

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 941 OF 2024

In the matter of

Ashish Pal & Ors.

Applicant

Vs.

State of Jharkhand

Respondent

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**Filed by Adv. Saurabh Balwani
(On behalf on Central Pollution Control Board)**

Place: Delhi

Dated: 22.11.2024

REPORT OF THE JOINT COMMITTEE

In

Compliance with the

Hon'ble NGT Order dated 06.09.2024

In the matter of

Ashish Pal & Ors. Versus State of Jharkhand

In

OA No. 941/2024/PB

-Submitted by-

DM Bokaro, MoEF&CC, JSPCB and CPCB

November 2024

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**Report of the Joint Committee in Compliance to the Hon'ble NGT Order
dated 06.09.2024 in the matter of Ashish Pal & Ors. Versus State of
Jharkhand in OA No. 941/2024/PB**

1. Introduction

The Hon'ble National Green Tribunal (NGT) in O.A No.941/2024/PB in the matter of Ashish Pal & Ors. Versus State of Jharkhand initiated *suo-motu* dated 06.09.2024 based on a letter petition dated 15.11.2023 by Shri Ashish Pal and others. The applicant alleged that a prior complaint dated 18.12.2018 was sent to the Hon'ble Prime Minister of India regarding the alleged river mining activities by M/s Central Coalfields Limited (M/s CCL) in the Damodar River area near Gram Panchayat Pichri Dakshin, Block Peterwar, District Bokaro, Jharkhand. The applicant also alleged therein that M/s CCL has been illicitly excavating huge quantity of coal from the forestland (Jungle Jhadi) in the survey Khatiyani, Gair Majrua land, Khata No.237 and Plot No.2099. The applicant further alleged therein that thousands of trees, including species of Sakhua, Mango, Babul, Piper, Kadam, Arjun, Kend and Mahua have been cut-down. Waste materials, including stone, muck and overburden have been dumped into the river, altering natural course and causing adverse ecological impacts, affecting biodiversity and public health. Based on the complaint of the applicant, the Hon'ble NGT registered it *suo-motu* as Original Application and passed order dated 06.09.2024 that:

“... before taking any further action in the matter, we find it appropriate to obtain a factual report for which we constitute a joint Committee comprising Integrated Regional Office, Ministry of Environment, Forest & Climate Change, Ranchi; Central Pollution Control Board (hereinafter referred to as ‘CPCB’); Jharkhand State Pollution Control Board (hereinafter referred to as ‘JSPCB’); and District Magistrate, Bokaro.

4. The Committee shall visit the site, collect relevant information and submits a factual report within one months.

5. Besides other, the Committee shall also find out whether conditions of Environmental Clearance and consent are being observed by the above Proponent in coal mining activities.”

2. Formation of the Joint Committee

In compliance to the Hon'ble NGT Orders, a Joint Committee was constituted comprising of the following members. The Joint Committee in its first meeting held on 18.10.2024 at 4.30 p.m., through video conferencing decided to conduct site visit during 21st-22nd October, 2024 in presence of M/s CCL and the applicant.

- | | | | |
|----|---|---|--|
| 1) | Shri Mrinal Kanti Biswas, Regional Director & Scientist E | : | Central Pollution Control Board, Regional Directorate, Kolkata, Nodal Agency |
| 2) | Dr. Pasupala Ravi, Scientist D | : | Regional Office, MoEF&CC, Ranchi |
| 3) | Shri Ravi Kumar Singh, District Mining Officer | | |
| 4) | Ashok Ram, Circle Officer, Peterwar | : | District Bokaro |
| 5) | Shakti Kumar, District Disaster Management Officer, Bokaro | | |
| 6) | Shri Vivek Kujur, Environmental Engineer & Regional Officer | : | Jharkhand State Pollution Control Board, Dhanbad |

3. Background

The Committee observed that the complaint is six years old and the alleged mining area has historical background. In 1956, the Government of India incepted the National Coal Development Corporation Limited (NCDC). From the inception, NCDC has been entrusted to increase of coal production and to develop new collieries by introducing modern and scientific techniques. In the Second Five Year Plan (1956-1961), NCDC was entrusted to increase coal production from new collieries to be opened mainly in areas away from the already developed Raniganj and Jharia coalfields. Thus, eight new collieries were opened and the coal production was increased to 8.05 million tonnes. The coal production was increased to 15.55 million tonnes by the end of 1973-74 with the gradual rise for the demand by the newly commissioned thermal power plants and other coal-based industries. During this era, the privately owned coalmines have carried out the major coal mining activities. The alleged Plot No.2099 as shown in the survey map was also a part of the privately owned coal mines (**Annexure I**).

During Fourth Plan Period (1969-74), the Government of India nationalized erstwhile privately owned coalmines in two phases. In the first phase, the management of coking coalmines was taken over by the Government of India on 17th October 1971. Nationalization was effective from 5th January 1972. During the second phase of nationalization on 31st January 1973, the non-coking coal mines excluding the captive coal mines of two steel plants

(TISCO and IISCO) were taken over by the Government of India. Subsequently, these mines were nationalized with effect from 1st May 1973. The Government of India with the headquarters at Calcutta (now Kolkata) to restructure the coal industry and to manage and develop NDC collieries and other newly nationalized units incepted Coal Mines Authority Limited (CMAL). On 1st November 1975, CMAL was renamed as Coal India Limited (CIL). Further, the Central Division of CMAL was later renamed as Central Coalfields Limited with the status of a subsidiary of CIL.

In 1983, M/s CCL has started its mining activities in the District Bokaro and continued till 2003 and then stopped. However, M/s CCL obtained environment clearance from MoEF&CC vide its letter dated 23/08/2015 and it was valid for 3 years. M/s CCL obtained the Consent to Operate from the Jharkhand State Pollution Control Board (JSPCB) to restart the mining activities in 2018. As per the six-monthly compliance reports received in the Regional Office, Ranchi of MoEF&CC, it is evident that M/s CCL has not restarted its mining activities and same was confirmed by M/s CCL. Details of environment clearance (EC), the consent to establish (CTE) and the consent to operate (CTO) are stated as under:

- (a) M/s CCL obtained EC from MoEF&CC vide its letter dated 13/10/2015 and it was valid for 3 years.
- (b) M/s CCL obtained CTE from JSPCB vide its letter dated 3/02/2018.
- (c) M/s CCL obtained CTO from JSPCB vide its letter dated 23/08/2018.
- (d) M/s CCL obtained renewal of CTO from JSPCB vide its letter dated 30/09/2020.

The above documents (EC, CTE and CTO) are provided as **Annexure II**.

4. Other Hon'ble NGT Orders and actions taken by the State Government of Jharkhand

The Hon'ble NGT (PB) in OA NO.164 of 2019 in the matter of Residents of Pichhari Panchayat Vs State of Jharkhand, the applicant and others alleged that *“there is encroachment and pollution of Damodar River by Management of C.C.L. at District Bokaro, Jharkhand. Further they also alleged that illegal mining is taking place and several trees have been cut. This has resulted in diversion of the river.”*

The Hon'ble NGT vide its order dated 15.04.2019 directed that *“Let the District Magistrate, Bokaro and the Jharkhand State Pollution Control Board (JSPCB) look into the matter, take appropriate action in accordance with law and furnish a factual and action taken report in the matter within two months.”*

In compliance to the said Hon'ble NGT orders, on 29.07.2019 the District Magistrate of Bokaro and the Jharkhand State Pollution Control Board submitted report. Following were the observations and recommendations of the report (**Annexure III**):

- (1) *It was observed that the Mines and OB dump area is situated nearby the CCL pump house which is by the side of River at Pichri.*
- (2) *After operation the OB dump has been placed near the old dump only which is by the side of river.*
- (3) *The length of old OB Dump along river is approx. 500 mts. and has encroached the river bed approx. 25 -30 mts.*
- (4) *Due to the aforementioned OB dump, there is possibility of scouring in the opposite bank of the river because as per the Revenue map the river bends near the dumping area only.*

The Hon'ble NGT vide its order dated 21.11.2019 directed the Jharkhand State Pollution Control Board to submit the action taken report on the violations committed by M/s CCL. Accordingly, on 28.01.2020, the Jharkhand State Pollution Control Board submitted its action taken report. As per NGT order dated 23.9.2020 in OA 164/2019 (**Annexure IV**), the observations and recommendations of the report are as follows:

- (1) *As per inspection report, the management of Central Coalfields Limited informed that the Over Burden dumping (O.B. dumping) had been done in the riverbed by Sri Ram Singh & Company before nationalization of coal in 1972-73. The OB dump has been stabilized and vegetation in ample amount has developed. The satellite image of 1972-73 and beyond is not available with Jharkhand State Pollution Control Board and Jharkhand Space Application Centre. The earliest images that are available are of 2006 which indicates the presence of this dump.*
- (2) *The M/s Pichri Open Cast Project, Central Coalfields Limited, Pichri, Bokaro was directed to submit an interim environmental compensation of INR 1,00,00,000/- (Rupees One Crore Only/-) but the Unit has asked for 45 days more time to submit the environmental compensation. The JSPCB has further given 15 days' time to submit the environmental compensation.*
- (3) *The open cast mines is not in operation since 2003, so no new O.B. dumping is taking place."*

In that matter the Hon'ble NGT vide its order dated 10.02.2021 mentioned that (**Annexure V**)

"The issue for consideration is violation of environmental norms by Central Coalfields Limited by Over Burden dumping on the riverbed.

The matter has been considered earlier and finding the situation to be unsatisfactory, further compliance report was required to be filed vide last order dated 23.09.2020.

According to the report filed by the State PCB on 08.01.2021, remedial action has been taken.

In view of the above, no further order is necessary at this stage, in absence of any grievance being canvassed by the applicant.

The application is disposed of”

5. Observations of the Joint Committee

In compliance to the Hon'ble NGT orders in OA No.941/2024/PB, the Committee inspected the alleged site to assess the impact of mining activities and OB dump. The Committee also interacted with the applicant who was present at the site with the local villagers. The applicant informed the Committee about the location and Plot no.2099 where the illegal mining was carried out by M/s CCL. The applicant also informed that the allegations pertain to mining activities in 1970s and expressed his concerns about the environment. The allegations and point-wise observations are tabulated as below:

Allegations in Hon'ble NGT order	Observations by the Joint Committee
Illegal coal mining by M/s CCL	The Committee visited the alleged mine area and observed that no mining activities are being carried out as evident from the photographs taken during the site visit. The allegations of the applicant pertain to the mining activities of M/s CCL from 1983 to 2003
Cutting of thousands of trees and adversely affecting the ecology.	The Committee found that the ecology has been preserved with large trees present on the OB dumpsite. No visible signs of recent ecological disturbance or tree felling have been observed. The applicant clarified that ecological disturbances occurred during the active mining period from 1983 to 2003.
The river course of Damodar River has changed due to mining activities.	The Committee examined the historical maps, analyzed in the time series and observed that there is no change in the course of river course as evident from the maps (Annexure VI).
Illegal coal excavated on Plot no.2099 adjacent to river stretch and dumping of OB in the Damodar River.	M/s CCL excavated coal in the past after obtaining EC from MoEF&CC and CTE/CTO from JSPCB. However, due to OB dumped on riverbed, a case OA No. 164 of 19 was filed in Hon'ble NGT (PB). On 28.01.2020, the Jharkhand State Pollution Control Board submitted its action taken report

	<p>wherein clearly mentioned the scenario of mining activities and also imposed Rs.1.0 Crore as an Environmental Compensation for the dumping of OB on the riverbed and for destruction of ecology.</p> <p>This CTO was revoked by JSPCB in 2021, as the Unit did not submit the Environmental Compensation, and therefore it was directed to close the unit with immediate effect until submission of Environmental Compensation (Annexure IX).</p>
Verification of land use and legal status	<p>The applicant alleged and submitted the various documents relating to the right and title of the plots, which does not fall within the purview of the Joint inspection committee (Annexure VII). The concerned officials of M/s CCL submitted the gazette notification number S.O. 1469 dated 10th October, 2018 for various plots of land, including plot no. 2099, which have been acquired under the Coal Bearing Areas (Acquisition and Development) Act, 1957.</p>
Contamination of the Damodar River.	<p>The Committee collected water samples from the Damodar River at locations upstream and downstream of the alleged Plot No. 2099.</p> <p>Analysis results indicate that the river's water quality meets the 'Primary Water Quality Criteria for Bathing Water' (MoEF Notification 2000). Furthermore, all heavy metal parameters in both surface water samples comply with BIS Drinking Water Specification (IS 10500:2012), except for iron (measured as 0.647 mg/L, exceeding the limit of 0.3 mg/L). Analysis Report is attached as Annexure VIII.</p>
Lowering of groundwater level in the village due to mining activity.	<p>No mining activities have been carried out since 2003. The mining was carried out in the past as per the approved mine plan. The applicant and villagers requested M/s CCL to provide drinking water under CSR Activities as the water quality of River Damodar is not fit for drinking without treatment.</p>

6. Recommendations of the Joint Committee

- (i) Overburden (OB) dumped on the riverbed during active mining operations by M/s. CCL before 2003. Jharkhand State Pollution Control Board imposed Rs.1 crore on M/s CCL for the environmental compensation. M/s CCL may be directed to pay the pending Environmental Compensation as previously directed by JSPCB and acknowledged by the Hon'ble NGT vide its order dated 23.9.2023 in OA 164/2019 for the environmental impacts of the past mining activities.

- (ii) Time series mapping from 1985 to 2022 revealed that no change in the course of the Damodar River. The survey map provided by M/s CCL confirms that the OB dumped on riverbed has been stabilized with the dense plantation activities. M/s CCL should ensure that the dumpsite remain stabilized and monitor periodically to prevent future environmental impacts.
- (iii) M/s CCL should provide safe drinking water to the local villagers, either by providing water treatment facilities or alternative water supply under CSR activities.
- (iv) The Committee could not verify allegations of tree cutting prior to 2003 due to unavailability of high-resolution time series maps. M/s CCL should initiate afforestation activities in nearby areas as an additional green belt to increase regional green cover.

