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BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

Original Application No. 44 of 2023/EZ

BETWEEN

Rakesh Shrivastava

...Petitioner

AND

Bihar Foundry and Castings Limited & Ors.

... Respondents



**REJOINDER ON BEHALF OF THE APPLICANT TO THE
AFFIDAVIY-IN-REPLY DATED 12.03.2024 FILED BY THE
RESPONDENT NOS. 1 AND 2**

Filed by:

ANUBHAV KHASTAGIR

Advocate

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Enrolment No. F/200/367/2023

10 4 SEP 2024

BEFORE THE LEARNED NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH

Original Application No. 44 of 2023/EZ

Between:

Rakesh Shrivastava

...Applicant

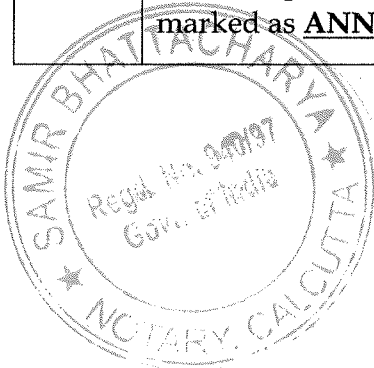
AND

Bihar Foundry and Castings Limited & Ors.

... Respondents

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Handwritten signature/initials

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BEFORE THE LEARNED NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA

Original Application No. 44 of 2023

BETWEEN:

Rakesh Shrivastava..... Applicant

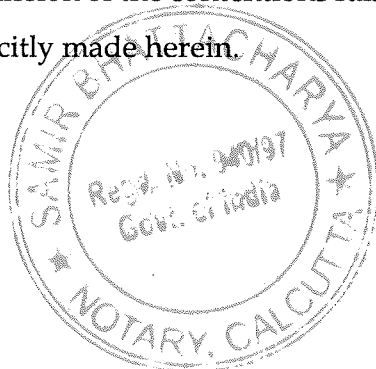
AND

Bihar Foundry and Castings Ltd. & Ors. Respondents

REJOINDER ON BEHALF OF APPLICANT TO THE AFFIDAVIT-IN-REPLY
DATED 12.03.2024 FILED BY RESPONDENT NOS. 1 AND 2

I, Rakesh Shrivastava, son of late Brijraj Shrivastava, aged about 50 years, by faith - Hindu, residing at H No. 308, near Durga Mandir Tilli, Sagar. (M.P.), Pin Code: 470009, do hereby solemnly state and affirm as follows:

1. That the instant rejoinder is filed as counter to the affidavit in reply filed by Respondent No. 1 and 2 in the subject case (hereinafter referred to as the 'said reply affidavit'. The contents of the said reply affidavit filed by Respondent No. 1 and 2 are denied completely and nothing stated in this rejoinder shall deemed to be taken as admission of the contentions raised in affidavit in reply unless such admission is explicitly made herein.



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2. That the contents of paragraph 2 of the said reply affidavit are denied and disputed.

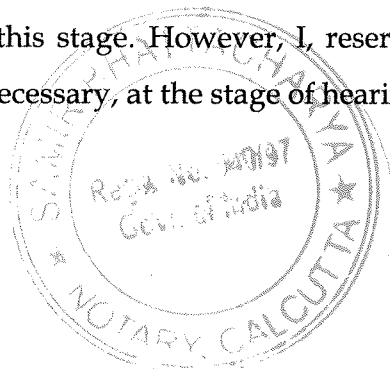
3. That the contents of paragraphs 3 to 6 of the said reply affidavit do not warrant any reply at this stage. However, I, reserve the right the make appropriate submissions, if necessary, at the stage of hearing.

4. That the contents of paragraph 7 of the said reply affidavit are denied and disputed.

5. That the contents of paragraphs 8 (a) to para 8 (e) of the said reply affidavit are denied and disputed. It is submitted that the statements and/or allegations and/or contentions made therein are false, frivolous and mala fide, without there being any ground to support such contentions.

6. That the contents of paragraphs 8 (f) to para 8 (j) of the said reply affidavit do not warrant any counter at this stage. However, I, reserve the right the make appropriate submissions, if necessary, at the stage of hearing. Be that as it may, it is submitted that the recommendations with respect to grant of environment clearance to ferro-alloy unit of respondent no. 1 was issued without considering the detailed representations of the applicant herein, which raised several issues relating to violations of environment norms carried out by the respondent nos. 1 and 2.

7. That the contents of paragraphs 8 (k) and 8 (l) of the said reply affidavit do not warrant any counter at this stage. However, I, reserve the right the make appropriate submissions, if necessary, at the stage of hearing. Be that as it may, it

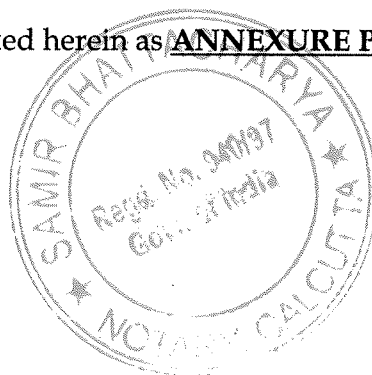


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is submitted that I have also raised the issue of illegal constructions and/or expansions and/or modifications carried out by the respondent nos. 1 and 2 in their ferro alloy unit, without obtaining environment clearance. Further, the petitioner has also raised the fact that the respondent nos. 1 and 2 are running the ferro-alloy unit illegally in an expanded capacity by producing low carbon ferro alloy from CLU converter, thereby polluting the environment.

8. That the contents of paragraphs 8(m) and 8(n) of the said reply affidavit are denied and disputed and it is most humbly submitted that the primary requirement of the environment clearance dated 31.10.2011 issued to ferro-alloy unit of respondent no. 1 was to ensure that no further construction/expansion was done without the prior consent of the competent authorities. However, the respondent entities have illegally constructed a CLU converter for producing low carbon ferro-alloy without taking prior approval of the competent authorities and running the same at full capacity.

