

**BEFORE THE NATIONAL GREEN TRIBUNAL**

EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL

FINANCE CENTRE, 3<sup>RD</sup> FLOOR, NEW TOWN

(Under Section 18 (1) read with Sections 14 and 15 of the National Green

Tribunal Act, 2010)

Original Application No. 07 of ~~2025~~ 2026

In the Matter of:

Gaurav Singh

..... **Applicant**

VERSUS

Fairmine Carbons Pvt. Ltd. and Ors.

..... **Respondents**

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Original Application No. \_\_\_\_\_ of 2025

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SYNOPSIS

The present Original Application is being filed under Sections 14, 15, and 18 of the National Green Tribunal Act, 2010, by the Applicant, Shri Gaurav Singh, a resident of Palamau District, Jharkhand. The application raises grave concerns regarding continuing environmental violations in and around the Sadabah River in the Rajhara region. These violations include illegal mining operations, unregulated industrial discharge, and unauthorized brick kiln activities, all of which have caused significant

ecological degradation and threaten the right to clean water, sustainable environment, and public health.

**Fairmine Carbons Pvt. Ltd.**, a private company operating in Rajhara North Coal Block, has been discharging untreated mine water into the Sadabah River and carrying out mining activities adjacent to the river in clear violation of the Environmental Clearance (EC) dated 04.11.2022 granted by SEIAA, Jharkhand. The EC conditions, including a mandatory 15-meter safety barrier before river diversion, have not been complied with. Simultaneously, Central Coalfields Limited (CCL) is also releasing untreated mine water into Sadabah and Labji rivers, in violation of a 2011 internal resolution and applicable environmental laws.

Additionally, illegal brick kilns have been established in the riverbed of Sadabah without obtaining mandatory environmental clearance or consent to operate. These units violate the directions of this Hon'ble Tribunal passed in OA No. 110/2015/EZ, which mandated closure of such units and imposition of compensation under the polluter pays principle.

Despite repeated complaints and submission of evidence by the Applicant, no action has been taken by the authorities. Hence, the Applicant is constrained to seek relief from this Hon'ble Tribunal to protect the local environment, enforce the law, and uphold constitutional and statutory rights.

**BEFORE THE NATIONAL GREEN TRIBUNAL**

EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL

FINANCE CENTRE, 3<sup>RD</sup> FLOOR, NEW TOWN

(Under Section 18 (1) read with Sections 14 and 15 of the National Green  
Tribunal Act, 2010)

Original Application No. \_\_\_\_\_ of 2025

In the Matter of:

Gaurav Singh

..... **Applicant**

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Fairmine Carbons Pvt. Ltd. and Ors.

..... **Respondent**

## List of Dates

30.07.2011	Central Coalfields Limited (CCL) Board passed a resolution in its 19th FD meeting mandating treatment of mine water before discharge and proposing CSR-based water reuse. <i>(Annexure-H)</i>
15.02.2017	National Green Tribunal, Eastern Zone Bench, delivered judgment in OA No. 110/2015/EZ

	(Joydeep Mukherjee v. State of Jharkhand), directing closure of illegal brick kilns and imposing environmental compensation. <i>(Annexure-J)</i>
04.11.2022	Environmental Clearance granted to Fairmine Carbons Pvt. Ltd. for Rajhara North Coal Block by SEIAA, Jharkhand, with strict conditions regarding Sadabah River. <i>(Annexure-B)</i>
21.03.2025	First complaint submitted by Applicant to MoEF&CC, Ranchi, against violations of EC by Fairmine Carbons Pvt. Ltd. <i>(Annexure-A)</i>
11.04.2025	Second representation submitted by Applicant reiterating non-compliance by Fairmine and enclosing evidence. <i>(Annexure-C)</i>
14.05.2025	RTI response received from MoEF&CC, Ranchi confirming no action taken on prior complaints. <i>(Annexure-D)</i>
02.06.2025	i) Final legal notice issued to MoEF&CC warning of filing before NGT if no remedial action is taken.  (ii) Separate complaint against CCL filed for releasing untreated mine water into Sadabah and Labji Rivers. <i>(Annexures E &amp; G)</i>

	(iii) Letter from Villagers of Pandwa to MoEF&CC regarding EC violations by Fairmine Carbon Pvt. Ltd. ( <i>Annexure-F</i> )
09.06.2025	Complaint submitted to Deputy Commissioner, Palamau against illegal brick kilns operating in Sadabah Riverbed without EC or consents. <i>(Annexure-I)</i>
09.07.2025	SEIAA letter to DC and JSPCB regarding the air and water pollution caused by Fairmine Carbons Pvt. Ltd. during its operations.
25.08.2025	Letter to SEIAA highlighting the violations of conditions of Environmental Clearance by Fairmine Carbons Pvt Ltd. ( <i>Annexure-L</i> )

**BEFORE THE NATIONAL GREEN TRIBUNAL**

EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL

FINANCE CENTRE, 3<sup>RD</sup> FLOOR, NEW TOWN

**MEMORANDUM OF APPLICATION**

(Under Section 18 (1) read with Sections 14 and 15 of the National Green  
Tribunal Act, 2010)

Original Application No. \_\_\_\_\_ of 2025

IN THE MATTER OF:

**Gaurav Singh**

S/o Late Shripati Singh,

R/o Belwatika, Memorial Hall Road,

Daltonganj, Palamau – 822101, Jharkhand,

Contact: 8340109063, Email: gauravsingh11091990@gmail.com

...Applicant

VERSUS

**1. Fairmine Carbons Pvt. Ltd.**

Through its Managing Director,

Rajhara North (Central & Eastern) Coal Block,

Village – Pandwa, Colliery More, District – Palamau, Jharkhand –

822124, Email: fairminecarbons@gmail.com;

Contact No.: 06513511076, +919771497300

**2. Central Coalfields Limited (CCL)**

Through the Chairman-cum-Managing Director,  
Darbhanga House, Ranchi – 834001, Jharkhand.

Email: cosecttcl@gmail.com; Contact No.: 0651-2316707

**3. Ministry of Environment, Forest and Climate Change  
(MoEF&CC)**

Through its Secretary,  
Indira Paryavaran Bhawan, Jor Bagh, New Delhi -110003.

Email: secy-moef@nic.in; Contact No.: 011-20819209, 011-  
20819239

**4. State Level Environment Impact Assessment Authority  
(SEIAA), Jharkhand**

Through its Member Secretary,  
Dhurwa Nursery Complex, Near Dhurwa Bus Stand, Dhurwa,  
Ranchi – 834004; Email: info@jseiaa.org; Contact No.: 0651-  
2243487

**5. Jharkhand State Pollution Control Board (JSPCB)**

Through its Chairman,  
Vandraw Rd, CTI Colony, Sector 4, Birsa Nagar, Ranchi,  
Jharkhand 834004; Email: info@jspcb.org; Contact No.: 0651-  
2400894, 2400851, 2400852, 2400902, 2400979, 2400138.

**6. The District Collector/Deputy Commissioner**

District Collectorate Building, Block-A, Medininagar (Daltonganj),  
Palamu, Jharkhand, 822101, Email: dc-pal@nic.in, Contact  
No.: +91-6562-224033

**7. Superintendent of Police**

District Collectorate Building, Block-C, Medininagar (Daltonganj),  
Palamau District, Jharkhand – 822101, Email: sp-  
pal@jhpolicе.gov.in, Contact No. +91-6562-224023

**...Respondents**

ORIGINAL APPLICATION UNDER SECTION 14, and 15 AND 18 OF THE  
NATIONAL GREEN TRIBUNAL ACT, 2010 ALONG WITH RULE 14 OF  
THE NGT (PRACTICE AND PROCEDURE) RULES, 2011

**MOST RESPECTFULLY SHOWETH:**

1. That the present application is being filed by the applicant, a socially active individual and environmentally conscious citizen, who resides in Daltonganj, Palamau, Jharkhand. He seeks redressal of serious and continuing violations of environmental laws in the Rajhara region by both public and private entities, resulting in degradation of Sadabah River and surrounding ecosystems.

2. That Fairmine Carbons Pvt. Ltd., having been granted environmental clearance dated 04.11.2022 for coal mining in Rajhara North (Central & Eastern) Coal Block by the SEIAA, Jharkhand, commenced operations violating essential clearance conditions, particularly related to Sadabah River Diversion and Water & Air quality monitoring and preservation.

Photocopy of the complaint dated 21.03.2025 sent to MoEF & CC, Ranchi regarding violation of EC conditions by Fairmine Carbons Pvt. Ltd. at Rajhara North Coal Block and the Environment Clearance dated 04.11.2022 granted to Fairmine Carbons Pvt. Ltd. by SEIAA, Jharkhand provided in **Annexure-A & Annexure-B** respectively.

3. That the said environment clearance mandates that a 15-meter safety barrier be maintained on both sides of the Sadabah River and prohibits mining activity in that buffer zone until river diversion is approved by a competent authority. Despite this, mining has been

carried out adjacent to and in the river and untreated wastewater is being directly discharged into it.

Photocopy of the follow-up representation dated 11.04.2025 regarding continued mining activities and discharge of untreated water into Sadabah River by Fairmine Carbons Pvt. Ltd. provided in **Annexure-C**.

4. That the Applicant had also filed an RTI seeking action taken status, which confirmed that no action had been taken by authorities as of 14.05.2025.

Photocopy of RTI reply dated 14.05.2025 from MoEF&CC Ranchi confirming no action taken as of that date provided in **Annexure-D**.

5. That given the urgency and gravity, the Applicant issued a final notice dated 02.06.2025 to authorities warning of recourse to legal action if compliance is not ensured within 15 days.

Photocopy of Legal notice dated 02.06.2025 issued to MoEF&CC by the Applicant warning of

approaching NGT due to continued violations provided in **Annexure-E**.

6. That further, the villagers of Gram Pandwa, District Palamau, have submitted a representation letter dated 02.06.2025 to MoEF&CC, in which applicant was also given a copy of representation, highlighting gross violations of EC conditions by Respondent No. 1. They have specifically complained that the mandatory 15-meter safety barrier along Sadabah River has not been maintained and untreated mine water is being discharged directly into the river, making it unfit for agriculture and domestic use. They further state that dust pollution from mining and transportation is uncontrolled due to absence of sprinklers or suppression systems, while blasting near residential areas has damaged houses and endangered lives.

Photocopy of Letter dated 02.06.2025 from Villagers of Pandwa to MoEF&CC, applicant, and others regarding EC violations by Fairmine Carbon Pvt. Ltd. is herewith annexed as **Annexure-F**.

7. That further, Central Coalfields Limited (CCL) has been discharging untreated underground mine water from Rajhara Area into the Sadabah and Labji Rivers, despite a resolution of its Board dated

30.07.2011 directing proper treatment before any discharge. These rivers are primary sources for irrigation and drinking water.

Photocopy of Complaint dated 02.06.2025 against Central Coalfields Limited (CCL) for discharging untreated underground mine water into Sadabah and Labji rivers, in violation of environmental law and CCL Board's decision and Copy of the CCL Board Resolution dated 30.07.2011 directing treatment of mine water before discharge and supply under CSR is herewith annexed as **Annexure-G** and **Annexure-H**.

8. That these discharges are in violation of environmental laws and also threaten the water table and local ecology. No water treatment plant has been installed and no CSR-based water reuse schemes have been executed.
9. That in addition, illegal brick kilns ("Bangla Bhatha") have been established directly in the Sadabah riverbed, operating without any

Environmental Clearance or Consent to Operate from SEIAA or JSPCB.

Photocopy of Complaint dated 09.06.2025 to Deputy Commissioner, Palamau regarding illegal operation of brick kilns in the riverbed of Sadabah in Village Rajhara provide in **Annexure-I**.

10. That such operations were already held illegal by this Hon'ble Tribunal in Original Application No. 110/2015/EZ (Joydeep Mukherjee v. State of Jharkhand), where units running without valid clearance or consent were ordered to pay Rs. 1.5 lakhs as environmental compensation and be shut down.

Web copy of NGT Judgment dated 15.02.2017 in Original Application No. 110/2015/EZ (Joydeep Mukherjee v. State of Jharkhand) directing closure of illegal brick kilns and imposing compensation under Polluter Pays Principle provided in **Annexure-J**.

11. That despite multiple complaints (21.03.2025, 11.04.2025, 02.06.2025), authorities failed to act. Further, the SEIAA communication dated 09.07.2025 acknowledged receipt of complaints but no enforcement action followed. The applicant highlighted that the issue is still continuing despite the letter of SEIAA in letter dated 25.08.2025.

Copy letter dated 09.07.2025 from SEIAA to Deputy Commissioner and copy of letter dated 25.08.2025 by applicant to SEIAA highlighting violations of EC conditions are herewith annexed as **Annexure-K & L** respectively.

12. That it is further stated that the Applicant and affected villagers submitted a detailed representation dated 02.06.2025 highlighting gross violations of EC conditions, including failure to maintain the 15-meter safety barrier and non-compliance with air & water quality monitoring and preservation requirements (Annexure- E&F).

13. That photograph showing Mining adjacent to the river, Discharge of untreated waste water by both Fairmine and CCL and Active brick kilns in the riverbed.

Photographs showing: (i) untreated mine water discharge by Fairmine Carbons and CCL, and (ii) illegal brick kiln operations on Sadabah riverbed are herewith annexed as

**Annexure-M.**

14. That the Applicant further submits that the present environmental condition at the site has deteriorated drastically and is far worse than when the earlier representations were made before the authorities. The continuous discharge of untreated mine water, unchecked excavation adjacent and into the Sadabah River, and unabated functioning of illegal brick kilns have aggravated the degradation of the river ecosystem. The riverbed has deepened due to rampant illegal extraction, the trees have been uprooted without getting permission from District Forest Office and are buried with the OB dump. The natural vegetation is destroyed. The Applicant has recently visited the site and documented the current condition, which reveals an alarming level of pollution and blatant disregard of environmental safeguards by the Respondents.

Latest Photographs showing devastated present state of Sadabah River, ongoing illegal mining

activities, destruction of trees, active brick kilns within the riverbed, and discharge of untreated water are herewith annexed as **Annexure-N**.

15. That the present Original Application is well within the period of limitation prescribed under Section 14(3) of the National Green Tribunal Act, 2010. The cause of action in the present case is of a continuous and recurring nature, as the Respondent No. 1 and Respondent No. 2 are continuously discharging untreated mine water into the Sadabah and Labji Rivers, mining is being carried out in violation of EC conditions adjacent and into the river, and illegal brick kilns continue to operate in the riverbed. These violations persist till date, and each day of continuing pollution gives rise to a fresh cause of action. Therefore, the Application is clearly maintainable and filed within limitation.

16. That the present Original Application is being filed bona fide, in public interest, and with the sole objective of protecting the environment and preventing further ecological degradation in and around the Sadabah River. The Applicant affirms that all mandatory requirements under the National Green Tribunal Act, 2010 and the NGT (Practice and Procedure) Rules, 2011 have been duly complied with. The Application is supported by relevant documents,

representations, complaints, photographs, and statutory records obtained through RTI.

17. That the Applicant further submits that no other petition or proceeding seeking similar relief is pending before any Court, Tribunal, or Authority, and that the reliefs sought herein are necessary for enforcing environmental safeguards and securing the right to a clean and healthy environment under Article 21 of the Constitution of India.

#### GROUNDS

1. BECAUSE the Environment Clearance (EC) conditions granted to Fairmine Carbons Pvt. Ltd. dated 04.11.2022 have been blatantly violated- The EC expressly mandates that a 15-meter safety barrier on both sides of the Sadabah River shall be maintained and that no mining activity shall be carried out within the said buffer zone until prior permission for river diversion is obtained from the competent authority. However, the project proponent has proceeded with mining directly adjacent to and in the river without fulfilling this fundamental condition, thereby rendering the EC ineffective and defeating the regulatory purpose of environmental protection. This is a gross violation of the EC itself, the Environment (Protection) Act, 1986, and the public trust doctrine. (Annexures A-C)

2. BECAUSE discharge of untreated mine water by Fairmine Carbons Pvt. Ltd. and Central Coalfields Limited (CCL) constitutes a serious offence under environmental law- For over six months, both Fairmine and CCL have continuously discharged untreated effluents into Sadabah and Labji rivers. These actions not only pollute the water but also affect its usability for agriculture and domestic consumption, posing a serious threat to the local ecology and health. Such discharge without treatment violates the conditions of Consent to Operate (CTO) and the Water (Prevention and Control of Pollution) Act, 1974, and directly contradicts the mandate under Sections 24 and 25 of the said Act. (Annexures G & H)
3. BECAUSE no action has been taken by the regulatory authorities despite repeated complaints and confirmed acknowledgment of violations -The Applicant approached the concerned authorities multiple times (on 21.03.2025, 11.04.2025, 02.06.2025 and 25.08.2025), attaching photographic and video evidence of the violations. In response to an RTI filed by the Applicant, the Regional Office of MoEF&CC at Ranchi admitted on 14.05.2025 that no action had been taken. Such administrative silence reflects dereliction of statutory duty by SEIAA, JSPCB, and MoEF&CC, and stands contrary to their obligations under the Environment (Protection) Act, 1986 and the NGT Act, 2010. (Annexure D)

4. BECAUSE illegal brick kilns are operating in the Sadabah riverbed in direct violation of orders passed by this Hon'ble Tribunal- Several brick kilns are operating without obtaining Consent to Establish, Consent to Operate, or Environmental Clearance, and are located within the riverbed of Sadabah, which is environmentally sensitive. This Hon'ble Tribunal, in O.A. No. 110/2015/EZ, held that such illegal units, especially those without any consent at all, are liable to be shut down and ordered to pay environmental compensation of Rs. 1.5 lakhs each under the 'Polluter Pays' Principle. The Respondents have failed to act in compliance with this binding judgment. (Annexures I & J)
5. BECAUSE these ongoing violations are causing irreversible ecological damage and infringing on the right to life and clean environment of the local population - The untreated water discharged into the Sadabah River has reportedly rendered the river unusable for irrigation and is impacting groundwater recharge. The presence of illegal industrial activity in the riverbed without environmental safeguards threatens aquatic life, biodiversity, and agro-based livelihoods of nearby villagers. This violates the constitutional guarantee under Article 21 (Right to Life) as interpreted by the Hon'ble Supreme Court in multiple decisions, including Subhash Kumar v. State of Bihar (1991) 1 SCC 598.

6. BECAUSE failure to impose environmental compensation and regulatory penalties undermines the deterrence mechanism under the NGT Act and environmental jurisprudence –

The actions of Fairmine Carbons, CCL, and the brick kiln operators attract penalty under Section 15 of the NGT Act, 2010, read with the principle of strict and absolute liability, evolved through precedents such as Vellore Citizens' Welfare Forum v. Union of India (1996) 5 SCC 647 and Indian Council for Enviro-Legal Action v. Union of India (1996) 3 SCC 212. The failure to enforce such principles in the present case will set a dangerous precedent and embolden further violations.

7. BECAUSE despite direct acknowledgment by SEIAA on 09.07.2025 (Annexure-K) and detailed representation dated 02.06.2025 by villagers and the Applicant (Annexure-E and F), no enforcement action has been taken. This continued administrative inaction demonstrates dereliction of statutory duty.

8. BECAUSE continued inaction by authorities has left the Applicant with no alternative but to approach this Hon'ble Tribunal- Despite repeated follow-ups, production of photo and video evidence, and specific citation of applicable legal provisions and NGT rulings, no preventive or remedial action has been taken by the State or Central authorities. This lack of administrative will has compelled the Applicant to invoke the jurisdiction of this Hon'ble Tribunal under Sections 14

and 15 read with Section 18 of the NGT Act, 2010, for redressal of grievances and protection of environmental rights.

#### PRAYER

It is therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be please to

1. Direct Respondent No. 1 (Fairmine Carbons Pvt. Ltd.) to immediately cease operations until full compliance with EC conditions, including maintaining 15m safety barrier and to stop discharge of untreated water in Sadabah river;
2. Direct Respondent No. 2 (CCL) to stop all discharge of untreated water and install proper treatment systems and follow the resolution;
3. Direct Respondent no. 5 and 6 to comply with directions issued by SEIAA in their letter dated 09.07.2025;
4. Direct Respondents 6 and 7 (District Administration and Police) to immediately seal and dismantle illegal brick kilns operating in the riverbed of Sadabah, in accordance with NGT judgment in OA 110/2015/EZ;
5. Impose environmental compensation on Fairmine Carbons Pvt. Ltd., CCL, and brick kiln owners in terms of Section 15 of the NGT Act and based on the 'Polluter Pays Principle';
6. Direct MoEF and SEIAA to furnish a comprehensive action taken report detailing violations, consents granted, inspection reports and proposed remedial measures;

And/ or Pass any further order(s) this Hon'ble Tribunal may deem fit and proper in the interest of justice and environment.

**VERIFICATION**

I, **Gaurav Singh**, S/o Late Shripati Singh, aged about 34 years, resident of Belwatika, Memorial Hall Road, P.O. & P.S. Daltonganj, District Palamau, Jharkhand – 822101, do hereby verify that the contents of the accompanying Original Application, including the Synopsis, List of Dates, Paragraphs of the Application, and the Annexures, <sup>Jeet</sup> are true and correct to my personal knowledge and based on information received from authentic records, which I believe to be true.

Nothing material has been concealed therefrom.

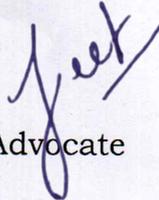
Verified at Daltonganj on this 24th day of November, 2025.

Gaurav Singh

**Deponent**

(Gaurav Singh)

**Identified by:**

  
Advocate

Mr. Jeet, Adv

(Signature)

Book No. 66 SL No. 29242  
Date 24/11/2025  
226339



**AFFIDAVIT**

I, Gaurav Singh, S/o Late Shripati Singh, aged about 34 years, resident of Belwatika, Memorial Hall Road, P.O. & P.S. Daltonganj, District Palamau - 822101, Jharkhand, do hereby solemnly affirm and state as follows:

1. That I am the Applicant in the accompanying Original Application, and being fully acquainted with the facts and circumstances of the case, I am competent to swear this affidavit.
2. That the contents of the Original Application, Synopsis, List of Dates, Grounds, and the accompanying Annexures have been prepared under my instructions, and the same have been read over and explained to me in a language known to me. I state that the facts stated therein are true and correct to my personal knowledge, information, and belief.
3. That the environmental violations complained of in the Application are continuing and recurring in nature, including (i) continuous discharge of untreated mine water by Fairmine Carbons Pvt. Ltd. and Central Coalfields Limited into Sadabah and Labji rivers, (ii) ongoing illegal mining adjacent and into the riverbed in violation of EC conditions, and (iii) continuous operation of illegal brick kilns in the riverbed causing direct environmental degradation.
4. That the authorities concerned have failed to take corrective or preventive action despite multiple written complaints, RTI replies, and representations, thereby allowing the violations to persist unabated.
5. That the present Original Application is being filed bona fide and in the interest of justice, public health, and environmental protection.