Date: 19.11.2024



(Vivek Kujur)

Environmental Engineer cum RO,
Dhanbad JSPCB



(Ravi Kumar Singh)

District Mining Officer,
Bokaro



(Ashok Ram)

Circle Officer, Peterwar



(Shakti Kumar)

District Disaster Management
Officer, Bokaro


19.11.2024

(Pasupala Ravi)

Scientist D, MoEF&CC,
Ranchi



(Mrinal Kanti Biswas)

Scientist E & Regional
Director, CPCB RD,
Kolkata

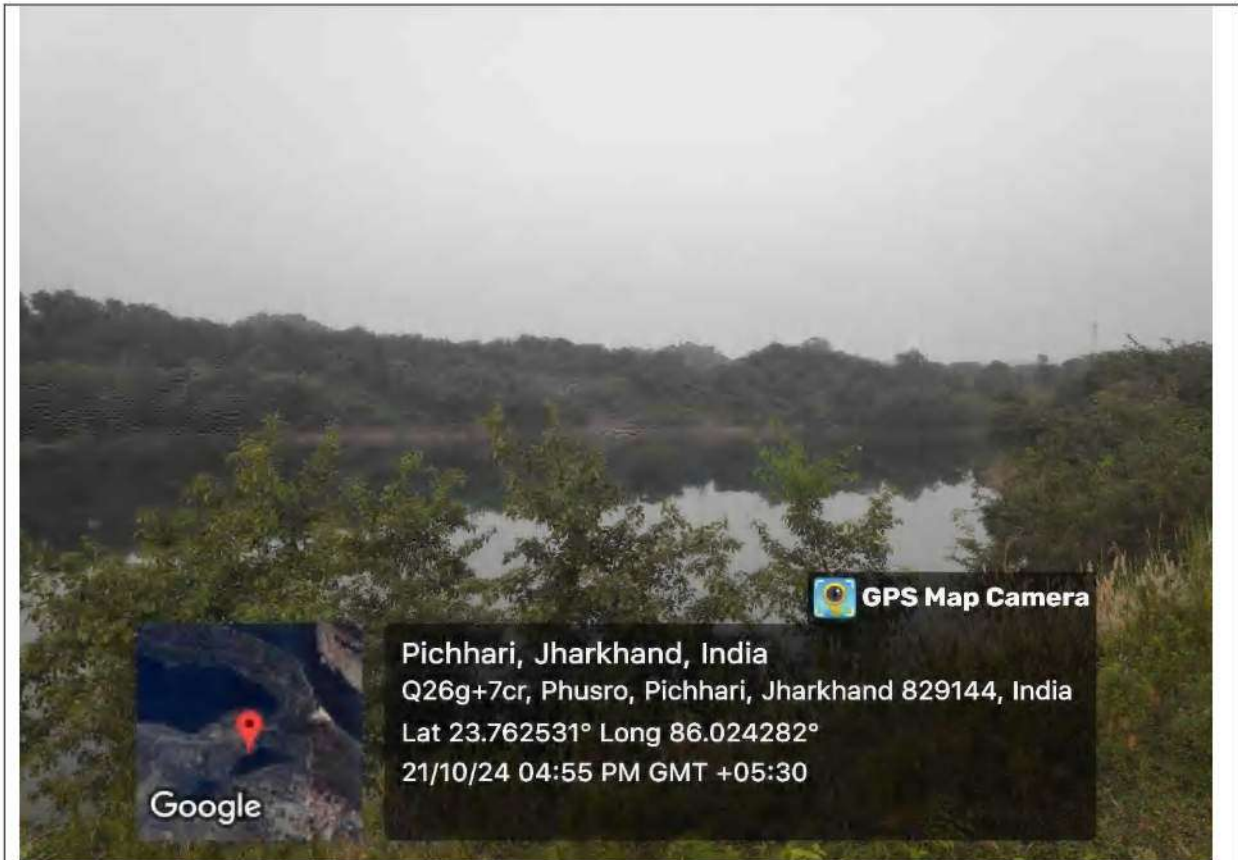
7. Photographs of the Joint Committee Field visit



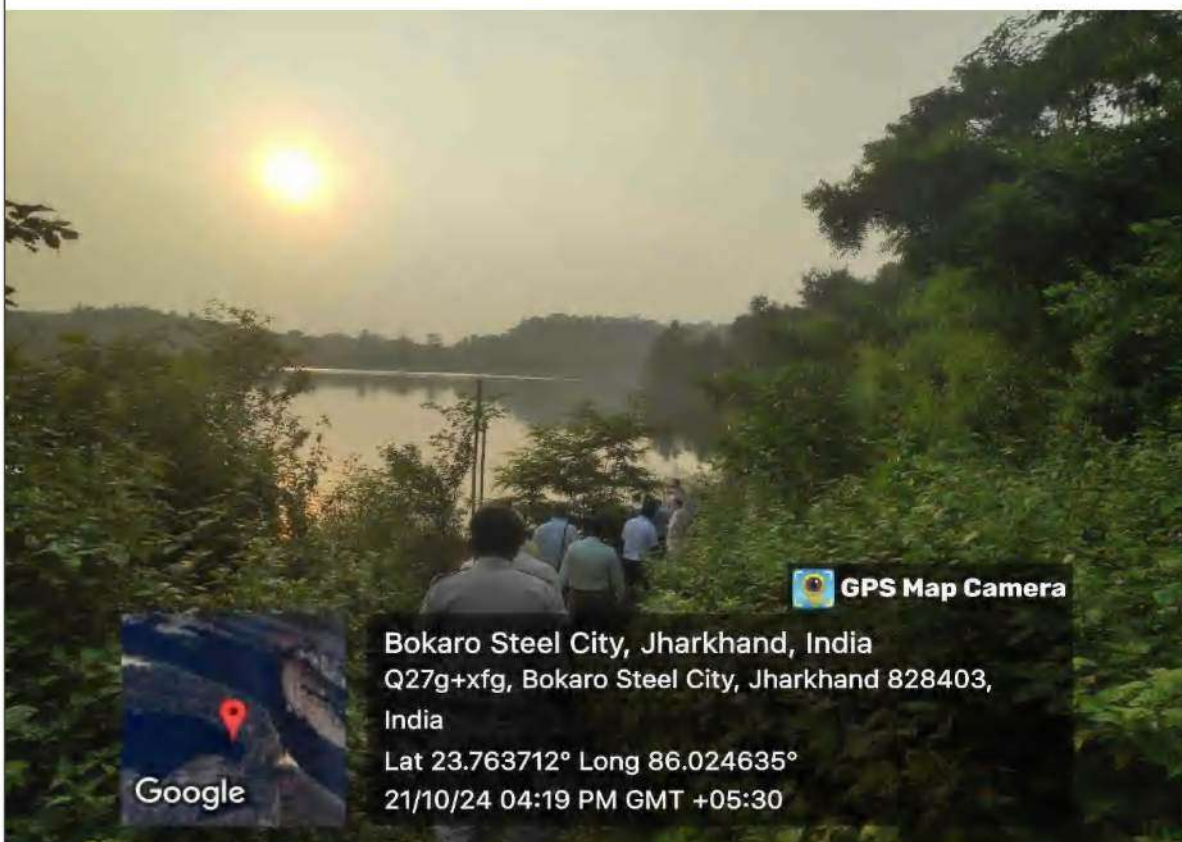
Pic 1: Committee Visited the Site along with the applicant, Officials from M/s CCL and local villagers



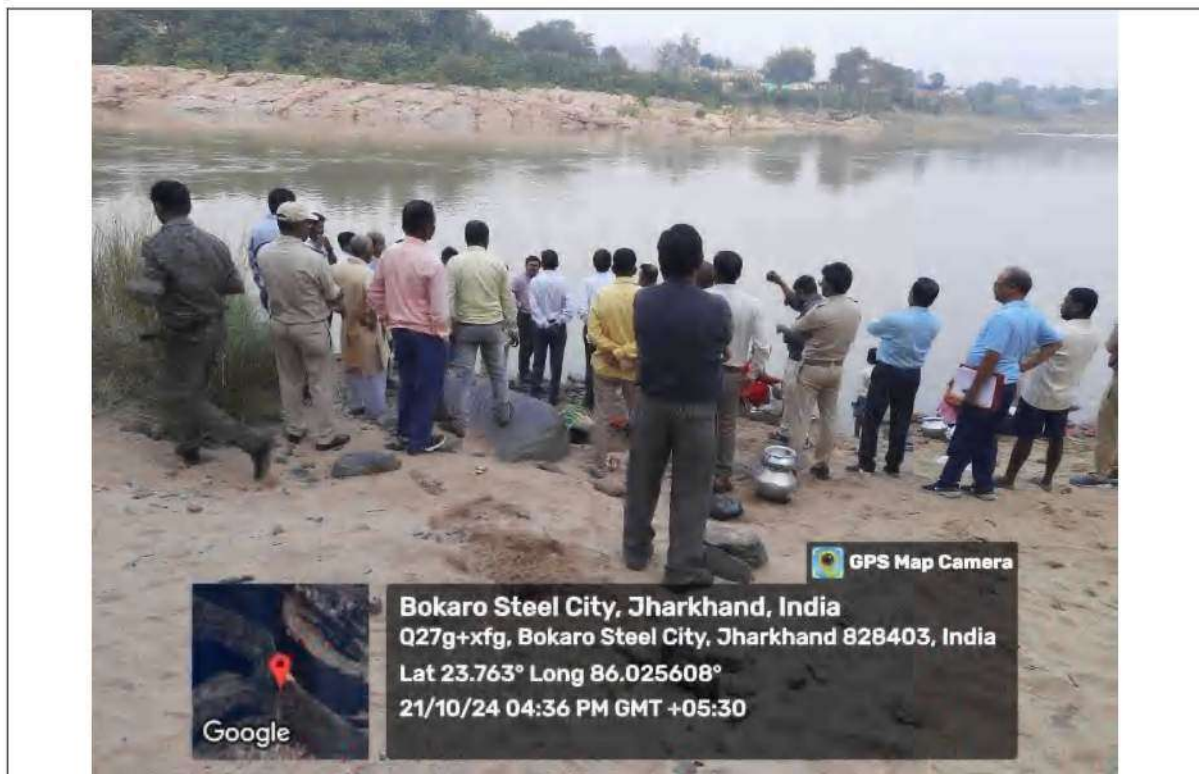
Pic 2: OB Dump site from the river side



Pic 3: Plot No. 2099 on River Damodar where mining activities were carried out



Pic 4: Mined out Pond and stabilised OB Dump and plantation



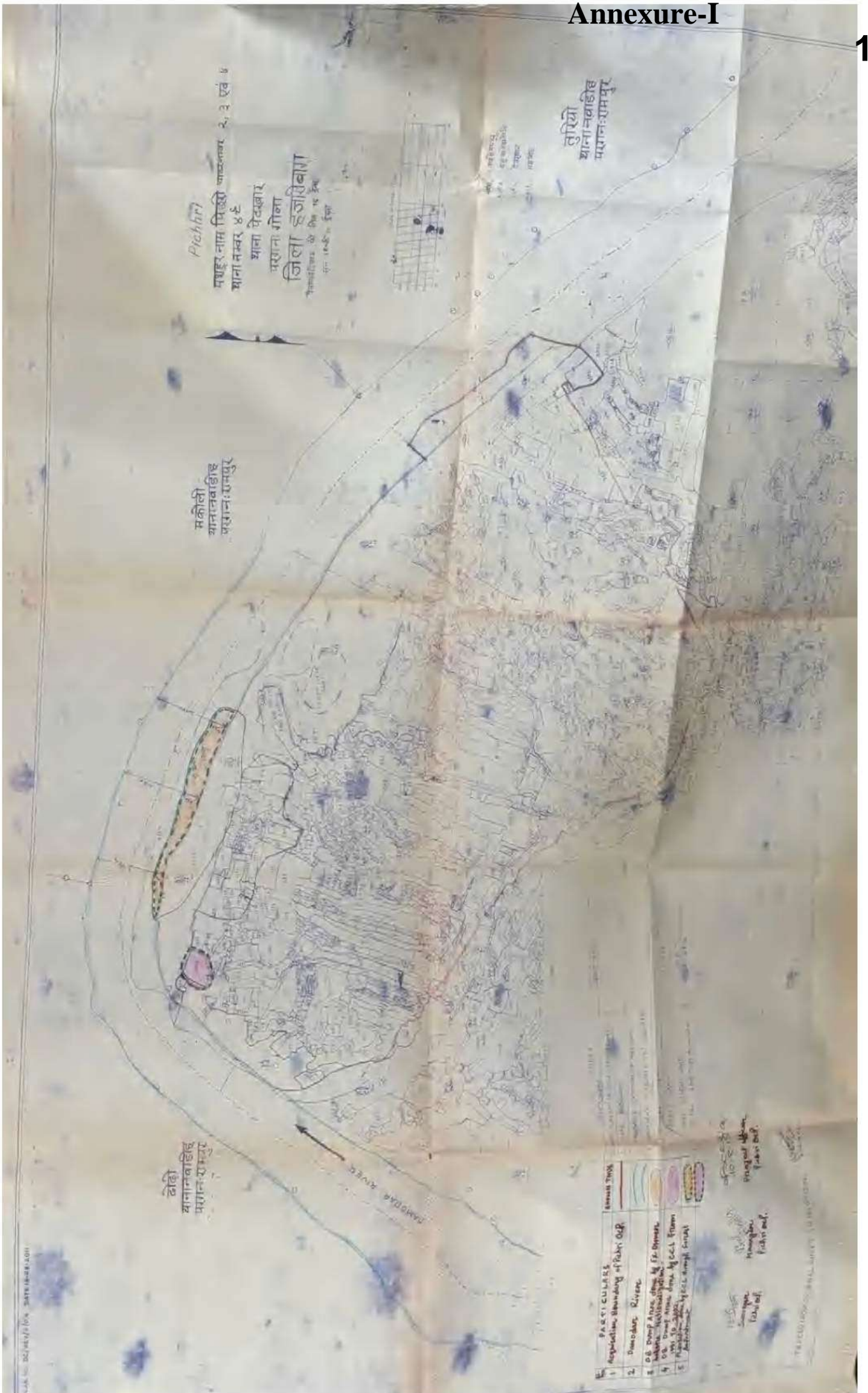
Pic 5: Damodar River



Pic 6: Sample collection (at the upstream of Damodar River)



Pic 7: Sample collection (at the downstream of Damodar River)



No. J-11015/02/2015 -IA-II (M)
 Government of India
 Ministry of Environment, Forest & Climate Change
 IA-II (Coal Mining) Division

Indira Paryavaran Bhawan,
 Jorbagh Road, N Delhi-3

Dated: 13th October, 2015

To,
 The General Manager (Mining)/Project Officer,
 M/s Central Coalfields Limited,
 Darbhanga House,
 District Ranchi, 834 029 (Jharkhand)
 Email: envccl@yahoo.com

Sub: Pichri OCP (1.20 MTPA Normative to 1.50 MTPA Peak in a project Area 151.47 ha of M/s Central Coalfields Limited, District Bokaro (Jharkhand) - Environmental Clearance reg.

