

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH AT KOLKATA  
ORIGINAL APPLICATION NO.                      OF 2023/EZ**

**IN THE MATTER OF:**

Vishal Kumar

...Applicant

Vs

Bihar Foundry and Castings Limited & Ors.

...Respondents

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**Filed by:**

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Date: 12.12.2023

Place: Kolkata

## **SYNOPSIS AND LIST OF DATES**

M/s BFCL is a leading manufacturer of ferro-alloys and one of its largest producers in the state of Jharkhand operating its ferrous alloy plant on Plot No 1405(P) Ramgarh Industrial Area, Ramgarh, Jharkhand from 24.02.2000. Ferro-Alloys are metallurgical industries and fall within the ambit of activity 3(a), which is a primary metallurgical industry requiring environmental clearance from the Central Government. Environment (Protection) Act, 1986 (hereinafter referred to as the EPA) enacted as an umbrella legislation concerning environmental protection and has brought out rules, regulations and directives to be complied with. The Central Government notified Environment Impact Assessment Notification, 2006 (hereinafter referred to as EIA, 2006) in exercise of its powers under the EPA. EIA, 2006 categorized the projects into two categories. The Category A projects are accessed by the Central Government through MoEF and Category B projects are accessed at the State level by the State Environment Impact Assessment Authority (SEIAA). Under the schedule, metallurgical industries (ferrous and non-ferrous) are included within activity 3 (a). Primary metallurgical industry requires prior and mandatory EC from the Central Government constituted Environmental Assessment Committee. M/s BFCL was operating a Ferro Alloy (2x5MVA) with a production of 26TPD for (Silico/Manganese) and Ferro Alloy (7.5MVA) having a capacity of 30 TPD of Silico/Manganese. It is pertinent to note that at this point there was no environmental clearance ever applied for. Subsequently, on 31.10.2011 an EC was granted for expansion in production of [9MVA X 1= 40TPD] Unit of Ferro Silicon/ Ferro-Manganese vide reference No.-J11011/34/2010-IA.II (I). On 24.11.2020, Terms of Reference was granted to Modification cum expansion in existing Ferro

Alloys Plant by M/s Bihar Foundry and Castings Limited towards 2X6+3X9MVA SAF's + 1x12T per batch CLU Converter with matching associate facilities and Product Mix Si/Man having production 165TPD (58,575 TPD) or HC/MC/LC FeMn – 265 TPD (94,075 TPA), thereby increasing the production by almost three times. MoEF&CC issued an OM dated 07.07.2021 detailing the standard operating procedure to be followed for violation cases. It states that if no prior EC was taken then the project must be closed down. It further states that there shall be no grant or renewal of CTO till the time the project is not granted Environmental Clearance, afresh.

On 13-14.09.2021, 44th Meeting of Reconstituted EAC (Industry I) of MoEF&CC where the proposal of M/s BFCL was taken up and rejected and it was summarily placed in the ambit of violation cases as per OM on SOP for Violation cases dated 07.07.2021. On 28.02.2023-01.03.2023, Minutes of Meeting of 24<sup>th</sup> EAC (Industry I) held on 28.02.2023-01.03.2023 wherein a condition precedent of no further construction to be carried out by M/s BFCL unless and until there is prior permission/approval by Ministry of Environment, Forest and Climate Change (MoEF&CC). Despite this, blatant violations are being carried out by M/s BFCL in violation of the OM dated 07.07.2021 regarding SOP for violation cases by constructing and operating without a valid EC. On 23.03.1974, The Water (Prevention and Control of Pollution) Act, 1974 was enacted for the prevention and control of water pollution. Any project proponent which sought to discharge any effluent from its project is now mandatorily required to obtain permission from respective SPCB and adhere to norms prescribed by the Central Pollution Control Boards and the respective SPCB. This permission is a two stage mechanism. Under this mechanism the project proponents are required to obtain NOC/ Consent to Establish before starting the construction of the project. Subsequently, once

the construction activities are completed, Consent to Operate is required to be obtained from the State Pollution Control Boards before commencing operations. On 29.03.1981, Air (Prevention and Control of Pollution) Act, 1981 was enacted for the prevention, control and abatement of air pollution. The NOC/ Consent to Establish and the Consent to Operate mechanism under the Air Act, 1981 is similar to that under the Water Act, 1974. On 07.03.2016, Over the years, the SPCBs adopted different mechanisms for grant of NOC, CTE and CTO under the Air Act and Water Act. To address the problem caused due to such different mechanisms, the CPCB issued directions on 07.03.2016 for Classification of Industries to ensure uniform classification of industries across the country. The classification of industries listed out the industries which would require CTE/ CTO and placed them in different categories on the basis of their pollution index. Under the schedule, metallurgical industries, both ferrous and non-ferrous come under the Orange category – with a pollution index score of 41 to 59. On 03.05.2016, Jharkhand State Pollution Control Board (JSPCB) notified its own Classification of industries on the basis of the CPCB classification whereby it has classified industries into three categories, viz. Red, Orange and Green. Under the schedule, metallurgical industries, both ferrous and non-ferrous come under the Orange category. Under the orange category, the JSPCB has further subdivided the two categories based on pollution load index: High Risk category comprises industrial sectors having pollution index scores of 50 to 59 and Low Risk category having pollution index score of 41 to 49. On 10.11.2020, CTO was granted by Jharkhand State Pollution Control Board, JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 in favour of sister concern of M/s BFCL i.e. GAUTAM FERROY ALLOY till a period of 31.12.2025. This has been granted on the basis of a lapsed environmental clearance dated

31.10.2011. An order issued by I.A. Division, MoEF&CC dated 20.09.2021 stating that CTO to not be granted unless a valid EC is subsisting. It further states that no CTE/CTO to be renewed till the time a valid EC is granted. M/s BFCL has been granted a CTO and subsequently granted a change of name in the CTO despite an order by MOEF&CC stating that renewal is impermissible in the face of lack of valid EC. On 19.12.2022, two separate Letters were issued by IA division of Ministry of Environment, Forest and Climate Change (MoEF&CC) to M/s BFCL and Additional Chief Secretary, Environment and Forests Department, Jharkhand stating that State Government/ JSPCB not grant CTO till EC is granted on the basis of OM dated 07.07.2021. It stated that construction/operation without prior EC shall be stopped immediately. BFCL in violation continues to operate the same. It further states that under the violation cases regime no CTO to be granted till grant of fresh environment clearance. On 23.01.2023, CTO granted to sister concern of M/s BFCL i.e. GAUTAM FERROY ALLOY changed to the name of Bihar Foundries & Castings Limited. On 15.05.2023 and 06.09.2023, letters were issued by MoEF&CC to M/s BFCL and JSPCB wherein it is stated that no consent to operate be granted till the time the project is granted environmental clearance on the basis of OM dated 07.07.2021. Despite this, the CTO has been granted by the Jharkhand State Pollution Control Board and continues to be in operation till 31.12.2025. Further, there is no installation of a proper continuous ambient air quality monitoring system in the plant which is capable of monitoring 5 parameters in air i.e. presence of PM 10 in air, presence of PM 2.5 in air, presence of Sox, presence of NOx and presence of CO. On 24.10.2019, CEPI issues guidelines which states that in severely polluted areas like Ramgarh, Jharkhand plantation of 40 percent needs to be carried out in the plant of M/s BFCL to abate pollution. No such exercise has

been carried out. On 02.01.2021, NOC was granted by Central Groundwater Authority to M/s BFCL for groundwater extraction. No prior NOC was granted and the plant was operating illegally for over 20 years by drawing water. Further, the present NOC does not grant required capacity to extract as per current expanded production of ferro alloy. Integrated Regional Office, Ranchi (MOEF) (“IRO”), Govt. of India has conducted inspections of the M/s BFCL’s plant on 05.01.2022 and previously on 02.10.2020 and 14.02.2017. On the basis of these inspections, various violations of environmental laws have been pointed out in BFCL’s ferro alloy plant. Some of these are related to lack of proper environmental clearance for running its SEAF Units, usage of pearl coke in place of pet coke, non-connection of furnace with the STACK system, non-provision of adequate living facilities for the labourers, no provision for collection and treatment of run off rainwater from the raw material storage area, non-availability of surface water harvesting structure etc. These recommendations have not been complied with even now. There are continuing environmental violations and there is a substantial question of environment involved. Hence, this present original application.

#### **List of Dates**

23.03.1974	The Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the Water Act, 1974) was enacted for the prevention and control of water pollution. The Act established the Central Pollution Control Board (hereinafter referred to as CPCB) and the State Pollution Control Board (hereinafter referred to as SPCB) as nodal authorities for Centre and States Governments, respectively, for this purpose. Any project proponent which sought to discharge any effluent from its project is now mandatorily required to obtain permission from respective SPCB and adhere to norms prescribed by the Central Pollution Control Boards and the respective SPCB. Over the years the permission was developed into a two stage mechanism. Under this mechanism the project proponents are required to obtain NOC/ Consent to Establish before starting the construction of the project. Subsequently, once the construction
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	activities are completed, Consent to Operate is required to be obtained from the State Pollution Control Boards before commencing operations.
29.03.1981	Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as Air Act, 1981) was enacted for the prevention, control and abatement of air pollution. Similar to the mechanism under the Water Act, 1974, the Air Act, 1981 also mandated that the project proponent be required to obtain a permission from the Pollution Control Boards and comply with its norms for emissions. The NOC/ Consent to Establish and the Consent to Operate mechanism under the Air Act, 1981 is similar to that under the Water Act, 1974.
23.05.1986	Environment (Protection) Act, 1986 (hereinafter referred to as the EPA) enacted as an umbrella legislation concerning environmental protection and has brought out rules, regulations and directives to be complied with. Under Section 3 of the EPA, the Central Government is granted power to take measures to protection of environment. In exercise of such power the Central Government has notified various delegated legislations such as the Environmental Impact Assessment, 2006.
14.09.2006	The Central Government notified Environment Impact Assessment Notification, 2006 (hereinafter referred to as EIA, 2006) in exercise of its powers under the EPA. EIA, 2006 categorized the projects into two categories. The Category A projects are accessed by Central Government through MoEF and Category B projects are accessed at the State level by the State Environment Impact Assessment Authority (SEIAA). Para 2 of EIA, 2006 mandated the requirement of obtaining prior Environmental Clearance from the concerned regulatory authority for all new projects or activities listed in the Schedule; or expansion and modernization of existing projects or activities listed in the Schedule; or any change in product mix in an existing manufacturing unit included in the Schedule. Under the schedule, metallurgical industries (ferrous and non-ferrous) are included within activity 3 (a). Primary metallurgical industry requires prior and mandatory EC from the Central Government constituted Environmental Assessment Committee.
31.10.2011	EC granted to [9MVA X 1= 40TPD] Unit of Ferro Silicon/ Ferro-Manganese vide reference No.-J11011/34/2010-IA.II(I) of MoEF&CC at Plot No. 1405, Ramgarh Industrial Area, Marar Village, Ramgarh District in Jharkhand of M/s Bihar Foundary and Casting. Conditions of EC were not subsequently followed.
07.03.2016	Over the years, the SPCBs adopted different mechanisms for

	<p>grant of NOC, CTE and CTO under the Air Act and Water Act. To address the problem caused due to such different mechanisms, the CPCB issued directions on 07.03.2016 for Classification of Industries to ensure uniform classification of industries across the country.</p> <p>The classification of industries listed out the industries which would require CTE/ CTO and placed them in different categories on the basis of their pollution index. Under the schedule, metallurgical industries, both ferrous and non-ferrous come under the Orange category – with a pollution index score of 41 to 59.</p>
03.05.2016	<p>Jharkhand State Pollution Control Board (JSPCB) notified its own Classification of industries on the basis of the CPCB classification whereby it has classified industries into three categories, viz. Red, Orange and Green. Under the schedule, metallurgical industries, both ferrous and non-ferrous come under the Orange category. Under the orange category, the JSPCB has further sub-divided into two categories based on pollution load index: High Risk category comprises industrial sectors having pollution index scores of 50 to 59 and Low Risk category having pollution index score of 41 to 49.</p>
24.10.2019	<p>CEPI issues guidelines which states that in severely polluted areas like Ramgarh, Jharkhand plantation of 40 percent needs to be carried out in the plant of M/s BFCL.</p>
10.11.2020	<p>CTO granted by Jharkhand State Pollution Control Board, JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 in favour of sister concern of M/s BFCL i.e. GAUTAM FERROY ALLOY till a period of 31.12.2025. This has been granted on the basis of a lapsed environmental clearance No.-J11011/34/2010-IA.II(I), dated 31.10.2011 issued by Ministry of Environment &amp; Forest, Govt. of India, New Delhi.</p>
24.11.2020	<p>Terms of Reference granted to Modification cum expansion in existing Ferro Alloys Plant by M/s Foundry and Castings Limited located at Ramgarh Industrial Area, Survey Plot No. 1405 (P) , Ramgarh, Jharkhand.</p>
02.01.2021	<p>NOC granted by Central Groundwater Authority to M/s BFCL for groundwater extraction. No prior NOC was granted and the plant was operating illegally by drawing water. Further, the present NOC does not grant required capacity to extract as per current production of ferro alloy.</p>
07.07.2021	<p>Ministry of Environment, Forest and Climate Change (MoEF&amp;CC) issued an OM detailing the standard operating</p>

	<p>procedure to be followed for violation cases. It states that if no prior EC was taken then the project must be closed down. It further states that there shall be no grant or renewal of CTO till the time the project is not granted Environmental Clearance, afresh.</p>
20.09.2021	<p>Order issued by I.A. Division, MoEF&amp;CC stating that CTO to not be granted unless a valid EC is subsisting. It further states that no CTE/CTO to be renewed till the time a valid EC is granted.</p>
13-14.09.2021	<p>44th Meeting of Reconstituted EAC (Industry I) where the proposal of M/s BFCL was taken up and rejected and it was summarily placed in the ambit of violation cases.</p>
05.01.2022	<p>Integrated Regional Office, Ranchi (MOEF) (“IRO”), Govt. of India has conducted inspections of the M/s BFCL’s plant on 05.01.2022 and previously on 02.10.2020 and 14.02.2017. Further, on the basis of these inspections, various violations of environmental laws have been pointed out in BFCL’s ferro alloy plant. Some of these are related to non-obtaining of proper environmental clearance for running its SEAF Units, usage of pearl coke in place of pet coke, non-connection of furnace with the STACK system, non-provision of adequate living facilities for the labourers, no provision for collection and treatment of run off rainwater from the raw material storage area, non-availability of surface water harvesting structure etc.</p>
19.12.2022	<p>Two separate Letters written by IA division of Ministry of Environment, Forest and Climate Change (MoEF&amp;CC) to M/s BFCL and Additional Chief Secretary, Environment and Forests Department, Jharkhand stating that State Government/ JSPCB not grant CTO till EC is granted on the basis of OM dated 07.07.2021 – SOP on Violation Cases. It stated that construction/operation without prior EC shall be stopped immediately. BFCL in violation continues to operate the same. It further states that under the violation cases regime no CTO to be granted till grant of environment clearance.</p>
23.01.2023	<p>CTO granted to sister concern of M/s BFCL i.e. GAUTAM FERROY ALLOY changed to the name of Bihar Foundries &amp; Castings Limited.</p>

28.02.2023 - 01.03.2023	Minutes of Meeting of 24 <sup>th</sup> EAC (Industry I) held on 28.02.2023-01.03.2023 wherein a condition precedent of no further construction to be carried out by M/s BFCL unless and until there is prior permission/approval by Ministry of Environment, Forest and Climate Change (MoEF&CC)
15.05.2023 - 06.09.2023	Letters issued by Ministry of Environment, Forest and Climate Change (MoEF&CC) to M/s BFCL and JSPCB wherein it is stated that no consent to operate be granted till the time the project is granted environmental clearance on the basis of OM dated 07.07.2021 – SOP on Violation Cases Despite this, the CTO has been granted by the Jharkhand State Pollution Control Board.
06.11.2023	Hence, this present Original Application.

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH AT KOLKATA**

**ORIGINAL APPLICATION NO.                      OF 2023/EZ**

**IN THE MATTER OF:**

Vishal Kumar ...Applicant

Vs

Bihar Foundry and Castings Limited & Ors. ...Respondents

**Memo of Parties**

**IN THE MATTER OF :**

**1. Vishal Kumar**

S/O Sh. Muchkund Prasad  
R/O Near Police Station, P.O.  
& P.S.- Jamua, District- Giridih,  
Jharkhand- 815318  
Presently R/O - 208, Old Ag Co-Operative  
Colony, Kadru, Po-Doranda,  
Ps-Argora, District -Ranchi, Jharkhand- 834001

**...Applicant**

**Versus**

**1. Bihar Foundry And Castings Limited**

Through Chairman,  
Main Road, Ranchi, P.O.- G.P.O,  
P.S.- Sadar, District- Ranchi, Jharkhand- 834001,  
Also At Ramgarh Industrial Area,  
Marar Village, Ramgarh (Tehsil & District),  
Jharkhand- 829117, Tel: 9234281144,  
Email- [bfclgfa@gmail.com](mailto:bfclgfa@gmail.com)

**2. Ministry Of Environment, Forest & Climate Change,**

Through Secretary,  
Indira Paryavaran Bhawan, Jorbagh Road,  
New Delhi – 110003, Tel: 011-20819308, 20819408,  
Email- [secy-moef@nic.in](mailto:secy-moef@nic.in)

**3. Jharkhand State Pollution Control Board,**

Through Chairman,

E-1, Cti Colony, Dhurwa Ranchi – 834004

Tel.: 2400894/851/852/902/979/138,

Email- [ranchijspcb@gmail.com](mailto:ranchijspcb@gmail.com)

**4. Central Pollution Control Board,**

Through Chairman,

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Tel: 0 11-43102030 Email- [ccb.cpcb@nic.in](mailto:ccb.cpcb@nic.in)

**5. Department of Forest, Environment & Climate Change,  
Government of Jharkhand,**

Through Its Secretary,

Forest Officers' Colony, P.O. &

P.S.- Doranda, District-Ranchi, Jharkhand-834001

Tel: 0651-2491669, 2491098,

Email- [prsecyfdjharkhand@rediffmail.com](mailto:prsecyfdjharkhand@rediffmail.com)

**6. Central Groundwater Authority,**

Through Member Secretary,

18/11 Jamnagar House, Mansingh Road

New Delhi-110011,

Tel: 011-23383824, Email- [cgwa@nic.in](mailto:cgwa@nic.in)

**...Respondents**

**To**

**The Hon'ble**

**Members of the National Green Tribunal,**

**Eastern Zone Bench at Kolkata**

**MOST RESPECTFULLY SHOWETH:**

1. The address for the counsel of the Applicant is given for the purpose of serving notices and other relevant correspondences.

2. The addresses of the Respondents are given in proper format for the purpose of serving notices and any other relevant correspondence.
3. That the Applicant is a practising advocate, with enrolment No. 346/09 with the Jharkhand Bar Council who has raised various issues of public importance regularly. Since, the instant application deals with various environmental violations being committed by M/s. BFCL, arrayed as Respondent No.1, the Applicant has filed the present case before the Hon'ble Tribunal to safeguard the interest of the public at large.
4. The Respondent No.1 (R-1) is a private company and one of the largest manufacturers of ferrous alloy in the state of Jharkhand. It is a company registered with ROC, Jharkhand and is engaged in the business related to ferrous products, ferro alloys, ferro silico-manganese. Respondent No.2 (R-2) is the nodal central ministry for environment, forest and climate change in the country. Respondent No.3 (R-3) is an autonomous body of the State of Jharkhand that deals with grant of Consents before commencement in the State. Respondent No. 4 (R-4) is the autonomous body in the Centre that deals with air pollution in the country. Respondent No.5 (R-5) is the nodal ministry in the state dealing with issues pertaining to environment, forest and climate change. Respondent No. 6 (R-6) is the nodal authority in the country for issuing NOC for extraction of groundwater in permissible limits.

5. That it is submitted that the Applicant is aware that two original applications being O.A. No 44/2023 and O.A. No. 141 of 2023 are pending adjudication before this bench of the Hon'ble Tribunal pertaining to large scale environmental violations by R-1. Subsequently, a committee was formed and a report on the basis of site inspection dated 13.05.2023 is also pending adjudication. That in order to bring those facts, as well as other new and emerging facts, the Applicant is filing this present Original Application to bring to the fore large scale continuing environmental violations without necessary approvals and for necessary and urgent action by this Hon'ble Tribunal.
6. It is further pertinent to note that R-1 is continuing operations without a valid environmental compliances which is contrary to the law of the land.

#### **PRELIMINARY SUBMISSIONS**

7. That it is submitted that R-1 has set up a ferro-alloy production unit at Plot No. 1405 (P) in Ramgarh Industrial Area, Ramgarh, Jharkhand-829117. These units are operating without obtaining necessary prior and mandatory environmental permissions.
8. It is submitted that due to the nature of units with different production capacities, R-1 has sought to play and subsequently prosper, with convenience of numbers without prior mandatory environmental clearance and consents under the Water Act, 1974 and Air Act, 1981.

#### **I. NON-COMPLIANCE OF ENVIRONMENTAL SAFEGUARDS RESULTING IN VIOLATIONS**

9. R-1 is running a metallurgical industry in Ramgarh, Jharkhand. Under the aegis of a metallurgical industry, it has almost tripled its capacity without environmental compliances. The details for the same are provided hereinbelow:

Production without EC	Final expanded continuing production without EC
2x5+1x7.5+1x9 MVA SAF (Submerge Arc Furnaces) Ferro Alloys SiMin/Fe Min	2X6+3X9MVA SAF's + 1x12T per batch CLU Converter with matching associate facilities Product Mix SiMin – 165TPD (58,575 TPD) or HC/MC/LC FeMn – 265 TPD (94,075 TPA) depending on market scenario/demand.

10. It is submitted that the parent EIA notification, i.e. EIA, 2006 classifies metallurgical industries (ferrous and non-ferrous) for the activity carried out by R-1 as a primary metallurgical industry with activity 3(a), requiring prior and mandatory Environmental Clearance from EAC of the Central Government.

11. It is submitted that R-1 applied for Environmental Clearance for expansion of the ferro-alloy plant by installing SAF (9MVA X1 = 40TPD) at plot No. 1405, Ramgarh Industrial Area, Marar Village, Ramgarh District, Jharkhand which was in addition to Ferro Alloy (2x5MVA) with a production of 26TPD for (Silico/Manganese) and Ferro Alloy (7.5MVA) having a capacity of 30 TPD of Silico/Manganese. Subsequently, EC was granted on 31.10.2011. It is submitted that for the other units no environmental clearance was ever applied for or received. A copy of the EC granted on 31.10.2011

is annexed and marked hereto as **Annexure A 1 and is available on pages 35-40.**

**12.** It is submitted that on 24.11.2020, the R-2 granted Terms of Reference to R-1 for modification cum expansion in existing ferro alloy for entire operations [2X6+3X9MVA SAF's + 1x12T per batch CLU Converter] with matching associate facilities Product Mix Si/Man – 165TPD (58,575 TPD) or HC/MC/LC Fe/Mn – 265 TPD (94,075 TPA) depending on market scenario/demand. without knowing that R-1 had caused grave environmental violations. It is submitted that even at this point, R-1 had stated to R-2 that there was no violation on its part, which is false and untrue. It is submitted that R-1 had hidden a material fact – It was engaged in production of ferro-alloy, i.e. Activity 3 (a) of EIA, 2006 without environmental clearance leading to environmental loss, damage and degradation. Copy of the TOR granted to R-1 by R-2 for modification cum expansion dated 24.11.2020 is annexed herewith as **Annexure A2 and is available on pages 41-50.**

**13.** It is submitted that the entire site has no subsisting EC at present. Even previously, the R-1 had hidden material facts which led to increase in production, i.e. expansion without environmental clearance. It is further submitted that the OM issued by R-2 dated 07.07.2021 clearly spells out that in case of violation where no subsisting EC is present, the project must be closed down henceforth. It is further submitted that once a violation is identified, no consent to operate can be granted by respective SPCB till the time of grant of EC. It is submitted that despite this OM, the project was granted

CTO while an application for grant of EC is still pending adjudication by EAC. A copy of the OM issued by R-2 on 07.07.2021 titled SOP for Identification and Handling of Violation Cases is annexed and marked as **ANNEXURE A3 and available on pages 51-59.**

**14.** It is submitted that subsequently R-1 applied for environmental clearance under expansion. The EAC (Industry-I) in its 44th meeting held on 13-14th September, 2021 returned the proposal since it involves violation and attracts provisions of OM dated 07.07.2021 regarding SOP for identification and handling of violation cases. It is submitted that many inconsistencies were highlighted by the EAC in its report, resulting in black listing of the environmental consultant for this project in question. A copy of the relevant pages of the EAC Minutes of the 44<sup>th</sup> Meeting dated 13.09.2021 and 14.09.2021 is annexed herewith as **Annexure A4 and is available on pages 60-72.**

**15.** It is verily believed that the existing set-up is running with increased modified output despite pending EC. It is further submitted that despite not having any EC at present, the operations of the site including increased production continue unabated.

**16.** Subsequently, through communications, R-1's plant was treated as a violation case and to be handled as per OM dated 07.07.2021. Yet, the SOP dated 07.07.2021 stated that where there is no pre-existing EC, the project must be closed down. It is humbly submitted that the project has not been closed down despite the law of the land being very clear.

**17.** Minutes of Meeting of 24<sup>th</sup> EAC (Industry I) held on 28.02.2023-

01.03.2023 wherein a condition precedent of no further construction to be carried out by R-1 unless and until there is prior permission/approval by R-2. The relevant portion is reproduced hereinbelow:

*X. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).*

A copy of the relevant pages of the Minutes of Meeting of 24<sup>th</sup> EAC (Industry I) held on 28.02.2023-01.03.2023 is annexed herewith and marked as **Annexure A 5 and is available on pages 73-107.**

**18.** It is submitted that now the entire project is pending consideration by EAC for approval of EC. Until such time EC is finally granted, the entire project must be closed down.

