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Dt - 10/01/23

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NATIONAL GREEN TRIBUNAL EZB, KOLKATA
DY. No: 78/2024/62
DATE: 11/01/24
Sign. of receiving Officer: 0

BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

O. A. No. 137 of 2023 (EZ)

Bhumi Adhigrahan Visthapan Avam Punarwas
Kisaan Samiti Applicant

Vs.

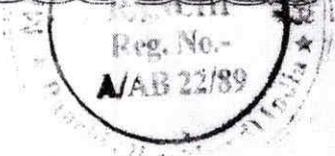
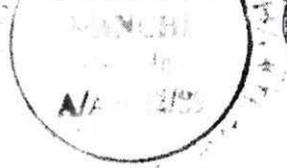
State of Jharkhand & Ors. Respondents

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Filed by: -

Surendra Kumar
Advocate
Jharkhand State Pollution Control Board



Jharkhand State Pollution Control Board
& Notaries Rules 1950
Jharkhand - Ranchi

BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

O. A. No. 137 of 2023 (EZ)

**Bhumi Adhigrahan Visthapan Avam Punarwas
Kisaan Samiti Applicant**

Vs.

State of Jharkhand & Ors. Respondents

SS
10 JAN 2024

**Affidavit on behalf of Respondent No. - 06,
Jharkhand State Pollution Control Board in
compliance of order dated 24/11/2023.**

I, Yatindra Kumar Das, son of Late K.K.Das, aged about 58 years 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: -



3

1. That, at present, I am working and posted as the Member Secretary, Jharkhand State Pollution 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 24/11/2023 passed by the Hon'ble NGT, EZB, Kolkata and has understood the contents therein.
3. That, I have been authorized to swear this affidavit on behalf of the Respondent No. - 06, Jharkhand State Pollution Control Board (JSPCB) by the competent authority. Further it is stated that I have gone through the relevant files and records in the present case.
4. That, it is humbly stated and submitted that Para 4.1 to 4.9, 4.19 is a matter of fact; Para 4.10 to 4.13, 4.15 to 4.18 and 4.20 is not related to JSPCB and JSPCB has nothing to say about this.
5. That, it is humbly stated and submitted that the allegation made in para 4.14 of the Original Application is false. The Consent to Operate (CTO) issued by the JSPCB to any industry is in

RECEIVED
20/11/2024

(4)

public domain and may be procured from JSPCB's portal at jhkocmms.nic.in/OCMMS/. The Consent to Establish (CTE) was issued to the PACHADUMAR SAND MINING PROJECT Vide Board's Ref. No. JSPCB/RO/RNC/CTE-3712847/2018/44 dated 24/10/2018 for Product and capacity Sand -3,24,480 Cum/Annum over an area of 50.01 Acres at Plot No. 2363(P) in Mauza - Pachadumar, District - Garhwa. This CTE was issued to the Unit in question by relying upon the content of the Environmental Clearance issued by SEIAA, Jharkhand vide letter no.- EC/SEIAA/2018-19/2074/2018/205 dated-31/08/2018 and the content of notification no.-Kha.Ni (Vividh)-67/2017/1905 dated-16.08.2017 issued by Department of Industries, Mines and Geology, Government of Jharkhand. There after three (03) CTOs were issued to the said project vide Board's Ref. No. JSPCB/RO/RNC/CTO-3904364/2018/317 dated 06/11/2018 valid upto 30/09/2019; Ref. No. JSPCB/RO/RNC/CTO-6517972/2019/230 dated 15/10/2019 valid upto 30/09/2021 and Ref. No. JSPCB/RO/RNC/CTO-10759213/2022/26 dated 29/01/2022 valid upto 31/08/2023. At present the

NOTARY
10/11/2024

Unit has applied for renewal Consent to Operate vide application no. 16612954 which is under process.

5

Photocopy of the CTE & CTOs issued to the Unit are enclosed and marked herewith as 'Annexure - A Series'.

