

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
I.A. No. **67** of 2025/EZ
ORIGINAL APPLICATION NO. 145/2023/EZ
(EARLIER O.A. NO. 567/2023/PB)

In the matter of:

TRIBUNAL ON ITS OWN MOTION

... Applicant

-Versus-

STATE OF JHARKHAND & OTHERS

... Respondents

I N D E X

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Through:

ADITYA SARKAR, Advocate
Advocate for the Applicant/
Respondent No. 8, STP Limited
C/o. **KHAITAN & CO LLP**, Advocates
"Emerald House"
1B Old Post Office Street
Kolkata 700 001
M: **8335867899**
E-mail: aditya.sarkar@khaitanco.com

Date: July 25, 2025

Place: Kolkata, West Bengal



For STP Limited
Amit Kumar Shaw
Authorized Signatory

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
I.A. No. of 2025/EZ
ORIGINAL APPLICATION NO. 145/2023/EZ
(EARLIER O.A. NO. 567/2023/PB)

In the matter of:

TRIBUNAL ON ITS OWN MOTION

... Applicant

-Versus-

STATE OF JHARKHAND & OTHERS

... Respondents

MEMO OF PARTIES

In the matter of:

STP LTD, a company registered under the Companies Act, 1956
having its registered office at 129, Park Street, Kolkata- 700017, West
Bengal. E-mail: info@stpltd.com

... Applicant/Respondent No. 8

-Versus-

1. Chief Conservator of Forest, Department of Forest, Environment &
Climate Change, State of Jharkhand, Van Bhawan Jharkhand
Sate

at-Doranda, P.O.Doranda, Ranchi-834002 Jharkhand.

Email: pcch-jk@nic.in/ pccfjharkhand@yahoo.co.in .

... Respondent No. 1

2. District Magistrate, East Singhbhum, Jharkhand, Office of the
Deputy Commissioner, Sakchi, Jamshedpur, Jharkhand 831001,
Email: dc-jsr@nic.in.

...

Respondent No. 2



For STF Limited

Amit Kumar Shaw
Authorized Signatory

3. Principal Secretary, Water Resource Department, Jharkhand, Nepal House, Doranda, Ranchi, Jharkhand, 834002, Email:sec-wrd-jhr@nic.in.

... Respondent No. 3

4. Additional Principal Chief Conservator of Forest, Ministry of Environment, Forests and Climate Change, Regional Office Ranchi, Jharkhand, Regional Office (ECZ), Bunglow No. A-2, Shyamali Colony, Ranchi-834002, Email:ro.ranchi-mef@gov.in

... Respondent No. 4

5. Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032, India, Email:mccb.cpcb@nic.in

... Respondent No. 5

6. Member Secretary, Jharkhand State Pollution Control Board, T.A Building, HEC Campus, P.O. Dhurwa Ranchi - 834004 Jharkhand, Email: ranchijspcb@gmail.com

... Respondent No. 6

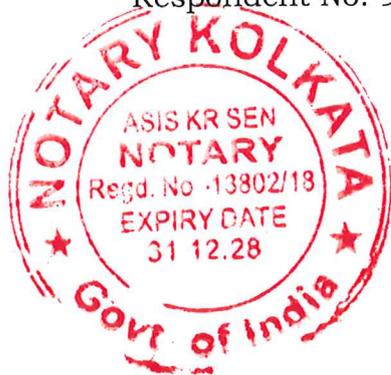
7. Ministry of Environment, Forests and Climate Change, New Delhi, through its Secretary, Indira Paryavaran Bhawan Jorbagh Road, New Delhi - 110 003, Email:secy-moef@nic.in ...

Respondent No. 7

8. M/s SRG Iron & Steel (P) Ltd., through the Director/Principal Officer Geruvaa Patamda, Jamshedpur, Jharkhand, 832105, Email: sgp_skp@rediffmail.com ...

Respondent No. 9

... Respondents



For S T F Limited
Amit Kumar Shaw
Authorized Signatory

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
I.A. No. of 2025/EZ
ORIGINAL APPLICATION NO. 145/2023/EZ
(EARLIER O.A. NO. 567/2023/PB)

In the matter of:

TRIBUNAL ON ITS OWN MOTION

.... Applicant

-Versus-

STATE OF JHARKHAND & OTHERS

... Respondents

**AN APPLICATION PRAYING FOR EXPEDITIOUS DISPOSAL OF THE
RESPONDENT NO.8's APPLICATION DATED JUNE 06, 2025
PENDING BEFORE JHARKHAND STATE POLLUTION CONTROL
BOARD FOR GRANT OF CONSENT TO OPERATE**

The humble application on behalf
of the Applicant/Respondent No.
8 (STP Limited)

MOST RESPECTFULLY SHEWETH:

1. The Applicant has been a pioneer in manufacturing construction chemicals, bitumen and coal tar products in India for over 85 years. Its product line includes diverse fields of operation, such as water proofing, road surfacing, flooring, manufacture of primers, admixtures, grouts, protective/anti corrosions coatings coal tar products etc., the Jamshedpur factory of the Applicant



For STP Limited
Amit Kumar Shaw
Authorised Signatory

was established in the year 1986 and has been operational since then.

2. Based on a notification dated March 29, 2012 issued by MOEF & CC whereby, inter-alia, the area upto 5 kilometers from the boundary of the protected area of the Dalma Wildlife Sanctuary in the State of Jharkhand was described as an eco-sensitive zone, a notice/order dated October 10, 2012 was issued by the Forest Range Officer, Dalma Range, Dalma Wildlife Sanctuary, Jamshedpur, directing the Applicant to close down its industrial unit/factory at Dimna Road, Mirzadih, Jamshedpur.
3. It is on account of the fact that the concerned unit of the Applicant allegedly falls under the Dalma Wildlife Sanctuary eco-sensitive zone in terms of the aforesaid notification dated March 29, 2012 that the Jharkhand State Pollution Control Board being a Respondent herein rejected the Applicant's application dated May 26, 2014 praying for grant of a Consent to Operate (CTO) under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 vide its order dated November 28, 2014, a copy whereof is annexed hereto and marked as Annexure "A".

4. Challenging the applicability of the notification dated March 29,



For STP Limited
 Amit Kumar Shaw
 Authorized Signatory

2012, to the case of the Applicant as also the order dated October 10, 2012, the Applicant filed an application under Article 226 of the Constitution of India being W.P. (C) No. 7340 of 2012 before the Hon'ble High Court of Jharkhand at Ranchi. An order dated July 8, 2013 was passed in the said proceeding whereby it was directed that no coercive steps would be taken against the Applicant. The said interim order was extended from time to time and finally from September 25, 2024 an order was passed whereby the Applicant was given the liberty to approach the Hon'ble National Green Tribunal with regard to the aforesaid.

5. In terms of the aforesaid liberty, the Applicant filed an Appeal under Section 18(1) read with Section 16(g) of the National Green Tribunal Act, 2010 being Appeal no. 14 of 2024/EZ. An order dated April 28, 2025 was passed in the said proceeding whereby the Hon'ble Tribunal has been pleased to quash the impugned order dated October 10, 2012 as being illegal. It has also been held that the said notification is only in respect of new polluting industries from being set up within the eco-sensitive zone and that the Applicant's industry is not a new industry. A copy of the order dated April 28, 2025 is annexed hereto and marked as Annexure "B".

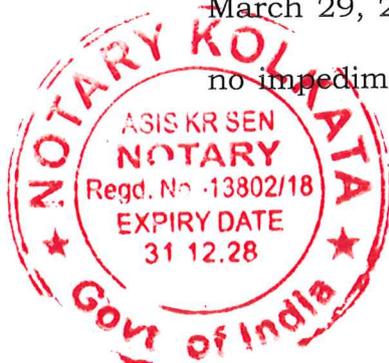
6. Immediately thereafter on June 26, 2025 the Applicant has once again applied before the Jharkhand State Pollution Control Board



For STP Limited
 Amit Kumar Shaw
 Authorized Signatory

for Consent to Operate (CTO) under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981. Copies of the application dated June 26, 2025 filed by the Applicant are annexed hereto and marked as Annexure "C".

7. In the interregnum by a notice dated June 12, 2025, the Applicant was instructed to keep the factory operations closed till further orders due to non-submission of valid documents (CTO). A copy of the notice is annexed hereto and marked as Annexure "D".
8. From the aforesaid, it is clear that the refusal by the Jharkhand State Pollution Control Board to grant a valid CTO in respect of the Applicant's industry was only on account of the erroneous notion that the Applicant's industry/unit is hit by the prohibitions contained in the notification dated March 29, 2012. Such position has now stood cleared with this Hon'ble Tribunal having passed an order dated April 28, 2025 in Appeal No. 14 of 2025 whereby it has been clearly held that the Applicant's industry/unit at Jamshedpur is not hit by the notification dated March 29, 2012. In such view of the matter there is and can be no impediment in so far as grant of a valid CTO in favour of the



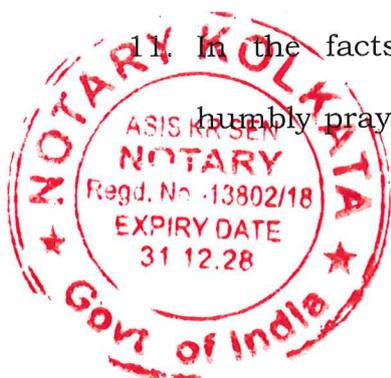
For S T P Limited
Anmit Kumar Shaw
Authorized Signatory

Applicant by the Jharkhand State Pollution Control Board is concerned.

