

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL

Original Application No. **152**/23/EZ

Pritam Kumar

.....Applicant.

VS

State Of Jharkhand & Ors

.....Respondents

INDEX

	Affidavit	1-3
	Verification	1 + 3
	Copy of the CTO dated 01/01/22 - Annexure A	4-8
	Photograph of the unit Annexure - B	9

PAUSHALI BANERJEE
ADVOCATE
7A, KIRON SHANKAR ROY ROAD,
KOLKATA-700001

S.L. NO 54

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL

Original Application No. 22/23/EZ

Pritam Kumar

.....Applicant.

VS

State of Jharkhand & Ors

.....Respondents

**AFFIDAVIT ON BEHALF OF THE Pradip Mahto Stone Crusher
(Respondent no.8) .**

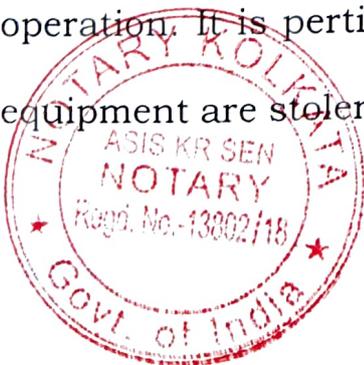
I, Pradip Mahato , son of Phuleshwar Mahto, aged about 47 years, by occupation business, near shiv mandir, Chikor, Jharkhand-829105 do hereby solemnly affirm and state as under:-

1. That I am the proprietor of Pradip Mahato Stone Crusher that is respondent no.8 in this instant matter, I am well acquainted with the



facts and circumstances of the case and I have been duly authorized to affirm this affidavit, I have gone through a copy of the inspection report of Jharkhand pollution Control Board dated 30/08/23 by the Regional Officer JSPCB and Scientist MOEF (hereinafter referred to as the said report).

2. Save what are specifically admitted hereinafter I deny each and every allegation, statements, made in the said report and put the deponent to strict proof thereof.
3. I say that I am not operating the Stone Crusher for more than two years as stated by the committee in the said report. I am a law abiding citizen and there have all the requisite licensed required to operate a stone crusher till 2022. Copy of the CTO dated 1/01/22 is annexed herewith and marked as annexure A.
4. I say that I have closed the stone crusher during 2020 and do not intend to operate the stone crusher, no pollution was created by the respondent unit during the time when the stone crusher unit was in operation. It is pertinent to mention here that most of the machines and equipment are stolen from the crusher unit and the unit is in a dilapidated



Condition. Photograph of the unit is annexed herewith and marked as annexure B.



- 3 -

5. I say that it is also stated in the said report of the committee that the unit is 155 meters away from the nallah and no pollution of nallah have taken place due to the crusher unit, moreover no distance criteria of stone crusher unit from nullah is prescribed by either by CPCB or by the State PCB.
6. I say that there are no directions upon me by the Committee in the said report, I therefore humbly submit that this Hon'ble Tribunal may direct deletion of my name from the array of respondents of the Original Application being OA no.153/23.

VERIFICATION

I, Pradip Mahato , son of Phuleshwar Mahto, aged about 47 years, by occupation business, near shiv mandir, Chikor, Jharkhand-829105 , I am the deponent above named and I do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge which are derived from the relevant office records. No part of it is false and nothing material has been concealed there from.

Verified at Kolkata on this _____ January, 2024

*Prepared in my office
Pankhuri Banerjee
Advocate*

*Pradeep Kumar Mahato
(Pradeep Mahato Stone crusher)*
Solemnly affirmed and sworn
before me on Identification
ASIS KR SEN

16 JAN 2024

ASIS KUMAR SEN
City Civil Court, Kolkata
Notary



- 4 - Amrakesh A

JHARKHAND STATE POLLUTION CONTROL BOARD

61

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

Ref No. JSPCB/HO/RNC/CTO-11641922/2022/1

Dated : 2022-01-01

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 2021-11-22 of M/S Pradeep Kumar Mahto, Occupier Name :Pradeep Kumar Mahto for consent under section 25 (1)(b)/25 (1) (c)/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21(1) of the Air (Prevention & Control of Pollution) Act, 1981..

2. Documents Relied Upon:

- (a) The content of No Objection Certificate (NOC), vide ref. no. 2048, dated 24.03.2003.
- (b) The content of Consent to Operate (CTO), vide ref. no. D-1034 (C), dated 16.04.2013.
- (c) The content of self certificate regarding procurement of raw material from valid sources.
- (d) The content of Inspection Report (IR), vide ref. no. 1407, dated 08.12.2021.