6. That, this Counter Affidavit is filed bonafide and in the interest of justice.

7. That the statement made in forgoing paragraphs are true to my knowledge in annexure are true copy of its original.

Yatiendra Kumar
DEPONENT

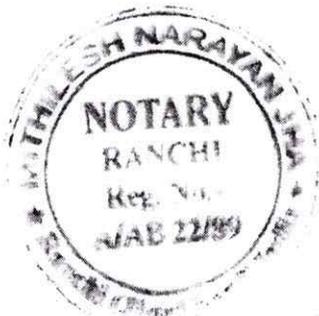
VERIFICATION:

Verified at Ranchi on this the day of 10th January, 2024 that the averments & facts stated herein above are true and correct to my knowledge and belief and nothing material has been concealed therefrom.

53
10 JAN 2024

MJB
10/1/2024

Yatiendra Kumar
DEPONENT



NOTARY PUBLIC
RANCHI

Authorized under Notaries Act 1952
& Notaries Rules 1956 by Govt. of
Jharkhand



JHARKHAND STATE POLLUTION CONTROL BOARD

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

Ref No.: JSPCB/RO/RNC/CTE-3712847/2018/44

Dated : 2018-10-24

Consent to Establish (CTE) 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. Reference: Application (s) No.- 3712847 / dated : 28/09/2018 of PACHADUMAR SAND MINING PROJECT, Jharkhand State Mineral Development Corporation Ltd. for 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
2. **Documents Relied Upon:**
 1. The Environmental clearance issued by SEIAA, Jharkhand vide letter no.-EC/SEIAA/2018-19/2074/2018/205 dated-31.08.2018
 2. The content of Checklist Ref. No. 1355 dated- 22.10.2018 of Regional Office, Ranchi.
 3. The content of notification no.-Kha.Ni (Vividh)-67/2017/1905 dated-16.08.2017 issued by Department of Industries, Mines and Geology, Govt. of Jharkhand.
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 establish the project in Mauza- Pachadumar, P S -, District-GARHWA as follows:

Project	Site-Area		Investment (Rs)/ Year	Product & Capacity	Period of CTE
	Plot Nos.	Area			
Before Expansion	Plot no.- 2363(P), Khata no.-Nil, Mauza- Pachdumar, Dist.-Garhwa.	50.01 Acre.	57.7 Lakh	Sand- 324480cum/annum.	Date of issue to Six month.

(A) Specific Conditions:

1. That, the occupier shall ensure no mining activity beyond 3m depth from the bed level or upto subsurface water level whichever is less in the issue of sand mining or sand/gravel mining should be raised 15m away from the river side or mining should be restricted from the distance equal or more than 1/5 module of river

width shall be left on both the banks of precise area to control and avoid erosion of river bank.

2. That, the occupier shall take proper mitigative measure to prevent pollution of river particularly from oily discharge from machinery & transport vehicles.
3. That, the occupier shall do sand mining in such a way that there shall not be any obstruction in flow of the river stream and minimum flow as per the guideline of concerned authority must be maintained at any point of time.
4. That, the occupier shall transport the material in fully covered vehicle and an agreement shall be made with transporter to this effect with the condition that if found transporting the material uncovered, transport contract shall be terminated with immediate effect.
5. That, the occupier shall monitor A.A.Q. within 1.0 K.M. of approach road and work area on quarterly basis and report to the Board accordingly.
6. That, the occupier shall make the sand mining in such a way that the bed-creature system of the river should not get changed within 100 m of the lease hold area either side in its longitudinal section and 10m of its lateral section.
7. That, he (they) shall comply the E.C. conditions issued vide letter no.-EC/SEIAA/2018-19/2074/2018/205 dated-31.08.2018 and shall submit six monthly report of E.C conditions to the Board.
8. That, the occupier shall not do mining during monsoon season.
9. The Board may review CTO as per DSR & if required necessary modifications shall be made.
10. That, he/they shall submit applications for consent to operate 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, 120 days prior to the commissioning.