I further state that nothing material has been concealed from this Hon'ble Tribunal.

I, the above-named deponent, do hereby verify that the contents of paragraphs 1 to 5 of this affidavit are true and correct to my personal knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

Verified at Daltonganj on this 24th day of November, 2025.



24/11/2025  
S. K. Sharan  
Notary Palamau

Gaurav Singh  
**DEPONENT**  
(Gaurav Singh)

Handwritten signature and date: 24/11/2025

**VAKALATNAMA**  
**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,**  
**EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL**  
**FINANCE CENTRE, 3<sup>RD</sup> FLOOR, NEW TOWN**

KNOW ALL to whom these present shall come that I, Gaurav Singh, Applicant, do hereby appoint Advocate Mr. Jeet herein after called Advocate to be my Advocate in the above noted case and authorize him:

To act appear and plead in the above noted case in this Court or in any other Court in which the same be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each court by me.

To sign file, verify and present pleadings, appeals, cross-objections or petitions for executions, review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of said case in all its stages subject to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents of opposite party To withdraw, or compromise the said case or submit to arbitration any-differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other act and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

And I the undersigned do hereby agree not to hold the Advocate responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.

And I the undersigned do hereby agree that in the event of the whole or any part to the fee agreed by me to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the said is paid up. The fee settled is only for the above case and above Court. I hereby agree that once the fee is paid, I will not be entitled for the refund of the same in any case whatsoever.

**IN WITNESS WHERE OF** I do hereunto set my hand to these presents the contents of which have been understood by me this 24<sup>th</sup> day of November 2025.

*Jeet*

*Gaurav Singh*

JH1306/2024

ACCEPTED

ADVOCATE

CLIENT

Date - 21.03.2025

To,

**Ministry of Environment, Forest and Climate Change,  
Government of India,  
2nd Floor HQ,  
Jharkhand State Housing Board,  
Harmu Chowk, Harmu Housing Colony,  
Ranchi - 834002**

**Subject** – Compliance of conditions of Sadabah River Diversion mentioned in EC granted to Fairmine Carbons Pvt Ltd.

**Sir,**

With due respect I have to state as follows:-

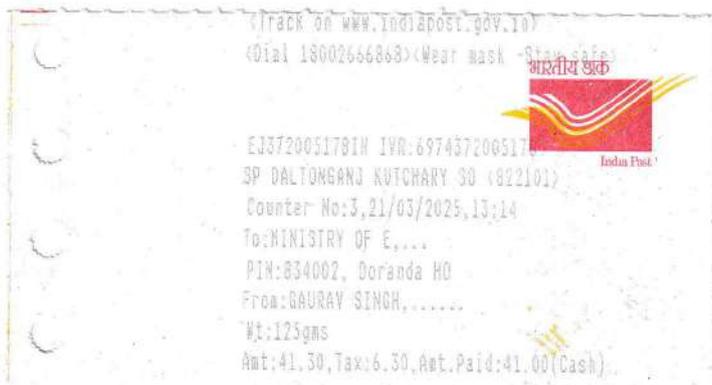
1. That the Fairmine Carbons Pvt Ltd was allotted mining lease of coal in Rajhara North (Central and Eastern) Coal Block Open Caste Project.
2. That pursuant to the award of the mining lease, the lease was executed in favour of Fairmine Carbon Pvt Ltd and further, vide letter dated 04.11.2022 Environment Clearance was granted by State Level Environment Impact Assessment Authority, Jharkhand.
3. That while granting Environment Clearance, the SEIAA has considered the existence of Sadabah River and at page 9 & 10 of the EC granted to Fairmine Carbons Pvt Ltd it is held that the river will be diverted by the end of 3rd year of mining and the project proponent will ensure that a safety barrier of 15 meter on both side of river will be maintained and no mining activity carried out in the safety barrier, further after getting the permission for diversion of said river from the competent

*Gawra Singh*  
*21.03.2025*

- authority, the copy of permission for diversion shall be submitted to SEIAA, Jharkhand along with six monthly compliance report.
4. That it is stated that recently, Fairmine Carbons Pvt Ltd has commenced mining operation violating the conditions of Sadabah River Diversion mentioned in the EC granted to it by SEIAA, Jharkhand and is doing mining activity just adjacent to Sadabah River despite the protest made by the villagers.
  5. That Further since last 1 month during coal mining all the untreated water waste is being dumped into the Sadabah River by Fairmine Carbons Pvt Ltd polluting the river which is against the provisions of CTO & EC both.

It is, therefore, your good self is requested to take cognizance of matter and issue necessary/appropriate direction to the Fairmine Carbons Pvt Ltd for compliance of the conditions of the Environment Clearance dated 04.11.2022. and I further request you to take appropriate actions immediately against the Fairmine Carbons Pvt Ltd for violation of provisions of CTO & EC by dumping untreated water waste into the Sadabah river.

For this Act of Kindness, I shall remain grateful to you.



Yours Faithfully

*Gaurav Singh*

(Gaurav Singh)

Belwatika, Memorial Hall Road  
Daltonganj, Palamau-822101

Enclosure - Environment Clearance dated 04.11.2022 & Pen drive containing Video of mining activity & Untreated water waste being dumped into Sadabah River is being enclosed herewith.

ENVIRONMENTAL  
CLEARANCE

**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(Issued by the State Environment Impact Assessment**  
**Authority(SEIAA), JHARKHAND)**

To,

The Director  
 FAIRMINE CARBONS PVT. LTD.  
 Flat No. - 401, 4th Floor, Crosswindz 41, Court Road -834001

**Subject:** Grant of Environmental Clearance (EC) to the proposed Project Activity under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/JH/CMIN/400471/2022 dated 11 Oct 2022. The particulars of the environmental clearance granted to the project are as below.

1. <b>EC Identification No.</b>	<b>EC22B000JH195568</b>
2. <b>File No.</b>	EC/SEIAA/2022-23/2573/2022
3. <b>Project Type</b>	New
4. <b>Category</b>	B
5. <b>Project/Activity including Schedule No.</b>	N/A
6. <b>Name of Project</b>	RAJHARA NORTH (CENTRAL & EASTERN) COAL BLOCK OPENCAST PROJECT
7. <b>Name of Company/Organization</b>	FAIRMINE CARBONS PVT. LTD.
8. <b>Location of Project</b>	JHARKHAND
9. <b>TOR Date</b>	N/A

The project details along with terms and conditions are appended herewith from page no 2 onwards.

Date: 04/11/2022

(e-signed)  
 Ashok Kumar, IFS  
 Member Secretary  
 SEIAA - (JHARKHAND)

*Note: A valid environmental clearance shall be one that has EC identification number & E-Sign generated from PARIVESH. Please quote identification number in all future correspondence.*

*This is a computer generated cover page.*

PARIVESH

*(Pro-Active and Responsive Facilitation by Interactive,  
 and Virtuous Environmental Single-Window Hub)*





सत्यमेव जयते

## State Level Environment Impact Assessment Authority, Jharkhand

Nursery Complex, Near Dhurwa Bus Stand, P.O+P.S-Dhurwa, Ranchi, Jharkhand-834004

E-mail: [msseiaa.jhk@gmail.com](mailto:msseiaa.jhk@gmail.com)/[chr-seiaajhr@gov.in](mailto:chr-seiaajhr@gov.in)

website: [www.jseiaa.org](http://www.jseiaa.org)

Letter No : EC/SEIAA/2022-23/2573/2022/

Ranchi. Date :

To: M/s Fairmine Carbons Pvt. Ltd.,  
Sri Rajeev Kumar Singh (Director),  
401, 4<sup>th</sup> Floor, 'Crosswindz',  
41, Court Road, Distt. – Ranchi,  
State – Jharkhand, Pin Code - 834001.

Sub: It is in reference to the project “Rajhara North (Central & Eastern) Coal Mine Opencast Project of M/s Fairmine Carbons Pvt. Ltd. at Mouza : Rajhara & Pandwa, Thana : Nawa Bazar & Pandwa, Thana no. : 132 & 198, Dist. : Palamu, Jharkhand (116.80 Ha)”, (Proposal No. SIA/JH/CMIN/400471/2022) - regarding.

Ref: Your application no.- FRL/RNC/22-23/070, dated – 18.09.2022.

Sir,

It is in reference to the project “Rajhara North (Central & Eastern) Coal Mine Opencast Project of M/s Fairmine Carbons Pvt. Ltd. at Mouza : Rajhara & Pandwa, Thana : Nawa Bazar & Pandwa, Thana no. : 132 & 198, Dist. : Palamu, Jharkhand (116.80 Ha)” submitted by you for seeking prior Environmental Clearances (EC).

This is a new project which has been taken for appraisal on 18.09.2022.

**Project Category :** The State Expert Appraisal Committee, Jharkhand deliberated the project during its 94<sup>th</sup> meeting held on 10-14.05.2022 and SEIAA, Jharkhand has approved the **Amendment of ToR** in 95<sup>th</sup> meeting held on 14<sup>th</sup>, 15<sup>th</sup> & 16<sup>th</sup> June, 2022. TOR for the project was issued by SEIAA, Jharkhand vide letter no. 148, date 18.06.2022. The final EIA / EMP submitted by PAs to SEIAA on 18.09.2022 and received by SEAC on 18.09.2022.

**EC Application for: Coal : 0.75 MTPA**

### PROJECT and LOCATION Details:

Sl	Parameter	Details
1	Project Name	: Rajhara North (Central & Eastern) Coal Block Opencast Project
2	Lessee:	: M/s Fairmine Carbons Pvt. Ltd.
3	Lease Address	: Mouza- Pandwa&Rajhara Block- Pandwa& Kawabata PS- Padwa, Dist.: Palamu, Jharkhand

ref

18/9/22

18/9/22

		Zilla Parisad: PO & P.S – Pandwa District: Palamau, Jharkhand	
4	Lease Area	:	116.80 Ha Acres: 288.62
5	Type of Land	:	GM & Raiyati
6	Project Cost	:	126 crores
7	New or Expansion	:	Amendment
8	Mineable Reserves	:	15.609 MT
9	Mine Life	:	22 years
10	Man power	:	208
11	Water Requirement	:	Total <b>234 KLD</b> for various purposes. Water required for - <ul style="list-style-type: none"> <li>• Manpower <b>10 KLD</b></li> <li>• Plantation <b>80 KLD</b></li> <li>• Dust suppression in Mines and for approach road <b>120 KLD</b></li> <li>• Other Uses <b>4 KLD</b></li> <li>• Quarters for staff <b>10 KLD</b></li> <li>• Misc. <b>10 KLD</b></li> </ul>
12	Water Source	:	Dug wells / Bore wells
13	DG Set / power	:	DG sets (2 x 500KW)
14	Crusher	:	300 TPH
15	Nearest Water Body	:	Sadabah River
16	Nearest Habitation	:	Pandwa and Rajhara
17	Nearest Rail Station	:	Kajri (4 km)
18	Nearest Air Port	:	Ranchi(175 Km)
19	Nearest Forest	:	None
20	Road & Highways	:	NH-75

**CO-ORDINATES**

1	Latitude	From N24°09'41"	To N24°10'04"
2	Longitude	From E84°02'59"	To E84°04'13"

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**Background of the project:**

1. Pursuant to e-auction conducted by Ministry of Coal, M/s Fairmine Carbons Pvt. Ltd. became the successful bidder and subsequently block was vested vide Vesting Order no. NA-104/11/2020-NA dt.03.03.2021.
2. Allottees got Mining Plan approved with capacity of 0.75 MTPA by Ministry of Coal vide- MoC letter no. 13016/52/2008-ca-j (part) dt 16/12/2011.
3. Earlier SEIAA issued a TOR for project this AMP area of 117.80 vide its Letter No. : EC/SEIAA/2021-22/2378/2021/107, dated 14/08/2021.
4. The project area was reduced to 116.80 ha against 117.80 ha in revision of Mine Plan (August 2011) as : -
  - a. 6.95 ha area (on east of the allotted block), which was previously included for infrastructure facilities was excluded during boundary certification from CMPDI.
  - b. Also Ministry of Coal instructed that the area left between Geological Boundary and Proposed Mining Lease Boundary should be the part of proposed Mining Lease and it cannot be left, therefore Project Boundary has been extended upto the Geological Boundary and 5.95 ha area was added to the Project boundary.
5. Revised Mine Plan Approved by the Ministry of Coal in a meeting dated : 13/04/2022.
6. Subsequently SEIAA issued a ToR (Amendment) vide its Letter No. EC/SEIAA/2022-23/2573/2022/148, dated 18/06/2022.
7. A meander of Sadabah River will be diverted before end of 3<sup>rd</sup> year of mining. PP has approached Water Resource Department, Govt. of Jharkhand & WRD (GOJ) recommended the proposal for preparation of DPR & model testing vide Letter No. : 3/PMC/Work/465/2021-31/Ranchi dated : 19/01/2022. DPR & model testing report has been prepared and vetted by IIT, Roorkee & the same was submitted to WRD vide Letter No. : FCPL/RNC/2021-22/061 dated 18/08/2022.
8. NH-75 will be diverted before end of 17<sup>th</sup> year of mining. Nominated authority MOC has requested Secretary MoRTH to re-alignment of NH – 75 vide DO Letter : NA-104/11/2020-NA dated : 02/07/2021.

**LAND DETAILS**

**Mauja: Rajhara, Thana & Thana No.: Nawa Bazar(132), Anchal: Nawa Bazar, District: Palamu (Daltonganj) Area 13.43 Ha.**

**Khata No.:-**

92.136.222.237.320.328

**Plot No.:-**

1677(P), 1607, 1609, 1610, 1612, 1613, 1611, 1642(P), 1606, 1608, 1600(P), 1678, 1683(P), 1625(P), 1597(P), 1604, 1618(P), 1614(P), 1643, 1603(P), 1605(P), 1679(P)

**Mauja: Pandwa, Thana & Thana No.: Pandwa(198), Anchal: Pandwa, District: Palamu (Daltonganj) Area 103.37 Ha.**

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**Khata No. :-**

3,4,6,7,10,14,15,17,19,21,25,27,28,29,34,36,44,47,53,54,57,59,60,64,68,74,75,80,81,87,88,92,93,97,102,107,108,109,110,112,117,123,127,129,130,131,132,136,140,144,146,148,149,151,152,156,157,158,161,164,168,172,177,182,184,187,188,192,201,206,211,214,216,219,220,222,224,226,227,235,236,240,242,243,244,247,251,253,256,261,263,264,266,267,268,270,272,273,274,275,277,278,280,281,285,286,288,290,291,293,295,296,297,298,299,300,301,304,305,306,307,308,309,311,312,313,314,318,319,320,322,323,326

**Plot No. :-**

48(P), 571(P), 572, 573(P), 578(P), 579(P), 657(P), 658(P), 659, 660, 661, 662, 663, 664(P), 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680(P), 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697(P), 698(P), 700(P), 706(P), 707(P), 742(P), 743(P), 744(P), 745(P), 746(P), 747(P), 751(P), 758(P), 759(P), 760(P), 767(P), 768, 769, 770(P), 778(P), 779, 780(P), 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791(P), 801(P), 802(P), 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837(P), 838, 839(P), 842(P), 843(P), 943(P), 944, 945, 946(P), 947(P), 953(P), 954(P), 955(P), 956(P), 957(P), 958, 959(P), 960(P), 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031(P), 1032(P), 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067(P), 1068(P), 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079(P), 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099(P), 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109(P), 1110, 1111(P), 1112(P), 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157(P), 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172(P), 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180(P), 1181, 1182(P), 1183(P), 1185(P), 1192(P), 1193(P), 1194, 1195(P), 1212(P), 1214(P), 1215, 1216, 1217, 1218(P), 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226(P), 1241(P), 1242(P), 1243, 1244, 1245, 1246, 1247, 1248(P), 1250, 1251, 1252, 1253, 1254, 1255(P), 1256(P), 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279(P), 1280(P),

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1283(P), 1284(P), 1285(P), 1368(P), 1470(P), 1471(P), 1472(P), 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487(P), 1488, 1492(P), 1898, 1900(P)

### Working Details

1	Mining Method	:	Semi-Mechanized Opencast Mining Method		
2	Quarry Area	:	89.28 ha	Life of Mine –22 YEarS	
3	Waste Generation	:	34.1 Cu.M	Life of Mine – 22 Years	
4	Stripping Ratio	:	2:1		
5	Working Days	:	300 Days		
6	Benches: size & No	:	Average height of working benches 10m Average width of working benches 10m to 15m		
7	Elevation of Mine	:	192.10 m to 212 m		
8	Ground Level Elevation	:	192.10 m to 212 m		
9	Ultimate Working Depth	:	86 AMSL		
10	Water Table	:	PRE-MONSOON 14.12 M BELOW BGL POST MONSOON 10.07 M BGL.		
11	Topography of Mine	:	Almost flat having a gentle southerly slope.		
12	Explosive Requirement	:	350 ton/year		
13	Diesel/Fuel requirement	:	1252 KL/year (4.17 KL/day)		

### Production Details

Year		Coal Production Schedule			OB MM3	SR
Year of Operation	Calendar Year	UG	OC	Total		
1	2025-26	0	0.3	0.3000	0.62	2.0667
2	2026-27	0	0.75	0.7500	1.44	1.9200
3	2027-28	0	0.75	0.7500	1.20	1.6000
4	2028-29	0	0.75	0.7500	1.20	1.6000
5	2029-30	0	0.75	0.7500	1.40	1.8667
6	2030-31	0	0.75	0.7500	1.71	2.2800
7	2031-32	0	0.75	0.7500	1.69	2.2533
8	2032-33	0	0.75	0.7500	1.69	2.2533

9	2033-34	0	0.75	0.7500	1.69	2.2533
10	2034-35	0	0.75	0.7500	1.69	2.2533
11	2035-36	0	0.75	0.7500	1.50	2.0000
12	2036-37	0	0.75	0.7500	1.50	2.0000
13	2037-38	0	0.75	0.7500	1.50	2.0000
14	2038-39	0	0.75	0.7500	1.50	2.0000
15	2039-40	0	0.75	0.7500	1.50	2.0000
16	2040-41	0	0.75	0.7500	1.50	2.0000
17	2041-42	0	0.75	0.7500	1.50	2.0000
18	2042-43	0	0.75	0.7500	1.50	2.0000
19	2043-44	0	0.75	0.7500	1.50	2.0000
20	2044-45	0	0.75	0.7500	1.50	2.0000
21	2045-46	0	0.75	0.7500	1.50	2.0000
22	2046-47	0	0.3090	0.3090	0.57	1.8447

Note: Calendar Plan/Production Plan for the entire life of the mine.

### Proposed Land use

Type	Land use (Proposed)	Land Use (End of Life)	Land Use (Post Closure)						
			Agricultural land	Plantation	Water Body	Public / Company Use	Forest Land (Returned)	Undisturbed	Total
Excavation Area	89.28								
Backfilled Area		73.51	73.51						73.5100
Excavated Void		15.77			15.77				15.7700
Without Plantation									
Top Soil Dump									
External Dump									

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Safety Zone	5.95	5.95						5.95	5.9500
Haul Road between quarries									
Road diversion	0.92	0.920				0.920			0.9200
Diversion Or Below River Or Nala Or Canal	4.69	4.690			4.690				4.6900
Settling Pond	0.50	0.500	0.500						0.5000
Road And Infrastructure Area	2.71	2.710	2.710						2.7100
Rationalization Area									
Garland Drains									
Embankment	0.84	0.840				0.840			0.8400
Greenbelt	11.91	11.910		11.910					11.9100
TOTAL	116.80	116.80							116.80

## ENVIRONMENT MANAGEMENT

### Green Belt Development

SL	LOCATION		Area/Length	No of Trees
1	Safety Zone	:	5.95	
2	Other Reclaimed Area	:	11.91	

### Solid Waste Management

- Waste Generation will be 34.1 Cu.M. during the life of Mine. The Waste generated shall be backfilled.

### Water Quality Management

- Ground Water will be intersected and in this respect we are under process for NOC from CGWA

### Undertaking submitted affirming:

- Ground water will be used only for domestic purpose and not be used for any mining activities or any other use.

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- b. The District survey Report has been prepared by a competent authority. Project Authorities will abide by any directives issued by any court of law in future.
  - c. If any changes are noticed in future regarding the contiguous / cluster area report issued by the mines department, then the applicable laws / rules will be binding on the Project Authorities and all necessary steps will be taken in this regard
  - d. The Boundary Pillars of the proposed mine lease area will be maintained properly.
  - e. One day post monsoon baseline data related to environment monitoring will be submitted with the first compliance report.
  - f. The plantation work will be completed within the first year of operation. Thereafter the same will be maintained up to the Conceptual stage of the Mine.
  - g. Sufficient water spray using water tankers will be done for effective dust suppression within the mine lease area and on haul roads.
  - h. All the mining machineries / equipment and transport vehicles should be maintained in good condition and annually tested for fitness and PUC and records to be maintained.
- **For Nawa Bazar** : Deputy Director, Palamu Tiger Project, North Division, Medinagar vide letter no. 339, dated 08.04.2022 certified that the National Park & Sanctuary is not within 10 km from project site and proposed project is not situated in any ESZ.
  - **For Pandwa** : Deputy Director, Palamu Tiger Project, North Division, Medinagar vide letter no. 338, dated 08.04.2022 certified that the National Park & Sanctuary is not within 10 km from project site and proposed project is not situated in any ESZ.
  - **For Nawa Bazar**: DFO, Palamu Division vide letter no. 1860, dated 22.06.2021 certified that the distance of reserved / protected forest is 250 m from proposed project site.
  - **For Pandwa** : DFO, Palamu Division vide letter no. 1861, dated 22.06.2021 certified that the distance of reserved / protected forest is 250 m from proposed project site.
  - The **CO, Pandwa** vide memo no. 242, dated 07.07.2021 & The **CO, Nawa Bazar** vide letter no. 58, dated 02.03.2021 has mentioned all plot & khata no. of the project is not recorded as "Jangle Jhari" in R.S Khatiyani & Register II
  - The Member Secretary, JSPCB has forwarded the proceeding of Public Hearing vide Ref. no. PC/PH/RNC/01/2022/B-1933, dated 16.09.2022.

### Sadabah River Diversion

*A meander of Sadabah River will be diverted before end of 3<sup>rd</sup> year of mining. PP has approached Water Resource Department, Govt. of Jharkhand & WRD (GOJ) recommended the proposal for preparation of DPR & model testing vide Letter No. : 3/PMC/Work/465/2021-31/Ranchi dated : 19/01/2022. DPR & model testing report has been prepared and vetted by IIT, Roorkee & the same was submitted to WRD vide Letter No. : FCPL/RNC/2021-22/061 dated 18/08/2022. Sadabah River occupies 5.95 Ha. of land within lease area.*

Project Proponent will ensure that a safety barrier of 15 m on both side of the river will be maintained and no mining activity will be carried out in the safety barrier. After getting the

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permission for diversion of said river from the competent authority, the copy of the permission for diversion shall be submitted to SEIAA/SEAC, Jharkhand alongwith the 06 monthly compliance report.