Sir,
 This is with reference to letter No. DGM/HOD/Env&Forest)/2015/1177 dated 09.02.2015 with the application for Terms of Reference (TOR) and this Ministry's letter dated 18.06.2015 granting TOR. Reference is also invited to the letter no. DGM/HOD/Env&Forest)/2015/1459 dated 30.06.2015 and subsequent letters dated 16.07.2015, 23.07.2015 and 24.07.2015 for environmental clearance on the above-mentioned subject.

2. The Ministry of Environment, Forest & Climate Change has considered the application. It is noted that the proposal is for grant of Environmental Clearance for Pichri OCP (1.20 MTPA Normative to 1.50 MTPA Peak in a project Area 151.47 Ha; Latitude 23° 45' 00" to 23° 45' 50"N and Longitude 86° 01' 00" to 86° 02' 30"E) of M/s Central Coalfields Limited District. Bokaro (Jharkhand).

3. The proposal was considered by the Expert Appraisal Committee (EAC) in the Ministry for Thermal & Coal Mining Projects in its 39th EAC meeting held on 16th -17th July, 2015 and 42nd EAC meeting held on 31st Aug, 2015 -1st Sept, 2015. The details of the project, as per the documents submitted by the project proponent (PP), and also as informed during the above said EAC meetings, are reported to be as under:-

- i. The fresh TOR was accorded to the project vide letter No. J-11015/02/2015-IA.II (M) dated 18.06.2015.
- ii. The present proposal is to mine Bermo and Kargali seams.
- iii. The latitude and longitude of the project are 23° 45' 00" to 23° 45' 50"N and 86° 01' 00" to 86° 02' 30"E respectively.
- iv. Joint Venture: There is no Joint venture
- v. Coal Linkage: Coking coal, miscellaneous consumers
- vi. Employment generated: There will be generation of 200 employments.



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Pichri OCP_EC by M/s CCL



vii. Benefits of the project: Improvements in Physical Infrastructure; Improvements in Social Infrastructure; Increase in Employment Potential; Contribution to the Exchequer; Meet energy requirement; Post-mining Enhancement of Green Cover.

viii. The land usage of the project will be as follows:

Pre- Mining:

Particulars	Area (Ha)
Agriculture	100.63
Scrub	14.16
Waste Land	12.15
Grazing	0.00
Surface Water Bodies	12.76
Others (Settlement)	11.77
Total	151.47

Post- Mining:

SN	Particulars	Land use (Ha)				Total
		Plantation	Undisturbed	Water Body	Utilized for mining / allied activities	
1	Ext. OB dump	0.00	0.00	0.000	15.89	15.89
2	Excavation	0.00	0.00	0.00	14.97	14.97
3	Embankment	0.00	0.00	0.00	1.73	1.73
4	Built up Area	0.00	0.00	0.00	12.00	12.00
5	Green Belt	1.68	0.00	0.00	0.00	1.68
6	Unworked Area(Safety zone)	21.67	83.53	0.00	0.00	105.20
7	Total Area	23.35	83.53	0.00	44.59	151.47

Core area:

Particulars	Area (Ha)
Agriculture	100.63
Scrub	14.16
Waste Land	12.15
Grazing	0.00
Surface Water Bodies	12.76
Others (Settlement)	11.77
Total	151.47

- ix. The total geological reserve is 55.28 MT. The mineable reserve 1.50 MT, extractable reserve is 1.50 MT. The per cent of extraction would be 100 %.
 - x. The coal grade is W-IV. The stripping ratio is 1.64 (Cum/Tonne) present proposal. The average Gradient is 15-20 deg. There will be four seams with thickness ranging 7-10 m.
 - xi. The total estimated water requirement is 1455 m³ per day from mine water. The level of ground water ranges from 3.98 m to 5.54 m.
 - xii. The Method of mining would be Opencast with shovel-dumper combination.
 - xiii. There will be one external OB dump with Quantity of 2.46 Mbcm in an area of 15.89 ha with height of 30 meter above the surface level.
 - xiv. The final mine void would be in 14.97 ha with depth 50 m BGL after re-handling and the total quarry area is 14.97 ha. No backfilling in present proposal, shall be reclaimed with plantation. A void of 14.97 ha with depth 50 m below ground level which is proposed to be converted into a water body.
 - xv. The seasonal data for ambient air quality has been documented and all results at all stations are within prescribed limits.
 - xvi. The life of mine is 3 Years.
 - xvii. **Transportation:** Coal transportation in pit by Dumpers; Surface to Siding by trucks about 3.0 KM from project and loading at siding by Payloader.
 - xviii. There is R & R involved. There are 200 PAFs.
 - xix. **Cost:** Total capital cost of the project is Rs. 228.90 Crore. CSR Cost: As per CSR policy & Companies Act, 2013. R&R Cost Rs 6.00 Crore. Environmental Management Cost Rs 31.21 Crore.
 - xx. **Water body:** Damodar River flows at a distance of 100 m from project site.
 - xxi. **Approvals:** Applied for Ground water clearance in November, 2013, Board's approval obtained on 21.12.2014. Mining plan has been approved on 27.11.2010 original PR & 21.12.2014 (revised mine plan of Pichri OCP). Mine closure plan is an integral part of mining plan.
 - xxii. **Wildlife issues:** There are no national Parks, wildlife sanctuary, biosphere reserves found in the 10 km buffer zone.
 - xxiii. **Forestry issues.** There is no forest area involved in mining.
 - xxiv. Green Belt over an area of 23.35 Ha of plantation will be raised during 3 years. Density of tree plantation 2500 trees/ ha of plants.
 - xxv. There are no court cases/violation pending with the project proponent.
 - xxvi. **Public Hearing** was held on 4.10.2013 The issues raised in the PH includes blasting impact, employment and compensation in lieu of land; rehabilitation of displaced person ; medical facilities; pollution control measures; water sprinkling arrangements etc.
4. The EAC, after detailed deliberations on the proposal in its 39th meeting held on 16th -17th July, 2015, recommended the project for grant of Environmental Clearance. The Ministry of Environment, Forest and Climate Change hereby accords Environmental Clearance to the **Pichri Open Cast Coal Mine Project of 1.20 MTPA Normative and 1.50 MTPA Peak in a project area 151.47 ha (Latitude 23° 45' 00" to 23° 45' 50" N and Longitude 86° 01' 00" to 86° 02' 30"E) of M/s Central Coalfields Limited, located in District Bokaro (Jharkhand) under the provisions of the Environment impact Assessment Notification, 2006 and subsequent amendments/circulars thereto subject to the compliance of the following terms & conditions and environmental safeguards mentioned below:**

A. Specific Conditions:

- i. The maximum production from the mine at any given time shall not exceed the limit as prescribed in the EC.
- ii. The validity of the EC is for the life of the Mine or as specified in the EIA Notification, 2006, whichever is earlier.
- iii. *No mining in forest areas would be initiated*
- iv. *Display on the Central Coalfield Limited website stating that the life of the mine is reduced to 3 years due to non-inclusion of forest land in the present project area and the same be published in two local news papers for public awareness.*
- v. **There shall be mechanically covered trucks for transportation of coal.**
- vi. **In future mining this OBD will be re-handled.**
- vii. **The OBD shall be covered with the grass.**
- viii. **Life of mine is only three years. EC is for life of mine.**
- ix. **After three years the employees shall be shifted/employed to the new mines.**
- x. **Social audit for CSR activities form the reputed institute shall be carried out.**
- xi. Efforts be made to explore the availability of mechanically covered trucks.
- xii. Coal transportation in pit by Dumpers; Surface to Siding by trucks about 3.0 KM from project and loading at siding by Payloader.
- xiii. The production shall be within the same Mining Lease area.
- xiv. The OB shall be completely re-handled at the end of the mining
- xv. Garland drains be provided.
- xvi. Appropriate embankment shall be provided along the side of the river/nallah flowing near or adjacent to the mine.
- xvii. The land after mining shall be brought back for agriculture purpose.
- xviii. Mine water should be treated for discharge into the lagoon. The quality of lagoon water shall be regularly monitored and mitigation measures taken
- xix. The CSR cost should be Rs 5 per Tonnes of Coal produced which should be adjusted as per the annual inflation.
- xx. Everybody in the core area should be provided with mask for protection against fugitive dust emissions.
- xxi. Dust mask to be provided to everyone working in the mining area.
- xxii. The supervisory staff should be held personally responsible for ensuring compulsory regarding wearing of dust mask in the core area.
- xxiii. People working in the core area should be periodically tested for the lung diseases and the burden of cost on account of working in the coal mine area.
- xxiv. The mining area should be grounded by green belt having thick closed thick canopy of the tree cover
- xxv. The embankment constructed along the river boundary shall be of suitable dimensions and critical patches shall be strengthened by stone pitching on the river front side and stabilised with plantation strips to withstand the peak water flow and prevent mine inundation
- xxvi. There shall be no overflow of OB into the river and into the agricultural fields and massive plantation of native species shall be taken up in the area between the river and the project.
- xxvii. OB shall be stacked at two earmarked external OB dumpsite(s) only. The ultimate slope of the dump shall not exceed 28°. Monitoring and management of existing reclaimed dumpsites shall continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the Ministry of Environment, Forests & Climate Change and its concerned Regional office on yearly basis.

- iii Catch drains and siltation ponds of appropriate size shall be constructed to arrest silt and sediment flows from soil, OB and mineral dumps. The water so collected shall be utilised for watering the mine area, roads, green belt development, etc. The drains shall be regularly desilted and maintained properly. Gariand drains (size, gradient and length) and sump capacity shall be designed keeping 50% safety margin over and above the peak sudden rainfall and maximum discharge in the area adjoining the mine site. Sump capacity shall also provide adequate retention period to allow proper settling of silt material.
- xxix Dimension of the retaining wall at the toe of the dumps and OB benches within the mine to check run-off and siltation shall be based on the rainfall data.
- xxx Crushers at the CHP of adequate capacity for the expansion project shall be operated with high efficiency bag filters, water sprinkling system shall be provided to check fugitive emissions from crushing operations, conveyor system, haulage roads, transfer points, etc.
- xxxi Drills shall be wet operated.
- xxxii The project authorities shall undertake regular repairing and tarring of roads used for mineral transportation. A 3-tier green belt comprising of a mix of native species shall be developed all along the major approach roads,
- xxxiii Controlled blasting shall be practiced with use of delay detonators and only during daytime. The mitigative measures for control of ground vibrations and to arrest the fly rocks and boulders shall be implemented.
- xxxiv A Progressive afforestation plan shall be implemented at the end of mining, Green belt (23.35 ha) and in township located outside the lease by planting native species in consultation with the local DEO/Agriculture Department. The density of the trees shall be around 2500 plants per ha. Massive plantation shall be carried out in open spaces in and around the mine and a 3-tier avenue plantation along the main approach roads to the mine.
- xxxv An estimated total 2.46 Mm³ of OB will be generated during the entire life of the mine. Out of which 2.46 Mm³ of OB will be dumped in one external OB Dumps an earmarked area covering 15.89 Ha of land. There will be no internal OB dump. The maximum height of external OB dump will not exceed 30 m. The maximum slope of the dump shall not exceed 28 degrees. Monitoring and management of reclaimed dump sites shall continue till the vegetation becomes self-sustaining and compliance status shall be submitted to MOEFCC and its Regional Office on yearly basis.
- xxxvi The proponent should prepare restoration and reclamation plan for the degraded area. The land be used in a productive and sustainable manner.
- xxxvii Compensatory Ecological & Restoration of waste land, other degraded land and OB dumps in lieu of breaking open the land be carried out.
- iii The mining should be phased out in sustainable manner.
- xxxix No groundwater shall be used for mining operations.
- xi The total quarry area of 14.97 ha. A void of 14.97 Ha (depth of 50 m below ground level). In present proposal no water body will be created, as the void will be use for further expansion of quarry in future.
- xii Regular monitoring of groundwater level and quality shall be carried out by establishing a network of existing wells and construction of new peizometers. The monitoring for quantity shall be done four times a year in pre-monsoon (May), monsoon (August), post-monsoon (November) and winter (January) seasons and for quality in May. Data thus collected shall be submitted to the Ministry of Environment, Forests & Climate Change and to the Central Pollution Control Board quarterly within one month of monitoring.
- xiii The Company shall put up artificial groundwater recharge measures for augmentation of groundwater resource in case monitoring indicates a decline in water table. The project authorities shall meet water requirement of nearby village(s) in case the village wells go dry due to dewatering of mine.

- xljii. Sewage treatment plant shall be installed in the existing colony. ETP shall also be provided for workshop and CHP wastewater.
 - xliv. Besides carrying out regular periodic health check-up of their workers, 10% of the workers identified from workforce engaged in active mining operations shall be subjected to health check-up for occupational diseases and hearing impairment, if any, through an specialised agency /institution within the District/State and the results reported to this Ministry and to DGMS.
 - xlvi. Land oustees shall be compensated as per the norms laid out R&R Policy of CIL or the National R&R Policy or R&R Policy of the State Government whichever is higher.
 - xlvii. For monitoring land use pattern and for post mining land use, a time series of land use maps, based on satellite imagery (on a scale of 1: 5000) of the core zone and buffer zone, from the start of the project until end of mine life shall be prepared once in 3 years (for any one particular season which is consistent in the time series), and the report submitted to MOEFCC and its concerned Regional office.
 - xlviii. A detailed Final Mine Closure Plan along with details of Corpus Fund shall be submitted to the Ministry of Environment, Forests & Climate Change within 6 months of grant of Environmental Clearance.
 - xlix. The project authorities shall in consultation with the Panchayats of the local villages and administration identify socio-economic and welfare measures under CSR to be carried out over the balance life of the mine.
- Corporate Environment Responsibility:
- a) The Company shall have a well laid down Environment Policy approved by the Board of Directors.
 - b) The Environment Policy shall prescribe for standard operating process/procedures to bring into focus any infringements/deviation/violation of the environmental or forest norms/conditions.
 - c) The hierarchical system or Administrative Order of the company to deal with environmental issues and for ensuring compliance with the environmental clearance conditions shall be furnished.
 - d) To have proper checks and balances, the company shall have a well laid down system of reporting of non-compliances/violations of environmental norms to the Board of Directors of the company and/or shareholders or stakeholders at large.


