

BEFORE THE NATIONAL GREEN TRIBUNAL**EASTERN ZONE BENCH, KOLKATA****ORIGINAL APPLICATION NO. 24 OF ²⁰²⁶~~2025~~****IN THE MATTER OF:****RAJ KISHORE SAHOO****APPLICANT****VERSUS****MAHANADI COALFIELDS LIMITED AND OTHERS ...****RESPONDENTS****INDEX**

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Date- 04/12/2025

S.Pani *A.Padhy*

SANKAR PRASAD PANI

ASHUTOSH PADHY

ADVOCATE

Plot 2132/4814, NageswarTangi, Bubaneswar 751002 Cell-9437279278,
Email: sankarprasadpani@gmail.com

SYNOPSIS

That the Present Application Challenges the inaction of state authorities and State Pollution Control Board in allowing the Respondent No 1 Mahanadi Coal Ltd causing air pollution due to loading, unloading, transportation of coal without being covered and operating the Railway sidings without compliance to the conditions of guideline dated 16/04/2010 for Environmental Management in Mineral Stack Yards and Railway sidings. Hence the ongoing sidings operated by Respondent No. 1 is illegal and in violation of Environment Protection Act 1986, Air (Prevention and Control of Pollution) Act 1981 and Water (Prevention and Control of Pollution) Act 1974 and negates the spirit of Polluters Pay Principle, Precautionary Principle. It is also violation of notification dated 21/05/2020 issued by Ministry of Environment Forest and Climate Change (MoEF & CC) wherein it is clearly mentioned that coal transportation shall be undertaken through covered railway wagons. Further the Applicant on many occasions approached the authorities regarding the pollution caused by the Respondent No. 1 during transportation of coal through railway without covering the wagons. The uncovered rail wagons are also in violation of conditions of Environment Clearance and Consent to Operate granted in respect of coal mines of the Mahanadi Coal Ltd

LIST OF DATES

- 16/04/2010 Guideline for Environmental Management in Mineral Stack Yards and Railway sidings came into force superseding the April 2008 guideline.
- 22/12/2020 Complaint filed by Applicant before the IIC, GRPF Talcher, to take action against the CMD of MCL for not covering tarpaulin during transportation of coal by road and rail.
- 21/01/2021 Press release by Mahanadi Koyla Thika Shramik Congress.
- 05/04/2021 Complaint filed by District Congress Committee, Angul before the District Magistrate, Angul.
- 28/06/2021 senior divisional commercial Manager wrote a letter to the M/s S.K. Placement services granting permission for covering tarpaulin of coal rakes.
- 28/09/2021 Letter received by Applicant from the Sub-Collector Talcher to refrain from strike.
- 15/12/2023 Complaint filed by Applicant and others before the DRM Khordha
- 28/08/2024 Complaint filed before the SDPO, Talcher by the Applicant.
- 22/01/2025 Meeting held at Sub- Collector office Talcher regarding the problem of tie of tarpaulin cover in coal loaded vehicles.

- 21/05/2025 letter received from senior divisional commercial Manager
Khurda Road.
- 30/05/2025 Complaint filed before the Additional District Magistrate,
Talcher by the Applicant.
- 28/07/2025 Complaint filed before the Collector Angul by the Applicant.
- 09/08/2025 Complaint filed before the Chairman State Pollution Control
Board by the Applicant.
- 01/09/2025 Complaint filed before the concerned authorities by the
Applicant and other villagers.
- 01/09/2025 Complaint of the Applicant forwarded by Area Manager ,
Talcher to the Senior Divisional Operations Manager,
Khurda
- 09/08/2025 Complaint filed before the Chief Minister Odisha by the
Applicant.

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

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

Original Application No----- OF 2025/EZ

Raj Kishore Sahoo, S/o- Late Ratnakar Sahoo, aged about 50 years,
At/Po- Ghanta Pada, Talcher, Dist- Angul, Pin- 759103...**APPLICANT**

Versus

1. **Mahanadi Coalfields Limited**, Represented through its Chairman-cum-
Managing Director, At/Po- Jagriti Vihar, Burla, Sambalpur-768020,
Odisha, Email- cmd.mcl.cil@coalindia.in
2. **State of Odisha** represented by Chief Secretary, Government of Odisha,
Lokaseba Bhawan, Bhubaneswar, 751001, Email: csori@nic.in
3. Member Secretary, **Odisha State Pollution Control Board**,
Unit- VIII, Nilakantha Nagar, Bhubaneswar, Odisha- 751012,
membersecretary@ospcb.org, paribesh1@ospcb.org
4. **District Collector**, Angul, At/Po- Collectorate, Angul – 759122, Email-
dm-angul@nic.in
5. **Central Pollution Control Board**, represented through it's Member
Secretary, Paribesh bhawan, CBD-cum- Office complex, East Arjun
Nagar, New Delhi-110032, Email- mccb.cpcb@nic.in
6. East Coast Railway, Represented through its Senior Divisional
Commercial Manager, Khurda Road, At/Po- DRM office Complex,
Khurda Road, At/Po- Jatni, Dist- Khurda, Odisha, Pin-752050, Email-
srdcm_kur@kur.railnet.gov.in

...RESPONDENTS

- I. The addresses of the Applicants are given for the service of notices of this application.
- II. **Name and Address of the Company/Plant : Mahanadi Coalfields Limited**, Represented through its Chairman-cum-Managing Director, At/Po- Jagriti Vihar, Burla, Sambalpur-768020, Odisha
- III. That the present Application is against the operation of railway sidings by Respondent No.1 without having valid CTE and CTO from the State Pollution Control Board and also **the pollution caused by the Respondent NO.1 during transportation of the coal without covering the rail wagons with tarpaulin.**

BRIEF FACTS OF THE CASE:

1. That the Applicant is the resident of Ghanta Pada, Talcher, Dist- Angul, Odisha wherein the private respondent is operating its railway sidings without having valid CTE and CTO also during transportation of the materials the Respondent No.1 is not covering the wagons for which severe air pollution is caused and the locals are suffering.
2. It is pertinent to mention here that the Applicant is the president of Mahanadi Koyla Thika Shramik Congress and on behalf of the organization along with the members of the organization on various occasions approached concerned authorities regarding the pollution caused by the Respondent No.1 during loading and transportation of coals. However as on date no stringent action has been taken by the

concerned authorities so as to control the fugitive air pollution caused by the Respondent No.1, hence the Applicant approached this Hon'ble Tribunal for redressal of his grievance regarding environmental pollution caused by the Respondent No.1.

3. Talcher coalfield is an important coalfield of the country which is a part of Mahanadi Coalfields Limited (MCL), fully owned subsidiary of Coal India Limited a Maharatna company Talcher coalfield of Mahanadi coalfields Limited (MCL) is expected to produce 125 million tonne of coal in 2025-26 as against 100 million tonne recorded in the last financial year. According to [Geological Survey of India](#), the Talcher Coalfield has reserves of 38.65 billion tonnes, the highest in India. Talcher Coalfield covers an area of 500 km² (190 sq mi). The coal is of lower grade containing only about 35 per cent of fixed carbon, 70 per cent volatile matter and 25 per cent ash content
4. That the Respondent No.1 **Mahanadi Coal Ltd (MCL)** is operating 9 number of **Opencast Coalmines project (OCP)** in Talcher Area as follows,
 - i. Ananta OCP, MCL, Talcher.
 - ii. Balaram OCP, MCL, Talcher
 - iii. Bharatpur OCP, MCL, Talcher
 - iv. Bhubaneswari OCP, MCL, Talcher
 - v. Hingula OCP, MCL, Talcher.

- vi. Jagannath OCP, MCL, Talcher
- vii. Kaniha OCP, MCL, Talcher
- viii. Lingaraj OCP, MCL. Talcher
- ix. Nandira Colliery OCP, MCL. Talcher

It is pertinent to mention here that all the Railway sidings related to the above-mentioned coal mines of the Respondent No.1 do not have Consent To Establish and Consent To Operate from the State Pollution Control Board as per the 2010 guideline even though the Coal Mines have been issued Consent to Operate with conditions to maintain the environment Standards in Railway Siding too.

5. That the applicant along with members of the organization and local villagers on dated 01/09/2025 approached the Area Railway Manager (herein after referred as ARM), East Coast Railway, Talcher Railway station regarding the railway wagon carrying/ transporting coal from MCL without tarpaulin cover causing air pollution. Copy of the representation dated 01/09/2025 is annexed here unto as **ANNEXURE-1**.
6. The **CPCB AQI data on 22/01/2025 described the air quality at Talcher as very poor in its Air Quality Index (AQI)**. The AQI value for Talcher was 312, said the CPCB data and **the second most polluted city in India**. It is pertinent to mention here that in order to counter growing air pollution, a **National Clean Action Plan (NCAP) was made operational in 2018**. Under the Plan, all Indian cities have to meet

National Ambient Air Quality Standards (NAAQS). Cities that do not meet these Standards are termed non-attainment cities. It is further submitted that the Central Pollution Control Board (CPCB) has identified **102 non-attainment cities in the country**. Six of these cities are in Odisha including, **Talcher**, is one of the Non-Attainment City, where the ambient air quality does not meet NAAQS with respect to PM10 and PM2.5.

7. It is pertinent to mention here that though the Talcher is coming under the non- attainment cities the state respondent's as well as the State Pollution Control Board has not taken any stringent action to mitigate the continuous air pollution caused by the Respondent No.1 and other industries also.
8. It is pertinent to mention here that after receipt of the letter dated 01/09/2025 from the Applicant the ARM East Coast Railway, Talcher Railway station forwarded the same to the Senior Divisional Operations Manager, East Coast Railway, Khurda Road to take necessary action, however as on date no action has been taken by the concerned authorities to mitigate the air pollution caused by the Respondent No.1 during transportation of coal. Copy of the letter dated 01/09/2025 written by ARM East Coast Railway, Talcher is annexed here unto as **ANNEXURE-2**.

9. That the Applicant on dated 13/03/2019 made a representation before the District Collector, Angul regarding the pollution caused during the transportation of coal through heavy vehicles. Further the applicant through his representation stated that for tarpaulin covering , Three Rupees have been allotted per ton of coal but no such tarpaulin is covered and the fund meant for the same is being siphoned amounting to a huge scam of 375Million Rupees Per annum. Copy of the representation dated 13/03/2019 is annexed here unto as **ANNEXURE-3.**
10. It is not out of place to mention here that on dated **22/01/2025 a meeting was held in the office of Sub- Collector, Talcher to curb the problem of tarpaulin cover during coal transportation,** in the said meeting it is decided that the Railway authorities will write a letter to the higher officials to resolve the problem, however as on date no action has been taken by the Railway authorities to curb the problem. Copy of the minutes of meeting held on dated 22/01/2025 is annexed here unto as **ANNEXURE-4.**
11. It is further submitted that again on dated **30/05/2025 Applicant along with other members of Mahanadi Koyla Thika Shramik Congress wrote a letter to Collector Angul,** Superintendent of Police Angul and ARM Talcher regarding the transportation of coal through railway wagon without tarpaulin cover by the MCL from different mines, washeries and sidings. However, the authorities did nothing after receiving the

complaint from the Applicant and the same act of the authorities suggests that they are less bothered about the environmental pollution. Copy of the representation dated 30/05/2025 is annexed here unto as **ANNEXURE-5**.

12. It is further submitted that again on dated 28/07/2025 applicant has approached the Sub- Collector Talcher regarding the pollution caused by the Respondent No.1, during transportation of coal through railway wagons without covering with tarpaulin cover, however as on date the Sub- collector failed to redress the grievance of the Applicant. Copy of the representation dated 28/07/2025 is annexed here unto as **ANNEXURE-6**.

13. It is not out of place to mention here that the Applicant has also approached to the State Pollution Control Board on dated 09/08/2025 regarding the pollution caused by the Respondent No.1. However, the State Pollution Control Board has also not taken any action against the Respondent No.1, and this act of the authorities suggests that they are in nexus with Respondent No.1 and are least bothered about the environmental pollution. Copy of the Representation dated 09/08/2025 is annexed here as **ANNEXURE- 7**.

14. It is most respectfully submitted that acting on a complaint the Divisional Commercial Manager, East Coast Railway, Khurda Road Division has informed that

“The receipt of your complaint under reference is acknowledged with thanks. It is informed that generally such type of loaded wagons used to move in covered condition with tarpaulins.

Railway Board has instructed that, due precaution should be taken while transporting/handling, pollution intensive commodities. Tarpaulin sheet for covering the wagons should be securely tied before transportation to comply the directive of State Pollution Control Board.

For this purpose, additional free time for 01 hour has been granted for covering of tarpaulin. In this context, a series of reminders have been issued to use good quality of tarpaulin and rope for covering of wagons and tied in the wagons properly ie. tied 1 Meter interaction of the tarpaulin covered wagon to avoid untoward incidents as well as to comply the directives of State Pollution Control Board.

In view of the above, necessary instructions have been given to Railway officials for use of good quality of tarpaulin and rope for covering of wagons and tied in the wagons properly.

Pollution from wagons is taken very seriously and it will be ensured that wagons are covered during transit”. Copy of the letter dated 21/05/2025 is annexed here unto as ANNEXURE- 8.

15. It is further submitted that acting on a complaint filed by the Applicant the State Pollution Control board on dated 12/11/2025 has issued one notice to all the coal mines & industries to provide tarpaulin sheet for covering the coal carrying wagons. However as on date the Respondent No.1 is not following/obeying the directions issued by the State Pollution Control Board. Copy of the circular dated 12/11/2025 issued by the State Pollution Control Board is annexed here unto as **ANNEXURE-9**.

16. It is not out of place to mention here that the Ministry of Environment Forest and Climate Change (MoEF & CC) on dated 21/05/2020 has issued one gazette notification wherein it is clearly mentioned that coal transportation shall be undertaken through covered railway wagons. Relevant portion of the said notification is extracted below,

“Coal transportation may be undertaken by covered Railway wagon (railway wagons covered by tarpaulin or other means) and or covered conveyer beyond the mine area However, till such time enabling Rail transport/conveyer infrastructure is not available, road transportation may be undertaken in trucks, covered by tarpaulin or other means”.

Copy of the notification dated 21/05/2020 is annexed here as **ANNEXURE-10**.

17. It is pertinent to mention here that due to inhale of polluted air the local villagers of Talcher are suffering from various kind of respiratory

diseases like Tuberculosis, asthma and also suffering from heart and lungs diseases.