**NH-75 Diversion**

*NH-75 will be diverted before end of 17<sup>th</sup> year of mining. Nominated authority MOC has requested Secretary MoRTH to re-alignment of NH – 75 vide DO Letter : NA-104/11/2020-NA dated : 02/07/2021.0.92 Ha. + 5.85 Ha. (Safety Barrier) i.e. 6.77 Ha. Area involved in this diversion of NH – 75.*

Project Proponent will ensure that a safety barrier of 45 m on both side of NH 75 will be maintained and no mining activity will be carried out in the safety barrier. After getting the permission for diversion of NH 75 from the competent authority, the copy of the permission for diversion shall be submitted to SEIAA/SEAC, Jharkhand alongwith the 06 monthly compliance report.

**Land**

Private Land- Private Land will be acquired after obtaining prior permission under CNT 1908 and will be registered.

Government Land (GM)- Application for transfer of GM land is applied vide FCPL/DTO/20-21/011 (GM AAM), FCPL/DTO/20-21/012 (GM KHAS) for Nawa Bazar Block & FCPL/DTO/20-21/022 (GM AAM), FCPL/DTO/20-21/023 (GM KHAS) for Pandwa Block, process of transfer of land is initiated by GOJ.

The proposal was appraised by State Level Expert Appraisal Committee (SEAC) and recommended for grant of Environmental Clearance in 97<sup>th</sup> meeting held on 14<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup>, and 18<sup>th</sup> September, 2022.

State Level Environment Impact Assessment Authority (SEIAA), Jharkhand in its 98<sup>th</sup> meeting held on 17<sup>th</sup> & 18<sup>th</sup> October, 2022 discussed the project proposal along with recommendations made by SEAC and decided to grant EC to the project.

On the basis of recommendation of SEAC and decision of SEIAA to grant of EC, Environmental Clearance is hereby issued to the **“Rajhara North (Central & Eastern) Coal Mine Opencast Project of M/s Fairmine Carbons Pvt. Ltd. at Mouza : Rajhara & Pandwa, Thana : Nawa Bazar & Pandwa, Thana no. : 132 & 198, Dist. : Palamu, Jharkhand (116.80 Ha”** alongwith the following specific conditions as recommended by SEAC:-

**I. Specific Conditions:**

- i. This Environmental Clearance is valid subject to the following condition below –  
That this project has-
  - a. Obtained all legal rights to operate at concerned place.
  - b. Complied with all existing concerned laws of the land and
  - c. Complied with the decisions of SEIAA on the issue of Environmental Clearance till date.

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- ii. Vegetal cover should be developed on the top soil dump within mining lease area to keep the top soil fertile for further use.
- iii. CER budget should be implemented as per the guideline of Ministry of Environment, Forest & Climate Change, Govt. of India.
- iv. No mining/activity shall be undertaken in the forest land or deemed forest without obtaining requisite prior forestry clearance.
- v. This Environmental Clearance is granted subject to final outcome of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT, MoEF & CC and any other Court of Law, if any, as may be applicable to this project.
- vi. Environmental clearance is subject to obtaining prior clearance from forestry and Wildlife angle including clearance from standing committee of NBWL, as may be applicable to this project (in case any fauna occurs / is found in the Project area or if the area involves forest land or Wildlife habitat i.e. core zone of elephant/tiger reserve etc. and or located with in 10 km. of protected area).
- vii. The project proponent may apply simultaneously for forest and NBWL clearance, in order to complete the formalities without undue delay, which till process on their respective merits, no rights will vest in or accrue to them unless all clearance are obtained.

## II. Statutory compliance:

- i. The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
- ii. The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
- iii. The project proponent shall prepare a Site-Specific Conservation Plan & Wildlife Management Plan and approved by the Chief Wildlife Warden. The recommendations of the approved Site-Specific Conservation Plan / Wildlife Management Plan shall be implemented in consultation with the State Forest Department. The implementation report shall be furnished along with the six-monthly compliance report. (incase of the presence of schedule-I species in the study area).
- iv. In the writ petition (Civil) no. 202/1995, T.N. Godaverman Thirumulpad vs union of India and ors. the Hon'ble Supreme Court passed an order dated 03.06.2022 " National Park or Wildlife Sanctuary must have an ESZ of minimum 01 km in which the activities prescribed and prescribed in the guidelines of 09th February, 2011 shall be strictly adhered to".
- v. The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State pollution Control Board/ Committee.

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- vi. The project proponent shall obtain the necessary permission from the Central Ground Water Authority, in case of drawl of ground water / from the competent authority concerned in case of drawl of surface water required for the project.
- vii. Solid waste/hazardous waste generated in the mines needs to be addressed in accordance to the Solid Waste Management Rules, 2016 / Hazardous & Other Waste Management Rules, 2016 as amended from time to time.
- viii. It shall be mandatory for the project management to submit six (06) monthly compliance report in respect of the stipulated prior environmental clearance terms and conditions in hard copies and soft copies to the regulatory authority concerned Regional Office of MoEF & CC at Ranchi and Jharkhand State Pollution Control Board (J.S.P.C.B.), Ranchi/SEIAA/CPCB.
- ix. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- x. The SEIAA, Jharkhand or any other competent Authority may alter modify the above conditions or stipulate any further condition in the interest of Environment Protection.

### III. Air quality monitoring and preservation:

- i. Continuous ambient air quality monitoring stations as prescribed in the statute be established in the core zone as well as in the buffer zone for monitoring of pollutants, namely PM10, PM2.5, SO2 and NOx. Location of the stations shall be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets in consultation with the State Pollution Control Board. Online ambient air quality monitoring stations may also be installed in addition to the regular monitoring stations as per the requirement and/or in consultation with the SPCB. Monitoring of heavy metals such as Hg, As, Ni, Cd, Cr, etc to be carried out at least once in six months.
- ii. The Ambient Air Quality monitoring in the core zone shall be carried out to ensure the Coal Industry Standards notified vide GSR 742 (E) dated 25.9.2000 and as amended from time to time by the Central Pollution Control Board. Data on ambient air quality and heavy metals such as Hg, As, Ni, Cd, Cr and other monitoring data shall be regularly reported to the Ministry/Regional Office and to the CPCB/SPCB.
- iii. Transportation of coal, to the extent permitted by road, shall be carried out by covered trucks/conveyors. Effective control measures such as regular water / mist sprinkling / rain gun etc shall be carried out in critical areas prone to air pollution (with higher values of PM10/PM2.5) such as haul road, loading/unloading and transfer points. Fugitive dust emissions from all sources shall be controlled regularly. It shall be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central/State Pollution Control Board.

- iv. The transportation of coal shall be carried out as per the provisions and route envisaged in the approved Mining Plan or environment monitoring plan. Transportation of the coal through the existing road passing through any village shall be avoided. In case, it is proposed to construct a 'bypass' road, it should be so constructed so that the impact of sound, dust and accidents could be appropriately mitigated.
- v. Vehicular emissions shall be kept under control and regularly monitored. All the vehicles engaged in mining and allied activities shall operate only after obtaining 'PUC' certificate from the authorized pollution testing centres.
- vi. Coal stock pile/crusher/feeder and breaker material transfer points shall invariably be provided with dust suppression system. Belt-conveyors shall be fully covered to avoid air borne dust. Side cladding all along the conveyor gantry should be made to avoid air borne dust. Drills shall be wet operated or fitted with dust extractors.
- vii. Coal handling plant shall be operated with effective control measures w.r.t. various environmental parameters. Environmental friendly sustainable technology should be implemented for mitigating such parameters.

#### IV. Water quality monitoring and preservation:

- i. The effluent discharge (mine waste water, workshop effluent) shall be monitored in terms of the parameters notified under the Water Act, 1974 Coal Industry Standards vide GSR 742 (E) dated 25.9.2000 and as amended from time to time by the Central Pollution Control Board.
- ii. The monitoring data shall be uploaded on the company's website and displayed at the project site at a suitable location. The circular No. J-20012/1/2006-1A.II (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change shall also be referred in this regard for its compliance.
- iii. Regular monitoring of ground water level and quality shall be carried out in and around the mine lease area by establishing a network of existing wells and constructing new piezometers during the mining operations. The monitoring of ground water levels shall be carried out four times a year i.e. pre-monsoon, monsoon, post-monsoon and winter. The ground water quality shall be monitored once a year, and the data thus collected shall be sent regularly to MOEFCC/RO.
- iv. Monitoring of water quality upstream and downstream of water bodies shall be carried out once in six months and record of monitoring data shall be maintained and submitted to the Ministry of Environment, Forest and Climate Change / Regional Office.
- v. Ground water, excluding mine water, shall not be used for mining operations. Rainwater harvesting shall be implemented for conservation and augmentation of ground water resources.
- vi. Catch and or garland drains and siltation ponds in adequate numbers and appropriate size shall be constructed around the mine working, coal heaps & OB dumps to prevent run off of water and flow of sediments directly into the river and





water bodies. Further, dump material shall be properly consolidated/ compacted and accumulation of water over dumps shall be avoided by providing adequate channels for flow of silt into the drains. The drains/ ponds so constructed shall be regularly de-silted particularly before onset of monsoon and maintained properly. Sump capacity should provide adequate retention period to allow proper settling of silt material. The water so collected in the sump shall be utilised for dust suppression and green belt development and other industrial use. Dimension of the retaining wall constructed, if any, at the toe of the OB dumps within the mine to check run-off and siltation should be based on the rainfall data. The plantation of native species to be made between toe of the dump and adjacent field/habitation/water bodies.

- vii. Adequate groundwater recharge measures shall be taken up for augmentation of ground water. The project authorities shall meet water requirement of nearby village(s) after due treatment conforming to the specific requirement (standards).
- viii. Industrial waste water generated from CHP, workshop and other waste water, shall be properly collected and treated so as to conform to the standards prescribed under the standards prescribed under Water Act 1974 and Environment (Protection) Act, 1986 and the Rules made there under, and as amended from time to time. Adequate ETP / STP needs to be provided.
- ix. The water pumped out from the mine, after siltation, shall be utilized for industrial purpose *viz.* watering the mine area, roads, green belt development *etc.* The drains shall be regularly desilted particularly after monsoon and maintained properly.
- x. The surface drainage plan including surface water conservation plan for the area of influence affected by the said mining operations, considering the presence of river/rivulet/pond/lake *etc.* shall be prepared and implemented by the project proponent. The surface drainage plan and/or any diversion of natural water courses shall be as per the approved Mining Plan/EIA/EMP report and with due approval of the concerned State/Gol Authority. The construction of embankment to prevent any danger against inrush of surface water into the mine should be as per the approved Mining Plan and as per the permission of DGMS or any other authority as prescribed by the law.
- xi. The project proponent shall take all precautionary measures to ensure reverian/ riparian ecosystem in and around the coal mine upto a distance of 5 km. A reverian /riparian ecosystem conservation and management plan should be prepared and implemented in consultation with the irrigation / water resource department in the state government.

#### V. Noise and Vibration monitoring and prevention

- i. Adequate measures shall be taken for control of noise levels as per Noise Pollution Rules, 2016 in the work environment. Workers engaged in blasting and drilling operations, operation of HEMM, *etc.* shall be provided with personal protective equipments (PPE) like ear plugs / muffs in conformity with the prescribed norms and guidelines in this regard. Adequate awareness programme for users to be conducted. Progress in usage of such accessories to be monitored.

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- ii. Controlled blasting techniques shall be practiced in order to mitigate ground vibrations, fly rocks, noise and air blast etc., as per the guidelines prescribed by the DGMS.
- iii. The noise level survey shall be carried out as per the prescribed guidelines to assess noise exposure of the workmen at vulnerable points in the mine premises, and report in this regard shall be submitted to the Ministry/RO on six-monthly basis.

#### VI. Mining Plan:

- i. Mining shall be carried out under strict adherence to provisions of the Mines Act 1952 and subordinate legislations made there-under as applicable.
- ii. Mining shall be carried out as per the approved mining plan(including Mine Closure Plan) abiding by mining laws related to coal mining and the relevant circulars issued by Directorate General Mines Safety (DGMS).
- iii. No mining shall be carried out in forest land without obtaining Forestry Clearance as per Forest (Conservation) Act, 1980
- iv. Efforts should be made to reduce energy and fuel consumption by conservation, efficiency improvements and use of renewable energy.

#### VII. Land Reclamation:

- i. Digital Survey of entire lease hold area/core zone using Satellite Remote Sensing survey shall be carried out at least once in three years for monitoring land use pattern and report in 1:50,000 scale or as notified by Ministry of Environment, Forest and Climate Change (MOEF&CC) from time to time shall be submitted to MOEFCC/Regional Office (RO).
- ii. The final mine void depth should preferably be as per the approved Mine Closure Plan, and in case it exceeds 40 m, adequate engineering interventions shall be provided for sustenance of aquatic life therein. The remaining area shall be backfilled and covered with thick and alive top soil. Post-mining land be rendered usable for agricultural /forestry purposes and shall be diverted. Further action will be treated as specified in the guidelines for Preparation of Mine Closure Plan issued by the Ministry of Coal dated 27<sup>th</sup> August, 2009 and subsequent amendments.
- iii. The entire excavated area, backfilling, external OB dumping (including top soil) and afforestation plan shall be in conformity with the "during mining" / "post mining" land-use pattern, which is an integral part of the approved Mining Plan and the EIA/EMP submitted to this Ministry. Progressive compliance status vis-a-vis the post mining land use pattern shall be submitted to the MOEFCC/RO.
- iv. Fly ash shall be used for external dump of overburden, backfilling or stowing of mine as per provisions contained in clause (i) and (ii) of subparagraph (8) of fly ash notification issued vide SO 2804 (E) dated 3<sup>rd</sup> November, 2009 as amended from time to time. Efforts shall be made to utilize gypsum generated from Flue Gas Desulfurization (FGD), if any, along with fly ash for external dump of

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overburden, backfilling of mines. Compliance report shall be submitted to Regional Office of MoEF&CC, CPCB and SPCB.

- v. Further, it may be ensured that as per the time schedule specified in mine closure plan it should remain live till the point of utilization. The topsoil shall temporarily be stored at earmarked site(s) only and shall not be kept unutilized. The top soil shall be used for land reclamation and plantation purposes. Active OB dumps shall be stabilised with native grass species to prevent erosion and surface run off. The other overburden dumps shall be vegetated with native flora species. The excavated area shall be backfilled and afforested in line with the approved Mine Closure Plan. Monitoring and management of rehabilitated areas shall continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the Ministry of Environment, Forest and Climate Change/ Regional Office.
- vi. The project proponent shall make necessary alternative arrangements, if grazing land is involved in core zone, in consultation with the State government to provide alternate areas for livestock grazing, if any. In this context, the project proponent shall implement the directions of Hon'ble Supreme Court with regard to acquiring grazing land.

#### VIII. Green Belt:

- i. The project proponent shall take all precautionary measures during mining operation for conservation and protection of endangered/endemic flora/fauna, if any, spotted/reported in the study area. The Action plan in this regard, if any, shall be prepared and implemented in consultation with the State Forest and Wildlife Department.
- ii. Greenbelt consisting of 3-tier plantation of width not less than 7.5 m shall be developed all along the mine lease area as soon as possible. The green belt comprising a mix of native species (endemic species should be given priority) shall be developed all along the major approach/ coal transportation roads..

#### IX. Public hearing and Human health issues:

- i. Adequate illumination shall be ensured in all mine locations (as per DGMS standards) and monitored weekly. The report on the same shall be submitted to this ministry & its RO on six- monthly basis.
- ii. The project proponent shall undertake occupational health survey for initial and periodical medical examination of the personnel engaged in the project and maintain records accordingly as per the provisions of the Mines Rules, 1955 and DGMS circulars. Besides regular periodic health check-up, 20% of the personnel identified from workforce engaged in active mining operations shall be subjected to health check-up for occupational diseases and hearing impairment, if any, as amended time to time.

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- iii. Personnel (including outsourced employees) working in core zone shall wear protective respiratory devices and shall also be provided with adequate training and information on safety and health aspects.
- iv. Implementation of the action plan on the issues raised during the public hearing shall be ensured. The project proponent shall undertake all the tasks/measures as per the action plan submitted with budgetary provisions during the public hearing. Land oustees shall be compensated as per the norms laid down in the R&R policy of the company/State Government/Central Government, as applicable.
- v. The project proponent shall follow the mitigation measures provided in this Ministry'S OM No.Z-11013/5712014-IA.II (M) dated 29th October, 2014, titled 'Impact of mining activities on habitations-issues related to the mining projects wherein habitations and villages are the part of mine lease areas or habitations and villages are surrounded by the mine lease area.

**X. Corporate Environment Responsibility:**

- i. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1<sup>st</sup> May 2018, as applicable, regarding Corporate Environment Responsibility.
- ii. The company shall have a well laid down environmental policy duly approve by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental/forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.
- iii. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
- iv. Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry / Regional Office along with the Six Monthly Compliance Report.
- v. Self environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.
- vi. All the recommendations made in the Charter on Corporate Responsibility for Environment Protection (CREP) for the plants shall be implemented.
- vii. Occupational health surveillance of the workers shall be done on a regular basis and records maintained as per the Factories Act.







**XI. Miscellaneous:**

- i. The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
- ii. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- iii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
- iv. The project proponent shall monitor the criteria pollutants level namely: PM<sub>10</sub>, SO<sub>2</sub>, NO<sub>x</sub> (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects and display the same at a convenient location for disclosure to the public and put on the website of the company.
- v. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
- vi. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- vii. The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
- viii. The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
- ix. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
- x. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
- xi. Concealing factual data or submission of false / fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.



- xii. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xiii. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xiv. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
- xv. The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
- xvi. Any appeal against this Environmental Clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
- xvii. The Environmental Clearance accorded shall be valid for the period of lease of the mine, the PP does not increase production rate and alter lease area during the validity of Environmental Clearance.

Sd/-  
Member Secretary  
State Level Environment Impact  
Assessment Authority, Jharkhand.

Memo No : EC/SEIAA/2022-23/2573/2022/ 228

Ranchi, Date : 27/10/2022

Copy to:

1. Additional Chief Secretary, Department of Forests, Environment & Climate Change, Govt. of Jharkhand.
2. Deputy Commissioner, District- Palamu, Medininagar, Jharkhand.
3. Divisional Forest Officer, Medininagar Forest Division, Medininagar, Jharkhand.
4. Deputy Director, Palamu Tiger Project, North Division, Medininagar, Jharkhand.
5. Director IA Division, Monitoring Cell, MoEF and Climate Change, Indira Paryavaran Bhavan, Jorbag Road, Aliganj, New Delhi – 110003.
6. Ministry of Environment, Forest and Climate Change, 2<sup>nd</sup> Floor, Jharkhand State Housing Board (HQ), Harmu Chowk, Ranchi, Jharkhand – 834002.
7. Member Secretary, Jharkhand State Pollution Control Board, Ranchi.

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- 8. Secretary, Jharkhand State Expert Appraisal Committee, Ranchi.
- 9. Website.
- 10. Guard file.

*An*  
Member Secretary  
State Level Environment Impact  
Assessment Authority, Jharkhand.

*At*

*ES*

Signature Not Verified

Digitally signed by Shri Ashok  
Kumar, IFS

Member Secretary

Date: 11/4/2022 11:32:30 AM

Date - 11.04.2025

To,

**Ministry of Environment, Forest and Climate Change,  
Government of India,  
Indira Paryavaran Bhawan,  
166, Jor Bagh Road,  
Block - 17, Lodhi Colony,  
New Delhi - 110003.**

**Subject** - Compliance of conditions of Sadabah River Diversion mentioned in EC granted to Fairmine Carbons Pvt. Ltd.

**Sir,**

With due respect I have to state as follows :-

1. That the Fairmine Carbons Pvt. Ltd. was allotted mining lease of coal in Rajhara North (Central and Eastern) Coal Block Open Caste Project.
2. That pursuant to the award of the mining lease, the lease was executed in favour of Fairmine Carbon Pvt. Ltd. and further, vide letter dated 04.11.2022 Environment Clearance was granted by State Level Environment Impact Assessment Authority, Jharkhand.
3. That while granting Environment Clearance, the SEIAA has considered the existence of Sadabah River and at page 9 & 10 of the EC granted to Fairmine Carbons Pvt. Ltd. It is held that the river will be diverted by the end of 3<sup>rd</sup> year of mining and the project proponent will ensure that a safety barrier of 15 meter on both side of river will be maintained and no mining activity carried out in the safety barrier, further after getting the permission for diversion of said river from the competent authority, the copy of permission for diversion shall be submitted to SEIAA, Jharkhand along with six monthly compliance report.
4. That it is stated that recently, Fairmine Carbons Pvt. Ltd. has commenced mining operation violating the conditions of Sadabah River Diversion mentioned in the EC granted to it by SEIAA, Jharkhand and is doing mining activity just

Gawrav Singh  
11.04.2025

adjacent to Sadabah River despite the protest made by the villagers.

5. That further since last 2 months during coal mining all the untreated water waste is being dumped into the sadabah River by Fairmine Carbons Pvt. Ltd. polluting the river which is against the provisions of CTO & EC both and I have also written a letter to MoEF&CC, Ranchi regarding this issue but no action has been taken till date.

It is therefore, your good self is requested to take cognizance of matter and issue necessary/appropriate direction to the Fairmine Carbons Pvt. Ltd. for compliance of the conditions of the Environment Clearance dated 04.11.2022 and I further request you to take appropriate actions immediately against the Fairmine Carbons Pvt. Ltd. for violation of provisions of CTO & EC by dumping untreated water waste into the Sadabah river.

For this Act of Kindness, I shall remain grateful to you.

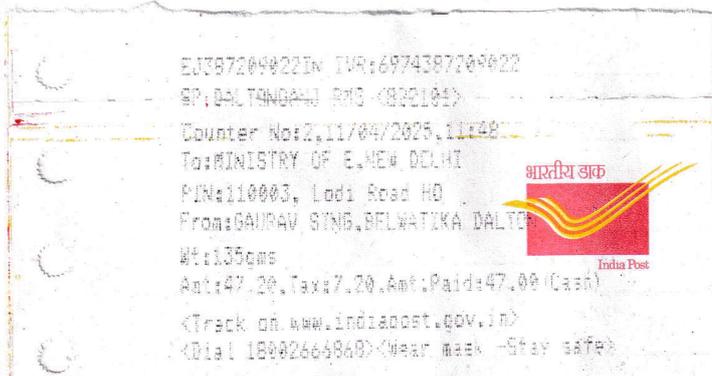
Yours Faithfully

*Gaurav Singh*

(Gaurav Singh)

Belwatika, Memorial Hall Road  
Daltonganj, Palamau-822101

Enclosure – Letter dated 21.03.2025, Environment Clearance dated 04.11.2022 and Pen drive containing video of mining activity & untreated water waste being dumped into Sadabah River is being enclosed herewith.





