

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

Original Application No. 190 /2025

ABADHUT KHARSEL & ORS.

.....APPLICANT

-VS-

STATE OF ODISHA & ORS.

.....RESPONDENTS

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BY THE APPLICANT THROUGH

DATE: 15.10.25

So

SAGARIKA SAHOO

O-365/2014, ADVOCATE

Chamber: Ground Floor, Plot no. 3C/ 246

Sector-9, C.D.A, Cuttack-753014, Odisha

Phn: 91-9439373290

Email: chamberofsagarikasahoo@gmail.com

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SYNOPSIS

The Applicants are residents of Jamera, Dist-Jharsuguda, situated within the State of Odisha. The present petition is being filed by the Applicants under Section 14, 15 and 18 of the National Green Tribunal Act, 2010 (hereinafter referred to as "NGT Act"), seeking relief, compensation for environmental damage and restitution of property of the Applicants. The property of the Applicants has been severely damaged, destroyed and subjected to pollution by the collapse and spillage of the fly ash pond of the Respondent no. 7 i.e M/s Orissa Metaliks Pvt. Ltd., which has released severe toxic ash slurry into the land of the Applicants and nearby streams/ water bodies flowing through their village. Such collapse of the fly ash pond has led to destruction of crops of the Applicants and farmland and has also led to severe contamination of soil and fertile land and has made it difficult for the Applicants to work on their land. Hence the Applicants being directly affected by the degradation of the environment seek urgent interference of this Hon'ble Tribunal to address grave and continuing violations of the Respondent.

Chamber of Sagarika Sahoo Khorsaf

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DATE: 15.10.25

By the Applicant through Advocate

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SAGARIKA SAHOO
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LIST OF DATES

13.07.2009- Environmental clearance (E.C) for the project was granted in favour of M/s MSP Metallics Ltd. (Annexure-1)

March, 2019- Central Pollution Control Board has also issued Guidelines for disposal/ utilisation of fly ash for reclamation of low lying areas and in stowing of abandoned mines/ quarries.

28.08.2019- Ministry of Environment, Forest and Climate Change vide office memorandum, clearly provides that there should be clearance of 500 metre of safe distance to be maintained from river and water body in case of ash disposal, to prevent embankment failures and fly ash flowing into the nearby water body. (Annexure-8)

31.12.2021- Ministry of Environment, Forest & Climate Change issued notification on ash utilisation by coal or lignite thermal power plants. (Annexure-5)

11.07.2022- M/s MSP Metallics Ltd. went into liquidation and the present Respondent no. 7 purchased/ acquired the assets of erstwhile M/s MSP Metallics Ltd. on "assets sale basis" under liquidation vide order in I.A No. 616/KB/2022, connected with CP (IB) No. 580/KB/2020 of the National Company Law Tribunal (NCLT), Kolkata Bench, after being a successful bidder in e-auction held on 06.05.2022.

30.12.2022- Ministry of Environment, Forest & Climate Change issued amendment notification on ash utilisation by coal or lignite thermal power plants. (Annexure-6)

19.09.2023- Respondent no. 7 thereafter by proposal, requested the Ministry to transfer the environmental clearance in favour of the Respondent no. 7.

23.10.2023- The Ministry of Environment, Forest & Climate Change was pleased to transfer the environmental clearance from M/s MSP Metallics Ltd. to M/s Orissa Metaliks Pvt. Ltd. and also directed to obtain Consent to operate in the new name. (Annexure-2)

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2024- The Respondent no.7 submitted its half yearly E.C Compliance Status Report for October 2023 to March 2024. As per para (xvii) of the compliance report, the Respondent no. 7 has stated to have utilised all the fly ash for brick manufacturing. (Annexure-4)

Chankron barathi
Khorasol

17.06.2025- The villagers had made a representation to the Ld. Collector, Jharsuguda to take immediate action against the Respondent no.7.

09.07.2025- The temporary and damaged wall where ash slurry is collected completely collapsed and the entire ash slurry entered into the agricultural lands of the Applicants and submerged it. The Applicants also made a complaint to the Collector, Jharsuguda and IIC, Jharsuguda P.S. (Annexure-10 Series)

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15.09.2025- The incident was also reported by local newspapers such as Samaja and Sambad. (Annexure-11 Series)

21.07.2025- As no action was taken by the Ld. Collector or the Police authorities, the Applicants immediately made a representation to the Respondent no. 3 i.e Odisha State Pollution Control Board, Jharsuguda. (Annexure-13)

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28.07.2025- The villagers also made a complaint to the IIC, Jharsuguda P.S. (Annexure-14) Hence finding no other remedy, the Applicants have approached this Hon'ble Tribunal for necessary reliefs.

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DATE: 15.10.25

By the Applicant through Advocate

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SAGARIKA SAHOO
O-365/2014, ADVOCATE
Phn: 91-9439373290

Email:chamberofsagarikasahoo@gmail.com

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

Original Application No. _____/2025, KOLKATA

(Under Section-14, r/w- Section 15, 18 (1) & (2) of the N.G.T Act, 2010)

IN THE MATTER OF:

An application under Section-14, 15, 18 (1) & (2) of the
National Green Tribunal Act, 2010, r/w Rule-8 of the National
Green Tribunal (Practice & Procedure) Rules;

IN THE MATTER OF:

Abadhut Kharsel & ors. --- Applicant

-vs-

State of Odisha & ors. --- Respondents

MEMO OF PARTIES:

IN THE MATTER OF:

1. Abadhut Kharsel
aged 94 years,
s/o- Parameswar Kharsel,
At- Jamera, P.O- IB, via- Brajarajnagar,
Dist- Jharsuguda- 768216
Email: chakrabarttikharsel@gmail.com
Phn: 9556682826

--- APPLICANT NO.1

2. Jagabandhu Kharsel
aged 70 years,
s/o- Abadhut Kharsel,
At- Jamera, P.O- IB, via- Brajarajnagar,
Dist- Jharsuguda- 768216
Email: chakrabarttikharsel@gmail.com
Phn: 9556682826



Chakrabarti
Kharsel

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Abadhut Kharsel

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--- APPLICANT NO. 2

3. Madhab Kharsel
aged 68 years,
s/o- Abadhut Kharsel,
At- Jamera, P.O- IB, via- Brajarajnagar,
Dist- Jharsuguda- 768216
Email: chakrabarttikharsel@gmail.com
Phn:7978049526

chakrabarti
Kharsel

--- APPLICANT NO.3

4. Medini Kharsel
aged 62 years,
s/o- Abadhut Kharsel,
At- Jamera, P.O- IB, via- Brajarajnagar
Dist- Jharsuguda- 768216
Email: chakrabarttikharsel@gmail.com
Phn: 6372832035

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Medini Kharsel

--- APPLICANT NO. 4

5. Chakrabarti Kharsel
aged 54 years,
s/o- Abadhut Kharsel,
At- Jamera, P.O- IB, via- Brajarajnagar,
Dist- Jharsuguda- 768216
Email: chakrabarttikharsel@gmail.com
Phn: 6372832035

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Chakrabarti
Kharsel

Medini Kharsel

--- APPLICANT NO. 5

-vs-

1. **STATE OF ODISHA**, Represented through Additional Chief Secretary, Department of Forest, Environment & Climate Change, Government of Odisha, Kharbela Bhanwan, Bhubaneswar- 751001, Dist-Khurdha, Odisha
Email: fsec.or@nic.in
2. **COLLECTOR & DISTRICT MAGISTRATE**, Jharsuguda, At-P/o/ Dist- Jharsuguda- 752056, Odisha
Email: dm-jharsuguda@nic.in

Collector
Jharsuguda



3. **ODISHA STATE POLLUTION CONTROL BOARD**,
Represented through Member Secretary, at- Paribesh
Bhawan, A/118, Nilakantha Nagar, Unit- VIII,
Bhubaneswar- 751012, Dist-Khurdha
Email: paribesh@ospceboard.org
4. **UNION OF INDIA**, Represented through Secretary,
Ministry of Environment, Forest and Climate Change, at-
Indira Paryavaran Bhawan, Jorbagh, New Delhi- 110003
Email: secy-moef@nic.in
5. **DEPUTY DIRECTOR GENERAL OF FORESTS
(CENTRAL)**, Ministry of Environment, Forest &
Climate Change, Integrated Regional Office, A/3,
Chandrashekharapur, Bhubaneswar- 751023
Email: roez.bsr-mef@nic.in
6. **ADDITIONAL CHIEF SECRETARY**, Department of
Revenue & Disaster Management, Government of
Odisha, Lokaseva Bhwan, Bhubaneswar- 751001, Dist-
Khurdha, Odisha
Email: revsec.od@nic.in
7. **M/S ORISSA METALIKS PRIVATE LIMITED**
(Formerly MSP Metalics Limited), Represented through
its Managing Director, having its registered office at 1,
Garstin Place, Orbit House, 3rd Floor, Room no.-3B,
Kolkata- 700001, West Bengal and having its local office
at village – Marakuta & Budhipadar, P.O. -Marakuta,
Dist. - Jharsuguda, Odisha- 768202
Email: orissametalikspvtltd@gmail.com,
info@orisametalic.com

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Abadhut kharset.

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--- RESPONDENTS



- I. The address of the Applicant is given for the service of notices of this Application.
- II. The address of the Respondents are given for the service of notices of this Application.
- III. The Respondent no. 7 is the private respondent i.e M/s Orissa Metaliks Pvt. Ltd.

Chandramon Barathi
Kharsey

MOST RESPECTFULLY SHEWETH:

1. That, the Applicants are residents of Jamera, Dist-Jharsuguda, situated within the State of Odisha. The present petition is being filed by the Applicants under Section 14, 15 and 18 of the National Green Tribunal Act, 2010 (hereinafter referred to as "NGT Act"), seeking relief, compensation for environmental damage and restitution of property of the Applicants. The property of the Applicants has been severely damaged, destroyed and subjected to pollution by the collapse and spillage of the fly ash pond of the Respondent no. 7 i.e M/s Orissa Metaliks Pvt. Ltd., which has released severe toxic ash slurry into the land of the Applicants and nearby streams/ water bodies flowing through their village. Such collapse of the fly ash pond has led to destruction of crops of the Applicants and farmland and has also led to severe contamination of soil and fertile land and has made it difficult for the Applicants to work on their land. Hence the Applicants being directly affected by the degradation of the environment seek urgent interference of this Hon'ble Tribunal to address grave and continuing violations of the Respondent.

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2. That, the Respondent no. 7 i.e M/s Orissa Metaliks Pvt. Ltd., formerly known as MSP Metallics Ltd. is a Steel Plant situated at village- Markuta, Dist- Jharsuguda, Odisha, that operates an integrated Steel Plant, sponge iron, pig iron, pellet plant, steel melting shop, Captive Power Plant, Coal Washery and Coke oven Bakery.

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FACTS IN BRIEF:

- 3. That, initially environmental clearance (E.C) for the project was granted in favour of M/s MSP Metallics Ltd. dtd. 13.07.2009.

True Copy of the environmental clearance (E.C) granted in favour of M/s MSP Metallics Ltd. dtd. 13.07.2009 is annexed herewith and marked as **ANNEXURE-1.**

- 4. That, as M/s MSP Metallics Ltd. went into liquidation and the present Respondent no. 7 purchased/ acquired the assets of erstwhile M/s MSP Metallics Ltd. on "assets sale basis" under liquidation vide order dtd. 11.07.2022 in I.A No. 616/KB/2022, connected with CP (IB) No. 580/KB/2020 of the National Company Law Tribunal (NCLT), Kolkata Bench, after being a successful bidder in e-auction held on 06.05.2022. The Respondent no. 7 thereafter by proposal dated 19.09.2023, requested the Ministry to transfer the environmental clearance in favour of the Respondent no. 7. The Ministry of Environment, Forest & Climate Change vide letter dtd. 23.10.2023 was pleased to transfer the environmental clearance from M/s MSP Metallics Ltd. to M/s Orissa Metaliks Pvt. Ltd. and also directed to obtain Consent to operate in the new name.

True Copy of the letter dtd. 23.10.2023 issued by the Ministry of Environment, Forest & Climate Change, transferring the environmental clearance from M/s MSP Metallics Ltd. to M/s Orissa Metaliks Pvt. Ltd. is annexed herewith and marked as **ANNEXURE-2.**

- 5. That, the Respondent no. 7 as enumerated earlier is a Steel Plant situated at village- Markuta, Dist- Jharsuguda, Odisha, that operates an integrated Steel Plant, sponge iron, pig iron, pellet plant, steel melting shop, Captive Power Plant, Coal Washery and Coke oven Bakery. As per Clause (xvii) of the Specific Conditions of the E.C dtd. 13.07.2009, proper utilisation of

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fly ash shall be ensured as per the Fly Ash notification, 1999 and subsequent amendment in 2003.

True Copy of the Fly Ash notification dtd. 14.09.1999 and amendment dtd. 27.08.2003 are annexed herewith and marked as ANNEXURE-3 SERIES.

- 6. That, the Respondent no.7 has also submitted its half yearly E.C Compliance Status Report for October 2023 to March 2024. As per para (xvii) of the compliance report, the Respondent no. 7 has stated to have utilised all the fly ash for brick manufacturing. The said compliance report has been obtained from the official website of the Respondent no.7.

True Copy of the half yearly E.C Compliance Status Report of the Respondent no.7 for October 2023 to March 2024, as available on their website is annexed herewith and marked as ANNEXURE-4.

- 7. That, the Ministry of Environment, Forest & Climate Change vide notification dtd. 31.12.2021, issued notification on ash utilisation by coal or lignite thermal power plants. Rule-A (1) of the said notification states that every coal or lignite based thermal power plant shall be primarily responsible to ensure 100 percent utilisation of ash (fly ash and bottom ash) generated by it in an eco-friendly manner. Sub-Rule (4) also provides that every coal or lignite based thermal power plant shall be responsible to utilise 100 percent ash (fly ash and bottom ash) generated during that year, however, in no case shall utilisation fall below 80 percent in any year and the thermal power plant shall achieve average fly ash utilisation of 100 percent in a three years cycle. Clause (7) further states that every coal or lignite based thermal power plant shall ensure that loading, unloading, transport, storage and disposal of ash is done in an environmentally sound manner and that all precautions to prevent air and water pollution are taken and status in this regard shall be reported to the concerned State Pollution

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Control Board (SPCB) or Pollution Control Committee (PCC) in Annexure attached to this notification.

True Copy of the notification dtd. 31.12.2021, issued by Ministry of Environment, Forest & Climate Change on ash utilisation by coal or lignite thermal power plants is annexed herewith and marked as ANNEXURE-5.

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- 8. That, the Ministry of Environment, Forest & Climate Change vide notification dtd. 30.12.2022, issued amendment notification on ash utilisation by coal or lignite thermal power plants. As per the amendment, sub-para (6) was substituted as follows:

"6. Any new as well as operational thermal power plant may be permitted operational ash pond or dyke for temporary storage of ash within an area of 0.1 hectare per Mega Watt (MW). Technical specifications of operational as well as stabilised and reclaimed ash ponds or dykes shall be as per the guidelines of the Central Pollution Control Board (CPCB) made in consultation with the Central Electricity Authority (CEA) and these guidelines shall also lay down a procedure for annual certification of the operational as well as stabilised and reclaimed ash pond or dyke on its safety, environment pollution, available volume, mode of disposal, water consumption or conservation in disposal, ash water recycling and green belt, etc. and shall be put in place within three months from the date of publication of this notification"

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True Copy of the amendment dtd. 30.12.2022 issued by Ministry of Environment, Forest & Climate Change on ash utilisation by coal or lignite thermal power plants is annexed herewith and marked as ANNEXURE-6.

- 9. That, the said rule also provided that only one ash pond or dyke shall be permitted in case of new thermal power plants or expansion of existing thermal plants commissioned on or after 31st December 2021, which shall inform the details of demarcation along-with coordinates to concerned State Pollution Control Board, within three months from date of

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commissioning of thermal power plant. The proviso also further states that coal and lignite based thermal power plants shall not be allowed to further establish or designate any new operational ash pond or dyke.

10. That, the case of the Applicants is that they are owner of the following properties:

- (a) Mouza- Jamera, Thana- Jharsuguda, Tehsil- Jharsuguda, Tehsil no. 286, Khata no. 121/55, Plot no. 566/1292, bearing Ac. 0.90 decs.
- (b) Mouza- Jamera, Thana- Jharsuguda, Tehsil- Jharsuguda, Tehsil no. 286, Khata no. 121/54, Plot no. 563 & 568, bearing Ac. 0.56 decs.
- (c) Mouza- Jamera, Thana- Jharsuguda, Tehsil- Jharsuguda, Tehsil no. 186, Khata no. 121/63, Plot no. 566, bearing Ac. 0.200 decs.

True Copy of the R.O.Rs in favour of the Applicants are annexed herewith and marked as ANNEXURE- 7 SERIES.

11. That, the bottom ash collected at the bottom of boiler and disposed off in wet slurry form into ash ponds and the Respondent no. 7 has not followed any of these procedures and has created a boundary wall within which the Respondent is dumping ash and ash slurry. The said dumping of ash and slurry is near the agricultural land and village of the Applicants. It is pertinent to state that the Industry is not able to manage the fly-ash and the same is built and managed in complete violation of the environment clearance conditions. Infact the Ministry of Environment, Forest and Climate Change vide office memorandum dtd. 28.08.2019, clearly provides that there should be clearance of 500 metre of safe distance to be maintained from river and water body in case of ash disposal, to prevent embankment failures and fly ash flowing into the nearby water body. Clause (v) also provides that bioaccumulation and bio-magnification tests shall be conducted on surrounding flora and fauna (tree leaves, vegetation,

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crop yields and cattle population) during pre-monsoon and post monsoon to find out any trace metals escaped through groundwater or runoff.

True Copy of the Office memorandum dtd. 28.08.2019 issued by the Ministry of Environment, Forest and Climate Change, along-with the Guidelines for disposal/ utilisation of Fly Ash for reclamation of low lying areas and in stowing of abandoned mines/ quarries, March 2019 is annexed herewith and marked as **ANNEXURE-8**.

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Kharset

12. That, the Central Pollution Control Board has also issued Guidelines for disposal/ utilisation of fly ash for reclamation of low lying areas and in stowing of abandoned mines/ quarries in March 2019. Clause 4.2.2 (j) of the guidelines state that dumping of ash in pond should be done mechanically in moist condition so that ash does not get air borne and pose fugitive dust problem. Rule 4.2.4 (c) also states that Pond ash to be transported should be conditioned with water to maintain minimum of 15% moisture at the disposal point so that ash does not get air borne and cause fugitive emission. Rule 5.2.3 also provides for protection of pond or water body adjoining or within the working site i.e **"If any pond or water body exists within or adjoining the low lying area /quarry then an earthen embankment of the cross-section as given in the figure below be constructed around the pond or water body to protect it from spilling of ash or ingress of surface runoff into it"**.

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The Rule also states that soil used for the embankment should neither be granular nor black cotton soil. It should be of good quality for geo-technical application. Soil should be compacted to 95% proctor by Vibratory Roller of 15 T minimum capacity, in the layers of 25-30 cm and the optimum moisture content determined before execution of work. After attaining the desired height, the disposal

Abadhua Kharset.

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area should be thoroughly compacted, graded followed by soil cover at least 15 cm thickness for proper reclamation of the land by grass turfing or appropriate plantation

13. That, Rule 5.3.2 of the said guidelines also provide that particular care shall be taken to exclude all organic matter from the ash to be placed in the fill. Rule 5.4.1 further states that after the area has been prepared and levelled, pond ash excavated from Borrow areas having required moisture content shall be placed in layers not exceeding 300 mm in compacts thickness. The placing operations shall be such that in strips of 10-15 m of the material when compacted in the fill will be blended sufficiently to produce specified degree of compaction and stability. No stones, cobbles or rock fragments, having maximum dimensions more than 100 mm shall be placed in the fill. Stones and cobbles shall be removed either at the borrow pit site before it is used as soil cover. Rule 5.4.2 lays down the procedure to lay the ash in the pits and Rule 5.5 categorically states that it shall be the responsibility of the thermal power plant or his contractor that no air borne and water borne pollution shall occur during all stages of operations such as in Borrow areas, during transportation of ash/ earth, during placement of fill material etc. All measures such as water sprinkling covering moist ash/ earth with tarpaulins in open trucks, etc., shall be taken to done care of above.

14. That, Rule-6.3 also provides for regular environmental monitoring to be undertaken during the period of disposal of ash into mine void as well as after reclamation of mine void. It is also pertinent to state that Rule-8.1 also provides that the activity of reclamation of low lying areas will be regulated the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air Water (Prevention and Control of Pollution) Act, 1981. The stipulations specified in this guideline is consistent with the provisions of Fly Ash Notification, 1999 and amended thereafter which should be a

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Khanseel

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Abedut Khansel.

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special condition mentioned in consent order issued under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. Thereafter any deviations from the guidelines shall be treated as violation of both Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and action as deemed proper shall be taken under Consent Administration by the Board. The Rule also provides that necessary clearances shall be obtained from the concerned agencies such as DGMS, SPCB, IBM, MoC etc.

Chankaran borthi
Khausel

15. That, the Respondent no. 7 has not built a proper ash pond as per its E.C and the guidelines, for its thermal power plant in the village of the Applicants i.e village Jamera, Dist-Jharsuguda and since its inception has not been able to manage the fly-ash and the same is built in the open near the agricultural land and surrounded by a temporary boundary wall and managed in complete violation of the environment clearance conditions and the guidelines as enumerated above. As a matter of fact, the Respondent no. 7 did not take steps to build an embankment to protect the nearby lands from the ash pond slurry and rather had only constructed a temporary wall and had stored the ash slurry within the temporary wall. Despite repeated requests made to the Respondent no. 7 by the villagers, the Respondent did not take any steps, due to which around 100 to 150 acres of agricultural land in the village got affected due to over-flow of ash pond slurry into the land and nearby fresh water streams. Infact the Respondent no. 7 has also released contaminated water into the water streams which are used by the villagers for consumption. Hence the villagers vide letter dtd. 17.06.2025 had made a representation to the Ld. Collector, Jharsuguda to take immediate action against the Respondent no.7. The same was also received by the office of the Ld. Collector. However no action was taken by the Ld. Collector.



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True Copy of the representation dtd. 17.06.2025 to the Ld. Collector, Jharsuguda by the villagers, along-with the translated typed copy in English is annexed herewith and marked as ANNEXURE-9.

16. That, the Applicants who have their agricultural lands near to the make-shift ash-pond site of the Respondent no.7, had also requested the Respondent to take immediate precaution as the temporary wall on which the ash slurry is held with, was in a dilapidated condition and could collapse during the monsoon period, completely damaging the agricultural lands and also contaminating the nearby streams and water bodies. But the Respondent no. 7 did not pay any heed to their requests. However on 09.07.2025, the temporary and damaged wall where ash slurry is collected completely collapsed and the entire ash slurry entered into the agricultural lands of the Applicants and submerged it.

17. That, the ash slurry has also entered into the nearby water stream which is used by the applicants and other villagers for consumption. Infact due to the collapse of boundary wall ash pond, all the crops which were standing on the agricultural land of the Applicants have been destroyed and the entire land is now sub-merged with 3-4 ft of ash slurry. Such contamination has damaged the agricultural land by polluting the soil due to which the Applicants will not be able to grow crops for the next few years. The fresh water bodies have also been completely contaminated and polluted by the ash slurry and fly ash. The negligence of the Respondent no. 7 has violated the right to life and right to livelihood of the Applicants and also destroyed the land of the Applicants. Being aggrieved, the Applicants immediately made a representation to the Collector, Jharsuguda dtd. 09.07.2025 to take appropriate steps, which was duly received by their office. The Applicants also intimated the I.I.C, Jharsuguda Sadar Police Station vide letter dtd. 09.07.2025.

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09/07/2025

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True Copy of the representation dtd. 09.07.2025 made to the Collector, Jharsuguda and I.I.C, Jharsuguda Sadar P.S, along-with the translated typed copy in English is annexed herewith and marked as ANNEXURE-10 SERIES.

Chankran Borah
Khansey

18. That, the incident was also reported by local newspapers such as Samaja and Sambad on 15.09.2025. The Applicants had also taken photographs of the agricultural land and water streams on the date of the incident, which clearly show the ash slurry has entered and submerged and contaminated the land and streams. Infact one photograph clearly shows the colour of the stream water as red after being soaked in ash slurry. The Applicants also have videograph of the environmental damage and pollution will shall be produced at the time of hearing.

True Copy of the newspaper reporting in Samaja and Sambad on 15.09.2025, along-with the translated typed copy in English are annexed herewith and marked as ANNEXURE-11 SERIES.

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True Copy of the photographs of the agricultural land and water streams on the date of the incident, which clearly show the ash slurry has entered and submerged and contaminated the land and streams are annexed herewith and marked as ANNEXURE-12 SERIES.

Abadhut Khansel
T.T. I 06

19. That, as no action was taken by the Ld. Collector or the Police authorities, the Applicants immediately made a representation to the Respondent no. 3 i.e Odisha State Pollution Control Board, Jharsuguda dtd. 21.07.2025. The Applicants specifically intimated the Pollution Control Board that their lands are sub-merged in 3-4 ft of ash slurry and due to this their lands are completely damaged and unfit for agriculture. Infact all the crops which

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had been grown are now destroyed due to the negligence of the Respondent no. 7. Subsequently other than the water bodies, the drain water has also been contaminated due to the spillage and collapse of make-shift ash pond and which has now been mixed in the Hirakud reservoir, which is causing diseases amongst the villagers and damaging and polluting their environment. However till date, the Respondent no. 3 Board has also not taken any action on the issue or tried for restitution of the Applicant's land or grant compensation to the Applicants for such environmental pollution and damage.

Chankon Barith' Kharsel

True Copy of the representation dtd. 21.07.2025 to the Odisha State Pollution Control Board, along-with translated typed copy in English is annexed herewith and marked as ANNEXURE-13.

20. That, infact the other villagers whose lands have been destroyed due to the collapse of ash pond of Respondent Company have also made a complaint to the I.I.C, Jharsuguda Sadar P.S dtd. 28.07.2025. The villagers also intimated the Police authorities that due to the ongoing monsoon season, the ash slurry is continuously flowing into the agricultural land hence requested the Police to take urgent action. But till date, no action has been taken by any of the authorities and the ash slurry is continuously contaminating the land and water streams of the Applicant's village an causing health and environmental hazards.

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True Copy of the complaint dtd. 28.07.2025 to the IIC, Jharsuguda P.S made by the villagers, along-with translated typed copy in English is annexed herewith and marked as ANNEXURE-14.

Abadmut Kharsel.

21. That, despite lapse of two months since the incident, neither the Respondent no. 7 has taken any steps nor have the State authorities or Pollution Control Board taken any steps. Infact the Applicants have some



recent photographs dtd. 06.09.2025 which shows the ash pond site and broken boundary wall where the Respondent no. 7 has tried to dump sand. The photographs also show that the agricultural lands of the Applicants are still sub-merged in ash slurry and waste till date, thereby causing immense damage to their lands and continuously contaminating and polluting the land. Such action of the Respondent no. 7 is in absolute contravention to the Guidelines on Ash Pond management as enumerated above and are in violation of the Environment Protection Act and Water (Prevention and Control of Pollution) Act, 1974. Hence being aggrieved, the Applicants have filed the present petition before this Hon'ble Tribunal.

Chonkrabourthi Khansel

True Copy of the photographs dtd. 06.09.2025 showing the ash pond site and broken boundary wall of the Respondent no. 7 at Budhipadar, Odisha are annexed herewith and marked as ANNEXURE-15 SERIES.

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mandini Khansel

True Copy of the photographs dtd. 06.09.2025 showing the present state of the agricultural land of the Applicants are annexed herewith and marked as ANNEXURE-16 SERIES.

True Copy of the Aadhar Cards of the Applicants are annexed herewith and marked as ANNEXURE-17 SERIES.

GROUND

That, the Applicants are raising the following among other grounds which they may take at the time of hearing of case:

- (A) That, the agricultural land of the Applicants at Annexure-7 Series and the water streams in their village are filled up with the Fly-ash generated and stored in negligent manner by the Respondent no. 7 and

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Abadhut Khansel
mandini Khansel



the same is against environment norms. Such act is a substantial question relating to environmental under Section-2 (m) of the National Green Tribunal Act, 2010, that requires urgent interference of this Hon'ble Tribunal.

Chankran bantti
Khansey

(B) That, the rule of Absolute liability states that those enterprises or industries which are involved in hazardous or inherently dangerous activities for their commercial gain and if that activity is capable of causing catastrophic damage, then the said Industry shall be liable for environment and property damage. The Hon'ble Apex Court has also held that the responsibility to repair the damage is that of the offending industry and on that basis, the Respondent no. 7 has the duty to restore the land to its original status and also to compensate the Applicants for their loss.

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(C) That, the Polluter pays principle also casts a responsibility on the Respondent no. 7 to pay environmental compensation for the damages caused to the land of the Applicants.

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(D) That, the Office Memorandum issued by MoEFCC dtd. 28.08.2019, at Annexure-8 clearly prohibits construction of any ash pond within 500 meters of the River and Water bodies to environment. In the present case, the Respondent no. 7 has not followed any of the guidelines of construction of ash pond and due to the collapse of the make-shift ash pond, the entire agricultural land of the Applicants and also the nearby water stream have been polluted and damaged.



(E) That, the Fly Ash Utilisation Notification dtd. 31.12.2021 mandates for environment compensation for not achieving the targeted utilisation of fly ash. In the first two years of a three years cycle, if the coal or lignite based thermal power plant (including captive or co-generating stations or both) has not achieved at least 80 per cent ash (fly ash and bottom ash) utilisation, then such non-compliant thermal power plants shall be

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Sujesh Kumar



imposed with an environmental compensation of Rs. 1000 per ton on unutilised ash during the end of financial year based on the annual reports submitted and if it is unable to utilise 100 per cent of ash in the third year of the three year cycle, it shall be liable to pay an environmental compensation of Rs. 1000 per ton on the unutilised quantity on which environmental compensation has not been imposed earlier; provided that the environmental compensation shall be estimated and imposed at the end of last year of the first compliance cycle as per the various utilisation categories as mentioned in subparagraph (4) of Para A. In the present case, the Respondent no. 7 has not utilised its fly ash as per the guidelines and had stored its fly ash in a make-shift/ temporary ash pond site, without any precautionary measures or embankment. As a result the entire ash slurry has collapsed and has entered into the agricultural land of the Applicants and damaged and polluted the same.

Chakra bharthi
Khausel

(F) That, the breach of the Ash pond of the Respondent no. 7 is intentional and deliberate as the industry authority was aware that the capacity of the Ash pond is already exhausted and still they were pumping more ash slurry into the ash pond. The Industry was also aware that there is no embankment to support the make-shift ash pond and was merely being held by a broken and old dilapidated boundary wall. Further the authority were also looking for a site for construction of new ash pond considering the capacity is already exhausted, the breach is deliberate and the Respondent no. 7 is liable to pay compensation to the Applicants and to also take steps for restitution of their land and environment.

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(G) That, despite of violations of CTO conditions and failure to contain the fly ash menace, the SPCB has renewed CTO without any tangible reason against the unit for the Ash pond Breach. Infact the Respondent

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no. 7 has also submitted its half yearly E.C Compliance Status Report for October 2023 to March 2024. As per para (xvii) of the compliance report, the Respondent no. 7 has stated to have utilised all the fly ash for brick manufacturing. Such statement is absolutely false and the Respondent has violated the terms of the E.C and is liable to pay compensation to the Applicants.

Chonkrarbarthi
Khanseel

(H) That, the "Polluter Pays" principle as interpreted by the Hon'ble Apex Court means that absolute liability for harm to the environment extends not only to compensate the victims of pollution but also the cost of restoring the environment from damage and is also part of sustainable development. The Respondent no. 7 is liable to pay the cost of the Applicant as well as the cost of reversing the damaged ecology i.e land and water streams. Considering the estimated cost of the project, environment compensation ought to be collected from the Respondent no. 7 apart from initiating criminal prosecution against the Director of the Company.

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(I) That, management of huge quantity of fly ash and pond ash generated from thermal power plants such as the Respondent no. 7 is a serious environmental concern. It is necessary to protect the environment, conserve top soil, prevent dumping and regulate indiscriminate disposal of ash generated from coal-based thermal power plants. In this regard, the State Pollution Control Board, Odisha vide notice no. 6043/Ind-I-Con-(M) 353, dtd. 03.04.2013 had also laid down a set of advisory for all fly ash generators of Odisha. The Board specifically directed that safety aspects of ash dykes/ ash mound slopes shall be undertaken at regular intervals by industries and all the damage/ deficiencies/ defects noticed on fly ash pond embankment/ ash mound should be properly repaired and redressed before the onset of monsoon. The advisory also provided that there should be appropriate drainage network followed by

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settling pond of adequate size to contain runoff from ash mound, around the ash mound to prevent contamination of natural stream or land/ agricultural lands in surrounding area. It is directs that dyke of such surface runoff retaining pond should be properly designed and strengthened to sustain even during heavy rainfall.

Other measures such as daily inspection of fly ash ponds/ ash mounds should be carried out during monsoon season by a senior officer of the industry. Clause (vi) of the notice also provides that a special task force shall be constituted by all industries generating fly ash to attend to cases of breach of fly ash ponds/ ash mounds on emergency basis and take up restoration work. It is evident from the facts that none of these steps or precautions have been followed by the Respondent no. 7 causing severe environmental hazards to the life and property of the Applicants. Hence the Respondent no. 7 is liable to pay compensation to the Applicants for pollution and environmental damage and also restitution of property damaged and restitution of environment.

True Copy of the notice no. 6043/Ind-I-Con-(M) 353, dtd. 03.04.2013 for all fly ash generators of Odisha issued by State Pollution Control Board, Odisha is annexed herewith and marked as ANNEXURE-18.

(J) That, the said action and negligence of the Respondent no. 7 is in violation of Section-7 & 8 of the Environment Protection Act, 1986.

LIMITATION

That, the present application is within limitation as the same is preferred within the stipulated time period under Section-14 of the National Green Tribunal Act, 2010, which is a continuous cause of action.

Chakrabarti Kharsel

Medini Kharsel

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Abadhut Kharsel

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P R A Y E R

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

- A. Direct the Respondent no. 7 Industry to remove the fly-ash from the agricultural lands of the Applicants including the water stream which has been sub-merged by the fly ash and restore the land and water body to its prior condition;
- B. Constitute a High-Level Multi-Disciplinary Committee including the Central Pollution Control Board, Ministry of Environment, Forest & Climate Change to examine if the existing ash pond is in conformity to the guidelines and the impact of the breach of the ash pond on the village of Applicants;
- C. Impose exemplary environment compensation ~~on the Respondent for~~ violation of environment norms and dumping of fly ash and breach of the make-shift ash pond, causing damage to the agricultural land of the Applicants, *in favour of applicants.*
- D. To initiate criminal proceedings against the officers of the Respondent no. 7 and the State Pollution Control Board for failure in discharging due diligence and their duties and to direct the State to initiate criminal prosecution against the erring officers;

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Khausel

15/03/2015



E. Pass such other orders/directions as may be deemed fit and proper (including appropriately moulding the reliefs) in the bonafide interests of justice.

In the light of the above facts and circumstances stated, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to pass orders as per the prayers made in the present Original Application

DATE: 15.10.25

By the Applicant through Advocate

PLACE: CUTTACK

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SAGARIKA SAHOO
O-365/2014, ADVOCATE
Phn: 91-9439373290

Email: chamberofsagarikasahoo@gmail.com

Chamber of H

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Medini Kharsel



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Abadhut Kharsel

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

Original Application No. _____/2025, KOLKATA

IN THE MATTER OF:

Abadhut Kharsel & ors. ---- Applicant

-vs-

State of Odisha & ors. ---- Respondents

AFFIDAVIT

I, Abadhut Kharsel, aged 94 years, s/o- Parameswar Kharsel, At- Jamera, P.O- IB, via- Brajarajnagar, Dist- Jharsuguda- 768216, Odisha, do hereby solemnly affirm and state as follow:

1. That, I am the Applicant no. 1 in the above named original application and I am fully conversant with the facts and circumstances of the case.

That, I have read and understood the contents of the accompanying Original application supported by Annexures, are true and correct to my personal knowledge and belief.

3. That, I have not suppressed any material fact and have filed this application in good faith for the protection of environment and public interest and the present matter falls within the jurisdiction of this Hon'ble Tribunal.



AP



I, above named Deponent being identified by Mr./Ms. J. P. ... Advocate appears before me on ... AM/PM on this the ... 15/11/25 ... solemnly affirms that the facts stated are true to his/her best knowledge and belief

NOTARY



L.T.I of Abadhut Kharsel

DEPONENT

VERIFICATION

Verified on this the 15th day of October 2025, at Cuttack, that 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

DP

ADVOCATE

Dibyansha Pradhan

VERIFICANT



L.T.I 00- Abadhut Khansel

VERIFICANT



DP

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

Original Application No. _____/2025, KOLKATA

IN THE MATTER OF:

Jagabandhu Kharsel & ors.

---- Applicant

-vs-

State of Odisha & ors.

---- Respondents

AFFIDAVIT

I, Jagabandhu Kharsel, aged 70 years, s/o- Abadhut Kharsel, At- Jamera, P.O- IB, via- Brajarajnagar, Dist- Jharsuguda- 768216, Odisha, do hereby solemnly affirm and state as follow:

1. That, I am the Applicant no. 2 in the above named original application and I am fully conversant with the facts and circumstances of the case.
2. That, I have read and understood the contents of the accompanying Original application supported by Annexures, are true and correct to my personal knowledge and belief.
3. That, I have not suppressed any material fact and have filed this application in good faith for the protection of environment and public interest and the present matter falls within the jurisdiction of this Hon'ble Tribunal.



DP



The above named Deponent being identified by Mr./Ms. ... appears before me at ... AM/PM. on this the ... 15/12/25 ... 19 ... solemnly affirmed that the facts stated are true to the best of his knowledge and belief.

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DEPONENT

NOTARY
ATTACK TOWN

[Handwritten Signature]
15/12/25

VERIFICATION

Verified on this the 15th day of October 2025, at Cuttack, that 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

DP

ADVOCATE

Dibyanshu Pattanayak

VERIFICANT

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VERIFICANT



DP

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

Original Application No. _____/2025, KOLKATA

IN THE MATTER OF:

Madhab Kharsel & ors. ---- Applicant

-VS-

State of Odisha & ors. ---- Respondents

AFFIDAVIT

I, Madhab Kharsel, aged 68 years, s/o- Abadhut Kharsel, At- Jamera, P.O- IB, via- Brajarajnagar, Dist- Jharsuguda- 768216, Odisha, do hereby solemnly affirm and state as follow:

1. That, I am the Applicant no. 3 in the above named original application and I am fully conversant with the facts and circumstances of the case.
2. That, I have read and understood the contents of the accompanying Original application supported by Annexures, are true and correct to my personal knowledge and belief.
3. That, I have not suppressed any material fact and have filed this application in good faith for the protection of environment and public interest and the present matter falls within the jurisdiction of this Hon'ble Tribunal.

DP



DEPONENT

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DEPONENT

I, above named deponent being identified by Mr./Ms. S. G. Saha appears before me at 15/12/25 on this the... day of... 2025. I solemnly affirm that the facts stated are true to my best knowledge and belief.

NOTARY
15/12/25

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

Original Application No. _____ /2025, KOLKATA

IN THE MATTER OF:

Medini Kharsel & ors. ---- Applicant

-vs-

State of Odisha & ors. ---- Respondents

AFFIDAVIT

I, Medini Kharsel, aged 62 years, s/o- Abadhut Kharsel, At- Jamera, P.O- IB, via- Brajarajnagar, Dist- Jharsuguda- 768216, Odisha, do hereby solemnly affirm and state as follow:

1. That, I am the Applicant no. 4 in the above named original application and I am fully conversant with the facts and circumstances of the case.
2. That, I have read and understood the contents of the accompanying Original application supported by Annexures, are true and correct to my personal knowledge and belief.
3. That, I have not suppressed any material fact and have filed this application in good faith for the protection of environment and public interest and the present matter falls within the jurisdiction of this Hon'ble Tribunal.

I, above named Dependent hereby deposes
 by Mr./Ms... D. S. P. C. H. Adv. (C) &
 appears before me at A. V. . AM/PM
 on this the... day of...
 solemnly affirms that the facts stated
 are true to the best of his knowledge and belief

NOTARY
 ATTACK TOW.

15/1/25



L.T.I of
 Medini
 Kharsel

DEPONENT



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VERIFICATION

Verified on this the 15th day of October 2025, at Cuttack, that 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

DP

ADVOCATE

Debyanesh Pattnaik

VERIFICANT



*L.T.I of
Medz'nz'
Kharsel*

VERIFICANT



DP

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

Original Application No. _____/2025, KOLKATA

IN THE MATTER OF:

Chakrabarti Kharsel & ors. ---- Applicant

-VS-

State of Odisha & ors. ---- Respondents

AFFIDAVIT

I, Chakrabarti Kharsel, aged 54 years, s/o- Abadhut Kharsel, At- Jamera, P.O- IB, via- Brajarajnagar, Dist- Jharsuguda- 768216, Odisha, do hereby solemnly affirm and state as follow:

1. That, I am the Applicant no. 5 in the above named original application and I am fully conversant with the facts and circumstances of the case.
2. That, I have read and understood the contents of the accompanying Original application supported by Annexures, are true and correct to my personal knowledge and belief.
3. That, I have not suppressed any material fact and have filed this application in good faith for the protection of environment and public interest and the present matter falls within the jurisdiction of this Hon'ble Tribunal.

DP

DEPONENT

Chakrabarti Kharsel
DEPONENT



BY Mr./Ms... I, Chakrabarti Kharsel, Advocate
 appears before me at 15/11/25 AM/PM
 on this the 15 day of Nov 2025.
 I solemnly affirm that the facts stated
 are true to the best of his knowledge and belief.

Chakrabarti Kharsel
 NOTARY
 JHARSUGUDA

VERIFICATION

Verified on this the 15th day of October 2025, at Cuttack, that 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

DP

ADVOCATE

Dibyanshu Pattnaik

WITNESS

Chakrabarti Hi Kharsel
VERIFICANT



DP

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

Original Application No. _____/2025, KOLKATA

IN THE MATTER OF:

Abadhut Kharsel & ors.

---- Applicant

-VS-

State of Odisha & ors.

---- Respondents

AFFIDAVIT

I, Abadhut Kharsel, aged 94 years, s/o- Parameswar Kharsel, At- Jamera, P.O- IB, via- Brajarajnagar, Dist- Jharsuguda- 768216, Odisha, do hereby solemnly affirm and state as follow:

1. That, I am the Applicant no. 1 in the above named original application and I am fully conversant with the facts and circumstances of the case.
2. That, I have read and understood the contents of the accompanying Original application supported by Annexures, are true and correct to my personal knowledge and belief.
3. That, I have not suppressed any material fact and have filed this application in good faith for the protection of environment and public interest and the present matter falls within the jurisdiction of this Hon'ble Tribunal.



L.T.I of
Abadhut Kharsel

DEPONENT

above named deponent being identified by Mr./Ms... Advocate appears before me at ... AM/PM. on this the... of... solemnly affirms that the facts stated are true to his/her knowledge and belief.

NOTARY PUBLIC
UTTARAKHAND
15/12/25

VERIFICATION

Verified on this the 15th day of October 2025, at Cuttack, that 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

DP

ADVOCATE

Dibyananda Pattnaik

VERIFICANT



L.T.I of
Abadhut Khansel.

VERIFICANT



DP

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

Original Application No. _____/2025, KOLKATA

IN THE MATTER OF:

Jagabandhu Kharsel & ors. ---- Applicant

-vs-

State of Odisha & ors. ---- Respondents

AFFIDAVIT

I, Jagabandhu Kharsel, aged 70 years, s/o- Abadhut Kharsel, At- Jamera, P.O- IB, via- Brajarajnar, Dist- Jharsuguda- 768216, Odisha, do hereby solemnly affirm and state as follow:

1. That, I am the Applicant no. 2 in the above named original application and I am fully conversant with the facts and circumstances of the case.
2. That, I have read and understood the contents of the accompanying Original application supported by Annexures, are true and correct to my personal knowledge and belief.
3. That, I have not suppressed any material fact and have filed this application in good faith for the protection of environment and public interest and the present matter falls within the jurisdiction of this Hon'ble Tribunal.



