

BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

O.A. No: 19 of 2021 (EZ)

Ravi Shankar Mandal

Applicant

Vs.

Union of India & Ors.

Respondents

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Filed by: -

See

Surendra Kumar
Advocate

Jharkhand State Pollution Control Board



BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

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Ravi Shankar Mandal

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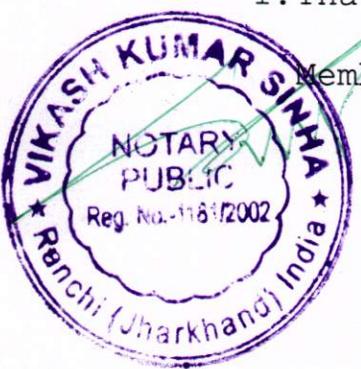
Counter Affidavit on behalf of Respondent No. - 5
Jharkhand State Pollution Control Board in
compliance of order dated 19.04.2022.

I, Yatindra Kumar Das, son of Late K. K. Das,
presently posted as the Member Secretary, Jharkhand
State Pollution Control Board, H.E.C, Dhurwa,
Ranchi, and am duly authorized and here by solemnly
state and affirm as follows: -

1. That at present, I am working and posted as the
Member Secretary, Jharkhand State Pollution

Authoris d under Notaries Act - 1956
No. 181 of 2002
Ranchi, Jharkhand, Ranchi (India)

4 MAY 2022



Control Board, H.E.C, Dhurwa, Ranchi and as such, I am well acquainted with all the facts and circumstances of this case.

2. That I have gone through the order dated 19.04.2022 passed by Hon'ble NGT and has understood the contents therein.

3. That, I have been authorized to swear this affidavit on behalf of the Respondent No - 5 Jharkhand State Pollution Control Board (JPCB) by the competent authority. Further it is stated that I have gone through the relevant files and records.

4. That, it is humbly stated and submitted that the Combined Consent (CTE/CTO) was granted to the Dumka Goods Shed by Jharkhand State Pollution Control Board vide Ref No. JPCB/HO/RNC/CTE/CTO-4959589/2019/3 Dated: 2019/10/13. Again, renewed CTO has been granted to the Dumka Goods Shed vide Ref. No. JPCB/HO/RNC/CTO-7084777/2020/2024 Dated: 04/01/2021 valid up to 31/12/2021 over an area of 4953 m² at Plot No. - 295; Khata No. -

11-05-2022



02, in Mauza - Rashikpur, Dumka for loading and unloading of minerals Goods.

Photocopy of Board's Ref No.

JSPCB/HO/RNC/CTE/CTO-

4959589/2019/3, Dated:

13/102019 and Ref. No.

JSPCB/HO/RNC/CTO-7084777/

2020/2024 Dated: 04/01/2021

is annexed as **Annexure - I**.

5. That, it is humbly stated and submitted that a meeting was convened on 27.09.2021 in the office chamber of the Member Secretary, Jharkhand State Pollution Control Board with representatives of Eastern Railways to discuss the issues related to the Dumka Goods Shed. The following directions have been issued during the meeting which are as follows: -

- I. The application will be returned to the Unit, where the Unit will be submitting its formal reply along with letter for withdrawal of the said CTE expansion application.

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- II. The Unit has been directed to comply with all the conditions as mentioned in the existing CTO stringently or they shall be liable for action under relevant laws.
- III. The Unit shall apply for renewal of CTO which is valid till 31.12.2021 with specific minerals and quantity as well in due course of time.

Photocopy of Minutes of Meeting dated 27.09.2021 is annexed as **Annexure - II.**

6. That it is humbly stated and submitted that the Sr. Divisional Comml. Manager, Eastern Railway, Asansol vide his letter No. C.4/Pollution Control/ASN dated - 02.12.2021 has requested that as the application has been returned from the Board's end, so the online application may be treated as cancelled and application fee may be refunded.

Photocopy of letter No. C.4/Pollution Control/ASN dated - 02.12.2021 is annexed as **Annexure - III.**

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7. That it is humbly stated and submitted that the Board vide Ref. No. B -93 dated 10/01/2022 has once again directed the Unit to give a letter for withdrawal of the online application.

Photocopy of Ref. No. B -93 dated 10/01/2022 is annexed as **Annexure - IV.**

8. That it is humbly stated and submitted that the Sr. Divisional Comml. Manager, Eastern Railway, Asansol vide his letter No. C.4/Pollution Control/ASN dated - 11.01.2022 has requested to withdraw the online application of Consent to Establish & Consent to Operate for GSDD goods shed at Dumka.

Photocopy of letter No. C.4/Pollution Control/ASN dated - 02.12.2021 is annexed as **Annexure - V.**

9. That it is humbly stated and submitted that the JSPCB by exercising the powers vested under section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and 31(A) of the



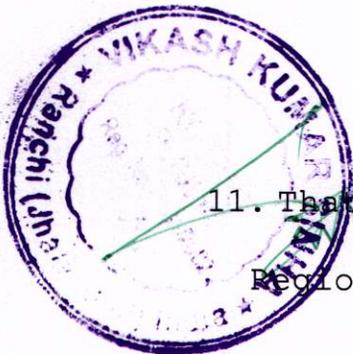
E4 MAY 2022

Air (Prevention and Control of Pollution) Act, 1981 has levied an Interim Environmental Compensation of INR 42,30,000.00/- (i.e. Rupees Forty Two Lakhs and Thirty Thousand Only) vide Board's Ref. No. B - 369 dated 22/02/2022.

Photocopy of Board's Ref. No. B - 369 dated 22/02/2022 is annexed as **Annexure - VI.**

10. That it is humbly stated and submitted that the Divisional Railway Manager, Eastern Railway, Asansol vide his D.O. No. - C.4/Pollution Control/ASN/20 dated 08/03/2022 has submitted the request letter along with the compliance of some of the CTO conditions and has requested to waive of the penalty imposed so that regular business of goods shed can be carried out.

Photocopy of D.O. No. - C.4/Pollution Control/ASN/20 dated 08/03/2022 is annexed as **Annexure - VII.**



11. That it is humbly stated and submitted that the Regional Officer, Regional Office cum Laboratory,

E-4 MAY 2022

JSPCB, Dumka was directed to inspect the site and verify the compliance report submitted by the Unit vide Board's Ref. No. PC/DUM/CTO/01/2022/B-594 dated 24/03/2022.

Photocopy of Board's Ref. No. PC/DUM/CTO/01/2022/B-594 dated 24/03/2022 is annexed as **Annexure - VIII**.

12. That it is humbly stated and submitted that the Regional Officer, Regional Office cum Laboratory, JSPCB, Dumka vide his Ref. No. 601 Dated 30.04.2022 has submitted the Verification Report of M/s Dumka Goods Shed. The main observations of which is as follows: -

I. Fixed type water sprinkler has not been installed in Railway Siding. But two mobile water tankers have been provided for sprinkling purpose in Railway Siding.

II. At the time of inspection, Stone chips lying on the ground were not found to be covered with tarpaulin.



4 MAY 2022

- III. Rain water harvesting / recharge system is not constructed.
- IV. A tin sheet boundary / wind breaking wall about 20 feet height and 72 feet long has been constructed near the St. Xavier's School. But this Boundary / Wind breaking wall needs to be extended as per the length of railway siding.
- V. During Inspection, some trucks carrying Stone Chips in the siding were found not covered with tarpaulin.
- VI. Garland drain with desilting pit has not been constructed along the boundary wall.
- VII. Few nos. of tree saplings has been planted but not adequate.

Photocopy of Ref. No. 601
Dated 30.04.2022 is annexed
as **Annexure - IX.**

13. That it is humbly stated and submitted that as per the above-mentioned Report of the Regional Officer, Regional Office cum Laboratory, JSPCB, Dumka during inspection, no construction related work was found in the railway siding. However,



the Railway Siding was found to be in operating conditions without obtaining valid consent from the Board. In this regard, the representative of the Railway Siding, Sri Sanjay Kumar, Goods Shed Superintendent was directed to stop the operation of the Railway Siding with Immediate effect and operate the Unit only after obtaining of valid CTO.

14. That it is humbly stated and submitted that the Unit has applied for grant of CTO vide online application bearing Number 11434197 dated 05-11-2021 (date of fee deposition) which is still under consideration.

Photocopy of Fee Receipt of CTO application number 11434197 dated 05-11-2021 is annexed as **Annexure - X**.

15. That it is humbly stated and submitted that a meeting with the representative of M/s West Bengal Power Development Corporation Limited (WBPDCL) was held on 18/04/2022. The WBPDCL requested to allow additional 6 MTPA coal



transportation from Dumka Railway Siding. After subsequent discussions and deliberations, the Chairman, JSPCB gave the following directions to M/s WBPDCCL: -

- I. Carrying Capacity and Source Apportionment Study (Pre-Monsoon) for one month time shall be carried out for Pakur and Dumka Railway Siding.
- II. Existing and proposed Pollution Load Survey (24 X 7) shall be carried out for the transportation route from Mine Pit Head to Pakur and Dumka Railway Siding.
- III. Existing and proposed Traffic Study (24 X 7) shall be carried out for the transportation route from Mine Pit Head to M/s Pakur and Dumka Railway Siding.
- IV. The whole task as mentioned above is to be carried out by a valid QCI NABET Accredited Consulting Organization (ACO) having accreditation for the opencast Coal Mining for Category 'A' Projects along with a NABL Accredited Environmental Laboratory with ISO certifications. The task shall not be

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carried by the ACO which was engaged for the purpose of EIA & EMP preparation for grant of Environmental Clearance of the Pachwara (North) Coal Mine.

V. The agency carrying out the above task will also suggest the mitigation measures and interval of AAQ monitoring by specifying the hotspots.

Photocopy of Minutes of Meeting dated 18.04.2022 held with WBPDCCL is annexed as **Annexure - XI.**

16. That it is humbly stated and submitted that a second show cause notice for non - submission of the Environmental compensation was issued to the Unit vide Board's Ref. no. PC/DMK/CTO/01/2022/B-852 dated 02/05/2022 by rejecting the representation of the Unit as it was established that there was non - compliance of the CTO conditions in past and directing the Unit to deposit an Interim Environmental compensation of INR 42,30,000.00/- to JSPCB.

15th May 2022



Photocopy of Board's Ref.
no. PC/DMK/CTO/01/2022/B-852
dated 02/05/2022 is annexed
as **Annexure - XII.**

17. The statement made in forgoing paragraphs are
true to my knowledge in annexure are true copy of
its original.

Yashwanth Kumar A

DEPONENT

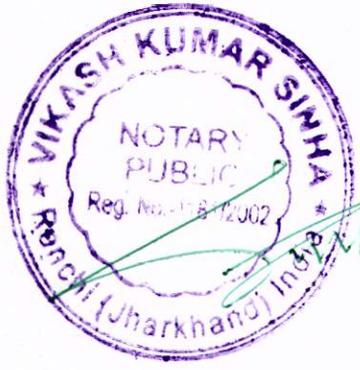
VERIFICATION:

Verified at Ranchi on this the day of, May
2022 that the averments & facts stated herein above
are true and correct to my knowledge and belief and
nothing material has been concealed therefrom.