9. It is humbly submitted that the Applicant is suffering on a day to day basis due to non-grant of the CTO in its favour. Any further delay would cause further prejudice to not only the Applicant's industry but also the hundreds of workers and their families who are employed with the Applicant. A substantial period has lapsed since the Applicant has made his application for grant of CTO on June 26, 2025.

10. The applicant has filed an application being IA 62/2025/EZ in OA 145/2023/EZ on July 18, 2025. This Hon'ble Tribunal by its order dated July 18, 2025 has been pleased to direct IA 62/2025/EZ to be heard alongwith the OA 145/2023/EZ. There are some inadvertent errors in the said IA 62/2025/EZ filed by the applicant. The applicant prays for leave of this Hon'ble Court to withdraw the said IA 62/2025/EZ and further prays for leave to file the instant application after correcting the said inadvertent errors and be permitted to pray for similar reliefs. A copy of the order dated July 18, 2025 is annexed hereto and marked as Annexure "E".

11. In the facts and circumstances as aforesaid, the Applicant humbly prays that this Hon'ble Tribunal be pleased, to direct the



For STP Limited
 Amit Kumar Shaw
 Authorized Signatory

Jharkhand State Pollution Control Board to consider and dispose of the applicant/ respondent no.8's application dated June 06, 2025 pending before the Jharkhand State Pollution Control Board praying for grant of Consent to Operate (CTO) under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as expeditiously as possible and preferably within a period of 4 (four) weeks from date or within such period as this Hon'ble Tribunal may deem fit and proper.

12. The Applicant humbly submits that the balance of convenience is entirely in favour of the Applicant in getting the order as prayed for hereinbelow. The Applicant was always conscious of the environmental issues and have taken all necessary steps to curtail any pollution from its factory unit at Jamshedpur.
13. Unless the orders prayed hereinbelow are passed, your Applicant will suffer irreparable loss and prejudice.
14. This application is made bona fide and for the ends of justice.

PRAYERS

In view of the facts mentioned hereinabove, the Applicant prays for the following reliefs:

a) Leave be granted to the applicant to withdraw IA 62 of 2025/EZ



For STP Limited
Anil Kumar Shaw
 Authorized Signatory

with further leave to file afresh;

- b) Direct the Jharkhand State Pollution Control Board to consider and dispose of the applicant/ respondent no.8's application dated June 06, 2025 pending before the Jharkhand State Pollution Control Board praying for grant of Consent to Operate (CTO) under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as expeditiously as possible and preferably within a period of 4 (four) weeks from date or within such period as this Hon'ble Tribunal may deem fit and proper.;
- c) Such order and/or further orders as this Hon'ble Tribunal deems fit and proper.
- d) Cost;

And for this act of kindness, your applicant as in duty bound shall ever pray.

Amit Kumar Shaw
APPLICANT

Date: July 25, 2025

Place: Kolkata, West Bengal



VERIFICATION

I, Amit Kumar Shaw, son of Prakash Chandra Shaw, aged about 44 years, by faith Hindu, by occupation service and working for gain at 129, Park Street, Kolkata- 700017, West Bengal, India being the Authorised Signatory of the Applicant company herein do hereby verify and state that the statements contained in paragraph 1 is true to my own knowledge and the statements made in paragraphs 2 to 7, 10(part) are based on information received which I believe to be correct and/or are matters of record and the rest including prayers are my respectful submissions before this Hon'ble Tribunal.

Amit Kumar Shaw

APPLICANT

Date: July 25, 2025

Place: Kolkata, West Bengal



BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
I.A. No. of 2025/EZ
ORIGINAL APPLICATION NO. 145/2023/EZ
(EARLIER O.A. NO. 567/2023/PB)

In the matter of:

TRIBUNAL ON ITS OWN MOTION

.... Applicant

-Versus-

STATE OF JHARKHAND & OTHERS

... Respondents

AFFIDAVIT

I, Amit Kumar Shaw, son of Prakash Chandra Shaw, aged about 44 years, by faith Hindu, by occupation service and working for gain at 129, Park Street, Kolkata- 700017, West Bengal, India, do hereby solemnly affirm and state as follows:-

1. I am the Authorised Signatory of the Applicant company herein. By the Board Resolutions both dated January 24, 2024, I have been duly authorized by the Applicant company to make and sign this Appeal and affirm this affidavit on behalf of the Applicant company herein and I am competent to affirm this affidavit on its behalf.
2. The statement contained in paragraph 1 is true to my own knowledge and the statements made in paragraphs 2 to 7, 10(part) are based on information received which I believe to be correct and/or are matters of record and the rest including prayers are my respectful submissions before this Hon'ble Tribunal.

Identified by me

Advocate
Advocate

F/1330/1192/2021

Amit Kumar Shaw

Deponent is known to me

Before Me

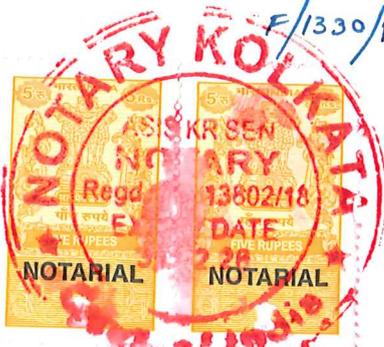
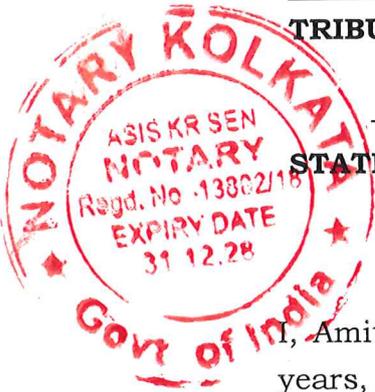
Notary

**Solemnly affirmed and declared
Before me on Identification**

ASIS KUMAR SEN

ASIS KUMAR SEN
City Civil Court
Kolkata
Reg. No. 13802/18 Govt. of India

25 JUL 2025



Annexure "A"



झारखण्ड राज्य प्रदूषण नियंत्रण पर्वद
JHARKHAND STATE POLLUTION CONTROL BOARD

T.A. DIVISION BUILDING (GROUND FLOOR), H.E.C., DHURWA, RANCHI -834004
 Phone.: 0651-2400852/2400851/2400850(Fax), Web site : www.jspcb.org

Ref. No. PC/JSR/S-15/02/.....

Ranchi, dated

From,

Dr. Mahendra Mahto,
 Member Secretary.

To,

Head (Works)
 M/s. STP Ltd.,
 At-Mirzadih, Dimna Road,
 P.O. - MGM Medical College,
 Jamsheedpur, Dist. - East Singhbhum

Sub: Regarding refusal of Consent to Operate (CTO) u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981.

Sir,

Whereas, you have, vide your Application Dated 26.05.2014 sought CTO u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981.

Whereas, inspection report, Ref. No. 2563 dated 09.10.2014 of Regional Office, Jamsheedpur of office reveal (s) that you did not comply the following:

- (i) The unit falls under Dalma Wild Life sanctuary Eco sensitive zone as per MoEF, Govt. of India notification no. S.O. 680 (E) dated 29.03.2012
- (ii) The unit does not meet the distance criteria according to nature & category of industry as per above notification.

Whereas, you were, granted opportunity to show cause on 21.11.2014 vide letter No. G-4146 dated 10.11.2014. Your representative appeared in show cause and submitted the reply which did not satisfy with authentic documents.

The competent authority has, therefore, been pleased to refuse CTO u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981.

Yours faithfully,

Sd/-

(Dr. Mahendra Mahto)
 Member Secretary

Ranchi, dated : 28.11.14

Memo No. : PC/JSR/S-15/02/..... 6440

Copy to Dy Commissioner, East Singhbhum/ Director of Industry, Govt. of Jharkhand, Ranchi/ Chief Inspector of Factories, Ranchi/Regional Officer, Regional Office, Jamsheedpur for information & necessary action.

6582
 3/12/14

Received on 3-12-14
 JSPCB, JSR.

Chandani/CTO Rejection-JSR/P-21



(Dr. Mahendra Mahto)
 Member Secretary

Annexure "B"**953**

Item No.06

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Appeal No.14/2024/EZ

STP Limited

Appellant(s)

Versus

Ministry of Environment
Forests and Climate Change & Ors.