(B) General Conditions :

- (1) That, the occupier shall construct pucca (i) minimum ten feet high boundary wall and (ii) approach road and internal roads and shall keep the premises neat and clean and tidy.
- (2) That, the occupier shall install comprehensive enclosure (s) to cover the places of unloading of raw materials, the equipments of their processing & transferring, the places of loading of products, by products and wastes for prevention of fugitive emission and shall install such automatic inbuilt system(s) that in house dust/ gases collect(s) and undergo (es) cleaning and clean air goes out.
- (3) That, the occupier shall install such automatic inbuilt system(s) that process flue gas(es) / process gas(es) and undergo(es) cleaning and clean air go(es) out through the chimney(s), having height(s) as per Central Pollution Control Board norm.
- (4) That, the occupier shall have D G Set(s) of the standard as laid in the Environment (protection) Rules, 1986 and shall install it (them) within acoustic enclosure (s) and shall keep the height(s) of exhaust pipe(s) as per Central Pollution Control Board norm.

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- (5) That, the occupier shall impart treatment as per Central Pollution Control Board text to wastewater and shall keep process effluent in close-circuit and effluent from other sources in conformity with the standard (s).
- (6) That, the occupier shall install Central Ground Water Board/ State Ground Water Directorate approved system of rain water harvesting-cum-ground water recharge.
- (7) That, the occupier shall create new water body (ies) / remove deposit(s) of existing water body(ies) and nearby stream(s) and pond(s) and shall maintain the wholesomeness of water.
- (8) That, the occupier shall grow greenery in the periphery and other available spaces and shall continue enhancing its plant density and biodiversity.
- (9) That, this CTE 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 CTE 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.
- (11) That, this CTE 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.
- (12) 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 there under.
4. **That, this CTE 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 CTE is being issued on the basis of information/ documents/ certificate submitted by the unit. This CTE will be revoked if any of the information/ documents/ certificates/ undertaking given by the occupier is found false/fictitious/forged in future.**
6. **This order shall be valid subject to compliance of all other legal requirements applicable to the unit.**
7. **The State Board reserves the right to revoke, withdraw or make any reasonable variation / change / alteration in condition of this consent.**

This is issued with the approval of the competent authority

RAGHUV Digitally signed
by
NDRA RAGHUVENDRA
NARAYAN NARAYAN
KASHYAP KASHYAP
Date: 2018.10.24
18:06:12 +05'30'

(R.N. Kashyap)
Regional Officer,
Regional Office, Ranchi.

9

Memo No. : JSPCB/RO/RNC/CTE-3712847/2018/44

Dated : 2018-10-24

Copy to : M/s PACHADUMAR SAND MINING PROJECT, J.S.M.D.C. Ltd, Mauza- Pachadumar, Ps-Ketar, Dist - Garhwa/ Member Secretary, JSPC Board, Ranchi/ Deputy Commissioner, Garhwa/ D.F.O., Garhwa/ D.M.O., Garhwa for information and necessary action.

RAGHUVENDRA
NARAYAN
KASHYAP
Date: 2018.10.24
18:06:42 +05'30'

(R.N. Kashyap)
Regional Officer,
Regional Office, Ranchi.





JHARKHAND STATE POLLUTION CONTROL BOARD

10

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

Ref No. JSPCB/RO/RNC/CTO-3904364/2018/317

Dated : 2018-11-06

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 2018-10-26 of PACHADUMAR SAND MINING PROJECT, Occupier Name :Jharkhand State Mineral Development Corporation Ltd. 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:**
 - 1.The CTE Ref No.-JSPCB/HO/RNC/CTE-3712847/2018/44, date-24.10.2018 accorded under section 25 (1) (a) of the water (Prevention & Control of Pollution) Act, 1974 and under section 21 (I) of the Air (Prevention & Control of Pollution) Act, 1981.
 2. The Environmental clearance issued by SEIAA, Jharkhand vide letter no.-EC/SEIAA/2018-19/2074/2018/205 dated-31.08.2018.
 3. The content of notification no.-Kha.Ni(Vividh)-67/2017/1905 dated-16.08.2017 issued by Department of Industries, Mines and Geology, Govt. of Jharkhand.
 - 4.The content of inspection report, Ref No.-1403, date-05.11.2018 of Regional Office, Ranchi.
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 -PACHADUMAR , P S - , District -GARHWA , as follows:

Project	Site-Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			
Before Expansion	Plot no.- 2363(P), Khata no.-Nil, Mauza-Pachdumar, Dist.-Garhwa.	50.01 Acre.	57.7 Lakh	Sand- 324480cum/annum.	Date of issue to 30.09.2019

(A) Specific Conditions:

