

झारखण्ड सरकार
खान एवं भूतत्व विभाग
खान निदेशालय

पत्रांक-ख०नि०(विविध)-02 / 2015

/ एम०, राँची, दिनांक-

प्रेषक,

मुकुल प्रसाद
उप निदेशक, खान (मु०)

सेवा में,

श्री अरुण कुमार
उप निदेशक, भूतत्व (मु०)
खान निदेशालय।

विषय :

**Original Application No. 453/2013, Kalyan Bansingh & Ors.-
Vrs.-HIL Ltd. & Ors., Original Application No. 111/2014
Environics Trust-Vrs.-Union of India & Ors., Original
Application No. 113/2014 Amar Singh-Vrs.-Union of India &
Ors. में दिनांक-07.01.2020 को पारित आदेश के आलोक में
Compliance Report File करने के संबंध में।**

महाशय,

निदेशानुसार उपर्युक्त विषयांकित वाद में माननीय नेशनल ग्रीन ट्रिब्यूनल, नई दिल्ली द्वारा दिनांक-07.01.2020 को पारित आदेश के आलोक में मुख्य सचिव, झारखण्ड द्वार अनुमोदित Compliance Report (छायाप्रति संलग्न) माननीय नेशनल ग्रीन ट्रिब्यूनल, नई दिल्ली को उनके ई-मेल आई०डी० (judicial-ngt@gov.in एवं office@kumar anuragsingh.com) में ई-मेल करने हेतु आपको प्राधिकृत किया जाता है।

अनुलग्नक:- यथोक्त।

विश्वासभाजन,

ह०/-

(मुकुल प्रसाद)
उप निदेशक, खान (मु०)

ज्ञापांक-

1077 / एम०, राँची, दिनांक- 09/08/2020
प्रतिलिपि-श्री कुमार अनुराग सिंह, विद्वान अधिवक्ता, माननीय नेशनल ग्रीन
ट्रिब्यूनल (प्रिंसपल बेंच, नई दिल्ली) को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

उप निदेशक, खान (मु०)

STATE GOVERNMENT OF JHARKHAND

Compliance Report of Hon'ble NGT's Orders of January 07, 2020

Original Application No. 453 of 2013 And

Original Application No. 111 of 2014 And

Original Application No. 113 of 2014

I, Arun Kumar son of Kamla Prasad Sinha, aged about 57 years, R/O- House No. 197/C, Vidyalaya Marg, Ashok Nagar, Ranchi, State - Jharkhand do hereby solemnly affirm and state as under:

That I am posted as Deputy Director Geology, Directorate of Mines, Department of Mines and Geology, Government of Jharkhand and as such I am well aware of the facts and circumstances and duly authorized to file the compliance report as directed vide Hon'ble Tribunal's order dated 07.01.2020.

1) The direction given by Hon'ble National Green Tribunal, New Delhi order dated 07.01.2020 in O.A No. 453/2013, 111/2014 & 113/2014 is as under:-

1. The issue for consideration is the steps for restitution of the area which was earlier under the asbestos mines. Lease for such mines was given in favour of Hyderabad Asbestos Cement Product Limited (HACPL). The mines stopped working in the year 1983. However, safety measures for restitution of the mines to mitigate adverse environmental and health impact in the area were not taken. Asbestos dust based pollution continued to be emitted resulting in health hazards and contamination of ponds and streams.

2. The matter was dealt with by this Tribunal vide order dated 14.08.2019 and directions were issued for remedial action which was to be overseen by the Committee constituted in terms of the said order. Thereafter on 22.07.2019, further progress was reviewed as follows:

3. Since almost one year has passed after the directions issued by this Tribunal, we now expect that the Chief Secretary of the State to oversee and particularly ensure setting up of fencing with barbed wires, retaining wall and other steps, including those mentioned in Para 3 of the report as follows:

3..... works like coir matting in dump area, barbed wire and trench fencing, construction of check dams, erection of display boards, retaining wall, plantation and medical check-ups. The total financial outlay of all works

that were provided for was Rupees 13.45 crore (Annexure-III). The Detailed Project Report was sent by the Department of Forest to Department of Mines on 01.01.2019.”

