

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 511/2022

Chandrashekhar Khawade **....Applicant**

Versus

State of Jharkhand & Ors **....Respondents**

ADDITIONAL REPLY ON BEHALF OF RESPONDENT

NO. 4 IN COMPLIANCE OF ORDER DATED

23.05.2023

I, Shiv Chhawchharia, aged 47 years, Son of Late Om Prakash Chhawchharia, Resident of Brij Bihari Lane, Domassi, Deoghar, PO & PS - Deoghar, Dist. - Deoghar, Jharkhand, PIN - 814112, do hereby solemnly state and affirm as follows:-

1. That I am the Proprietor of M/s Sita Ram Soap Works (SITCO) and as such acquainted with the facts and circumstances of the case.
2. That this O.A. was lastly heard by this Hon'ble Tribunal on 23.05.2023 and this Hon'ble Court modified the Interim Injunctive Order dated 15.03.2020 to the effect that this Respondent No. 4

will be entitled to operate the Industry in question on renewal of CTO by JSPCB while ensuring strict compliance with the environmental norms.

3. That paragraph 11 of the order dated 23.05.2023 passed by this Hon'ble Tribunal reads as under:

“11. In the course of hearing it has transpired that Respondent No. 4 is using coal which generates fly ash even though it is submitted that at present the fly ash is being disposed of through Deoghar Municipal Corporation for filling low lying areas, but we are of the considered view that it will be appropriate that the possibility of use of fly ash for brick manufacturing or supply to some cement manufacturing industry is explored by Respondent No. 4 and appropriate contractual agreement is made in this regard. The Respondent No. 4 is using caustic soda and edible oils in manufacturing of the soap and the affluent generated is discharged in the Municipal Drain. No doubt the connecting drain has been now made pucca and oil trapper is also stated to have been installed but remedial measures are required to be taken to ensure

that the affluent does not cause any environmental damage. Respondent No. 4 is directed to explore the possibility of treating affluent by appropriate measures such as construction of settling tanks to ensure that it does not contain any chemicals before it is discharged to municipal drain. Respondent No. 4 is directed to file additional reply mentioning in detail the further measures to be taken as referred to above.....”

4. That on 09.06.2023, the representative of this Respondent had a detailed meeting with the Regional Officer, JSPCB, Dumka Region, Jharkhand who also verbally requested this Respondent to carry out additional plantation work, disposal of fly ash to brick manufacturers who use fly ash and to construct a settling tank so that no affluent is discharged. The Respondent accordingly, by its letter dated 10.06.2023 submitted its action plan for the suggestions to the Regional Officer, JSPCB, Dumka which has been duly received in his Office on 10.06.2023. Based upon the said action plan the Regional Officer has proceeded to finalize the CTO.

Photocopy of the Action Plan submitted by this Respondent to the Regional Officer, JSPCB and received on 10.06.2023 is annexed and marked as Annexure – A.

5. That the Respondent No. 4 states that in the light of the order dated 23.05.2023, the Respondent No. 4 has been granted Consent to Operate (CTO) by the Jharkhand State Pollution Control Board vide Ref. No. JSPCB/RO/DMK/CTO-14880510/2023/114 dated 15.06.2023 valid until 31.12.2023.

Web Copy of CTO dated 15.06.2023 is annexed and marked as Annexure – B.

6. That this Respondent has held discussions with number of brick manufacturers and on 11.07.2023 one M/s Singhal Infra has agreed to use the fly ash for brick manufacturing and a letter to that effect has also been issued to this Respondent by the said M/s Singhal Infra.

Photocopy of Letter dated 11.07.2023 is annexed and marked as Annexure – C.

7. That this Respondent has also approached M/s Lachhiramka & Associates, Architects and Designers at Deoghar for designing a settling tank for the factory and on 01.07.2023 the architects have prepared a drawing of 2 Settling Tanks being Settling Tank No. 1 and 2 and this Respondent has also paid cost of preparation of drawing to the architects amounting to Rs. 2000.00 on 01.07.2023.

Photocopy of the drawing of Settling Tanks and the Bill raised by the Architect dated 01.07.2023 is annexed and marked as Annexure – D.

8. That the Respondent has already constructed the Settling Tanks within the factory premises and is ready in all respects.

Photographs showing settling tank is annexed and marked as Annexure – E.