भारत सरकार / Government of India  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Ministry of Environment, Forest & Climate Change  
क्षेत्रीय कार्यालय/ Regional Office

पता: द्वितीय तल, झारखण्ड राज्य आवास बोर्ड मुख्यालय, हरमू चौक, राँची, झारखण्ड - 834002  
Add: 2<sup>nd</sup> Floor, Headquarter-Jharkhand State Housing Board, Harmu Chowk, Ranchi, Jharkhand - 834002  
Tel: 0651-2410002, 2410007; E-mail: ro.ranchi-mef@gov.in



File No.8-287/ROR-2025 /280  
सेवा में,

Date: 14.05.2025

श्री गौरव सिंह,  
बेलवाटिक, डाल्टनगंज,  
पलामू, झारखण्ड- 822101

**विषय: Offline RTI Application under RTI, Act 2005-regarding.**  
महोदय,

यह आरटीआई अधिनियम 2005 के तहत आपके आरटीआई आवेदन को संदर्भित करता है। इस कार्यालय में उपलब्ध अभिलेखों के अनुसार बिन्दुवार जानकारी नीचे दी गई है:-

S.No.	Point No. as Stated in the application	Remarks Of This Office
i	1	प्राप्त आवेदन के आलोक में अभी कोई कार्यवाही नहीं की गई है। कार्यवाही संबंधी सूचना श्रीमान् को यथावत प्रदान की जाएगी।

यदि आप उपर्युक्त प्रतिक्रिया से संतुष्ट नहीं हैं, तो कृपया श्री शशि शंकर, उप वन महानिरीक्षक और प्रथम अपीलीय प्राधिकरण, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय राँची, द्वितीय तल, झारखण्ड राज्य आवास बोर्ड मुख्यालय, हरमू चौक, राँची, झारखण्ड- 834002 के सामने अपील दायर कर सकते हैं।

यह आपके आरटीआई आवेदन का निपटारा करता है।

विश्वासभाजन

संदीप नन्दी  
14.05.25  
(संदीप नन्दी)

वैज्ञानिक 'बी' एवं केंद्रीय लोक सूचना अधिकारी

Date :- 02.06.2025

To,  
Ministry of Environment, Forest and Climate Change,  
Government of India,  
2<sup>nd</sup> Floor HQ,  
Jharkhand State Housing Board,  
Harmu Chowk, Harmu Housing Colony,  
Ranchi- 834002.

**Subject :- My earlier letter dated 21.03.2025 and the information supplied to me under RTI Act vide letter dated 14.05.2025 by Central Public Information Officer.**

Sir,

With regard to above stated subject it is stated that vide letter dated 21.03.2025 I have made complain with regard to the several violations of conditions of EC granted to Fairmine Carbons Pvt. Ltd. for not maintaining safety barrier of 15 meter as the company is doing mining just adjacent to Sadabah river and also discharging untreated mines water waste in Sadabah river. (Copy of letter dated 21.03.2025 enclosed).

1. That as I made the complaint as stated herein above I filed application under RTI Act seeking information with regard to the action taken by the competent

Gawroz Singh

authority for correction of irregularity committed by Fairmine Carbons Pvt. Ltd. in reply to the said letter it was informed that till date nothing have been done by the competent authority. (Copy of letter dated 14.05.2025 enclosed).

2. That it is stated as no action has been taken despite the fact that I have made complain the company has not been stopped from discharging untreated water in river Sadabah rather now they are discharging more water in the said river directly through pipe line from the mining pit for which I am annexing latest videography evidence. (Pen drive containing videography evidence enclosed).
3. That it is also relevant to state here that as the untreated water is being discharged in the aforesaid rivers that is causing great harm to the eco system as the toxic elements is mixing with the fresh water of the river which in turn is causing severe ecological imbalances and the same water can't be used by the villagers for irrigation and other purposes.

Under the aforesaid compelling circumstances I serve upon you this notice to take swift and necessary action against Fairmine Carbons Pvt. Ltd. Within 15 days for violating the conditions mentioned in Page 9 & 10 (Sadabah River Diversion) and Page 13 & 14 (Water quality monitoring and preservation) of environment

Gaurav Singh

clearance dated 04.11.2022. Please take notice in case you fail to do so I shall be painfully constrained to move before the Hon'ble National Green Tribunal by filing appropriate application/petition for redressal of the grievances as stated before.

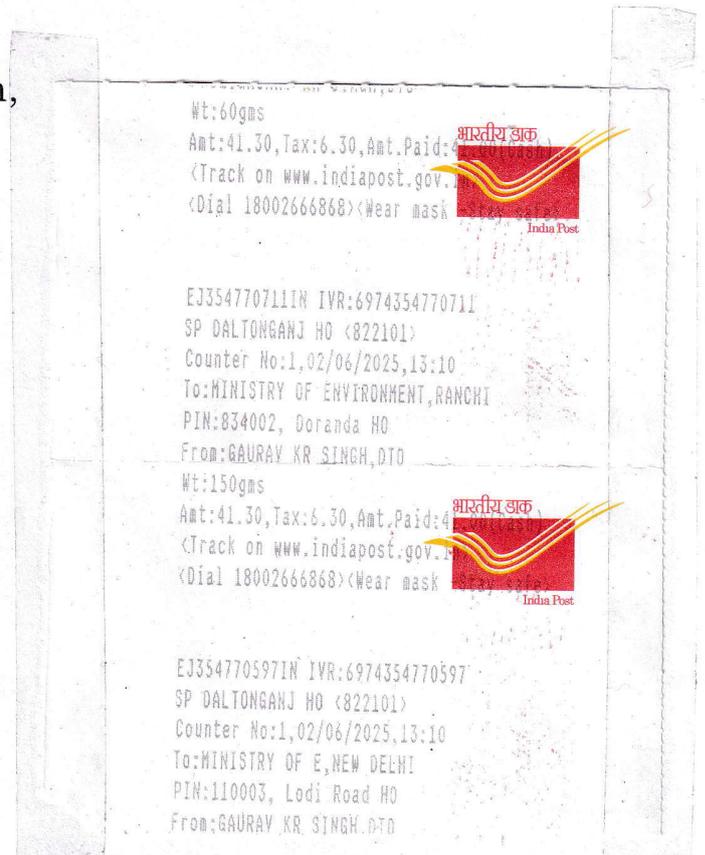
Yours sincerely

Gaurav Singh

Enclosure :- 23 Pages & Pen drive  
containing videography evidence.

Copy To -

1. Ministry of Environment, Forest and Climate Change,  
Government of India,  
Indira Paryavaran Bhwan,  
166, Jor Bagh Road,  
Block-17, Lodhi Colony,  
New Delhi - 110003.



सेवा में,

दिनांक-02.06.2025

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय,  
भारत सरकार, दूसरा तल्ला, मुख्यालय,  
झारखण्ड राज्य हाउसिंग बोर्ड,  
हरमू चौक, हरमू हाउसिंग कॉलोनी,  
राँची- 834002

विषय :- फेयरमाइन कार्बन्स प्रा० लि० के रजहारा नार्थ (सेन्ट्रल एवं इस्टर्न) कोयला ब्लॉक, थाना- पण्डवा, जिला- पलामू, स्थित कोयला खदान के संचालन के दौरान हो रहे वायु प्रदूषण एवं नदी प्रदूषण इत्यादि के शिकायत के संबंध में।

महाशय,

उपरोक्त विषय के संबंध में निम्न निवेदन है :-

1. यह कि हम सभी लोग ग्राम- पण्डवा, थाना- पण्डवा, जिला- पलामू के मूल निवासी हैं और हम सभी लोगों की भूमि फेयरमाइन कार्बन्स प्रा० लि० को आवंटित रजहारा नार्थ (सेन्ट्रल एवं इस्टर्न) कोयला ब्लॉक, थाना- पण्डवा, जिला- पलामू के खनन पट्टा क्षेत्र के अंतर्गत आती है।
2. यह कि फेयरमाइन कार्बन्स प्रा० लि० को रजहारा कोल ब्लॉक भारत सरकार के निधान आदेश के द्वारा आवंटित हो चुका है। जिसके पश्चात पिछले वर्ष कम्पनी को कोयला खनन के लिए खनन पट्टा की स्वीकृति दी गई है।
3. यह कि फेयरमाइन कार्बन्स प्रा० लि० को राज्य पर्यावरण प्रभाव आकलन प्राधिकरण (SIEAA) के पत्र दिनांक 04.11.2022 द्वारा पर्यावरण मंजूरी प्राप्त हुई थी। जिसमें खनन पट्टा क्षेत्र के अन्दर पड़ने वाली Sadabah River Diversion page (9 & 10), Air Quality Monitoring & Preservation एवं Water Quality Monitoring & Preservation page (14, 15 & 16) से संबंधित कई नियमों का पालन करने का निर्देश दिया गया था।
4. यह कि इस वर्ष फरवरी महिने से फेयरमाइन कार्बन्स प्रा० लि० ने अपना खनन कार्य चालू किया है। जिसके पश्चात कम्पनी ने पर्यावरण मंजूरी दिनांक 04.11.2022 के Sadabah River Diversion page (9 & 10), Air Quality Monitoring & Preservation एवं Water Quality Monitoring & Preservation page (14, 15 & 16) में दिए सभी निर्देशों का पूरी तरह से उलंघन किया है। इस मंजूरी में कम्पनी को साफ

*Suresh Dahi*

निर्देश दिया गया था कि सदाबह नदी के दोनों तरफ 15 मीटर का Safety Barrier बरकरार रखते हुए उस Safety Barrier के बाहर खनन कार्य करना था। परन्तु कम्पनी द्वारा नदी से सट कर बिना 15 मीटर का Safety Barrier रखे ही खनन कार्य किया जा रहा है। फेयरमाइन कार्बन्स प्रा0 लि0 द्वारा Air Quality Monitoring & Preservation एवं Water Quality Monitoring & Preservation के अंतर्गत दिए गए सभी निर्देशों की भी धज्जियाँ उड़ाई जा रही हैं। कम्पनी द्वारा खनन कार्य के दौरान हो रहे वायु प्रदूषण को रोकने के लिए कोई भी कदम नहीं उठाया जा रहा है, जबकि हम सभी ग्रामिणों ने कई बार कम्पनी के अधिकारियों (शशांक सिंह, प्रणव कुमार द्विवेदी, यशवंत कुमार, आशीश उपाध्याय) से अनुरोध किया कि Water/Mist Sprinkling/Rain Gun इत्यादि लगाया जाए ताकि हमें खनन के दौरान उड़ रहे कोयला इत्यादि के धूल से हो रहे वायु प्रदूषण से कुछ राहत मिल सके। कम्पनी द्वारा हो रहे कार्य के दौरान जब उनके भारी भरकम वाहन का परिवहन होता है उससे काफी धूल और ध्वनि प्रदूषण फैलता है और चूँकि वो खनन कार्य से संबंधित सारा परिवहन के लिए हमारे ग्रामिण सड़क का इस्तेमाल करते हैं, इससे दुर्घटना का भी डर बना रहता है। कम्पनी के अन्तर्गत चलने वाले भारी भरकम वाहन बहुत ही पुराने एवं जर्जर स्थिति में हैं और वैसे अधिकांश वाहनों का PUC सर्टिफिकेट भी नहीं है। कम्पनी द्वारा खनन करके जहाँ पर कोयले का भंडार किया गया है अथवा Crusher Machine वगैरह स्थापित किया गया है वहाँ पर भी Dust Suppression System इत्यादि नहीं लगाया गया है। जिसके कारण वायु जनित धूल से हम सभी ग्रामिणों का सांस लेना तक मुश्किल हो गया है। कम्पनी के इन सभी कृत्यों से हम सभी का घर प्रदूषण से ग्रसित हो गया है और आसपास के उपजाऊ खेत का Topsoil भी बर्बाद हो रहा है।

5. यह कि फेयरमाइन कार्बन्स प्रा0 लि0 द्वारा हो रहे खनन के दौरान निकल रहे गंदे पानी को बिना किसी भी तरह का सफाई किए हुए पाइप लाइन के माध्यम से सीधा नदी में प्रवाहित किया जा रहा है। जिसके वजह से माइन्स की सारी गंदगी नदी के साफ पानी में जा कर मिल रही है और पारिस्थितिकी असंतुलन पैदा कर रही है। इस नदी का पानी हम सभी ग्रामिणों द्वारा खेती एवं अन्य जरूरत के लिए इस्तेमाल किया जाता था, जो कि अब इस्तेमाल करने योग्य नहीं रह रहा है।
6. यह कि कम्पनी जब से खनन कार्य करना चालू की है धीरे-धीरे भूमिगत जल का स्तर दिन प्रतिदिन गिरता जा रहा है। जिससे यही प्रतीत होता है कि

Suraj Dahi

कम्पनी द्वारा हो रहे खनन कार्य के दौरान Ground Water Level निचे चला गया है। इन सभी स्थितियों के पैदा होने के बाद हम सभी ग्रामिणों ने कम्पनी के पदाधिकारी (शशांक सिंह, प्रणव कुमार द्विवेदी, यशवंत कुमार, आशीश उपाध्याय) से अनुरोध किया कि उनको मिले पर्यावरण मंजूरी के सभी निर्देशों का पालन करें तो उस पर वे यह जवाब देते हैं कि अगर हम सभी नियमों का पालन करने लगे तो तुम लोग अपना घर और जमीन छोड़ कर भागोगे कैसे ? कम्पनी जो भी पैसा दे रही है चुपचाप लेकर यहाँ से चले जाने में ही तुम लोगों की भलाई है, नहीं जाओगे तो कुछ दिनों में खुद ही घूट-घूट कर मर जाओगे। कम्पनी द्वारा खनन कार्य के दौरान जब ब्लास्टिंग किया जाता है तब हमारा पूरा जमीन हिल जाता है और हम सभी का मकान हर ब्लास्टिंग के बाद कहीं न कहीं टुटता, फटता या गिरता है। इस बारे में भी हम सभी ग्रामिणों ने कम्पनी के पदाधिकारी (शशांक सिंह, प्रणव कुमार द्विवेदी, यशवंत कुमार, आशीश उपाध्याय) से अनुरोध किया कि ब्लास्टिंग के दौरान हमारे गांव से ब्लास्टिंग गाइडलाइन्स के अनुसार कम से कम 300 मीटर की दूरी बनाएँ लेकिन उस पर वे यह कहते हैं कि ब्लास्टिंग से 3-4 लोग अपने घर में दब कर मरेंगे तब तुमलोगों को अक्ल आएगा और सारे लोग अपना जमीन कम्पनी को दे कर भागने को खुद विवश हो जाओगे।

7. यह कि हम सभी ग्रामिणों ने कई बार इसकी शिकायत अंचल अधिकारी पण्डवा, अनुमंडल पदाधिकारी सदर मेदिनीनगर को किया पर सारे सरकारी पदाधिकारी पुलिस दल की मदद से कम्पनी का ही साथ देते हैं अथवा डरा-धमका कर जेल में डाल देने की बात करते हैं और कहते हैं कि जमीन कम्पनी को देकर तुमलोग कहीं और चले जाओ इसी में तुमलोगों की भलाई है।

इस तरह हम सभी ग्रामिणों का पिछले 4 महीनों से शोषण किया जा रहा है और हमें जानवरों की तरह जीने को मजबूर किया जा रहा है।

अतः श्रीमान् से प्रार्थना है कि उपरोक्त तथ्यों एवं परिस्थितियों के आलोक में यहाँ आकर जाँच करते हुए फेयरमाइन कार्बन्स प्रा० लि० द्वारा किए जा रहे पर्यावरण मंजूरी दिनांक 04.11.2022 Sadabah River Diversion page (9 & 10), Air Quality Monitoring & Preservation एवं Water Quality Monitoring & Preservation page (14, 15 & 16) में दिए गए सभी निर्देशों का उलंघन करने के लिए उनपर कड़ी कानूनी कार्रवाई की जाए।

Suraj Devi

इसके लिए हम सभी ग्रामिण आपका सदा आभारी रहेंगे।

आपका विश्वासी

कल्याण देवी

श्री गणेश देवी

Sarav devi  
पुष्पा देवी  
Chander devi

मैत्री देवी

खिला देवी

नीटू देवी

किरण देवी

विधि देवी

धनती अंबर

पुष्पा देवी

श्री कृष्णा देवी

प्रबल कुमारी

मान माती देवी

अलिता देवी

मंय देवी

अमिता देवी

अंजु देवी

Sunita devi

सुनीता देवी

संगीता चौधान

मीनता देवी

गीता देवी

रुबी देवी

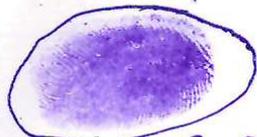
कौशल्या देवी

विमला देवी

शानि देवी

सिम्रा देवी

Lala kumar



कल्याण देवी

दुर्गा देवी

मालिता देवी

भायत्री देवी

वासुदेवी देवी

शानती देवी

सविता देवी

Manda devi

विन्दु देवी

प्रतिष्ठा देवी

प्रमा देवी

श्रद्धा देवी

बीजा देवी

रानवन्गी देवी

खिला देवी

राशिना देवी

Ranjit devi

शरिता देवी

## अनुलग्नक:-

1. पर्यावरण स्वीकृति दिनांक 04.11.2022 की छाया प्रति।
2. फेयरमाइन कार्बन्स प्रा0 लि0 द्वारा पर्यावरण मंजूरी का किए जा रहे उलंघन का विडियो और फोटो साक्ष्य पेन ड्राइव में।

## प्रतिलिपि:-

1. पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार, नई दिल्ली को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
2. राज्य पर्यावरण प्रभाव आकलन प्राधिकरण (SIEAA), झारखंड को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
3. झारखण्ड पॉलूशन, को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
4. सचिव, खान एवं भूतत्व विभाग, राँची को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
5. उपायुक्त पलामू को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
6. जिला खनन पदाधिकारी, पलामू को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
7. गौरव सिंह, (अध्यक्ष, भूमि अधिग्रहण, विस्थापन एवं पुनर्वास किसान समिति), बेलवाटिका, डालटनगंज को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

Received  
Gaurav Singh  
03.06.2025

EJ354781250IN IVR:6974354781250  
SP DALTONGANJ HO <822101>  
Counter No:1,03/06/2025,12:24  
To:RAJYA PARYAWA,RANCHI  
PIN:834004, Dhurwa SO  
From:SURAJ DEVI,RAJHARA  
Wt:150gms  
Amt:41.30,Tax:6.30,Amt.Paid:41.00(Cash)  
<Track on www.indiapost.gov.in>

EJ354781135IN IVR:6974354781135  
SP DALTONGANJ HO <822101>  
Counter No:1,03/06/2025,12:24  
To:SACHIV,RANCHI  
PIN:834002, Doranda HO  
From:SURAJ DEVI,RAJHARA  
Wt:150gms  
Amt:41.30,Tax:6.30,Amt.Paid:41.00(Cash)  
<Track on www.indiapost.gov.in>  
<Dial 18002666868><Wear mask Stay safe>

EJ354781144IN IVR:6974354781144  
SP DALTONGANJ HO <822101>  
Counter No:1,03/06/2025,12:24  
To:UPAYUKT ,DTO  
PIN:822101, Daltonganj HO  
From:SURAJ DEVI,RAJHARA  
Wt:140gms  
Amt:29.50,Tax:4.50,Amt.Paid:30.00(Cash)  
<Track on www.indiapost.gov.in>  
<Dial 18002666868><Wear mask Stay safe>

EJ354781008IN IVR:6974354781008  
SP DALTONGANJ HO <822101>  
Counter No:1,03/06/2025,12:24  
To:PARYAVARAN VA,NEW DELHI  
PIN:110003, Lodi Road HO  
From:SURAJ DEVI,RAJHARA  
Wt:145gms  
Amt:47.20,Tax:7.20,Amt.Paid:47.00(Cash)  
<Track on www.indiapost.gov.in>  
<Dial 18002666868><Wear mask Stay safe>

EJ354781011IN IVR:6974354781011  
SP DALTONGANJ HO <822101>  
Counter No:1,03/06/2025,12:24  
To:JHARKHAND STA,RANCHI  
PIN:834004, Dhurwa SO  
From:SURAJ DEVI,RAJHARA  
Wt:150gms  
Amt:41.30,Tax:6.30,Amt.Paid:41.00(Cash)  
<Track on www.indiapost.gov.in>

EJ354781263IN IVR:6974354781263  
SP DALTONGANJ HO <822101>  
Counter No:1,03/06/2025,12:24  
To:ZILA KHANAN PADADHIKARI,DTO  
PIN:822101, Daltonganj HO  
From:SURAJ DEVI,RAJHARA  
Wt:135gms  
Amt:29.50,Tax:4.50,Amt.Paid:30.00(Cash)  
<Track on www.indiapost.gov.in>

EJ354781127IN IVR:6974354781127  
SP DALTONGANJ HO <822101>  
Counter No:1,03/06/2025,12:24  
To:PARYAVARAN JAL AND VAN,RANCHI  
PIN:834002, Doranda HO  
From:SURAJ DEVI,RAJHARA  
Wt:150gms  
Amt:41.30,Tax:6.30,Amt.Paid:41.00(Cash)  
<Track on www.indiapost.gov.in>

Date :- 02.06.2025

To,  
Ministry of Environment, Forest and Climate Change,  
Government of India,  
2<sup>nd</sup> Floor HQ,  
Jharkhand State Housing Board,  
Harmu Chowk, Harmu Housing Colony,  
Ranchi- 834002.

**Subject :- Discharge of untreated logged water of underground mine in mainstream rivers by CCL-Rajhara Area.**

Sir,

Drawing attention and concern to the above stated subject I have to state as follows :-

1. That Central Coal Field Limited has operated the Rajhara Coal Mines Area District- Palamau for several years.
2. That as per the provisions of Environment Law as well as the mandate given by National Green Tribunal (NGT) the Central Coal Field Limited is supposed to discharge the untreated logged water of underground mine after treatment but despite having provision for the same and without treating the same has been

Ganwar Singh

discharging to the nearby rivers namely Sadabah and Labji, whose water are being used by the villagers for irrigation and other purposes.

3. That it is also relevant to state here that as the untreated water is being discharged in the aforesaid rivers that is causing great harm to the ecosystem as the toxic elements is mixing with the fresh water of the river which in turn is causing severe ecological imbalances.
4. That discharge of untreated water is otherwise also interfering with the ground water table in the surrounding area which is rapidly depleting/going down.
5. That though decision has been taken from Central Coal Field Limited board in its 19<sup>th</sup> FD's meeting held on 30.07.2011 that mine water will be released after proper treatment and efforts should also been made to supply the same to adjoining villages for domestic and vegetating purposes under the CSR scheme.
6. That though the said decision was taken as far back as 30.07.2011 the reality is that the same was never implemented and till date mine water is being released without any treatment much less that any treatment.

