

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

Original Application No. 41 /2026/EZ

(U/s 14 r/w Sec. 18 (1) & (2) Of The National Green Tribunal Act, 2010)

In the matter of :

Dillip Kumar Samantaray ...Applicant

-Vrs.-

State of Odisha and Ors. ...Respondents

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CUTTACK

By the Applicant through Counsel

DATE:- 2.2.2026

Akhand

Akhand, Advocate

B.C.E. No.O-269/2023 . Ph:7008816891

Plot No. 6F-1030, CDA, Sector-9,

Cuttack, Odisha – 753014

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SYNOPSIS

The present Original Application is filed under Sections 14 and 15 of the National Green Tribunal Act, 2010 as the Respondent No. 9 /ACB India Ltd.) illegally operates an illegal coal stockyard with thousands tonnes of coal outside the approved premises of its coal washery at Kanika, Hemgir Tehsil of Sundargarh District. The said coal stock was stored and used in the factory in a regular basis for more than three years without any valid permission and in violation of continuous violations of conditions of Environmental Clearance and Consent to Operate stipulated by the competent authorities. The coal stocking and transporting was done from a private plot measuring about two acres situated approximately 1 km from the factory unit. It has severely impacted the region's environment and ecology. On 16 April 2025, the district administration detected and seized over 10,000 tonnes of illegally stored coal by the Respondent No. 9 Company at Kanika without any permission from the Mining department and in violation of conditions imposed in EC and CTO. It also violates Environment (Protection) Act, 1986, Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981. The applicant prays environmental compensation, revocation of EC and CTO and other action against the Respondent No. 9, Hence this O.A.

LIST OF DATES

22.06.2009 : EC granted to the R-9

2023 : Illegal coal stocking started outside the unit of R-9.

2023 : Illegal coal stocking started outside the unit of R-9.

25.04.2025 : Latest CTO issued infavour of R-9/Company.

10.04.2025 : the Mining Department found a shortage of about
2,800 tonnes during physical verification at the unit.

16.04.2025 : District administration detected and seized illegal coal
stocking by the R-9.

12.12.2025 : Representation submitted by the Respondent.

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In the matter of :

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-Vrs.-

State of Odisha and Ors. ...Respondents

MEMO OF PARTIES

1. Sri Dillip Kumar Samantaray, aged about 36 years, S/o Lingaraj Samantaray, at present residing at C/o Parsuram Maharana, Plot No. 3839/8, Malaya Vihar, G.G.P. Colony, Rasulgarh, Bhubaneswar, Odisha, PIN-751025, M-9853632850, email : dillipsamantary476@gmail.com

... Applicant

-Versus-

1. State of Odisha represented by Chief Secretary, Government of Odisha, Lokseva Bhawan, Bhubaneswar, Odisha, PIN- 751001, email : csori@nic.in

2. Additional Chief Secretary, Forest, Environment and Climate Change Department, Government of Odisha, Kharvel Bhawan, Bhubaneswar, Odisha -751001, email : fesec.or@nic.in

3. Collector & District Magistrate, Sundargarh, Collectorate Office, AT/PO/Dist-Sundargarh, Pin-770001, email:dm-sundargarh@nic.in

4. Deputy Director, Mines, Rourkela Circle, Rourkela- Dist - Sundargarh, Odisha, PIN-769012, email: ddm.rourkela@orissaminerals.gov.in.

5. Tahasildar, Hemgiri, At/Po - Hemagiri, Dist-Sundargarh, Odisha-770013, email : tah.hemgiri-od@nic.in
6. Member Secretary, State Pollution Control Board, Odisha, A-118, Unit – VII, Nilakantha Nagar, Bhubaneswar, Odisha, Pin- 751012, email : member.secy@ospboard.org
7. Member Secretary, State Environment Impact Assessment Authority(SEIAA), Odisha, At – 5RF-2/1, Acharya Vihar, Unit – 9, Bhubaneswar, Odisha, PIN – 751002 email : seiaaorissa@gmail.com
8. Secretary, Ministry of Environment, Forests & Climate Change, Govt. Of India, Indira Paryavaran Bhawan, Jorbagh, New Delhi – 110003 email : secy-moef@nic.in
9. M/s Hemgiri Coal Washery of ACB (India) Limited through its Director, At: Kanika, P.O: Hemgiri Road, Dist- Sundargarh, Odisha, PIN – 770075, email : corporate@acbindia.com

CUTTACK

By the Applicant through Counsel

DATE:- 2.2.2026



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Original Application No. /2024/EZ

(U/s 14 r/w Sec. 18 (1) & (2) Of The National Green Tribunal Act, 2010)

In the matter of :

Dillip Kumar Samantaray ...Applicant

-Vrs.-

State of Odisha and Ors. ...Respondents

MOST RESPECTFULLY SHOWEATH :

1. The address of the Counsel of the applicant is as given above, for the service of notices of this application and the addresses of the respondents are as given above for service of notices of the applicant.
2. That the present application is being filed under section 14 of the National Green Tribunal Act, 2010 ('NGT Act, 2010' for short) by the applicant, being interested in the protection of the environment and ecology.
3. That this Hon'ble Tribunal has the jurisdiction to hear the present original application as the present application and the relief sought herein involves a substantial question relating to environment and that such question arises out of the implementation of the enactments specified in 'Schedule I' of the National Green Tribunal Act, 2010.

4. That the applicant is a practicing advocate and environment activist based at Bhubaneswar and have filed many cases before this Hon'ble Tribunal for protection of environment and ecology.

5. That the Applicant filed this Application to give direction to Respondents, more particularly SPCB, Odisha to assessment and imposition of Environmental Compensation upon private Respondent M/s Hemgiri Coal Washery of ACB (India) Limited at Kanika Village of Hemagiri Tahsil, applying the "Polluter Pays Principle", for damage to Environment, land and ecology.

6. That Respondent No. 9 (ACB India Ltd.) illegally operates an illegal coal stockyard with thousands tonnes of coal outside the approved premises of its coal washery at Kanika, Hemgir Tehsil of Sundargarh District. The said coal stock was stored and used in the factory in a regular basis for more than three years without any valid permission and in violation of continuous violations of conditions of Environmental Clearance and Consent to Operate stipulated by the competent authorities. The coal stocking and transporting was done from a private plot measuring about two acres situated approximately 1 km from the factory unit. It has severely impacted the region's environment and ecology. On 16 April 2025, the district administration detected and seized over 10,000 tonnes of illegally stored coal by the Respondent No. 9 Company at Kanika without any permission from the Mining department and in violation of conditions imposed in EC and CTO.

7. That though the company was involved in this illegal business of violations of environmental norms and conditions, the state authorities were silent over the issue and even if ten months after detection of illegal stocking of the huge amount coal which leads to the pollution of local

area, no action is being taken against the Polluter Company for imposing environmental compensation and revocation of EC and CTO.

8. That the Respondent No. 9 was granted Environmental Clearance by the Ministry of Environment & Forests for establishment of a stand-alone Hemgir Coal Washery of 5 MTPA at Village Kanika, Tehsil Hemgir, District Sundargarh, Odisha in 2009. The EC strictly limits area of operation to 13.7 hectares, storage of raw coal, washed coal and rejects only within earmarked stockyards, zero discharge operation, transportation and handling through closed systems and strict control of fugitive dust and runoff.

9. That further, the Environment Clearance strictly confined the project to a limited area of 13.7 hectares with clearly demarcated land use, including a coal storage yard of only 4.5 hectares, and was premised on controlled handling, storage and transportation of coal so as to minimise air, water and soil pollution. The EC was granted on the explicit assurance that the washery would operate as a zero-discharge unit, that coal would be transported through regulated routes with progressive shift to closed conveyor systems, and that rejects would be scientifically utilised without causing environmental harm. The Respondent No. 9 has violated the following specific Environmental Clearance (EC) conditions:

➤ **EC Condition (iv):** The EC mandates that raw coal, washed coal and coal wastes (rejects) shall be stacked properly at earmarked site(s) within stockyards fitted with wind breakers/shields, with adequate measures to prevent fire hazards. Illegal stocking of coal in open and unapproved locations without wind breakers, fire-prevention systems or proper stacking arrangements is a direct violation of this condition.

➤ **EC Condition (v):** Due to illegal and unregulated coal stockpiles, the Project Proponent has failed to ensure effective operation of high-efficiency bag filters and mist spray water sprinkling systems at

coal handling and transfer points, resulting in uncontrolled fugitive dust emissions from illegally stocked coal.