9. I submit that the respondent entities are not only operating the CLU converter illegally, but have also filed tenders for supply of such illegally produced low carbon ferro-alloys to Public Sector Undertakings. M/s. Steel Authority of India Limited, vide its contract no. GEMC- 511687741459369, has issued work order dated 01.09.2023 to respondent no. 1 for supply of 10,000 MT of low carbon ferro manganese for a total amount of Rs. 112,86,00,000 /- (Rupees One Hundred Twelve Crore Eighty-Six Lakhs Only) even when the Respondent entities do not have prior environment clearance to produce low carbon ferro alloys. Copy of the aforesaid work order dated 01.09.2023 issued to the respondent no. 1 is annexed herein as **ANNEXURE P/1**.



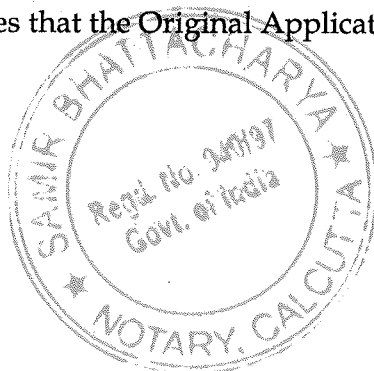
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10. I further submit that the slag production of the ferro-alloy unit of the respondent nos.1 & 2 has also doubled in the last year as compared to previous 5 years. This is because of the fact that the respondent nos. 1 and 2 have illegally modified and expanded their ferro alloy unit, without the prior environment consent and are operating such illegally expanded plant at full capacity, thereby damaging the environment severely. The fact that the production of slag has exceeded the proposed slag production in the pending environment clearance application filed by the Respondent No. 1 shows that how blatantly the respondent no. 1 is engaging in damaging the environment by increasing production of its heavy polluting industry even when such industry is located in a critically polluted area. Copies of the environment statement filed by the respondent no. 1 itself showing increase in production of slag in the year 2022-23 and previous environment statements are collectively annexed herein as ANNEXURE P/ 2 (Colly.).

11. That the contents of paragraph 8 (o) of the said reply affidavit does not warrant any counter at this stage. However, I, reserve the right the make appropriate submissions, if necessary, at the stage of hearing.

12. That the contents of paragraph 8 (p) of the said reply affidavit are denied and disputed and it is humbly submitted that the respondent nos. 1 and 2 have not filed any document to show that fugitive emission control system has been installed by it.

13. That the contents of paragraph 8 (q) of the said reply affidavit are denied and disputed to the extent that it states that the Original Application filed before



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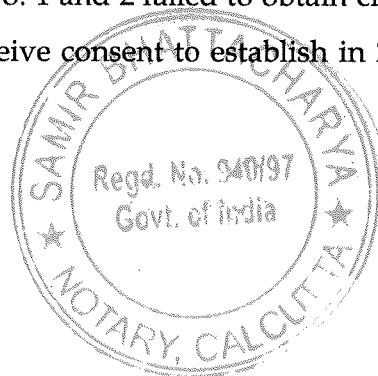
the Principal Bench was dismissed, as the Learned Principal Bench had merely transferred the matter before this Learned Tribunal for adjudication for the reason that the respondent nos. 1 and 2 respectively, are situated within the territorial jurisdiction of the Learned Tribunal.

14. That the contents of paragraph 8 (r) of the said reply affidavit do not warrant any counter at this stage. However, I, reserve the right the make appropriate submissions, if necessary, at the stage of hearing.

15. That the contents of paragraphs 8 (s) and 8 (t) of the said reply affidavit are denied and disputed and it is humbly submitted that I have already filed my objections with respect to the said Committee Report for the reason that the same does not provide any finding and merely provides the statements made by the respondent no. 1 and 2, with respect to the allegations made by me.

16. That the contents of paragraphs 8 (u) to 8 (x) of the said reply affidavit do not warrant any rejoinder at this stage. However, I, reserve the right the make appropriate submissions, if necessary, at the stage of hearing.

17. That with respect to contents of paragraph 8 (y) of the said reply affidavit, it is humbly stated that the respondent nos. 1 and 2 have not submitted the complete proceedings of the environment clearance that was issued with respect to its Unit- II on 31.10.2011. Further, a bare perusal of the environment clearance would show that the Respondent No. 1 and 2 failed to obtain clearance for their 1*7.5 MVA unit for which they receive consent to establish in 2009 and was in operation since 2009.

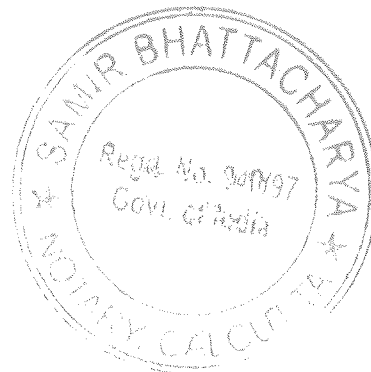


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18. That with respect to contents of paragraph 8 (z) and paragraph 8 (aa) of the said reply affidavit, it is submitted that the respondent nos. 1 and 2 have already completed the expansion and are running the Unit-II with expanded units and even running CLU converter for which they have still not obtained environment clearance. Further, the fact of initiating of construction activities was noticed by the respondent authorities, due to which the proposal for expansion of respondent No. 1 and 2 was kept in violation category. However, even after specific directions of the authorities, respondent nos. 1 and 2 went ahead with the illegal construction and completed the same prior to obtaining environment clearance.

