

**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI**

Original Application No. 167/2022

IN THE MATTER OF:

Dilip Kumar & Ors

...Applicant

Versus

State of Jharkhand & Ors.

...Respondents

I N D E X

NDOH- 01.03.2023

S.No.	Particulars	Page No.
1.	Additional Report on behalf of Eastern Railway, Asansol, Jharkhand	1-13

Place: New Delhi

Dated: 27.02.2023

THROUGH



**GIGI C. GOERGE
ADVOCATE**

**CHAMBER NO.457, LAWYER BLOCK-1
DELHI HIGH COURT, NEW DELHI**

MOB-9810625315

EMAIL-gigicgeorge.adv42@yahoo.in

Eastern Railway
Asansol

(1)

No.C.4/Pollution Control/ASN/20

Asansol dated 01.12.2022.

Member Secretary,
Jharkhand State Pollution Control Board,
Ranchi.

Sub: Compliance of directions given by JSPCB to Railway Siding of Dumka Goods Shed for submission of online renewal application of CTO.

Ref: JSPCB's CTO no. JSPCB/RO/DMK/CTO-14390520/2022/176 dated 10.11.2022 valid up to 31.12.2022.

Reference above, item wise details against DUMKA Goods shed are as under:-

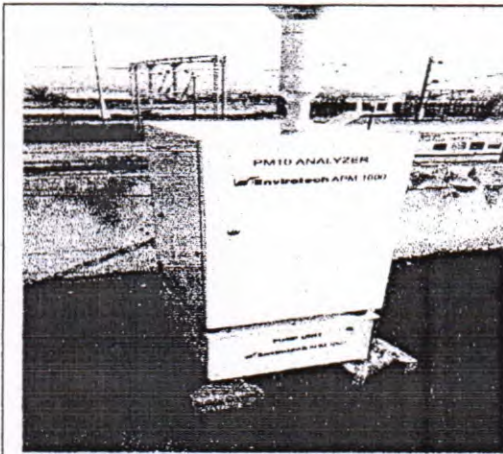
S/N	CTO Conditions (Specific)	Compliance
5.	That, he/they shall install fixed type mist fog water sprinklers to cover all dusty place in the premises to impart water spraying during loading & un-loading of materials and shall keep in good operateable condition at all the times.	02 Water tankers have been arranged for sprinkling purpose as and when rakes are handled. 03 nos. of fog mist water sprinklers /cannon procured & are in operation.
6.	That, the occupier shall transport the Coal by leak proof & covered vehicles with tarpaulin sheet.	Coal is being transported through leak proof trucks covered by tarpaulin.
8.	That, they shall submit of AAQ & Noise level monitoring reports within the consent period.	AAQ and NMR had been done by registered lab of JSPCB on 19 th -20 th September 2022 which is within a period of 03 months.
9.	That the occupier shall dump the coal at least 50 meter away from the track.	Coal is being dumped at more than 50 meters away from passenger platform.
11.	That, the occupier shall keep surface run off within the premises & should construct garland drains and settling pit for this purpose.	Garland drains provided & 03 nos. of settling pit are being constructed with expected date of completion 10 th - 15 th December 2022 as per concerned department for keeping surface run off within premises.
S/N	CTO Conditions (General)	Compliance
6.	That the occupier shall maintain Central Ground Water Board/State Ground Water Directorate approved system of rain water harvesting-cum-ground water recharge and submit photographic view of the structures within in a month.	03 nos. of ground water recharge are being constructed with expected date of completion 10 th - 15 th December 2022 as per concerned department.
7.	That the occupier shall grow & maintain greenery of the project in the periphery & other available spaces & shall continue enhancing its plant density & biodiversity.	Tree plantation within the periphery & other available spaces has been done and continuing.

Note: Renewal application fees already submitted for a period of 05 years as per Online Payment Verification details given below.

Application No	Payment Type	PRN No.	Transaction Date	Amount	Transaction Status
11434197	e-Wallet	655035110	05-11-2021 06:19	45000.0	Completed Successfully

(Brij Kishor Sharma)
Asstt. Comm. Manager,
Eastern Railway, Asansol.