- **EC Condition (vii):** Illegal coal stocking necessarily involves unauthorized handling and movement of coal, indicating non-compliance with the requirement that trucks engaged in coal transportation be optimally loaded, covered with tarpaulin and operated without spillage.
- **EC Condition (x):** Illegal stocking of coal has resulted in uncontrolled discharge and contaminated surface runoff from stockpiles, violating the condition that the washery shall be a zero-discharge facility.
- **EC Condition (xi):** The mandatory 4-hectare green belt around the washery, crushing unit and stockyard has been ineffective due to illegal expansion of coal storage beyond the approved stockyard areas.

The Copy of Environment Clearance in favor of the Respondent No. 9 is annexed as Annexure – 1.

10. That the Project Proponent has blatantly violated the Conditions of Consent to Operate (CTO) by indulging in illegal and unscientific stocking of raw coal / washed coal / coal rejects within and outside the plant premises. Such illegal stocking has caused severe air pollution, degradation of ambient air quality, and health hazards to nearby inhabitants. The act of uncontrolled coal stocking is in complete disregard of the prescribed environmental safeguards and reflects deliberate non-compliance of statutory conditions. It is a clear cut violation of the following specific conditions of the CTO and MoEF&CC stipulations:

- **Condition No. I (1, 2, 3 & 4):** Failure to provide effective dust suppression systems, dry fog systems, fine atomizer nozzles, water sprinklers, and instant shower systems for controlling dust generated from coal handling and stocking areas.
- **Condition No. I (6 & 7):** Ambient air quality standards have not been maintained and required monitoring mechanisms have been

rendered ineffective due to excessive dust emissions from open coal stockpiles.

- **Condition No. I (8):** Non-display and non-submission of real-time ambient air quality data reflecting pollution caused by illegal stocking.
- **Additional Special Condition No. II (10):** Raw coal, washed coal and rejects are mandated to be stored **only in covered silos with fixed high-pressure sprinkler systems**, which has been grossly violated.
- **Additional Special Condition No. II (11):** Non-installation and/or non-operation of long-range fog cannon systems to mitigate air pollution from coal storage and transportation areas.
- **Additional Special Condition No. II (14 & 17) :** Improper management of surface runoff from coal storage yards, with no adequate settling or treatment mechanism, leading to potential contamination.
- **Additional Special Condition No. II (21):** Failure to ensure effective in-house environmental monitoring and management to prevent pollution arising from illegal coal stocking.

The Copy of latest CTO in favor of the Respondent No. 9 is annexed as Annexure – 2.

11. That the district administration detected and seized illegal coal stocking by Respondent No. 9 on 16 April 2025 and as per their report over 10,000 tonnes of illegally stored coal by the Respondent No. 9 outside of its unit at Kanika, Hemgir tehsil. This stock was kept without any permission from the Mining Department or any other competent authority. Earlier, on 10 April 2025, the Mining Department found a shortage of about 2,800 tonnes during physical verification at the unit. The non-disclosure of such a massive additional stock raises serious concerns of Possible procurement from illegal mining sources, Manipulation of stock records, Evasion of royalty and other dues, Large-scale conspiracy involving local networks of illegal miners and transporters. In the RTI reply, the office of the Deputy Director of Mines, Rourkela Circle provide

information that the “ACBPL/Respondent No. 9 has not obtained any permission for storing of coal outside the unit campus”. Again, the office stated that “the matter is under investigation by the Vigilance and Crime Branch.” However, the SPCB, Odisha stated in a different RTI responds that it has no information regarding the matter though it pertains to the serious pollution and violation of condition stipulated in CTO issued by the SPCB, Odisha.

The copy of the RTI Reply furnished by the Office of Deputy Director of Mines, Rourkela Circle and SPCB, Odisha are annexed as Annexure – 3 Series.

12. That as per media report (Indian Express News, Digital Edition, 17 April 2025, reported from Rourkela vide the link : <https://www.newindianexpress.com/states/odisha/2025/Apr/17/acbpls-license-suspended-after-10000-tonne-illegal-coal-stock-found-at-odisha-unit>) following the detection, the Mining department suspended the license of the coal beneficiation unit. The discovery of the illegal stock comes after massive illegal coal mining was unearthed inside forests of Gopalpur range in Hemgir block during that time. Relying on the Sub-Collector, Sundargarh it is written in the report that “Sundargarh sub-collector Dasarathi Sarabu said an administrative team had verified the physical stock of ACBPL on April 10 and found shortage of about 2,800 tonne. Authorities of ACBPL did not disclose about the storage of over 10,000 tonne on a plot owned by it, around one km from the unit. He further said the coal stock was stored more than a year back outside the beneficiation unit. Prima facie, it appeared that the coal stolen from nearby legal leasehold mines of Mahanadi Coalfields Ltd (MCL) and others were getting stacked on the plot of ACBPL and gradually processed at the unit. The illegal coal stock has been seized by the administration and further investigation is underway, Sarabu added.

The News item published in Indian Express News, Digital Edition, 17 April 2025, reported from Rourkela is annexed as Annexure – 4.

13. That as the Government respondents has not taken any action in this matter for revocation of EC and CTO and also imposing environmental compensation upon Respondent No. 9, the Applicant submitted a representation dt 12.12.2026 to the all Government Respondents and prayed for action against the Respondent No. 9 Company. Though more than one month has been passed, there are no action by the state authorities and no communication in this regard is made with the Applicant, which proofs the inaction on part of the Government Respondents for protection of environment and prevailing environmental norms.

The representation dated 12.12.2026 with postal receipts are annexed as Annexure – 5.

14. It is humbly prayed Hon'ble Tribunal may be pleased to treat the present matter with the utmost urgency and importance. The Applicant is filing the present Original Application from amongst the following grounds:

GROUND

A) That the very purpose of the Environmental Clearance and CTO was to ensure that coal beneficiation activities remain confined to the sanctioned project area. Any storage, handling or transportation of coal outside the approved premises defeats the conditionalities of the Environmental Clearance and Consent to Operate Order.

B) That the Respondent's act of illegal and unauthorized stocking of coal outside the approved stockyard area constitutes a clear violation of the specific EC condition. Any stocking of coal beyond the

sanctioned area amounts to operation outside the scope of EC and such activity is illegal.

C) Environmental Clearance and CTO are conditional approvals, any activity beyond the permitted mode, location, and safeguards amounts to illegal operation. The Respondent's act of illegal coal stocking, not contemplated in the EC or CTO, is therefore an environmental violation. It needs immediate remedial directions, environmental compensation, and strict regulatory action.

D) That the illegal act by the Respondent No. 9 violates specifically Section 7 and 21 of the Air (Prevention and Control of Pollution) Act, 1981. Section 7 of the Air Act prohibits discharge of air pollutants in excess of prescribed standards and Section 21 mandates compliance with consent conditions, the illegal stocking of coal in open and unauthorised areas, without wind breakers, water sprinkling systems and dust suppression arrangements, resulted in uncontrolled fugitive emissions of coal dust.

E) That it also violates Section 24 and 25 of the Water (Prevention and Control of Pollution) Act, 1974 as Section 24 of the Water Act prohibits disposal of polluting matter into streams, drains or land, and Section 25 requires prior consent for any activity likely to discharge effluents, the illegal coal stockpiles contaminated runoff entering nearby drains and natural water body especially during monsoon.

F) That the acts the illegal act by the Respondent No. 9 violates Various sections of Environment (Protection) Act, 1986. These are Section Section 3(1)(Failure to Protect and Improve Environment); Section 3(2)(v)(Failure to Restrict Industrial Operations to Prescribed Safeguards); Section 5 (Non-compliance with Binding Directions); Section 7 (Discharge of Environmental Pollutants Beyond Prescribed Standards) and Section 8(Improper Handling of Hazardous

Substances). As these provisions are violated, the Respondent No. 9 is liable for penal consequences under Section 15.

G) That the acts by the company also violates Clause 2 & 5 of EIA Notification, 2006, that prohibits Operation beyond approved EC conditions. Further Illegal coal stocking amounts to operation without valid environmental clearance for such activities.

H) That the inaction on part of State authorities shows non-compliance of mandate provided to them towards the Environment safeguards and thus the applicant prays urgent intervention of this Hon'ble Green Tribunal and as such seeks the direction of this Hon'ble Court to the respondents to take appropriate action against private company for imposing environmental compensation in a time bound manner.

I) That the Respondent Government Organizations would fail to uphold the provisions of the Environment (Protection) Act, 1986, Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 in their true letter and spirit.

LIMITATION

That present application is within limitation as the same is preferred before the stipulated time period U/s 14 of the National Green Tribunal Act, 2010 as illegal coal stocking creates continuing cause of action and particularly when the district administration detected 10000 tonnes illegal coal stocking and seized it on 16.04.2025. Hence the present application is filed within limitation period.