19. That with respect to contents of paragraph 8 (bb) of the said reply affidavit, it is humbly submitted that the recommendations for grant of environment clearance for expansion of Unit-II of the respondent nos. 1 and 2 were granted without considering the complaint made by me. Moreover, post granting of recommendations, respondent no. 1 and 2 continued to operate Unit-II with expanded capacity and therefore, the recommendations which were issued earlier have now become obsolete and of no consequence.

20. I submit that considering the recent decision of the Hon'ble Supreme Court in case of *Vanashakti vs. Union of India* and the discovery of fact that the respondent nos. 1 and 2 have illegally operated their Unit-II for more than 2 years thereby severely polluting the environment, any recommendation for grant environment clearance which was issued to it earlier has to be dismissed considering these new facts that have come to light.

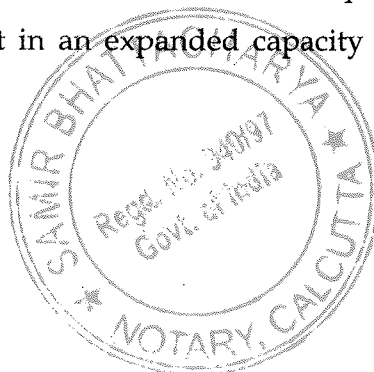


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21. That the contents of paragraphs 8 (cc) and 8 (dd) of the said reply affidavit do not warrant any reply at this stage. However, I, reserve the right the make appropriate submissions, if necessary, at the stage of hearing. Be that as it may, it is submitted that the proposal for grant of environment clearance issued in favour of respondent nos. 1 and 2 was passed without considering the serious allegations of environment law violations being and the representations made by the made by me in connection with such environmental violations.

22. That the contents of paragraph 8 (ee) of the said reply affidavit are denied and disputed and it is humbly submitted that the order of Hon'ble Supreme Court clearly states that the 2021 notification is stayed. Further, the proposal for grant of environment clearance to respondent nos. 1 and 2 was issued in furtherance of 2021 notification and since the notification itself is now stayed, there cannot be any proceeding in furtherance of the same and therefore, the proposal for grant of environment clearance in respect of Unit- II (Ferro Alloy plant) of Respondent nos. 1 and 2, is liable to be dismissed.

23. That the contents of paragraph 8 (ff) of the said reply affidavit are denied and it is most humbly submitted that the contention regarding the business interest is completely frivolous. The respondent nos. 1 and 2, on one hand, have failed to reply on merits of the issues raised in the instant application and on the other hand, has raised frivolous issue regarding my motivations. I am a public-spirited person, keen to take up the environment related issues. I have also brought on record documents to show that the respondent nos. 1 and 2 are running the ferro alloy unit in an expanded capacity without obtaining prior environment clearance.



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24. That the contents of paragraph 8 (gg) of the said reply affidavit are denied and disputed and it is humbly submitted that the issue, being related to severe violations of all environment protection norms being carried by respondent nos. 1 and 2, squarely falls within the jurisdiction of this Learned Tribunal.

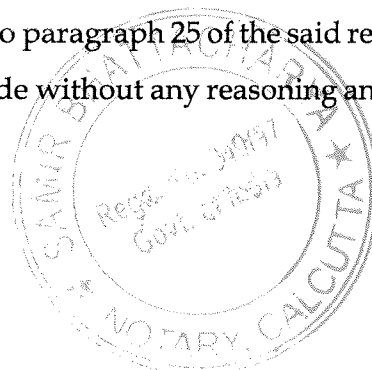
25. That the contents of paragraph 9 of the said reply affidavit do not warrant any reply at this stage. However, I, reserve the right the make appropriate submissions, if necessary, at the stage of hearing.

26. That the contents of paragraph 10 of the said reply affidavit do not warrant any reply at this stage. However, I, reserve the right the make appropriate submissions, if necessary, at the stage of hearing.

27. That the contents of paragraphs 11, 12 and 13 of the said reply affidavit are denied and disputed in view of the submissions made hereinabove in the instant rejoinder. I, reserve the right to rely on the same and make appropriate submissions, if necessary, at the stage of hearing.

28. I submit that the respondent nos. 1 and 2 have failed to give any clarity with respect to the total land of its ferro-alloy unit and the sponge-iron unit and the respondent nos. 1 and 2 are also silent with respect to the different land details provided in each approval issued to it with respect to its plant. This is done primarily to avoid appropriate plantation in 40% of the land, which is ultimately causing damage to the environment.

29. That the contents of paragraph 14 to paragraph 25 of the said reply affidavit are mere denials and such denials are made without any reasoning and therefore,

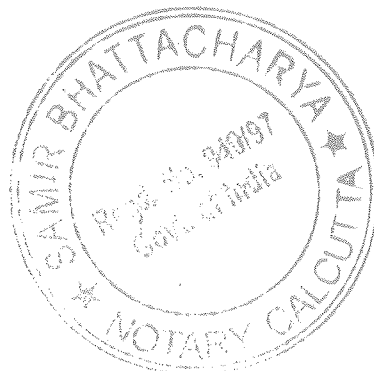


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the same are denied and disputed. It is, however, submitted that the submissions made by me in the Original Application and submissions made hereinabove along with all such documents as brought on record may be relied upon for deciding the contents of paragraphs 14 to 22 of the said reply affidavit.

30. That the contents of paragraph 26 and paragraph 27 of the said reply affidavit are denied and disputed and it is humbly submitted that the Original Application has been file by me, being aggrieved by the violation of various environment protection norms carried out by the respondent nos. 1 and 2 herein in order to make undue profit.