## **II. VIOLATION OF CONSENT MECHANISM FROM THE JHARKHAND STATE POLLUTION CONTROL BOARD**

**19.** The Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the Water Act, 1974) was enacted for the prevention and control of water pollution. The Act established the Central Pollution Control Board (hereinafter referred to as CPCB) and the State Pollution Control Board (hereinafter referred to as SPCB) as nodal authorities for Centre and States Governments, respectively, for this purpose. Any project proponent which sought to discharge any effluent from its project is now mandatorily required to obtain permission from respective SPCB and adhere to norms prescribed by the Central Pollution Control Boards and the respective SPCB. Over the years the permission was developed into a two stage

mechanism. Under this mechanism the project proponents are required to obtain NOC/ Consent to Establish before starting the construction of the project. Subsequently, once the construction activities are completed, Consent to Operate is required to be obtained from the State Pollution Control Boards before commencing operations.

**20.**Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as Air Act, 1981) was enacted for the prevention, control and abatement of air pollution. Similar to the mechanism under the Water Act, 1974, the Air Act, 1981 also mandated that the project proponent be required to obtain a permission from the Pollution Control Boards and comply with its norms for emissions. The NOC/ Consent to Establish and the Consent to Operate mechanism under the Air Act, 1981 is similar to that under the Water Act, 1974.

**21.**Over the years, the SPCBs adopted different mechanisms for grant of NOC, CTE and CTO under the Air Act and Water Act. To address the problem caused due to such different mechanisms, the R-4 issued directions on 07.03.2016 for Classification of Industries to ensure uniform classification of industries across the country. The classification of industries listed out the industries which would require CTE/ CTO and placed them in different categories on the basis of their pollution index. Under the schedule, metallurgical industries, both ferrous and non-ferrous come under the Orange category – with a pollution index score of 41 to 59.

**22.**R-3 notified its own Classification of industries on the basis of the

CPCB classification whereby it has classified industries into three categories, viz. Red, Orange and Green. Under the schedule, metallurgical industries, both ferrous and non-ferrous come under the Orange category. Under the orange category, the JSPCB has further sub-divided into two categories based on pollution load index: High Risk category comprises industrial sectors having pollution index scores of 50 to 59 and Low Risk category having pollution index score of 41 to 49.

**23.** It is submitted that R-1 had obtained a CTO granted by Jharkhand State Pollution Control Board JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 in favour of sister concern of M/s BFCL i.e. GAUTAM FERROY ALLOY on 10.11.2020 till a period of 31/12/2025. A copy of the CTO granted by Jharkhand State Pollution Control Board, R-3 vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 on 10.11.2020 is annexed and marked as **Annexure A 6 and is available on pages 108-112.**

**24.** However, it was changed to the name Bihar Foundries & Castings Limited on 23.01.2023 with validity till 31.12.2025.

**25.** It is submitted that one of the prior conditions of violation cases has been that consent to operate to not be granted to the project proponent till the time EC is finally granted. Thus, consent to operate can only be granted after grant of EC. This has been enabled through the SOP on Identification and Handling Violation Cases OM brought out by MoEF&CC on 07.07.2021. It is submitted that relevant paras of the two letters written by I.A. Division, MoEF&CC on 15.05.2023 and

06.09.2023 to R-3, i.e. Jharkhand State Pollution Control Board are reproduced hereinbelow:

*2. The Ministry has issued SOP, vide an OM dated 07.07.2021 for appraisal of projects for grant of terms of reference/environmental clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed the product mix without obtaining prior environmental clearance under the EIA Notification, 2006. As per the above said SOP, in cases of violation, action is to be taken against the project proponent by the respective State Government or the State Pollution Control Board under the provisions of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate (for the violation project) to be issued till the project is granted environmental clearance.*

A copy of the letters dated 15.05.2023 and 06.09.2023 is annexed and marked as **Annexure A 7 (Colly) and is available on pages 113-120.**

**26.** Order issued by I.A. Division, MoEF&CC dated 20.09.2021 stating that CTO to not be granted unless a valid EC is subsisting and that no CTE/CTO to be renewed till the time an EC has been granted. It is submitted that R-1 has been granted a CTO and subsequently granted a name change in the CTO despite an order by R-2 stating that renewal is impermissible in the face of lack of valid EC. A copy of the Order issued by I.A. Division of R-2 dated 20.09.2021 is annexed and marked hereto as **Annexure A 8 and is available on pages 121-22.**

**27.** It is further submitted that these two letters dated 15.05.2023 and 06.09.2023 note down that R-1 has obtained consent to operate from R-3 which is the authority mandated to grant CTE/CTO. It is submitted that this runs contrary to the law of the land as prescribed by the procedure for violation cases entailed in SOP on Identification and Handling of Violation Cases OM issued by R-2 on 07.07.2021. Relevant paras of letters dated 15.05.2023 and 06.09.2023 reproduced hereinbelow:

*4. The EAC noted that the existing project was accorded environmental clearance vide F. No. J-1 1011/384/2010-IA (II) (I) dated 31.10.2011. Consent to Operate for the existing unit was accorded by JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated 10.11.2020 (which is in the name of GAUTAM FERRO ALLOYS (UNIT OF BFCL) which is valid upto 31-12-2025. Subsequently name of the plant in CTO has been changed to Bihar Foundries & Castings Limited vide order dated 23.01.2023 and is valid till 31.12.2025.*

**28.** It is submitted that the R-3 has not complied with the conditions that have been repeatedly sent by R-2. By not complying with the conditions, the SOP for Identification and Handling of Violation cases has not been complied with and shows derogation on the part of state authorities to directions issued by the Central Government.

**29.** It is submitted that R-3 being the nodal authority in the state must utilise provisions under the Water Act, 1974 and Air Act, 1981 to

direct closure of operations to avoid the continuing damage to the environment.

### **III. FAILURE OF AUTHORITIES TO TAKE APPROPRIATE STEPS AGAINST M/S. BFCL**

**30.** It is submitted that despite being adequately informed by R-2, state parties have not taken any credible action in pursuance of OM dated 07.07.2021 with respect to SOP regarding identification and handling of violation cases.

**31.** It is submitted that two separate letters were written by IA division of R-2 to R-1 and R-5 stating that State Government/ JSPCB not to grant CTO till EC is granted. It stated that construction/operation without prior EC shall be stopped immediately. BFCL in violation continues to operate the same. It further states that under the violation cases regime no CTO to be granted till grant of environment clearance.

A copy of the relevant portion of the letters is reproduced hereinbelow:

*2. The Ministry has issued SOP, vide an OM dated 07.07.2021 for appraisal of projects for grant of terms of reference/environmental clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed the product mix without obtaining prior environmental clearance under the EIA Notification, 2006. As per the above said SOP, in cases of violation, action is to be taken against the project proponent by the respective State Government or the State Pollution Control Board under the provisions of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate (for the violation project) to be issued till the project is granted environmental clearance*

A copy of the letters dated 19.12.2022 is annexed and marked as **Annexure A9 (Colly) and is available on pages 123-133.**

**32.** It is submitted that despite express directions by R-2 issued via two letters dated 19.12.2022 to R-1 and R-5, no action was taken to rescind the CTO granted to R-1.

**33.** It is submitted that similar directions were issued by R-2 on two separate letters to R-3 and R-1 regarding grant of CTO in violation cases dated 15.05.2023 and 06.09.2023 which have been cited above. It was made aware to the state authority that no CTO can be granted in a violation case till environment clearance is granted. Yet, R-1 received CTO from the relevant state authorities. It is submitted that this constitutes a grave failure on state authorities to take action against R-1.

#### **IV. NON-INSTALLATION OF PROPER CONTINUOUS AMBIENT AIR QUALITY MONITORING SYSTEM**

**34.** That it is humbly submitted that due to its location in severely polluted area of Ramgarh, R-1 is required to install a proper continuous ambient air quality monitoring system which is capable of monitoring 5 parameters in air i.e. presence of PM 10 in air, presence of PM 2.5 in air, presence of Sox, presence of NOx and presence of CO. However, R-1 has not installed the required continuous ambient air quality monitoring system. However, EAC has ignored this crucial information and is set to recommend environment clearance even when plant of BFCL is situated in severely polluted area. R-1 be

directed to comply with all the environmental norms and make payment for violation and non-compliance for expansion of its project and starting production without obtaining environmental clearance.

**V. DEFECTS POINTED BY IRO IN ITS VARIOUS INSPECTIONS**

**35.**That it is humbly submitted that the Integrated Regional Office, Ranchi (MOEF) (“IRO”), of R-2 has conducted inspections of the M/s BFCL’s plant on 05.01.2022. Further, on the basis of these inspections, various violations of environmental laws have been pointed out in R-1’s ferro alloy plant. Some of these are related to non-obtaining of proper environmental clearance for running its SEAF Units, usage of pearl coke in place of pet coke, non-connection of furnace with the STACK system, non-provision of adequate living facilities for the labourers, no provision for collection and treatment of run off rainwater from the raw material storage area, non-availability of surface water harvesting structure etc. These shortcomings which were pointed out by IRO have not been complied by R-1 till date which shows that R-1 is not serious to do away with violations being committed in its ferro alloy and sponge iron plant due to which its ferro alloy plant and sponge iron plant needs to be shut down completely. Copy of report of IRO dated 05.01.2022 along with previous IROs dated 02.10.2020 and 14.02.2017 are collectively annexed and marked hereto as **Annexure A10(Colly.)** and is available on pages **134-174.**

36. These defects pointed out by the IRO have not been rectified and R-1 is in the process of obtaining EC which would result in grave harm to the environment.

**VI. ILLEGALLY DRAWING WATER MORE THAN PERMISSIBLY GRANTED**

37. That it may be noted that the plants require permission from the R-6 for extracting the ground water for industrial purposes. However, M/s. BFCL which is running its ferro alloy plant since 24.02.2000, did not obtain the no objection certificate for extracting ground water from R-6 till 02.01.2021 when it was granted NOC for extracting 35Kl/day ground water. Thus, R-1 has extracted ground water illegally without obtaining any permission from the appropriate authorities for over 20 years. Copy of the NOC dated 02.01.2021 issued to R-1 by R-6 is annexed herein as **Annexure A11 and is available on pages 175.**

38. That it is pertinent to note that in general practise and as per industrial standards, approximately 1 Kl/tonne water is required for production of ferro alloy using silico manganese. Further, R-1's plant prior to illegal expansion done by it had capacity of producing 96 TPD ferro alloy which would have required at least 96Kl water per day. However, BFCL was running the plant in full capacity with mere allowed capacity of 35 Kl ground water per day which clearly shows that BFCL was illegally extracting ground water even after issuance of NOC from the competent authority. For production of 265 TPD ferro alloy, minimum water requirement will be 265 Kl/ Day as in

accordance with industrial standards for producing 1 tonne of ferro alloy at least 1 Kl/day water is required. Considering that R-1 has installed CLU converter, there will be additional requirement of water apart from the 265 Kl/Day mentioned. Further, as per the industrial standards at least 0.5 Kl/Tonne of water is required for production of minimum /low carbon ferro alloy (CLU convertor). Thus, considering the size of unit, the normal functioning of the R-1's ferro alloy plant will require at least 350-400 Kl/day water (Considering 265 Kl/Day for ferro alloy, 33 Kl/Day water for domestic requirement as sought and minimum 50-100 Kl/Day water for CLU convertor). R-1 is seeking to continue extracting groundwater illegally to run its ferro alloy plant since it has till date neither obtained nor sought to obtain requisite permissions to extract ground water to support running of its ferro alloy plant in which is running beyond full threshold capacity.

**VII. INCORRECT INFORMATION REGARDING TOTAL LAND AREA TO AVOID REQUISITE PLANTATION**

39. That it is humbly submitted that R-1 has obtained environmental clearance for its sponge iron unit on 28.01.2010 and the environment clearance provides that the total land area of sponge iron unit is 14 acre in the plot bearing No. 1364. Further, R-1 has also obtained clearance for Ferro Alloys Plant located at Plot No. 1405 admeasuring 14 acres on 31.10.2011. This shows that BFCL has total 28 acres of area for its two plants of ferro alloys and sponge iron each admeasuring 14 acres. However, in the Consent to Operate dated 05.01.2016, obtained by R-1 for its ferro alloys unit which is situated on Plot No. 1405, shows its area to be 7.26 acres only whereas the

area of Sponge Iron Plant in Consent to operate dated 28.11.2019 is shown as 19 Hectare which is around 47.5 acres.

40. The only reason R-1 is manipulating the land area at this stage is to avoid mandatory plantation of 33% that is required to be done in its ferro plant. Taking total plant area of 28 acres (sponge iron unit + ferro alloy units), R-1 is required to carry out plantation in approx. 9.24 acres of land however, R-1 has capriciously reduced the land area while obtaining environment clearances for its sponge iron plant and ferro alloy plant to avoid mandatory plantation in the 33% of the project area.

41. That it is humbly submitted that the sponge iron plant and ferro alloy plant of R-1 are located at Ramgarh, Jharkhand which falls within the notified severely polluted area with clusters of Comprehensive Environmental Pollution Index (CEPI) ranging from 60-70. As per the Environment Board guidelines, the industries situated in severely polluted area are required to maintain green belt area of at least 33% which is also provided as mandatory requirement under Clause 19 of the Specific Conditions provided under the Environment Clearance issued to R-1. The Clause 19 of the Specific Conditions provided under the Environment Clearance states as follows:

*“As proposed, green belt shall be developed in 4.7 acers (33%), out of total 14 acers land within and around the plant premises as per the CPCB guidelines in consultation with DFO.”*

42. That it is further submitted that in the environmental clearance granted to R- 1, 33% of 14 acres of land is shown to be green belt area for the plot no. 1364 which is issued for the Sponge iron plant.
43. That it is further submitted that the R-2 and its ferro alloy plant is situated at Plot No. 1405 which also extends to 14 acres in area and thus 33% green belt is separately required for running of the Ferro Alloy plant.
44. That it is however submitted that considering 28 acres of total land area comprising of Ferro Alloy plant (14 acres, Plot 1405) belonging to Respondent No. 2 and sponge iron plant (14 acres, Plot 1364) belonging to Respondent No. 1, the total area required to be reserved for green belt is 9.24 acres (33% of 28 acres). However, the total area reserved for green belt combinedly by both the Respondents is even less than 4 acres.
45. That it may further be noted that as per the CEPI Guidelines dated 24.10.2019, since the plant of BFCL is within the severely polluted area, it is mandatory for BFCL to carry out plantation in 40% of its plant area. Since, as per the environment clearance issued to BFCL on 31.10.2011 clearly shows that its ferro alloy plant area is 14 acre, it is required that BFCL should carry out plantation in 40% of the 14 Acre area i.e. over 5.6 acre plant premises. Further, this 5.6 acre should be apart from the plantation done for the sponge iron plant of BFCL. Considering that total plant area of BFCL (ferro alloy + sponge iron) is around 28 acre, there should be plantation over 11.2 acre of land as per the CEPI guidelines which is not done in the case

of BFCL and therefore, it should not be granted environment clearance. Copy of the CEPI guidelines dated 24.10.2019 is annexed herein as **Annexure A12 and is available on pages 176-180.**

46. That it is further submitted that R-1 is fraudulently portraying same stretch of green land (less than 4 acres) to obtain Consent to operate and other clearances for both of its sponge iron plant and ferro alloy plant which is in blatant violation of the applicable environment laws and Specific Conditions provided under the Environment Clearance issued to it.

47. R-1 has thus violated almost all environmental conditions in carrying out operations of its Ferro-Alloy plant. There is no compliance with the OM dated 07.07.2021 which deals with SOP for violation cases, whereby environmental clearance has to be set in abeyance and production stopped. It has been granted a CTO in total violation of the OM dated 07.07.2021. On the contrary, R-3, the nodal state authority in the state has refused to take steps towards implementing the OM dated 07.07.2021 causing grave violation to the environment. The ferroy-alloy plant is situated in heavily polluted area R-1 has shown abject failure to install continuous ambient air quality monitoring system which is capable of monitoring 5 parameters in air i.e. presence of PM 10 in air, presence of PM 2.5 in air, presence of Sox, presence of NOx and presence of CO. R-1 has failed to comply with the recommendations of the IRO dated 05.01.2022 along with previous IROs recommendations dated 02.10.2020 and 14.02.2017.

R-1 is also continuously drawing water illegally going into the teeth of the conditions of the NOC granted by R-6 on 02.01.2021. It is further submitted that the mandatory green belt plantation of 40% to be carried out is missing and R-1 is using clever ways to manipulate the site plan in order to not carry it out.

**48.**That this Hon'ble Tribunal, Eastern Bench at Kolkata has proper jurisdiction to entertain this instant application as it relates to a substantial question of environment, with the ferro-alloy plant of M/s BFCL located in Jharkhand, which is under the territorial jurisdiction of this Bench of the Hon'ble Tribunal.

**49.**That this present application under the provisions of Section 14, 15 is being filed within the period of limitation.

**50.**This application is made bonafide and in the interest of justice.

**51.GROUNDS**

**A.** Because R-1 is operating the ferro-alloy production unit at Plot No. 1405 (P) Ramgarh Industrial Area, Marar Village, Ramgarh District in Jharkhand at without any environment clearance as per provision of EIA, 2006

**B.** Because R-1 is a violation case as per OM issued by R-2 on SOP for Violation Cases dated 07.07.2021 and hence is liable to be closed down.

**C.** Because R-3 has granted R-1 CTO in violation of OM issued by R-2 on SOP for Violation Cases dated 07.07.2021

- D.** Because R-1 is in violation of the OM issued by I.A. Division of R-2 dated 20.09.2021 which states that no CTE/CTO or their renewal to be granted in the face of a valid subsisting EC existing at the time.
- E.** Because CTO has been granted to R-1 despite R-2 issuing letters dated 19.12.2023 in grave violation of OM for SOP for Violation Cases dated 07.07.2021.
- F.** Because CTO has been granted to R-1 despite R-2 issuing letters dated 15.05.2023 and 06.09.2023 in grave violation of OM for SOP for Violation Cases dated 07.07.2021.
- G.** Because CTO has not been rescinded to R-2 despite letters dated 19.12.2023, 15.05.2023, 06.09.2023 and OM for SOP for Violation Cases dated 07.07.2021.
- H.** Because R-2, R-3 and R-5 have failed to take appropriate steps under the EIA, 2006, Water Act, 1974 and Air Act, 1981 to stop the illegal construction, operation and production activities of R-1.
- I.** Because R-1 has not installed a continuous ambient air quality monitoring system leading to unabated pollution.
- J.** Because R-1 has not carried out changes despite the report of IRO dated 05.01.2022 along with previous IROs dated 02.10.2020 and 14.02.2017.
- K.** Because R-1 is illegally drawing water which goes into the teeth of the conditions granted by R-6 in its NOC dated 02.01.2021.

L. Because R-1 has devised clever ways by showing less area to avoid the mandatory 40 percent green belt plantation to be carried out.

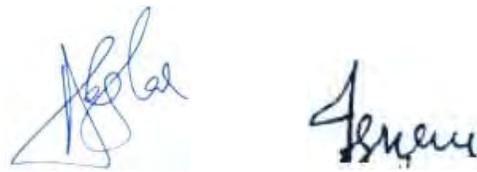
### **39. PRAYER**

That in light of the above facts and circumstances, it is most respectfully prayed by the appropriate orders or directions, this Hon'ble Tribunal may be pleased to:-

1. Direct R-2 to halt the grant of environmental clearance to R-1 till the time it complies with the extant laws.
2. Direct R-3 to use inherent power to issue directions under Sec. 33A of Water Act, 1974 and Sec 31A of Air Act, 1981 to order closure of operations of R-1.
3. Direct R-3 to rescind the consent to operate granted vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 to R-1 on 23.01.2023 till the time of grant of EC as it is violative of OM for SOP for Violation Cases issued on 07.07.2021.
4. Direct R-3 to rescind the consent to operate as it violates the order issued by I.A. Division of R-2 stating that no CTE/CTO or their renewal to be granted if there is no subsisting EC.
5. Direct R-3 to rescind the consent to operate granted vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 to R-1 on 23.01.2023 as it is violative of letters written by R-2 to R-1, R-3 and R-5 on 19.12.2023, 15.05.2023 and 06.09.2023.
6. Direct R-1 to install a continuous ambient air quality monitoring system.
7. Direct R-1 to comply with all the recommendations of the inspection of IRO on 05.01.2022 along with previous inspections dated 02.10.2020 and 14.02.2017.

8. Direct R-6 to revoke the NOC granted on 02.01.2021 to R-1 for illegally drawing out water.
9. Direct R-1 to plant the ensure forty percent green belt area in its ferroy alloy plant to ensure environmental safeguards.
10. Pass such other order/orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

**Filed by:**



**Mr. Akshar Bhatt and Ishan Agrawal**

Advocate for the Original Applicant

A-89, First Floor, Shivalik, Malviya, Nagar, New Delhi-110017

Email: [akshar@outlook.com](mailto:akshar@outlook.com); Mobile No.: 9818987688

Date: 12.12.2023

Place: Kolkata

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH AT KOLKATA

ORIGINAL APPLICATION NO. OF 2023

IN THE MATTER OF:

Vishal Kumar ...Applicant

Versus

Bihar Foundry and Castings Limited & Ors. ...Respondents

AFFIDAVIT

I, Vishal Kumar, aged about 40 years, son of Shri. Muchkund Prasad, resident of Near Police Station, P.O. & P.S.- Jamua, District-Giridih, Jharkhand- 815318; presently residing at 208, Old AG Co-Operative Colony, Kadru, PO-Doranda, PS-Argora, District -Ranchi, Jharkhand- 834001 hereby solemnly affirm and declare as under:

1. That I am fully conversant with facts and circumstances of this matter, and thereby competent to swear this Affidavit.
2. The contents of the accompanying Original Application are true and correct, best to my knowledge and belief and nothing material has been concealed therefrom.
3. The Annexures in the accompanying Original Application are true copies of their respective originals.

*Vishal Kumar*

DEPONENT

*Muchkund Prasad*  
E.No-4509/99  
Signature attested on  
identification of lawyer

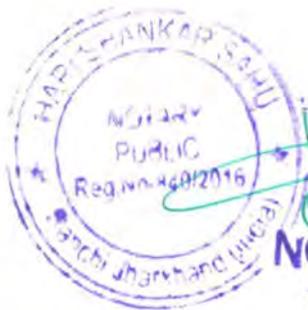
VERIFICATION:

8 DEC 2023

Verified at \_\_\_\_\_ on this \_\_\_ day of December 2023, that the contents of above affidavit are true and correct to my knowledge and belief and no part of it is false or has been concealed therefrom.

*Vishal Kumar*

DEPONENT



08/12/2023  
NOTARY PUBLIC  
RANCHI

*Muchkund Prasad*  
Signature attested on  
identification of lawyer  
E.No-4509/99

*(Condolesh marmar)*

Authorized under Notaries Act, 1956 & Notaries Rules, 1956 by Govt of Jharkhand Ranchi (India)



8 DEC 2023

04  
Ref. No. \_\_\_\_\_ Date \_\_\_\_\_

F. No. J-11011/384/2010-IA-II (I)  
 Government of India  
 Ministry of Environment and Forests  
 (I.A. Division)

Paryavaran Bhawan  
 CGO Complex, Lodhi Road  
 New Delhi – 110 003  
 E-mail: ms.industry-mef@nic.in  
 Tele/fax: 011 – 2436 3973  
 Dated: 31<sup>st</sup> October, 2011

✓ To,  
 The Director,  
 M/s Bihar Foundary and Casting Limited  
 Main Road, Ranchi- 834 001

Ph: 0651- 2202699

E-mail: [consafescience@gmail.com](mailto:consafescience@gmail.com) / [bfclgfa@gmail.com](mailto:bfclgfa@gmail.com)

**Sub:** Expansion of Ferro Alloy Plant by installing SAF (9 MVAx1= 40 TPD) for manufacture of Ferro Silicon/Ferro-Manganese at Plot No. 1405, Ramgarh Industrial Area, Marar Village, Ramgarh District in Jharkhand by **M/s Bihar Foundary and Casting Limited- regarding Environmental Clearance**

Sir,

This has reference to your letter no. nil dated 10.04.2011 along with copies of EIA/EMP reports and subsequent communication dated 30.06.2011 seeking environmental clearance under the provisions of EIA Notification, 2006.

2. The Ministry of Environment and Forests has examined your application. It is noted that M/s Bihar Foundary and Casting Limited have proposed for expansion of Ferro Alloy Plant by installing SAF (9 MVAx1= 40 TPD) to manufacture Ferro Silicon/Ferro-Manganese at Plot No. 1405, Ramgarh Industrial Area, Marar Village, Ramgarh District in Jharkhand. The proposed expansion will be in the existing plant area of 14 acres and green belt will be developed in 33% of the project area. No additional land is required for the proposed expansion. No R&R is involved. No national park / wildlife sanctuary and reserve forests are located within 10 km radius of the project site. Mn ore, Dolomite, Quartz and Coke will be used as raw materials. Total cost of the project is Rs. 20.0 Crores and the budget for Environment Management and Pollution Control measures is Rs. 2.0 Crores.

3. Following are the details of existing and proposed expansion facilities:

S.No	Name of the project	Existing	Proposed Expansion
1	Ferro Alloy (2x5 MVA)	26 TPD ( Silico / Manganese)	----
2	Ferro Alloy (7.5 MVA)	30 TPD ( Silico / Manganese)	----
3	Ferro Alloy (9 MVAx1)	----	40 TPD (Ferro Silicon/Ferro-Manganese)

4. Fume extraction system followed by bag filter to control the emissions from the submerged arc furnace and crushing house will be installed. The emissions will be dispersed

-2-

through stack of adequate height as per the CPCB / SPCB standards. Total water requirement will be 35m<sup>3</sup>/day, which will be sourced from bore wells. There will be no generation of wastewater from the process. Domestic effluent will be treated in septic tank followed by soak pit. Rain water harvesting system to recharge the ground water and reduce the fresh water consumption will be installed. Presently slag is collected and sent for crushing where the crushed slag is segregated through screen into the metallic and non metallic. The silica waste is sold for road works for filling and the metallic parts are reused in the process.

5. The Ferro Alloy Plants are listed at S.No. 3(a) in Primary Metallurgy Industry in Category 'A' under the schedule of EIA Notification, 2006 and appraised by the Expert Appraisal Committee -1 (Industry).

