectors under red / orange/ green / white categories was issued by CPCB on March 7, 2016. The copy of the direction is enclosed as **Annexure-I**.



15. That with regard to the averments made under Para 23 & 24 relating to issuance of CTO by JSPCB to the sister concern of R-1 on 10.11.2020, it is respectfully submitted that the joint committee report filed by affidavit dated 25.05.2023 of Jharkhand SPCB in compliance to order in Original Application No. 44/2023 includes observations with regard to these averments.
16. That with regard to the averments made under Para 25 to 31 relates to MoEF&CC OM dated 07.07.2021 regarding SOP on Identification and Handling Violation Cases, letter of I.A Division, MoEF&CC dated 15.05.2023 & 06.09.2023, Order of I.A Division, MoEF&CC dated 20.09.2021 stating that CTO not to be granted unless a valid EC is subsisting, allegation regarding non-compliance of 'SOP for identification and handling of Violation' etc., and allegations regarding Respondent No. 1 operating without prior EC. It is submitted that allegations may be suitably replied by the concerned respondents.
17. That with regard to the averments made under Para 32 relating to the allegation of no action being taken to rescind the CTO granted to R-1 despite express directions by R-2, it is respectfully submitted that the same may suitably be responded by Respondent No. 3.
18. That with regard to the averments made under Para 33 to 47 relating to non-installation of proper continuous ambient air quality monitoring system by R-1, defects pointed by Integrated Regional office Ranchi in its inspection report of R-1 dated 05.01.2017, allegation of illegal drawing of water by R-1 more than permissible limit , allegations of rendering of incorrect information regarding total land area to avoid requisite plantation by R-1, and various allegations including grant of CTO by JSPCB without prior EC, operating of industry (Ferro-Alloy plant) without prior EC and violations of all environmental conditions in carrying out operations of its Ferro-Alloy plant by R1. In this regard it is humbly submitted that allegations may be suitably replied by the concerned respondents.
19. That the averments made at para 48 to 50 are general declaratory statements made by the applicant for admissibility of the instant application regarding limitation, jurisdiction etc. No comments are offered over the same by the Answering Respondent.
20. That the averments made at para 51 relates to the grounds clause of the application. In this regard, it is humbly submitted that the submissions



made in the preceding para's are re-iterated and are not repeated for the sake of brevity.

21. In view of the submissions made in the preceding paragraphs, the Answering Respondent undertakes to abide by any directions / orders passed by Hon'ble Tribunal in the instant matter.

Identified by me
Sibajyoti Chakrobarti
Advocate 24/05/2024



DEPONENT



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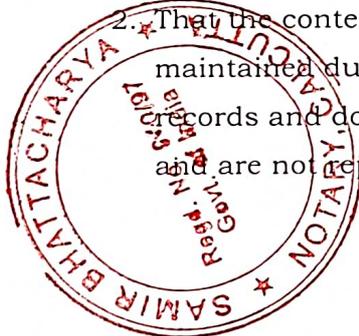
....RESPONDENTS

AFFIDAVIT

I, Sandeep Roy, son of Late Shri Mahesh Chandra Roy, aged about 44 years, having office at the Regional Directorate, Central Pollution Control Board, Southend Conclave' Block No.502, 5th & 6th Floor, 1582, Rajdanga Main Road, Kolkata-700107, do hereby solemnly affirm and sincerely state as follows: -

1. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit.

2. That the contents of reply are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over to me and are not repeated herein for the sake of brevity.



Solemnly Affirmed and Declared before me U/S 139 CPC/U/S297 (C) CRPC

[Signature]
DEPONENT

Identified by me

Sibajyoti Chakrabarti
Advocate 24/05/2024

VERIFICATION

I, Sandeep Roy, working as Scientist 'D' at Regional Directorate, Central Pollution Control Board, Kolkata-700107, the respondent No.4 herein does hereby verify that the contents of the above paragraphs are true and correct to the best of my knowledge, information and belief.

Verified at Kolkata on this the ^{24th} Day of May, 2024.

Samir Bhattacharya
Notary Govt. of India
Regd. No.- 940 / 97
CITY CIVIL COURT, CALCUTTA

[Signature]
DEPONENT

Identified by me

Sibajyoti Chakrabarti
Advocate 24/05/2024

Amexuro - I
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Inspection report of Committee constituted by the Hon'ble National Green Tribunal, Eastern Zone, Kolkata in Rakesh Shrivastava vs M/s Bihar Foundary & Casting Ltd. & Others in O.A. No. 44 / 2023 / EZ.

(1) The petitioner's grievance relates to alleged violation of environmental laws and norms.