31. I submit that due to the illegal acts of the respondent nos. 1 and 2, the already critically polluted area of Ramgarh is getting further damaged without any control. This has resulted in diminishing the quality of the life of the residents, destruction of flora and fauna in the area. The air of the area is severely polluted and the water reserves are also depleting and getting polluted due to the illegal running of the ferro-alloy industry of respondent nos.1 and 2. Moreover, respondent nos. 1 and 2 are still continuing to run their industries and damaging the environment even after specific directions of the respondent no. 3 (MoEFCC) which shows that they are not giving any regard to the environment protection norms. Thus, I humbly pray that that the respondent nos. 1 and 2 be directed to immediately stop the illegal operations of the ferro-alloy plant and heavy penalty be imposed upon the said respondents, taking into account the undue profit that they have made by illegaly running the ferro-alloy unit.



X

32. I further humbly pray that if the Learned Tribunal permits, the amount secured from the respondent nos. 1 and 2, in furtherance of the instant case, be deposited with the appropriate State Authority with specific direction to utilize the same for upgradation of the environment of the Ramgarh area.

33. That the statements made at paragraphs I to 32 hereinabove are true to my knowledge and belief.

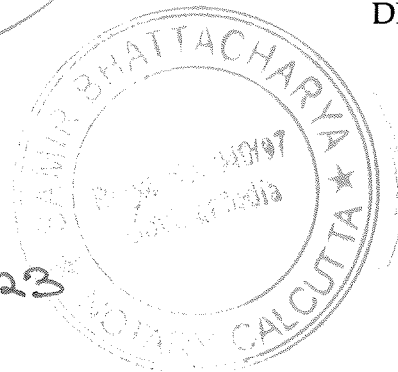
Rakuf
DEPONENT

Identified by me,

Anubhaukharstogir

Advocate

F / 200 / 367 / 2023



Solemnly Affirmed and
Declared before me U/S 13A
CPC/U/S 297 (C) CrPC

04.9.2024
Notary

04-SEP-2024

10-SEP-2024

Samir Bhattacharya
Notary Govt. of India
Regd. No. 340/57
City Civil Court, Calcutta

ANNE XURE - P/1

Contract | अनुबंध



Contract No | अनुबंध क्रमांक: GEMC-511687741459369
Generated Date | अनुबंध तिथि: 01-Sep-2023
Bid/RA/PBP No. | बोली/आरए/पीबीपी संख्या: GEM/2023/B/3694407

Organisation Details संगठन विवरण	Buyer Details खरीदार विवरण
Type प्ररूप: Central PSU	Designation पद: Deputy General Manager
Ministry मंत्रालय: Ministry of Steel	Contact No. संपर्क नंबर: -
Department विभाग: Steel Authority of India Limited	Email ID ईमेल आईडी: buy5.sail.rourkela@gembuyer.in
Organisation Name संगठन का नाम: Rourkela Steel Plant	GSTIN जीएसटीआईएन: -
Office Zone कार्यालय क्षेत्र: Materials Management Purchase	Address पता: Central Stores Rourkela Steel Plant Rourkela, SUNDERGARH, ODISHA-769011, India

Financial Approval Detail वित्तीय स्वीकृति विवरण	Paying Authority Details भुगतान प्राधिकरण विवरण
IFD Concurrence आईएफडी सहमति: No	Role: PAO
Designation of Administrative Approval प्रशासनिक अनुमोदन का पदनाम: DIC	Payment Mode भुगतान का तरीका: Internet Banking
Designation of Financial Approval वित्तीय अनुमोदन का पदनाम: ED (F&A)	Designation पद: Sr Manager
	Email ID ईमेल आईडी: pao1.sail.rourkela@gembuyer.in
	GSTIN जीएसटीआईएन: 21AAACS7062F2ZP
	Address पता: OFFICE OF GM (F&A - STORE BILLS), SAIL - ROURKELA STEEL PLANT, Sundergarh, ODISHA-769011, India

Seller Details विक्रेता विवरण	
GeM Seller ID जेम विक्रेता आईडी: 6QO5210004030533	Company Name कंपनी का नाम: BIHAR FOUNDRY & CASTINGS LIMITED
Contact No. संपर्क नंबर: 08825379408	Email ID ईमेल आईडी: bala007.b@gmail.com
Address पता: SURVEY PLOT NO 1364, RANCHI INDUSTRIAL AREA DEVELOPMENT AUTHORITY, INDUSTRIAL AREA ROAD, MARAR, RAMGARH, JHARKHAND, Hazaribag, JHARKHAND-829117, -	MSME Registration number एमएसएमई पंजीकरण संख्या: -
GSTIN जीएसटीआईएन: 20AABCB1852D1ZI	

*GST / Tax invoice to be raised in the name of | जिसके नाम के पक्ष में GST/TAX इनवॉइस पेश किया जाएगा - Buyer

Delivery Instructions | वितरण निर्देश : NA

Product Details उत्पाद विवरण					
#	Item Description आइटम विवरण	Ordered Quantity आइटम विवरण	Unit इकाई	Unit Price (INR) इकाई मूल्य (INR)	Price (Inclusive of all Duties and Taxes in INR) मूल्य (INR में सभी शुल्क और कर सहित)
1	Product Name उत्पाद का नाम: Low Carbon Ferro Manganese Brand ब्रांड: OEM Brand Type ब्रांड प्रकार: Registered Brand Catalogue Status कैटलॉग की स्थिति: Catalogue not verified by OEM Selling As कैसे बेचा जा रहा है: Reseller not verified by OEM Category Name & Quadrant श्रेणी का नाम और चतुर्थांश: Low Carbon Ferro Manganese (Q3) Model मॉडल: Bihar Foundry & Castings Ltd HSN Code एचएसएन कोड: 72021900	10,000	metric tonne	112,860	GST जीएसटी (18%): 172,159,322.034 GST Cess 1 जीएसटी उपकर 1 (0%): 0 GST Cess 2 जीएसटी उपकर 2 (0 per accounting unit): 0 Input Tax Credit (ITC) on GST जीएसटी पर इनपुट टैक्स क्रेडिट (आईटीसी) (100%): 172,159,322.034 ITC on GST Cess 1 जीएसटी उपकर पर आईटीसी 1 (100%): 0 ITC on GST Cess 2 जीएसटी उपकर पर आईटीसी 2 (100%): 0
Total Order Value कुल ऑर्डर मूल्य (in INR)					1,128,600,000