Respondent(s)

Date of hearing: 28.04.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**For Appellant(s) : Mr. Samrat Sen, Sr. Advocate a/w
Ms. Manali Ali, Advocate,
Mr. Zulfiqar Ali Al-Quaderi, Advocate and
Mr. Aditya Sarkar, AdvocateFor Respondent(s): Ms. Aishwarya Rajyashree, Advocate for R-2, 3 & 4,
State Respondents (in Virtual Mode),
Ms. Rashhmi Singhee, Advocate for MoEF&CC (in Virtual Mode)**ORDER**

1. Mr. Samrat Sen, learned Senior Counsel assisted by Ms. Manali Ali, Mr. Zulfiqar Ali Al-Quaderi and Mr. Aditya Sarkar, learned Counsel is present for the Appellant.
2. Heard learned Counsel for the parties.

***(Final order of the said case will be uploaded in NGT website
by separate sheets of paper).***

.....
B. Amit Sthalekar, JM.....
Dr. Vijay Kulkarni, EMApril 28, 2025,
Appeal No.14/2024/EZ
OM

Item No.06

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Appeal No.14/2024/EZ

IN THE MATTER OF**STP Limited,**

A company registered under the Companies Act, 1956 having its registered office at 129, Park Street, Kolkata- 700017, West Bengal, through its Deputy Manager and Authorised Signatory, Amit Kumar Shaw

.... Appellant(s)

Versus

- 1. Ministry of Environment, Forests and Climate Change,
Through its Secretary,
Indira Paryavaran Bhawan, Jorbagh,
Lodi Road, New Delhi - 110003**
- 2. The State of Jharkhand,
Through the Secretary,
Department of Forest, Environment and Climate Change,
Government of Jharkhand,
Nepal House, Doranda,
Ranchi- 834002, Jharkhand**
- 3. The Forest Range Officer,
Dalma Range, Dalma Wildlife Sanctuary,
NH33, Jamshedpur- 832401, Jharkhand**
- 4. The Divisional Forest Officer,
Saraikela Forest Division,
Office of the Divisional Forest Officer,
Saraikela Division,
Jharkhand State Highway-5,
Jharkhand- 833219**

.... Respondent(s)

Date of hearing: 28.04.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

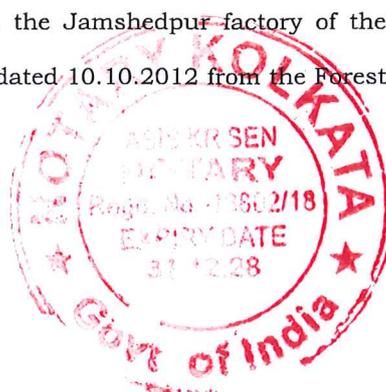
For Appellant(s) : Mr. Samrat Sen, Sr. Advocate a/w
Ms. Manali Ali, Advocate,
Mr. Zulfiqar Ali Al-Quaderi, Advocate and
Mr. Aditya Sarkar, Advocate



For Respondent(s) : Ms. Aishwarya Rajyashree, Advocate for R-2, 3 & 4,
State Respondents (in Virtual Mode),
Ms. Rashmi Singhee, Advocate for MoEF&CC (in Virtual Mode)

ORDER

1. Heard learned Counsel for the parties and perused the documents on record.
2. The present Appeal has been filed by the Appellant assailing the applicability and the enforceability of the Notification dated 29.03.2012 (Annexure "A-2" (Colly) to the O.A.) issued by the Ministry of Environment, Forests and Climate Change (MoEF&CC), Government of India declaring the Eco Sensitive Zone of the Dalma Wildlife Sanctuary, Jamshedpur against the Appellant. The Appellant is also assailing the notice/order dated 10.10.2012 (page 43 of the paperbook) directing cessation of operation within the Eco Sensitive Zone of Dalma Wildlife Sanctuary, Jamshedpur in terms of the MoEF&CC Notification dated 29.03.2012.
3. The contention of the Appellant is that its factory for the manufacture of construction chemicals, bitumen and coal tar products was established in the year 1986 after obtaining the license issued by the Factory Inspection Department, Department of Labour and Employment, Government of Jharkhand under the Factories Act, 1948 and the Jharkhand Factories Rules, 1950. It is stated that the factory has obtained Consent to Operate (CTO) under Section 25/26 of the Water (Prevention and Control of Pollution) Act 1974 and under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 from the Jharkhand State Pollution Control Board.
4. It is stated that all of a sudden, the Jamshedpur factory of the Appellant received a notice/order dated 10.10.2012 from the Forest



Range Officer, Dalma Range, Dalma Wildlife Sanctuary, Jamshedpur whereby the Appellant was directed to close down its industrial unit/factory at Dimna Road, Mirzadih, Jamshedpur alleging it to be situate within 0-5 Kms of the Dalma Wildlife Sanctuary.

5. The Appellant had earlier filed W.P.(C) No.7340 of 2012 "*S T P Limited, A registered company under the Indian Companies Act, 1956 Versus The Union of India & Others*" seeking issuance of appropriate writ/direction for quashing the order dated 10.10.2012 issued by the Forest Range Officer, Dalma Range, Dalma Wildlife Sanctuary, Jamshedpur whereby the Appellant unit has been directed to close down its unit since it falls within the Eco Sensitive Zone within the Dalma Wildlife Sanctuary. The aforesaid Writ Petition has been disposed of by the Hon'ble High Court of Jharkhand at Ranchi by its order dated 25.09.2024 holding that the High Court has no jurisdiction in matter which lies within the jurisdiction of the National Green Tribunal and liberty has been given to the parties to approach the National Green Tribunal. Hence the present Appeal before this Tribunal. Order of the Hon'ble High Court dated 25.09.2024 reads as under :-

**"IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Civil Writ Jurisdiction)
W.P.(C) No. 7340 of 2012**

.....

STP Limited, a registered company under the Indian Companies Act, 1956, Jamshedpur, having its registered office at Turner Morrison Building, 1st Floor, 6, Lyons Range, P.O. and P.S. : Hare Street, Kolkata and its factory at village: Mirzadih, Patamda, through Sri. K. K. Biyani, S/80 Late BC BIYANI, Director, Resident of 15C Anil Roy Road, Kolkata 700029.

.... **Petitioner(s)**

Versus

1. *The Union of India through the Secretary, Ministry of Environment & Forests, New Delhi.*



2. The State of Jharkhand through the Secretary, Department of Environments & Forest, Government of Jharkhand, Ranchi.
3. The Forest Range Officer, Dalma Range, Dalma Wild Life Sanctuary Jamshedpur.

.... Respondent(s)

.....

CORAM : HON'BLE MR. JUSTICE RAJESH KUMAR

.....

For the Petitioner(s) : Mr. Hemant Kr. Shikarwar, Adv.

For the Respondent(s) : Mr. Abhijit Kr. Singh, C.G.C.

.....

10/Dated : 25th September, 2024

1. Heard the learned counsel for the parties.
2. The writ petition has been filed for following reliefs :-

"(1) For the issuance of an appropriate writ/writs, order/orders, direction / directions or a writ in the Nature of Certiorari for quashing the order dated 10.10.2012 issued by the Forest Range Officer, Dalma Range, Dalma Wild Life Sanctuary, Jamshedpur vide which Order trhe Respondent No.: 3 has directed the Petitioner to shut down its factory in an illegal and arbitrary manner

AND/OR

(ii) For the issuance of an appropriate writ/writs, order/orders, direction / directions directing that during the pendency of the instant writ application, the respondents be prevented from taking any coercive action on the basis of the order dated 10.10.12.

(iii) For the issuance of an appropriate writ/writs, order/orders, direction / directions directing that during the pendency of the instant writ application, the respondents be restrained to implement the notification dated the, 29, March 2012 and order dated 10th October 2012 in relation to petitioner's factory at Dimna Road, Mirzadih, Jamshedpur 831018.

(iv) For issuance of such other writ(s), order(s) or direction(s) as this Hon'ble Court may think just and proper in the facts and circumstances of the case doing conscioinable justice to the petitioners."

3. Thus, the issue involved in the present writ petition is the effect of the notification dated 29.03.2012.



4. It appears that there was series of litigation and various writ petitions have been filed before this Court in batch of cases i.e. W.P.(C) No.2761 of 2012 with analogous cases. The issue has been settled that it will apply on the existing unit also and accordingly the writ petitions have been dismissed vide order dated 16.09.2014.
5. It further appears that against the order of the said writ court, Letters Patent Appeal has been filed which has been heard together being L.P.A. No.391 of 2014 and analogous cases and the same have been disposed of vide order dated 16.11.2016. Paragraph No.18 of the said LPA is relevant which is quoted hereinbelow :-

"In view of the aforesaid discussions, we are of the considered view that since the cases of the appellants were required to be decided by the National Green Tribunal, the appellants be given the liberty to move the National Green Tribunal for adjudication of their cases afresh. If the appellants move the National Green Tribunal, the impugned judgment dated 16.9.2014 passed in W.P.(C) No.2761 of 2014 and analogous cases, shall not come in the way of the National Green Tribunal in giving its independent decision in the matters. Upon adjudication of the matters by the National Green Tribunal, if made, the decision of the National Green Tribunal shall prevail."