9. That the Respondent has also carried out Plantation Work. It has purchased 20 Nos. of 'Ashok' plants from Forest Department on payment of Rs. 300 on 05.07.2023 and the Ashok Trees have been planted on the next day of purchase i.e. on 06.07.2023 in a proper row in the manner instructed by the Forest Department at Deoghar. Similar Ashok Trees planted earlier in the previous years are also shown to have grown. This is in addition to the plantation of 30 plants in plots.

Photocopy of receipt showing purchase of 20 Ashok Plants dated 05.07.2023 and their plantation is annexed and marked as Annexure – F and G respectively.

10. That the Respondent is filing this Additional Reply in compliance to this Hon'ble Tribunal's Order.

11. That I have myself gone through the contents of this additional reply and have understood the same.
12. That the statements made in paragraphs 1 and 11 are true to my knowledge, those made in paragraphs 2 to 10 are true to my information derived from the records of the case and rest are submissions before this Hon'ble Tribunal.

Annexures are Photo/True copies of their respective Originals.

Verified on this the 23rd day of July 2023 at Ranchi.

FILED BY:-
ANOOP KUMAR MEHTA
ADVOCATE, RANCHI

Sitaram Soap Works

Shiv Choudhary
Proprietor

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ANNEXURE

A

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कामिनी...हमारी परम्परा

SITARAM SOAP WORKS

सीतको
ESTD. 1935

Phone: (06432) 222921, 223964
E-mail-sswdeoghar@yahoo.com
TIN-20222601240, CST - DG 26 (c)

P. O. Baidyanath-Deoghar
Pin - 814 112, Jharkhand

To,
The Regional Officer
Jharkhand Pollution Control Board,
Dumka.

Respected Sir,

Sub: - Action Plan for the suggestion

This is with regard to the suggestion made by you during the meeting with our representative on 9th June 2023..

1. **PLANTATION** :- We have already reported that we have planted 30 plants in pots. We are also planning to plant 10 more plants near the boundary. We will try to plant more if possible as space is a constraint at our premises.
2. **FLYASH DISPOSAL**: Currently we are disposing Fly ash through Muncipal Corporation. The receipt is attached for your reference.

We are also exploring Bricks manufacturers who use Fly ash for manufacturing Fly ash Bricks. One of the manufacturers have asked for the sample of ash to try and see if it suits their requirement. This we will provide them when ash is generated at our unit,

3. **SETTLING TANK**: We are planning to construct a settling tank in our drainage line. Although There is no process effluent except domestic discharge, still for precautionary measure we will construct a settling Tank in the line.

Sir, Since Monsoon is round the corner and we have to streamline all the operations we assure you that all the above mentioned work will be completed by 15th sept.2023. Rest Assured that we will always work towards the benefit of environment and take utmost care.

Sir, operation of our unit is closed since January 2023. COST OF NOT OPERATING is unbearable for small unit like us . We therefore request you to kindly grant us CTO and oblige.

Thanking You,
Yours Faithfully
For Sitaram Soap works

For SITARAM SOAP WORKS.

Rijesh
Authorized Signatory

Recd.
M. J. Singh
18/06/2023

Head Office: 40, Netaji Subhas Road, Kolkata 700 001, (W.B.) Phone: 033-2242 2328

JHARKHAND STATE POLLUTION CONTROL BOARD

TOWNSHIP ADMINISTRATION BUILDING, HEC COMPLEX, DHURWA, RANCHI 834004

Telephone: 0651-2400850 (Fax)/ 2400851/2400852/2401847/2400979/2400139

Ref No. JSPCB/RO/DMK/CTO-14880510/2023/114

Dated : 2023-06-15

Consent to operate (CTO) under section 25 /26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981

1. Application (s) dated 2022-11-29 of Sitaram Soap works, Occupier Name :Shiv Chhawchharia for consent under section 25 (1)(b)/25 (1) (c)/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21(1) of the Air (Prevention & Control of Pollution) Act,1981..
2. **Documents Relied Upon:**
 - (a)The content of Consent to Operate (CTO), Ref No. JSPCB/RO/DMK/CTO-11729319/2022/9 Dated : 2022-01-10.
 - (b)The content of Inspection Report (I/R) Ref No. 1327 dated 10.06.2023.
3. The consent is granted under section 25 / 26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 to operate the project in Mauza -Shyamganj , P S -Deoghar , District -DEOGHAR , as follows:

Project	Site-Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			Date of issue To
Before Expansion	Revenue Survey no.- 287, Khata No.:- 3047/1964	Total existing area is 13,823 Sq. feet (factory shed- 10,725.4 Sq. feet & 3097.6 Sq. feet area exist for office & Staff resting shed.)	Rs. - 8,00,000/	Washing Shop 714.86 KG/Day	31/12/2023

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(A) Specific Conditions:

1. That, he(they) shall implement Rain Water Harvesting.
2. That, he(they) shall reuse all wastage cutting materials.
3. That, he(they) shall do tree plantation & maintains.
4. That, he(they) shall submit AAQR & SMR within three months.
5. That the occupier shall maintain premises neat & clean and wetting of the ground with appropriate technique.
6. That, the occupier shall keep process effluent in close-circuit and submit report.
7. That, the occupier shall submit applications for renewal of consent under section 25 / 26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 again 120 days prior to the date of expiry of this consent i.e. 31.12.2023 with documents showing compliance of all of the above conditions
8. That, the occupier shall comply all the conditions as per direction of Hon'ble NGT O.A. No. 511/2022

(B) General Conditions :

- (1) That, the occupier shall maintain the **National Ambient Air Quality Standard** given below:

S N	Pollutant	Time Weighted Average	Concentration in Ambient Air	
			Industrial, Residential, Rural and Other Area	Ecologically Sensitive Area (notified by Central Govt.)
(1)	(2)	(3)	(4)	(5)
1.	Sulphur Dioxide (SO ₂), µg/m ³	Annual 24 hours	50 80	20 80
2.	Nitrogen Dioxide (NO ₂), µg/m ³	Annual 24 hours	40 80	30 80
3.	Particulate Matter (size less than 10 µm) or PM ₁₀ , µg/m ³	Annual 24 hours	60 100	60 100
4.	Particulate Matter (size less than 2.5 µm) or PM _{2.5} , µg/m ³	Annual 24 hours	40 60	40 60
5.	Ozone(O ₃), µg/m ³	8 hours 1 hour	100 180	100 180
6.	Lead (Pb) µg/m ³	Annual 24 hours	0.50 1.0	0.50 1.0
7.	Carbon Monoxide (CO) mg/m ³	8 hours 1 hour	02 04	02 04
8.	Ammonia (NH ₃) µg/m ³	Annual 24 hours	100 400	100 400
9.	Benzene (C ₆ H ₆) µg/m ³	Annual	05	05
10.	Benzo(a) Pyrene(BaP) Particulate Phase only ng/m ³	Annual	01	01
11.	Arsenic (As) ng/m ³	Annual	06	06
12.	Nickel (Ni) ng/m ³	Annual	20	20

**Note : Serial no. 1 to 4 – Mandatory
Serial no. 5 to 12 As applicable for specific type of industry.**

- (2) That, the occupier shall maintain the emission quality within the standard and the quantity, as follows:

S N	Parameter	Standard
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- (3) That, the occupier shall keep process effluent in close-circuit and the quality of effluent from other sources in conformity with the standard (s) and the discharge quantity as below:

S N	Parameter	Standard
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- (4) That, the occupier shall dispose of solid wastes as follows:

S N	Waste Type	Mode of Disposal
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- (5) That, the occupier shall keep D G Set(s) within acoustic enclosure and shall keep the height(s) of exhaust pipe(s) as per Central Pollution Control Board norm.
- (6) That, the occupier shall install and maintain Central Ground Water Board/ State Ground Water Directorate approved system of rain water harvesting-cum-ground water recharge and submit the photographic view of the structures within a month.
- (7) That, the occupier shall grow and maintain greenery of the project in the periphery and other available spaces and shall continue enhancing its plant density and biodiversity.
- (8) That, the occupier shall submit environmental statement with supporting stoichiometric calculations analyses reports, every year latest by 30th September of the next financial year.
- (9) That, the occupier shall submit report(s) duly monitored and issued by an NABL accredited / ISO 9001:2008 and OHSAS 18001:2007 certified laboratory in compliance sub-para (2), (3), (4) and (5) of paragraph 3 of this CTO yearly at required periodicity.
- (10) That, this CTO is valid subjected to the validity of mining Lease/Mining Plan/Ecofriendly/Environmental Clearance, if applicable. In case of no renewal of Mining Lease/Mining Plan, this consent shall be treated as revoked automatically.
- (11) That, this CTO is issued from the environmental angle only and does not absolve the occupier from other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility to comply with these conditions laid down in all other laws for the time-being in force, rests with the industry/ unit/ occupier.
- (12) That, this CTO shall not in any way, adversely affect or jeopardize the legal proceeding , if any, instituted in the past or that could be , instituted against you by the State Board for violation of the provisions of the Act or the Rules made there under.
- (13) That, the occupier shall comply with all applicable provisions of the Water (Prevention & Control of Pollution) Act, 1974; the Water (Prevention & Control of Pollution) Cess Act, 1977; the Air (Prevention & Control of Pollution) Act, 1981; and the Environment (Protection) Act, 1986 and Rules made there under.