Consignee Detail परेषिती विवरण						
S.No क्र.सं.	Consignee परेषिती	Item वस्तु	Lot No. लॉट नंबर	Quantity मात्रा	Delivery Start After दिनांक के बाद डिलीवरी शुरू करना है	Delivery To Be Completed By वितरण पूरा कब तक करना है

18

1	Designation पद : - Email ID ईमेल आईडी : con2.sail.rourkela@gembuyer.in Contact संपर्क : 0661-2448362- GSTIN जीएसटीआईएन : - Address पता : OFFICE OF GM I/C (STORES & INSPECTION), CENTRAL STORES, SAIL ROURKELA STEEL PLANT, SUNDERGARH, ODISHA-769011, India	Low Carbon Ferro Manganese	-	10,000	01-Sep-2023	30-Dec-2023
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Product Specification for Low Carbon Ferro Manganese

Specification विनिर्देश	Sub-Spec उप-विनिर्देश	Value मूल्य
Custom Specification	Custom Specification	Yes

Seller Specification Document | विक्रेता विशिष्टता दस्तावेज़:

1. SpecificationDocument1	mkp.gem.gov.in/catalog_data/catalog_support_document/81/02/766/CatalogAttrs/SpecificationDocument/2023/7/26/2023_07_26_13_30_25_sail_rsp_spec_t_c_2023-07-26-13-30-45_59b464a221717555cf5d1d12ed0d3bc1.pdf
-------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Buyer Specification Document | खरीदार विशिष्टता दस्तावेज़:

1. DrawingDocument	mkp.gem.gov.in/catalog_data/catalog_support_document/buyer_documents/1506637/54/78/703/CatalogAttrs/DrawingDocument/2023/7/14/integrity_pact_2023-07-14-15-18-08_ddea23139eb50bfb4cefffa144af91b.pdf
2. SpecificationDocument	mkp.gem.gov.in/catalog_data/catalog_support_document/buyer_documents/1506637/54/78/703/CatalogAttrs/SpecificationDocument/2023/7/14/custom_bid_2023-07-14-15-18-08_42d7898374b18cb2299974f74a189ffc.pdf

ePBG Detail | ईपीबीजी विवरण

Advisory Bank सलाहकार बैंक :	NA
ePBG Percentage(%) ईपीबीजी प्रतिशत (%) :	NA

General Clauses w.r.t RCM/FCM | आरसीएम/एफसीएम के संबंध में सामान्य खंड

- Where ever RCM is applicable, for sellers (Regular GST registered seller who opted out of FCM as per notifications of GST like GTA , unregistered seller), Buyer have liability of paying the GST and GST cess to the government on the specified rate mentioned by them in this contract. Seller will invoice buyer with Zero GST and GST cess.
- For Registered sellers as per FCM, rates will be inclusive of prescribed rate of GST and GST cess. ITC available to buyer as shown in the bid document have been applied while evaluating the bids. Seller has liability of paying the GST and GST cess to the govt and same will be charged from buyer while invoice.
- For Registered sellers who opted for RCM while quoting for specified category under section 9(3) like GTA rates will be exclusive of GST and GST cess. GST and GST cess as indicated by the buyer in the bid document payment of GST and GST Cess will be the liability of buyer.
- For Unregistered sellers Liability of payment of GST and GST cess is in Buyers scope. GST and GST cess as indicated by the buyer in the bid document will be the liability of buyer . Unregistered seller will invoice buyer with zero GST and Zero GST cess.
- For sellers under Composition Scheme: There is no liability of payment of GST and GST cess in Buyers cope. Seller will invoice Zero GST and GST cess in the invoice to buyer.

Terms and Conditions | नियम और शर्तें

1. General Terms and Conditions-

- This contract is governed by the General Terms and Conditions, conditions stipulated to this Product/Service as provided in the Marketplace.
- This Contract between the Seller and the Buyer, is for the supply of the Goods and/ or Services, detailed in the schedule above, in accordance with the General Terms and Conditions (GTC) unless otherwise superseded by Goods / Services specific Special Terms and Conditions (STC) and/ or BID/Reverse Auction Additional Terms and Conditions (ATC), as applicable

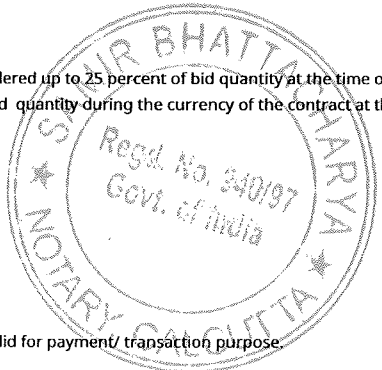
2. Buyer Added Bid Specific Terms and Conditions-

2.1 Generic

OPTION CLAUSE: The Purchaser reserves the right to increase or decrease the quantity to be ordered up to 25 percent of bid quantity at the time of placement of contract. The purchaser also reserves the right to increase the ordered quantity by up to 25% of the contracted quantity during the currency of the contract at the contracted rates. Bidders are bound to accept the orders accordingly.

