

BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

M. A. No.46 of 2024 (EZ)
(Arising out of Order/Judgment dated 05/04/2023
passed in O. A. No.05/2023/EZ)

K.S.Upadhyay

..Applicant(s)

Versus

Jharkhand State Pollution Control
Board & Ors.

..... Respondent(s)

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Filed by: -

Ashok Prasad
Ashok Prasad
Advocate For JSPCB



BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

M. A. No. 46 of 2024 (EZ)
 (Arising out of Order/Judgment dated
 05/04/2023 passed in O. A. No.05/2023/EZ)

K.S.Upadhyay Applicant(s)

Versus

Jharkhand State Pollution Respondent(s)
 Control Board & Ors.

Affidavit on behalf of Jharkhand State
 Pollution Control Board in compliance of the
 order dated 11/12/2024.

I, Rajeev Lochan Bakshi, son of Late Amarnath Bakshi
 presently posted as the Member Secretary, Jharkhand
 State Pollution Control Board having its office at T.

A. Division Building, H.E.C, Dhurwa, Ranchi and am

Authorised Under Section 17(1) of Govt. of
 Jharkhand Rules 1986 by Govt. of
 Jharkhand, Ranchi.

7/1/2025/ J.A.



07 JAN 2025

duly authorized and hereby solemnly state and affirm as follows: -

1. That at present, I am working and posted as the Member Secretary, Jharkhand State Pollution Control Board having its office at T. A. Division Building, H.E.C, Dhurwa, Ranchi and as such, I am well acquainted with all the facts and circumstances of this case.

2. That, I have gone through the order dated 11/12/2024 passed in M.A No. 46 of 2024(EZ) by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata and has understood the contents therein.

3. That, I am duly authorized to swear this affidavit on behalf of the Jharkhand State Pollution Control Board. Further, it is stated that I have gone through the relevant files and records in the present case.

4. That, earlier on, an Original Application O.A No.05 of 2023/EZ was filed by the Applicant before the Eastern Zone Bench of Hon'ble NGT which was disposed wide Order/Judgment dated 05/04/2023, of this



Hon'ble Tribunal with the following directions as contained in paragraph 18 of the order:-

"18. In this view of the matter, nothing further remains for adjudication in the present Original Application. We dispose of the Original Application with a direction to the Respondent No.2, "Deputy Commissioner, East Singhbhum, Jharkhand, to ensure that the entire garbage and legacy waste is removed from the existing landfill site and the said land is completely restored and the garbage is duly treated and bio-mined strictly as per the Solid Waste Management Rules, 2016 and the guidelines issued by the Central Pollution Control Board already referred to hereinabove, by 31.12.2024."

5. That, it is humbly stated and submitted that in pursuance to the said order, the instant M.A No.46 of 2024(EZ) has been preferred before this Hon'ble Tribunal by the Applicant alleging violation of the directions given by the Tribunal in its order/judgment dated 05.04.2023 enclosing the photographs as published in the newspaper 'Hindustan' dated 09.12.2024.



6. That, it is humbly stated and submitted that the Hon'ble Tribunal vide order dated 11.12.2024 passed in the instant M.A, was pleased to direct the Member secretary, Jharkhand state pollution Control Board and the Deputy Commissioner, East Singhbhum to take immediate steps to control the fire and consequent adverse impact including pollution and file their personal affidavit and Action Taken Report with regard to the allegations made in the Miscellaneous Application and the photographs published in the newspaper 'Hindustan' dated 09.12.2024.

7. That, it is humbly stated and submitted that the Board vide its letter no. B- 2635 dated 27/12/2024 requested the Deputy Commissioner, Jamshedpur to take cognizance of the seriousness of the matter and ensure compliance of the directions of Hon'ble NGT, EZ Bench, Kolkata with regard to the alleged adverse impact of fire and consequent pollution over the landfill site in question.