[Handwritten Signature]
DEPONENT

* Above named Dependent being dependent on Mr./Ms. D. P. A. [Handwritten Name] Advocate appears before me at [Handwritten Date] AM/PM on this the [Handwritten Day] day of [Handwritten Month] 2025. I solemnly affirm that the facts stated are true to the best of my knowledge and belief.

[Handwritten Signature]
NOTARY PUBLIC
KOLKATA

VERIFICATION

Verified on this the 15th day of October 2025, at Cuttack, that 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

Debyanika Pattanah



ଜୟରଞ୍ଜନ ଚନ୍ଦ୍ର
VERIFICANT



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

Original Application No. _____/2025, KOLKATA

IN THE MATTER OF:

Madhab Kharsel & ors.

--- Applicant

-VS-

State of Odisha & ors.

--- Respondents

AFFIDAVIT

I, Madhab Kharsel, aged 68 years, s/o- Abadhut Kharsel, At- Jamera, P.O- IB, via- Brajarajnagar, Dist- Jharsuguda- 768216, Odisha, do hereby solemnly affirm and state as follow:

1. That, I am the Applicant no. 3 in the above named original application and I am fully conversant with the facts and circumstances of the case.
2. That, I have read and understood the contents of the accompanying Original application supported by Annexures, are true and correct to my personal knowledge and belief.
3. That, I have not suppressed any material fact and have filed this application in good faith for the protection of environment and public interest and the present matter falls within the jurisdiction of this Hon'ble Tribunal.

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DEPONENT
[Signature]
DEPONENT



... above named Dependent being demanded by Mr./Ms. D. P. ... Advocate appears before me at ... AM/PM on this the ... day of ... 2025. I solemnly affirm that the facts stated are true to the best of my knowledge and belief.

[Signature]
NOTARY
CUTTACK TOWNSHIP

VERIFICATION

Verified on this the 15th day of October 2025, at Cuttack, that 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

DP

ADVOCATE

Dibyanshu Pattnaik

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VERIFICANT



DP

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

Original Application No. _____/2025, KOLKATA

IN THE MATTER OF:

Medini Kharsel & ors. ---- Applicant

-VS-

State of Odisha & ors. ---- Respondents

AFFIDAVIT

I, Medini Kharsel, aged 62 years, s/o- Abadhut Kharsel, At- Jamera, P.O- IB, via- Brajarajnagar, Dist- Jharsuguda- 768216, Odisha, do hereby solemnly affirm and state as follow:

1. That, I am the Applicant no. 4 in the above named original application and I am fully conversant with the facts and circumstances of the case.
2. That, I have read and understood the contents of the accompanying Original application supported by Annexures, are true and correct to my personal knowledge and belief.
3. That, I have not suppressed any material fact and have filed this application in good faith for the protection of environment and public interest and the present matter falls within the jurisdiction of this Hon'ble Tribunal.

* Above named deponent being de-
by Mr./Ms. D. Anita.....Advocate
appears before me atAM/PM
on this the... ..day of... ..
solemnly affirms that the facts stated
are true to his/her knowledge and belie

NOTARY
ATTACKED
15/12/25

LT. I of medini kharsel
DEPONENT



VERIFICATION

Verified on this the 15th day of October 2025, at Cuttack, that 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

DP

ADVOCATE

Debyanshu Pattanik

VERIFICANT



L.T.IG medini Khausef

VERIFICANT



DP

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

Original Application No. _____/2025, KOLKATA

IN THE MATTER OF:

Chakrabarti Kharsel & ors.

---- Applicant

-VS-

State of Odisha & ors.

---- Respondents

AFFIDAVIT

I, Chakrabarti Kharsel, aged 54 years, s/o- Abadhut Kharsel, At- Jamera, P.O- IB, via- Brajarajnagar, Dist- Jharsuguda- 768216, Odisha, do hereby solemnly affirm and state as follow:

1. That, I am the Applicant no. 5 in the above named original application and I am fully conversant with the facts and circumstances of the case.
2. That, I have read and understood the contents of the accompanying Original application supported by Annexures, are true and correct to my personal knowledge and belief.
3. That, I have not suppressed any material fact and have filed this application in good faith for the protection of environment and public interest and the present matter falls within the jurisdiction of this Hon'ble Tribunal.

Chakrabarti Kharsel
DEPONENT

I, the above named Dependent being identified by Mr./Ms... D... Pa... Advocate appears before me at ... AM/PM on this the... day of... I solemnly affirms that the ... state ... true ... other kn. wledge and belie

NOTARY
KITTACKTOWN

AD



VERIFICATION

Verified on this the 15th day of October 2025, at Cuttack, that 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

DP

ADVOCATE

Dibyanshu Pattnaik

VERIFICANT

Chakrabarti Khansel
VERIFICANT



DP

ANNEXURE-1

F. No. J-11011/494/2007- IA II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi - 110 003

E-mail : pb.rastogi@nic.in
Telefax : 011: 2436 7668

Dated 13th July, 2009

To, ✓
M/s MSP Metallica Ltd.
16/5, Block 'A', New Alipore
Kolkata - 700 053
West Bengal

E-mail : contactus@msspsteel.com / msspgroup@vsnl.com ; Fax No. : 033-24582239 ;

Subject : Expansion of Integrated Steel Plant (Sponge Iron (10,50,000 TPA); Pig Iron (10,60,000 TPA), Pellet Plant (6,00,000 TPA); Steel Melting Shop (10,50,000 TPA); Captive Power Plant (85 MW), Coal Washery (15,00,000 TPA) and Coke Oven Battery (6,00,000 TPA) at Village Marakuta, District Jharsuguda, Orissa by M/s MSP Metallica Ltd. - Environment clearance reg.

Ref. : Your letter no. nil dated 18th May, 2009.

Sir,

This has reference to your letter no. nil dated 18th May, 2009 alongwith Application in Form I, Pre-feasibility Report and draft Terms of References, EIA/EMP alongwith Public Hearing/Public Consultation report as per the EIA Notification, 2006 and related project documents and subsequent clarifications furnished by you vide your letter dated 15th June, 2009 for environmental clearance on the above mentioned project.

2.0 The Ministry of Environment and Forests has examined the application. It is noted proposal is for the expansion of Integrated Steel Plant (Sponge Iron (10,50,000 TPA); Pig Iron (10,60,000 TPA), Pellet Plant (6,00,000 TPA); Steel Melting Shop (10,50,000 TPA); Captive Power Plant (85 MW), Coal Washery (15,00,000 TPA) and Coke Oven Battery (6,00,000 TPA) at Village Marakuta, District Jharsuguda, Orissa by M/s MSP Metallica Ltd. Sponge iron plant already exists and is commissioned in April, 2009 after getting 'Consent to Establish' & 'Consent to Operate' from Orissa Pollution Control Board. Total land requirement is 500 acres. 150 acre land is under possession, 100 acres under acquisition and have applied to the Govt. of Orissa for 250 acre land on 1st July, 2008. Total cost of the project is Rs. 1,500.00 Crores. Following are the details of existing and proposed facilities:

S. N.	Shops/Units	Annual capacity Phase-wise (MTPA)			Total Capacity (MTPA)
		Phase-I (Existing)	Phase-II	Phase-III	
1	DRI kiln	1,20,000 (4x100 TPD)	2,64,000 (4x175 TPD)	6,64,000 (4x550 TPD)	10,50,000
2	Mini Blast Furnace	1,88,000 (1x215 m ³)	2,50,000 (1x300 m ³)	6,22,000 (2x380 m ³)	10,60,000

3	Captive Power Plant WHRB CFBC	- -	10 MW (4x2.5 MW) 25 MW (1x100 TPH)	50 MW (4x2.5 MW+4x10 MW) -	85 MW
4	Steel Melting shop Induction Furnace (Ph. I) Induction Furnace (Ph. II) Arc Furnace with LD Converter (Ph-III)	 48,000 (1x15 MT) -	 - 2,15,400 (2x80 MT) -	 - - 7,86,600 (3x18 MT+1x20 MT)	10,50,000
5	Coal washery	-	7,00,000	8,00,000	15,00,000
6	Sinter Plant	-	4,60,000 (40 sq. mt)	-	4,60,000
7	Pellet Plant	-	6,00,000	-	6,00,000
8	Coke oven battery (Non-recovery type)	-	-	6,00,000 (5 modulesx0.12 MT)	6,00,000

3.0 The steel manufacturing process will be via Direct Reduction (DR)- Mini Blast Furnace - Induction Furnace - Continuous Casting Machine (CCM) route alongwith iron ore pelletisation plant, coke oven plant and coal washery.

4.0 Electrostatic precipitator (ESP), gas cleaning plant, bag filters, cyclones, fume extraction system, dust extraction system, dust suppression system will be provided to control gaseous and fugitive emissions. Total water requirement from IB River will be 10,271 m³/day. Ground water will also be used as per the clearance granted by the Central Ground Water Authority (CGWA) vide letter no. 21-4 (51)/SER/CGWA/07-262 dated 7th May, 2007. No effluent will be generated due to use of closed circuit cooling system. Cooling tower blow down, treated acidic and alkaline effluents from Chemical Water Treatment Plant, water from ash dyke etc. will be recycled / reused for ash handling, dust suppression and green belt development. 'Zero' discharge will be adopted and no effluent will be discharged outside the plant boundary. BF slag will be sold to cement plants. Char will be used in FBC boiler. ESP dust, bag filter dust, kiln accretions, wet scrapper dust, slag from IF, EAF and LRF will be used in environment-friendly manner. The coal char, coal fines and middling from the coal washery will be used in Fluidized Bed Boiler for generation of power. Fly Ash and BF slag after granulation will be used for brick/cement manufacturing.

5.0 Public Hearing / Public Consultation meeting was held on 7th November, 2008. 'Consent to Establish' and 'Consent to Operate' for the existing plant DRI kiln (4x100 TPD, 1,20,000 TPA) and Mini Blast Furnace (1x215 m³, 1,88,000 TPA) is accorded by the Orissa Pollution Control Board.

6.0 The Ministry of Environment and Forests hereby accords environmental clearance to the above project under the provisions of EIA Notification dated 14th September, 2006 subject to compliance of the following specific and general conditions:

A. SPECIFIC CONDITIONS :

- i) Efforts shall be made to reduce RSPM levels in the ambient air and a time bound action plan shall be submitted. On-line ambient air quality monitoring and continuous stack monitoring facilities for all the stacks and sufficient air pollution control devices

shall be provided to keep the emission levels below 100 mg/Nm³. At no time, the emission level shall go beyond the prescribed standards. Interlocking facilities shall be provided so that process can be automatically stopped in case emission level exceeds the limit.

- ii) Hot gases from DRI kiln shall be passed through Dust Settling Chamber (DSC) to remove coarse solids and After Burning Chamber (ABC) to burn CO completely and used in waste heat recovery boiler (WHRB). The gas then shall be cleaned in ESP before leaving out into the atmosphere through ID fan and stack. Electrostatic precipitator (ESP) shall be provided to DRI plant, WHRB and FBB boilers to control air emissions within 100 mg/Nm³.
- iii) Gas cleaning plant comprising of bag filters and cyclones shall be provided to blast furnace (BF). Fume extraction system with bag filters shall be provided to induction furnace and ladle refining furnace to control fugitive emissions. Dust extraction system alongwith ESP and multi-cyclones shall be provided to pellet plant. ESP and bag filters shall be provided to sinter plant. Fume extraction system followed by a stack shall be provided to continuous casting machine. Bag filters and dust suppression system shall be provided at coal crushing and handling areas.
- iv) In-plant control measures for checking fugitive emissions from all the vulnerable sources shall be provided. Fugitive dust emission from raw material and product handling section shall be controlled by dust extraction systems with bag filters or by water sprinkling. Dust extraction system with bag filters shall be provided at all the material transfer points. Dust suppression system with water sprinklers shall be provided at raw material stock piles and loading/unloading points. Fume extraction system followed by a stack shall be provided at continuous casting machine. Dust extraction system shall be provided at cooling discharge house, product separation unit. Water sprinkling system and dust extraction system shall be provided at raw material sizing and handling areas. All conveyors shall be completely covered by GI sheets. Bag filters and dust suppression system shall be provided at coal crushing and handling areas.
- v) All the standards prescribed for the coke oven plants shall be followed as per the latest guidelines. Proper and full utilization of coke oven gases in power plant using waste heat recovery steam generators shall be ensured and no flue gases shall be discharged into the air.
- vi) Gaseous emission levels including secondary fugitive emissions from blast furnace and sinter plant shall be controlled within the latest permissible limits issued by the Ministry and regularly monitored. Guidelines / Code of Practice issued by the CPCB shall be followed. The emission standards issued by the Ministry in May, 2008 for the sponge plants shall be followed.
- vii) Vehicular pollution due to transportation of raw material and finished product shall be controlled. Proper arrangements should also be made to control dust emissions during loading and unloading of the raw material and finished product.
- viii) As proposed, total water requirement from IB River shall not exceed 10,271 m³/day. Ground water requirement shall not exceed the limit permitted by the CGWA vide letter no. 21-4 (51)/SER/CGWA/07-262 dated 7th May, 2007. Closed-circuit recirculation system shall be installed to reduce fresh water consumption and no wastewater generation. Water from ash dyke shall be decanted and collected in the

reservoir and recirculated / reused for ash handling and coal dust suppression in coal yard. Acidic and alkaline effluent from DM water plant shall be neutralized and reused in the plant. Cooling tower blow down shall be reused for dust suppression. BF-GCP and coal washery water shall be treated in thickener and reused in the process. Oil and grease shall be removed from wastewater by means of oil traps and skimming devices. All the wastewater from process and domestic sources shall be treated and recycled and reused in the process or for dust suppression, green belt development and various other activities at the site. No wastewater shall be discharged outside the premises and 'zero' effluent discharge shall be ensured. Domestic effluent will be treated in septic tank followed by soak pit and used for green belt development.

- ix) Prior permission for the drawl of 10,271 m³/day water from IB River from the concerned department shall be obtained.
- x) The water consumption should not exceed 16 m³/Ton of Steel as per prescribed standard.
- xi) Ground water monitoring around the solid waste disposal site / secured landfill (SLF) shall be carried out regularly and report submitted to the Ministry's Regional Office at Bhubaneswar, CPCB and OPCB.
- xii) DRI & iron ore fines, coke breeze, sinter dust, GCP dust, SMS dust, shall be used in sinter plant. All the other solid wastes including broken refractory mass shall be properly disposed off in environment-friendly manner. Sludge from sewage treatment plant (STP) shall be used as compost. Oily waste shall be provided to authorized recyclers/reprocessors.
- xiii) AFBC plant shall be installed in Phase II before installation of sponge iron plant during expansion so that utilization of char in the from the existing as well as proposed sponge iron plant in AFBC boiler is ensured. All the char from DRI plant, coal fines, middlings and rejects from the coal washery shall be utilized in AFBC boiler of power plant and no char shall be disposed off anywhere else. All the blast furnace (BF) slag shall be granulated and provided to cement manufacturers for further utilization. Dust from ESP, bag filter, wet scrapper, kiln accretions, slag from IF, EAF, LRF and SMS shall be properly utilized or disposed off in environment-friendly manner.
- xiv) All the slag shall be used for road making or filling low lying area only after passing through Toxic Chemical Leachability Potential (TCLP) test. Otherwise, slag and output waste shall be disposed in secured landfill as per CPCB guidelines.
- xv) Proper handling, storage, utilization and disposal of all the solid waste shall be ensured and regular report regarding toxic metal content in the waste material and its composition, end use of solid/hazardous waste shall be submitted to the Ministry's Regional Office at Bhubaneswar, CPCB and OPCB.
- xvi) A time bound action plan shall be submitted to reduce solid waste, its proper utilization and disposal.
- xvii) Proper utilization of fly ash shall be ensured as per Fly Ash Notification, 1999 and subsequent amendment in 2003. All the fly ash shall be provided to cement and brick

manufacturers for further utilization and 'Memorandum of Understanding' shall be submitted to the Ministry's Regional Office at Bhubaneswar.

- xviii) As proposed, green belt shall be developed in 165 acres (33 %) out of total 500 acres land in and around the plant as per the CPCB guidelines in consultation with DFO.
- xix) All the recommendations made in the Charter on Corporate Responsibility for Environment Protection (CREP) for the Steel Sector shall be implemented.
- xx) All the commitments made to the public during the Public Hearing / Public Consultation meeting held on 7th November, 2008 shall be satisfactorily implemented.
- xxi) The company shall provide housing for construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.

B. GENERAL CONDITIONS:

- i. The project authorities must strictly adhere to the stipulations made by the Orissa Pollution Control Board (OPCB) and the State Government.
- ii. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment and Forests.
- iii. The gaseous emissions from various process units shall conform to the load/mass based standards notified by this Ministry on 19th May, 1993 and standards prescribed from time to time. The Orissa Pollution Control Board (OPCB) may specify more stringent standards for the relevant parameters keeping in view the nature of the industry and its size and location.
- iv. At least four ambient air quality monitoring stations shall be established in the downward direction as well as where maximum ground level concentration of SPM, SO₂ and NO_x are anticipated in consultation with the OPCB. Data on ambient air quality and stack emission shall be regularly submitted to this Ministry including its Regional Office at Bhubaneswar and OPCB, CPCB once in six months.
- v. In-plant control measures for checking fugitive emissions from all the vulnerable sources shall be provided. Further, specific measures like water sprinkling around the coal stockpiles and asphaltting or concreting of the roads shall be done to control fugitive emissions.
- vi. Industrial wastewater 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. The treated wastewater shall be utilized for plantation purpose.
- vii. The overall noise levels in and around the plant area shall be kept well within the standards (85 dBA) by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise

- levels shall conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (day time) and 70 dBA (night time).
- viii. Occupational health surveillance of the workers shall be done on a regular basis and records maintained as per the Factories Act.
 - ix. The company shall develop rain water harvesting structures to harvest the rain water for utilization in the lean season besides recharging the ground water table.
 - x. The project proponent shall also comply with all the environmental protection measures and safeguards recommended in the EIA / EMP report. Further, the company must undertake socio-economic development activities in the surrounding villages like community development programmes, educational programmes, drinking water supply and health care etc. Suggestions made during the public hearing shall be implemented.
 - xi. As proposed, Rs. 12.89 Crores and Rs. 0.14 Crores shall be earmarked towards total capital cost and recurring cost/annum for environmental pollution control measures shall be judiciously utilized to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government. The funds so provided shall not be diverted for any other purpose.
 - xii. The Regional Office of this Ministry at Bhubaneswar / CPCB / OPCB shall monitor the stipulated conditions. A six monthly compliance report and the monitored data alongwith statistical interpretation shall be submitted to them regularly.
 - xiii. The Project Proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the OPCB and may also be seen at Website of the Ministry of Environment and Forests at <http://envfor.nic.in>. This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same shall be forwarded to the Regional office at Bhubaneswar.
 - xiv. Project authorities shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of commencing the land development work.
 - xv. A copy of clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad / Municipal Corporation, Urban Local Body and the local NGO, if any, from whom suggestions / representations, if any, were received while processing the proposal. The clearance letter shall also be put on the web site of the company by the proponent.
 - xvi. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the MOEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely: SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

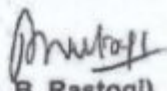
- xvii. The project proponent shall also submit six monthly reports on the status of the compliance of the stipulated environmental conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MOEF, the respective Zonal Office of CPCB and the SPCB.
- xviii. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company alongwith the status of compliance of environmental conditions and shall also be sent to the respective Regional Offices of the MOEF by e-mail.

7.0 The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.

8.0 The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.

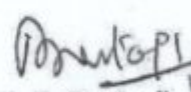
9.0 Any appeal against this environmental clearance shall lie with the National Environment Appellate Authority, if preferred within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Act, 1997.

10.0 The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous Wastes (Management and Handling) Rules, 2003 and the Public (Insurance) Liability Act, 1991 along with their amendments and rules.


(Dr. P. B. Rastogi)
Director

Copy to :-

1. The Secretary, Department of Environment, Govt. of Orissa, Bhubaneswar, Orissa.
2. Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi - 110 032.
3. Chairman, Orissa Pollution Control Board, Parivesh Bhavan, A/118, Nikanthanagar, Unit-8, Bhubaneswar - 751 012, Orissa.
4. The Chief Conservator of Forests (Eastern), Regional Office (EZ), A/3, Chandrasekharpur, Bhubaneswar - 751 023, Orissa.
5. Adviser (IA-II), Ministry of Environment and Forests, Paryavaran Bhavan, CGO Complex, New Delhi.
6. Monitoring Cell, Ministry of Environment and Forests, Paryavaran Bhavan, CGO Complex, New Delhi.
7. Monitoring Cell
8. Guard File.
9. Record File.


(Dr. P. B. Rastogi)
Director

TRUE COPY


ADVOCATE



सत्यमेव जयते

File No:J-11011/494/2007-IA.II(I)
Government of India
Ministry of Environment, Forest and Climate Change
IA Division



Dated 23/10/2023

To,

M/s. Orissa Metaliks Private Limited
GRASTIN PLACE, ORBIT 3RD FLOOR ROOM NO . 3B, KOLKATA, KOLKATA, WEST
BENGAL, NEAR BANSAL COURT, 700001
Email: orissametalikspvtltd@gmail.com

Subject:

Transfer of Environment Clearance titled "Expansion of integrated steel plant (Sponge Iron (10,50,000 TPA); Pig Iron (10,60,000 TPA); Pellet Plant (6,00,000 TPA); Steel Melting Shop (10,50,000 TPA); Captive Power Plant (85 MW); Coal Washery (15,00,000 TPA) and Coke oven Battery (6,00,000 TPA) at Village - Marakuta, District Jharsuguda, Odisha" from M/s. MSP Metaliks Limited to M/s. Orissa Metaliks Private Limited – regarding

Sir/Madam,

This is in reference to your application submitted to MoEF&CC vide proposal number IA/OR/IND1/442388/2023, dated 19/09/2023 requesting the Ministry to transfer the Environment Clearance accorded by MoEF&CC vide letter no. J-11011/494/2007-IA. II(I) dated 13/07/2009 from M/s. MSP Metaliks Limited to M/s. Orissa Metaliks Private Limited.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC23A1001OR5864822T
(ii) File No.	J-11011/494/2007-IA.II(I)
(iii) Clearance Type	Transfer of EC
(iv) Category	A
(v) Project/Activity Included Schedule No.	3(a) Metallurgical Industries (ferrous and non ferrous),4(b) Coke oven plants,2(a) Coal washeries,1(d) Thermal Power Plants,1(d) Thermal Power Plants
(vi) Sector	Industrial Projects - 1

(vii) Name of Project

Expansion of integrated steel plant (Sponge Iron (10,50,000 TPA); Pig Iron (10,60,000 TPA); Pellet Plant (6,00,000 TPA); Steel Melting Shop (10,50,000 TPA); Captive Power Plant (85 MW); Coal Washery (15,00,000 TPA) and Coke oven Battery (6,00,000 TPA) at Village - Marakuta, District Jharsuguda, Odisha by M/s MSP Metaliks Limited

(viii) Name of Company/Organization

M/s. Orissa Metaliks Private Limited

(ix) Location of Project (District, State)

JHARSUGUDA, ODISHA

(x) Issuing Authority

MoEF&CC

(xi) EC Date

13/07/2009

(xiii) Details of Transferee

M/s. Orissa Metaliks Private Limited., 1, GARSTIN PLACE, ORBIT HOUSE, 3RD FLOOR, ROOM NO. 3B KOLKATA, WEST BENGAL, INDIA, Kolkata, 315, 19, NEAR BANSAL COURT, 700001

(xiv) Details of Transferor

M/s MSP Metaliks Limited, 1, GARSTIN PLACE, ORBIT HOUSE, 3RD FLOOR, ROOM NO. 3B KOLKATA, WEST BENGAL, INDIA, Kolkata, 315, 19, 700001

3. The Ministry of Environment, Forest and Climate Change (MoEF&CC) has examined the request submitted by you and the following points are noted:

(i). Environment clearance (EC) to the project cited above was initially accorded by the Ministry vide letter no J-11011/494/2007-IA.II(1) dated 13/07/2009 in the name of M/s. MSP Metaliks Limited under the provisions of the EIA Notification, 2006 for integrated steel plant (Sponge Iron (10,50,000 TPA); Pig Iron (10,60,000 TPA); Pellet Plant (6,00,000 TPA); Steel Melting Shop (10,50,000 TPA); Captive Power Plant (85 MW); Coal Washery (15,00,000 TPA) and Coke oven Battery (6,00,000 TPA).

(ii). Further PP submitted that for change in configuration of plant an application was submitted to MOEFCC, New Delhi vide letter no. 21.09.2009 & in 4th Reconstituted Expert Appraisal Committee (Industry-1) MoEFCC, New Delhi meeting held on 26th & 27th October 2009 the project was considered on 27th October 2009 and after detail deliberation the project was recommended for change in plant configuration and capacity of plant. The sponge iron production capacity has reduced by 56,000 TPA and PP obtained the CTE as per the change in configuration.

(iii). According to the records made available by the project proponent obtained CTE vide order No 2517/Ind-II-NOC-5204 dated 20.02.2010 and CTO was obtained for partial implementation vide letter 925/III-CON(Operate)203 dated 21.04.2011 and Letter No 5772/IND-1-CON-5973 dated 31.03.2015 from SPCB, Odisha.

(iv). According to the records made available by the project proponent, the following are the facilities as per EC and its implementation status is given at **Annexure I**.

(v). Reasons for transfer of EC: M/s MSP Metaliks Limited has gone in 'Liquidation' & M/s Orissa Metaliks Private Limited (OMPL) has purchased/acquired the assets of MSP Metaliks Limited on "assets sale basis" under liquidation under the order (I.A No. 616/KB/2022, dated

11.07.2022) connected with CP (IB) No. 580/KB/2020 of the National Company Law Tribunal (NCLT) Kolkata bench, Kolkata after being a 'Successful Bidder' on relation to E-Auction held on 06.05.2022. Now, M/s Orissa Metaliks Private Limited (OMPL) is operating the plant under the name of M/s MSP Metaliks Limited after obtaining Consent to Operate from State Pollution Control Board, Odisha.

Post-acquisition, new management of the company started revamping work of the units and applied for renewal of consent to operate to OSPCB with requisite fees & OSPCB issued renewal of consent to operate in phased manner dated 17.08.2022, 07.01.2023 and renewed on 22.03.2023 (valid up to 31.03.2024) for operation of 8 x 100 TPD DRI, 24 MW (8 MW WHRB + 16 MW AFBC) Captive Power Plant, 2 x 30 T I.F. (SMS), 4,60,000 TPA Sinter Plant, 6,00,000 TPA Pellet Plant, and 2 X 4,000 Nm³/Hr Producer gas plant and dated 13.06.2023 for 1,88,000 TPA Blast furnace. Revamping work of, 7,00,000 TPA Coal Washery and 2, 40,000 TPA Coke oven Battery is in progress and application made to SPCB, Odisha for consent to operate is in progress.

(vi). Documents submitted for EC transfer

(a) Form No.7 for transfer of Environmental Clearance.

(b) NOC by way of affidavit in non-judicial stamp certificate dated 29/08/2023 from M/s. MSP Metaliks Limited.

(c) Undertaking by way of affidavit in non-judicial stamp certificate dated 29/08/2023 by M/s. Orissa Metaliks Private Limited that they will abide/obey all the conditions stipulated in the Environment Clearance by MoEF&CC vide letter no. vide F.No. 11011/494/2007-IA-II(I) dated 13.07.2009.

(d) NCLT Kolkata order dated 18/08/2023.

4. This Ministry hereby accepts your request for transfer the implemented facility of Environment Clearance accorded by MoEF&CC vide letter no. J-11011/494/2007-IA. II (I) dated 13/07/2009 as per Annexure I table, i.e. DRI kiln (2,40,000 TPA), Mini Blast Furnace (1,88,000 TPA), Captive Power plant (8 MW WHRB +16 MW AFBC), Steel Melting Shop(1,07,700 TPA), Coal washery (7,00,000 TPA), Sinter Plant (4,60,000 TPA), Pellet Plant(6,00,000 TPA) and Coke oven battery 2,40,000 TPA from M/s. MSP Metaliks Limited to M/s. Orissa Metaliks Private Limited, subject to satisfactory compliance to all the stipulated specific and general conditions.

5. You are hereby requested to obtain Consent to Operate in the name of to M/s. Orissa Metaliks Private Limited from State Pollution Control Board.

6. M/s. Orissa Metaliks Private Limited shall comply with the all specific and general conditions stipulated in the Environment Clearance letter of even no. dated 13/07/2009.

7. In case, there is a change in the scope of the project, fresh Environment Clearance shall be obtained.

8. This issues with the approval of the Competent Authority.

(Dr. R. B. Lal)

Scientist 'F'/ Director

Tel: 011-20819346

Email-rb.lal@nic.in

Copy To

1. The Principal Secretary, Department of Forest and Environment, Government of Odisha, Bhubaneswar, Odisha
2. Director General of Forest, Ministry of Environment, Forest and Climate Change, New Delhi
3. Principal Chief Conservator of Forests & HoFF, Aranya Bhawan, Chandrasekharpur, Bhubaneswar - 751 023, Odisha
4. The Regional Officer, Ministry of Environment, Forest And Climate Change, Integrated Regional Office, A/3, Chandrasekharpur, Bhubaneswar – 751023 ODISHA
5. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi – 32
6. The Member Secretary, Central Ground Water Authority, Jamnagar House, 18/11, Man Singh Road Area, New Delhi, Delhi 110001
7. The Member Secretary, Odisha State Pollution Control Board, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit - VIII, Bhubaneswar -12 Odisha.
8. Monitoring Cell, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi.
9. District Collector, Jharsuguda, Odisha.
10. M/s. MSP Metallics Limited -for information
11. Guard File/Monitoring File/ Parivesh Portal /Record File.

Additional EC Conditions

1. This EC Transfer is granted subject to final outcome of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, if any, as may be applicable to this project.
2. This EC Transfer granted to the project/ activity is strictly under the provisions of the EIA Notification, 2006 and its amendments issued from time to time. It does not tantamount/ construe to approvals/ consent/ permissions etc., required to be obtained or standards/conditions to be followed under any other Acts/Rules/Subordinate legislations, etc., as may be applicable to the project.

Annexure I

facilities as per EC and its implementation status

S No	Facilities/ Activities	Unit Configuration In EC dated 13/07/2009	Implementation status as per CTO
1	DRI kiln	(4x100) +(4x175) + (4x550) Rotary Kilns Total capacity 10,50,000 TPA	8x100 TPD, Implemented capacity 2,40,000 TPA
2	Mini Blast Furnace	(1x215 m ³) +(1x300 m ³)+(2x380 m ³) Total capacity 10,60,000	1x215 m ³ , Implemented capacity 1,88,000 TPA
3	Captive Power plant WHRB+CFBC	(4x2.5+25+50) 85 MW	8 MW WHRB +16 MW AFBC Implemented capacity 24 MW
4	Steel Melting shop	IF ((1x15 MT) + (2x60 MT))+SAF with LD (3x18MT+1x20MT) Total capacity 10,50,000 TPA	IF (2 x 30 T) Implemented capacity 1,07,700 TPA
5	Coal washery	(7,00,000+8,00,000) Total capacity 15,00,000	Implemented capacity 7,00,000 TPA
6	Sinter Plant	4,60,000 TPA	Implemented capacity 4,60,000 TPA
7	Pellet Plant	6,00,000 TPA	Implemented capacity 6,00,000 TPA
8	Coke oven battery (Non-recovery type)	6,00,000 TPA 5x0.12 MT)	Implemented capacity 2,40,000 TPA

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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

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पर्यावरण एवं वन मंत्रालय

अधिसूचना

नई दिल्ली, 14 सितम्बर, 1999

का.आ. 763(अ).— पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) द्वारा यथाअपेक्षित एक प्रारूप अधिसूचना जिसमें कतिपय निदेश अंतर्विष्ट हैं, भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 453(अ), तारीख 22 मई, 1998 द्वारा प्रकाशित किए गए थे जिसमें उन व्यक्तियों से, जिनके उससे प्रभावित होने की संभावना थी, आक्षेप और सुझाव उस तारीख से जिसको उक्त अधिसूचना की राजपत्रित प्रतियां जनता को उपलब्ध करा दी जाती हैं, साठ दिन की अवधि की समाप्ति के पूर्व, आमंत्रित किए गए थे ;

और उक्त राजपत्र की प्रतियां जनता को उसी तारीख को उपलब्ध करा दी गई थी ;

और उक्त प्रारूप अधिसूचना की बाबत जनता से प्राप्त आक्षेपों और सुझावों पर केन्द्रीय सरकार द्वारा सम्यक् रूप से विचार कर लिया गया है ;

और पर्यावरण का संरक्षण, उपरिमृदा संरक्षण और भूमि पर कोयला या लिग्नाइट आधारित तापीय विद्युत संयंत्रों से निस्सारित फ्लाई एश का संनिक्षेपण और व्ययन करने का निवारण करना आवश्यक है ;

और ईंटों के विनिर्माण के लिए उपरिमृदा के उत्खनन को निर्बंधित करने की तथा कोयला या लिग्नाइट आधारित तापीय विद्युत संयंत्रों से पचास किलोमीटर के विनिर्दिष्ट व्यास के भीतर भवन निर्माण सामग्री के विनिर्माण में और सन्निर्माण क्रिया कलापों में फ्लाई एश के उपयोग को सम्भवतः करने की आवश्यकता है ;

और माननीय दिल्ली उच्च न्यायालय ने सेंटर फार पब्लिक इन्ट्रेस्ट लिटिगेशन दिल्ली बनाम युनियन आफ इन्डिया की सिविल रिट याचिका संख्यांक 2145/99 में अपने 25 अगस्त, 1999 के आदेश द्वारा केन्द्रीय सरकार को फ्लाई एश की बाबत अन्तिम अधिसूचना 26 अक्टूबर, 1999 को या उससे पूर्व प्रकाशित करने का निदेश दिया है ;

अतः, अब, केन्द्रीय सरकार पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (2) के खंड (v) के साथ पठित उसकी उपधारा (1) और धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तथा माननीय दिल्ली उच्च न्यायालय के उपरिक्थित आदेशों के अनुसरण में निम्नलिखित निर्देश जारी करती है जो इस अधिसूचना के प्रकाशन की तारीख को प्रवृत्त होंगे, अर्थात् :-

1. ईटों के विनिर्माण और अन्य सन्निर्माण क्रिया कलापों के फ्लाई एश, बोटम एश या पॉड एश का उपयोग :-

- (1) कोई व्यक्ति, कोयला या लिग्नाइट आधारित तापीय विद्युत संयंत्रों से पचास किलोमीटर के व्यास के भीतर सन्निर्माण क्रिया कलापों में उपयोग के लिए मृदा में भार दर भार के आधार पर (फ्लाई एश, बोटम एश या पॉड एश) के कम-से-कम पच्चीस प्रतिशत मिश्रण के बिना मिट्टी, ईटों या टाइलों या ब्लोकों का विनिर्माण नहीं करेगा।
- (2) ऊपर पैरा (1) के अनुसार एश की विनिर्दिष्ट मात्रा के उपयोग को सुनिश्चित करने के लिए, यथास्थिति सम्बद्ध राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति का क्षेत्रीय अधिकारी प्राधिकारी होगा। इसका अनुपालन न किए जाने की दशा में उक्त प्राधिकारी ईट भट्टा की स्थापना के लिए जारी अनुमति आदेश को रद्द करने के अतिरिक्त उक्त खनन पट्टा रद्द किए जाने के लिए जिला प्रशासन से अनुरोध करेगा। उक्त खनन पट्टा रद्द करने का विनिश्चय सम्यक् सुनवाई के पश्चात् किया जाएगा। उक्त प्राधिकारी को वास्तविक एश के उपयोग का सत्यापन करने हेतु समर्थ बनाने के लिए तापीय विद्युत संयंत्र प्रत्येक ईट भट्टे को उपलब्ध कराई गई एश का मासिक अभिलेख बनाए रखेगा।
- (3) उक्त विद्युत संयंत्र द्वारा यथा प्रमाणित पर्याप्त मात्रा में तापीय विद्युत संयंत्र से एश की अनुपलब्धता की दशा में सम्बद्ध राज्य/संघ राज्यक्षेत्र की सरकार ऊपर पैरा (1) के अधीन अनुबंध को समुचित रूप से उपान्तरित (त्यज/शिथिल) करेगा।
- (4) प्रत्येक कोयला या लिग्नाइट आधारित तापीय विद्युत संयंत्र एक विवाद निपटारा समिति का गठन करेगा जिसमें तापीय विद्युत संयंत्र का महाप्रबंधक और अखिल भारतीय ईट और टाइल विनिर्माण संघ का प्रतिनिधि होगा। ऐसी समिति बिना कोई समय गंवाए एश की अबाध लदाई और परिवहन सुनिश्चित करेगी। किसी अनसुलझे विवाद की बाबत कार्रवाई राज्य/संघ राज्यक्षेत्र की सरकार द्वारा स्थापित की जाने वाली किसी राज्य/संघ राज्यक्षेत्र स्तर की समिति द्वारा की जाएगी, जिसमें राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समिति के सदस्य सचिव, राज्य/संघ राज्यक्षेत्र सरकार के विद्युत मंत्रालय के प्रतिनिधि और अखिल भारतीय ईट तथा टाइल विनिर्माण संघ के प्रतिनिधि होंगे।

2. तापीय विद्युत संयंत्र द्वारा एश का उपयोग -

सभी कोयला या लिग्नाइट आधारित तापीय विद्युत संयंत्र नीचे दिए गए विद्युत संयंत्रों में उत्पादित एश का उपयोग करेंगे, अर्थात् :-

- (1) प्रत्येक कोयला या लिग्नाइट आधारित तापीय विद्युत संयंत्र, इस अधिसूचना के प्रकाशन की तारीख से कम-से-कम दस वर्ष के लिए एश आधारित भवन सामग्री जैसे सीमेंट, कंक्रीट, ब्लाक, ईटें, पैनल या किसी अन्य सामग्री के विनिर्माण के प्रयोजनों के लिए या सड़कों, तटबंधों, बांधों, नहरों के सन्निर्माण के लिए या किसी अन्य सन्निर्माण क्रियाकलापों के लिए बिना किसी संदाय या किसी अन्य प्रतिफल के एश उपलब्ध कराएगा।
- (2) प्रत्येक कोयला या लिग्नाइट आधारित तापीय विद्युत संयंत्र जिसे ऐसी पर्यावरणीय अनापत्ति शर्तों के अधीन आरंभ किया गया है, जिसमें संपूर्ण फ्लाई एश का उपयोग करने के लिए कार्य योजना अनुबद्ध की गई हो, इस अधिसूचना के प्रकाशन से नौ वर्ष की अवधि के भीतर योजना के अनुसार भूमि पर फ्लाई एश के सन्निक्षेपण और ध्वजन को बंद कर देगा। ऐसी कार्य योजना में विद्युत संयंत्र में उत्पादित सम्पूर्ण एश का नवें वर्ष की समाप्ति तक उपयोग करने में समर्थ बनाने के लिए इस अधिसूचना के प्रकाशन से तीन वर्ष के भीतर तीस प्रतिशत फ्लाई एश के उपयोग के साथ आगामी छह वर्षों में उपयोग में उत्तरोत्तर प्रति वर्ष कम-से-कम दस प्रतिशत की और वृद्धि की व्यवस्था होगी। इस संबंध में पांच वर्ष के पश्चात् प्रगति का पुनरावलोकन किया जाएगा।

- (3) ऊपर पैरा (2) के अंतर्गत न आने वाले प्रत्येक कोयला या लिग्नाइट आधारित तापीय विद्युत संयंत्र, इस अधिसूचना के प्रकाशन की तारीख से पन्द्रह वर्ष की अवधि के भीतर, विद्युत संयंत्रों द्वारा तैयार की जाने वाली कार्य योजना के अनुसार फ्लाई एश के उपयोग को बंद कर देंगे। ऐसी कार्य योजना में विद्युत संयंत्र में उत्पादित संपूर्ण फ्लाई एश का उपयोग करने में समर्थ बनाने के लिए, इस अधिसूचना के प्रकाशन की तारीख से तीन वर्ष के भीतर फ्लाई एश के बीस प्रतिशत के उपयोग के साथ आगामी बारह वर्षों के लिए उत्तरोत्तर प्रति वर्ष उपयोग में वृद्धि की व्यवस्था होगी।
- (4) इस अधिसूचना के पैरा 2 के उपपैरा (2) और (3) के अधीन कोयला या लिग्नाइट आधारित तापीय विद्युत संयंत्र द्वारा तैयार की गई सभी कार्य योजनाएं, इस अधिसूचना के प्रकाशन की तारीख से छह मास की अवधि के भीतर केन्द्रीय प्रदूषण नियंत्रण बोर्ड, संबद्ध राज्य प्रदूषण नियंत्रण बोर्ड/समिति तथा पर्यावरण और वन मंत्रालय के संबद्ध क्षेत्रीय कार्यालय को भेजी जाएंगी।
- (5) केन्द्रीय और राज्य सरकार अभिकरण, राज्य विद्युत बोर्ड, नेशनल धर्मल पावर कार्पोरेशन और तापीय विद्युत संयंत्रों के प्रबंधक, उत्पादन क्रियाकलापों के प्रयोजनों के लिए भूमि, विद्युत और जल की व्यवस्था करेंगे और उस क्षेत्र के समीप जहां विद्युत संयंत्र में फ्लाई एश का उत्पादन होता है, एश आधारित उत्पादन एककों की स्थापना और संवर्धन करने के लिए एश उत्पादन क्षेत्र तक पहुंचने की व्यवस्था करेंगे।
- (6) कोयला या लिग्नाइट आधारित तापीय विद्युत संयंत्रों द्वारा इस अधिसूचना के उपबंधों की अनुपालना के बारे में जानकारी देने वाली क्रियान्वयन रिपोर्ट केन्द्रीय प्रदूषण नियंत्रण बोर्ड, संबद्ध राज्य प्रदूषण नियंत्रण बोर्ड/समिति तथा पर्यावरण और वन मंत्रालय के संबद्ध क्षेत्रीय कार्यालय को प्रति वर्ष 30 अप्रैल तक भेजी जाएगी।

3. एश आधारित उत्पादों के उपयोग के लिए विनिर्देश-

- (1) एश आधारित उत्पादों जैसे सीमेंट, कंक्रीट, ब्लॉक, ईंटों, पैनल या किसी अन्य सामग्री का विनिर्माण या सन्निर्माण क्रियाकलापों जैसे सड़कें बिछाना, तटबंधों में एश का उपयोग या ढलाऊँ क्षेत्रों को उपयोगी बनाने के लिए भूमिभरण के रूप में उपयोग जिसके अंतर्गत खाली पड़ी खानों या गडबों की पृष्ठभूमि भरना भी है या कोई अन्य उपयोग भारतीय मानक ब्यूरो, भारतीय खान ब्यूरो, भारतीय सड़क कांग्रेस, केन्द्रीय भवन अनुसंधान संस्थान, रूड़की, केन्द्रीय सड़क अनुसंधान संस्थान, नई दिल्ली, भवन सामग्री और प्रौद्योगिकी संवर्धन परिषद्, नई दिल्ली, केन्द्रीय लोक निर्माण विभाग, राज्य लोक निर्माण विभाग और अन्य केन्द्रीय तथा राज्य अभिकरणों द्वारा अधिकथित विनिर्देशों और मार्गदर्शक सिद्धांतों के अनुसार किया जाएगा।
- (2) केन्द्रीय लोक निर्माण विभाग, राज्य/संघ राज्यक्षेत्रों की सरकारों के लोक निर्माण विभाग, विकास प्राधिकरण, आवासन बोर्ड, भारतीय राजमार्ग प्राधिकरण और अन्य सन्निर्माण अभिकरण, जिसके अंतर्गत वे भी हैं जो प्राइवेट सेक्टर में हैं, इस अधिसूचना के प्रकाशन की तारीख से चार मास की अवधि के भीतर अपने-अपने विनिर्देशों और सन्निर्माण उपयोजनाओं की अनुसूचियों में, जिसके अंतर्गत समुचित मानक और आधार सहित है, एश और एश आधारित उत्पादों का उपयोग विहित करेंगे।
- (3) सभी स्थानीय प्राधिकरण, इस अधिसूचना के प्रकाशन की तारीख से चार मास की अवधि के भीतर अपनी-अपनी भवन उपविधियों और विनियमों में, भवन सामग्री, सड़कों, तटबंधों में या किसी अन्य उपयोग के लिए एश और एश आधारित उत्पादों का उपयोग और सन्निर्माण तकनीकें विहित करेंगे।

[फा०सं० 16-2/95-एच एस एम डी]

वी. राजगोपालन, संयुक्त सचिव

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 14th September, 1999

S.O. 763(E).— Whereas a draft notification containing certain directions was published, as required by sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 under the notification of the Government of India in the Ministry of Environment and Forests number S.O. 453(E) dated 22nd May, 1998 inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette of India containing the said notification are made available to the public;

And, whereas, copies of the said Gazette were made available to the public on the same date;

And, whereas, the objections and suggestions received from the public in respect of the said draft notification have been duly considered by the Central Government;

Whereas it is necessary to protect the environment, conserve top soil and prevent the dumping and disposal of fly ash discharged from coal or lignite based thermal power plants on land;

And, whereas, there is a need for restricting the excavation of top soil for manufacture of bricks and promoting the utilisation of fly ash in the manufacture of building materials and in construction activity within a specified radius of fifty kilometers from coal or lignite based thermal power plants;

And, Whereas, the Hon'ble High Court of Judicature, Delhi vide its order dated 25th August, 1999 in CWP No. 2145/99 Centre for Public Interest Litigation, Delhi v/s Union of India directed that the Central Government to publish the final notification in respect of fly ash on or before 26th October, 1999;

Now, therefore, in exercise of the powers conferred by sub-section (1), read with clause (v) of sub-section (2) of section 3 and section 5 of the Environment (Protection) Act, 1986 (29 of 1986); and in pursuance of the orders of the Hon'ble High Court, Delhi stated above, the Central Government hereby issues the following directions which shall come into force on the date of the publication of this notification, namely:-

1. Use of fly ash, bottom ash or pond ash in the manufacture of bricks and other construction activities.-

- (1) No person shall within a radius of fifty kilometers from coal or lignite based thermal power plants, manufacture clay bricks or tiles or blocks for use in construction activities without mixing atleast 25 per cent of ash (fly ash, bottom ash or pond ash) with soil on weight to weight basis.
- (2) The authority for ensuring the use of specified quantity of ash as per para (1) above shall be the concerned Regional Officer of the State Pollution Control Board or the Pollution Control Committee as the case may be. In case of non-compliance, the said authority, in addition to cancellation of consent order issued to establish the brick kiln, shall move the district administration for cancellation of mining lease. The cancellation of mining lease shall be decided after due hearing. To enable the said authority to verify the actual use of ash, the thermal power plant shall maintain month-wise records of ash made available to each brick kiln.
- (3) In case of non-availability of ash from thermal power plant in sufficient quantities as certified by the said power plant, the stipulation under para (1) shall be suitably modified (waived/relaxed) by the concerned State/Union Territory Government.
- (4) Each coal or lignite based thermal power plant shall constitute a dispute settlement committee which shall include the General Manager of the thermal power plant and a representative of All India Brick and Tile Manufacture's Federation (AIBTMF). Such a committee shall ensure unhindered loading and transport of ash without any undue loss of time. Any unresolved dispute shall be dealt with by a State/Union Territory level committee to be set up by State/Union Territory Government comprising Member Secretary of the State Pollution Control Board/Pollution Control Committee, representatives of Ministry of Power in the State/Union Territory Government and a representative of AIBTMF.