4 MAY 2022

Yashwanth Kumar A

DEPONENT



[Signature]
ENo 50114
4/05/22

Signature Attested on
Identification of Lawyer



JHARKHAND STATE POLLUTION CONTROL BOARD

Annexure - I

314

TOWNSHIP ADMINISTRATION BUILDING, HEC COMPLEX, DHURWA, RANCHI 834004

Telephone: 0651-2400850 (Fax)/ 2400851/2400852/2401847/2400979/2400138

Ref No. JSPCB/HO/RNC/CTE/CTO-4959589/2019/3

Dated : 2019-10-13

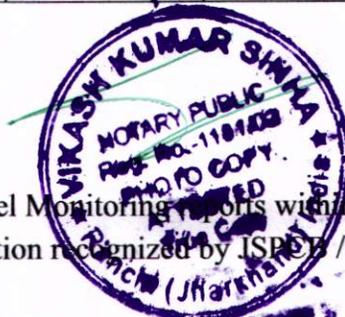
Combined Consent (CTE & CTO) under section 25 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981

1. Application (s) dated 2019-08-06 of DUMKA GOODS SHED, Occupier Name :Akhilesh ojha for consent(Consent to Establishment and Consent to Operate) 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 contents of Combined CTE & CTO application, Project report and the documents furnished in support of application.
 - (b) The content of M/s Dumka Goods shed is establish in Railway own land for loading and unloading of materials.
 - (c) The content of inspection report Ref no. 1172 dated 10.08.2018 of Regional Officer, Regional OfficeCum-Laboratory, J.S.P.C.Board, Dumka. mentioned that, the proposed project is under green category and exempted in new CTE guideline regarding distances.
3. The consent is granted under section 25 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	Validity
	Plot Nos.	Area			
Before Expansion	Plot No. 295, Khata No.-02	Area-4953 Sq. Mtrs	Rs. 51,27,989.49/- (as per project report)	loading and unloading of Minerals Goods-----.(capacity not mention in checklist and application)	31/12/2019

(A) Specific Conditions:

- (1) That, he /they shall submit AAQ & Noise level Monitoring reports within the consent period, and the analysis reports must be prepared by an organization recognized by JSPCB / CPCB / MoEF, Govt. of India.



(2) That, he/they shall allow transportation of materials either in lumps or in fines only through covered and leak proof dumpers/trucks within the railway siding area.

(3) That, he/they shall make arrangement of water sprinkling through fixed water sprinklers or tankers having facility of pressure pump and fogging system at loading-unloading sites and on the transportation road within three months and report to the Board Head office at Ranchi as well as Regional Office, JSPCB, Dhanbad.

(4) That, he/they shall make tree plantation in good numbers in two rows by making by bamboo Gambians at a spacing of 2.0M within three months and maintain it and report to the Board substantiating the plantation works with photographs taken from all angles.

(5) That, he/they shall cover all the materials with tarpaulin when it is lying on the railway siding and not being lifted for its transportation through roads.

(6) That, he/they shall transport the materials only of those mines/plants who have valid authority for transportation under valid provisions of the law.

(7) That, he (they) shall construct garland drains and settling tanks (sumps) with pumping arrangement to reuse the settled water to control water pollution occurring during rainy season within three months.

(8) That, he (they) shall construct permanent boundary/wind breaking wall of at least 10 ft. height all along the railway siding within three months.

(9) That, he (they) shall in no case discharge runoff water or waste water of premises outside the railway sidings.

(10) That, he (they) shall complete the construction of the Boundary wall and installation of fixed type water sprinklers latest by 30th April, 2019 and 30th June 2019 respectively and submit by monthly progress report of construction and installation of these works to the Board as per the directions given by the Board.

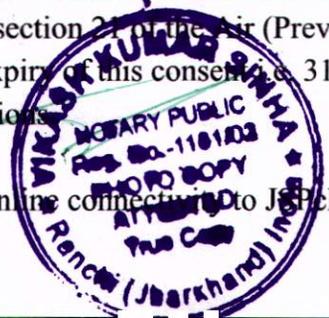
(11) That, he (they) shall allow transport of materials through the railway siding of such mines/plants which have valid consent to operate order of the State Pollution Control Board and also keep a record thereof and shall make available to the officer (s) concerned during his (their) visits of the site.

(12) That, the Board shall impose any other condition at any point of time as recommended by the Regional Office / Head Office, JSPCB for control of pollution as it find deem fit.

(13) That, the occupier shall if be 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.

(14) 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 2 of the Air (Prevention & Control of Pollution) Act, 1981 again 120 days prior to the date of expiry of this consent i.e. 31.12.2019, with documents showing compliance of all of the above conditions.

(15) That, the occupier shall install PM10 analyzer with online connectivity to JSPCB server by 31.12.2019

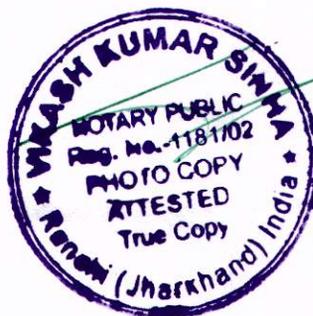


else environmental compensation would be leived from the date of this CTO.

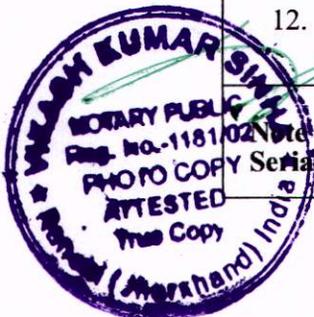
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(B) General Conditions :

- (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
1	Particulate Matter	NA

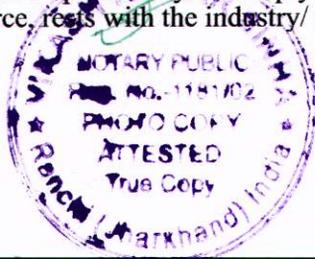
- (3) That, the occupier shall keep process effluent in close-circuit and the quality of effluent from other sources in conformity with the standard (s) and the discharge quantity as below:

S N	Parameter	Standard
1	Total Suspended Solids	NA

- (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, every year latest by 30th September of the next financial year.
- (9) That, this Consent 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.
- (10) That, this Consent 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.





JHARKHAND STATE POLLUTION CONTROL BOARD

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TOWNSHIP ADMINISTRATION BUILDING, HEC COMPLEX, DHURWA, RANCHI 834004

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

Ref No. JSPCB/HO/RNC/CTO-7084777/2020/2024

Dated : 2021-01-04

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 2020-11-02 of DUMKA GOODS SHED, Occupier Name :Akhilesh ojha 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 contents of Combined CTE & CTO application, Project report and the documents furnished in support of application.

(b) The content of Consent to Establish (CTE/CTO), Ref No.-JSPCB/HO/RNC/CTE/CTO-4959589/2019/3, Dated-13.10.2019 of this office.

(c) The content of M/s Dumka Goods shed is establish in Railway own land for loading and unloading of materials.

(d) The content of inspection report Ref no. 1708 dated 23.11.2020 of Regional Officer, Regional Office-Cum-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	Mauza - RASHIKPUR, Plot No. 295, Khata No.-02	Area - 4953 Sq. Mtrs	Rs. 51,27,989.49/-	loading and unloading of Minerals Goods---- -----(capacity not mention in IR and application)	31/12/2021

(A) Specific Conditions:



1. That, the occupier shall, comply with all the conditions including installation of PM 10 analyser related to railway siding as directed in the JSPCB letter memo no B-387 dated. 11.04.2019 within 2 months from the date of issuance of this CTO. If the unit is found to be non-complied with respect to these conditions as stated in the referred letter then CTO shall be revoked and fresh environmental compensation will be levied as per NGT order from the date of Issue of last CTO.

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, this CTO is subject to any further decision/direction/order issued by MoEF in this regard.

5. That, he/they shall make arrangement of water sprinkling through fixed water sprinklers or tankers having facility of pressure pump and fogging system at loading-unloading sites and on the transportation road within two months and report to the Board Head office at Ranchi as well as Regional Office, JSPCB, Dumka.

6. That, the occupier shall submit application 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 with documents showing compliance of all of the above conditions.

7. That, the occupier shall install fixed type water sprinklers/foggers on all roads and sidings to control fugitive emission within four months from the issuance of CTO and submit the report to the Board.

8. That, this CTO is valid subject to submission of amount of environmental compensation.

9. That, he/they shall cover all the materials with tarpaulin when it is lying on the railway siding and not being lifted for its transportation through roads.

10. That, he /they shall submit AAQ & Noise level Monitoring reports thrice within the consent period and the analysis reports must be prepared by an organization recognized by JSPCB / CPCB / MoEF, Govt. of India.

11. That, the occupier shall construct rain water recharge system within three months from the date of issuance of CTO and submit the report to the Board.

12. That, the occupier shall submit the investment figure certified by CA otherwise your application for further CTO will not be considered.

13. That, he/they shall make arrangement of water sprinkling through fixed water sprinklers & tankers having facility of pressure pump and fogging system at Railway Siding within two months and report to the Regional Office, JSPCB, Dumka.

14. That, the occupier shall construct pucca internal road within the premises.

15. That, he (they) shall construct permanent boundary/wind breaking wall of at least 20 ft. height all along



the railway siding within two months.

16. That, he (they) shall allow transport of materials through the railway siding of such mines/plants which have valid consent to operate order of the State Pollution Control Board and also keep a record thereof and shall make available to the officer (s) concerned during his (their) visits of the site.

17. That, he/they shall transport the materials only to those mines/plants who have valid authority for transportation under valid provisions of the law.

18. That, he/they shall allow transportation of materials either in lumps or in fines only through covered and leak proof dumpers/trucks within the railway siding area.

19. That, he/they shall construct garland drain all along the boundary wall with de-silting pit within three months from the date of issue of CTO.

20. That, he/they shall make tree plantation in good numbers in two rows by making by bamboo Gambians at a spacing of 2.0 M within three months and maintain it and report to the Board substantiating the plantation works with photographs taken from all angles.

21. That, he (they) shall in no case discharge runoff water or waste water of premises outside the railway sidings.

22. That, the Board shall impose any other condition at any point of time as recommended by the Regional Office / Head Office, JSPCB for control of pollution as it find deem fit.

(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
1	Particulate Matter	150 µg/ Nm ³

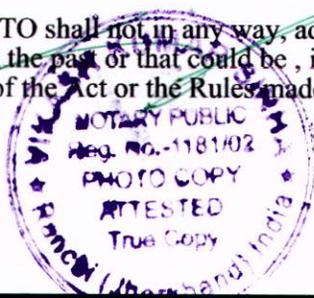
- (3) That, the occupier shall keep process effluent in close-circuit and the quality of effluent from other sources in conformity with the standard (s) and the discharge quantity as below:

S N	Parameter	Standard
1	Total Suspended Solids	NA

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

S N	Waste Type	Mode of Disposal
1	Hazardous Carbonaceous Wastes	NA

- (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: c=IN, o=JHARKHAND STATE POLLUTION CONTROL BOARD, postalCode=834004, st=Jharkhand,
 2.5.4.20=20a3c17b186521126e757b2a2f81fec0a96
 1c0f1c91e395c1c01a524ae, cn=KAMLAKANT PATHAK
 Date: 2021.01.04 17:34:45 +05'30'

(Kamlakant Pathak)
Regional Officer

Dated : 2021-01-04

Memo No. : JSPCB/HO/RNC/CTO-7084777/2020/2024

Copy to: Shri Akhilesh ojha, 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: c=IN, o=JHARKHAND STATE POLLUTION CONTROL BOARD, postalCode=834004, st=Jharkhand,
 2.5.4.20=20a3c17b186521126e757b2a2f81fec0a96
 1c0f1c91e395c1c01a524ae, cn=KAMLAKANT PATHAK
 Date: 2021.01.04 17:35:15 +05'30'

(Kamlakant Pathak)
Regional Officer



Minutes of meeting of Jharkhand State Pollution Control Board with the Representatives of Eastern Railways, in the matter of application of Consent to Establish (CTE) for the expansion project of M/s GSDD Goods Shed, Dumka.