The Chief Secretary may send a compliance report on or before 31.10.2019 by e-mail at judicial-ngt@gov.in.”

3. Accordingly, a report has been filed on 30.10.2019 by the Director (Mines), Jharkhand to the effect that a meeting was held on 24.10.2019 under the Chairmanship of the Chief Secretary wherein following decisions were taken:

“1. For the speedy implementation and supervision of the scheme sanctioned for the Reclamation and Rehabilitation of RORO abandoned asbestos mines a committee is to be constituted under the Chairmanship of Deputy Commissioner, West Singhbhum in which Divisional Forest Officer, Chaibasa forest division and District Mining Officer, Chaibasa will be the member.

2. In compliance of the order passed in aforementioned O.A. by Hon'ble NGT on 14/08/2018, Jharkhand State Pollution Control Board (JSPCB) is to make an assessment on environmental damage and submit a report on assessment of environmental compensation to Department of Mines & Geology so that the same can be recovered from the then lease holder.

3. All works mentioned in the DPR to be carried out at the earliest except construction of Retaining toe Wall. The necessity of construction of Retaining toe Wall shall be re- visited specially keeping in mind the other alternatives available.

4. District Administration has received 351 complaint applications regarding various issues from the environmentally affected people of RORO abandoned asbestos mines and issues are being redressed. Deputy Commissioner, West Singhbhum has been directed to dispose the applications in the light of NGT orders in aforementioned O.A.

From the perusal of the aforementioned action taken by the Govt. of Jharkhand it may be seen that Govt. of Jharkhand is committed to ensure that full compliance of the directions of Hon'ble NGT passed in O.A. No. 453/ 2013, 111/ 2014 & 113/ 2014 is achieved within the shortest possible time.”

4. The above steps need to be completed preferably by 31.03.2020. Let further

progress report as on 30.04.2020 be filed by 10.05.2020 by email at judicial-
ngt@gov.in.

List for further consideration on 26.05.2020.

The date of hearing was then adjourned to 10.08.2020

2) Further, a meeting was convened on 07.08.2020 under the Chairmanship of Chief Secretary, Government of Jharkhand to review the progress made in the matter. Following were the important points:

- 1) A committee has been formed under the Chairmanship of DC, West Singhbhum for rehabilitation and reclamation of Roro abandoned asbestos mines, Forest Divisional Officer and District Mining Officer being the members of the committee. DC, W. Singhbhum brief about the proceedings of the meetings of the committee which were held on 10.02.2020 and 05.05.2020.
- 2) Jharkhand State Pollution Control Board (JSPCB) has been instructed to assess environmental damage and resulting environmental compensation and inform about the same to the Dept. of Mines and Geology, Jharkhand so that the Lease Holder i.e. M/s Hyderabad Asbestos Cement Product Ltd (HIL; the respondent) shall be served the notice for the payment of the said environmental damage cost.
- 3) National Environmental Engineering Research Institute (NEERI), a prestigious institute of GoI has prepared the DPR for Bio-Reclamation. DC, West Singhbhum shall follow on the DPR and give the technical/administrative approval of works only on Govt. of Jharkhand rate.
- 4) Following decisions were taken by the Committee:
 - (i) Coir Matting/ Soil Capping work shall be done and TA/ AS for the same shall be obtained from competent authority.
 - (ii) With reference to the DPR prepared by the NEERI, the work of Retaining Toe Wall and Bio-remediation shall be done after getting prior approval from appropriate technical/administration level.
 - (iii) As mentioned in the DPR, the tender process for a total of INR 165.36 Lakh for the works like PCC road construction, repairing of approach road, construction of water tank, barbed wire fencing etc. is under process. The same shall be completed by November, 2020. Display of Boards which has a total expense of INR 3.43 lakh shall be completed by August, 2020.
 - (iv) Seed sowing/ plantations to be done by Dept. of Forest, Environment

and Climate Change, GoJ.