18. That the photographs of various dates suggest the Respondent No.1 is clearly violating the Notification dated 21/05/2020 issued by the MOEFCC and circular issued by the State Pollution Control Board and directions issued by Railway Board and this act of the Respondent No.1 in terms of transportation coal without any cover, clearly depicting that they are least bothered about the environmental pollution and ill effects of the pollution caused by them. Photographs of various dates is annexed here unto as **ANNEXURE-11**.

19. It is not out of place to mention here that as per the **Guidelines for Environmental Management in Mineral Stack Yards and Railway Sidings published on dated 16th April 2010** under the heading of “**Good Operating Practice**” in point No. 22 it is specifically mentioned that *“During transportation of material by trucks / tippers / wagons through public roads, the vehicles shall be properly covered with tarpaulin sheets”*. However in the present case the Respondent No.1 is not following the above mentioned guideline while transporting the coal through wagons. Copy of the Guideline dated 16/04/2010 is annexed hereunto as **ANNEXURE-12**.

20. That the **Guideline of 2010 has also prescribed a Check list of Environmental Issues:** The following issues shall be taken into

consideration for environmental assessment. i) Siting of facility and proximity of nearby dwellings. ii) Compatibility of the activities with surrounding land use. iii) Need for isolating the operational areas or any additional precautionary measure to be undertaken. iv) Likelihood of the materials proposed to be handled to create dust nuisance. v) Proposed dust control measures. vi) Storm water management system and disposal practice. vii) Possibility of discharge to nearby water bodies. viii) Bunding of storage area and its appropriateness. ix) Impact on nearby residents, beyond normal working hours. **However, in the present case no such check list is prepared by the state pollution control board.**

21.It is needless to mention that the Hon'ble NGT has earlier directed closure of Jakhpura Railway siding for not taking adequate pollution control measures and as such Hon'ble Apex court in Paryavaran Surakshya Samiti Case has issued mandamus to the states for ensuring that none of the unit is allowed to operate without any waste water treatment plant in place

22.That illegal operation of the Railway siding **without ETP is in violation of order dated 22.02.2017 of this Hon'ble Supreme Court of India** in the case of **Paryavaran Suraksha Samiti and Anr. v. Union of India and Ors. (Writ Petition (Civil) No. 375 of 2012** for the defaulting unit i.e. the Railway Siding in the present case. The Hon'ble Apex Court in para 4 of the order directed all State Pollution Control Boards to issue

notices to all industries to make their primary effluent treatment plants operational within 3 months:

*“4. The question that arises for our consideration is, whether the same is maintained in good order, after the industry itself has become functional. **The industry requiring “consent to operate”, can be permitted to run, only if its primary effluent treatment plant, is functional.** We therefore consider it just and appropriate, to direct the concerned State Pollution Control Boards, to issue notices to all industrial units, which require “consent to operate”, by way of a common advertisement, requiring them to make their primary effluent treatment plants fully operational, within three months from today. On the expiry of the notice period of three months, the concerned State Pollution Control Board(s) are mandated to carry out inspections, to verify, whether or not, each industrial unit requiring “consent to operate”, has a functional primary effluent treatment plant. Such of the industrial units, which have not been able to make their primary effluent treatment plant fully operational, within the notice period, shall be restrained from any further industrial activity. This direction may be implemented by requiring the concerned electricity supply and distribution agency, to disconnect the electricity connection of the defaulting industry. We therefore hereby further direct, that in case the concerned State Pollution Control Boards make a recommendation to the concerned electrical supply and distribution agency/company, to disconnect electricity supply to an industry, for the reason that its primary effluent treatment plant is not functional, it shall honour such recommendation, and shall disconnect the electricity supply to such defaulting industrial concern, forthwith.”.*

23. That while disposing the Original Application No 41/2015/EZ and the Judgment pronounced on 25th May 2017 in a similar matter relating to operation of Railway siding at Jakhpur, the Honble Tribunal has issued a slew of direction and the same is reproduced as follows

“Para 39. For the reasons stated above we direct as follows:-

I. (i) The Govt. of Odisha through the **Chief Secretary, shall seek appropriate explanation from the District Magistrate, Jajpur, for his misconduct** in interfering with the functioning of the State Pollution Control Board and take suitable penal action against him.

(ii) The Govt. of Odisha through the Chief Secretary to constitute a High Power Committee to enquire into the action of the **Chairman and Member Secretary, PCB, who have been delegated by the Board vide order No. 9832/Ind-ICON- MISC-306 dated 25.1.2008, in revoking the closure order and thereby allowing the Railway siding at Jakhapura to undertake the activities in the absence of consent to operate certificate of the Board and, recommend appropriate action against them to the Government.** II. (i) We find, and admittedly so, that the East-

Coast Railway has committed breach of both the Water Act, 1974 and the Air Act, 1981 and contributed to air and water pollution in the area since last five years till the last inspection conducted by the Board on 25.3.2015. In all previous inspections by the Board, the Unit had been found in default in the adoption of pollution control measures. The applicant has also alleged pollution of environment and reduction in agriculture productivity due to siding activities of East Coast Railway which has not been opposed by

either the PCB or by the railway. Because of railway-siding activities in the absence of valid consent to operate from the State Pollution control Board and also in the absence of regular monitoring by the Board, the ore dust emissions, which largely contain toxic heavy metals, exceeding the permissible norms are bound to cause environmental imbalance affecting the primary productivity, soil fertility, water quality and health of the people in the locality. Keeping these factors in mind, the Tribunal has to invoke the “Polluter Pays” principle. The source of pollution is obviously attributable to the operation of railway siding illegally for loading and unloading of minerals which has led to adverse impacts on environment and public health. Thus the East Coast Railway is liable to pay environmental compensation on the principle of **“Polluter Pays”**. **“Polluter Pays”** principle, which is an overarching principle, mandates the polluter to bear the cost of pollution, prevention, control and reduction measures. This principle is an integral component of sustainable development. The Apex Court of India in *Indian Council for Enviro-Legal Action – vs- Union of India*: (1996) 3 SCC, *Karnataka Industrial Area Development Board –vs- C. Kenchappa*: (2006) 6 SCC 371, *M.C.Mehta –vs- Union of India*: (2006) 3 SCC 399, has held that the “remediation of the damaged environment is a part of the

process of sustainable development and as such the polluter is liable to pay the cost to the individual sufferer as well as the cost of reversing the damaged ecology.” Similarly in Hindustan Coca Cola Beverages Pvt. Ltd.-vs- West Bengal, it has been held that “it is no more res integra, with regard to the legal proposition, that a polluter is bound to pay and eradicate the damage caused by him and restore the environment. We may also refer to judgement dated 22.07.2013 in the case of Manoj Mishra –vs- Union of India decided by the Principal Bench of NGT in which the ‘polluter pays’ principle was applied while directing payment of compensation for dumping debris and construction wastes on the bank of the river Yamuna. (ii) Therefore, we direct that East Coast Railway Division at Chandrasekharpur, Bhubaneswar, under whose authority the illegal railway siding was in operation at Jakhapura railway station, to pay environmental compensation of **Rs. 50.00 lakhs @ Rs. 10.00 lakhs per annum for the five years of violation of Environmental norms, which shall be paid within a period of two months to the District Magistrate, Jajpur, who will spend Rs. 25.00 lakhs on infrastructure development of Primary Health Centre (PHC) at Jakhapura towards the cost of building, laboratory and instruments and the remaining Rs. 25.0 lakhs towards improving the environment**

in and around the railway siding and, for sanitation, supply of drinking water, etc., in the affected village. (iii) Besides this, we also direct the East-Coast Railway to **pay Rs. 1.0 lakh cost to the Applicant, Shri Aswini Kumar Dhal, who had filed the application** seeking to restrain the East Coast Railway from allegedly emitting harmful air pollutants in violation of environmental norms. (iv) The East-Coast Railway, Bhubaneswar, the District Magistrate, Jajpur, the State Pollution Control Board, Bhubaneswar and the Chief Secretary, Govt. of Odisha are directed to file their respective affidavit on compliance of this order within three months in the Registry of the Tribunal. (v) It is further directed that the railway siding at Jakhapura railway station shall remain closed till consent to operate is granted by the Board after being fully satisfied that all pollution control measures are in place”.

GROUND OF THE CASE

- A. That the Respondent No.1 is not following the Notification dated 21/05/2020 issued by MOEFCC wherein it is clearly mentioned that *“Coal transportation may be undertaken by covered Railway wagon (railway wagons covered by tarpaulin or other means) and or covered conveyer beyond the mine area. However, till such time enabling Rail*

transport/conveyer infrastructure is not available, road transportation may be undertaken in trucks, covered by tarpaulin or other means”.”

- B. That the authorities have not taken any remedial and penal action on the grievance made by the Applicant and local people against the pollution caused by Respondent No.1.
- C. Transportation, storage, loading and unloading of minerals at Stack-yards /Railway sidings have considerable air pollution potential. These activities have been brought under consent administration of the Board under RED category as per Board's Resolution No. 3369 dt. 16.2.08. Applications for grant of consent to these activities are to be disposed of by concerned Regional Offices as per the delegated power vide letter No. 2186 dt. 31.1.08. The Board issued guidelines to regulate stack-yards and railway siding in April 2008.
- D. That the activities at Railway Siding/Stock Yard being highly polluted in nature and categorized as Red Category requires strict compliance of Conditions of consent to operate and same has not been done for which it attracts the Polluters Pay Principle.

INTERIM PRAYER

Direct the Respondent No.1 to stop all transportation of coal as the Respondent company have not obtained CTE and CTO for all the 9 sidings from the State Pollution Control Board till the matter decided by this Hon'ble NGT the Respondent Railway sidings may be restrained from further operation till final disposal of the main application.

LIMITATION

That there is a subsisting cause of action because of the ongoing transportation of coal without covering in defiance of environment protection norms, hence the application is not barred by limitation.

PRAYER

In light of the present facts and circumstances it is most respectfully prayed that this Hon'ble Tribunal may be please to direct

- a) Stop the loading and unloading at the Railway Sidings and transportation of coal through rail wagon without covering tarpaulin
- b) Direct the State Pollution Control Board to compute environmental compensation against the Respondent No.1 for polluting the environment and recover the same from Respondent No.1.
- c) Fix the responsibility of the Erring Officers of Pollution Control Board and District Collector, Angul for failure to discharge their duties and allowing/facilitating the operation of Railway sidings and Coal transportation in violation of the environment norms
- d) That any other reliefs as the Hon'ble tribunal deems fit.

And for this act of kindness, the petitioners as in duty bound shall ever pray.

Place- Bhubaneswar

Applicant Through

S Pami → A Pally

Date: 04/12/2025

Advocates

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

ORIGINAL APPLICATION NO.- OF 2025

IN THE MATTER OF:

RAJ KISHORE SAHOO ... APPLICANT

VERSUS

MAHANADI COALFIELDS LIMITED AND OTHERS....
RESPONDENTS

AFFIDAVIT 04 DEC 2025

I, Sri Raj Kishore Sahoo, S/o- Late Ratnakar Sahoo, aged about 50 years, At/Po- Ghanta Pada, Talcher, Dist- Angul, Pin- 759103, do hereby solemnly affirm, and declare as under:

1. That I am the Applicant in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
2. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

Raj Kishore Sahoo
DEPONENT

VERIFICATION

Verified on this _____ day of2025 atthat the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By
Advocate

Raj Kishore Sahoo
DEPONENT



The above named deponent(s) being duly identified by Sr. Sp. Jaisi Advocate, Bhubaneswar
I, Janmejaya Rautray Notary, Govt. of Odisha, Bhubaneswar, do hereby certify on oath the contents of this affidavit are true to the best of my knowledge and belief.
04 DEC 2025
REGD. NO. ON-86/2012
Mob No: 7978581217

Deponent(s) Notary, Shabalesh

ମହାନଦୀ କୋଇଲା ଠିକା ଶ୍ରମିକ

MAHANADI KOYLA THIKA SHRAMIK CONGRESS

Regd. No. 249 – SBP, INTUC Affiliation No. – 11661

Office : Dera Chhak, Near N.S.C.H

Pin – 759103

Mob. – 9438358707, 8249695805

Ref. No.

Date 01.09.2025

To
The ARM East Cost RLY.
Talcher RLY Station.

Ref : Letter No. SDCM/KUR/PG/EMAIL Dt. 11.05.2025

Sub : Rly. Wagons Carrying Coal without covered Tarpulin from MCL,
Talcher. Disobeyed the order of Div. Commercial Manager, Khurda
Road.

Dear Sir,

Inviting a reference to the subject cited above, I am to say that after filing of number of representations the Divisional Commercial Manager, Khurda Road vide its Letter No. SDCM/KUR/PG/Email/11/05/25 dated 21.05.2025 has intimated that Railway Officials have been instructed for use of good quality of tarpaulin and rope for covering of wagons and tied in the wagons properly (Copy of the said letter attached which is self-explanatory).

In spite of necessary instructions of higher officials of Indian Railways, it is observed that the instructions of higher authorities are flouted by the local Rly. Administrators and wagons are allowed to move in the track for different destinations without being covered and tied by tarpaulins. Such type of attitude of the local Rly. Administrators is against the law established and instructions of higher authorities for which the local inhabitants are suffering a lot which cannot be compensated in any terms.

We therefore, request your good authority to interfere in the matter, comply the instructions of higher authorities else we will be forced to resort to strike, dharana and economic blockage and in that event the East Cost Railway authorities will remain responsible for any cost and consequences

With regards

Yours faithfully



Raj Kishor Sahoo
President

Copy to:

01. Collector & D.M., Angul
 02. Superintendent of Police, Angul
 03. Sub-Collector, Talcher
 04. S.D.P.O, Talcher
 05. I.I.C, Colliery P.S.
 06. Regional Officer, Odisha State Pollution Control Board, Angul
 07. G.M., East Coast Rly Rail Bhawan, Bhubaneswar
- For favour of information and necessary action.



EAST COAST RAILWAY

Office of the
Area Manager/TLHR
Date: - 01/09/2025

No.T/ARM/TLHR/MKSC-Memo./2025/09

To,
The, Sr.Divisional Operations Manager,
East Coast Railway, Khurda Road.

*Sub:-*Transmission of a Memorandum in original submitted by Shri Rajkishor Sahoo President of Mahanadi Koyla Shramik Congresh & Others, (Affiliation of INTUC/regd. No 249-SBP) Dera, Talcher.

Sir,

Enclosed please find herewith a memorandum in original submitted by the President of Mahanadi Koyla Shramik Congresh (Affiliation of INTUC). He addressed to the undersigned to his memorandum arising to the Tarpaulin cover of wagons by Railways, of transport of coal from different mines of MCL, Talcher.