B. General Conditions:

- i. No change in mining technology and scope of working shall be made without prior approval of the Ministry of Environment, Forest & Climate Change.
- ii. No change in the calendar plan of production for quantum of mineral coal shall be made.
- iii. Four ambient air quality monitoring stations shall be established in the core zone as well as in the buffer zone for PM₁₀, PM_{2.5}, SO₂ and NO_x monitoring. Location of the stations shall be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets in consultation with the State Pollution Control Board. Monitoring of heavy metals such as Hg, As, Ni, Cd, Cr, etc carried out at least once in six months.
- iv. Data on ambient air quality (PM₁₀, PM_{2.5}, SO₂ and NO_x) and heavy metals such as Hg, As, Ni, Cd, Cr, etc and other monitoring data shall be regularly submitted to the Ministry including its concerned Regional Office and to the State Pollution Control Board and the Central Pollution Control Board once in six months. Random verification of samples through analysis from independent laboratories recognised under the EPA rules, 1986 shall be furnished as part of compliance report.

- Adequate measures shall be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in blasting and drilling operations, operation of HEMM, etc shall be provided with ear plugs/muffs.
- Industrial wastewater (workshop and wastewater from the mine) shall be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19th May 1993 and 31st December 1993 or as amended from time to time before discharge. Oil and grease trap shall be installed before discharge of workshop effluents.
- Vii. Vehicular emissions shall be kept under control and regularly monitored. Vehicles used for transporting the mineral shall be covered with tarpaulins and optimally loaded.
- viii. Monitoring of environmental quality parameters shall be carried out through establishment of adequate number and type of pollution monitoring and analysis equipment in consultation with the State Pollution Control Board and data got analysed through a laboratory recognised under EPA Rules, 1986.
- ix. Personnel working in dusty areas shall wear protective respiratory devices and they shall also be provided with adequate training and information on safety and health aspects.
- x. Occupational health surveillance programme of the workers shall be undertaken periodically to observe any contractions due to exposure to dust and to take corrective measures, if needed and records maintained thereof. The quality of environment due to outsourcing and the health and safety issues of the outsourced manpower should be addressed by the company while outsourcing.
- xi. A separate environmental management cell with suitable qualified personnel shall be set up under the control of a Senior Executive, who will report directly to the Head of the company.
- xii. The funds earmarked for environmental protection measures shall be kept in separate account and shall not be diverted for other purpose. Year-wise expenditure shall be reported to this Ministry and its concerned Regional Office.
- xiii. The Project authorities shall advertise at least in two local newspapers widely circulated around the project, one of which shall be in the vernacular language of the locality concerned within seven days of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution control Board and may also be seen at the website of the Ministry of Environment, Forests & Climate Change at <http://envfor.nic.in>.
- xiv. A copy of the environmental clearance letter shall be marked to concern Panchayat/Zila Parishad, Municipal Corporation or Urban local body and local NGO, if any, from whom any suggestion/representation has been received while processing the proposal. A copy of the clearance letter shall also be displayed on company's website.
- xv. A copy of the environmental clearance letter shall be shall also be displayed on the website of the concerned State Pollution Control Board, The EC letter shall also be displayed at the Regional Office, District Industry Sector and Collector's Office/Tehsildar's Office for 30 days.
- xvi. The clearance letter shall be uploaded on the company's website. The compliance status of the stipulated environmental clearance conditions shall also be uploaded by the project authorities on their website and updated at least once every six months so as to bring the same in public domain. The monitoring data of environmental quality parameter (air, water, noise and soil) and critical pollutant such as PM₁₀, PM_{2.5}, SO₂ and NO_x (ambient) and critical sectoral parameters shall also be displayed at the entrance of the project premises and mine office and in corporate office and on company's website.
- xvii. The project proponent shall submit six monthly compliance reports on status of compliance of the stipulated environmental clearance conditions (both in hard copy and in e-mail) to the respective Regional Office of the Ministry, respective Zonal Office s of CPCB and the SPCB.

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- xviii. The Regional Office of this Ministry located in the Region shall monitor compliance of the stipulated conditions. The Project authorities shall extend full cooperation to the office(s) of the Regional Office by furnishing the requisite data/ information/monitoring reports.
- xix. The Environmental statement for each financial year ending 31 March in For -V is mandated to be submitted by the project proponent for the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be uploaded on the company's website along with the status of compliance of EC conditions and shall be sent to the respective Regional Offices of the MoEF&CC by e-mail.
5. The proponent shall abide by all the commitments and recommendations made in the EIA/EMP report so also during their presentation to the EAC.
6. The commitment made by the Proponent to the issue raised during Public Hearing shall be implemented by the Proponent
7. The proponent is required to obtain all necessary clearances/approvals that may be required before the start of the project. The Ministry or any other competent authority may stipulate any further condition for environmental protection.
8. The Proponent shall setup an Environment Audit cell with responsibility and accountability to ensure implementation of all the EC Conditions.
9. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
10. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India/High Courts and any other Court of Law relating to the subject matter. The proponent shall ensure to undertake and provide for the costs incurred for taking up remedial measures in case of soil contamination, contamination of groundwater and surface water, and occupational and other diseases due to the mining operations.
11. Any appeal against this environmental clearance shall lie with the National Green Tribunal if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act 2010.


 13/10/2016
 (S. K. Srivastava)
 Scientist E

Copy to:

1. The Secretary, Ministry of Coal, Shastri Bhawan, New Delhi.
2. The Secretary, Department of Environment & Forests, Government of Jharkhand, Secretariat, Ranchi.
3. The Chief Conservator of Forests, Regional office (EZ), Ministry of Environment & Forests, A/5 Chandrashekarapur, Bhubaneswar 751023.
4. The Member-Secretary, Jharkhand State Pollution Control Board, TA Building, HEC Complex, PO Dhurwa, Ranchi.
5. The Member-Secretary, Central Pollution Control Board, CBD-cum-Office Complex, East Arjun Nagar, Delhi 110032.

6. The Member-Secretary, Central Ground Water Authority, Ministry of Water Resources, Curzon Road Barracks, A-2, W-3 Kasturba Gandhi Marg, New Delhi.
7. The Advisor, Coal India Limited, SCOPE Minar, Core-I, 4th Floor, Vikas Marg, Laxmi Nagar, New Delhi.
8. The District Collector, **Bokaro**, Government of Jharkhand.
9. Monitoring File 10. Guard File 11. Record File. 12. Notice Board

SKV
13/10/2015
(S. K. Srivastava)
Scientist E



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/HO/RNC/CTO-2176343/2018/1370

Dated : 2018-08-23

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 2018-03-28 of Pichri Open Cast Project, Occupier Name :Sri P N Yadav 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 Consent-to-Establish (CTE), vide ref. no.- JSPCB/HO/RNC/CTE-971765/2018/121 dated 03.02.2018
 - (b) The content of Environmental Clearance (EC) issued from MoEF, Delhi, vide ref. no.- J-11015/02/2015-IA-II(M) dated 13.10.2015.
 - (c) The content of certificate/letter dated 16.07.2018 of Manager of the OCP regarding status of land of Pichri OCP;
 - (d) The content of Copy of Gazette of India dated 09.06.2015 in which notification, officer order 1527 (A);
 - (e) The content of Inspection Report (IR), vide ref. no.- 1588 dated 05.05.2018 of R.O. Dhanbad

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 -Pichri , P S -pichari , District -BOKARO , as follows:

Project	Site-Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			
Before Expansion	As mentioned in EC issued by MoEF	151.47 Ha	22889.0 Lakhs	Coal - 1.20 MTPA Normative to 1.50 MTPA Peak	Date of issue to 30.06.2019

(A) Specific Conditions:

- (1) That, the occupier shall reclaim the mined out area as per guideline prescribed by CPCB.
- (2) That, the occupier shall do tree plantation in Dhori area, Installed the On line Ambient Air Monitoring Station connectivity to JSPC Board server, construct the Toe-Wall and garland drain

around the OB Dump and submit the water Cess within two months.

(3) That, the occupier shall do sprinkling of water regularly on haul roads, transport roads and dusty areas.

(4) That, the occupier shall store OB dump properly and construct toe wall and garland drain and shall construct siltation pond.

(5) That, the occupier shall not do mining activities beyond 30.06.2019 unless and until the occupier has (have) obtained Consent to operate from the Jharkhand State Pollution Control Board.

(6) That, the occupier shall comply the conditions of environmental clearance issued by MoEF&CC, New Delhi.

(7) That, the occupier shall comply the conditions of EC and CTO properly.

(8) 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 21 of the Air (Prevention & Control of Pollution) Act, 1981 again 120 days prior to the date of expiry of this consent i.e. 30.06.2019 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:



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

- (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

RAJEEV Digitally signed
by RAJEEV
LOCHAN LOCHAN BAKSHI
BAKSHI Date: 2018.08.23
21:00:29 +05'30'

(Rajeev Lochan Bakshi)
Member Secretary

Dated : 2018-08-23

Memo No. : JSPCB/HO/RNC/CTO-
2176343/2018/1370

Copy to: The Project Officer, M/s Pichari Open Cast Project, Pichari Project Officer, Pichri OCP, Dhori Area, CCL Post- Phusro, Dist- Bokaro / the Director of Industry, Government of Jharkhand, Ranchi/ the Deputy Commissioner, Bokaro / the Chief Inspector of Factories, Ranchi/ Director of Mines, Govt. of Jharkhand, Ranchi / the DFO, Bokaro / the R O, Dhanbad for information & ensuring compliance of the above.

RAJEEV Digitally signed
by RAJEEV
LOCHAN LOCHAN BAKSHI
BAKSHI Date: 2018.08.23
21:00:42 +05'30'

(Rajeev Lochan Bakshi)
Member Secretary





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/HO/RNC/CTO-4944321/2020/1619

Dated : 2020-09-30

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 2019-03-16 of Pichri Open Cast Project, Occupier Name :Sri P N Yadav 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 Consent-to-Establish (CTE) issued vide Ref No.: JSPCB/HO/RNC/CTE-971765/2018/121 Dated : 2018-02-03 for Coal - 1.20 MTPA Normative to 1.50 MTPA Peak on [As mentioned in EC issued by MoEF Area: 151.47 Ha Inv. 22889 In Lakhs].

(b) The content of Copy of CTO issued vide Ref No.: JSPCB/HO/RNC/CTO-2176343/2018/1370 Dated : 23.08.2018 for Coal - 1.20 MTPA Normative to 1.50 MTPA Peak valid up to 30.06.2019 on [As mentioned in EC issued by MoEF Area: 151.47 Ha Inv. 22889 In Lakhs]

(c) The content of Environmental Clearance (EC) issued from MoEF, Delhi, vide ref. no.- J-11015/02/2015-IA-II(M) dated 13.10.2015.

(d) The content of certificate/letter dated 16.07.2018 of Manager of the OCP regarding status of land of Pichri OCP;

(e) The content of Copy of Gazette of India dated 09.06.2015 in which notification, officer order 1527 (A);

(f) The content of certificate issued by Dy. Manager vide Ref. No. 239 dated 07.12.2017 mentioning that the mining lease has been expired in the year 2002 & 2003, but in the interest of Coal mines the said lease has been extended to further 30 years under MMDR Act, 1957 (mentioned in the letter issued by Ministry of Coal and Mines) and has uploaded copy of legal opinion dated 19.08.2015 of Sri Kaushik Chanda, Additional General Solicitor for India in the matter related.

(g) The content of Inspection Report (IR), vide ref. no.- 456 dated 26.03.2019 of R.O. JSPCB, Dhanbad.

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 -Pichri , P S -pichari , District -BOKARO , as follows:

Project	Site-Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			Date of issue To
Before Expansion	As mentioned in EC issued by MoEF	151.47 Ha	22889.0 Lacs	Coal - 1.20 MTPA Normative to 1.50 MTPA Peak	02/02/2021

(A) Specific Conditions:

1. That, the occupier shall comply the conditions of EC and CTO properly.
2. Transportation by road should be done in covered trucks only.
3. Details of utilization of funds earmarked for environment management in the project to be submitted for last financial in next 30 days & afterward every year statement to be submitted to the Board.
4. That, the occupier shall comply the conditions of environmental clearance issued by MoEF & CC, New Delhi.
5. That, the occupier shall reclaim the mined out area as per guideline prescribed by CPCB.
6. That, the occupier shall do sprinkling of water regularly on haul roads, transport roads and dusty areas.
7. That, the occupier shall store OB dump properly and construct toe wall and garland drain and shall construct siltation pond.
8. Wheel washing to be ensure & facility to be installed in 90 days.
9. EMP to be submitted to the Board in 30 days.
10. That the occupier shall install CAAQMS and PM10 analyzer with online connectivity to JSPCB sever within one month, If P. P. failed to do so, CTO will be revoked & Environmental compensation will be levied.
11. Fixed or movable air mist guns to be installed & made operational to reduce air pollution in 90 days.
12. CAAQMS to be installed & connectivity to be provided to the Board server
13. If Proponent fails to comply any of the condition then environmental compensation will be levied and if it is not deposited in the stipulated time then CTO will be revoked
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 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:

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

- (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

RAJEEV
LOCHAN
BAKSHI

Digitally signed by
RAJEEV LOCHAN BAKSHI
Date: 2020.09.30 15:51:39
+05'30'

(Rajeev Lochan Bakshi)
Member Secretary

Dated : 2020-09-30

Memo No. : JSPCB/HO/RNC/CTO-
4944321/2020/1619

Copy to: The Project Officer of M/s Pichari Open Cast Project, Pichari Project Officer, Pichri OCP, Dhori Area, CCL Post- Phusro, Dist- Bokaro / the Director of Industry, Government of Jharkhand, Ranchi / the Deputy Commissioner, Bokaro / the Chief Inspector of Factories, Ranchi / Director of Mines, Govt. of Jharkhand, Ranchi / the DFO, Bokaro / the R O, Dhanbad for information & ensuring compliance of the above.