2.2 Scope of Supply:

Scope of supply (Bid price to include all cost components) : Only supply of Goods



Note: This is system generated file. No signature is required. Print out of this document is not valid for payment/ transaction purpose

नोट: यह सिस्टम जनरेटेड फाइल है। कोई हस्ताक्षर की आवश्यकता नहीं है। इस दस्तावेज़ का प्रिंट आउट भुगतान/लेनदेन उद्देश्य के लिए मान्य नहीं है।



Ref: BFCL/ENV/2023/40

Dated: 16.08.2023

To,
The Member Secretary
Jharkhand State Pollution Control Board
T.A. Division Building (Ground Floor)
HEC, Dhurwa, Ranchi-834004

Sub: Submission of Environmental Statement (Form V) of M/s Bihar Foundry & Castings Limited, Ferro Alloys Unit for the Period of 2022-2023.

Ref: (i) Environmental Clearance Letter No. - J-11011/384/2010-IA. II (I) Dated: 31.01.2011
(ii) Consent to operate Letter No. JSPCB/HO/RNC/CTO 4412165/2020/1819 dated 10/11/2020 & amendment CTO JSPCB/AUTO-RENEW/CTO/15367225/1341 dated 23.01.2023

Dear Sir,

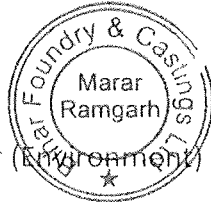
With reference to the above we are hereby submitting the environment statement (Form v) of M/s Bihar Foundry & Castings Limited, Ferro Alloys Unit for the period of 2022-2023.

This is for your perusal and necessary record

Thanking You,

Sincerely Yours,
For, Bihar Foundry & Castings Limited
Ferro Alloys Unit

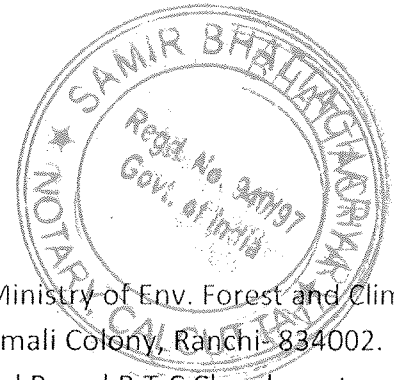

(B. K. Gupta)
General Manager (Environment)



Encl. As Above.

Copy To:

1. The Addl. Principal Chief Conservator of Forests (C), Ministry of Env. Forest and Climate Change, Regional Office (ECZ), Bunglow No. A-2, Shyamali Colony, Ranchi- 834002.
2. The Regional Officer, Jharkhand State Pollution Control Board P.T.C Chowk, matwari Road, Dist- Hazaribagh.



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

Ranchi - 8825379408, 9523097635 / Ramgarh - 9934012660, 7033698983, Email :- bfcgfa@gmail.com



FORM V
(see rule 14)

Environmental Statement for the financial year ending on 31st March 2023

PART – A

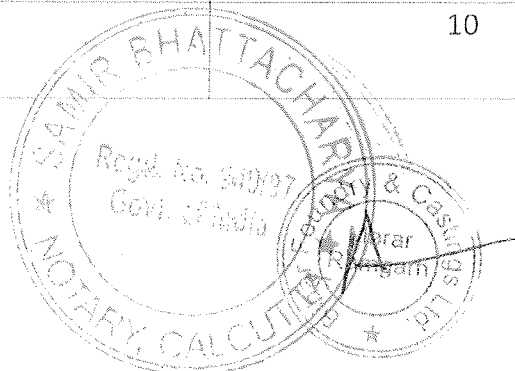
- (i) Name and address of the owner / occupier of the industry operation or process : Mr. Gaurav Budhia (Director)
Bihar Foundry & Castings Limited ,
Ferro Alloys Unit.
Plot No. 1405, Ramgarh Industrial Area,
Village & PO – Marar
Dist- Ramgarh, Jharkhand– 829117
- (ii) Industry Category Primary (SIC Code) : Primary metallurgical industry & Red
- (iii) Production capacity – Units :
- | Unit | Capacity |
|---------------------------------|----------|
| Ferro Alloys Silico / Manganese | 96 TPD |
- (iv) Year of establishment : 01.06.2014
- (v) Date of last environmental statement submitted : 06.09.2022

PART – B

Water and raw material consumption

1. Water consumption m³/day :

Purpose	Ferro Alloys Plant	Total (m3/day)
Process & Cooling	25	25
Total for Domestic use & other	10	10





S. No.	Unit	Name of products	Process water consumption per unit of product output	
			During the current financial year 2021-22	During the current financial year 2022-23
1	Ferro Alloys	Ferro Manganese / Silico Manganese	0.700 m ³	0.701 m ³

2. Raw material consumption:

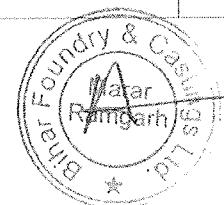
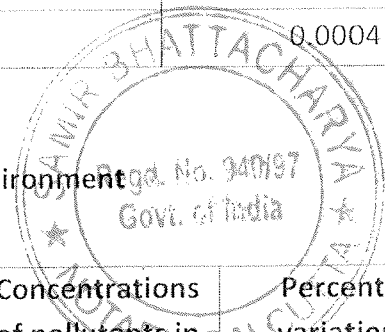
Units	Name of products	Name of raw materials	Consumption of raw material per unit of output	
			During the current financial year 2021-22	During the current financial year 2022-23
Ferro Alloys	Ferro Manganese/ Silico Manganese	Manganese Ore	2.347 MT	1.70 MT
		Coke (Imported)	0.25 MT	0.30 MT
		Coal (Imported)	0.45 MT	0.32 MT
		Quartzite	0.004 MT	0.10 MT
		Carbon Electrode Paste	0.015 MT	0.02 MT
		Dolomite Chips	-	0.005 MT
		High Mno Slag	-	0.75 MT
		Mn Sinter	-	0.40 MT
		Sand Stone	-	0.0004