(v) The payment for the works as mentioned in aforementioned points shall be recovered from the lease holder i.e. M/s Hyderabad Asbestos Cement Product Ltd. (HIL, the respondent). The works as mentioned in point 4(iii) shall be completed on urgent basis. The rest works can be done after getting the mentioned payment from the HIL. All the necessary documents like DPR shall be made available to HIL so that the same can be completed under the supervision of the committee under the chairmanship of DC.

5) District Administration, Chaibasa informed that District administration had received 351 applications regarding the Provident Fund, out of which 4 have recurred. For the resettlement of claims of the remaining 347 applications regarding the Provident Fund, letters have been written by Additional Deputy Commissioner, West Singhbhum to Regional Provident Fund Commissioner, Jamshedpur and Regional Provident Fund Commissioner, Chikmanglur vide Letter No. 08(A)/ dated 22.1.2020. Till date, resettlement is yet to be completed. Reminder has been sent vide letter no. 385/DMFT dated 05.08.2020

6) 8 medical camps have been organized in the Roro mines area. Health checkup of the all affected people has been facilitated. Under the supervision of the district administration, the tests were conducted at TMH, Jamshedpur and Pune, and it was found that 60 persons have asbestosis. It was directed that the treatment of 60 persons who have found positive for asbestosis shall be done in National Institute of Miner Safety, Bhubaneswar also.

Further the Chief Secretary directed that, the treatment of asbestosis affected persons shall also be done through Health/ welfare Dept. if required.

3) It is submitted that several steps have been taken by District Administration of West Singhbhum district in compliance of order dated 07.01.2020 passed by Hon'ble National Green Tribunal, Principal bench, New Delhi and as per instructions given by Chief Secretary of Jharkhand as mentioned in letter No. 4209, Ranchi dated 01.11.2019. Action taken report as Letter from DMO, Chaibasa (attached as Annexure I) has been mentioned below:-

a. The representative of "JOHAR" organization has informed that Health Checkup (Preliminary Screening at the cost of Rs. 1,50,000.00) of 565 local residents has been conducted. Symptoms of Asbestosis disease has been found in 164 out of 565 local residents. PPT & X-Ray test was conducted of

126 out of 164 local residents. It was also informed that 60 out of 164 local residents have been found positive. Due to Covid 19 lock down, report from Pune Testing Institute is awaited. Proper action will be taken after receiving the complete test report from Pune Testing Institute.

- b. Civil Surgeon of West Singhbhum district has informed that two A.N.M have been deputed for two days per week to check the health issues of abandoned Asbestos mines affected villagers of four villages named Roro, Singijari, Tilaisud and Birsing-hatu. Two health camps organized; first on date 12.2.2019; 12 persons checked and second on date 19.6.2019; 49 persons checked. One health and wellness centre established as per the guidelines of Ayushman Bharat. In Bada lagiya panchayat all Aangadbadi Kendra has been declared as Model Anganbadi Kendra.
 - c. As per the report of Divisional Forest Officer, Chaibasa Forest Division, the road up to Tilaisud village has been repaired with Morrurum.
- 4) It is humbly stated & submitted that several schemes have been started for reclamation and rehabilitation of Abandoned Asbestos Mines of Roro village using DMFT fund.
- 5) Details of schemes related to reclamation and rehabilitation of Abandoned Asbestos Mines of Roro village have been mentioned below:-
- a. Construction of water-tower in Mundasai of Roro village within Bada Lagiya Panchayat has been initiated. It has been informed by Deputy Development Commissioner West Singhbhum that Gram Sabha has given its consent to solve the problem of pure drinking water. Work order was granted vide memo No. 245/DMFT dated 06.05.2020 and the construction work is under process.
 - b. Barbed wire fencing with R.C.C. pole around raiyati land where Asbestos dump deposited 2.6 KM (supply R.C.C. fencing post size:- 150x150 mm along with barbet wire, civil work grouting etc.) at Abandoned Asbestos Mines of Roro village.
 - c. Repairing of approach road (Morrurum road) including culvert, causeways etc. Work order has been granted vide Memo No. 243/DMFT Dt. 06.05.2020 and is under process.
 - d. Construction of 500 ft. PCC road from border of Tilaisud Village to Roro village chowk is under process. Work order was granted vide Memo No. 244/DMFT dated 06.05.2020.
 - e. Further essential action to complete the schemes as mentioned above will be