PRAYER

In the present circumstances and in the interest of justice, it is most respectfully prayed that this Hon'ble Tribunal be pleased to pass an order thereby:

I. Directing to constitute a Joint Expert Committee comprising MoEF&CC, SPCB, Odisha,, SEIAA Odisha, and Collector, Puri and other officers/experts as Hon'ble Tribunal deems fit to Assess water, soil and ground water contamination, ecological, environment damages and Quantify environmental compensation;

II. Initiating action for revocation of Environmental Clearance under EIA Notification, 2006 granted by MoEF&CC, Govt. of India and CTO granted by SPCB, Odisha.

III. Impose Environmental Compensation on Respondent No.9, applying appropriate methodology and the Polluter Pays Principle as there is irreparable loss to the environment and ecology;

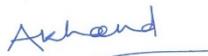
IV. Directing authorities not to allow fresh operation until full compliance with EC and CTO conditions is ensured and the environment compensation fixed by competent authority is realized.

V. Pass any other order or directions that this Hon'ble Court may deems fit and proper in the facts and circumstances of the present case.

CUTTACK

By the Applicant through Counsel

DATE:- 02.02.2026



Akhand, Advocate

B.C.E. No.O-269/2023 . Ph:7008816891

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. /2026/EZ

IN THE MATTER OF: -

Sri Dillip Kumar Samantaray ...Applicant(s)

VERSUS

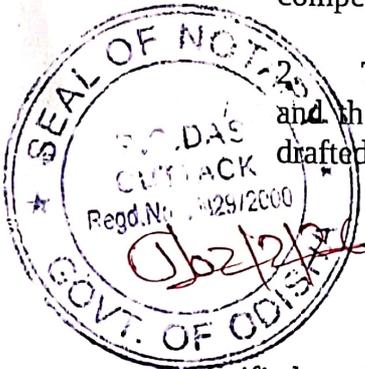
State Of Odisha & Ors. ...Respondents

AFFIDAVIT

I, Sri Dillip Kumar Samantaray, aged about 36 years, S/o Lingaraj Samantaray, at present residing at C/o Parsuram Maharana, Plot No. 3839/8, Malaya Vihar, G.G.P. Colony, Rasulgarh, Bhubaneswar, Odisha do hereby solemnly affirm and state as follows:-

1. That I am the Applicant in the above mentioned application and competent to swear this affidavit.

That I have read over the contents of the accompanying affidavit and the same are true to the best of my knowledge and belief and is drafted on my instruction.



Dillip Kumar Samantaray
DEPONENT

VERIFICATION

Verified on this the 2nd day of February 2026 at Cuttack that the contents of the above counter affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified by;



Akhanda
Advocate
The above named deponent
Solemnly affirm on...02/2/26
.....being identified
by...Akhanda Adv.

Dillip Kumar Samantaray
DEPONENT

No.J-11015/925/2007-IA.II(M)
Government of India
Ministry of Environment & Forests

Paryavaran Bhawan,
C.G.O.Complex,
New Delhi -110510.

Dated: 22nd June 2009

To
M/s Aryan Coal Beneficiation Pvt. Ltd. ,
18, Vasant Enclave,
Rao Tula Ram Marg,
New Delhi – 110057.

Sub: Himgir Coal Washery by wet process (5 MTPA of raw coal) of M/s Aryan Coal Beneficiation Pvt. Ltd., located in village Kanika, Tehsil Himgir, district Sundargarh, Orissa – Environmental Clearance – reg.

Sir,

This has reference to letter No. ACBPL/MOEF/07-08/1048 dated 14.08.2007 along with application for Terms of Reference (TOR) and this Ministry's grant of TOR vide letter dated 16.01.2008 and subsequent application dated 05.01.2009 for environmental clearance and letters dated 02.03.2009, 16.06.2009 and 19.05.2009 enclosing letter No. III-CON (NOC) –148/2008-2009 dated 12.05.2009 from Orissa State Pollution Control Board. on the above-mentioned subject. The Ministry of Environment & Forests has considered the application. The proposal is for establishing a **stand-alone Himgir Coal Washery of 5 million tonnes per annum (MTPA) capacity of raw coal by wet process in a total area of 13.7 ha.** There are no National Parks, Wildlife Sanctuary, Biosphere Reserves found in the 15 km buffer zone. Of the project area, area for CHP is 1.5 ha, green belt is 4.0 ha, crushing yard is 0.1 ha, reservoir 0.1 ha, washery equipment 3 ha, building & infrastructure 0.3 ha, conveyor system 0.2 ha, storage yard for coal (raw, clean and rejects is 4.5 ha. Transport of 15151 TPD of raw coal from coalmines of M/s Mahanadi Coalfields Ltd. to the Himgir coal washery would be by trucks covering a distance of 40 km and transport of washed coal to railway siding at Himgir covering a distance of 6 km both by trucks via a dedicated road for coal transportation and thereafter by rail. The area between Himgir Washery and the railway siding is forestland and hence a closed conveyor from the washery to the railway siding is presently not feasible, however efforts are presently on to establish a closed conveyor system between the coal washery and the railway siding within 3 years. The Washery unit would consist of two processing units of 400 TPH each. It is a zero-discharge unit. The maximum generation of rejects would be 1 MTPA, which would be fully utilised in an FBC based 45 MW TPP to be established at Bimbloi at a distance of 45km and commissioned within 2 years. Groundwater table is in the range of 6-8m below ground level (bgl). Peak water requirement is 280 m³/d, which would be met from Brahmanai Nala. Public Hearing was conducted on 18.11.2008. Capital cost of the project is **Rs. 20 crores.**

2. The Ministry of Environment & Forests hereby accords environmental clearance for the above-mentioned **Himgir Coal Washery unit of 5 million tonnes per annum (MTPA)** of raw coal under the provisions of the Environmental Impact Assessment Notification, 2006 and subsequent amendments thereto and under various MOEF Circulars thereunder and subject to conditions specified below:

A. Specific Conditions

- (i) The company shall prepare a Plan for transportation of the entire washed coal by rail mode only. The internal transport of the entire raw coal and clean coal within the washery shall be by closed belt conveyors only.

*True copy
attested
Aschard, Adv*

- (ii) The proponent shall establish a closed conveyor system within 3 years for transportation of washed coal between the washery and the railway siding at Himgir and prior forestry clearance shall be obtained under the provisions of the FC Act, 1980.
- (iii) The entire coal rejects shall be used in an FBC based TPP. The linked FBC based Thermal Power Plant shall be commissioned within 2 years of operation of the washery.
- (iv) The raw coal, washed coal and coal wastes (rejects) shall be stacked properly at earmarked site(s) within stockyards fitted with wind breakers/shields. Adequate measures shall be taken to ensure that the stored minerals do not catch fire.
- (v) Hoppers of the coal crushing unit and washery unit shall be fitted with high efficiency bag filters and mist spray water sprinkling system shall be installed and operated effectively at all times of operation to check fugitive emissions from crushing operations, transfer points of closed belt conveyor systems and from transportation roads.
- (vi) All internal roads shall be concretised. The roads shall be regularly cleaned with mechanical sweepers. A 3-tier avenue plantation developed along the main transportation roads, and approach roads to the washery.
- (vii) Trucks engaged for mineral transportation outside the washery shall be optimally loaded and covered with tarpaulin with no spillage en route. The trucks shall be properly maintained and emissions shall be below notified limits.
- (viii) The company shall not use groundwater for the washery operations. Permission from the State Government shall be obtained for sourcing Brahmani Nala water for the washery operations Any additional water requirement envisaged shall be obtained by recycle/reuse to the maximum extent and from rainwater harvesting measures.
- (ix) Industrial wastewater (workshop and wastewater from the washery) shall be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19th May 1993 and 31st December 1993 or as amended from time to time before discharge. Oil and grease trap shall be installed for treatment of workshop effluents.
- (x) The Washery unit shall be a zero-discharge facility and no wastewater shall be discharged from the washery into the drains/natural watercourses. Recycled water shall be used for development and maintenance of green belt and in the Plant Operations.
- (xi) Green belt of 4 ha shall be developed all along the periphery of the site, along the areas such as the washery unit, crushing unit, and stockyard.
- (xii) Socio-economic and welfare measures for the local communities shall be implemented under CSR with a capital outlay of Rs 1 crore and an annual revenue expenditure of Rs. 35 lakhs.
- (x) Mercury content before and after washing of coal shall be estimated once in six months and records maintained thereof.