4. That, this CTO shall not absolve the occupier from making compliance of other statutory prescribed under any law or direction of courts or any other instrument for the time being in force.
5. That, this CTO is being issued on the basis of information/ documents/ certificate submitted by the unit. This CTO will be revoked if any of the information/documents/certificates/undertaking given by the occupier is found false/fictitious/forged in future.
6. The Order shall be valid subject to compliance of all other legal requirements applicable to the unit.
7. The State Board reserve the right to revoke, withdraw or make any reasonable variation / change / alteration in conditions of this consent.

This is issued with the approval of the Competent authority

KAMLAKA
NT
PATHAK
(Kamlakant Pathak)

Digitally signed by KAMLAKANT
PATHAK
DN: cn=NT, o=PERSONAL, title=1364,
pseudoym=528dfcd21ee07a9089b595eb
47bb8546883cdc9d976818d9f27, postalCode=826001,
st=Jharkhand,
serialNumber=158889732cbf0600c09f
3b4d52048173d603e08e700d4eeb130
f7a57a3d67, cn=KAMLAKANT PATHAK
Date: 2023.06.15 12:38:34 +05'30'

Regional Officer

Memo No. : JSPCB/RO/DMK/CTO-
14880510/2023/114

Dated : 2023-06-15

Copy to: Shiv Chhawchharia, Prop.-, M/s Sitaram Soap Works, At. C.P. Drolia Road, Deoghar/ Member Secretary, Jharkhand State Pollution Control Board, Ranchi for information and necessary action.

KAMLAKAN
T PATHAK
(Kamlakant Pathak)
Regional Officer

Digitally signed by KAMLAKANT PATHAK
DN: cn=NT, o=PERSONAL, title=1364,
pseudoym=528dfcd21ee07a9089b595eb
47bb8546883cdc9d976818d9f27, postalCode=826001,
st=Jharkhand,
serialNumber=158889732cbf0600c09f3b4d
52048173d603e08e700d4eeb130f7a57a3d
67, cn=KAMLAKANT PATHAK
Date: 2023.06.15 12:38:43 +05'30'



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ANNEXURE C

SINGHAL INFRA

8742028495
info@singhalinfra.com
www.singhalinfra.com

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Shri Giriraj Traders
GSTIN : 20CVEPS3426H1ZS

11th July, 2023

To,

M/s Sitaram Soap Work,
CP Drolia Road,
B. Deoghar

Subject: Fly Ash Usage.

Dear Sir,

We are using fly ash for our brick manufacturing. We can also use the fly ash generated in your industry. The fly ash is to be delivered free of cost at our Jasidih works.

Thankyou.

Warm regards.



PLOT NO DM5, OPPOSITE STPI, JASIDIH INDUSTRIAL AREA
MANIKPUR, DEOGHAR - 814142 JHARKHAND

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ANNEXURE

D

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Lachhiramka & Associates

Architects & Designers

Hotel Maharaja Complex,
S.S.M. Jalan Road
B. Deoghar – 814112 (Jharkhand)

To,
The Proprietor,
Sitaram Soap Works,
C. P. Drolia Road
Deoghar – 814112
Jharkhand