6. The proposal was considered by the Expert Appraisal Committee-1 (industry) in its 24<sup>th</sup> meeting held during 19<sup>th</sup> - 20<sup>th</sup> May, 2011. The Committee sought additional information for reconsideration of project. On receipt of additional information, the committee reconsidered the project in its 26<sup>th</sup> meeting held during 21<sup>st</sup> - 22<sup>nd</sup> July, 2011. The Committee recommended the proposal for environmental clearance subject to stipulation of specific conditions along with other environmental conditions. Public hearing is not required as per Para 7(i) III (b) of EIA Notification, 2006 as the project is located in notified industrial area.

7. Based on the information submitted by you, presentation made by you and consultant, M/s Consafe Science (India), Hyderabad, the Ministry of Environment and Forests hereby accords environmental clearance to the above project under the provisions of EIA Notification dated 14<sup>th</sup> September 2006 subject to strict compliance of the following Specific and General conditions:

**A. SPECIFIC CONDITIONS :**

- i. Compliance to all the specific and general conditions stipulated for the existing plant by the Central/State Government shall be ensured and regular reports submitted to the Ministry's Regional Office at Bhubaneswar/SPCB.
- ii. No charcoal shall be used as fuel. Pet coke shall be used as fuel instead of charcoal from unknown sources.
- iii. Continuous monitoring facilities for all the stacks and sufficient air pollution control equipments viz. fume extraction system with bag filters, ID fan and stack of adequate height to submerged arc furnace shall be provided to control emissions below 50 mg/Nm<sup>3</sup>.
- iv. The National Ambient Air Quality Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16<sup>th</sup> November, 2009 shall be followed.
- v. Secondary fugitive emissions from all the sources shall be controlled within the latest permissible limits issued by the Ministry and regularly monitored. Guidelines / Code of Practice issued by the CPCB shall be followed.
- vi. Regular monitoring of influent and effluent surface, sub-surface and ground water shall be ensured and treated wastewater shall meet the norms prescribed by the State Pollution Control Board or described under the Environment (Protection) Act, 1986 whichever are more stringent. Leachate study for the effluent generated and analysis should also be regularly carried out and report submitted to the Ministry's Regional Office at Bhubaneswar, SPCB and CPCB.

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- vii. The total water requirement shall not exceed 35m<sup>3</sup>/day. Permission to draw the water from the Competent Authority shall be obtained. 'Zero' effluent discharge shall be strictly followed and no wastewater should be discharged outside the premises.
- viii. Efforts shall be made to make use of rain water harvested. If needed, capacity of the reservoir should be enhanced to meet the maximum water requirement. Only balance water requirement should be met from other sources.
- ix. Slag produced in Ferro Manganese (Fe-Mn) production shall be used in manufacture of Silico Manganese (Si-Mn). All the other ferro alloy slag shall be used in the preparation of building materials.
- x. Risk and Disaster Management Plan along with the mitigation measures should be prepared and a copy submitted to the Ministry's Regional Office at Bhubaneswar, SPCB and CPCB within three months of issue of environment clearance letter.
- xi. As proposed, green belt should be developed in at least 33 % of the project area. Selection of plant species shall be as per the CPCB guidelines in consultation with the DFO.
- xii. At least 5 % of the total cost of the project should be earmarked towards the Enterprise Social Commitment based on locals need and item-wise details along with time bound action plan should be prepared and submitted to the Ministry's Regional Office at Bhubaneswar. Implementation of such program shall be ensured accordingly in a time bound manner.
- xiii. The company shall provide housing for construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- xiv. The Company shall submit within three months their policy towards Corporate Environment Responsibility which should inter-alia address (i) Standard operating process/ procedure to bring into focus any infringement/deviation/violation of environmental or forest norms/conditions, (ii) Hierarchical system or Administrative order of the Company to deal with environmental issues and ensuring compliance to the environmental clearance conditions and (iii) System of reporting of non compliance/violation environmental norms to the Board of Directors of the company and/or stakeholders or shareholders.

**A. GENERAL CONDITIONS:**

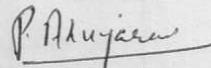
- i. The project authorities must strictly adhere to the stipulations made by the Jharkhand State Pollution Control Board and the State Government.
- ii. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment and Forests.
- iii. The gaseous emissions from various process units shall conform to the load/mass based standards notified by this Ministry on 19<sup>th</sup> May, 1993 and standards prescribed from time to time. The State Board may specify more stringent standards for the relevant parameters keeping in view the nature of the industry and its size and location.

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- iv. At least four ambient air quality monitoring stations should be established in the downward direction as well as where maximum ground level concentration of PM<sub>10</sub>, SO<sub>2</sub> and NO<sub>x</sub> are anticipated in consultation with the SPCB. Data on ambient air quality and stack emission shall be regularly submitted to this Ministry including its Regional Office at Bhubaneswar and the SPCB/CPCB once in six months.
- v. Industrial wastewater shall be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19<sup>th</sup> May, 1993 and 31<sup>st</sup> December, 1993 or as amended from time to time. The treated wastewater shall be utilized for plantation purpose.
- vi. The overall noise levels in and around the plant area shall be kept well within the standards (85 dBA) by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels should conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (daytime) and 70 dBA (nighttime).
- vii. Occupational health surveillance of the workers should be done on a regular basis and records maintained as per the Factories Act.
- viii. The company shall develop surface water harvesting structures to harvest the rain water for utilization in the lean season besides recharging the ground water table.
- ix. The project proponent shall also comply with all the environmental protection measures and safeguards recommended in the EIA/EMP report. Further, the company must undertake socio-economic development activities in the surrounding villages like community development programmes, educational programmes, drinking water supply and health care etc.
- x. Requisite amount shall be earmarked towards capital cost and recurring cost/annum for environment pollution control measures to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government. An implementation schedule for implementing all the conditions stipulated herein shall be submitted to the Regional Office of the Ministry at Bhubaneswar. The funds so provided shall not be diverted for any other purpose.
- xi. A copy of clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/Municipal Corporation, Urban Local Body and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the web site of the company by the proponent.
- xii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the MOEF at Bhubaneswar, the respective Zonal Office of CPCB and the CECB. The criteria pollutant levels namely; PM<sub>10</sub>, SO<sub>2</sub>, NO<sub>x</sub> (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

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- xiii. The project proponent shall also submit six monthly reports on the status of the compliance of the stipulated environmental conditions including results of monitored data (both in hard copies as well as by e-mail) to the Regional Office of MOEF, the respective Zonal Office of CPCB and the SPCB. The Regional Office of this Ministry at Bhubaneswar/ CPCB / SPCB shall monitor the stipulated conditions.
- xiv. The environmental statement for each financial year ending 31<sup>st</sup> March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company alongwith the status of compliance of environmental conditions and shall also be sent to the respective Regional Office of the MOEF at Bhubaneswar by e-mail.
- xv. The Project Proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the SPCB and may also be seen at Website of the Ministry of Environment and Forests at <http://envfor.nic.in>. This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same should be forwarded to the Regional office at Bhubaneswar.
- xvi. Project authorities shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of commencing the land development work.
8. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
9. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
10. The above conditions shall 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, Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 and the Public (Insurance) Liability Act, 1991 along with their amendments and rules.

  
(Dr. P.L. Ahujra)  
Scientist -F

**Copy to:-**

1. The Secretary, Department of Forest, Govt. of Jharkhand, Nepal House, Ranchi.
2. The Chief Conservator of Forests, Ministry of Environment & Forests, Regional Office, (EZ) A-3, Chandrashekharpur, Bhubaneswar-715023.
3. The Chairman, Central Pollution Control Board Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar New Delhi – 110 032.

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4. The Chairman, Jharkhand State Pollution Control Board, T.A Division Building (Ground Floor) HEC Campus, Dhurwa, Ranchi -834004.
5. Guard File/Monitoring File/Record File.

(Dr. P. L. Ahujarai)  
Scientist 'F'

F. No. J-11011/384/2010-IAII(I)  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Impact Assessment Division)

Indira Paryavaran Bhawan  
Jor Bagh Road, Aliganj,  
New Delhi – 110003  
E-mail: dirind-moefcc@gov.in  
Tel: 011-24695368

Dated: 24<sup>th</sup> November, 2020

To

**Shri. Gaurav Budhia,**  
**Director,**  
M/s. Bihar Foundry & Casting Limited,  
Main Road, Ranchi-834001 (Jharkhand)  
Email: [biharfoundry2020@gmail.com](mailto:biharfoundry2020@gmail.com)

Subject: Modification-cum-Expansion in existing Ferro Alloys Plant by **M/s. Bihar Foundry & Casting Limited** located at Ramgarh Industrial Area, Survey Plot No 1405(P), Village - Marar, **Ramgarh, Jharkhand** – **Prescribing of Terms of Reference (ToR)** – **regarding.**

Sir,

1. This refers to the online application of **M/s. Bihar Foundry & Casting Limited** made vide proposal no. IA/JH/IND/172815/2020 dated 12/09/2020 along with the application in prescribed format (Form-I), copy of pre-feasibility report and proposed ToRs for undertaking detailed EIA study as per the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at S. No. 3(a) Metallurgical industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at Central Level.
2. The proposal cited above was considered in 24<sup>th</sup> meeting of the Re-constituted EAC (Industry-I) held during 27-29<sup>th</sup> October, 2020. The EAC proceedings of the proposal is given as below.
 

**Details submitted by the project proponent**
3. M/s. Bihar Foundry & Casting Limited located at Notified Ramgarh Industrial Area, Survey Plot No 1405(P), Village - Marar, Ramgarh (JHK) – 829117 proposes to expand the existing unit for manufacturing of Ferro Alloys SiMn / FeMn based on Sub Merged Arc (SAF) technology.
4. The project was earlier accorded environmental clearance vide letter number J-11011/384/2010-IA.II(I) dated 31/10/2011. Consent to Operate was accorded by Jharkhand State Pollution Control Board vide lr. no. B-42, validity of CTO is up to 31/12/2020.
5. The proposed unit will be located at Plot No 1405(P), Village - Marar, Taluka: Mandu, District: Ramgarh, State: Jharkhand. – 829117.
6. The land area acquired for the proposed plant is 3.1 ha which is a Government Land. No forest land is involved. The entire land has been acquired for the project. Of the total area 1.05 ha (33 %) land will be used for green belt development.
7. No national park/ wildlife sanctuary/biosphere reserve/ tiger reserve/ elephant reserve etc. are reported to be located in the core and buffer zone of the project. The area also does not report to form corridor for Schedule-I fauna.

*Terms of Reference for project titled "Modification-cum-Expansion in existing Ferro Alloys Plant of M/s. Bihar Foundry & Casting Limited at Notified Ramgarh Industrial Area, Survey Plot No 1405(P), Village - Marar, Ramgarh, Jharkhand".*

*o/c*

8. Total project cost is approx Rs. 50 Crores. Proposed employment generation from proposed project will be 350 direct employment and 355 indirect employment.
9. The targeted production capacity of the SiMn –165TPD (58,575TPA) or HC/MC/LC FeMn – 265TPD (94,075TPA) depend on market scenario / demand. The ore for the plant would be procured from market sources. The ore transportation will be done through Import / Other Sources (Rail/Road/Conveyor).
10. The existing and the proposed production details are as below:

Existing Ferro Alloys units as per EC & Production	Proposal (Modification-cum-Expansion)	Final Plant Configuration & Capacity
2x5+1x7.5+1x9 MVA SAF (Submerge Arc Furnaces) Ferro Alloys SiMn/FeMn – 96TPD (34,080TPA)	1. Modification of existing 2x5 MVA SAF's to 2x6 MVA SAF's by change in transformer capacity 2. Modification of existing 1x7.5 MVA SAF to 1x9 MVA SAF by change in transformer capacity 3. New 1x9 MVA SAF 4. New 12MT per batch CLU(Creusot-Loire-Uddeholm) Converter for refining liquid HC FeMn to MC/LC FeMn 5. Matching -associate facilities for operations	2x6+ 3x9 MVA SAF's + 1x12T per batch CLU Converter with matching associate facilities <b>Product Mix</b> SiMn – 165 TPD (58,575TPA) or HC/MC/LC FeMn – 265 TPD (94,075TPA) depend on market scenario/demand

11. The electricity load of 22.5 MW will be procured from DVC. Company has also proposed to install zero DG Set.
12. Proposed raw material and fuel requirement for project are 662.5 TPD Manganese Ore & 198.7 TPD coke. The requirement would be fulfilled by market sources as well as Imports. Fuel consumption will be mainly electricity from DVC.
13. Water Consumption for the proposed project will be 50 KLD additional and waste water generation will be recycled. Domestic waste water will be treated and industrial waste water generated will be treated and reused for cooling.
14. The proponent has mentioned that there is no court case or violation under EIA Notification to the project or related activity.

#### Observations of the Committee

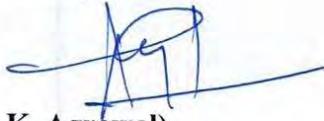
15. The Committee noted the following:
- The proposal is to upgrade existing 5 T, 7 T EAF to 6 T and 9 T respectively and install one more 9 MVA SAF thus making the complex to have 2x6+ 3x 9 MVA SAF Complex.
  - Plant was installed after obtaining EC from MoEFCC during Oct 2011. CTO is valid till Dec 2020.
  - Land area is 7.76 acres with green belt area as 1.09 acres.
  - Water would be sourced from Damodar River.

### Recommendations of the Committee

16. After deliberations, the Committee recommended the project proposal for prescribing following specific ToRs for undertaking detailed EIA and EMP study in addition to the generic ToR enclosed at Annexure-1 read with additional ToRs at Annexure-2:
  - i. Only surface Water shall be used. Ground water abstraction shall not be permitted.
  - ii. 100 % water consumed annually shall be recharged through water harvesting.
  - iii. PM level from chimneys shall be maintained at < 30 mg/Nm<sup>3</sup> and Power plant emission norms of SO<sub>2</sub> and NO<sub>X</sub> less than 100 Mg/Nm<sup>3</sup> shall be adhered to.
  - iv. All Plant roads and approach road to plant shall be made paved and industrial vacuum cleaners shall be used to keep the plant clean and free of fugitive emissions.
  - v. The dust collected from roads, plant floors and APCDs shall be recycled to pellet plant.
  - vi. 100 % of the slag generated through the process shall be utilized.
  - vii. Plant shall operate on ZLD.
  - viii. 4th hole extraction system shall be installed on SAF for control of dust emission.
  - ix. Briquetting and Jigging plant shall be installed.
  - x. No Ferro Chrome production without prior Environment Clearance from MoEF&CC.
  - xi. AOD (Argon Oxygen Decarburization) Converter shall have secondary fume extraction facility.

### Decision of MoEF&CC

17. The undersigned is directed to inform that Ministry of Environment, Forest and Climate Change has examined the proposal in accordance with the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and after accepting the recommendations of the Expert Appraisal Committee (Industry-1) hereby decided to accord above-said specific ToRs, in addition to the standard ToRs and Sector Specific ToRs as enclosed at Annexure I read with additional ToRs at Annexure-2 for carrying out detailed EIA/EMP for the above project.
18. It is requested that the draft EIA Report may be prepared in accordance with the above mentioned specific ToRs and enclosed generic ToRs and additional ToRs and thereafter further necessary action including conduct of public consultation may be taken for obtaining Environment Clearance in accordance with the procedure prescribed under the EIA Notification, 2006 as amended.
19. The ToRs are valid for a period of four years from today i.e., 24/11/2020 and will expire on 23/11/2024 as per the Ministry's Notification S.O. 751 (E) dated 17/02/2020.
20. This issues with the approval of the Competent Authority.

  
(A.K. Agrawal)  
Director

### Copy to:-

1. Secretary, Department of Environment, Government of Jharkhand Secretariat Ranchi.
2. Regional Officer, Ministry of Environment, Forest and Climate Change, Regional Office (ECZ), Bunglow No. A-2, Shyamali Colony, Ranchi-834002.
3. Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-Cum-Office Complex, East Arjun Nagar, New Delhi-110 032.
4. Chairman, Jharkhand State Pollution Control Board, H.E.C., Dhurwa, Ranchi-834004 (Jharkhand).
5. Member Secretary, Central Ground Water Authority, West Block -II, Wing -3, Sector I, R.K.Puram, New Delhi - 110086.
6. District Collector, Ramgarh District, Jharkhand.
7. Guard File / Record file / Monitoring file.
8. MOEF&CC Website.

  
(A.K. Agrawal)  
Director

**ANNEXURE – I****GENERIC TERMS OF REFERENCE (ToR) IN RESPECT OF INDUSTRY SECTOR**

1. Executive Summary
2. Introduction
  - i. Details of the EIA Consultant including NABET accreditation
  - ii. Information about the project proponent
  - iii. Importance and benefits of the project
3. Project Description
  - i. Cost of project and time of completion.
  - ii. Products with capacities for the proposed project.
  - iii. If expansion project, details of existing products with capacities and whether adequate land is available for expansion, reference of earlier EC if any.
  - iv. List of raw materials required and their source along with mode of transportation.
  - v. Other chemicals and materials required with quantities and storage capacities
  - vi. Details of Emission, effluents, hazardous waste generation and their management.
  - vii. Requirement of water, power, with source of supply, status of approval, water balance diagram, man-power requirement (regular and contract)
  - viii. The project proponent shall furnish the requisite documents from the competent authority in support of drawl of ground water and surface water and supply of electricity.
  - ix. Process description along with major equipment and machineries, process flow sheet (Quantitative) from raw material to products to be provided.
  - x. Hazard identification and details of proposed safety systems.
  - xi. Expansion/modernization proposals:
    - a. Copy of all the Environmental Clearance(s) including Amendments thereto obtained for the project from MoEF&CC/SEIAA shall be attached as an Annexure. A certified copy of the latest Monitoring Report of the Regional Office of the Ministry of Environment, Forest and Climate Change as per circular dated 30<sup>th</sup> May, 2012 on the status of compliance of conditions stipulated in all the existing environmental clearances including Amendments shall be provided. In addition, status of compliance of Consent to Operate for the ongoing /existing operation of the project from SPCB/PCC shall be attached with the EIA-EMP report.
    - b. In case the existing project has not obtained environmental clearance, reasons for not taking EC under the provisions of the EIA Notification 1994 and/or EIA Notification 2006 shall be provided. Copies of Consent to Establish/No Objection Certificate and Consent to Operate (in case of units operating prior to EIA Notification 2006, CTE and CTO of FY 2005-2006) obtained from the SPCB shall be submitted. Further, compliance report to the conditions of consents from the SPCB shall be submitted.
4. Site Details
  - i. Location of the project site covering village, Taluka/Tehsil, District and State, Justification for selecting the site, whether other sites were considered.
  - ii. A toposheet of the study area of radius of 10km and site location on 1:50,000/1:25,000 scale on an A3/A2 sheet. (including all eco-sensitive areas and environmentally sensitive places)
  - iii. Co-ordinates (lat-long) of all four corners of the site.
  - iv. Google map-Earth downloaded of the project site.
  - v. Layout maps indicating existing unit as well as proposed unit indicating storage area, plant area, greenbelt area, utilities etc. If located within an Industrial area/Estate/Complex, layout of Industrial Area indicating location of unit within the Industrial area/Estate.

- vi. Photographs of the proposed and existing (if applicable) plant site. If existing, show photographs of plantation/greenbelt, in particular.
- vii. Landuse break-up of total land of the project site (identified and acquired), government/private - agricultural, forest, wasteland, water bodies, settlements, etc shall be included. (not required for industrial area)
- viii. A list of major industries with name and type within study area (10km radius) shall be incorporated. Land use details of the study area
- ix. Geological features and Geo-hydrological status of the study area shall be included.
- x. Details of Drainage of the project upto 5km radius of study area. If the site is within 1 km radius of any major river, peak and lean season river discharge as well as flood occurrence frequency based on peak rainfall data of the past 30 years. Details of Flood Level of the project site and maximum Flood Level of the river shall also be provided. (mega green field projects)
- xi. Status of acquisition of land. If acquisition is not complete, stage of the acquisition process and expected time of complete possession of the land.
- xii. R&R details in respect of land in line with state Government policy

5. **Forest and wildlife related issues (if applicable):**

- i. Permission and approval for the use of forest land (forestry clearance), if any, and recommendations of the State Forest Department. (if applicable).
- ii. Land use map based on High resolution satellite imagery (GPS) of the proposed site delineating the forestland (*in case of projects involving forest land more than 40 ha*).
- iii. Status of Application submitted for obtaining the stage I forestry clearance along with latest status shall be submitted.
- iv. The projects to be located within 10 km of the National Parks, Sanctuaries, Biosphere Reserves, Migratory Corridors of Wild Animals, the project proponent shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-à-vis the project location and the recommendations or comments of the Chief Wildlife Warden thereon.
- v. Wildlife Conservation Plan duly authenticated by the Chief Wildlife Warden of the State Government for conservation of Schedule I fauna, if any exists in the study area.
- vi. Copy of application submitted for clearance under the Wildlife (Protection) Act, 1972, to the Standing Committee of the National Board for Wildlife.

6. **Environmental Status**

- i. Determination of atmospheric inversion level at the project site and site-specific micro-meteorological data using temperature, relative humidity, hourly wind speed and direction and rainfall.
- ii. AAQ data (except monsoon) at 8 locations for PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, NO<sub>x</sub>, CO and other parameters relevant to the project shall be collected. The monitoring stations shall be based CPCB guidelines and take into account the pre-dominant wind direction, population zone and sensitive receptors including reserved forests.
- iii. Raw data of all AAQ measurement for 12 weeks of all stations as per frequency given in the NAQQM Notification of Nov. 2009 along with – min., max., average and 98% values for each of the AAQ parameters from data of all AAQ stations should be provided as an annexure to the EIA Report.
- iv. Surface water quality of nearby River (60m upstream and downstream) and other surface drains at eight locations as per CPCB/MoEF&CC guidelines.
- v. Whether the site falls near to polluted stretch of river identified by the CPCB/MoEF&CC.
- vi. Ground water monitoring at minimum at 8 locations shall be included.
- vii. Noise levels monitoring at 8 locations within the study area.
- viii. Soil Characteristic as per CPCB guidelines.

*Terms of Reference for project titled "Modification-cum-Expansion in existing Ferro Alloys Plant of M/s. Bihar Foundry & Casting Limited at Notified Ramgarh Industrial Area, Survey Plot No 1405(P), Village - Marar, Ramgarh, Jharkhand".*

- ix. Traffic study of the area, type of vehicles, frequency of vehicles for transportation of materials, additional traffic due to proposed project, parking arrangement etc.
  - x. Detailed description of flora and fauna (terrestrial and aquatic) existing in the study area shall be given with special reference to rare, endemic and endangered species. If Schedule-I fauna are found within the study area, a Wildlife Conservation Plan shall be prepared and furnished.
  - xi. Socio-economic status of the study area.
7. Impact Assessment and Environment Management Plan
- i. Assessment of ground level concentration of pollutants from the stack emission based on site-specific meteorological features. In case the project is located on a hilly terrain, the AQIP Modelling shall be done using inputs of the specific terrain characteristics for determining the potential impacts of the project on the AAQ. Cumulative impact of all sources of emissions (including transportation) on the AAQ of the area shall be well assessed. Details of the model used and the input data used for modelling shall also be provided. The air quality contours shall be plotted on a location map showing the location of project site, habitation nearby, sensitive receptors, if any.
  - ii. Water Quality modelling – in case, if the effluent is proposed to be discharged in to the local drain, then Water Quality Modelling study should be conducted for the drain water taking into consideration the upstream and downstream quality of water of the drain.
  - iii. Impact of the transport of the raw materials and end products on the surrounding environment shall be assessed and provided. In this regard, options for transport of raw materials and finished products and wastes (large quantities) by rail or rail-cum road transport or conveyor-cum-rail transport shall be examined.
  - iv. A note on treatment of wastewater from different plant operations, extent recycled and reused for different purposes shall be included. Complete scheme of effluent treatment. Characteristics of untreated and treated effluent to meet the prescribed standards of discharge under E(P) Rules.
  - v. Details of stack emission and action plan for control of emissions to meet standards.
  - vi. Measures for fugitive emission control
  - vii. Details of hazardous waste generation and their storage, utilization and disposal. Copies of MOU regarding utilization of solid and hazardous waste shall also be included. EMP shall include the concept of waste-minimization, recycle/reuse/recover techniques, Energy conservation, and natural resource conservation.
  - viii. Proper utilization of fly ash shall be ensured as per Fly Ash Notification, 2009. A detailed plan of action shall be provided.
  - ix. Action plan for the green belt development plan in 33 % area i.e. land with not less than 1,500 trees per ha. Giving details of species, width of plantation, planning schedule etc. shall be included. The green belt shall be around the project boundary and a scheme for greening of the roads used for the project shall also be incorporated.
  - x. Action plan for rainwater harvesting measures at plant site shall be submitted to harvest rainwater from the roof tops and storm water drains to recharge the ground water and also to use for the various activities at the project site to conserve fresh water and reduce the water requirement from other sources.
  - xi. Total capital cost and recurring cost/annum for environmental pollution control measures shall be included.
  - xii. Action plan for post-project environmental monitoring shall be submitted.
  - xiii. Onsite and Offsite Disaster (natural and Man-made) Preparedness and Emergency Management Plan including Risk Assessment and damage control. Disaster management plan should be linked with District Disaster Management Plan.