It is therefore your good self is required to look into the matter and do the needful including issuing necessary directions/

Gawra Singh

issuing directions for proper treatment of mine water before discharge otherwise having no other alternative I will be painfully constrained to move before the Hon'ble National Green Tribunal by filing appropriate application/petition for redressal of the grievances as stated herein before.

Yours Sincerely

*Gawzan Singh*

Enclosure :-

1. Copy of decision taken by FD's in meeting dated 30.07.2011.
2. Pen drive containing videography evidence showing discharge of untreated water into the river.

Copy To :-

1. Ministry of Environment, Forest and Climate Change,

Government of India,

Indira Paryavaran Bhawan,

166, Jor Bagh Road,

Block-17, Lodhi Colony,

New Delhi – 110003.

2. The Chairman-cum-Managing Director,

C.C.L. Darbhanga House,

Ranchi- 834001.

3. The General Manager.

CCL Rajhara Area,

Palamau- 822124.

<p>Wt: 55gms, Amt: 37.76, Tax: 5.76, Amt. Paid: 38.00 (Cash)            &lt;Track on www.indiapost.gov.in&gt;            &lt;Dial 18002666868&gt;&lt;Wear mask</p>	
<p>EJ354770827IN IVR:6974354770827            SP DALTONGANJ HO &lt;822101&gt;            Counter No:1,02/06/2025,13:10            To:MINISTRY OF ENVIRONMENT,RANCHI            PIN:834002, Doranda HO            From:GAURAV KR SINGH,OTO            Wt:55gms</p>	
<p>EJ354770708IN IVR:6974354770708            SP DALTONGANJ HO &lt;822101&gt;            Counter No:1,02/06/2025,13:10            To:MINISTRY OF ENVIRONMENT,RANCHI            PIN:834001, Ranchi GPO            From:GAURAV KR SINGH,OTO            Wt:60gms</p>	
<p>EJ354770583IN IVR:6974354770583            SP DALTONGANJ HO &lt;822101&gt;            Counter No:1,02/06/2025,13:10            To:THE CHAIRMAN,RANCHI            PIN:834001, Ranchi GPO            From:GAURAV KR SINGH,OTO            Wt:60gms</p>	
<p>EJ354770835IN IVR:6974354770835            SP DALTONGANJ HO &lt;822101&gt;            Counter No:1,02/06/2025,13:10            To:THE GENERAL MANAGER,REHALA</p>	

Proposal seeking approval of scheme for dewatering the mine for production of coal from quarry No.1 vis-a-vis supply of mine water from Rajhara Colliery quarry No.1 to adjoining villages under CSR scheme for domestic/vegetation purpose.

The subject matter was discussed in the 2011:19<sup>th</sup> FDs Meeting held on 30.07.2011 and the FDs took the following decision:

The FDs were apprised that Rajhara Area had submitted a scheme for dewatering the mine for production of coal from quarry No.1 vis-a-vis supply of mine water from Rajhara Colliery quarry No.1 to adjoining villages under CSR scheme for domestic/vegetation purpose at an estimated cost of ₹ 97,94,325.75 only. The scheme has been technically vetted by E&M Deptt. to the tune of ₹ 66.85 lakhs only and attracts Sec. V(ii)(4) of CIL/CCL's CSR Scheme.

The FDs re-iterated that the Board, at its 379<sup>th</sup> meeting, has already agreed to the Area-wise allocation of fund under CSR activities.

Keeping in view of above, after detailed deliberation, the FDs agreed to the scheme for dewatering the mine exclusively for domestic/vegetation purpose.

It is, therefore, requested to kindly peruse the above and take necessary action under intimation to this office.

Encl. Relevant file/Papers.

*(Signature)* 6/8/11.  
(CVN Gangaram)  
Company Secretary

GM(W&CD) - on file -

No.CS / FDs /2011:19/9/ 684

Dated: 06.08.2011

*(Signature)*

*(Signature)*  
8/8/11

*(Signature)*

FM/W/150  
09/08/2011

Date:- 09.06.2025

To,

The Deputy Commissioner,  
Palamau.

Sub:- Operation of several Illegal brick kiln in the river-bed of Sadabah in Village- Rajhara, P.O./P.S.- Naudiha, District-Palamau.

Madam,

Drawing attention of your good self with regard to the above stated subject I have to state that some of the villagers residing near the river contacted me and informed me about the aforesaid illegal brick kiln's, while I visited Rajhara village and went nearby Sadabah river I noticed that at least two brick kiln is being run in the river bed of Sadabah.

That after enquiry I came to know that the said brick kiln's is running without any consent to operate from Jharkhand Pollution Control Board and no Environmental Clearance is taken for the same from SEIAA.

That it is also stated that the said brick kiln's, which is locally known as "*Bangla Bhatha*" is totally prohibited and no person can obtain, from competent authority, license/permission to run such type of brick kiln that to in the river bed.

That earlier also one Jaideep Mukherjee has moved before National Green Tribunal (NGT) eastern zone branch Kolkata by filing Original Application No. 110/2015/EZ which was finally heard and disposed of by order dated 15.02.2017 after considering the affidavits filed by Chief Secretary and Pollution Control Board, Jharkhand, the Ld. Tribunal has directed that those brick kiln units who never obtained consent to establish nor consent to operate from the Pollution Control Board but are running their unit illegally shall have to pay Rs 1.5 lakhs for

Ganraj Singh

breaching the environmental law in terms of Air Act 1981, the Water Act 1974 for contributing to environmental pollution and environmental degradation.

Further direction was issued to the District Magistrate and Superintendent of Police to ensure that the said order is strictly complied with.

It is therefore in view of the above stated fact necessary direction/order is required to be issued by your good self for closure of such illegal brick kiln's running in Sadabah river-bed in violation of law in utter defiance of the authority of Administration.

Thanking You,

Yours Sincerely,

EJ916399086IN IVR:6974916399086  
SP DALTONGANJ HO <822101>  
Counter No:1,09/06/2025,14:09  
To:DISTRICT MINING, DTO  
PIN:822101, Daltonganj HO  
From:GAURAV SINGH, DTO

Bhumi Adhigrahan Visthapan Avam  
Punarwas Kisan Samiti

Gaurav Singh  
President

Encl. :-

Photograph's of the Illegal brick kiln's established in the river bed of Sadabah.

Certified copy of order dated 15.02.2017 passed by Original Application No. 110/2015/EZ National Green Tribunal (NGT) eastern zone branch Kolkata.

Copy to - Superintendent Of Police, Palamau.

District Mining Officer, Palamau.

EJ916399090IN IVR:6974916399090  
SP DALTONGANJ HO <822101>  
Counter No:1,09/06/2025,14:09  
To:SP, DTO  
PIN:822101, Daltonganj HO  
From:GAURAV SINGH, DTO

WT:130gms  
Amt:29.50, Tax:4.50, Amt. Paid:30.00 (Cash)  
<Track on www.indiapost.gov.in>  
<Dial 18002666868><Wear mask - Stay safe>

EJ916399214IN IVR:6974916399214  
SP DALTONGANJ HO <822101>  
Counter No:1,09/06/2025,14:09  
To:DEPUTY COMM, DTO  
PIN:822101, Daltonganj HO  
From:GAURAV SINGH, DTO

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

.....

ORIGINAL APPLICATION No. 110/2015/EZ

**IN THE MATTER OF:**

Joydeep Mukherjee,  
Son of Late Sailendranath Mukherjee,  
R/o 292, Roybazar, PO: Hooghly,  
District Hooghly, West Bengal,  
PIN : 712103

.....Applicant

**Versus**

1. The Pollution Control Board,  
Jharkhand service through the  
Chairman, office at HEC, Dhurwa,  
Ranchi-834004  
Jharkhand
2. The Chief Secretary,  
Government of Jharkhand,  
Project Building, 1<sup>st</sup> Floor,  
Ranchi- 834004, Jharkhand.

.....Respondents

**COUNSEL FOR APPLICANT:**

In person  
With Mrs. Leena Mukherjee, Advocate

**COUNSEL FOR RESPONDENTS:**

Mr. Surendra Kumar, Advocate, Respondent No.1

Mr. Binod Kumar Gupta, Advocate, Respondent No. 2

**PRESENT:**

**Hon'ble Mr. S.P.Wangdi, Judicial Member**

**Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member**

Reserved on : 02.02.2017  
Pronounced on : 15.02.2017

1. Whether the Judgment is allowed to be published on the net? Yes
2. Whether the Judgment is allowed to be published in the NGT Reporter? Yes

### **J U D G E M E N T**

#### **Prof. (Dr) P.C. Mishra (EXPERT MEMBER)**

The application was filed by Mr. Joydeep Mukherjee of Roybazar in Hooghly, West Bengal, who claims to be a public spirited citizen, an advocate of the Supreme Court of India, Secretary of All India Legal Aid Forum and All India Bar Association and also as a Member of International Council of Jurists, alleging illegal operation of brick fields in the State of Jharkhand without obtaining consent from the State Pollution Control Board, Jharkhand. The applicant further alleged that although he informed the Chairman, Pollution Control Board, Jharkhand as well as the Chief Secretary, Govt. of Jharkhand about the illegal operation of 2000 brickfields in different districts of the State, some of these even besides the rivers, leading to ecological imbalance, the local Administration has not taken any step to stop the illegal activities. Against the alleged 2000 illegal brick fields running in the State, a list of 20

such brick fields operating illegally in the State is annexed to the OA. Considering the environmental issue raised by the applicant to be substantial we directed the State Pollution Control Board, Jharkhand, the respondent No. 1 and the Chief Secretary, Govt. of Jharkhand, the respondent No. 2, to identify the brickfields operating illegally in the State and to file action taken report in terms of the statutory provisions against such illegally operating units.

2. After granting several opportunities to the PCB and the State Government for compliance to our orders dated 1.12.2015, 11.1.2016, 11.2.2016 and 16.3.2016, 26.4.2016 and 17.5.2016, the Chief Secretary as well as the PCB filed the status report on 1<sup>st</sup> June 2016. As per the affidavit filed by the Jharkhand PCB, brick kilns which did not possess Environmental Clearance (EC) from the State Environmental Impact Assessment Authority (SEIAA) and consent to establish and consent to operate from the State PCB have been directed to be closed. We found that certain information was not provided in the affidavit of the Chief Secretary for which further opportunity was granted to the respondent No 2 to file

additional affidavit. It was also decided by us that those brick fields, which were operating their units without obtaining Environmental Clearance and without having a valid consent to establish and consent to operate would be liable to pay environmental compensation. Finally, when the affidavits filed by both the Respondents No.1 and 2 were examined we observed certain inconsistencies and the Respondents were directed to reconcile the same in order to enable us to pass appropriate orders.

3. Finally, when both the respondents filed their affidavits supposed to be after reconciliation, we found that the affidavit filed by the Chief Secretary to be clear and to the point i.e., it has met the queries raised by us. Therefore, we have accepted the final affidavit of the Chief Secretary on the details of the illegal brick kilns operating without EC and Consent to operate for which they have been directed to be closed and those which have been allowed for being compliant as indicated in the summary sheets for 24 districts of the State vide annexure-I at page 300 of the Affidavit , i.e.,

i)	No. Of brick kilns in the State;	945
ii)	No. Of brick kilns closed for non-compliance;	483
iii)	No of brick fields allowed to operate for having EC and consent to establish & consent to operate;	317
iv)	No of brick kilns against whom action is in progress;	503

4. Thus, out of 945 brick kilns identified by the State respondent, only 317 have obtained necessary EC from SEIAA and consent to Operate from the PCB and the rest, being non-compliant, were directed to be closed or are in the process of closure.

5. Before we consider and decide on the imposition of Environmental Compensation against the brick kilns owners for operating their respective units without obtaining consent from State PCB as well as Environmental Clearance from the State Level Environmental Impact Assessment Authority, it may be relevant to discuss the provisions under the related Environmental laws, viz., the Water (Prevention & Control of Pollution) Act,1974 and the Air (Prevention & Control of Pollution) Act,1981 and what are the legal

requirements for the operation of brick kilns to be fulfilled by the project proponent.

6. Sub-section 1 of Section 21 of the (Air Prevention & Control of Pollution) Act, 1981, provides that no person shall establish or operate any industrial plant in an air pollution control area without the previous consent of the concerned State Pollution Control Board.

Section 21 of the act reads as under :-

**"21. Restrictions on use of certain industrial plants.**

(1) [ Subject to the provisions of this section, no person shall, without the previous consent of the State Board, establish or operate any industrial plant in an air pollution control area :

Provided that a person operating any industrial plant in any air pollution control area, immediately before the commencement of section 9 of the Air (Prevention and Control of Pollution) Amendment Act, 1987, for which no consent was necessary prior to such commencement, may continue to do so for a period of three months from such commencement or, if he has made an application for such consent within the said period of three months, till the disposal of such application.]

(2) An application for consent of the State Board under sub-section (1) shall be accompanied by such fees as may be prescribed and shall be made in the prescribed form and shall contain the particulars of the industrial plant and such other particulars as may be prescribed :

Provided that where any person, immediately before the declaration of any area as an air pollution control area, operates in such area any industrial plant, {\*\*\* } such person shall make the application under this sub-section within such period (being not less than three months from the date of such declaration) as may be prescribed and where such person makes such application, he shall be deemed to be operating such industrial plant with the consent of the State Board until the consent applied for has been refused.

(3) The State Board may make such inquiry as it may deem fit in respect of the application for consent referred to in sub-section (1) and in making any such inquiry, shall follow such procedure as may be prescribed.

(4) Within a period of four months after the receipt of the application for consent referred to in sub-section (1), the State Board shall, by order in writing, [and for reasons to be recorded in the order, grant the consent applied for subject to such conditions and for such period as may be specified in the order, or refuse consent:]

[Provided that it shall be open to the State Board to cancel such consent before the expiry of the period for which it is granted or refuse further consent after such expiry if the conditions subject to which such consent has been granted are not fulfilled: Provided further that before cancelling a consent or refusing a further consent under the first provision, a reasonable opportunity of being heard shall be given to the person concerned.]

(5) Every person to whom consent has been granted by the State Board under sub-section (4), shall comply with the following conditions, namely –

(i) the control equipment of such specifications as the State Board may approve in this behalf shall be installed and operated in the premises where the industry is carried on or proposed to be carried on;

(ii) the existing control equipment, if any, shall be altered or replaced in accordance with the directions of the State Board;

(iii) the control equipment referred to in clause (i) or clause (ii) shall be kept at all times in good running condition;

(iv) chimney, wherever necessary, of such specifications as the State Board may approve in this behalf shall be erected or re-erected in such premises; .and

(v) such other conditions as the State Board, may specify in this behalf, and

(vi) the conditions referred to in clauses (i), (ii) and (iv) shall be complied with within such period as the State Board may specify in this behalf

Provided that in the case of a person operating any industrial plant \*\*\* in an air pollution control area immediately before the date of declaration of such area as an air pollution control area, the period so specified shall not be less than six months :

Provided further that-

(a) after the installation of any control equipment in accordance with the specifications under clause (i), or

(b) after the alteration or replacement of any control equipment in accordance with the directions of the State Board under clause (ii), or

(c) after the erection or re-erection of any chimney under clause (iv), no control equipment or chimney shall be altered or replaced or, as the case may be, erected or re-created except with the previous approval of the State Board.

(6) If due to any technological improvement or otherwise the State Board is of opinion that all or any of the conditions referred to in sub-section (5) require or requires variation (including the change of any control equipment, either in whole or in part), the State Board shall, after giving the person to whom consent has been granted an opportunity of being heard, vary all or any of such conditions and thereupon such person shall be bound to comply with the conditions as so varied.

(7) Where a person to whom consent has been granted by the State Board under sub-section (4) transfers his interest in the industry to any other person, such consent shall be deemed to have been granted to such other

person and he shall be bound to comply with all the conditions subject to which it was granted as if the consent was granted to him originally.”

7. So also Section 25 of the Water (Prevention & Control of Pollution) Act, 1974, provides restrictions for establishing or taking any steps for establishing any industry, operation or process which is likely to discharge sewage or trade effluents into a stream or well or sewer or on land without any consent. Section 25 of the Water (Prevention & Control of Pollution) Act, 1974, reads as follows :-

**“25. Restrictions on new outlets and new discharges.-** [(1) Subject to the provisions of this section, no person shall, without the previous consent of the State Board, -

(a) establish or take any steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land (such discharge being hereafter, in this section referred to as discharge of sewage); or

(b) bring into use any new or altered outlet for the discharge of sewage; or

(c) begin to make any new discharge of sewage:

Provided that a person in the process of taking any steps to establish any industry, operation or process immediately before the commencement of the Water (Prevention and Control of Pollution) Amendment Act, 1988, for which no consent was necessary prior to such commencement, may continue to do so for a period of three months from such commencement or, if he has made an application for such consent, within the said period of three months, till the disposal of such application.

(2) An application for consent of the State Board under sub-section (1) shall be made in Such form, contain such particulars and shall be accompanied by such fees as may be prescribed.]

(3) The State Board may make such inquiry as it may deem fit in respect of the application for consent referred to in sub-section (1) and in making any such inquiry shall follow such procedure as may be prescribed.

[(4) The State Board may –

(a) grant its consent referred to in sub-section (1), subject to such conditions as it may impose, being –

(i) in case referred to in Cls. (a) and (b) of sub-section (1) of Sec. 25, conditions as to the point of discharge of sewage or as to the use of that outlet or any other outlet for discharge of sewage;

(ii) in the case of a new discharge, conditions as to the nature and composition, temperature, volume or rate of discharge of the effluent from the land or premises from which the discharge or new discharge is to be made; and

(iii) that the consent will be valid only for such period as may be specified in the order,

and any such conditions imposed shall be binding on any person establishing or taking any steps to establish any industry operation or process, or treatment and disposal system or extension or addition thereto, or using the new or altered outlet, or discharging the effluent from the land or premises aforesaid; or

(b) refuse such consent for reasons to be recorded in writing.

(5) Where, without the consent of the State Board, any industry, operation or process; or any treatment and disposal system or any extension or addition thereto, is established, or any steps for such establishment have been taken or a new or altered outlet is brought into use for the discharge of sewage or a new discharge of sewage is made, the State Board may serve on the person who has established or taken steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, or using the outlet, or making the discharge, as the case may be, a notice imposing any such conditions as it might have imposed on an application for its consent in respect of such establishment, such outlet or discharge.

(6) Every State Board shall maintain a register containing particulars of the conditions imposed under this section and so much of the register as relates to any outlet, or to any effluent, from any land or premises shall be open to inspection at all reasonable hours by any person interested in, or affected by such outlet, land or premises, as the case may be, or by any person authorised by him in this behalf and the conditions so contained in such registers shall be conclusive proof that the consent was granted subject to such conditions.]

(7) The consent referred to in sub-section (1) shall, unless given or refused earlier, be deemed to have been given unconditionally on the expiry of a period of four months of the making of an application in this behalf complete in all respects to the State Board.

(8) For the purposes of this section and Secs. 27 and 30, -

(a) the expression "new or altered outlet" means any outlet which is wholly or partly constructed on or after the commencement of this Act or which (whether so constructed or not) is substantially altered after such commencement; .

(b) the expression "new discharge" means a discharge which is not, as respects the nature and composition, temperature, volume, and rate of discharge of the effluent; substantially a continuation of a discharge made within the preceding twelve months (whether by the same or a different outlet), so however that a discharge which is in other respects a continuation of previous discharge made as aforesaid shall not be

deemed to be a new discharge by reason of any reduction of the temperature or volume or rate of discharge of the effluent as compared with the previous discharge.”

8. It has not been disputed before us that the brick kilns installed and operated are not in air pollution control area or that a brick kiln is not an industrial plant under Section 21 of the Air Act, 1981. The Central Pollution Control Board has already identified brick kiln units under ‘orange’ category in terms of pollution potential and therefore, it is mandatory that the owner/operator of the brick kiln is legally bound to take consent to establish and also consent to operate as prescribed under the Water Act, 1974 and the Air Act, 1981.

9. The requirement for obtaining Environmental Clearance (EC) for excavation of Brick Earth for manufacturing bricks even from an area of less than 5 ha came into being after the notification dated 9<sup>th</sup> September, 2013 and dated 15<sup>th</sup> January, 2016 issued by the MOEF & CC in pursuance of the order of the Hon’ble Supreme Court dated 27.2.2012 in I.A. Nos. 12-13 of 2011 in SLP (C) No. 19628-19629 of 2009 in the matter of **Deepak etc.-vs- State of Haryana & Ors.**

10. It is, therefore, clear that the excavating Brick Earth for manufacturing bricks without obtaining EC is a violation of the provisions of EIA notification, 2006 and operating the brick kiln without obtaining consent from the State Pollution Control Board is violation of the Water Act, 1974 and the Air Act, 1981 and therefore these non-complaint units have caused environmental degradation for which they are liable to compensate the loss applying the principle of 'polluter pay'.

11. In this context it may be relevant to state that several cases of violation of the aforesaid provisions of the Air Act, 1981 and the Water Act, 1974 as also EIA notification referred to above have been brought to our notice from different States, viz., West Bengal, Bihar, Odisha, Assam etc. under our jurisdiction. So far as the State of West Bengal is concerned, several OAs had been filed by the same applicant, Shri Joydeep Mukherjee raising the question of illegal operation of brick kilns in different districts. After issuing show causes and after obtaining the affidavits from the defaulting units, this Tribunal categorised those brick

fields into four categories, viz. Category-A, B, C and D in OA 02/2015/EZ (**Joydeep Mukherjee –vs- West Bengal Pollution Control Board & Ors**) vide order dated 30.10.2015, the relevant portion of which is quoted below :-

“ On scrutiny of the affidavits filed by respective added respondents in reply to the show cause notice issued to them on the question of imposition of Penalty for illegally operating their respective Brick Kilns without obtaining consent from Pollution Control Board thereby contributing Environmental Pollution and land degradation, it appears that there are four types of cases, viz.

**Category-A** : Those brick fields who have valid consent to operate till date or for longer date, still closure order was issued against them for no fault of them.

**Category-B :**

Those brick fields who have valid consent to operate upto December 2014 and they applied for renewal but their applications are pending. In the meantime, closure notice has been issued against these brick fields.

**Category-C :**

Those brick fields who had earlier obtained consent to establish and consent to operate from the Pollution Control Board but on expiry of the term, they never renewed the consent to operate and running their units illegally without any permission.

**Category-D:** Those brick fields who never obtained consent to establish nor consent to operate from the PCB but running their unit illegally all along.”