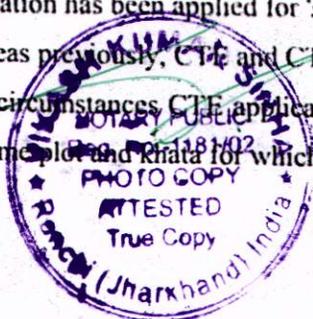
The minutes of meeting with representatives of the Eastern Railways and the Board Officials in the matter of Consent to Establish (CTE) application dated 06.08.2021 for the expansion project by M/s GSDD Goods Shed, Dumka held on 27.09.2021 in the Office Chamber of the Member Secretary, Jharkhand State Pollution Control Board (JSPCB). The copy of the attendance sheet is enclosed herewith as Annexure I.

The brief detail of the matter is as follows:

- The meeting was called with concerned authorities as when the instant CTE expansion application was under process at higher level of the JSPCB, it was found that the current CTO granted by the JSPCB vide letter no. 2024 dated 04.01.2021 is valid till 31.12.2021 and allows the activities under taken by the Railway authorities and it seemed that no CTE expansion was required.
- M/s Dumka Goods Shed (Railway Siding), Dumka located at Plot No.-295, Khata No. 02, At Mauza- Rashikpur, Dumka had already obtained combined CTE/CTO from the Board vide ref. no. JSPCB/HO/RNC/CTE/CTO-4959589/2019/3 dated 13.10.2019 for "loading & unloading of Minerals Goods (Capacity not mention in Checklist and application)" which was valid till 31.12.2019.
- CTO renewal has been granted by the Board vide letter no. JSPCB/HO/RNC/CTO-7054777/2020/2024 dated 04.01.2021 which is valid till 31.12.2021 for "loading & unloading of Minerals Goods(Capacity not mention in IR and application)"
- Now, the above-mentioned unit has submitted the CTE application for stocking, loading and unloading of Coal-4000MT/Month on the same Plot No.-295, Khata No. 02, At Mauza- Rashikpur, Dumka vide application no. 10839850 dated 19.08.2021 but in this application the name of the proposed project has been changed from M/s Dumka Goods Shed (Railway Siding), Dumka to M/s GSDD Goods Shed, Dumka.

Based on the above facts, the following issues were raised by the the Member Secretary:

1. Although the unit has obtained CTO from the Board in the name of M/s Dumka Goods Shed (Railway Siding) for the loading/unloading of Mineral Goods vide JSPCB/HO/RNC/CTO-7054777/2020/2024 dated 04.01.2021 which is valid till 31.12.2021, then why the CTE application has been applied for ?
2. Whereas previously, CTE and CTO was issued in the name of Dumka Goods Shed then under what circumstances CTE application has been applied in the name of GSDD Goods shed in the same plot and Khata for which the consents have already been issued earlier ?



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- 327
3. Whereas capacity for "loading/unloading of mineral goods" for which consents have been issued for, has not been mentioned in both earlier CTE and CTO, then how this case will be considered a case of expansion as mentioned in Inspection Report of RO. From the previously granted CTE and CTO, it is obvious that the unit is free for loading/unloading of any quantity of any mineral irrespective of minor/major category.

In response to which Sri, Mukesh Kumar Meena, ADRM, ER stated that:

1. They misinterpreted the conditions mentioned in the current CTO & the letter issued by the Regional Officer, Dumka vide letter no. 1053 dated 10.08.2021 related to the compliance status of the unit. Thereby, they have submitted the fresh CTE application.

When the Member Secretary, asked Sri Kamalika Kant Pathak, Regional Officer, Regional Office, Dumka and Sri. Rajiva Kumar Sinha, Section Head, Dumka to explain where is expansion in activities so that fresh CTE expansion is required. The Regional Officer, Regional Office, Dumka stated that earlier the railway was using the said Railway siding for transportation of chips but now they are planning and working for transportation of coal which is a major mineral. When asked whether this activity is beyond the CTO issued to them which is valid till 31.12.2021, the Regional Officer, Regional Office, Dumka said that as the CTO issued says "loading and unloading of Minerals Goods.....(capacity not mention in checklist and application)" it does not restrict railways from carrying major minerals and hence it is within the activities allowed under the currently valid CTO.

The Regional Officer, Regional Office, Dumka explained that the setting of Railway line does not require CTE. Sri. Rajiva Kumar Sinha, Section Head, Dumka agreed to the views of the Regional Officer, Regional Office, Dumka and did not add anything further.

The ADRM Sri Meena explained that they did not deliberate the CTO (valid till 31.12.21) and hence out of confusion applied for CTE expansion application which shall be withdrawn if returned to them.

2. For the second issue the ADRM submitted that the name in the current CTE application has been changed due to some internal matters.
3. For third issue the ADRM submitted that the valid CTO does not mention quantity and hence any quantity is valid under the current CTO valid till 31.12.2021. Therefore, as for the first issue the application shall be withdrawn if returned to them. The Regional Officer, Region Office, Dumka Sri Kamalika Kanat Pathak and Section Head Sri Rajiva Kumar Sinha agreed to this.

After deliberation and subsequent discussion, following decisions were taken:

1. The application will be returned to the unit, where the unit will be submitting its formal reply along with letter for withdrawal of the said CTE expansion application.



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2. The unit has been directed to comply with all the conditions as mentioned in the existing CTO stringently or they shall be liable for action under the relevant laws.
3. The unit shall apply for renewal of CTO which is valid till 31.12.2021 with specific minerals and quantity as well in due course of time.

The meeting ended with vote of thanks to all.

Sd/-
Y.K. Das
(Member Secretary)

Memo No.: B-1705

Ranchi, Dated: 06/10/2021

Copy to: The Divisional Commercial Manager, Eastern Railway, Asansol for information and compliance of the directions issued during the meeting held on 27.09.2021 in the Office Chamber of the Member Secretary, JSPCB.

Sd/-
Y.K. Das
(Member Secretary)

Memo No.: B-1705

Ranchi, Dated: 06/10/2021

Copy to: The Regional Officer, JSPCB Regional Office, Dumka for information and compliance of the directions issued during the meeting held on 27.09.2021 in the Office Chamber of the Member Secretary, JSPCB.

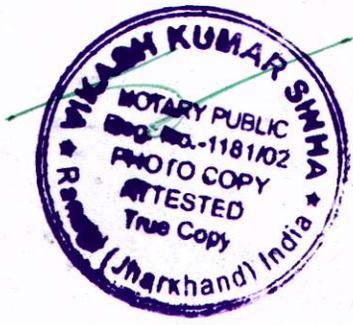
Sd/-
Y.K. Das
(Member Secretary)

Memo No.: B-1705

Ranchi, Dated: 06/10/2021

Copy to: The Chairman, Jharkhand State Pollution Control, Board for information and necessary action.


Y.K. Das
(Member Secretary)





झारखण्ड राज्य प्रदूषण नियंत्रण पर्वद

Jharkhand State Pollution Control Board

नगर प्रशासन भवन, एच0ई0सी0, धुर्वी, रॉची

दूरमाष : 2400851, 2400852, 2400979 फॉक्स : 0651- 2400850 / 138,

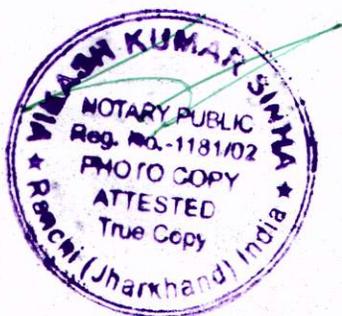
Web: www.jspcb.nic.in (new) [www.jspcb.org\(old\)](http://www.jspcb.org(old))

E-mail: ranchijspcb@gmail.com

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List of attendants in the meeting conducted in the office chamber of Member Secretary, Jharkhand State Pollution Control Board, Ranchi:

Sl. No.	Name and Designation	Mob
1	Sri Y K Das Member Secretary	
2	Sri Rajiva Kumar Sinha Section Head, Dumka	
3	Sri Kamlakant Pathak Regional Officer, Dumka	
4	Mukesh Kumar Meena ADRM, Asansol (ER)	
5	Sri Shantanu Chakraborty Sr. Divisional Commercial Manager, Asansol	
6	Sri Mausam Bhattacharya CTI/Development/ASN/ER	
7	Sri Sanjiv Kumar Bose CTI/UTS/ASN/ER	



502/DKC/00/MC

Annexure - III

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**EASTERN RAILWAY
ASANSOL**

No.C.4/Pollution Control/ASN

Asansol dated. 02.12.2021

**Member Secretary,
JSPCB, Ranchi.**

Sub: Withdrawal of application Consent to Establish & Operate for GSDD good shed at DUMKA.

Ref: Member Secretary/JSPCB/Ranchi's minutes of the meeting dated 27.09.2021.

Based on the meeting vide reference, it was decided jointly that the application for Consent to Establish & Operate for GSDD goods shed uploaded on 04.08.2021 may be treated as cancelled.

It was decided that railways will have to give a letter for withdrawal of the online application after return of the same by JSPCB.

In view of the above and as the application has been returned from your end, it is requested to treat the online application as cancelled and refund of the application fees of ₹ 18000/- vide receipt no. 960766786 attached for reference.

D.A. :- Photocopy of receipt.

Santanu Chakraborty - 2/12/21
(Santanu Chakraborty)
Sr. Divl. Comml. Manager
Eastern Railway, Asansol.

Copy to: PS to DRM for kind information to DRM.
COS (ADRM cell) for kind information to ADRM.

(Santanu Chakraborty)
Sr. Divl. Comml. Manager
Eastern Railway, Asansol.





JHARKHAND STATE POLLUTION CONTROL BOARD

TOWNSHIP ADMINISTRATION BUILDING, HEC COMPLEX, DHURWA, RANCHI 834004
Telephone: 0651-2400850 (Fax)/ 2400851/2400852/2401847/2400979/2400139

Amesure -IV

Ref. No.....3-93

Ranchi, Dated...10/11/2022

From,

Yatindra Kumar Das,
Member Secretary.

To,

Sri Santanu Chakraborty,
Sr. Divl. Comml. Manager,
Eastern Railway, Asansol.

Sub: - Withdrawal of application of Combined Consent to Establish & Consent to Operate (CTO) for GSDD Good Shed at Dumka- Regarding.

**Ref: - 1.) MoM dated 27/09/2021 held b/w officials of Railways & JSPCB Officials.
2.) Your Letter No. C.4/Pollution Control/ASN Asansol dated 02/12/2021.**

In connection with the above subject matter – and your above referred letter it is pertinent to mention that it was decided in the above referred meeting that the Railway will have to give a letter for withdrawal of the online application after return of the same by JSPCB.

Whereas, till date no such letter of withdrawal has been received by the Board. In spite of withdrawal you have requested to treat the online application as cancelled and refund the application fees of INR 18,000.00/- which is contrary to the decision of the above meeting.

In light of the above, it is to inform you that the application fees once paid is non-refundable after processing the same. Moreover, you are once again directed to give a letter for withdrawal of the online application within 7 days of receipt of this letter.

(Yatindra Kumar Das)
Member Secretary

Handwritten signature



EASTERN RAILWAY
ASANSOL

Annexure - V

332

No.C.4/Pollution Control/ASN

Asansol dated. 11.01.2022

Member Secretary,
SPCB, Ranchi.

Sub: Withdrawal of application Consent to Establish & Operate for GSDD good shed at DUMKA.