6. Thus, the LPA Court has held that the High Court has no jurisdiction rather the jurisdiction lies with the National Green Tribunal. Accordingly, liberty has been given to the parties to approach the National Green Tribunal.
7. Since the issue has been settled that appropriate remedy lies before the National Green Tribunal, accordingly the present writ petition is, hereby, disposed of giving liberty to the petitioner to approach the National Green Tribunal.
8. An interim protection granted to the petitioner vide order dated 08.07.2013 which is continued till date, is extended for further eight weeks from today.
9. The parties are at liberty to work out their remedy in accordance with law.
10. Pending I.A., if any, also stands disposed of.

(Rajesh Kumar, J.)"



6. The Hon'ble High Court has also directed that the interim order granted in the Writ Petition dated 08.07.2013 shall continue for a period of eight weeks which works out to 20.11.2024.
7. Supplementary affidavit dated 27.11.2024 has been filed by the Appellant stating therein that the factory of the Appellant at Mirzadih, Dimna Road, MGM College, Mango, Jamshedpur, East Singhbhum was established in the year 1986 and has been in operation since then. Documents in the nature of Certificate of Registration License dated 27.07.2016 for doing the work of Production in the establishment of STP Limited (Appellant herein) has also been filed at page 92 of the paper book.
8. Further license as amended on 24.03.2022 and valid upto 31.12.2030 in the name of the Appellant has also been filed showing the total installed capacity (Not Exceeding) :-
 - a) In Horse Power [Other than (b)] : 250 HP
 - b) In case of electricity Generating :
Generating and Transforming Station - DGSL I: 415 K.W;
Transformer : 210 K.W
9. Ambient Air Quality Report (R&D) of sampling dated 11.04.2022 has also been filed with the remarks : the value of the Respirable Suspended Particulate Matter (RSPM) at all points were observed to be within the limit prescribed (at page 98 of the paper book). Ambient Air Quality Report reads as under :-





JHARKHAND STATE POLLUTION CONTROL BOARD
ADITYAPUR, JAMSHEDPUR
AMBIENT AIR QUALITY REPORT (R&D)

Lab. Ref. No:- 96/2022

Name of the Industry :-

M/s ST P Ltd.
Mirzadih, Dimna Road, PO- MGM
Medical College, Jsr., Dist-East Singhbhum.

No. of Sampling Point-03
Sampling Position:

Date of Sampling :- 11.04.2022

Weather Condition :- Clear

Time

SO₂

NO_x

RSPM

Norms in $\mu\text{g}/\text{m}^3$

SO₂ - 80

NO_x - 80

RSPM-100

Point -1

08.00 AM TO 12.00 Noon	21.93	29.45	93.66
12.00 Noon TO 04.00 PM	26.31	32.58	
04.00 PM TO 08.00 PM	24.12	31.33	74.57
08.00 PM TO 12.00 AM	19.18	26.94	
Maximum	26.31	32.58	93.66
Average	22.88	30.07	84.11

Point-2

8.15 AM TO 12.15 PM	23.02	28.82	103.83
12.15 PM TO 4.15 PM	28.50	34.46	
4.15 PM TO 8.15 PM	25.21	31.95	84.5
8.15 PM TO 12.15 AM	20.83	25.69	
Maximum	28.50	34.46	103.83
Average	24.39	30.23	94.16

Point-3

8.30 AM TO 12.30 PM	29.05	35.09	102.31
12.30 PM TO 4.30 PM	31.79	38.22	
4.30 PM TO 8.30 PM	24.67	30.70	79.83
8.30 PM TO 12.30 AM	22.47	26.32	
Maximum	31.79	38.22	102.31
Average	26.99	32.58	91.07

Note :- All value are expressed in micro gram/ cubic meter

Remarks :- The value of RSPM at all the point were observed within the limit prescribed.

ASO

Jamshedpur

Regional Officer
Jamshedpur

Board Analyst

29/04/2022



10. Stack Monitoring Report dated 23.04.2022 has been filed with the remark : the value of dust concentration was observed to be within the limit prescribed (at page 99 of the paper book). Stack Monitoring Report reads as under :-



101

JHARKHAND STATE POLLUTION CONTROL BOARD, RANCHI
STACK MONITORING REPORT

Lab. Ref. No :- 07/2022

Name of the Industry	:	M/s S T P Ltd. Mirjadih, Dimna Road, PO- MGM Medical Collage, Jamshedpur, Dist.- East Singhbhum
Date of sampling	:	11.04.2022
Weather condition	:	Clear
Stack number if any	:	Stack No. - 01
Height of stack from ground (in meter)	:	34
Inner dimension of stack (in meter)	:	0.6
Height of port hole (in meter)	:	13.7
Atmospheric temperature (in °c)	:	39
Stack gas temperature (in °c)	:	173
Stack gas velocity (in Nm ³ /hr.)	:	5.82
Volumetric flow rate (in Nm ³ /hr.)	:	3947.8078
Dust concentration (in mg/Nm ³)	:	88.9
Emission rate (in kg/hr.)	:	0.35
Name of fuel & quantity used per shift	:	HCO - 30 ltr./hr.
Production capacity	:	Coal Tar 25 MT/Batch
Stack attached to	:	
GASES		
Sulphurdioxide (in mg/Nm ³)	:	45.02 and emission rate (in kg/hr.) 0.177
Nitrogen oxides (in mg/Nm ³) as NO ₂	:	4.16

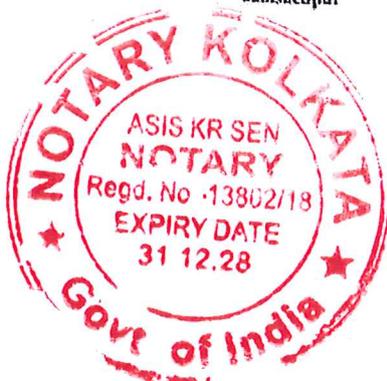
REMARKS :-

The value of dust concentration was observed within the limit prescribed.

[Signature]
23/04/2022
ASO
Jamshedpur

[Signature]
23/04/2022
Regional Officer
Jamshedpur

[Signature]
23/04/2022
Board Analyst



11. Analysis Report of Physico Chemical Examination of Sewage/Trade Effluent of sampling dated 11.04.2022 has been filed with the remark : the parameters are within prescribed limits (at page 100 of the paper book). Analysis Report of Physico Chemical Examination of Sewage/Trade Effluent reads as under :-



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

Lab. Ref. No:- 01/2022

Dated-

Analysis Report of Physico Chemical Examination of Sewage/Trade Effluent

1. Name of Sampling Point : M/s S.T.P. Ltd,
At- Mirzadih, Dimna,
Dist- East Singhbhum
2. Point of Collection : After ETP.
3. Date and time of Collection : 11.04.2022 at- 11.35 AM.
4. Collected By : Regional Office Lab. Jamshedpur.
5. Sample Source : Industrial Effluent.

Sl. No.	Particulars	Limits	Value obtained
1.	Temp A/W	<40°C	32.0 °c / 30.0 °c
2.	pH	6.5-8.5	7.5
3.	BOD ₃ mg/L	30.0 mg/l	21.0 mg/l
4.	COD mg/L	250.0 mg/l	114.0 mg/l
5.	T.S. mg/l	-	315.0 mg/l
6.	T.S.S. mg/l	100.0 mg/l	47.0 mg/l
7.	T.D.S mg/l	-	268.0 mg/l

Remarks :- The Parameters are within prescribed limits.

[Signature]
23-04-2022
A.S.O.
Jamshedpur.

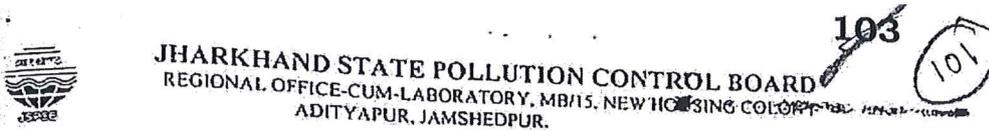
[Signature]
23/04/2022
C.E.
Jamshedpur

[Signature]
23-04-2022
Regional Officer
Jamshedpur.

[Signature]
23/04/2022
Board Analyst



12. The Ambient Noise Level Report dated 23.04.2024 has been filed which also in the remark mentions : the value of Noise Level at all points were observed to be within the limit prescribed (at page 101 of the paper book). Ambient Noise Level Report reads as under :-



Lab. Ref. No- 08/2022

NOISE LEVEL

The Ambient Noise Level report at various location inside the premises of M/s S T P Ltd., Mirzadih, Dinna Road, P O- MGM Medical College, Jamshedpur Dist- East Singhbhum taken on 11.04.2022 from 01.30 PM to 02.30 PM.

Sl. No	Location	Status of operation of plant	Prescribed limit in day time	Noise level dB(A)
1.	Near Main Gate	Operation	75 dB (A)	71.6
2.	North East Corner of the Plant.	-do-	75 dB (A)	64.4
3	Near ETP	-do-	75 dB (A)	67.2

Remarks :- The value of Noise level at all the point were observed within the limit prescribed.

[Signature]
ASO
Jamshedpur.

[Signature]
23.04.2022
Regional Officer
Jamshedpur.