13. Since brick kilns falling under categories A and B were very limited, main thrust was given on large number of brick fields falling under categories C and D and accordingly, it was decided as follows :-

“Having gone through the record, we find that the applicants in the Table-I had earlier obtained consent to operate from PCB but after expiry of the validity period, they never obtained or renewed their consent to operate

certificate. So far as respondents named in Table 2 are concerned, they had never obtained any consent to establish or consent to operate from PCB and have been operating their business illegally and thereby polluting the environment. According to our previous decisions on the subject, the units named in Table 1 fall in **category C** whereas the units named in Table 2 fall in **category D**. Both these categories have breached the environmental law in terms of Air Act 1981, the Water Act 1974 and have contributed to environmental pollution and environmental degradation. Moreover, there is no mention in the reply about the income, expenditure and stock in hand, payment due etc. and economic status of the individual respondents. Therefore, we impose a penalty of **Rs. 1.00 lakh** on each of the owners of the units falling in category C (Table-I) and **Rs. 1.5 lakh** on each of the owners of units falling under category D, which shall be deposited by the respective respondents with the State Pollution Control Board within four weeks. PCB will consider applications for renewal of consent as per guidelines issued by the State of West Bengal under Memo No. 1251 dt. 29.5.2015 subject to payment of the penalty amount as aforesaid. Immediately after the deposit of penalty amount by the respondents, the PCB will intimate the concerned DL & LRO so that the DL & LRO may proceed with considering the pending application seeking consent to operate filed by the respective applicants. The penalty amount be kept in a separate account by the PCB which will be utilised for upgradation of the environment of the locality concerned for which appropriate orders will be passed in due course.

We have fixed the penalty for the respective applicants by applying 'polluter pay' principle and having regard to judgement of the Apex Court passed in the case of **Research Foundation for Science (18) –vs- UOI & Ors, reported in 2005 (13) SCC 186 (para 30)**, as they are liable to pay penalty/compensation for polluting the locality by illegally operating the brick field without consent to establish or consent to operate."

13. Subsequently also several cases of such defaulting brick fields were decided in a number of OAs and MAs arising thereof, viz. M.A.No. 187/2015/EZ arising out of O.A 41/2014 etc. vide order dated 10.10.2015, MA 690/2015/EZ arising out of OA 39/2014/EZ dated 8.2.2016 and **OA 2/2015/EZ and other OAs along with group of cases viz. M.A. No. 634/2015/EZ and by an**

**order dated 29.3.2016, this Bench had passed the following order :-**

“All these OAs have arisen out of Applications filed before us by the applicant stating that a large number of brick kilns are in operation illegally in different districts of the State of West Bengal without obtaining requisite consent to operate as required under the law. On the directions issued by us upon the respondent authorities, lists of such persons were furnished and accordingly, those persons were impleaded as parties to these proceedings and notices were issued against them.

Those who responded to the notices admitted to having run the brick kilns without necessary consent to operate. After considering their responses, they were categorized primarily under two categories viz. (1) those, who had operated without any consent to operate at all, and (2) those who had consent to operate initially but did not renew those after the terms had expired. These categories were identified as **D and C categories** respectively. As the data base of income, economic status and other particulars of the erring brick kilns were not available, reasonable penalties @ **Rs.1.5 lakhs for category D i.e.**, those who are operating without at all having any consent to operate and, **Rs. 1 lakh for category-C**, i.e., those who had consent to operate initially but did not renew after the terms had expired was fixed.

A large number of Miscellaneous Applications and affidavits have emanated from the original applications and upon consideration of the facts averred in the MAs and affidavits, we could identify several categories of cases as enumerated below viz.:-

- (1) Those who have not at all responded to our notice;
- (2) Those who have filed their responses but have failed to appear even after several adjournments.
- (3) Those who have responded to our notice and had volunteered to pay the penalty as per **category 'C' and 'D'**;
- (4) Those who had agreed to pay the penalty but, despite our permitting them to do so, could not pay within the time stipulated and are thus seeking extension of time to do so;
- (5) Those seeking conversion **from D to C** for having been able to trace out the consents to operate, which they had possessed when they had started the brick kilns, but were unable to produce when their cases were decided;
- (6) Those who received the show cause notice recently but could not file their reply affidavit but are willing to pay the penalty.

(7) Those who are found to be operating despite order of closure passed by us on the report submitted by the concerned S.Ps. and DL & LROs of the concerned districts.

(8) Those who have prayed for correction of name of the brick kiln or respondent Number wrongly recorded in our orders.

In consideration of the importance of these matters, the Hon'ble Chairperson of the National Green Tribunal, Principal Bench, has deemed it fit and necessary to constitute a larger bench to be headed by his lordship .....

The above respondents, who are willing to pay the penalty are at liberty to approach the concerned DL&LROs and deposit the penalty amounts of Rs. 1.5 lakh or Rs. 1.00 lakh in the respective Regional Office of the State PCB under category D or category C respectively in terms of our previous orders subject to the satisfaction of the PCB or its delegates i.e. DL & LROs.....

We make it very clear that pendency of the matter before us shall not be considered as an embargo upon the WB State PCB or its delegates in considering and disposing of the applications filed by any person for grant of consent to operate including the present applicants, in accordance with law, subject to deposit of penalty amount imposed by us, if any.

State PCB henceforth shall dispose of all the pending applications for consent to operate within a period of 30 days from the date of this order.

In the event of the PCB requiring any clarification on any matter, it shall be open to them to approach and seek clarification from us.....”

14. Subsequent thereto a Full Bench presided over by the Hon'ble Chairperson considered the matter and approved the aforesaid order passed on 29.3.2016 vide order dated 16.4.2016 issued in a group case heading M.A. No. 850/2015/EZ. The relevant portion of the order of the Full Bench is quoted below :-

“ In all these cases, the Id. counsel appearing for the parties commonly concede before us that the controversy arising in these cases is squarely covered by the order passed by the Tribunal dated 29<sup>th</sup> March, 2016 in OA 2/2015/EZ, OA 3/2015/EZ, OA 39/2014/EZ, OA 41/2014/EZ, OA 42/2014/EZ and OA 48/2015/EZ. They further submit that despite order of the Tribunal some of the parties could not pay the compensation. Furthermore, even where compensation is intended to be paid, the Board is not accepting the compensation because of lack of specific direction. They also raise the issue that in a number of cases where the compensations have been paid, their

applications for consent to operate have not been disposed of in accordance with law.

Having heard the ld. counsel appearing for the parties and in view of commonly conceded position, we pass the following directions :

- a) All these cases would be covered by the terms and conditions stated in the order dt. 29.3.2016 stated (supra).
- b) The parties, who have not yet deposited the environmental compensation/penalty in terms of the order passed by this Tribunal, shall pay the same positively within two weeks from today.
- c) The Board shall not refuse receiving of such compensation from the brick kiln owners, who are covered under the orders of this Tribunal i.e. present order or the order dt. 29.3.2016 passed in OA 2/2015/EZ, OA 3/2015/EZ, OA 39/2014/EZ, OA 41/2014/EZ, OA 42/2014/EZ and OA 48/2015/EZ .
- d) The Board will receive the compensation. The compensation so received shall be maintained in a separate head of account and shall be spent for improvement of the environment and ecology of the concerned areas of the districts subject to the direction of the Tribunal. The Board shall submit a complete comprehensive plan for improvement and restoration of environment and ecology of the areas falling in different districts of West Bengal. Head of Accounts would be maintained district-wise.
- e) The applicants who have paid the compensation or who may pay the compensation within two weeks from today, their applications for consent to operate shall be dealt with by the Board as expeditiously as possible and in any case not later than six weeks from today, in accordance with law.
- f) The brick fields who have consent to operate in force will also be allowed to operate subject to verification of the documents by the Board.

This common order disposed of all the above-noted cases. No order as to costs.

**It is made clear that we confirm the order passed on 29.3.2016 in OA 2/2015/EZ, OA 3/2015/EZ, OA 39/2014/EZ, OA 41/2014/EZ, OA 42/2014/EZ and OA 48/2015/EZ by the Division Bench and the said order shall be treated as being approved by this larger Bench.**

\*\*\*\*                      \*\*\*\*                      \*\*\*\*                      \*\*\*\*

Ld. counsel appearing State PCB and State respondents had certain difficulties and wanted the order to be clarified so as to enable the Board to take effective and expeditious action. We clarify as follows :

- I) All cases where show cause notices have been issued by the Tribunal to the Brick Kiln owners, irrespective of the time when those were issued, the Pollution Control Board shall dispose of all their applications for consent to Establish and Consent to operate in accordance with law unhindered by any proceeding pending before us.
- II) Board will accept environmental compensation of Rs. 1.00 lakh or Rs. 1.5 lakh, as the case may be, depending on the categories under which the brick field falls irrespective of the fact that whether they were added as party respondent or parties in any lis, pending or decided by the Tribunal."

15. Following this decision, such illegal brick kilns operating in the States of Odisha, Bihar Assam,

Meghalaya, etc. we directed that an environmental compensation of Rs. 0.1 lakh falling under C category and Rs.1.5 lakh for units under category D be imposed on the non-compliant Brick Kiln units. We have fixed the environmental compensation on the illegal brick kiln units by apply 'polluter pay' principle and in terms of the judgements of the Apex Court passed in the case of **Research Foundation for Science (18) –vs- UOI & Ors, reported in 2005 (13) SCC 186 (para 30), Indian Council for Environ-legal Action –vs- UOI, (1996) 3 SCC 212, Karnataka Industrial Area Development Board –vs- C.Kenchappa (2006) 6 SCC 37, M.C.Mehta –vs- UOI & Ors (2006) 3 SCC and Manoj Mishra –vs- UOI & Ors, NGT Judgement dated 22.7.2013.**

16. Applying the same principle and following the precedents, we, therefore, issue the following directions :-

- i) All the 317 brick kiln units which have obtained Environmental Clearance from SEIAA for Brick Earth mining and have also obtained consent to establish and consent to operate as per the list annexed with the affidavit of the Chief Secretary

shall be allowed to operate by the Board till the validity of the consent to operate exists.

ii) Against all other brick kiln units, which have been directed to be closed or in the process of issuing such closure order due to absence of EC, consent to establish and consent to operate, an environmental compensation of Rs. 1.5 lakh and Rs.1.00 lakh, as the case may be, depending upon the category under which they fall, shall be imposed by the State Pollution Control Board and such environmental compensation shall be deposited by the non-compliant units by demand draft either with the State PCB's office or in the Regional offices of the Board within six weeks of issuance of such letter by the PCB.

iii) The PCB shall consider the applications of such non-compliant units for grant of consent to establish/consent to operate only after depositing the environmental compensation subject to grant of EC by the SEIAA.

iv) It is left open to the State PCB to extend the period of six weeks for deposit of environmental compensation in appropriate cases on consideration

of the merit of each application to be filed by the non-compliant units for such extension.

- v) The environmental compensation so collected shall be deposited in a special account of the PCB and the PCB shall file a compliance report after three months i.e., on 15<sup>th</sup> May 2017 in the Registry on the status of the brick kiln units in the State as well as total amount of environmental compensation collected from the non-compliant units which may be used for environmental upgradation in areas with low human development index in the State for which separate order will be passed.
- vi) The District Magistrates and Superintendents of Police of the concerned district in the State of Jharkhand shall ensure that this order is strictly complied with.

19. With these directions, the OA stands disposed of.

20. No order as to costs.

.....  
**Justice S.P. Wangdi, JM**

.....  
**Prof. (Dr.) P.C. Mishra, EM**

**Kolkata**

**Dated : 15<sup>TH</sup> February, 2017**



राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, झारखण्ड  
 State Level Environment Impact Assessment Authority, Jharkhand  
 पौधशाला परिसर, धुर्वा बस स्टैण्ड के समीप, पो0+थाना-धुर्वा, राँची, झारखण्ड, 834004  
 ई-मेल. msseiaa.jhk@gmail.com; वेबसाइट. www.jseiaa.in

पत्रांक :

राँची, दिनांक :

प्रेषक:

सदस्य सचिव,  
 SEIAA,  
 झारखण्ड, राँची।

सेवा में,

1. उपायुक्त,  
 जिला : पलामू,  
 झारखण्ड।
2. सदस्य सचिव,  
 झारखण्ड राज्य प्रदूषण नियंत्रण पर्वद,  
 राँची।

विषय : - फेयरमाईन कार्बन्स प्रा० लि० के राजहारा नार्थ (सेन्ट्रल एवं इस्टर्न) कोयला ब्लॉक, थाना - पण्डवा, जिला - पलामू स्थित कोयला खदान के संचालन के दौरान हो रहे वायु प्रदूषण एवं नदी प्रदूषण इत्यादि के शिकायत के संबंध में।

प्रसंग : - श्रीमती सुरज देवी एवं ग्रामीण जनता, टोला नं० 7, ग्राम - पण्डवा पोस्ट - राजहारा, जिला - पलामू का परिवाद पत्र दिनांक 02.06.2025।

महाशय,

उपर्युक्त प्रासंगिक विषयक सूचित करना है कि श्रीमति सुरज देवी एवं ग्रामीण जनता, टोला नं० 7, ग्राम - पण्डवा, पोस्ट - राजहारा, जिला - पलामू का परिवाद पत्र दिनांक 02.06.2025 (छायाप्रति संलग्न) द्वारा फेयरमाईन कार्बन्स प्रा० लि० के राजहारा नार्थ (सेन्ट्रल एवं इस्टर्न) कोयला ब्लॉक, थाना - पण्डवा, जिला - पलामू स्थित कोयला खदान के विरुद्ध परिवाद इस कार्यालय को प्राप्त है। परिवाद वायु प्रदूषण एवं नदी प्रदूषण इत्यादि से संबंधित है।

तदालोक में अनुरोध है कि अपने स्तर से श्रीमती सुरज देवी एवं ग्रामीण जनता, टोला नं० 7, ग्राम - पण्डवा, पोस्ट - राजहारा, जिला - पलामू का

परिवाद पत्र दिनांक 02.06.2025 में उठाये गये बिन्दुओं की बिन्दुवार जाँच कराते हुए यथा आवश्यक नियमानुकूल कार्रवाई सुनिश्चित करने की कृपा की जाय एवं तदसंबंधी फलाफल से इस कार्यालय को भी अवगत कराने की कृपा की जाय।

अनु०: यथोक्त।

विश्वासभाजन्

ह०/-

सदस्य सचिव,  
राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण,  
झारखण्ड, राँची।

ज्ञापांक : 247

दिनांक : 09.07.2025

प्रतिलिपि : श्रीमती सुरज देवी, टोला नं० 7, ग्राम - पण्डवा, पोस्ट - राजहारा, जिला - पलामू - 822124 (झारखण्ड) को सूचनार्थ प्रेषित।

*Rp*  
गुप्त

सदस्य सचिव,

राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण,  
झारखण्ड, राँची।

५

५

Date - 25.08.2025

To,

**The Chairman/Member Secretary**

State Level Environment Impact Assessment Authority, Jharkhand

Dhurwa, Ranchi – 834004

**Subject : Violations of conditions of Environmental Clearance by Fairmine Carbons Pvt Ltd.**

Sir,

1. Attached please find a copy of letter dated 21.03.2025 & 02.06.2025 written by myself to MOEFCC (Regional Office, Ranchi) which is self explanatory.
2. That on 03.06.2025 I received a copy of a letter addressed to Myself, MOEFCC, SEIAA, JSPCB & Other Authorities from the villagers of Pandwa whose land is falls under mining lease area of Rajhara North (Central & Eastern) Coal Block allotted to Fairmine Carbons Pvt Ltd which is self explanatory.
3. Attached please find copy of the Environment Clearance dated 04.11.2022 granted to Fairmine Carbons Pvt Ltd and a pen drive containing videos & photos showing gross violation of the condition of maintaining Safety Barrier of 15 metres at page 9 (Sadabah River Diversion) & violations of specific conditions III (Air Quality Monitoring and Preservation) IV (Water Quality Monitoring and Preservation) V (Noise and Vibration Monitoring and Prevention) VI (Mining Plan) at page 12 to 15 of EC done by Fairmine Carbons Pvt Ltd while conducting mining operation at the aforesaid Coal Mines and despite making several

Page 1 | 2

Gaurav Singh

complains and protests by myself and the affected villagers the mining company is violating the conditions of EC till date.

4. It is therefore in view of the above stated fact necessary directions/orders is required to be issued by your office to stop these violations and to take appropriate action against Fairmine Carbons Pvt Ltd for violations of the conditions of EC in utter defiance of the Authorities.

Yours faithfully

Gaurav Singh



**Enclosure:** Letter Dated 21.03.2025.

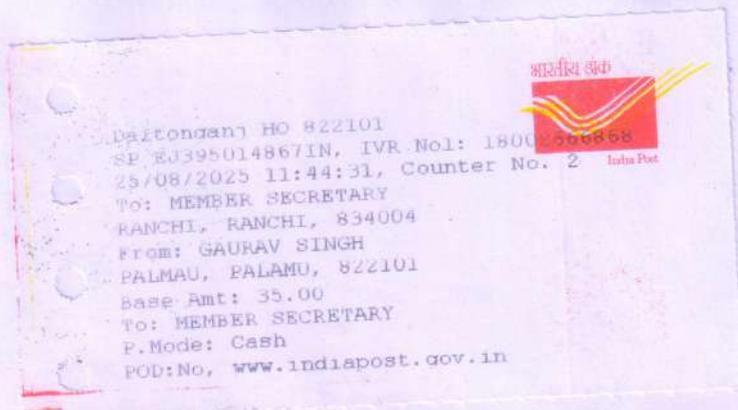
Letter Dated 02.06.2025.

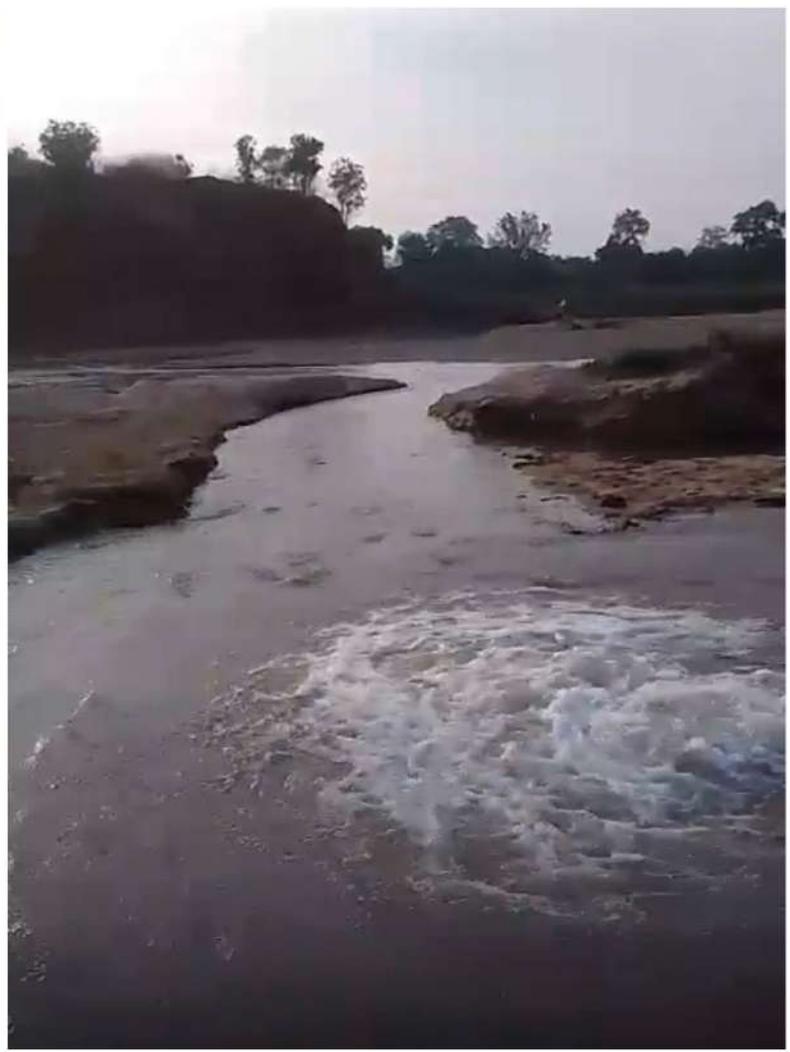
Letter Dated 02.06 2025 written by villagers of Pandwa.

EC granted to Fairmine Carbons Pvt Ltd.

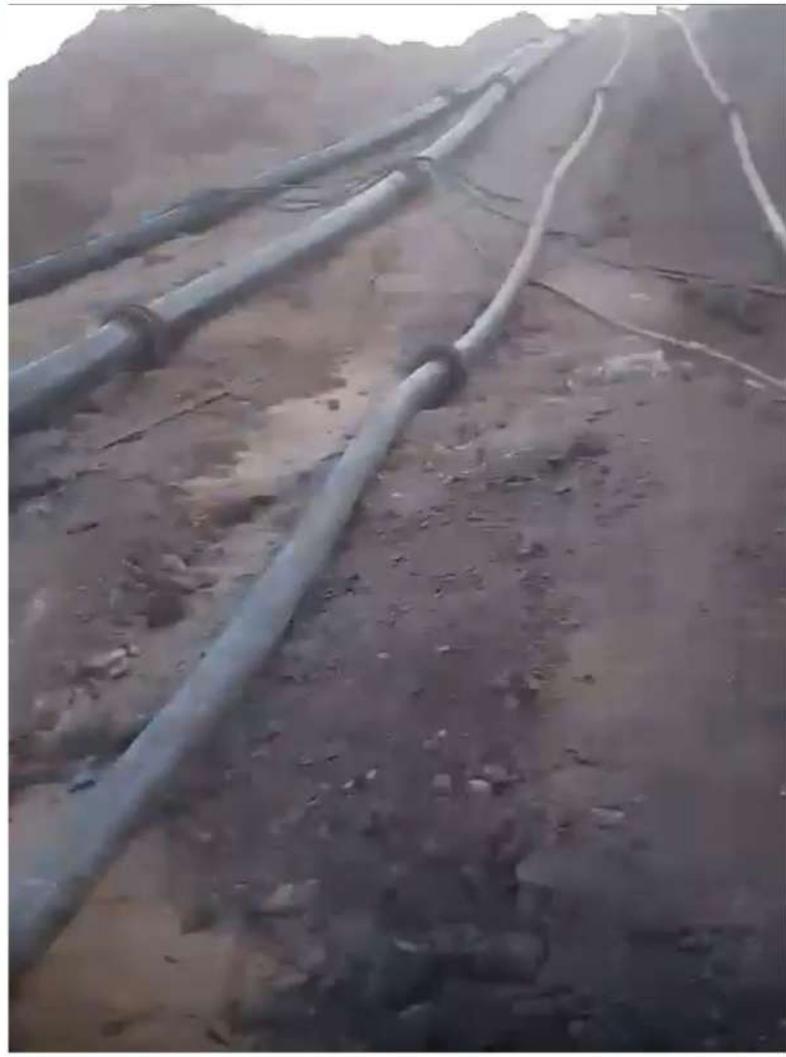
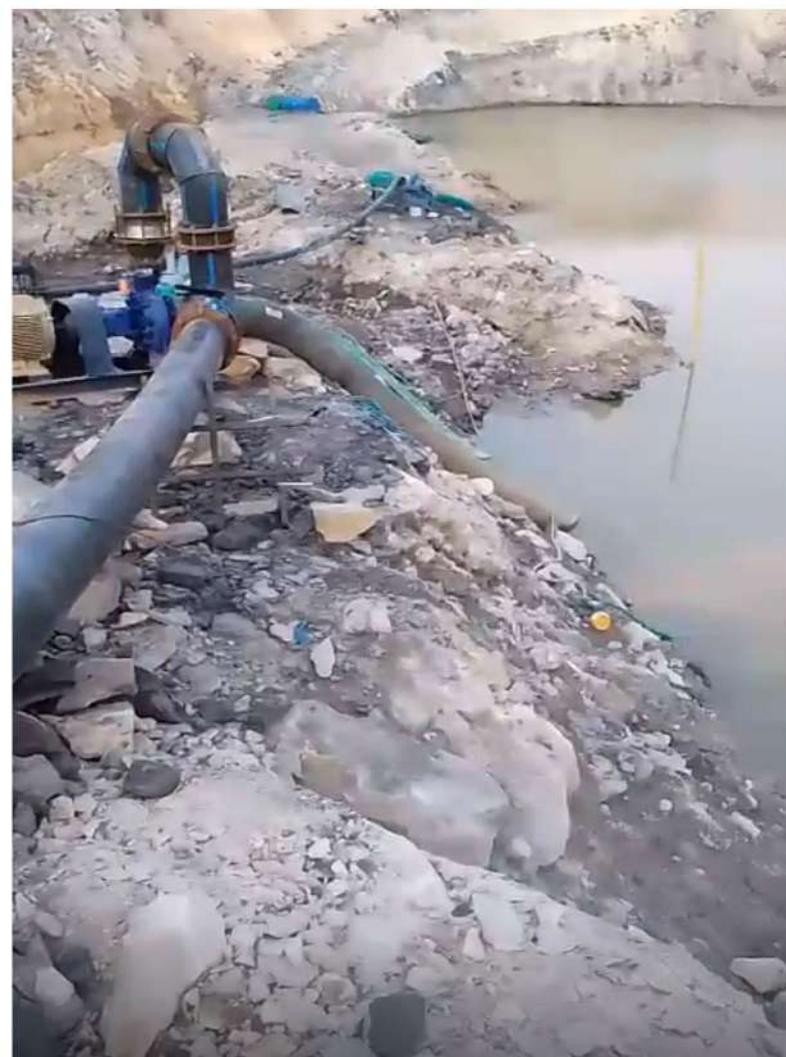
Pendrive containing videos & photos showing violations of conditions of EC.