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 -Sudi , P S -Sudi , District -RAMGARH , as follows:

Project	Site-Area		Investment (RS)	Product & Capacity	Period of CTO
	Plot Nos.	Area			Date of issue To
Before Expansion	55(Old)82(New), Khata No.- 71	1 Acre	36.28 Lacs	Stone Chips- 600 cf/day	31/12/2022

(A) Specific Conditions:

1. That, the occupier shall construct at least 10 feet high wind breaking wall.

- 5 -

emit water spraying intermittently and during loading, unloading of raw materials/products and wastes

3. That, the occupier shall obtain raw material only from valid Source only.
4. That, the occupier shall construct and maintain pucca boundary wall of minimum ten feet height.
5. That, the occupier shall not do crushing activities beyond the period of CTO unless and until the occupier has (have) obtained Consent to operate from the Jharkhand State Pollution Control Board.
6. That, the occupier shall store all raw materials and products under shed and shall as far as practicable do their processing and transfer under foolproof cover(s) and shall install dust catchers over uncovered spaces of processing and transfers.
7. That, the occupier shall maintain register for production and dispatch and submit return to the Board.
8. That, the occupier shall maintain the concentration of dust up to 10 meter from the crusher within 600 g/Nm³.
9. That, the occupier shall make all road pucca and shall maintain good house keeping by regular cleaning & wetting of the premises and dust prone areas.
10. That, the occupier shall submit compliance of this CTO conditions alongwith the recent analysis reports every year before 120 days of the expiry date of this CTO successively.
11. That, the occupier shall submit applications for renewal of consent under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 again 120 days prior to the date of expiry of this consent with requisite fee and documents showing compliance of all of the above conditions.

(B) General Conditions :

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

- 6 -

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.

- 7 -

- (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 mg/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	In co-processing in high temperature furnaces or kilns
2	Hazardous Non-Carbonaceous Wastes	In TSDF
3	Non-Carbonaceous Non-Hazardous solid wastes/ Mine Over Burden	As a substitute of Soil or Mineral

- (5) That, the occupier shall keep D G Set(s) within acoustic enclosure and shall keep the height(s) of exhaust pipe(s) as per Central Pollution Control Board norm.
- (6) That, the occupier shall install and maintain Central Ground Water Board/ State Ground Water Directorate approved system of rain water harvesting-cum-ground water recharge and submit the photographic view of the structures within a month.
- (7) That, the occupier shall grow and maintain greenery of the project in the periphery and other available spaces and shall continue enhancing its plant density and biodiversity.
- (8) That, the occupier shall submit environmental statement with supporting stoichiometric calculations analyses reports, every year latest by 30th September of the next financial year.
- (9) That, the occupier shall submit report(s) duly monitored and issued by an NABL accredited / ISO 9001:2008 and OHSAS 18001:2007 certified laboratory in compliance sub-para (2), (3), (4) and (5) of paragraph 3 of this CTO yearly at required periodicity.
- (10) That, this CTO is valid subjected to the validity of mining Lease/Mining Plan/Friendly/Environmental Clearance, if applicable. In case of no renewal of Mining Lease/Mining Plan, this consent shall be treated as revoked automatically.

- 8 -
- (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

RAM PRAVESH KUMAR [Ram Pravesh Kumar]
KUMAR Section Head, Hazaribagh

Digitally signed by RAM PRAVESH KUMAR
DN: cn=RAM PRAVESH KUMAR, o=JHARKHAND STATE
POLLUTION CONTROL BOARD,
serialNumber=83809, st=Jharkhand,
c=IN, email=RAM.PRAVESH.KUMAR@JPCB.ORG
/C=INDIA/CN=RAM PRAVESH KUMAR
Date: 2022.01.01 09:49:29 +05'30'

Memo No. : JSPCB/HO/RNC/CTO-11641922/2022/1

Dated : 2022-01-01

Copy to: M/S Pradeep Kumar Mahto, At- Sudi, Bhadaninagar, Ramgarh/ Chief Inspector of Factories, Ranchi/ Director of Industry, Government of Jharkhand, Ranchi/ Director of Mines, Government of Jharkhand, Ranchi/ Deputy Commissioner, Giridih/ DFO, Giridih/ DMO, Giridih/ RO, JSPCB, Hazaribagh for information & necessary action.

RAM PRAVESH KUMAR [Ram Pravesh Kumar]
KUMAR Section Head, Hazaribagh

Digitally signed by RAM PRAVESH KUMAR
DN: cn=RAM PRAVESH KUMAR, o=JHARKHAND STATE
POLLUTION CONTROL BOARD,
serialNumber=83809, st=Jharkhand,
c=IN, email=RAM.PRAVESH.KUMAR@JPCB.ORG
/C=INDIA/CN=RAM PRAVESH KUMAR
Date: 2022.01.01 09:49:29 +05'30'