B. General Conditions

- (i) No change in technology and scope of working shall be made without prior approval of the Ministry of Environment and Forests.
- (ii) No change in the calendar plan for washing the quantum of mineral coal and waste produced shall be made.

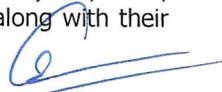
- (iii) Four ambient air quality monitoring stations shall be established in the core zone as well as in the buffer zone for monitoring SPM, RSPM, SO₂, NO_x and heavy metals such as Hg, Pb, As, Cr, etc. Locations of the stations shall be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets in consultation with the State Pollution Control Board.
- (iv) Fugitive dust emissions (SPM and RSPM) from all the sources shall be regularly monitored and data recorded properly. Water spraying arrangement on roads, wagon loading, dump trucks (loading and unloading) points shall be provided and properly maintained. Monitoring of heavy metals such as Hg, Pb, As, Cr, etc shall be done once in six months and records maintained thereof.
- (v) Periodic monitoring report with data on ambient air quality (SPM, RSPM, SO₂, NO_x and heavy metals such as Hg, Pb, As, Cr, etc) shall be regularly submitted to the Ministry including its Regional Office at Bhunbaneshwar and to the State Pollution Control Board and the Central Pollution Control Board once in six months.
- (vi) Adequate measures shall be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in blasting and drilling operations, operation of HEMM, etc shall be provided with ear plugs/muffs.
- (vii) Vehicular emissions shall be kept under control and regularly monitored. Vehicles used for transporting the mineral shall be covered with tarpaulins and optimally loaded.
- (viii) Environmental quality shall be regularly monitored and got analysed through an Environmental laboratory established under the Environment (Protection) Act, 1986.
- (ix) Personnel working in dusty areas shall wear protective respiratory devices and they shall also be provided with adequate training and information on safety and health aspects.
Occupational health surveillance programme of the workers shall be undertaken periodically to observe any contractions due to exposure to dust and to take corrective measures, if needed.
- (x) An environmental management cell with suitable qualified personnel shall be set up under the control of a Senior Executive, who will report directly to the Head of the company.
- (xi) The funds earmarked for environmental protection measures shall be kept in separate account and shall not be diverted for other purpose. Year-wise expenditure shall be reported to this Ministry and its Regional Office at Bhunbaneshwar.
- (xii) The Regional Office of this Ministry located at Bhunbaneshwar shall monitor compliance of the stipulated conditions. The Project authorities shall extend full cooperation to the office(s) of the Regional Office by furnishing the requisite data/ information/monitoring reports.
- (xiii) A copy of the will be marked to concerned Panchayat/ local NGO, if any, from whom any suggestion/representation has been received while processing the proposal.
- (xiv) State Pollution Control Board shall display a copy of the clearance letter at the Regional Office, District Industry Centre and Collector's Office/Tehsildar's Office for 30 days.
- (xv) The Project authorities shall advertise at least in two local newspapers widely circulated around the project, one of which shall be in the vernacular language of the locality concerned within seven days of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution control Board and may also be seen at the website of the ministry of Environment & Forests at <http://envfor.nic.in>. The compliance status shall also be uploaded by the project authorities in their website and regularly updated at least once in six months so as to bring

the same in the public domain. The monitoring data on environmental parameters (air, water, soil and noise) shall also be displayed at the entrance of the project premises and mines office and in corporate office and on the company website and update once in six months.

3. The Ministry or any other competent authority may stipulate any further condition for environmental protection.

4. Failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract the provisions of the Environment (Protection) Act, 1986.

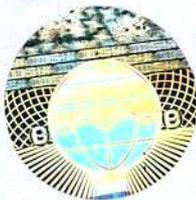
5. The above conditions will be enforced *inter-alia*, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and Rules.


(Dr.T.Chandini)
Director

Copy to:

1. Secretary, Ministry of Coal, New Delhi.
2. Secretary, Department of Environment & Forests, Government of Orissa, Secretariat, Bhubaneswar.
3. Chief Conservator of Forests, Regional office (EZ), Ministry of Environment & Forests, A-31, Chandrashekarpur, Bhubaneswar – 751023.
4. Chairman, Orissa State Pollution Control Board, Parivesh Bhawan, A/118, Nilkanthanagar, Unit VIII, Bhubaneswar – 751012.
5. Chairman, Central Pollution Control Board, CBD-cum-Office Complex, East Arjun Nagar, New Delhi -110032.
6. Member-Secretary, Central Ground Water Authority, Ministry of Water Resources, Curzon Road Barracks, A-2, W-3 Kasturba Gandhi Marg, New Delhi.
7. District Collector, Sundergarh, Government of Orissa.
8. Monitoring File 9. Guard File 10. Record File

True copy
attested
Aschand,adv



21

CONSENT ORDER

HEMGIR COAL WASHERY OF M/S. ACB (INDIA) LTD.

Annexure -2

Page 1 of 14

BY REGD. POST WITH AD

STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA]

A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012

Phone-2561909, Fax: 2562822, 2560955 E-mail: paribesh1@ospcboard.org, Website: www.ospcboard.orgCONSENT ORDERNo. 8244 /

IND-I-CON-6640

Dt. 25.04.2025CONSENT ORDER NO. 2853

Sub: Consent for discharge of sewage and trade effluent under section 25/26 of Water (PCP) Act, 1974 and for existing / new operation of the plant under section 21 of Air (PCP) Act, 1981.

Ref: Your online application No.6048155, Dated 01-01-2025, online reply dated 17-4-2025 and your letter No.ACBIL/HMG/ENV/2025-26/009, dated 20-4-2025.

Consent to operate is hereby granted under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of Air (Prevention & Control of Pollution) Act, 1981 and rules framed thereunder to

Name of the Industry: HEMGIRI COAL WASHERY OF M/S. ACB (INDIA) LTD.

Name of the Occupier & Designation: SRI SHYAM SUNDAR VERMA, DIRECTOR

Address: AT: KANIKA, PO: HEMGIRI ROAD, DIST: SUNDARGARH.

This consent order is valid for the period upto 31.03.2026.

Details of the Plant

Sl. No.	Type of Plant	Plant Capacity
01	Coal Washery	Throughput Capacity - 5 MTPA

This consent order is valid for the specified outlets, discharge quantity and quality, specified chimney/stack, emission quantity and quality of emissions as specified below. This consent is granted subject to the general and special conditions stipulated therein.

*Tame copy
attested
Richard, H.V.*



CONSENT ORDER
HEMGIR COAL WASHERY OF M/S. ACB (INDIA) LTD.

Page 2 of 14

A. Discharge permitted through the following outlet subject to the standard

Out let No.	Description of outlet	Point of discharge	Quantity of discharge KLD or KL/hr	Prescribed Standard				
				pH	TSS (mg/l)	Oil & Grease (mg/l)	BOD (mg/l)	COD (mg/l)
01	Septic tank outlet (domestic effluent)	Soak pit	--	5.5 to 9.0	200	--	100	--
02	Wastewater generated from the processing units/surfaces run offs	<i>No discharge to outside (100% recycling through storage)</i>						

B. Emission permitted through the following stack subject to the prescribed standard

Chimney Stack No.	Description of Stack	Stack height (m)	Quantity of emission	Prescribed Standard		
				PM (mg/Nm ³)	SO ₂	NO _x

C. Disposal of solid waste permitted in the following manner

Sl. No.	Type of Solid waste	Quantity generated (MTPA)	Quantity to be reused on site (TPD)	Quantity to be reused off site (TPD)	Quantity disposed off (TPD)	Description of disposal site.
01	Low grade coal fines	--	--	--	---	<i>To be sold to outside parties for use as raw material in the Boiler for generation of power.</i>
02	Coal rejects	--	--	--	--	-do-