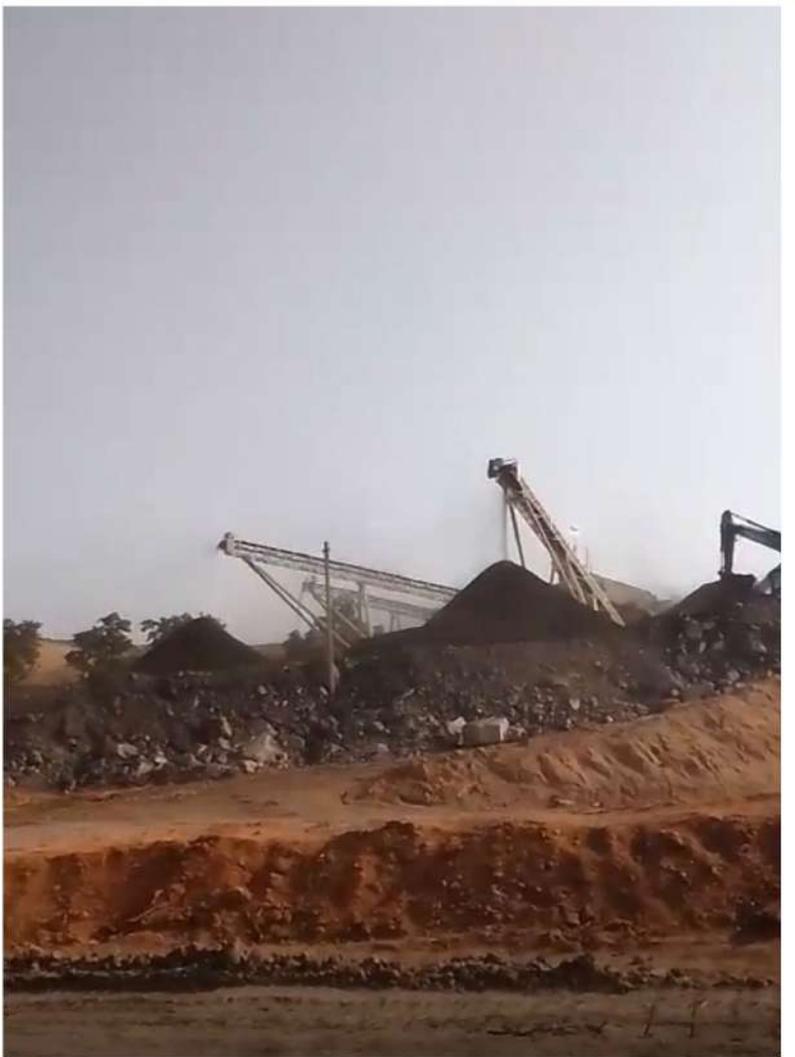
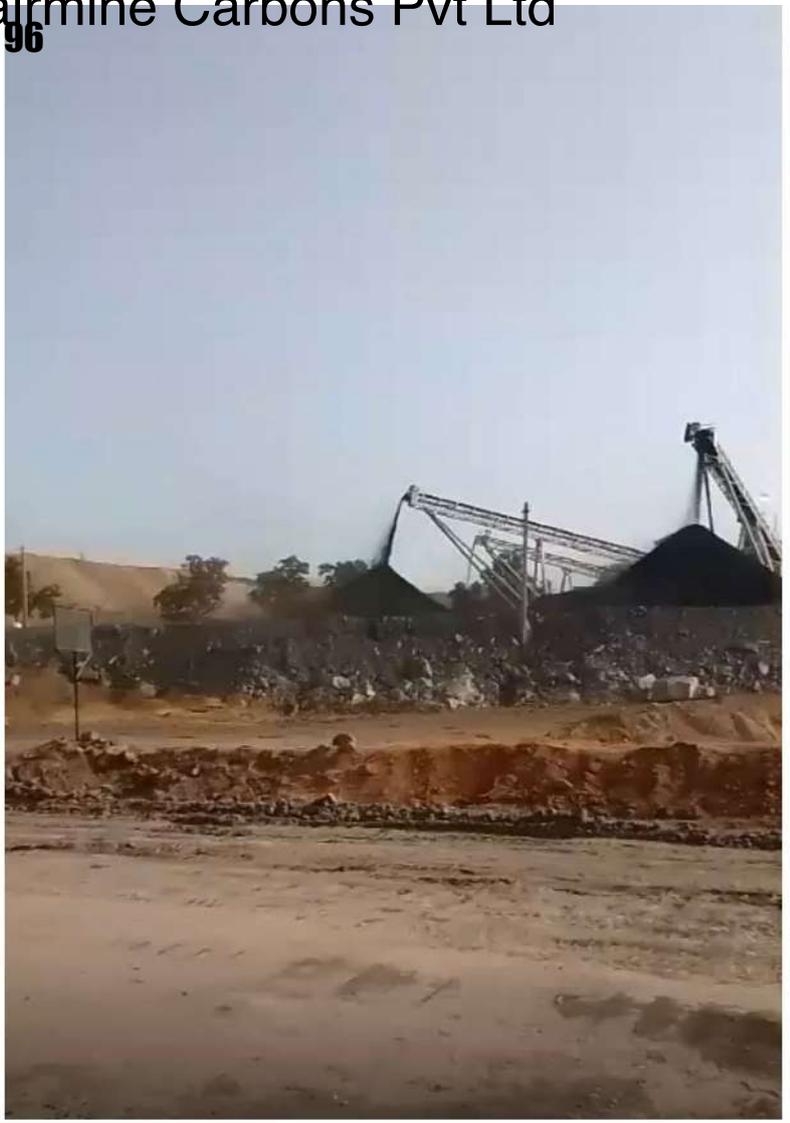
**Copy to:** Member Secretary, Jharkhand State Pollution Control Board, Dhurwa, Ranchi along with enclosures





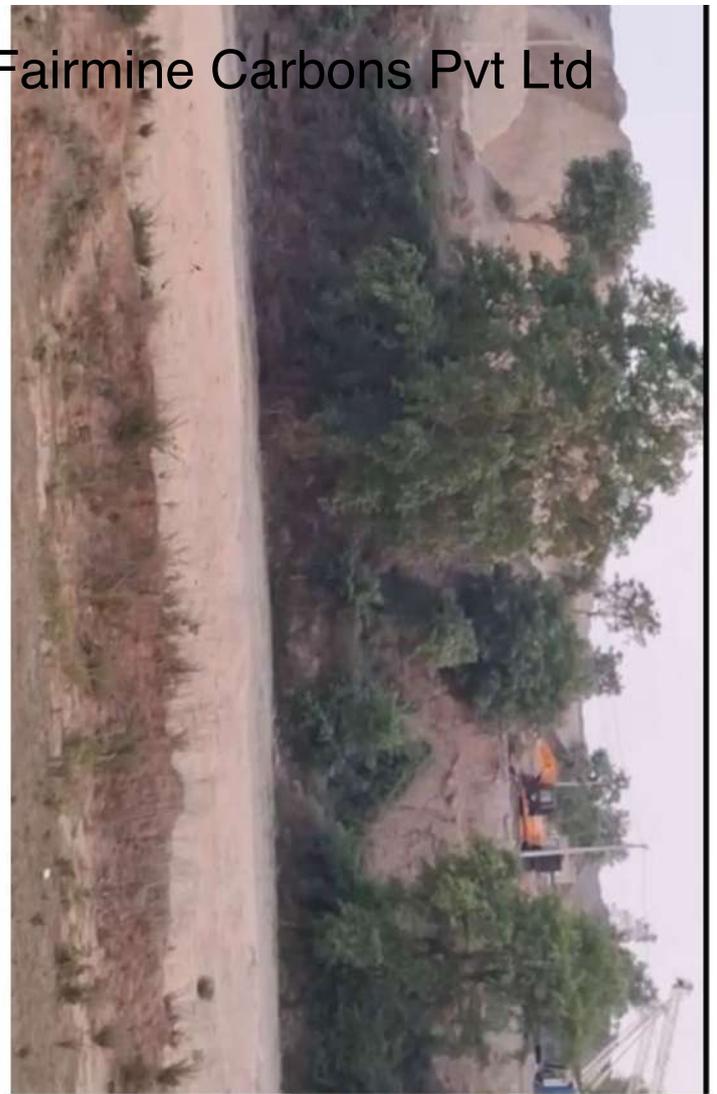






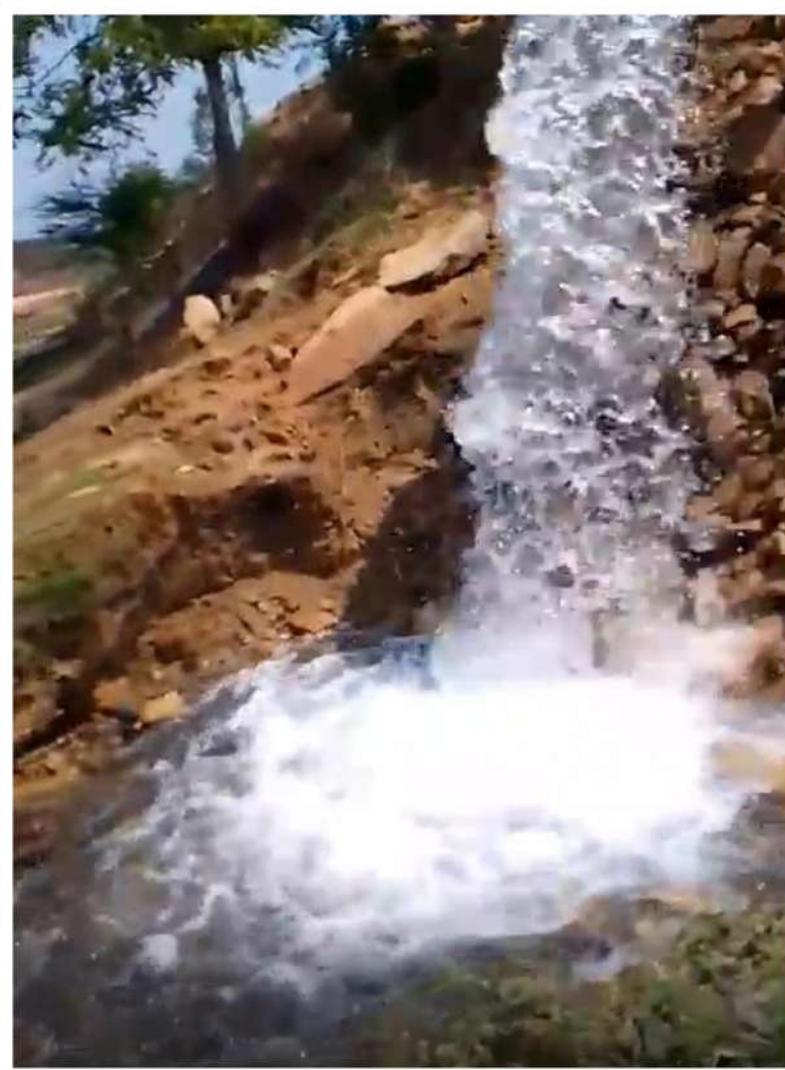
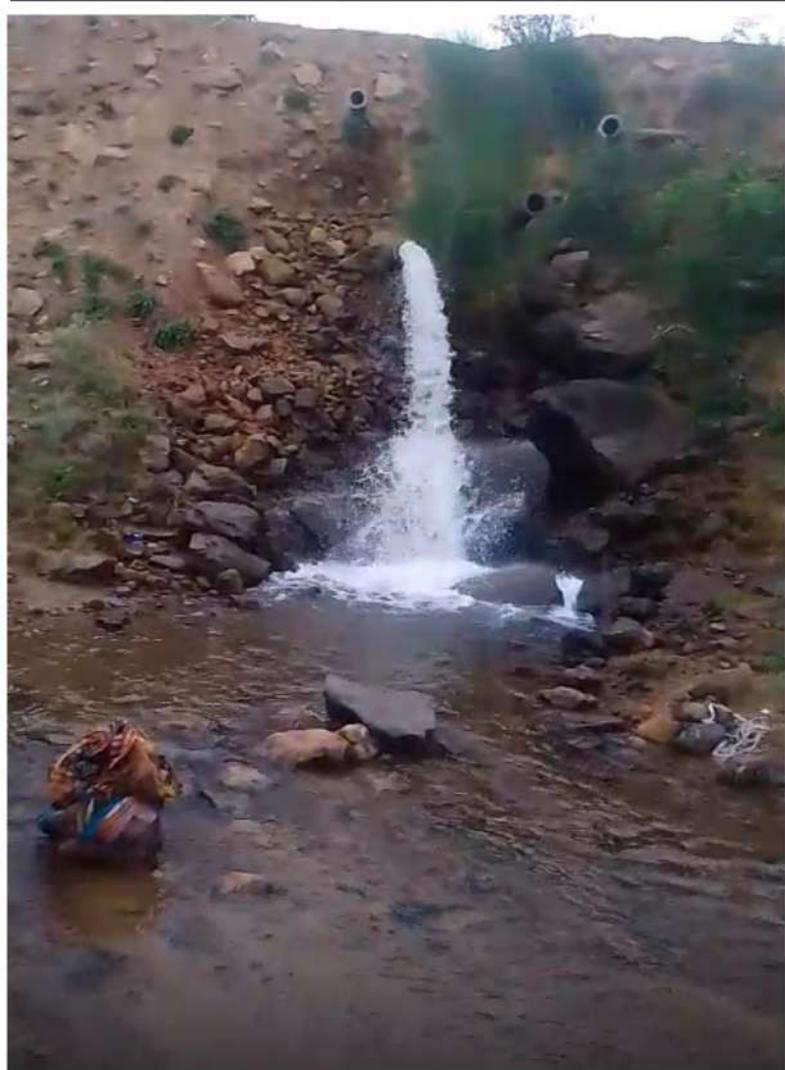
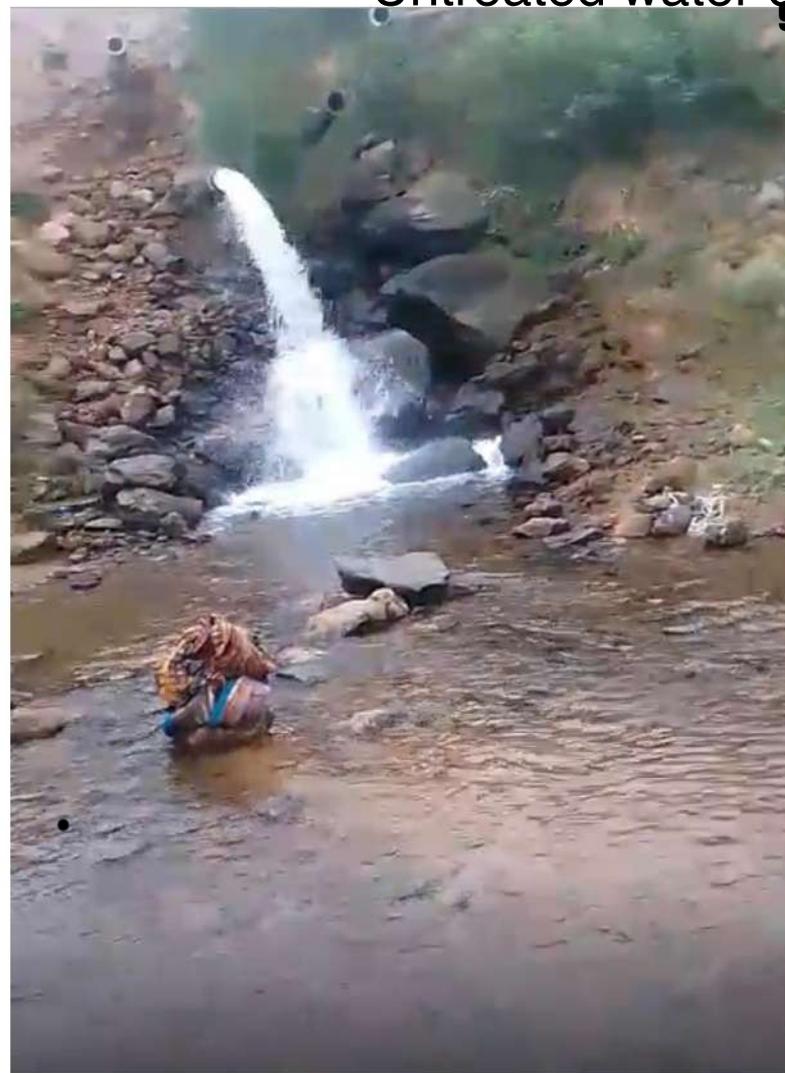