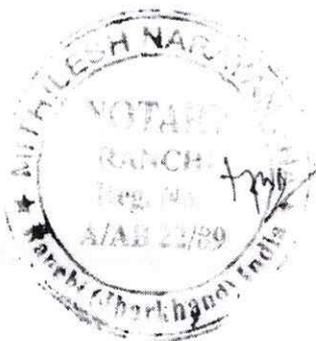
1. That, the occupier shall ensure no mining activity beyond 3m depth from the bed level or upto subsurface water level whichever is less in the issue of sand mining or sand/gravel mining should be raised 15m away

from the river side or mining should be restricted from the distance equal or more than 1/5 module of river width shall be left on both the banks of precise area to control and avoid erosion of river bank. (11)

2. That, the occupier shall take proper mitigative measure to prevent pollution of river particularly from oily discharge from machinery & transport vehicles.
3. That, the occupier shall do sand mining in such a way that there shall not be any obstruction in flow of the river stream and minimum flow as per the guideline of concerned authority must be maintained at any point of time.
4. That, the occupier shall transport the material in fully covered vehicle and an agreement shall be made with transporter to this effect with the condition that if found transporting the material uncovered, transport contract shall be terminated with immediate effect.
5. That, the occupier shall monitor A.A.Q. within 1.0 K.M. of approach road and work area on quarterly basis and report to the Board accordingly.
6. That, the occupier shall make the sand mining in such a way that the bed-creature system of the river should not get changed within 100 m of the lease hold area either side in its longitudinal section and 10m of its lateral section.
7. That, he (they) shall comply the E.C. conditions issued vide letter no.-EC/SEIAA/2018-19/2074/2018/205 dated-31.08.2018 and shall submit six monthly report of E.C conditions to the Board.
8. That, the occupier shall not do mining during monsoon season.
- 9.. The Board may review CTO as per DSR & if required necessary modifications shall be made.
10. That, he/they shall submit applications for renewal of consent under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 again 120 days prior to the date of expiry of this consent i.e. 30.09.2019 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:



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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.



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

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

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

- (5) That, the occupier shall keep D G Set(s) within acoustic enclosure and shall keep the height(s) of exhaust pipe(s) as per Central Pollution Control Board norm.
- (6) That, the occupier shall install and maintain Central Ground Water Board/ State Ground Water Directorate approved system of rain water harvesting-cum-ground water recharge and submit the photographic view of the structures within a month.
- (7) That, the occupier shall grow and maintain greenery of the project in the periphery and other available spaces and shall continue enhancing its plant density and biodiversity.
- (8) That, the occupier shall submit environmental statement with supporting stoichiometric calculations analyses reports, every year latest by 30th September of the next financial year.
- (9) That, the occupier shall submit report(s) duly monitored and issued by an NABL accredited / ISO 9001:2008 and OHSAS 18001:2007 certified laboratory in compliance sub-para (2), (3), (4) and (5) of paragraph 3 of this CTO yearly at required periodicity.

Signature and Stamp

- (14)
- (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

RAGHUVEN Digitally signed by
DRA RAGHUVENDRA
NARAYAN NARAYAN
KASHYAP KASHYAP
Date: 2018.11.06
17:51:00 +05'30'

(R.N. Kashyap)

Regional Officer,
Regional Office, Ranchi.

Dated : 2018-11-06

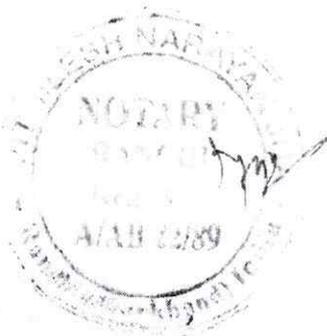
Memo No. : JSPCB/RO/RNC/CTO-
3904364/2018/317

Copy to: M/s Pachadumar Sand Mining Project, JSMDCLtd., At Mauza-Pachdumar, Ketar, Dist.-
Garhwa/ Member Secretary, JSPC Board, Ranchi/ Deputy Commissioner, Garhwa/ D.F.O., Garhwa/
D.M.O., Garhwa for information and necessary action.