Ref: Your letter no. B-93 dated 10.01.2022.

Reference above, application for Consent to Establish & Operate for GSDD goods shed uploaded on 04.08.2021 & the same has been returned by your good office on 11.2021.

In view of the above and as the application has been returned from your end, it is requested to withdraw the online application.

Santanu Chakraborty
(Santanu Chakraborty)
Sr. Divl. Comml. Manager
Eastern Railway, Asansol.





JHARKHAND STATE POLLUTION CONTROL BOARD

TOWNSHIP ADMINISTRATION BUILDING, HEC COMPLEX, DHURWA, RANCHI 834004
Telephone: 0651-2400850 (Fax)/ 2400851/2400852/2401847/2400979/2400139

Ref. No:- B-369

Ranchi, Dated:- 22/2/2022

From,

Yatindra Kumar Das,
Member Secretary.

To,

The Goods Shed Superintendent,
M/s Dumka Goods Shed,
Mauza - Rashikpur, Dumka.

ORDER

Sub: - Direction under section 33 (A) of the Water (Prevention and control of Pollution) Act, 1974 and 31 (A) of the Air (Prevention and control of Pollution) Act, 1981 - Regarding.

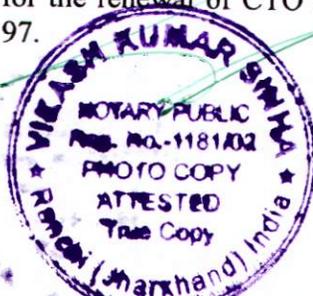
Whereas, combined Consent to Establish (CTE) & Consent to Operate (CTO) was granted to the Unit vide Board's Ref No. JSPCB/HO/RNC/CTE/CTO-4959589/2019/3 dated 13/10/2019. The relative part of which is as follows:-

Project	Site Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			
Before expansion	Plot No. 295, Khata No.-02	Area 49 53 Sq. Mtrs	Rs. 51,27, 989.49/- (as per project report)	loading and unloading of Minerals Goods----- ----.(capacity not mention in checklist and application)	31/12/2019

Whereas, last CTO was granted to the Unit vide Board's Ref No. JSPCB/HO/RNC/CTO-7084777/2020/2024 dated 04/01/2021. The relative part of which is as follows:-

Project	Site Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			
Before expansion	Mauza - Rashikpur, Plot No. 295, Khata No.-02	Area - 4953 Sq. Mtrs	Rs. 51,27, 989.49/-	loading and unloading of Minerals Goods----- ---.(capacity not mention in IR and application)	31/12/2021

Whereas, you have applied for the renewal of CTO on 05/11/2021 (the date of fee deposition) vide application no - 11434197.



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Whereas, the Regional Officer, JSPCB Regional Office, Dumka has inspected the site on 07/12/2021 and has submitted the Inspection Report vide Ref. No. 1654 dated 11/12/2021 in which it has been recommended to issue show cause for non-compliance of the previous CTO conditions (Copy of Inspection Report of RO is enclosed).

Whereas, a show cause notice was issued to the Unit in online application bearing No 11434197 on 18/12/2021 and an opportunity was given to attend the show cause hearing on 24/12/2021 and present your part.

Whereas, the opportunity of show cause hearing was availed by your Unit and reply was uploaded in the online application.

Whereas, in light of the reply submitted by the Unit, the Regional Officer, JSPCB Regional Office, Dumka has inspected the site on 19/01/2022 and has submitted the Inspection Report vide Ref. No. 95 dated 20/01/2022. After perusal of which it was found that the non compliance still continued (Copy of Inspection Report of RO is enclosed)..

Whereas, the combined Consent to Establish (CTE) & Consent to Operate (CTO) which was granted to the Unit vide Board's Ref No. JSPCB/HO/RNC/CTE/CTO-4959589/2019/3 dated 13/10/2019, the Specific Condition No. (15) of which is as follows:-

"That, the occupier shall install PM10 analyzer with online connectivity to JSPCB server by 31.12.2019 else environmental compensation would be levied from the date of this CTO."

Whereas, in light of the above the competent Authority has ordered to calculate the Environmental Compensation against your Unit as per the Report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund. The details of which is as below:-

Nature of violation – Non-compliance of the CTO conditions.

Basis to levy the Environmental Compensation – Pollution Index

The environmental compensation is based on the following formula:

$$EC = PI \times N \times R \times S \times LF$$

Where,

- EC- Environmental compensation
- PI- Pollution Index of Industrial Sector
- N – Number of days of violation took place
- R – A factor in rupees for EC
- S- Factor of scale of operation
- LF – Location Factor

Now in this case,

PI is to be taken as 37.5 as the industry belongs to Green category (as per CPCB's guidelines.)

N is to be taken as 846 days from 13/10/2019 to 04/02/2022.

R is to be taken as 250 (as per CPCB's guidelines.)

S is to be taken 0.5 as the unit belongs to Small Scale as per Notification No. - S.O. 1702(E).— dated 01/06/2020 of Ministry of Micro, Small and Medium Enterprises (S could be 0.5 for micro or small, 1.0 for medium and 1.5 for large units as per CPCB Guidelines).



(Handwritten signature)

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LF is to be taken as 1.00 as the population of Dumka town is < 1 million. (District Census Handbook, Dumka of 2011).

Therefore,

$$\begin{aligned} \text{EC (Per day)} &= \text{PI} \times \text{R} \times \text{S} \times \text{LF} \\ &= 37.5 \times 250 \times 0.5 \times 1.0 \\ &= ₹ 4687.50/- \end{aligned}$$

As per the report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation in any case, minimum Environmental Compensation shall be ₹ 5000/day.

Henceforth, the Environmental Compensation for one day comes out to be ₹ 5,000.00/-. So the total Environmental Compensation for 846 days comes out to be ₹ 42,30,000.00/- (i.e. Rupees **Forty Two Lakhs Thirty Thousand Only**).

Now, therefore, in view of the above and exercising the powers vested under section 33 (A) of the Water (Prevention and control of Pollution) Act, 1974 and 31 (A) of the Air (Prevention and control of Pollution) Act, 1981 an Interim Environmental Compensation of ₹ 42,30,000.00/- (i.e. Rupees Forty Two Lakhs Thirty Thousand Only) is being levied upon you. Henceforth, you are directed to submit the Environmental Compensation to Jharkhand State Pollution Control Board within 30 days from date of issuance of this letter otherwise an interest @ 12 % will be charged and your CTO application bearing Application No – 11434197 may summarily be rejected and closure direction may be issued.

This issues with the approval of the Competent Authority.

Sd/-
(Yatindra Kumar Das)
Member Secretary

Memo No. B-369

Ranchi, Dated...22/2/2012

Copy to: The Regional Officer, JSPCB Regional Office, Dumka for information and necessary action.

(Yatindra Kumar Das)
Member Secretary





परमानंद शर्मा
आई आर एस एम ई
Permanand Sharma
IRSME
मंडल रेल प्रबन्धक
पूर्व रेलवे/आसनसोल
DIVISIONAL RAILWAY MANAGER
EASTERN RAILWAY, ASANSOL



Amesure-VII

आसनसोल | 713301

जिला - पश्चिम बर्द्धमान / Dist. - Paschim Barddhaman
दूरभाष / Telephone
Off. : (DOT) 0341 - 2302319 (RLY) 82000
Fax : (DOT) 0341 - 2315520 (RLY) 82017
0341 - 2302319
E-mail : drm@asn.railnet.gov.in
drmasn14@gmail.com

(73)
(336)

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

8th March, 2022

Chairman

Jharkhand State Pollution Control Board
Ranchi

Sub: Imposition of fine on Dumka goods shed under section 33 (A) of the Water Act 1974 & 31 (A) of the Air Act 1981

Ref: Your Office Letter No. B-369 dated 22.02.2022

In response to the above, it is pertinent to mention that Asansol Division has always taken the responsibility to comply with the directives of JSPCB and likewise has always communicated the compliances of the CTO conditions to your office time to time. All the compliances done have been submitted to your good office through the online renewal application no 11434197 dated 06.11.2021 for Dumka goods shed. It is also to mention that Asansol Division has fulfilled all the CTO conditions and is continuously trying to comply with the ones which are still left and the status has always been informed to your department.

in spite of all the above, as informed vide letter under reference that, Regional officer JSPCB, Dumka inspected the site and submitted report vide ref. no. 1654 dated 11.12.2021 & no. 95 dated 20.01.2022 has informed that non compliance still continued which is not clear at this end.

However the compliance against the important conditions of CTO is once again being reiterated below for your reference.

S/N	CTO Conditions	Compliance
1.	That the occupier shall comply with all the conditions including installation of PM 10 analyzer related to railway siding as directed in the JSPCB letter memo no. B-387 dated 11.04.2019 within 2 months from the date of issuance of this CTO. If the unit is found to be non-complied with respect to these conditions as stated in the referred letter then CTO shall be revoked and fresh environmental compensation will be levied as per NGT order from the date of issue of last CTO.	PM-10 analyser has already been installed and waiting for linking the same with JSPCB server by JSPCB, Ranchi.
5.	That, he/they shall make arrangement of water sprinkling through fixed water sprinklers or tankers having facility of pressure pump and fogging system at loading - unloading sites and on the transportation road within two months and report to the Board Head office at Ranchi as well as Regional Office, JSPCB, Dumka.	Water tanker of 2000 litres has been arranged for sprinkling purpose as and when rakes are handled.
6.	That the occupier shall submit application for renewal of consent under section 25/26 of the water (prevention & control of Pollution) Act'1981 again 120 days prior to the date of expiry of this consent with documents showing compliance of all the above conditions.	Renewal application no. 11434197 has already been submitted.



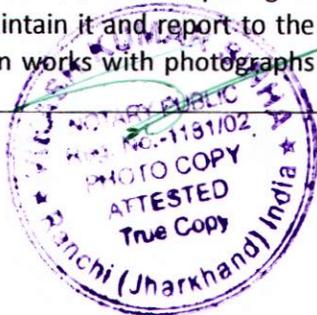
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337

7.	That the occupier shall install fixed type water sprinklers/foggers on all roads and sidings to control fugitive emission within four months from the issuance of CTO and submit the report to the board.	Water tanker of 2000 litres has been arranged for sprinkling purpose as and when rakes are handled. Provision has been made to deploy more tankers /atomizer once coal loading starts.
9.	That, they shall Cover of all materials with tarpaulin when it is lying on the railway siding and not being lifted for its transportation through road.	At Dumka goods shed direct delivery lines for full rake provided for loading/unloading directly from wagon to truck and vice versa. However any materials required to be kept on wharf are covered.
10.	That, they shall submit of AAQ & Noise level monitoring reports thrice within the consent period, and the analysis report must be prepared by an organization recognized by JSPCB/CPCB /MoEF, Govt of India	AAQ and NMR had been done by registered lab of JSPCB in October, 2020 and the same again done on February, 2022 .
11.	That the occupier shall construct rain water recharge system within three months from the date of issuance of CTO and submit the report to the board.	The work has already been done.
13.	That, he/they shall make arrangement of water sprinkling through fixed water sprinklers or tankers having facility of pressure pump and fogging system at Railway Siding within two months and report to the Regional Office, JSPCB, Dumka.	Water tanker of 2000 litres has been arranged for sprinkling purpose as and when rakes are handled. Provision has been made to deploy more tankers /atomizer once coal loading starts.
14.	That the occupier shall construct pucca internal road within the premises.	Already available.
15.	That the occupier shall construct permanent boundary/ wind breaking wall of at least 20 ft. height all along the railway siding within two months.	Complied. (20 ft. height & 72 ft. length)
18.	That, he/they shall allow to transport the materials either in lumps or in fines only through covered and leak proof dumpers/trucks within the railway siding area.	At Dumka goods shed no lumps and fines are being dealt with at present. Only bagged food grain consignments of FCI and stone boulder/chips are handled as of now. All the incoming and outgoing materials are transported through leak proof dumpers/trucks within the railway siding area. Railway will ensure transport of all materials in leak proof dumpers/trucks only in railway premise in future also.
19.	That, he/they shall construct garland drains all along the boundary wall with de-silting pit within three months from the date of issue of CTO.	Garland drains provided.
20.	That he/they shall make tree plantation in good numbers in two rows by making by bamboo Gambians at a spacing of 2.0M within three months and maintain it and report to the Board substantiating the plantation works with photographs taken from all angles.	Tree plantation with bamboo fencing has been provided.