The Tribunal, vide its order dt. 28.04.2023 constituted a 3 - member committee to verify the factual position on the ground, regarding compliance of above condition. The committee comprising of

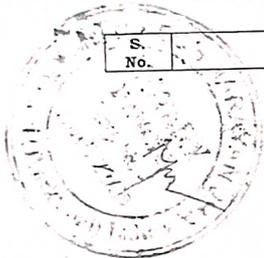
1. Sri M. R. Prasad, Scientist "C" (representative Ministry of Environment, Forest and Climate Change (MoEF & CC)", Regional Office, Ranchi).
2. Sri Toufic Aslam, Scientist "C" (representative Central Pollution Control Board, Regional Directorate, Kolkata).
3. Sri A. K. Yadav (representative Jharkhand State Pollution Control Board, which acted as the Nodal Agency).

This report presents the findings emerging observations made and discussions held with the respondent during the field visit on 13/05/2023, and perusal of related documents by the committee.



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BIHAR FOUNDRY & CASTINGS LTD. "BFCL" Statement in line of NGT order Dated- 28/04/2023

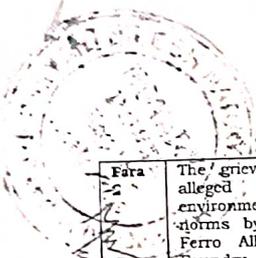


S.
No.

Points

Statement

10



The grievance relates to alleged violation of environmental laws and norms by M/s. Gautam Ferro Alloys and Bihar Foundry and Casting Limited (hereinafter referred to as "BFCL") by expanding and running their factories without obtaining Environmental Clearance (hereinafter referred to as "EC") and other requisite permissions/consents. It is said that consent to establish and consent to operate was issued in the name of M/s. Gautam Ferro Alloys but the said consent is being used commonly by two Proponents namely, M/s Gautam Ferro Alloys and M/s. BFCL in an illegal manner. Since both the proponents are independent entities, consent issued to one could not have been utilized by another unit.

Bihar Foundry & Castings Ltd. is a company having Registration No./CIN No.U27100JH 197 LPLCOO0972, PAN No.AAABC1852D, GST No.AAABC1852DIZI, IE,C No. 2193000298 has two industrial units located in Ramgarh Industrial Area, Ramgarh. Gautam Ferro Alloys is not a legal entity and is only a calling name for the ferro alloys unit of Bihar Foundry & Castings Ltd. As reported by the Unit's representative with affidavit. Annexure no. 1.

- (1) Sponge Iron, Captive Power Plant (WHRB) and Induction Furnaces unit and
- (2) Ferro Alloys two separate premises

The Details of requisite Clearance/permission of these two industrial units.

The status of EC, CTE & CTO of the two industrial units of BFCL- is tabulated below:-

Environmental permissions	Unit I- Bihar Foundry and Castings Limited, having Captive Power Plant (WHRB) and Induction Furnaces unit	28.01.2010	-	Unit II- Bihar Foundry and Castings Limited having Ferro Alloys	31.10.2011	-
Environmental Clearance	J-11011/310/2009-IA.II (I)	25.03.2022	31st March, 2025	No. JSPCB/HO/RNC/CTO4412165/2020/1819 (issued in the Name of M/s. Bihar Foundry & Castings Ltd. Unit Gautam Ferro Alloys)	10.11.2020	31st Dec. 2025
Consent To Operate	Sponge Iron & Power-No.JSPCB /HO/RNC/CTO- 11688208/ 2022/345 Induction Furnace-No.SPCB/HO 2025 /RNC/CTO-4426528/2019/2376	28.11.2019	31st Dec. 2024	Name of unit in CTO has been corrected to Bihar Foundry & Castings Ltd. Ferro Alloys Unit (Auto Renewal), Ref. No.1341		
Hazardous Waste Authorization	No.JSPCB/RO/HZB/HWM6758830/2019/7	30.12.2019	30th Sep. 2024	No. JSPCB/HO/RNC/HWM6758737/2022/46	27.10.2022	30th Sep. 2024
CGWA NOC	CGWA/NOC/IND/ORIG/2021/13540	26.03.2021	25th March, 2024	CGWA/NOC/IND/ORIG/2021 /10628	02.01.2021	1st Jan., 2024

Ferro Alloys Unit	Sponge Unit
MOEF&CC in its 24 th Expert Appraisal meeting has considered company for modification -cum- expansion proposal (under violation) on 1 st March 2023 and recommended issue of E.C. (under violation) subject to certain condition which is being complied by the company.	MOEF&CC in its 20 th Expert Appraisal meeting has considered the proposal expansion of sponge iron, captive power plant and steels billet unit and decided the issue TOR.