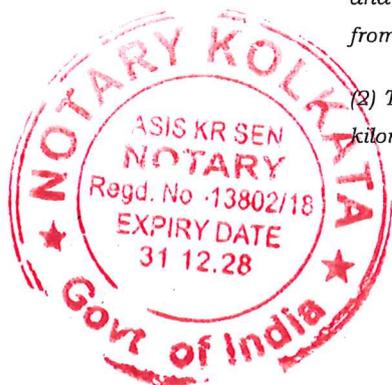
[Signature]
23/04/2022
Board Analyst



13. Photocopy of Form No.5A under the "Employees Provident Fund Scheme 1952" dated 26.09.2022 has been filed (at page 102 of the paper book) to confirm that the business of the Appellant commenced on 02.02.1986.
14. It is also stated that the Appellant factory has obtained Consent to Operate (CTO) under the Water (Prevention and Control of Pollution) Act 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act 1981 from the Jharkhand State Pollution Control Board from time to time.
15. The Forest Range Officer, Dalma Range, Dalma Wildlife Sanctuary has filed affidavit dated 24.01.2025 and it is stated that Eco Sensitive Zone of the Dalma Wildlife Sanctuary, Jamshedpur was notified on 29.03.2012 and lies near Jamshedpur in East Singhbhum and Saraikela-Kharsawan district of Jharkhand and extends over an area of 193.5077 Sq.Kms. ; the Sanctuary has a well-knit network of 159 streams, 82 being perennial and semi perennial and rest are of seasonal nature ; the Subarnarekha River and Dimna Lake are fed by these streams. The relevant Notification has been filed at page 215 (Colly) of the paper book showing the Boundaries of the Dalma Wildlife Sanctuary Eco Sensitive Zone. The relevant extract of the MoEF&CC Notification dated 29.03.2012 outlining the boundaries of the Dalma Wildlife Sanctuary Eco Sensitive Zone is as under :-

1. "Boundaries of Dalma Wildlife Sanctuary Eco-sensitive Zone - (1) Dalma Wildlife Sanctuary is bounded by the forests of Dhalbhum and Saraikela Forest Division of Jharkhand and Kansabati Forest Division of West Bengal, Jamshedpur township and Chandil sub divisional town are merely 0 - 5 kilometers from the boundary of Dalma Wildlife Sanctuary.

(2) The said Eco-sensitive Zone covers an area of 522.98 square kilometer in Jharkhand, consisting of the followings, namely:-



(i) enclave villages::

Total number of villages – 85

Area to be included in the Eco-sensitive zone:

Non-forest area - 200.28 square kilometers

Forest area - 198.30 square kilometers

Total = 398.58 square kilometers

(ii) villages situated outside the boundary of Protected Area:

The Total number of villages – 51

Area to be included in the Eco-sensitive zone:

Non-forest area - 80.45 square kilometers

Forest area - 43.95 square kilometers

Total = 124.40 square kilometers;

(iii) development blocks:

Patamda, Jamshedpur and Golmuri blocks of East Singhbhum district and Chandil and Nimdih blocks of Saraikela- Kharsawan district;

(iv) District wise area:

Name of District	Area of eco-sensitive zone
East Singhbhum	377.89 square kilometers
Saraikela - Kharsawan	145.09 square kilometers
Total	522.98 square kilometers"

16. The 'List of villages falling within the Dalma Eco Sensitive Zone' has also been annexed to the Notification (at page 223 of the paper book) and the village Mirzadih is shown in the said List of 'Enclave Villages' at Serial No.7. The said list at page 223 of the paper book showing village Mirzadih is as under :-



Annexure 2
[See paragraph 1(3)]

List of villages falling within the areas of Dalma Eco-sensitive Zone.

Part I—Enclave Villages

S. No.	Name of Village.	Administrative Block	Thana No.	Area of Village (in Ha)	Forest Area (in Ha)	No. of Houses	Population
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Bonta	Patmda	119/14	1371.32	798.20	249	1286
2	Kutimakul	Patmda	120/15	180.62	65.13	40	232
3	Bhadudih	Patmda	121/16	205.69	54.97	21	136
4	Saldoha	Patmda	122/17	196.29	87.12	19	118
5	Haludbani	Patmda	123/18	320.88	232.37	108	504
6	Patipani	Patmda	124/19	425.68	366.28	56	246
7	Mirzadih	Patmda	137/20	577.70	315.80	205	991
8	Geruwa	Patmda	138/21	484.31	350.29	129	561
9	Brajpur	Patmda	139/22	155.91	76.23	24	115
10	Punsa	Patmda	140/23	302.71	138.45	116	604
11	Nutandih	Patmda	141/24	808.44	437.87	215	1014
12	Bataluka	Patmda	142/25	544.31	394.32	104	527
13	Amdaphar	Patmda	143/15	368.56	249.33	67	284
14	Apo	Patmda	144/15	859.59	428.66	219	1086
15	Sari	Patmda	145/26	774.78	475.68	218	1114
16	Laylam	Patmda	146/27	1057.63	550.97	273	1510
17	Pagda	Patmda	164/45	349.92	170.23	174	883
18	Kumari	Patmda	166/47	286.56	152.72	132	596
19	Chimti	Patmda	167/48	336.55	226.97	104	459
20	Kukru	Patmda	400/15	248.52	120.91	86	440
21	Ghoraban	Patmda	401/15	617.99	331.19	113	565
22	Jamdih	Patmda	402/15	615.45	509.22	130	708
23	Jhunjhka	Patmda	405/16	1183.49	751.07	252	1219
24	Khokoro	Patmda	524/10	914.55	766.36	98	450
25	Baghra	Patmda	117/12	290.51	54.97	223	1204
26	Koyani	Patmda	118/13	947.56	664.74	443	2546
27	Goburehu	Patmda	147/28	1042.51	683.92	291	1361
28	Kundruko	Patmda	148/29	150.17	35.52	45	195
29	Bamni	Patmda	149/30	534.80	166.70	213	1019
30	Gagiburu	Patmda	154/35	225.02	10.15	130	690
31	Beldih	Patmda	161/42	947.75	281.51	359	1865
32	Buridih	Patmda	162/92	73.00	65.14	2	22
33	Dhusra	Patmda	163/44	430.83	181.90	186	920
34	Rapcha	Patmda	165/46	222.16	82.14	81	430
55	Andharjho	Patmda	168/49	772.66	346.79	296	1701



17. Thus, there is no dispute that the Appellant industry which is situated in village Mirzadih falls within the Dalma Eco Sensitive Zone. The stand of the Forest Department in its affidavit is that Para 3 of the MoEF&CC Notification dated 29.03.2012 outlines the Prohibited, Regulated and Permitted activities in the Eco Sensitive Zone. Paragraph 3(1) relates to "Industrial Units" and sub-paragraph (a) and (b) thereof read as under :-

"3. Prohibited, regulated and permitted activities Eco-sensitive Zone :

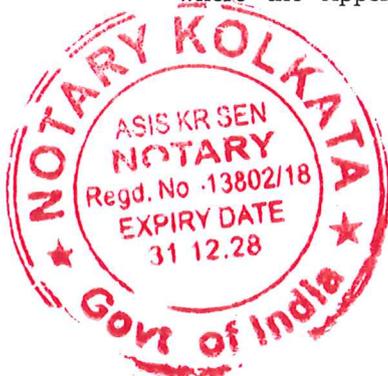
xx

(1) Industrial Units :

(a) On or after the publication of this notification in the Official Gazette, no new polluting industries shall be allowed to be setup within the Eco-sensitive Zone;

(b) Any non-polluting, non-hazardous, small-scale and service industry, agriculture, floriculture, horticulture or agro-based industry producing products from indigenous goods from the Eco-sensitive Zone, and which do not cause any adverse impact on environment, may be permitted in the Eco-sensitive Zone"

18. The learned Counsel for the State Respondents submitted that in view of the paragraph 3(1)(a), it is provided that no new polluting industries shall be allowed to be setup within the Eco Sensitive Zone. Learned Counsel for the State Respondents also referred to the impugned order dated 10.10.2012 whereby a direction has been given to the Appellant to discontinue his operations immediately.
19. The learned Counsel submitted that since the village Mirzadih where the Appellant industry is situate falls within the Eco



Sensitive Zone of the Dalma Wildlife Sanctuary which is 0-5 km, therefore, impugned order has been validly issued.

20. The MoEF&CC in its affidavit dated 03.03.2025 has also referred to the Provisions of paragraph 3(3) under the heading "Construction Activities" which provides that no new construction of any kind shall be allowed in the area falling within a distance of 300 mtrs from the boundary of the Dalma Wildlife Sanctuary. Para 3(3) reads as under :-

"3. Prohibited, regulated and permitted activities Eco-sensitive Zone :

xx

(3) Construction Activities :

No new construction of any kind shall be allowed in the area falling within a distance of three hundred meters from the boundary of the Dalma Wildlife Sanctuary."