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21.	That he/they shall in no case discharge runoff water or waste water of premises outside the railway siding.	A kaccha pit has been made in the low lying area of the goods shed where run off/waste water is accumulated to prevent any discharge outside the railway siding.
-----	---	--

As for your kind attention, it is to be mentioned that from Dumka good shed during October 2019 to Feb 2022, only 410 nos. of food grains and 345 nos. of stone boulders rakes were handled which don't emit any poisonous or hazardous gas. Loading of stone boulder only disperse some amount of suspended particulate matter (SPM) which is being mitigated by regular water sprinkling.

Asansol Division is always trying its best to comply with all the regulations proposed by JSPCB. As division is gearing up for loading of coal, already all the conditions of CTO are being met including PM10.

In light of the above, it is our earnest request to waive of the penalty imposed so that regular business of goods shed can be carried out.

P. Sharma .
(Permanand Sharma)
DRM/E. Rly./Asansol



Annexure-VIII

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झारखण्ड राज्य प्रदूषण नियंत्रण पर्वद
JHARKHAND STATE POLLUTION CONTROL BOARD

T.A. DIVISION BUILDING (GROUND FLOOR), H.E.C., DHURWA, RANCHI -834004

Phone.: 0651-2400851/2400852/2400979/2401847, Fax-0651-2400850/138.

Web site : www.jspcb.nic.in; e-mail : ranchijspcb@gmail.com

By Email/Speed Post

Ref. No.: PC/DMK/CTO/01/2022/...-594

Ranchi, Dated... 24/3/2022

From,

Yatindra Kumar Das,
Member Secretary

To,

The Regional Officer,
Regional Office cum Laboratory,
JSPCB, Dumka.

Sub: Verification of compliance report submitted by the Unit – Regarding.

In connection with the above subject matter, it is to inform that the DRM, Eastern Railway, Asansol has submitted the DO letter no. C.4/Pollution Control/ASN/20 dated 08th March, 2022 in which the CTO compliance of M/s. Dumka Goods Shed, At-Dumka Rly. Station, Mauza-Rashikpur, P.S. –Dumka, Dist.-Dumka is also reiterated (copy enclosed).

In light of the above, it is hereby directed to inspect the site and submit the compliance verification report at an earliest.

Encl: As above

(Yatindra Kumar Das)
Member Secretary



Amesure -IX

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Jharkhand State Pollution Control Board

Regional Office-Cum-Laboratory, Dumka- 814101

Ph: 06434-230203, www.jspcb.nic.in

Ref. No.601

Dated 30.04.2022

From

Kamlakant Pathak
Regional Officer

To,

The Member Secretary,
Jharkhand State Pollution Control Board,
Ranchi

Sub:-

Verification of compliance report submitted by the unit -regarding.

Ref:-

H.Q. latter no. B-594, Ranchi, Dated 24.03.2022

Sir,

With reference to above noted subject please find enclosed herewith verification report of M/s Dumka Goods Shed, At.- Dumka Rly. Station, Mouza.- Rashikpur, P.s.- Dumka, Dist.- Dumka, is attached herewith for further necessary action.

Encl- As above

Yours faithfully,

Kamal 30/04/2022
(Kamlakant Pathak)
Regional Officer



Inspection report of M/s Dumka Goods Shed, At.- Dumka Railway Station, Mouza.- Rashikpur, P.s- Dumka, Dist.- Dumka

M/s Dumka Goods Shed, At.- Dumka Railway Station, Mouza.- Rashikpur, P.s- Dumka, Dist.- Dumka, was inspected by undersigned and Sri Amul Kumar Soren, C.E. Dumka, on dated 29.04.2022 in presence of Sri Sanjay Kumar, Goods Shed Superintendent, Dumka. Inspection has been made in light of H.Q. latter no. B-594 dated 24.03.2022.

During inspection that statement /compliance report submitted by the unit were verified which are as follows:-

Conditions	Compliance
1 That, the occupier shall, comply with all the conditions including installation of PM 10 analyser related to railway siding as directed in the JSPCB letter memo no B-387 dated. 11.04.2019 within 2 months from the date of issuance of this CTO. If the unit is found to be non-complied with respect to these conditions as stated in the referred letter then CTO shall be revoked and fresh environmental compensation will be levied as per NGT order from the date of Issue of last CTO.	PM 10 analyser has been installed on RPF building at a distance of about 133 mtr. From the Railway siding
5 That, he/they shall make arrangement of water sprinkling through fixed water sprinklers or tankers having facility of pressure pump and fogging system at loading-unloading sites and on the transportation road within two months and report to the Board Head office at Ranchi as well as Regional Office, JSPCB, Dumka.	Fixed type water sprinkler has not been installed in Railway siding. But two mobile water tankers have been provided for sprinkling purpose in the Railway siding
6 That, the occupier shall submit application 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 with documents showing compliance of all of the above conditions.	Application no.- 11434197 has been submitted for renewal of CTO
7 That, the occupier shall install fixed type water sprinklers/foggers on all roads and sidings to control fugitive emission within four months from the issuance of CTO and submit the report to the Board.	Fixed type water sprinklers/foggers have not been installed on transport road & siding. Only two mobile (movable) water tanker have been provided for sprinkling of water on transport road & siding
9 That, he/they shall cover all the materials with tarpaulin when it is lying on the railway siding and not being lifted for its transportation through roads.	At the time of inspection, Stone chips lying on the grounds were not found to be covered with tarpaulin
10 That, he /they shall submit AAQ & Noise level Monitoring reports thrice within the consent period and the analysis reports must be prepared by an organization recognized by JSPCB / CPCB / MOEF, Govt. of India.	Report has been submitted (issued on 10.02.2022)
11 That, the occupier shall construct rain water recharge system within three months from the date of issuance of CTO and submit the report to the Board.	Rain water harvesting/recharge system is not constructed



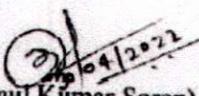
Ref

13	That, he/they shall make arrangement of water sprinkling through fixed water sprinklers & tankers having facility of pressure pump and fogging system at Railway Siding within two months and report to the Regional Office, JSPCB, Dumka.	Two water tankers have been provided for sprinkling of water in the railway siding
14	That, the occupier shall construct pucca internal road within the premises.	Concrete sleeper road have been constructed at the entry and exit points of the railway siding
15	That, he (they) shall construct permanent boundary/wind breaking wall of at least 20 ft. height all along the railway siding within two months.	A tin sheet boundary/wind breaking wall about 20 feet height and 72 feet long has been constructed near the St. Xavier's School. But this boundary/wind breaking wall needs to be extended as per the length of railway siding
18	That, he/they shall allow transportation of materials either in lumps or in fines only through covered and leak proof dumpers/trucks within the railway siding area.	During inspection, some trucks carrying Stone chips in the Siding were found not covered with tarpaulin
19	That, he/they shall construct garland drain all along the boundary wall with de-silting pit within three months from the date of issue of CTO.	Garland drain with de-silting pit has not been constructed along the boundary wall
20	That, he/they shall make tree plantation in good numbers in two rows by making by bamboo Gambians at a spacing of 2.0 M within three months and maintain it and report to the Board substantiating the plantation works with photographs taken from all angles.	Few nos. of tree saplings has been planted but not adequate.
21	That, he (they) shall in no case discharge runoff water or waste water of premises outside the railway sidings.	No runoff water or waste water was found to be discharge outside the siding premises.

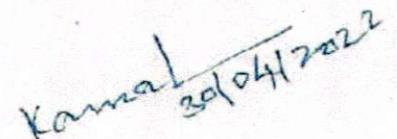
During inspection, No construction related work was found in the railway siding. But the Railway Siding was found to be in operating conditions without obtaining valid consent from the Board. The consent of the Railway siding has expired on dated 31.12.2021. In this regard, the representative of the Railway siding Sri Sanjay Kumar, GSS was directed to stop the operation of railway siding with immediate effect and operate the unit only after the obtaining of valid CTO.

Enclosure:-

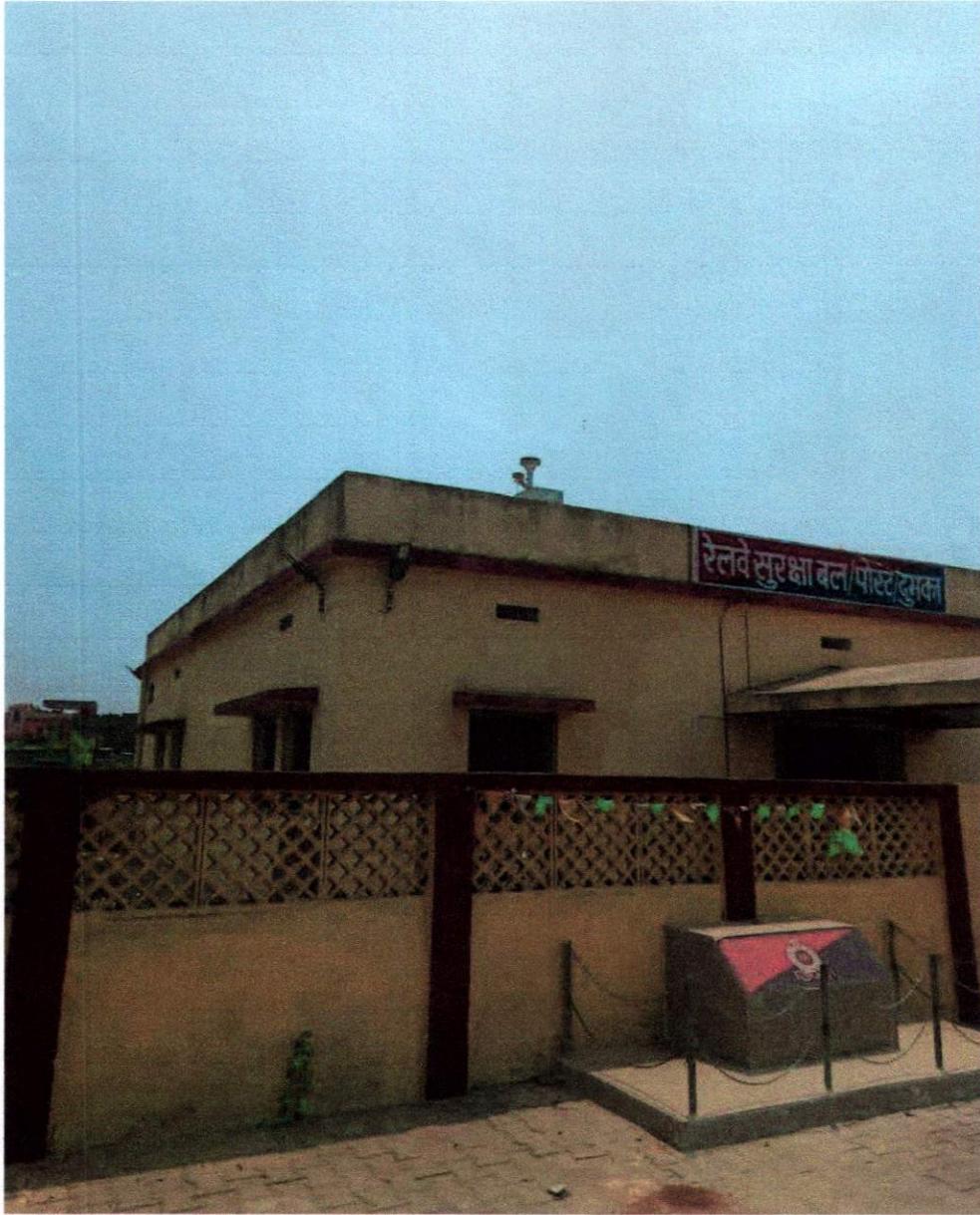
1. Photographs taken during inspection
2. Lab test report


(Anil Kumar Soren)
C.E.