RAJEEV
LOCHAN
BAKSHI

Digitally signed
by RAJEEV
LOCHAN BAKSHI
Date: 2020.09.30
15:52:11 +05'30'

(Rajeev Lochan Bakshi)
Member Secretary



JHARKHAND STATE POLLUTION CONTROL BOARD

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

JSPCB

Ref. No... 1178

Ranchi, Dated... 27.9.19

From,

Rajeev Lochan Bakshi,
Member Secretary.

To,

The Project Officer,
M/s Pichri Open Cast Project,
Bokaro, Jharkhand.

Sub: Show cause notice under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and under section 21 of the Water (Prevention and Control of Pollution) Act, 1981 - Regarding.

Whereas, your unit was accorded Environmental Clearance by MoEF, New Delhi vide, Ref No. J-11015/02/2015-IA-II (M) dated 13.10.2015.

Whereas, your unit was issued CTO vide Board's Reference No. JSPCB/HO/RNC/CTO-2176343/2018/1370 dated 23/08/2018 over an area of 151.47 Ha. for product and capacity:- Coal - 1.20 MTPA Normative to 1.50 MTPA Peak valid till 30.06.2019.

Whereas, the National Green Tribunal, Principal Bench, New Delhi in its order dated 15.04.2019 in O.A. No. 164/2019 has directed the Jharkhand Pollution Control Board and District Magistrate, Bokaro to look into the matter and take appropriate action in accordance with the in accordance with law and furnish a factual and action taken report in the matter within two months by e-mail at ngt.filing@gmail.com. Allegation which has been treated as an application, is that there is encroachment and pollution of Damodar River by Management of C.C.L. at District Bokaro, Jharkhand. It is also alleged that illegal mining is taking place and several trees have been cut. This has resulted in diversion of the river.

Whereas, in view of the above directions a committee which consisted of members from JSPCB and District Magistrate, Bokaro had carried out inspection in light of the directions of the National Green Tribunal, Principal Bench, New Delhi and an Inspection Report vide letter no: - 2058 dated 29.07.2019 has been forwarded by the District Magistrate in which the following observations were made:-

1. It was observed that the Mines and OB dump area is situated nearby the CCL pump house which is by the side of River at Pichri.
2. After operation the OB dump has been placed near the old dump only which is by the side of river.
3. The length of old O.B. Dump along river is approx 500 mts. and has encroached the river bed approx 25 - 30 mtrs.
4. Due to the aforementioned OB dump there is a possibility of scouring in the opposite bank of the river because as per the Revenue map the river bends near the dumping area only.

Whereas, a show cause notice was issued to your unit vide Boards' Ref No. B- 783, Ranchi dated 30/07/2019 which was not availed by you.

Now, therefore, in view of the above and exercising the powers conferred under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 you are given an opportunity to be present in person on 03.10.2019 at 11:00 AM in the office chamber of the Member Secretary to explain why the CTO application submitted to the board shall not be rejected in light of the above observations and an environmental compensation will be levied as per the directions of Hon'ble NGT.

Sd/-

(Rajeev Lochan Bakshi)
Member Secretary

Memo No... B-1178

Ranchi, dated... 27/9/19

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

(Rajeev Lochan Bakshi)
Member Secretary

सेंट्रल कोलफील्ड्स लिमिटेड

(भारत सरकार का एक उपक्रम)

CENTRAL COALFIELDS LIMITED

(Govt. of India Undertaking)

A Mineral-rich Cat-1 Company

Office of the Project Officer, AADOCM

P.O.- Dhori, Distt - Bokaro.



Ref. No.- PO/PICHRI OCP//2019/ 96

Dated:- 01.10.2019

To,

Member Secretary,
Jharkhand State Pollution Control Board
TA Divison Building, HEC. Dhurwa,
Ranchi- 834004

Sub :Regarding Show Cause notice of Pichri OCP,Dhori Area, CCL.

Ref : Your letter no : B-1178 Dated 27.09.2019.

Dear Sir,

With reference to the above subject matter the Pichri Mine has been visited by the Regional office, JSPCB, Dhanbad and query to the letter has been provided with all documents & plan.

The point wise facts regarding Pichri OCP is following:

1. Previously in the year from 1991-92 to 2002-03, approx 2.09 Meum OB has been dumped which is situated away from Damodar River. Plantation has also been on the dump (Plot No.-1628).
2. No forest & Plants has been removed, but approx 8 Ha of plantation has been done in the year 2008 by Forest department, which can be physically seen at the site. Since, already there is dense plantation on OB dump along the bank of river and any attempt to remove the settled and reclaimed area further may create another threat to ecosystem.
3. No work has been done previously by Dhori Area, CCL on Plot No.-4309, which is marked as River. Further the land coming under Khata No.-237, Plot No.-2099 work had been done by Sri Ram Singh & Company as they were having working right which has been transferred to CCL after Nationalization. The Mining activities had already been done by previous mine owners before nationalization and no work has been done by CCL Management.
4. No scouring in the opposite bank direction due to above stated region of OB dumping as there is enough width around the pump house. still it is safe and enough plantation has been done along the bank of river at the OB dump.

So it is earnestly requested to your good office to grant our CTO applied vide Application No.-4944321 dated: 16.03.2019.

Yours faithfully,

Balwan
01-10-19

Project Officer
Pichri OCP, Dhori Area

Copy to :

1. R.O., JSPCB, Dhanbad.
2. HOD (E&F), CCL HQ, Ranchi.



JHARKHAND STATE POLLUTION CONTROL BOARD

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

45

Ref. No. **B-1347**

Ranchi, Dated... **06/11/2019**

From,

Rajeev Lochan Bakshi,
Member Secretary.

To,

The Project Officer,
M/s Pichri Open Cast Project,
Bokaro, Jharkhand.

Sub: For submission of Time Series Map w.r.t. Pichri Open Cast Project - Regarding.

Whereas, your unit was accorded Environmental Clearance by MoEF, New Delhi vide Ref No. J-11015/02/2015-IA-II (M) dated 13.10.2015.

Whereas, your unit was issued CTO vide Board's Reference No. JSPCB/HO/RNC/CTO-2176343/2018/1370 dated 23/08/2018 over an area of 151.47 Ha. for product and capacity:- Coal - 1.20 MTPA Normative to 1.50 MTPA Peak valid till 30.06.2019.

Whereas, the National Green Tribunal, Principal Bench, New Delhi in its order dated 15.04.2019 in O.A. No. 164/2019 has directed the Jharkhand Pollution Control Board and District Magistrate, Bokaro to look into the matter and take appropriate action in accordance with the in accordance with law and furnish a factual and action taken report in the matter within two months by e-mail at ngt.filing@gmail.com. Allegation which has been treated as an application is that there is encroachment and pollution of Damodar River by Management of C.C.L. at District Bokaro, Jharkhand. It is also alleged that illegal mining is taking place and several trees have been cut. This has resulted in diversion of the river.

Whereas, in view of the above directions a committee which consisted of members from JSPCB and District Magistrate, Bokaro had carried out inspection in light of the directions of the National Green Tribunal, Principal Bench, New Delhi and an Inspection Report vide letter no: - 2058 dated 29.07.2019 has been forwarded by the District Magistrate in which the following observations were made:-

1. It was observed that the Mines and OB dump area is situated nearby the CCL pump house which is by the side of River at Pichri.
2. After operation the OB dump has been placed near the old dump only which is by the side of river.
3. The length of old O.B. Dump along river is approx 500 mts. and has encroached the river bed approx 25 - 30 mtrs.
4. Due to the aforementioned OB dump there is a possibility of scouring in the opposite bank of the river because as per the Revenue map the river bends near the dumping area only.

Whereas, a show cause notice was issued to your unit vide Boards' Ref No. B- 783, Ranchi dated 30/07/2019 which was not availed by you.

Whereas, a second show cause notice was issued to your unit vide Boards' Ref No. B- 1178, Ranchi dated 27/09/2019.

Whereas, the show cause notice was availed by your unit and reply was submitted vide ref no. - PO/PICHRI OCP//2019/96 dated 01/01/2019. In which you have claimed that the OB dumping

KMB/BS



Coal India Limited
A Maharatna Company
www.coalindia.in

Central coalfields Limited
OFFICE OF THE PROJECT OFFICER,
AMALGAMATED AMLO-DHORI-OCM
P.O.:- DHORI, DISTT. :- BOKARO
Email Id :- projectofficer.aadocm@gmail.com

Dt. 12.11.2019

Ref. No. :- PO(Pichri)/2019/118

To
The Member Secretary
JSPCB, TA Division Building,
HEC, Dhurwa
Ranchi 834004

Sub:- Regarding submission of time series map for Pichri OCP.
Ref:- B-1359 dt 08.11.19

Dear Sir,

With reference to the show cause notice and subsequent hearing in your office held on 11.11.2019, we are submitting desired details as follow:-

1. Photograph of current satellite imagery
2. Toposheet of 1975 (Toposheet NO: 731/1)
3. Toposheet 2009 (" " F45C1)

After comparing both topo sheet it is seen that there is no change in profile of Damodar river from 1975 to till date as evident from both toposheets. Hence it may be concluded that whatever dumping is being found beside river Damodar near Pichri mine has been done before 1975.

This is for your kind information.

Yours faithfully

Copy for information:-

1. The RO , JSPCB, Dhanbad
2. The HOD(E&F), CCL HQ, Ranchi
3. The GM, Dhori Area

IC
Project Officer
Pichri OCP
12/11/19

Jachri
13/11/19



उपायुक्त-सह -जिला दण्डाधिकारी का कार्यालय, बोकारो
(राजस्व शाखा)
पत्रांक :- 2058 / रा0

प्रेषक, उपायुक्त, बोकारो

सेवा में, सदस्य सचिव,
झारखण्ड राज्य प्रदूषण नियंत्रण पर्षद,
राँची।

बोकारो, दिनांक :- 29.07.2019

विषय :- माननीय राष्ट्रीय हरित न्यायाधिकरण, प्रधान पीठ, नई दिल्ली द्वारा O.A. no. 164/2019 में दिनांक-14.04.2019 को पारित आदेश में मेसर्स पिछरी ओपेन कास्ट प्रोजेक्ट, सी0सी0एल0, ढोरी एरिया, बोकारो का किये गये निरीक्षण का निरीक्षण प्रतिवेदन भेजने के संबंध में।

प्रसंग:- क्षेत्रीय पदाधिकारी, झारखण्ड राज्य प्रदूषण नियंत्रण पर्षद, धनबाद का निरीक्षण प्रतिवेदन।

महाशय

उपर्युक्त विषयक प्रासंगिक पत्र के संबंध में कहना है कि क्षेत्रीय पदाधिकारी, झारखण्ड राज्य प्रदूषण नियंत्रण पर्षद, धनबाद द्वारा माननीय राष्ट्रीय हरित न्यायाधिकरण, प्रधान पीठ, नई दिल्ली द्वारा O.A. no. 164/2019 में दिनांक-14.04.2019 को पारित आदेश में मेसर्स पिछरी ओपेन कास्ट प्रोजेक्ट, सी0सी0एल0, ढोरी एरिया, बोकारो का किये गये निरीक्षण का निरीक्षण प्रतिवेदन समर्पित किया गया है, जिसे इस पत्र के साथ संलग्न कर अग्रेतर कार्रवाई हेतु भेजा जा रहा है।

कृपया प्राप्ति स्वीकार की जाय।

विश्वासभाजन

अनु0: यथोक्त।

उपायुक्त, बोकारो

माननीय राष्ट्रीय हरित न्यायाधिकरण, प्रधान पीठ, नई दिल्ली द्वारा O.A. no. 164/2019 में दिनांक 15.04.2019 को पारित आदेश के आलोक में मेंसर्स पिछरी ओपेन कास्ट प्रोजेक्ट, सी0सी0एल0, ढोरी एरिया, बोकारो का निरीक्षण प्रतिवेदन।

उपरोक्त इकाई का निरीक्षण दिनांक 27.07.2019 को क्षेत्रीय पदाधिकारी एवं श्री आशुतोष आनन्द, परा0कार्य0 झा0रा0प्र0नि0 पर्वद, धनबाद द्वारा श्री सहदेव मजूमदार, एरिया सर्वे ऑफिसर एवं श्री आशीष आंचल, सहायक प्रबंधक माइनिंग, ढोरी एरिया, सी0सी0एल0 की उपस्थिति में किया गया। निरीक्षण के दौरान निम्नलिखित तथ्य पाए गए :