8. Occupational health
  - i. Details of existing Occupational & Safety Hazards. What are the exposure levels of above mentioned hazards and whether they are within Permissible Exposure level (PEL). If these are not within PEL, what measures the company has adopted to keep them within PEL so that health of the workers can be preserved,
  - ii. Details of exposure specific health status evaluation of worker. If the workers' health is being evaluated by pre-designed format, chest x rays, Audiometry, Spirometry, Vision testing (Far & Near vision, colour vision and any other ocular defect) ECG, during pre-placement and periodical examinations give the details of the same. Details regarding last month analysed data of abovementioned parameters as per age, sex, duration of exposure and department wise.
  - iii. Annual report of health status of workers with special reference to Occupational Health and Safety.
  - iv. Plan and fund allocation to ensure the occupational health & safety of all contract and casual workers.
9. Corporate Environment Policy
  - i. Does the company have a well laid down Environment Policy approved by its Board of Directors? If so, it may be detailed in the EIA report.
  - ii. Does the Environment Policy prescribe for standard operating process / procedures to bring into focus any infringement / deviation / violation of the environmental or forest norms / conditions? If so, it may be detailed in the EIA.
  - iii. What is the hierarchical system or Administrative order of the company to deal with the environmental issues and for ensuring compliance with the environmental clearance conditions? Details of this system may be given.
  - iv. Does the company have 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? This reporting mechanism shall be detailed in the EIA report
10. Details regarding infrastructure facilities such as sanitation, fuel, restroom etc. to be provided to the labour force during construction as well as to the casual workers including truck drivers during operation phase.
11. To address the Public Hearing issues, the provisions contained under Ministry's Office Memorandum vide F.No. 22-65/2017-IA.III dated 30/09/2020 shall be adhered to.
12. Any litigation pending against the project and/or any direction/order passed by any Court of Law against the project, if so, details thereof shall also be included. Has the unit received any notice under the Section 5 of Environment (Protection) Act, 1986 or relevant Sections of Air and Water Acts? If so, details thereof and compliance/ATR to the notice(s) and present status of the case.
13. A tabular chart with index for point wise compliance of above ToRs.
14. The ToRs prescribed shall be valid for a period of three years for submission of the EIA-EMP reports along with Public Hearing Proceedings (wherever stipulated).

The following general points shall be noted:

- i. All documents shall be properly indexed, page numbered.
- ii. Period/date of data collection shall be clearly indicated.
- iii. Authenticated English translation of all material in Regional languages shall be provided.
- iv. The letter/application for environmental clearance shall quote the MOEF&CC file No. and also attach a copy of the letter.

*Terms of Reference for project titled "Modification-cum-Expansion in existing Ferro Alloys Plant of M/s. Bihar Foundry & Casting Limited at Notified Ramgarh Industrial Area, Survey Plot No 1405(P), Village - Marar, Ramgarh, Jharkhand".*

- v. The copy of the letter received from the Ministry shall be also attached as an annexure to the final EIA-EMP Report.
- vi. The index of the final EIA-EMP report must indicate the specific chapter and page no. of the EIA-EMP Report
- vii. While preparing the EIA report, the instructions for the proponents and instructions for the consultants issued by MOEF&CC vide O.M. No. J-11013/41/2006-IA.II (I) dated 4<sup>th</sup> August, 2009, which are available on the website of this Ministry shall also be followed.
- viii. The consultants involved in the preparation of EIA-EMP report after accreditation with Quality Council of India (QCI)/National Accreditation Board of Education and Training (NABET) would need to include a certificate in this regard in the EIA-EMP reports prepared by them and data provided by other organization/Laboratories including their status of approvals etc. Name of the Consultant and the Accreditation details shall be posted on the EIA-EMP Report as well as on the cover of the Hard Copy of the Presentation material for EC presentation.
- ix. ToRs' prescribed by the Expert Appraisal Committee (Industry) shall be considered for preparation of EIA-EMP report for the project in addition to all the relevant information as per the 'Generic Structure of EIA' given in Appendix III and IIIA in the EIA Notification, 2006. Where the documents provided are in a language other than English, an English translation shall be provided. **The draft EIA-EMP report shall be submitted to the State Pollution Control Board of the concerned State for conduct of Public Hearing. The SPCB shall conduct the Public Hearing/public consultation, district-wise, as per the provisions of EIA notification, 2006. The Public Hearing shall be chaired by an Officer not below the rank of Additional District Magistrate.** The issues raised in the Public Hearing and during the consultation process and the commitments made by the project proponent on the same shall be included separately in EIA-EMP Report in a separate chapter and summarised in a tabular chart with financial budget (capital and revenue) along with time-schedule of implementation for complying with the commitments made. The final EIA report shall be submitted to the Ministry for obtaining environmental clearance.

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**ANNEXURE-2****ADDITIONAL ToRs FOR****METALLURGICAL INDUSTRY (FERROUS AND NON-FERROUS)**

1. Complete process flow diagram describing each unit, its processes and operations, along with material and energy inputs & outputs (material and energy balance).
2. Emission from sulphuric acid plant and sulphur muck management.
3. Details on installation of Continuous Emission Monitoring System with recording with proper calibration system
4. Details on toxic metals including fluoride emissions
5. Details on stack height.
6. Details on ash disposal and management
7. Complete process flow diagram describing process of lead/zinc/copper/ aluminium, etc.
8. Details on smelting, thermal refining, melting, slag fuming, and Waelz kiln operation
9. Details on Holding and de-gassing of molten metal from primary and secondary aluminium, materials pre-treatment, and from melting and smelting of secondary aluminium
10. Details on toxic metal content in the waste material and its composition and end use (particularly of slag).
11. Trace metals in waste material especially slag.
12. Plan for trace metal recovery
13. Trace metals in water

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### Executive Summary

Executive summary of the report in about 8-10 pages incorporating the following:

- i. Project name and location (Village, Dist, State, Industrial Estate (if applicable))
- ii. Products and capacities. If expansion proposal, then existing products with capacities and reference to earlier EC.
- iii. Requirement of land, raw material, water, power, fuel, with source of supply (Quantitative)
- iv. Process description in brief, specifically indicating the gaseous emission, liquid effluent and solid and hazardous wastes. Materials balance shall be presented.
- v. Measures for mitigating the impact on the environment and mode of discharge or disposal.
- vi. Capital cost of the project, estimated time of completion
- vii. Site selected for the project – Nature of land – Agricultural (single/double crop), barren, Govt/private land, status of its acquisition, nearby (in 2-3 km.) water body, population, with in 10km other industries, forest, eco-sensitive zones, accessibility, (note – in case of industrial estate this information may not be necessary)
- viii. Baseline environmental data – air quality, surface and ground water quality, soil characteristic, flora and fauna, socio-economic condition of the nearby population
- ix. Identification of hazards in handling, processing and storage of hazardous material and safety system provided to mitigate the risk.
- x. Likely impact of the project on air, water, land, flora-fauna and nearby population
- xi. Emergency preparedness plan in case of natural or in plant emergencies
- xii. Issues raised during public hearing (if applicable) and response given
- xiii. CSR plan with proposed expenditure.
- xiv. Occupational Health Measures
- xv. Post project monitoring plan

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**F. No. 22-21/2020-IA.III**  
Government of India  
Ministry of Environment, Forest and Climate Change  
Impact Assessment Division

\*\*\*\*\*

Indira Paryavaran Bhawan  
Jor Bagh Road, Aliganj  
New Delhi – 110003  
sujit.baju@gov.in

Date: 7<sup>th</sup> July, 2021

**Office Memorandum**

**Subject: Standard Operating Procedure (SoP) for Identification and handling of violation cases under EIA Notification 2006 in compliance to order of Hon'ble National Green Tribunal in O.A. No.34/2020 WZ - Regarding.**

The Ministry had issued a notification number S.O.804(E), dated the 14<sup>th</sup> March, 2017 detailing the process for grant of Terms of Reference and Environmental Clearance in respect of projects or activities which have started the work on site and/or expanded the production beyond the limit of Prior EC or changed the product mix without obtaining Prior EC under the EIA Notification, 2006.

2. This Notification was applicable for six months from the date of publication i.e. 14.03.2017 to 13.09.2017 and further based on court direction from 14.03.2018 to 13.04.2018.

3. Hon'ble NGT in Original Application No. 287 of 2020 in the matter of Dastak N.G.O. Vs Synochem Organics Pvt. Ltd. &Ors. and in applications pertaining to same subject matter in Original Application No. 298 of 2020 in Vineet Nagar Vs. Central Ground Water Authority &Ors., vide order dated 03.06.2021 held that "(...) **for past violations, the concerned authorities are free to take appropriate action in accordance with polluter pays principle, following due process**".

4. Further, the Hon'ble National Green Tribunal in O.A No. 34/2020 WZ in the matter of Tanaji B. Gambhire vs. Chief Secretary, Government of Maharashtra and ors., vide order dated 24.05.2021 has directed that "**...a proper SoP be laid down for grant of EC in such cases so as to address the gaps in binding law and practice being currently followed. The MoEF may also consider circulating such SoP to all SEIAAs in the country**".

5. Therefore, in compliance to the directions of the Hon'ble NGT a Standard Operating Procedure (SoP) for dealing with violation cases is required to be drawn. The Ministry is also seized of different categories of 'violation' cases which have been



pending for want of an approved structural/procedural framework based on 'Polluter Pays Principle' and 'Principle of Proportionality'. It is undoubtedly important that action under statutory provisions is taken against the defaulters/violators and a decision on the closure of the project or activity or otherwise is taken expeditiously.

6. In the light of the above directions of the Hon'ble Tribunal and the issues involved, the matter has accordingly been examined in detail in the Ministry. A detailed SoP has accordingly been framed and is outlined herein. The SoP is also guided by the observations / decisions of the Hon'ble Courts wherein principles of proportionality and polluters pay have been outlined.

**7. Relevant Court Cases on the issue:** It is noted that while deciding issues related to violations of the Environment Protection Act, 1986 on account of running the project/activity without prior environmental clearance or in excess of capacity allowed in such clearances, **the Hon'ble courts have, *inter-alia*, deliberated on various facets involving 'violation' cases and have enunciated principles of 'Proportionality' and 'Polluter Pays'** in various decisions viz. Industrial Council for Enviro-Legal Action Vs Union of India (the Bichhri village industrial pollution case) (1996 SCC [3] 212); Alembic Pharmaceuticals Ltd. Vs Rohit Prajapati & Ors. (C.A. No. 1526 of 2016, order dated 1.4.2020) and Hindustan Copper Limited Vs Union of India in (W.P. (C) No. 2364 of 2014, order dated 28.11.2014). The salient extracts of the judgements are as under:

**Issue 1: Proposal for grant of Environmental Clearance in violation cases – to be considered on merits:**

**i. Hon'ble High Court of Jharkhand in the matter of Hindustan Copper Limited Vs Union of India in W.P. (C) No. 2364 of 2014, vide order dated 28.11.2014**

*Held: "(...) action for alleged violation would be an independent and separate proceeding and therefore, consideration of proposal for environment clearance cannot await initiation of action against the project proponent."*

*"(...) the proposal of the petitioner company for **environmental clearance must be examined on its merits, independent of any proposed action for the alleged violation of the environmental laws.**"*

**ii. Hon'ble Madras High Court in the matter of Puducherry Environment Protection Association Vs The Union of India in W.P. No. 11189 of 2017, vide order dated 13.10.2017**

*Held "27. The question is whether an establishment contributing to the economy of the country and providing livelihood to hundreds of people should be closed down only because of failure to obtain prior environmental clearance, even though the establishment may not otherwise be violating*

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pollution laws or the pollution, if any, can conveniently and effectively be checked. **The answer necessarily has to be in the negative.**"

"29. It is reiterated that protection of environment and prevention of environmental pollution and degradation are non-negotiable. At the same time, the Court cannot altogether ignore the economy of the Nation and the need to protect the livelihood of hundreds of employees employed in projects, which as stated above, otherwise comply with or can be made to comply with norms."

**Issue 2: Environmental Clearance – Prospective & not ex-post facto:**

**Hon'ble Supreme Court in the matter of Common Cause Vs Union of India in W.P. (C) No. 114 of 2014, vide order dated 2.8.2017**

*Held: "(...) an EC will come into force **not earlier than the date of its grant.**"*

**Issue 3: 'Principles of Proportionality' – to be applied:**

**Hon'ble Supreme Court in the matter of Alembic Pharmaceuticals Ltd. Vs Rohit Prajapati & Ors. in C.A. No. 1526 of 2016, vide order dated 1.4.2020**

*Held: "(...) **this Court must take a balanced approach** which holds the industries to account for having operated without environmental clearances in the past without ordering a closure of operations. The directions of the NGT for the revocation of the ECs and for closure of the units do not accord **with the principle of proportionality**"*

**Issue 4: 'Polluter pays' principle &**

**Issue 5: Costs for remedial measures** implicit in Sections 3 & 5 of Environment (Protection) Act, 1986.

**Hon'ble Supreme Court in the matter of Indian Council for Enviro- Legal Action Vs Union of India (the Bichhri village industrial pollution case) in (1996 SCC [3] 212)**

**Held:**

a) The Central Government is empowered to take all measures and issue all such directions as are called for the above purpose. The said powers will **include giving directions ... and also the power to impose the cost of remedial measures** on the offending industry and utilize the amount so recovered for carrying out remedial measures.....

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*b) Levy of costs required for carrying out remedial measures is implicit in Sections 3 and 5 which are couched in very wide and expansive language. Sections 3 and 5 of the Environment (Protection) Act, 1986, apart from other provisions of Water and Air Acts, empower the Government to make all such directions and take all such measures as are necessary or expedient for protecting and promoting the 'environment', which expression has been defined in very wide and expansive terms in Section 2 (a) of the Environment (Protection) Act. This power includes the power to prohibit an activity, close an industry, direct to carry out remedial measures, and wherever necessary impose the cost of remedial measures upon the offending industry.*

*c) The question of liability of the respondents to defray the costs of remedial measures can also be looked into from accepted universally sound principle, viz., the "**Polluter Pays**" Principle. "The polluter pays principle demands that the financial costs of preventing or remedying damage caused by pollution should lie with the undertakings which cause the pollution, or produce the goods which cause the pollution".*

#### **8. Legal provisions:**

i. The Environment (Protection) Act, 1986 mandates the Central Government to take all measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution (reference sub-section (1) of Section 3 of Environment (Protection) Act, 1986). Further, clause (xiv) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 specifies that the measures stipulated under sub-section (1) of Section 3 of the Environment (Protection) Act 1986 includes 'such other matters as the Central Government deems necessary or expedient for the purpose of securing effective implementation of the provisions of this Act'.

ii. Further, notwithstanding anything contained in any other law but subject to the provisions of the Environment Protection Act, 1986, Section 5 of the Environment (Protection) Act, 1986, provides that the Central Government may, in the exercise of powers and performance of Central Government functions under the said Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.

#### **9. Definition of Violation and Non-compliance:**

The Standard Operating Procedure (SoP) considers 'Violation' & 'Non-compliance' from the following perspective:

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i. "Violation" means cases where projects have either started the construction work or installation or excavation, whichever is earlier, on site or have expanded the production capacity and / or project area beyond the limit specified in the Environmental Clearance (Prior-EC) without obtaining Prior-EC or change of scope without prior approval from the Ministry.

ii. "Non-compliance" means non-compliance of terms and conditions prescribed by the Regulatory Authority in the Prior Environment Clearance accorded to the project.

#### 10. Standard Operating Procedure – Guiding Principles:

i. Without prejudice to any other consequences, **action has to be initiated under section 15 read with section 19** of The Environment (Protection) Act, 1986 **against all violations.**

ii. Projects not allowable/ permissible, for grant of EC, as per extant regulations: **To be demolished.**

iii. Projects allowable/ permissible, if prior EC had been taken as per extant regulations: **To be closed until EC is granted (if no prior EC has been taken) or to revert to permitted production level (in case prior EC has been granted).**

iv. **Polluter pays:** Violators to pay for violation period - proportionate to the scale of project and extent of commercial transaction.

v. Setting up a mechanism for reporting of violation to the regulatory authority(ies).

#### 11. SOP for dealing with the violation cases:

##### Step 1: Closure or Revision

Sl no.	Status of EC	Actions
1	If no prior EC has been taken	Order to <b>close</b> its operation
2.	If prior EC is available for existing/old unit	Order to <b>revert the activity/production to permissible limits.</b>
3.	If prior EC was not required for earlier production level but is now required	<b>Restrict the activity/production</b> to the extent to which prior EC was not required.

##### Step 2: Action under Environment (Projection) Act, 1986

Action under section 15 read with section 19 of the Environment (Protection) Act, 1986 shall be initiated against the violators.

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### **Step: 3: Appraisal under EIA Notification, 2006**

The permissibility of the project shall be examined from the perspective of whether such activity/project was at all eligible for the grant of prior EC.

#### **A. If not permissible:**

i. The project shall be **ordered for the demolition/closure after issuing show cause notice and providing an opportunity of hearing.**

*Ex. If a red industry is functioning in a CRZ-I area which means that the activity was, in the first place, not permitted at the time of commencement of project. Therefore, the activity is not permissible and therefore it shall be **closed & demolished.***

ii. Respective regulatory authorities shall issue directions under section 5 of the Environment (Protection) Act, 1986 for such closure & demolition of the project/activity.

#### **B. If permissible:**

i. As per extant regulations at the time of scoping, if it is viewed that the project activity is otherwise permissible, Terms of Reference (TOR) shall be issued with directions to complete the impact assessment studies & submit Environmental Impact Assessment (EIA) report & Environmental Management Plan (EMP) in a time bound manner.

ii. Such cases of violation shall be subject to appropriate

(a) Damage Assessment

(b) Remedial Plan and

(c) Community Augmentation Plan by the Central level Sectoral Expert Appraisal Committees or State/Union Territory Level Expert Appraisal Committees, as the case may be.

iii. The Competent Authority shall issue directions to the project proponent, under section 5 of the Environment (Protection) Act, 1986 on case to case basis mandating payment of such amount (as may be determined based on Polluters Pay principle) and undertaking activities relating to Remedial Plan and Community Augmentation Plan (to restore environmental damage caused including its social aspects).

iv. Upon submission of the EIA & EMP report, the project shall be appraised by the Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, as if it was a new proposal. If, on examination of the EIA/EMP report, the project is considered permissible for operation as per extant regulations, the requisite Environmental Clearance shall be issued **which shall be effective from the date of issue.**

v. However, during appraisal after examination if it is found that even though the project may **be permissible but not environmentally sustainable in its present**

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**form/configuration/features** then the project shall be directed to be **modified so that the project would be environmentally sustainable.**

vi. If, however, it is not considered appropriate to issue EC, the project shall be directed to be **demolished/ closed. If such proposal is a case of expansion, the project shall be directed to revert back to the extent of activity for which EC had been granted earlier or to revert back to the extent of activity for which EC was not required (as the case may be).**

vii. Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, may insist upon public hearing to be conducted for such categories of projects for which the EIA Notification 2006, as amended from time to time, requires the public hearing to be conducted.

viii. The project proponent will be required to **submit a bank guarantee equivalent to the amount of Remediation Plan and Natural & Community Resource Augmentation Plan with Central / the State Pollution Control Board (depending on whether it is appraised at Ministry or by SEIAA).** The quantification of such liability will be recommended by Expert Appraisal Committee and finalized by Regulatory Authority. The bank guarantee shall be deposited prior to the grant of environmental clearance and **will be released after successful implementation of the Remediation plan and Natural & Community Resource Augmentation Plan.**

**Note** - The activities, as per above clauses, shall be undertaken simultaneously wherever feasible. Environmental Clearance, if granted, to such projects or activities, after due appraisal of EIA/EMP report, **shall be effective only from the date of issuance of such clearance** and shall be subject to compliance of obligations towards Damage Assessment, Remedial Plan & Community Augmentation Plan, etc. finalized in each case.

## **12. Penalty provisions for Violation cases and applications:**

### **a. For new projects:**

- i. **Where operation has not commenced:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report; [Ex: Rs.1 lakh for project cost of Rs.1 Cr]
- ii. **Where operations have commenced without EC:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report **PLUS** 0.25% of the total turnover during the period of violation. [Ex: For Rs.100 Cr project cost and Rs.100 Cr total turnover, the penalty shall be Rs.1 Cr + Rs. 0.25 Cr = Rs.1.25 Cr]

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b. **For expansion projects:**

- i. **Where operation/production with expanded capacity has not commenced:**  
1% of the project cost, attributable to the expansion, incurred up to the date of filing of application along with EIA/EMP report.
- ii. **Where operation/ production with expanded capacity have commenced:**  
1% of the project cost (attributable to the expansion activity) incurred upto the date of filing of application along with EIA/EMP report PLUS 0.25% of the total turnover (attributable to the expanded activity/capacity) involved during the period of violation.

12.1. Without prejudice to obligation as per (a) & (b) above, where the project or activity is considered for appraisal as above & the project proponent fails to provide required information or requisite documents or complete the requisite study for the purpose of EIA/EMP reports or does not furnish such reports within such period, as specified by the appraisal committee, without reasonable cause, it shall be inferred that the project proponent is not serious enough and the project or activity shall be directed to be demolished / closed.

12.2. The percentage rates, as above, shall be halved if the project proponent *suo-moto* reports such violations without such violations coming to the knowledge of the Government either on inquiry or complaint.

12.3. The penalty, as above, shall be in addition to liability for carrying out various remedial measures which shall be worked out based on the damage assessment for quantifying the environmental damage caused due to unauthorized project activity [as per Step 3 enumerated above].

**13. Identification of Violation cases:**

With a view to protecting the environment and to expeditiously bring violators into a regulatory regime so as to prevent & control environment damage caused by such violation & to determine whether operation of such projects is permissible and to take action stipulated under Section 15 of the Environment (Protection) Act, 1986 for contravention of the provisions of the said Act, Rules, orders and directions, it is expedient to also identify the cases of violation, examine and appraise such projects so as to refrain them from causing further environmental damage and also to compensate for causing damage to the environment. Therefore, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986, the Central Government hereby directs that:-

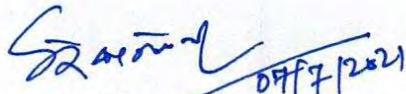
- i. State Pollution Control Boards & Union Territory Pollution Control Committees, before grant or renewal of Consents under Water(Prevention & Control of Pollution) Act, 1974 & Air (Prevention& Control of Pollution) Act, 1981, shall ensure that the project proponents applies for or possess valid Prior



Environmental Clearance in terms of extant EIA Notification and shall not grant or renew CTO (Consent to Operate) unless Environment Clearance (if applicable) has been obtained.

- ii. The Central Pollution Control Board, all State Pollution Control Boards and all Union Territory Pollution Control Committees shall identify cases of violation under their respective jurisdiction, report such cases to the Ministry or State/Union Territory Level Environmental Impact Assessment Authority, as the case may be and also revoke CTO, if granted to the unit after giving an opportunity of being heard.
- iii. The Central Pollution Control Board, all State Pollution Control Boards and all Union Territory Pollution Control Committees shall expeditiously examine the references, received from public and other bodies, relating to violations and take necessary steps as per (ii) above.

14. This is issued with the approval of the Competent Authority.

  
 (Dr. Sujit Kumar Bajpayee)  
 Joint Secretary (IA)

To

1. Chairperson/Member Secretary of Central Pollution Control Board
2. Chairperson/Member Secretaries of all the SEIAAs/SEACs
3. Chairman/Members of all the Expert Appraisal Committees
4. Chairman/Members of all the State Pollution Control Boards and Union Territory Pollution Control Committees

Copy for information:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS for Environment, Forest and Climate Change
3. PPS to Secretary(EF&CC)
4. PPS to AS(RS) / AS (RA)/ AS (UD)/ JS(JT) / JS (MP)/ JS (NPG)
5. All the officers of IA Division
6. Website of MoEF&CC/PARIVESH/Guard file

Copy (by email) also forwarded to the Registrar, NGT, in compliance to instruction given in O.A No. 34/2020 WZ in the matter of Tanaji B. Gambhire vs. Chief Secretary, Government of Maharashtra and ors.(order dated 24.05.2021).

MoM of 44<sup>th</sup> meeting of the Re-constituted EAC (Industry-1) held on 13 – 14<sup>th</sup> September, 2021

**Ministry of Environment, Forest and Climate Change  
Impact Assessment Division  
(Industry-1 Sector)**

**Date of zero draft MoM sent to Chairman: 17/09/2021**

**Approval by Chairman: 21/09/2021**

**Uploading on PARIVESH: 21/09/2021**

**Summary record of the Forty Fourth (44<sup>th</sup>) meeting of Re-Constituted Expert Appraisal Committee (REAC) held on 13-14<sup>th</sup> September, 2021 for environment appraisal of Industry-1 sector projects constituted under the provisions of Environment Impact Assessment (EIA) Notification, 2006.**

The forty fourth meeting of the Expert Appraisal Committee (EAC) for Industry-1 Sector constituted as per the provisions of the EIA Notification, 2006 for Environment Appraisal of Industry 1 Sector Projects was held on 13-14<sup>th</sup> September, 2021 in the Ministry of Environment, Forest and Climate Change (MoEF&CC) through **video conferencing** in view of the ongoing Corona Virus Disease (Covid-19) pandemic. The list of EAC attendees is as follows:

S. No.	Name	Position	13/09/2021	14/09/2021
1.	Dr. Chhavi Nath Pandey	Chairman	Present	Present
2.	Dr. M.K. Gupta, Director, CPPRI.	Member	Present	Present
3.	Dr. Siddharth Singh,	Member	Present	Present
4.	Dr. Jagdish Kishwan	Member	Present	Present
5.	<i>Dr. Tejaswini Ananth Kumar</i>	<i>Member</i>	<i>Absent</i>	<i>Absent</i>
6.	Dr. G.V. Subramanyam	Member	Present	Present
7.	Shri. Ashok Upadhyaya	Member	Present	Present
8.	Shri. Rajendra Prasad Sharma	Member	Present	Present
9.	<i>Dr. Sanjay Deshmukh</i>	<i>Member</i>	<i>Absent</i>	<i>Absent</i>
10.	Prof. S.K. Singh	Member	Present	Present
11.	Dr. R. Gopichandran	Member	Absent	Absent
12.	Shri Jagannadha Rao Avasarala	Member	Present	Present
13.	Shri. J.S. Kamyotra	Member	Present	Present
<b>Officials from MoEF&amp;CC</b>				
14.	Shri. Sundar Ramanathan	Member Secretary	Present	Present
15.	Dr. Vipin Gupta	Scientist 'B'	Present	Present

After welcoming the Committee Members, discussion on each of the agenda items was taken up. The minutes of 43<sup>rd</sup> meeting held during 26-27<sup>th</sup> August, 2021 were confirmed by the EAC as already uploaded on PARIVESH.