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Para
a
It is further said that EC was issued in the name of M/s. BFCL but for obtaining consent to operate for M/s. Gautam Ferro Alloys, said EC was used. M/s. Gautam Ferro Alloys is a proprietorship firm while M/s. BFCL is a company incorporated under the provisions of Companies Act and is a separate entity. The directors/promoters of BFCL have fraudulently used EC issued in the name of M/s. BFCL for obtaining consent to operate for M/s. Gautam Ferro Alloys

As mentioned in para 2 Bihar Foundry & Castings Ltd. is a company having Registration No./CIN No.U27100.IH 197 LPLCOO0972, PAN No. AABCB 1852D, GST No. AABCB1852D1Z1, IE,C No. 2193000298 is having two industrial units i.e.
A) Sponge Iron, Captive Power Plant (WHRE) and Induction Furnaces unit and
B) Ferro Alloys unit in the Ramgarh Industrial Area in two separate premises.

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Para 4

It is further said that there is misrepresentation in the areas of M/s. Ferro Alloys and Sponge Iron Plant. EC was obtained by Bihar Foundries & Casting Ltd. on 28.01.2010 for the sponge iron plant located at Plot No. 1364 admeasuring 14 Acres. Further, Bihar Foundries 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 M/s. Gautam Ferro Alloys which is situated on 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.

The Plot numbers & Land Area for the two units of BFCL are correctly stated in the following CTO for their respective units.

- a) CTO No. JSPCB /HO/RNC/CTO- 11688208/ 2022/345 valid upto 31st March 2025 (Sponge Iron /WHRB/Captive Power Plant)
- b) CTO No.SPCB/HO 2025 /RNC/CTO-4426528/2019/2376 valid upto 31st December, 2024. (Induction Furnace)

- 1. Lease Deed on 01.05.1974 Plot No. 1364 (part) Area 14 acre
 - 2. Lease Deed on 28.10.2015 Plot No. 1364P Area 5 acre
 - 3. Lease Deed on 29.11.2018 Plot No.1405P Area 0.50 Acres
- Total Area - 19.50 acres.

For induction furnaces which is part of unit I and is within the total area 19.5 acre of Unit-I

For induction furnace unit of separate CTO was issued in which area was mentioned as 19 Ha.

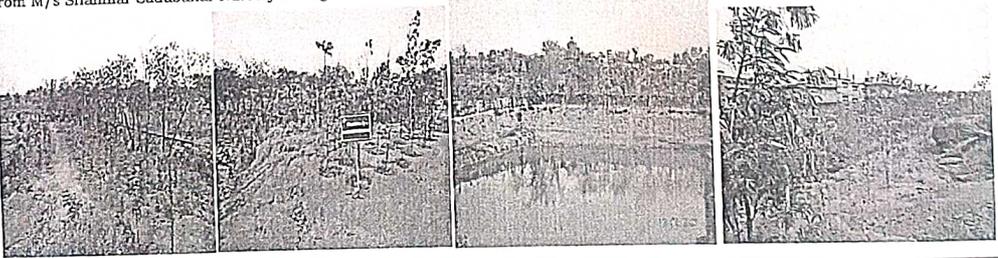
Request letter for correcting the typographical error in Area from 19 Ha. to 19.5 acres in CTO of M S Billets has been submitted to JSPCB on 06.04.2023 (copy enclosed herewith as annexure-2)

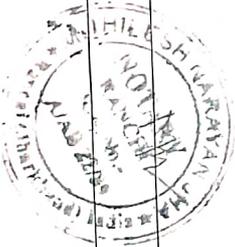
Induction Furnace and Sponge Iron unit are located within same premises of 19.50 acres Plot No.1364(P).

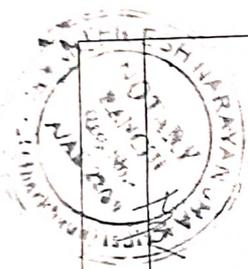
Similarly, Unit-II- Ferro Alloys is established on Plot No.1405 (P).

CTO No. JSPCB/HO/RNC/CTO4412165/2020/1819 valid upto 31st December 2025

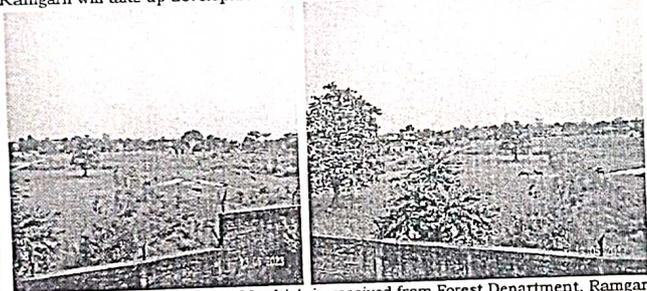
- 1. Lease Deed on 28.01.1988 Plot No.1405P (part J1) Area 3.51 acre
 - 2. Lease deed on 20.01.2020 Plot No.1405P (part)C5, C6, D8, C9, C10, F11 & F12) Area 3.67 acre
- Total Area - 7.18 acres