Photocopy of letter no. **B- 2635** dated 27/12/2024 is annexed and marked as **Annexure - 'A'**



8. That, it is further humbly stated and submitted that in the light of the directions issued by the Hon'ble Tribunal (EZ) Bench, the Board vide its letter no. B- 2642 dated 30/12/2024, constituted a three Member Committee for carrying out the inspection of the alleged landfill site comprising of the following Members:-

1. Shri Rampravesh Kumar, Regional Officer, Jamshedpur of JSPCB.
2. Shri Sanjay Kumar Srivastava, OSD
3. Shri Navneet Kumar, SRF(Solid Waste Management)

The Committee was directed to visit the said landfill site in question and submit a detailed factual ground report along with remedial measures/ Action Taken Report with regard to the alleged adverse impact of fire and consequential pollution.

Photocopy of letter no. **B-2642** dated 30/12/2024 is annexed and marked as **Annexure - 'B'**.



9. That, it is humbly stated and submitted that in compliance with the directions issued by the Hon'ble NGT, the said Committee in presence of Shri Bhagirath Prasad, Additional Deputy Commissioner, East Singhbhum, Shri Krishna Kumar Dubey, Deputy Municipal Commisioner Jamshedpur Notified Area Committee, Shri Suresh Yadav, Deputy Municipal Commissioner, Maango Municipal Corporation, visited the landfill area in question on 02/01/2025 and the Regional Officer, JSPCB Regional Office cum Laboratory, Jamshedpur submitted the Inspection report to the Board vide letter no. 03 dated 04/01/2025.

Photocopy of I/R submitted by the Regional Officer, JSPCB Regional Office cum Laboratory, Jamshedpur vide Memo no. 03 dated 04/01/2025 is annexed and marked as **Annexure - 'C'**



10. That, the said factual Report submitted by the Joint Committee inter alia made the following Observations:-

- (1) The existing waste dumps are located on the land belonging to M/s Tata Steel Utilities & Infrastructure Services(TSUIS) wherein presently the municipal solid wastes are not being dumped by Jamshedpur Notified Area Committee(JNAC) and Mango Municipal Corporation(MMC).
- (2) At the time of inspection it was noticed that fumes are coming out from the beneath of the dump of the municipal solid waste site at various locations.
- (3) Sprinkling of water was not observed during inspection of the site but the officials of JNAC and MMC assured that it is being done thrice a day.
- (4) A mobile screening machine was found operational for segregation of old municipal solid waste.
- (5) Huge quantity of legacy waste was found to exist at the site.



11. That it is further stated and submitted that the Deputy Municipal Commissioner, Jamshedpur Notified Area Committee, Shri Krishna Kumar informed the Committee that:

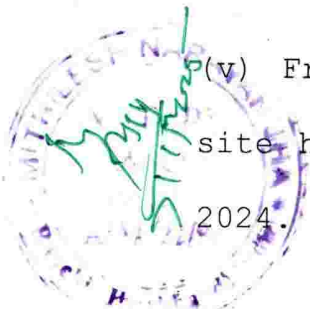
(i)Flames in the dump site have been completely extinguished after sprinkling of water and presently only fumes are coming out from beneath the dump.

(ii)Sufficient number of Water Sprinklers have been deployed and are operational round the clock.

(iii)JNAC has placed an order for disposal of legacy municipal solid waste of quantity 48,000 Metric Tons approx. Further Bio-mining of approx. 42,000 M.T has been completed and approx. 22,000 M.T has been disposed of and the rest quantity of legacy municipal solid waste will be disposed of within two (2) months.

(iv)JNAC has taken steps for sprinkling of Bleaching powder/ Golden D-composer chemical to curb the adverse effect of garbage.

(v) Fresh dumping of municipal solid waste on this site has been completely stopped since December 15, 2024.



12. That it is furthermore stated and submitted that Deputy Municipal Commissioner, Maango Municipal Corporation, Shri Suresh Yadav informed the Committee that:-

- (a) Dumping of fresh municipal solid waste of MMC area over this site has been completely stopped since December 15, 2024.
- (b) Bleaching powder /Golden Decomposer chemical is also being sprinkled to mitigate the adverse effect of garbage.
- (c) Detailed Project Report (DPR) for disposal of legacy municipal solid waste is being prepared.

13. That it is humbly stated and submitted that with regard to the status of compliance of the order dated 05.04.2023 passed in O.A No.05/2023/EZ of the Hon'ble Tribunal, EZ Bench, Kolkata, the Committee concluded that:-

- (A) Work order for disposal of legacy municipal solid waste of quantity approx. 48,000 M.T has been issued to the successful bidder M/s Guru Ram Das Pvt. Ltd.

