

BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

O.A. No: 38 of 2020(EZ)

Sanjay Chauhan

Applicant

Vs.

Central Coalfields Ltd. & Ors.

Respondents

INDEX

Sl. No.	Particulars	Page No.
1.	Counter Affidavit on Behalf Of Respondent No.4	146-149
2.	Annexure - I : Photocopy of the Inspection Report submitted by the Regional Officer, JSPCB Regional Office, Ranchi vide letter ref no. 540 dated 18.08.2021	150-152

Authorised under Notaries Act 1952
& Notaries Rules 1956 by Govt. of
Jharkhand, Ranchi (India)



BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

O.A. No: 38 of 2020 (EZ)

Sanjay Chauhan

Applicant

Vs.

Central Coalfields Ltd. & Ors.

Respondents

Counter Affidavit on behalf of Respondent No. 4
Jharkhand State Pollution Control Board. In compliance
of order dated 06.08.2021.

I, Yatindra Kumar Das, son of Late K. K. Das presently
posted as 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 :-



24 AUG 2021

Ref No. 1190 Date

1. That at present, I am working and posted as 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 06/08/2021 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-4. Jharkhand State Pollution Control Board (JPSCB) by the competent authority. Further it is stated that I have gone through the relevant files and records.

24 AUG 2021

4. That, it is humbly stated and submitted that to verify the compliances with respect to the observations reported by the committee constituted in light of Hon'ble NGT in O.A no. 38/2020/EZ dated 22/06/2020 in the matter of Sanjay Chauhan Vs Central Coalfields & Ors. The JSPC Board had



directed the Regional Officer, JSPCB Regional Office, Ranchi vide letter no. B-1809 dated 10.11.2020 to carry out an inspection for verification of compliances submitted by the Unit.

5. That, the Regional Officer, JSPCB Regional Office, Ranchi along with Shri Sumit Kumar Jha, Consulting Executive had inspected the Unit on 17.07.2021 and submitted their report vide letter no. 540 dated 18.08.2021.

Photocopy of the Inspection Report submitted by the Regional Officer, JSPCB Regional Office, Ranchi vide letter ref no. 540 dated 18.08.2021 is annexed and marked as Annexure-I

6. That, it is stated and submitted that as per the inspection report mentioned in Para 5 it was

24 AUG 2021



observed that, the Unit has repaired some roads, 40 nos. of fixed sprinkler has been installed, settling ponds has been constructed to store surface runoff, toe wall of approx 135 m has been constructed, broken retaining wall around the old OB dumps has been repaired and green belt has been developed between railway siding road and residential area.

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

[Handwritten signature]

DEPONENT

VERIFICATION:

24 AUG 2021

Verified at Ranchi on this day ofAugust, 2021 that the averments & facts stated herein above are true and correct to my knowledge and belief and nothing material has been concealed there from.

[Handwritten signature]

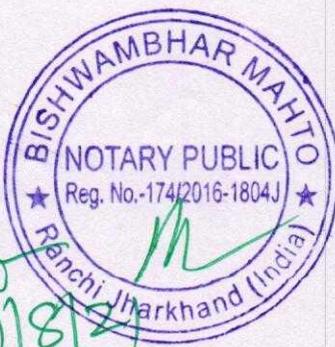
DEPONENT

[Handwritten signature]

Signature Attested and Identification of Lawyer

GN^o 52114
24/8/21

24 AUG 2021



[Handwritten signature]
24/8/21
NOTARY PUBLIC, RANCHI



झारखण्ड राज्य प्रदूषण नियंत्रण पर्वद
JHARKHAND STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE, C.T.I. COLONY, E.-1, DHURWA, RANCHI

पत्रांक 540

दिनांक: 18.08.2021

प्रेषक,

आर०एन० कश्यप,
क्षेत्रीय पदाधिकारी,
धुर्वा, राँची।

सेवा में,

सदस्य सचिव,
झारखण्ड राज्य प्रदूषण नियंत्रण पर्वद,
राँची।

विषय— Sanjay Chauhan Vs CCL & Ors. (Dakra Opencast Coal Mining Case) O.A. No.-38/2020 EZ का Action Taken Report तथा तथ्य कथन उपलब्ध कराने के संबंध में।