1. संबंधित स्थल (माईन्स एवं ओ0बी0 डम्पिंग क्षेत्र) नदी किनारे अवस्थित सी0सी0एल0 पम्प हाउस के विपरीत किनारे में स्थित है तथा संबंधित जगह का नाम पिछरी है।
2. दामोदर नदी के किनारे पुराना ओ0बी0 डम्प किया हुआ है। सी0सी0एल0 प्रबंधन द्वारा बताया गया कि पुराना ओ0बी0, कोल खदान राष्ट्रीयकरण से पूर्व संचालित मेसर्स श्री राम सिंह एण्ड कम्पनी के द्वारा डम्प किया गया था।
3. कोल खदान राष्ट्रीयकरण के पश्चात् उपरोक्त क्षेत्र ढोरी एरिया, सी0सी0एल0 के कार्य क्षेत्र में आ गया तथा सी0सी0एल0 द्वारा 4 हेक्टेयर एरिया में माइनिंग का कार्य किया गया था, जो कि 2003 से बन्द है उत्पादन के कम में उत्पन्न ओ0बी0 को प्रबंधन द्वारा भी उक्त ओ0बी0 डम्प के बगल में डम्प किया गया है जिसके ऊपर प्रचूर मात्रा में वृक्षारोपण है।
4. नदी के किनारे अवस्थित पुराना ओ0बी0 डम्प स्थिर अवस्था में पाया गया जिसके ऊपर अच्छी मात्रा में पेड़ पौधे तथा ग्रीनरी अच्छादित हैं साथही प्रबंधन द्वारा भी प्रचूर मात्रा में वृक्षारोपण किया गया है। छायाचित्र संलग्न।
5. सर्वे नक्सा के अनुसार पुराना ओ0बी0 डम्प की लम्बाई नदी की दिशा में लगभग 500 मीटर है जिसका अतिक्रमण नदी के तलहटी में औसत रूप से लगभग 25-30 मीटर है। सर्वे नक्सा संलग्न।
6. सी0सी0एल0 प्रबंधन द्वारा बताया गया कि संबंधित क्षेत्र में वृक्षों की कटाई नहीं की गई है।
7. शिकायत पत्र में उल्लेखित प्लॉट संख्या 4309 तथा 2099 खाता संख्या 237 के बारे में निरीक्षण के दौरान प्रबंधन द्वारा जानकारी उपलब्ध कराई गई। प्रति संलग्न।
8. उपरोक्त ओ0बी0 डम्प की वजह से नदी के विपरीत किनारे में कटाव की सम्भावना है क्योंकि मौजा नक्शा के अनुसार इस डम्पिंग क्षेत्र के नजदीक ही नदी की दिशा में घुमाव पाया गया। अनु0-यथो0।

Ashtosh Anand
27/07/19
(आशुतोष आनन्द)
परामर्शी कार्यकारी,
झा0रा0प्र0नि0 पर्वद, धनबाद।

Anand
27/7/19
(आर0एन0 घोषरी)
क्षेत्रीय पदाधिकारी,
झा0रा0प्र0नि0 पर्वद, धनबाद।

Item No. 05

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 164/2019

(With report dated 28.01.2020)

Residents of Pichhari Panchayat, District Bokaro

Applicant(s)

Versus

State of Jharkhand

Respondent(s)

Date of hearing: 23.09.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent(s): Mr. Kumar Anurag Singh, Advocate with Mr. R.L. Bakshi, MS,
JSPCB

ORDER

1. The issue for consideration is violation of environmental norms by Central Coalfields Limited by Over Burden dumping on the riverbed.
2. The Tribunal vide orders dated 19.11.2019 and 05.12.2019 sought an action taken report from the State PCB. Accordingly the State PCB has filed its report dated 28.01.2020 as follows:-

“

1. *As per inspection report, the management of Central Coalfields Limited informed that the Over Burden dumping (O.B. dumping) had been done in the riverbed by Sri Ram Singh & Company before nationalization of coal in 1972-73. The OB dump has been stabilized and vegetation in ample amount has developed. The satellite image of 1972-73 and*

beyond is not available with Jharkhand State Pollution Control Board and Jharkhand Space Application Center. The earliest images that are available are of 2006 which indicates the presence of this dump.

2. *The M/s Pichri Open Cast Project, Central Coalfields Limited, Pichri, Bokaro was directed to submit an interim environmental compensation of INR 1,00,00,000.00/- (Rupees One Crore Only/-) but the Unit has asked for 45 days more time to submit the environmental compensation. The JSPCB has further given 15 days time to submit the environmental compensation.*
3. *The open cast mines is not in operation since 2003, so no new O.B. dumping is taking place.”*

3. Although the period for payment of the compensation is not over, the Member Secretary is not aware of the compliance status. We have already noted the conduct of the PCB in other matters listed today including OA 23/2017. Let the action taken report be now filed before the next date by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

List again on 11.01.2021.

A copy of this order be forwarded to the Chief Secretary Jharkand, by e-mail for appropriate action.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

September 23, 2020
Original Application No. 164/2019
SN

Item No. 05

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 164/2019

(With report dated 08.01.2021)

Residents of Pichhari Panchayat, District Bokaro

Applicant

Versus

State of Jharkhand

Respondent

Date of hearing: 10.02.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

ORDER

1. The issue for consideration is violation of environmental norms by Central Coalfields Limited by Over Burden dumping on the riverbed.
2. The matter has been considered earlier and finding the situation to be unsatisfactory, further compliance report was required to be filed vide last order dated 23.09.2020.
3. According to the report filed by the State PCB on 08.01.2021, remedial action has been taken.

In view of the above, no further order is necessary at this stage, in absence of any grievance being canvassed by the applicant.

The application is disposed of.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

February 10, 2021

A

Photographic Evidences of the Damodar river Course in the Pichhari Village, Bokaro, Jharkhand



Fig 1: Damodar River Course in Year 1984



Fig 2: Damodar River Course in Year 1985



Fig 3: Damodar River Course in Year 1986



Fig 4: Damodar River Course in Year 1987



Fig 5: Damodar River Course in Year 1988



Fig 6: Damodar River Course in Year 1989



Fig 7: Damodar River Course in Year 1990



Fig 8: Damodar River Course in Year 1991



Fig 9: Damodar River Course in Year 1992



Fig 10: Damodar River Course in Year 1993



Fig 11: Damodar River Course in Year 1994



Fig 12: Damodar River Course in Year 1995



Fig 13: Damodar River Course in Year 1996



Fig 14: Damodar River Course in Year 1997



Fig 15: Damodar River Course in Year 1998



Fig 16: Damodar River Course in Year 1999



Fig 17: Damodar River Course in Year 2000



Fig 18: Damodar River Course in Year 2001



Fig 19: Damodar River Course in Year 2002



Fig 20: Damodar River Course in Year 2003



Fig 21: Damodar River Course in Year 2004



Fig 22: Damodar River Course in Year 2005



Fig 23: Damodar River Course in Year 2006



Fig 24: Damodar River Course in Year 2007

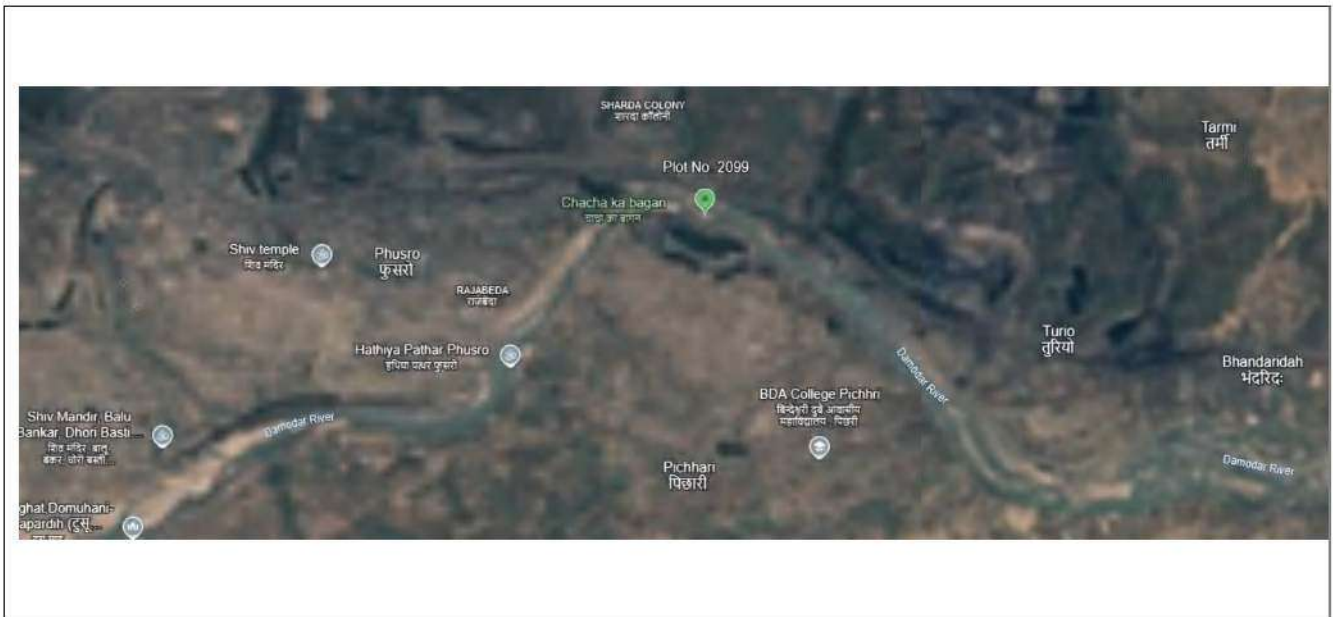


Fig 25: Damodar River Course in Year 2008

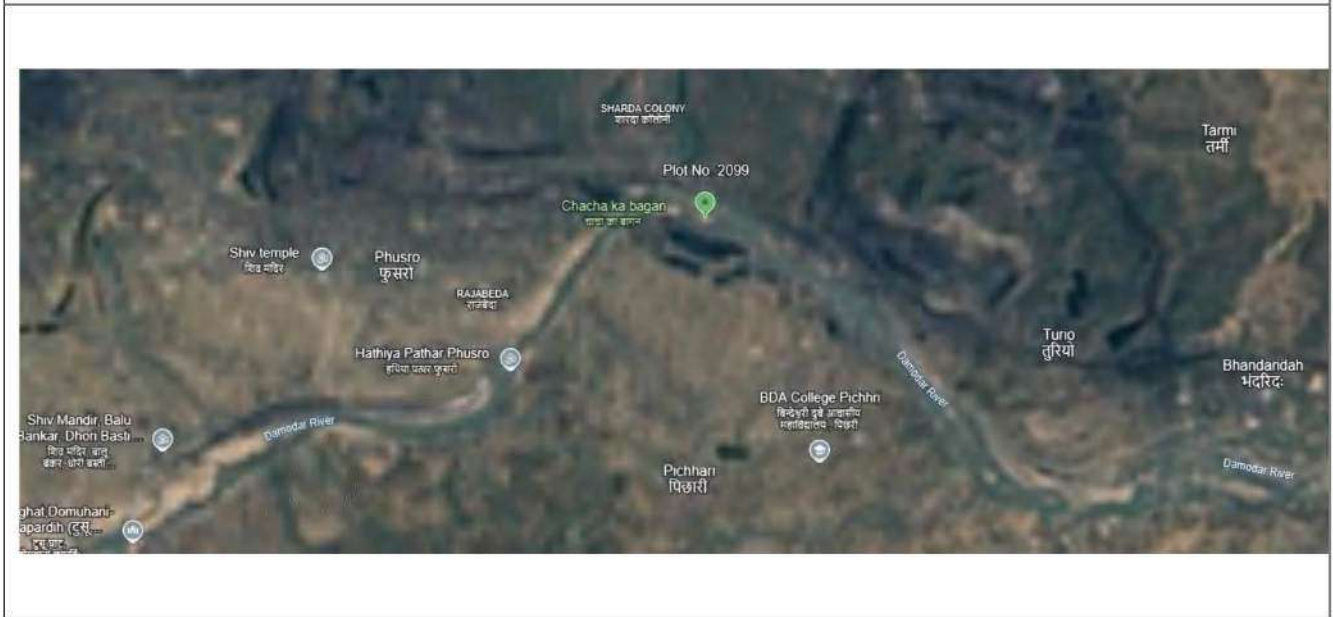


Fig 26: Damodar River Course in Year 2009



Fig 27: Damodar River Course in Year 2010



Fig 28: Damodar River Course in Year 2011



Fig 29: Damodar River Course in Year 2012



Fig 30: Damodar River Course in Year 2013



Fig 31: Damodar River Course in Year 2014



Fig 32: Damodar River Course in Year 2015



Fig 33: Damodar River Course in Year 2016



Fig 34: Damodar River Course in Year 2017



Fig 35: Damodar River Course in Year 2018



Fig 36: Damodar River Course in Year 2019



Fig 37: Damodar River Course in Year 2020



Fig 38: Damodar River Course in Year 2021



Fig 38: Damodar River Course in Year 2022

सेवा में,

माननीय अध्यक्ष महोदय,
राष्ट्रीय हरित अधिकरण,
नई दिल्ली।

विषय :- ओरिजन आवेदन संख्या- 941 / 2024 में गठित जाँच समिति के समक्ष अपना पक्ष एवं दस्तावेज रखने के संबंध में।

महाशय,

निवेदन पूर्वक कहना है कि ओरिजन आवेदन संख्या- 941 / 2024 में आपके आदेशानुसार गठित जाँच टीम के द्वारा दिनांक- 21 / 10 / 2024 को समय 4:00 बजे अपराह्न पिछरी कोलियरी में निरीक्षण किया, जिसमें मेरे द्वारा निम्नलिखित दस्तावेज समर्पित किए जा रहे हैं:-

1. खाता नं०- 237, प्लॉट नं०- 2099, सर्वे खतियान के अनुसार जंगल दर्ज है। खतियान की सत्यापित छायाप्रति संलग्न है। इससे प्रमाणित होता है कि सी०सी०एल० प्रबंधन, ढोरी के द्वारा कोयला उत्खनन के क्रम में हजारों की संख्या में बहुमुल्य पेड़ों की कटाई अवैध ढंग से की है।
2. अंचल अधिकारी, पेटरवार के पत्रांक संख्या- 742, दिनांक- 27 / 11 / 2018 की छायाप्रति संलग्न है, जिसमें स्पष्ट रूप से उल्लेखित किया गया है कि खाता नं०- 237, प्लॉट नं०- 2099, वर्तमान में सी०सी०एल० प्रबंधन, ढोरी का 22 बिजली का पोल एवं प्लॉट संख्या- 1513, गैर मजरूआ खास, जो सर्वे खतियान के अनुसार जंगल दर्ज है, उसमें 08 बिजली के पोल है। प्लॉट