MoM of 44<sup>th</sup> meeting of the Re-constituted EAC (Industry-I) held on 13 – 14<sup>th</sup> September, 2021

deterioration in the baseline environment and validation could not be established by the PP as desired in the EAC meeting held on 16-17<sup>th</sup> December, 2020. During revalidation, PP failed to revalidate the traffic assessment and ecological study. The public consultation held on 4/08/2016 is almost five years old and the public needs to be apprised about the significant changes occurred in the baseline environment.

#### Recommendations of the Committee

44.1.17 In view of the foregoing and after deliberations, the Committee reiterated its recommendation for rejection of the proposal. Further, the Committee opined that project proponent is free to apply for seeking fresh Terms of Reference under the provisions of the EIA Notification, 2006.

44.2 Modification-cum-Expansion in existing Ferro Alloys Plant by **M/s. Bihar Foundry & Casting Limited** located at Ramgarh Industrial Area, Survey Plot No 1405(P), Village – Marar, **Ramgarh District, Jharkhand**. [Online Proposal No. IA/JH/IND/223909/2020; File No.: J-11011/384/2010-IAII(I)] – **Environment Clearance**– regarding.

44.2.1 M/s. Bihar Foundry & Casting Limited has made an online application vide proposal no. IA/JH/IND/223909/2020 dated 23/08/2021 along with copy of EIA/EMP report and Form-2 seeking Environmental Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at schedule no. 3 (a) Metallurgical industries (Ferrous & non-ferrous) under Category “A” of the schedule of the EIA notification, 2006 and appraised at Central level.

#### Details submitted by Project proponent

44.2.2 The details of the ToR are furnished as below:

Date of application	Consideration	Details	Date of accord
12/09/2020	24 <sup>th</sup> Re-EAC (Industry- 1) meeting held during 27-29 <sup>th</sup> October, 2020	Terms of Reference	24/11/2020

44.2.3 The project of M/s. Bihar Foundry & Casting Limited located at Ramgarh Industrial Area, Survey Plot No 1405(P), Village – Marar, Ramgarh District, Jharkhand is for Modification-cum-Expansion in existing Ferro Alloys Plant.

44.2.4 Environmental Site Settings:

SNo	Particulars	Details	Remarks
i.	Total land	3.14 ha [Private:3.14ha; Govt 0ha; Agriculture:0ha; and Grazing land: 0 ha]	Land use: Industrial
ii.	Land acquisition details as per MoEF&CC O.M. dated 7/10/2014	Acquired land: 3.14 ha (7.76 Acres) Plot no. - 1405(P). Land is already under possession of proponent	
iii.	Existence of habitation & involvement R&R, if any.	NA	
iv.	Latitude & Longitude of project site	Latitude: 23°39' 33.79" N Longitude: 85° 30' 20.85" E	

MoM of 44<sup>th</sup> meeting of the Re-constituted EAC (Industry-I) held on 13 – 14<sup>th</sup> September, 2021

SNo	Particulars	Details	Remarks
v.	Elevation of the Project site	320 m AMSL	
vi.	Involvement of Forest land if any.	NA	
vii.	Water body exists within the project site as well as study area	<b>Project site:</b> Name : NA  <b>Study area</b> Damodar River, at 1.4 km S	
viii.	Existence of ESZ/ ESA/ National park/ wildlife sanctuary/ biosphere reserve/ tiger reserve/ elephant reserve etc. if any within the study area	Nil	

44.2.5 The existing project was accorded environmental clearance vide Ir. no. J-11011/384/2010-IA.II(I) dated 31/10/2011. Consent to Operate renewal for the existing unit was accorded by Jharkhand State Pollution Control Board in the name of M/s. Gautam Ferro Alloys (Unit of BFCL) vide Ir. no. Ref no JSPCB/HO/RNC/CTO/4412165/2020/1819 dated 10/11/2020. The validity of CTO is up to 31/12/2025.

44.2.6 Implementation status of the existing EC.

S No	Facilities As per EC dated 31/10/2011	Implementation Status as on 24/11/2020	Production as per CTO
1	Ferro Alloys Plant of 96 TPD (2x5 MVA SAF's and 1x7.5+1x9 MVA SAF's with Jigging unit and Micro Pelletizing facility)	Ferro Alloy Plant of 96 TPD	96 TPD

44.2.7 The unit configuration and capacity of existing and proposed project is given as below:

S No	Name	Existing Units		Proposed Units (Modification-Cum-expansion)		Total (Existing + Proposed)	
		Configuration	Production TPA	Configuration	Production TPA	Configuration	Production TPA
1	Ferro Alloy unit	2x5+1x7.5+1x9 MVA SAF	34,080	Modification of existing 2x5 MVA SAF's to 2x6 MVA SAF Modification of existing 1x7.5 MVA SAF to 1x9 MVA SAF capacity New 1x9 MVA SAF New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn	SiMn-24,495 FeMn-59,995	2x6+3x9 MVA SAF + 12MT CLU	SiMn-58,575 or FeMn-94,075

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44.2.8 The details of the raw material requirement for the proposed project along with its source and mode of transportation is given as below:

SNo	Raw Material	Quantity required per annum	Source	Distance from site (Km)	Mode of Transportation
<b>Ferro Manganese</b>					
1	Manganese ore	235187.5TPA	Imported (Zambia)	5 km	Rail/Road
2.	Coke	70556.25TPA	Imported	5 Km	Rail/Road
3.	Carbon paste	1411.125TPA	Local market	5 Km	Road
4.	Quartz	28222.5TPA	Local market	2 Km	Road
5.	Dolomite	23518.75TPA	Imported (Bhutan)	1000 Km	Road
<b>Silico Manganese</b>					
1.	Manganese Ore	146,437.5 TPA	Imported	5 km	Rail/Road
2.	Coke	43,931.25 TPA	Imported	5 km	Rail/Road
3	Carbon paste	878.625 TPA	Local market	5 Km	Road
4.	Dolomite	14,643.75 TPA	Imported (Bhutan)	1000 Km	Road
5.	FeMn Slag	29,287.5 TPA	In house	0	NA

44.2.9 The water requirement for the project is estimated as 50m<sup>3</sup>/day, out of which 45m<sup>3</sup>/day of fresh water requirement will be obtained from the DVC and the remaining requirement of 5m<sup>3</sup>/day will be met from the Rain water Harvesting. The permission for drawl of surface water of 0.36 MGD is obtained from office of Executive Engineer, Tenughat Dam Division vide Lr. No. 243 dated 19/02/2020.

44.2.10 The power requirement for the project is estimated as 22 MVA, out of which 5(existing)+ 19 MVA (Permitted) will be obtained from the DVC.

44.2.11 Baseline Environmental Studies:

Period	1 <sup>st</sup> December 2019 to 29 <sup>th</sup> February, 2020
AAQ parameters at site locations (Avg)	PM <sub>2.5</sub> = 31.50 to 36.43 µg/m <sup>3</sup> PM <sub>10</sub> = 61.50 to 80.66 µg/m <sup>3</sup> SO <sub>2</sub> = 6.42 to 11.92 µg/m <sup>3</sup> NO <sub>x</sub> = 14.50 to 22.31µg/m <sup>3</sup> CO = 0.35 to 0.60 mg/m <sup>3</sup>
AAQ modelling (Incremental GLC)	PM <sub>10</sub> = 0.6 µg/m <sup>3</sup> SO <sub>2</sub> = 0.4 µg/m <sup>3</sup> NO <sub>x</sub> = 0.03 µg/m <sup>3</sup>
Groundwater quality at Eight different locations	pH:7.5 to 7.92; TotalHardness:238 to346 mg/l,Chlorides:84.36to150.4mg/l, Fluoride: 0.94 to1.26 mg/l; Heavy metals are within the limits.
Surface water quality at five different locations	pH:7.54 to7.86.;DO:5.38 to7.8mg/land BOD:<5 mg/l. COD from 30.6 to 98.6 mg/l.
Noise levels	52.1 to 68.4 dBA for the day time and 42.7 to55.3 dBA for the Night time.
Traffic assessment study findings	There is no significant increment in traffic density.

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Flora and fauna	Presence of schedule I fauna is not recorded in study area.
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44.2.12 The details of solid and hazardous waste generation along with its mode of treatment/disposal is furnished as below:

S. No.	Type of Waste	Source	Quantity generated (TPA)	Mode of Treatment /Disposal
1.	Slag(Solid)	SAF's	42,600	Used in Filling low lying area and road construction
2.	Used Oil	Process	240 L /Annum	Will be sent to authorized recyclers

44.2.13 Public Consultation:

<b>Details of advertisement given</b>	10 <sup>th</sup> February, 2021
<b>Date of public consultation</b>	15 <sup>th</sup> March, 2021
<b>Venue</b>	Gym Khana Club Ranchi road, Ramgarh
<b>Presiding Officer</b>	Additional Collector, Ramgarh
<b>Major issues raised</b>	i. Employment ii. Pollution Control iii. Plantation

**Action plan as per MoEF&CC O.M. dated 30/09/2020:**

S No	Concerns raised during the Public Hearing	Physical activity and action plan	Tentative Budget, Rs Lacs	Target date for Implementation of action plan
1.	Employment for Local people	80% of the worker will be hired from Local villages.	53 Lakhs	31 <sup>st</sup> July 2022
2.	Pollution Control	Design and Procurement of Bag Filter, ID Fan, Heat exchanger, stack, Online Monitoring System.	25 Lakhs	31 <sup>st</sup> July 2022
3.	Plantation	Procurement of 2116 plant species suitable for plantation and development of green belt	15 lakhs	September 2022

44.2.14 The capital cost of the project is Rs 50 Crores and the capital cost for environmental protection measures is proposed as Rs 2.50 Crores. The annual recurring cost towards the environmental protection measures is proposed as Rs 0.53 Crores. The employment generation from the proposed project / expansion is 705(Regular/Contract) The details of cost for environmental protection measures is as follows:

S No	Description of Item	Existing(Rs. lakhs)	
		Capital Cost	Recurring Cost
i.	Air Pollution Control/Noise	100	25
ii.	Water Pollution Control	50	05

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S No	Description of Item	Existing(Rs. lakhs)	
		Capital Cost	Recurring Cost
iii.	Cost of noise pollution control	50	01
iv.	Environmental Monitoring and Management	15	09
v.	Green Belt Development	15	05
	Cost of Environment Management Cell	00	05
vi.	Cost of Occupational Health Management	20	03
	<b>Total</b>	<b>250</b>	<b>53</b>
	Addressed of Public Consultation concerns	71	22

44.2.15 Green belt will be developed in 1.03 ha which is about 33% of the total project area. A10-20m wide greenbelt, consisting of at least 3 tiers around plant boundary will be developed as greenbelt and green cover as per CPCB/ MoEF&CC, New Delhi guidelines. Local and native species will be planted with a density of 2500 trees per hectare. Total no. of 2575 saplings will be planted and nurtured in 1.03 hectares in 2 years.

44.2.16 The proponent has reported that there is no violation under EIA Notification, 2006/court case/show cause/direction related to the project under consideration:

44.2.17 Name of the EIA consultant: M/s. Ampl Environ Private Limited [S. No.128, List of ACOs with their Certificate no. NABET/EIA/2023/IA0061 valid up to 13.08.2023; Rev. 13, August 09, 2021].

#### **Certified Compliance report from the regional Office**

44.2.18 The Status of compliance of earlier EC was obtained from Regional Office, MOEF&CC vide letter no.103-325/11/EPE/4275, dated 09/10/2020 in the name of M/s. BFCL (Ferro Alloy Unit). The Action taken report regarding the partially/ non-complied condition was submitted to Regional officer MoEF&CC, vide letter no. BFCL/Env/2020-21/13 dated 10/11/2020 MoEF&CC(RO), Ranchi evaluated the same. The conditions which are not complied yet as per RO compliance report and action taken by PP are as given below:

S No	Conditioned not complied yet	Action taken by PP
<b>A.</b>	<b>Specific conditions- Not complied</b>	
1	<b>condition no. vii):</b> The project proponent has been using ground water without obtaining the approval from competent authority as on date and it was informed that their application (no.2141590/JH/IND/2019 dated 01.10.2019) still under process. The water flow meters along with running hours meters have not been installed in 4 nos. of bore well point and the daily water consumption has not been monitored. At present project proponent is being using river water from Damodar River without obtaining the approval from the competent authority despite lapse of 9 years of grant of EC in 2011. Such inordinate pendency of this matter is objectionable. It was observed that surface drainage system was	Proponent submitted that Application for seeking permission to abstract ground water for industrial use has been submitted vide letter No.- 21-4/590/JH/IND/2019 Dated 01.10.2019 which is under process. Recommendation for the same has been sent by the Executive Engineer, Tenughat Dam to the Chief Engineer, Water Resource Depart. Hazaribagh vide letter No.-243 dated 19.02.2020. The same will be submitted to MoEF&CC once the permission is obtained. PP also stated that they have filed application to DVRRC for obtaining permission for withdrawal of surface water vide letter No.- no. 2019-20/232 Dated 30.12.2019 which is also awaited and in the meantime proponent is using water from local canal. Construction of water drainage system is also under process. Regarding Industrial waste water contained proponent submitted that there is no discharge of industrial waste

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S No	Conditioned not complied yet	Action taken by PP
	not yet constructed. (photo7). Industrial waste water contained in the surface water where zero discharge process has not been strictly followed by project proponent.	water from the plant as post treatment industrial water is recycled back into the process to achieve the zero liquid discharge.
	<b>condition no. x):</b> The Risk and Disaster management plan along with the mitigation measure is not approved by concerned Government authority.	Risk and Disaster management plan along with the mitigation measure has been prepared and is being submitted to the concerned authority Chief inspector of factory. The same will be submitted to MoEF&CC on approval.
	<b>condition no. xiv):</b> During the site visit discussion with project officials stated that corporate Environment Responsibility (CER) plant is yet to be prepared which they have not been doing despite being pointed out in the previous monitoring report on 14.02.2011.	Corporate Social Responsibility (CSR) is an ethical and sustainable way to mitigate environmental and social impacts under which proponent is arranging medical health camp, providing drinking water, books and stationary distribution in few local schools and bearing educational fee for poor students and sports development in the area providing sports kits and event expenses. During covid-19, proponent also distributed food items, drinking water to the extent of Rs. 31.16 Lakhs to the poor people. Corporate Environment Responsibility (CER) is under preparation and will be made available to MoEF&CC on finalisation.
<b>Specific Condition- Partially Complied</b>		
	<b>Condition no. ii):</b> Project authorities have been using pearl coke instead of pet coke. At the project site huge amount of charcoal dumps and dry wood was observed which are also being used as fuel;(photo- 5&6)	The Supreme Court has banned the use of petroleum coke or pet coke — solid-carbon, coal-like material which results from oil refining — and furnace oil in the National Capital Region (NCR) and suggested that similar steps be taken in other States. NGT has also directed CPCB to ensure ban on pet coke and furnace oil. The wood lot seen in the photos no. 6 was used for furnace pre heating after relining. Proponent declared that they are not using charcoal/wood as fuel in the process. Further proponent will ensure not to use charcoal dumps and dry wood as fuel.
	<b>condition no. iii):</b> on the date of project site visit it was observed that there are two stacks installed in the project stack no.-2 online stack monitoring and stack no.-1 is still not connected with online monitoring system. Both stacks data are yet to be connected with JSPCB server despite lapse of 09 years of EC in 2011.Recently on 17.10.2020 project proponent has submitted some online emission monitoring data sheet generated to JSPCB and CPCB. Project proponent should give an explanation on this regard	There are two stacks in the unit. Stack -I is attached with furnace 3 & 4 and stack -2 is attached with furnace 1 & 2. Online stack emission monitoring system is already installed on stack I and is well connected to JSPCB & CPCB server. Online system in stack-2 has also been installed and connected with CPCB server but connectivity with JSPCB server was in process at the time of inspection, however, since 29.09.2020 data is transmitted with CPCB server and from 08.10.2020 data has also started for transmission to JSPCB server.
	<b>Condition no.- iv</b> It was observed that project proponent has not installed any kind of device to detect if any variation in parameter beyond the limit immediately received notification from server through SMS or Email.	The online stack emission monitoring system and PM 10 analyzer are installed and connected to JSPCB server. The data is also visible in JSPCB website in public domain. Whenever parameter exceeds the limit during power failure or data transmission is interrupted during repair it is immediately intimated to JSPCB vide email. As soon as it is restored the same is intimated through email and also visible on

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S No	Conditioned not complied yet	Action taken by PP								
	<p><b>Condition No.-v):</b> The secondary fugitive emission data was monitored by Institute for Environmental Management, Eco Enviro Lab recognized by NABL and JSPCB. Project proponent should have been submitted a copy of letter certifying that Institute for Environmental management, Eco Enviro Lab is NABL accredited. At the project site it was observed that installed Fume Extraction System was inadequate to control fume and dust. Profise smog was observed inside the industry premises, (photos- I &amp;2). Inside the industrial premises most of the pathways are neither black topped nor properly paved / concocted creating muddy condition in wet season and dusty in dry season. This location needs fixed water sprinklers, dust extractors system and sweep vacuums Vehicular movement through this area is additional cause for spread of dust pollution. The industry wastage was haphazardly placed, in the project sites indicative of poor housekeeping (phote-8). A copy of water tankers log book signed by authorized signatory must be submitted to this IRO, Ranchi</p>	<p>JSPCB website.</p> <p>The secondary fugitive emission data is monitored by Laboratories which are NABET accredited and registered in JSPCB. The whole system is online. PP has applied for the monitoring online through single window site of the State Government. It is allocated to Laboratory who are registered in JSPCB randomly. There is no option of pick &amp; choose. Pathways inside the premises have been made concrete. The Fume Extraction System has been repaired. Installed Fume Extraction System (Thermax Make &amp; Botliboi Engineers Make) is very efficiently working and adequate to control the fume generating during process (Photos-1&amp;2). Little fugitive emission will be observed occasionally during tapping time which PP is planning to avoid by enhancing the capacity of section earliest. PP has also planned to fix water sprinklers around the yard and at the side of the road. Procurement of Dust extractors system and sweep vacuums is under process. In the premises regarding haphazardly placed industrial waste PP has submitted that the designated area is actually metal contaminated slag processing area which are cleared by evening after completion of the processing activities during the day time (Photos-8). Now this area has been cleaned and they have started slag processing in organized way. All the industrial wastes have been removed and a permanent water tanker has been deputed for regular spraying of water. Fugitive emission is being controlled by spraying water through tanker. Materials are being transported in vehicles duly covered to avoid fugitive emission. Pavement/construction of concrete road is still continuing and will be completed at the earliest. PP submitted water tanker log book duly signed by authorized signatory, also submitted to MoEF Regional office Ranchi. Currently water sprinkling is carried out by mobile sprinkler for mitigating ambient dust generated due to plying of vehicles. There are water tankers of 12 KL used to sprinkle water on transport road, coal and raw material dump area, etc. PP submitted the duly signed copy of Log book of usage of water through water tanker.</p>								
	<p><b>Condition No.- viii)</b> The Rain water harvesting plan is not a Government approved one. Project proponent should not allow oil / grease or ore/mineral water to percolate inside the water harvesting structure.</p>	<p>The rain water harvesting plan has been prepared by Govt. approved agency and the same has been implemented. The range of oil &amp; grease/ ore/ mineral in rain water is very less. For removal of oil from the Rainwater harvesting Systems through simple holding ponds by Gravity Separation. For removal of ore/ mineral, rain water passes through a filter and then it is allowed to recharge the ground water.</p> <table border="1" data-bbox="829 2072 1382 2233"> <thead> <tr> <th data-bbox="829 2072 883 2166">S No</th> <th data-bbox="883 2072 1084 2166">Location</th> <th data-bbox="1084 2072 1255 2166">Specification Approx</th> <th data-bbox="1255 2072 1382 2166">Total Capacity Approx</th> </tr> </thead> <tbody> <tr> <td data-bbox="829 2166 883 2233">1</td> <td data-bbox="883 2166 1084 2233">Rainwater Harvesting Pit</td> <td data-bbox="1084 2166 1255 2233">5x5x12 meters</td> <td data-bbox="1255 2166 1382 2233">300 KL</td> </tr> </tbody> </table>	S No	Location	Specification Approx	Total Capacity Approx	1	Rainwater Harvesting Pit	5x5x12 meters	300 KL
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S No	Conditioned not complied yet	Action taken by PP																															
			(Near Work shop)																														
		2	Rainwater Harvesting Pit (Near Store)	5x5x12 meters	300 KL																												
		3	Rain water Harvesting Pit (Near Raw materials Yard)	5x5x12 meters	300 KL																												
	<p><b>Condition No.-ix)</b> Project proponent should have submitted the year wise slag production data, quantity of recycled in the furnace and non ferrous particles used in the preparation of building materials to this IRO, Ranchi at the earliest</p>	<p>PP submitted the year wise slag production data details. The slag is crushed in the crusher, magnetic particles are removed and recycled in the furnace. Nonferrous particles are used in the filling of low lying area.</p> <table border="1" data-bbox="813 908 1427 1298"> <thead> <tr> <th data-bbox="813 908 964 1096">Period</th> <th data-bbox="964 908 1115 1096">Slag production in MT</th> <th data-bbox="1115 908 1256 1096">Quantity recycled in the furnace in MT</th> <th data-bbox="1256 908 1427 1096">Nonferrous particulars used in the building in MT/Sold to recycler</th> </tr> </thead> <tbody> <tr> <td data-bbox="813 1096 964 1131">2014-15</td> <td data-bbox="964 1096 1115 1131">16357</td> <td data-bbox="1115 1096 1256 1131">9814</td> <td data-bbox="1256 1096 1427 1131">6543</td> </tr> <tr> <td data-bbox="813 1131 964 1166">2015-16</td> <td data-bbox="964 1131 1115 1166">20965</td> <td data-bbox="1115 1131 1256 1166">12579</td> <td data-bbox="1256 1131 1427 1166">8386</td> </tr> <tr> <td data-bbox="813 1166 964 1201">2016-17</td> <td data-bbox="964 1166 1115 1201">12500</td> <td data-bbox="1115 1166 1256 1201">7852</td> <td data-bbox="1256 1166 1427 1201">4648</td> </tr> <tr> <td data-bbox="813 1201 964 1236">2017-18</td> <td data-bbox="964 1201 1115 1236">9496.450</td> <td data-bbox="1115 1201 1256 1236">0.00</td> <td data-bbox="1256 1201 1427 1236">9496.450</td> </tr> <tr> <td data-bbox="813 1236 964 1271">2018-19</td> <td data-bbox="964 1236 1115 1271">23172</td> <td data-bbox="1115 1236 1256 1271">11172</td> <td data-bbox="1256 1236 1427 1271">12000</td> </tr> <tr> <td data-bbox="813 1271 964 1298">2019-20</td> <td data-bbox="964 1271 1115 1298">16302.850</td> <td data-bbox="1115 1271 1256 1298">0.00</td> <td data-bbox="1256 1271 1427 1298">16302.850</td> </tr> </tbody> </table>				Period	Slag production in MT	Quantity recycled in the furnace in MT	Nonferrous particulars used in the building in MT/Sold to recycler	2014-15	16357	9814	6543	2015-16	20965	12579	8386	2016-17	12500	7852	4648	2017-18	9496.450	0.00	9496.450	2018-19	23172	11172	12000	2019-20	16302.850	0.00	16302.850
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	<p><b>Condition no. xi):</b> At the project site it was observed that as requisite, the Circumferential Belt plantation (33%) has not yet been completely developed along the periphery of the campus. Some tree plantation has been done surrounding the project site, (photo- 7) which is inadequate as per the stipulation. There is scope for development of green belt in most of the areas of the project which should be undertaken at the earliest. To reduce air pollution in the project areas, some high value index air pollution tolerant species /i.e., Ficus bengalensis, Cassia siactea, Mangifera indica, Alstonia scholaris, Toona ciliata etc.) Should also be planted in the periphery or the campus and other available areas in project to prevent and reduce the dust pollution.</p>	<p>Plantation over an area of 49274 sq. feet has been done. Development of green belt in the boundary side is completed. 265 no of trees have been planted on 5<sup>th</sup> June, 2020 so far. (Photo-7) Plantation programme is regularly done to increase plantations in areas. Plant species are selected as per CPCB guidelines. PP is planning to plant more trees especially suggested species and plantation shall be completed by the next monsoon. PP stated that flora and fauna management plan as mentioned in EIA/EMP report will be followed.</p>																															
	<p><b>Condition no. xii):</b> Project proponent has not shown the activities carried out on Enterprise Social Commitment programme during the time of site visit. The detail of the approved Enterprise Social Commitment (ESC) plan was not yet uploaded on the company website and also not yet submitted to IRO Ranchi. Third party evaluation of ESC activity should also be submitted.</p>	<p>PP reported that the company has well developed Social Commitment programme. Social commitment is implemented via a cross-functional approach. Company's overall social commitment is focused around three visions: - Education Population stabilization, health and nutrition Clean India / Green India. A cross-functional working group will be formed. The company's Vision Group will include Function Heads of Corporate Communications, Sales &amp; Marketing, Power Projects, Environment</p>																															