(B) Bio-mining of approx. 42,000 M.T has already been completed out of which approx. 22,000 M.T



of Municipal Waste has been disposed of completely and the residual waste disposal is in process.

(C) After the previous order/judgment dated 05/04/2023 of this Hon'ble Tribunal passed in O.A No. 05/2023, fresh garbage having quantity of approx. 1.90 lakh Metric Tones have been dumped over the site in question as no alternative land was available.

14. That it is humbly stated and submitted that in view of the facts and circumstances of the matter, the said Committee recommended the following Short Term & Long Term measures in terms of the Solid Waste Management Rules, 2016:-

Short Term:

1. No fresh dumping Municipal Solid Waste in the existing site should be ensured.
2. Sprinkling of Water to curb the fire hazard should be ensured.
3. It should be ensured that no incidences of fire occur at the site in future.
4. Regular sprinkling of Bleaching Powder/ Decomposer chemical to be ensured.



Long Term:-

1. JNAC and NMC will assess the total quantity of legacy municipal solid waste of their part.

2. Separate DPR Is to be prepared & executed by JNAC and NMC with the following timeline:

- Preparation of DPR: Before March 2025
- Floating of Tender: By June 2025
- Complete disposal of Legacy waste By March 2026

15. That it is humbly stated and submitted that in view of the observations of the said three Member Committee the Jharkhand state Pollution Control Board vide Ref no.B-22 dated 07.01.2025 issued show cause notice to the authority of Jamshedpur Notified Area Committee (JNAC) and vide Letter/ Ref. No B-21 dated 07.01.2025 to the authority of Maango Nagar Nigam (MNN) as to why not appropriate action shall not be taken in terms of provisions of Solid Waste Management Rules, 2016 and other enforceable laws for not removing the garbage and legacy waste from the landfill site within stipulated time and continued further fresh dumping of municipal solid





JHARKHAND STATE POLLUTION CONTROL BOARD

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

By Email Hon'ble NGT Matter
Time Bound (Urgent)

Ref. No.....

Date.....

From,

Manoj Kumar Gupta,
Officer on Special Duty

To,

The Deputy Commissioner,
Jamshedpur

Sub: - Compliance of the directions issued by the Hon'ble National Green Tribunal (NGT), EZ bench, Kolkata in the order dated 11/12/2024 passed in M. A. No. 46/2024(EZ) in the matter of K.S.Upadhyay Versus Jharkhand Pollution Control Board- Regarding.

Sir,

In connection with the subject matter mentioned aforesaid, I have been directed to inform that the Hon'ble NGT, EZ Bench, Kolkata in its order dated 11/09/2024 passed in M. A. No. 46/2024 (Arising out of Order/Judgment dated 05.04.2023, passed in O.A No.05/2023/EZ) has been pleased to pass certain directions. (Copy enclosed).
The operative part of the said order for compliance is as follows: -

"2. The present Miscellaneous Application has been filed by the Applicant alleging violation of directions given by the Tribunal in its judgment and order dated 05.04.2023. Along with this Miscellaneous Application, photographs have been filed as published in the newspaper 'Hindustan' dated 09.12.2024 showing massive fire in the illegal landfill. This prima facie shows that the order of the Tribunal given more than one and half years ago, has not been complied.

3. We, therefore direct the Member Secretary, Jharkhand State Pollution Control Board and the Deputy Commissioner, East Singhbhum to take immediate steps to control the fire and consequent adverse impact including pollution and file their personal affidavit and Action Taken Report with regard to the allegations made in Miscellaneous Application and the photographs published in the newspaper 'Hindustan' dated 09/12/2024.

5. List on 08.01.2025."



In view of the above, you are accordingly requested take cognizance of the seriousness of the matter and ensure compliance of the directions of the Hon'ble NGT, EZ bench, Kolkata with regard to the alleged adverse impact of fire and consequent pollution over the landfill site in question and provide the desired Action Taken Report in the matter as alleged in the instant M.A (copy of M.A is enclosed for reference).
This may be given please be given due importance and priority.

Encl: As above.