RAGHUVEN Digitally signed by
DRA RAGHUVENDRA
NARAYAN NARAYAN
KASHYAP KASHYAP
Date: 2018.11.06
17:52:30 +05'30'

(R.N. Kashyap)

Regional Officer,
Regional Office, Ranchi.





JHARKHAND STATE POLLUTION CONTROL BOARD

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

Ref No. JSPCB/RO/RNC/CTO-6517972/2019/230

Dated : 2019-10-15

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

1. Application (s) dated 2019-10-10 of Sand Project Pachadumar, Occupier Name :Jharkhand State Mineral Development Corporation Ltd 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:
 - 1.The CTE Ref No.-JSPCB/HO/RNC/CTE-3712847/2018/44, date-24.10.2018 accorded under section 25 (I) (a) of the water (Prevention & Control of Pollution) Act, 1974 and under section 21 (I) of the Air (Prevention & Control of Pollution) Act, 1981.
 2. The CTO accorded vide Ref No.-JSPCB/RO/RNC/CTO-3904364/2018/317, dated-06.11.2018 under section 25/26 of the water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 to operate (CTO).
 3. The Environmental clearance issued by SEIAA, Jharkhand vide letter no.-EC/SEIAA/2018-19/2074/2018/205 dated-31.08.2018.
 4. The content of notification no.-Kha.Ni(Vividh)-67/2017/1905 dated-16.08.2017 issued by Department of Industries, Mines and Geology, Govt. of Jharkhand.
 5. The content of inspection report, Ref No.-1493, date-05.10.2019 of Regional Office, Ranchi.
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 -Pachadumar , P S -Pachadumar , District -GARHWA , as follows:

Project	Site-Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			Date of issue To
Before Expansion	Plot no.- 2363(P), Khata no:-Nil, Mauza- Pachdumar	50.01 Acre	57.7 Lakh	Sand- 324480cum/annum.	30/09/2021

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(A) Specific Conditions:

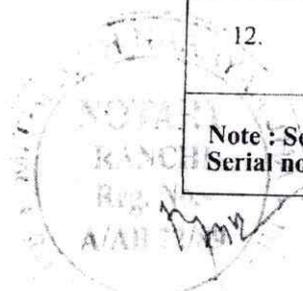
1. That, the occupier shall take proper mitigative measure to prevent pollution of river particularly from oily discharge from machinery & transport vehicles.
2. That, the occupier shall ensure no mining activity beyond 3m depth from the bed level or upto subsurface water level whichever is less in the issue of sand mining or sand/gravel mining should be raised 15m away from the river side or mining should be restricted from the distance equal or more than 1/5 module of river width shall be left on both the banks of precise area to control and avoid erosion of river bank.
3. That, the occupier shall monitor A.A.Q. within 1.0 K.M. of approach road and work area on quarterly basis and report to the Board accordingly.
4. That, the occupier shall make the sand mining in such a way that the bed-creature system of the river should not get changed within 100 m of the lease hold area either side in its longitudinal section and 10m of its lateral section.
5. That, he (they) shall comply the E.C. conditions issued vide letter no.- EC/SEIAA/2018-19/2074/2018/205, dated 31.08.2018 and shall submit six monthly report of E.C conditions to the Board.
6. That, the occupier shall not do mining during monsoon season.
7. That, the occupier shall do sand mining in such a way that there shall not be any obstruction in flow of the river stream and minimum flow as per the guideline of concerned authority must be maintained at any point of time.
8. That, the occupier shall transport the material in fully covered vehicle and an agreement shall be made with transporter to this effect with the condition that if found transporting the material uncovered, transport contract shall be terminated with immediate effect.
9. The Board may review CTO as per DSR & if required necessary modifications shall be made.
10. That, he/they shall submit applications for renewal of consent under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 again 120 days prior to the date of expiry of this consent i.e. 30.09.2021 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:

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	100mg/L
2	BOD	30mg/L
3	COD	250mg/L
4	Oil & Grease	10mg/L

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

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

- (5) That, the occupier shall keep D G Set(s) within acoustic enclosure and shall keep the height(s) of exhaust pipe(s) as per Central Pollution Control Board norm.
- (6) That, the occupier shall install and maintain Central Ground Water Board/ State Ground Water Directorate approved system of rain water harvesting-cum-ground water recharge and submit the photographic view of the structures within a month.
- (7) That, the occupier shall grow and maintain greenery of the project in the periphery and other available spaces and shall continue enhancing its plant density and biodiversity.
- (8) That, the occupier shall submit environmental statement with supporting stoichiometric calculations analyses reports, every year latest by 30th September of the next financial year.
- (9) That, the occupier shall submit report(s) duly monitored and issued by an NABL accredited / ISO 9001:2008 and OHSAS 18001:2007 certified laboratory in compliance sub-para (2), (3), (4) and (5) of paragraph 3 of this CTO yearly at required periodicity.