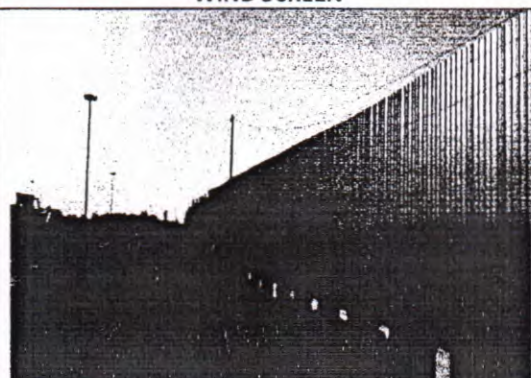
PHOTOGRAPHS



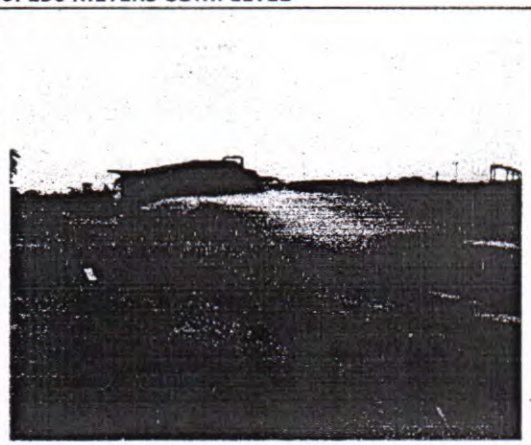
PM10 ANALYSER



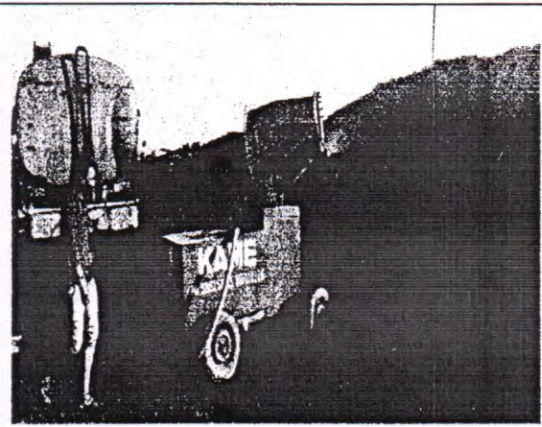
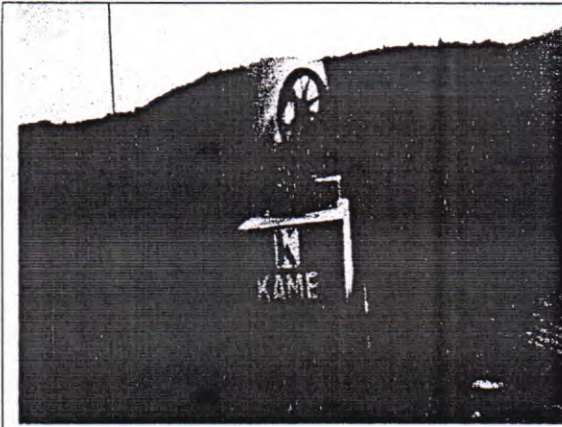
WIND SCREEN



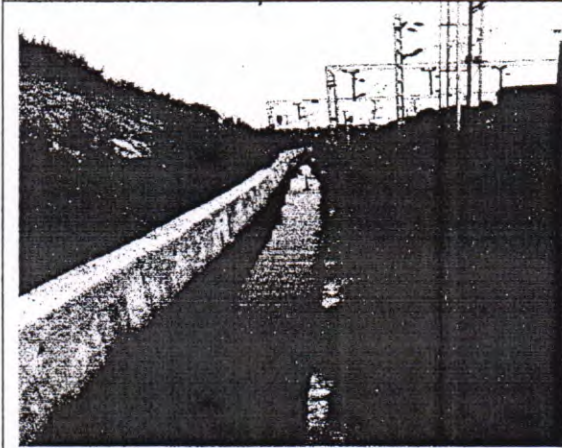
WIND SCREEN EXTENSION of 130 METERS COMPLETED