Earlier also in this regard, local people of Talcher have made this demand multiple times for tarpaulin covering of wagons. This time, about 300 people gathered at Talcher station area and presented this memorandum as attached and verbally also communicated to take action in this regard within one month citing the reply from the Sr DCM office/KUR.

In view of this, I request that the mater may be considered and taken up at your end for early redressal.

With Regards,


1/9/25
Area Railway Manager
East Coast Railway, TLHR
Area Manager,
East Coast Railway, Talcher
पूर्वतट रेलवे तालचर

Copy to:-

- OS (G)/KUR for kind information to DRM/KUR.
- Sr.DCM/KUR for kind information please.
- Dy COM/Freight/BBS/ECOR for kind information please.
- Dy CCM/FS/BBS/ECOR for kind information please.
- ✓ Sri Rajkishor Sahoo President of MKSC.

RAJ KISHORE SAHOO

Ex- Zilla Parisad Member

E-Mail- rkshoo1212@gmail.com

Mob- 9438358707

ସମ୍ମାନନୀୟ

ଶ୍ରୀଯୁକ୍ତ ଜିଲ୍ଲାପାଳ ଅନୁଗୁଳ, ମହୋଦୟ ।

ବିଷୟ - ଉନ୍ନତ କୋଇଲା ଖଣି ଗୁଡିକରୁ କୋଲିଖାଣେରୀ କୁ ହାଇଡ୍ରା ଯୋଗେ କୋଇଲା ପରିବହନ ବେଳେ ଲୋଡିଙ୍ଗ ପଏଣ୍ଟ ପାଲ ଭିଡିବା ପାଇଁ କୋଇଲା ଚନ ପିଛା ଟ. ୩.୦୦କରି ଦିଆ ଯାଉଛି । ମାତ୍ର ପାଲ ଭିଡା ଯାଉନାହିଁ । ଏ ଟଙ୍କା ଯାଉଛି କୁଆଡେ , ଏହାର Vigilance ତଦନ୍ତ ନିମନ୍ତେ ଅନୁରୋଧ ।

ମହାଶୟ,

ନିବେଦନ ର ଅଭିପ୍ରାୟ ଏହିକି ଯେ, ତାଳଚେର ଅଞ୍ଚଳରେ ଥିବା ୬ ଟି ଉନ୍ନତ କୋଇଲା ଖଣି ଯଥା - ୧- ଜଗନ୍ନାଥ ଓ.ସି.ପି., ୨- ଭୁବନେଶ୍ୱରୀ ଓ.ସି.ପି., ୩- କଳିଙ୍ଗ ଓ.ସି.ପି., ୪- ଅନନ୍ତ ଓ.ସି.ପି., ୫- ଭରତପୁର ଓ.ସି.ପି., ୬- ଲିଙ୍ଗରାଜ ଓ.ସି.ପି. ଆଦିରୁ ହାଇଡ୍ରା ଯୋଗେ ଯଥାକ୍ରମେ ୧- ଗ୍ଲୋବାଲ କୋଲିଖାଣେରୀ, ୨- ଆରୟନ କୋଲିଖାଣେରୀ, ୩- ହେକଟ୍ରମ କୋଲିଖାଣେରୀ, ୪- ହାଇଡେକ କୋଲିଖାଣେରୀ, ୫- କେ.ଆର କୋଲିଖାଣେରୀ କୁ ହାଇଡ୍ରା ଯୋଗେ କୋଇଲା ପରିବହନ ହେଉଅଛି । ହାଇଡ୍ରା ମାନଙ୍କରେ ପାଲ ଭିଡିବା ପାଇଁ କୋଇଲା ଚନ ପିଛା ଟ. ୩.୦୦ ହିସାବରେ କୋଲିଖାଣେରୀ ମାନେ ଦେଉଛନ୍ତି । ମାତ୍ର ପାଲ ଭିଡା ହେଉନାହିଁ । ହାଇଡ୍ରା ଗୁଡିକ ଜନବସତି ର ମୁଖ୍ୟ ରାସ୍ତା ଦେଇ ଯିବା ବେଳେ କୋଇଲା ଗୁଣ୍ଡ ଉଡି ଲୋକମାନେ ନାହିଁ ନ ଥିବା ଅସୁବିଧାର ସମ୍ମୁଖୀନ ହେଉଛନ୍ତି । ପାଲ ଭିଡିବା କାର୍ଯ୍ୟ ପାଇଁ ପ୍ରାୟ ପ୍ରତ୍ୟେକ କୋଇଲା ଖଣି ଅଞ୍ଚଳରେ ରାଜନୈତିକ ଦଳ ମାନଙ୍କର ଛାମୁଆ ନେତା ମାନଙ୍କ ଦ୍ୱାରା କୋପରେଟିଭ ସୋସାଇଟି ଗଠନ କରାଯାଇଛି । ଶ୍ରମିକ ମାନଙ୍କୁ ମଜୁରି କାର୍ଯ୍ୟରେ ନ ଲଗାଇ ପାଲ ନ ଭିଡି ଏହି ଟଙ୍କା କୁ ଆତ୍ମସାତ କରୁଛନ୍ତି । ଏକ ହଜାର ରୁ ଅଧିକ ହାଇଡ୍ରା ଗୁଡିକ ଯାତାୟାତ କରୁଥିବା ବେଳେ ପାଲ ଘୋଡାଇବା ପାଇଁ ନିୟୋଜିତ ସୋସାଇଟି ର ମୁଖ୍ତା ମାନେ ଲକ୍ଷ ଲକ୍ଷ ଟଙ୍କା ଆତ୍ମସାତ କରିନେଇ ତାଳଚେର ଜନସାଧାରଣ କୁ ବାୟୁ ପ୍ରଦୂଷଣ ର ଶିକାର କରୁଛନ୍ତି ।

ବାରମ୍ବାର ଉକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କୁ କୁ ଅଭିଯୋଗ କଲା ପରେ ବି କୌଣସି କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ହେଉନାହିଁ । ଏହାର ଏକ ଭିଜିଲାନ୍ସ ତଦନ୍ତ କରାଗଲେ ୦କାମି ଟଙ୍କା କେଉଁ ଆଡେ ଯାଉଛି ଜଣା ପଡନ୍ତା । ଦୟାକରି ଏହାର ତଦନ୍ତ କରି ବିହିତ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ଗ୍ରହଣ କରିବାକୁ ଅନୁରୋଧ ଜଣାଉଥାନ୍ତୁ ।

॥ ଇତି ॥

ଆପଣଙ୍କର ବିଶ୍ୱସ୍ତ

ଶ୍ରୀ ରାଜକିଶୋରୀ ସାହୁ

DATE
13-03-2019



ENGLISH TRANSLATION OF ANNEXURE-3

To

The District Magistrate and Collector, Angul

Sub- regarding non covering of hywas during transportation of coal from coal mines to coal washerys. Rs. 3.00 per ton of coal is being paid for loading points. But the coal is not being loaded. Where is this money going, request for Vigilance investigation.

Sir,

The purpose of the petition is that coal is being transported by truck from 6 open pit coal mines in Talcher area namely – 1- Jagannath OCP, 2- Bhubaneswari OCP, 3- Kalinga OCP, 4- Ananta OCP, 5- Bharatpur OCP, 6. Lingaraj OCP etc. to 1- Global Coal Washery, 2- Aryan Coal Washery, 3- Spectrom Coal Washery, 4- Hitech Coal Washery, 5- KR Coal Washery respectively. The Coal Washerys pays Rs. 3.00 per ton for covering the coal loaded vehicles. But there is no cover. When the trucks pass through the main roads of the populated area, people are facing the problem of coal being piled up. For the work of covering the vehicles, cooperative societies have been formed in almost every coal mine area by the leaders of political parties. They are absorbing this money without employing the workers for wage work. While more than a thousand vehicles are moving, the heads of the societies engaged in covering the vehicles have absorbed lakhs of rupees and are making the people of Talcher a victim of air pollution.

Despite repeated complaints to higher authorities, no action is being taken. If this is a scam, if a vigilance enquiry is made then it would be known that where the money is going. We request you to kindly investigate this and take appropriate action.

Date- 13/03/2019

Yours faithfully

ସମାପନା ପରିବହନ ରେଳ ଉପରେ ପାଲଟିବା ସମାଧାନ ସମାଧାନ ନିମନ୍ତେ ତା ୨୨.୦୧.୨୦୨୫ ରିଖ ଅପରାହ୍ନ ୦୪.୦୦ ଘଟିକା ସମୟରେ ଉପ-ଜିଲ୍ଲାପାଳ, ଡାକଚେର କାର୍ଯ୍ୟାଳୟ ଠାରେ ଅନୁସ୍ଥିତ ବୈଠକର ବିବରଣୀ

11

କୋଇଲା ପରିବହନ ରେଳ ଉପରେ ପାଲଟିବା ସମାଧାନ ସମାଧାନ ନିମନ୍ତେ ତା ୨୨.୦୧.୨୦୨୫ ରିଖ ଅପରାହ୍ନ ୦୪.୦୦ ଘଟିକା ସମୟରେ ଉପ-ଜିଲ୍ଲାପାଳ, ଡାକଚେର କାର୍ଯ୍ୟାଳୟ ଠାରେ ଏକ ବୈଠକ ଅନୁସ୍ଥିତ ହୋଇଥିଲା ।

ବୈଠକରେ ଉପସ୍ଥିତ ସଦସ୍ୟମାନଙ୍କ ଚାଲିବା ପରିସ୍ଥିତି 1-ରେ ସଂକ୍ଷିପ୍ତ କରାଯାଇଛି ।

ବୈଠକର ପ୍ରାରମ୍ଭରେ ଉପ-ଜିଲ୍ଲାପାଳ, ଡାକଚେର ଉପସ୍ଥିତ ସମସ୍ତ ସଦସ୍ୟଙ୍କୁ ବୈଠକକୁ ଆଗତ କରାଗଲା ଏବଂ ସେମାନଙ୍କର ସମସ୍ୟା ବୈଠକରେ ଉପସାଧନ କରିବା ପାଇଁ ପରାମର୍ଶ ଦେଇଥିଲେ ।

ତତ୍ପରେ, ଶ୍ରୀ ବାଉରୀ କମ୍ପୁ ବେଜ, ଆଇନଜୀବୀ ତଥା ପ୍ରକୃତି ପ୍ରେମି, ଡାକଚେର ଓ ଅନ୍ୟ ସମସ୍ତ ସଦସ୍ୟ ପ୍ରକାଶ କରି କହିଥିଲେ ଯେ, ଡାକଚେର ରୁ କନ୍ଦୁଳ ପରିମାଣରେ କୋଇଲା ଓଡ଼ିଶା ତଥା ଓଡ଼ିଶା ବାହାରକୁ ପଠାଯାଉଛି । ଯେକିମୋଦନ କୋଇଲା ପରିବହନ ସମୟରେ ପ୍ରକୃଷ୍ଟ ନ ହେବ ପାଇଁ ରେଳ ଉପରେ ପାଲ ଭିତା ଯିବାର ନିୟମ ଥିଲେ ମଧ୍ୟ ପାଲ ଭିତା ନ ହେଉଥିବାରୁ ରେଳ ଲାଇନ ପାଖାପାଖି ଗ୍ରାମବାସୀ, ରେଳ ସେସନ, ପଶୁ ପକ୍ଷୀ, ବାରଣ ଭୂମି ଓ ଜଳ ଉପରେ କୋଇଲା ଗୁଚ୍ଛ ପଡୁଛି ଯାହା ହାନି କରୁଛି କାଚନ ପ୍ରତି ବିପଦ ହେଉଅଛି । ତେଣୁ କୋଇଲା ପରିବହନ ରେଳ ଉପରେ ନିୟମାନ୍ୁଯାୟୀ ପାଲଭିତାଯିବାକୁ ବୈଠକରେ ଗଠି ରଖିଥିଲେ ।

ପ୍ରତିଉତ୍ତରରେ, ଉପସ୍ଥିତ ରେଳ ଅଧିକାରୀ ପ୍ରକାଶ କରିଥିଲେ ଯେ, କୋଇଲା ପରିବହନ ତିନି ପର୍ଯ୍ୟନ୍ତ ମଧ୍ୟରେ ହୋଇଥାଏ ଯଥା ବିକ୍ରେତା, କ୍ରେତା ଓ ପରିବହନକାରୀଙ୍କ ମଧ୍ୟରେ ହୋଇଥାଏ । ତେଣୁ କୋଇଲା ପରିବହନ ରେଳ ଉପରେ କେଉଁ ପକ୍ଷ ପାଲଭିତାକେ ଚାହା ହିରିକୃତ ହୋଇପାରି ନ ଥିବାରୁ କୌଣସି ପକ୍ଷ ଏହି କାର୍ଯ୍ୟ କରୁ ନାହାନ୍ତି ଏବଂ ଗୋଟିଏ କୋଇଲା ପରିବହନ ରେଳ ଉପରେ କୋଇଲା ଲୋଡ କରିବାକୁ ନିୟମ ଅନୁଯାୟୀ କେବଳ ୩ ଘଣ୍ଟା ସମୟ ମିଳିଥାଏ । ଯଦି କୋଇଲା ଲୋଡ କରିବାପାଇଁ ୩ ଘଣ୍ଟା ରୁ ଅଧିକ ସମୟ ହୁଏ ତେବେ ସେ ବ୍ୟବସ୍ଥା ଫାଇନ ପଡିଥାଏ ଓ କୋଇଲା ଲୋଡ କରିବା ପାଇଁ ଥିବା ସମୟ ମଧ୍ୟରେ ପାଲ ଭିତା ଯିବା ପାଇଁ ଆଉ ସମୟ ନ ଥାଏ । ତେଣୁ ପାଲ ଭିତା ନିମନ୍ତେ ଆଉ ଅଧିକ ସମୟ ପାଇଁ ରେଳ ବିଭାଗର ଉଚ୍ଚ ଶ୍ରତରେ ଆଲୋଚନା ଆବଶ୍ୟକତା ଅଛି ।