Yours sincerely,

sd/-
(Manoj Kumar Gupta)
Officer on Special Duty

Memo No. **B - 2635**

Ranchi, dated.. **27/12/2024**

Copy to: Regional Officer, Regional Office-cum-Laboratory, Jamshedpur for information & further necessary and immediate action. He is directed to co-operate with the Deputy Commissioner, Jamshedpur and ensure the submission of ATR to the Board headquarters within time.

Manoj
(Manoj Kumar Gupta)
Officer on Special Duty
27/12/2024





JHARKHAND STATE POLLUTION CONTROL BOARD

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

**By Email Hon'ble NGT Matter
Time Bound (Urgent)**

Date... 30/12/2024

Ref. No. B-2642

From,

Manoj Kumar Gupta,
Officer on Special Duty.

To,

The Regional Officer
Regional Office-cum-Laboratory
JSPCB, Jamshedpur

**Shri Sanjay Srivastava, OSD
Shri Navneet Kumar, SRF(S.W.M)**

Sub: - Compliance of the directions issued by the Hon'ble National Green Tribunal (NGT), EZ bench, Kolkata in the order dated 11/12/2024 passed in M. A. No. 46/2024(EZ) in the matter of K.S.Upadhyay Versus Jharkhand Pollution Control Board- Regarding.

o/c Ref: Board's Letter No. 2634 dated 27.12.2024
Sir,

In partial modification of the earlier letter referred to above, I have been directed to inform that a three Member Committee is constituted for carrying out the inspection of the landfill site in pursuance to the order dated 11/09/202 of the Hon'ble NGT, EZ Bench, Kolkata passed in M. A. No. 46/2024 (Arising out of Order/Judgment dated 05.04.2023, passed in O.A No.05/2023/EZ).

The said Committee comprises of the following Members: -

1. Shri Rampravesh Kumar, Regional Officer, Jamshedpur
2. Shri Sanjay Kumar Srivastava, OSD
3. Shri Navneet Kumar, SRF (S.W.M)

The Committee shall visit the alleged illegal landfill site in question and submit a detailed factual ground report along with remedial measures/ Action Taken Report with regard to alleged adverse impact of fire and consequent pollution as stated in the instant M.A (copy of M.A enclosed for reference).

This may be given due importance and priority.

Encl: As above

Yours sincerely,

Manoj Kumar Gupta
30/12/2024
(Manoj Kumar Gupta)
Officer on Special Duty





JHARKHAND STATE POLLUTION CONTROL BOARD

REGIONAL OFFICE-CUM-LABORATORY, MB/15 NEW HOUSING COLONY
ADITYAPUR, JAMSHEDPUR.

Web Site- jspcb.org/ Phone- 0657-2383241/ Fax- 0657-2383905

Inspection report of Municipal Solid Waste Dump site at Domuhani , Sonari Jamshedpur in the light of compliance of the direction issued by the Hon'ble National Green Tribunal, EZ Bench, Kolkata in the order dated 11.12.2024 passed in M.A. no. 46/2024(EZ) in the matter of K. S. Upadhyay Versus Jharkhand State Pollution Control Board

The committee comprising of Sri Ram Pravesh Kumar, Regional Officer, Jamshedpur, Sri Sanjay Kumar Srivastava, Officer on Special Duty and Sri Navneet Kumar , SRF(S.W.M.) constituted by the Board vide letter no. B-2642 dated 30.12.2024 have visited the dump site on 02.01.2025.

Sri Bhagirath Prasad, Additional Deputy Commissioner, East Singhbhum, Sri Krishna Kumar, Deputy Municipal Commissioner, Jamshedpur Notified Area Committee (JNAC), Sri Suresh Yadav, Deputy Municipal Commissioner, Mango Municipal Corporation (MMC) were also present.

The observations found during inspection are as follows :-

- The existing waste dumps are located on the land of M/s Tata Steel Utilities & Infrastructure services. Presently Fresh municipal solid wastes are not being dumped by JNAC & Mango Municipal Corporation.
- Currently the fumes which are coming out from the beneath of the dump of municipal solid waste was noticed at the various locations at the site.
- Sprinkling of water at the sites was not observed during inspection but the officials of JNAC and MMC have assured that it has been done thrice a day .
- A mobile screening machine was found operational for segregation of old municipal solid waste.
- Huge quantity of legacy waste was found exist there.