Date: 01-07-2023

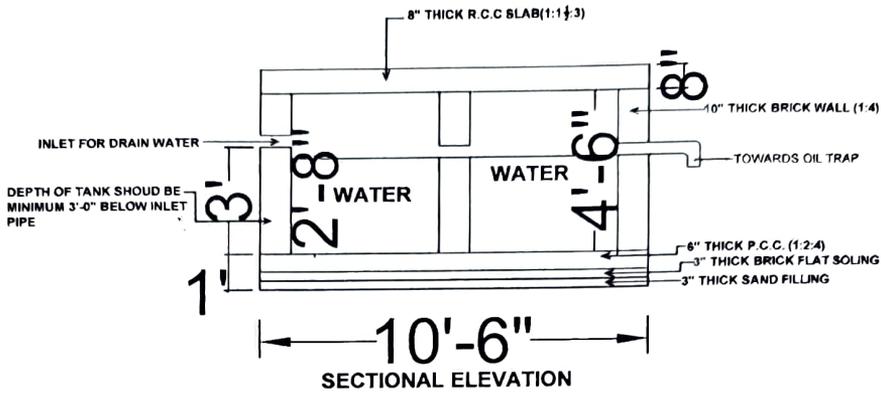
Subject: - Bill for preparation of drawing of settling tank for factory.

Charge @ Rs. 2000.00

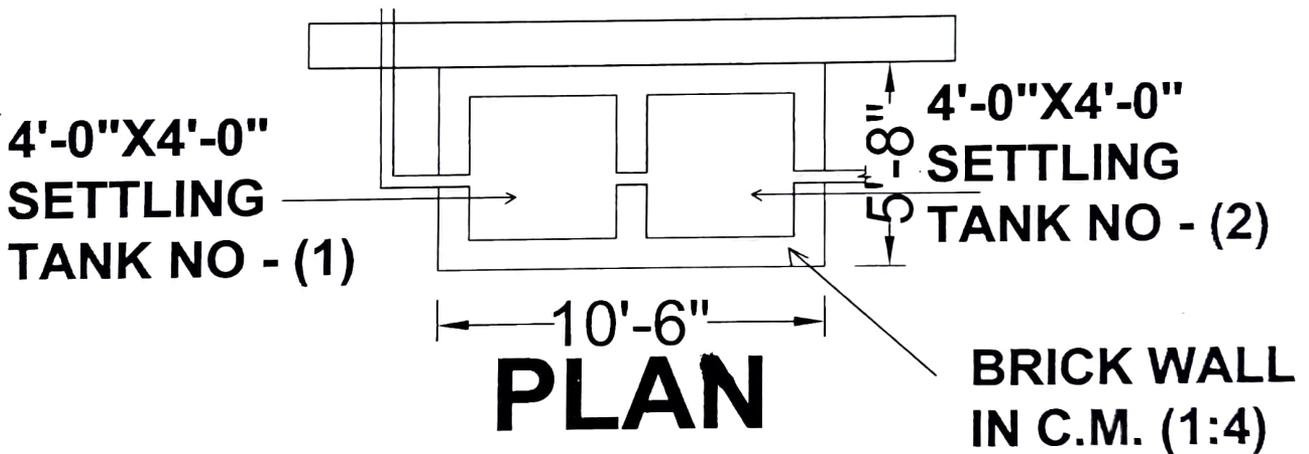
(Rupees Two Thousand Only)

[Signature] 01/07/23
Lachhiramka & Associates
Architects and Designers
Hotel Maharaja Complex
S.S.M. Jalan Road, Deoghar
Mob. 9431133545

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EXISTING FACTORY



PLAN AND SECTIONAL ELEVATION OF SETTLING TANK
FOR EXISTING FACTORY OF SITARAM SOAP WORKS,
C.P. DROLIA ROAD IN DEOGHAR (JHARKHAND)

LACHHIRAMKA & ASSOCIATES
ARCHITECTS & DESIGNERS

HOTEL MAHARAJA COMPLEX,
S.S.M. JALAN ROAD, B. DEOGHAR-814112.
Mob. +91-9431133545

[Handwritten Signature]
01/07/23



कार्यालय: - मोदी एवं मूल्यांकन प्रयोग 187 मोतीलाल, देवघर

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ANNEXURE F

क्र. सं.	सौदी की प्रकृति	संख्या	दर	कुल
1	मशीन	20	15/-	300/-
				<u>कुल राशि = 300/-</u>

Sethu Kumar Pandey
05/07/2023
प्रसारी वनमाल
मोदी एवं मूल्यांकन प्रयोग
मोतीलाल, देवघर

G