2. Utilisation of ash by Thermal Power Plants.-

All coal or lignite based thermal power plants

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shall utilise the ash generated in the power plants as follows:-

- (1) Every coal or lignite based thermal power plant shall make available ash, for at least ten years from the date of publication of this notification, without any payment or any other consideration, for the purpose of manufacturing ash-based products such as cement, concrete blocks, bricks, panels or any other material or for construction of roads, embankments, dams, dykes or for any other construction activity.
- (2) Every coal or lignite based thermal power plant commissioned subject to environmental clearance conditions stipulating the submission of an action plan for full utilisation of fly ash shall, within a period of nine years from the publication of this notification, phase out the dumping and disposal of fly ash on land in accordance with the plan. Such an action plan shall provide for thirty per cent of the fly ash utilisation, within three years from the publication of this notification with further increase in utilisation by at least ten per cent points every year progressively for the next six years to enable utilisation of the entire fly ash generated in the power plant atleast by the end of ninth year. Progress in this regard shall be reviewed after five years.
- (3) Every coal or lignite based thermal power plant not covered by para (2) above shall, within a period of fifteen years from the date of publication of this notification, phase out the utilisation of fly ash in accordance with an action plan to be drawn up by the power plants. Such action plan shall provide for twenty per cent of fly ash utilisation within three years from the date of publication of this notification, with further increase in utilisation every year progressively for the next twelve years to enable utilisation of the entire fly ash generated in the power plant.
- (4) All action plans prepared by coal or lignite based thermal power plants in accordance with sub-para (2) and (3) of para 2 of this notification, shall be submitted to the Central Pollution Control Board, concerned State Pollution Control Board/Committee and concerned regional office of the Ministry of Environment and Forests within a period of six months from the date of publication of this notification.
- (5) The Central and State Government Agencies, the State Electricity Boards, the National Thermal Power Corporation and the management of the

thermal power plants shall facilitate in making available land, electricity and water for manufacturing activities and provide access to the ash lifting area for promoting and setting up of ash-based production units in the proximity of the area where ash is generated by the power plant.

- (6) Annual implementation report providing information about the compliance of provisions in this notification shall be submitted by the 30th day of April every year to the Central Pollution Control Board, concerned State Pollution Control Board/Committee and the concerned Regional Office of the Ministry of Environment and Forests by the coal or lignite based thermal power plants.

3. Specifications for use of ash-based products.-

- (1) Manufacture of ash-based products such as cement, concrete blocks, bricks, panels or any other material or the use of ash in construction activity such as in road laying, embankments or use as landfill to reclaim low lying areas including back filling in abandoned mines or pitheads or for any other use shall be carried out in accordance with specifications and guidelines laid down by the Bureau of Indian Standards, Indian Bureau of Mines, Indian Road Congress, Central Building Research Institute, Roorkee, Central Road Research Institute, New Delhi, Building Materials and Technology Promotion Council, New Delhi, Central Public Works Department, State Public Works Departments and other Central and State Government agencies.
- (2) The Central Public Works Department, Public Works Departments in the State/Union Territory Governments, Development Authorities, Housing Boards, National Highway Authority of India and other construction agencies including those in the private sector shall also prescribe the use of ash and ash-based products in their respective schedules of specifications and construction applications, including appropriate standards and codes of practice, within a period of four months from the publication of this notification.

- (3) All local authorities shall specify in their respective building bye-laws and regulations the use of ash and ash-based products and construction techniques in building materials, roads, embankments or for any other use within a period of four months from the date of publication of this notification.

[F. No. 16-2/95-HSMD]

V. RAJAGOPALAN, Jt. Secy.

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New De1hi, the 27th August 2003.

S.O. 979 (E):- Whereas a draft of certain amendments to the Government of India in the Ministry of Environment and Forests notification number S.O.763 (E) dated 14th September, 1999 (hereinafter referred to as the said notification) which the Central Government proposes to make under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) dated the 6th November, 2002 *vide* S.O. 1164 (E), dated the 5th November, 2002 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of sixty days from the date on which copies of the Gazette containing the said draft amendments were made available to the public.

And, whereas copies of the said Gazette were made available to the public on 27th November 2002;

And, whereas all the objections and suggestions received from all persons likely to be affected thereby in respect of the said draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments to the said notification, namely: -

AMENDMENTS

1. In the said notification, in the preamble, for the words "fifty kilometers", the words "one hundred kilometres" shall be substituted.
2. In the said notification, in paragraph 1, -
 - (a) in sub-paragraph (1), for the words "fifty kilometers", the words "one hundred kilometres" shall be substituted;
 - (b) after sub-paragraph (1), the following sub- paragraphs shall be inserted, namely: -

"(1A) Every construction agency engaged in the construction of buildings within a radius of fifty to one hundred kilometres from a coal or lignite based thermal power plant shall use fly ash bricks or blocks or tiles or clay fly ash bricks or cement fly ash bricks or blocks or similar products or a combination or aggregate of them in such construction as per the following minimum percentage (by volume) of the total bricks, blocks and tiles, as the case may be, used in each construction project, namely:-

- (i) 25 per cent by 31st August 2004;
- (ii) 50 per cent by 31st August 2005;
- (iii) 75 per cent by 31st August, 2006; and
- (iv) 100 per cent by 31st August 2007.

In respect of construction of buildings within a radius of 50 kilometres from a coal or lignite based thermal power plant the following minimum per centage (by volume) of use of bricks, blocks and tiles shall apply: -

- (i) 50 per cent by 31st August 2004;
- (ii) 100 per cent by 31st August 2005.

(1B) The provisions of sub-paragraph (1A) shall be applicable to all construction agencies such as Housing Boards and those in the private sector builders of apartments, hotels, resorts and cottages and the like. It shall be the responsibility of the construction agencies either undertaking the construction or approving the design or both to ensure compliance of the provisions of sub-paragraph (1A) and to submit such returns as may be called for and compliance reports to the State Government or Union territory Administration";

- (c) for sub-paragraph (2), the following sub-paragraphs shall be substituted, namely: -

" (2) The authority for ensuring the use of specified quantity of ash as per sub-paragraph (1) shall be the concerned Regional Officer of the State Pollution Control Board or the Pollution Control Committee, as the case may be.

(2A) The concerned State Government shall be the enforcing and monitoring authority for ensuring compliance of the provisions of sub-paragraph (1A).";

(d) in sub-paragraph (3), for the words, brackets and figure "under para (1)" the words, brackets and figure "under sub-paragraph (1)" shall be substituted;

(e) after sub-paragraph (3), the following sub-paragraphs shall be inserted, namely: -

"(3A) A decision on the application for manufacture of fly ash bricks, block, and tiles and similar other fly ash based products shall be taken within thirty days from the date of receipt of the application by the competent authority. A decision on consent to establish the brick kiln shall be taken by the Pollution Control Board or the Pollution Control Committee, as the case may be, within a period of thirty days from the date of receipt of application by it.

(3B) In case of non-compliance of the provisions of sub-paragraph (1) of paragraph 1, the competent authority, in addition to cancellation of consent order issued to establish the brick kiln, shall move the district administration for cancellation of the mining lease.

(3C) All authorities sanctioning or renewing any land, soil or clay mining lease shall not grant such lease or extension of lease or renewal to clay brick, block or tile manufacturing unit within a radius of

one hundred kilometres of the coal or lignite based thermal power plant in cases where the manufacturer does not mix a minimum of 25 per cent by weight of fly ash or pond ash in the manufacture of bricks or blocks or tiles. The cancellation of mining lease shall be decided by the district administration after giving the holder of such lease an opportunity of being heard. To enable the competent authority to verify the actual use of ash, the thermal power plant shall maintain month-wise records of ash made available to each brick kiln.

(3 D) It shall be sufficient compliance of this notification if within twelve months from the date of issue of this notification, manufacturers of clay bricks, blocks and tiles located within a radius of 50 to 100 kilometres of a coal or lignite based thermal power plant comply with the provisions of sub-paragraphs (1) and (2)."

(f) in sub-paragraph (4), after brackets and letters "(AIBTMF)", the words "or a representative of local brick kiln owners association, federation, group." shall be inserted;

(g) after sub-paragraph (4), the following sub-paragraphs shall be inserted, namely: -

"(5) No agency, person or organization shall, within a radius of 100 kilometres of a thermal power plant undertake construction or approve design for construction of roads or flyover embankments in contravention of the guidelines/ specifications issued by the Indian Road Congress (IRC) as contained in IRC specification No. SP: 58 of 2001. Any deviation from this direction can only be agreed to on technical reasons if the same is approved by Chief Engineer (Design) or Engineer-in-Chief of the concerned agency or organization or on production of a certificate of "Pond ash not available" from the thermal power plant(s) (TPPs) located within 100 kilometres of the site of

construction. This certificate shall be provided by the TPP within two working days from the date of making a request for ash.

(6) Soil required for top or side covers of embankments of roads or flyovers shall be excavated from the embankment site and if it is not possible to do so, only the minimum quantity of soil required for the purpose shall be excavated from soil borrow area. In either case, the topsoil should be kept or stored separately. Voids created due to soil borrow area shall be filled up with ash with proper compaction and covered with topsoil kept separately as above. This would be done as an integral part of embankment project within the time schedule of the project.

(7) No agency, person or organization shall within a radius of 100 kilometres of a coal or lignite based thermal power plant allow reclamation and compaction of low-lying areas with soil. Only pond ash shall be used for compaction. They shall also ensure that such reclamation and compaction is done in accordance with the bye-laws, regulations and specifications laid down by the authorities mentioned in sub-paragraph (3) of paragraph 3."

3. In the said notification, in paragraph 2,

- (a) for the marginal heading "Utilisation of ash by Thermal Power Plants", the marginal heading "Responsibilities of Thermal Power Plants" shall be substituted;
- (b) for the opening words, "All coal or lignite based thermal power plants shall utilise the ash generated in the power plants as follows: -", "Every coal or lignite based thermal power plant shall take the following steps to ensure the utilisation of ash generated by it, namely: -";
- (c) in sub-paragraph (1), -

- (i) after the words "products such as cement, concrete blocks, bricks, panels", the words "or a combination thereof" shall be inserted;
- (ii) the following shall be added at the end, namely: -

" The thermal power plants have to ensure availability of fair quantity of ash to each user including brick kilns.";

4. In the said notification, after paragraph 2, the following paragraph shall be inserted, namely: -

"2A. Utilization of fly ash for reclamation of sea.

"Subject to the rules made under the Environment (Protection) Act, 1986, (29 of 1986) reclamation of sea shall be a permissible method of utilization of fly ash."

5. In the said notification, in paragraph 3, the following sub-paragraphs shall be inserted, namely: -

"(2A) All agencies including the Central Public Works Department and State Government agencies concerned with utilization of fly ash for construction purposes shall, within three months from the 1st day of September, 2003 make provisions for the use of fly ash and fly ash based bricks, blocks or tiles or aggregates of them in the schedule of approved materials and rates.

(2B) All agencies undertaking construction of roads or fly over bridges including Ministry of Road Transport and Highways (MORTH), National Highways Authority of India (NHAI), Central Public Works Department (CPWD), State Public Works Departments and other State Government Agencies, shall, within three months from the 1st day of September, 2003 -

- a. make provisions in their tender documents, schedules of approved materials and rates as well as technical documents, including those relating to soil borrow area or pit as per sub-paragraph (7) of paragraph 1; and
- b. make necessary specifications/guidelines for road or fly over embankments that are not covered by the specifications laid down by the Indian Road Congress (IRC).*

[F.No.16-2/95-HSMD]
(Dr. V. Rajagopalan)
Joint Secretary to the Govt. of India

Footnote. - The principal notification was published in the Gazette of India, Part II, Section 3, sub-section (ii) *vide* S.O.763 (E) dated 14.9.1999.

TRUE COPY


ADVOCATE



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ANNEXURE-4

ORISSA METALIKS <orissametalikspvtltd@gmail.com>

Submission of half yearly (June 1st 2024) EC Compliance Status Report for the period of October 2023 to March 2024- Expansion of integrated steel plant, Sponge Iron (10,50,000 TPA); Pig Iron (10,60,000 TPA); Pellet Plant (6,00,000, TPA); Steel Melting Shop (10,50,000 TPA); Captive Power Plant (85 MW); Coal Washery (15,00,000 TPA) and Coke Oven Battery (6,00,000 TPA) at Village Marakuta, District – Jharsuguda, Orissa

1 message

ORISSA METALIKS <orissametalikspvtltd@gmail.com>

Mon, May 27, 2024 at 3:39 PM

To: "roez.bsr-mef@nic.in" <roez.bsr-mef@nic.in>, "zokolkatta.cpcb@nic.in" <zokolkatta.cpcb@nic.in>, Monitoring Cell <monitoring-ec@nic.in>, paribesh1@ospcboard.org, rospcb.jharsuguda@ospcboard.org

Cc: edoffice@msspsteeljsg.com, ehs@msspsteeljsg.com

Bcc: Biswanath Sharma <biswanath@rashmigroup.com>, bijayen.srivastava@rashmigroup.com, abhay.gupta@orissametaliks.com

Dear Sir,

With reference to the above, we are submitting herewith the half yearly report on the status of compliance of the stipulated Environmental Clearance conditions including results of monitored data for the period of October 2023 to March 2024 for your kind information and necessary record, please.

We assure that we will comply with all the conditions laid down in the consent letter and also abide to follow all the Rules & Regulations.

Half yearly compliance report for the period of October 2023 to March 2024 have also been uploaded on parivesh portal having Compliance ID 71237030 (copy attached).

Hope you will find the same in order.

Thanking you,

Yours faithfully,

For, M/s. Orissa Metaliks Private Limited (Formerly M/s MSP Metalics Limited)

Authorised Signatory

1, Garstin Place, 'Orbit House', Room No-3B, Kolkata-700001

Tel : 91 33-22894255/ 56

Fax : 91 33-22894254

Mbl. No-07044070948

EC Complince_OMPL(MSP_June-2024.pdf
17615K



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ORISSA METALIKS PRIVATE LIMITED

CIN: U27109WB2006WPTC111146

www.orissametaliks.com

+91-33-2243 8517-20 +91-33-2243 8517 sc_ompl@orissametaliks.com

Ref.: OMPL(MSP)/HYC_JUN24/2024-25/01

Date: 27.05.2024

To,
The Dy. Director General of Forest (Central),
Ministry of Environment, Forests and Climate Change, Govt. of India,
Regional Office,
A/3 Chandrashekharapur, Bhubaneswar-751023, Odisha
E-Mail: roez.bsr-mef@nic.in

Sub.: Expansion of integrated steel plant, Sponge Iron (10,50,000 TPA); Pig Iron (10,60,000 TPA); Pellet Plant (6,00,000, TPA); Steel Melting Shop (10,50,000 TPA); Captive Power Plant (85 MW); Coal Washery (15,00,000 TPA) and Coke Oven Battery (6,00,000 TPA) at Village - Marakuta, District - Jharsuguda, Orissa - **Submission of half yearly (June 1st 2024) EC Compliance Status Report for the period of October 2023 to March 2024.**

Ref.: 1. Environmental Clearance accorded vide F. No. J-11011/494/2007-IA-II (I) dated 13th July 2009 and recommendation for change in plant configuration and capacity in 4th Reconstituted EAC (Industry-1) MoEF&CC, New Delhi meeting held on 26th & 27th October 2009.

2. Transfer of Environment Clearance from M/s MSP Metaliks Limited to M/s Orissa Metaliks Private Limited vides file No: J-11011/494/2007-IA.II (I) dated 23.10.2023 (EC Identification No. EC23A1001OR5864822T).

Dear Sir,

With reference to the above, we are submitting herewith the half yearly report on the status of compliance of the stipulated Environmental Clearance conditions including results of monitored data for the period of October 2023 to March 2024 for your kind information and necessary record, please.

We assure that we will comply with all the conditions laid down in the consent letter and also abide to follow all the Rules & Regulations.

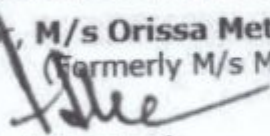
Here, we would like to inform that the last six monthly compliance report for the period April, 2023-September 2023 was submitted to concerned department vide mail & letter no-OMPL(MSP)/IRO-MoEF&CC/2023-24/01, dated 01.12.2023.on parivesh portal vide Compliance ID: 26106346 dated 01.12.2023

Hope you will find the same in order.

Thanking you,

With sincere regards,

For, **M/s Orissa Metaliks Private Limited**
(Formerly M/s MSP Metaliks Limited)


(J. P. Sharma)
Executive Director (Works)

Encl.: Six Monthly (June 1st 2024) Compliance status report along with annexures

CC: 1. **The Central Pollution Control Board**, Zonal Office, Southern Conclave, Block -502, 5th & 6th Floors, 1582 Rajdanga Main Road, Kolkata- 700107
2. The Member Secretary, State Pollution Control Board, Odisha, A/118, Nilakantha Nagar, Unit - VIII, Bhubaneswar - 751012

Your (Environment Clearance) application has been Submitted with following details

Proposal No	IA/OR/IND/24581/2009
Compliance ID	71237030
Compliance Number(For Tracking)	EC/M/COMPLIANCE/71237030/2024
Reporting Year	2024
Reporting Period	01 Jun(01 Oct - 31 Mar)
Submission Date	27-05-2024
IRO Name	ARTATRANA MISHRA
IRO Email	jhk109@ifs.nic.in
State	ODISHA
IRO Office Address	Integrated Regional Offices, Bhubaneswar
Note:- SMS and E-Mail has been sent to ARTATRANA MISHRA, ODISHA with Notification to Project Proponent.	

HALF YEARLY COMPLIANCE REPORT OF THE CONDITIONS STIPULATED IN ENVIRONMENTAL CLEARANCE

- Project Proponent** : M/s Orissa Metaliks Private Limited
(Formerly M/s MSP Metaliks Limited)
- Name of the project** : Expansion of integrated steel plant, Sponge Iron (10,50,000 TPA); Pig Iron (10,60,000 TPA); Pellet Plant (6,00,000, TPA); Steel Melting Shop (10,50,000 TPA); Captive Power Plant (85 MW); Coal Washery (15,00,000 TPA) and Coke Oven Battery (6,00,000 TPA) at Village Marakuta, District - Jharsuguda, Orissa
- Location of the project** : Village - Marakuta, District - Jharsuguda, Odisha
- Environmental Clearance details** : 1. Environmental Clearance accorded vide F. No. J-11011/494/2007-IA-II (I) dated 13th July 2009.
2. Recommendation of the 4th Reconstituted Expert Appraisal Committee (Industry-1) MoEF&CC, New Delhi in its meeting held on 26th & 27th October 2009 for change in plant configuration and capacity.
3. Transfer of Environment Clearance titled "Expansion of integrated steel plant (Sponge Iron (10,50,000 TPA); Pig Iron (10,60,000 TPA); Pellet Plant (6,00,000 TPA); Steel Melting Shop (10,50,000 TPA); Captive Power Plant (85 MW); Coal Washery (15,00,000 TPA) and Coke oven Battery (6,00,000 TPA) at Village - Marakuta, District Jharsuguda, Odisha" from M/s MSP Metaliks Limited to M/s Orissa Metaliks Private Limited vide File No: J-11011/494/2007-IA.II(I) dated 23.10.2023 (EC Identification No. EC23A1001OR5864822T).
- Period of compliance** : October 2023 to March 2024

S. No.	Specific Conditions	Compliance Status
i)	Efforts shall be made to reduce RSPM levels in the ambient air and a time bound action plan shall be submitted. On-line ambient air quality monitoring and continuous stack monitoring facilities for all the stacks and sufficient air pollution control devices shall be provided to keep the emission levels below 100 mg/Nm ³ . At no time, the emission level shall go beyond the prescribed standards.	Agreed and being complied. To reduce RSPM levels in the ambient air the following steps taken: a) 120 numbers of fixed rotary type water sprinklers have been installed. b) In addition, water sprinkling on internal roads and village roads in immediate vicinity are also carried out manually and with the help of 01 Numbers of Water Tanker having capacity of 5.0 KL and another Water

<p>Interlocking facilities shall be provided so that process can be automatically stopped in case emission level exceeds the limit.</p>	<p>Tanker of capacity 12 KL.</p> <ul style="list-style-type: none">c) Dry Fog system provided at the Coal handling area as standby measures.d) All the main internal roads used for movement of Vehicles have been concreted and most of the branch roads are also concreted that used for pedestrian.e) Speed of the vehicles is regulated (20 km/hr) to control the fugitive dust emission from the roads.f) Fixed type Water Sprinklers at appropriate locations are provided.g) Four numbers of Rain guns are installed.h) 01 no. Mechanical road sweeping machine is in use.i) Adequate quantity of mechanized machine for cleaning of plant area & internal drain like bobcats, motorized grader, mini floor cleaning/ scrubber machine, mini excavators & mini clamshell are used.j) The raw materials are transported in covered dumpers or covered with tarpaulin. Overloading of truck strictly prohibited to control spillage and fugitive emission.k) Tyre washing facility (mechanized wheel washing facility) at the entrance of the plant gate has been provided.l) Transfer of material through covered pneumatic conveyor belt.m) Dedicate manpower / staff for
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		<p>maintaining effective housekeeping and cleaning.</p> <p>n) Installation of land use based APCD (Bag filters, ID Fan, pneumatic APC dust handling system and stack of adequate height) at potential secondary emission sources like-transfer points, intermediate storage, silo and crushing/ grinding operations.</p> <p>o) Green belt is being developed inside & outside the plant boundary CPCB guideline. An area of 33% has already been covered under greenbelt with total 66,230 nos. of tree saplings till March 2024 @ 1,933 trees per hectare.</p> <p>Continuous stack emission monitoring facilities for PM & Gases as per CPCB guidelines for all the stacks of operating units i.e. Sponge Iron Plant (DRI Plant), Captive power plant, Mini Blast furnace, Sinter Plant, Pellet Plant and Steel Melting Shop have been installed. Connectivity of Continuous stack emission monitoring system with Odisha State Pollution Control Board and CPCB server has been done. CEMS data is enclosed as Annexure-I.</p> <p>Four (04) numbers of Ambient Air Quality (AAQ) Monitoring stations installed and commissioned (Screenshot attached as Annexure-II).</p> <p>Ambient air quality (Annexure-III) and stack emission monitoring (Annexure-IV) is being carried out by NABL/SPCB, Odisha accredited laboratory Environmental Research and Services</p>
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(India) Pvt. Ltd.

Interlocking facility has been provided.



Fixed rotary type water sprinklers



Mechanized wheel washing system



Dry fog system



Rain guns






Online Continuous Emission Monitoring System (CEMS)



IP Camera



Digital display at main gate

		 <p align="center">CAAQMS Station</p>
<p>ii)</p>	<p>Hot gases from DRI kiln shall be passed through Dust Settling Chamber (DSC) to remove coarse solids and After Burning Chamber (ABC) to burn CO completely and used in waste heat recovery boiler (WHRB). The gas then shall be cleaned in ESP before leaving out into the atmosphere through ID fan and stack. Electrostatic Precipitator (ESP) shall be provided to DRI plant, WHRB and FBB boilers to control air emissions within 100 mg/Nm³.</p>	<p>Agreed and being complied.</p> <ul style="list-style-type: none"> • In each of DRI Kiln (8 X 100 TPD), Dust Settling Chambers (DSC) and After Burning Chamber (ABC) are provided. • Waste Heat Recovery Boiler (WHRB) are also installed at each DRI Kiln followed by ESPs resulting generation of 8 MW power. • The clean gas is then being emitted out from ESP Outlet both in WHRB and AFBC boilers into the atmosphere through ID fan and stack to control air emissions within CTO permissible limit. <p>Flue gas emission analysis report carried out by NABL accredited laboratory Environmental Research and Services (India) Pvt. Ltd. for the period of October 2023 to March 2024 is enclosed as Annexure-IV.</p> <p>As per the report the values are within the permissible limit.</p>
<p>iii)</p>	<p>Gas cleaning plant comprising of bag filters and cyclones shall be provided to blast furnace (BF). Fume extraction system with bag filters shall be provided to induction furnace and ladle refining furnace to control fugitive emissions. Dust extraction system along with ESP</p>	<p>Complied.</p> <p>Gas cleaning plant comprising of bag filters and cyclones has been provided to blast furnace (BF).</p> <p>Fume extraction system with bag filters has been provided to induction furnace and no ladle refining furnace has been</p>

and multi-cyclones shall be provided to pellet plant. ESP and bag filters shall be provided to sinter plant. Fume extraction system followed by a stack shall be provided to continuous casting machine. Bag filters and dust suppression system shall be provided at coal crushing and handling areas.

installed.

Dust extraction system along with ESP and multi-cyclones has been provided to pellet plant.

Multi-cyclone and bag filters has been provided to sinter plant.

Fume extraction system followed by a stack has been provided to continuous casting machine.

Bag filters and dust suppression system has been provided at coal crushing and handling areas.



ESP DRI Kiln 1&2



ESP DRI Kiln 3&4



ESP DRI Kiln 5&6



ESP DRI Kiln 7&8



ESP of AFBC



ESP of pellet plant



GCP of MBF



Multi cyclone sinter plant



Stock House
Bag filter



Coal Crusher
Bag filter



Iron Crusher Bag filter




CD Bag filter







Coke oven
Bag filter







SMS
Bag filter


		
<p>iv)</p>	<p>In-plant control measures for checking fugitive emissions from all the vulnerable sources shall be provided. Fugitive dust emission from raw material and product handling section shall be controlled by dust extraction systems with bag filters or by water sprinkling. Dust extraction system with bag filters shall be provided at all the material transfer points. Dust suppression system with water sprinklers shall be provided at raw material stockpiles and loading/ unloading points. Fume extraction system followed by a stack shall be provided to continuous casting machine. Dust extraction system shall be provided at cooler discharge house, product separation unit. Water sprinkling system and dust extraction system shall be provided at raw material sizing and handling areas. All conveyors shall be completely covered by GI sheets. Bag filters and dust suppression system shall be provided at coal crushing and handling areas.</p>	<p align="center">Being Complied</p> <p>Bag filters are provided at the transfer points to control fugitive emissions and dust suppression system is provided to control dust from raw material handling and storage area.</p> <p>02 nos. Water spraying tankers, 02 nos. (Fixed + movable) water mist canons are continuously in use to control the fugitive emission during screening, loading, unloading, handling and storage of raw materials etc.</p> <p>Bag filters are provided at the transfer points to control fugitive emissions.</p> <p>Dust suppression system with water sprinklers, dry fog system and rain guns have been provided at raw material stockpiles and loading/ unloading points.</p> <p>Fume extraction system followed by a stack has been provided to CCM.</p> <p>De-dusting system has been provided at cooler discharge, product separation unit, induction furnace and hot metal transfer section.</p> <p>Water sprinkling system and dust extraction system has been provided at raw material sizing and handling areas.</p>

		<p>Covered conveyor belts with GI sheets have been provided.</p> <p>Bag filters and dust suppression system (dry fog system) have been provided at coal crushing and handling areas.</p> <p>GCP system has been provided with Blast furnace.</p> <p>Regular monitoring of fugitive emissions is carried out by NABL accredited laboratory (Copy of fugitive emission report for the period of October 2023 to March 2024 enclosed as Annexure-V).</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p>Telescopic Chute</p> </div> <div style="text-align: center;">  <p>Dry fog system</p> </div> </div> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p>Covered conveyor belts</p> </div> <div style="text-align: center;">  </div> </div>
v)	<p>All the standards prescribed for the coke oven plants shall be followed as per the latest guidelines. Proper and full utilization of coke oven gases in power plant using waste heat recovery steam generators shall be ensured and no flue gases shall be discharged into the air.</p>	<p align="center">Agreed and noted.</p> <ul style="list-style-type: none"> • The coke oven unit is not in operation since April, 2013. It will be resumed after obtaining CTO from OSPCB. • The said condition shall be complied once the coke oven plant comes in operation.

vi)	<p>Gaseous emission levels including secondary fugitive emissions from blast furnace and sinter plant shall be controlled within the latest permissible limits issued by the Ministry and regularly monitored. Guidelines / Code of Practice issued by the CPCB shall be followed. The emission standards issued by the Ministry in May, 2008 for the sponge plants shall be followed.</p>	<p align="center">Being complied.</p> <ul style="list-style-type: none">• Gaseous emission levels including secondary fugitive emissions from blast furnace are being controlled within the latest permissible limits issued by the Ministry and being regularly monitored.• Emission level from Sinter plant is controlled within the latest permissible limits issued by the Ministry and being regularly monitored.• The emission standards issued by the Ministry in May, 2008 for the sponge plants are complied. <p>Flue gas emission analysis report for the period of October 2023 to March 2024 carried out by NABL accredited laboratory Environmental Research and Services (India) Pvt. Ltd is already enclosed as Annexure-IV.</p>
vii)	<p>Vehicular pollution due to transportation of raw material and finished product shall be controlled. Proper arrangements should also be made to control dust emissions during loading and unloading of the raw material and finished product.</p>	<p align="center">Being complied</p> <p>All the vehicles inside the plant premises having valid PUC. Following measures adopted to control the dust emission during vehicular movement, loading and unloading of the raw material and finished product:</p> <ul style="list-style-type: none">a) At various places display boards have also been provided as indicative of speed regulation inside the plant.b) All the main internal roads used for movement of Vehicles have been concreted and most of the branch roads are also concreted that used for pedestrian.c) Fixed type Water Sprinklers along the internal road at appropriate locations are provided.d) 01 no. Mechanical road sweeping

		<p>machine is in use to arrest the dust.</p> <p>e) The raw materials are transported in covered dumpers or covered with tarpaulin. Overloading of truck strictly prohibited to control spillage and fugitive emission.</p> <p>f) Tyre washing facility (mechanized wheel washing facility) at the entrance of the plant gate has been provided.</p> <p>g) Water sprinkling facility and rain guns has been provided to control the emission during loading and unloading.</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p>Concrete internal road</p> </div> <div style="text-align: center;">  <p>Mechanical road sweeping</p> </div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;">  <p>Concrete working area</p> </div> <div style="text-align: center;">  <p>Valid PUC of vehicle</p> </div> </div>
viii)	<p>As proposed, total water requirement from IB River shall not exceed 10,271 m³/day. Ground water requirement shall not exceed the limit permitted by the CGWA vide letter No. 21-4</p>	<p>Permission for drawl of surface water from Hirakund Reservoir sources (upstream of IB River) has been issued by the Water Resources Department vide letter no. 18396/WR dated 08/07/2013 for 4.068 cusec or 9984 CUM per day.</p>

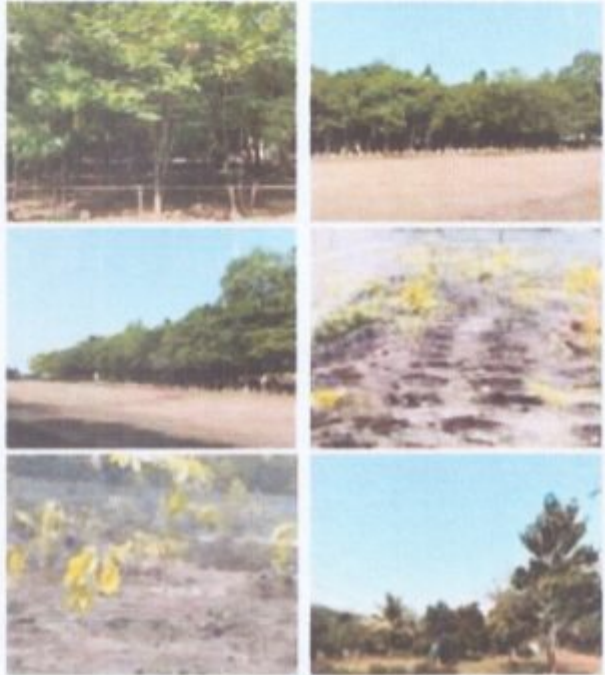
<p>(51)/SER/CGWA/07-262 dated 7th May, 2007. Closed-circuit re-circulation system shall be installed to reduce fresh water consumption and no wastewater generation. Water from ash dyke shall be decanted and collected in the reservoir and re-circulated/reused for ash handling and coal dust suppression in coal yard. Acidic and alkaline effluent from DM water plant shall be neutralized and reused in the plant. Cooling tower blow down shall be reused for dust suppression. BF-GCP and coal washery water shall be treated in thickener and reused in the process. Oil and grease shall be removed from wastewater by means of oil traps and skimming devices. All the wastewater from process and domestic sources shall be treated and recycled and reused in the process or for dust suppression, green belt development and various other activities at the site. No wastewater shall be discharged outside the premises and zero effluent discharge shall be ensured. Domestic effluent will be treated in septic tank followed by soak pit and used for green belt development.</p>	<p>After revalidating Ground water permission from CGWA vide Order no. CGWA/NOC/IND/ORIG/2022/1487, dated 07/02/2022, presently 490 m³/Day water is used for domestic and industrial uses.</p> <p>Closed-circuit system has been provided in DRI, CPP, Pellet plant, Sinter Plant, Blast Furnace and SMS plant and no wastewater/effluent is being discharged into any main course.</p> <p>No ash dyke has been provided. All the fly ash generated from the FBC boiler is being used for brick manufacturing inside the plant.</p> <p>A neutralization tank of adequate capacity has been provided for neutralization of Acidic and alkaline effluent from DM water and the treated water is being used for sprinkling on road and raw material handling area.</p> <p>Provision for treatment of coal washery water in thickener has been provided. Oil traps/skimming devices have been provided in effluent treatment plant.</p> <p>Provision has been provided for treatment of waste water and re-use of treated water in the process for water used for other process and dust suppression. Waste water generated from raw water treatment system and back wash of filtration plant are properly treated and subsequently taken to guard pond and re-use specifically dust suppression.</p> <p>No wastewater is discharged outside the Premises and zero effluent discharge is ensured.</p> <p>Septic tanks at different location within the plant premises followed by soak pits have been provided. STP of capacity 50</p>
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		<p>KLD has been installed.</p>  <p align="center">STP of capacity 50 KLD</p>
ix)	<p>Prior permission for the drawl of 10,271 m³/day water from IB River from the concerned department shall be obtained.</p>	<p>Permission for drawl of surface water from Hiraikund Reservoir sources (upstream of IB River) has been issued by the Water Resources Department vide letter no. 18396/WR dated 08/07/2013 for 4.08 cusec or 9984 m³/Day. Application for renewal of permission has been submitted to department of water resources and is in progress.</p>
x)	<p>The water consumption should not exceed 16 m³/Ton of Steel as per prescribed standard.</p>	<p>Is being complied with.</p> <p>Water consumption per ton of finished product (Billet) is 1.2 m³.</p>
xi)	<p>Groundwater monitoring around the solid waste disposal site/secured landfill (SLF) shall be carried out regularly and report submitted to the Ministry's Regional Office at Bhubaneswar, CPCB and OPCB.</p>	<p>Is being complied with.</p> <p>Regular monitoring of groundwater is being carried out through NABL/SPCB, Odisha accredited agency Environmental Research and services (India) Pvt. Ltd. and reports are being submitted to the Ministry's Regional Office at Bhubaneswar, CPCB and SPCB, Odisha with six monthly EC compliance report.</p> <p>Copy of ground water analysis report for the period of October 2023 to March 2024 is enclosed as Annexure-VI.</p>
xii)	<p>DRI & iron ore fines, coke breeze, sinter dust, GCP dust, SMS dust, shall be used in sinter plant. All the other solid wastes including broken refractory mass shall be properly disposed off in environment-friendly manner.</p>	<p>Being complied</p> <ul style="list-style-type: none"> ➤ We have installed a Sinter Plant of Capacity 4.6 LTPA and it is operational. ➤ DRI & iron ore fines, coke breeze, sinter dust, GCP dust, SMS dust is

	<p>Sludge from sewage treatment plant (STP) shall be used as compost. Oily waste shall be provided to Authorized Cyclers/Re-processors.</p>	<p>used in sinter plant.</p> <ul style="list-style-type: none"> ➤ All other solid waste like SMS slag is being used for Road construction/Land leveling, MBF slag is used for cement manufacturing, Dolo-char generated from DRI plant is used in AFBC Boiler. ➤ Broken refractory is blended with ash and used for brick manufacturing. ➤ Sludge from sewage treatment plant (STP) is being used as compost for development of greenbelt. ➤ Oily waste is provided to authorized recycler. ➤ Oily waste shall be provided to Authorized Cyclers/Re-processors of SPCB.
<p>xiii)</p>	<p>AFBC plant shall be installed in Phase II before installation of sponge iron plant during expansion so that utilization of char in the from the existing as well as proposed sponge iron plant in AFBC boiler is ensured. All the char from DRI plant, coal fines, middlings and rejects from the coal washery shall be utilized in AFBC boiler of power plant and no char shall be disposed off anywhere else. All the blast furnace (BF) slag shall be granulated and provided to cement manufacturers for further utilization. Dust from ESP, bag filter, wet scrapper, kiln accretions, slag from IF, EAF, LRF and SMS shall be properly utilized or disposed off in environment-friendly manner.</p>	<p align="center">Being complied</p> <ul style="list-style-type: none"> ➤ AFBC plant of capacity of 16 MW has already been installed and 100% Dolochar generated from 8 x 100 TPD DRI Kiln is being used in AFBC boiler. ➤ Blast Furnace Slag is being granulated and provided to cement manufacturers for further utilization. ➤ Dust from ESP, bag filter, wet scrapper is being utilized in sinter plant and kiln accretions are being properly utilized for road construction/land levelling. ➤ SMS slag is being used for Road construction/Land levelling purpose.
<p>xiv)</p>	<p>All the slag shall be used for road making or filing low-lying area only after passing through Toxic Chemical Leachability Potential (TCLP) test. Otherwise, slag and output waste shall be disposed in secured landfill as per CPCB</p>	<ul style="list-style-type: none"> ➤ Blast Furnace Slag is being granulated and provided to cement manufacturers for further utilization. ➤ SMS slag is being used for Road construction/Land levelling purpose, after recovering metal. <p>Copy of the Toxic Chemical Leachability</p>

	guidelines.	Potential (TCLP) test carried out by NABL accredited laboratory "Centre for Envotech Management Consultancy Pvt. Ltd." is enclosed as Annexure-VII .
xv)	Proper handling, storage, utilization and disposal of all the solid waste shall be ensured and regular report regarding toxic metal content in the waste material and its composition, end use of solid/hazardous waste shall be submitted to the Ministry's Regional Office at Bhubaneswar, CPCB and OPCB.	<p>Proper handling, storage, utilization and disposal of all the solid waste are being ensured and report regarding toxic metal content in the waste material carried out by NABL accredited laboratory is being submitted to the Ministry's Regional Office at Bhubaneswar, CPCB and SPCB, Odisha with six monthly compliance report.</p> <p>Copy of the Toxic Chemical Leachability Potential (TCLP) test carried out by NABL accredited laboratory "Centre for Envotech Management Consultancy Pvt. Ltd." is already enclosed as Annexure-VII.</p> <ul style="list-style-type: none"> ➤ Blast Furnace Slag is being granulated and provided to cement manufacturers for further utilization. ➤ SMS slag is being used for Road construction/Land levelling purpose, after recovering metal. ➤ Dolo-char generated from DRI plant is used in AFBC Boiler. ➤ Hazardous waste like spent oil/used oil sold to authorised vendor; waste residue containing oil to be provided to Authorized Cyclers/Re-processors of SPCB.
xvi)	A time bound action plan shall be submitted to reduce solid Waste, its proper utilization and disposal.	<p>Management of the company have already optimised the generation of final solid wastes from our plant by keeping provision of using all solid wastes generated in other units in our Sinter Plant Process.</p> <p>However still we are exploring further possibilities of reduction of Final Solid Waste generation to the Maximum extent possible by process</p>

		<p>optimization improving raw materials fuel etc.</p> <ul style="list-style-type: none"> ➤ Fly ash and bed ash generated from the power plants are utilized in fly ash brick manufacturing unit inside the plant premises. ➤ Dolochar is kept in a designated area and then utilized as fuel in AFBC Boiler. ➤ SMS slag is utilized for internal road/bricks making. ➤ MBF Slag is stored at designated location inside the plant premises and is also supplied to the cement grinding unit/associate company of the Group.
<p>xvii)</p>	<p>Proper utilization of fly ash shall be ensured as per Fly Ash Notification, 1999 and subsequent amendment in 2003. All the fly ash shall be provided to cement and brick manufacturers for further utilization and Memorandum of Understanding shall be submitted to the Ministry's Regional Office at Bhubaneswar.</p>	<p>Utilization of fly ash is being ensured as per Fly Ash Notification, 1999 and subsequent amendments.</p> <p>All the fly ash is being utilized for brick manufacturing. We have installed a Brick Manufacturing Unit inside our plant premises for manufacturing of Ash Bricks. Intimation of same submitted to Ministry's Regional Office at Bhubaneswar with Six Monthly EC compliance Dec-2023.</p>
<p>xviii)</p>	<p>As proposed, green belt shall be developed in 165 acres (33 %) out of total 500 acres land in and around the plant as per the CPCB guidelines in consultation with DFO.</p>	<p>Environmental Clearance dated 13th July 2009 was accorded for land measuring 500 acres, but as on date only 256.54 Acres (103.82 Hectares) land is acquired by the company and project boundary is developed for said parcel of land.</p> <p>An area of 84.66 Acres (34.26 Ha) i.e. 33% has already been covered under greenbelt with total 51,980 nos. of trees @1,517 trees per hectares till the FY 2022-23. Existing Greenbelt/plantation is being strengthened and to minimize the impact on human and sensitive manmade structure, tree density of the existing greenbelt is being increased as per CPCB guideline. 15,000 nos. of</p>