<p>Para 5</p>	<p>EC dated 28.01.2010 was issued to BFCL for its sponge iron plant situated at Plot No. 1364 admeasuring 14 acres only and it has fraudulently obtained consent to operate sponge iron plant at land area admeasuring 47.5 Acres. It clearly shows that BFCL is blatantly violating the environment laws by defrauding and misrepresenting before the 3 appropriate authorities and suppressing the relevant information pertaining to its plants.</p>	<p>EC No. J-11011/310/2009-1A II(I) dated 28.01.2010. The Company has taken an acquired additional 5.50 acres in the industrial area. The current CTO No. JSPCB/HO/RNC/CTO4412165/2020/1819 dated: 31st December 2025 mentioned area as 19.50 acres.</p>
<p>Para 6</p>	<p>There is also non-compliance of requirement of maintaining 33% area as green belt. Ground water is being illegally drawn and there is also separation in quantity of slag dump. Further alleged violations are summarized in the form of chart in the letter petition as under:</p>	<p>Unit-I : The process of Development of green belt within the plant premises. Plantation has been carried out using native species. Details on plantation carried out are.</p> <p>Tree sapling upto 2021-22- 4620 nos. Area Covered- 4.62 acres which is 33% of 14 acres land.</p> <p>Unit-II : As observed at site, the project has developed plantation all along the boundary of the industry. However, due to constraints of space within the plant, the project proponent has acquired additional land, outside the plant measuring around 1 acre and 10 decimals over which it is proposed to grow plantation. The project proponent has given an undertaking that they would grow green belt as stipulated by the next monsoon.</p> <p>The project proponent has purchased 5000 nos. of plants from Bihar State Forest Department in July 2022 and 1140 numbers of plants from M/s Shalimar Sadabahar Nursery during October, 2022 for plantation.</p> 





In addition to green belt area within the plant premises of the two units of the company in the industrial area, the Forest Department, Ramgarh will take up development of Green Belt (reforestation) of an area of 3.50 hectares in the survey plot no 1423/1 which will be 32 %.



Letter No.724 dated 17.04.2023 which is received from Forest Department, Ramgarh.

Unit I and II total land 26.680 acres 40% area is 10.672 acres on green belt has been developed and adjacent land 3.50 Ha. (8.650 acres) which is procured from the Forest Department in addition to existing green belt area of land.

Unit- I Ground Water abstraction NOC for Bihar Foundry & Castings Ltd.- NOC for withdrawal of 300 KLD underground water has been granted by CGWA vide letter No.CGWA/NOC/IND/ ORIG/2021/13540 from 26.03.2021 to Valid up to-25.03.2024.

Unit-II Ground Water abstraction NOC for Bihar Foundry & Castings Ltd. (Ferro Alloys Unit) - NOC for withdrawal of 35 KLD underground water has been granted by CGWA vide Letter No.CGWA/NOC/IND/ ORIG/2021/10628 dated 02.01.2021 with validity up to 01.01.2024.

Unit-I & II Permission for withdrawal of water from River Damodar vide letter no. MD/DVRR/W-6(145)/2022/738-43 dated 20.12.2022 from WRD, Govt. of Jharkhand for water permission to the quantity of 0.598 MCM for both units i.e. DRI unit & adjacent Ferro Alloy unit.

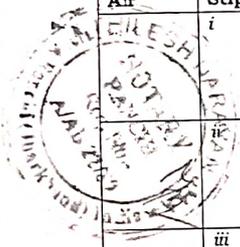
Solid Waste management-

Solid Waste	Mode of Disposal
Char	Char is being and would continue to be sold to nearby AFBC based Power Plant located in the industrial cluster. GST Invoice of sold Char is enclosed as annexure-5
Silo Dust	Both the solid wastes generated are to be used for filling up the low-lying area of Ramgarh area. Copy of the letter received from Ramgarh Municipality is enclosed as annexure-6
Slag	Both the solid wastes generated are to be used for filling up the low-lying area of Ramgarh area. Ref annexure-6

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Environment Status:

Environment Status:		Status	Statement
Air	Stipulation of conditions such as:		
i	Stack emission levels should be stringent than the existing standards in terms of the identified critical pollutants.		CEMS (Continuous Stack Emission Monitoring System) are installed in both DRI & Ferro Alloys unit with connectivity to the server of JSPCB & CPCB. The real time online data for PM is continuously visible in the portal JSPCB & CPCB. (Acopy of data is enclosed herewith as annexure-4).
ii	CAAQMS may be installed in all large/medium red category industries (air polluting)		PM 10 Analyzer is installed in this plant with connectivity to JSPCB server and data is continuously visible in the public domain in the JSPCB website "www.jspcb.nic.in". PM 10 values are always within <u>the prescribed limit of 100 micro gram/m³</u> . (Copy of data is enclosed herewith as annexure-5).
iii	Effective fugitive emission control measures should be imposed in the process, transportation, packing etc.		Transportation of raw materials/ solid wastes is ensured through covered trucks only. Unit has installed - 69 Nos of fixed water sprinklers & 100 Nos. of Fog nozzles for water spraying. Bag filters are installed at all the vulnerable points at coal and iron ore screening section, crusher house, product house, cooler discharge, intermediate bins, coal in ejection points of DRI plant and dust extraction system. Details of Bag Filter: In dust prone areas Water Sprinkling is also done using Water Tankers. Major raw material is kept in closed shed Conveyor belts are used where ever required. Unit has dust sweeping machine mounted on tractor and dust sweeping is carried out regularly through this road sweeping machine. <i>No fugitive emission control system was observed at the raw material unloading point of Sponge Iron manufacturing unit</i>
iv	Transportation of materials by rail/conveyor belt wherever feasible.		Major raw material transportation is done by rail up to 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 avoided).		Unit is not using pet coke, furnace oil or LSHS.

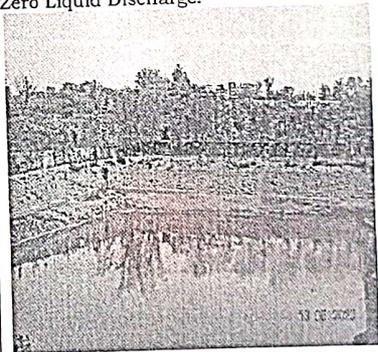




vi	Best Available Technology may be used for dust collection.	A dust sweeping machine installed on tractor regularly sweeps dust from all the transport roads.
vii	Increase of green belt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever feasible.	<p>Unit-I: The process of Development of green belt within the plant premises. Plantation has been carried out using native species. Details on plantation carried out are.</p> <p>Tree sapling upto 2021-22- 4620 nos. Area Covered – 4.62 acres which is 33% land of 14 acres.</p> <p>Unit-II: As observed at site, the project has developed plantation all along the boundary of the industry. However, due to constraints of space within the plant, the project proponent has acquired additional land, outside the plant measuring around 1 acre and 10 decimal over which it is proposed to raise plantation. The project proponent has given an undertaking that they would raise green belt as stipulated by the next monsoon.</p> <p>The project proponent has purchased 5000 nos. of plants from Bihar State Forest Department in July 2022 and 1140 numbers of plants from M/s Shalimar Sadabahar Nursery during October, 2022 for plantation.</p> <p>Letter No.724 dated 17.04.2023 which is received from Forest Department, Ramgarh.</p> <p>Unit I and II total land 26.680 acres of 40% areas 10.672 acres in green belt developed and adjacent land 3.50 Ha. (8.650 acres) which is procured from the Forest Department in addition to existing green belt area of land.</p> <p>Unit- I Ground Water abstraction NOC for Bihar Foundry & Castings Ltd.- NOC for withdrawal of 300 KLD underground water has been granted by CGWA vide letter No. CGWA/NOC/IND/ ORIG/2021/13540 from 26.03.2021 to Valid up to-25.03.2024.</p>

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	viii	Stipulation of greenbelt outside the project premises such as avenue plantation, plantation in vacant areas, social forestry, etc.	Avenue plantation on road side has been carried out.
	ix	Assessment of carrying capacity of transportation load on roads inside the industrial premises. If the roads required to be Carrying capacity of the roads has not been assessed by the 4 widened, shall be prescribed as a condition.	Site is adjacent to Ramgarh City Road & NH # 20 (Ranchi - Hazaribagh) is at a distance of 7.0 Kms. Nos. of trucks required after expansion project will be 50 trucks /day or transporting raw materials, products and wastes. Existing road is capable of taking the additional vehicular traffic due to the proposed expansion.
Water	Stipulation of conditions such as:		
	i	Reuse/recycle of treated waste water, wherever feasible.	No waste water is discharged outside the plant premises. Entire process water is recycled and reused. thus it is maintaining Zero Liquid Discharge. 
	ii	Continuous monitoring of effluent quality/quantity in large and medium Red Category Industries (water polluting).	Regular monitoring of Effluent analysis is carried out by NABL accredited Laboratory.
	iii	A detailed water harvesting plan may be submitted by the project proponent.	A detailed water harvesting plan has already being submitted on 30.11.2022 at IRO MoEF & CC, Ranchi.
	iv	Zero liquid discharge wherever techno economically feasible.	ZLD is properly maintained.
	v	In case, domestic waste water generation is more than 10 KLD, the industry may install STP.	Waste domestic water generation in our Ferro Alloys plant is less than 10 KLD .