**D. GENERAL CONDITIONS FOR ALL UNITS**

1. The consent is given by the Board in consideration of the particulars given in the application. Any change or alternation or deviation made in actual practice from the particulars furnished in the application will also be the ground for liable to review/variation/revocation of the consent order under section 27 of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981 and to make such variations as deemed fit for the purpose of the Acts.
 2. The occupier would immediately submit revised application for consent to operate to this Board in the event of any change in the quantity and quality of raw material / products / manufacturing process or quantity /quality of the effluent rate of emission / air pollution control equipment / system etc.
 3. The applicant shall not change or alter either the quality or quantity or the rate of discharge or temperature or the route of discharge without the previous written permission of the Board.
 4. The application shall comply with and carry out the directives/orders issued by the Board in this consent order without any negligence on his/her part. In case of non-compliance of any order/directives issued at any time and/or violation of the terms and conditions of this consent order, the applicant shall be liable for legal action as per the provisions of the Law.
 5. The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
 6. The issuance of this consent does not convey any property right in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State laws or regulation.
 7. This consent does not authorize or approve the construction of any physical structure or facilities or the undertaking of any work in any natural water course.
 8. The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
 9. An inspection book shall be opened and made available to Board's Officers during the visit to the factory.
 10. The applicant shall furnish to the visiting officer of the Board any information regarding the construction, installation or operation of the plant or of effluent treatment system / air pollution control system / stack monitoring system any other particulars as may be pertinent to preventing and controlling pollution of Water / Air.
 11. The applicant shall display suitable caution board at the place where the effluent is entering into any water-body or any other place to be indicated by the Board, indicating therein that the area into which the effluents are being discharged is not fit for the domestic use/bathing.
 12. Storm water shall not be allowed to mix with the trade and/or domestic effluent on the upstream of the terminal manholes where the flow measuring devices will be installed.
 13. The applicant shall maintain good house-keeping both within the factory and the premises. All pipes, valves, sewers and drains shall be leak-proof. Floor washing shall be admitted into the effluent collection system only and shall not be allowed to find their way in storm drains or open areas.
 14. The applicant shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems install or used by him to achieve with the term(s) and conditions of the consent.
 15. Care should be taken to keep the anaerobic lagoons, if any, biologically active and not utilized as mere stagnation ponds. The anaerobic lagoons should be fed with the required nutrients for effective digestion. Lagoons should be constructed impervious.
 16. The utilization of treated effluent on factory's own land, if any, should be completed and there should be no possibility of the effluent gaining access into any drainage channel or other water courses either directly or by overflow.
 17. The effluent disposal on land, if any, should be done without creating any nuisance to the surroundings or inundation of the lands at any time.
 18. If at any time the disposal of treated effluent on land becomes incomplete or unsatisfactory or create any problem or becomes a matter of dispute, the occupier must adopt alternate satisfactory treatment and disposal measures.
 19. The sludge from treatment units shall be dried in sludge drying beds and the drained liquid shall be taken to equalization tank.
 20. The effluent treatment units and disposal measures shall become operative at the time of commencement of production.
 21. The applicant shall provide port holes for sampling the emissions and access platform for carrying out stack sampling and provide electrical outlet points and other arrangements for chimneys/stacks and other sources of emissions so as to collect samples of emission by the Board or the applicant at any time in accordance with the provision of the Acts or Rules made therein.
-



CONSENT ORDER
HEMGIR COAL WASHERY OF M/S. ACB (INDIA) LTD.

22. The applicant shall provide all facilities and render required assistance to the Board staff for collection of samples / stack monitoring / inspection.
23. The applicant shall not change or alter either the quality or quantity or rate of emission or install, replace or alter the air pollution control equipment or change the raw material or manufacturing process resulting in any change in quality and/or quantity of emissions, without the previous written permission of the Board.
24. No control equipments or chimney shall be altered or replaced or as the case may be erected or re-erected except with the previous approval of the Board.
25. The liquid effluent arising out of the operation of the air pollution control equipment shall be treated in the manner so as to meet the standards prescribed by the Board in accordance with the provisions of Water (Prevention and Control of Pollution) Act, 1974 (as amended).
26. The stack monitoring system employed by the applicant shall be opened for inspection to this Board at any time.
27. There shall not be any fugitive or episodal discharge from the premises.
28. In case of such episodal discharge/emissions the occupier shall take immediate action to bring down the emission within the limits prescribed by the Board and stop the operation of the plant if required. Report of such accidental discharge /emission shall be brought to the notice of the Board within 24 hours of occurrence.
29. The applicant shall keep the premises and air pollution control equipments clean and make all hoods, pipes, valves, stacks/chimneys leak proof. The air pollution control equipments, location, inspection chambers, sampling port holes shall be made easily accessible at all times.
30. Any upset condition in any of the plant/plants of the factory which is likely to result in increased effluent discharge/emission of air pollutants and / or result in violation of the standards mentioned shall be reported to the Headquarters and Regional Office of the Board by E-mail within 2 hours of its occurrence.
31. The occupier has to ensure that minimum three varieties of trees are planted at the density of not less than 1000 trees per acre. The trees may be planted along boundaries of the premises. This plantation is stipulated over and above the bulk plantation of trees in that area.
32. The solid waste such as sweeping, wastage packages, empty containers residues, sludge including that from air pollution control equipments collected within the premises of the shall be disposed off scientifically to the satisfaction of the Board.
33. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by :
 - i) Land fill in case of inert material, care being taken to ensure that the material does not give rise to leachate which may percolate into ground water or carried away with storm run-off.
 - ii) Controlled incineration, wherever possible in case of combustible organic material.
 - iii) Composting, in case of bio-degradable material.
34. Any toxic material shall be detoxicated if possible, otherwise be sealed in steel drums and buried in protected areas after obtaining approval of this Board in writing. The detoxication or sealing and burying shall be carried out in the presence of Board's authorized persons only. Letter of authorization shall be obtained for handling and disposal of hazardous wastes.
35. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard, vary all or any of such condition and thereupon the applicant shall be bound to comply with the conditions so varied.
36. The applicant, his/heirs/legal representatives or assignees shall have no claim whatsoever to the condition or renewal of this consent after the expiry period of this consent.
37. The Board reserves the right to review, impose additional conditions or condition, revoke change or alter the terms and conditions of this consent.
38. Notwithstanding anything contained in this conditional letter of consent, the Board hereby reserves to it the right and power under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 to review any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Act by the Board.
39. The conditions imposed as above shall continue to be in force until revoked under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 A of Air (Prevention & Control of Pollution) Act, 1981.
40. The occupier shall comply to the conditions stipulated in CTE order issued by Odisha State Pollution Control Board and conditions stipulated in Environmental Clearances issued by MoEF&CC, Govt. of India.
41. The occupier shall abide by E(P) Act, 1986 and Rules framed there-under.
42. In case the consent fee is revised upward during this period, the industry shall pay the differential fees to the Board (for the remaining years) to keep the consent order in force. If they fail to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.

**GENERAL CONDITIONS FOR UNITS WITH INVESTMENT OF MORE THAN Rs.50 CRORES, AND 17 CATEGORIES OF HIGHLY POLLUTING INDUSTRIES (RED A).**

1. The applicant shall analyse the emissions every month for the parameters indicated in TABLE. B & C as mentioned in this order and shall furnish the report thereof to the Board by the 10th of the succeeding month.
 2. The applicant shall provide and maintain at his own cost three ambient air quality monitoring stations for monitoring Suspended Particulate Matter, Sulphur Dioxide, Oxides of Nitrogen, Hydro-Carbon, Carbon-Monoxide and monitor the same once in a day/week/fortnight/month. The data collected shall be maintained in a register and a monthly extract be furnished to the Board.
 3. The applicant shall provide and maintain at his own cost a meteorological station to collect the data on wind velocity, direction, temperature, humidity, rainfall, etc. and the daily reading shall be recorded and the extract sent to the Board once in a month.
 4. The applicant shall forward the following information to the Member Secretary, State Pollution Control Board, Odisha, Bhubaneswar regularly.
 - a. Report of analysis of stack monitoring, ambient air quality monitoring meteorological data as required every month.
 - b. Progress on planting of trees quarterly.
 5. The applicant shall install mechanical composite sampling equipment and continuous flow measuring / recording devices on the effluent drains of trade as well as domestic effluent. A record of daily discharge shall be maintained.
 6. The following information shall be forwarded to the Member Secretary on or before 10th of every month.
 - a. Performance / progress of the treatment plant.
 - b. Monthly statement of daily discharge of domestic and/or trade effluent.
 7. Non-compliance with effluent limitations
 - a) If for any reason the applicant does not comply with or is unable to comply with any effluent limitations specified in this consent, the applicant shall immediately notify the consent issuing authority by telephone and provide the consent issuing authority with the following information in writing within 5 days of such notification.
 - i) Causes of non-compliance
 - ii) A description of the non-compliance discharge including its impact on the receiving waters.
 - iii) Anticipated time of continuance of non-compliance if expected to continue or if such condition has been corrected the duration or period of non-compliance.
 - iv) Steps taken by the applicant to reduce and eliminate the non-complying discharge and
 - v) Steps to be taken by the applicant too prevent the condition of non-compliance.
 - b) The applicant shall take all reasonable steps to minimize any adverse impact to natural waters resulting from non-compliance with any effluent limitation specified in this consent including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.
 - c) Nothing in this consent shall be construed to relieve the applicant from civil or criminal penalties for non-compliance whether or not such non-compliance is due to factors beyond his control, such as break-down, electric failure, accident or natural disaster.
 8. The applicant shall at his own cost get the effluent samples collected both before and after treatment and get them analysed at an approval laboratory every month for the parameters indicated in Part-D and shall submit in duplicate the report thereof to the Board.
 9. The addition of various treatment chemicals should be done only with mechanical dozers and proper equipment for regulation of correct dosages determined daily and for proper uniform feeding. Crude practices such as dumping of chemicals in drains or sumps or trickling of acids or alkalies arbitrarily and utilizing poles for stirring etc. should not be resorted to.
 10. In the disposal of treated effluent on land for irrigation, the industry shall keep in view of the need for;
 - a) Rotation of crops
 - b) Change of point of application of effluent on land
 - c) A portion of land kept fallow.
 11. The adoption of these would avoid soil becoming sick or slate, the industry may ensure this in consultation with the Agriculture Department.
 12. It is the sole responsibility of the industry to ensure that there are no complaints at any time from the royats in the surrounding areas as a result of discharge of sewage or trade effluent if any.
 13. Proper housekeeping shall be maintained by a dedicated team.
 14. The industry must constitute a team of responsible and technically qualified personnel who will ensure continuous operation of all pollution control devices round the clock (including night hours) and should be in a position to explain the status of operation of the pollution control measures to the inspecting officers of the Board at any point of time. The name of these persons with their contact telephone numbers shall be intimated to the concerned. Regional Officer and Head Office of the Board and in case of any change in the team it shall be intimated to the Board immediately.
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CONSENT ORDER
HEMGIR COAL WASHERY OF M/S. ACB (INDIA) LTD.