WATER SPRINKLING BY 02 TANKERS

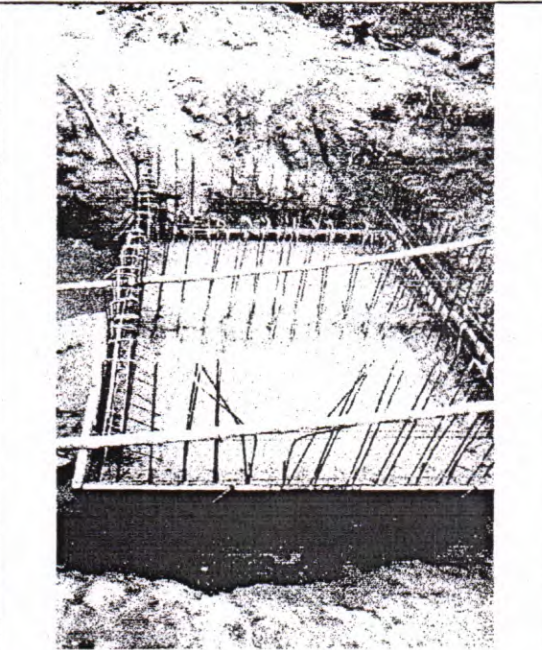


CANON MIST FOG IN OPERATION

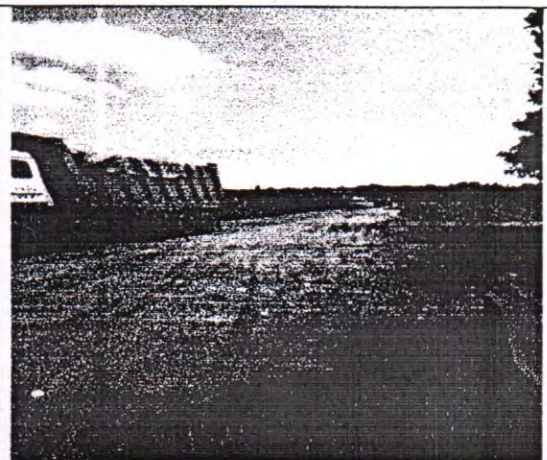
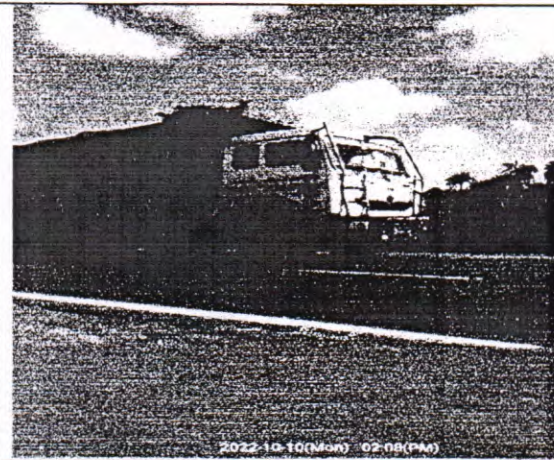


GARLAND DRAIN

SETTLING PIT FOR RAIN WATER RECHARGE



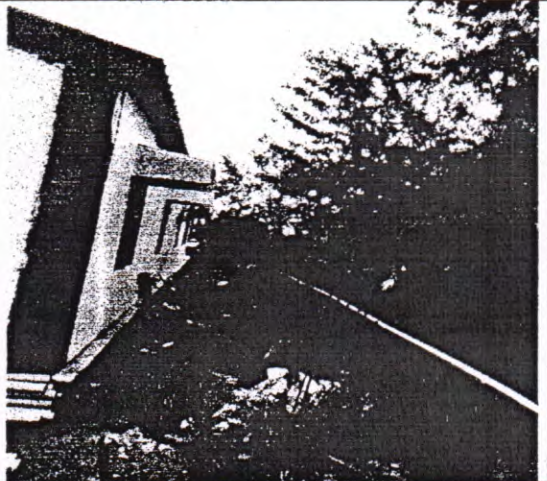
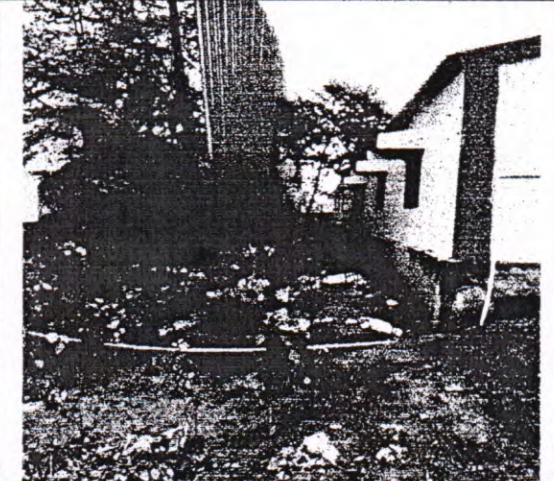
SETTLING PIT UNDER CONSTRUCTION