प्रसंग : मुख्यालय पत्रांक-बी.-1124, राँची, दिनांक-13.08.2021।

महाशय,

उपर्युक्त विषय के संबंध में सूचित करना है कि Sanjay Chauhan Vs CCL & Ors. (Dakra Opencast Coal Mining Case) O.A. No.-38/2020 EZ का Action Taken Report संलग्न कर आवश्यक कार्रवाई हेतु मुख्यालय भेजी जा रही है।

अनु०-यथो

विश्वासभाजन

Amul Singh
18/08/2021
(आर०एन० कश्यप)
क्षेत्रीय पदाधिकारी,
क्षेत्रीय कार्यालय, राँची।



JHARKHAND STATE POLLUTION CONTROL BOARD, RANCHI.
REGIONAL OFFICE, C.T.I. COLONY, E-1, DHURWA, RANCHI

Action taken report in the matter of Sanjay Chauhan Vs CCL & Ors. (Dakra Open Cast Coal Mining Case) O.A No. 38/2020/EZ in the light of Show Cause issued vide HO letter no. B-1641 dated-21/10/2020 and reply submitted by the unit vide letter no. PO/Dakra/Envt/20-21/1177 dated 02/11/2020.

In the light of reply submitted by the unit vide letter no PO/Dakra/Envt/20-21/1177 dated 02/11/2020, the above said unit was inspected by Sri R.N. Kashyap , Regional Officer, Ranchi and Sumit Kumar Jha, CE, Regional Office, Ranchi on dated 17.07.2021 in the presence of Sri Manoj Kumar, Project Officer, Dakra OCP, and Sri Nishank Prakash, Environmental Engineer, NK Area, CCL, Ranchi.

During inspection following observation were made with respect to submission of reply of the unit:-

Sl.	Observation	Compliance
i	The approach road to the railway siding was in bad condition, creating the likelihood of coal spillage from the dumpers. Road near the railway siding had few pot holes and it was broken at places and it should be repaired urgently.	The approach road to the railway siding has not been repaired. The pot holes near railway siding have been partially repaired.
ii	The railway siding itself was in only partial compliance with the CPCB guideline of 2015 and with the Specific Condition (x) in the EC. In particular, first, the wind screens are temporary and collapsing	Partially complied. 1. Permanent wind breaking wall has not been constructed. 2. 40nos. Fixed water sprinklers have been installed. 3. Plant density should be increased. 4. Settling pond has been constructed to store surface runoff. 5. PM10 Analyser has not been installed.
iii	No permanent retaining wall as required by the EC has been constructed	Toe wall of approx 135mtrs. length has been constructed.

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iv	A thick layer of coal is piled up on the platform.	Coal was found piled up on the platform for loading.
v	The surface runoff from the siding is poorly handled.	Settling pond has been constructed to store surface runoff but proper drainage system has not been completed.
vi	The constructed drain is incomplete and the polluted runoff is spreading in low not reaching the settling tank constructed recently.	Partially Complied. Proper drain has not been completed
vii	Project proponent has not developed either thick 3-tiered plantation of adequate wind barrier to control the fugitive dust from the railway siding in the direction of the residential area.	Green belt development has been done between Railway siding, road and residential area.
viii	Fixed water sprinklers should also be provided along the haul road from Mohan Nagar Chowk to Dakra Railway siding because there would be lot of coal dust on the roads in that area.	Fixed water sprinklers have not been provided along the haul road from Mohan Nagar Chowk to Dakra Railway siding.
ix	There is no 3-tier green belt on both sides of the approach road, nor is there a dense 3-tier green belt around the mine lease boundary, and there is inadequate green belt development at Dakra railway siding, although a major road/highway passes adjacent to the siding	3-tier green belt development have not been done along the approach road, mine lease boundary and in Railway siding.
x	Some catch drains were provided on one side of the Dakra railway siding but there were no siltation ponds. As a result water carrying coal dust spread in the nearby area.	Siltation ponds has not been constructed
xi	Retaining wall was observed around the old O/B dumps of Dakra OCP. But at a few places, the wall was broken and it should be repaired urgently.	Broken retaining wall around the old OB dumps has been repaired.

Sumit K.R. Jha
 (Sumit Kumar Jha)
 C.E., RO Ranchi.



R.N. Kashyap
 18/08/2024
 (R.N. Kashyap)
 Regional Officer, Ranchi