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E. SPECIAL CONDITIONS:

- (I) 1. Dust suppression arrangement shall be provided on haul road and other working areas by using water sprinklers for control of dust emission.
 2. The industry shall provide dust extraction system or dust suppression system, preferably dry fog system at all strategic dust generation points such as loading and unloading points, all transfer points, conveyers etc. to suppress the dust.
 3. Fine atomizer nozzles arrangements for spraying of water shall be provided around coal stack yard and around the crusher / pulverizes to suppress the fugitive dust emission. All the conveyor transfer points shall be provided with enclosures.
 4. The industry shall provide instant shower system at the entrance of the plant in order to make the coal wet before its feeding into the receiving hopper.
 5. Adequate measures shall be taken for control of noise levels in the work environment of plant area so that the noise levels at the boundary of the premises shall not exceed 75dB(A) during day time (6 AM to 10 PM) and 70 dB(A) during night time(10 PM to 6 AM).
 6. The ambient air quality shall remain within prescribed national ambient air quality standards.
 7. Adequate ambient air quality monitoring stations (four numbers) shall be established for monitoring PM₁₀, PM_{2.5}, SO₂, NO_x. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency for monitoring should be undertaken in consultation with the State Pollution Control Board.
 8. Monitoring data on ambient air quality and noise quality shall be submitted to the Board once in six months. Electronic display board shall be installed at the main gate of the plant for displaying the ambient air quality and noise monitoring data etc.
 9. The height of the stack connected to DG sets of capacity more than 800 KW (1000 KVA) shall conform to the following:
 - i) $14Q^{0.3}$, Q = Total SO₂ emission from the plant in kg/hr.
 - ii) Minimum 6m. above the building where generator set is installed.
 - iii) 30 m.
 10. The height of the stack connected to DG set of capacity less than and upto 800 KW (1000 KVA) shall conform to the following:
-



- i) $H = h + 0.2\sqrt{KVA}$
 - ii) h = Height of the building where it is installed in meter
 - iii) KVA = Capacity of DG set
 - iv) H = Height of the stack in meter above ground level.
11. All DG sets installed before 1.7.2004 shall be scrapped. DG sets complying with either State-I or Stage-II emission norms shall reduce Particulate Matter Emission by 70% by installing RECD without affecting any other emission parameters as per the CPCB guidelines and Board's letter vide No.17927, dated 14.11.2023 and letter No.7146, dated 10.05.2024, in this regard.
 12. Appropriate preventive measures shall be taken for control of fire hazards at coal handling area.
 13. The industry shall provide garland drains around the plant boundary followed by settling pit in order to prevent direct discharge of washings to outside. Water from the settling pit shall be completely reused for plantation activity or process activity.
 14. The industry shall provide internal drains inside the plant for collection of surface runoff and it shall be used for plantation or process activity.
 15. Under no circumstances the industry shall discharge any wastewater to outside.
 16. Domestic wastewater shall be discharged to soak pit via septic tank constructed as per BIS specification.
 17. The washery rejects / coal rejects shall be sold to outside parties for use in any thermal power plants complying with the stipulated emission and fly ash norms as specified in Ministry of Environment, Forest and Climate Change Notification Number S.O.3305(E) dated the 7th December, 2015, read with the notification number S.O.763 (E), dated the 14th September, 1999 and its amendments [vide numbers S.O.979 (E), dated the 27th August, 2003, S.O. 2804 (E), dated 3rd November, 2009 and S.O. 254 (E), dated 25th January, 2016] and related subsequent notification and amendments issued from time to time". The details of disposal of coal rejects shall be submitted on annual basis in enclosed Format I & II.
 18. A quarterly report on the quantity and name of the power plants to whom the coal rejects are sent, shall be furnished to the Board for record.
 19. The unit shall submit the environment statement in the prescribed format every year.
-



CONSENT ORDER
HEMGIR COAL WASHERY OF M/S. ACB (INDIA) LTD.

Page 8 of 14

20. The unit shall submit a declaration by 30th of April every year that all pollution control systems are in good condition and operated & air quality, noise quality as well as wastewater quality confirm to the prescribed standards.
- (II) ADDITIONAL SPECIAL CONDITIONS AS PER MoEF&CC Letter No.J-11015/67/2013-IA.II(M), dated 22.02.2022 and J-11015/925/2007-IA.II(M), dated 17.04.2025.**
1. Ambient Air Quality (AAQ) and Noise quality data along the entire coal transportation route shall be monitored and the data shall be submitted along with the six-monthly compliance to the concerned Regional Office and also kept on the web portal of the company.
 2. Proponent shall comply with all the recommendations of the traffic impact assessment report submitted. Compliance in this regard shall be submitted along with the six-monthly compliance to the concerned Regional Office and also kept on the web portal of the company.
 3. Three tier plantation plan submitted by the proponent for both the sides of the proposed conveyor belt from washery to railway siding shall be implemented and plantation for this year shall be completed during the monsoon season of 2025. In addition to this, PP shall provide 50,000 plant saplings with 4 feet tall fruit bearing plants to farmers for plantation in barren and agriculture lands in the study area every year for 5 years with incentive to improve the green cover in and around the washery area.
 4. Project Proponent shall adopt wildlife protection measures including creating awareness among the drivers, sensitizing the drivers about prevention of road kills and handling of wildlife encounters while driving through forest areas and speed governors must be installed in the coal transporting trucks/dumpers.
 5. The continuous ambient air quality monitoring station installed in consultation with OSPCB, shall be commissioned by April, 2025 for monitoring the common/criteria pollutants such as PM₁₀, PM_{2.5}, SO₂, NO_x as committed. The real time data so generated shall be uploaded on company website and linked it with website of CPCB & SPCB. In addition, data should also be displayed digitally at entry and exit gate of coal washery for public display.
 6. Road inside and at periphery of Washery plant shall be constructed of concrete only.
-



7. Belt conveyor system shall be installed to transport washed/raw coal by 31.03.2027.
 8. Transportation of rejects shall only be in 40 to 50 tonne trucks only if railway siding is not present at utilization points. If railway siding is available upto FBC Power Plants/ Thermal Power Plants, then no transportation shall be allowed by trucks.
 9. Transport of raw coal, clean coal and middling shall be by rail/road (in 40-50 tonnes dumpers only). Washed coal will be transported through private railway siding.
 10. Raw coal, washed coal and rejects shall be stored in covered silos facility. Fixed type high pressure sprinkler shall be installed in this storage yards.
 11. 5 nos. long ranging fog canon system (mist spraying) shall be installed to reduce the impact of air pollution on transportation route and Railway siding.
 12. Project Proponent shall comply 33% of the green belt plantation with trees within the plant boundary and plan of action to be submitted to Regional office of Ministry within six months. Accordingly, three Tier Green belt developments (of 50 mtrs width) in and around the periphery of washery within 3 years.
 13. Wildlife conservation plan for schedule I species in EIA report with allocated fund shall be submitted to State Forest Department. Fund allocated for this purpose shall also submitted within six months and a copy of receiving to be submitted to Ministry Regional office within three months.
 14. No Untreated wastewater should be discharged to the natural stream/water body and Water requirement for coal washery operations should not exceed 1200 KLD.
 15. High efficiency centrifuge, belt press filter, high frequency screening, and thickener shall be installed to separate coal fines and maximize water recovery.
 16. Third party monitoring by reputed institute for air quality shall be carried out at identified locations, both ambient and the process area, to arrive the impact at regular interval of 3 years.
 17. Surface runoff from Storage yard of Coal, reject dumps shall be stored in settling tank and later treated before any usage and quality shall be checked frequently.
 18. Persons of nearby villages shall be given training on livelihood and skill development to make them employable.
 19. Proper roads, toilets facilities, plantation, solar lights, drinking water facilities, stationaries shall be provided to nearby villages, school and colleges.
-



CONSENT ORDER
HEMGIR COAL WASHERY OF M/S. ACB (INDIA) LTD.