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S No	Conditioned not complied yet	Action taken by PP																								
		Management, CSR, OHS, Finance & Accounts and Sustainability departments. Together the group will shape and implement the priorities of company's social commitment within their departments and across the group of companies.																								
	<b>B ).General Condition:</b>																									
	<b>Condition No.- i):</b> It was observed that some condition given in the CTO have not complied as yet.	The condition stipulated in CTO has been complied and submitted to JSPCB on the basis of which Unit's CTO has been granted which is valid up to 31.12.2020.																								
	<b>Condition no. ii):</b> Production record register has not maintained and shown at the project site. Project proponent stated that production data recorded in the Ranchi Office which is about 70km far away from the project site.	Updated Production record register has been kept at the project site.																								
	<b>Condition no. iii):</b> It was observed that the industry does not have effective mechanism to prevent and arrest fugitive dust generated due to movement of traffic and materials. The materials are dumped without cover and spread here and there in the project Site a\$ source of dust pollution in the neighbouring locality during windy periods	All the industrial wastes have been removed and a permanent water tanker has been deputed for regular spraying of water. Currently water sprinkling is carried out by mobile sprinkler for mitigating ambient dust generated due to plying of vehicles. There are water tankers of 12 KL used to sprinkle water on transport road, coal and raw material dump area, etc.																								
	<b>Condition no. iv):</b> The project proponent has not yet installed online continuous Ambient Air Quality Monitoring system in the project site.	PM <sub>10</sub> analyzer has been installed as directed by JSPCB and connectivity has been given to JSPCB server. The CAAQMS is very costly and it is not feasible for this type of industry. Therefore, it is requested to waive off the condition of CAAQMS keeping in view the financial condition of the project.																								
	<b>Condition no. vii):</b> There was not maintaining patient record register in the project site.	Pre Project health status was carried out as part of baseline study EIA/EMP report of unit. Health Camps are conducted regularly in the nearby villages. Total beneficiaries in the last 3 years are as follows: <table border="1" data-bbox="829 1569 1414 1983"> <thead> <tr> <th>Year</th> <th>Village Health Camps</th> <th>Beneficiaries</th> <th>School Health Camps</th> <th>Beneficiaries</th> </tr> </thead> <tbody> <tr> <td>2017-18</td> <td>Marar Village</td> <td>90</td> <td>Rajkiya medium school Ranchi Road</td> <td>55</td> </tr> <tr> <td>2018-19</td> <td>Mahto Tola</td> <td>78</td> <td>Shri Gurunanak Public School</td> <td>72</td> </tr> <tr> <td>2019-20</td> <td>Hesla &amp; Marar</td> <td>102</td> <td>DAV School</td> <td>64</td> </tr> </tbody> </table>					Year	Village Health Camps	Beneficiaries	School Health Camps	Beneficiaries	2017-18	Marar Village	90	Rajkiya medium school Ranchi Road	55	2018-19	Mahto Tola	78	Shri Gurunanak Public School	72	2019-20	Hesla & Marar	102	DAV School	64
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2018-19	Mahto Tola	78	Shri Gurunanak Public School	72																						
2019-20	Hesla & Marar	102	DAV School	64																						
	<b>Condition no. ix):</b> Socio-economic development activity in the surrounding villages like community development programmes, educational programmes, drinking water supply and health care etc. was not able to shown by project proponent on the date of site visit. Copy of EIA/EMP report has not yet	<table border="1" data-bbox="829 1983 1414 2214"> <thead> <tr> <th>Year</th> <th>Comm-unity develop-ment program</th> <th>Benefi-ciaries</th> <th>Education program</th> <th>Drinking water supply</th> </tr> </thead> <tbody> <tr> <td>2017-18</td> <td>Woman's day</td> <td>50</td> <td>45</td> <td>70</td> </tr> </tbody> </table>					Year	Comm-unity develop-ment program	Benefi-ciaries	Education program	Drinking water supply	2017-18	Woman's day	50	45	70										
Year	Comm-unity develop-ment program	Benefi-ciaries	Education program	Drinking water supply																						
2017-18	Woman's day	50	45	70																						

MoM of 44<sup>th</sup> meeting of the Re-constituted EAC (Industry-I) held on 13 – 14<sup>th</sup> September, 2021

S No	Conditioned not complied yet	Action taken by PP				
	submitted to IRO, Ranchi.	2018-19	Bharat vikash Parishad Marriage	25	35	140
		2019-20	Woman's Day	40	75	130
	<p><b>Condition no. x):</b> No separate account has been maintained by project proponent on environmental protection measures. The year wise and activity wise expenditure incurred for environmental protection measures have not been recorded and furnished to IRO, Ranchi. Project proponent should submit the details of personnel along with their qualification associated with the environment management cell (separate lists for personnel exclusive and others)</p>	<p>For the protection of environment, expenditure incurred in dust suppression in unit's premises, roads, etc. cleaning of oil &amp; grease trap tank, cleaning washing platform, cleaning of garland drains, etc. in last 4 year is approx. 30.69 lakh. Expenditure incurred on infrastructural development such as school building community centre, marketing centre, dispensary, road, etc. in nearby areas is approximately 527 lakh in last 4 year. Cumulative Cost as per different head as per EIA/EMP is submitted. Other cost incurred are i) Monitoring of Ambient Air, Noise, plantation, ii) Cost under APCD etc.</p>				
	<p><b>Condition no. xii):</b> It was observed that only one half yearly compliance report dated 9 has been found uploaded in project's website. Project proponent should upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same periodically. It was also observed that the pollutant levels AAQ (ambient air quality) data has not been shown / installed in the digital display board or other manual board at a convenient location near the main gate and in the public domain in the project site.</p>	<p>PP has reported that six monthly compliance reports along with monitoring data has been uploaded on company website "www.bfcl.in." PP ensures to give status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same periodically. PP has further reported that the display board is under construction and pollutant levels AAQ (ambient air quality) data are displayed in manual board near the main gate and also in the public domain at the project site.</p>				
	<p><b>Condition no. xiv):</b> The environmental statement 31<sup>st</sup> March in "From- V" is not yet uploaded on the website</p>	Complied.				
	<p><b>Condition no. xvi):</b> As per document produced by project proponent which has certified and signed by Chartered Accountant CA, Nikesh Kumar on behalf of Mr. Vinish Kumar &amp; CO (Chartered Accountant, FCA) on 5.10.2020 stated that the date of commencement for Ferro Alloys Division (Silico Manganese / Ferro Manganese) is 21<sup>st</sup> February, 2008 and date of financial closer for Silico Manganese / Ferro Manganese is 1<sup>st</sup> June 2014. However, as per vide email dated 10.03.2017. the project proponent mentioned that the date of commencement of the project is on 07.07 2014, and same as mentioned in the previous monitored report (letter dated 29.03.2017) and also same has mentioned in the recent submitted industry</p>	<p>The anomaly has been corrected and is submitted to Ministry. The date of commencement is 21/02/2008 and date of completion of the project is 07/07/2014.</p>				

MoM of 44<sup>th</sup> meeting of the Re-constituted EAC (Industry-I) held on 13 – 14<sup>th</sup> September, 2021

S No	Conditioned not complied yet	Action taken by PP
	information Performa by project proponent on dated 05.10.20. Project proponent should give an explanation on this anomaly.	

### Observations of the Committee

44.2.19 The Committee observed the following:

- i. Proposed expansion project site is located in a Severely Polluted Area. Additional safeguards such as 40% green belt development and provision of Continuous Ambient Air Quality station etc. have not been proposed by the proponent.
- ii. Existing EC as well as instant EC application is in the name of M/s. Bihar Foundry and Castings Limited whereas the Consents obtained from JSPCB is in the name M/s. Gautam Ferro Alloys (Unit of BFCL). PP informed that M/s. Gautam Ferro Alloys is a common name and no such legal entity exist. This needs to be revisited by the PP to ensure that the name in the EC as well as the Consents are in the same name.
- iii. There are serious non-compliances have been reported by RO including use of GW (4 bore wells) without permission; approval of Disaster Management Plan (DMP) by Factory Inspectorate; non-implementation of CER, Continuous Ambient Air Quality Monitoring station (CAAQMS) at project site has not been installed so far; medical examination records of workers are not available; CSR activities have not been taken up and six monthly reports have not been furnished etc. No tangible efforts have been taken by the proponent to comply with the said non-compliances as reported at para no. 44.2.18.
- iv. Revised action plan for green belt development covering 40% of the project area with a density of 2500 sapling per ha will be required as the site is located in a severely polluted area.
- v. Jigging and micro pelletizing facility is available. It is not clear if any up-gradation is planned for these facilities under expansion.
- vi. Sewage treatment plant details has not been made available.
- vii. EIA report has following shortcomings;
  - a. There are three EIA coordinators, the roles and responsibilities of the coordinators are not clear. Signatures of all Team Members are scanned.
  - b. Specific TOR points (i) and (iii) pertaining to use of surface water and emission levels less than 30 mg/Nm<sup>3</sup> have not been complied. TOR Point 9 compliance has been given at three places in pieces in Annexure 5, Chapter 6 and Annexure 8. Accredited Consultant Organization (ACO) does not understand where this point should be addressed in EIA report.
  - c. Interpretation of physical data, EB data has not been addressed in Chapter 3.
  - d. Socio-economic data have not been given in Chapter 3 and not interpreted.
  - e. In section 4.5.7.2 of Chapter 4, impact on Social Environment has been given. It is not clear as to how impact has been predicted without determining the base line in Chapter 3?
  - f. Rain water harvesting program has been addressed only for water requirement added for expansion project.
  - g. In EIA report, at one place the designation of environment head is given as GM and at another place it is ADM. On page 170 of the report, it is mentioned that

MoM of 44<sup>th</sup> meeting of the Re-constituted EAC (Industry-I) held on 13 – 14<sup>th</sup> September, 2021

Electrical, Mechanical maintenance engineers and Security officer shall report to Environment Department.

- h. Performance testing of pollution control equipment and systems has not been included in EIA report.
- i. Project cost and EMP cost given in Table 6.4 is in variance from the data given in the presentation.
- j. SIA has been presented in section 7.6. Only census data have been presented in the report. There is no evidence of systematic data collection and surveys conducted by ACO for carrying out SIA study. Interpretation of data has not been presented.
- k. In Chapter 8 CER (EMP) activities given are not as per OM of 30<sup>th</sup> Sept 2020. At one place the completion period is shown as 7 years and at another place it is 5 years. Year wise activity with physical targets have not been given as per O.M. of 30<sup>th</sup> Sept 2020.
- l. Chapter 10 description does not follow the requirement of Appendix III of EIA notification 2006.

#### Recommendations of the Committee

42.2.21 In view of foregoing and after deliberations, the Committee recommended to return the proposal in its present form. Further, the Committee also recommended to issue a Show Cause Notice to the EIA consultant for the shortcomings in the EIA report enumerated at para no. 42.2.20.

44.3 Proposed Integrated Steel Plant with Beneficiation cum Palletization -1.6 MTPA capacity, Sponge iron - 7,60,000 TPA; Hot Metal/ M.S Billets/ M.S. ingots 7,50,000 TPA; Rolled Products/TMT Bars/ Structural Steel — 7,00,000 TPA & Producer Gas plant - 80,000 Nm/hr; Ferro Alloy unit of 2x9 MVA to Produce Fe-Si (OR) Fe-Mn (OR) Si-Mn (OR) Pig Iron, Power Generation 106 MW (CFBC - 40 MW, WHRB - 66 MW) by **M/s. Real Ispat & Power Limited** located at Villages Bakulahi & Dhourabhata, Tehsil Bhatapara, **District Baloda Bazar Bhatpara, Chhattisgarh**. [Online Proposal No. IA/CG/IND/127880/2019; File No.: J-11011/411/2019- IA.II(I)] – **Environment Clearance**– regarding.

44.3.1 M/s. Real Ispat & Power Limited has made an online application vide proposal no. IA/CG/IND/127880/2019 dated 26/08/2021 along with copy of EIA/EMP report and Form-2 seeking Environmental Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at schedule no. 3 (a) Metallurgical industries (Ferrous & non-ferrous) under Category “A” of the schedule of the EIA notification, 2006 and appraised at the Central level.

#### Details submitted by Project proponent

44.3.2 The details of the ToR are furnished as below:

Date of application	Consideration	Details	Date of accord
27 <sup>th</sup> November 2019	14 <sup>th</sup> EAC 23 – 24 December 2019	TOR	20 <sup>th</sup> January 2020

44.3.3 The project of M/s. Real Ispat & Power Limited located at Villages Bakulahi & Dhourabhata, Tehsil Bhatapara, District Baloda Bazar Bhatpara, Chhattisgarhis for Proposed Integrated Steel Plant with Beneficiation cum Palletization -1.6 MTPA capacity,

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True Copy/-

**GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE  
(IA DIVISION-INDUSTRY-1 SECTOR)**

\*\*\*\*\*

**Dated: 07.03.2023**

*Date of Zero Draft MoM sent to EAC:05.03.2023*

*Approval by Chairman:07.03.2023*

*Uploading on PARIVESH:07.03.2023*

**MINUTES OF THE 24<sup>TH</sup> EXPERT APPRAISAL COMMITTEE  
(INDUSTRY-1 SECTOR) MEETING HELD ON 28<sup>TH</sup> FEBRUARY, 2023– 1<sup>ST</sup>  
MARCH, 2023**

**Venue: Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110003 through Video Conferencing**

**Time: 10:30 AM onwards**

**DAY-1: FEBRUARY 28, 2023 [TUESDAY]**

**(i) Opening Remarks by the Chairman, EAC**

Shri. Rajive Kumar, Chairman EAC welcomed the Committee members and opened the EAC meeting for further deliberations.

Shri. Rajive Kumar also appreciated the efforts of the Ministry's Team (Industry 1 Sector) for preparation and uploading the agenda of the EAC meetings and draft record of discussion very scientifically, systematically and timely on Parivesh Portal.

**(ii) Details of Proposals and Agenda by the Member Secretary**

Dr. R. B. Lal, Scientist 'F' & Member Secretary, EAC (Industry-1 Sector) appraised to the Committee about the details of Agenda items to be discussed during this EAC meeting.

**(iii) Confirmation of the Minutes of the 23<sup>rd</sup> Meeting of the EAC (Industry-1 Sector) held during February 14-15, 2023 at MoEF&CC through VC.**

The EAC, having taken note that final minutes were issued after incorporating comments offered by the EAC (Industry-1 Sector) members on the minutes of its **23<sup>rd</sup> Meeting of the EAC (Industry-1 Sector) held during February 14-15, 2023** conducted through Video Conferencing, and noted that there is a modifications/factual correction, in the minutes of the 23<sup>rd</sup> EAC meeting for the project/activities as follows:

**Agenda No. 23.7: Proposed Expansion of Sponge Iron Plant From 90,000 to 1,25,000 TPA, Induction Furnace & Billet Caster from 2x12T (300 TPD) To 1x12T, 1x15T (416 TPD), Captive Power Plant from 12 to 12.5 MW, Addition of Hot Rolling Mill including galvanizing 425 TPD, & Fly Ash Brick Manufacturing Unit 1000-1200 Bricks/Hr. by M/s. Goa Sponge & Power Limited, located at Survey No. 58/I,59/I,60/I (Part), Santona Village, Sanguem Taluka, South Goa District, Goa - Consideration of Modification in TOR and violation under SOP dated 07.07.2021.**

**[Proposal No. IA/GA/IND/296119/2022; File No. IA-J-11011/246/2018-IA.II(I)]**

The aforementioned proposal was considered and recommended by EAC in its 23<sup>rd</sup> meeting of the EAC for Industry-I sector held on 14-15<sup>th</sup> February, 2023. The PP vide email dated 27.02.2023 submitted that the condition no. (ii) was incorrectly mentioned in the MoM of 23<sup>rd</sup> EAC, which may be corrected as following -

Ref in MoM	Mentioned in the MoM of 23 <sup>rd</sup> EAC meeting	Proposed Modificaion / Correction
Page No. 81 Para 23.7.9 additional conditions (ii)	(ii). The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate to be issued till the project is granted EC for the Unit which violated under the provision of the EIA Notification 2006 i.e. 1.4 MTPA Iron Ore Pellet Plant.	(ii). The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate to be issued till the project is granted EC for the Unit which violated under the provision of the EIA notification 2006, i.e Proposed Expansion of Sponge Iron Plant From 90,000 to 1,25,000 TPA, Induction Furnace & Billet Caster from 2x12T (300 TPD) To 1x12T, 1x15T (416 TPD), Captive Power Plant from 12 to 12.5 MW, Addition of Hot Rolling Mill including galvanizing 425 TPD, & Fly Ash Brick Manufacturing Unit 1000-1200 Bricks/Hr.

#### **Deliberations by the EAC:**

It was informed to the Committee members that additional condition no. (ii) mentioned in the MoM of 23<sup>rd</sup> EAC for Industry-I sector held during February 14-15, 2023 pertaining to proposal agenda no. 23.7 as referred above.

The EAC deleiborated and noted that the request of the PP may be accepted and recommended for the incorporation of the above-mentioned corrections/modifications in the minutes of the meeting. Accordingly, [Para 23.7.9, additional conditions (ii)] stands modified in the minutes of 23<sup>nd</sup> EAC (Industry-1) meeting as detailed in table above.

Details of the proposals considered during the 24<sup>th</sup> meeting **conducted** through **Video Conferencing**, deliberations made and the recommendations of the Committee are explained in the respective agenda items as under:

### **Consideration of Environmental Clearance Proposals**

#### **Agenda No. 24.1**

Processing Units. Due to mistake by the Consultant, the proposal is submitted to Industry-I sector of IA Division.

### **Recommendations of the Committee**

- 24.7.3 In view of the foregoing and after detailed deliberations, the committee recorded that the instant proposal pertains to 4(b)(ii) Coal Tar Processing Units schedule of the EIA Notification, 2006 which is being dealt by Industry-II sector of IA Division of MoEF&CC, therefore EAC advised the Member Secretary, Industry-I, MoEF&CC to forward the proposal to Industry-II sector of IA Division of MoEF&CC for their consideration.

**\*\*\***

### **Agenda No. 24.8**

- 24.8 Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand- Consideration of Environmental Clearance under Violation category.**

**[Proposal No. IA/JH/IND1/417175/2023; File No. J-11011/384/2010-IA-II(IND-I)]**

**[Consultant: Pioneer Enviro Laboratories & Consultants Pvt. Ltd.; Valid upto 11.03.2023]**

- 24.8.1 M/s. Bihar Foundry & Castings Limited has made an online application vide proposal no. IA/JH/IND1/417175/2023, dated 20<sup>th</sup> February 2023 along with copy of EIA/EMP report, Form (A, B and C) and Certified Compliance report seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at S. No. 3(a) Metallurgical industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at central level.
- 24.8.2 Name of the EIA consultant: M/s Pioneer Enviro Laboratories & Consultants Pvt. Ltd. [List of ACOs with their Certificate / Extension Letter no. NABET/EIA/1922/SA 0148; valid upto 11.03.2023, as on February 27, 2023].

### **Details submitted by the project proponent**

- 24.8.3 The detail of the ToR is furnished as below:

<b>Date of application</b>	<b>Consideration</b>	<b>Details</b>	<b>Date of accord</b>	<b>ToR Validity</b>

12 <sup>th</sup> September 2020	24 <sup>th</sup> meeting of EAC Dt. 27 <sup>th</sup> to 29 <sup>th</sup> October 2020	Terms of Reference	24.11.2020	23.11.2024
21 <sup>st</sup> October 2022	16 <sup>th</sup> meeting of EAC dated 3 <sup>rd</sup> November 2022	Terms of Reference (Amended-under violation)	19.12.2022	

24.8.4 The project of M/s. Bihar Foundry & Castings Limited located in Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand is for Modification cum Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn.

#### 24.8.5 Environmental site settings

S.No.	Particulars	Details submitted by the PP																		
1.	Total land	<ul style="list-style-type: none"> <li>Total 2.91 Ha. (7.18 Acres), of land has taken on lease from Jharkhand Industrial Area Development Authority (JIADA) for a period of 30 years.</li> <li>2.91 Ha. (7.18 Acres) of Existing plant land is Industrial land. The proposed expansion will be taken up in the existing plant premises only.</li> <li>Additional land of 1.385 Ac. (0.56 Ha.) has been acquired for development of Greenbelt to comply with 40% of 2.91 Ha. (7.18 Acres) as the plant is situated in Ramgarh industrial area which is Severely Polluted Area .</li> </ul>																		
2.	Land acquisition details as per MoEF&CC,O.M.dated7/10/2014.	Total 2.91 Ha. (7.18 Acres), of land has taken on lease from Jharkhand Industrial Area Development Authority (JIADA) for a period of 30 years.																		
3.	Existence of habitation & involvement of R&R, if any.	<p><b>Project site:</b> No habitation exists in the plant site</p> <p><b>Study Area :</b></p> <table border="1"> <thead> <tr> <th>Habitation</th> <th>Distance</th> <th>Direction</th> </tr> </thead> <tbody> <tr> <td>Palamu Colony</td> <td>0.4 kms.</td> <td>NE</td> </tr> <tr> <td>Marar</td> <td>0.8 kms.</td> <td>N</td> </tr> </tbody> </table>	Habitation	Distance	Direction	Palamu Colony	0.4 kms.	NE	Marar	0.8 kms.	N									
Habitation	Distance	Direction																		
Palamu Colony	0.4 kms.	NE																		
Marar	0.8 kms.	N																		
4.	Latitude and Longitude of all corners of the plant site	<p>The following are the Coordinates of the Plant site</p> <table border="1"> <thead> <tr> <th>S.No.</th> <th>Point</th> <th>Coordinates</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Point # 1</td> <td>23°39'33.79"N, 85°30'20.85"E</td> </tr> <tr> <td>2.</td> <td>Point # 2</td> <td>23°39'33.67"N, 85°30'24.03"E</td> </tr> <tr> <td>3.</td> <td>Point # 3</td> <td>23°39'26.99"N, 85°30'25.12"E</td> </tr> <tr> <td>4.</td> <td>Point # 4</td> <td>23°39'25.39"N, 85°30'23.90"E</td> </tr> <tr> <td>5.</td> <td>Point # 5</td> <td>23°39'25.35"N, 85°30'19.63"E</td> </tr> </tbody> </table>	S.No.	Point	Coordinates	1.	Point # 1	23°39'33.79"N, 85°30'20.85"E	2.	Point # 2	23°39'33.67"N, 85°30'24.03"E	3.	Point # 3	23°39'26.99"N, 85°30'25.12"E	4.	Point # 4	23°39'25.39"N, 85°30'23.90"E	5.	Point # 5	23°39'25.35"N, 85°30'19.63"E
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5.	Elevation of the project site	199.5 m to 200.5 m																		
6.	Involvement of Forest Land, if	Nil																		

S.No.	Particulars	Details submitted by the PP		
	any			
7.	Water body (Rivers, Lakes, Pond, Nala, Natural Drainage, Canal etc.) exists within the project site as well as study area	<b>Study area:</b>		
		<b>Habitation</b>	<b>Distance</b>	<b>Direction</b>
		Damodar River	1.4 Kms.	S
		Raura Nala	2.5 kms.	E
		Meramgarh Nala	5.4 Kms	E
		Unnamed stream	0.5 Kms	W
		Ramgarh Village pond	4.0 Kms	S
		Seota village Pond	1.5Kms	NE
8.	Existence of ESZ / ESA / National Park / Wildlife Sanctuary / Biosphere Reserve / Tiger Reserve / Elephant Reserve etc. if any within the study area	There are no ESZ/ESA/National Park/ Wild life sanctuary / Biosphere reserve / Tiger Reserve / Elephant Reserve within 10 km. radius of the plant.		
9.	Industrial areas / cluster (MoEF&CC Office Memorandum dated 13 <sup>th</sup> January 2010) and its subsequent amendments	Ramgarh is declared Severely Polluted area (SPA) with CEPI index 65.11 by CPCB vide No.B29012/ESS(CPA)/2015-16/ dated 26th April 2016. Compliance of all the conditions applicable to CEPI is prepared. Particulate emission will be less than 30 mg/Nm <sup>3</sup> .Greenbelt of 40% of the project area will be developed. CER allocation will be 1.5 times of the normal calculated amount i.e. <b>Rs.1.34 Crores.</b>		

24.8.6 The existing project was accorded environmental clearance vide F. No. J-11011/384/2010-IA (II) (I) dated 31.10.2011. Consent to Operate for the existing unit was accorded by JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated 10.11.2020 (which is in the name of GAUTAM FERRO ALLOYS (UNIT OF BFCL) which is valid upto 31-12-2025. Subsequently name of the plant in CTO has been changed to Bihar Foundries & Castings Limited vide order dated 23.01.2023 and is valid till 31.12.2025.

S. No.	EC/CTE /EC Extension Permissions	Units permitted	Date of permission	Remarks
1	CTE vide No. 3937	SEAF – 2x5 MVA 26 TPD (SiMn)	24.02.2000	CTE obtained in the Name of M/s. Gautam Ferro Alloys
2	CTE vide No.2577	SEAF – 2x7.5 MVA 30 TPD (SiMn)	20.05.2009	CTE obtained in the Name of M/s. Bihar Foundry & Castings Ltd.
3	EC (for Expansion) (MoEF, New Delhi) Vide no. J- 11011 /	SEAF – 1x9 MVA (40 TPD-FeMn) along with existing	31.10.2011	CTO obtained in the Name of M/s. Bihar Foundry & Castings Ltd. in 2015

S. No.	EC/CTE /EC Extension Permissions	Units permitted	Date of permission	Remarks
	384 /2010 - IA (II) (I)	2x5 MVA (26 TPD)1x7.5 MVA (30 TPD), TOTAL 96 TPD		
4	CTO Vide Ref. no.- B-910	2x5 MVA (26 TPD)	18.03.2014	CTO obtained in the Name of M/s. Bihar Foundry & Castings Ltd (Gautam Ferro Alloys )
5	CTO vide no. D-1924(C)	70 TPD (30+40 TPD)	07.07.2014 VALID UP TO 30.06.2015	CTO obtained in the Name of M/s. Bihar Foundry & Castings Lt. Unit Gautam Ferro Alloys
6	Consent-to-Establish (CTE) vide no. D-1510(N),	40 TPD (1x9 MVA)	21.05.2014	CTO obtained in the Name of Gautam Ferro Alloys unit of BFCL
7	Consent to operate vide no.-B-635	96 TPD (2x5 MVA + 1x7.5 MVA+ 1x9 MVA)	12.03.2015	CTO obtained in the Name of M/s. Bihar Foundry & Castings Ltd UNIT Gautam Ferro Alloys
8	Consent to operate vide no.-B-42	96 TPD (2x5 MVA + 1x7.5 MVA+ 1x9 MVA)	06.01.2016	CTO obtained in the Name of M/s. Bihar Foundry & Castings Ltd UNIT Gautam Ferro Alloys
9	Consent to operate vide no.1819	96 TPD (2x5 MVA + 1x7.5 MVA+ 1x9 MVA)	10.11.2020 valid up to 31.12.2025	CTO obtained in the Name of GAUTAM FERRO ALLOYS (UNIT OF BFCL)
10	Auto Renewal of CTO vide no.1341	96 TPD (2x5 MVA + 1x7.5 MVA+ 1x9 MVA)	23.01.2023 valid up to 31.12.2025	CTO obtained in the Name of <b>BIHAR FOUNDRY &amp; CASTING LIMITED</b> , Ferro Alloys Unit

#### 24.8.7 Implementation Status of existing EC:

S No	Facilities As per EC dated 31/10/2011	Implementation Status as on 24/11/2020	Production as per CTO
1	Ferro Alloys Plant of 96 TPD (2x5 MVA SAF's and 1x7.5+1x9 MVA SAF's with Jigging unit and Micro Pelletizing facility)	Ferro Alloy Plant of 96 TPD (2x5 MVA + 1x7.5 MVA + 1x9 MVA SEAF's with Jigging unit and Micro Pelletizing facility)	96 TPD (SiMn/ FeMn)

24.8.8 The unit configuration and capacity of existing and proposed unit are given as below:

S No	Name	Existing Units		Proposed Units (Modification-Cum-expansion)		Total (Existing + Proposed)	
		Configuration	Production TPA	Configuration	Production TPA	Configuration	Production TPA
1	Ferro Alloy unit	2x5+1x7.5 +1x9 MVA SAF With Jigging unit and Micro Pelletizing facility	34,080 (96 TPD) (SiMn / FeMn)	Modification of existing 2x5 MVA to 2x6 MVA SEAFs  Modification of existing 1x7.5 MVA to 1x9 MVA SEAF  Existing 1x9 MVA SEAF  New 1x9 MVA SEAF*  New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn	SiMn- 24,495 TPA (69 TPD) <b>(or)</b> FeMn- 59,995 TPA (169 TPD)	2x6 MVA + 3x9 MVA SEAFs + 12MT CLU Converter  With Jigging unit and Micro Pelletizing facility	SiMn- <b>58,575</b> <b>TPA (165</b> <b>TPD)</b>  <b>(or)</b>  HC/MC/LC <b>FeMn-94,075</b> <b>TPA</b> <b>(265 TPD)</b>
<b>Note:</b> * PP has reported that they have constructed 5 <sup>th</sup> Furnace i.e New 1 x 9 MVA SAF & CLU converter is under construction (70% work completed). Hence PP has applied under Violation as per SOP dated 07.07.2021.							