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Stipulation of conditions such as:	
i	<p>Increase of greenbelt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever, feasible for new projects.</p> <p>1. For Unit I, 14.00 acres land has been given by state Govt. for industrial purpose on lessee for 99 years in 1974 and for Unit II, 3.51 acres land has been given by state Govt. for industrial purpose on lessee in 1985 for 99 years and for Unit-I, 5.50 acres land has given by state Govt. for industrial purpose in the year 2015 and 2018 for 30 years</p> <p>for Unit-II, 3.67 acres land has given by state Govt. for industrial purpose in the year 2020 for 30 years</p> <p>Total area of land for Unit I & II is 26.680 acres. Of which 40% area is 10.672 Acres has been kept for green belt development and another land adjacent to the plant measuring area 3.50 Ha. (8.650 acres) has been procured from the Forest Department in addition to existing green belt area of land. (A copy of Letter No.724 dated 17.04.2023 is enclosed herewith as annexure-6).</p>
ii	<p>Stipulation of greenbelt outside the project premises such as avenue plantation, plantation in vacant areas, social forestry, etc.</p> <p>Avenue plantation on road side has been carried out.</p>
iii	<p>Dumping of waste (fly ash, slag, red mud, etc.) may be permitted only at designated locations approved by SPCBs/PCCs.</p> <p>Not applicable as it is a Ferro Alloy plant. (Permission of municipality is enclosed.</p>
iv	<p>More stringent norms for management of hazardous waste. The waste generated should be preferably utilized Inco-processing.</p> <p>We have obtained Authorization for Hazardous Waste disposal from Jharkhand State Pollution Control Board vide Ref. No. JSPCB/RO/HZB/HWM-6758830/2019/7 dated 30.12.2019 for Bihar Foundry & Castings Limited and vide Ref. No. JSPCB/HO/RNC/HWM-6758737/2022/46 dated 27.10.2022 for Ferro Alloys unit separately.</p>
Other Conditions (Additionl)	
i	<p>Monitoring of compliance of EC Conditions may be submitted with third party audit every year.</p> <p>As per EC condition Environmental Monitoring is done regularly by third party NABL accredited Laboratory duly registered by Jharkhand State Pollution Control Board and reports are submitted to MOEF & CC and JSPCB on regular basis.</p>



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ii	Corporate social Responsibility.	Socio- economic development activities like community development program, educational program, drinking water supply and health care etc. is being done regularly in the surrounding villages. Details have already been submitted to MoEF & CC IRO Ranchi.
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.	BFCL has well laid Environmental Management System in place and established environment department with senior level.

OTHER OBSERVATIONS

It was observed by the committee that the project had stored raw materials well covered with polythene sheets within their premises. It was stated that this was purely temporary and the storage was due to construction and repair activities undertaken within the project area. It has been assured that they would remove all the raw materials stored outside within two months.

CONCLUSION:

The members of the Joint Committee, after visiting the Sites, going through the documents/reports submitted by the project authorities are of the opinion that there are certain non-compliances to the conditions stipulated in the statutory clearances obtained observed for both the industrial units. It is also submitted by the project authorities that there have been some mistakes committed by the project proponents while filing up the forms submitted Jharkhand State Pollution Control Board., thereby resulting in discrepancies in the figures relating to the land area for which action is being taken by them for rectification.

Toufic Aslam 22/05/23
(Toufic Aslam)
Scientist "C"
CPCB, Kolkata

M.R. Prasad
(M.R. Prasad) 22/5/23
Scientist "C"
MoEF & CC, R.O. Ranchi

A
22/5/2023
(A. K. Yadav)
Regional Officer
JSPCB, Hazaribagh



Enclosure-1



AFFIDAVIT

I, Hari Krishna Budhia, son of late R.K. Budhia, aged about 78 years, resident of Near Surendra Nath Centenary School, Dipatoli, P.O. Bariatu, P.S. Sadar, District Ranchi do hereby solemnly affirm and declare as follows:-

1. That I am the Managing Director of the M/s Bihar Foundry & Castings Ltd. having its registered office at Main Road, Ranchi-834001 (Jharkhand) and I am fully conversant with the activities and operation of the company.
2. That Bihar Foundry & Castings Ltd. is a company having Registration No./CIN No.U27100JH1971PLC000912, PAN No.AAABC1852D, GST No. AAABC1852D1ZI, IEC No. 2193000298 under this company we have two units (1) Sponge Iron unit including Captive Power Plant and Induction Furnace and (2) Ferro Alloys unit having Submerged Arc Furnaces.
3. That Gautam Ferro Alloys is not a legal entity and is only a calling name for the ferro alloy unit of the Bihar Foundry & Castings Ltd.

Sworn and signed on this the 11th day of the month of April, 2023 at Ranchi.

FOR BIHAR FOUNDRY & CASTINGS LTD.

Hari Krishna Budhia

MANAGING DIRECTOR
Deponent

The deponent who is identified by Sri
..... Adv., Ranchi
by me do hereby solemnly affirm and declare that
the statement made above are true to best
of their knowledge and belief.