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20. Wind barrier of atleast 10 mtr shall be provided along the boundary mainly where habitation is present to mitigate air pollution.
21. Project Proponent should establish in house (at project site) environment laboratory for measurement of environment parameter with respect to air quality and water (surface and ground. A dedicated team to oversee environment management shall be setup which should comprise of Environment Engineers, Laboratory chemist and staff for monitoring of air, water quality parameters on routine basis.

25/4/25

CHIEF ENV. ENGINEER (M)
STATE POLLUTION CONTROL BOARD, ODISHA

TO,

SRI SHYAM SUNDAR VERMA, DIRECTOR,
HEMGIRI COAL WASHERY OF M/S. ACB (INDIA) LIMITED,
AT: KANIKA, PO: HEMGIRI ROAD,
DIST: SUNDARGARH, ODISHA, PIN-770075

Memo No. _____ /Dated _____ /

Copy forwarded to :

- i) Regional Officer, State Pollution Control Board, **Jharsuguda**
- ii) District Collector, **Sundargarh**
- iii) Director of Mines, Govt. of Odisha, Bhubaneswar
- iv) Director, Environment-cum-Special Secretary, F, E & CC Deptt., Govt. of Odisha, Bhubaneswar.
- v) D.F.O, **Sundargarh**
- vi) Deputy Director of Mines, **Rourkela**
- vii) Chief Env. Scientist, Central Lab. SPCB, Bhubaneswar
- viii) Addl. Chief Env. Engineer, (Hazardous Waste Cell, Head Office)
- ix) Consent Register

ADDL. CHIEF ENV. ENGINEER
STATE POLLUTION CONTROL BOARD, ODISHA

*True copy
attested
Richard, ADV*



By Speed Post

Annexure-3 Series

OFFICE OF THE DEPUTY DIRECTOR OF MINES: ROURKELA CIRCLE, ROURKELA
STEEL & MINES DEPARTMENT, GOVT. OF ODISHA
At/PO: Rourkela, Dist. Sundargarh-769012
e-Mail: ddm.rourkela@orissaminerals.gov.in

To No.I-28/2025 313 /Mines, Dt. 17.01.2026

Sri Lingaraj Samantaray,
S/o- Late Khali Bairiganjan,
At-Bajrakot, PO-Baunsgarh,
PS-Ranpur, Dist-Nayagarh,
Odisha-75206

Sub: Supply of Information under RTI Act, 2005

Ref: Your RTI application on dt.16.12.2025 (Received by this Office on dt.19.12.2025)

Sir,

With reference to the letter on the subject cited above and in connection to your RTI application on dt.16.12.2025 which received by this Office on dt.19.12.2025, the reply of required information sought in your RTI application is as follows:

Sl No	Information Required	Reply
1	Copy of the inspection report dt.10.04.2025 based on which shortage of apprx.2800MT was detected at unit of Aryan Coal Beneficiation Pvt. Ltd. (ACBPL) at Kanika in Hemgir Tehsil of Sundargarh District	The matter is under investigation by the Vigilance and Crime Branch. Hence the information is attracting the provision of section 8(1) (h) of RTI Act'2005.
2	Copy of detection/seizure report dt.16.04.2025 concerning the illegal coal stock stored about 1 km outside the ACBPL premises	As mentioned in Sl No.1
3	Copy of panchnama, seizure list, GPS coordinates/maps of the seized coal stock	As mentioned in Sl No.1
4	Whether ACBPL had obtained any permission from your office for storage of coal outside the unit campus. Provide copies of such permission, if any	ACBPL has not obtained any permission for storing of coal outside the unit campus.
5	Certified copies of license, approvals or clearances valid for ACBPL as on 10 April 2025 and 16 April 2025	Available in the Public Domain i.e. " www.orissaminerals.gov.in "
6	Copy of the suspension order of ACBPL's license issued by the Mining Department	As mentioned in Sl No.1
7	Copies of show cause notices, explanation sought from ACBPL authorities and replies submitted by ACBPL	As mentioned in Sl No.1
8	Details of any FIR(s) registered, including FIR number, Police station and present status of investigation	As mentioned in Sl No.1
9	Copies of internal correspondence/communication between the Collectorate and Mining Department regarding the illegal coal stock	As mentioned in Sl No.1
10	Whether any penalty, fine or compensation has been imposed on ACBPL. Provide details and copies orders.	Fine of Rs.10,00,000/- has been imposed on ACBPL and realized in the proper Govt. Head of account.

This is for your information and necessary action.

Yours faithfully,
[Signature]
17-1-2026
Jr. Mining Officer-cum-PIO,
Rourkela

True copy
attested
Richard, M.V.

**STATE POLLUTION CONTROL BOARD, ODISHA**

[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]

Paribesh Bhawan, A/118, Nilakantha Nagar, Unit – VIII

Bhubaneswar – 751 012, INDIA

EPABX : 2561909/2562847

Tel : 2562822/2560955

E-mail: paribesh1@ospcboard.org

Website: www.ospcboard.org

No. 740 /RTI/Jan/2026Date 17.01.2026

By Speed Post

From

Sri Narottam Behera,
Env. Engineer & PIO

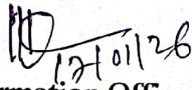
To

Sri Lingaraj Samantaray,
S/o-Late Khali Bairiganjan,
At-Bajrakot, PO-Baunsagarh,
PS-Ranpur, Dist-Nayagarh-752026**Sub:** Information under the RTI Act, 2005.**Ref:** Your RTI application dtd.12.12.2025 and received by this office under the RTI Act, 2005.

Sir,

With reference to the above, it is to intimate that the concerned branch of the Board has reported that no information is available against illegal coal stock exceeding by M/s. Aryan Coal Beneficiation Pvt. Ltd. (ACBPL) at Kanika under Hemgir tahsil, Sundargarh district.

Yours faithfully


Public Information OfficerTrue copy
attested
Richard, Adv

Odisha

ACBPL's license suspended after 10,000 tonne illegal coal stock found at Odisha unit

Sundargarh sub-collector Dasarathi Sarabu said an administrative team had verified the physical stock of ACBPL on April 10.

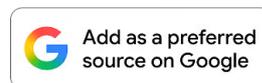


The illegal coal stock of ACBPL. Photo | Express

Express News Service

Updated on: 17 Apr 2025, 11:12 am · 2 min read

Add TNIE As A Trusted Source



ROURKELA: The Sundargarh administration on Wednesday detected illegal stock of over 10,000 tonne of coal by Aryan Coal Beneficiation Pvt Ltd (ACBPL) outside its premises at Kanika in Hemgir tehsil of the district.

Following the detection, the Mining department suspended the license of the coal beneficiation unit. The discovery of the illegal stock comes after massive illegal coal mining was unearthed inside forests of Gopalpur range in Hemgir block earlier this month. However, the administration clarified that there was no link between the il stock of ACBPL and coal thefts from the reserve and revenue forests of Gopalpur.

True copy attested Ashank, 17/4

Sundargarh sub-collector Dasarathi Sarabu said an administrative team had verified the physical stock of ACBPL on April 10 and found shortage of about 2,800 tonne. Authorities of ACBPL did not disclose about the storage of over 10,000 tonne on a plot owned by it, around one km from the unit.

Sarabu said no permission was taken by ACBPL authorities for storage of coal outside the unit in violation of guidelines for which the Mining department suspended its license and sought an explanation from its authorities.

He further said the coal stock was stored more than a year back outside the beneficiation unit. Prima facie, it appeared that the coal stolen from nearby legal leasehold mines of Mahanadi Coalfields Ltd (MCL) and others were getting stacked on the plot of ACBPL and gradually processed at the unit. The illegal coal stock has been seized by the administration and further investigation is underway, Sarabu added.