PART – C

Pollution discharged in to environment

(Parameter as specified in the consent issued)

(1)	Pollutants	Name of source	Quantity of pollutants discharged (Kg / day)	Concentrations of pollutants in discharged (mass/volume)	Percentage of variation from prescribed standers with reasons
(a)	Water	-	-	-	ZLD
(b)	Air	Stack 1 of SAF (3 & 4)	44.78	23.1	Complied
		Stack 2 of SAF (1 & 2)	40.19	21.8	





**PART – D
HAZARDOUS WASTES**

(As specified under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016)

Hazardous Waste	Waste Type	During the current financial year 2021-22	During the current financial year 2022-23
● From Process	Used oil	0.175 KL	0.18 KL
● b) From pollution control facilities	-	NA	NA

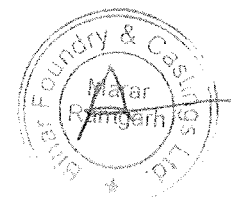
Hazardous waste disposal - Used oil being disposed in house for plant machinery lubrication.

**PART – E
SOLID WASTES**

		Total quantity (MT)	
		During the current financial year 2021-22	During the current financial year 2022-23
a) From Process	Ferro Manganese Slag	24631.600 MT	54943.090 MT
b) From pollution control facilities	Fume Extraction system with Bag Filters		
c) (1) Quantity recycled or re-utilized within the unit	-	-	-
(2) Sold	Ferro Manganese Slag	24631.600 MT	54943.090 MT
(3) Disposed	-	-	-

PART – F

Please specify the characterization (in terms of composition and quantum) of hazardous as well as solid wastes and indicate disposal practice adopted for both these categories of waste.





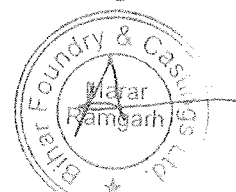
Slag Test Report

S. No	Parameter	Unit	Results (Ferro Slag)	Results (Silico Slag)
1.	Arsenic (As)	mg/l	BDL (MDL 0.003)	BDL (MDL 0.003)
2.	Cadmium (Cd)	mg/l	BDL (MDL 0.02)	BDL (MDL 0.02)
3.	Total Chromium (Cr)	mg/l	0.31	0.19
4.	Cobalt (Co)	mg/l	0.24	0.05
5.	Copper (Cu)	mg/l	0.04	0.01
6.	Lead (Pb)	mg/l	BDL (MDL 0.02)	BDL (MDL 0.02)
7.	Manganese (Mn)	mg/l	3.63	9.46
8.	Mercury (Hg)	mg/l	BDL (MDL 0.003)	BDL (MDL 0.003)
9.	Nickel (Ni)	mg/l	0.34	0.14
10.	Zinc (Zn)	mg/l	0.29	0.06
11.	Iron (Fe)	mg/l	9.72	14.10

PART – G

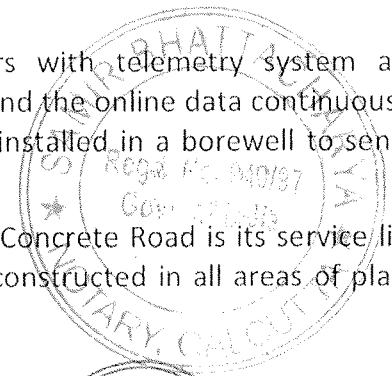
Impact of the pollution abatement measures taken on conservation of natural resources and on the cost of production.

1. Jigging & Briquetting Plant - The ferro alloy slag consists some portion of valuable ferro alloy material which can be obtained in a directly saleable condition and can be sold at reasonably good market rates as compared to the main ferro alloy product. The Metal Recovery Plant is being used to recover this portion of metal from slag. Certain portion of slag is conveyed to Metal Recovery Plant (MRP) wherein it is crushed as to extract good quality Ferro Manganese from the slag waste. This process involves the following three steps;
 - Crushing and screening of metal containing slag.
 - Separation of metal from slag.
 - Re-crushing of middling to realize additional metal. The process flow of Metal in the plant, briquetting unit also provided where the dust from the bag filters and internal roads dust is converted into briquettes and will be fed to furnace.
2. Utilization of Solid waste (slag) - Solid waste (slag) after metal recovery will be used in filling of low lying areas, roads, making and other use.
3. Utilization of Bag filter dust - Bag filter dust will be sold to the nearby Plant.
4. Environment Management Cell - Environmental management cell has been established and upgraded for the management and control of environmental issues arising due to different activities in the plant. This cell being ensured