Identified

Advocate, Ranchi

Signature attested on
Identification of Lawyer



Shri Hari Krishna Budhia
NOTARY PUBLIC, RANCHI



11 APR 2023

Date

Ref. No.

467

Notary Seal of Hari Krishna Budhia
and his wife Smt. Sushila Devi
at Ranchi, Jharkhand, India

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ENCLOSURE-2



Ref: BFCL/ENV/2022/25

Date: 06.04.2023

To,
The Members Secretary
Jharkhand State Pollution Control Board
TA Division Building,
Ground Floor, HEC,
Dhurwa, Ranchi (Jharkhand).

Sub: Correction of area in Consent to Operate of M/s Bihar Foundry & Castings Ltd. for MS Billets plant.

Ref: CTO Ref. No.JSPCB/HO/RNC/CTO-4426528/2019/2376 dated 28.11.2019

Dear Sir,

With reference to the subject noted above this is to submitted that Consent to Operate of M/s Bihar Foundry & Castings Ltd. has been issued vide Ref. No.JSPCB/HO/RNC/CTO-4426528/2019/2376 dated 28.11.2019 for MS billets Plant. In this Consent to Operate the area of the plant has been mentioned 19 Ha. In this regard this is to mentioned that the plant area is 19 acres not 19 Ha. The copies of the land lease issued by RIADA are enclosed herewith for your reference.

It is therefore requested to re-issue Consent to Operate with area 19 acres instead of 19 Ha. We shall always remain obliged to you for this kind act.

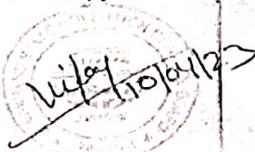
Thanking you,

Yours faithfully,
For Bihar Foundry & Castings Ltd.



(Authorised Signatory)

- Encl: 1) A copy of Deed No.5057 dated 01.05.1971 Area 14 acres
2) A copy of Deed No.2723 dated 28.10.2015 Area 5 acres
Total Area= 19.00 acres



Bihar Foundry & Castings Limited

Works :- Ramgarh Industrial Area, P.O.- Marar, Dist.- Ramgarh, Jharkhand - 829117.
Registered Office :- Main Road, Ranchi, Jharkhand - 834001.
CIN No :- U22100JH1971PLC000012 & GST No :- 20AARCB1852B1Z1
Landline :- 0651-2202699 Fax :- 0651- 2202799 Email :- bfcfga@gmail.com



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ENCLOSURE-3



Ref: 2022-23/

Date: 15.11.2022

To,
The Ministry of Environment, Forest & Climate Change
East Central Zonal Office, Ranchi
Ranchi-834002

Ref: Our Ref. No.GFA/ENV/2022/06 dated 29.04.2022

Dear Sir,

We undertake that the greenbelt development as per CPCB norms is under progress and shall be completed as per norms in the ensuing rainy season.

We further undertake that we have already developed greenbelt in the existing area and we are further increasing it by way of raising new plants thus making it more dense and environment friendly.

We further undertake to develop greenbelt in the newly acquired adjacent land by our company. The purchase of adjacent land was necessitated for meeting requisite greenbelt area of 33% which will be accomplished by the next rainy season.

Yours faithfully,

Bihar Foundry & Castings Ltd.

Gaurav Budhia
(Gaurav Budhia)
Director

Bihar Foundry & Castings Limited
Works :- Ramgarh Industrial Area, P.O.- Marar, Dist.- Ramgarh, Jharkhand - 829117.
Registered Office :- Main Road, Ranchi, Jharkhand - 834001.
CIN No :- U27100JH1971PLC000912 & GST No :- 20AABC81852D1Z1
Landline :- 0651-2202699 Fax :- 0651- 2202799 Email :- bfcgfa@gmail.com



Q2 Q3

ENCLOSURE-4
CEMS DATA

Industry: BIHAR FOUNDRY & CASTINGS LTD (Ferro Alloys Unit)
Industry Category: Iron & Steel
Address: INDUSTRIAL AREA MARAR, RAMGARH, Jharkhand

Date	STACK 1 PM mg/Nm3	STACK 2 PM mg/Nm3
3/15/2023	40.30	40.19
3/16/2023	40.57	38.97
3/17/2023	40.78	40.44
3/18/2023	40.59	40.21
3/19/2023	40.33	40.05
3/20/2023	40.88	40.32
3/21/2023	40.97	40.94
3/22/2023	40.26	40.78
3/23/2023	40.70	41.05
3/24/2023	40.71	39.80
3/25/2023	40.39	39.57
3/26/2023	40.72	39.73
3/27/2023	40.19	39.82
3/28/2023	40.34	39.71
3/29/2023	40.52	40.44
3/30/2023	40.51	39.58
3/31/2023	40.68	39.03
4/1/2023	40.42	40.62
4/2/2023	40.36	39.96
4/3/2023	41.16	40.71
4/4/2023	40.82	39.25
4/5/2023	40.37	40.15
4/6/2023	40.65	39.33
4/7/2023	40.67	40.11
4/8/2023	41.05	39.54
4/9/2023	40.70	39.40
4/10/2023	40.61	38.85
4/11/2023	40.14	40.80
4/12/2023	40.48	40.81
4/13/2023	40.73	39.45
4/14/2023	40.20	39.77
4/15/2023	40.40	39.33