taken after lockdown of Covid-19 pandemic.

From the perusal of the aforementioned action taken by the Govt. of Jharkhand it may be seen that Govt. of Jharkhand is committed to ensure that full compliance of the directions of Hon'ble NGT passed in O.A. No. 453/ 2013, 111/ 2014 & 113/ 2014 is achieved within the shortest possible time.



झारखण्ड सरकार
खान एवं भूतत्व विभाग
जिला खनन कार्यालय, चाईबासा।

पत्रांक :- 471
दिनांक:- 01-06-2020.

प्रेषक,

जिला खनन पदाधिकारी,
चाईबासा।

सेवा में,

निदेशक, खान
खान एवं भूतत्व विभाग,
झारखण्ड, राँची।

विषय :-

O.A. No. 453/2013 में पारित आदेश दिनांक- 22.7.2019 के अनुपालन में मुख्य सचिव, झारखण्ड की अध्यक्षता में आहूत बैठक दिनांक 24.10.2019 में लिये गये निर्णय के अनुपालन में प्रतिवेदन उपलब्ध कराने के संबंध में।

प्रसंग :-

सरकार के संयुक्त सचिव, खान एवं भूतत्व विभाग, झारखण्ड सरकार का पत्रांक- विधि-51/2019-528/एम०, राँची, दिनांक- 22.04.2020

महाशय,

उपर्युक्त विषयक, निदेशानुसार प्रासंगिक पत्र के आलोक में NGT द्वारा वाद में पारित आदेश दिनांक 22.07.2019 के आलोक में मुख्य सचिव, झारखण्ड की अध्यक्षता में आहूत बैठक की कार्यवाही दिनांक- 24.10.2019 में लिये गये निर्णय बिन्दुओं पर NGT में जवाब दायर करने हेतु उपायुक्त, पश्चिमी सिंहभूम द्वारा अनुमोदित अनुपालन प्रतिवेदन सह Statement of Facts इस पत्र के साथ संलग्न कर अग्रेतर कार्रवाई हेतु भेजी जा रही है।

विश्वासभाजन,

जिला खनन पदाधिकारी,
चाईबासा।

In the Court of Hon'ble Green Tribunal
Original Application No. 453/2013
Sh. Kalyan Ban Singh & Ors. V/S HIL Ltd. & Ord

In the matter of Reclamation and Rehabilitation of Abandoned Asbestos Mines of West Singhbhum District in village Roro, Block- Khuntpani, Panchayat- Baralagia.

Statement of Facts.