Sri Krishna Kumar, Deputy Municipal Commissioner, Jamshedpur Notified Area Committee informed that:-

- I. Necessary measures of sprinkling water to curb the fire at dump site and presently only fume of fire is coming out from beneath the dump. Flames have been completely curbed.
- II. Sufficient number of Water Sprinkler are in operation round the clock.
- III. JNAC has placed an order for disposal of legacy municipal solid waste of quantity 48000 metric ton approx. Bio mining of 42000 metric ton approx has been completed and 22000 metric ton approx has been disposed off , the rest of legacy municipal solid waste will be disposed of within 2 months .
- IV. JNAC has taken Steps of sprinkling of Bleaching powder/Golden D-Composer chemical for curbing the adverse effect of garbage.
- V. Dumping of fresh municipal solid waste on this site has been completely stopped since 15-12-2024.

Sri Suresh Yadav, Deputy Municipal Commissioner, Mango Municipal Corporation informed that:-

- I. Dumping of fresh municipal solid waste of MMC Area on this site has been completely stopped since 15-12-2024.



- II. Bleaching powder/Golden De-Composer chemical is being sprinkled to curb the adverse effect of garbage.
- III. DPR for disposal of legacy municipal solid waste is being prepared.

Status of compliance of Hon'ble NGT, EZB, Kolkata order dated 05.04.2023 in O.A. 05/2023/EZ K. S. Upadhyay Versus Jharkhand State Pollution Control Board & Ors

In compliance of Hon'ble NGT order dated 05-04-2023 work order for disposal of legacy municipal solid waste of quantity 48000 metric ton approx. has been issued to M/S Guru Ram Das Pvt. Ltd., the successful bidder.

Bio mining of 42000 metric ton approx has already been completed. out of which 22000 metric ton approx. of municipal waste has been disposed off completely. Rest is in the process of disposal.

It is pertinent to mention here that after the previous order of Hon'ble NGT direction dated 05-04-2023, 1.90 Lakh MT of fresh garbage has been dumped at the aforesaid site, as no alternative land was available.

This additional fresh municipal waste shall be disposed off, as per the provisions of Solid Waste Management Rules, 2016, according to Short term/ Long term schedule mentioned below:-

Short term:-

- 1) It is to be ensure that no fresh Municipal Solid Waste is dump at the existing sites.
- 2) Sprinkling of Water to curb the fire hazard to be ensure.
- 3) It shall be ensured no fresh fire occurs at the existing site in future.
- 4) Regular sprinkling of Bleaching Powder/Golden De-Composer chemical to be ensure.

Long Term:-

1. JNAC and MMC will assess the total quantity of legacy municipal solid waste of their part.
2. Separate DPR is to be prepared by JNAC and MMC before march 2025. By June 2025 tender is to be floted and total legacy municipal waste is to be disposed off completely by March, 2026 in a scientific manner under the provisions of Solid Waste Management Rules, 2016.

Encl :- As above.

Navneet Kumar
(SRF), JSPCB,
Ranchi
04/01/25

Sanjay Kr. Srivastava
(OSD), JSPCB,
Ranchi
04.01.25

Ram Pravesh Kumar
(Regional Officer), JSPCB,
Jamshedpur
04/01/25

Krishna Kumar, Deputy
Municipal Commissioner,
(JNAC), Jamshedpur
04/01/25

Suresh Yadav, Deputy
Municipal Commissioner,
(MMC), Jamshedpur
04/01/25

Bhagirath Prasad, A.D.C.,
East Singhbhum
04/01/25

Memo No. - 03 Jamshedpur, dated 04/01/2025

Copy to :- The Member Secretary, Jharkhand State Pollution Control Board, Ranchi for information and necessary action.

Regional Officer, 04/01/25
Jamshedpur.





MITHESH NARAYAN
M
R



Latitude: 22.834077
Longitude: 86.163346
Elevation: 144.58±4 m
Accuracy: 6.6 m
Time: 01-02-2025 12:54
Note: 2 Muhani Dumpyard.