(Kamlakant Pathak)
R.O.

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Photographs No. 01



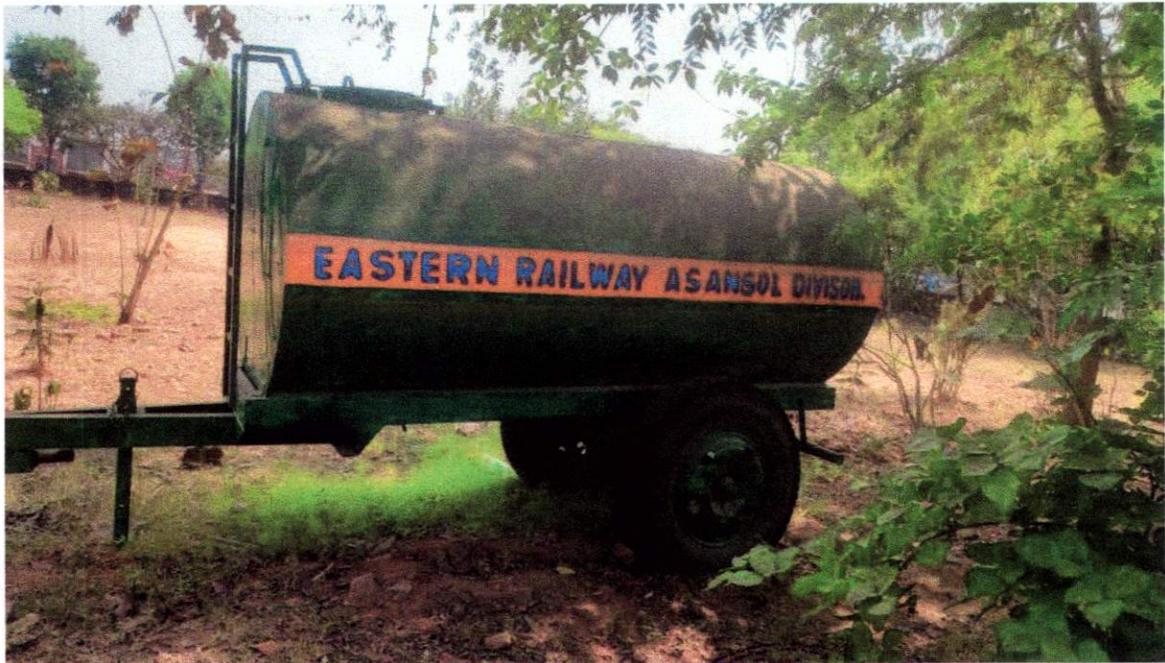


Photographs No. 02





Photographs No. 03



Photographs no. 04





Photographs no. 05

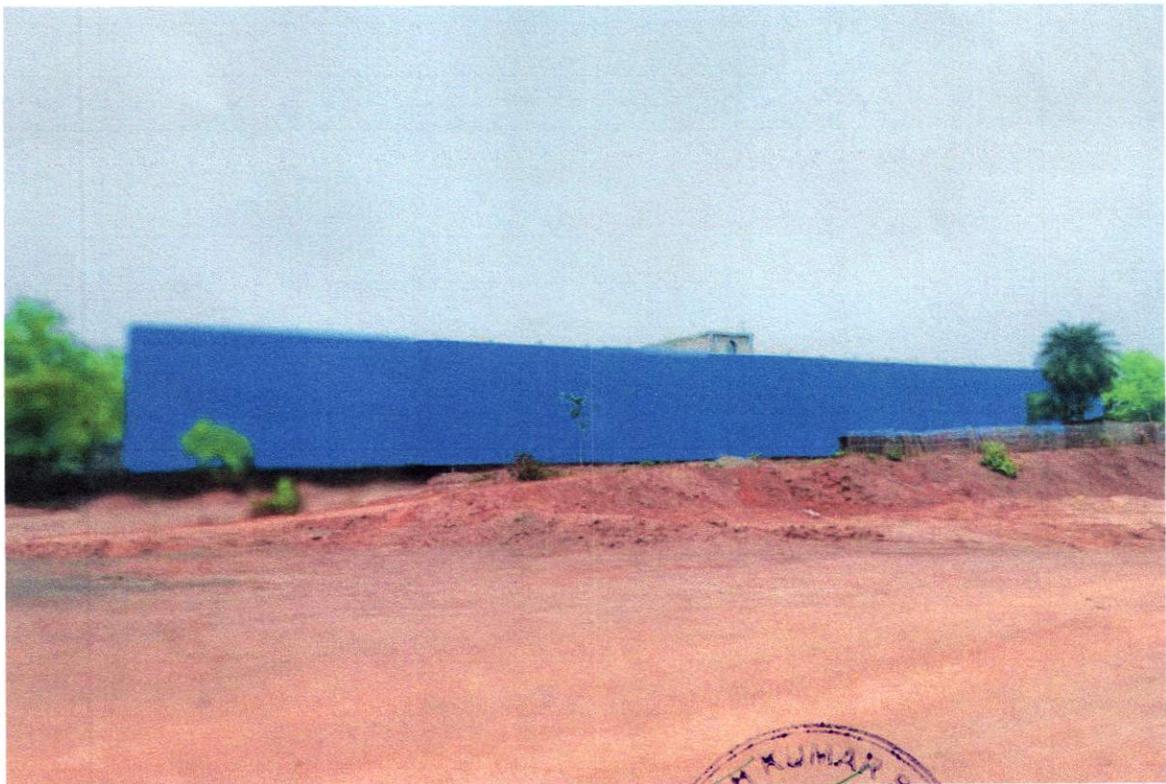


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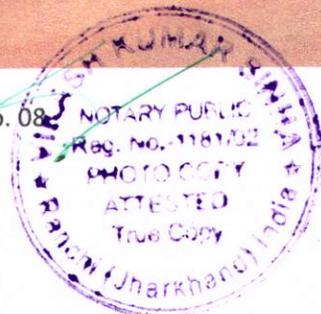




Photographs no. 07



Photographs no. 08





Photographs no. 09

NOTARY PUBLIC
Reg. No. 11H/202
PHOTO COPY
ATTACHED
True Copy
Rajesh Kumar
Patna (Bharkharaj) India



Sabz Care

Environmental Consultancy Pvt. Ltd.



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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.	TC99482200000074
Address	Dumka Railway Station, Dumka District- Dumka, State- Jharkhand	Particular of the Plant	Railway Goods Shed (Eastern Railway)
Date of Sampling	08.02.2022 to 09.02.2022	Sample Collected by	Md Asif Hussain & 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/22/37/AA-35	Work order No.-	C.4/Pollution Control/ASN dated 01.02.2022
Period of Analysis	09.02.2022 to 10.02.2022	Remarks	-----
		Report Release Date	10.02.2022

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) : 20.5
2. Relative Humidity (%) : 56
3. Barometric Pressure (mbar) : 1015
4. Weather condition : Clear

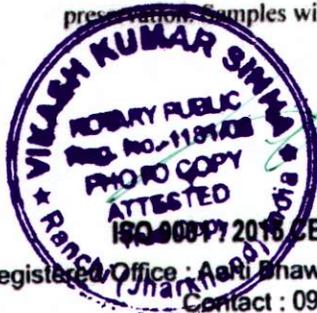
C. TEST RESULTS

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)	38.80	35.38	37.41	37.20	60 (µg/m ³)
2.	Particulate Matter as PM ₁₀	µg/m ³	IS 5182 (Part 23)	69.60	64.51	66.55	66.89	100 (µg/m ³)
3.	Sulphur Dioxide as SO ₂	µg/m ³	IS 5182(Part 2)	21.62	16.41	19.53	19.19	80 (µg/m ³)
4.	Nitrogen Dioxide as NO ₂	µg/m ³	IS 5182(Part 6)	23.45	21.50	22.53	22.49	80 (µg/m ³)

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 30 days from date of issues of the Test Report subject to nature of preservation. Samples will be preserved as per the standard method.

*** END OF REPORT ***



SABZ CARE ENVIRONMENTAL CONSULTANCY PVT. LTD.
 Vikash Kumar Singh
 Quality Manager
 Vikash Ranjan
 Quality Manager

ISO 9001:2015 CERTIFIED COMPANY : OHSAS 45001 : 2018 CERTIFIED LAB
 Registered Office : Asni Bawan, Bawan Bighas, PO- Madhupur, Dist-Deoghar-815353 (Jharkhand)
 Contact : 09334315731, 07563048389, e-mail : scecpmdp@gmail.com



Sabz Care

Environmental Consultancy Pvt. Ltd.



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Accredited by NABL, ISO/IEC 17025:2017

TEST REPORT

Name of Industry	Dumka Goods Shed	ULR No.	TC994822000000075
Address	Dumka Railway Station, Dumka District- Dumka, State- Jharkhand	Type of Industry	Railway Goods Shed (Eastern Railway)
Date of Study	08.02.2022 to 09.02.2022	Sample Collected By	Md asif Hussain & Team
Sample ID	SCECPL/TR/22/37/NR-25	Time of Duration	24 Hours
Sample Drawn by	Sabz Care Lab	Work order No.-	C.4/Pollution Control/ASN dated 01.02.2022
Sample details	Ambient Noise	Remarks	-----
Method No.	IS:9989-2014	Report Release Date	10.02.2022

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

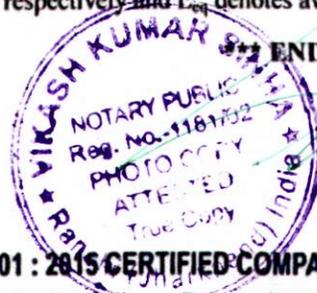
Exposure time (in hours per day)	Limit in dB(A)
8	90
4	93
2	96
1	99
1/2	102
1/4	105
1/8	108
1/16	111
1/32	114

AMBIENT NOISE QUALITY REPORT

Sampling Location					
	Minimum	Ld-Mean (Day)	Ln-Mean (Night)	Leq Mean	Maximum
1. Near Pillar No.-1032 (Coordinates- 24°17'20.9"N to 87°15'37.1"E)	55.70	72.50	57.20	71.30	77.60
2. Near Pillar No.-1016 (Coordinates- 24°17'20.9"N to 87°15'37.1"E)	52.20	71.80	57.40	70.70	75.60
3. Near Pillar No.-1010 (Coordinates- 24°17'24.4"N to 87°15'20.8"E)	53.40	73.10	59.30	72.20	77.70

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.