1. It is submitted that in compliance of order dated 22.07.2019 and 07.01.2020 passed by Hon'ble Green Tribunal, Principal Bench, New Delhi in original application No. 453/2013, a meeting was called by Chief Secretary of Jharkhand on 24.10.2019.
2. It is submitted that order of Chief Secretary was issued vide letter No. 4209, Ranchi dated 01.11.2019 and concerning officers were directed to take action accordingly. *(copy of the letter No. 4209 dated 01.11.2019 enclosed as Annexure -1).*
3. It is submitted that several steps have been taken by District Administration of West Singhbhum district in compliance of order dated 22.07.2019 and 07.01.2020 passed by Hon'ble Green Tribunal, Principal bench, New Delhi as per instructions given by Chief Secretary of Jharkhand as mentioned in letter No. 4209, Ranchi dated 01.11.2019. Action taken report has been mentioned below:-
 - a. Letter has been issued to Regional Provident fund Commissioner, Jamshedpur vide Letter No. 08(A)/ dated 22.1.2019 by Additional Deputy Commissioner, West Singhbhum for re-settlement of claims related to provident fund of affected villagers. *(Copy of Letter No. 08(A)/ Dated 22.1.2019 enclosed as Annexure -2)*
 - b. It is humbly submitted that the Assistant PF Commissioner, RO, Jamshedpur has written the same to Regional PF Commissioner, Chikmanglur vide letter dated 22.01.2019.
 - c. The representative of "JOHAR" organization has informed that Health Checkup (Preliminary Screening at the cost of Rs. 1,50,000.00) of 565 local residents has been conducted. Symptoms of Silicosis disease has



been found in 164 out of 565 local residents. PFT & X-Ray test was conducted of 126 out of 164 local residents. It was also informed that 60 out of 164 local residents have been found positive. Due to Covid 19 lock down, report from Pune Testing Institute is awaited. Proper action will be taken after receiving the complete test report from Pune Testing Institute.

- d. Civil Surgeon of West Singhbhum district Chaibasa has informed that two A.N.M have been deputed two days per week to check the health issues of Abandoned Asbestos Mines affected villagers of four villages named Roro, Singijari, Tilaisud and Birsing-hatu . Two health camps organized; first on date 12.2.2109, 12 persons checked and second on date 19.6.2019, 49 people checked. One health and wellness centre established as per the guidelines of Ayushman Bharat. In Bada lagiya panchayat all Aangadbadi Kendra has been declared as Model Anganbadi Kendra.
- e. As per the report of Divisional Forest Officer, Chaibasa Forest Division, the road up to Tilaisud village has been repaired with Morrums.
4. It is humbly stated & submitted that several schemes have been started for reclamation and rehabilitation of Abandoned Asbestos Mines of Roro village using DMFT fund.
5. Details of schemes related to reclamation and rehabilitation of Abandoned Asbestos Mines of Roro village have been mentioned below:-
 - a. Construction of water-tower in Mundasai of Roro village within Bada lagiya Panchayat. It has been informed by Deputy Development Commissioner West Singhbhum that Gram Sabha has given his consent to solve the problem of pure drinking water and hence work order has been granted vide memo No. 245/DMFT dated 06.05.2020.
 - b. Barbed wire fencing with R.C.C. pole around raiyati land where Asbestos dump deposited 2.6 KM (supply R.C.C. fencing post size:- 150x150 mm along with barbet wire, civil work grouting etc.) at Abandoned Asbestos Mines of Roro village.
 - c. Repairing of approach road (Morrums road) including culvert, causeways etc. Work order has been granted vide Memo No. 243/DMFT Dt. 06.05.2020.



- d. Construction of 500 ft PCC road from border of Tilaisud Village to Roro village chowk . Work order has been granted vide Memo No. 244/DMFT dated 06.05.2020.
- e. *Further essential action to complete the schemes as mentioned above will be taken after lockdown of Covid-19 pandemic.*
6. It is humbly stated and submitted that proposal of Divisional Forest Officer, Chaibasa Forest Division, for analysis of environmental loss in Abandoned Asbestos Mines of Roro village and to prepare a detail project report by expert of District Environmental Plan has been approved by the Deputy Commissioner of W. Singhbhum.
7. It is humbly stated and submitted that The "JOHAR" organization has proposed to implement the policy of state of Rajasthan's policy on pneumoconiosis including silicosis detection, prevention, control and rehabilitation of affected areas. It has been decided that the said proposal will be approved after details study and analysis of the same.


29.5.2020
जिला खनन पदाधिकारी
पश्चिमी सिंहभूम, चाईबासा


Deputy Commissioner
West Singhbhum