Powered by NoteCam



Latitude: 22.834065
Longitude: 86.163239
Elevation: 144.58±5 m
Accuracy: 3.4 m
Time: 01-02-2025 12:55
Note: 2 Muhani Dumpyard, JSR

Powered by NoteCam



Latitude: 22.834254
Longitude: 86.163583
Elevation: 144.58±17 m
Accuracy: 7.2 m
Time: 01-02-2025 13:22
Note: 2 Muhani Dumpyard, JSR

Powered by NoteCam







Handwritten signature and a circular stamp with illegible text.



Latitude: 22.833415
Longitude: 86.162788
Elevation: 144.08±60 m
Accuracy: 3.9 m
Time: 01-02-2025 16:01
Note: 2 Muhani Dumpyard,

Powered by NoteCam



Latitude: 22.833409
Longitude: 86.162764
Elevation: 143.28±42 m
Accuracy: 3.5 m
Time: 01-02-2025 16:01
Note: 2 Muhani Dumpyard,

Powered by NoteCam



Latitude: 22.833405
Longitude: 86.162728
Elevation: 145.48±24 m
Accuracy: 7.7 m
Time: 01-02-2025 16:02
Note: 2 Muhani Dumpyard,

Powered by NoteCam





ANEXURE-D (series) -23-
JHARKHAND STATE POLLUTION CONTROL BOARD

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

Ref. No.....21.....

Date.....07/01/2025.....

From,

R. L. Bakshi
Member Secretary

To,

The Municipal Commissioner (MNN)
Maango Nagar Nigam, Jamshedpur

Sub:- Show-cause notice under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 31 A of the Air (Prevention and Control of Pollution) Act, 1981-reg.

Whereas, as per the order/judgment passed by Hon'ble National Green Tribunal, Eastern Zone dated 05.04.2023 in the context of OA No.- 05/2023/EZ; K. S. Upadhyaya Vs. Jharkhand Pollution Control Board & Ors. the Hon'ble Tribunal directed that:-

.....**"18. In this view of the matter, nothing further remains for adjudication in the present Original Application. We dispose of the Original Application with a direction to the Respondent No.2, "Deputy Commissioner, East Singhbhum, Jharkhand, to ensure that the entire garbage and legacy waste is removed from the existing landfill site and the said land is completely restored and the garbage is duly treated and bio-mined strictly as per the Solid Waste Management Rules, 2016 and the guidelines issued by the Central Pollution Control Board already referred to hereinabove, by 31.12.2024."**

Whereas, Miscellaneous Application No.46/2024/EZ was filed in respect to the article published in the newspaper 'Hindustan' dated 09.12.2024 alleging that massive fire in the illegal landfill is still continuing to occur.

Whereas, vide order passed by Hon'ble National Green Tribunal, Eastern Zone dated 05.04.2023 in the context of Miscellaneous Application No.46/2024/EZ In OA No.- 05/2023/EZ; K. S. Upadhyaya Vs. Jharkhand Pollution Control Board & Ors., the Hon'ble Tribunal was further pleased to direct that:-

".....We, therefore direct the Member Secretary, Jharkhand State Pollution Control Board and the Deputy Commissioner, East Singhbhum to take immediate steps to control the fire and consequent adverse impact including pollution and file their personal affidavit and Action Taken Report with regard to the allegations made in the Miscellaneous Application and the photographs published in the newspaper 'Hindustan' dated 09.12.2024."




RMB

Whereas, in compliance of the above direction, an inspection was carried out by officials of JSPCB along with the Deputy Municipal Commissioner, Jamshedpur Notified Area Committee (JNAC), Jamshedpur on 02.01.2025 in the light of compliance of the direction issued by the Hon'ble Green Tribunal, EZ Bench, Kolkata in the order dated 11.12.2024 passed in MA No.- 46/2024 (EZ) in the matter of K.S. Upadhyay Versus Jharkhand State Pollution Control Board.

Whereas, during inspection it was found that the existing garbage and the legacy municipal waste was not completely removed within stipulated time from the site in question, an additional 1.90 Lakh MT of fresh garbage was dumped at the site which is gross violation of the direction of Hon'ble NGT (EZ) as contained in the Order dated 05.04.2023 and the provisions of Solid Waste Management Rules' 2016.