TRANSPORTATION OF COAL



PLANTATION WITHIN THE PERIPHERY



PLANTATION AT OTHER AVAILABLE SPACES



MORE PLANTATION ON BOTH SIDES OF APPROACH ROAD




SabzCare
Environmental Consultancy Pvt. Ltd.

lets start thinking about nature for tomorrow

 Recognized by JSPCB, Ranchi
 Accredited by NABL, ISO/IEC 17025:2017

TEST REPORT

Name of Industry	Dumka Goods Shed	ULR No.	TC994822000000667
Address	Dumka Railway Station, Dumka District- Dumka, State- Jharkhand	Particular of the Plant	Railway Goods Shed (Eastern Railway)
Date of Sampling	17.09.2022 to 18.09.2022	Sample Collected by	Vivek Kumar Malakar & Team
Type of Sample	Suspended Dust and Gases	Sample condition	Sealed and Preserved
Sample Details	Ambient Air	Sample Drawn By	Sabz Care Lab
Sample ID	SCECPL/TR/22/247/AA-213	Work order No.-	C.4/Pollution Control/ASN dated 16.09.2022
Period of Analysis	19.09.2022 to 20.09.2022	Remarks	-----
		Report Release Date	20.09.2022

A. GENERAL INFORMATION

Location of Sampling: Location-1: Near Pillar No.-1032(Coordinates- 24°17'20.9"N to 87°15'37.1"E)
 Location- 2: Near Pillar No.-1016 (Coordinates- 24°17'20.9"N to 87°15'37.1"E)
 Location- 3: Near Pillar No.-1010 (Coordinates- 24°17'24.4"N to 87°15'20.8"E)

Duration of Sampling: 24 hours

B. METEOROLOGICAL INFORMATION

1. Average Ambient Temperature (°C) : 29.5
2. Relative Humidity (%) : 84.6
3. Barometric Pressure (mbar) : 1005
4. Weather condition : Cloudy

C. TEST RESULTS

S.N.	PARAMETERS	UNIT	TEST METHOD	RESULTS (Location-1)	RESULTS (Location-2)	RESULTS (Location-3)	Average	Requirements/ Specifications as per CPCB
1.	Particulate Matter as PM _{2.5}	µg/m ³	IS 5182 (Part 24)	38.72	35.38	36.63	36.91	60 (µg/m ³)
2.	Particulate Matter as PM ₁₀	µg/m ³	IS 5182 (Part 23)	69.45	64.28	67.93	67.22	100 (µg/m ³)
3.	Sulphur Dioxide as SO ₂	µg/m ³	IS 5182 (Part 2)	22.32	16.96	20.54	19.94	80 (µg/m ³)
4.	Nitrogen Dioxide as NO ₂	µg/m ³	IS 5182 (Part 6)	26.54	24.28	22.58	24.47	80 (µg/m ³)

***** END OF REPORT *****

Remarks: The ambient air quality with respect to Particulate matters, SO₂ and NO₂ are within the prescribed National Ambient Air Quality Standard.

- Test values are reported based on the samples received.
- Samples will be destroyed after 15 days from date of issues of the Test Report subject to nature of preservation. Samples will be preserved as per the standard method.

Authorized Signatory
 Dyush
 Quality Manager
 (Dyush Ranjan)

ISO 9001 : 2015 CERTIFIED COMPANY : OHSAS : 45001 : 2018 CERTIFIED LAB

Registered Office : Aarti Bhawan, Bawan Bighas, PO- Madhupur, Dist-Deoghar-815353 (Jharkhand)

Contact : 09334315731, 07563048389, e-mail : scecpmdp@gmail.com


Sabz Care
Environmental Consultancy Pvt. Ltd.