		<p>sapling have been planted in FY 2023-24 till March 2024.</p> <p>Total 66,230 nos. of tree has been planted on land measuring 34.26 Ha till March 2024 @ 1933 trees per hectare.</p> <p>Details of Greenbelt are annexed as Annexure-VIII. Few photographs are given below.</p> 
<p>xix)</p>	<p>All the recommendations made in the Charter on Corporate Responsibility for Environment Protection (CREP) for the Steel Sector shall be implemented.</p>	<p>The technology, guidelines and recommendations made for Steel Plants in the CREP guidelines are being/will be implemented. Details of implementations are enclosed as Annexure-IX.</p>
<p>xx)</p>	<p>All the commitments made to the public during the Public Hearing/Public Consultation meeting held on 7th November 2008 shall be satisfactorily implemented.</p>	<p>The plant was forced shut down in year 2016. M/s MSP Metallics Limited has been purchased/acquired by M/s Orissa Metaliks Private Limited (OMPL) on "assets sale basis" under liquidation under the order (I.A No. 616/KB/2022) connected with CP (IB) No. 580/KB/2020 of the National Company Law Tribunal (NCLT) Kolkata bench, Kolkata after being a 'Successful Bidder' on relation to E-Auction held on 06.05.2022.</p> <p>New management of the company has</p>


	<p>resumed operation in October, 2022 after obtaining CTO in August 2022 after 6 years of long shut down of the plant.</p> <p>M/s Orissa Metaliks Limited is a flagship company of West Bengal based Rashmi group. The group has a well-defined CSR policy and Group believes in growth with a human face and pursuing people-centered development. Group is a socially committed organization and a socially responsible corporate citizen. It attaches great importance in discharging its overall social responsibilities to the community and the society at large where its project is located.</p> <p>CSR activities have been carried by old management in compliance to commitments made under heads education, health, drinking water, electrical installation, road development & plantation. Total expenditure made under the head of CSR/CER is ₹ 93,33,770/- (Rupees Ninety Three Lakhs Thirty Three Thousands Seven Hundred Seventy Only). An amount of ₹ 5,00,000/- (Rupees Five Lakhs Only) expenditure has been incurred in the FY 2023-24 under CER/CSR by the new management of the company i.e. M/s Orissa Metaliks Private Limited.</p> <p>The activities/ area under which the fund earmarked will be spent are as follows:</p> <ul style="list-style-type: none">a) Community development programmes;b) Development of health care facility in surrounding villages;c) Educational programmes,d) Drinking water facilitiese) Development of road <p>Photograph of CSR carried in compliance to commitments made to the public</p>
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		<p>during the Public Hearing/Public Consultation meeting held on 7th November 2008 are.</p> 
xxi)	The company shall provide housing for construction labour within the site with all necessary	Complied.

	infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.	
	General Conditions	Status of Compliances
i)	The project authorities must strictly adhere to the stipulations made by the Orissa Pollution Control Board (OPCB) and the State Government.	Agreed and being complied.
ii)	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment and Forests.	Agreed and being complied. Prior approval of the Ministry will be obtained in case of any deviation/modification or expansion in the plant is envisaged in future. In compliance to this condition, we have obtained: 1. TOR for expansion of Integrated Steel Plant vide letter No. IA-J-11011/494/2007-IA-II (I) dated 28.09.2022. 2. Amendment in subject and implementation status of standard TOR obtained vide F. No. IA-J-11011/494/2007-IA-II (I) dated 29 th August, 2023. 3. Transfer of environment clearance from M/s MSP Metaliks Limited to M/s Orissa Metaliks Private Limited by MOEFCC, New Delhi vide EC Identification No. EC23A1001OR5864822T & File No: J-11011/494/2007-IA.II (I) dated 23/10/2023. 4. Transfer of TOR from M/s MSP Metaliks Limited to M/s Orissa Metaliks Private Limited vide ToR Identification No. TO23A1001OR5989156T & F. No. IA-J-11011/494/2007-IA-II(I) dated


		02.11.2023. The same is already submitted to Ministry's Regional Office at Bhubaneswar with Six Monthly EC compliance Dec-2023.
iii)	The gaseous emissions from various process units shall conform to the load/mass based standards notified by this Ministry on 19 th May, 1993 and standards prescribed from time to time. The Orissa Pollution Control Board (OPCB) may specify more stringent standards for the relevant parameters keeping in view the nature of the industry and its size and location.	Agreed and being complied. The emission rate in gram per sec for operation units are blast furnace 0.56 g/sec, Sinter Plant 1.87 g/sec, DRI plant 0.39 g/sec, Pellet Plant 4.27 g/sec, Induction furnace of SMS 0.24 g/sec and AFBC 1.13 g/sec.
iv)	At least four ambient air quality monitoring stations shall be established in the downward direction as well as where maximum ground level concentration of SPM, SO ₂ and NO _x are anticipated in consultation with the OPCB. Data on ambient air quality and stack emission shall be regularly submitted to this Ministry including its Regional Office at Bhubaneswar and OPCB, CPCB once in six months.	Agreed and being complied. Already covered in point no. 1 of the Specific condition. Data on ambient air quality and stack emission are regularly being submitted to the Regional Office, MOEF&CC at Bhubaneswar and SPCB, Odisha, CPCB with six monthly compliance reports.
v)	In-plant control measures for checking fugitive emissions from all the vulnerable sources shall be provided. Further, specific measures like water sprinkling around the coal stockpiles and asphaltting or concreting of the roads shall be done to control fugitive emissions.	Is being complied with. In-plant control measures taken for checking fugitive emissions has been provided in Point no. i & iv of specific condition.
vi)	Industrial wastewater shall be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E)	Is being complied with. The plant is designed as per Zero Liquid Discharge concept. No waste water is

	<p>dated 19th May 1993 and 31st December, 1993 or as amended from time to time. The treated wastewater shall be utilized for plantation purpose.</p>	<p>discharged outside plant premises. ETP with oil trap & STP of 50 KLD for treatment of the waste water have been installed. The treated water is recycled and reused for dust suppression and green belt development.</p>  <p>Wastewater analysis report carried out by NABL accredited laboratory "Environmental Research and Services (India) Pvt. Ltd." for the period of October 2023 to March 2024 is enclosed Annexure-X.</p>
vii)	<p>The overall noise levels in and around the plant area shall be kept well within the standards (85 dBA) by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels shall conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (day time) and 70 dBA (night time).</p>	<p>Agreed and being complied. We have taken the following measures at most noise generating areas;</p> <ul style="list-style-type: none">• Installation of enclosures (Acoustic Enclosure) around noise generating machines to reduce the amount of noise emitted into the workplace or environment.• Damping of Machines.• Use of barriers and screens to block the direct path of sound.• Positioning noise sources further away from workers.  <p>Photograph of the enclosure</p>

		Noise Level Measurement report carried out by NABL accredited laboratory "Environmental Research and Services (India) Pvt. Ltd." for the period of October 2023 to March 2024 is enclosed as Annexure-XI.
viii)	Occupational health surveillance of the workers shall be done on a regular basis and records maintained as per the Factories Act.	Occupational health surveillance programme of all permanent and contractual workers is being done-regularly as per factory act and record is maintained. Copy of Occupational health surveillance report is enclosed as Annexure-XII.
ix)	The company shall develop rainwater-harvesting structures to harvest the rainwater for utilization in the lean season besides recharging the ground water table.	01 number of Rainwater harvesting systems with settling pond has been implemented to harvest rainwater and is utilized for sprinkling, plantation.  <p align="center">Photographs of the rainwater harvesting pond and water reservoir</p>
x)	The project proponent shall also comply with all the environmental protection measures and safeguards recommended in the EIA/EMP report. Further, the company must undertake socio- economic development activities in the surrounding villages like community development programmes, educational programmes, drinking water supply and health care etc. Suggestions made during the	Agreed and being complied. All the environmental protection measures and safeguards as recommended in the EIA/EMP report for consideration the EC as well as socio-economic development activities is discussed in point no.-xx.

	public hearing shall be implemented.	
xi)	As proposed, ₹ 12.89 Crores and ₹ 0.14 Crores shall be earmarked towards total capital cost and recurring cost/annum for environmental pollution control measures shall be judiciously utilized to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government. The funds so provided shall not be diverted for any other purpose.	Adequate fund towards capital (₹ 124.28 Crores) & recurring (₹ 12.43 Crores) has been earmarked and being utilized to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government. The fund earmarked will not be diverted/utilized for any other purposes.
xii)	The Regional Office of this Ministry at Bhubaneswar/CPCB/OPCB shall monitor the stipulated conditions. A six-monthly compliance report and the monitored data along with statistical interpretation shall be submitted to them regularly.	<p align="center">Is being complied with.</p> <p>The above project was monitored on 08.02.2024 by Shri. Sandeep Nandi, Scientist B.</p> <p>Six-monthly compliance report and the monitored data is being submitted regularly to the Regional Office of the Ministry at Bhubaneswar/CPCB/OSPCB.</p> <p>Last half yearly EC compliance report for the period of April 2023 to September 2023 submitted vide letter no. OMPL(MSP)/IRO-MoEF&CC/2023-24/01, dated 01.12.2023.</p> <p>Also, conditions wise compliance was uploaded on Parivesh portal vide compliance ID 26106346.</p> <p>Soft copy of the half yearly compliance report was also sent to the Regional Office, MOEF&CC Bhubaneswar/CPCB/OSPCB through email on 01.12.2023.</p>
xiii)	The Project Proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the OPCB and may	<p align="center">Complied.</p> <p>It has already been published in Odia Daily "Pragatibadi" and English Daily "The Pioneer" on dated 01.09.2009 and copy submitted to the Regional office,</p>

	<p>also be seen at Website of the Ministry of Environment and Forests at http://envfor.nic.in. This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same shall be forwarded to the Regional office at Bhubaneswar</p>	<p>MOEF&CC, Bhubaneswar.</p>
xiv)	<p>Project authorities shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of commencing the land development work.</p>	<p>The company is a private company and no finance is needed from outside. Land development work had been started after obtaining Consent to establish from State Pollution Control Board, Odisha. Date of commencing the land development work has already been informed to the RO, MOEF&CC, Bhubaneswar.</p>
xv)	<p>A copy of clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parishad/Municipal Corporation, Urban Local Body and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the company by the proponent.</p>	<p>Complied.</p> <p>Copy of Environmental Clearance and its subsequent transfer letter has been submitted to concerned local bodies. The environmental clearance letter has been uploaded on the website of the company. Please visit https://orissametaliks.com/data/EC-OMPL(PREVIOUSLY%20MSP).pdf.</p>
xvi)	<p>The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the MOEF, the respective Zonal Office of CPCB and the SPCB. The criteria</p>	<p>Agreed and being complied.</p> <p>Status of compliance of the stipulated environment clearance conditions, including results of monitored data is being uploaded on our company's website https://orissametaliks.com/data/qehs02-12-23/EC%20Compliance-OMPL(MSP) Dec-2023.pdf</p>

	<p>pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.</p>	<p>Last half yearly EC compliance report for the period of April 2023 to September 2023 submitted vide letter no. OMPL(MSP)/IRO-MoEF&CC/2023-24/01, dated 01.12.2023.</p> <p>Also, conditions wise compliance was uploaded on Parivesh portal vide compliance ID 26106346.</p> <p>Soft copy of the half yearly compliance report was also sent to the Regional Office, MOEF&CC Bhubaneswar/CPCB/OSPCB through email on 01.12.2023.</p> <p>A digital board has been provided at main gate of the company for display of criteria pollutant.</p>  <p align="center">Digital display at main gate</p>
<p>xvii)</p>	<p>The project proponent shall also submit six monthly reports on the status of the compliance of the stipulated environmental conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.</p>	<p>Is being complied with.</p> <p>Six-monthly compliance report and the monitored data is being submitted regularly to the Regional Office of the Ministry at Bhubaneswar/Zonal office CPCB/OSPCB.</p> <p>Last half yearly EC compliance report for the period of April 2023 to September 2023 submitted vide letter no. OMPL (MSP)/IRO-MoEF&CC/2023-24/01, dated: 01.12.2023, through email on 01.12.2023 and on Parivesh Portal having compliance ID 26106346.</p>
<p>xviii)</p>	<p>The environmental statement for</p>	<p>Environmental Statement in Form-V for</p>

	<p>each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental conditions and shall also be sent to the respective Regional Offices of the MoEF by e-mail.</p>	<p>the FY 2022-2023 submitted to OSPCB as well as Regional Office of the MoEF&CC vide letter no. MSPML/JSG/OSPCB/2023-24/1-E/198 dated 30th September 2023.</p> <p>Also, environmental Statement is being uploaded on company's website https://orissametaliks.com/qehs.php and updated periodically.</p>
Clause No. 7	<p>The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.</p>	<p>Agreed and noted.</p>
Clause No. 8	<p>The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.</p>	<p>Agreed and noted for compliance.</p>
Clause No. 9	<p>Any appeal against this Environmental Clearance shall lie with the National Environment Appellate Authority, if preferred within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Act., 1997.</p>	<p>Agreed and noted.</p>
Clause No. 10	<p>The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act. 1981, the Environment (Protection) Act, 1986, Hazardous Wastes (Management and Handling) Rules, 2003 and the Public (Insurance) Liability Act, 1991</p>	<p>Noted.</p>

	along with their amendments and rules.	
Additional EC conditions stipulated in transfer of Environment Clearance from M/s MSP Metalics Limited to M/s Orissa Metaliks Private Limited vide File No: J-11011/494/2007-IA.II(I) dated 23.10.2023		
1.	This EC Transfer is granted subject to final outcome of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, if any, as may be applicable to this project.	Agreed and noted.
2.	This EC Transfer granted to the project/activity is strictly under the provisions of the EIA Notification, 2006 and its amendments issued from time to time. It does not tantamount/ construe to approvals/consent/permissions etc., required to be obtained or standards/conditions to be followed under any other Acts/ Rules/ Subordinate legislations, etc., as may be applicable to the project.	Agreed and noted.

Thanking you,

With sincere regards,

For, **M/s Orissa Metaliks Private Limited**

(Formerly M/s MSP Metalics Limited)

(J. P. Sharma)

Executive Director (Works)



Half Yearly Compliance Report
2024
01 Jun(01 Oct - 31 Mar)

Acknowledgment

Proposal Name	Expansion of integrated steel plant (Sponge Iron (10,50,000 TPA); Pig Iron (10,60,000 TPA); Pellet Plant (6,00,000 TPA); Steel Melting Shop (10,50,000 TPA); Captive Power Plant (85 MW); Coal Washery (15,00,000 TPA) and Coke oven Battery (6,00,000 TPA) at Village - Marakuta, District Jharsuguda, Odisha		
Name of Entity / Corporate Office	M/s Orissa Metaliks Private Limited (Formerly M/s MSP Metaliks Limited)		
Village(s)	N/A		
District	JHARSUGUDA		
Proposal No.	IA/OR/IND/24581/2009	Category	Industrial Projects - I
Plot / Survey / Khasra No.	N/A	Sub-District	N/A
State	ODISHA	Entity's PAN	NA
MoEF File No.	J-11011/494/2007- IA.II(I)	Entity name as per PAN	NA

Compliance Reporting Details

Reporting Year	2024
Remarks (if any)	Compliance status report of the conditions stipulated in environmental clearance for the period of October 2023 to March 2024
Reporting Period	01 Jun(01 Oct - 31 Mar)

Details of Production and Project Area

Name of Entity / Corporate Office M/s Orissa Metaliks Private Limited (Formerly M/s MSP Metaliks Limited)

	Project Area as per EC Granted	Annual Project Area in Possession
Private	0	0
Revenue Land	0	0
Forest	0	0
Others	103.82	103.82
Total	103.82	103.82

Production Capacity

TRUE COPY


ADVOCATE



भारत का राजपत्र The Gazette of India

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

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NEW DELHI, FRIDAY, DECEMBER 31, 2021/PAUSHA 10, 1943

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 31 दिसम्बर, 2021

का.आ. 5481(अ).—केन्द्रीय सरकार ने भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 763 (अ) तारीख 14 सितम्बर, 1999 द्वारा कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्रों से तीन सौ किलोमीटर के विनिर्दिष्ट व्यास के भीतर ईटों के विनिर्माण के लिए उपजाऊ मिट्टी के उत्खनन को प्रतिबंधित करने के लिए और भवन निर्माण सामग्री के विनिर्माण में और संनिर्माण क्रियाकलाप में फ्लाइ-राख के उपयोग को बढ़ावा देने के लिए निदेश जारी किए हैं;

और, प्रदूषणकर्ता भुगतान सिद्धांत (पीपीपी) के आधार पर, ऐसा करके कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्रों द्वारा फ्लाइ-राख का 100 प्रतिशत उपयोग सुनिश्चित करते हुए और फ्लाइ-राख प्रबंधन प्रणाली की संधारणीयता के लिए पूर्वोक्त अधिसूचना को और अधिक प्रभावकारी ढंग से कार्यान्वित करने हेतु, केंद्रीय सरकार ने मौजूदा अधिसूचना की समीक्षा की;

और प्रदूषणकर्ता भुगतान सिद्धांत के आधार पर पर्यावरणीय प्रतिकर निर्धारित किए जाने की आवश्यकता है;

और, विनिर्माण को बढ़ावा देकर तथा निर्माण कार्य के क्षेत्र में राख आधारित उत्पादों तथा भवन निर्माण सामग्रियों के प्रयोग को अनिवार्य करके उपजाऊ मिट्टी को संरक्षित करने की आवश्यकता है;

और, सड़क बनाने, सड़क एवं फ्लाई ओवर के रेलिंग बनाने, तटरेखा की सुरक्षा का उपाय करने, अनुमोदित परियोजनाओं के निचले क्षेत्रों को भरने, खनित स्थलों को फिर से भरने में मिट्टी की सामग्रियों से भरने के विकल्प के रूप में राख उपयोग को बढ़ावा देकर उपजाऊ मिट्टी और प्राकृतिक संसाधनों को संरक्षित करने की आवश्यकता है;

और, पर्यावरण को सुरक्षित करना तथा कोयला अथवा लिग्नाइट आधारित ताप विद्युत संयंत्रों से सृजित फ्लाई राख के निक्षेपण तथा निपटान की रोकथाम करना आवश्यक है;

और, उक्त अधिसूचना में जो 'राख' शब्द का प्रयोग किया गया है उसमें कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्रों से सृजित फ्लाई-राख और बॉटम-राख दोनों शामिल हैं;

और, केंद्रीय सरकार प्रदूषणकर्ता भुगतान सिद्धांत के आधार पर, पर्यावरणीय प्रतिकर की प्रणाली सहित राख के उपयोग के लिए एक व्यापक ढांचा लाना चाहती है;

अतः पर्यावरण (संरक्षण) नियम, 1986 के नियम (5) के उप-नियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के पर्यावरण एवं वन मंत्रालय की अधिसूचना जो का.आ. 763 (अ) तारीख 14 सितम्बर, 1999 द्वारा भारत के राजपत्र, असाधारण भाग II, खंड 3, उप खंड (i) में प्रकाशित का अधिक्रमण करते हुए, कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्रों द्वारा राख के उपयोग के संबंध में प्रारूप अधिसूचना जो सा.का.नि. 285 (अ) तारीख 22 अप्रैल, 2021 द्वारा भारत के राजपत्र, असाधारण, भाग-2, धारा 3, उप धारा (i) में प्रकाशित की गई थी जिसमें उन सभी व्यक्तियों से जिनका इससे प्रभावित होना सामान्य है उस तारीख से, जिसको उक्त प्रारूप उपबंधों की शासकीय राजपत्र में अंतर्विष्ट प्रतियां जनता को उपलब्ध करा दी गई थी, साठ दिनों के अवसान से पूर्व आक्षेप और मुझाव आमंत्रित किए गए थे।

और उक्त प्रारूप अधिसूचना के संबंध में उससे संभावित तौर पर प्रभावित होने वाले सभी व्यक्तियों से प्राप्त आक्षेपों और मुझावों पर केंद्रीय सरकार द्वारा सम्यक रूप से विचार कर लिया गया है;

अतः पर्यावरण (संरक्षण) नियम, 1986 के नियम (5) के उप-नियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और अधिसूचना का.आ. 763 (अ) तारीख 14 सितम्बर, 1999 का उन बातों के सिवाय अधिकृत करते हुए जिन्हें ऐसे अधिक्रमण से पूर्व किया गया है या करने का लोप किया गया है, केन्द्रीय सरकार कोयलों या लिग्नाइट आधारित ताप विद्युत संयंत्रों से राख के उपयोग के संबंध में निम्नलिखित अधिसूचना जारी करती है, जो इस अधिसूचना के प्रकाशन की तिथि से प्रवृत्त होगी, अर्थात्

क. फ्लाई-राख और बॉटम-राख का निपटान करने हेतु ताप विद्युत संयंत्रों (टीपीपी) के उत्तरदायित्व.-

(1) प्रत्येक कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्र (जिनमें कैप्टिव और/या सह-उत्पादन केंद्र शामिल हैं या दोनों) की यह प्राथमिक जिम्मेदारी होगी कि वह अपने द्वारा सृजित राख (फ्लाई-राख और बॉटम-राख) का उप पैरा (2) में दिए गए पारि-अनुकूल तरीके से 100 प्रतिशत उपयोग सुनिश्चित करे;

(2) कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्रों से सृजित राख का उपयोग केवल निम्नलिखित पारि-अनुकूल प्रयोजनों के लिए किया जाएगा, अर्थात्:-

- (i) फ्लाई राख पर आधारित उत्पाद अर्थात्: ईट ब्लॉक टाइल, फाइबर सीमेंट शीट, पाइप, बोर्ड, पैनल का विनिर्माण;
- (ii) सीमेंट विनिर्माण, रेडी-मिक्स कंक्रीट;

- (iii) सड़क निर्माण और फ्लाई-ओवर के रेलिंग का निर्माण, राख और जिओ-पॉलीमर आधारित निर्माण सामग्री;
- (iv) बांध का निर्माण;
- (v) निचले क्षेत्र को भरना;
- (vi) खनन कार्य से रिक्त हुए स्थान को भरना;
- (vii) सिंटेड या शीत-बद्ध राख संचय का विनिर्माण;
- (viii) मृदा परीक्षण के आधार पर नियंत्रित तरीके से कृषि;
- (ix) तटीय जिलों में तटरेखा संरक्षण संरचनाओं का निर्माण;
- (x) अन्य देशों को राख का निर्यात;
- (xi) समय-समय पर यथाधिसूचित किसी अन्य पारि-अनुकूल प्रयोजन के लिए।

(3) अध्यक्ष, केंद्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) की अध्यक्षता में एक समिति गठित की जाएगी जिसमें पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय (एमओईएफसीसी), विद्युत मंत्रालय, खान मंत्रालय, कोयला मंत्रालय, सड़क परिवहन और राजमार्ग मंत्रालय, कृषि अनुसंधान एवं शिक्षा विभाग, सड़क कांग्रेस संस्थान तथा राष्ट्रीय सीमेंट एवं भवन सामग्री परिषद के प्रतिनिधियों को सदस्यों के रूप में शामिल किया जाएगा, जिसका प्रयोजन राख के उपयोग के पारि-अनुकूल तौर-तरीकों की जांच करना, उनकी समीक्षा एवं अनुशंसा करना तथा प्रौद्योगिकीय विकासों तथा पणधारी से प्राप्त अनुरोधों के आधार पर उप-पैरा (2) में यथोल्लिखित ऐसे तौर-तरीकों की सूची में समिति द्वारा सुझाए गए तौर-तरीकों को शामिल करना या किसी तौर-तरीके को सूची से हटाना या उसमें संशोधन करना है। जब भी इस प्रयोजन के लिए अपेक्षित हो, यह समिति राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति, ताप विद्युत संयंत्र और खानों के प्रचालकों को आमंत्रित कर सकती है। इस समिति सिफारिश के आधार पर, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ऐसे पारि-अनुकूल प्रयोजन प्रकाशित करेगा।

(4) प्रत्येक कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्र उस वर्ष के दौरान सृजित राख (फ्लाई-राख और बॉटम-राख) का 100 प्रतिशत उपयोग करने हेतु उत्तरदायी होगा; तथापि, किसी भी स्थिति में, किसी वर्ष में राख का उपयोग 80 प्रतिशत से नीचे नहीं होगा और साथ ही, उस ताप विद्युत संयंत्र को तीन वर्ष की अवधि में 100 प्रतिशत औसत राख के उपयोग का लक्ष्य प्राप्त करना होगा :

परंतु, यह और कि पहली बार के लिए लागू तीन वर्ष के चक्र को ऐसे ताप विद्युत संयंत्रों, जहां राख का उपयोग 60-80 प्रतिशत के बीच होता है, एक वर्ष के लिए और ऐसे संयंत्रों, जहां राख का उपयोग 60 प्रतिशत से कम है, दो वर्ष के लिए बढ़ाया जा सकता है, और राख के उपयोग की प्रतिशतता की गणना के प्रयोजन के लिए वर्ष 2021-2022 में उपयोग की प्रतिशत प्रमात्रा को नीचे दी गई तालिका के अनुसार ध्यान में रखा जाएगा:

तापीय विद्युत संयंत्रों के उपयोग की प्रतिशतता	100 प्रतिशत उपयोगिता प्राप्त करने के लिए प्रथम अनुपालन चक्र	100 प्रतिशत उपयोगिता प्राप्त करने के लिए द्वितीय अनुपालन चक्र
>80 प्रतिशत	3 वर्ष	3 वर्ष
60-80 प्रतिशत	4 वर्ष	3 वर्ष
<60 प्रतिशत	5 वर्ष	3 वर्ष

परन्तु, ताप विद्युत संयंत्रों के लिए 80 प्रतिशत न्यूनतम उपयोग प्रतिशतता, क्रमशः 60-80 प्रतिशत और <60 प्रतिशत की उपयोगिता की श्रेणी के तहत आने वाले ताप विद्युत संयंत्रों के लिए प्रथम अनुपालन चक्र के पहले वर्ष और पहले दो वर्षों पर लागू नहीं होगी।

परन्तु, अनुपालन चक्र के अंतिम वर्ष में सृजित 20 प्रतिशत राख को अगले चक्र में भी ले जाया जाएगा जिसका उपयोग उस अनुपालन चक्र के दौरान सृजित राख के साथ अगले तीन वर्षों में किया जाएगा।

- (5) अप्रयुक्त संचित राख अर्थात् लीगेसी राख, जिसका इस अधिसूचना के प्रकाशन से पहले भंडारण किया गया है, को ताप विद्युत संयंत्र (टीपीपी) द्वारा इस रीति से क्रमिक रूप से उपयोग में लाया जाएगा, कि लीगेसी राख को इस अधिसूचना के प्रकाशन की तिथि से दस वर्षों के भीतर पूरी तरह उपयोग कर लिया जाएगा और यह उस विशिष्ट वर्ष के चालू संचालनों के माध्यम से राख उत्सर्जन के लिए निर्धारित उपयोग लक्ष्यों से अतिरिक्त होगा।

परन्तु, निम्नलिखित प्रतिशतताओं में यथा उल्लिखित लीगेसी राख की न्यूनतम मात्रा का उपयोग तास्थानी वर्ष के दौरान कर लिया जाएगा और लीगेसी राख की न्यूनतम मात्रा की ताप विद्युत संयंत्र की संस्थापित क्षमता के अनुसार वार्षिक राख उत्सर्जन के आधार पर की जानी है।

प्रकाशन की तिथि से वर्ष	पहला	दूसरा	तीसरा-दसवां
लीगेसी राख का उपयोग (वार्षिक राख की प्रतिशतता)	कम से कम 20 प्रतिशत	कम से कम 35 प्रतिशत	कम से कम 50 प्रतिशत

परन्तु, यह और कि लीगेसी राख का उपयोग वहां अपेक्षित नहीं है, जहां राख के तालाब या डाइक स्थिर हो गए हैं और हरित पट्टी के निर्माण या पौध रोपण से पुनरुद्धार किया गया है और संबंधित राज्य प्रदूषण नियंत्रण बोर्ड इस संबंध में प्रमाणित करेगा। किसी राख तालाब या डाइक के स्थिरीकरण और भूमि-उद्धार का कार्य, जिसमें केन्द्रीय प्रदूषण नियंत्रण बोर्ड या राज्य प्रदूषण नियंत्रण बोर्ड द्वारा प्रमाणन शामिल है, इस अधिसूचना के प्रकाशन की तारीख से एक वर्ष के भीतर किया जाएगा। अन्य सभी राख के कुंड या डाइक में शेष बचे राख का उपयोग ऊपर उल्लिखित समय-सीमाओं के अनुसार क्रमिक रूप से किया जाएगा।

टिप्पण: राख के उपयोग के लक्ष्यों को हासिल करने के लिए उप पैरा (4) और (5) के अधीन दायित्व 01 अप्रैल, 2022 की तारीख से लागू होंगे।

- (6) किसी भी नए तापीय विद्युत संयंत्र (टीपीपी) में 0.1 हेक्टेयर प्रति मेगावाट (एमडब्ल्यू) क्षेत्रफल के साथ आपातकालीन या अस्थायी राख कुंड की अनुमति दी जा सकती है। राख के तालाब या डाइकों का तकनीकी विनिर्देश, केन्द्रीय विद्युत प्राधिकरण (सीईए) के परामर्श से केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा बनाए गए दिशानिर्देशों के अनुसार होगा और ये दिशानिर्देश राख के कुंड या डाइक के संबंध में इसकी सुरक्षा, पर्यावरणीय प्रदूषण, उपलब्ध प्रमात्रा, निपटान का तरीका, निपटान में जल की खपत या संरक्षण, राख जल पुनर्चक्रण और ग्रीन बेल्ट आदि के वार्षिक प्रमाणन के लिए कार्यविधि भी निर्धारित करेंगे और इस अधिसूचना के प्रकाशन की तारीख से तीन महीनों के भीतर प्रस्तुत किए जाएंगे।
- (7) प्रत्येक कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्र यह सुनिश्चित करेगा कि राख की लदाई, उतराई, ढुलाई, भंडारण और निपटान पर्यावरणीय दृष्टि से अनुकूल रीति से किया गया है और वायु और जल प्रदूषण की रोकथाम के लिए सभी ऐह्तियात किए गए हैं और इस संबंध में स्थिति की सूचना इस अधिसूचना में संलग्न अनुबंध में संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) को दी जाएगी।
- (8) प्रत्येक कोयला या लिग्नाइट आधारित तापीय विद्युत संयंत्र, संस्थापित क्षमता पर आधारित राख के कम से कम 16 घंटों के भंडारण के लिए समर्पित शुष्क फ्लाई राख साइलस प्रतिष्ठापित करेगा, जिनके पास पृथक पहुंच मार्ग होंगे, जिसे कि राख पहुंचाने के कार्य को सुगम बनाया जा सके। इसकी सूचना संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) को उपाबंध में दी जाएगी और केन्द्रीय प्रदूषण नियंत्रण

बोर्ड (सीपीसीबी) या राज्य केन्द्रीय प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति द्वारा समय-समय पर निरीक्षण किया जाएगा।

- (9) प्रत्येक कोयला या लिग्नाईट आधारित तापीय विद्युत संयंत्र (जिसके अंतर्गत कैप्टिव या सह उत्पादन केन्द्र भी है या दोनों), वास्तविक उपयोगकर्ता (उपयोगकर्ताओं) के हित के लिए केन्द्रीय प्रदूषण नियंत्रण बोर्ड के वेब पोर्टल या मोबाईल फोन एप्प का लिंक उपलब्ध कराकर ताप विद्युत संयंत्र के पास राख की उपलब्धता के वास्तविक आंकड़े प्रदान करेगा।
- (10) राख के 100 प्रतिशत उपयोग का वैधानिक दायित्व, जहां भी लागू हो, विधि में बदलाव के रूप में माना जाएगा।

ख. राख के उपयोग के प्रयोजनार्थ, उत्तरवर्ती उप पैराग्राफ लागू होंगे :-

- (1) ऐसे सभी अभिकरण (सरकारी, अर्द्धसरकारी और निजी), जो सड़क विद्याने, सड़क और फ्लाई ओवर के किनारों, तटीय जिलों में तटरेखा की सुरक्षा संरचनाओं और लिग्नाईट या कोयला आधारित ताप विद्युत संयंत्र से 300 किमी के भीतर बांधों जैसे निर्माण संबंधी कार्यकलापों में लगे हुए हैं, इन कार्यकलापों में अनिवार्य रूप से राख का उपयोग करेंगे :

परंतु इसको परियोजना स्थल पर निशुल्क पहुंचाया जाए और परिवहन लागत, ऐसे कोयला या लिग्नाईट आधारित ताप विद्युत संयंत्रों द्वारा वहन की जाए।

परंतु यह और कि ताप विद्युत संयंत्र पारस्परिक सहमत हुई शर्तों के अनुसार राख की लागत और परिवहन के लिए शुल्क ले सकता है उस मामले में जहां ताप विद्युत संयंत्र अन्य माध्यम से राख का निपटान करने में समर्थ है और ये अभिकरण इसके लिए प्रार्थना कर सकते हैं और बिना लागत और बिना परिवहन शुल्क के राख उपलब्ध कराने के प्रावधान तभी लागू होंगे यदि उसके लिए ताप विद्युत संयंत्र उस निर्माण अभिकरण को नोटिस जारी करता है।

- (2) उक्त कार्यकलापों में राख का उपयोग भारतीय मानक ब्यूरो, भारतीय रोड कांग्रेस, केन्द्रीय भवन अनुसंधान संस्थान, रूड़की, केन्द्रीय सड़क अनुसंधान संस्थान, दिल्ली, केन्द्रीय लोक निर्माण विभाग, राज्य लोक निर्माण विभागों और अन्य केन्द्रीय और राज्य सरकार के अभिकरणों द्वारा निर्धारित किए गए विनिर्देशों और दिशानिर्देशों के अनुसार किया जाएगा।

- (3) तापीय विद्युत संयंत्र की 300 किलोमीटर की परिधि के भीतर अवस्थित सभी खानों के लिए विस्तारित उत्पादक उत्तरदायित्व (ईपीआर) के तहत खुली आवर्त खानों में राख का पृष्ठ भंडारण करना या अधिक भार के ढेरों के साथ राख का मिश्रण करना बाध्यकारी होगा। सभी खान के स्वामी या प्रचालक (चाहे सरकारी, सार्वजनिक और निजी क्षेत्र के हो) कोयला या लिग्नाईट आधारित तापीय विद्युत संयंत्रों से तीन सौ किलोमीटर (सड़क द्वारा) के भीतर, महानिदेशक, खान सुरक्षा (डीजीएमएस) के दिशानिर्देशों के अनुसार ओवर बर्डन के बाह्य निक्षेप खान की बैकफिलिंग अथवा स्टोविंग (प्रचालित या छोड़ी गई खानों, जैसा भी मामला हो) के लिए उपयोग की गई सामग्रियों के भार-दर-भार के आधार पर कम से कम 25 प्रतिशत राख को मिश्रित करने के लिए उपाय करेंगे :

परंतु ऐसे तापीय विद्युत केन्द्र निःशुल्क राख प्रदान करके और परिवहन की लागत को वहन करके या पारस्परिक सहमत हुई शर्तों पर लिए गए निर्णय के अनुसार लागत या परिवहन व्यवस्था करके राख की अपेक्षित मात्रा की उपलब्धता को सुकर बनायेंगे और खानों के खाली स्थानों और ढेरों में अधिकभार के साथ राख को मिश्रित करना, सृजित अधिकभार के लिए इस अधिसूचना के प्रकाशन की तिथि से लागू होगा और उक्त कार्यकलापों में राख का उपयोग, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, महानिदेशक खान सुरक्षा और भारतीय खदान ब्यूरो द्वारा निर्धारित दिशानिर्देशों के अनुसार किया जाएगा।

स्पष्टीकरण :- इस उप-पैरा के प्रयोजन के लिए यह भी स्पष्ट किया जाता है कि लागत मुक्त राख और निःशुल्क परिवहन के उपबंध केवल तभी लागू होंगे यदि ताप विद्युत संयंत्र इसके लिए खान मालिक को नोटिस देते हैं और अधिकभार वाले ढेर के साथ मिश्रित करने और खान में खाली स्थान को भरने के लिए राख के 25 प्रतिशत हिस्से के उपयोग का अधिदेश तब तक लागू नहीं होगा जब तक कि ताप विद्युत संयंत्र द्वारा खान मालिक को नोटिस न दिया गया हो।

- (5) (i) सभी खान मालिकों को खान में खाली स्थानों में राख को समायोजित करने के लिए खान बंद योजना (प्रगामी और अंतिम) तैयार करनी होगी और खान में खाली स्थान में राख के निपटान और अधिभार वाले ढेर के साथ राख को मिश्रित करने के लिए खान योजनाओं को संबंधित प्राधिकारी अनुमोदित करेगा। पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा ताप विद्युत संयंत्रों और कोयला खदानों की पर्यावरणीय मंजूरी की अपेक्षा से छूट देने के साथ-साथ ऐसे निपटान के लिए अपनाए जाने वाले दिशानिर्देशों के संबंध में तारीख 28 अगस्त, 2019 को दिशानिर्देश जारी किए गए।
- (ii) मंत्रालय, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, महानिदेशक, खान सुरक्षा (डीजीएमएस) और भारतीय खान ब्यूरो (आईबीएम) के साथ परामर्श करके, खानों में खाली स्थानों में राख के निपटान करने तथा अधिभार वाले ढेरों में इसे मिश्रित करना सुगम बनाने के लिए समय-समय पर आगे भी दिशानिर्देश जारी कर सकता है और यह खान मालिकों की जिम्मेदारी होगी कि वे ऐसी खानों को अभिजात करने की तिथि से एक वर्ष के भीतर विभिन्न विनियामक प्राधिकरणों द्वारा जारी की गई अनुमतियों में आवश्यक संशोधन या परिवर्तन प्राप्त करेंगे।
- (6) (i) पर्यावरणीय प्रदूषण के संदर्भ में सुरक्षा, व्यवहार्यता (आर्थिक व्यवहार्यता नहीं) और पहलुओं की जांच सहित राख से खान में खाली स्थान को वापस भरने/अधिभार वाले ढेर के साथ राख को मिश्रित करने के लिए खानों की पहचान करने के लिए पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, विद्युत मंत्रालय, खान मंत्रालय, कोयला मंत्रालय, महानिदेशक खान सुरक्षा और भारतीय खान ब्यूरो से प्रतिनिधियों को शामिल करते हुए अध्यक्ष, केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) की अध्यक्षता में एक समिति का गठन किया जाएगा और यह समिति पणधारी मंत्रालयों या विभागों के लिए अभिजात खानों (भूमिगत और खुली, दोनों) के संबंध में तैयार की गई तिमाही रिपोर्टों को अद्यतन करेगी और यह समिति, इस अधिसूचना के प्रकाशन के तुरंत पश्चात उपयुक्त खानों की पहचान करना आरंभ करेगी।
- (ii) ताप विद्युत संयंत्र या खानें, उपरोक्त अनुसार अधिदेशित उपयोग लक्ष्यों को पूरा करने के लिए उपर्युक्त समिति द्वारा पहचान किए जाने तक राख के निपटान हेतु प्रतीक्षा नहीं करेगी।
- (7) राख से निचले क्षेत्र को भरने का कार्य, अनुमोदित परियोजनाओं के लिए राज्य प्रदूषण नियंत्रण बोर्ड की पूर्ण अनुमति से और केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निर्धारित दिशा-निर्देशों के अनुसार किया जाएगा और राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति द्वारा अनुमोदित स्थलों, अवस्थान, क्षेत्र और अनुमत मात्रा को अपनी वेबसाइट पर प्रतिवर्ष प्रकाशित किया जाएगा।
- (8) केन्द्रीय प्रदूषण नियंत्रण बोर्ड, संगत पणधारी के साथ मिलकर, राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) द्वारा अनुमति प्रदान करने के लिए समयबद्ध ऑनलाइन आवेदन प्रक्रिया प्रस्तुत करने के साथ-साथ इस अधिसूचना के अधीन परिकल्पित सभी प्रकार के कार्यकलापों के लिए एक वर्ष के भीतर दिशानिर्देश प्रस्तुत करेगा।
- (9) कोयला या लिग्नाइट आधारित तापीय ऊर्जा संयंत्र से तीन सौ किलोमीटर के दायरे में स्थित सभी भवन निर्माण परियोजनाएं (केंद्रीय, राज्य और स्थानीय प्राधिकरणों सरकारी उपक्रमों, अन्य सरकारी अभिकरणों तथा सभी निजी अभिकरणों) राख की ईटों, टाईल्स, धातुमल राख अथवा अन्य राख आधारित उत्पादों का उपयोग करेंगी बशर्ते कि वे वैकल्पिक उत्पादों की कीमत से अधिक कीमत पर उपलब्ध न हों।
- (10) राख आधारित उत्पादों के विनिर्माण और ऐसे उत्पादों में राख के उपयोग में भारतीय मानक ब्यूरो, भारतीय सड़क कांग्रेस और केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निर्धारित विनिर्देशों और दिशानिर्देशों की अनुपालना होगी।
- ग. गैर-अनुपालन के लिए पर्यावरणीय प्रतिकर .-
- (1) तीन वर्ष के चक्र के प्रथम दो वर्षों में, यदि कोयला या लिग्नाइट आधारित तापीय ऊर्जा संयंत्र (कैप्टिव और/ या सह-उत्पादक स्टेशनों या दोनों सहित) ने कम-से-कम 80 प्रतिशत राख (फ्लाई-राख और बॉटम-राख) उपयोग नहीं की है तो ऐसे गैर-अनुपालन ताप विद्युत संयंत्रों पर प्रस्तुत की गई वार्षिक रिपोर्टों के आधार पर वित्तीय वर्ष के

अंत में अप्रयुक्त राख पर 1000 रुपए प्रति टन की दर से पर्यावरणीय प्रतिकर लगाया जाएगा और यदि यह तीन वर्ष के चक्र के तीसरे वर्ष में 100 प्रतिशत राख का उपयोग करने में असमर्थ रहता है, तो वह अप्रयुक्त मात्रा पर 1000 रुपए प्रति टन की दर से पर्यावरणीय प्रतिकर के भुगतान का पात्र होगा, जिस पर पहले पर्यावरणीय प्रतिकर नहीं लगायी गयी है।

परंतु पर्यावरणीय प्रतिकर को पैरा क के उप-पैरा (4) में उल्लिखित विभिन्न उपयोगी श्रेणियों के अनुसार प्रथम अनुपालन चक्र के अंतिम वर्ष के अंत में अनुमान लगाया जाएगा और अधिरोपित किया जाएगा।