24.8.9 The details of the raw material requirement for the proposed project along with its source and mode of transportation is given as below:

S.No.	Raw Material	Quantity After Expansion (TPA)	Sources	Mode of Transport
1	<b>For Ferro Alloys (2x6 MVA + 3x9 MVA SEAFs)</b>			
(i)	<b>Ferro Manganese – 94,075 TPA</b>			
a)	Manganese ore	2,35,188	Imported (South Africa)	By Rail & Road (through covered trucks)
b)	Coke	70,556	Local market / Imported (Australia)	By Rail & Road (through covered trucks)
c)	Electrode Paste	1410	Local market	By road (through covered trucks)
d)	Quartz	28,222	Localmarket	By road (through covered trucks)
e)	Dolomite	23,518	Imported (Bhutan)	By Rail & Road (through covered trucks)
(OR)				
(ii)	<b>Silico Manganese – 58,575 TPA</b>			

S.No.	Raw Material	Quantity After Expansion (TPA)	Sources	Mode of Transport
a)	Manganese Ore	1,46,438	Imported (South Africa)	By Rail & Road (through covered trucks)
b)	Coke	43,930	Local market / Imported (Australia)	---
c)	Carbon paste	878	Local market	----
d)	Dolomite	14,643	Imported (Bhutan)	By road (through covered trucks)
e)	Fe-Mn Slag	29,288	Inhouse	By road (through covered trucks)

24.8.10 The total water requirement for existing plant is 35 m<sup>3</sup>/day which is being met from Groundwater source. NOC from CGWA has been obtained to abstract ground water of 35 m<sup>3</sup>/day for industrial use vide letter No. CGWA/NOC/IND/ORIG/2021/10628 dated 02/01/2021 which is valid upto 01/01/2024. The water requirement for the proposed expansion project is estimated as 148 m<sup>3</sup>/day, which will be sourced from Damodar River. The permission for drawl of surface water has been obtained from DVRRRC, Damodar River (Tenughat Reservoir) Vide Lr. No. MD/DVRR/W-6(145)/2022/738-43 Dated 20-12-2022.

24.8.11 Total power consumption is 33 MW, in which meet from DVC 28.5 MW & 4.5 MW from Captive power plant of adjacent unit of BFCL.

24.8.12 Baseline Environmental Studies

Period	1st December 2019 to 29th February 2020 by M/s. Ampl Environ Pvt. Ltd. Hyderabad. Subsequently the Baseline data has been revalidated by Pioneer Enviro Laboratories & Consultants Pvt. Ltd. by collecting additional 1 month data i.e. from 1st May, to 31st May 2022.
AAQ parameters at 8 locations	<p><b>(1<sup>st</sup>December 2019 to 29<sup>th</sup>February 2020)</b></p> <ul style="list-style-type: none"> <li>• PM<sub>2.5</sub> = 34.7 to 42.8 µg/m<sup>3</sup></li> <li>• PM<sub>10</sub> = 68.9 to 86.3 µg/m<sup>3</sup></li> <li>• SO<sub>2</sub> = 7.8 to 13.5 µg/m<sup>3</sup></li> <li>• NO<sub>x</sub> = 17.4 to 26.2 µg/m<sup>3</sup></li> <li>• CO = 410 to 600 µg/m<sup>3</sup></li> </ul> <p><b>(1<sup>st</sup>May to 31<sup>st</sup> May 2022)</b></p> <ul style="list-style-type: none"> <li>• PM<sub>2.5</sub> = 34.9 to 46.2 µg/m<sup>3</sup></li> <li>• PM<sub>10</sub> = 69.1 to 79.4 µg/m<sup>3</sup></li> <li>• SO<sub>2</sub> = 7.8 to 13.3 µg/m<sup>3</sup></li> <li>• NO<sub>x</sub> = 15.5 to 27.1 µg/m<sup>3</sup></li> <li>• CO = 384 to 744 µg/m<sup>3</sup></li> </ul>

AAQ modelling	<p>PM<sub>10</sub> = 0.48 µg/m<sup>3</sup> (1500 m in SE) PM<sub>10</sub>(vehicular) = 0.10 µg/m<sup>3</sup>  SO<sub>2</sub> = There will not be any incremental SO<sub>2</sub> concentrations (24 hourly) due to the proposed expansion project.  NO<sub>x</sub> = 2.99 µg/m<sup>3</sup> (1500 m in SE), NO<sub>x</sub>(vehicular) = 0.80 µg/m<sup>3</sup>  CO (vehicular) = 0.52 µg/m<sup>3</sup></p>								
Ground water quality at 8 locations	<b>Parameters</b>	:	<b>December 2019</b>	<b>May 2022</b>					
	pH	:	7.51 to 7.92	7.24 to 8.01					
	TDS	:	426 to 642 mg/l	456 to 706 mg/l					
	Total Hardness	:	238.3 to 346.3 mg/l	243.4 to 364.5 mg/l					
	Chlorides	:	84.36 to 150.4 mg/l	99.4 to 141.6 mg/l					
	Fluoride	:	0.94 to 1.26 mg/l	0.88 to 1.18 mg/l					
	Heavy metals (Iron -Fe)	:	0.27 to 0.41 mg/l	0.19 to 0.34 mg/l					
	Heavy metals are within the limits.								
Surface water quality	<b>Parameter</b>		<b>December 2019</b>	<b>May 2022</b>					
	pH		7.54 to 7.86	7.08 to 7.77					
	Total Hardness	:	136.02 to 278.5	122.5 to 255.8					
	DO (in mg/l)	:	5.38 to 7.8	5.0 to 7.2					
	BOD	:	2.4 to 20.4	2.1 to 8.6					
	TDS(in mg/l)	:	318 to 543	296 to 466					
	Fluoride (in mg/l)	:	0.76 to 1.14	0.71 to 0.98					
	Chlorides (in mg/l)	:	67.6 to 157.1	55.3 to 133.8					
	Sulphates (in mg/l)	:	44.2 to 48.7	38.2 to 55.2					
Noise levels	<p>The equivalent <b>day noise levels</b> are ranging from <b>52.10 dBA to 68.40 dBA</b> &amp; equivalent <b>Night noise levels</b> are ranging from <b>42.70 dBA to 55.30 dBA</b> in the study zone during <b>1<sup>st</sup> December 2019 to 29<sup>th</sup> February 2020</b> carried out by <b>M/s. AMPL ENVIRON PVT LTD.</b></p> <p>Further Noise levels collected <b>during revalidation</b> of Noise levels in <b>May 2022</b>, the equivalent <b>day noise levels</b> are ranging from <b>47.80 dBA to 66.80 dBA</b> &amp; equivalent <b>Night noise levels</b> are ranging from <b>36.80 dBA to 53.20 dBA</b> in the study zone .</p>								
Traffic assessment study findings	<p>Traffic study has been conducted at National Highway # 20(<b>Ranchi – Hazaribagh</b>) which is at <b>7.0 Kms</b> from the plant site.</p> <p>Transportation of raw material, fuel &amp; finished product will be done by Rail &amp; road.</p> <p>Existing PCU is 1085 PCU/hr on NH#20 and existing Level of Service(LOS) is :C</p> <table border="1" data-bbox="462 2204 1429 2263"> <tr> <td data-bbox="462 2204 771 2263"><b>Ramgarh to Kaju</b></td> <td data-bbox="771 2204 933 2263"><b>(V)</b></td> <td data-bbox="933 2204 1128 2263"><b>(C)</b></td> <td data-bbox="1128 2204 1291 2263"><b>Existing</b></td> <td data-bbox="1291 2204 1429 2263"><b>LOS</b></td> </tr> </table>				<b>Ramgarh to Kaju</b>	<b>(V)</b>	<b>(C)</b>	<b>Existing</b>	<b>LOS</b>
<b>Ramgarh to Kaju</b>	<b>(V)</b>	<b>(C)</b>	<b>Existing</b>	<b>LOS</b>					

	<b>(Ramgarh City Road)</b>	<b>(PCU/hr)</b>	<b>(Capacity in PCU/hr)</b>	<b>V/C ratio</b>	
	<b>PCU/Hour</b>	810.9	1500	<b>0.54</b>	C
PCU load after proposed expansion project will be 810.9 PCU/hr (Existing) + 48 PCU/hr (Additional) PCU/hr and level of service (LOS) will be: C					
	<b>Ramgarh to Kaju (Ramgarh City Road)</b>	<b>(V) (PCU/hr)</b>	<b>(C) (Capacity in PCU/hr)</b>	<b>Proposed V/C ratio</b>	<b>LOS</b>
	<b>PCU/Hour</b>	<b>858.9</b>	1500	<b>0.57</b>	C
<b>Level of Service (LOS) of the Road as per IRC 106: 1990</b>					
	<b>V/C</b>	<b>LOS</b>	<b>Performance</b>		
	0.0 – 0.2	A	Excellent		
	0.2 – 0.4	B	Very Good		
	<b>0.4 – 0.6</b>	<b>C</b>	<b>Good</b>		
	0.6 – 0.8	D	Fair/ Average		
	0.8 – 1.0	E	Poor		
	1.0 & Above	F	Very Poor		
The level of service will <b>C (Good)</b> after including additional traffic due to proposed project. <i>Hence the existing road is capable of taking the additional vehicular traffic due to the proposed expansion project.</i>					
Flora and fauna	No schedule -1 fauna found in the study area. Hence preparation of conservation plan is not applicable .				

24.8.13 The details of solid and hazardous waste generation along with its mode of treatment/disposal is furnished as below:

S. No	Waste / By Product	Quantity (TPA)			Method of disposal
		Existing	Proposed	After expansion	
1.	Slag from FeMn	13,820	28,780	42,600	After Jigging, it will be reused in manufacture of SiMn as it contains high SiO <sub>2</sub> and Silicon.
2.	Slag from SiMn	20,450	18,850	39,300	After Jigging, will be used for Road construction / Used in Filling low lying areas etc.
3.	APCS dust	840	730	1575	Will be sent to Briquetting unit.
4.	Waste oil	80 Ltr/Annum	160 Ltr/Annum	240 Ltr/Annum	Will be given to SPCB authorized recyclers/reprocessors.

**Hazardous waste generation, storage & disposal:**

**1.Waste oil: 0.24 KL / Annum**

This will be stored in covered HDPE drums in a designated area and will be given to SPCB authorized recyclers & re-processors..

## 2. Used Batteries

Used batteries will be given back to the supplier under buy back agreement with supplier.

### 24.8.14 Public Consultation

<b>Details of advertisement given</b>	10 <sup>th</sup> February 2021 (Hindi) "THE PIONEER", (English) "HINDUSTHAN"
<b>Date of public consultation</b>	15 <sup>th</sup> March 2021
<b>Venue</b>	Public Hearing has been conducted at Gym Khana Club Ranchi road, Ramgarh, Ramgarh Tehsil & District, Jharkhand.
<b>Chaired by</b>	Additional District Magistrate
<b>Issues are</b>	<ul style="list-style-type: none"> <li>• Employment Local people</li> <li>• Skill development training program.</li> <li>• Proper utilization of CSR fund</li> <li>• Pollution Control Measures</li> <li>• Water sprinkling on haul roads</li> </ul>

### Action plan as per MoEF&CC O.M. dated 30/09/2020

- As per the Normal calculation CER budget will be Rs.0.893 Crores
- Considering the location of the plant in severely Polluted area CER budget will be 1.5 times of the normal calculated amount i.e. Rs. 1.34 Crores
- M/s. BFCL (Ferro Alloy unit) is also proposing to adopt the Marar Village as a part of Social infrastructure development and has earmarked Rs. 1.34 Crores for Social & Infrastructure developmental activities based on Social Impact Assessment (SIA) after completion of Public Hearing

S.NO.	MAJOR ACTIVITY HEADS		YEAR OF IMPLEMENTATION			TOTAL EXPENDITURE (Rs. in Lakhs)
			1 <sup>st</sup> Year (Rs. in Lakhs)	2 <sup>nd</sup> Year (Rs. in Lakhs)	3 <sup>rd</sup> Year (Rs. in Lakhs)	
<b>A). Based on SIA Study</b>						
1	<b>Community &amp; Infrastructure Development Programmes</b>					
	i) Construction of public toilets	Physical Nos. & village	1 no. in Marar (v)	1no. in Phulsarai(v)	1 no. in Manuan(v) & 1 Nos. in Digwar(v)	10
		Budget in Lakhs	2.5	2.5	5	
ii) Providing LED Street lighting with solar panels	Physical Nos. & village	2 nos. in Hathimara (v) & 3	2nos. in Manuan (v) &	2 nos. in Digwar (v) 3 nos.	3	

S.NO.	MAJOR ACTIVITY HEADS		YEAR OF IMPLEMENTATION			TOTAL EXPENDITURE (Rs. in Lakhs)
			1 <sup>st</sup> Year (Rs. in Lakhs)	2 <sup>nd</sup> Year (Rs. in Lakhs)	3 <sup>rd</sup> Year (Rs. in Lakhs)	
			Nos. in Marar (v)	3 Nos. in Phulsarai (v)	Pochra (v)	
		Budget in Lakhs	1	1	1	
	iii) Mineral water plants	Physical Nos. & village	1 nos. in Marar (v)	1 nos. in Phulsarai (v)	1no. in Manuan (v)	9
		Budget in Lakhs	3	3	3	
	iii) Village road repair & maintenance	Physical Nos. & village	1 nos. in Marar (v)	---	---	7
		Budget in Lakhs	7	---	---	
					<b>Total</b>	<b>29</b>
2	<b>Education</b>					
	i) Providing Sport kits for schools	Physical Nos. & village	5 nos. in Kanjgi (v) & 10 Nos. in Marar (v)	5 no. in Manuan (v) & 10 Nos. in Digwar (v)	10 nos. in Phulsarai(v) & 10 Nos. in Painki (v)	5
		Budget in Lakhs	1.5	1.5	2	
	ii) Construction of class rooms in schools of size 8m x 5m x3 m	Physical Nos. & village	2 nos. in Kanjgi (v)	2 nos. in Seota (V)	2 nos. in Marar (V)	15
		Budget Rs in Lakhs	5	5	5	
	iii)Providing Model Anganwadi Centre in consultation with State Women and Child Development Department	Physical Nos. & village	---	Digwar (v) – 1 No.	Painki (v) - 1 No.	20
		Budget Rs in Lakhs	---	10	10	
					<b>Total</b>	<b>40</b>
3	RWH pits in the surrounding villages & De-siltation of	Physical Nos. & village	Marar (v) pond desiltation	Seota (v) pond desiltation	---	20

S.NO.	MAJOR ACTIVITY HEADS		YEAR OF IMPLEMENTATION			TOTAL EXPENDITURE (Rs. in Lakhs)
			1 <sup>st</sup> Year (Rs. in Lakhs)	2 <sup>nd</sup> Year (Rs. in Lakhs)	3 <sup>rd</sup> Year (Rs. in Lakhs)	
	ponds		1.5m depth	1.5m depth		
		Budget in Lakhs	10	10	---	
					<b>TOTAL (A)</b>	<b>89</b>
<b>B). Based on Public Consultation/Hearing</b>						
1	Impart training to the local villagers for skill development. a)DISHA Centre” along with necessary infrastructure for various vocational training program for employment generation in association with National Skill Development Mission (Automobile Repair, Welding, Electrical, Computer Hardware, Soft skills like computer programs etc.)	Physical Nos. & village	One DISHA centre in Ramgarh Town			45
		Budget in Lakhs	15	15	15	
					<b>Total (B)</b>	<b>45</b>
		<b>TOTAL</b>	<b>45</b>	<b>48</b>	<b>41</b>	
	<b>Grand Total (A+B)</b>					<b>134</b>
<b>Recurring expenditures under CSR as per companies Act 2014</b>						
<ul style="list-style-type: none"> <li>Health checkup will be carried out periodically in surrounding villages i.e. Marar, Phulsarai, Hathimara villages @ Rs 5.0 Lakhs every year.</li> </ul>						

**Management Compliance to Issues Raised during Public Hearing**

S.No.	Issue raised	Management Response	Time schedule	Budgetary allocation
1.	Employment for local people	The proposed expansion project will generate direct employment to 750 nos. which includes skilled, semi-skilled & unskilled.	---	----

S.No.	Issue raised	Management Response	Time schedule	Budgetary allocation
		Local people will be given top priority in employment based on their qualification & experience.  Skill development training program will be conducted.	2023-24 2024-25 2025-26	Rs.0.15 Cr Rs.0.15 Cr Rs.0.15 Cr Total Rs. 0.45 Cr
2.	Proper utilization of CSR fund	M/s. BFCL (Ferro Alloy unit) is also proposing to adopt the following Marar Village as a part of Social welfare development and has earmarked <b>Rs. 1.34 Crores</b> for Social & Infrastructure developmental activities based on Social Impact Assessment (SIA).	2023-24 2024-25 2025-26	Rs.0.45 Cr Rs.0.48 Cr Rs.0.41 Cr Total Rs. 1.34 Cr for Social & Infrastructure developmental activities
3.	Pollution Control Measures	<ul style="list-style-type: none"> <li>In the existing plant Emission control systems such as 4<sup>th</sup> Hole Fume Extraction system with bagfilters have been provide to SEAFs and dust suppression system at unloading areas.</li> <li>The flue gas emissions are within the stipulated norms.</li> <li>Pucca internal roads has been laid in the plant area.</li> <li>CEMS data shows the emissions are within the stipulated norms. Zero liquid discharge is followed. All solid wastes are utilized/disposed as per permitted procedures.</li> <li>Greenbelt development in the existing plant helps in further mitigation of impacts due to the plant operations.</li> <li>SPCB has issued CTO for the plant which is valid till 31/12/2025.</li> </ul> <p>Hence there is no adverse impact on health of people due to existing plant operations.</p> <p>In the proposed expansion project following environment protection measures will be provided for duly complying with norms stipulated by MOEF&amp;CC / CECB:</p> <ul style="list-style-type: none"> <li>4th Hole Fume Extraction system with bagfilters will be provided to proposed SEAF to bring down the particulate emission to less than 30 mg/Nm<sup>3</sup>.</li> </ul>	2023-24 2024-25 2025-26	Budget of Rs. 4.5 Crores is earmarked for Environment Protection Measures

S.No.	Issue raised	Management Response	Time schedule	Budgetary allocation
		<ul style="list-style-type: none"> <li>Net resultant Ground level concentrations during operation of the plant after superimposing the incremental concentrations over the maximum baseline concentrations are well within the National Ambient Air Quality Standards.</li> <li>As the Plant is situated in Severely Polluted area (SPA) it is proposed to develop 40% of Greenbelt. in an extent of 1.17 Ha. (2.9 Acres) by October 2023.</li> <li>To meet the requirement of 40% greenbelt development it is proposed to acquire additional land outside the existing plant.</li> <li>Effluent will be treated in ETP consisting of RO plant also and after ensuring compliance with the norms, it will be utilised for dust suppression, ash conditioning and for greenbelt development within the premises.</li> <li>No effluent will be discharged outside the premises.</li> <li>Zero liquid discharge will be followed.</li> </ul>		
4.	Water sprinkling on haul roads	Water tanker with water sprinkling system has been provided in the plant for regular water sprinkling on Roads.	-----	Recurring cost of Rs.5.0 Lakhs/annum

24.8.15 The capital cost of the expansion project is Rs. 89.3 Crores and the capital cost for environmental protection measures is proposed as Rs. 4.5Crores. The annual recurring cost towards the environmental protection measures is proposed as Rs. 0.72 Crores. The employment generation from the proposed existing & expansion project is 750 direct & 200 Indirect. The details of cost for environmental protection measures is as follows:

S. No	Particulars	Capital Cost (Rs.in Crores)	Recurring Cost / Annum (Rs.in Lakhs)
1	<b>Air Emission Management</b>		
	· 4 <sup>th</sup> Hole FES with bag filters & Stacks	2.00	20
	· other APCS & Conveyor systems	0.50	5
	· for Water Sprinkling	0.10	0.5

S. No	Particulars	Capital Cost (Rs.in Crores)	Recurring Cost / Annum (Rs.in Lakhs)
2	<b>Wastewater Management</b>		
	· for STP	0.40	10
	· for Garland drains	0.03	1
	· for Settling ponds	0.02	0.2
3	<b>Solid waste Management</b>		
	· Slag Handling & Disposal	0.20	5.0
4	Greenbelt development	0.10	2.0
6	Noise Management	0.10	1.5
7	RWH in Plant	0.10	0.2
8	Fire Safety Systems	0.50	5.0
9	<b>Environmental Monitoring</b>	---	4.1
	· CEMS	0.20	3.0
10	<b>Occupational Health &amp; Safety</b>		
	· Occupational Health centre with Ambulance	0.15	4.5
	· Personal Protective Equipment's (PPEs)	0.10	10
	<b>TOTAL</b>	<b>4.50</b>	<b>72.0</b>

24.8.16 Total land after proposed expansion will be 2.91 Ha. (7.18 Acres). As the Plant is situated in Severely Polluted area (SPA) it is proposed to develop 40% of Greenbelt as part of the expansion i.e. in an extent of 1.17 Ha. (2.9 Acres).

- Additional safeguards such as 40% green belt within the plant premises & outside the plant premises over an extent of 1.17 Ha. (2.9 Acres).
- Total 3000 nos. of plants will be developed over an extent of 1.17 Ha. (2.9 Acres).
- The total Greenbelt area proposed within the Plant premises is 1.515 Acres (0.61 Ha.) which is inclusive of existing Greenbelt.
- To meet the requirement of 40% greenbelt development it is proposed to acquire additional land outside the existing plant.

#### 24.8.17 Summary of Violation under EIA Notification, 2006:

- The company has started installation of the 5th Submerged Arc Furnace of 1x9 MVA & CLU converter without completing the process of Environment Clearance because of the following reasons (Reasons for violation).
- Due to COVID restrictions and social lockdown wherein all the physical activities were restricted, PP could not move ahead with the study, interaction with officials and accordingly could not complete the process of EC due to delay from their end.
- PP also gave a completion date of 31st Dec 2021 for its 5th furnace project to its consortium of banks.
- If the completion date is exceeded by a period of 6 months, the loan account would have slipped into a NPA (Non-Performing Asset) category.
- This situation would have led to bankruptcy of the company as well.

- Thus, to avoid such situation, installation of the 5th furnace was completed along with CLU converter (70% work completed).

**Present status of 5<sup>th</sup> Submerged Electric Arc Furnace & CLU converter:**

- Installation of 5<sup>th</sup> Submerged Electric Arc Furnace (SEAF) of 9 MVA capacity has been completed.
- Production is not yet started in 5<sup>th</sup> SEAF
- Regarding installation of CLU converter, 70% of civil work, plant & machinery has been completed.

Accordingly TOR amendment has been obtained under violation category from the Ministry vide letter dated 19.12.2022. Now application has been submitted for EC appraisal under violation category.

**Budget of remediation plan and natural and community resource augmentation plan corresponding to the ecological damage is shown below**

- JSPCB has initiated action against violation.
- Application submitted for EC under violation and accordingly JSPCB has filed a case in the Hon'ble Magistrate court of Ramgarh vide no complainant case/ 117/2023 vide dated 07-01-2023
- The remediation plan and the natural and community resource augmentation plan has been prepared as an independent chapter (13) in the EIA report.