Let's start thinking about nature for tomorrow

 Recognized by JSPCB, Ranchi
 Accredited by NABL, ISO/IEC 17025:2017

TEST REPORT

Name of Industry	Dumka Goods Shed	ULR No.	TC994822000000668
Address	Dumka Railway Station, Dumka District- Dumka, State- Jharkhand	Type of Industry	Railway Goods Shed (Eastern Railway)
Date of Study	17.09.2022 to 18.09.2022	Sample Collected By	Vivek Kr. Malakar
Sample ID	SCECPL/TR/22/247/NR-147	Time of Duration	24 Hours
Sample Drawn by	Sabz Care Lab	Work order No.-	C.4/Pollution Control/ASN dated 16.09.2022
Sample details	Ambient Noise	Remarks	
Method No.	IS:9989-2014	Report Release Date	20.09.2022

Limit in Leq dB(A)

(CENTRAL POLLUTION CONTROL BOARD, MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE, GOVERNMENT OF INDIA)

S.N.	CATEGORY OF AREA	DAY TIME	NIGHT TIME
1.	Industrial Area	75	70
2.	Commercial Area	65	55
3.	Residential Area	55	45
4.	Silence Zone	50	40

- *Day time is reckoned in between 6:00 A.M. & 10:00 P.M.
 * Night time is reckoned in between 10:00 P.M. & 6:00 A.M.

PERMISSIBLE NOISE EXPOSURE FOR INDUSTRIAL WORKERS

Exposure time (in hours per day)	Limit in dB(A)
8	90
4	93
2	96
1	99
1/2	102
1/4	105
1/8	108
1/16	111
1/32	114

AMBIENT NOISE QUALITY REPORT

Sampling Location	NOISE LEVEL IN dB(A)				
	Minimum	Ld-Mean (Day)	Ln-Mean (Night)	L _{eq} Mean	Maximum
1. Near Pillar No.-1032 (Coordinates- 24°17'20.9"N to 87°15'37.1"E)	59.2	75.8	60.7	74.6	81.5
2. Near Pillar No.-1016 (Coordinates- 24°17'20.9"N to 87°15'37.1"E)	55.2	71.8	56.7	70.6	77.5
3. Near Pillar No.-1010 (Coordinates- 24°17'24.4"N to 87°15'20.8"E)	57.4	74.0	58.9	72.8	79.7

*** END OF REPORT ***

Remarks-

- dB(A) L_d & L_n denotes the time weighted average of the level of sound in decibels on scale(A) in day and night respectively and L_{eq} denotes average of 24 hours which is relatable to human hearing.



ISO 9001 : 2015 CERTIFIED COMPANY : OHSAS : 45001 : 2018 CERTIFIED LAB

 Registered Office : Aarti Bhawan, Bawan, Bighas, PO- Madhupur, Dist-Deoghar-815353 (Jharkhand)
 Contact : 09334315731, 07563048389, e-mail : sccecplmdp@gmail.com



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-14718025/2022/198

Dated : 2022-12-31

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 2022-12-01 of DUMKA GOODS SHED, Occupier Name :Sanjay Kumar 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 Combined Consent (CTE/CTO) granted vide Ref No.-JSPCB/HO/RNC/CTE/CTO-4959589/2019/3, Dated 13.10.2019 at Plot No. 295, Khata No.-02, Mauza-Rashikpur, Dumka, Area-4953 Sq. Mtrs, Investment Rs.51,27,989.49/- (as per project report) for loading and unloading of Minerals Goods (capacity not mention in checklist and application) of this office.
 - (b) The content of Consent-to-Operate (CTO) granted vide Ref. No. JSPCB/RO/DMK/CTO-14390520/2022/176 dated 10.11.2022 for Loading and Unloading of Stone Chips - 1,85,000 MT/Month and Coal - 6,25,000 MT/Month valid upto 31.12.2022;
 - (c)The content of inspection report Ref no. 2372, Dt. 20.12.2022 of Regional Officer, Regional OfficeCum-Laboratory, J.S.P.C. Board, Dumka.
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 -RASHIKPUR , P S -DUMKA , District -DUMKA , as follows:

Project	Site-Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			Date of issue To
Before Expansion	Plot No. 295, Khata No.-02	4953 Sq. Mtrs	51,27,989.4 9/-	Loading and Unloading of Stone Chips - 1,85,000 MT/Month and Coal - 6,25,000 MT/Month	31/03/2023

(A) Specific Conditions:

1. That, the occupier shall, comply with all the conditions as directed in the JSPCB letter memo. no. B2315 dated 09.11.2022 by 31st December, 2022. If the unit is found to be non-complied with respect to these conditions as stated in the referred letter then environmental compensation will be imposed from the date when the directions was issued for the first time.
2. That, if the occupier is found violating the Consent to Operate at any point of time during inspection of the plant by the competent authority, the Consent to Operate shall be revoked as per provision of the acts.
3. That, the occupier shall comply all the conditions laid down in CTE and CTO
4. That, the occupier shall install fixed type mist fog water sprinklers to cover all dusty place in the premises to impart water spraying during loading & unloading of materials and shall keep in good operateable condition at all the times.
5. That, the occupier shall transport the Coal by leak proof and covered vehicles with tarpaulin sheet.
6. That, the occupier shall procure/purchase raw material from those suppliers who have valid consent to operate of the concerned State Pollution Control Board and intimate the Board Head Quarter and Regional Office accordingly.
7. That, the occupier shall submit Ambient air quality and Noise level monitoring reports within the consent period.
8. That, the occupier shall dump the coal at least 50 meter away from the track.
9. That, the occupier shall maintain a detailed record of account of raw material's purchase, ensure local transport by covered trucks and longer distances by covered railway wagons and shall submit the copies of documents to concerned Board/Regional Officer & District Mining Officer every month.
10. That, the occupier shall keep surface run off within the premises and should construct garland drain and settling pit for this purpose.
11. That, the occupier shall construct the Boundary wall in some remaining portion of railway siding.
12. That, the occupier shall construct a katchha garland drain in some port of the railway siding.
13. That, the occupier shall do More nos. of tree plantation along the railway siding with proper maintenance.
14. That, the occupier shall submit online applications for renewal of consent 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. 31.03.2023 with requisite fee and documents showing compliance of all of the above conditions.
15. That, the occupier shall keep good operateable conditions of all the fog mist cannon and vehicular water tanker and operate the same continuously.

(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
-----	-----------	----------

- (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
1	Total Suspended Solids	100 mg/L
2	BOD	30 mg/L
3	COD	250 mg/ L
4	Oil & Grease	10 mg/ L

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

S N	Waste Type	Mode of Disposal
1	Hazardous Carbonaceous Wastes	In co-processing in high temperature furnaces or kilns
2	Hazardous Non-Carbonaceous Wastes	In TSDF
3	Non-Carbonaceous Non-Hazardous solid wastes/ Mine Over Burden	As a substitute of Soil or Mineral

- (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

**KAMLAKANT
PATHAK**

Digitally signed by KAMLAKANT PATHAK
DN: cn=K, o=PERSONAL, title=136A,
pseudoym=528d8f8a21ee0799089b598eb478db8546883c,
dn7=Kamlakant Pathak, postalCode=826001,
st=Jharkhand,
serialNumber=158889732c1b0b0dc09f3b46252048193d80
3ed8ac90d4eeb1307a57a3d67, cn=KAMLAKANT PATHAK,
Date: 2022.12.31 12:14:01 +05'30'

[Kamlakant Pathak]
Regional Officer,
Regional Office, Dumka

Memo No. : JSPCB/RO/DMK/CTO-
14718025/2022/198

Dated : 2022-12-31

Copy to: Shri Sanjay Kumar, GSS, M/S Dumka Goods Shed, At - Dumka Railway Station, P.O.+ Distt.- Dumka/ Director of Industry, Government of Jharkhand, Ranchi/ Director of Mines, Government of Jharkhand, Ranchi/ Deputy Commissioner, Dumka/ Chief Inspector of Factories, Ranchi/ D.F.O., Dumka/ D.M.O., Dumka/ Regional Officer, Jharkhand State Pollution Control Board, Dumka for information & necessary action.

**KAMLAKANT
PATHAK**

Digitally signed by KAMLAKANT PATHAK
DN: cn=K, o=PERSONAL, title=136A,
pseudoym=528d8f8a21ee0799089b598eb478db8546883c,
dn7=Kamlakant Pathak, postalCode=826001,
st=Jharkhand,
serialNumber=158889732c1b0b0dc09f3b46252048193d80
3ed8ac90d4eeb1307a57a3d67, cn=KAMLAKANT PATHAK,
Date: 2022.12.31 12:13:07 +05'30'

[Kamlakant Pathak]
Regional Officer,
Regional Office, Dumka