ଉପସ୍ଥିତ ସମସ୍ତ ପଦାଧିକାରୀଙ୍କ ସହ ଆଲୋଚନା ପରେ ନିଷ୍ପତ୍ତି ନିଆଗଲା ଯେ, କୋଇଲା ପରିବହନ ରେଳ ଉପରେ ପାଲଭିତା ନିମନ୍ତେ ଆଲୋଚନା ପାଇଁ ରେଳ ଅଧିକାରୀ ରେଳ ବିଭାଗର ଉଚ୍ଚତରକୁ ଏକ ପତ୍ର ମାଧ୍ୟମରେ ଜଣାଇବେ ଏବଂ ଯଥାଶୀଘ୍ର ଏହି ସମସ୍ୟାର ସମାଧାନ କରାଇବେ ।

ସର୍ବଶେଷରେ ସଭାପତି ଓ ଅନ୍ୟ ସମସ୍ତ ସଦସ୍ୟଙ୍କୁ ଅନ୍ୟାନ୍ୟ ଅର୍ପଣ ପୂର୍ବକ ବୈଠକର ପରିସମାପ୍ତି ଘୋଷଣା କରାଯାଇଥିଲା

[Signature]
ଉପ-ଜିଲ୍ଲାପାଳ, ଡାକଚେର

ପରିପତ୍ର ସଂଖ୍ୟା/ 682 ତା 4/2/25

ଏହାର ଏକକିତା ନକଲ

- 1। ଜିଲ୍ଲାପାଳ, ଅନୁଗୋଳ
- 2। ଜିଲ୍ଲା ଆରକ୍ଷୀ ଅଧ୍ୟକ୍ଷକ, ଅନୁଗୋଳ
- 3। ଉପଶାସ୍ତ୍ର ଆରକ୍ଷୀ ଅଧିକାରୀ, ଡାକଚେର
- 4। ଏଆରଏମ, ଡାକଚେର
- 5। ଭାରପ୍ରାପ୍ତ ଥାନା ଅଧିକାରୀ, ଡାକଚେର ଥାନା
- 6। ରାଜ କିଶୋର ସାହୁ, ମହାନଦୀ କୋଇଲା ଠିକା ଶ୍ରମିକ କଂଗ୍ରେସ
- ୭। ଶ୍ରୀ ବାଉରୀ କମ୍ପୁ ବେଜ, ଆଇନଜୀବୀ ତଥା ପ୍ରକୃତି ପ୍ରେମି, ଡାକଚେର କି ଅବଗତ ଓ ବିଧିକାରୀ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା ।

[Signature]
ଉପ-ଜିଲ୍ଲାପାଳ, ଡାକଚେର

Details of the meeting held at the office of the Sub-Collector, Talcher on 22.01.2025 at 04:00 hrs to resolve the issue of tarpaulin covering of rail wagons during coal transportation.

A meeting was held at the office of the Sub-Collector, Talcher on 22.01.2025 at 24:00 hrs to resolve the issue of tarpaulin covering of rail wagons during coal transportation.

The list of members present at the meeting is attached as Annexure 1.

At the beginning of the meeting, Sub-Collector, Talcher welcomed all the members present and advised them to present their problems in the meeting.

Later, Shri Bauri Bandhu Bej, an Advocate and environmental activist, Talcher and all other members said that a large amount of coal has been sent from Talcher to Odisha and out of Odisha. Although there is a rule to cover the coal with tarpaulin on the railway to avoid pollution during coal transportation by rail, since coal is not covered during, villagers near the railway line, railway station, cattle, grazing areas and water sources are covered with a thick layer of coal, which poses a threat to water and life. Therefore, they were demanding to cover the rail wagons thorough tarpaulin during transportation.

In response, the railway officers present stated that coal transportation is done between three parties namely seller, buyer and transporter. Therefore, since it has not been decided which party will cover the wagon with tarpaulin during coal transportation, no party is doing this work and according to the rules, only 3 hours are given to load coal on a coal transport train. If it takes more than 3 hours to load coal, then the coal carrier is fined and there is no time left for covering with tarpaulin during the time available for loading coal. Therefore, there is a need for discussion with the high level authorities of Railway department to provide additional time to cover the wagons with tarpaulin.

After discussion with all the pedestrians present, it was decided that the Railway Authorities would inform the higher-ups of the Railway Department through a letter for discussion regarding the covering of coal carrying rail wagons with tarpaulin and get the problem resolved as soon as possible.

Finally, the meeting was closed with a vote of thanks to the chairman and all other members.

Sub-Collector, Talcher

Letter No.- 682, date- 04/02/2025

Copy to

1. Collector, Angul
2. Superintendent of Police, Angul
3. SDPO, Talcher
4. ARM, Talcher
5. IIC, Talcher PS
6. Raj Kishore Sahoo, Mahanadi Koyla Thika Shramik Congress
7. Sri Bauri Bandhu Bej, Advocate cum environmental activist, Talcher for information and necessary action.

ମହାନଦୀ କୋଇଲା ଶ୍ରମିକ କଂଗ୍ରେସ

MAHANADI KOYLA SHRAMIK CONGRESH

Regd. No. 249 - SBP.

Office : Dera Chhak, Near N.S.C.H. PIN- 759103

Mob: 9438358707, 9078504353, 9861455240

ମାନନୀୟ,

ଶ୍ରୀଯୁକ୍ତ ଜିଲ୍ଲାପାଳ ଅନୁଗୋଳ ମୋହନପୁର

ବିଷୟ:- ଏମ୍.ସି.ଏଲ୍ ତାଳଚେର ର ବିଭିନ୍ନ କୋଇଲା ଖଣି, କୋଲ ଖାସେରି ଓ Siding ଗୁଡ଼ିକରୁ ରେଳ ଖାଗନ ଯୋଗେ କୋଇଲା ପରିବହନ ବେଳେ ପାଲଭିଡା ସମ୍ବନ୍ଧେ ।

ମହାଶୟ,

ନିବେଦନର ଅଭିପ୍ରାୟ ଏହିକି ଯେ, ବିଗତ ଦିନ ମାନଙ୍କରେ ତାଳଚେରର ପରିବେଶ ସୁରକ୍ଷା ଓ ବାୟୁ ପ୍ରଦୂଷଣକୁ ରୋକିବା ପାଇଁ କୋଇଲା ପରିବହନ କରୁଥିବା ରେଳଖାଗନ ଗୁଡ଼ିକ ପାଲନଭିଡି ଯାତାୟାତ କରୁଥିବା ସମ୍ବନ୍ଧରେ ଜିଲ୍ଲା ପ୍ରଶାସନ, ଏମ୍.ସି.ଏଲ୍ ଓ ରେଳବିଭାଗକୁ ବାରମ୍ବାର ଅବଗତ କରାଯାଇଅଛି । ମହାନଦୀ କୋଇଲା ଠିକା ଶ୍ରମିକ କଂଗ୍ରେସ ତରଫରୁ ୨୦୧୭-୧୮ ମସିହାରୁ ବର୍ତ୍ତମାନ ପର୍ଯ୍ୟନ୍ତ ବିଭାଗୀୟ ଅଧିକାରୀ ମାନଙ୍କୁ ବାୟୁପ୍ରଦୂଷଣ ରୋକି ବାକୁ ପଦକ୍ଷେପ ନେବାକୁ ନିବେଦନ କରାଯାଇ ଆସୁଛି । ଗତ ତା ୧୩ ଜାନୁଆରୀ ୨୦୨୧ ମସିହାରେ ଶାନ୍ତି ପୂର୍ଣ୍ଣ ଭାବେ ଯୁନିଅନ ତରଫରୁ ଗଣଧାରଣା ଦିଆଯାଇଥିଲା, ମାତ୍ର ଏମ୍.ସି.ଏଲ୍ ମିଥ୍ୟା ଅଭିଯୋଗ କରି ଯୁନିଅନର କର୍ତ୍ତା ମାନଙ୍କୁ ଗିରଫ କରି ଜେଲ ହାଜତକୁ ପଠାଇ ଦେଇଥିଲେ । ଭରତ ସରକାରଙ୍କର ଜଙ୍ଗଲ ଓ ପରିବେଶ ମନ୍ତ୍ରାଳୟ ରେଳ ଖାଗନ ଗୁଡ଼ିକ କୋଇଲା ପରିବହନ ବେଳେ ପାଲ ଭିଡି ଯାତାୟତ କରିବାକୁ ଗେଜେଟ ନୋଟିଫିକେସନ ଜାରି କରିଛନ୍ତି । ଆଉମଧ୍ୟ ରେଳଖେ ବୋର୍ଡ ଇଷ୍ଟ କୋଷ୍ଟ ରେଳଖେକୁ ରେଳଖାଗନ ଗୁଡ଼ିକ କୋଇଲା ପରିବହନ ବେଳେ ପାଲଭିଡି ଯାତାୟତ କରିବାକୁ ନିର୍ଦ୍ଦେଶ ହୋଇଛନ୍ତି ।

ଏସବୁ ସତ୍ତ୍ୱେ ଏମ୍.ସି.ଏଲ୍ ତାଳଚେର ଅଞ୍ଚଳରୁ ରେଳଖାଗନ ଯୋଗେ କୋଇଲା ପଠାଯାଉଥିବା ବେଳେ ପାଲ ଭିଡା ଯାଉନାହିଁ । ଏ ସମ୍ବନ୍ଧରେ ବାରିଷ ନାଗରିକ, ଶ୍ରମିକ ସଂଗଠନ, ସ୍ୱଚ୍ଛା ସେବି ସଂଗଠନ ଓ





ମହାନଦୀ କୋଇଲା ଶ୍ରମିକ କଂଗ୍ରେସ



MAHANADI KOYLA SHRAMIK CONGRESS

Regd. No. 249 - SBP

Office : Dera Chhak, Near N.S.C.H., PIN - 759103

Mob: 9438358707, 9078504353, 9861455240

ପରିବେଶବିତ ମାନେ ଏମ୍.ସି.ଏଲ ର ଅଧିକାରୀ ଓ ପ୍ରଶାସନିକ ଅଧିକାରୀ ମାନଙ୍କୁ ବାରମ୍ବାର ନିରାଯାଉଥିଲେ ମଧ୍ୟ କୌଣସି ପଦକ୍ଷେପ ନିଆଯାଇନାହିଁ । ତାଳଚେର ଅଞ୍ଚଳକୁ ଛାଡି ଦେଲେ କୌଣସି ପଦକ୍ଷେପ ନିଆଯାଇନାହିଁ । ତାଳଚେର ଅଞ୍ଚଳକୁ ଛାଡି ଦେଲେ ଅନ୍ୟ ସମସ୍ତ ଅଞ୍ଚଳରୁ ରେଳଖାଗନ ଯୋଗେ ମାଲ ପରିବହନ ବେଳେ ଭିଡା ହୋଇ ଯାତାୟାତ କରୁଥିବା ଆମ୍ଭ ଦୃଷ୍ଟିକୁ ଆସିଛି । କୋଇଲା ପରିବହନ ତିନି ପକ୍ଷଙ୍କ ମଧ୍ୟରେ ହୋଇଥାଏ ଯଥା ବିକ୍ରେତା, କ୍ରେତା ଓ ପରିବହନ କାରି କ ମଧ୍ୟରେ ହୋଇଥାଏ । ତାଳଚେର ଅଞ୍ଚଳରୁ ରେଳଖାଗନ ଯୋଗେ କୋଇଲା ରାଜ୍ୟ ତଥା ରାଜ୍ୟ ବାହାରକୁ ପଠା ଯାଉଛି ।

୨୨ ଜାନୁଆରୀ ୨୦୨୪ ରିଖରେ ଉପଜିଲ୍ଲାପାଳଙ୍କ ଅଧକ୍ଷତା ରେ ଏକ ବୈଠକ ହୋଇଥିଲା । ଉକ୍ତ ବୈଠକରେ ରେଳଖେ ବିଭାଗ ଓ ଏମ୍.ସି.ଏଲ୍ ପାଲଭିଡିବା ପାଇଁ ସହମତି ପ୍ରକାଶ କରିଥିଲେ । ୦୪.୦୨.୨୦୨୪ ରିଖରେ ଉପଜିଲ୍ଲାପାଳ ମୋହଦୟ କାର୍ଯ୍ୟକାରୀ କରିବାକୁ ପତ୍ର ମାଧ୍ୟମରେ ବିଭାଗ ଗୁଡିକୁ ଜଣାଇଲେ । ଯୁନିଅନ ତରଫରୁ କେନ୍ଦ୍ର ରେଳମନ୍ତ୍ରୀଙ୍କୁ ମଧ୍ୟ ଦାବିପତ୍ର ଦେଇଥିଲୁ । ଖୋର୍ଦ୍ଧା ଡିଭିଜନ ତରଫରୁ ୨୯.୦୪.୨୦୨୪ରେ ARM, Talcher SS, SMR, CMI, CGS/TLHR କୁ ଓ ADRM କୁ ପତ୍ର ମାଧ୍ୟମରେ ଖାଗନରେ କୋଇଲା ପରିବହନ ବେଳେ ପାଲ ଭିଡିବାକୁ ମଧ୍ୟ ନିର୍ଦ୍ଦେଶ ଦେଇଛନ୍ତି ।

ବର୍ତ୍ତମାନ ସୁଦ୍ଧା RLY ଅଧିକାରୀ ଓ MCL କରତୃପକ୍ଷକ ତରଫରୁ କୌଣସି ପଦକ୍ଷେପ ନିଆନଯିବାରୁ ଆପଣଙ୍କୁ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିମନ୍ତେ ଅବଗତ କରାଉଛୁ ।

ଇତି

ଆପକର ବିଶ୍ୱସ୍ତ

Ranjana Nayak
Ranjana Nayak
 Ranjana Nayak
 President for NRI
 Mahanadi Shramik
 Union

- ଏହାର ଏକକିତା ନକଲ
- ୧) The S.P., Angul
- ୨) The ARM, Talcher

୩୦.୦୫.୨୦୨୫
 Dera, Talcher.

To,

The Hon'ble Collector Angul,

Sub- Regarding covering of coal wagon during transportation of coal from various Coal mines, Coal washeries and sidings of M.C.L Talcher.

Sir,

The purpose of the petition is that in recent days, the district administration, MCL and the railway department have been repeatedly informed about the fact that railway wagons transporting coal are running on rails to prevent environmental protection and air pollution in Talcher. The Mahanadi Koyla Thika Shramik Congress has been requesting the departmental officials to take steps to prevent air pollution since 2017-18. Last year, on January 13, 2021, the union had a peaceful meeting, but the MCL had falsely accused the union and arrested the union workers and sent them to jail. The Ministry of Forests and Environment, Government of India, has issued a gazette notification to allow railway wagons to run on rails by covering with tarpaulin while transporting coal. Also, the Railway Board has allowed the East Coast Railway to operate its wagons by covering with tarpaulin while transporting coal.