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- (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

RAGHUV
NDRA
NARAYAN
KASHYAP
Date: 2019.10.15
17:35:33 +05'30'

(R.N. Kashyap)
Regional Officer,
Regional Office, Ranchi.

Dated : 2019-10-15

Memo No. : JSPCB/RO/RNC/CTO-
6517972/2019/230

Copy to: M/s Pachadumar Sand Mining Project, JSMDL Ltd., At+Mauza-Pachdumar, Ketar, Dist.-
Garhwa/ Member Secretary, JSPC Board, Ranchi/ Deputy Commissioner, Garhwa/ D.F.O., Garhwa/
D.M.O., Garhwa for information and necessary action.

RAGHUVEN
DRA
NARAYAN
KASHYAP
Date: 2019.10.15
17:35:57 +05'30'

(R.N. Kashyap)
Regional Officer,
Regional Office, Ranchi.

JHARKHAND STATE POLLUTION CONTROL BOARD

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

Ref No. JSPCB/RO/RNC/CTO-10759213/2022/26

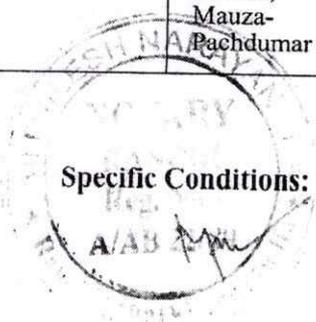
Dated : 2022-01-29

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 2021-09-09 of Sand Project Pachadumar, Occupier Name :JSMDCLtd 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:**
 1. The CTE Ref No.-JSPCB/HO/RNC/CTE-3712847/2018/44, date-24.10.2018 accorded under section 25 (1) (a) of the water (Prevention & Control of Pollution) Act, 1974 and under section 21 (I) of the Air (Prevention & Control of Pollution) Act, 1981.
 2. The CTO accorded vide Ref No.-JSPCB/RO/RNC/CTO-6517972/2019/230, dated-15.10.2019 under section 25/26 of the water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 to operate (CTO).
 3. The Environmental clearance issued by SEIAA, Jharkhand vide letter no.-EC/SEIAA/2018-19/2074/2018/205 dated-31.08.2018.
 4. The content of notification no.-Kha.Ni(Vividh)-67/2017/1905 dated-16.08.2017 issued by Department of Industries, Mines and Geology, Govt. of Jharkhand.
 5. The content of inspection report, Ref No.-Nil, date-29.01.2022 of Regional Office, Ranchi.
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 -Sundipur , P S -Pachadumar , District -GARHWA , as follows:

Project	Site-Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			Date of issue To
Before Expansion	Plot no.- 2363(P), Khata no.-Nil, Mauza-Pachdumar	50.01 Acre	57.70 Lakh	Sand-324480cum/annum	31/08/2023