98  
Violation of Safety Barrier by Fairmine Carbons Pvt Ltd



# Untreated water discharge by CCL

99





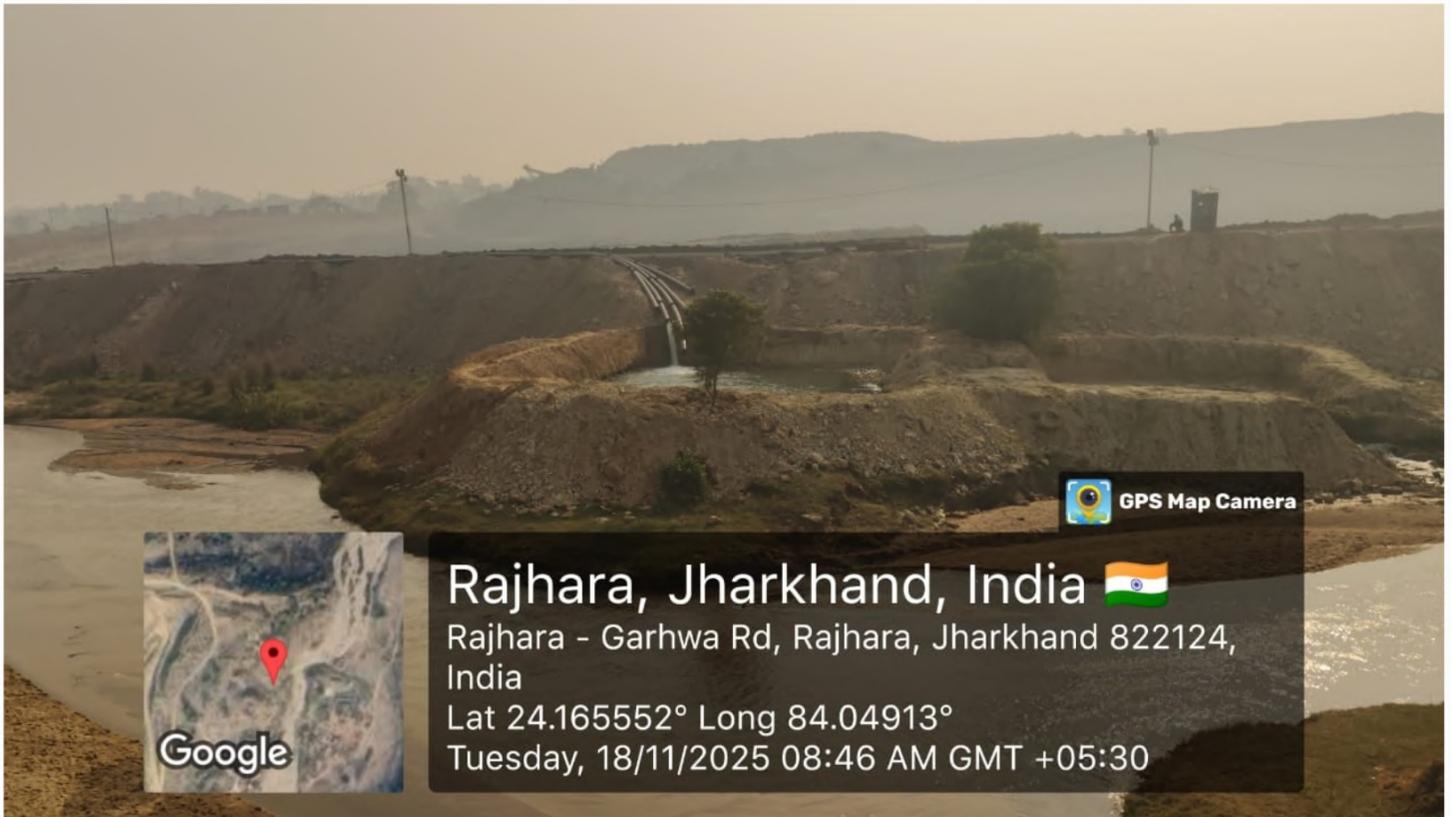
# Illegal Brick Kilns

101



# Untreated Water Discharge<sup>102</sup> by Fairmine Carbons Pvt Ltd

Annexure- N





 GPS Map Camera

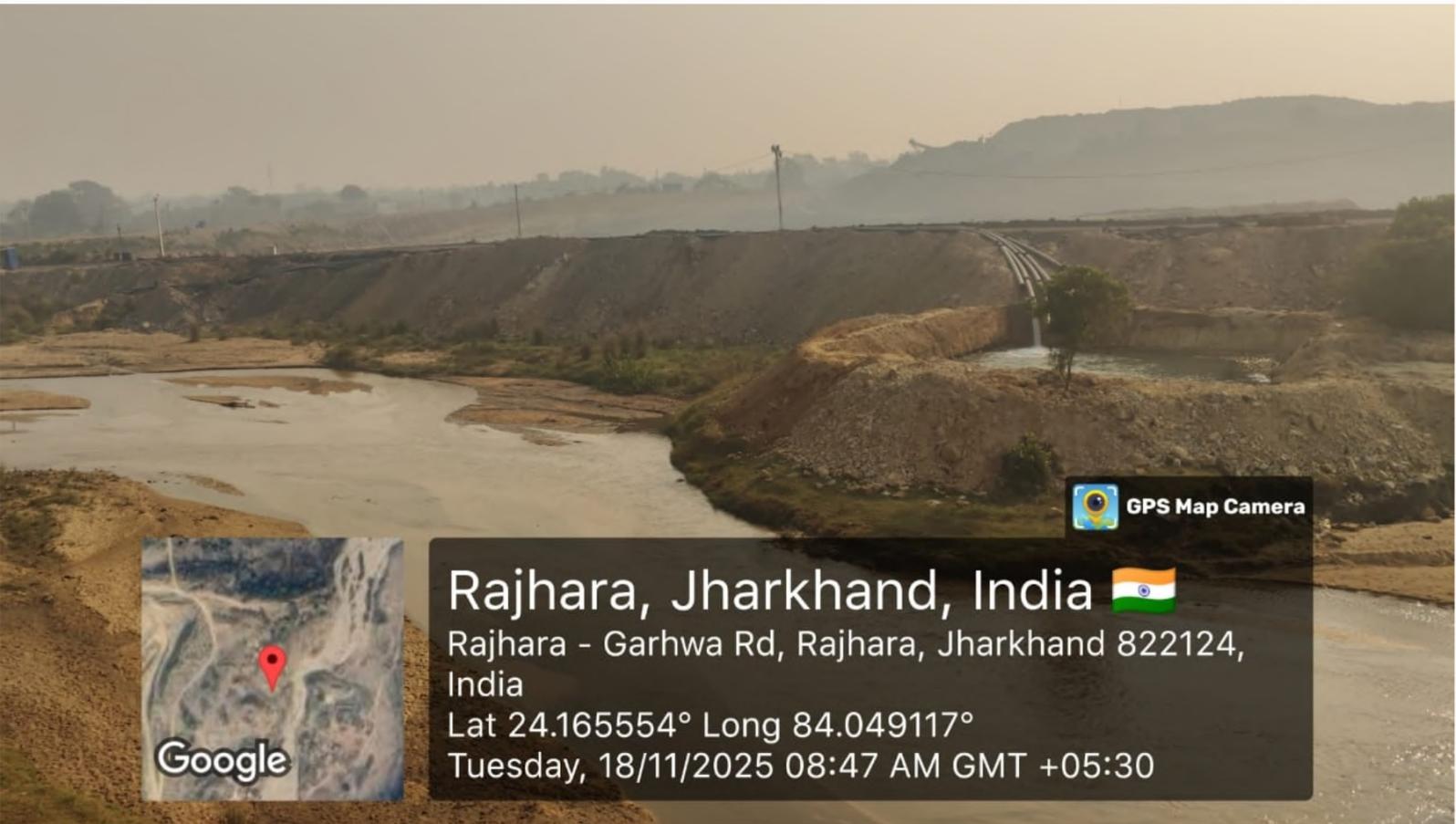


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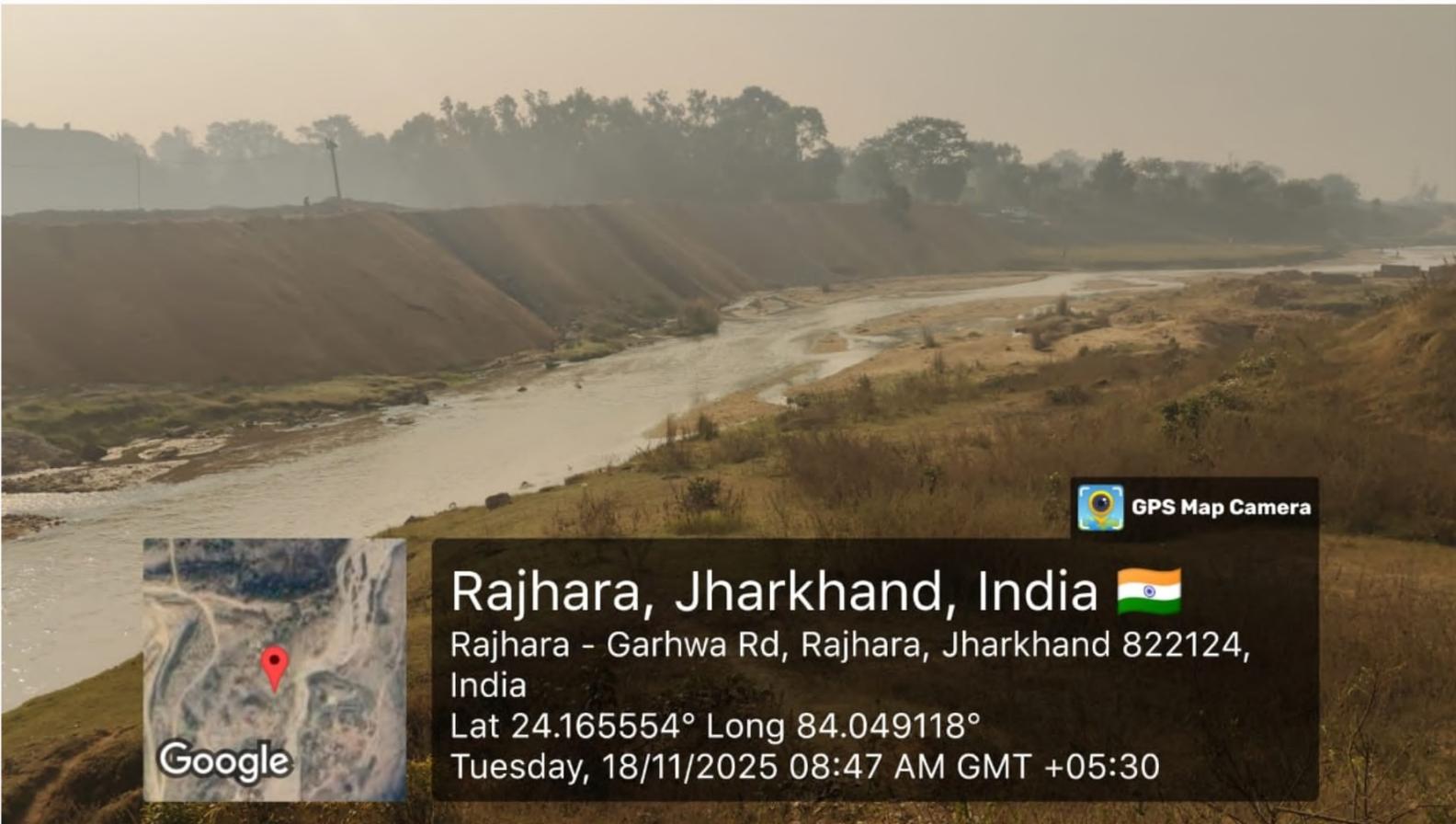
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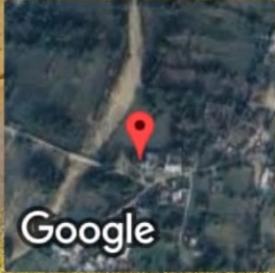
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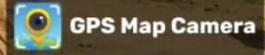
Tuesday, 18/11/2025 08:47 AM GMT +05:30

## Violation of Safety Barrier and Dumping OB in the Sadabah River by Fairmine Carbons Pvt Ltd





Google



Rajhara, Jharkhand, India 

52cr+5j7, गढ़वा - राजहरा रोड, Rajhara, Jharkhand

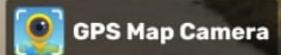
822124, India

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Google



Rajhara, Jharkhand, India 

Rajhara - Garhwa Rd, Rajhara, Jharkhand 822124, India

Lat 24.165554° Long 84.049118°

Tuesday, 18/11/2025 08:47 AM GMT +05:30

**Uprooting of Tree without permission of District Forest Office and burying the trees under OB dump**





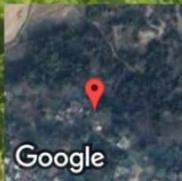
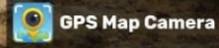
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5353+536, Rajhara, Jharkhand 822124, India

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04/09/2025 01:49 PM GMT +05:30



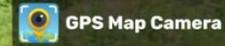
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### Rajhara, Jharkhand, India

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Lat 24.162732° Long 84.050544°

14/09/2025 09:38 AM GMT +05:30



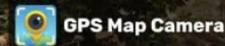
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### Rajhara, Jharkhand, India

5362+jfr, Rajhara, Jharkhand 822124, India

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04/09/2025 01:49 PM GMT +05:30





GPS Map Camera

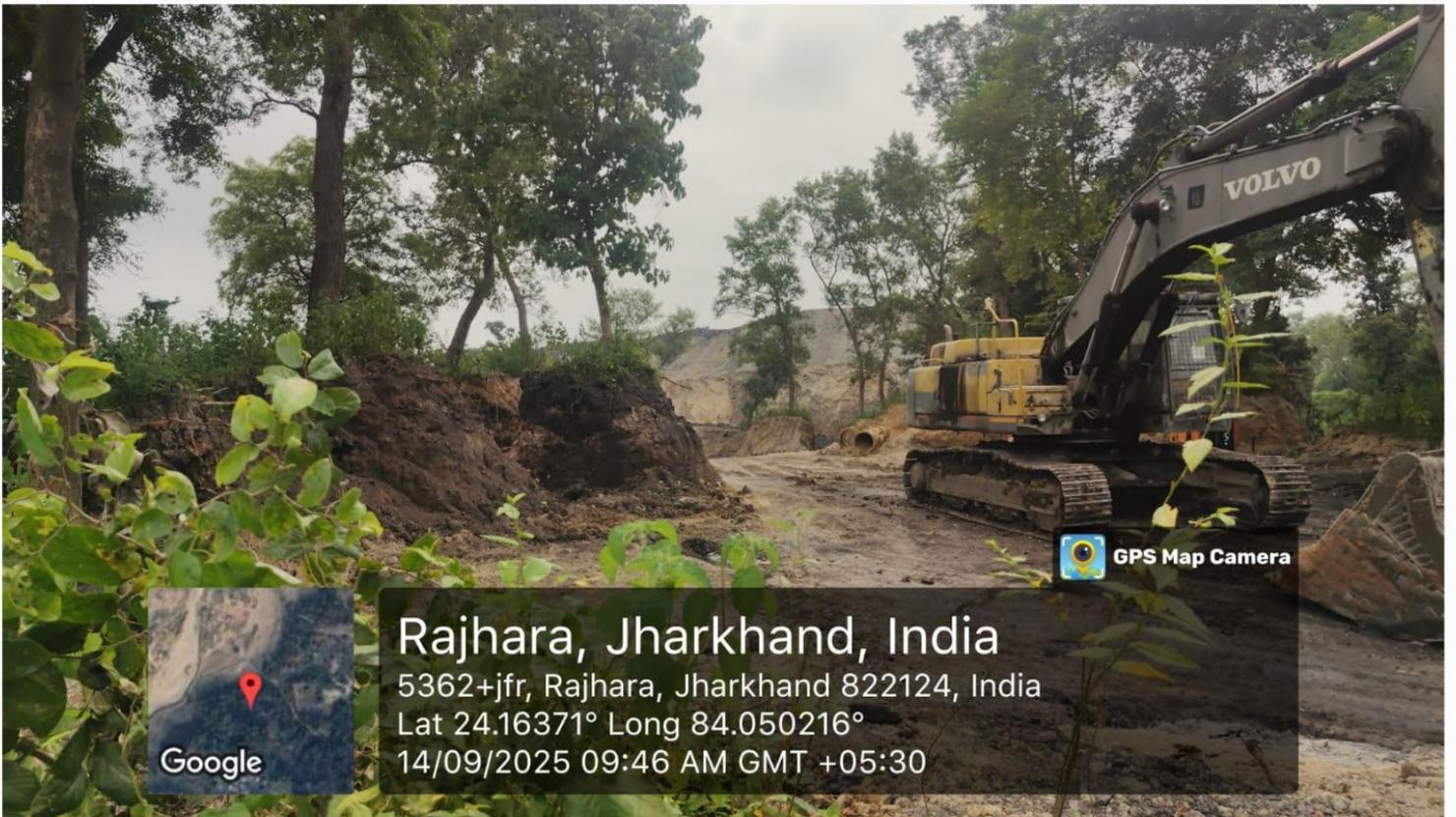


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GPS Map Camera



### Rajhara, Jharkhand, India

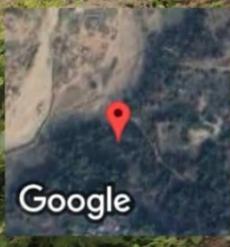
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 GPS Map Camera



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## Rajhara, Jharkhand, India

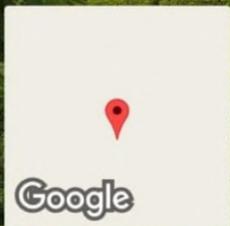
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 GPS Map Camera



Google

## Rajhara, Jharkhand, India

5362+jfr, Rajhara, Jharkhand 822124, India

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10/09/2025 05:22 PM GMT +05:30







 GPS Map Camera



Google

## Rajhara, Jharkhand, India

5362+jfr, Rajhara, Jharkhand 822124, India

Lat 24.163718° Long 84.050222°

14/09/2025 09:45 AM GMT +05:30



 GPS Map Camera



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## Rajhara, Jharkhand, India

5362+jfr, Rajhara, Jharkhand 822124, India

Lat 24.163348° Long 84.050737°

04/09/2025 01:49 PM GMT +05:30



**Rajhara, Jharkhand, India**

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Lat 24.16259° Long 84.050466°

14/09/2025 09:37 AM GMT +05:30

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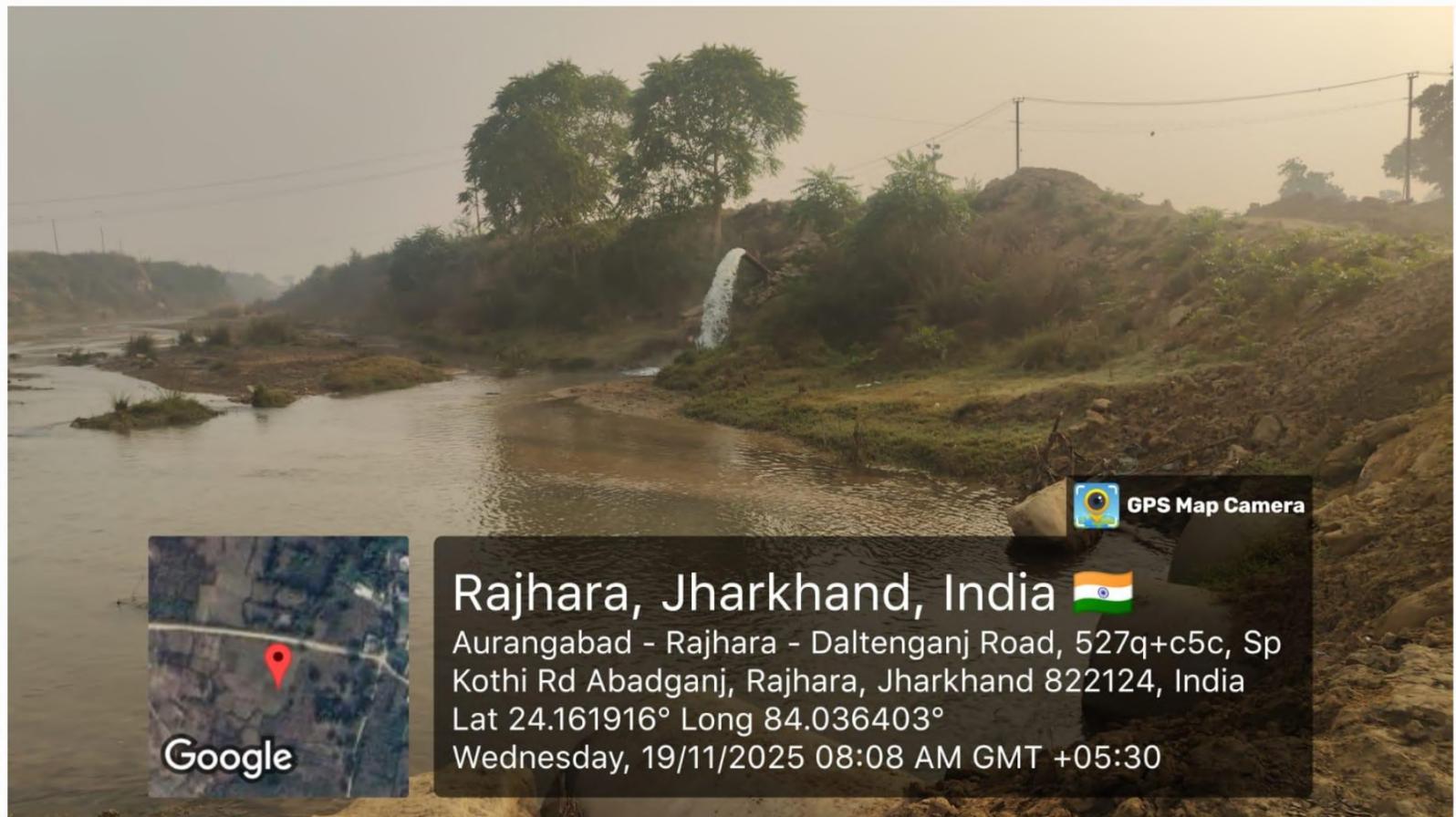
Lat 24.163567° Long 84.049515°

20/09/2025 05:45 PM GMT +05:30

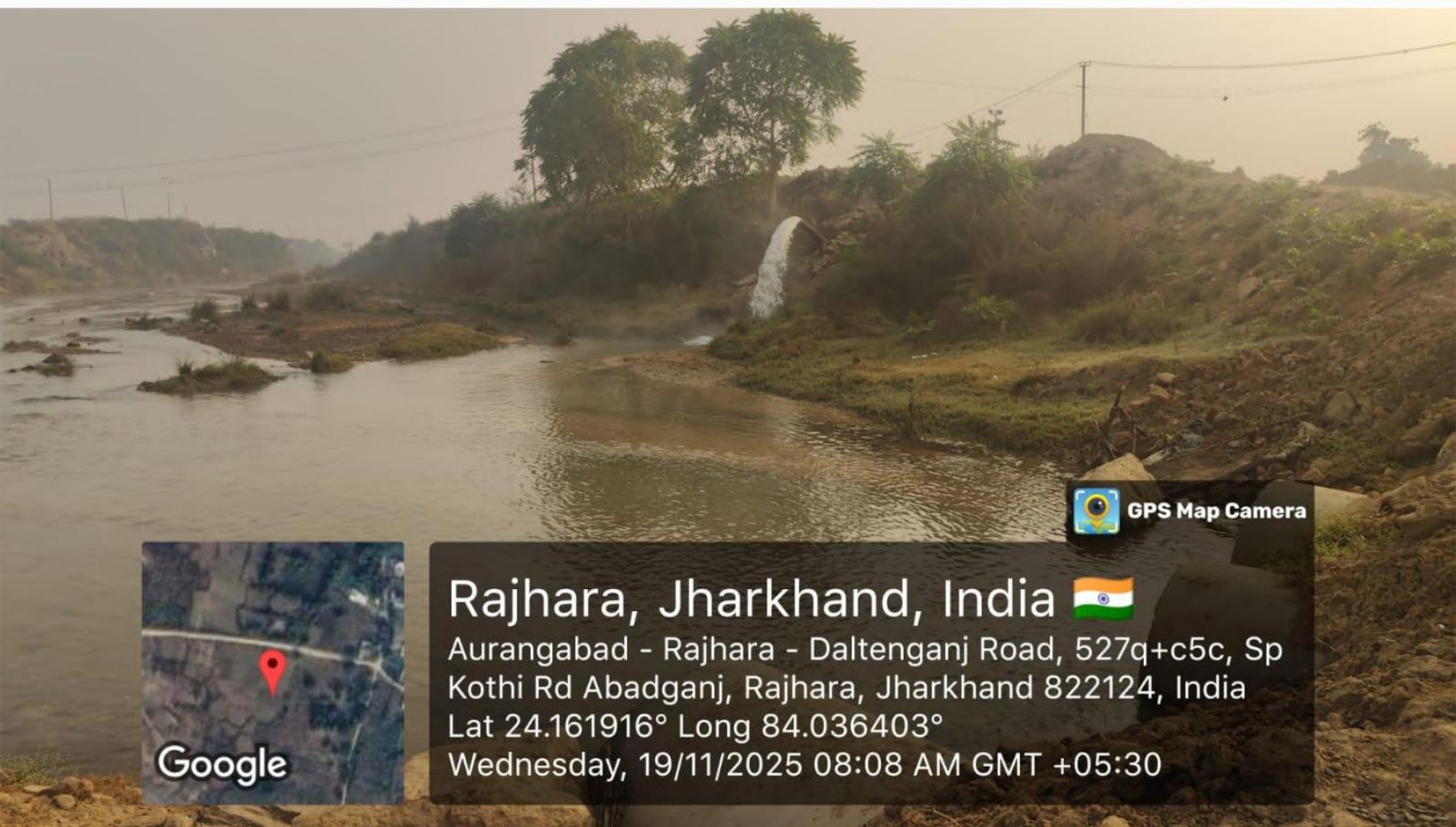
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# CCL discharging untreated underground mine water into Sadabh and Labji Rivers



**Rajhara, Jharkhand, India** 🇮🇳  
Aurangabad - Rajhara - Daltenganj Road, 527q+c5c, Sp  
Kothi Rd Abadganj, Rajhara, Jharkhand 822124, India  
Lat 24.161916° Long 84.036403°  
Wednesday, 19/11/2025 08:08 AM GMT +05:30



**Rajhara, Jharkhand, India** 🇮🇳  
Aurangabad - Rajhara - Daltenganj Road, 527q+c5c, Sp  
Kothi Rd Abadganj, Rajhara, Jharkhand 822124, India  
Lat 24.161916° Long 84.036403°  
Wednesday, 19/11/2025 08:08 AM GMT +05:30

## Illegal operation of brick kilns in the riverbed of Sadabah in village Rajhara