- संख्या- 4309 जो दामोदर नदी का प्लॉट है। वर्तमान में तीन बिजली के पोल हैं।
3. अनुमण्डल दण्डाधिकारी, बेरमो, तेनुघाट के मेमो नं०- 324, दिनांक- 03/05/2014 में स्पष्ट उल्लेखित किया गया है कि खाता नं०- 237, प्लॉट नं०- 2099 में सी०सी०एल० प्रबंधन, ढोरी के द्वारा 7.76 एकड़ जमीन में उत्खनन कार्य किया है, जिसकी छायाप्रति संलग्न है।
 4. पिछरी पंचायत के ग्रामीणों द्वारा पंचायत के अमीन के द्वारा पूरे दामोदर नदी एवं पिछरी खादान की नापी कराया गया तो स्पष्ट हुआ कि खाता नं०- 237, प्लॉट नं०- 2099 वर्तमान में कोलियरी के अन्दर 2.50 एकड़ एवं ओ०बी० में 13.19 एकड़ जमीन सी०सी०एल० द्वारा अतिक्रमित किया है एवं प्लॉट संख्या- 4309, जो दामोदर नदी का प्लॉट है, उसमें सी०सी०एल० प्रबंधन, ढोरी के द्वारा अवैध रूप से कोयले की निकासी कर 11.55 एकड़ जमीन को ओ०बी० पत्थर से भर दिया, जिसका नजरी नक्शा संलग्न है, जिससे साफ प्रमाणित होता है कि सी०सी०एल० प्रबंधन के द्वारा ओ०बी० पत्थर भरने से दामोदर नदी की दिशा बदली एवं आज वर्तमान स्वरूप में नहीं है एवं हजारों की संख्या में पेड़ों की कटाई से यहाँ का वातावरण में काफी बुरा प्रभाव पड़ा है।
 - 5- जाँच कमिटी, जाँच के क्रम में यह पाया कि वहाँ के प्रभावित ग्रामीण आज भी सीधे दामोदर नदी का पानी पीने को विवश है क्योंकि उत्खनन होने से भूगर्भीय जल काफी नीचे चला गया है,

जिसके परिणामस्वरूप वहाँ ना ही कोई हैण्ड पम्प और ना ही कुआँ में पानी है।

अतः माननीय न्यायालय से प्रार्थना है कि उपरोक्त विषय पर उचित कार्रवाई करने का कृपा प्रदान करे। इसके लिए पिछरी पंचायत के ग्रामीण जनता आपका सदा आभारी रहेंगे।

प्रतिलिपि:—

1. वन्य वर्यावरण एवं जलवायु परिवर्तन विभाग, राँची
2. राष्ट्रीय प्रदुषण नियंत्रण परिषद नई दिल्ली
3. झारखण्ड राज्य प्रदुषण नियंत्रण पर्षद राँची।
6. उपायुक्त महोदया, बोकारो
7. श्रीमान् जिला खनन पदाधिकारी, बोकारो
- 8- श्रीमान् अंचल अधिकारी, पेटरवार, बोकारो

आपका विश्वासी

श्रीश्रीप पाठ

22/10/2024

कार्यालय अंचल अधिकारी, पेटरवार।

पत्रांक :- 742

प्रेषक,

अंचल अधिकारी

पेटरवार

सेवा में,

अनुमण्डल पदाधिकारी,

पेटरवार, तंजुभाट।

पेटरवार दिनांक :- 21/11/2018

विषय :- मौजा पिछरी अन्तर्गत सी०सी०एल० से संबंधित पानी, बिजली पोल एवं रास्ता के प्रतिवेदन के संबंध में।

महाशय,

उपर्युक्त विषयक के संबंध में हल्का कर्मचारी एवं अंचल अमीन के द्वारा मौजा-पिछरी, सी०सी०एल० भूमि का मापी किया गया, मापी के कम में पाया गया कि गैरमजरुआ खास खाता संख्या-2099, प्लॉट सं० 2099 में है, तथा रैयती प्लॉट सं०-1668, 1669, 1670, 1671, 1861, 1862, 1869, 1867, 1871, 1872, 1876, 2067 इत्यादि में भी पानी है।

गैरमजरुआ खास खाते में प्लॉट 2099, में 22 बिजली पोल हैं, प्लॉट सं०-1513, गै०खास में 8 बिजली पोल हैं, प्लॉट सं०-4309, में भी 3 बिजली पोल हैं।

रैयती प्लॉट सं०-1579, 1618, 1612, 1648, 1633, 1638, 1647, 1639 एवं 2098 में 18 बिजली पोल हैं।

पम्प पानी निकासी प्लॉट सं०-2099 में बनाया जायगा। खदान में जाने हेतु रास्ता गै०खास प्लॉट सं०-2099, 1513, एवं 4309 से है। तथा रैयती प्लॉट सं०-1566, 1563, 1571, 1617, 1619, 1620, 1614, 1612, 1662, 1653, 1646, 1639 एवं 1697 में भी रास्ता है। जिसका नक्शा तैयार कर मूल में इस पत्र के साथ संलग्न कर आवश्यक कार्रवाई हेतु भेजा जाता है।

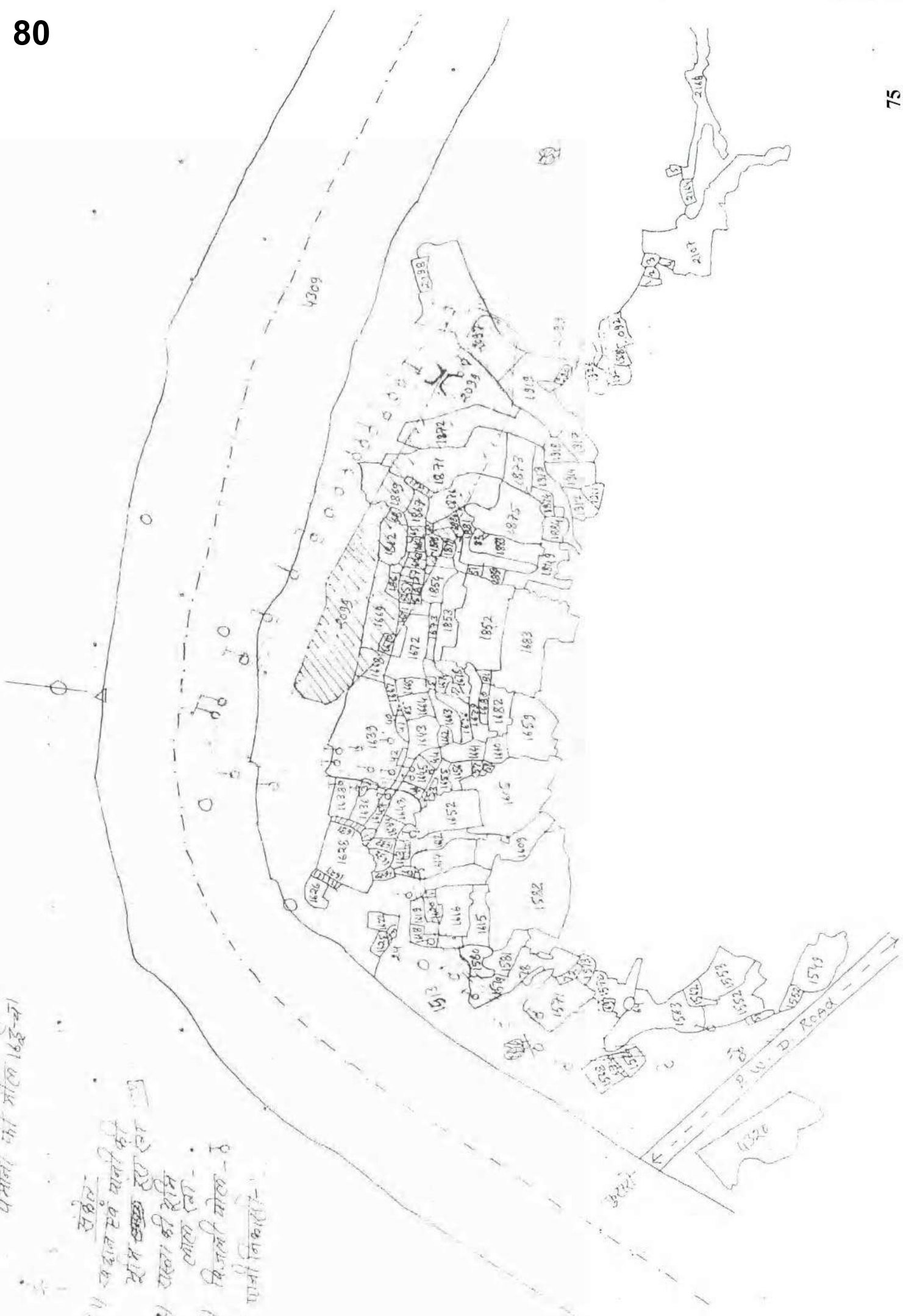
भवदीय को सेवा में सूचनार्थ एवं अग्रेतर कार्रवाई हेतु प्रेषित।

विश्वास भाजन

अंचल अधिकारी
पेटरवार।

पंचायत का सीला 16.5-का

- 1) संकेत
- 2) स्वयंसेवक एवं पानी की
- 3) सड़क
- 4) पत्थर की शक्ति
- 5) छाया
- 6) सि.जली मोल - 8
- 7) पानी निकालो -



**OFFICE OF THE SUB-DIVISIONAL MAGISTRATE, BERMO,
DIST-BOKARO, (JHARKHAND)**

OFFICE ORDER

An application was submitted by General Manager, C.C.L (hereafter referred as company), Dhori Coalfield Area vide Letter No. 939 dated 09-12-13 asking for the re-opening of Pichhri Mines which was closed down during 2005-06.

It has been submitted in the letter that the local Raiyats have raised objections with respect to re-opening of Pichhri Mines owing to dispute over the possession and ownership of the plots which fall within the Mines.

It is pertinent to mention here that this office has the authority to decide only on the possession status of any land. As far as dispute regarding right, title, interest and ownership is concerned, the affected parties should approach any competent Civil Court for the adjudication.

In connection to this application, a detailed inquiry was ordered and the Circle Officer, Petarwar was asked to furnish a complete report after the supervision of all the related documents as prepared by the Local Amin, Revenue Karmchari and Circle Inspector.

The Circle officer submitted his reports vide Letter No-181 dated 03-05-2014. Based upon the report, the conclusions drawn by this office are as follows:-

1. According to the G.M, C.C.L Dhori Area, the Company has the ownership of a total of 500 Bighas equivalent to 400 Acres of land within Mouja- Pichhri, Thana-Petarwar District-Bokaro. However they have been able to furnish documents related to only 34.58 Acres which consists of a total of 65 plots. They have failed to provide any concrete documents with respect to the remaining 365.42 Acres and the respective plots.

2. The documents submitted by the company are the various Sale deeds which were executed by the erstwhile private Coal Mining company i.e Shiv Ram & Company, the ownership of all of which were transferred to the C.C.L Company as a result of Coal Nationalization Policy of Government of India in 1972. The Gazette Notification with respect to the Nationalization and subsequent acquisition has been supplied by the company as a proof for the same. However the mutation for all such plots which were purchased by Shiv Ram & Company from the local Raiyats was never done by either of the companies.

3. The company henceforth started their mining operation on certain number of plots within the colliery and specifically demarcated the area for mining purpose which measured to an area of 35 Acres (approx.) without attracting any resistance from the local Raiyats. The mining operation continued upto the year 2005-06 after which it was closed down.

4. When the company proceeded to start the mines last year, the local Raiyats raised objections on the pretext that there land have been fraudulently taken by the company and that they have regular Government Rent Receipt being issued in their name till date. This assertion of Raiyats is always possible because mutation for the plots never happened in the past.

5. At present, the company is interested only in starting the actual mining area which is situated in 35 Acres and which comprises of a total number of 52 plots. ✓

6. The company has submitted documents like Sale deeds for 34.58 Acres of land consisting of 65 plots as mentioned in Para 1. These documents includes the sale deeds for many of such plots mentioned in Para 3 and Para 5 i.e for plots within and beyond the actual Mining area.

7. Out of the total acreage of the mining Area which amount to 35 acres (approx.) covering 52 plots, the details are as follows:

- (a) Plot No. 2099 (Area- 7.76 Acres) – Gair Mazrua land which has been mentioned as Deemed Forest in the Survey.
- (b) For 33 of such plots numbering 1663, 1664, 1665, 1666, 1668, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1683, 1852, 1853, 1864, 1865, 1866, 1867, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1878, 1879, 1880, 1881, 1883 (Area- 16.82 Acres), the company has provided the Sale deeds.
- (c) For the rest 18 plots numbering 1670, 1673, 1680, 1681, 1682, 1849, 1850, 1851, 1854, 1855, 1856, 1857, 1859, 1860, 1861, 1863, 1884, 1913 (Area- 10 Acres), neither the company nor the Raiyats have seen able to supply either any Sale deed or any recent government Rent Receipt.

8. After going through all the facts and observations mentioned above, it can be concluded that the objections of the Raiyats with respect to the land is simply based on furnishing of Government Rent Receipts. However it must be understood that the possession rights on any piece of land cannot be claimed by simply showing a Rent Receipt. It can be always possible because in the absence of Mutation, fresh names are not entered into the relevant pages of Register II. But that in no way means that the land transaction never took place.

9. Moreover, the current dispute is only on a limited portion i.e the mining area consisting of 35 acres. None of the Raiyats have provided any kind of documents to claim possession rights on at least the plots falling within this area. However for 34 of such plots, the company has provided Sale deeds and the rest plots fall in between these plots which refutes any chances of the plots being used for any purpose other than Mining.

10. With respect to other plots falling beyond the actual mining area and for which many Raiyats have provided Rent Receipts, there is no immediate concern and status quo could be maintained.

11. However, as far as the mining area is considered, the company has furnished certain documents which prove that mining operations like coal extraction, blasting etc were in place upto the year 2005-06 which means that Mining has been carried on such land for over 30 years which is much more than the limit of Adverse Possession that is 12 years.

By such standards, it seems that the claim of the Company on the given Mining area with respect to possession is definitely stronger than any other party involved.

Rahul
03/05/14
Sub-Divisional Magistrate,
Bermo at Tenughat.

Memo No. 324 /Conf., Dated 03/05/14.

Copy to :- General Manager, C.C.L, Dhori Coal Field Area.
Project Officer, Pichhri Colliery, C.C.L, Dhori Coal Field Area.
B.D.O, Petarwar/C.O, Petarwar
Police Inspector, Bermo/Jaridih Circle.
S.H.O, Petarwar/Bermo Police Station.
S.D.P.O. Bermo at Tenughat.
S.P. Bokaro.
D.C. Bokaro.

Rahul
03/05/14
Sub-Divisional Magistrate,
Bermo at Tenughat.