Now, therefore, in view of the above, in exercise of the powers conferred under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 31 A of the Air (Prevention and Control of Pollution) Act, 1981, the competent authority hereby provides you an opportunity to attend the show-cause on 15.01.2025 at 11.00 AM in the office chamber of Member Secretary to explain the reason for above non compliance and why not appropriate action may be initiated against your organisation under relevant Acts for the above violations.


(R. L. Bakshi)
Member Secretary





-25-

JHARKHAND STATE POLLUTION CONTROL BOARD

TOWNSHIP ADMINISTRATION BUILDING, HEC COMPLEX, DHURWA, RANCHI 834004

Telephone: 0651-2400850 (Fax)/ 2400851/2400852/2401847/2400979/2400139

ANNEXURE-D (series) Contd.

Ref. No.....22.....

Date.....07/01/2025

From,

R. L. Bakshi
Member Secretary

To,

The Special Officer
Jamshedpur Notified Area Committee (JNAC)
Jamshedpur

Sub:- Show-cause notice under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 31 A of the Air (Prevention and Control of Pollution) Act, 1981-reg.

Whereas, as per the order/judgment passed by Hon'ble National Green Tribunal, Eastern Zone dated 05.04.2023 in the context of OA No.- 05/2023/EZ; K. S. Upadhyaya Vs. Jharkhand Pollution Control Board & Ors. the Hon'ble Tribunal directed that:-

..“18. In this view of the matter, nothing further remains for adjudication in the present Original Application. We dispose of the Original Application with a direction to the Respondent No.2, “Deputy Commissioner, East Singhbhum, Jharkhand, to ensure that the entire garbage and legacy waste is removed from the existing landfill site and the said land is completely restored and the garbage is duly treated and bio-mined strictly as per the Solid Waste Management Rules, 2016 and the guidelines issued by the Central Pollution Control Board already referred to hereinabove, by 31.12.2024.”

Whereas, Miscellaneous Application No.46/2024/EZ was filed in respect to the article published in the newspaper 'Hindustan' dated 09.12.2024 alleging that massive fire in the illegal landfill is still continuing to occur.

Whereas, vide order passed by Hon'ble National Green Tribunal, Eastern Zone dated 05.04.2023 in the context of Miscellaneous Application No.46/2024/EZ In OA No.- 05/2023/EZ; K. S. Upadhyaya Vs. Jharkhand Pollution Control Board & Ors., the Hon'ble Tribunal was further pleased to direct that:-

“.....We, therefore direct the Member Secretary, Jharkhand State Pollution Control Board and the Deputy Commissioner, East Singhbhum to take immediate steps to control the fire and consequent adverse impact including pollution and file their personal affidavit and Action Taken Report with regard to the allegations made in the Miscellaneous Application and the photographs published in the newspaper 'Hindustan' dated 09.12.2024.”




ANNEXURE-D (series) -26-
(contd.)

Whereas, in compliance of the above direction, an inspection was carried out by officials of JSPCB along with the Deputy Municipal Commissioner, Jamshedpur Notified Area Committee (JNAC), Jamshedpur on 02.01.2025 in the light of compliance of the direction issued by the Hon'ble Green Tribunal, EZ Bench, Kolkata in the order dated 11.12.2024 passed in MA No.- 46/2024 (EZ) in the matter of K.S. Upadhyay Versus Jharkhand State Pollution Control Board.

Whereas, during inspection it was found that the existing garbage and the legacy municipal waste was not completely removed within stipulated time from the site in question, an additional 1.90 Lakh MT of fresh garbage was dumped at the site which is gross violation of the direction of Hon'ble NGT (EZ) as contained in the Order dated 05.04.2023 and the provisions of Solid Waste Management Rules' 2016.

Now, therefore, in view of the above, in exercise of the powers conferred under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 31 A of the Air (Prevention and Control of Pollution) Act, 1981, the competent authority hereby provides you an opportunity to attend the show-cause on 15.01.2025 at 11.00 AM in the office chamber of Member Secretary to explain the reason for above non compliance and why not appropriate action may be initiated against your organisation under relevant Acts for the above violations.


(R. L. Bakshi)
Member Secretary