21. Learned Counsel for the Respondents submitted that since the Appellant industry was located in village Mirzadih and operating therefrom, therefore, the impugned order has been issued and sought to justify the impugned order in terms of paragraph 3(1)(a) and paragraph 3(3) of the Dalma Wildlife Sanctuary Eco Sensitive Zone Notification dated 29.03.2012.
22. It is not disputed between the contesting parties that the Appellant who is the Brick Kiln owner had filed W.P.(C) No.7340 of 2012 in the Hon'ble High Court of Jharkhand at Ranchi.
23. A bunch of Writ Petitions, leading case being No.W.P.(C) 2761 of 2014, had also been filed along with other Writ Petitions by the Brick Kiln owners on the ground that the MoEF&CC Notification dated 29.03.2012 prohibit activities in the area within 5 km from the boundary of the protected area of the Dalma Wildlife Sanctuary after 29.03.2012 and that it does not expressly prohibit operation



of industries running prior to 29.03.2012 and therefore, the State of Jharkhand cannot implement the Notification dated 29.03.2012 from a retrospective date.

24. The Hon'ble Single Judge of the High Court dismissed the Writ Petition vide judgment and order dated 16.09.2014 but granted liberty to the Petitioner therein to approach the State Government and the State Government was directed to explore the possibility of relocation of the Unit of the Petitioner after taking suggestions of the Monitoring Committee of State of Jharkhand in this regard.
25. The order of the Hon'ble Single Judge dated 16.09.2014 was challenged in Appeal in L.P.A. No.391 of 2014 along with other connected L.P.As and the Hon'ble Division Bench of the High Court of Jharkhand dismissed the Appeals by order dated 16.11.2016 giving liberty to the Appellants to move the National Green Tribunal for adjudication of their cases **afresh**. The relevant Para 18, 19 and 20 of the judgment and order of the Hon'ble Division Bench of the High Court dated 16.11.2016 read as under :-

"18. In view of the aforesaid discussions, we are of the considered view that since the cases of the appellants were required to be decided by the National Green Tribunal, the appellants be given the liberty to move the National green Tribunal for adjudication of their cases afresh. If the appellants move the National Green Tribunal, the impugned judgment dated 16.9.2014 passed in W.P. (C) No.2761 of 2014 and analogous cases, shall not come in the way of the National Green Tribunal in giving its independent decision in the matters. Upon adjudication of the matters by the National Green Tribunal, if made, the decision of the National Green Tribunal shall prevail.

19. All these appeals, accordingly, stand dismissed, with the observation / liberty as above.

20. We find from the record that by order dated 26.7.2016 passed in these appeals, an interim order was passed



directing the appellants not to operate their brick kilns and further directing the respondent State that the brick kiln units of the appellants shall not be demolished in the meantime. We extend the interim order only for a period of four weeks from today, during which, the appellants may chose to move the National Green Tribunal.”

26. The W.P.(C) No.7340 of 2012 *STP Limited, a registered Company under the Indian Companies Act, 1976 – Versus- The Union of India & Others*, was disposed of by the Hon’ble Single Judge of High Court of Jharkhand vide judgment and order dated 25.09.2024 (already extracted hereinabove) giving liberty to the Appellant herein to approach the National Green Tribunal and in the meantime, the Hon’ble High Court also extended the interim protection granted to the Writ Petitioner (Appellant herein) on 08.07.2013 for further eight weeks.
27. Mr. Samrat Sen, learned Senior Counsel referring to the Provisions of the MoEF&CC Notification dated 29.03.2012 submitted that the prohibition in paragraph 3 of the said Notification is only in respect of setting up of new polluting industries. Learned Senior Counsel however clarifies that it does not mean that the existing industry which was established prior to coming into force of the Eco Sensitive Zone Notification, can be allowed to pollute in violation of the environmental norms and whether the Appellant industry is actually causing pollution or not is a matter of fact and has to be determined irrespective of the MoEF&CC Notification dated 29.03.2012.
28. The learned Senior Counsel submitted that admittedly the Appellant industry was established in 1986 i.e. almost 26 years prior to coming into force of the MoEF&CC Notification dated 29.03.2012 and therefore, it is not a new industry and therefore,



the prohibition in paragraph 3(1)(a) would not apply to the Appellant industry.

29. Learned Senior Counsel further submitted that the Ambient Air Quality Report (R&D), Stack Monitoring Report, Analysis Report of Physico Chemical Examination of Sewage/Trade Effluent, Ambient Noise Level Report would clearly establish that the Appellant industry is compliant of all the environmental parameters given in the Reports and therefore, it cannot be ordered to be closed down merely because the industry is situated within the Eco Sensitive Zone of the Dalma Wildlife Sanctuary.
30. The Respondents on the other hand sought to justify impugned order dated 10.10.2012 by referring to the Provisions of paragraph 3(1)(b) and submitted that the Notification provides that *any non-polluting, non-hazardous, small-scale and service industry, agriculture, floriculture, horticulture or agro-based industry producing products from indigenous goods from the Eco-sensitive Zone, and which do not cause any adverse impact on environment, may be permitted in the Eco-sensitive Zone.* However, whether the Appellant industry causing pollution or is hazardous is a question of fact and has to be determined accordingly.
31. From perusal of documents on record it cannot be said that the Appellant industry is a polluting industry. The Respondents have not produced any document to show that the Appellant industry is a polluting industry and therefore we are of the view that the Provisions of paragraph 3(1)(b) would be irrelevant in the facts and circumstances of the present case, since there is nothing on record to show that the appellant industry is a polluting hazardous industry.



32. However, we may note that the impugned order dated 10.10.2012 directs the Appellant to discontinue operations immediately and the reasons for the same is stated to be that the Ministry of Environment, Forests & Climate Change (MoEF&CC) vide its Notification dated 29.03.2012 has declared the Eco Sensitive Zone of the Dalma Wildlife Sanctuary, Jamshedpur prescribing the limits to 0-5 km and that no industrial unit of any kind shall be operating within that distance. The impugned order is thoroughly misconceived and appears to have been passed without application of mind and without considering the specific Provisions of paragraph 3(1)(a) of the MoEF&CC Notification.
33. The prohibition in paragraph 3(1)(a) of the MoEF&CC Notification is only in respect of 'new' polluting industries from being set up within the Eco Sensitive Zone. Admittedly the Appellant industry was established in 1986 and therefore it is not a new industry.
34. Further, merely because the Notification mentions *no new polluting industries*, does not automatically imply that the Appellant industry is a polluting industry.
35. Therefore, in our opinion, the impugned order of 10.10.2012 is in contravention of the specific Provision of paragraph 3(1)(a) of the Notification dated 29.03.2012.
36. However, we cannot be oblivious of the fact that if an industry has been established prior to coming into force of the MoEF&CC Notification dated 29.03.2012 is otherwise causing pollution, it cannot be allowed to continue its operation. However, this would be dependent upon the facts and circumstances of each case and it would be the mandatory duty of the Jharkhand State Pollution Control Board to determine as to whether any such industry,



established prior to coming into force of the MoEF&CC Notification dated 29.03.2012, is actually causing pollution or not.

37. We have already noted above that there is no single document on record filed by the Respondents to show that the Appellant industry is actually causing pollution. The impugned order dated 10.10.2012 has been passed by the Forest Complex Officer, Dalma Complex (Dalma Wildlife Sanctuary), Jamshedpur only on the ground that the Appellant industry cannot operate within 0-5 km radius of the Dalma Wildlife Sanctuary boundary as per MoEF&CC Notification dated 29.03.2012. This order does not mention anywhere that the Appellant industry is a polluting industry.
38. Therefore, on a conspectus of facts of the case, we are of the view that the impugned order dated 10.10.2012 is absolutely illegal and in violation of the Provisions of the MoEF&CC Notification dated 29.03.2012 and the same is accordingly quashed.
39. Appeal No.14/2024/EZ is therefore allowed.
40. I.As., if any, stand disposed of accordingly.
41. There shall be no order as to costs.

.....
B. Amit Sthalekar, JM

.....
Dr. Vijay Kulkarni, EM

April 28, 2025,
Appeal No.14/2024/EZ
SKB



Ph. : 0651-2403851

Fax. : 0651-2403850



Jharkhand State Pollution Control Board, Ranchi
(TO BE SUBMITTED IN TRIPLICATE)

Application for consent for emission/continuation of emission under section 21 of the AIR(prevention and control of pollution)Act, 1981

Dated:

26/06/2025

From

STP LIMITED, Khata No - 125, Plot No -
1091,1092,1093, 1094, Mauza - Mirzadih, Block -
Bodam, Post - MGM Medical College - 831018,
Jamshedpur, Jharkhand.
City:Bodam
Block:MANGO
District:EAST SINGHBUM

To

The Member Secretary,
Jharkhand State Pollution Control Board
Ranchi.

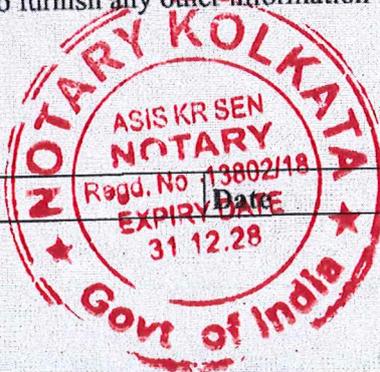
Sir,

I/we hereby apply for CONSENT under Section 21 of the Air(Prevention and Control of Pollution)Act, 1981(14 of 1981) to make emission from Industrial Plant owned by

1. Rajesh Kanhaiyalal Joshi for a period upto 1 Year years
2. The Annexure, appendices, other particulars and plans are attached herewith in triplicate.
3. I/We further declare that the information furnished in the Annexure/Appendices and plans are correct to the best of my/our knowledge.
4. I/we hereby submit that in case of change either of the point or the quantity of emission or of its quality a fresh application for CONSENT shall be made and until such consent is granted no change shall be made.
5. I/we hereby agree to submit to the Board application for renewal of CONSENT one month in advance of the date of expiry of the consented period for emission of to be continued thereafter.
6. I/We undertake to furnish any other information within one month of its being called by the Board.