*** END OF REPORT ***

Authorized Signatory
SABZ CARE ENVIRONMENTAL
CONSULTANCY PVT LTD. Piyush
Quality Manager
(Piyush Ranjan)
Quality Manager

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

State Pollution Control Board, Jharkhand

Annexure - X
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Receipt No. 655035110	Date : 05-11-2021
Depositor Name	Akhilesh Ojha
Amount	45000.0
Bank Name.	NA
Bank Id.	ICICI
Application No.	11434197
Name and Address of Industry	DUMKA GOODS SHED, DUMKA RAILWAY STATION, DUMKA, DUMKA
Name of Regional Office	Dumka
Applied For	CTO - both - reNew
Payment Date	05-11-2021
Total Amount Paid (Rs.)	45000.0
Transaction Status	Successfully Completed
Payment Details	
CTO (Rs.)	45000.0
Total (Rs.)	45000.0
<input type="button" value="Print"/>	
<input type="button" value="Back"/>	



Annexure - XI
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JHARKHAND STATE POLLUTION CONTROL BOARD

TOWNSHIP ADMINISTRATION BUILDING, HEC COMPLEX, DHURWA, RANCHI 834004
Telephone: 0651-2400850 (Fax)/ 2400851/2400852/2401847/2400979/2400139

Minutes of Meeting held on 18.04.2022 with M/s West Bengal Power Development Corporation Limited.

A meeting with the representative of M/s West Bengal Power Development Corporation Limited (WBPDC) was held on 18/04/2022 in light of the Board's Ref. No. B - 737, Ranchi, dated 13/04/2022 under the chairmanship of Sri A. K. Rastogi, Chairman, Jharkhand State Pollution Control Board. M/s WBPDC was directed to present the status of the EIA/EMP/ToR/EC of Pachwara North Coal Mines situated at Pakur. The attendance sheet is annexed as Annexure - I.

The representative of M/s WBPDC has presented the status of the EC granted to them by the MoEF&CC. It was further briefed that the CTE for mines was granted to the Unit on 20/07/2018 for 15.0 MTPA capacity and the last CTO has been granted to the Unit on 28/09/2021 for 15.0 MTPA capacity which is valid till 30/09/2023. Moreover, it was also mentioned that the CTE to Pachwara (North) Coal Mine (WBPDC) Railway Siding, Pakur has been granted on 01/11/2019 for 7,50,000 MT/Month (9.0 MTPA) capacity and the last CTO has been granted to Pachwara (North) Coal Mine (WBPDC) Railway Siding, Pakur on 18/09/2020 for 7,50,000 MT/Month (9.0 MTPA) capacity which is valid till 30/09/2025.

The representative of M/s WBPDC apprised the Board officials that they have planned to reach the peak production level of 15 MTPA of coal in the current Financial Year 2022-23. As the capacity of M/s Pakur Railway Siding is 9.0 MTPA so WBPDC may be allowed to start additional 6 MTPA coal transportation from Dumka Railway Siding.

After subsequent discussions and deliberations, the Chairman, JSPCB gave the following directions to M/s WBPDC: -

- 1) Carrying Capacity and Source Apportionment Study (Pre-Monsoon) for one month time shall be carried out for Pakur and Dumka Railway Siding.
- 2) Existing and proposed Pollution Load Survey (24 X 7) shall be carried out for the transportation route from Mine Pit Head to Pakur and Dumka Railway Siding.
- 3) Existing and proposed Traffic Study (24 X 7) shall be carried out for the transportation route from Mine Pit Head to M/s Pakur and Dumka Railway Siding.
- 4) The whole task as mentioned above is to be carried out by a valid QCI NABET Accredited Consulting Organization (ACO) having accreditation for the opencast Coal Mining for Category 'A' Projects along with a NABL Accredited Environmental Laboratory with ISO certifications. The task shall not be carried by the ACO which was engaged for the purpose of EIA & EMP preparation for grant of Environmental Clearance of the Pachwara (North) Coal Mine.
- 5) The agency carrying out the above task will also suggest the mitigation measures and interval of AAQ monitoring by specifying the hotspots.

The meeting concluded with the vote of thanks by the Chairman, JSPCB.

Memo No. B-811

Copy to: All the concerned for information and necessary action.



Sd/-
(A.K. Rastogi)
Chairman
Ranchi, dated.. 27.4.2022

(Yatindra Kumar Das)
Member Secretary



झारखण्ड राज्य प्रदूषण नियंत्रण पर्वद

JHARKHAND STATE POLLUTION CONTROL BOARD

T.A. DIVISION BUILDING (GROUND FLOOR), H.E.C., DHURWA, RANCHI -834004

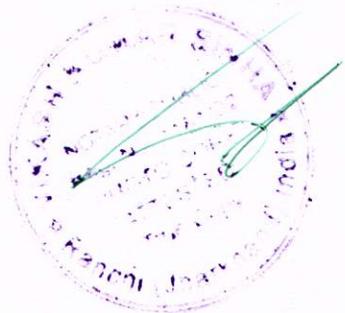
Phone.: 0651-2400851/2400852/2400979/2401847, Fax-0651-2400850/138,

Web site : www.jspcb.nic.in; e-mail : ranchijspcb@gmail.com

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Presentation of West Bengal Power Development Corporation Ltd. (18/04/2022)

Sl.	Name	Designation	Mob	Sign
1	A. K. Rastogi	Chairman		
2	Y. K. Das	Member Secretary		
3.	D. Gouppoolyong	Advisor (Mining)	9434795336	
4.	Kr. Manibhusan	CE, JSPCB		 18/04/22





झारखण्ड राज्य प्रदूषण नियंत्रण पर्वद

JHARKHAND STATE POLLUTION CONTROL BOARD

T.A. DIVISION BUILDING (GROUND FLOOR), H.E.C., DHURWA, RANCHI -834004

Phone.: 0651-2400851/2400852/2400979/2401847, Fax-0651-2400850/138.

Web site : www.jspcb.nic.in; e-mail : ranchijspcb@gmail.com

By Email/Speed Post

Ref. No.: PC/DMK/CTO/01/2022/ B-852

Ranchi, Dated. 02/5/2022

From,

Yatindra Kumar Das,
Member Secretary

To,

The Goods Shed Superintendent ,
M/s Dumka Goods Shed,
At-Dumka Rly. Station,
Mauza-Rashikpur, P.S. – Dumka,
Dist.-Dumka.

Sub: Second Show Cause notice for non – submission of the Environmental Compensation – Regarding.

Ref: - 1. Board's Ref. No. B – 369 Ranchi, Dated 22/02/2021.

2. D.O. Letter of DRM, ER, Asansol vide No. C.4/Pollution Control/ASN/20 dated 08/03/2022.

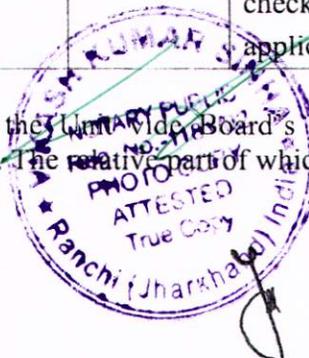
Whereas, combined Consent to Establish (CTE) & Consent to Operate (CTO) was granted to the Unit vide Board's Ref No. JSPCB/HO/RNC/CTE/CTO-4959589/2019/3 dated 13/10/2019. The relative part of which is as follows:-

Project	Site Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			
Before expansion	Plot No. 295, Khata No.-02	Area 49 53 Sq. Mtrs	Rs. 51,27, 989.49/- (as per project report)	loading and unloading of Minerals Goods-- -----.(capacity not mention in checklist and application)	31/12/2019

Whereas, last CTO was granted to the Unit vide Board's Ref No. JSPCB/HO/RNC/CTO-7084777/2020/2024 dated 04/01/2021. The relative part of which is as follows:-

Chandan/Dumka-official letter/44

Chandan



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Project	Site Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			
Before expansion	Mauza – Rashikpur, Plot No. 295, Khata No.-02	Area - 4953 Sq. Mtrs	Rs. 51,27,989.49/-	loading and unloading of Minerals Goods-- -----.(capacity not mention in IR and application)	31/12/2021

Whereas, you have applied for the renewal of CTO on 05/11/2021 (the date of fee deposition) vide application no - 11434197.

Whereas, the Regional Officer, JSPCB Regional Office, Dumka has inspected the site on 07/12/2021 and has submitted the Inspection Report vide Ref. No. 1654 dated 11/12/2021 in which it has been recommended to issue show cause for non-compliance of the previous CTO conditions (Copy of Inspection Report of RO is enclosed).

Whereas, a show cause notice was issued to the Unit in online application bearing No 11434197 on 18/12/2021 and an opportunity was given to attend the show cause hearing on 24/12/2021 and present your part.

Whereas, the opportunity of show cause hearing was availed by your Unit and reply was uploaded in the online application.

Whereas, in light of the reply submitted by the Unit, the Regional Officer, JSPCB Regional Office, Dumka has inspected the site on 19/01/2022 and has submitted the Inspection Report vide Ref. No. 95 dated 20/01/2022. After perusal of which it was found that the non compliance still continued (Copy of Inspection Report of RO is enclosed).

Whereas, the combined Consent to Establish (CTE) & Consent to Operate (CTO) which was granted to the Unit vide Board's Ref No. JSPCB/HO/RNC/CTE/CTO-4959589/2019/3 dated 13/10/2019, the Specific Condition No. (15) of which is as follows:-

"That, the occupier shall install PM₁₀ analyzer with online connectivity to JSPCB server by 31.12.2019 else environmental compensation would be levied from the date of this CTO."

Whereas, in light of the above the competent Authority has ordered to calculate the Environmental Compensation against your Unit as per the Report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund. The details of which is as below:-

Nature of violation – Non-compliance of the CTO conditions.

Basis to levy the Environmental Compensation – Pollution Index

The environmental compensation is based on the following formula:

EC= PI×N×R×S×LF

Where,

- EC - Environmental compensation
- PI- Pollution Index of Industrial Sector
- N –Number of days of violation took place
- R – A factor in rupees for EC
- S - Factor of scale of operation
- LF – Location Factor

Now in this case,

PI is to be taken as 37.5 as the industry belongs to Green category (as per CPCB’s guidelines.)

N is to be taken as 846 days from 13/10/2019 to 04/02/2022.

R is to be taken as 250 (as per CPCB’s guidelines.)

S is to be taken 0.5 as the unit belongs to Small Scale as per Notification No. - S.O. 1702(E).— dated 01/06/2020 of Ministry of Micro, Small and Medium Enterprises (S could be 0.5 for micro or small, 1.0 for medium and 1.5 for large units as per CPCB Guidelines).

LF is to be taken as 1.00 as the population of Dumka town is < 1 million. (District Census Handbook, Dumka of 2011).

Therefore,

$$\begin{aligned}
 \text{EC (Per day)} &= \text{PI} \times \text{R} \times \text{S} \times \text{LF} \\
 &= 37.5 \times 250 \times 0.5 \times 1.0 \\
 &= ₹ 4687.50/-
 \end{aligned}$$

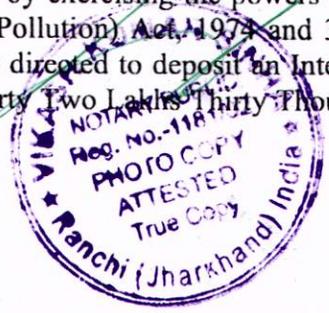
As per the report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation in any case, minimum Environmental Compensation shall be ₹ 5000/day.