Despite all this, coal is not being transported by covering with tarpaulin from MCL Talcher area. In this regard, senior citizens, labor organizations, voluntary organizations and environment workers and administrative officials of MCL, no steps have been taken. No steps have been taken for Talcher Region. Except for Talcher region, we came to know that in all other area while transporting coal railway wagons are being covered with tarpaulin. Coal transportation is done between three parties, namely the seller, the buyer and the transporter. Coal has been sent from Talcher region to the state and out of the state by train.

On 22nd January 2025, a meeting was held under the chairmanship of the Sub- Collector. In the meeting, the Railway Department and MCL agreed to cover the rail wagons with tarpaulin. On 04.02.2025, the Sub-Collector informed the departments through a letter to implement the order. We also submitted a demand letter to the Union Railway Minister on behalf of union. Khurda Division on dated 29/04/2025 has also been instructed to tie tarpaulin with the rope while transporting coal in wagons through a letter to the ARM, Talcher SS, SMR, CMI, CGS/TLHR and ADRM.

As on date no action has been taken by the Railway authorities and MCL authorities, hence you are informed to take necessary action.

Yours faithfully

Copy forwarded to

1- The S.P., Angul

2- The ARM, Talcher

Date- 30/05/2025

Dera, Talcher



37

ANNEXURE-6

ମହାନଦୀ କୋଇଲା ଶ୍ରମିକ କଂଗ୍ରେସ

MAHANADI KOYLA SHRAMIK CONGRESH



Regd. No. 249 – SBP.

Office : Dera Chhak, Near N.S.C.H. PIN- 759103

Mob: 9438358707, 9078504353, 9861455240

July 28, 2025

The Sub-Collector

Talcher

Odisha.

Dear Sir

Sub : With regards to the Tarpaulin cover of wagons by Railways, and any other modes of transport of coal from different mines of MCL, Talcher.

We would like to bring the above subject to your kind notice. It may be mentioned that in the past and on several occasions, we had requested your good office, MCL authority, authorities of Railways and other concerned departments to take necessary steps to cover the coal and other non-conductive materials with tarpaulin while transporting by different modes of transports. Unfortunately, our request perhaps is falling each time on deaf ears and blind eyes of these organisations including yourself.

As you are very much aware that the Air (Prevention and Control of Pollution) Act, 1981, is a comprehensive legislation in India aimed at preventing, controlling, and abating air pollution. It establishes authorities, empowers them with specific functions, and outlines measures for maintaining air quality.

The Act's primary goal is to safeguard air quality by preventing and controlling pollution, addressing both industrial and other sources of pollutants. The Indian Constitution under Article 21 and the Human Rights Act in India also provide its citizens of their rights to clean air, water and environment. It is therefore, a direct attack on such provisions by MCL, Railways and the concerned organs of the government such as yours.

We are, therefore, requesting you Sir, to take immediate actions on this issue failing of which we will have no option except knocking the doors of NGT, and other NHRC agencies dealing with this subject.

Regards

Rajiv Kumar Sahu

Copt to ;

1.





**PROJECT FOR RURAL RECONSTRUCTION ANTI- POLLUTION
GRIEVANCES AID TRADE IMPLEMENTATION**

Regd. No. AGL/1841/66-2000

At : Jagannath Colony, P.O.: Balanda, Dist. Angul (Odisha) - 759116

Admin. Office : At : Dera Chhak, Near Over Bridge, Talcher, Dist. Angul(Odisha)- 759103

Ref No. PRAGATI /

Date.....09-08-2025

To,
The Chairman State Pollution Control Board
Bhubaneswar, Odisha
Dear Sir

Sub : With regards to the Tarpaulin cover of wagons by Railways, and of transport of coal from different mines of MCL, Talcher.

We would like to bring the above subject to your kind notice. It may be mentioned that in the past and on several occasions, we had requested your good office, MCL authority, authorities of Railways and other concerned departments to take necessary steps to cover the coal and other non-conductive materials with tarpaulin while transporting by different modes of transports. Unfortunately, our request perhaps is falling each time on deaf ears and blind eyes of these organisations including yourself.

As you are very much aware that the Air (Prevention and Control of Pollution) Act, 1981, is a comprehensive legislation in India aimed at preventing, controlling, and abating air pollution. It establishes authorities, empowers them with specific functions, and outlines measures for maintaining air quality.

The Act's primary goal is to safeguard air quality by preventing and controlling pollution, addressing both industrial and other sources of pollutants. The Indian Constitution under Article 21 and the Human Rights Act in India also provide its citizens of their rights to clean air, water and environment. It is therefore, a direct attack on such provisions by MCL, Railways and the concerned organs of the government such as yours.

We are, therefore, requesting you Sir, to take immediate actions on this issue failing of which we will have no option except knocking the doors of NGT, and other NHRC agencies dealing with this subject.

Regards

Raj Kishore Sahoo

Copt to ;

1.



State Pollution Control Board, Odisha

ରାଜ୍ୟ ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ଼, ଓଡ଼ିଶା



Search ...

Submit

Complaint Details

Nature of Complaint	Air
Mobile	6370758788
Email	rksahoo1212@gmail.com
Complaint Against	MAHANADI COALFIELDS LTD
District	Angul
Address	TALCHER
Complaint Description	REGARDING TARPAULIN COVER OF WAGONS BY RAILWAYS FROM MAHANADI COALFIELDS LTD
Complaint Date	12-08-2025



Image

India.gov.in
The National Portal of India

Central Pollution Control Board

Orissa.gov.in
The State Portal of Odisha

Ministry of Environment and Forests

Other SPCB

Best View In : Chrome, Mozilla Firefox.

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Total Visitor : **1072201**

पूर्व तट रेलवे/EAST COAST RAILWAY
खोरधा रोड मंडल/KHURDA ROAD DIVISION

कार्यालय/Office of the
वरिष्ठ मंडल वाणिज्य प्रबंधक
Sr. Divisional Comm. Manager.
खोरधा रोड/ Khurda Road.
Date: 21.05.2025

No. SDCM/KUR/PG/Email/11/05/2025/

To

Sri Ranjan Sahoo,
Socialworkers123456@gmail.com

Sub: Complaint regarding pollution at Angul due to loading of coal.

Ref: 1. Your e-mail complaint dtd. 15.04.2025 on the above subject.

2. Dy.CCM(PS)/ECoR/BBS's letter No.PCCM/14/PG/94/25/656, dtd.29.04.2025.

Dear Sir,

The receipt of your complaint under reference is acknowledged with thanks. It is informed that generally such type of loaded wagons used to move in covered condition with tarpaulins.

Railway Board has instructed that; due precaution should be taken while transporting/handling pollution intensive commodities. Tarpaulin sheet for covering the wagons should be securely tied before transportation to comply the directive of State Pollution Control Board.

For this purpose, additional free time for 01 hour has been granted for covering of tarpaulin. In this context, a series of reminders have been issued to use good quality of tarpaulin and rope for covering of wagons and tied in the wagons properly i.e. tied 1 Meter interaction of the tarpaulin covered wagon to avoid untoward incidents as well as to comply the directives of State Pollution Control Board.

In view of the above, necessary instructions have been given to Railway officials for use of good quality of tarpaulin and rope for covering of wagons and tied in the wagons properly.

Pollution from wagons is taken very seriously and it will be ensured that wagons are covered during transit.

This is for your kind information.

Yours Sincerely,

G. C. Nayak
(G.C.Nayak) 21/05/2025

Divl. Commercial Manager,
For Sr. Divl. Comm. Manager,
K hurda Road.

Copy to: PS to ADRM (OP) for kind information of ADRM (OP)/KUR.

Copy to: Dy. Secy (PG)/ECoR/BBS for kind information.

Copy to: Dy.CCM(PS)/ECoR/BBS for kind information in reference to letter No.PCCM/14/PG/94/25/656, dtd.29.04.2025.

Copy to: SS, SMR, CMI, CGS /TLHR are advised to ensure for necessary instructions and may be communicated to the customers to avoid such type of complains in future days.



REGIONAL OFFICE, ANGUL
STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]

Plot No.-S 3/3 Industrial Estate, Hakimpada, Angul, Odisha, Pin-759143

No. 3926 /

Esst./ROSPCB/AGL/32/2013-14

Date 12.11.2025

To

All the Coal Mines & Industries (List Enclosed)

Sub: Provide Tarpaulin Sheet for Covering the Coal Carrying Wagons-reg.

Sir,

Please find attached herewith the serious public complaint received from Sri Raj Kishor Sahoo, Angul which is self-explanatory. It is alleged that, the coals carrying wagons are not being provided with tarpaulin cover and thereby local inhabitants are suffering a lot. In this connection, a letter has been issued from the Divisional Commercial Manager, East Coast Railways, Khurda vide his letter No. SDCM/KU/PG/Email/11/05/2025 dated.21.05.2025 (**Copy enclosed**) and directed to use tarpaulin cover on wagons. Furthermore, as per Gazette Notification of the Ministry of Environment, Forest and Climate Change (MoEF & CC), Dated. 21.05.2020, Coal transportation may be undertaken by covered Railway Wagons. (**Copy Enclosed**).

In view of the above, you are directed to take immediate steps at your level to make sure that all coal transportation through wagons at your respective premises shall be fulfilled the above guidelines without fail. This is for your kind information and necessary action.

Yours faithfully,

Encl: As above.

Regional Officer

Memo No. 3927 Dt. 12.11.2025

Copy forwarded to the Collector & District Magistrate, Angul for kind information.

Regional Officer

Memo No. 3928 Dt. 12.11.2025

Copy forwarded to the Chief Env. Engineer(M), SPC Board. Bhubaneswar for kind information.

Regional Officer

Memo No. 3929 Dt. 12.11.2025

Copy forwarded to the Sri Raj Kishor Sahoo, Angul (Complainant) for kind information.

Regional Officer



सत्यमेव जयते

भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-अ.-21052020-219495
CG-DL-E-21052020-219495

असाधारण
EXTRAORDINARY
भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 1400]
No. 1400]

नई दिल्ली, बृहस्पतिवार, मई 21, 2020/वैशाख 31, 1942
NEW DELHI, THURSDAY, MAY 21, 2020/VAISAKHA 31, 1942

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 21 मई, 2020

का.आ. 1561(अ).—जबकि केन्द्रीय सरकार ने पर्यावरण (संरक्षण) नियमावली, 1986 के नियम 5 के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3, धारा 6 और धारा 25 के तहत अपनी शक्तियों का प्रयोग करते हुए, ऐश सामग्री (ऐश कंटेंट) को 34% तक की सीमा सहित कोयले का उपयोग करने के लिए ताप विद्युत संयंत्रों की कतिपय श्रेणियों को अधिदेशित करते हुए भारत के राजपत्र, असाधारण में सा.का.नि. 02 (अ), तारीख 2 जनवरी, 2014 द्वारा पर्यावरण (संरक्षण) नियमावली, 1986 के नियम 3 के उपनियम 8 का संशोधन प्रकाशित किया।

और जबकि सा.का.नि. 02 (अ), तारीख 2 जनवरी, 2014 द्वारा उक्त अधिसूचना द्वारा निम्नलिखित समय-सीमा तक कच्चे अथवा मिश्रित अथवा लाभकारी कोयले (बेनिफिसिएटिड कोल), जिसमें ऐश सामग्री चौत्तीस प्रतिशत (34%) से अधिक ना हो, का उपयोग करने के लिए त्रैमासिक आधार पर कोयला आधारित ताप विद्युत संयंत्रों को अधिदेशित किया गया है :

क्रम सं.	विद्युत संयंत्र की श्रेणी	गर्तमुख(पिट-हैड)/कोयला खान से ताप विद्युत संयंत्र के अवस्थान की दूरी	समय-सीमा
(क)	एकल ताप विद्युत संयंत्र (किसी भी क्षमता के) और कैपिटिव ताप विद्युत संयंत्र (100 मेगावाट और अधिक क्षमता सहित)	गर्तमुख विद्युत संयंत्रों को छोड़कर गर्तमुख से दूरी पर ध्यान दिए बिना शहरी क्षेत्रों, या परिस्थितिकीय रूप से संवेदनशील क्षेत्रों या अत्यधिक प्रदूषित क्षेत्रों में अवस्थित	2 जून, 2014 से प्रभावी।
(ख)		1000 किमी से अधिक दूर	2 जून, 2014 से प्रभावी।
(ग)		750-1000 किमी के बीच	1 जनवरी, 2015 से प्रभावी।
(घ)		500-749 किमी के बीच	5 जून, 2016 से प्रभावी।

और जबकि, केंद्रीय सरकार ने पर्यावरण (संरक्षण) नियमावली के नियम 5 के उप-नियम (3) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6 और धारा 25 के अधीन अपनी शक्तियों का प्रयोग करते हुए भारत के राजपत्र, असाधारण में स.का.आ. 3305 (अ), तारीख 7 दिसंबर, 2015 और सा.का.नि.593 (अ), तारीख 28 जून, 2018 द्वारा विद्युत उत्पादन की क्षमता और विद्युत संयंत्र की संस्थापना की तारीख और समय-बद्ध रीति से प्राप्त किए जाने के आधार पर ताप विद्युत संयंत्रों की विभिन्न श्रेणियों के लिए उत्सर्जन मानकों और विनिर्दिष्ट जल उपभोग को प्रकाशित किया था।

और जबकि, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने विद्युत मंत्रालय द्वारा दिनांक 13 अक्टूबर, 2017 को प्रस्तुत की गई यथा संशोधित योजना के अनुसार विभिन्न ताप विद्युत संयंत्रों को वर्ष 2022 तक प्रदूषण नियंत्रण उपकरण संस्थापित करने के लिए पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 5 के तहत निर्देश जारी करने के लिए केंद्रीय प्रदूषण नियंत्रण बोर्ड को दिनांक 7 दिसंबर, 2017 के फा.सं. क्यू-15017/40/2007-सीपीडब्ल्यू द्वारा निर्देश दिए।