- Air pollution control & management
 - Water pollution control & management
 - Solid waste management
 - Proper operation of CEMS (Continuous Stack Emission Monitoring) and availability of online data.
 - Regular inspection for maintenance of good housekeeping.
 - All the compliances as per environment legislation which includes compliance of conditions of environment clearance consent to operate, authorization and NOC for ground water withdrawal.
5. The fume extraction system with bag filters, ID fan have been provided and the height of stack attached to the submerged arc furnace is 45 meters. The emissions level always remains below 50mg/Nm³.
 6. Environmental Monitoring - Environmental monitoring such as ambient air quality, water quality, fugitive emission monitoring , stack monitoring, noise monitoring etc. regularly done by NABL accredited laboratories empanelled and recognized by JSPCB & MOEF&CC.
 7. We have installed 60 Nos. of fixed water sprinklers & 100 Nos. of Fog nozzles in BFCL, Ferro alloys plant. Water is also sprinkled by water tankers on all the transport.
 8. Green belt development - This plant has an area of 7.18 acres. Since we have constraint of land we acquired and addition land 1.17 Ha. (2.9 Acres) by the side of the existing plant premises. Additional land outside the plant premises over an extent of 2.91 Hect. and 1.17 Ha. (2.9 Acres) has been procured. Total 3000 nos. of plants will be developed over an extent of 1.17 Ha. (2.9 Acres).
 9. Rain water harvesting structure - Rainwater harvesting system is constructed and rain water collected in the pits settle in the low level sumps to augment the ground water resources gradually. The total rain water potential of factory premises is 25196 m³.
 10. Online continuous emission monitoring system - PM 10 Analyzer is installed in this plant with connectivity to JSPCB server and data is continuously visible in public domain in the JSPCB website "www.jspcb.nic.in". PM10 values are always within the prescribed limit, i.e. 100 µg/m³.
 11. Online continuous Emission monitoring (CEMS) has been installed in Stack- 1 & 2 with connectivity to CPCB & JSPCB server and online data are continuously transmitted to JSPCB & CPCB server. This online data is also visible in public domain on website of JSPCB " www.jspcb.nic.in "
 12. Water Flowmeter - Electromagnetic flow meters with telemetry system are installed in 2 Nos. of bore wells as per CGWA Noc and the online data continuously transmitted to CGWA Portal; also a Piezometer is installed in a borewell to sense ground water level.
 13. Concrete road - The most important advantage of Concrete Road is its service life due to exceptional durability. Concrete roads are constructed in all areas of plant premises to control dust emission.



14. Road Sweeping Machine - Dust sweeping machine has been procured which removed dusts from all the transport Roads.

PART – H

Additional measures / investment proposal for environmental protection including abatement of pollution prevention of pollution.

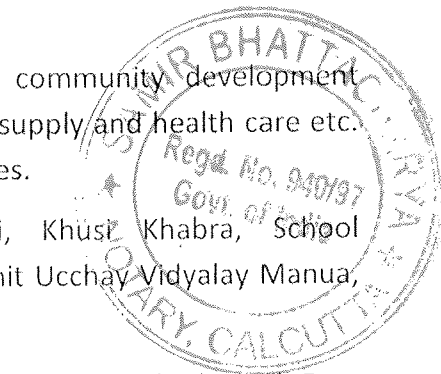
Proposals :

1. Massive Plantation.
2. Online UPS for SPM monitors.

PART – I

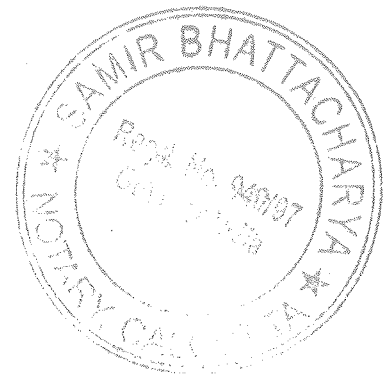
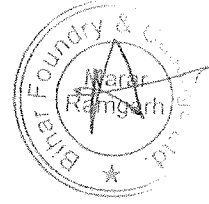
Any other particulars for improving the quality of the environment.

1. Housekeeping - Fixed water sprinklers have been installed by the side of transport roads and mobile water tankers also regularly move and sprinkle water in the dust prone areas. A dust sweeping machine installed on tractor regularly sweeps dust from all the transport roads.
2. Periodically health checkup - Occupational health surveillance of the workers are carried out on six monthly basis and the last time it was taken up during December 2022.
3. Environmental awareness program - World environment day celebrated every year on 5th June to inform all the employees about how to protect our environment and conserve natural resources, also organizing Poster & Slogan competition on environment day to aware employees towards Environment Conservation.
4. Provided PPEs to all workmen and staff.
 - Provided PPEs to all workmen and staff.
 - Provide safety training to all the staff and workmen.
 - Safety day program celebrated at plant premises to aware all the staff and workmen.
5. CSR program –
 - 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.
 - Education- Financial aid to Rinki Kumari, Khust Khabra, School development work of A1 Public School, Utkramit Ucchay Vidyalay Manua, Gumla(Jharkhand) tribble school.
 - Medical - Financial aid to Priti Pandey, Sanjay Kabra, Jay Prakash Singh Etc.
 - Infrastructure Development - Beautification work of Veer Kunwar Singh Statue.
 - CSR Expenses for the financial year 2022-23.



~~22~~

S. No	Expenditure Head	Amount in INR
I.	Women Empowerment	1,80,983
II.	Community Welfare	43,22,737
III.	Education	50,24,631
IV.	Health & Medical	92,70,990
V.	Sports	9,71,877
Total		1,97,71,218



BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

Original Application No. 44 of 2023/EZ

BETWEEN

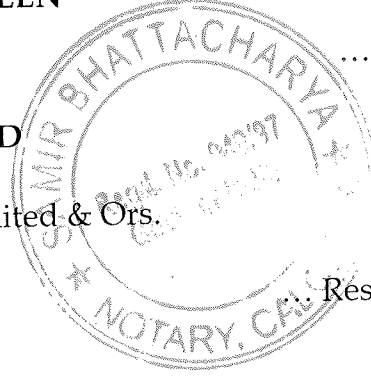
Rakesh Shrivastava

...Petitioner

AND

Bihar Foundry and Castings Limited & Ors.

Respondents



**REJOINDER ON BEHALF OF THE APPLICANT TO THE
AFFIDAVIY-IN-REPLY DATED 12.03.2024 FILED BY THE
RESPONDENT NOS. 1 AND 2**

Filed by:

ANUBHAV KHASTAGIR

Advocate

C/O Mr. Sarathi Dasgupta, Advocate

Room No. 3A, 3rd floor, "The Lords"

8, Strand Road, Kolkata - 700001

Mob.: 9748838188 / 8240431066

Email Id: anubhavkhastagir.kol@gmail.com

Enrolment No. F/200/367/2023