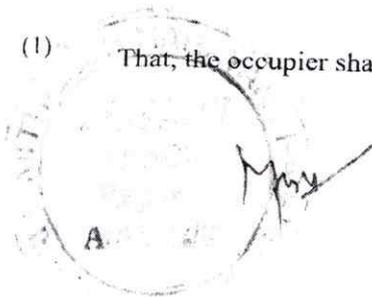
(A) **Specific Conditions:**



1. That, the occupier shall ensure no mining activity beyond 3m depth from the bed level or upto subsurface water level whichever is less in the issue of sand mining or sand/gravel mining should be raised 15m away from the river side or mining should be restricted from the distance equal or more than 1/5 module of river width shall be left on both the banks of precise area to control and avoid erosion of river bank.
2. That, the occupier shall take proper mitigative measure to prevent pollution of river particularly from oily discharge from machinery & transport vehicles.
3. That, the occupier shall do sand mining in such a way that there shall not be any obstruction in flow of the river stream and minimum flow as per the guideline of concerned authority must be maintained at any point of time.
4. That, the occupier shall transport the material in fully covered vehicle and an agreement shall be made with transporter to this effect with the condition that if found transporting the material uncovered, transport contract shall be terminated with immediate effect.
5. That, the occupier shall monitor A.A.Q. within 1.0 K.M. of approach road and work area on quarterly basis and report to the Board accordingly.
6. That, the occupier shall make the sand mining in such a way that the bed-creature system of the river should not get changed within 100 m of the lease hold area either side in its longitudinal section and 10m of its lateral section.
7. That, the occupier shall comply the E.C. conditions issued vide letter no.- EC/SEIAA/2018-19/2074/2018/205 dated-31.08.2018 and shall submit six monthly report of E.C conditions to the Board.
8. That, the occupier shall not do mining during monsoon season.
9. The Board may review CTO as per DSR & if required necessary modifications shall be made.
10. That, the occupier shall submit applications for 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, 120 days prior to the date of expiry of this CTE i.e. 31.08.2023 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:



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
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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.

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

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

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

- (5) That, the occupier shall keep D G Set(s) within acoustic enclosure and shall keep the height(s) of exhaust pipe(s) as per Central Pollution Control Board norm.
- (6) That, the occupier shall install and maintain Central Ground Water Board/ State Ground Water Directorate approved system of rain water harvesting-cum-ground water recharge and submit the photographic view of the structures within a month.
- (7) That, the occupier shall grow and maintain greenery of the project in the periphery and other available spaces and shall continue enhancing its plant density and biodiversity.
- (8) That, the occupier shall submit environmental statement with supporting stoichiometric calculations analyses reports, every year latest by 30th September of the next financial year.
- (9) That, the occupier shall submit report(s) duly monitored and issued by an NABL accredited / ISO 9001:2008 and OHSAS 18001:2007 certified laboratory in compliance sub-para (2), (3), (4) and (5) of paragraph 3 of this CTO yearly at required periodicity.

- 24
- (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

RAGHVEN Digitally signed
by RAGHVENDRA
DRA NARAYAN
NARAYAN KASHYAP
KASHYAP Date: 2022.01.29
12:53:30 +05'30'

(R.N. Kashyap)
Regional Officer
Regional Office, Ranchi.

Dated : 2022-01-29

Memo No. : JSPCB/RO/RNC/CTO-
10759213/2022/26

Copy to: M/s Pachadumar Sand Mining Project, JSMDL Ltd., At+Mauza-Pachdumar, Ketar, Dist.-
Garhwa/ Member Secretary, JSPC Board, Ranchi/ Deputy Commissioner, Garhwa/ D.F.O., Garhwa/
D.M.O., Garhwa for information and necessary action.



RAGHVEND Digitally signed
by RAGHVENDRA
RA NARAYAN
NARAYAN KASHYAP
KASHYAP Date: 2022.01.29
12:53:51 +05'30'

(R.N. Kashyap)
Regional Officer
Regional Office, Ranchi.

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Mailbox of surendra_kr15

Subject: Counter Affidavit by the JSPCB in O.A. No. 137/2023/EZ pending before the Hon'ble NGT, EZB, Kolkata - Regarding.

From: Surendra Kumar<surendra_kr15@rediffmail.com> on Wed, 10 Jan 2024 21:05:20

To: "poushali_b"<poushali_b@yahoo.com>,"advaishhc"<advaish.hc@gmail.com>,"ASHOK PRASAD"<ashokadvhc@gmail.com>,<contact@jsmdc.in>

Cc: "JSPCB RANCHI"<ranchijspcb@gmail.com>

 **1 attachment(s)** - CA_by_JSPCB_in_O.A._No._137_of_2023__EZ_.pdf (15.57MB)

Sir / Madam,

Please find attached the copy of CA to be filed by the JSPCB in O.A. No. 137/2023/EZ pending before the Hon'ble NGT, EZB, Kolkata for information and necessary action please.

Thanks & Regards

 Surendra Kumar
Advocate