- (2) अधिकारियों द्वारा एकत्रित पर्यावरणीय प्रतिकर को केन्द्रीय प्रदूषण नियंत्रण बोर्ड के निर्दिष्ट खाते में जमा किया जाएगा।
- (3) लैग्रेसी राख के मामले में, यदि कोयला या लिग्नाइट आधारित तापीय ऊर्जा संयंत्र (कैप्टिव या सह-उत्पादक स्टेशनों या दोनों सहित) ने स्थापित क्षमता पर आधारित उत्पन्न राख का कम-से-कम 20 प्रतिशत (प्रथम वर्ष के लिए), 35 प्रतिशत (द्वितीय वर्ष के लिए), 50 प्रतिशत (तीसरे से दसवें वर्ष तक) उपयोग के बराबर लक्ष्य प्राप्त नहीं किया है तो उस वित्तीय वर्ष के दौरान अप्रयुक्त लैग्रेसी राख पर 1000 रुपए प्रति टन की दर से पर्यावरणीय प्रतिकर लगाया जाएगा और यदि 10 वर्ष के अंत में लैग्रेसी राख का उपयोग नहीं किया जाता है तो 1000 रुपए प्रति टन की दर से शेष अप्रयुक्त मात्रा पर पर्यावरणीय प्रतिकर लगाया जाएगा जिस पर पहले पर्यावरणीय प्रतिकर नहीं लगाया गया है।
- (4) अधिकृत खरीददारों या उपभोक्ता अभिकरणों तक राख भेजने की जिम्मेदारी परिव्राहकों या वाहन मालिक की जिम्मेदारी है और यदि इसका अनुपालन नहीं किया जाता है, तो अनधिकृत उपयोगकर्ताओं अथवा गैर-अधिकृत उपयोगकर्ताओं को ऐसी मात्रा गलत तरीके से वितरित करने पर 1500 रुपए प्रति टन की दर से पर्यावरणीय प्रतिकर लगायी, इसके अतिरिक्त राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) द्वारा गैर अनुपालनकर्ता परिव्राहकों पर अभियोजन लागू होगा।
- (5) इस अधिसूचना के पैरा ख में विहित पर्यावरण अनुकूल तरीके में राख के उपयोग की जिम्मेदारी खरीददार या उपभोगकर्ता एजेंसियों की है और ऐसा नहीं करने पर केन्द्रीय प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) द्वारा 1500 रुपए प्रति टन की दर से पर्यावरणीय प्रतिकर लगाया जाएगा।
- (6) यदि उपयोगकर्ता अधिकरण पैरा ख के अधीन निर्धारित सीमा तक अथवा पैरा घ के उप-पैरा (1) के अधीन, दिए गए नोटिस के माध्यम से सूचित की गई सीमा, इनमें से जो भी कम हो, तक राख का उपयोग नहीं करती है, वे अतिरिक्त राख की मात्रा का 1500 रुपए प्रति टन की दर से भुगतान करने के लिए उत्तरदायी होंगी।
परंतु भवन निर्माण के संबंध में पर्यावरणीय प्रतिकर निर्मित क्षेत्र के 75 रुपये प्रति वर्ग फीट की दर से वसूल किया जाएगा।
- (7) (i) ताप विद्युत संयंत्रों अन्य बकायादारों से केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा लगायी गई का पर्यावरणीय प्रतिकर उपयोग अप्रयुक्त राख के सुरक्षित निपटान हेतु किया जाएगा और राख आधारित उत्पादों सहित राख के उपयोग के संबंध में और अधिक अनुसंधान करने के लिए भी निधि का उपयोग किया जा सकता है।
(ii) अप्रयुक्त मात्रा पर लगाए गए पर्यावरणीय प्रतिकर के पश्चात भी राख के उपयोग का उत्तरदायित्व ताप विद्युत संयंत्रों की होगी और यदि पश्चातवती चक्रों में पर्यावरणीय प्रतिकर लगाने के पश्चात ताप विद्युत संयंत्र, किसी विशेष चक्र की राख के उपयोग के लक्ष्य को प्राप्त करता है तो अगले चक्र के दौरान अप्रयुक्त मात्रा पर एकत्र की गई पर्यावरणीय प्रतिकर में 10 प्रतिशत कटौती के पश्चात उक्त रकम ताप विद्युत संयंत्र को वापस कर दी जाएगी और पश्चातवती चक्रों में राख के उपयोग के मामले में एकत्र की गई पर्यावरणीय प्रतिकर की 20 प्रतिशत, 30 प्रतिशत और उसी क्रम में कटौती की जानी है।

घ. राख या राख आधारित उत्पादों की आपूर्ति हेतु प्रक्रिया .-

- (1) ताप विद्युत संयंत्रों के स्वामी अथवा राख की ईंटों या टाईल्स या धातुमल आधारित राख के विनिर्माता उन व्यक्तियों या अभिकरणों को लिखित सूचना देंगे जो बिक्री या परिवहन या दोनों के लिए प्रस्तुत राख या राख आधारित उत्पादों के उपयोग के लिए उत्तरदायी हैं।
- (2) ऐसे व्यक्ति या उपयोगकर्ता अभिकरणों जिन्हें ताप विद्युत संयंत्रों के स्वामी द्वारा या राख की ईंटों या टाईल्स या धातुमल आधारित राख के उत्पादकों द्वारा सूचना दी गई है, यदि वे पहले ही राख या राख उत्पादों के उपयोग के प्रयोजन से अन्य अभिकरणों के साथ जुड़े हुए हैं, यदि वे किसी भी राख/राख उत्पादों का उपयोग नहीं कर सकते हैं अथवा कम मात्रा का उपयोग कर सकते हैं, तदनुसार ताप विद्युत संयंत्र को सूचित करेंगे।

ङ. प्रवर्तन, निगरानी, लेखा परीक्षा और प्रतिवेदन करना

- (1) केंद्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) और संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी), उपबंधों के अनुपालना सुनिश्चित करने के लिए प्रवर्तन और निगरानी प्राधिकरण होंगे। सीपीसीबी या एसपीसीबी या पीसीसी तिमाही आधार पर राख के उपयोग की निगरानी करेंगे और सीपीसीबी इस प्रयोजन के लिए अधिसूचना की प्रकाशन की तारीख से छः माह के भीतर एक पोर्टल विकसित करेगा। संबंधित जिला अधिकारी के पास इस अधिसूचना के उपबंधों को लागू करने और निगरानी करने के लिए समवर्ती अधिकारिता होगी।
- (2) (i) ताप विद्युत संयंत्र, राख उत्सर्जन और उपयोग से संबंधित मासिक सूचना वेब पोर्टल पर अगले महीने की 5 तारीख तक अपलोड करेगा। कोयला या लिग्नाइट आधारित ताप ऊर्जा संयंत्रों द्वारा केंद्रीय प्रदूषण नियंत्रण बोर्ड, संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति (पीसीसी), केंद्रीय विद्युत प्राधिकरण (सीईए) और पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के संबंधित एकीकृत क्षेत्रीय कार्यालयों को इस अधिसूचना के उपबंधों के अनुपालन संबंधी सूचना उपलब्ध कराते हुए वार्षिक कार्यान्वयन रिपोर्ट प्रत्येक वर्ष (1 अप्रैल से 31 मार्च तक की अवधि के लिए) अप्रैल माह के 30वें दिन तक प्रस्तुत की जाएगी। सीपीसीबी और सीईए द्वारा सभी ताप विद्युत संयंत्रों द्वारा प्रस्तुत वार्षिक रिपोर्टों का समेकन किया जाएगा और उसे पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय को 31 मई तक प्रस्तुत किया जाएगा।
- (ii) सभी अन्य उपयोगकर्ता अधिकरण पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय या राज्य स्तरीय पर्यावरण प्रभाव आकलन प्राधिकरण (एसईआईए) द्वारा जारी पर्यावरणीय मंजूरी (ईसी) अथवा राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) द्वारा जारी संचालन की सहमति (सीटीओ), जो भी लागू हो, की अनुपालना रिपोर्ट में इस अधिसूचना में आज्ञापकता के अनुसार राख के उपभोग या उपयोग या निस्तारण तथा राख आधारित उत्पादों के उपयोग संबंधी सूचना प्रस्तुत करेंगे। केंद्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) या राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) अधिसूचना के उपबंधों के प्रभावी कार्यान्वयन की समीक्षा करने हेतु ताप विद्युत संयंत्रों के अतिरिक्त अन्य सभी अधिकरणों की राख उपयोग की वार्षिक रिपोर्ट प्रकाशित करेंगे।
- (3) इस अधिसूचना के उपबंधों की निगरानी और कार्यान्वयन के प्रयोजन के लिए केंद्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) की अध्यक्षता में एक समिति का गठन किया जाएगा जिसके सदस्य विद्युत मंत्रालय, कोयला मंत्रालय, खनन मंत्रालय, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, सड़क परिवहन और राजमार्ग मंत्रालय और भारी उद्यम विभाग से होने के साथ-साथ समिति के अध्यक्ष द्वारा नामित किए जाने वाले कोई संबंधित पणधारी होंगे। यह समिति संगत पणधारी को आमंत्रित कर सकती है। यह समिति इस अधिसूचना के उपबंधों के प्रभावी और दक्ष कार्यान्वयन के लिए सिफारिशें कर सकती है। यह समिति छः माह में कम से कम एक बार एक बैठक करेगी और वार्षिक कार्यान्वयन रिपोर्टों की समीक्षा करेगी और यह समिति, इस अधिसूचना द्वारा आज्ञापक किए गए अनुसार छः महीनों में कम से कम एक बार संगत पणधारी (को) को आमंत्रित करके राख के उपयोग की निगरानी करने के लिए पणधारी से साथ परामर्शदात्री बैठकें आयोजित करेगी। यह समिति पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय (एमओईएफसीसी) को छः मासिक रिपोर्ट प्रस्तुत करेगी।

- (4) ताप विद्युत संयंत्रों और राख के उपयोगकर्ताओं या राख आधारित उत्पादों के विनिर्माताओं के बीच के विवाद का समाधान करने के प्रयोजन से राज्य सरकारें या संघ राज्यक्षेत्र की सरकारें इस अधिसूचना के प्रकाशन की तारीख से तीन माह के भीतर राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) की अध्यक्षता में एक समिति का गठन करेंगी जिसमें विद्युत विभाग के प्रतिनिधि और एक प्रतिनिधि उस विभाग का होगा, जो विवाद वाले संबंधित अभिकरण का कार्य देख रहे हैं।
- (5) केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) द्वारा प्राधिकृत लेखा परीक्षकों द्वारा ताप विद्युत संयंत्रों और उपयोगकर्ता अभिकरणों द्वारा किए गए राख के निपटान की अनुपालन लेखा परीक्षा संचालित की जाएगी और लेखा परीक्षा की रिपोर्ट प्रत्येक वर्ष 30 नवम्बर तक केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) और संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) को प्रस्तुत की जाएगी। केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) और संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी) या प्रदूषण नियंत्रण समिति (पीसीसी) लेखा परीक्षा की रिपोर्ट प्राप्त होने के पंद्रह दिनों के भीतर अनुपालन न करने वाले ताप विद्युत संयंत्रों के विरुद्ध कार्रवाई प्रारंभ करेंगे।

[फा. सं. एचएसएम-9/1/2019-एचएसएम]

नरेश पाल गंगवार, संयुक्त सचिव

उपाबंध

31 मई तक अथवा उससे पहले प्रस्तुत की जाने वाली राख संबंधी उपबंधों की अनुपालन रिपोर्ट (01 अप्रैल से 31 मार्च की अवधि के लिए)।

क्र.सं.	ब्यौरा	
1.	विद्युत संयंत्र का नाम	
2.	कंपनी का नाम	
3.	जिला	
4.	राज्य	
5.	पत्राचार के लिए डाक का पता :	
6.	ई-मेल :	
7.	विद्युत संयंत्र की संस्थापित क्षमता (मेगा वॉट) :	
8.	संयंत्र लोड फैक्टर (पीएलएफ) :	
9.	उत्पादित यूनिटों की संख्या (एमडब्ल्यूएच) :	
10.	विद्युत संयंत्र के अंतर्गत कुल क्षेत्र (हेक्टेयर) (राख कुंडों के अधीन क्षेत्र सहित) :	
11.	रिपोर्टिंग की अवधि के दौरान कोयला खपत की मात्रा (प्रति वर्ष मीट्रिक टन) :	
12.	औसत राख सामग्री प्रतिशतता में (%) :	
13.	रिपोर्टिंग की अवधि के दौरान वर्तमान में उत्पादित राख की मात्रा (प्रति वर्ष मीट्रिक टन) : फ्लाय राख (प्रति वर्ष मीट्रिक टन) : बॉटम राख (प्रति वर्ष मीट्रिक टन) :	
14.	ड्राई फ्लाय राख भंडारण गड्ढा (गड्ढों) की क्षमता (मीट्रिक टन) :	
15.	रिपोर्टिंग की अवधि के दौरान वर्तमान में उत्पादित राख के उपयोग का ब्यौरा: (क) रिपोर्टिंग की अवधि के दौरान वर्तमान में उपयोग की गई राख की	

	<p>कुल मात्रा (एमटीपीए) :</p> <p>(ख) उपयोग की गई फ्लाइं राख की मात्रा (एमटीपीए) :</p> <ol style="list-style-type: none"> i. फ्लाइ-एश आधारित उत्पाद (ईट या ब्लॉक या टाइल्स या फाइबर सीमेंट शीट या पाइप या बोर्ड/पैनल) : ii. सीमेंट विनिर्माण : iii. रेडी मिक्स कंक्रीट : iv. राख और जीओ-पॉलिमर आधारित निर्माण सामग्री : v. सिंटेड या कोल्ड बॉन्डेड राख एग्रीगेट का निर्माण : vi. सड़कों, सड़क और फ्लाइ ओवर के पुश्तों का निर्माण : vii. बांधों का निर्माण : viii. निम्न भू-क्षेत्र का भराव : ix. खनिज क्षेत्रों का भराव : x. अधिभार वाले डम्पों में उपयोग : xi. कृषि : xii. तटीय जिलों में तटरेखा सुरक्षा संरचनाओं का निर्माण : xiii. अन्य देशों को राख का निर्यात : xiv. अन्य (कृपया विनिर्दिष्ट करें) : <p>(ग) उपयोग किए गए तल के राख की मात्रा (एमटीपीए) :</p> <ol style="list-style-type: none"> i. फ्लाइ-एश आधारित उत्पाद (ईट या ब्लॉक या टाइल्स या फाइबर सीमेंट शीट या पाइप या बोर्ड या पैनल) : ii. सीमेंट विनिर्माण : iii. रेडी मिक्स कंक्रीट : iv. राख और जीओ-पॉलिमर आधारित निर्माण सामग्री : v. सिंटेड या कोल्ड बॉन्डेड राख एग्रीगेट का निर्माण : vi. सड़कों, सड़क और फ्लाइओवर के पुश्तों का निर्माण : vii. बांधों का निर्माण : viii. निम्न भू-क्षेत्र का भराव : ix. खनिज क्षेत्रों का भराव : x. अधिभार वाले डम्पों में उपयोग : xi. कृषि : xii. तटीय जिलों में तटरेखा सुरक्षा संरचनाओं का निर्माण : xiii. अन्य देशों को राख का निर्यात : xiv. अन्य (कृपया विनिर्दिष्ट करें) : <p>रिपोर्टिंग की अवधि के दौरान वर्तमान में अप्रयुक्त राख की कुल मात्रा (एमटीपीए) :</p>	
16.	रिपोर्टिंग की अवधि के दौरान वर्तमान में उत्पादित राख का प्रतिशतता उपयोग (%) :	
17.	<p>राख कुण्डों में राख के निपटान का ब्यौरा</p> <p>क) तारीख 31 मार्च तक (रिपोर्टिंग की अवधि को छोड़कर) राख कुण्ड (कुण्डों) में निपटान किए गए राख की कुल मात्रा (मीट्रिक टन):</p>	

	<p>ख) रिपोर्टिंग की अवधि के दौरान राख कुण्ड (कुण्डों) में निपटान किए गए राख की मात्रा (मीट्रिक टन):</p> <p>ग) रिपोर्टिंग की अवधि के दौरान राख कुण्डों में गारा निस्सरण हेतु खपत हुए जल की कुल मात्रा (मी³):</p> <p>घ) राख कुण्डों की कुल संख्या:</p> <p>(i) सक्रिय:</p> <p>(ii) खाली किए गए (पुनः भरा जाना है)</p> <p>(iii) पुनः भरे गए:</p> <p>ड.) राख कुण्डों के अधीन कुल क्षेत्र (हेक्टेयर):</p>	
<p>18.</p>	<p>अलग-अलग राख कुण्ड का ब्यौरा</p> <p><i>राख कुण्ड 1,2 आदि (यदि राख कुण्डों की संख्या एक से अधिक हो, तो कृपया निम्नलिखित ब्यौरा अलग से उपलब्ध कराएं)</i></p> <p>क) स्थिति: निर्माणाधीन या सक्रिय या खाली किया गया या पुनः भरा गया</p> <p>ख) राख कुण्ड में राख का निपटान शुरू करने की तारीख/महीना/वर्ष या महीना/वर्ष):</p> <p>ग) राख कुण्ड की क्षमता पूर्ण किए जाने के पश्चात् उसमें राख निपटान रोकने की तारीख</p> <p>(तारीख/महीना/वर्ष या महीना/वर्ष):</p> <p>(सक्रिय राख कुण्डों के लिए लागू नहीं)</p> <p>ग) क्षेत्र (हेक्टेयर):</p> <p>घ) डाइक की ऊंचाई (मी.):</p> <p>घ) आयतन (मी³):</p> <p>ड.) तारीख 31 मार्च तक निपटान किए गए राख की मात्रा (मीट्रिक टन):</p> <p>च) उपलब्ध आयतन का प्रतिशत (%) और आगे निपटान किए जा सकने वाले राख की मात्रा (मीट्रिक टन):</p> <p>छ) राख कुण्ड के भरे जाने की अनुमानित अवधि (वर्षों और महीनों की संख्या):</p> <p>ड.) निर्देशांक (अक्षांश और देशान्तर):</p> <p>(कृपया न्यूनतम 4 निर्देशांकों को विनिर्दिष्ट करें)</p> <p>ज) राख कुण्ड में की गई लाइनिंग का प्रकार: एचडीपीई लाइनिंग या एलडीपीई लाइनिंग या क्ले लाइनिंग या कोई लाइनिंग नहीं</p> <p>छ) निपटान की विधि: शुष्क निपटान या नम गारा (नम गारा के मामले में कृपया विनिर्दिष्ट करें कि क्या एचसीएसडी या एमसीएसडी या एलसीएसडी है)</p> <p>ज) राख का अनुपात: गारा मिश्रण में जल (1:_____):</p> <p>झ) संस्थापित और कार्यशील राख जल पुनर्चक्रण प्रणाली (एडब्ल्यूआरएस): हां या नहीं</p> <p>ञ) जमीन के अंदर या जल निकाय में राख कुण्ड से निस्सरित अपशिष्ट जल की मात्रा (मी³):</p> <p>ट) डाइक की स्थिरता का अध्ययन कराए जाने की पिछली तारीख और उस संगठन का नाम जिसने अध्ययन किया:</p> <p>ठ) लेखा-परीक्षा किए जाने की पिछली तारीख और उस संगठन का नाम जिसने लेखा-परीक्षा की:</p>	
<p>19.</p>	<p>उपयोग किए गए पुराने राख की मात्रा (एमटीपीए):</p> <p>i. फ्लाइ-एश आधारित उत्पाद (ईट या ब्लॉक या टाइल्स या फाइबर</p>	

	सीमेंट शीट या पाइप या बोर्ड या पैनल): ii. सीमेंट विनिर्माण: iii. रेडी मिक्स कंक्रीट: iv. राख और जीओ-पॉलिमर आधारित निर्माण सामग्री: v. सिंटीड या कोल्ड बॉन्डेड राख एग्रीगेट का निर्माण: vi. सड़कों, सड़क और फ्लाई ओवर के पुश्तों का निर्माण: vii. बांधों का निर्माण: viii. निम्न भू-क्षेत्र का भराव: ix. खनिज क्षेत्रों का भराव: x. अधिभार वाले डम्पों में उपयोग: xi. कृषि: xii. तटीय जिलों में तटरेखा सुरक्षा संरचनाओं का निर्माण: xiii. अन्य देशों को राख का निर्यात xiv. अन्य (कृपया विनिर्दिष्ट करें):																	
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22.	प्राधिकृत हस्ताक्षरकर्ता के हस्ताक्षर																	

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 31st December, 2021

S.O. 5481(E).—Whereas by notification of the Government of India in the erstwhile Ministry of Environment and Forests *vide* S.O.763 (E), dated the 14th September, 1999, as amended from time to time, the Central Government, issued directions for restricting the excavation of top soil for manufacturing of bricks and promoting the utilisation of fly ash in the manufacturing of building materials and in construction activity within a specified radius of three hundred kilometres from the coal or lignite based thermal power plants;

And whereas, to implement the aforesaid notification more effectively based on the polluter pays principle (PPP) thereby ensuring 100 per cent utilisation of fly ash by the coal or lignite based thermal power plants and for the sustainability of the fly ash management system, the Central Government reviewed the existing notification; and whereas environmental compensation needs to be introduced based on the polluter pays principle;

And whereas, there is a need to conserve top soil by promoting manufacture and mandating use of ash based products and building materials in the construction sector;

And whereas, there is a need to conserve top soil and natural resources by promoting utilisation of ash in road laying, road and flyover embankments, shoreline protection measures, low lying areas of approved projects, backfilling of mines, as an alternative for filling of earthen materials;

And whereas, it is necessary to protect the environment and prevent the dumping and disposal of fly ash discharged from coal or lignite based thermal power plants on land;

And whereas, in the said notification the phrase 'ash', has been used which includes both fly ash as well as bottom ash generated from the Coal or Lignite based thermal power plants;

And whereas, the Central Government intends to bring out a comprehensive framework for ash utilisation including system of environmental compensation based on polluter pays principle;

And whereas, a draft notification on ash utilisation by coal or lignite thermal power plants in supersession of the notification of the Government of India, Ministry of Environment and Forests published in the Gazette of India, Extra Ordinary part II, section 3, sub-section (i) *vide* S.O.763 (E), dated the 14th September, 1999, by notification in exercise of the powers conferred under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), *vide* G.S.R. 285(E), dated the 22nd April, 2021 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of sixty days from the date on which copies of the Gazette containing the said draft provisions were made available to the public;

And, whereas all the objections and suggestions received from all persons likely to be affected thereby in respect of the said draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, and in supersession of the Notification S.O.763 (E), dated the 14th September, 1999 except as respect things done or omitted to be done before such supersession, the Central Government hereby issues the following notification on ash utilisation from coal or lignite thermal power plants which shall come into force on the date of the publication of this notification, namely:-

A. Responsibilities of thermal power plants to dispose fly ash and bottom ash.—

- (1) Every coal or lignite based thermal power plant (including captive or co-generating stations or both) shall be primarily responsible to ensure 100 per cent utilisation of ash (fly ash, and bottom ash) generated by it in an eco-friendly manner as given in sub-paragraph (2);
- (2) The ash generated from coal or lignite based thermal power plants shall be utilised only for the following eco-friendly purposes, namely:-
 - (i) Fly ash based products viz. bricks, blocks, tiles, fibre cement sheets, pipes, boards, panels;
 - (ii) Cement manufacturing, ready mix concrete;
 - (iii) Construction of road and fly over embankment, Ash and Geo-polymer based construction material;
 - (iv) Construction of dam;
 - (v) Filling up of low lying area;
 - (vi) Filling of mine voids;
 - (vii) Manufacturing of sintered or cold bonded ash aggregate;
 - (viii) Agriculture in a controlled manner based on soil testing;
 - (ix) Construction of shoreline protection structures in coastal districts;

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- (x) Export of ash to other countries;
- (xi) Any other eco-friendly purpose as notified from time to time.
- (3) A committee shall be constituted under the chairmanship of Chairman, Central Pollution Control Board (CPCB) and having representatives from Ministry of Environment, Forest and Climate Change (MoEFCC), Ministry of Power, Ministry of Mines, Ministry of Coal, Ministry of Road Transport and Highways, Department of Agricultural Research and Education, Institute of Road Congress, National Council for Cement and Building Materials, to examine and review and recommend the eco-friendly ways of utilisation of ash and make inclusion or exclusion or modification in the list of such ways as mentioned in Sub-paragraph (2) based on technological developments and requests received from stakeholders. The committee may invite State Pollution Control Board or Pollution Control Committee, operators of thermal power plants and mines, cement plants and other stakeholders as and when required for this purpose. Based on the recommendations of the Committee, Ministry of Environment, Forest and Climate Change (MoEFCC) may publish such eco-friendly purpose.
- (4) Every coal or lignite based thermal power plant shall be responsible to utilise 100 per cent ash (fly ash and bottom ash) generated during that year, however, in no case shall utilisation fall below 80 per cent in any year, and the thermal power plant shall achieve average ash utilisation of 100 per cent in a three years cycle:

Provided that the three years cycle applicable for the first time is extendable by one year for the thermal power plants where ash utilisation is in the range of 60-80 per cent, and two years where ash utilisation is below 60 per cent and for the purpose of calculation of percentage of ash utilisation, the percentage quantity of utilisation in the year 2021- 2022 shall be taken into account as per the table below:

Utilisation percentages of thermal power plants	First compliance Cycle to meet 100 per cent utilisation	Second compliance cycle onwards, to meet 100 per cent utilisation
>80 per cent	3 years	3 years
60-80 per cent	4 years	3 years
<60 per cent	5 years	3 years

Provided further that the minimum utilisation percentage of 80 per cent shall not be applicable to the first year and first two years of the first compliance cycle for the thermal power plants under the utilisation category of 60-80 per cent and <60 per cent, respectively.

Provided also that 20per cent of ash generated in the final year of compliance cycle may be carried forward to the next cycle which shall be utilised in the next three years cycle along with the ash generated during that cycle.

- (5) The unutilised accumulated ash i.e. legacy ash, which is stored before the publication of this notification, shall be utilised progressively by the thermal power plants in such a manner that the utilization of legacy ash shall be completed fully within ten years from the date of publication of this notification and this will be over and above the utilisation targets prescribed for ash generation through current operations of that particular year:

Provided that the minimum quantity of legacy ash in percentages as mentioned below shall be utilised during the corresponding year and the minimum quantity of legacy ash is to be calculated based on the annual ash generation as per installed capacity of thermal power plant.

Year from date of publication	1 st	2 nd	3 rd - 10 th
Utilisation of legacy ash (in percentage of Annual ash)	At least 20 per cent	At least 35 per cent	At least 50 per cent

Provided further that the legacy ash utilisation shall not be required where ash pond or dyke has stabilised and the reclamation has taken place with greenbelt or plantation and the concerned State Pollution Control Board shall certify in this regard. Stabilisation and reclamation of an ash pond or dyke including certification by the Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall be carried out within a year from the date of publication of this notification. The ash remaining in all other ash ponds or dykes shall be utilised in progressive manner as per the above mentioned timelines.

Note: The obligations under sub-paragraph (4) and (5) above for achieving the ash utilisation targets shall be applicable from 1st April, 2022.

- (6) Any new as well as operational thermal power plant may be permitted an emergency or temporary ash pond with an area of 0.1 hectare per Mega Watt (MW). Technical specifications of ash ponds or dykes shall be as per the guidelines of Central Pollution Control Board (CPCB) made in consultation with Central Electricity Authority (CEA) and these guidelines shall also lay down a procedure for annual certification of the ash pond or dyke on its safety, environmental pollution, available volume, mode of disposal, water consumption or conservation in disposal, ash water recycling and greenbelt, etc., and shall be put in place within three months from the date of publication of this notification.
- (7) Every coal or lignite based thermal power plant shall ensure that loading, unloading, transport, storage and disposal of ash is done in an environmentally sound manner and that all precautions to prevent air and water pollution are taken and status in this regard shall be reported to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) in Annexure attached to this notification.
- (8) Every coal or lignite based thermal power plant shall install dedicated silos for storage of dry fly ash silos for at least sixteen hours of ash based on installed capacity and it shall be reported upon to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) in the Annexure and shall be inspected by Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) from time to time.
- (9) Every coal or lignite based thermal power plant (including captive or co-generating stations or both) shall provide real time data on daily basis of availability of ash with Thermal Power Plant (TPP), by providing link to Central Pollution Control Board's web portal or mobile phone App for the benefit of actual user(s).
- (10) Statutory obligation of 100 per cent utilisation of ash shall be treated as a change in law, wherever applicable.

B. For the purpose of utilisation of ash, the subsequent sub-paras shall apply.—

- (1) All agencies (Government, Semi-government and Private) engaged in construction activities such as road laying, road and flyover embankments, shoreline protection structures in coastal districts and dams within 300 kms from the lignite or coal based thermal power plants shall mandatorily utilise ash in these activities:

Provided that it is delivered at the project site free of cost and transportation cost is borne by such coal or lignite based thermal power plants.

Provided further that thermal power plant may charge for ash cost and transportation as per mutually agreed terms, in case thermal power plant is able to dispose the ash through other means and those agencies makes a request for it and the provisions of ash free of cost and free transportation shall be applicable, if thermal power plant serves a notice on the construction agency for the same.

- (2) The utilisation of ash in the said activities shall be carried out in accordance with specifications and guidelines laid down by the Bureau of Indian Standards, Indian Road Congress, Central Building Research Institute, Roorkee, Central Road Research Institute, Delhi, Central Public Works Department, State Public Works Departments and other Central and State Government Agencies.

- (3) It shall be obligatory on all mines located within 300 kilometres radius of thermal power plant, to undertake backfilling of ash in mine voids or mixing of ash with external Overburden dumps, under Extended Producer Responsibility (EPR). All mine owners or operators (Government, Public and Private Sector) within three hundred kilometres (by road) from coal or lignite based thermal power plants, shall undertake measures to mix at least 25 per cent of ash on weight to weight basis of the materials used for external dump of overburden, backfilling or stowing of mine (running or abandoned as the case may be) as per the guidelines of the Director General of Mines Safety (DGMS):

Provided that such thermal power stations shall facilitate the availability of required quantity of ash by delivering ash free of cost and bearing the cost of transportation or cost of transportation arrangement decided on mutually agreed terms and mixing of ash with overburden in mine voids and dumps shall be applicable for the overburden generated from the date of publication of this notification and the utilisation of ash in the said activities shall be carried out in accordance with guidelines laid down by the Central Pollution Control Board, Director General of Mines Safety and Indian Bureau of Mines.

Explanation.- For the purpose of this sub-paragraph, it is also clarified that the provisions of ash free of cost and free transportation shall be applicable, if thermal power plants serve a notice on the mine owner for the same and the mandate of using 25 per cent of ash for mixing with overburden dump and filling up of mine voids shall not be applicable unless a notice is served on the mine owner by thermal power plant.

- (4) (i) All mine owners shall get mine closure plans (progressive and final) to accommodate ash in the mine voids and the concerned authority shall approve mine plans for disposal of ash in mine voids and mixing of ash with overburden dumps. The Ministry of Environment, Forest and Climate Change (MoEFCC) has issued guidelines on 28th August, 2019 regarding exemption of requirement of Environmental Clearance of thermal power plants and coal mines along with the guidelines to be followed for such disposal.
- (ii) The Ministry in consultation with Central Pollution Control Board (CPCB), Director General of Mine Safety (DGMS) and Indian Bureau of Mines (IBM) may issue further guidelines time to time to facilitate ash disposal in mine voids and mixing with overburden dumps and it shall be the responsibility of mine owners to get the necessary amendments or modifications in the permissions issued by various regulatory authorities within one year from the date of identification of such mines.
- (5) (i) There shall be a committee headed by Chairperson, Central Pollution Control Board (CPCB) with representatives from Ministry of Environment, Forest and Climate Change, Ministry of Power, Ministry of Mines, Ministry of Coal, Director General of Mine Safety and Indian Bureau of Mines for identification of mines for backfilling of mine voids with ash or mixing of ash with overburden dump including examination of safety, feasibility (not economic feasibility) and aspects of environmental contamination and the committee shall get updated quarterly reports prepared regarding identified mines (both underground and opencast) for the stakeholder Ministries or Departments and the committee shall start identifying the suitable mines immediately after the publication of this notification.
- (ii) Thermal power plants or mines shall not wait for disposal of ash till the identification is done by the above mentioned committee, to meet the utilisation targets mandated as above.
- (6) Filling of low lying areas with ash shall be carried out with prior permission of the State Pollution Control Board or Pollution Control Committee for approved projects, and in accordance with guidelines laid down by Central Pollution Control Board (CPCB) and the State Pollution Control Board or Pollution Control Committee (PCC) shall publish approved sites, location, area and permitted quantity annually on its website.
- (7) Central Pollution Control Board after engaging relevant stakeholders, shall put in place the guidelines within one year for all types of activities envisaged under this notification including putting in place time bound online application process for the grant permission by State Pollution Control Boards (SPCBs) or Pollution Control Committees (PCCs).

- (8) All building construction projects (Central, State and Local authorities, Govt. undertakings, other Govt. agencies and all private agencies) located within a radius of three hundred kilometres from a coal or lignite based thermal power plant shall use ash bricks, tiles, sintered ash aggregate or other ash based products, provided these are made available at prices not higher than the price of alternative products.
- (9) Manufacturing of ash based products and use of ash in such products shall be in accordance with specifications and guidelines laid down by the Bureau of Indian Standards, Indian Road Congress, and Central Pollution Control Board.

C. Environmental compensation for non-compliance.—

- (1) In the first two years of a three years cycle, if the coal or lignite based thermal power plant (including captive or co-generating stations or both) has not achieved at least 80 per cent ash (fly ash and bottom ash) utilisation, then such non-compliant thermal power plants shall be imposed with an environmental compensation of Rs. 1000 per ton on unutilised ash during the end of financial year based on the annual reports submitted and if it is unable to utilise 100 per cent of ash in the third year of the three years cycle, it shall be liable to pay an environmental compensation of Rs. 1000 per ton on the unutilised quantity on which environmental compensation has not been imposed earlier:
Provided that the environmental compensation shall be estimated and imposed at the end of last year of the first compliance cycle as per the various utilisation categories as mentioned in sub-paragraph (4) of Para A.
- (2) Environmental compensation collected by the authorities shall be deposited in the designated account of Central Pollution Control Board.
- (3) In case of legacy ash, if the coal or lignite based thermal power plant (including captive or co-generating stations or both) has not achieved utilisation equivalent to at least 20 per cent (for the first year), 35 per cent (for the second year), 50 per cent (for third to tenth year) of ash generated based on installed capacity, an environmental compensation of Rs. 1000 per ton of unutilised legacy ash during that financial year shall be imposed and if the utilization of legacy ash is not completed at the end of 10 years, an environmental compensation of Rs.1000 per ton shall be imposed on the remaining unutilised quantity which has not been imposed earlier.
- (4) It shall be the responsibility of the transporters or vehicle owner to deliver ash to authorised purchaser or user agency and if it is not complied, then an environmental compensation of Rs. 1500 per ton on such quantity as mis-delivered to unauthorised users or non- delivered to authorised users will be imposed besides prosecution of such non-compliant transporters by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC).
- (5) It is the responsibility of the purchasers or user agencies to utilise ash in an eco-friendly manner as laid down at para B of this notification and if it is not complied, then an environmental compensation of Rs. 1500 or per ton shall be imposed by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC).
- (6) If the user agencies do not utilise ash to the extent obligated under para B or the extent to which they have been intimated through Notice(s) served under sub-paragraph (1) of para D, whichever is lower, they shall be liable to pay Rs. 1500 per ton of ash for the quantity they fall short off:
Provided that the environmental compensation on building constructions shall be levied at Rs.75/- per square feet of built up area of construction.
- (7) (i) The environmental compensation collected by Central Pollution Control Board from the thermal power plants and other defaulters shall be used towards the safe disposal of the unutilised ash and the fund may also be utilised for advancing research on use of ash including ash based products.
(ii) The liability of ash utilisation shall be with thermal power plants even after imposition of environmental compensation on unutilised quantities and in case thermal power plant achieves the ash utilisation of any

particular cycle after imposition of environmental compensation in subsequent cycles, the said amount shall be returned to thermal power plant after deducting 10 per cent of the environmental compensation collected on the unutilised quantity during the next cycle and deduction of 20 per cent, 30 per cent, and so on, of the environmental compensation collected is to be made in case of utilisation of ash in subsequent cycles.

D. Procedure for supply of ash or ash based products.—

- (1) The owner of thermal power plants or manufacturers of ash bricks or tiles or sintered ash aggregate shall serve written notice to persons or agencies who are liable to utilise ash or ash based products, offering for sale, or transport or both.
- (2) Persons or user agencies who have been served notices by owner of thermal power plants or manufacturers of ash bricks or tiles or sintered ash aggregate, if they have already tied up with other agencies for the purpose of utilisation of ash or ash products, shall inform the thermal power plant accordingly, if they cannot use any ash or ash products or use reduced quantity.

E. Enforcement, Monitoring, Audit and Reporting.—

- (1) The Central Pollution Control Board (CPCB) and the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall be the enforcing and monitoring authority for ensuring compliance of the provisions and shall monitor the utilisation of ash on quarterly basis. Central Pollution Control Board shall develop a portal for the purpose within six months of date of publication of the notification. The concerned District Magistrate shall have concurrent jurisdiction for enforcement and monitoring of the provisions of this notification.
- (2) (i) Thermal power plants shall upload monthly information regarding ash generation and utilisation by 5th of the next month on the web portal. Annual implementation report (for the period 1st April to 31st March) providing information about the compliance of provisions in this notification shall be submitted by the 30th day of April, every year to the Central Pollution Control Board, concerned State Pollution Control Board or Pollution Control Committee (PCC), Central Electricity Authority (CEA), and concerned Integrated Regional Office of Ministry of Environment, Forest and Climate Change by the coal or lignite based thermal power plants. Central Pollution Control Board and Central Electricity Authority shall compile the annual reports submitted by all the thermal power plants and submit to Ministry of Environment, Forest and Climate Change by 31st May.

(ii) All other user agencies shall submit consumption or utilisation or disposal of ash and use of ash based products as mandated in this notification in the compliance report of Environmental Clearance (EC) issued by Ministry of Environment, Forest and Climate Change or State Level Environment Impact Assessment Authority (SEIAA) or Consent to Operate (CTO) issued by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC), whichever is applicable. The Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall publish annual report of ash utilisation of all other agencies except thermal power plants to review the effective implementation of the provisions of the notification.
- (3) For the purpose of monitoring the implementation of the provisions of this notification, a committee shall be constituted under the Chairperson, Central Pollution Control Board (CPCB), with members from Ministry of Power, Ministry of Coal, Ministry of Mines, Ministry of Environment, Forest and Climate Change, Ministry Road Transportation and Highways, Department of Heavy Industry as well as any concerned stakeholder(s), to be nominated by the Chairman of the committee. The committee may make recommendations for effective and efficient implementation of the provisions of the notification. The committee shall meet at least once in six months and review annual implementation reports and the committee shall also hold stakeholder consultations for monitoring of ash utilisation as mandated by this notification by inviting relevant stakeholder(s) at least once in six months. The committee shall submit the six monthly report to Ministry of Environment, Forest and Climate Change (MoEFCC).

- (4) For the purpose of resolving disputes between thermal power plants and users of ash or manufacturer of ash based products, the State Governments or Union territory administration constitute a Committee within three months from the date of publication of this notification under the Chairman, State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) with representatives from Department of Power, and one representative from the Department which deals with the subject of concerned agency with which dispute is made.
- (5) The compliance audit for ash disposal by the thermal power plants and the user agency shall be conducted by auditors, authorised by Central Pollution Control Board (CPCB) and audit report shall be submitted to Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) by 30th November every year. Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall initiate action against non-compliant thermal power plants within fifteen days of receipt of audit report.

[F. No. HSM-9/1/2019-HSM]

NARESH PAL GANGWAR, Jt. Secy.

Annexure

Ash Compliance Report (for the period 1st April-31st March) to be submitted on or before 31st May.