और जबकि, विद्युत मंत्रालय ने अन्य बातों के साथ-साथ यह अभ्यावेदन किया है कि प्रदूषण नियंत्रण प्रौद्योगिकियों के उन्नत होने के साथ ही ताप विद्युत संयंत्र दहन प्रक्रिया से उत्पन्न फ्लाई-ऐश का पता लगाने में बेहतर उपकरणों से सुसज्जित हुए हैं और बिना धुला कोयला अधिक कुशलता और मितव्ययता से प्रयोग किया जा सकता है; ताप विद्युत संयंत्रों को राख अवयवों की विभिन्न किस्मों के साथ कोयले के लिए डिजाइन किया गया है और इनमें सूखी राख (ड्राई ऐश) निकालने, उसका रखरखाव करने और राख के उपयोग के लिए आपूर्ति प्रणालियों को उपलब्ध कराया गया है; धुले कोयले के उपयोग से बिजली उत्पादन महंगा हो जाता है; ताप विद्युत संयंत्रों में उत्पन्न फ्लाई-ऐश सीमेंट निर्माण, ईंटें बनाने, सड़क बिछाने, खनन के उपरांत रिक्त हुए स्थलों और निचले क्षेत्रों को भरने के लिए बैक-फिल सामग्री जैसे कई लाभकारी उपयोगों के लिए प्रयोग की जा रही है; औसतन ऐश की मात्रा 34% तक बनाए रखने की आवश्यकता उद्योगों को कोयले का आयात करने के लिए प्रेरित करती है जिससे विदेशी मुद्रा इत्यादि का बहिर्वाह (आऊटफ्लो) होता है।

और जबकि, कोयला मंत्रालय ने अन्य बातों के साथ-साथ अभ्यावेदन किया है कि कोयला खानों वर्षों से कच्चे कोयले की गुणवत्ता, आकार और बाहरी सामग्री में सुधार के लिए निरंतर कड़े प्रयास कर रही हैं जिससे सभी संबंधित उपकरणों की टूट-फूट में उल्लेखनीय कमी आई है, कोयला धुलाई प्रक्रिया में कई प्रकार का रखरखाव होता है और कोयला खानों से धुलाई-स्थलों (वाशरीज़) तक कोयले की बड़ी मात्रा को सड़क द्वारा ले जाने और फिर आगे

विद्युत संयंत्रों तक ले जाने के लिए रेल साइडिंग तक ले जाने से बचना; धुलाई की प्रक्रिया केवल कोयले को धुले हुए कोयले और वाशरी अवशिष्ट में बॉटती है जबकि खनित कोयले की राख की मात्रा वही रहती है; निम्न श्रेणी कोयला वाशरी अवशिष्ट कई छोटे उपयोगकर्ता उद्योगों में, अधिक प्रदूषण आदि सृजित करते हैं।

और जबकि, कोयला मंत्रालय और विद्युत मंत्रालय ने इसलिए अनुरोध किया है कि दिनांक 2 जनवरी, 2014 की अधिसूचना पर पुनः विचार द्वारा, विद्युत संयंत्रों को धुले हुए कोयले के प्रयोग के लिए अधिदेशित करने पर गौर किया जाना अपेक्षित है जिससे पर्यावरण पर प्रतिकूल प्रभाव डाले बिना कोयले की लंबी दूरी की धुलाई के लिए बिजली के उत्पादन में आसानी होगी।

और जबकि, नीति आयोग ने अपनी रिपोर्ट में वाशरीज़, कोयला खनन, परिवहन और विद्युत संयंत्रों में कोयले की खपत की दृष्टि से इस विषय का विश्लेषण करने के बाद अन्य बातों के साथ-साथ संक्षिप्त में यह अभ्यावेदन किया है कि समीपवर्ती उद्योगों में वाशरी अवशिष्ट का इस्तेमाल अधिक प्रदूषण पैदा करता है; चूंकि वाशरी अवशिष्ट अनेक छोटे उद्योगों में वितरित होते हैं, इसलिए विद्युत संयंत्र पर उत्पन्न प्रदूषण की तुलना में अनेक स्थलों पर उत्पन्न प्रदूषण को नियंत्रित करना अधिक कठिन होता है; धुलाई प्रक्रिया में उत्पन्न राख (ऐश) कोयला कणों के साथ-साथ पानी को भी प्रदूषित करती है और इसका लाभकारी उपयोग नहीं किया जा सकता, कोयला धुलाई प्रक्रिया में पानी का अधिक प्रयोग होता है, अपशिष्ट सृजन होता है; वाशरी अवशिष्ट के निपटान का पर्यावरण पर प्रतिकूल प्रभाव होता है क्योंकि इसमें बड़ी मात्रा में निम्न श्रेणी कोयला अवशिष्ट, तरल अपशिष्ट प्रवाह, कोयला भण्डारण, कोयला मिट्टी का रखरखाव, अपवाह और उड़ने वाली धूल का रखरखाव और निपटान करना होता है, कोयला धुलाई का स्थलाकृति, जल निकास स्वरूप और गुणवत्ता, जल निकायों, बड़े पैमाने पर प्रतिवेशी वायु गुणवत्ता पर भी प्रतिकूल प्रभाव पड़ता है; धुलाई प्रक्रिया से विद्युत उत्पादन की लागत में भी वृद्धि होती है जिसका कोई पर्यावरणीय लाभ इत्यादि भी नहीं होता।

और जबकि, नीति आयोग ने इसलिए सिफारिश की है कि पर्यावरणीय और प्रदूषण मानकों का निर्धारण करना और उन्हें लागू करना विवेकपूर्ण होगा, जिन्हें कोयले में ऐश की मात्रा प्रतिबंधित किए जाने के बजाए, परिवहन दूरी के आधार पर विद्युत उत्पादकों के साथ जोड़ा जाना चाहिए।

और जबकि, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ऊर्जा मंत्रालय, कोयला मंत्रालय के अभ्यावेदनों, नीति आयोग और कई हितधारकों की रिपोर्ट पर विवेचन करने तथा सावधानीपूर्वक विचार करने के बाद एवं जनहित में निम्नलिखित निष्कर्ष पर पहुंचा है—

- i) खनित कोयले में ऐश सामग्री की मात्रा समान रहती है। वाशरी से ऐश सामग्री दो स्थानों (वाशरी और विद्युत संयंत्र) में विभाजित हो जाती है जबकि बिना धुला कोयला विद्युत संयंत्र में प्रयोग किया जाता है, ऐश सामग्री का निपटान केवल एक स्थान अर्थात् विद्युत संयंत्र में किया जाता है;
- ii) ताप विद्युत संयंत्र प्रदूषण नियंत्रण, ऐश प्रबंधन के लिए तकनीकी रूप से सुसज्जित होते हैं क्योंकि उनमें फ्लाइ-ऐश का निराकरण करने के लिए उच्च क्षमता वाले उपकरण होते हैं, ड्राई ऐश निष्क्रमण और हैंडलिंग सिस्टम, ऐश उपयोग के लिए सप्लाय सिस्टम और फ्लू गैसों को तितर-बितर करने के लिए बड़े टाल (स्टैक) होते हैं;
- iii) पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने उत्सर्जन मानक अधिसूचित किए हैं जिनमें क्रमशः ताप विद्युत संयंत्रों को समयबद्ध रीति से इन मानकों का पालन करने के लिए अधिदेशित किया गया है;

और जबकि, फ्लाई ऐश प्रबंधन और विभिन्न स्तरों पर बिना धुले कोयले के संसाधन के दौरान उत्पन्न अन्य संबंधित पर्यावरणीय पहलुओं सहित बिना धुले कोयले की हैंडलिंग के लिए यथासंभव उत्कृष्ट कार्यवाही को अपनाना समयोचित है।

और जबकि, कोयला मंत्रालय ने अभ्यावेदन किया है कि मौजूदा अप्रत्याशित कोविड-19 महामारी और इसके फलस्वरूप देश में ऊर्जा उत्पादन के लिए कोयला क्षेत्र की मांग को प्रोत्साहित कर घरेलू कोयले के उपयोग की तत्काल आवश्यकता को देखते हुए यह वांछनीय है कि तत्काल अधिसूचना जारी की जाए।

अब, इसलिए, केंद्रीय सरकार पर्यावरण (संरक्षण) नियमावली, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण संरक्षण अधिनियम, 1986 (1986 का 29) की धारा 3, धारा 6 और धारा 25 के तहत अपनी शक्तियों का प्रयोग करते हुए, उक्त नियमावली के नियम 5 के उपनियम (3) के भाग (अ) के तहत सूचना देने की अनिवार्यता को हटा देने के उपरांत जनहित में पर्यावरण (संरक्षण) नियमावली, 1986 को आगे संशोधित करते हुए एतद्वारा निम्नलिखित नियम बनाती है, अर्थात्:

1. (1) इन नियमों को पर्यावरण (संरक्षण) संशोधन नियमावली, 2020 कहा जाएगा।
(2) ये सरकारी गज़ट में प्रकाशित होने की तारीख से लागू होंगे।
2. पर्यावरण (संरक्षण) नियमावली, 1986 में, नियम 3 में, उपनियम (8) के लिए निम्नलिखित उपनियम प्रतिस्थापित होगा, अर्थात् :-
“(8) ताप विद्युत संयंत्रों को, ऐश सामग्री अथवा दूरी संबंधी अनुबंधों के बिना, निम्नलिखित शर्तों के अध्याधीन कोयले के प्रयोग की अनुमति होगी:
(1) उत्सर्जन मानदण्डों के लिए प्रौद्योगिकीय समाधान निर्धारित करना:
i. वर्तमान अधिसूचनाओं और केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा समय-समय पर जारी अनुदेशों के अनुसार विविक्त सामग्री के लिए विनिर्दिष्ट मानदंडों का अनुपालन करना।
ii. वाशरी के मामले में मिडलिंग और अवशिष्टों का एफबीसी(तरलीकृत तल दहन) प्रौद्योगिकी आधारित विद्युत संयंत्रों में उपयोग किया जाए। एफबीसी संयंत्रों में मिडलिंग और अवशिष्टों के लिए वाशरी में संयोजन (लिकेज) होना चाहिए।

 2. ऐश पॉन्ड का प्रबंधन:
i. ताप विद्युत संयंत्र धुले हुए कोयले से बिना धुले हुए कोयले पर स्विच करने के कारण फ्लाई-ऐश पॉन्ड(मौजूदा विद्युत उत्पादन क्षमता) की अतिरिक्त क्षमता की पात्रता प्राप्त किए बिना, समय-समय पर जारी की गई अधिसूचनाओं में यथा-अधिसूचित शर्तों का पालन करें।
ii. ऐश प्रबंधन के लिए जल की खपत को अनुकूल करने हेतु समुचित प्रौद्योगिकी समाधान लागू हों;
iii. यदि आवश्यक हो तो फ्लाई-ऐश का अधिकतम उपयोग सुनिश्चित करने के लिए स्थल विशिष्ट स्थितियों के आधार पर ऐश का पृथक्करण इलैक्ट्रो-स्टैटिक अवक्षेपक (प्रेसीपिटेटर) स्तर पर किया जाए।
iv. ताप विद्युत संयंत्र उपर्युक्त 2(i) के अध्याधीन, छोड़ी हुई अथवा चालू खानों (वर्किंग माइन्स) में (खान मालिकों द्वारा सुविधाजनक बनाया जाए) पर्यावरणीय सुरक्षा उपायों के साथ फ्लाई-ऐश का निपटान करें।
 3. परिवहन:

- i. ढके हुए रेलवे वैगन (तिरपाल अथवा किसी अन्य माध्यम से ढके हुए रेलवे वैगन) और/अथवा खान-क्षेत्र से परे ढके हुए वाहक (कन्वेयर) द्वारा ही कोयले का परिवहन किया जाए। तथापि, जब तक रेल परिवहन/वाहक इन्फ्रास्ट्रक्चर उपलब्ध नहीं हो जाता, सड़क परिवहन ट्रकों द्वारा किया जाए जो तिरपाल अथवा किसी अन्य माध्यम से ढके हुए हों।
 - ii. ताप विद्युत संयंत्र द्वारा सुनिश्चित किया जाए कि
 - (क) रेल अथवा कन्वेयर द्वारा परिवहन के लिए विद्युत संयंत्र में अथवा इसके समीप रेल साइडिंग सुविधा अथवा कन्वेयर सुविधा स्थापित हो; और
 - (ख) यदि रेल अथवा कन्वेयर सुविधा की अनुपलब्धता के कारण परिवहन न हो पाए, तो यह सुनिश्चित किया जाए कि संबंधित खान के डिलीवरी स्थान से कोयले का परिवहन ढके हुए ट्रकों (तिरपाल अथवा किसी अन्य माध्यम द्वारा), अथवा किसी अन्य यंत्रिकृत बंद ट्रक से सड़क द्वारा हो।
- (4) इसे वित्तीय वर्ष 2020-21 और उसके बाद के लिए संबंधित परियोजनाओं हेतु संगत पर्यावरणीय स्वीकृति की अतिरिक्त शर्तें भी समझा जाएगा। मौजूदा पर्यावरणीय स्वीकृतियों को संशोधित किया जाएगा ताकि संगत क्षेत्रों के लिए उपरोक्त शर्तों को प्रवर्तनशील बनाया जा सके। तदनुसार संबंधित राज्य प्रदूषण नियंत्रण बोर्ड द्वारा प्रचालन की अनुमति जारी की जाएगी।

[फा.सं. 13014/01/2020-आईए-1(टी)]

गीता मेनन, संयुक्त सचिव

टिप्पण—मूल नियम भारत के राजपत्र में सं.का.आ. 844(अ), तारीख 19 नवंबर 1986 द्वारा प्रकाशित किए गए थे और पश्चातवर्ती संशोधन सं.का.आ. 82(अ), तारीख 16 फरवरी, 1987; का.आ. 64(अ), तारीख 18 जनवरी, 1988; सा.का.नि. 931(अ), तारीख 27 अक्टूबर, 1989; का.आ. 23(अ), तारीख 16 जनवरी, 1991; सा.का.नि. 95(अ), तारीख 12 फरवरी, 1992; सा.का.नि. 329(अ), तारीख 13 मार्च, 1992; सा.का.नि. 562(अ), तारीख 27 मई, 1992; सा.का.नि. 884(अ), तारीख 20 नवंबर, 1992; सा.का.नि. 386 (अ), तारीख 22 अप्रैल, 1993; सा.का.नि. 422 (अ), तारीख 19 मई, 1993; सा.का.नि. 801 (अ), तारीख 31 दिसंबर, 1993; सा.का.नि. 320 (अ), तारीख 16 मार्च, 1994; सा.का.नि. 560 (अ), तारीख 19 सितंबर, 1997; सा.का.नि. 378 (अ), तारीख 30 जून, 1998; सा.का.नि. 07 (अ), तारीख 22 दिसंबर, 1998; सा.का.नि. 407 (अ), तारीख 31 मई, 2001; सा.का.नि. 826 (अ), तारीख 16 नवंबर, 2009; सा.का.नि. 513 (अ), तारीख 28 जून, 2012; सा.का.नि. 02 (अ), तारीख 02 जनवरी, 2014; का.आ. 3305 (अ), तारीख 07 दिसंबर, 2015; सा.का.नि. 593 (अ), तारीख 28 जून, 2018; और का.आ. 236 (अ), तारीख 16 जनवरी, 2020 द्वारा किए गए।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 21st May, 2020

S.O. 1561(E).—Whereas the Central Government had, in exercise of its powers under Section 3, Section 6 and Section 25 of Environment (Protection) Act, 1986 (29 of 1986) read with rule 5 of Environment (Protection) Rules, 1986, published draft rules further to amend sub-rule (8) of rule 3 of Environment (Protection) Rules, 1986, in the Gazette of India, Extraordinary, vide number G.S.R. 02(E), dated the

2nd January, 2014 mandating certain categories of thermal power plants to use coal with ash content restricted to 34%.