The ACBPL authorities claimed the additional coal stock was stored outside the unit's campus to protect it from fire mishap. However, they failed to give any satisfactory reply as to why necessary permission was not taken from the Mining department.

*True copy
attested
Aschard, idv*

Harachandi Sahi 3.0 751002
E0701536616IN, IVR No: 6899701536 17/12/2025 14:37:05, Counter No. 1,
17/12/2025 14:37:05, Counter No. 1,
To: THE COLLECTOR N DM
COLLECTRT SUNDARGAR, SUNDARGAR, 770001
From: DILLIP KU SAMANTARAY
MALAYA VIHAR GGP C, KHORDHA, 751010
Base Amt: 47.00
To: THE DY DIR OF MINES
P.Mode: QR

Annexure - 5

To,

1. Chief Secretary, Government of Odisha, Lokseva Bhawan, Bhubaneswar, Odisha - 751001 email : csori@nic.in
2. Additional Chief Secretary, Forest, Environment and Climate Change Department, Government of Odisha, Kharvel Bhawan, Bhubaneswar, Odisha - 751001, email : fsec.or@nic.in
3. Collector & District Magistrate, Sundargarh, Collectorate Office, AT/PO/Dist-Sundargarh, Pin-770001, email:dm-sundargarh@nic.in
4. Deputy Director, Mines, Rourkela Circle, Rourkela-769012., Sundargarh, Odisha email : ddm.rourkela@orissaminerals.gov.in.
5. Tahasildar, Hemgiri, At/Po - Hemagiri, Dist-Sundargarh, Odisha-770013, email : tah.hemgiri-od@nic.in
6. Member Secretary, State Pollution Control Board, A-118, Unit – VII, Nilakantha Nagar, Bhubaneswar, Odisha Pin- 751012, email : member.secy@ospcbboard.org
7. Member Secretary, State Environment Impact Assessment Authority(SEIAA), Odisha, At – 5RF-2/1, Acharya Vihar, Unit – 9, PIN – 751002 email : seiaaorissa@gmail.com
8. Member Secretary, Central Pollution Control Board,Parivesh Bhawan, East Arjun Nagar, Delhi-110032, email : mscb.cpcb.nic.in

Subject: Urgent representation regarding discovery of 10,000+ tonnes of illegal coal stock by Aryan Coal Beneficiation Pvt. Ltd. (ACBPL) at Kanika, Hemgir — Request for strict action and independent enquiry

Respected Sir,

I, **Sri Dillip Kumar Samantaray**, Advocate and Environmental Protection Activist, S/o Lingaraj Samantaray, at present residing at C/o Parsuram Maharana, Plot No. 3839/8, Malaya Vihar, G.G.P. Colony, Rasulgarh, Bhubaneswar, Odisha, on behalf of the affected residents, hereby submit this representation highlighting severe respectfully submit this representation to bring to your urgent attention regarding illegal stocking and suspected illegal procurement of coal by M/s Aryan Coal Beneficiation Pvt. Ltd. (ACBPL) in Sundargarh district, along with the concurrent discovery of massive illegal coal mining inside the forest areas of Gopalpur range in Hemgir block.

Illegal Coal Stock of Over 10,000 Tonnes Detected Outside ACBPL's Premises

State Environment Impact Assessment Aut
No. 5RF-2/1 Unit-IX
Bhubaneswar-751022
15.12.25



On 16 April 2025, the Sundargarh district administration detected over 10,000 tonnes of illegally stored coal by ACBPL on a plot located nearly 1 km outside its official premises at Kanika, Hemgir tehsil. This stock was kept without any permission from the Mining Department or competent authority, in gross violation of the Coal Bearing Areas Act, Odisha Minerals (Prevention of Theft, Smuggling & Illegal Mining) Rules, and other regulatory guidelines.

Earlier, on 10 April 2025, the Mining Department found a shortage of about 2,800 tonnes during physical verification at the unit. The non-disclosure of such a massive additional stock raises serious concerns of Possible procurement from illegal mining sources, Manipulation of stock records, Evasion of royalty and other dues, Large-scale conspiracy involving local networks of illegal miners and transporters.

The district administration has suspended the licence of ACBPL and seized the illegal stock. However, the magnitude of the violations suggests deeper issues that require State-level intervention.

The findings collectively indicate that Coal stolen from legal leasehold mines of MCL and other sources, May have been routed and preserved on the ACBPL-owned plot, and then gradually fed into the beneficiation plant and Allowing it to enter legitimate supply chains.

Prayer :

In light of the above, I humbly request the following actions from your good office:

1. Direct to inquiry regarding estimated loss to the State exchequer, Environmental damage assessment and environmental compensation and recover the same.
2. Initiate Proceedings Under Relevant Laws Including Forest Conservation Act, Environmental Protection Act and MMDR Act.
3. Strengthen Monitoring Mechanisms Such as Mandatory GPS tagging of coal-laden vehicles, Drone-based surveillance in forest areas, Monthly joint inspections by Mining-Forest-District authorities.

Place : Bhubaneswar
Date : 12/12/2025

Yours faithfully,

Dillip Kumar Samantaray

Dillip Kumar Samantaray

Advocate & Environmental Activist

Harachandi Sahi S.O 751001
EO701536602IN, IVR No: 6979767238255
17/12/2025 14:39:39, Counter No. 1,
To: THE TAHASILDAR
HEMIGIRI TEHSIL, SUNDARGARH, INDIA PIN#3
FROM: DILLIP KUMAR SAMANTARAY
MALAYA VIHAR GGP C, KHORDHA, 751010
Base Amt: 47.00
To: THE TAHASILDAR
P.Mode: QR

Bhubaneswar G.P.O. 751001
EO767238269IN, IVR No: 6979767238255
18/12/2025 16:40:14, Counter No. 3,
To: THE MEMBER SECRETARY
CENTRAL POLLUTION, SHAHDARA, 11003
FROM: DILLIP KUMAR SAMANTARAY
PLOT NO.-383918, KHORDHA, 751010
Base Amt: 47.00
Wt:48 (Actual)
P.Mode: QR

Bhubaneswar G.P.O. 751001
EO767238241IN, IVR No: 6979767238255
18/12/2025 16:39:10, Counter No. 3,
To: THE ADDITIONAL CHIEF
FOREST ENVIRONMENT, KHORDHA, 751001
FROM: DILLIP KUMAR SAMANTARAY
PLOT NO.-383918, KHORDHA, 751010
Base Amt: 24.00
Wt:68 (Actual)
P.Mode: QR

Bhubaneswar G.P.O. 751001
EO767238255IN, IVR No: 6979767238255
18/12/2025 16:39:39, Counter No. 3,
To: THE CHIEF SECY
GOVT OF ODISHA, KHORDHA, 751001
From: DILLIP KUMAR SAMANTARAY
PLOT NO.-383918, KHORDHA, 751010
Base Amt: 24.00
Wt:60 (Actual)

TRUE COPY
attested
Richard, M.V.

FORM OF VAKALATNAMA**IN THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA****ORIGINAL APPLICATION NO.****/ 2026 / EZ****BETWEEN****Sri Dillip Kumar Samantaray****... Applicant(s)****-VERSUS-****State of Odisha & Ors****...Respondents****KNOW ALL MEN BY THESE PRESENTS, that by this VAKALATNAMA I/We**

Sri Dillip Kumar Samantaray, aged about 36 years, S/o Lingaraj Samantaray, at present residing at C/o Parsuram Maharana, Plot No. 3839/8, Malaya Vihar, G.G.P. Colony, Rasulgarh, Bhubaneswar, Odisha
 _Applicants/Appellant(s)/Petitioner(s)/Respondent(s)/Opposite Party(ies) in the aforesaid Revision/petition/Appeal/Case/Suit do hereby appoint and retain

Mr. Akhand,

BCE - O-269-2023

M- 7008816891

Plot No. 6F-1030, Sector-9, CDA, Cuttack - 753014

And

*Chandranath Dahi**BCE-O-1061-2000**M-9338865600*

Advocate(s) to appear for me/us in the above case and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein including all applications for return of documents for receipt of any money that may be payable to me/us in the said case and also in applications for leave to appeal to Supreme Court. I/We authorize my/our Advocate(s) to admit any compromise lawfully in the said case.

DATED THE.....*29.01.*...2026

Received from the executants(s)
satisfied and accepted as I hold
no brief for the other side

Accepted as above.

Akhand
Advocate

Accepted as above

Chandranath Dahi
Advocate.

Dillip Kumar Samantaray

SIGNATURE OF EXECUTANTS