Sl. No.	Details	
1.	Name of Power Plant	
2.	Name of the company	
3.	District	
4.	State	
5.	Postal address for communication:	
6.	E-mail:	
7.	Power Plant installed capacity (MW):	
8.	Plant Load Factor (PLF):	
9.	No. of units generated (MWh):	
10.	Total area under power plant (ha): (including area under ash ponds)	
11.	Quantity of coal consumption during reporting period (Metric Tons per Annum):	
12.	Average ash content in percentage (per cent):	
13.	Quantity of current ash generation during reporting period (Metric Tons per Annum): Fly ash (Metric Tons per Annum): Bottom ash (Metric Tons per Annum):	
14.	Capacity of dry fly ash storage silo(s) (Metric Tons) :	
15.	Details of utilisation of current ash generated during reporting period (a) Total quantity of current ash utilised (MTPA) during reporting period: (b) Quantity of fly ash utilised (MTPA): (i) Fly ash based products (bricks or blocks or tiles or fibre cement sheets or pipes or boards or panels) (ii) Cement manufacturing:	

	<ul style="list-style-type: none"> (iii) Ready mix concrete: (iv) Ash and Geo-polymer based construction material: (v) Manufacturing of sintered or cold bonded ash aggregate: (vi) Construction of roads, road and fly over embankment: (vii) Construction of dams: (viii) Filling up of low lying area: (ix) Filling of mine voids: (x) Use in overburden dumps: (xi) Agriculture: (xii) Construction of shoreline protection structures in coastal districts; (xiii) Export of ash to other countries: (xiv) Others (please specify): <p>(c) Quantity of bottom ash utilised (MTPA):</p> <ul style="list-style-type: none"> (i) Fly ash based products (bricks or blocks or tiles or fibre cement sheets or pipes or boards or panels): (ii) Cement manufacturing: (iii) Ready mix concrete: (iv) Ash and Geo-polymer based construction material: (v) Manufacturing of sintered or cold bonded ash aggregate: (vi) Construction of roads, road and flyover embankment: (vii) Construction of dams: (viii) Filling up of low lying area: (ix) Filling of mine voids: (x) Use in overburden dumps: (xi) Agriculture: (xii) Construction of shoreline protection structures in coastal districts: (xiii) Export of ash to other countries: (xiv) Others (please specify): <p>Total quantity of current ash unutilised (MTPA) during reporting period:</p>	
16.	Percentage utilisation of current ash generated during reporting period (per cent):	
17.	<p>Details of disposal of ash in ash ponds</p> <ul style="list-style-type: none"> (a) Total quantity of ash disposed in ash pond(s) (Metric Tons) as on 31st March (excluding reporting period): (b) Quantity of ash disposed in ash pond(s) during reporting period (Metric Tons): (c) Total quantity of water consumption for slurry discharge into ash ponds during reporting period (m³): (d) Total number of ash ponds: <ul style="list-style-type: none"> (i) Active: (ii) Exhausted (yet to be reclaimed): (iii) Reclaimed: (e) total area under ash ponds (ha): 	
18.	<p>Individual ash pond details</p> <p><i>Ash pond-1,2, etc (please provide below mentioned details separately, if number of ash ponds is more than one)</i></p> <ul style="list-style-type: none"> (a) Status: Under construction or Active or Exhausted or 	

	<p>Reclaimed</p> <p>(b) Date of start of ash disposal in ash pond (DD/MM/YYYY or MMYYYY):</p> <p>(c) Date of stoppage of ash disposal in ash pond after completing its capacity (DD/MM/YYYY or MM/YYYY): (Not applicable for active ash ponds)</p> <p>(c) area (hectares):</p> <p>(d) dyke height (m):</p> <p>(d) volume (m³):</p> <p>(e) quantity of ash disposed as on 31st March (Metric Tons):</p> <p>(f) available volume in percentage (per cent) and quantity of ash can be further disposed (Metric Tons):</p> <p>(g) expected life of ash pond (number of years and months):</p> <p>(e) co-ordinates (Lat and Long): (please specify minimum 4 co-ordinates)</p> <p>(f) type of lining carried in ash pond: HDPE lining or LDPE lining or clay lining or No lining</p> <p>g) mode of disposal: Dry disposal or wet slurry (in case of wet slurry please specify whether HCSD or MCSD or LCSD)</p> <p>(h) Ratio of ash: water in slurry mix (1:___):</p> <p>(i) Ash water recycling system (AWRS) installed and functioning: Yes or No</p> <p>(j) Quantity of wastewater from ash pond discharged into land or water body (m3):</p> <p>(k) Last date when the dyke stability study was conducted and name of the organisation who conducted the study:</p> <p>(l) Last date when the audit was conducted and name of the organisation who conducted the audit:</p>												
19.	<p>Quantity of legacy ash utilised (MTPA):</p> <ol style="list-style-type: none"> i. Fly ash based products (bricks or blocks or tiles or fibre cement sheets or pipes or boards or panels): ii. Cement manufacturing: iii. Ready mix concrete: iv. Ash and Geo-polymer based construction material: v. Manufacturing of sintered or cold bonded ash aggregate: vi. Construction of roads, road and flyover embankment: vii. Construction of dams: viii. Filling up of low lying area: ix. Filling of mine voids: x. Use in overburden dumps: xi. Agriculture: xii. Construction of shoreline protection structures in coastal districts; xiii. Export of ash to other countries: xiv. Others (please specify): 												
20.	<table border="1"> <tr> <td colspan="4">Summary:</td> </tr> <tr> <td>Details</td> <td>Quantity generated (MTP)</td> <td>Quantity utilised (MTP) and (per cent)</td> <td>Balance quantity (MTP)</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	Summary:				Details	Quantity generated (MTP)	Quantity utilised (MTP) and (per cent)	Balance quantity (MTP)				
Summary:													
Details	Quantity generated (MTP)	Quantity utilised (MTP) and (per cent)	Balance quantity (MTP)										

	Current ash during reporting period			
	Legacy ash			
	Total			
21.	Any other information: Soft copy of the annual compliance report, and shape files of power plant and ash ponds may be e-mailed to:- moefcc-coalash@gov.in			
22.	Signature of Authorised Signatory			



भारत का राजपत्र The Gazette of India

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
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नई दिल्ली, शुक्रवार, दिसम्बर 30, 2022/पौष 9, 1944
NEW DELHI, FRIDAY, DECEMBER 30, 2022/PAUSHA 9, 1944

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 30 दिसम्बर, 2022

का.आ. 6169(अ).—पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय में भारत सरकार ने पर्यावरण (संरक्षण) नियम, 1986 के नियम (5) के उप-नियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत के राजपत्र, असाधारण, भाग II, खंड 3 उप खंड (ii) का.आ. 5481(अ), तारीख 31 दिसंबर, 2021 द्वारा एक अधिसूचना जारी की थी (जिन्हें इसमें इसके पश्चात इसे राख के उपयोग से संबंधित अधिसूचना कहा गया है);

और, राख के उपयोग से संबंधित अधिसूचना के उपबंधों के कार्यान्वयन के संबंध में विद्युत मंत्रालय, ताप विद्युत संयंत्रों और विभिन्न हितधारकों से अनुरोध प्राप्त हुए हैं;

और, राख के उपयोग से संबंधित अधिसूचना के कार्यान्वयन में सुचारू परिवर्तन लाने हेतु उक्त अधिसूचना के कतिपय उपबंधों में संशोधन लाना उचित है;

अतः अब, केन्द्रीय सरकार पर्यावरण (संरक्षण) नियम, 1986 के नियम (5) के उप-नियम (1), (2) और (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, जारी राख के उपयोग संबंधी अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात्:-

जारी राख के उपयोग से संबंधित अधिसूचना में संशोधन -

1. पैरा क में, -

(i) उप पैरा क (4) में, तीसरे परंतुक के पश्चात निम्नलिखित परंतुक अंतर्विष्ट किया जाएगा, अर्थात् :

"परन्तु, यह भी कि इस अधिसूचना के प्रकाशन की तारीख को अथवा उसके पश्चात् स्थापित नए ताप विद्युत संयंत्र सारणी में यथा विनिर्दिष्ट 60 प्रतिशत से कम ताप विद्युत संयंत्रों के लिए विनिर्दिष्ट अनुपालन चक्र के समान प्रथम अनुपालन चक्र का अनुसरण करेंगे।

टिप्पण : लागू अनुपालन चक्र के अनुसार उपयोग के लक्ष्य 1 अप्रैल, 2022 से प्रभावी होंगे।"

(ii) उप पैरा 5 में, -

(क) आरंभिक पैरा में, "इस अधिसूचना के प्रकाशन की तारीख" शब्दों के स्थान पर "1 अप्रैल, 2022" उक्त अक्षर और शब्द रखे जाएंगे;

(ख) दूसरे परंतुक में, -

(i) "हरित पट्टी या पौधरोपण" के पश्चात, "या उप पैरा (6) में यथा विनिर्दिष्ट केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) द्वारा जारी मार्गदर्शी सिद्धांतों के अनुसार सौर ऊर्जा संभव या पवन ऊर्जा संयंत्र" शब्द कोष्ठकों और अक्षरों को अंतःस्थापित किए जाएंगे;

(ii) "केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) या" शब्द कोष्ठक और अक्षर हटा दिया जाएंगे।

(iii) "एक वर्ष" शब्दों के स्थान पर "तीन वर्ष" शब्दों को रखा जाएगा।

(iv) "इस अधिसूचना के प्रकाशन की तारीख" शब्दों के स्थान पर "1 अप्रैल, 2022" उक्त अक्षर और शब्द रखे जाएंगे;

(ग) दूसरे परंतुक के पश्चात निम्नलिखित उपलब्ध अंतःस्थापित किया जाएगा, अर्थात् :

"परंतु कि पैरा क (6) में यथाविनिर्दिष्ट राख के अस्थायी भंडारण हेतु अभिहित किए गए संचालित राख कुंड या डाइक के सिवाय सभी राख कुंडों या डाइक में संग्रहीत राख में पुरानी राख एकत्रित होगी और या तो इसे पुनःप्राप्त या स्थिर या उपयोग करना होगा।"

(iii) उप पैरा (6) के स्थान, उप पैरा रखा जाएगा, अर्थात्:

"(6) किसी भी नए और साथ ही चालू थर्मल पावर प्लांट को 0.1 हेक्टेयर प्रति मेगा वाट (मेगावाट) के क्षेत्र में राख के अस्थायी भंडारण के लिए परिचालन राख तालाब या डाइक की अनुमति दी जा सकती है। केन्द्रीय विद्युत प्राधिकरण के परामर्श से बनाए गए केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) के दिशा-निर्देशों के अनुसार परिचालन के साथ-साथ स्थिर और पुनः दावा किए गए राख तालाबों या बांधों की तकनीकी विशिष्टताओं के अनुसार होंगे और ये दिशानिर्देश वार्षिक प्रमाणन के लिए एक प्रक्रिया भी निर्धारित करेंगे। परिचालन के साथ-साथ राख तालाब या डाइक को उसकी सुरक्षा, पर्यावरण प्रदूषण, उपलब्ध मात्रा, निपटान के तरीके, पानी की खपत या निपटान में संरक्षण, राख जल पुनर्चक्रण और हरित पट्टी, आदि पर परिचालन के साथ-साथ स्थिर और पुनः प्राप्त किया जाएगा और इस अधिसूचना के प्रकाशन की तारीख से तीन महीने भीतर रखा जाएगा :

परंतु कि 31 दिसंबर, 2021 से पहले चालू किए गए ताप विद्युत संयंत्रों के लिए 1600 मेगावाट से कम या उसके बराबर स्थापित क्षमता वाले दो परिचालन राख तालाबों या डाइकों तक और 1600 से अधिक स्थापित क्षमता वाले ताप विद्युत संयंत्रों के लिए चार परिचालन राख तालाबों या बांधों तक MW, मौजूदा राख तालाबों या बांधों से निर्दिष्ट क्षेत्र के भीतर कई लैगून होने पर, निर्देशांक के साथ स्पष्ट सीमांकन के साथ नामित किया जा सकता है, और केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) और संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी)/प्रदूषण को सूचित करेगा। नियंत्रण समिति (पीसीसी) 31 मार्च, 2023 तक :

परंतु आगे कि नए थर्मल पावर प्लांट या मौजूदा थर्मल पावर प्लांट के विस्तार के मामले में केवल एक ऐश पौंड या डाइक की अनुमति दी जाएगी 31 दिसंबर, 2021 को या उसके बाद, जो केन्द्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) और संबंधित राज्य प्रदूषण नियंत्रण बोर्ड (एसपीसीबी)/प्रदूषण नियंत्रण समिति (पीसीसी) को कमीशन की तारीख से 3 महीने के भीतर निर्देशांक के साथ सीमांकन के विवरण की सूचना देगा। थर्मल पावर प्लांट या 31 मार्च, 2023 तक, जो भी बाद में हो :

परंतु यह और कि कोयला और लिग्नाइट आधारित तापीय विद्युत संयंत्रों को आगे किसी भी नए कार्यशील राख कुंड या डाइक को स्थापित करने या नाम निर्दिष्ट करने की अनुमति नहीं दी जाएगी।

परंतु यह और कि कार्यशील राख कुंड या डाइक की 0.1 हे.मेगावॉट (एमडब्ल्यू) का विनिर्देशन तारीख 3 नवम्बर, 2009 से पूर्व चालू तापीय विद्युत संयंत्रों पर लागू नहीं होंगे।”

2. पैरा ख में, -

(i) उप पैरा (1) में, “300 कि.मी. के भीतर” शब्दों कोष्ठकों और आंकड़ों के स्थान पर “300 कि.मी. के रेडियस के भीतर” शब्द कोष्ठक और आंकड़े रखे जाएंगे।

(ii) उप पैरा (8) में, उच्चतर “वैकल्पिक उत्पादों के मूल्य से अधिक” शब्दों के स्थान पर “केन्द्रीय लोक कार्य विभाग (सीपीडब्ल्यूडी) या संबंधित लोक कार्य विभाग (पीडब्ल्यूडी) द्वारा विनिर्दिष्ट दरों की अनुसूची में उल्लिखित मूल्य या दरों की अनुसूची के अधीन निर्धारित न होने परल वैकल्पिक उत्पादों का मूल्य” शब्द रखे जाएंगे।

3. पैरा घ में, -

(i) उप पैरा (2) के स्थान, उप पैरा रखा जाएगा, अर्थात्:

“(2) जिन व्यक्तियों या उपयोगकर्ता या एजेंसियों को थर्मल पावर प्लांट के मालिक द्वारा नोटिस दिया गया है, अगर वे राख के उपयोग के उद्देश्य से पहले से ही अन्य एजेंसियों के साथ करार कर चुके हैं तो थर्मल पावर प्लांट को तदनुसार सूचित करेंगे और यदि वे उपयोग नहीं कर सकते हैं कोई राख या कम मात्रा का उपयोग कर सकता है।”

(ii) उप-पैरा (2) के पश्चात्, निम्नलिखित उप-पैरा अंतःस्थापित किया जाएगा, अर्थात्:

“(3) जिन व्यक्तियों या उपभोक्ता अभिकरणों को, यदि वे राख आधारित उत्पादों के उपयोग के उद्देश्य से अन्य अभिकरणों के साथ पहले से जुड़े हुए हैं, ऐश ब्रिक्स या टाइल्स या सिंटेड ऐश ऐग्रीगेट या अन्य राख आधारित उत्पादों के विनिर्माताओं के द्वारा नोटिस दिया गया है तो उन्हें ऐश ब्रिक्स या आइल्स या सिंटेड ऐश ऐग्रीगेट या अन्य राख आधारित उत्पादों के विनिर्माताओं को सूचित करना होगा, तदनुसार, यदि वे राख आधारित उत्पादों का उपयोग नहीं कर सकते या कम प्रमात्रा में उपयोग कर सकते हैं।”

2. यह अधिसूचना राजपत्र में प्रकाशन की तारीख से प्रवृत्त होगी।

[फा. सं. एचएसएम - 9/1/2019- एचएसएम]

नरेश पाल गंगवार, अपर सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग-II, खंड 3, उप-खंड (ii) सं. एम 5481(अ) तारीख 31 दिसम्बर, 2021 के द्वारा में प्रकाशित की गई।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 30th December, 2022

S.O. 6169(E).—Whereas, the Government of India, Ministry of Environment, Forest and Climate Change, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, issued a notification published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii) *vide* S.O.5481(E), dated the 31st December, 2021 (herein after referred to as the ash utilisation notification);

And whereas, requests have been received from Ministry of Power, thermal power plants and various stakeholders regarding implementation of provisions of the ash utilisation notification;

And whereas, it is expedient to make amendments to certain provisions of the said notification to have smooth transitioning in implementation of the ash utilisation notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with of sub-rule (1), (2) and (4) of rule (5) of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the ash utilisation notification namely:-

In the ash utilisation notification,-

(1) in paragraph A,-

(i) in sub-paragraph (4), after the third proviso, the following shall be inserted, namely,-

“Provided also that new thermal power plants commissioned on or after the date of publication of this notification shall follow the first compliance cycle similar to the compliance cycle specified for thermal power plants having utilisation per cent. less than 60 per cent. as specified in the table.

Note: The utilisation targets as per the applicable compliance cycle shall commence from 1st April, 2022.”.

(ii) in sub- paragraph (5),-

(a) in the opening paragraph, for the words “the date of publication of this notification”, the figures, letters and word “1st April, 2022” shall be substituted;

(b) in the second proviso, -

(i) after the words “green belt or plantation”, the words, brackets, letters and figure “or solar power plant or wind power plant as per the guidelines issued by the Central Pollution Control Board (CPCB) as specified in sub-para (6)” shall be inserted,

(ii) the words, brackets and letters “Central Pollution Control Board (CPCB) or” shall be deleted,

(iii) for the words “a year”, the words “three years” shall be substituted,

(iv) for the words “the date of publication of this notification”, the figures, letters and word “1st April, 2022” shall be substituted.

(c) after the second proviso, the following proviso shall be inserted, namely:

“Provided that ash stored in all ash ponds or dykes other than operational ash pond or dyke designated for temporary storage of ash as specified in sub-para (6) shall constitute the legacy ash and either to be reclaimed or stabilised or utilised.”.

(iii) for sub- paragraph (6), the following sub-para shall be substituted, namely,-

“(6) Any new as well as operational thermal power plant may be permitted operational ash pond or dyke for temporary storage of ash within an area of 0.1 hectare per Mega Watt (MW). Technical specifications of operational as well as stabilised and reclaimed ash ponds or dykes shall be as per the guidelines of the Central Pollution Control Board (CPCB) made in consultation with the Central Electricity Authority (CEA) and these guidelines shall also lay down a procedure for annual certification of the operational as well as stabilised and reclaimed ash pond or dyke on its safety, environment pollution, available volume, mode of disposal, water consumption or conservation in disposal, ash water recycling and green belt, etc. and shall be put in place within three months from the date of publication of this notification:

Provided that up to two operational ash ponds or dykes for thermal power plants commissioned before 31st December, 2021, having installed capacity less than or equal to 1600 MW, and up to four operational ash ponds or dykes for thermal power plants having installed capacity more than 1600 MW, having multiple lagoons, within the specified area from the existing ash ponds or dykes, may be designated with clear demarcation along with coordinates, and shall inform to Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) by 31st March, 2023:

Provided further that one ash pond or dyke shall be permitted in case of new thermal power plants or expansion of existing thermal power plants commissioned on or after 31st December, 2021, which shall inform the details of demarcation along with coordinates to Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) within 3 months from the date of commissioning of thermal power plant or by 31st March, 2023, whichever is later:

Provided also that coal and lignite based thermal power plants shall not be allowed to further establish or designate any new operational ash pond or dyke:

Provided also that specification of 0.1 hectare per Mega Watt (MW) of an operational ash pond or dyke shall not be applicable for the thermal power plants commissioned before 03rd November, 2009.”.

(2) in paragraph B,-

(i) in sub- paragraph (1), for the words, figures and letters “within 300 kms”, the words, figures and letters “within a radius of 300 kms” shall be substituted,

(ii) in sub- paragraph (8), for the words “higher than the price of alternative products”, the words, brackets and letters “more than the price mentioned in the Schedule of Rates as specified by Central Public Works Department (CPWD) or concerned Public Works Department (PWD) or price of alternative products, if not mentioned in the Schedule of Rates.” shall be substituted.

(3) in paragraph -D, -

(i) for sub- paragraph (2), the following sub- paragraph shall be substituted, namely,-

“(2) Persons or user agencies who have been served notice by owner of thermal power plants, if they have already tied up with other agencies for the purpose of utilisation of ash, shall inform the thermal power plant accordingly, and if they cannot use any ash or may use reduced quantity.”.

(ii) after sub- paragraph (2), the following sub-para shall be inserted, namely,-

“(3) Persons or user agencies who have been served notice by manufacturers of ash bricks or tiles or sintered ash aggregate or other ash based products, if they have already tied up with other agencies for the purpose of utilisation of ash based products, shall inform the manufacturer of ash bricks or tiles or sintered ash aggregate or other ash based products, accordingly, and if they cannot use ash based products, or may use reduced quantity.”.

2. This notification shall come into force on the date of its publication in the Official Gazette.

[F. No. HSM-9/1/2019-HSM]

NARESH PAL GANGWAR, Addl. Secy.

Note : The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated the 31st December, 2021, *vide* number S.O.5481 (E), dated the 31st December, 2021.

ANNEXURE-7 SERIES

Schedule I—Form No. 39-A

ଖାତାଧାର

ନାମା ଜଗନ୍ନାଥ
ଠିକା ଖୁର୍ଦ୍ଧା ମୁଖ୍ୟପାଳ
ଘର ନମ୍ବର ୨୩

ତହସିଲ ଖୁର୍ଦ୍ଧା ମୁଖ୍ୟପାଳ
ତହସିଲ ନମ୍ବର ୨୮
ଜିଲ୍ଲା ଖୁର୍ଦ୍ଧା ମୁଖ୍ୟପାଳ

ନିର୍ବାହକ ନାମ } ଡାକ୍ତରୀ ମୁଖ୍ୟପାଳ

କେଶକର ବା କେଶକର ନମ୍ବର } ୨୨୨୧୫୫

୧. କେଶକର ନେତ୍ର ନମ୍ବର }
୨. ପ୍ରମାଣ ନମ୍ବର, ପିତାଙ୍କ ନାମ, ଜାତ ଓ ବାସସ୍ଥାନ }
ଜଗନ୍ନାଥ ମୁଖ୍ୟପାଳ, ମାଧ୍ୟମ ମୁଖ୍ୟପାଳ, ଚାନ୍ଦିନୀ ମୁଖ୍ୟପାଳ,
ଡାକ୍ତରୀ ମୁଖ୍ୟପାଳ, ବି.ଏ.ଏ.ଏ. ମୁଖ୍ୟପାଳ, ଜି.ପା.ଡି.
ନା. ନି.ନା.

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୩. ଶୁ } ୨୨୫୫

ନକଲ	ଖାତା	ସେ	କ୍ରମିକ ସେ ଓ ଅନ୍ୟାନ୍ୟ ସେ ସହ କର ଥାଏ	ମୋଟ	୧. କମିଶନରୀର କେଶକର ନମ୍ବର
୧. ସେ	୨-୩୦	୦୫୦		୨. ୩୦ ୩୨୫୫ ୨୨୫୫, ୨୨୫୫,	

୨. କେଶକର ଅନ୍ୟାନ୍ୟ ନମ୍ବର କର ଥାଏ }

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112 & 113

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Page - 118

Khatian

Mouza-Jamera
P.S.-Jharsuguda
P.S No.-23Tahasil-Jharsuguda
Tahasil No.- 186
District.-Jharsuguda

Name of the landlord and serial number of Khewat or Khatian		Odisha Government				
1. Serial Number of Khatian		121/55				
2. Name of the Tenant, Father's Name, Caste & Residence		Jagabandhu Kharsel, Madhab Kharsel, Medini Kharsel, Chakrabrati Kharsel, Father- Abadhuta Kharsel Caste-Gouda, Residence- Nijagaon.				
3. Ownership	Rayati					
4. Charges	Water Tax	Revenue	Cess	Nistar cess & other cesses if any	Total	5. Details of Progressive Revunue
		1.80	0.90		2.70	
6. Special Annexure if any						
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Final publication date-						
Revenue Assessment date-						

ପୁସ୍ତକ ନମ୍ବର କେଉଁ ଦାମ	କ୍ରମ	କବିମାନଙ୍କ ନାମ ଓ କାଳ	ଭାଗ			ମୂଲ୍ୟ
			ପଃ	ପୃ	ପୃଷ୍ଠା	
୨	୪	୫	୬	୭	୮	୯
୧୫୫ ୧୫୬ ପୁସ୍ତକ ନମ୍ବର	୩୩-୨୧	ଉତ୍କଳ ସମ୍ରାଜ୍ୟ ମହାଶୂରୀ	୦	୧୦		୧୫ ଟଙ୍କା ୧୫୫୫୫୫୫୫ ୩୩-୨୧-୨୨
			୦	୧୦		

୧୦୦୦ = ୦.୧୫୫୫୫୫୫୫
୧୦୨.୦୦ = ୦.୫୫୫୫୫୫୫୫

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Serial No. of Khatian: 121/55	Mouza- Jamera					District- Jharsuguda
Plot No. & Name of land division	Type & Revenue of Plot	Detailed description of type and boundaries	Area			Remarks
			Acre	Decimal	Hector	
7	8	9	1	0	11	12
566/1292 Bhatelatikra	Ata Sadharana	North-Tarachand Singh South- Basanti Rout	0	9000		Case No. 314/92, Dated 04.11.93 And Case No. 67 Of the District.
1 Plot			0	9000		

ନୌକା : ଯମେନ୍ଦ୍ର
 ଥାନା : ଝାରସୁଗୁଡ଼ା
 ଥାନା ନମ୍ବର : ୨୩

ଚତୁର୍ଥ : ଝାରସୁଗୁଡ଼ା
 ଚତୁର୍ଥ ନମ୍ବର : 186
 ଭିଲ୍ଲା : ଝାରସୁଗୁଡ଼ା

କମିଟିର ନାମ
 ଓ ଖେତାଦାର ବା ଖତିୟାନର
 ନମ୍ବର

ଓଡ଼ିଶା ସରକାର 1

୧) ଖତିୟାନର କ୍ରମିକ ନମ୍ବର

121/163

୨) ପ୍ରକାର ନାମ,
 ପିତାଙ୍କ ନାମ,
 ଜାତି ଓ ବସସ୍ଥାନ

କମଳକୁ ଖର୍ଚ୍ଚେଇ, ମାଧବ ଖର୍ଚ୍ଚେଇ, ନେତ୍ରିନି ଖର୍ଚ୍ଚେଇ, କୁନ୍ଦବର୍ଣ୍ଣା ଖର୍ଚ୍ଚେଇ ପି. ଅକସୁତ ଖର୍ଚ୍ଚେଇ ବା:ଗରଡ଼ ବା:ନିକରା

Bachelor's CT-2752/24
RS- 1,500/-

SRM JSG
dt- 11/12/24

୩) ସ୍ୱରୂପ

ବସ୍ତୁ

୪) ବେସ୍	କରକର	ଖଜଣା	ସେସ୍	ଅଗ୍ରାଧିକାର ଓ ଅନ୍ୟାନ୍ୟ ସେସ୍ ଯଦି କିଛି ଥାଏ	ମୋଟ	୫) ଅନୁବର୍ତ୍ତନଶୀଳ ଖରଣର ବିବରଣୀ
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୬) ବିଶେଷ ଅନୁପ୍ରାଣ
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11.1.12
 Addl. Tahasildar
 Jharsuguda

ଅନ୍ତିମ ପ୍ରକାଶନ ତାରିଖ :
 ଖରଣା ଆରମ୍ଭ ତାରିଖ :



Khatian

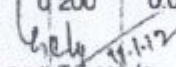
Mouza-Jamera
P.S.-Jharsuguda
P.S No.-23

Tahasil-Jharsuguda
Tahasil No.- 186
District.-Jharsuguda

Name of the landlord and serial number of Khewat or Khatian		Odisha Government 1				
1. Serial Number of Khatian		121/63				
2. Name of the Tenant, Father's Name, Caste & Residence		Bajar Rohidas, S/o- Bishesh Rohidas Caste- Chamara, Residence-NIjagaon				
3. Ownership	Rayati					
4. Charges	Water Tax	Revenue	Cess	Nistar cess & other cesses if any	Total	5. Details of Progressive Revenue
6. Special Annexure if any		Mutation Case No. 581/93, dtd. 10.05.94. as per order, account no. 89 from one hector 0.05 decimal etc.				
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Final publication date-						
Revenue Assessment date-						

ଖରିଦ୍ଦାନକ କ୍ରମିକ ନଂ: 121/163 ମୌଜା : ଯମେରା ଜିଲ୍ଲା : ଖରସୁଗୁଡ଼ା

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 Addl. Tahasildar
 Jharsuguda

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of page 121.

Serial No. of Khatian: 121/63	Mouza- Jamera					District- Jharsuguda
Plot No. & Name of land division	Type & Revenue of Plot	Detailed description of type and boundaries	Area			Remarks
			Acre	Decimal	Hector	
7	8	9	1	0	11	12
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Schedule I—Form No. 39-A

ଖତପାତ୍ର

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 ପାଳା ନମ୍ବର ୨୩

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 ଉପସ୍ଥିତ ନମ୍ବର ୨୩
 ନମ୍ବର ଶ୍ରୀମତୀ ଶ୍ରୀମତୀ

କୃତକାରୀଙ୍କ ନାମ
 ଶେଷିକ ବା ଉପକାରକ ନମ୍ବର

ଉପକାରୀ ୨୨୩୨୯

୧. ଉପକାରକ କେଉଁ ନମ୍ବର

୨୨୩୪୪

୨. ପ୍ରକାର ନାମ, ପିତାଙ୍କ ନାମ,
 ଜାତ ଓ ବାସସ୍ଥାନ

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୨. ଉପକାରକ ଅନୁସନ୍ଧାନ ସହ କଳ୍ପ ଥାଏ

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of page - 122

Khatian

Mouza-Jamera
P.S-Jharsuguda
P.S No.-23

Tahasil-Jharsuguda
Tahasil No.- 186
District.-Jharsuguda

Name of the landlord and serial number of Khewat or Khatian		Odisha Government				
1. Serial Number of Khatian		121/54				
2. Name of the Tenant, Father's Name, Caste & Residence		Abadhuta Kharsel, S/o- Parameswar Kharsel Caste-Gouda, Residence- Nijagaon.				
3. Ownership	Rayati					
4. Charges	Water Tax	Revenue	Cess	Nistar cess & other cesses if any	Total	5. Details of Progressive Revenue
		1.10	0.55		1.65	
6. Special Annexure if any						
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Final publication date-						
Revenue Assessment date-						

ପ୍ରତି ନମ୍ବର ପଦ୍ମ ନାମ	ବିଭାଗ	କାର୍ଯ୍ୟକ୍ରମ ବିବରଣୀ କାର୍ଯ୍ୟକ୍ରମ ଓ ତାରିଖ	ମାତ୍ରା			ମାତ୍ରା
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Serial No. of Khatian: 121/54	Mouza- Jamera					District- Jharsuguda
Plot No. & Name of land division	Type & Revenue of Plot	Detailed description of type and boundaries	Area			Remarks
			Acre	Decimal	Hector	
7	8	9	1	0	11	12
563 Khaliaguda	Aata Sadharana	North-Drain South-Nija	0	2600		Mutation Case 313/92, date: 24.11.93, received from Khata 46 filed
568 Khaliaguda	Aata Sadharana	North-Drain South-Sunana Singh	0	3000		
2 Plot			0	5600		

F. No. 22-13/2019-IA.III

Government of India

Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi-110 003

Dated: 28th August, 2019

Office Memorandum

Sub: Change in conditions stipulated in the Environmental Clearances of Thermal Power Plants and Coal Mines in line with the Fly Ash Notification and subsequent amendments - reg.

The Environment Impact Assessment (EIA) Notification, 2006 under the Environment (Protection) Act, 1986 mandates the requirement of prior environmental clearance to the projects/activities listed in the schedule to the said Notification. These projects/activities have been categorized under category A or B and require appraisal/and approval by the respective regulatory authorities (MoEF&CC/SEIAAs) at the Central/State level.

2. As per the provisions of the EIA Notification, 2006, read with subsequent amendments, mining of minerals is covered under Category A/B of the Schedule to the EIA Notification, 2006 based on their areal extent, and thus requiring prior environmental clearance from the concerned regulatory authority.

3. Based on the proposals submitted by the project proponent and recommendations of the sectoral Expert Appraisal Committee, mining projects and thermal power plants were granted Environmental Clearance by the Ministry/State Environment Impact Assessment Authorities (SEIAAs) from time to time, subject to compliance of certain terms and conditions as environmental safeguards necessitated at that stage, which also included the condition for backfilling of mines voids, use/disposal of fly ash in low lying areas, etc.

4. In order to address the environmental concerns of fly ash and to improve its utilization, MoEF&CC has issued a Notification on 14th September, 1999 and subsequent amendments issued vide Notifications dated 27th August, 2003, 3rd November, 2009 and 25th January, 2016 from time to time.

The Fly Ash Notification issued vide S.O.2804 (E) dated 3rd November, 2009 provides for mandatory use of fly ash in the external overburden dump, backfilling or stowing of mines. The main concern is poor fly ash utilization by the pithead power plants mainly because of limited potential in cement industries/road projects and non-utilization of fly ash in stowing and overburden in coal mines.

5. An Expert Committee was constituted for developing a focussed strategy for best utilization of flyash to manufacture end products. The Committee has made recommendations for enhanced utilization of flyash in various sectors viz. mines, roads, bricks manufacturing, cement manufacturing, etc. During an Inter-ministerial consultation held on 21st January, 2019 under the Chairmanship of Secretary (EF&CC), recommendations of the Expert Committee were accepted, which *inter-alia* included the following:-

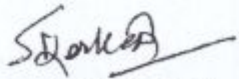
- a) MoEF&CC should revisit the conditions stipulated in the existing environmental clearances of Thermal Power Plants for flyash utilization and modify them in consonance with the flyash notification.
- b) Appropriate conditions need to be incorporated in the environmental clearances for utilization of flyash in mines backfilling/stowing.

6. The matter has been examined in the Ministry. Further, the matter has been also been referred to the EAC (Thermal Power Projects) in its meeting held on 28.5.2019 and 12.7.2019. The EAC mentioned that though the Flyash Notification, 1999 and subsequent amendments allow the unrestricted use of flyash in abandoned mines, low lying areas, soil conditioner in agriculture, there are no specific guidelines/methodology available for safe disposal of flyash so as to minimize the damage to the environment. In absence of methodology, EAC has been examining the proposals on case to case basis and recommending for disposal of flyash in abandoned mines. Further, the EAC has also expressed the concerns over the long term impacts of flyash disposal on groundwater, soil quality and impact on associated flora and fauna. Now, the guidelines for disposal of fly ash utilisation in low lying areas and mine voids have been prepared by the Central Pollution Control Board and placed before the EAC (Thermal Power and Coal Mining) in its meeting held on 12.7.2019.

7. In view of the recommendations of the EAC (Thermal Power) in its meeting held on 12.7.2019, after careful examination of the matter and to meet the objectives of the Fly Ash Notification, 1999 & its amendments, the Ministry hereby stipulates the following conditions in the existing Environmental Clearances of Thermal Power Plants and Coal mines which have valid Environmental Clearance accorded by the Ministry/SEIAA, that will replace the existing conditions (Specific & General) which prohibited the use of fly ash in abandoned mines/low lying areas/soil conditioner in agriculture:

- i. The guidelines prepared by CPCB for disposal of flyash for reclamation of low lying areas and in stowing/backfilling of abandoned mines/quarries shall be followed during disposal of ash in abandoned or working mines, as annexed.
- ii. There should at least be clearance of 500 m of safe distance be maintained from River and water body in case of ash disposal in abandoned mines to prevent embankment failures and flyash flowing into the nearby water body.
- iii. The top layer of the flyash disposal area in the abandoned mines shall be kept moist during disposal.
- iv. Top layer of the disposed area should have 70 cm overburden or gravels/stones and then 30 cm sweet soil cover. Subsequently, the vegetation shall be raised on the soil cover.
- v. Bioaccumulation and bio-magnification tests shall be conducted on surrounding flora and fauna (tree leaves, vegetation, crop yields and cattle population) during pre-monsoon and post monsoon to find out any trace metals escaped through groundwater or runoff.
- vi. Surface runoff and supernatant water, in any case shall not be let into the surrounding areas. It shall be collected by providing adequate drains around the mine. The supernatant water along with surface runoff shall be treated and re-used for mixing ash and plant operations.
- vii. To the extent possible, only decanted water from mine, make up water from treated effluents such as cooling tower blow down and treated sewage water shall be used for making ash slurry.

- viii. Flyash to be used as soil conditioner in agriculture needs and to be applied in controlled manner to limit excessive application so as to prevent soil degradation. The optimize proportion of ash to be applied which is to be certified by the State Agricultural Universities/Colleges based on the soil testing.
 - ix. Approval from DGMS shall be obtained before disposing the ash in the mine voids.
 - x. Technology for conversion of fly ash into coarse granules for stowing in the underground mines to be explored.
 - xi. All the power plants should install different silos for dry collection of flyash.
 - xii. Records pertaining to details of month-wise quantity of flyash disposed and water consumption along with nature/source of water shall be maintained and submitted to Ministry/Regional Office annually.
 - xiii. Before starting the disposal of ash into mine voids, the NOC/Permission from the mine owner is to be obtained incase the mine closure activities are not completed or State Government incase the mine has been handed over to the State Govt. after its closure. A copy of such NOC/Permission is to be submitted to the Ministry and its Regional Offices.
8. This issues with the approval of the Competent Authority.


(Dr. S. Kerketta)
Director, IA Division

To

1. The Chairman, Central Pollution Control Board (CPCB)
2. The Chairman/Member Secretaries all the Expert Appraisal Committees
3. The Chairman /Member Secretaries of all the SEIAAs/SEACs
4. The Chairman/Member Secretaries of all SPCBs/UTPCCs
5. All the Power Plant Operators/ Coal Mining Operators who were accorded Environmental Clearance.
6. All the ROs of MoEF&CC.
7. All the Officers of I.A. Division

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary(EF&CC)
4. PPS to SS(AKJ) / AS (RSP)
5. Sr.PPS to JS (GM) / JS(NK)
6. Website of MoEF&CC.
7. Guard file.

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**Guidelines for disposal/utilisation of Fly Ash for
reclamation of Low Lying Areas and in stowing of
Abandoned mines/Quarries**



**Central Pollution Control Board
March, 2019**

INDEX

Sr No.	Chapter
1.0	Introduction
2.0	Status of flyash utilisation
3.0	Need of guidelines
4.0	Loading/unloading and transportation of flyash
4.1	Current Practice for Handling & Disposal of Flyash & Bottom ash (within the power plant)
4.2	Guidelines for loading, unloading, storage, transportation of flyash
4.2.1	Maximise dry collection of fly ash and bottom ash
4.2.1	Loading, unloading and storage
4.2.3	Transportation
4.2.4	Code of Practices for general maintenance of roads, vehicles and conditioning of flyash
5.0	Reclamation of Low Lying area using Ash
6.0	Disposal of flyash in voids of abandoned mines
6.1	Study requirements
6.2	Mode of ash transportation to mine void area
6.3	Monitoring
6.4	Reclamation of land post-filling
7.0	Precaution
8.0	Regulatory Procedure for Processing the Application
Appendix	Guidelines for disposal of flyash in open cast mines along with Over Burden (OB)
References	1.Guidelines for Reclamation of Low Lying Areas and Abandoned Quarries with Ash , August 2017, Odisha Pollution control board

2.Guidelines for Low Lying area development using Ash, ash Policy 2015, NTPC Ltd.

3.Permission of DGMS to M/s JSPL & JPL for disposing ash in coal mines

Guidelines for disposal/utilisation of flyash for reclamation of Low Lying Areas and in stowing of Abandoned mines/Quarries

1.0 Introduction:

Management of huge quantity of ash (fly ash, bottom ash and pond ash) generated from coal fired Thermal Power Plants (TPPs) is a serious environmental challenge. Ash generation from coal or lignite based thermal power plants, has increased from 40 Million tonne per year in 1993-94, to more than 200 Million tonne per year in 2017-18 and is projected to increase to 275 Million Tons / year by 2032.

The ash generation in coal and lignite based thermal power plants in various forms such as dry ash, bottom ash, pond ash and mound ash that are required to be managed in such a manner that it does not affect the environment. Utilisation of ash for reclamation of low lying areas and abandoned quarries is recognised as an alternate option and therefore, MoEF&CC has issued a notification to address utilisation of ash for various purposes including these two options

The Ministry of Environment, Forest and Climate Change (MoEF&CC) issued the Fly Ash notification on 14th September, 1999, which has subsequently been amended in 2003, 2009 and 2016. The Fly Ash notification (1999) mandates the use of fly ash for the purpose of manufacturing ash-based products such as cement, concrete blocks, bricks, panels or any other material and for construction of roads, embankments, dams or for any other construction activity within a radius of 300 km from thermal power stations (TPPs). Besides, it also mandates use of fly ash in mines backfilling or stowing of mines within a distance of 50 km.

2.0 Status of fly ash utilisation:

Since 1999 when flyash utilisation was made mandatory, the utilization of fly ash has increased from 6.64 million-ton in 1996-97 to 147.7 million-ton in 2017-18. Fly ash generation and utilization in 2017-18 from 182 coal/lignite based TPPs of various power utilities in the country was 220.7 and 147.7 million-ton, respectively. The percentage of fly ash utilization during 2017-18 has been 66.9%. During 2017-18, out of total fly ash generation, 35.6 % of total fly ash was used in the cement sector, followed by 14.28 % in making bricks & tiles, 11.57 % stored in ash dyke raising,

7.99% in mine filling, 16.85 % in reclamation of low lying area, 5.43 % in roads & embankments, 1.34% in concrete making, 0.21 % in agriculture, 6.73 % in others and 33.1% remained as unutilized fly ash.

Mine reclamation represents a potential beneficial use of flyash that has been receiving increased attention in recent years. Coal mining operations have produced both open pits and deep underground mine voids that can be filled by flyash. Placement of flyash into deep mines can provide structural support to abate subsidence, and placement of flyash in surface mines or other open pits can aid in restoring mined land to beneficial use. The use of flyash as mine backfill may provide the additional benefit of limiting impacts of acid mine drainage (AMD). Mostly flyashe is alkaline material that can neutralize acidic water and/or inhibit production of acid. Placement of fly ash may also reduce the permeability of mine strata and divert water away from acid-generating materials. Although flyash possess these beneficial physical and chemical properties, there are concerns regarding potential for release of toxic chemicals in the leachates from the fly ash. Therefore, scientifically sound fly ash management is needed so that environmental concerns can be adequately and reliably identified and addressed.

3.0 Need of Guidelines:

Ministry of Environment and Forests and Climate Change (MoEF&CC) vide Notification No. S.O. 763 (E) dated 14th September 1999, last amended on 25th January, 2016 issued following directions for reclamation low lying area and stowing of mines;

- i. No agency, person or organization shall within a radius of three hundred Kilometres of a coal or lignite based thermal power plant undertake or approve or allow reclamation and compaction of low-lying areas with soil; only ash shall be used for compaction and reclamation.
- ii. Soil required for top or side covers of embankments of roads or flyovers shall be excavated from the embankment site and if it is not possible to do so, only the minimum quantity of soil required for the purpose shall be excavated from soil borrow area. In either case, the topsoil should be kept or stored separately. Voids created at soil borrow area shall be filled up with fly ash with proper compaction and covered with topsoil kept separately as above and this would be done as an integral part of embankment project.

- iii. No person or agency shall within fifty kilometers (by road) from coal or lignite based Thermal Power Plants, undertake or approve stowing of mine without using at least 25 % of fly ash on weight to weight basis, of the total stowing materials used and this shall be done under the guidance of the Director General of Mines Safety (DGMS).
- iv. No person or agency shall within fifty kilometers (by road) from coal or lignite based Thermal Power Plants, undertake or approve external dump of mining Over Burden (OB) without using at least 25 % of ash on volume to volume basis of the total materials used for external dump of overburden and same percentage in upper benches of back filling of opencast mines and this shall be done under the guidance of the Director General of Mines Safety (DGMS);
- v. All agencies undertaking construction of roads of flyover bridges and reclamation and compaction of low lying areas, including Department of Road Transport and Highways (DORTH), National Highways Authority of India (NHAI), Central Public Works Department (CPWD), State Public Works Department and other State Government Agencies, shall within a period of four months from the publication of this Notification " make provisions in their tender documents, schedules of approved materials and rates as well as technical documents for implementation of this Notification, including those relating to soil borrow area or pit".
- vi. The pond ash should be made available free of any charge as is as where basis to manufacturers of bricks, blocks, tiles including clay flyash bricks production manufacturer's units, farmers, central and the state road construction agencies, Public Works Department and to agencies engaged in backfilling or stowing of mines.

Though, flyash utilisation has gained momentum progressively over the years, further efforts are required to explore new areas of ash utilisation. With suitable safeguards, mine backfilling including disposal of flyash in abandoned quarries and road construction specially in the construction of National Highways and Expressways could be the major mode of flyash utilisation in the near future as these areas have vast potential. It would perhaps be desirable that the concerned Ministries should take steps in sorting out the bottlenecks such as declaring a list of abandoned mines, making adequate provisions in respective schedules for flyash utilisation by the Indian Road Congress & construction agencies etc.

MoEF & CC vide letter dated 01.03.2019 asked CPCB to come out with guidelines based on Odisha Pollution Control Board experience for reclamation of low lying areas and abandoned quarries with ash as recommended by the Expert Committee that was constituted by Niti Aayog vide O.M. No. 25 (11)/2014-Minerals dated 12.06.2018 for developing a focus strategy for best utilisation of fly ash to manufacture end products recommended.

The scope of guidelines covers transportation and disposal of flyash in low lying areas and abandoned quarries in an environmentally friendly manner.

4.0 Loading/unloading and transportation of flyash

4.1 Current Practice for Handling & Disposal of Flyash & Bottom ash (within the power plant)

Flyash is collected in dry form from ESP hopper and disposed either in dry form or through wet slurry form. While, bottom ash collected at the bottom of boiler and is disposed in wet slurry form into the ash ponds.

Following technologies are conventionally used for handling & disposal of flyash and bottom ash collected from ESPs hoppers and boiler bottom respectively within the plant or upto the ash pond area:

- I. Dry Pneumatic conveying
- II. Dry (moist) Conveying system through belt conveyor/tube belt conveyor
- III. High concentration slurry disposal system
- IV. Medium concentration slurry disposal system
- V. Lean concentration slurry disposal system

Amongst the above technologies, Dry Pneumatic conveying, Medium concentration slurry disposal system, High concentration slurry disposal system, and Dry (moist) Conveying system through belt conveyor/tube belt conveyor are preferable as compared to Lean concentration slurry disposal system.

The dry ash is typically conveyed pneumatically from the ESP or filter fabric hoppers to storage silos where it is kept dry, pending utilization or further processing, or to a system where the dry ash is mixed with water and conveyed (sluiced) to an on-site storage pond. Fly ash is stored in silos, domes and other bulk storage facilities. Fly ash can be transferred using air

slides, bucket conveyors and screw conveyors, or it can be pneumatically conveyed through pipelines under positive or negative pressure conditions.

Dry fly ash collected is also be suitably moistened with water and wetting agents, as applicable, using specialized equipment (conditioned) and hauled in covered dump trucks for special applications such as structural fills. Water conditioned fly ash can also be suitably stockpiled at jobsites. Exposed stockpiled material must be kept moist or suitably covered to prevent fugitive emission.

The dry bottom ash removal and its transportation is certainly more environment friendly, compared to that of wet ash removal and transport system.

4.2 Guidelines for loading, unloading, storage, transportation of flyash

The power plants need to maximise dry collection of fly ash & bottom ash and also adopt adequate measures to prevent fugitive dust emission during loading, unloading, storage, transportation and various uses of dry as well as ash bottom ash and pond ash. Following guidelines are, therefore, suggested for prevention of pollution and augmentation of flyash utilisation

4.2.1 Maximise dry collection of fly ash and bottom ash

- a. Coarse fly ash from first field of ESP hoppers need to be collected and stored separately.
- b. Fine fly ash from second field onwards of ESP Hoppers should be collected separately. For some specific usage, fine fly ash may be passed through Classifier for further separation of fine fly ash and stored in separate silo.
- c. Bottom ash which is not utilised presently could also be collected in dry form and converted into a valuable resource if processed to match the end use specification. Wet collection & disposal of bottom ash should be minimised as far as possible

4.2.2 Loading, Unloading and Storage

Installation of Bag Filters with dry flyash collection and storage in Silos at loading and unloading points are standard practices at both locations i.e loading at power plant site as well as at the unloading point at user's site. Suggestions for further improvement in existing practices are as under:

- a. Current practice of loading of fly ash in Bulklers/Tankers requires improvement at the stage of loading of fly ash in Tankers. The opening of telescopic chutes at the loading end should be air tight and confined to avoid fugitive dust emission.
- b. The Pollution Control Equipment / Cascade Filters, attached with fly ash loading chute should be periodically cleaned along with regular scheduled maintenance of bag filter to avoid choking and malfunctioning of Bag Filter. It would mitigate the dust emission during loading of fly ash.
- c. Malfunctioning of level sensors can be avoided, with regular maintenance, to prevent over filling of fly ash in Tankers .
- d. The Weigh Bridge to be installed under fly ash loading chute to fill just the required quantity of fly ash in tankers so that overflow/spillage of fly ash in open areas is avoided which otherwise results in heavy fugitive emission all around.
- e. Opening of tankers need to be properly locked during transportation of fly ash. Automatic opening / closing system need to be installed without fail.
- f. Current practice of unloading of fly ash from tanker to storage hopper through pneumatic system is fairly good. Otherwise, the leakage of fly ash will occur at bends and joints of transportation pipe line. The fly ash being abrasive in nature causes damage at bends and joint locations. Fly ash should, therefore be transported through PVC coated pipes to avoid abrasion otherwise it may lead to leakage of flyash. The mechanical unloading system should be envisaged to avoid high pressure and dust leakage from unloading pipe lines. As far as possible, number of bends should be minimised.
- g. The fly ash storage silo should be of or coated with anti-abrasive or anti-corrosive material. It is better to provide concrete silo/hopper to avoid leakages.