And whereas, the said Notification *vide* number G.S.R. 02(E) dated the 2nd January, 2014, mandated coal based thermal power plants to use raw or blended or beneficiated coal with ash content not exceeding thirty-four percent (34%), on quarterly basis, by the time lines given below:

Sl. No.	Category of Power Plant	Distance of location of Thermal Power Plant from pit-head/coal mine	Time lines
(a)	Stand-alone Thermal Power Plants (any capacity), and Captive Thermal Power Plants (with capacity of 100 MW and above)	Located in urban areas, or ecologically sensitive areas or critically polluted areas, irrespective of distance from pit-head, except pit-head power plants.	With effect from 2 nd June, 2014.
(b)		beyond 1000 km	With effect from 2 nd June, 2014.
(c)		between 750-1000 km	With effect from 1 st January, 2015.
(d)		between 500-749 km	With effect from 5 th June, 2016.

And whereas, the Central Government had, in exercise of its powers under sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, in the Gazette of India, Extraordinary, *vide* number S.O. 3305 (E), dated the 7th December, 2015 and G.S.R. 593 (E), dated the 28th June, 2018 published the emission standards and specific water consumption for various category of thermal power plants, based on capacity of power generation and date of installation of power plant and to be achieved in time bound manner.

And whereas, the Ministry of Environment, Forest and Climate Change directed the Central Pollution Control Board *vide* F.No.Q-15017/40/2007-CPW dated the 7th December, 2017 to issue Directions under Section 5 of Environment (Protection) Act, 1986, to various Thermal Power Plants to install pollution control equipment as per the revised plan submitted by the Ministry of Power dated the 13th October, 2017 by 2022.

And whereas, the Ministry of Power has, *inter alia*, represented that with advancement in pollution control technologies, thermal power plants are better equipped to capture fly-ash generated in combustion process and unwashed coal can be used more efficiently and economically; thermal power plants are designed for coal with wide variety of ash content and are equipped with dry ash evacuation, handling and supply systems for ash utilisation; using washed coal makes power generation costlier; fly ash generated in thermal power plants is being used in several beneficial uses like cement manufacturing, brick making, road laying, back-fill material for reclamation of mine voids and low lying areas; requirement of maintaining average ash content to 34% prompts industries to undertake import of coal, resulting in outflow of foreign exchange etc.

And Whereas, the Ministry of Coal has, *inter alia*, represented that the coal mines are constantly striving to improve raw coal in terms of quality, size and extraneous material over the years which has considerably reduced wear and tear of all related equipment, coal washing process involves multiple handling and avoidable road transportation of huge quantities of coal from coal mines to washeries and then to rail sidings for onward transport to power plants; the washing process only divides the coal into washed coal and washery rejects while the ash content of mined coal remains the same; use of low grade coal washery rejects, in the multiple small user industries, generates more pollution etc.

And Whereas, the Ministry of Coal and Ministry of Power have, therefore, represented that the mandating power plants to use washed coal requires to be revisited by reconsidering the notification dated the 2nd January, 2014 which will help ease power generation for long distance haulage of coal without adverse impact on the environment.

And Whereas, the NITI Aayog, in its report after analysing the issue from the perspective of washeries, Coal mining, transportation and consumption of coal at power plants has, *inter alia*, summed up that use of washery rejects in nearby industries generates more pollution; since washery rejects are distributed in number of smaller industries, the pollution control at numerous points is more difficult than controlling the

pollution at power plant end; Ash generated in the washing process pollutes water along with coal particles and cannot be gainfully utilised; Coal washing process involves increased water use, effluent generation; Disposal of washery rejects has negative environmental impact as it has to handle and dispose huge quantity of low grade coal washery rejects, liquid effluent streams, coal storage, handling coal dust, runoff and fugitive dust; Coal washing also adversely impacts topography, water drainage pattern and quality, water bodies, surrounding air quality at large scale; Washing process increases the cost of power generation with no commensurate environmental advantages etc.

And Whereas, NITI Aayog has, therefore, recommended that it may be prudent to determine and enforce the environmental and pollution norms, to be complied with by the power generators, rather than restricting the ash content in coal, based on distance of transportation.

And Whereas, the Ministry of Environment, Forest and Climate Change, after deliberating the representations from Ministry of Power, Ministry of Coal, report of NITI Aayog and various stakeholders and after careful considerations & in larger public interest, arrived at the following:

- (i) The extent of ash content in mined coal remains the same. With washeries, the ash content gets divided at two places (washeries and the power plant), whereas if unwashed coal is used in power plant, the ash content is handled at only one place viz. the power plant;
- (ii) Thermal power plants are technologically equipped to address pollution control, ash management as they have high efficiency equipment to capture fly ash, dry ash evacuation and handling systems, ash supply systems for ash utilisation and tall stacks for wider dispersal of flue gases;
- (iii) The Ministry of Environment, Forest and Climate Change has notified emission norms, mandating respective thermal power plants to adhere to such norms in a time bound manner;

And Whereas, it is expedient to adopt best possible framework towards handling of unwashed coal including management of fly ash and other associated environmental aspects arising out of processing of unwashed coal at different stages.

And Whereas, the Ministry of Coal has represented that in view of the existing unprecedented COVID-19 pandemic and the resultant immediate requirement of utilization of domestic coal by stimulating coal sector demand for power generation in the country, it is desirable to issue the notification at the earliest.

Now, therefore, in exercise of the powers conferred by Section 3, Section 6 and Section 25 of the Environment Protection Act, 1986 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules, in public interest, hereby makes the following rules to further amend the Environment (Protection) Rules, 1986, namely :-

1. (1) These rules may be called the Environment (Protection) Amendment Rules, 2020
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Environment (Protection) Rules, 1986, in rule 3, for sub-rule (8), the following sub-rule shall be substituted, namely :-

“(8) Use of coal by Thermal Power Plants, without stipulations as regards ash content or distance, shall be permitted subject to following conditions:

- (1) **Setting Up Technology Solution for emission norms:**
 - (i) Compliance of specified emission norms for Particulate Matter, as per extant notifications and instructions of Central Pollution Control Board, issued from time to time.
 - (ii) In case of washeries, Middling and rejects to be utilized in FBC (Fluidised Bed Combustion) technology based thermal power plants. Washery to have linkage for middling and rejects in Fluidised Bed Combustion plants.
- (2) **Management of Ash Ponds:**
 - (i) The thermal powers plants shall comply with conditions, as notified in the Fly Ash notification issued from time to time, without being entitled to additional capacity of fly ash pond (for existing power generation capacity) on ground of switching from washed coal to unwashed coal.
 - (ii) Appropriate Technology solutions shall be applied to optimise water consumption for Ash management;

- (iii) The segregation of ash may be done at the Electro-Static Precipitator stage, if required, based on site specific conditions, to ensure maximum utilization of fly ash;
- (iv) Subject to 2(i) above, the thermal power plants to dispose flyash in abandoned or working mines (to be facilitated by mine owner) with environmental safeguards.

(3) **Transportation:**

- (i) Coal transportation may be undertaken by covered Railway wagon (railway wagons covered by tarpaulin or other means) and/or covered conveyer beyond the mine area. However, till such time enabling Rail transport/conveyer infrastructure is not available, road transportation may be undertaken in trucks, covered by tarpaulin or other means.
- (ii) It shall be ensured by the thermal power plant that
 - a. Rail siding facility or conveyor facility is set up at or near the power plant, for transportation by rail or conveyor; and
 - b. If transportation by rail or conveyor facility is not available, ensure that the coal is transported out from the Delivery Point of the respective mine in covered trucks (by tarpaulin or other means), or any mechanized closed trucks by road.
- (4) This shall also be deemed to be additional conditions of the relevant Environmental Clearances for respective projects for financial year 2020-21 and onwards. The existing Environmental Clearances shall stand modified so as to make the above conditions operative for relevant sectors. The Consent to Operate shall be issued by respective State Pollution Control Boards accordingly.”

[F.No.13014/01/2020-IA.I(T)]

GEETA MENON, Jt. Secy.

Note:-The principal rules were published in the Gazette of India *vide* number S.O. 844(E), dated the 19th November, 1986 and subsequently amended *vide* numbers S.O. 82(E), dated 16th February, 1987; S.O. 64(E), dated 18th January, 1988; G.S.R. 931(E), dated 27th October, 1989; S.O. 23(E), dated 16th January, 1991; G.S.R. 95(E), dated 12th February, 1992; G.S.R. 329(E), dated 13th March, 1992; G.S.R. 562(E), dated 27th May, 1992; G.S.R. 884(E), dated 20th November, 1992; G.S.R. 386(E), dated 22nd April, 1993; G.S.R. 422(E), dated 19th May, 1993; G.S.R. 801(E), dated 31st December, 1993; G.S.R. 320(E), dated 16th March, 1994; G.S.R. 560(E), dated 19th September, 1997; G.S.R. 378(E), dated 30th June, 1998; G.S.R. 7(E), dated 22nd December, 1998; G.S.R. 407(E), dated 31st May, 2001; G.S.R. 826(E), dated 16th November, 2009; G.S.R. 513(E), dated 28th June, 2012; G.S.R. 02(E) dated 2nd January, 2014; S.O. 3305 (E), dated 7th December, 2015; G.S.R. 593(E), dated 28th June, 2018 and S.O. 236 (E), dated 16th January, 2020.

THAT THE BELOW ATTACHED PHOTOGRAPHS DATED 13/10/2025 SUGGESTS THE RESPONDENT NO. 1 IS TRANSPORTING COALS THROUGH RAILWAYS WITHOUT COVERING WITH TARPAULIN.



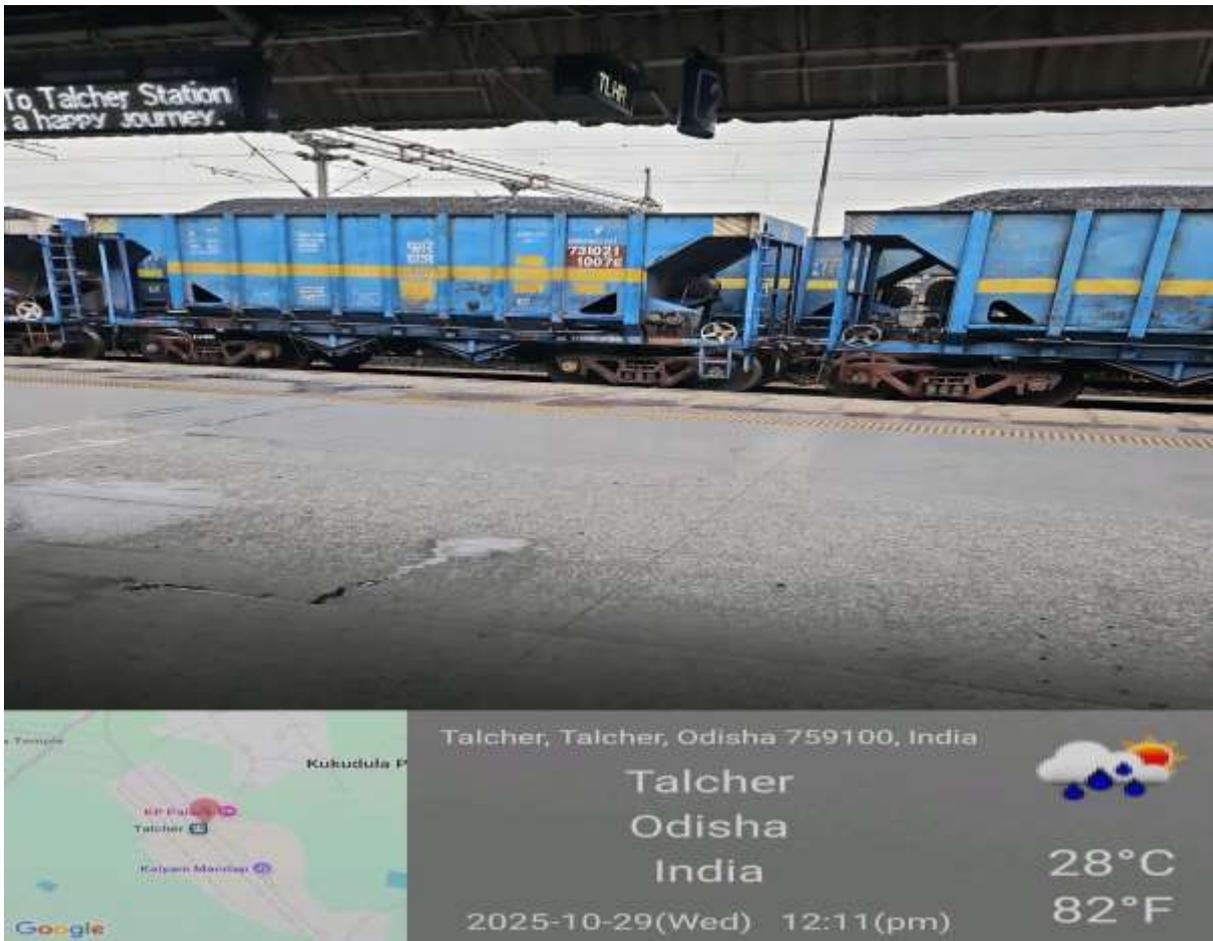
THAT THE BELOW ATTACHED PHOTOGRAPHS DATED 18/10/2025 SUGGESTS THE RESPONDENT NO. 1 IS TRANSPORTING COALS THROUGH RAILWAYS WITHOUT COVERING WITH TARPAULIN.



THAT THE BELOW ATTACHED PHOTOGRAPHS DATED 29/10/2025 SUGGESTS THE RESPONDENT NO. 1 IS TRANSPORTING COALS THROUGH RAILWAYS WITHOUT COVERING WITH TARPAULIN.