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ENCLOSURE-5CAAQMS DATA

Industry: BIHAR FOUNDRY & CASTINGS LTD (Ferro Alloys Unit)
 Industry Category: Iron & Steel
 Address: INDUSTRIAL AREA MARAR, RAMGARH, Jharkhand

Date	AAQ PM10 ($\mu\text{g}/\text{m}^3$)
3/15/2023	68.83
3/16/2023	66.04
3/17/2023	67.33
3/18/2023	68.22
3/19/2023	67.17
3/20/2023	65.91
3/21/2023	66.59
3/22/2023	71.05
3/23/2023	68.02
3/24/2023	67.04
3/25/2023	69.50
3/26/2023	67.08
3/27/2023	68.94
3/28/2023	68.97
3/29/2023	68.33
3/30/2023	67.90
3/31/2023	69.07
4/1/2023	65.27
4/2/2023	63.95
4/3/2023	68.41
4/4/2023	66.70
4/5/2023	69.65
4/6/2023	67.75
4/7/2023	67.84
4/8/2023	68.11
4/9/2023	69.426
4/10/2023	69.96
4/11/2023	67.00
4/12/2023	66.09
4/13/2023	68.59
4/14/2023	68.42
4/15/2023	69.19





कार्यालय:-वन प्रमंडल पदाधिकारी, रामगढ़ वन प्रमंडल, रामगढ़।

(रांची रोड नियर वी.आर.एल. गेट, पो-मरार, जिला-रामगढ़ पिन-829117)

Email id - dfo-ramgarh@gov.in

Mobile No. 89877-90306

पत्रांक 724 / रामगढ़, दिनांक 17/04/23

सेवा में,

General Manager,
Bihar Foundry Casting Limited,
Industry Area, Ranchi Road, Marar
Ramgarh

विषय :- वित्तीय वर्ष 2023-24 से 2029-30 तक में BFCL के अन्तर्गत वन विभाग (रामगढ़ वन प्रमंडल, रामगढ़) के द्वारा कार्यान्वित की जाने वाली वनरोपण स्थल का विशिष्ट प्राक्कलन तैयार कर प्रस्ताव भेजने के संबंध में।

प्रसंग :- वन, पर्यावरण एवं जलवायु परिवर्तन विभाग, भारत सरकार के पत्रांक-F.No.J-11011/310/2009-IA II (1) dated 28.01.2010

महोदय,

उपर्युक्त विषयक प्रसंगाधीन पत्र के संबंध में सूचित करना है कि बिहार फाउन्ड्री कास्टिंग लिमिटेड के पर्यावरणीय स्वीकृति में लगाये गये शर्तों के आलोक में 3.50 हे० भूमि पर वित्तीय वर्ष 2023-24 से 2029-30 तक वन विभाग (रामगढ़ वन प्रमंडल, रामगढ़) के द्वारा कार्यान्वित की जाने वाली वनरोपण स्थल का विशिष्ट प्राक्कलन तैयार कर प्रस्ताव भेजी जा रही है, जो निम्नवत है:-

क्र. सं.	योजना का नाम	रकबा (हे. में)	अग्रिम कार्य की प्राक्कलित राशि	कुल सात वर्षीय प्राक्कलित राशि
1	भू-संरक्षण एवं वनरोपण (Chain Link Fencing-Loh Angel)	3.50	1658914.00	3416036.00
2	निरीक्षण/अनुभवण शूल्य 5 प्रतिशत की राशि		82946.00	170802.00
कुल योग :-			1741860.00	3586838.00

अतः अनुरोध है कि कुल सात वर्षीय कार्य की राशि रु. 35,86,838/- (पैंतीस लाख छियासी हजार आठ सौ अड़तीस) रुपये का चालान के माध्यम से कोषागार के वन प्रेषण लोक लेखा (प्राशिया) शीर्ष 8782 में जमा कराना सुनिश्चित करें ताकि प्राक्कलन के अनुसार कार्य प्रारंभ किया जा सके।

नोट :- झारखण्ड सरकार द्वारा मजदूरी दर में वार्षिक वृद्धि के पश्चात बढ़े मजदूरी दर की मांग की जा सकती है।

अनुलग्नक :- यथोक्त।

आपका विश्वासी,

(Signature)
17/4/23
वन प्रमंडल पदाधिकारी,
रामगढ़



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