7. Bank Details:-

Bank Draft No.	Amount

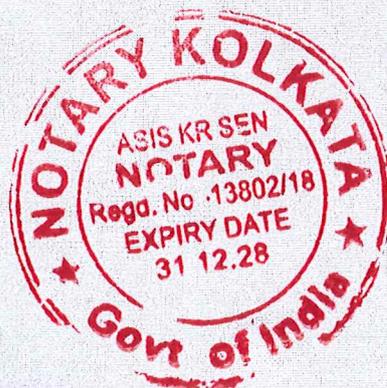


Accompaniments:-

1. EC copy with compliance report, if applicable (Attached)
2. Details of air pollution control measures implemented (Attached)
3. Other Documents (Attached)
4. Latitude and longitude of the unit at four points (Attached)
5. Land document such as sale deed/registered land lease deed/rent deed (Attached)
6. Estimated Project Cost including cost of land, building and plant & machinery (without depreciation) duly certified by CA (Attached)
7. Detail of all sources of emission and fugitive emission and pollution control arrangement at its points (Attached)
8. Affidavit certifying that no expansion/modernization in the plant has not been made after construction of the plant after obtaining CTE (Attached)
9. Environmental Statement (Attached)
10. Self-declaration/Affidavit for procuring valid source of raw material (Attached)
11. Detail of effluent treatment plant with design if applicable (Attached)
12. Copy of authorization under Hazardous and other Wastes (Management, and Transboundary Movement) Rules, 2016, if these Rules apply to the industry (Attached)
13. Copy of CTE and CTO with compliance report (with required documents) (Attached)
14. Authorization to file application (Attached)

Signature

Name of the applicant: Rajesh Kanhaiyalal Joshi

Address of the Applicant: 707, Chiranjiv
Tower, 43, Nehru Place, New Delhi

Ph.:0651-2403851

Ph.:0651-2403850



JHARKHAND STATE POLLUTION CONTROL BOARD, RANCHI

SCHEDULE I

(From - IVA)

For Industries

(To be submitted in triplicate)

Application for consent for discharge Continuation of discharge under section 25/26 of water
(Prevention and Control of Pollution) Act, 1974
(See Rule 22)

From

Dated : 26/06/2025

STP LIMITED

Khata No - 125, Plot No - 1091,1092,1093, 1094, Mauza - Mirzadih, Block - Bodam, Post -
MGM Medical College - 831018, Jamshedpur, Jharkhand.

MANGO

EAST SINGHBUM

To

The Member-Secretary,
Jharkhand State Pollution control Board
Ranchi.

Sir,

1. I/We apply for consent under section 25/26 of the water(Prevention and Control of pollution)
Act.1974(6 of 1974)*to bring into use new or altered outlets for the discharge of* Sewage/trade
effluent* from land/premises owned by STP LIMITED
for a period upto 1 Year years as per details given in the Annexure;

2. The Annexure, appendices, other particulars and plans are attached herewith
in triplicate

3. I/We further declare that the information furnished in the Annexure/appendices and plan
is correct to the best of my/our knowledge.

4. I/We hereby submit that in case of change either of the point or the quantity of discharge.
or its quality, a fresh application for CONSENT shall be made and until such CONSENT is granted no
change shall be made.

5. I/We hereby agree to submit to the Board an application for renewable consent one month in
advance to the date of expiry of the consented period for outlet/discharge, if to be continued thereafter.

6. I/We undertake to furnish any other information within one month of its being called for
by the Board.

Yours faithfully.

Signature

Name of the Applicant :STP LIMITED



State Pollution Control Board, Jharkhand

Receipt No.	747956900	Date :	26-06-2025
Depositor Name		Rajesh Kanhaiyalal Joshi	
Amount		25000.0	
Bank Name.		NA	
Bank Id.		9380	
Application No.		23060383	
Name and Address of Industry		STP LIMITED, Khata No - 125, Plot No - 1091,1092,1093, 1094, Mauza - Mirzadih, Block - Bodam, Post - MGM Medical College - 831018, Jamshedpur, Jharkhand., MANGO, EAST SINGHUM	
Name of Regional Office		Jamshedpur	
Applied For		CTO - both - reNew	
Payment Date		26-06-2025	
Total Amount Paid (Rs.)		25000.0	
Transaction Status		Successfully Completed	

Payment Details

CTO (Rs.)	25000.0
Total (Rs.)	25000.0

Print



Annexure "D"

9X8

अंचल अधिकारी का कार्यालय, बोड़ाम।

पत्रांक- 281

दिनांक-12-06-2025

प्रेषित

प्रबंधक

STP Limited

विषय :- मौजा-मिर्जाडीह के Eco Sensitive Zone में अवैध रूप से कारखाना संचालन के संबंध में।

उपरोक्त विषय अन्तर्गत सूचित करना है कि इस कार्यालय के पत्रांक-273 दिनांक-05.06.2025 के द्वारा आपको फैक्ट्री संचालन से संबंधित सभी वैध दस्तावेज (CTO) की माँग की गई थी परन्तु आपके द्वारा फैक्ट्री संचालन से संबंधित (CTO) दस्तावेज प्रस्तुत नहीं किया गया। अनुमण्डल पदाधिकारी धालभूम जमशेदपुर के पत्रांक-1502 दिनांक-10.06.2025 के द्वारा मौजा-मिर्जाडीह के Eco Sensitive Zone में अवैध रूप से फैक्ट्री संचालन को तत्काल प्रभाव से बन्द करने हेतु निर्देशित किया गया है।

अतः आपको पुनः निर्देश दिया जाता है कि वैध दस्तावेज (CTO) प्रस्तुत नहीं किये जाने के कारण अगले आदेश तक फैक्ट्री संचालन बंद रखेंगे।

12/06/25
अंचल अधिकारी

बोड़ाम।

012/06/25

1234



Office of the Circle Officer, Bodam.

Letter No.-28/

Date-12-06-2025

transmitted

Manager

STP Limited

Subject :- Regarding illegal operation of factory in the Eco Sensitive Zone of Mauja-Mirzadih.

Under the above subject, it is to be informed that by letter no. 273 dated 05.06.2025 of this office, you were asked for all the valid documents (CTO) related to factory operation, but you did not submit the (CTO) documents related to factory operation. By letter no. 1502 dated 10.06.2025 of the Sub-Divisional Officer Dhalbhum Jamshedpur, you have been directed to stop the illegal factory operation in the Eco Sensitive Zone of Mauja Mirzadih with immediate effect.

Hence you are once again instructed to keep the factory operations closed till further orders due to non-submission of valid documents(CTO).

Sd/-

12/06/25

Circle officer



As
15
Certified to be the correct English translation
of a report in Hindi.

J. Ganguli
17.7.25

Interpreting Officer,
High Court, Original Side
Calcutta

Annexure "E"**980**

Item No.09

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**Original Application No.145/2023/EZ
(Earlier O.A. No.567/2023/PB)
(I.A. No.62/2025/EZ)

Tribunal on its Own Motion

Applicant(s)

Versus

State of Jharkhand

Respondent(s)

Date of hearing: 18.07.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**For Applicant(s) : *Suo Motu*For Respondent(s): Ms. Aishwarya Rajyashree, Adv. for State (in Virtual Mode),
Mr. Dipanjan Ghosh, Adv. for R-5,
Mr. Surendra Kumar, Adv. for R-6,
Mr. Apurba Ghosh, Adv. for R-7 (in Virtual Mode),
Mr. Samrat Sen, Sr. Adv. a/w
Ms. Manali Ali, Adv.,
Ms. Tiasha Gupta, Adv. and
Mr. Aditya Sarkar, Adv. for R-8 & Applicant in
IA-62-2024-EZ,
Mr. Sourav Jain, Adv. for R-9**ORDER**

1. On 28.04.2025, the Respondent No.9 was granted four weeks time to file counter affidavit but no counter affidavit has been filed till date. Mr. Sourav Jain, learned Counsel appearing (in Virtual Mode) on behalf of the Respondent No.9, SRG Iron & Steel Pvt. Ltd. prays that further one week's time may be granted for filing counter affidavit. Time as prayed is granted. Let the counter affidavit be filed by the Respondent No.9 within one week.
2. Mr. Jain states that he has not received certain documents and affidavits on record. All the documents and affidavits are available



on the portal of the National Green Tribunal. He can download the same from the portal of the National Green Tribunal.