- h. Proper functioning of all the level sensor of Storage Hopper to be ensured to avoid any possible spillage from Hopper opening.
- i. The Bag Filter made of anti-abrasive material/cloth be provided with telescopic chute.
- j. Dumping of ash in Ash pond should be done mechanically in moist condition so that ash does not get air borne and pose fugitive dust problem.
- k. The bottom ash discharged from boiler bed, may be transported pneumatically in dry form / in slurry form to the ash pond

4.2.3 Transportation

Fly ash transportation has many challenges like distance to be transported, form of ash i.e. dry or wet ash, user's requirement, economic feasibility, requirement of surrounding vicinity and many other site specific issues. In any case, control of dust emission during transportation is prime concern and more challenging being a non-point source of pollution and larger area coverage due to movement from one place to other passing through various receptors. As flyash is used by different users for different purposes such as cement manufacturing, brick manufacturing, mine back filling, road construction and filling of low lying area, the handling and transportation have to accordingly decided. Following modes of transportation and precautions are suggested for mine back filling and development of low lying areas by disposal of flyash or bottom ash to avoid fugitive dust emission:

a. Transportation for abandoned mine back filling

- I. Pipe conveyors, wherever feasible, based on the topography of the area should be used.
- II. Tankers/ railway wagons/ bulkers or mechanically designed covered trucks need to be used
- III. Thermal Power Plants using wet ash disposal, if permitted can transport ash slurry directly to abandoned mine through ash slurry pipe line.

b. Transportation for filling of low lying area

- I. Tankers/ bulkers or mechanically designed covered Trucks need to be used.

In no case, flyash or bottom ash shall be transported by open trucks / trollies irrespective of distance or end use. Thermal power plants and fly ash user agency shall collectively ensure that fly ash or bottom ash is transported in environmentally sound manner by following the guidelines mentioned in para 4.2.3 & 4.2.4.

4.2.4 General Code of Practices for Maintenance of roads, vehicles and conditioning of flyash

- a. Roads inside power plant and that of flyash user agency should be paved and plantation of adequate width should be done at both sides. Mechanised road sweepers should be deployed. In addition, adequate arrangements for water sprinkling should be made to suppress fugitive dust emission, if any.
- b. Thermal power plants and user agencies should make arrangements (two stages) for washing of wheels of the vehicles (bulkiers/trucks) before deployed for fly ash transportation.
- c. Pond ash to be transported should be conditioned with water to maintain minimum of 15% moisture at the disposal point so that ash does not get air borne and cause fugitive emission.
- d. Adequate free board in trucks should be kept to avoid overflow/spillage during transportation.
- e. In case of any spillage enroute during transportation of fly ash, the agency shall ensure that spilled ash is collected and transported to the disposal/usage site immediately.
- f. All the bulkiers and trucks responsible for carrying fly ash should be with valid Pollution Under Control certificates.
- g. Provision should be preferably made for weighing of fly ash loaded into tankers/ railway wagons/bulkiers etc under the silo.
- h. The speed limit of vehicles carrying flyash should be strictly enforced and it should not exceed 40 km per hour.

- i. State Pollution Control Boards shall clearly indicate mode of transportation and method of loading and unloading while granting the consent.
- j. Transportation of flyash through thickly populated areas should be avoided as far as possible.
- k. General awareness/ training programmes be organised regularly for tanker operating staff like drivers and cleaners on the impact of hazards of fly ash.

5.0 Reclamation of Low Lying area using Ash

Filling of Low lying areas inside the plant premises and outside within 300 km. of power plant may be taken up using ash. Low lying area reclamation with ash should be taken up adopting standard practices as per 2015 technical specification mentioned in NTPC Policy. Following steps should be taken up prior to initiate low lying area developmental activities.

5.1 Preconditions:

- 5.1.1 **Consent from land owner:** Consent/ permission should be obtained in writing from the land owner before start of work.
- 5.1.2 **Permission from Regulatory authority:** Power plant/ land owner/ agency shall obtain statutory permission from regulatory authorities such as SPCB as per the requirement.
- 5.1.3 **Prevention of pollution:** Suitable methods should be adopted and necessary arrangement should be made to prevent pollution during excavation of pond ash at ash pond, filling area and during transportation of ash.
- 5.1.4 **Soil Cover on the top of ash fill:** As per the MOEF&CC gazette notification of ash utilization dated 14-09-1999 and as amendment on dated 27-08-2003 and 03-11-2009, the soil required for soil cover shall be excavated from land fill site itself and kept separately before taking for ash filling. If it is not possible to do so, only the minimum quantity of soil required for the purpose of cover shall be excavated from the soil borrow area. The voids so created due to removal of soil shall be filled up with ash with proper compaction and covered at top with soil cover. About 300-500 mm thick soil layer shall be placed over the ash fill area. This should be done as an integral part of low lying area development work.

5.1.6 Restrictions :

Reclamation of area by ash shall not be permitted in the following areas :

- i. Flood plain area/Ecologically Sensitive Areas.
- ii. Agriculture land / area.
- iii. Reclamation of Forest land / area is permissible only if clearance from MoEF&CC as per Forest Conservation Act, 1980 is available.
- iv. Gochar Kisan Land.

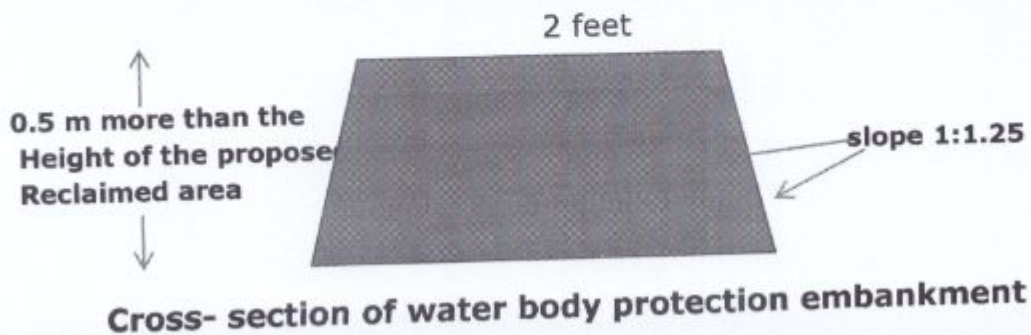
5.2 Preparation of filling area

5.2.1 The entire area meant to receive the ash and earth filling shall be stripped by minimum 150 mm. The exact depth of stripping shall be decided by the Engineer-in-Charge depending upon nature of top soil and the vegetation present. All organic matter, vegetation, roots, stumps, bushes, rubbish, swamp materials, etc. shall be removed from the site. The stripping material and other unsuitable materials as referred above shall be kept away from the area to be filled up so that these do not get mixed up with filling material and disposed off to a place as decided by the Engineer-in-Charge.

5.2.2 Levelling

All existing undulations, holes, cavities and excavations made for plate load rests and other soil investigations, etc. shall be filled with pond ash having requisite moisture content. The ash thus filled shall be compacted with the help of vibratory rollers so as to achieve dry density of not less 95% as per I.S-2720 (Part-VII). This would result in a levelled surface upon which layer wise filling of compacted ash can be done.

5.2.3 Protection of pond or water body adjoining or within the working site: If any pond or water body exists within or adjoining the low lying area /quarry then an earthen embankment of the cross-section as given in the Figure below be constructed around the pond or water body to protect it from
spilling of ash or ingress of surface runoff into it.



The soil used for the embankment should neither be granular nor black cotton soil. It should be of good quality for geo-technical application. Soil should be compacted to 95% proctor by Vibratory Roller of 15 T minimum capacity, in the layers of 25-30 cm and the optimum moisture content determined before execution of work. After attaining the desired height, the disposal area should be thoroughly compacted, graded followed by soil cover at least 15 cm thickness for proper reclamation of the land by grass turfing or appropriate plantation.

5.3 Excavation of pond ash from borrow area

5.3.1 Borrow Area-location

The location and permissible depth of excavation of the Borrow areas for pond ash shall be got specifically approved from concerned Thermal Power Station. The boundaries and permissible depth of excavation so approved shall be strictly followed and no deviation shall be allowed. Similarly, routes for movement of all ash transportation vehicles, water tankers, equipment, etc. shall be got approved from Thermal Power Station. These shall be strictly followed and no deviation shall be allowed.

The excavation surfaces and surface of waste materials shall be left in a reasonably smooth and even condition. All the excavations within the ash pond shall be at a minimum slope of 4 (Horizontal): 1(Vertical)

5.3.2 Site Clearance

All areas required for borrowing shall be cleared of all trees and stumps, roots, bushes, rubbish and other objectionable material. Particular care shall be taken to exclude all organic matter from the ash to be placed in the fill. The cleared areas shall be maintained free of vegetation growth during the progress of the work.

5.3.3 Stripping

Borrow area shall be stripped of top layer by a depth of minimum 150 mm. The exact depth of stripping shall be decided by the Engineer-in-charge depending upon nature of top layer and the vegetation present.

5.3.4 Borrow area watering & dewatering

The natural moisture content of material in the borrow areas as well as the optimum moisture corresponding to the Proctor's maximum dry density for the material in the particular borrow area shall be obtained from laboratory tests. Additional moisture, if required, shall be introduced into the borrow area by watering well in advance of excavation to ensure uniformity of moisture content. If in any borrow area before or during excavation there is excess moisture, steps shall be taken to reduce the moisture by the selective excavation to secure the materials of required moisture content by excavating drainage ditches, by allowing adequate time for drying or by other means. To avoid formation of pools in the borrow areas during excavation operations, drainage ditches from borrow areas to the nearest outlets shall be excavated so as to obtain homogeneous mix. In general, all materials from a particular borrow area shall be mixture of materials obtained for the full depth of cut.

5.3.5 Earth cover in Borrow Area

It shall be the responsibility of Thermal Power plant to arrange sweet soil from approved external borrows areas. The earth cover material shall consist of sandy loam free of admixture of stiff clay, refuse, stumps, roots, rock, bushes, weeds or any other material which would be detrimental to the proper development of vegetation growth. It shall not contain stone of size 25 mm and over. The loamy top soil shall be of healthy crops, grass or other plant growth, that is of good quality and reasonably free draining. Other specifications for Borrow area e.g. site clearance, stripping, Borrow area watering/De-watering etc. shall be as per relevant clauses of Borrow area for ash as outlined above i.e clause nos. 5.3.1 to 5.3.4.

5.4 Filling with pond ash

5.4.1 Placement

After the area has been prepared and levelled, pond ash excavated from Borrow areas having required moisture content shall be placed in layers not exceeding 300 mm in compacted thickness. The placing operations shall be such that in strips of 10-15 m of the material when compacted in the fill will be blended sufficiently to produce specified degree of compaction and stability. No stones, cobbles or rock fragments, having maximum dimensions more than 100 mm shall be placed in the fill. Stones and

cobbles shall be removed either at the borrow pit site before it is used as soil cover.

5.4.2 Procedure

The material shall be placed in the fill in continuous horizontal layers, stretching right across the whole section, not more than 300 mm in compacted thickness and rolled as herein specified. The length of one layer shall not exceed 150 meters at one stretch. The layers shall be compacted in strips overlapping not less than 600 mm, if the rolled surface of any fill is found to be too wet for proper compaction, it shall be raked up, allowed to dry, or shall be worked with a harrow or any other approved equipment to reduce the moisture content to the required amount and then it shall be re-compacted before the next layer of ash is placed. Ash surfaces are likely to become dry in short intervals especially during hot and dry weather and hence enough moisture shall be added between difference passes to ensure proper compaction

5.4.3 Compaction

The compaction of each layer shall be carried out so as to achieve maximum in-situ dry density 95% of maximum dry density (MDD) of the material found out as per I.S 2720 (Part VII). To achieve maximum compaction level use of vibratory rollers shall be made. Required number of passes shall be made so as to achieve desired compaction. Number of passes required shall be verified through trials tests before actual execution of work. The broad specifications of vibratory rollers required for the purpose is as follows:

- a) Static Weight = 6 to 10 t
- b) Static Linear Load = 20 - 35 kg/cm
- c) Frequency = 18 - 30 Hz (1100 to 1800 vibrations/ minute)
- d) Amplitude of vibrations = 0.5 mm to 1.5 mm

5.4.4 Moisture control

So far as practicable, the materials shall be brought to the proper moisture content in the borrow area before excavation. If additional moisture is required, it shall be added at the fill site by sprinkling water before rolling the layer. Thermal Power Plant shall make arrangements for supply of water to the borrow areas as well as to the fill area. If the moisture content is more than requirement, the material shall be spread and allowed to dry

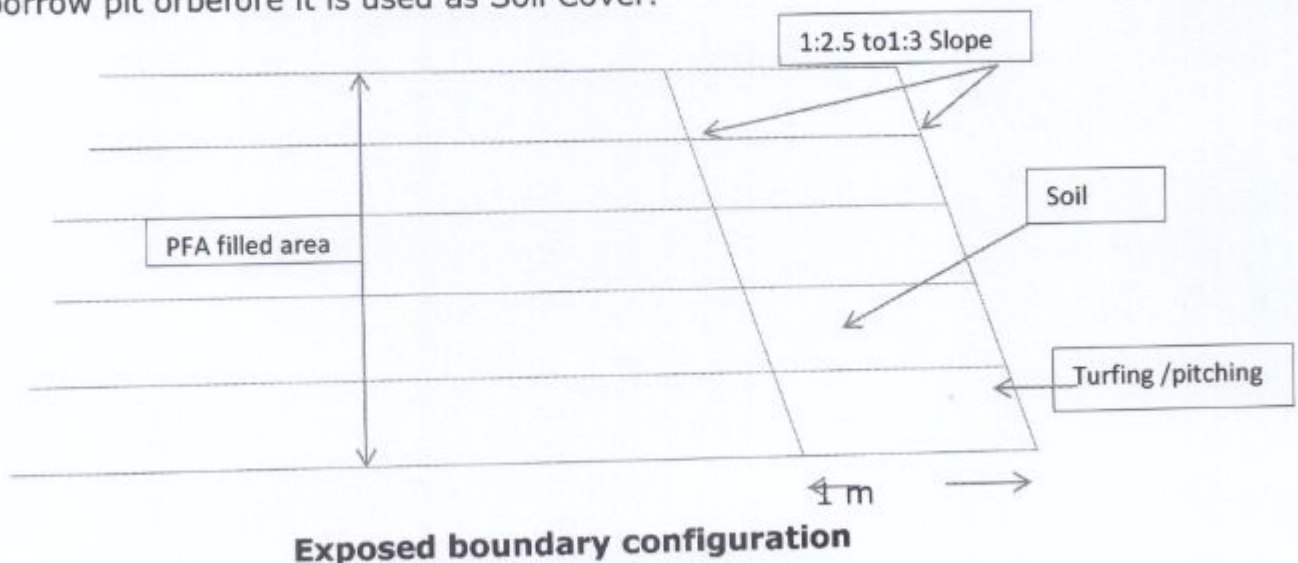
before rolling. The moisture content shall be at most uniform throughout the layer of material and ploughing or other methods of mixing to obtain uniform distribution. If the moisture content is more or less than the range of the required moisture content, or if it is not uniformly distributed throughout the layer, rolling shall be stopped, and shall be started again only when the above conditions are met with.

Fill materials shall be placed only when the weather conditions are satisfactory to permit accurate control of the moisture content in the materials.

5.4.5 Placement of earth cover in filing area

Earth cover shall be laid simultaneously with the laying of compacted ash layers and on side slopes. As in the case of ash layers, compacted thickness of earth layers shall not be exceeding 300 mm. As far as top cover of earth is concerned, after the area has been covered with compacted ash up to 500 mm below the required finished level of the area, a compacted layer of 500 mm thickness of suitable earth shall be placed over ash surface. This cover shall be placed in layers, each layer shall be of 250 mm in compacted thickness.

The combined excavation and placing operations shall be such that the materials when compacted in the fill will be blended sufficiently to produce specified degree of compaction on stability. No stones, cobbles or rock fragments, having maximum dimensions more than 25 mm shall be placed in the earth cover. Such stones or cobbles shall be removed either at the borrow pit or before it is used as Soil Cover.



Other requirements of earth cover laying shall be similar to those of ash laying i.e. as outlined in 5.4.1 to 5.4.4 above.

5.5 Prevention of Pollution

It shall be responsibility of thermal power plant or his contractor that no air borne and water borne pollution shall occur during all stages of operations such as in Borrow areas, during transportation of ash/ earth, during placement of fill material etc. All measures such as water sprinkling covering moist ash/ earth with tarpaulins in open trucks, etc., shall be taken to done care of above.

6.0 Disposal of flyash in voids of abandoned mines

As per notifications 1999 and 2009, power plant shall undertake or approve stowing of mines without using at least 25% of fly ash on weight to weight basis, of the total stowing materials used. Mine void filling on pilot basis is being carried out at the power plants of NTPC Ltd., Bhushan Steel and NALCO in Odisha with prior permission from MoEF & CC and OSPCB. Based on their experience and study conducted by CMPDIL, Ranchi for NTPC Talcher, following methodology is suggested for filling of mine voids with flyash.

6.1 The power plant authority shall carry out following study prior to taking up ash disposal activities in mine void to ensure no change/damage/deterioration in water quality and hydrology in and around the proposed area:

- Ash Characterisation and Leachate Study (Table 1.1)
- Techno-Economic Feasibility Study for disposal of ash into the Quarry
- Topographical Survey of Pipeline Corridor & Mine Void area
- Feasibility of transportation of ash to mine void
- Geotechnical study of the Pipeline Corridor & Mine Void area
- Pre and post filling mine water quality including leachability of metals (Table 1.1)

6.2 Mode of ash transportation to mine void area

One of flowing mode of transport actions of flyash shall be used depending upon the topography of the area:

1. Pipeline using pneumatic conveying system

2. Dumpers/ Trucks
3. Merry Go Round (MGR) System
4. Belt Conveyors in case of dry ash disposal
5. Wet ash (lean slurry or high concentration slurry) through pipeline

6.3 Monitoring:

6.3.1 Regular environmental monitoring to be undertaken during the period of disposal of ash into mine void as well as after the reclamation of mine void. The detailed monitoring programme is given in Tables below:

Table 1.1 : Proposed Monitoring Programme during Disposal of Ash

Samples	Parameters to be Analysed	Frequency
Ash Samples	Chemical Parameters (%): SiO ₂ , Al ₂ O ₃ , Fe ₂ O ₃ , K ₂ O, TiO ₂ , CaO, MgO, Na ₂ O, P ₂ O ₅ , SO ₃ Trace Elements (mg/kg, using TCLP Test): As, Ba, Cd, Co, Cr, Cu, F, Fe, Hg, Mn, Ni, Pb, Zn Radio-activity (Bq/kg): ²³⁸ U, ²³⁶ Ra, ²³² Th, ²²⁸ Ra, ²³⁰ Pb, ⁴⁰ K, ¹³⁷ Cs	Once before initiation of filling
Ash Leachate Analysis	Trace Elements (mg/kg, using TCLP Test): As, Ba, Cd, Co, Cr, Cu, F, Fe, Hg, Mn, Ni, Pb, Zn	Once a year
Piezometer Water Samples	Chemical Parameters (mg/l, except, pH and EC): pH, EC, TDS, Total Alkalinity, Ca, Mg, Na, K, Cl, SO ₄ , NO ₃ , PO ₄ , Trace Elements (mg/l): As, Ba, Cd, Co, Cr, Cu, F, Fe, Hg, Mn, Ni, Pb, Zn	Monthly
Mine Water Sample	Same as above	Monthly
Ground Water	Same as above	Twice a year - Pre-monsoon and Post-monsoon
Surface Water Samples	Same as above	Twice a year - Pre-monsoon and Post-monsoon
Soil Samples	Texture, type, pH & cation exchange capacity. Trace Elements (mg/l): As, Ba, Cd, Co, Cr, Cu, F, Fe, Hg, Mn, Ni, Pb, Zn	Once a year

Survey of Flora and Fauna	<ul style="list-style-type: none"> • Listing of Flora (herbs, shrubs and trees) and Fauna (soil invertebrates and other animals) based on field observations and review of information available • Analysis of trace elements in plants (herbs, shrubs and trees), the invertebrates • Analysis of trace elements in aquatic fauna from the mine void filled with fly ash • Bio-accumulation and Bio-magnification tests 	Once in two years
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Table 1.2: Proposed Monitoring Programme After Reclamation of Mine void

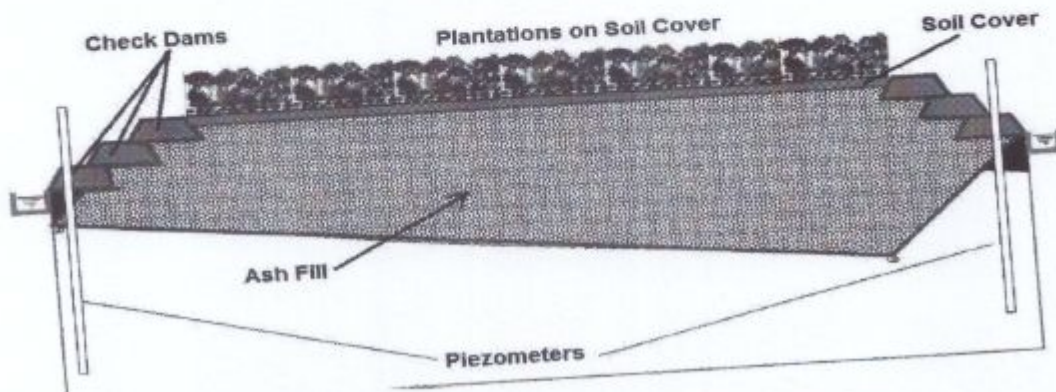
Samples	Parameters to be Analysed	Frequency
Piezometer Water Samples	Chemical Parameters (mg/l, except, pH and EC): pH, EC, TDS, Total Alkalinity, Ca, Mg, Na, K, Cl, SO ₄ , NO ₃ , PO ₄ , Trace Elements (mg/l): As, Ba, Cd, Co, Cr, Cu, F, Fe, Hg, Mn, Ni, Pb, Zn	Twice a year - Pre-monsoon and Post-monsoon
Ground Water Samples	Same as above	Once a year - Pre-monsoon
Surface Water Samples	Same as above	Once a year - Pre-monsoon
Survey of Flora and Fauna	<ul style="list-style-type: none"> • Listing of Flora (herbs, shrubs and trees) and Fauna (soil invertebrates and other animals) based on field observations and review of information available • Analysis of trace elements in plants (herbs, shrubs and trees), the invertebrates • Analysis of trace elements in aquatic fauna from the mine void filled with fly ash • Bio-accumulation and Bio-magnification tests 	Once in five years

In the event of deterioration of environmental quality, the same will be reported to concerned SPCB immediately and suitable preventive/corrective action will be undertaken.

6.4 Reclamation of Land filled site

After the quarry is filled to the permitted height as per DGMS, the same shall be provided with a soil cover and plantation shall be done with local fast growing species (preferably trees), to make it a part of the overall

post-mining land use pattern envisaged in the mine closure plan. The design of surface contours and land profile will be in consonance with the surrounding features. A three tier plantation approach (consisting of large trees, smaller trees and shrubs) will be followed for overall eco-restoration of the area. This will also help in checking the surface run-off, preventing the water from percolation and maintaining the aesthetics beauty of the surrounding in general. A conceptual diagram of the reclaimed mine void is presented below.



**Conceptual Plan for Reclamation of Mine Void
(Drawing not to Scale)**

During the mine void reclamation, the following measures are to be undertaken:

- i. Storm water drains shall be constructed for channelizing the run-off water away from the disposal site.
- ii. A 30 cm thick soil cover shall be provided to promote vegetation growth.
- iii. For plantation purpose, preference shall be given to both native species and mixed culture. The species will be selected carefully from the following groups for quick reclamation under the guidance of a taxonomist:
 - Tree species for fuel wood and timber
 - Forestry type tree species.
 - Tree species with dense foliage for shade.
 - Native species.
- iv. However, fruit bearing species shall be avoided.

7.0 Precaution

The following precautionary measures are required for safe working during the reclamation activity:

- (i) Appropriate measures should be taken to prevent entry of cattle/livestock inside the disposal area during execution period.
- (ii) Care shall be taken to avoid any kind of nuisance / inconvenience to the public due to such dumping / filling activities.
- (iii) Water sprinkling for dust suppression during handling of Ash shall be ensured from being air borne.
- (iv) After complete reclamation of the site, sign board shall be kept indicating the low lying land / abandoned quarry has been reclaimed with ash. This will help to propagate the message of mine void using ash.

8.0 Regulatory Procedure for Processing the Application for consideration of grant of permission for Reclamation of Low Lying Areas / Abandoned Quarries :

8.1 The activity of reclamation of Low Lying Areas / Abandoned Quarries will be regulated under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air Water (Prevention and Control of Pollution) Act, 1981. The stipulations specified in this guideline is consistent with the provisions of Fly Ash Notification, 1999 and amended thereafter which should be a special condition mentioned in consent order issued under the Water (Water (Prevention and Control of Pollution) Act, 1974 and the Air Water (Prevention and Control of Pollution) Act, 1981. Thereafter any deviations from the guidelines shall be treated as violation of both Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and action as deemed proper shall be taken under Consent Administration by the Board.

8.2 Necessary clearances shall be obtained from the concerned agencies such as DGMS, SPCB, IBM, MoC, etc .

Appendix

Guidelines for disposal of flyash in open cast mines along with Over Burden (OB)

As per notifications 1999 and 2009, "No person or agency shall within fifty kilometres (by road) from coal or lignite based Thermal Power Plants, undertake or approve without using at least 25 % of ash on volume to volume basis of the total materials used for external dump of overburden (OB) and same percentage in upper benches of back filling of opencast mines and this ***shall be done under the guidance of the Director General of Mines Safety (DGMS).***

The methodology as approved by Directorate General of Mine Safety (DGMS) in case of M/s JSPL & JPL (RGR/JPL/P-98(1) &(3)/Flyash/18/2014/1518 dated 31.07.2014) may be referred for filling ash in coal mines. **However, for each case separate approval of methodology from DGMS shall be sought.** Following methodology for disposal of flyash in open cast mines along with Over Burden in case of JSPL was approved by DGMS.

- 1.1 Distance of the internal/overburden dump area from the working faces of mine shall not be less than 100 m.
- 1.2 The area of filling ash shall be specifically earmarked and the same shall be marked on the plan and dumping fly ash shall be carried out accordingly.
- 1.3 Height of each deck shall not be more than 30 m and the total height of the dump shall not exceed 90 m.
- 1.4 The road leading to the dump site for transportation of fly ash shall be independent from the main haul road for transporting OB to the dump site from the mine.

1.5 Method of dumping fly ash

- 1.5.1 The fly ash shall be dumped in alternate layers/stages, of height not exceeding 5.0 m in each layer/stage.

1.5.2 Initially a row of OB dumps not less than 15.0 m width shall be dumped having height of 5.0 m all around the area proposed for ash dump over a deck (of 30.0 m height) of only overburden dump adequately compacted. A number of such areas shall be formed in a layer/stage wherein the fly ash shall be dumped so that one dump of fly ash is separated by another with 15 m wide over burden dump.

1.5.3 Thereafter, fly ash (25%) and overburden shall be dumped within the area surrounded by such OB dumps. In this manner, the dumping shall be laid in the section/layer of 5.0 m height containing both over burden as well as fly ash so as to form a deck of height not more than 30.0 m , distance between two consecutive decks shall not be less than 30.0 m.

1.5.4 In the next section i.e. immediately above bottom section/stage, only OB dumping shall be made to ensure that the Ash is totally covered and protected from the OB dumps all around.

1.5.5 In the same manner as explained above the alternate layer/section of the over burden and over burden with fly ash shall be dumped. Each layer/stage shall be adequately compacted by dozing.

1.5.6 At the top of the dump i.e. at the final stage, the dump shall be covered with 2.0 m thick soil and adequately compacted by dozing. Adequate precaution against rain fall shall be taken by way of plantation, geo-synthetic, or jute/coir reinforcement and formation of gully drains along the slope of the dump and formation of toe walls and peripheral drains as suggested by the scientific agency conducting geo-technical study. The precaution measures shall periodically be checked for its efficacy.

1.5.7 Plan and section in suitable scale (1:2000) shall be maintained showing the details of the dump both external and interval, height of each deck and dump, distance between the dumps containing fly ash and also the distance from the active working faces, plantation done, gully drains, peripheral drains, toe walls, etc. Such plan shall be signed by the Surveyor and countersigned by the Manager as prescribed in the statute.

1.5.8 Code of practices for transportation, dumping compaction of fly ash as mentioned in para 5(4.2.3 & 5.4.3 of main guidelines), shall be implemented.

1.5.9 **1.6 Dump slope management**

1.6.1 The sides of the OB dumps shall be kept benched and height thereof shall not exceed 30.0 m at an angle of slope not exceeding the angle of repose of the dumped material or 28° whichever is less.

1.6.2 Width of the OB dump shall not be less than 40.0 m which shall also be compacted. The benches shall be laid in such a manner that the overall slope of the dump shall not exceed 21° from horizontal.

1.6.3 The toe of the OB dumps shall be protected or armored in such a manner that the sludge does not flow down into the working faces.

1.6.4 A geotechnical study shall be conducted to assess the stability of the dump and the monitoring of various parameters during the course of dumping and also thereafter till the mine is closed permanently.

1.7 Dust control measures: The fly ash dumping including the OB dumps shall be kept moist all the time to prevent ash getting airborne. The quality of the Ash shall be chemically and physically tested at least once in every quarter.

1.8 Surface and ground water quality monitoring

1.8.1 The surface and ground water measurement (Chemical Parameters (mg/l): pH, EC, TDS, Total Alkalinity, Ca, Mg, Na, K, Cl, SO_4 , NO_3 , PO_4 , Trace Elements (mg/l): As, Ba, Cd, Co, Cr, Cu, F, Fe, Hg, Mn, Ni, Pb, Zn) shall be carried out once in a year (post monsoon) in consultation with the State Pollution Control Board in order to ensure that no harmful heavy metals or any other chemicals pollute the surface or ground water sources or any other water sources present in the area.

1.9 Provision of check drains Proper Check Drains/garland drains having width of adequate size and section shall be made around the OB dumps to ensure that the sludge or waste materials along with the ash does not go into any river, nullah, water streams or any other surface water bodies.

1.10 Impact assessment of flora, fauna, aquatic lives and habitat, water & air quality:

1.10.1 A scientific study shall be carried out by an independent scientific organization to study the impact of Ash filling on Flora, Fauna, Aquatic Life and Habitation (once during the filling and at the end of filling).

1.10.2 The Monitoring of all the aforementioned parameters shall be carried out through any accredited institute/organization/Labs and monitoring report shall be submitted to SPCB and DGMS.

1.10.3 A dedicated team of qualified persons headed by senior officer at the level of General Manager shall be established in the mine level, who shall be responsible for the entire ash filling operation, conducting different studies and shall maintain all records as prescribed.

1.10.4 Record of every analysis and study shall be maintained in a bound page register kept for the purpose and the same shall be signed by the person in-charge of the operation and countersigned by the manager of the mine. Records shall also be maintained showing the details about the slope of each dump, quantity of ash filled, quantity of overburden removed, etc.

1.10.5 Risk Analysis about the risk arising out of ash filling operation shall specifically be conducted at regular intervals and Safety Management Plan including the control mechanism shall be prepared as per the guideline contained in DGMS(Tech)(S&T) Circular No.13 of 2002 dated 31.12.2002 and implemented and the same shall be reviewed time to time

1.10.6 In case, any adverse impact is observed, it should be brought to the notice of the DGMS and also to the State Pollution Control Board including the Environment and Forest Ministries of the State and Central Government. No further use of fly ash shall be done in the mine till permitted in writing afresh from DGMS.

TRUE COPY


ADVOCATE

-154-

To,

The Collector, Jharsuguda

17.06.2025

Sub:- Against ash dams and pollution from brick kilns and sand.

Sir,

The reason for writing this letter is that we are residents of Jamera Village, in our village Odisha Metallic Company has built ash dam. As a result 100 to 150 acres of agricultural land is affected by the ash dam water and farming work is not possible due to the pollution of this company, it has become difficult to live for about 2 kilometres and that company releasing contaminated water into the public drain. Around 100 trips of sands are stealing from the river in Jamera. These sand mafias are stealing sand from Ib and Jamera ghats and despite the Government shutting it down there are two brick kilns in the village.

Therefore we request you to consider the matter carefully and take appropriate steps and we the villagers will remain forever grateful to you.

1. One duplicate copy serve to Bargarh M.P.
2. One duplicate copy serve to Brajarajnagar M.L.A.
3. One duplicate copy serve to Jharsuguda M.L.A
4. One duplicate copy serve to Jharsuguda pollution board.
5. One duplicate copy serve to Jharsuguda Tahasildar.
6. One duplicate copy serve to Jharsuguda B.J.P president.

Yours obedient Jamera Villagers

1. Amarendra Kumar Singh.
2. Amit Kumar
3. Bhakta Prasad Pradhan
4. Soudagara Kayal
5. Dwarika Kayal
6. Tuleswar Sahu
7. Dinamani Sahu
8. Sahadev Singh
9. Kesab Bhoi.
- 10.

TRUE COPY


ADVOCATE

ମାମୁଲୀ,

ପ୍ରାୟତଃ ଜିଲ୍ଲାପାଳ, ଝାଡ଼ଖଣ୍ଡ (ଓଡ଼ିଶା)

ବିଷୟ - ଆମ ଗଣ ଜମି ପାଖରେ ଓଡ଼ିଶା ମେଟାଲିକ
ପ୍ରାଇଭେଟ ଲିମିଟେଡ୍, ପୁଡିପଡର (ଝାଡ଼ଖଣ୍ଡ) ର ଆମ
dump ପ୍ୟାର୍ସ ଥିଲା ଯାକି ବର୍ଷା ହେବା ଯୋଗୁଁ ଗଣ
ଜମିରେ ଆମ ସବୁ ମାଝିଆସି ଗୋଟି ହୋଇଯାଇଛି
ତାହା ଉଚିତ୍ତ ପଦକ୍ଷେପ ଓ ସାଧିବୁଦ୍ଧି ସମକ୍ଷେ ଅନୁରୋଧ)

ମହାଶୟ,

ମାମୁଲୀ ଜିଲ୍ଲାପାଳ ମୋହମୟ ଲେଖିଯାଇଥିବା
କାର୍ତ୍ତବ୍ୟ ଚିଠିକିଲେ ଆମେ ସମେତା ଆମର ବାସିନ୍ଦା ଅର୍ଥୁ
ଆମ ଗଣ ଜମି ପାଖରେ ଓଡ଼ିଶା ମେଟାଲିକ ପ୍ରାଇଭେଟ
ଲିମିଟେଡ୍, ପୁଡିପଡର (ଝାଡ଼ଖଣ୍ଡ) ର ଆମ dump ପ୍ୟାର୍ସ
ଥିଲା ଗତ ତା: ୦୧.୦୭.୨୦୨୪ ଭିତ୍ତ ଭବିଷ୍ୟତ ଦିନ ପ୍ରକଳି
ବର୍ଷା ହେବା କାରଣରୁ ତାହା ଅସ୍ଥାୟୀ ଯାଗେଇ ଥିବାରୁ
ଆମ dump ପ୍ୟାର୍ସ ରୁ ସବୁ ଆମ ଆମ ଗଣ ଜମିରେ
୩ ରୁ ୪ ଫୁଟ ଗାଢ଼ି ହୋଇଯାଇଛି । ତୁଳ୍ୟ ଜମିରେ
ଆମେ ଚାହା ଓ ଆମ ପୁଣିଥୁଲୁ ତାହା ସମ୍ପୂର୍ଣ୍ଣ ଯୋଗି
ହୋଇଯାଇଛି । ସଦୟାହା ଆମର ବୋହୁତ କ୍ଷୟକ୍ଷତି
ହୋଇଛି ।

ତତ୍ତ୍ୱ ଆଗକାଳ୍ପି ସବିନୟ ଅନୁରୋଧ କରୁଅଛୁ
ଯେ କ୍ଷମା, ଶିଫ୍ଟ ଆଗତା ତୁଳ୍ୟ ବିଷୟ ପ୍ରତି ଆମ
ଦେଇ କମ୍ପାନିକୁ ଜଣାଇ ଆମର ଉପାୟକୁ ସାଧି
ସ୍ୱରୂପା ସହିତ ଗଣ ଜମିରୁ ହଟାଇବା
କ୍ଷମା କରାଯାଉ

RECEIPT SECTION
09 JUL 2025
ଓ କୁଲି
DISTRICT OFFICE, JHARKHAND

ନିମ୍ନରେ ଶ୍ରୀ ବିଭିନ୍ନ ଛୋଟ ଛୋଟ ଖାତା ନମ୍ବର , ପୁସ୍ତକାବଳି
ନାମ - ଓ ତିକତା

<u>ପୁସ୍ତକାବଳି ନାମ</u>	<u>ଖାତା ନଂ</u>
ଜଗବନ୍ଧୁ ଖର୍ଚ୍ଚେଲି	୧୭୧/୧୫୩ , ୧୭୧/୪୪
ମାଧବ ଖର୍ଚ୍ଚେଲି	" "
ନେତ୍ରିନି ଖର୍ଚ୍ଚେଲି	" "
ଚକ୍ରବର୍ତ୍ତୀ ଖର୍ଚ୍ଚେଲି	" "
ଅବଧୂତ ଖର୍ଚ୍ଚେଲି	୧୭୧/୪୪

ପୁସ୍ତକାବଳି ସ୍ୱାକ୍ଷର

① ଜଗବନ୍ଧୁ ଖର୍ଚ୍ଚେଲି

② ମାଧବ ଖର୍ଚ୍ଚେଲି

③

④ ଚକ୍ରବର୍ତ୍ତୀ ଖର୍ଚ୍ଚେଲି

⑤

To,

The Collector, Jharsuguda

Sub:- Regarding the dump yard built by Odisha Metallic Company Pvt. Ltd.
Butipathara, Jharsuguda near our farmland.

Sir,

The reason for writing this letter, we are resident of Jamera village, there was a dump yard of Odisha Metallic Pvt. Ltd. Company near our farmland. On Sunday 09.07.2025, due to heavy rain the temporary wall of that dump yard broke and contaminated came and flooded our farmland. As a result, our farmland was submerged by 3-4 feet and all the crops we grew also destroyed due to this, we suffered a lot of damage.

Therefore, we request you to consider the matter and take appropriate steps, we the villagers will remain forever grateful to you.

Beneficiary Name

Jagabandhu Kharsel
Madhab Kharsel
Medini Kharsel
Chakrabrati Kharsel
Abdhuta Kharsel

Khata No.

121/193, 121/55
121/193, 121/55
121/193, 121/55
121/193, 121/55
121/54

Beneficiary Signature

1. Jagabandhu Kharsel
2. Madhab Kahrsel
- 3.
4. Chakrabrati Kharsel
- 5.

ମାମୁଣୀ,

ପ୍ରାୟତଃ ଥାନା ଅଧିକାରୀ, ଝାଞ୍ଚିପୁରୀ ଗ୍ରାମର ଥାନା (BTL)

ବିଷୟ - ଆମ ଜମି ପାଖରେ ଓଡ଼ିଶା ମେଟାଲିକ

ଗ୍ରାଉଣ୍ଡିଂ ଲିମିଟେଡ଼, କୁଟିପଡ଼ର (ଝାଞ୍ଚିପୁରୀ) ର

ଆସ dumpyard ଥିଲା ଯାହା ଉର୍ଦ୍ଧା ହେବାପାଇଁ

ଚାଷ ଜମିରେ ଆସ ନାହିଁ ଯାହା ଦାହ ହୁଏତ ପଦାଧ୍ୟାୟ
ଓ ଝାଞ୍ଚିପୁରୀ ସମସ୍ତ ଅନୁରୋଧ)

ମହାଶୟ,

ମାମୁଣୀ ଥାନା ଅଧିକାରୀ, ଝାଞ୍ଚିପୁରୀ ଲେଖାଯାଇଥିବା

କାର୍ଯ୍ୟ ଚଳିଥିଲା ଆମେ ଜମିରେ ପ୍ରାୟତଃ କାର୍ଯ୍ୟ ଆସୁ

ଆମ ଚାଷ ଜମି ପାଖରେ ଓଡ଼ିଶା ମେଟାଲିକ ଗ୍ରାଉଣ୍ଡିଂ

ଲିମିଟେଡ଼, କୁଟିପଡ଼ର ଆସ dumpyard ଥିଲା ଗତ

ତା: ୦୧.୦୭.୨୦୨୫ ରୁମ୍ ହିସାବ ଦିନ ପ୍ରକଳ ବର୍ଷା ହେବା

କାରଣରୁ ପାହୁ ଆସୁ ପାଖରେ ଥିଲା ଆସ dumpyardକୁ

ସବୁ ଆସ ଆମ ଚାଷ ଜମିରେ ମ ଠୁ ୪ ଫୁଟ ପାଖରେ ଥିଲା

ହୁଏତ ଜମିରେ ଆମେ ପାହୁ ଓ ଥାନା କୁଟିପୁରୀ ଦାହ

ସମସ୍ତ ଗୋଟି ହୋଇଥିଲା । ସଦୟରେ ଆମର

କୋମ୍ପୁଟ ସମ୍ପର୍କ ହୋଇଛି ।

ତୁ ଆପଣଙ୍କୁ ସବିନୟ ଅନୁରୋଧ କରୁଅଛୁ

ଯଥା ଶିଘ୍ର ଆପଣ ଉକ୍ତ ବିଷୟ ପ୍ରତି ଧ୍ୟାନ ଦେଇ

କମ୍ପାନୀକୁ ଜଣାଇ ଆମର ପ୍ରକଳ ସାଧି ପୂରଣ

ଦେବା ସହିତ ଚାଷ ଜମିରୁ ଆସକୁ ଦୂରୀଭାବ

କରାଯାଉ ।

ନିମ୍ନରେ ଯାଦିପ୍ରସ୍ତ ହୋଇଥିବା ଭାଗା ନମ୍ବର , ହିତାଧିକାରୀଙ୍କ ନାମ ଓ ଠିକଣା ।

<u>ହିତାଧିକାରୀଙ୍କ ନାମ</u>	<u>ଭାଗା ନଂ</u>
ଦତ୍ତାତ୍ରିୟ ଶର୍ମା	୧୨୧/୧୬୩, ୧୨୧/୪୪
ନାଥ ବ	" "
ଜାଦିନି	" "
ଚକ୍ରବର୍ତ୍ତୀ ଶର୍ମା	" "
ଅବଧୂତ ଶର୍ମା	୧୨୧/୪୪

ହିତାଧିକାରୀଙ୍କ ସ୍ୱାଗତ

- ୧) ନିଜାଦସିଂହଦେବୀ
- ୨) ନାଥନାଥଦେବୀ
- ୩) L.T.I of Medical Kharsel
- ୪) ଚକ୍ରବର୍ତ୍ତୀ ଶର୍ମା
- ୫) L.T.I of ଅବଧୂତ ଶର୍ମା

To,

The Inspector-In-Charge, Jharsuguda, Sadar Police Station.

Sub:- Regarding the dump yard built by Odisha Metallic Pvt. Ltd. Company from Butipathara, Jharsuguda near our farmland.

Sir,

The reason for writing this letter, we are resident of Jamera village. There was a dump yard of Odisha Metallic Pvt. Ltd. Company near our farmland. On Sunday 09.07.2025, due to heavy rain the temporary wall of that dump yard broke and contaminated water came and flooded our farmland. As a result, our farmland was submerged by 3-4 feet and all the crops we grew also destroyed due to this, we suffered a lot of damage.

Therefore, we request you to consider the matter carefully and take appropriate steps, we the villagers will remain forever grateful to you.

Below is the affected Khata number and the name and address of beneficiary.

Beneficiary Name

Jagabandhu Kharsel
Madhab Kharsel
Medini Kharsel
Chakrabrati Kharsel
Abdhuta Kharsel

Khata No.