THAT THE BELOW ATTACHED PHOTOGRAPHS DATED 29/10/2025 SUGGESTS THE RESPONDENT NO. 1 IS TRANSPORTING COALS THROUGH RAILWAYS WITHOUT COVERING WITH TARPAULIN





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THAT THE BELOW ATTACHED PHOTOGRAPHS DATED 04/12/2025 SUGGESTS THE RESPONDENT NO. 1 IS TRANSPORTING COALS THROUGH RAILWAYS WITHOUT COVERING WITH TARPAULIN.



**GUIDELINES FOR ENVIRONMENTAL
MANAGEMENT IN MINERAL STACK YARDS
AND RAILWAY SIDINGS**

16th April -2010



STATE POLLUTION CONTROL BOARD, ORISSA

Paribesh Bhawan, A/118, Nilakanthanagar, Unit-VIII,
Bhubaneswar – 751 012, INDIA

GUIDELINES FOR PROCESSING OF CONSENT APPLICATION FOR MINERAL STACK YARDS AND RAILWAY SIDING

Transportation, storage, loading and unloading of minerals at Stack-yards / Railway sidings have considerable air pollution potential. These activities have been brought under consent administration of the Board under **RED category** as per **Board's Resolution No. 3369 dt. 16.2.08**. Applications for grant of consent to these activities are to be disposed of by concerned Regional Offices as per the **delegated power vide letter No. 2186 dt. 31.1.08**. The Board issued guidelines to regulate stack-yards and railway siding in April 2008. The Board received certain submissions from various stakeholders indicating certain ambiguity and operational difficulties in implementing the guidelines. Thus to further streamline it and to make it implementable, a consultative meeting with all stakeholders was convened on 31.10.09 and their views were considered. In order to facilitate timely disposal of applications and to make the procedure uniform, the following guidelines are issued. These guidelines superceed the guidelines issued in April 2008 vide Board's letter no.9718 Dt. 24/04/08 and the additional guidelines issued vide Board's letter no.17924 Dt. 29/10/09

1. DEFINITION:

1.

- i) **Stack-yard** : Stack-yard means mineral stack yard over an area, which is used to receive, store either for a short period or long period, load / unload and dispatch minerals from the site and requires a trading license under Orissa Mineral (Prevention of Theft, Smuggling and Illegal Mining and Regulation of Possession, Storage, Trading and Transportation) Rules 2007.
- ii) **Railway-siding** : A railway-siding is a place/ area which is used to receive, temporarily store and load / unload material in the rakes and dispatch materials.
- iii) **Cluster of stack-yards** : A cluster of stack-yards means a group of stack-yards having at least one common boundary, who enter into an agreement among them to remain collectively responsible to maintain the pollution control system while operating the stack-yards.

2. APPLICABILITY:

- i) The railway-sidings ,stack-yards and clusters of stack-yards of minerals, which are already established and operating **prior to the date of Board's Resolution i.e 16.2.08** are required to only obtain consent to operate from the Board.
- ii) Railway-sidings ,stack-yards and clusters of stack-yards, which are established **after the date of Board's Resolution i.e 16.2.08** or, to be established thereafter are required to obtain consent to establish first and then consent to operate from the Board.
- iii) For cluster of stack-yards the proponent will apply separately depositing prescribed fee for each stack-yard and submit all the application in a single bunch along with original agreement and undertaking that, they will remain collectively liable for complying to the conditions stipulated by Board. Violation of any condition by any one member of the cluster of stack-yards shall be treated as a violation.
- iv) Mineral stack-yard or railway-siding located inside the premises of industry / mines which are already covered under consent administration will not require separate consent.
- v) The consent granted under section 25 of Water (Prevention & Control of Pollution) Act. 1974 and section 21 of Air (Prevention & Control of Pollution) Act. 1981 shall be subject to Trade License issued under Orissa Mineral (Prevention of Theft, Smuggling and Illegal Mining and Regulation of Possession, Storage, Trading and Transportation) Rules 2007.
- vi) The applicant can make application for consent to operate for a minimum period of one year; however the validity of consent shall be co-terminus with the financial year.

3. APPLICATION FORM :

The applicant shall apply for consent to establish and consent to operate (as applicable) in the prescribed form of the Board alongwith additional information in the format as per **Annexure-I**.

4. SITING CONSIDERATIONS (MINERAL STACK-YARD) :

Consent to Establish applications for mineral stack-yards shall be considered on the basis of the following site suitability criteria.

- i) The boundary of proposed site shall be at an aerial distance of at least 100 meter from State/National Highway.
- ii) The boundary of the proposed site shall be at an aerial distance of at least **500 meter away from** Schools, Colleges, Hospitals, Archeological monuments, and other sensitive areas.
- iii) It shall be ensured that run-off during rain from the proposed site, any water body, which is used by local people, remains at minimum possible level.
- iv) Location of the stack-yard should be such that there is no public inconvenience for parking or movement of vehicles.
- v) The applicant for consent to establish shall obtain a NOC from Sarpanch following a gram sabha if it is proposed in a rural area or obtain NOC from the concerned ULB in case of urban area.
- vi) In case of new cluster the proposed site shall conform to the above stipulations for siting as a whole.

5. ENVIRONMENTAL ASSESSMENT :**a) Check list of Environmental Issues :**

The following issues shall be taken into consideration for environmental assessment.

- i) Siting of facility and proximity of nearby dwellings.
- ii) Compatibility of the activities with surrounding land use.
- iii) Need for isolating the operational areas or any additional precautionary measure to be undertaken.
- iv) Likelihood of the materials proposed to be handled to create dust nuisance.
- v) Proposed dust control measures.
- vi) Storm water management system and disposal practice.
- vii) Possibility of discharge to nearby water bodies.

- viii) Bunding of storage area and its appropriateness.
- ix) Impact on nearby residents, beyond normal working hours.

b) **Standard conditions (RAILWAY SIDING AND MINERAL STACK YARDS) :**

The following conditions may be imposed for pollution control while granting consent to establish / consent to operate for railway siding and mineral stack-yards. These conditions are only indicative and not exhaustive.

House Keeping:

1. All entry points, internal roads and loading/unloading areas must be adequately compacted for movement of heavy vehicles by using low permeability material and be cleaned regularly to minimize potential of dust generation and off-site impact.
2. A boundary wall of at least **3 meter** height shall be constructed along the periphery of the mineral stack-yard to prevent the dust particles from being air borne and / or getting carried away with surface run off to nearby water bodies.
3. The height of material stack within storage areas must be kept below the height of the boundary wall at all times to prevent the material from being air borne.
4. All mineral storage areas containing fines or dusty materials must be either:
 - covered with tarpaulins when not in use, or
 - fitted with Water Sprinkling / Dry fog systems.
5. Green belt of at least one row of trees shall be developed along the boundary of material storage yard., in case of stack-yards and railway siding which are located in close proximity to villages and residential areas, a green belt of adequate width between the habitation and the stack-yard is recommended.

6. Planting of trees all along the connecting road and regular grading of such road shall be carried out to prevent generation of dust due to movement of dumpers/trucks.
7. Adequate care shall be taken to prevent creation of ruts and pot holes in the connecting roads.
8. Proper house keeping at the material storage areas, loading & dispatch areas, service facilities, etc., shall be practiced.

Air Pollution Control:

9. Dust suppression arrangement shall be provided on approach road by using water sprinklers / mobile water tanker.
10. Wheel wash facilities are to be provided to minimize transfer of mud from unpaved approach roads to main paved and/or public roads.
11. At the material storage areas, atomized stationery mist spray of water or conditioning of material with water shall be practiced to prevent dust getting air borne during loading/unloading.
12. Sprinkler systems must be maintained and be kept in a good operable condition at all times.
13. Appropriate transfer chutes shall be provided at material discharge points at material storage areas, loading points etc., to minimize the discharge height and spread of air borne dust.
14. Appropriate preventive measures shall be taken for control of fire hazards at the stack-yard / Railway-Siding handling coal.
15. Smoke emission from heavy duty vehicle operating in the stack-yard / Railway-Siding shall conform to the standards prescribed under the Motor Vehicle Rules, 1989.
16. Ambient Air Quality inside the premises shall conform to the National Ambient Air Quality Standard prescribed for industrial and mixed used area under the Environment Protection Act, 1986.

Water Pollution Control :

17. Domestic effluent shall be discharged to soak pit through septic tank constructed as per BIS specifications.
18. Garland drain shall provided along the boundary wall at the appropriate places depending upon the slope of the area, inside the mineral stack-yard. Provision shall be made for collection of wash water from the garland drain and the water, so collected shall be treated in a sedimentation tank for further use inside the premises for green belt or water sprinkling etc. In case of a cluster, a common facility shall be developed, operated and maintained by the cluster operators.
19. In case the wastewater contains any substance which is harmful to the environment, the same shall be treated to remove the substance so as to meet the prescribed norms.

Good Operating Practice:

20. Speed limit of dumpers/trucks inside the premises shall not exceed **10 kmph**.
21. Occupiers of the stack-yard / Railway siding shall ensure that vehicles used have valid **“Pollution Under Control (PUC)” certificate**.
22. During transportation of material by trucks / tippers / wagons through public roads, the vehicles shall be properly covered with tarpaulin sheets.
23. Provisions of the E(P) Act, 1986 and the relevant rules framed thereunder, shall be applicable where necessary.

The concerned Regional Officer may stipulate site specific additional conditions, if he feels so, after assessing ground reality and local conditions.

c) **Annual Return :**

Every operating mineral stack-yards and Railway sidings shall submit an annual return to concerned Regional Office in the prescribed format as per **Annexure – II** by **31st May every year** incorporating the quantities and types of materials handled during the preceding financial year (**i.e. 1st April to 31st March**). Stack-yards in a cluster shall prepare individual returns and submit those in a single bunch.

ANNEXURE – I



STATE POLLUTION CONTROL BOARD, ORISSA

Paribesh Bhawan, A/118, Nilakanthanagar, Unit-VIII,
Bhubaneswar – 751 012, INDIA

ADDITIONAL INFORMATION

A. Mineral Stack yard

B. Railway Siding

Tick appropriate box

1. GENERAL INFORMATION :

1.1 Name of the applicant :

Father's/husband's name :

Designation

1.2 Mailing Address :

e-mail :

Telephone No. :

Mobile phone No

Fax :

1.3 Does the activity relate to :

1.3.1 New	Yes	<input type="checkbox"/>	No.	<input type="checkbox"/>
1.3.2 Expansion	Yes	<input type="checkbox"/>	No.	<input type="checkbox"/>
1.3.3 Existing	Yes	<input type="checkbox"/>	No.	<input type="checkbox"/>

2. SITE DETAILS :

2.1 Area of Mineral Stack-yard /Railway Siding in _____ Sq.m/Sq.ft/Acre.

✓ Encl : Patta and/or other relevant land document.

2.2 Site Address	Plot and Khata no	Village	Tehsil	District

✓ Enclose a revenue site map

2.3 Name of the person/ company :
(owner of the company)

2.4 Distance from the following features (Within 500 m radius.)

Features	Distance	Details
Human settlement / villages		
Schools / Colleges		
National/state highway		
Hospitals		
Rivers / Streams / Ponds		
Other sensitive area		

✓ Indicate these feature in the site map :

2.5 Length of approach road from nearest Highway (NH/SH) / Railway connectivity / port :

2.6 Category of approach road to be used for transportation :

2.7 Name of the villages through which approach road from NH/SH passes

3. **ACTIVITY DETAILS :**

3.1 Type of material to be handled :

Sl. No.	Type of material	Qty. per year.	Maximum storage quantity at any point of time
1.			
2.			
3.			
4.			

3.2 Mode of transport :

Incoming mode : By truck/Tipper
 : By rake,
 : By tractor
 : Any other means.

Outgoing mode : By truck
 : By rake,
 : By tractor
 : Any other means.

3.3 Manner of loading / unloading :

3.3.1 Manual Loading :

- ✓ Maximum daily receipt of material :
- ✓ Maximum daily dispatch of material :
- ✓ Nos of people to be engaged for loading/unloading :

3.3.2 Mechanized loading / unloading :

Type of machines	Nos.	Capacity
Loader, Dumper		
Stacker reclaimer		

4. ENVIRONMENTAL MANAGEMENT PLAN :

Sl. No.	Environmental issues *	Already practiced if applicable	Proposed
01.	Air pollution (fugitive dust emission)		
02.	Water Pollution (Run off Water Management)		
04.	Plantation		
05.	Others		

[* As applicable]

CHECK LIST FOR DOCUMENTS

1.	Revenue site map indicating all features.
2.	Patta/ Lease deed/ Agreement/ and other relevant land documents if any in support of proof of ownership.
3.	NOC from the local bodies
4.	Permission from Railway authority for railway siding.

Verification : **The data and information given in this form are true to the best of my knowledge and belief.**

Date :

**Signature of Applicant*
With full name & address**

Place :

[* Owner or occupier]

**Given under the seal of organization
onbehalf of whom the applicant is signing**

ANNEXURE – II

ANNUAL RETURN

Name of the unit :

Address :

Telephone No :

E-mail :

Consent order No. :

Consent valid upto :

Annual Return for the year ending 31st March:

Months	Type of material *	Opening stock (MT)	Receipt	Dispatch	Closing stock	Remark
April						
May						
June						
July						
August						
September						
October						
November						
December						
January						
February						
March						

* Attach separate sheet for additional material.

Certified that the above return is for the period from

.....

Date :

SIGNATURE*

Place :

DESIGNATION

[* Owner or occupier]

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

Original Application No. of 2025

In re:

RAJ KISHORE SAHOO

APPLICANT

Versus

MAHANADI COALFIELDS LIMITED AND OTHERS

RESPONDENTS

KNOW ALL to whom these present shall come I, Sri Raj Kishore Sahoo, S/o- Late Ratnakar Sahoo, aged about 50 years, At/Po- Ghanta Pada, Talcher, Dist- Angul, Pin- 759103. That I am the Applicant in the above mentioned case, do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :-**Sankar Prasad Pani**, Advocates, Plot No 2132/4814 B, Nageswartangi, Bhubaneswar, 751002, Mob-no.9437279278, Email- sankarprasadpani@gmail.com Enrollment no. O-785/07 and **Ashutosh Padhy**, Enrollment no. O-1018/23.

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. 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. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute 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 himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 4th day of December 2025.

Accepted subject to the terms of fees.



Advocate



Client