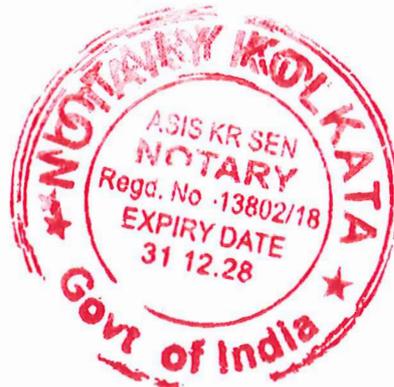
I.A. No.62/2025/EZ

3. The I.A. No.62/2024/EZ in Original Application No.145/023/EZ has been filed in the course of the proceedings.
4. This I.A. will be taken up along with the Original Application.
5. Mr. Samrat Sen, learned Senior Counsel for the Respondent No.8 and the Applicant of the I.A. states that separate affidavit on behalf of the Respondent No.8 is not required since the allegations against him has already been settled by this Tribunal while deciding Appeal No.14/2024/EZ *STP Limited Versus Ministry of Environment, Forests and Climate Change & Ors.* vide judgment and order dated 28.04.2025
6. **List on 28.07.2025.**

.....
B. Amit Sthalekar, JM

.....
Dr. Arun Kumar Verma, EM

July 18, 2025,
Original Application No.145/2023/EZ
(Earlier O.A. No.567/2023/PB)
(I.A. No.62/2025/EZ)
SKB



VAKALATNAMA
BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA

I.A. No. of 2025/EZ
ORIGINAL APPLICATION NO. 145/2023/EZ
(EARLIER O.A. NO. 567/2023/PB)

In the matter of:

TRIBUNAL ON ITS OWN MOTION

.... Applicant

-Versus-

STATE OF JHARKHAND & OTHERS

... Respondents

Vakalatnama on behalf of **STP LIMITED**, the Applicant/Respondent No.8 herein

KNOW ALL MEN by these presents that by this Vakalatnama I/We appoint the Advocates noted below or any one of them as my/our lawful Advocates or Advocate for filing the Memorandum of Petition for entering appearance in the above matter for appearing and conducting and arguing the same for deposit or withdrawing any money in connection therewith, for moving the Court in any manner connecting therewith, for preparing the paper book in the case, for putting in papers, petitions, affidavits and documents on my/our behalf for filing or taking back any documents, for withdrawing suits proceedings or appeals or petitions, for signing and filing petitions of compromise in connection with the said matter and for taking copies of papers from the record and to do all acts whatsoever that may be necessary and I/We further say that anything done by my our said Advocate or Advocates or by any one of them after accepting this Vakalatnama shall be considered as my/our own true and lawful act and I/We hereby agree to ratify and confirm the same. Be it be further known that I/We shall pay in full to the said Advocates their usual or settled fees and charges and in default of such payment they will not be bound to do any of the above acts at any stage in the matter. To the above effect I/We execute this Vakalatnama.

NAME OF ADVOCATES

SHOUNAK MITRA, Advocate
ZULFIQAR ALI ALQUADERI, Advocate
ADITYA SARKAR, Advocate
TIASHA GUPTA, Advocate
C/o. **KHAITAN & CO LLP**
Advocates, Notaries, Patent &
Trademark Attorneys
Emerald House
1B, Old Post Office Street
Kolkata 700001

M: 93303 03434/98301 99312/83358 67899/83360 67070

For STP Limited
Amit Kumar Sharm
Authorized Signatory

Received the duly executed copy of the Vakalatnama from the executant who is known to me and I am satisfied about execution of Vakalatnama and accepted by me.

Zuniga M. M. B. S.

Advocate

WB/2134/2009

F/1500/1596/2009

F/1330/1192/2021

F/1317/1396/2024

*Received and
accepted by
me*

*Jisha Gupta
Advocate*

Aditya Sarkar, Advocate

19
S.L NO... ..

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH AT KOLKATA

I.A. No. of 2025/EZ

ORIGINAL APPLICATION NO. **145**/2023/EZ

(EARLIER O.A. NO. **567**/2023/PB)

In the matter of:

TRIBUNAL ON ITS OWN MOTION

... Applicant

-Versus-

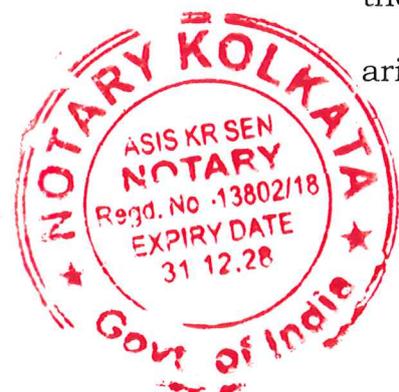
STATE OF JHARKHAND & OTHERS

... Respondents

AFFIDAVIT OF COMPETENCY

I, Amit Kumar Shaw, son of Prakash Chandra Shaw, aged about 45 years, by faith Hindu, by occupation service and working for gain at 129, Park Street, Kolkata - 700017, West Bengal, India, do hereby solemnly affirm and state as follows:-

1. That I am the Authorised Signatory of the Applicant/Respondent No.8 company herein. I am well acquainted with the facts and circumstances of the instant case and as such I am competent to affirm this affidavit.
2. By the Board Resolutions dated 24 January 2024, I have been duly authorised by the Appellant company to make, sign and affirm as the case may be all papers and documents relating to and/or arising from the aforesaid matter for and on behalf of the Appellant



For S T F Limited
Amit Kumar Shaw
Authorised Signatory

company abovenamed. By virtue of the aforesaid, I am competent and duly authorized to make sign and affirm this Affidavit, Vakalatnama, etc. for and on behalf of the Appellant company abovenamed. Hence, I am signing the instant Affidavit and the accompanying Appeal and other documents and papers in connection with the aforesaid matter. The copy of the aforesaid Board Resolutions dated 24 January 2024 are annexed hereto and collectively marked as Annexure "A" respectively.

3. The statements contained in the foregoing paragraph Nos. 1 to 2 of this Affidavit are true to my knowledge.

Identified by me

Ashitja Sarkar

Advocate

F/1330/1192/2021

Amit Kumar Shaw

Deponent is known to me

Before Me,

Notary



Solemnly affirmed and declared
Before me on Identification

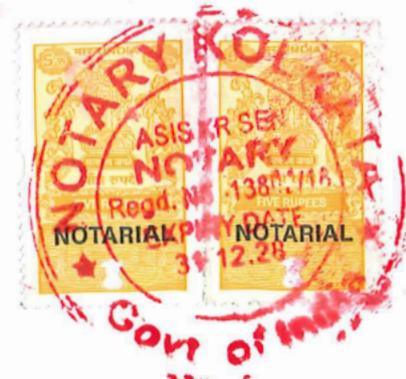
ASIS *2001. Sen*

ASIS KUMAR SEN

City Civil Court
Kolkata

Reg. No. 13802/18 Govt. of India

25 JUL 2025



Annexure "A"**STP Limited**

707, Chiranjiv Tower
 43 Nehru Place, New Delhi - 110 019 (India)
 Tel: +91 11 4656 1359
 Email: info@stp Ltd.com
 Website: www.stpltd.com
 CIN: U23109WB1935PLC008423

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED IN THE MEETING OF COMMITTEE OF THE BOARD OF DIRECTORS OF STP LIMITED HELD ON 24TH DAY OF JANUARY 2024 AT 11.00 Am AT CORPORATE OFFICE AT 707, CHIRANJEEV TOWER, NEHRU PLACE, NEW DELHI 110019

The Committee was informed that the Company needs to authorize a person for instituting legal suits under various laws in India and it is recommended to appoint Mr Amit Kumar Shaw, Deputy Manager of the Company, who is currently stationed in one of the offices at Kolkata. After discussion it was:

"RESOLVED THAT Mr. Amit Kumar Shaw, Deputy Manager, of the Company be and is hereby authorized to deal with legal matters and to institute legal proceedings against any person/ persons/ bodies Corporate and to defend Company against any legal proceedings instituted/ to be instituted by any person/ persons/ bodies Corporate etc. and to represent, appear on behalf of the Company before Courts/ Tribunals/ Regulatory Bodies / Government.

RESOLVED FURTHER THAT Mr. Amit Kumar Shaw, Deputy Manager, of the Company be and is hereby authorised to make, sign, execute, file Plaints, Company Petitions, Applications, Vakalatnama, Statements, Declarations, Affidavits and other documents as may be required in connection with legal proceedings for and or against Company for the above-mentioned litigation and to engage any Counsel, Solicitor, Advocate on Company's behalf.

RESOLVED FURTHER THAT Mr. Amit Kumar Shaw, Deputy Manager, of the Company be and is hereby authorised to file complaint U/s.138 of N.I. Act to swear affidavit in evidence, to depose in the matter and to produce evidence and even to file appeal and to appoint advocate to defend the interest of the Company.

RESOLVED FURTHER THAT Mr. J.P. Kukreja, Chief Financial Officer and Company Secretary and / or any Director of the Company be and are hereby severally authorized to furnish a certified true copy of the Resolution on behalf of the Company."

**Certified to be True Copy
 For STP Limited,**


**Jai Prakash Kukreja
 (CFO and Company Secretary)**



Registered Office: Berger House, 129, Park Street, Kolkata - 700 017 India