भौजा - पिहरी थाना नं०-५७
 थाना - पैटखार, जिला - बौकाली
 चार नं०-०३, आरखण्ड।

① गैरभजल आ खाल भूमि का रकबा

पानी में	रकबा	जी०	एकड़
④	०२	५०	२०९९
⑤	१३	१९	२०९९

② रैपती भूमि का रकबा - ०८.८०

औ० बी० रैपती का रकबा - ०३.७८

③ गहरी भूमि का रकबा - ११.५५
 (एकड़ - ५३०९)

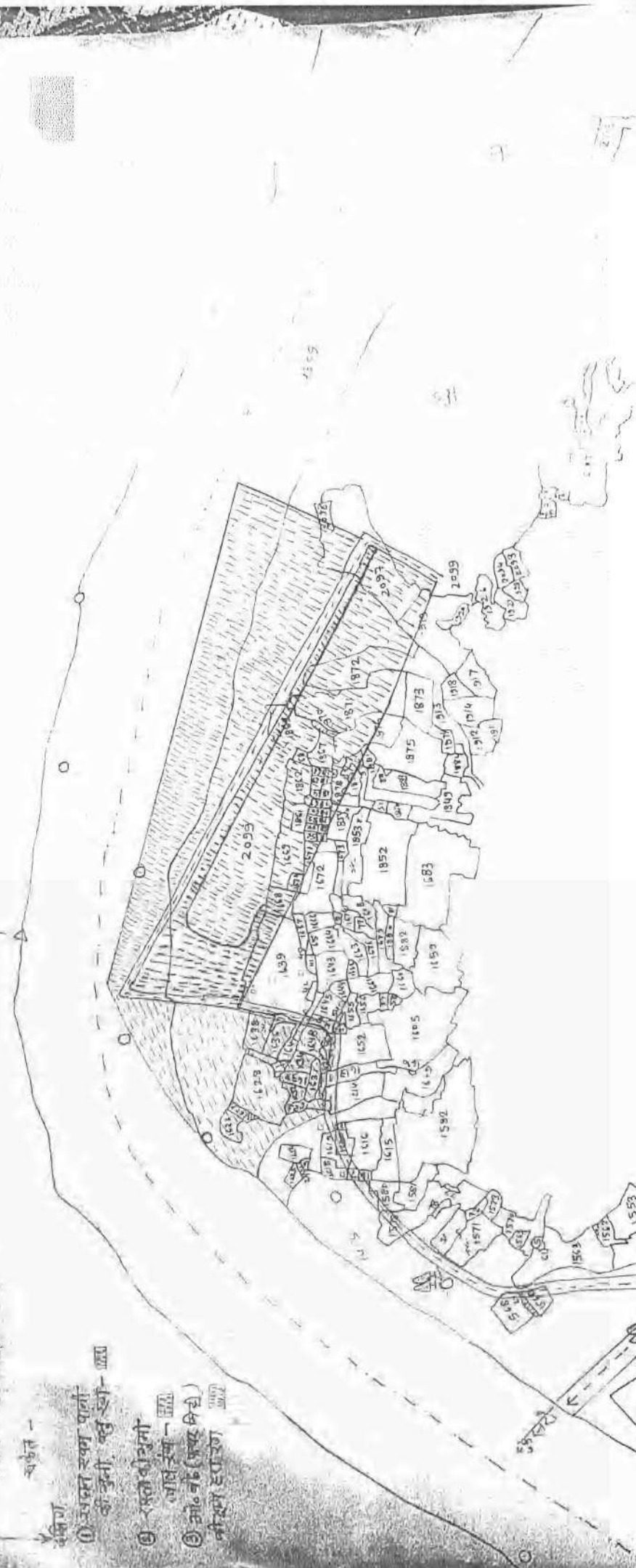
कुल रकबा - ५१.८६ जी०

श्रीमती रमेश्वरी
 शान्ता - पेटरवार
 जिला - पीछर
 पिनकोड - 451101

संकेत -

वर्षिक

- ① उपरोक्त स्थान पानी की सुविधा -
- ② रस्ते की सुविधा -
- ③ ओ.बी. (सर्व सि.ई.) की सुविधा -



अमान
 दासी महती
 ग्राम - पीछर
 पिनकोड -
 पाना पेटरवार
 जिला - पीछर
 21-11-2018

- ① ग्रामजड़का स्थान ग्राम का दस्तावेज सं. 4320
- (A) प्लान में -
- (B) ओ.बी. में -
- ② शैली ग्राम का दस्तावेज -
- ③ नवी ग्राम का दस्तावेज -

Table 1. Fresh water parameters: Chemical & microbiological

Sampling locations	Chemical parameters (mg/L) & micro-biological parameters (MPN/100)																
	NH ₃ -N	pH	EC	TSS	TDS	PO ₄ -P	SO ₄	COD	BOD (3 Day at 27°C)	Total Hardness	Total Alkalinity	Ca	Mg	F	NO ₂ -N	TC	FC
Pichari Village Damodar River U/S	0.45	7.36	205	20	130	0.01	23	3	1	71	69	16	8	0.64	0.008	79000	490
Pichari Village Damodar River D/S	0.53	7.38	224	22	136	0.01	26	7	1	83	77	21	7	0.62	0.013	540000	790
Bathing standard (MoEF, 2000)	-	6.5 - 8.5	-	-	-	-	-	-	≤3	-	-	-	-	-	-	-	500 (Desirable) 2500 (Max. permissible)

Table 2. Fresh water parameters: Heavy metals -

Sampling locations	Heavy metals (mg/L)											
	Arsenic	Cadmium	Chromium	Copper	Iron	Lead	Manganese	Nickel	Zinc	Cobalt	Selenium	Vanadium
Pichari Village Damodar River U/S	BDL	BDL	BDL	BDL	0.963	0.01	0.057	BDL	0.108	BDL	BDL	BDL
Pichari Village Damodar River D/S	BDL	BDL	BDL	BDL	0.647	0.011	0.054	BDL	0.073	BDL	BDL	BDL
BIS Drinking water specification (IS 10500: 2012)	0.01	0.003	0.05	0.05	0.3	0.01	0.1	0.02	5	-	0.01	-



Ref. No. B-73

Ranchi, Dated 08/11/2021

From,

Rajeev Lochan Bakshi,
Member Secretary.

To,

The Project Officer,
M/s Pichri Open Cast Project,
Bokaro, Jharkhand.

Suh: – Direction under section 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 & under section 31(A) of the Air (Prevention & Control of Pollution) Act, 1974 – Regarding.

Whereas, you were directed vide Board's ref. No. B – 1347 Ranchi, dated 06/11/2019 to submit the Time Series Map w.r.t. Pichri Open Cast Project.

Whereas, a show cause notice was issued to your unit vide Boards' Ref No. B- 1359, Ranchi dated 08/11/2019.

Whereas, Show Cause hearing was availed by your Unit on 11/11/2019 and the Unit's Representative has requested to the Board to grant one week time to submit the Time Series Map w.r.t. the Unit.

Whereas, you were directed to submit the Time Series Map vide letter no B – 1369 Ranchi, dated 11/11/2019.

Whereas, you have submitted the reply of directions vide Ref. No. : - PO (Pichri)/2019/118 dated 12/11/2019.

Whereas, you were directed to submit an interim Environmental Compensation of INR 1,00,00,000.00/- (One Crore Only) within 5 days vide Board's Ref. no. B-92, Ranchi, Dated 16/01/2020.

Whereas, you have requested that the proposal for payment of penalty is under scrutiny at competent level, which may take some time for finalization and you have requested for giving sometime (approx 45 days for the same).

Whereas, a reminder was issued to submit an interim Environmental Compensation of INR 1,00,00,000.00/- (One Crore Only) within 10 days of receipt of the order vide Board's Ref. no. B-1589, Ranchi, Dated 13/10/2020.

Whereas, you have submitted a reply vide your Ref. No. PO/Pichri/2020-21/111 dated 20/10/2020.

Whereas, the Board has directed once again to submit the interim Environmental Compensation of INR 1,00,00,000.00/- (One Crore Only) within 10 days of receipt of this letter vide Board's Ref. no. B-1864, Ranchi, Dated 26/11/2020.

Whereas, you have submitted the reply vide your Ref. No. PO/Pichri/2020-21/2334 dated 02/12/2020 informing that CCL has approached the Board of Revenue, Jharkhand against the Board's order for submission of E.C. and the appeal Case No. 05/2020 is pending/subjudice before the learned Board of Revenue. You have requested that no coercive action be taken against the management till the disposal of the appeal.

Whereas, from perusal of your reply it is evident that the above mentioned Appeal Case No – 5/2020 is pending/subjudice before the Board of Revenue, Jharkhand. However, the Board of Revenue, Jharkhand has not issued any direction/order to the Board. Moreover, the matter is subjudice before the Hon'ble NGT, Principal Bench, New Delhi and the same needs to be disposed by the Hon'ble NGT.

Now, therefore, in light of the above the competent Authority has refused your prayer and exercising the powers vested under section 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 & under section 31(A) of the Air (Prevention & Control of Pollution) Act, 1974; the Consent to Operate (CTO)

KMB/1

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issued to your Unit vide Board's Ref. No. JSPCB/HO/RNC/CTO-4944321/2020/1619 dated 30/09 2020 valid upto 02/02/2021 is revoked and you are, directed to close down the Unit with immediate effect till submission of Environmental Compensation.

Memo No... B... 73

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

Sd/-
(Rajeev Lochan Bakshi)
Member Secretary
Ranchi, Dated... 08/11/2021

Rajeev
08/11/2021
(Rajeev Lochan Bakshi)
Member Secretary

Item No. 03

Court No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 941/2024

Ashish Pal & Ors.

Applicant

Versus

State of Jharkhand

Respondent

Date of hearing: 06.09.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Applicant in Person (through VC)

ORDER

1. This Original Application has been registered under Section 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**') in exercise of *suo-moto* jurisdiction in view of law laid down by Supreme Court in "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897 on a letter petition dated 15.11.2023 sent by Ashish Pal and others which says that a complaint on 18.12.2018 sent to Prime Minister of India but they have not received any response.

2. Complainant has said that Central Coalfield Limited is carrying out river mining in the area of river Damodar near the village of applicant i.e. Gram Panchayat Pichri Dakshin, Block Peterwar, Bokaro, State of Jharkhand and lacs of tonnes of coal has been excavated illegally on a Gair Majrua land, Khata No. 237, Plot No. 2099, adjacent to river which is recorded as Jangle Jhadi in Survey Khatiyani. Thousands of trees of Sakhua, Mango, Babul, Piper, Kadam, Arjun, Kend and Mahua have been cut. The waste such as stone, muck, overburdened as a result of illegal mining are being dumped in river water changing the flow and damaging

environment. River Damodar is lifeline of villages in the area and water is source for agriculture and drinking but due to damage caused to the same by the Management of Central Coalfield Limited, the entire ecology is being affected adversely besides causing health hazards to local inhabitants.

3. Prima facie, we are satisfied that a substantial question relating to environment has arisen out of implementation of Enactments mentioned in the Schedule I of NGT Act, 2010. However, before taking any further action in the matter, we find it appropriate to obtain a factual report for which we constitute a joint Committee comprising Integrated Regional Office, Ministry of Environment, Forest & Climate Change, Ranchi; Central Pollution Control Board (hereinafter referred to as '**CPCB**'); Jharkhand State Pollution Control Board (hereinafter referred to as '**JSPCB**'); and District Magistrate, Bokaro.

4. The Committee shall visit the site, collect relevant information and submits a factual report within one months.

5. Besides other, the Committee shall also find out whether conditions of Environmental Clearance and consent are being observed by the above Proponent in coal mining activities.

6. CPCB shall be the nodal agency for coordination and compliance.

7. List on 23.10.2024

8. A copy of this order be forwarded to Integrated Regional Office, MoEF&CC, Ranchi, CPCB, JSPCB and District Magistrate, Bokaro by e-mail for compliance.

Sudhir Agarwal, JM

September 06, 2024
Original Application No. 941/2024
SN

Dr. Afroz Ahmad, EM

Item No. 10

Court No. 2

**BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 941/2024

Ashish Pal and Ors

Applicant

Versus

State of Jharkhand

Respondent(s)

Date of hearing: 23.10.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None

Respondents: Mr. Saurabh Balwani, Advocate for CPCB (through VC)

ORDER

1. This Original Application has been registered under Section 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**') in exercise of *suo-moto* jurisdiction in view of law laid down by Supreme Court in "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897 on a letter petition dated 15.11.2023 sent by Ashish Pal and others which says that a complaint on 18.12.2018 sent to Prime Minister of India but they have not received any response.

2. Complainant has said that Central Coalfield Limited is carrying out river mining in the area of river Damodar near the village of applicant i.e. Gram Panchayat Pichri Dakshin, Block Peterwar, Bokaro, State of Jharkhand and lacs of tonnes of coal has been excavated illegally on a Gair Majrua land, Khata No. 237, Plot No. 2099, adjacent to river which is

recorded as Jangle Jhadi in Survey Khatiyani. Thousands of trees of Sakhua, Mango, Babul, Piper, Kadam, Arjun, Kend and Mahua have been cut. The waste such as stone, muck, overburdened as a result of illegal mining are being dumped in river water changing the flow and damaging environment. River Damodar is lifeline of villages in the area and water is source for agriculture and drinking but due to damage caused to the same by the Management of Central Coalfield Limited, the entire ecology is being affected adversely besides causing health hazards to local inhabitants.

3. Tribunal considered the matter on 06.09.2024 and found it appropriate to obtain a factual report by constituting a Joint Committee comprising Integrated Regional Office, Ministry of Environment, Forest & Climate Change, Ranchi; Central Pollution Control Board (hereinafter referred to as '**CPCB**'); Jharkhand State Pollution Control Board (hereinafter referred to as '**JSPCB**'); and District Magistrate, Bokaro. CPCB was made nodal authority for coordination and compliance.

4. No report however as directed by Tribunal vide order dated 06.09.2024 has been submitted till date.

5. Learned counsel appearing for CPCB stated that some delay has occurred in nomination of representatives of JSPCB and therefore report could not be submitted. He prays for and allowed one month and no more time to file report.

6. List on 27.11.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

October 23, 2024
Original Application No. 941/2024
AB