Henceforth, the Environmental Compensation for one day comes out to be ₹ **5,000.00/-**. So the total Environmental Compensation for 846 days comes out to be ₹ **42,30,000.00/-** (i.e. **Rupees Forty Two Lakhs Thirty Thousand Only**).

Whereas, the Competent Authority by exercising the powers vested under section 33 (A) of the Water (Prevention and control of Pollution) Act, 1974 and 31 (A) of the Air (Prevention and control of Pollution) Act, 1981 has directed to deposit an Interim Environmental Compensation of ₹ 42,30,000.00/- (i.e. Rupees Forty Two Lakhs Thirty Thousand Only) vide Board’s Ref. No. B – 369 Ranchi, Dated 22/02/2021.

Chandan/Dumka-official letter/46

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Whereas, the Divisional Railway Manager, Eastern Railway, Asansol vide his same D.O. Letter No. C.4/Pollution Control/ASN/20 dated 08/03/2022 has requested to waive the penalty imposed on the following grounds: -

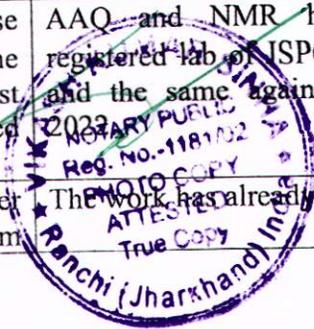
1. Has submitted the compliance of CTO conditions which is as below:-

S/N	CTO Conditions	Compliance
1.	That the occupier shall comply with all the conditions including installation of PM 10 analyzer related to railway siding as directed in the JSPCB letter memo no. B-387 dated 11.04.2019 within 2 months from the date of issuance of this CTO. If the unit is found to be non-complied with respect to these conditions as stated in the referred letter then CTO shall be revoked and fresh environmental compensation will be levied as per NGT order from the date of issue of last CTO.	PM – 10 analyser has already been installed and waiting for linking the same with JSPCB server by JSPCB, Ranchi.
5.	That, he/they shall make arrangement of water sprinkling through fixed water sprinklers or tankers having facility of pressure pump and fogging system at loading - unloading sites and on the transportation road within two months and report to the Board Head office at Ranchi as well as Regional Office, JSPCB, Dumka.	Water tanker of 2000 litres has been arranged for sprinkling purpose as and when rakes are handled.
6.	That the occupier shall submit application for renewal of consent under section 25/26 of the water (prevention & control of Pollution) Act'1981 again 120 days prior to the date of expiry of this consent with documents showing compliance of all the above conditions.	Renewal application No. 11434197 has already been submitted.
7.	That the occupier shall install fixed type water sprinklers/foggers on all roads and sidings to control fugitive emission within four months from the issuance of CTO and submit the report to the board.	Water tanker of 2000 litres has been arranged for sprinkling purpose as and when rakes are handled. Provision has been made to deploy more tankers /atomizer once coal loading starts.
9.	That, they shall Cover of all materials with tarpaulin when it is lying on the railway siding and not being lifted for its transportation through road.	At Dumka goods shed direct delivery lines for full rake provided for loading/unloading directly from wagon to truck and vice versa. However any materials required to be kept on wharf are covered.
10.	That, they shall submit of AAQ & Noise level monitoring reports thrice within the consent period, and the analysis report must be prepared by an organization recognized by JSPCB/CPCB/MOEF, Govt of India	AAQ and NMR had been done by registered lab of JSPCB in October, 2020 and the same again done on February, 2022
11.	That the occupier shall construct rain water recharge system within three months from	The work has already been done.

Chandan/Dumka-official letter/47

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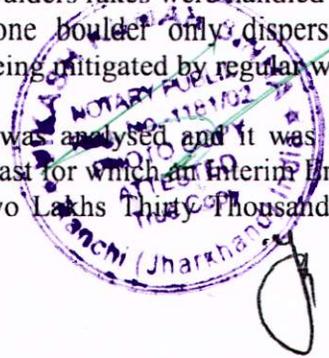
	the date of issuance of CTO and submit the report to the board.	
13.	That, he/they shall make arrangement of water sprinkling through fixed water sprinklers or tankers having facility of pressure pump and fogging system at Railway Siding within two months and report to the Regional Office, JSPCB, Dumka.	Water tanker of 2000 litres has been arranged for sprinkling purpose as and when rakes are handled. Provision has been made to deploy more tankers /atomizer once coal loading starts.
14.	That the occupier shall construct pucca internal road within the premises.	Already available.
15.	That the occupier shall construct permanent boundary/ wind breaking wall of at least 20 ft. height all along the railway siding within two months.	Complied. (20 ft. height & 72 ft. length)
18.	That, he/they shall allow to transport the materials either in lumps or in fines only through covered and leak proof dumpers/trucks within the railway siding area.	At Dumka goods shed no lumps and fines are being dealt with at present. Only bagged food grain consignments of FCI and stone boulder/chips are handled as of now. All the incoming and outgoing materials are transported through leak proof dumpers/trucks within the railway siding area. Railway will ensure transport of all materials in leak proof dumpers/trucks only in railway premise in future also.
19.	That, he/they shall construct garland drains all along the boundary wall with de-silting pit within three months from the date of issue of CTO.	Garland drains provided.
20.	That he/they shall make tree plantation in good numbers in two rows by making by bamboo Gambians at a spacing of 2.0M within three months and maintain it and report to the Board substantiating the plantation works with photographs taken from all angles.	Tree plantation with bamboo fencing has been provided.
21.	That he/they shall in no case discharge runoff water or waste water of premises outside the railway siding.	A kaccha pit has been made in the low lying area of the goods shed where run off/waste water is accumulated to prevent any discharge outside the railway siding.

2. It is informed that from Dumka Good Shed during October 2019 to Feb 2022, only 410 nos. of food grains and 345 nos. of stone boulders rakes were handled which don't emit any poisonous or hazardous gas. Loading of stone boulder only disperse some amount of suspended particulate matter (SPM) which is being mitigated by regular water sprinkling.

Whereas, the abovementioned reply was analysed and it was established that there was non-compliance of the CTO condition in past for which an Interim Environmental Compensation of ₹ 42,30,000.00/- (i.e. Rupees Forty Two Laks Thirty Thousand Only) was levied on the Unit.

Chandan/Dumka-official letter/48

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Moreover, the cumulative figure for mineral transportation from October 2019 to February 2022 has been submitted by the PP which does not clarify the number of days for which the mineral transportation took place.

Whereas, the Regional Officer, Regional Office, JSPCB, Dumka was directed vide Board's letter no. B-594 dated 24.03.2022 to inspect the site and submit the compliance verification report.

Whereas, the Regional Officer, Regional Office, JSPCB, Dumka vide his Ref. No. 601 dated 30.04.2022 has submitted the compliance verification report. The details of which is as follows:-

S.N	CTO Conditions	Compliance
1.	That the occupier shall comply with all the conditions including installation of PM 10 analyzer related to railway siding as directed in the JSPCB letter memo no. B-387 dated 11.04.2019 within 2 months from the date of issuance of this CTO. If the unit is found to be non-complied with respect to these conditions as stated in the referred letter then CTO shall be revoked and fresh environmental compensation will be levied as per NGT order from the date of issue of last CTO.	PM – 10 analyser has been installed on RPF building at a distance of about 133 mrt. From the Railway siding.
5.	That, he/they shall make arrangement of water sprinkling through fixed water sprinklers or tankers having facility of pressure pump and fogging system at loading - unloading sites and on the transportation road within two months and report to the Board Head office at Ranchi as well as Regional Office, JSPCB, Dumka.	Fixed type water sprinkler has not been installed in Railway siding. But two mobile water tankers have been provided for sprinkling purpose in the Railway siding.
6.	That the occupier shall submit application for renewal of consent under section 25/26 of the water (prevention & control of Pollution) Act'1981 again 120 days prior to the date of expiry of this consent with documents showing compliance of all the above conditions.	Application No. 11434197 has been submitted for renewal of CTO.
7.	That the occupier shall install fixed type water sprinklers/foggers on all roads and sidings to control fugitive emission within four months from the issuance of CTO and submit the report to the board.	Fixed type water sprinklers/foggers have not been installed on transport road & siding. Only two mobile (movable) water tanker have been provided for sprinkling of water on transport road & siding.
9.	That, they shall Cover of all materials with tarpaulin when it is lying on the railway siding and not being lifted for its transportation through road.	At the time of inspection, Stone chips lying on the grounds were not found to be covered with tarpaulin.
10.	That, they shall submit of AAQ & Noise level monitoring reports thrice within the consent period, and the analysis report must be prepared by an organization recognized	Report has been submitted (issued on 10.02.2022) PHOTO COPY ATTESTED True Copy

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	by JSPCB/CPCB/MOEF, Govt of India	
11.	That the occupier shall construct rain water recharge system within three months from the date of issuance of CTO and submit the report to the board.	Rain water harvesting/recharge system is not constructed.
13.	That, he/they shall make arrangement of water sprinkling through fixed water sprinklers or tankers having facility of pressure pump and fogging system at Railway Siding within two months and report to the Regional Office, JSPCB, Dumka.	Two water tankers have been provided for sprinkling of water in the railway siding
14.	That the occupier shall construct pucca internal road within the premises.	Concrete sleeper road have been constructed at the entry and exit points of the railway siding
15.	That the occupier shall construct permanent boundary/ wind breaking wall of at least 20 ft. height all along the railway siding within two months.	A tin sheet boundary/wind breaking wall about 20 feet height and 72 feet long has been constructed near the St. Xavier's School. But this boundary/wind breaking wall needs to be extended as per the length of railway siding.
18.	That, he/they shall allow to transport the materials either in lumps or in fines only through covered and leak proof dumpers/trucks within the railway siding area.	During inspection, some trucks carrying Stone chips in the Siding were found not covered with tarpaulin
19.	That, he/they shall construct garland drains all along the boundary wall with de-silting pit within three months from the date of issue of CTO.	Garland drain with de silting pit has not been constructed along the boundary wall.
20.	That he/they shall make tree plantation in good numbers in two rows by making by bamboo Gambians at a spacing of 2.0M within three months and maintain it and report to the Board substantiating the plantation works with photographs taken from all angles.	Few nos. of tree saplings has been planted but not adequate.
21.	That he/they shall in no case discharge runoff water or waste water of premises outside the railway siding.	No runoff water or waste water was found to be discharge outside the siding premises.

Whereas, During inspection, No construction related work was found in the railway siding. But the Railway Siding was found to be in operating conditions without obtaining valid consent from the Board. The consent of the Railway siding has expired on dated 31.12.2021. In this regard, the representative of the Railway siding Sri Sanjay Kumar, GSS was directed to stop the operation of railway siding with immediate effect and operate the unit only after the obtaining of valid CTO.

Now, therefore, in view of the above your representation is hereby rejected as it was established that there was non-compliance of the CTO condition of some of which has not been complied till date. Henceforth, it is once again directed to deposit an Interim Environmental

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Compensation of ₹ 42,30,000.00/- (i.e. Rupees Forty Two Lakhs Thirty Thousand Only) to Jharkhand State Pollution Control Board within 7 days from date of issuance of this letter otherwise an interest @ 12 % will be charged from the date of issuance of letter dated 22/02/2021 and your CTO application bearing Application No – 11434197 may summarily be rejected.

This issues with the approval of Competent Authority.

Sd/-
(Yatindra Kumar Das)
Member Secretary

Memo No. B-852

Ranchi, Dated... 02/5/2022

Copy to: The Regional Officer, JSPCB Regional Office, Ranchi for information and necessary action from his end.

(Yatindra Kumar Das)
Member Secretary