121/193, 121/55
121/193, 121/55
121/193, 121/55
121/193, 121/55
121/54

Beneficiary Signature

1. Jagabandhu Kharsel
2. Madhab Kahrssel
- 3.
4. Chakrabrati Kharsel
- 5.

TRUE COPY

DP

ADVOCATE

News Paper Name- Sakala

Date:- 15th July 2025, Tuesday

**Complaint filed against Odisha Metallic Company to District Collector
Agricultural land is destroyed by waste ash/ Ash water is mixing with the
Ib River**

The residents of Jamera and Markuta in Jharsuguda district are facing a difficult time due to the ash of Odisha Metallic Pvt. Ltd. Company. The residents of Jamera, Markuta and the surroundings area are suffering due to the ash of this company. In this regard, the residents of Jamera and Markuta have complained to the Jharsuguda District Collector. According to the complaint, the waste ash of Odisha Metallic Company is being illegally piled near a perennial drain on the border of Jamera, Markuta. The ash hills is causing skin diseases, kidney diseases in Jamera and the surrounding village and polluting the water, air and soil. A few days ago during the rains, this ash fell on near by farmlands, causing extensive damage. In addition, the nearby drains, along with the nearby rivers, are contaminating the water of the Ib River and the Hirakud reservoir.

News Paper Name: Sambad

Date:- 9th July 2025

Odisha Metallic waste heaps piled up

The fields and canals are all ash

Jharsuguda. 14/7: The Odisha Metallic Company premises in Jharsuguda Budhipadar have collapsed due to rain. As a result, the ash-laden waste has been washed away and mixed with the farmer's paddy fields and natural drains, residents of Markuta and Jamera villages have complained to the Dist. Collector and regional office of the Pollution Control Board, demanding an investigation into the incident. They have demanded strict action against the company and compensation to the affected farmers.

According to the complaint, Odisha Metallic Company has constructed its own temporary cement wall along the natural canal leading to Singhabaga. Including the company has built a culvert much higher than required on the 9th, the sub-sewage hill, along with the ash broke through the impermeable wall and entered the canal. This culvert water also flooded acres of farmland. Since then, red sewage has been flowing continuously from the company perimeter and entering the said canal, due to which the water in the canal has also turned red. Not only, that the company has also been accused of illegally constructing a culvert on the said canal for its own ash management. While the local residents have complained about the damage, the company authorities have expressed dissatisfaction as they have not come to the spot.

ବର୍ଷ୍ୟ ପରିଚାଳନା ଓ ପାଇଁଶ ଗଦା ଭୃଣୁଡ଼ିବାର ତଦନ୍ତ ଦାବି

ପରିବେଶଗତ କ୍ଷତିର ଭରଣା ହେବ କିପରି ?

ଝରସୁରୁତା,୧୫୪୭(ଅପ୍): ଗତ ସପ୍ତାହରେ ଛୋଟିଆ ପ୍ରବଳ ବର୍ଷରେ ଝରସୁରୁତା ସହର ଉପକଣ୍ଠରେ ମରାଜୁଣ-ଭୃଡ଼ିପଦର ପାରେ



ଝିଲ ଚଢ଼ିଣା ମୋଟାସିବୁ ଭରଣାକାର ବର୍ଷ୍ୟ ବନ୍ୟାକଳରେ ବସିଯାଇ କମେରା ମୌଜାର ବିସ୍ତୃତ ଗଣ ଜମିରେ ମଢ଼ିଯିବା ଏବଂ ପର୍ଣ୍ଣ ଦେଇ ପ୍ରବାହିତ ନଳକୁ ପ୍ରଦୂଷିତ କରିବା ଘଟଣାର ଚରଣ ଦଳିକରିଛନ୍ତି ସ୍ଥାନୀୟ ଲୋକେ। ଏଝିସହ ଏହି ବର୍ଷା ବିପ୍ଳବ ଝରାଣୁ ଶିଳ ବର୍ଷ୍ୟ ଜଳିତ ପରିବେଶଗତ କ୍ଷତିର ଭରଣା କିପରି ହେବ ବୋଲି ସ୍ଥାନୀୟ ଲୋକେ ପ୍ରଶ୍ନ କରିଛନ୍ତି।

ଅଳି କିଲ୍ଲାପକ, ରାଜ୍ୟ ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ଼ର ଆଞ୍ଚଳିକ ଅଧିକାରୀଙ୍କୁ ଘଟଣା ଘଟଣରେ କମେରା, ମରାଜୁଣ, ଭୃଡ଼ିପଦର ଅଞ୍ଚଳର ବେତେକ ଅଧିକାରୀ ଲିଖିତ ଭାବେ ଜଣାଇବା ସହ ପ୍ରତିକର ଦାବି କରିଛନ୍ତି। ଏଝିସହ ବର୍ଷରେ ଭାସିଯାଇ ଯେଉଁ ଗଣ ଜମି ମଞ୍ଚ ହୋଇଛି ତାହାର ଉପଯୁକ୍ତ କ୍ଷତିପୂରଣ ପ୍ରଦାନ ପାଇଁ ଦାବି କରାଯାଇଛି। କମ୍ପାନି ପକ୍ଷରୁ ପୁଲିଆଣ ପରିଚାଳନା ଓ ପରିବେଶଗତ ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ପାଇଁ ଉଦ୍ଦିଷ୍ଟିତ ନୀତି ନିୟମର ଅନୁପାଳନ ଭିତ୍ତିକି ହେଉଛି ତାହାର ଚରଣ କରାଯାଇ କମ୍ପାନି ବିରୋଧରେ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ଗ୍ରହଣ କରିବାକୁ ଦାବି କରାଯାଇଛି। କ୍ଷତିପୂରଣ ପୁଲକୁ ଉପଯୁକ୍ତ କ୍ଷତିପୂରଣ ପ୍ରଦାନ କରା ନ ଗଲେ ଅନୁରୁ ଆଦେଶନର ବେତାକଳା ଦିଆଯାଇଛି। ଏନେଇ କମ୍ପାନି କର୍ମ୍ମପତ୍ରକ ସହ ଯୋଗାଯୋଗ କରାଯିବାରୁ ପ୍ରବଳ ବର୍ଷା ଦୂରା ପ୍ରକଳ୍ପର ବାଧାଶୁଣା ଭୃଣୁଡ଼ି ଯାଇ ପରିସରରେ ଝିଲ ବର୍ଷ୍ୟ ଭାସିଯିବା ଏକ ଅପ୍ରତ୍ୟାଶିତ ଘଟଣା ଥିଲା। ଯେଉଁ ଗଣ ଜମିରେ କ୍ଷତି ହୋଇଛି ତାହାର ଅନୁଧ୍ୟାନ ରାଜ୍ୟ ବିଭାଗ ପକ୍ଷରୁ କରାଯାଇ ଧର୍ଯ୍ୟ କ୍ଷତିପୂରଣ କମ୍ପାନି ପ୍ରଦାନ କରିବ ବୋଲି କହିଛନ୍ତି ପ୍ରକଳ୍ପ ମୁଖ୍ୟ ଅଧିକାରୀ।



Demand for investigation into waste management and ash heap collapse

How will environmental damage be repaired?

Jharsuguda 14/7: During the heavy rains that occurred last week a land slide occurred at Markuta-Budhipadar on the outskirts of Jharsuguda city. Local have demanded an investigation into the incident where the waste from the Odisha Metallic Plant was washed away in flood water, eroding the vast farmland of Jamera Mouza and polluting the flowing canals. They have also questioned how the environmental damage caused by the rain disaster will be repaired. Today some residents of the Jamera, Markuta, Budhipadar areas people have written a complain to the Collector and State Pollution Board and regional officer and demanded its remedy and solution. In addition, they have demanded appropriate compensation for the farmland that was destroyed by flooding in the year. They have demanded that the company take action against the company for not complying with the rules and regulations for waste management and environmental pollution control. They have warned of further agitation if the affected people are not given appropriate compensation. The company contacted the authorities in this regard and said that it was an unexpected incident that the project boundary was breached due to heavy rain and the waste in the area was washed away. The revenue department has said that the company will provide compensation to the farm land that was damaged, said project head Ajit Singh.

TRUE COPY


ADVOCATE



- 167 -

ପାକ୍ଷୀମାନଙ୍କର ଉପସ୍ଥାନ



- 168 -

ଛୋଟ ନାମାଚ୍ ପାଣି



ବେଆର ନାମାଚ୍ ଜମା

TRUE COPY

DP

ADVOCATE



ନାମନାମ୍

ପ୍ରାୟତ୍ତ ରାଜ୍ୟ ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ, ଅଧିକାରୀ,
ଭାରସ୍ମଗୁଡା

ବିଷୟ - ଆମ ଗାମ ଜମି ପାଖରେ ଓଡିଶା କୋଟାଲିକ
ଗ୍ରାଉଣ୍ଡେଡ ଲିମିଟେଡ, କୃତ୍ରିମକର (ଭାରସ୍ମଗୁଡା)ର
କେ ଆଇନ ବାଉଁଶ ବନା ଥିଲା ପାଖି ବର୍ଷା ହେବାପୋଷ୍ଟ
ଗାମ ଜମିରେ ଆସି ମାଟିଲାଭୁଛି ଗାମ ଜମି ସହିତ ଆମ ଗାମ
ନିୟନ୍ତ୍ରଣକାରୀ ଓ ନାଲି ପାଖି ମଧ୍ୟ ପ୍ରଦୂଷଣ ହେଉଛି
ତାହା ଭବ ନଦୀରେ ଯଦି ହୀରାକୃମ୍ପ ଜଳଭଣ୍ଡାରକୁ ପ୍ରବେଶ
ହେଉଛି ଗାଁର ଲୋକ ବେସ୍ତ୍ର ପ୍ରକାରର ହୋଗରେ ଆକ୍ରାନ୍ତ
ହେଉଛନ୍ତି । ତତ୍ତ୍ୱ ଉପରେ ଉଚିତ ପଦକ୍ଷେପ ନିମନ୍ତେ ଅନୁରୋଧ)

ମହାଶୟ,

ରାଜ୍ୟ ପ୍ରଦୂଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ ଅଧିକାରୀ, ଭାରସ୍ମଗୁଡା
ଲେଖ୍ୟପତ୍ରକାରୀ କାର୍ଯ୍ୟାଳୟ, ଆମେ ଜଣେ।
ପ୍ରାୟତ୍ତ ବାସିନ୍ଦା ଅଟୁ । ଆମ ଗାମ ଜମି ପାଖରେ ଓଡିଶା
କୋଟାଲିକ ଗ୍ରାଉଣ୍ଡେଡ ଲିମିଟେଡ, କୃତ୍ରିମକରର ଆସି
dump yard ଥିଲା । ଗତ ତା: ୦୫.୦୭.୨୦୨୫ ରିମ୍ପ ରବିବାର
ଦିନ ପ୍ରକଳ ବର୍ଷା ହେବା କାରଣରୁ ତାର temporarily
ପାରେସା ହାକି ଆସ dump yardରୁ ସବୁ ଆସି ଆମ
ଗାମ ଜମିରେ ମୁରୁଚକ୍ଷୁଟ ଯୋଡି ହୋଇଯାଇଛି । ତୁଳ
ଜମିରେ ଆମେ ଥିଲା ଓ ଆମ କୁଟିଥିଲୁ ତାହା ଯୋଡି
ହୋଇଯାଇଛି । ପାଖରେ ଥିବା ଛୋଟ ନାଲିର ପାଖି
ଖରାପ ହୋଇ ସେହିପାଖି ଭବ ନଦୀକୁ ହୀରାକୃମ୍ପରେ
ପହୁଛି ତତ୍ତ୍ୱ ଆମ ଗ୍ରାମରେ କିମିନା ହୋଇ, ସ୍ୱାସ୍ଥ ହୋଗ
ଓ ବିଭିନ୍ନ ପ୍ରକାରର ହୋଗରେ ଆକ୍ରାନ୍ତ ହେଉଛନ୍ତି ।
ଆମ ଗ୍ରାମର ପ୍ରାକୃତିକ ପରିବେଶ ନଷ୍ଟ ହେବା ସତ୍ତ୍ୱେ
ବୋଧୁତ ତାମ ଜିନିଷ ନଷ୍ଟ ହେଉଛି ।

ବନ୍ଧୁ ଆପଣଙ୍କୁ ପବନରୁ ଆକ୍ରମଣ କରୁଥିବା
ଆପଣଙ୍କୁ ବିଷୟ ପ୍ରତି ଆମ ଦେଇ ବୁଝିବ ପଦକ୍ଷେପ
କେଉଁ ସମୟରେ ସାମାଜିକ କରନ୍ତୁ ।

ପଢ଼ାଉ ବକ୍ତୃତା ନକଲ

୧- ଜିଲ୍ଲାପାଳ, ବାଲୁସୁପୁଡ଼ା

୨- ରାଜ୍ୟ କୃଷି ମନ୍ତ୍ରୀ, ଭୁବନେଶ୍ୱର

"କୃତ୍ତି"

ଆପଣଙ୍କୁ ବିଶ୍ୱାସ

ଜନେତ୍ରା ହାମକାସ୍ୟ କୃତ୍ତି

1. ବିନୟନ ମେହେର
2. Rabi Shamh Saha

③ Jambamohan Khand

- 4- Beolomah Kala
- 5- Samasentra kumar Singh
- 6- Bedabyas Sahu
- 7- Prasanta meher.
- 8 - Hota madhab Saha
- 9 - Chatur bhujia Khandel
- 10 - Tarun Sahu
- 11 - Jaksuda Sahu
- 12- Akari Kanta Sahu
- 13- Anand K Saha
- 14- Anand K Saha
- 15-

To,

The State Pollution Control Board, Jharsuguda

Sub:- There was an illegal dump yard of Odisha Metallic Company, Butipathara, Jharsuguda near our farmland, which due to rain contaminated water came and flooded our farmland and the crop has also been destroyed and the drain water also been polluted which has fallen into the IB river and mixed with the Hirakud reservoir, due to which the people are facing a lot of problem.

Sir, The State Pollution Control Board, Jharsuguda, the reason for writing this letter we are residents of Jamera village. There was a dump yard of Odisha Metallic Pvt. Ltd. Company near our farmland. On Sunday 09.07.2025 due to heavy rain the temporary wall of that dump yard broke and contaminated water came and flooded our farmland. As a result our farm land was submerged by 3-3 feet and all the crops we grew in that farmland including rice were also destroyed to this and the drain water also been polluted which has mixed with the Hirakud Reservoir. Due to this people are affected several disease and destroyed our natural environment also we are suffered a lot of damage.

Therefore, we request you to consider the matter carefully and take appropriate steps, we the villagers will remain forever grateful to you.

TRUE COPY


ADVOCATE

- 173 -

ଉତ୍ତର ଆପତକ ବିଷୟ

ଜଣେଇ ଗ୍ରାମବାସୀ ପୁଅ

1. Chatur bhijukant
2. Balaram Meher
3. Rabi Shankar STH
4. Anand Kumar Sahu
5. Bedamati Kalo
6. Nitish Meher
7. Anand Kumar STH
8. Chakrabali Kharsul
9. Samarendra Kumar Singh
10. Prakash Sa.
11. Anand Kumar STH
- 12 - Seerat Rout -
- 13 - Hura madhab Singh

28.7.20
A/C Sadar P.S.,
Inspector-in-Charge
Sadar PS Jharsuguda

To,

The Inspector-in-Charge, Sadar Police Station, Jharsuguda.

Sub:- Odisha Metallic Pvt. Ltd. Company had illegally stored dump yard in Butipathara, Jharsuguda, the said dump yard and chemical water due to rain has been deposited on the cultivation land and caused damage.

Sir,

The reason for writing this letter we are resident of Jamera village. There was a dump yard of Odisha Metallic Pvt. Ltd. Company on our top of the farmland in our village. On Sunday 09.07.2025 due to heavy rain the temporary wall of that dump yard broke and contaminated water came and flooded our farmland as a result our farmland submerged by 3-4 feet. Along with this, the company water and toxic chemical water has been deposited on the cultivation land and completely damaging our farmland. This process is still going on due to this rains. The farmland where we used to grow crop has been covered in dump yard and we have suffered a lot of damage. Which is estimated to be more than 1 crore rupees worth of the harvest of one season.

Therefore, we request you to consider the matter carefully and take appropriate steps, we the villagers will remain forever grateful to you.

Yours Obediently Jamera Villagers.

1. Chaturbhuja Kharsel
2. Balaram Meher
3. Rabi Shankar
4. Dinesh Kumar Sahu
5. Bedaraati Kalo
6. Nibas Meher
7. Ramakanta Sahu

- 175 -

8. Chakrabarati Kharsel
9. Samarendra Kumar Singh
10. Prakash Sa.
11. Amarendra Kumar
12. Sarat Rout
13. Hotra Madhab Singh

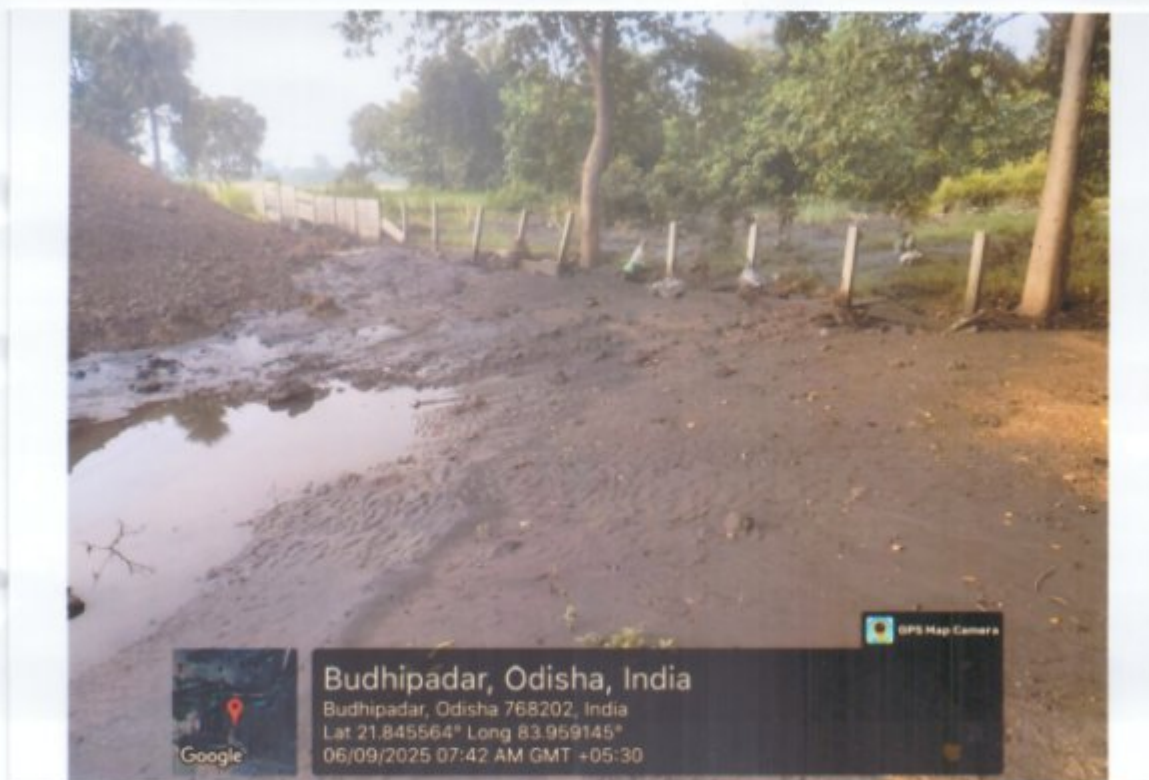
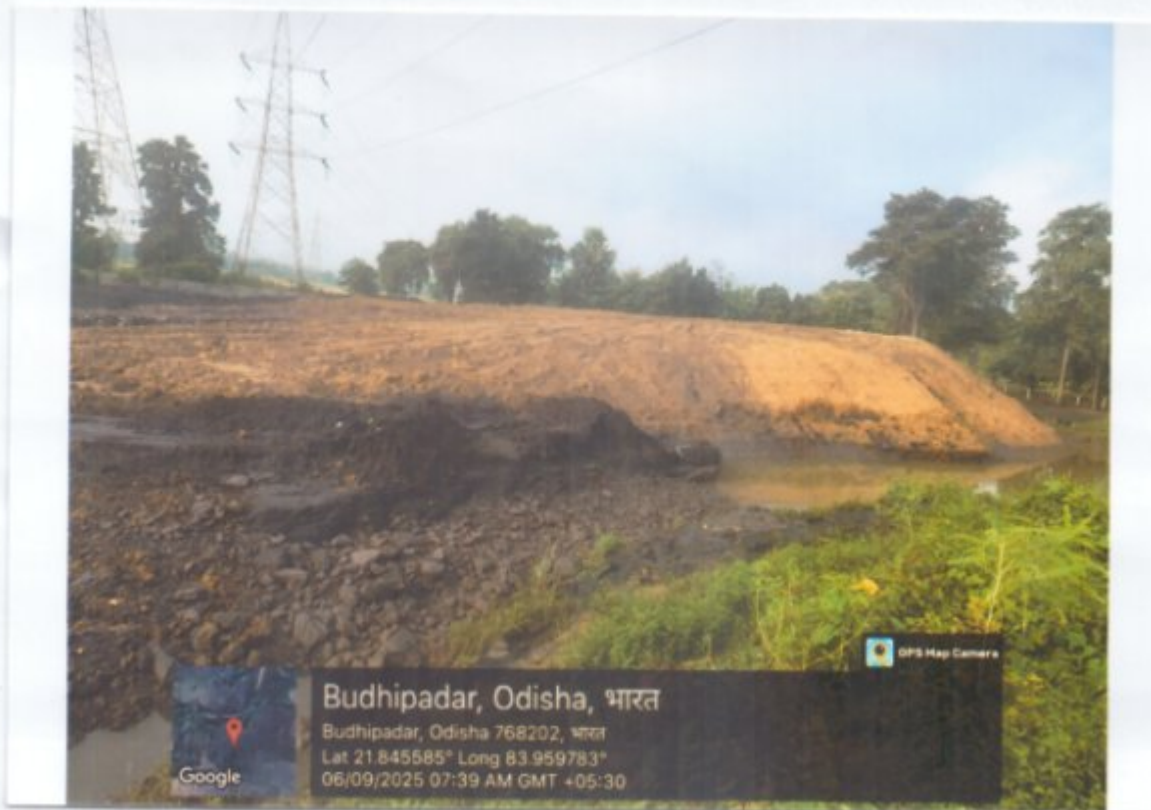
TRUE COPY

ADVOCATE

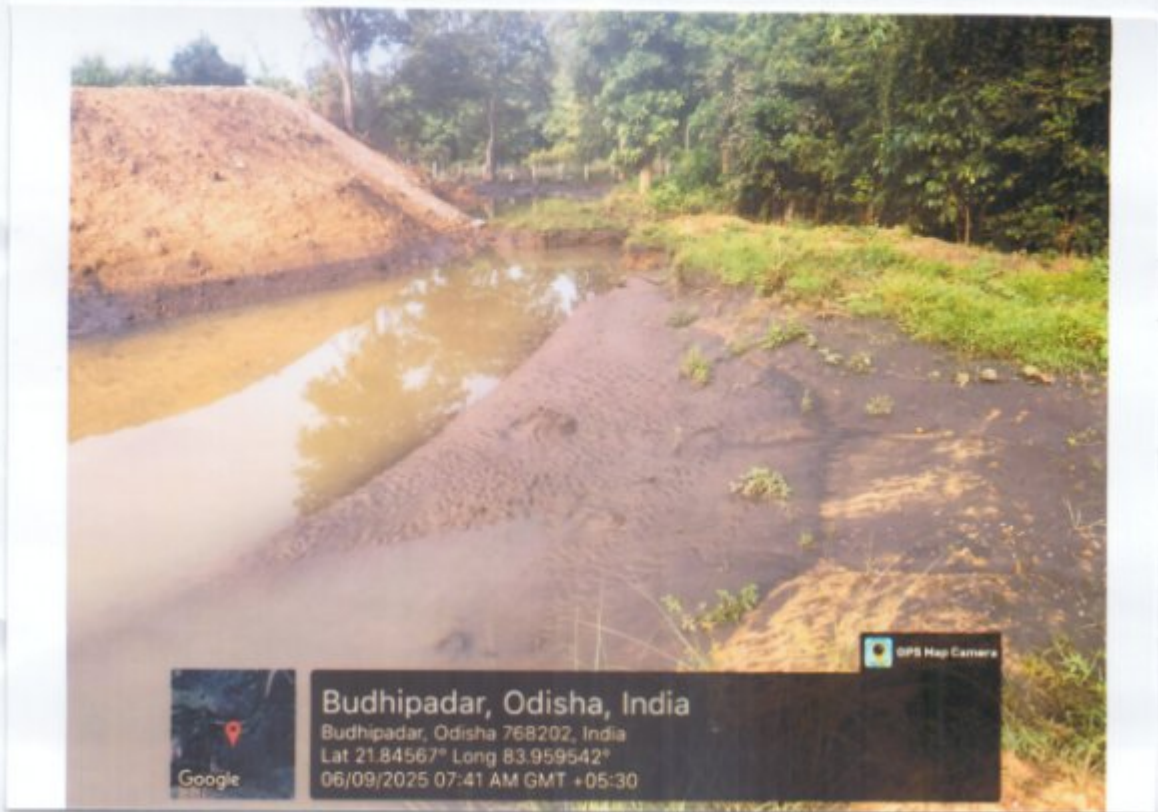


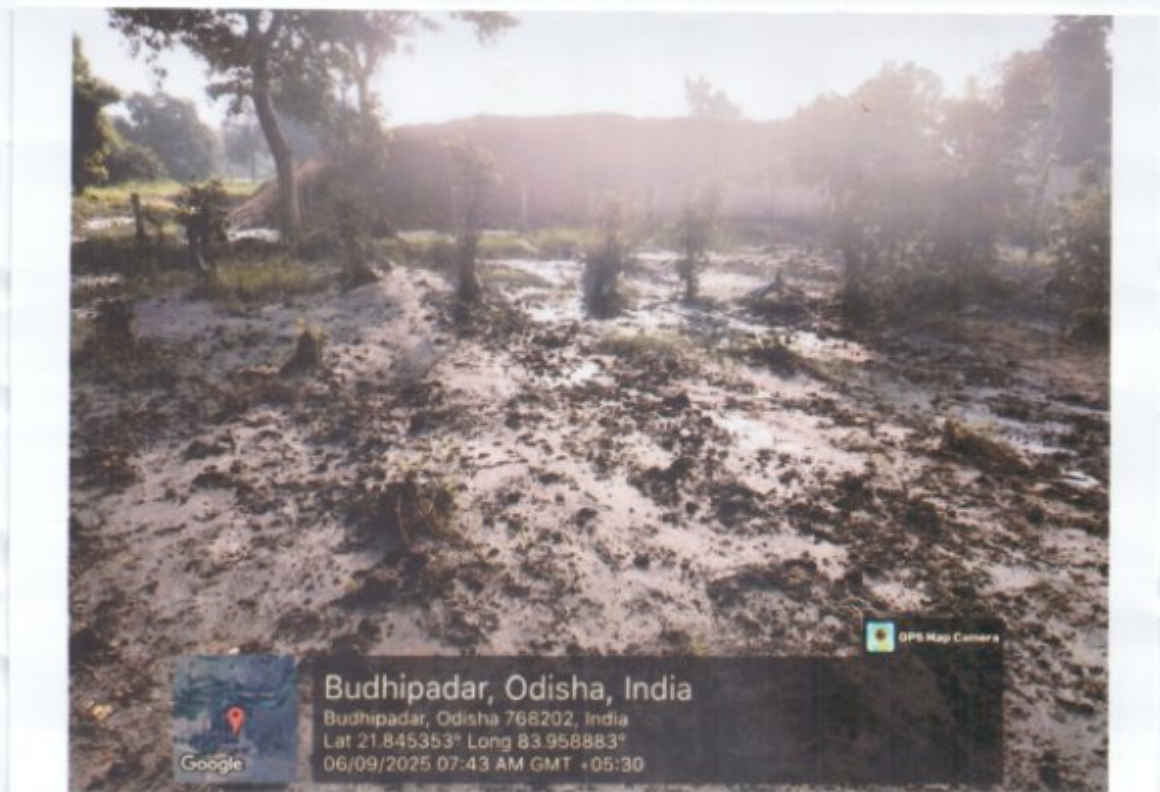






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TRUE COPY
PP
ADVOCATE





-185-











-190-



TRUE COPY

AP



ଭାରତୀୟ ବିଶିଷ୍ଟ ପରିଚୟ କର୍ତ୍ତୃପକ୍ଷ

ଭାରତ ସରକାର
Unique Identification Authority of India
Government of India

ପଞ୍ଜୀକରଣ ନମ୍ବର / Enrollment No. : 1164/11213/05583

To
ABADHUTA KHARSEL
ଅବଧୂତ ଖରସେଲ
IB
JAMERA
Jamuapali
I B, Jharsuguda
Odisha - 768216

20/07/2014



KL962941533FT

96294153



ଆପଣଙ୍କ ଆଧାର ସଂଖ୍ୟା / Your Aadhaar No. :
8104 1187 3506

ଆଧାର - ସାଧାରଣ ଲୋକର ଅଧିକାର



ଭାରତ ସରକାର
Government of India



ଅବଧୂତ ଖରସେଲ
ABADHUTA KHARSEL
ପତ୍ନୀ : କୌଶଲ୍ୟା ଖରସେଲ
Wife : KUSHALYA KHARSEL

ଜନ୍ମ ତାରିଖ / DOB: 16/11/1930
ପୁରୁଷ / Male

8104 1187 3506



ଆଧାର - ସାଧାରଣ ଲୋକର ଅଧିକାର

ସୂଚନା

- ଆଧାର ପରିଚୟ ପ୍ରମାଣ ଅଟେ, ନାଗରିକତାର ନୁହେଁ ।
- ପରିଚୟର ପ୍ରମାଣ ଅନ୍ ଲାଇନ୍ ଅପ୍ରେଟିଭ୍‌କେଶନ୍ ଦ୍ୱାରା ପ୍ରାପ୍ତ କରନ୍ତୁ ।

INFORMATION

- Aadhaar is proof of identity, not of citizenship.
- To establish identity, authenticate online.

- ଆଧାର ସାରାଦେଶରେ ବୈଧ ।
- ଭବିଷ୍ୟତରେ ଏହି ଆଧାର, ସମସ୍ତ ସରକାରୀ ଓ ବେସରକାରୀ ସେବା ପ୍ରାପ୍ତ କରିବାରେ ସାହାଯକ ହେବେ ।
- Aadhaar is valid throughout the country.
- Aadhaar will be helpful in availing Government and Non-Government services in future.



ଭାରତୀୟ ବିଶିଷ୍ଟ ପରିଚୟ କର୍ତ୍ତୃପକ୍ଷ
Unique Identification Authority of India

ଠିକଣା: ଇ.ଏ. ଜାମେରା, ଜହ୍ନସୁଗୁଡ଼ା, ଓଡ଼ିଶା
768216

Address: IB, JAMERA,
Jamuapali, Jharsuguda, I B,
Odisha, 768216

8104 1187 3506

1947
1800 300 1947

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L.T. / or
Abadhuta Kharsel.

ଭାରତ ସରକାର
Government of India

ଭବନୀଧର ଖରସେଲ
JAGABANDHU KHARSEL
ପିତା ଉପାଧ୍ୟକ୍ଷ ଖରସେଲ
Father : ABADHUT KHARSEL

ଜନ୍ମ ତାରିଖ / DOB: 03/02/1955
ପୁରୁଷ / Male

4157 0639 8890

ଆଧାର - ସାଧାରଣ ଲୋକର ଅଧିକାର

ଭାରତୀୟ ଅନୁକ୍ରମିକ ପରିଚୟ କର୍ତ୍ତୃପକ୍ଷ
Unique Identification Authority of India

1947
1800 300 1947

Address: IBB, JAMERA,
Jamuapali, Jharsuguda, I B,
Odisha, 768216

4157 0639 8890

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ଜିଏ ଏସ୍ ଶରଣୀ ମା

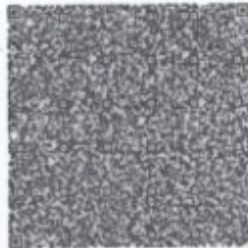


भारत सरकार
Government of India

भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

Enrolment No.: 2827/03440/02827

To
Madhab Kharsel
C/O: Abdhut Kharsel,
Jamera,
IB,
Jharsuguda,
VTC: Brajarajnagar,
PO: I B,
Sub District: Brajarajnagar,
District: Jharsuguda,
State: Odisha,
PIN Code: 768216,
Mobile: 7978049526



Signature valid

आपका आधार क्रमांक / Your Aadhaar No. :

6613 7460 5903

VID : 9154 2547 1571 2613

मेरा आधार, मेरी पहचान



भारत सरकार
Government of India



Madhab Kharsel
Date of Birth/DOB: 20/10/1956
Male/ MALE

आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं।
इसका उपयोग सर्वजन (ऑनलाइन प्रमाणीकरण, या क्यूआर कोड/
ऑफलाइन एनरोलमेंट की स्थिति) के साथ किया जाना चाहिए।
Aadhaar is proof of identity, not of citizenship
or date of birth. It should be used with verification (online
authentication, or scanning of QR code / offline XML).

6613 7460 5903

मेरा आधार, मेरी पहचान



सूचना / INFORMATION

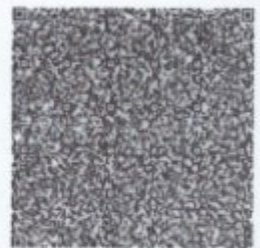
- आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं। जन्मतिथि आधार नंबर धारक द्वारा प्रस्तुत सूचना और विभिन्नता में विनिश्चित जन्मतिथि के प्रमाण के दस्तावेज पर आधारित है।
- इस आधार पर को यूआईडीएआई द्वारा नियुक्त प्रमाणीकरण एजेंसी के जरिए ऑनलाइन प्रमाणीकरण के द्वारा सत्यापित किया जाना चाहिए या ऐप स्टोर में उपलब्ध एमआधार या आधार क्यूआर कोड स्कैनर ऐप से क्यूआर कोड को स्कैन करके या www.uidai.gov.in पर उपलब्ध मुद्रित क्यूआर कोड रीडर का उपयोग करके सत्यापित किया जाना चाहिए।
- आधार विशिष्ट और सुरक्षित है।
- पहचान और पते के समर्थन में दस्तावेजों को आधार के लिए नामांकन की तारीख से प्रत्येक 10 वर्ष में कम से कम एक बार आधार में अपडेट करना चाहिए।
- आधार विभिन्न सरकारी और गैर-सरकारी कायदा/सेवाओं का साथ लेने में सहायता करता है।
- आधार में अपना मोबाइल नंबर और ईमेल आईडी अपडेट रखें।
- आधार सेवाओं का साथ लेने के लिए एमआधार ऐप डाउनलोड करें।
- आधार/बायोमेट्रिक्स का उपयोग न करने के समय सुरक्षा सुनिश्चित करने के लिए आधार/बायोमेट्रिक्स लॉक/अनलॉक सुविधा का उपयोग करें।
- आधार की मांग करने वाले सहमति लेने के लिए बाध्य हैं।
- Aadhaar is proof of identity, not of citizenship or date of birth (DOB). DOB is based on information supported by proof of DOB document specified in regulations, submitted by Aadhaar number holder.
- This Aadhaar letter should be verified through either online authentication by UIDAI-appointed authentication agency or QR code scanning using mAadhaar or Aadhaar QR Scanner app available in app stores or using secure QR code reader app available on www.uidai.gov.in.
- Aadhaar is unique and secure.
- Documents to support identity and address should be updated in Aadhaar after every 10 years from date of enrolment for Aadhaar.
- Aadhaar helps you avail of various Government and Non-Government benefits/services.
- Keep your mobile number and email id updated in Aadhaar.
- Download mAadhaar app to avail of Aadhaar services.
- Use the feature of Lock/Unlock Aadhaar/biometrics to ensure security when not using Aadhaar/biometrics.
- Entities seeking Aadhaar are obligated to seek consent.



भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India



Address:
C/O: Abdhut Kharsel, Jamera, IB,
Jharsuguda, Brajarajnagar, PO: I B, DIST:
Jharsuguda,
Odisha - 768216



6613 7460 5903

VID : 9154 2547 1571 2613

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माधव खर्सेल

-194-



भारत सरकार
India Government



आधार

भारत सरकार
Government of India

भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

Enrolment No.: 0221/00389/00866

To
MODINI KHARSEL
IB,
Jamera,
VTC: Jamuapali,
PO: I B,
Sub District: Belpahar,
District: Jharsuguda,
State: Odisha,
PIN Code: 768216,
Mobile: 7978049526

Signature valid

Digitally signed by Unique Identification Authority of India
DN: cn=Unique Identification Authority of India, o=UAI, ou=UAI, email=UAI@nic.gov.in, c=IN
Date: 2017.11.11 12:12:47
GMT+05:30



आपका आधार क्रमांक / Your Aadhaar No. :

7542 1060 0066

VID : 9108 4751 2608 9709

मेरा आधार, मेरी पहचान



भारत सरकार
Government of India



आधार

Aadhaar no. issued: 18/07/2014



MODINI KHARSEL
Date of Birth/DOB: 19/11/1976
Male/ MALE

आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं।
इसका उपयोग सत्यापन (ऑनलाइन प्रमाणीकरण, या क्यूआर कोड/
ऑफलाइन एक्सएमएल वी स्कैनिंग) के साथ किया जाना चाहिए।

Aadhaar is proof of identity, not of citizenship
or date of birth. It should be used with verification (online
authentication, or scanning of QR code / offline XML).




7542 1060 0066

मेरा आधार, मेरी पहचान

- 195 -


 ଚାରତ ସରକାର
 Government of India
 ଚାରତ ସରକାର
 CHAKRABARTTI KHARSEL
 ଚାର : ଅଧ୍ୟାପକ
 Father : ABADHUTA KHARSEL
 ଜନ୍ମ ତାରିଖ / DOB: 16/03/1974
 ଗୁଣ / Male
 9985 2940 2131

 ଆଧାର - ସାଧାରଣ ଲୋକର ଅଧିକାର


 ଓଡିଶା
 Unique Identification Authority of India
 ଠିକଣା: 1B, ଜାମରା
 ଜାମୁଆପାଲି, ଜହରସୁଗୁଡା, 1 B,
 ଓଡିଶା, 768216
 Address: 1B, Jamera,
 Jamuapali, Jharsuguda, 1 B,
 Odisha, 768216
 9985 2940 2131
 1947
 1800 300 1947
 help@uidai.gov.in
 www.uidai.gov.in

Chakrabarti Kharsel

TRUE COPY

 ADVOCATE



STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]

Paribesh Bhawan, A/118, Nilakantha Nagar, Unit - VIII, Bhubaneswar - 751 012, INDIA

FAX : 0674-2564573, Tel:0674-2564033, EPABX : 2561909/2562847

E-mail: paribesh1@dataone.in, Website: www.ospcboard.org

No. 6043 /

Ind-I-Con- (M) 353

Date: 03.04.13.

NOTICE TO ALL FLY ASH GENERATORS IN ODISHA

Whereas, it is required to maximize fly ash utilization by the thermal power plants for various purposes as per the provisions of Notification of MoEF, Govt. of India, 14th September, 1999 and Amendment thereafter on 27.08.2003 and 03.11.2009.

Whereas, large volume of fly ash is being generated as industrial waste from coal based thermal power plants and the fly ash, so generated, is partly utilized and balance amount is being stored in the designated ash ponds/ ash mounds.

Whereas, it has been experienced that during the rainy season the embankment of many fly ash ponds are breached or damaged thereby causing the discharge of fly ash mixed with the rain water into the adjoining areas.

Whereas, such discharge of fly ash due to breach of embankment causes serious damage to the crops in the surrounding agricultural land and eventually resulting various kind of environmental problems.

Now, therefore, all the fly ash generators of Odisha are advised to comply the followings:

- i) Safety aspects of ash dykes/ash mound slopes shall be undertaken at regular intervals by the industries. All the damage / deficiencies / defects noticed on fly ash pond embankment/ ash mound should be properly repaired and redressed before 31.5.2013 i.e. well before the onset of monsoon.
- ii) the appropriate drainage network followed by settling pond of adequate size to contain runoff from ash mound shall be provided around the ash mound to prevent contamination of natural stream or land / agricultural fields in the surrounding area. Dyke of such surface runoff retaining pond should be properly designed and strengthened to sustain even during heavy rainfall. Slope protection measures like stone pitching / grass turving of the dyke should be made before monsoon.

- iii) The slope stabilization of the fly ash mound including benching, provision of cross drains and compaction with soil should be maintained.
- iv) Daily inspection of fly ash ponds / ash mounds and its systems should be carried out before and during the entire rainy season i.e. from 15th may to 30th September every year by a senior officer of the industry.
- v) Adequate public awareness in the locality shall be made by the industry so as to avoid damage to the embankments of the fly ash ponds by miscreants. Adequate security and lighting arrangement should be provided round the clock in the ash pond/ash mound area to avoid manmade breach.
- vi) A special task force shall be constituted by all industries generating fly ash to attend the cases of breach of fly ash ponds/ash mounds on emergency basis and take up restoration work on war-footing basis.
- vii) The pipeline network and pumping system of ash handling process shall be properly maintained to avoid and prevent rupture / leakage or causing loss to the property and environment.

Please note that, in the event of any breach of the fly ash ponds / dykes / ash mound the consent to operate of the concern industry will be revoked / terminated without assigning any reason and giving any opportunity. The State Pollution Control Board will not be accountable for any losses caused by your industry on this account.

Memo No 6044 / dtd 03.04.13
Copy forwarded to Notice Board for display.

C. K. S. S. S.
MEMBER SECRETARY

Memo No 6045 / dtd 03.04.13
Copy forwarded to Computer Cell for information for hosting the notice immediately in the Boards website.

C. K. S. S. S.
MEMBER SECRETARY

Memo No 6046 / dtd 03.04.13
Copy forwarded to AO/Accounts section for information. AO is requested to take necessary immediate steps to publish the notice in the most leading Odia daily and another in National English daily.

C. K. S. S. S.
MEMBER SECRETARY

C. K. S. S. S.
MEMBER SECRETARY

TRUE COPY
DP
ADVOCATE

FORM OF VAKALATNAMA
BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, AT- KOLKATA.

ORIGINAL APPLICATION No. _____ of 2025

Between

Abadhut Kharel & ors.

--- Applicant

-vs-

State of Odisha & ors.

--- Respondents



Know all men by these presents that by these Vakalatanama

I/we, 1) Abadhut Kharsel, aged about 94 years, s/o-Parameswar Kharsel, 2) Jagabandu Kharsel, aged about 70 years, s/o-Abadhut Kharsel, 3) Madhab Kharsel, aged about 68 years, s/o-Abadhut Kharsel, 4) Medini Kharsel, aged about 62 years, s/o- Abadhut Kharsel, 5) Chakrabarti Kharsel, aged about 54 years, s/o- Abadhut Kharsel all are resident of At-Jamera, P.O-IB, Via-Brajarajnagar, Dist.- Jharsuguda-768216, Applicants in the Original Application, do hereby appoint and retain SAGARIKA SAHOO, O-365/2014, AMRITA MOHANTY, O-1480/2022, DIBYANSHA PATTNAIK, O-2202/2025, Advocate (s) to appeal 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 or receipt of any money that may be payable to me /us in the said case and also in applications for review, appeals under Orissa High Court Order and in applications for leave to appeal to Supreme Court. I / we authorize my /our advocate (s) to admit any compromises lawfully in the said case.

Dated the 25/09/2025
Received from the executant (s)
Satisfied and accepted as I hold
No brief for the other side

Sagarika Sahoo

SAGARIKA SAHOO
ADVOCATE, O-365/2014
PHN-9439373290

E-mail- chamberofsagarikasahoo@gmail.com

Amrita Mohanty

AMRITA MOHANTY
ADVOCATE, O-1480/2022
PHN-7978529941

E-mail:- amrita.meenu98@gamil.com

Dibyansha Pattnaik

DIBYANSHA PATTNAIK
ADVOCATE, O-2202/2025
PHN-8249767266

E-mail:- dibyanshap@gmail.com

L.T.I of
Abadhut Kharsel

[Signature]

L.T.I of
Medini Kharsel

[Signature]
Signature of the Executant (s)
Chakrabarti Kharsel

EXECUTANTS

Advocate

Accepted as above

Advocate

Accepted as above

Advocate

Accepted as above