**Remediation Plan and Budgetary Provisions for 3 years**

Sr. No.	Environmental component	Activities Proposed	Budgetary provision			Total (in Rs.)
			1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year	
1.	Air Environment a) Ambient Air b) Air Pollution	<ul style="list-style-type: none"> <li>• Dust Suppression and water sprinkling.</li> <li>• Provision of Barricades</li> </ul>	65,000	55,000	46,500	1,66,500
2	Noise Environment	Supply of personnel projective equipments	1,00,000	80,000	60,000	2,40,000
3	Water Environment	<ul style="list-style-type: none"> <li>• STP and ETP</li> <li>• Rain water harvesting structure</li> </ul>	50,00,000	----	----	50,00,000
4	Land Environment	Leachate proof storage facility for productive soil and waste material	20,000	20,000	20,000	60,000
5	Ecology	Plantation in and around plant site Provision made in EMP for Rs. 10 lakhs	10,00,000	-----	----	10,00,000
6	Solid and hazardous waste	• Provision of coloured	25,000	25,000	20,000	70,000

Sr. No.	Environmental component	Activities Proposed	Budgetary provision			Total (in Rs.)
			1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year	
		bins • Provision of storage facility				
7	Socio-economic (occupational health)	First aid kit and health check up	20,000	10,000	5,000	35,000
8	Energy consumption	Construction of Solar panels	1,00,000	1,00,000	50,000	2,50,000
		<b>TOTAL</b>	<b>63,30,000</b>	<b>2,90,000</b>	<b>2,01,500</b>	<b>68,21,500</b>
<b>Rs. 68,21,500 (out of which 50 lakhs provision for STP, ETP, RWH and plantation and 10 Lakhs for greenbelt in and around plant site)</b>						
<b>NET AMOUNT: Rs. 8,21,500</b>						

#### Natural Resources Augmentation Plan

Sr. No.	Activities Proposed	Yearwise Implementation and Budgetary provision in Rs.			Total Cost (Rs.)
		1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year	
1.	Development of Greenery in the surrounding area and road side plantation (along the state highway abutting the project side (100 trees in the surrounding area and 100 trees roadside Total 200 with maintenance @ 500/- per tree, total cost Rs. 1,00,000/-)	50,000	25,000	25,000	1,00,000
2	Provision of drinking water facilities through hand pumps/ dugwells/ tubewells (hand pump/ well per year in the nearby villages each year with maintenance) i.e. two tubewells per village in 3 villages	30,000	30,000	30,000	90,000
3	Repair and maintenance of roads in the nearby 6 villages with the help of gram panchayat considering 2 villages each year	40,000	40,000	40,000	1,20,000
	<b>TOTAL</b>	<b>1,20,000</b>	<b>95,000</b>	<b>95,000</b>	<b>3,10,000</b>

#### Community Augmentation Plan

Sr. No.	Activities Proposed	Year wise Implementation and Budgetary provision in Rs.	Total cost (Rs.)
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		1st Year	2nd Year	3rd Year	
1.	Development of sanitation facilities in (provision of 2 toilets in each village)	2,00,000	2,00,000	2,00,000	6,00,000
2	Medical check-up camp in nearby areas for villages and supply of medicines (2 villages per year)	1,00,000	1,00,000	1,00,000	3,00,000
3	Assistance in providing study materials, uniforms, books to the poor students (50 students) each year	50,000	50,000	50,000	1,50,000
	<b>TOTAL</b>	<b>3,50,000</b>	<b>3,50,000</b>	<b>3,50,000</b>	<b>10,50,000</b>

#### Summary of Remediation plan, Natural Resource and Community Augmentation Plan

Sr. No.	Activity Proposed	Total(Rs.)
1	Cost of damage / Remediation plan	Rs. 8,21,500 (excluding provisions of EMP cost of Rs.60 lakhs)
2	Natural Resource AugmentationPlan	Rs.3,10,000/-
3	Community Augmentation Plan	Rs.10,50,000/-
	<b>Total</b>	<b>Rs.21,81,500/-</b>

**Detail of Court Cases:** Application submitted for EC under violation and accordingly JSPCB has filed a case in the Hon'ble Magistrate court of Ramgarh vide no complainant case/ 117/2023 vide dated 07-01-2023.

#### Deliberation on Severely Polluted area (SPA)

24.8.18 Since the project falls in the Ramgarh district of Jharkhand declared as Severely Polluted area (SPA), PP shall comply with all the conditions applicable to CEPI as per the submitted compliance as follows:

Environment	Stipulation of Conditions	Compliance of Mitigation measures
Air	i. Stack emission levels should be stringent than existing standards in terms of the identified critical pollutants.	The company is maintaining the limit of particulate matter emission below prescribed standard. We assure that the Particulate Emission at the Chimney Outlet will be maintained less than 30 mg/Nm <sup>3</sup> .
	ii. CEMS may be installed in all large/medium red category industries (air polluting) and connected to SPCB and CPCB server.	CEMS installed in stack of all Units and connected with SPCB/CPCB Server.
	iii. Effective fugitive emission	Transportation of raw materials/ solid wastes

Environment	Stipulation of Conditions	Compliance of Mitigation measures
	control measures should be imposed in the process, transportation, packing etc.	is ensured through covered trucks only. Regular Water Sprinkling is being done using Water Tankers. Major raw material is kept in closed shed Conveyor belts are used where ever required. All vehicle movements roads within all premises are pucca and regular road sweeping is being carried through road sweeping machine.
	iv. Transportation of materials by rail/conveyor belt, wherever feasible	Major raw material transportation will be by rail upto the nearest railway station and from there by road in tarpaulin covered truck. Hence road transport is minimised
	v. Encourage use of cleaner fuels (pet coke/furnace oil/LSHS may be avoided).	Coke is used instead of Pet Coke
	vi. Best available Technology may be used. For example, usage of EAF/SAF/IF in Cupola furnace. Usage of supercritical technology in place of sub-critical technology.	Ferro alloys will be manufactured through Submerged Electric Arc Furnace.
<b>Air</b>	vii. Increase of greenbelt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever feasible.	<ul style="list-style-type: none"> <li>• 40% green belt is proposed to developed within the plant premises &amp; outside the plant premises over an extent of <b>1.17 Ha. (2.9 Acres)</b></li> <li>• Total land after proposed expansion will be <b>2.91 Ha. (7.18 Acres)</b>.</li> <li>• <u>As the Plant is situated in <b>Severely Polluted area (SPA)</b> it is proposed to develop <b>40% of Greenbelt as part of the expansion</b> i.e. in an extent of <b>1.17 Ha. (2.9 Acres)</b>.</u></li> <li>• <b>The total Greenbelt area within the Plant premises is 1.515 Acres (0.61 Ha.).</b></li> <li>• <b>To meet the requirement of 40% greenbelt development</b> it is proposed to acquire additional land outside the existing plant.</li> <li>• <b>The details of additional land where greenbelt can be developed outside the premises is as follows</b></li> <li>❖ Plot No. 1364P (E1) - 0.504 Acre (2039.6 SQM)</li> </ul>

Environment	Stipulation of Conditions	Compliance of Mitigation measures
		<ul style="list-style-type: none"> <li>❖ Plot No. 1405 (C18) - 0.339 Acre (1373.05 SQM)</li> <li>❖ Plot No. 1364P (C2&amp;C3) - 0.025 Ac. (103.1238 SQM)</li> <li>❖ Plot No. 1405P (20C) - 0.517 Ac. (2093.65 SQM)</li> </ul> <p><b>Hence the total greenbelt will be 2.9 Acres [1.515 Ac (Plant Premises) + 1.385 Ac (outside plant premises) which amounts to 40 % of total land].</b></p>
	viii. Stipulation of greenbelt outside the project premises such as avenue plantation, plantation in vacant areas, social forestry, etc.	Avenue plantation/road side has been carried out.
	ix. Assessment of carrying of transportation load on roads inside the industrial premises if the roads required to be widened, shall be prescribed as a condition.	<p>Site is adjacent to Ramgarh City Road &amp; NH # 20 (Ranchi – Hazaribagh) is at a distance of 7.0 Kms.</p> <p>No. of trucks required after expansion project will be 50 trucks /day or transporting raw materials, products and wastes .</p> <p>Existing road is capable of taking the additional vehicular traffic due to the proposed expansion.</p>
<b>WATER</b>	Stipulation of conditions such as: i. Reuse /recycle of treated wastewater, wherever feasible.	<p>Noted for compliance.</p> <p>Treated wastewater is being used for make-up of cooling purpose as maximum as possible.</p>
	ii. Continuous monitoring of effluent quality/quantity in large and medium red category industries (water polluting).	Not applicable as it is only Ferro Alloy plant
	iii. A detailed water harvesting plan may be submitted by the project proponent	<p>Permission obtained from CGWA of 35 KLD for domestic use.</p> <p>The potential rain water that can be recharged / utilized to meet the plant water requirement is 16,500 m<sup>3</sup> / year. Accordingly, the net water requirement will reduce.</p> <p>In the existing plant also rain water harvesting structure has been constructed. Now as part of expansion It is proposed to construct 2 nos. of Recharge structure as per design and all the Roof water inlet join to Recharge well so that Roof top water &amp; surface run off storm water</p>

Environment	Stipulation of Conditions	Compliance of Mitigation measures
		recharge into ground.
	iv. Zero liquid discharge wherever techno-economically feasible.	ZLD maintained.
	v. In case, domestic waste water generation is more than 10 KLD, the industry may install STP	30 KLD of STP will be installed and treated water will be used for greenbelt development.
<b>Land</b>	i. Increase of green belt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever, feasible for new projects.	40 % of the land area will be covered with green belt.
	ii. Stipulation of greenbelt outside the project premises such as avenue plantation in vacant areas, social forestry, etc.	Avenue plantation/road side plantation has been carried out.
	iii. Dumping of waste (fly ash, slag, red mud, etc.) may be permitted only at designated locations approved by SPCBs/PCCs.	Not applicable as it is a Ferro Alloy plant
	iv. More stringent norms for management of hazardous waste generated should be preferably utilized in co-processing.	The unit is followed the guidelines of Hazardous and other wastes (Management and Transboundary Movement) rules, 2016.
Other Condition (Additional)	i. Monitoring of compliance of EC conditions may be submitted with third party audit every year.	Being Done
	ii. The % of the CER may be at least 1.5 times the slabs given in the OM dated 01.05.2018 for SPA and 2 times for CPA in case of Environmental Clearance.	Noted for compliance.

### **Certified Compliance Report from IRO, MoEF&CC**

24.8.19 The Status of compliance of earlier EC was obtained from Integrated Regional Office, Ranchi vide letter no. 103-325/11/EPE/98, dated 11-02-2022 in the name of M/s. BIHAR FOUNDRY & CASTINGS LIMITED, Ferro Alloys Unit. The Action taken report regarding the partially/non-complied condition has been submitted to IRO, MoEF&CC vide dated 15-11-2022. MoEF&CC (IRO), Ranchi evaluated the same and has issued letter no. 103-325/11/EPE/742 dated 01.12.2022. The details of the observations made by IRO in the report dated 01.12.2022 along with its re-assessment / present status as furnished by the PP is given as below:

Non- compliances reported	Corrective action taken	Present status
i) Greenbelt has not been developed as per the CPCB norms	PP has acquired additional land adjacent to the existing plant for greenbelt development. PP assures that they will comply 40% of greenbelt area by Next monsoon i.e. October 2023. IRO has also mentioned in his report that they have developed plantation all along the boundary of the industry and due to constraints of space within the plant, PP has acquired additional land, outside the plant measuring around 1.1 Acre over which it is proposed to raise plantation.	PP has submitted an undertaking to the IRO that they would develop green belt by October 2023.
ii) The Prescribed method for collection and treatment of runoff rain water from the Raw material storage area has not been followed	Presently, Plant is under construction and here PP do assure that, they will provide Collection and Treatment of runoff of rainwater from the Raw material storage area by April 2023.	PP has submitted undertaking to IRO for the same.

### **Deliberations by the Committee**

24.8.20 The Committee noted the following:

1. The instant proposal is for Modification cum Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn.
2. The EAC, constituted under the provision of the EIA Notification, 2006 comprising Expert Members/domain experts in various fields, examined the proposal submitted by the Project Proponent in desired format along with EIA/EMP reports prepared and submitted by the Consultant accredited by the QCI/ NABET on behalf of the Project Proponent.
3. The EAC noted that the Project Proponent has given an undertaking that the data and information given in the application and enclosures are true to the best of his knowledge and belief and no information has been suppressed in the EIA/EMP reports. If any part of data/information submitted is found to be false/ misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent.
4. The Committee noted that the EIA reports are in compliance of the ToR issued for the project, reflecting the present environmental status and the projected scenario for all the environmental components. The Committee deliberated on the proposed mitigation measure towards Air, Water, Noise and Soil pollutions. The Committee suggested that the storage of toxic/explosive raw materials/products shall be undertaken with utmost precautions and following the safety norms and best practices.

5. The existing project was accorded environmental clearance vide F. No. J-11011/384/2010-IA (II) (I) dated 31.10.2011. Consent to Operate for the existing unit was accorded by JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated 10.11.2020 (which is in the name of GAUTAM FERRO ALLOYS (UNIT OF BFCL) which is valid upto 31-12-2025. Subsequently name of the plant in CTO has been changed to Bihar Foundries & Castings Limited vide order dated 23.01.2023 and is valid till 31.12.2025.
6. The EAC noted the following chronology w.r.t. instant Modification cum Expansion proposal
  - M/s. Bihar Foundry & Casting Limited had initially obtained ToR vide letter dated 24.11.2020 for expansion of the existing unit for manufacturing of Ferro Alloys SiMn / FeMn based on Sub Merged Arc (SAF) technology.
  - Post compliance of ToR, PP applied for EC vide proposal no. IA/JH/IND/223909/2020 dated 23/08/2021 wherein the EAC in its 44<sup>th</sup> meeting held on 13 – 14<sup>th</sup> September, 2021 recommended to return the proposal in its present form due to shortcomings.
  - The project proponent then applied for fresh ToR vide proposal No. IA/JH/IND1/400084/2022 dated 21.10.2022 and decided to come before the committee for appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07.07.2021 pertaining to consideration of violation cases as PP has reported that they have constructed 5<sup>th</sup> Furnace i.e. New 1x9 MVA SAF & CLU converter is under construction without prior environmental clearance.
  - The EAC noted that it is a fit case of violation and to be apprised based on the provisions of the SOP dated 07.07.2021 [Violation Cases].
  - The EAC also took into consideration the request of PP submitted through written representation vide letter dated 03.11.2022 for appraisal of the proposal dated 21.10.2022 as modification/ amendment in TOR granted vide letter No. J-11011/384/2010-IAII(I) dated 24.11.2020 under violation category instead of issuance of fresh TOR.
  - After deliberations, the Committee recommended the project proposal for modification in TOR letter No. J-11011/384/2010-IAII(I) dated 24.11.2020 w.r.t. appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07/07/2021 pertaining to consideration of violation cases with stipulation of additional specific conditions. Accordingly, TOR Amendment was granted by MoEF&CC vide letter dated 19.12.2022.
7. The EAC further noted the following w.r.t. violation:
  - The company has started installation of the 5th Submerged Arc Furnace of 1x9 MVA & CLU converter without completing the process of Environment Clearance because of the following reasons (Reasons for violation).
  - Due to COVID restrictions and social lockdown wherein all the physical activities were restricted, PP could not move ahead with the study, interaction with officials and accordingly could not complete the process of EC due to delay from their end.

- PP also gave a completion date of 31<sup>st</sup> Dec 2021 for its 5<sup>th</sup> furnace project to its consortium of banks.
  - If the completion date is exceeded by a period of 6 months, the loan account would have slipped into a NPA (Non-Performing Asset) category.
  - This situation would have led to bankruptcy of the company as well.
  - Thus, to avoid such situation, installation of the 5<sup>th</sup> furnace was completed along with CLU converter (70% work completed).
  - The company has prepared a Natural and Community Resource Augmentation plan for an amount of Rs. 21,81,500/- [Cost of damage / Remediation – Rs. 8,21,500/-, Natural Resource Augmentation Plan - Rs.3,10,000/- and Community Augmentation Plan - Rs.10,50,000/-]
  - Application submitted for EC under violation and accordingly JSPCB has filed a case in the Hon'ble Magistrate court of Ramgarh vide no complainant case/ 117/2023 vide dated 07-01-2023.
8. The EAC deliberated on the Natural and Community Resource Augmentation plan and found it satisfactory.
  9. JSPCB has filed a case in the Hon'ble Magistrate court of Ramgarh vide no complainant case/ 117/2023 vide dated 07-01-2023 to initiate credible action against M M/s. Bihar Foundry & Casting Limited for the offence committed u/s 19 of Environment (Protection) Act, 1986. This is filed as per provisions of the SOP dated 07.07.2021.
  10. The EAC observed that the project falls in the Ramgarh district of Jharkhand. Ramgarh is declared as Severely Polluted area (SPA) with CEPI index 65.11 by CPCB vide No. B29012/ESS(CPA)/2015-16/ dated 26<sup>th</sup> April 2016. The EAC advised PP to comply with all the conditions applicable to CEPI.
  11. Total project land is 2.91 ha (7.18 Acres) which is taken on lease from Jharkhand Industrial Area Development Authority (JIADA) for a period of 30 years. Existing plant land is Industrial land. The proposed expansion will be taken up in the existing plant premises only. Additional land of 1.385 Ac. (0.56 Ha.) has been acquired for development of Greenbelt to comply with 40% of 2.91 Ha. (7.18 Acres) as the plant is situated in Ramgarh industrial area which is Severely Polluted Area.
  12. The nearest human settlement from the project site is Palamu Colony (0.4 km, NE) and Marar (0.8 km, N).
  13. Damodar River (1.4 Km, S), Raura Nala (2.5 km, E), Meramgarh Nala (5.4 Km, E), Unnamed stream (0.5 Km, W), Ramgarh Village pond (4.0 Km, S) and Seota village Pond (1.5 Km, NE) exists within the study area of 10 km from the project site. The EAC is of the opinion that water bodies shall not be disturbed. Mitigation measures w.r.t. safeguarding the water bodies shall be implemented.
  14. The water requirement for the proposed expansion project is estimated as 148 m<sup>3</sup>/day, which will be sourced from Damodar river.
  15. As the Plant is situated in Severely Polluted area (SPA) it is proposed to develop 40% of Greenbelt as part of the expansion i.e. in an extent of 1.17 Ha. (2.9 Acres). Total 3000 nos. of plants will be developed over an extent of 1.17 Ha. (2.9 Acres). The total Greenbelt area proposed within the Plant premises will be 1.515 Acres (0.61 Ha.) which is inclusive of existing. Greenbelt The EAC deliberated on the greenbelt action plan and found it satisfactory.

16. The Committee has found that the baseline data and incremental GLC due to the proposed project within NAAQ standards.
17. The committee deliberated details of carbon foot prints and carbon sequestration study w.r.t. proposed project and found them to be satisfactory.
18. The Committee also deliberated on the public hearing issues along with revised action plan submitted by the proponent to address the issues raised during the public hearing and found it satisfactory.
19. The EAC deliberated on the proposal with due diligence in the process as notified under the provisions of the EIA Notification, 2006, as amended from time to time and accordingly made the recommendations to the proposal. The Experts Members of the EAC found the proposal in order and recommended for grant of environmental clearance.
20. The environmental clearance recommended to the project/activity is strictly under the provisions of the EIA Notification 2006 and its subsequent amendments. It does not tantamount/construe to approvals/consent/permissions etc. required to be obtained or standards/conditions to be followed under any other Acts/ Rules/ Subordinate legislations, etc., as may be applicable to the project. The project proponent shall obtain necessary permission as mandated under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, as applicable from time to time, from the State Pollution Control Board, prior to construction & operation of the project.

#### **Recommendations of the Committee:**

- 24.8.21 In view of the foregoing and after detailed deliberations, the committee **recommended** the instant proposal for grant of Environment Clearance under the provisions of EIA Notification, 2006 and SOP dated 07.07.2021 and subject to the stipulation of following specific conditions and general conditions;

#### **A. Specific Conditions:**

- ii. The PP needs to comply all the points of TOR for Violation Project and follow SOP dated 07.07.2021 issued by the Ministry of Environment, Forest & Climate Change, for identification & handling of Violation cases under EIA notification 2006.
- iii. The project proponent shall comply with all the environmental protection measures and safeguards proposed in the documents submitted to the Ministry. All the recommendations made in the EIA/EMP in respect of environmental management, and risk mitigation measures relating to the project shall be implemented.
- iv. The project proponent shall utilize modern technologies for capturing of carbon emitted and shall also develop carbon sink/carbon sequestration resources capable of capturing more than emitted. The implementation report shall be submitted to the IRO, MoEF&CC in this regard.
- v. **The total amount of Rs. 21.815 Lakhs shall be spent on Remediation plan and Natural Resource Augmentation Plan and Community Resource Augmentation Plan which**

shall be implemented in a period of 3 years as per the action plan details given in EIA Report and summarized below.

**A. Remediation Plan and Budgetary Provisions for 3 years**

Sr. No.	Environmental component	Activities Proposed	Budgetary provision			Total (in Rs.)
			1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year	
1.	Air Environment a) Ambient Air b) Air Pollution	<ul style="list-style-type: none"> <li>Dust Suppression and water sprinkling.</li> <li>Provision of Barricades</li> </ul>	65,000	55,000	46,500	1,66,500
2	Noise Environment	Supply of personnel projective equipments	1,00,000	80,000	60,000	2,40,000
3	Water Environment	<ul style="list-style-type: none"> <li>STP and ETP</li> <li>Rain water harvesting structure</li> </ul>	50,00,000	----	----	50,00,000
4	Land Environment	Leachate proof storage facility for productive soil and waste material	20,000	20,000	20,000	60,000
5	Ecology	Plantation in and around plant site Provision made in EMP for Rs. 10 lakhs	10,00,000	-----	----	10,00,000
6	Solid and hazardous waste	<ul style="list-style-type: none"> <li>Provision of coloured bins</li> <li>Provision of storage facility</li> </ul>	25,000	25,000	20,000	70,000
7	Socio-economic (occupational health)	First aid kit and health check up	20,000	10,000	5,000	35,000
8	Energy consumption	Construction of Solar panels	1,00,000	1,00,000	50,000	2,50,000
		<b>TOTAL</b>	<b>63,30,000</b>	<b>2,90,000</b>	<b>2,01,500</b>	<b>68,21,500</b>

**Rs. 68,21,500 (out of which 50 lakhs provision for STP, ETP, RWH and plantation and 10 Lakhs for greenbelt in and around plant site) : NET AMOUNT: Rs. 8,21,500**

**B. Natural Resources Augmentation Plan**

Sr. No.	Activities Proposed	Yearwise Implementation and Budgetary provision in Rs.			Total Cost (Rs.)
		1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year	
1.	Development of Greenery in the surrounding area and road side plantation (along the state highway abutting the project side (100 trees in the surrounding area and 100 trees	50,000	25,000	25,000	1,00,000

Sr. No.	Activities Proposed	Yearwise Implementation and Budgetary provision in Rs.			Total Cost (Rs.)
		1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year	
	roadside Total 200 with maintenance @ 500/- per tree, total cost Rs. 1,00,000/-)				
2	Provision of drinking water facilities through hand pumps/ dugwells/ tubewells (hand pump/ well per year in the nearby villages each year with maintenance) i.e. two tubewells per village in 3 villages	30,000	30,000	30,000	90,000
3	Repair and maintenance of roads in the nearby 6 villages with the help of gram panchayat considering 2 villages each year	40,000	40,000	40,000	1,20,000
	<b>TOTAL</b>	<b>1,20,000</b>	<b>95,000</b>	<b>95,000</b>	<b>3,10,000</b>

### C. Community Augmentation Plan

Sr. No.	Activities Proposed	Year wise Implementation and Budgetary provision in Rs.			Total cost (Rs.)
		1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year	
1.	Development of sanitation facilities in (provision of 2 toilets in each village)	2,00,000	2,00,000	2,00,000	6,00,000
2	Medical check-up camp in nearby areas for villages and supply of medicines (2 villages per year)	1,00,000	1,00,000	1,00,000	3,00,000
3	Assistance in providing study materials, uniforms, books to the poor students (50 students) each year	50,000	50,000	50,000	1,50,000
	<b>TOTAL</b>	<b>3,50,000</b>	<b>3,50,000</b>	<b>3,50,000</b>	<b>10,50,000</b>

### Total: Summary of Remediation plan, Natural Resource and Community Augmentation Plan

Sr. No.	Activity Proposed	Total (Rs.)
1	Cost of damage / Remediation plan	Rs. 8,21,500 (excluding provisions of EMP cost of Rs.60 lakhs)
2	Natural Resource AugmentationPlan	Rs.3,10,000/-
3	Community Augmentation Plan	Rs.10,50,000/-
	<b>Total</b>	<b>Rs. 21,81,500/-</b>

- vi. The project proponent shall submit a bank guarantee of an amount of Rs. 21.815 lakhs towards Remediation plan and Natural and Community Resource Augmentation plan with the CPCB prior to the grant of environmental clearance (EC) as per SOP 07.07.2021.
- vii. Project proponent shall ensure that the plan shall be completed in three years whereas the bank guarantee shall be for five years. The bank guarantee shall be released by the CPCB after successful implementation of Remediation plan, Natural Resource Augmentation Plan and Community Resource Augmentation plan.
- viii. Project proponent has to submit Rs. 89.296 Lakhs towards penalty provisions as per SOP dated 07.07.2021 to the SPCB prior to the grant of EC as penalty for the violation activity in addition to Damage Assessment cost. The cost of Penalty as per MoEF&CC's OM dated 07.07.2021 is detailed as below:

Particulars	Value (Rs. In Lakhs)	1% Penalty Cost (Rs. In Lakhs)
Cost of the construction of SAF	1817.80	18.178
Cost of the construction of CLU convertor	7111.80	71.118
<b>Total Cost of Penalty</b>		<b>89.296</b>

The project falls in the Ramgarh district of Jharkhand declared as Severely Polluted area (SPA), PP shall comply with all the conditions applicable to CEPI as per the Ministry's OM. A Report has to be submitted to IRO, MoEF&CC in this regard.

- x. The total water requirement is estimated as 148 m<sup>3</sup>/day, which shall be sourced from Damodar river. PP shall obtain necessary permission from the Competent Authority.
- xi. Following additional arrangements to control fugitive dust shall be provided:
- Fog / Mist Sprinklers at all conveyors point and on bulk raw material storage area (at the transfer points) like Iron Ore, Coal and for Fly Ash and similar solid waste storage areas.
  - Proper covered vehicle shall be used while transport of materials.
  - Wheel washing mechanism shall be provided in entry and exit gates with complete recirculation system.
- xii. All internal road and connecting road from project site to main highway shall be developed and maintained with suitable Million Axle Standard (MSA) as per the traffic load due to existing and proposed project.
- xiii. Performance test shall be conducted on all pollution control systems every year and report shall be submitted to Regional Office of the MoEF&CC.
- xiv. PP shall carry out periodically occupational health survey as per the applicable norms.
- xv. The 4<sup>th</sup> hole extraction system shall be provided in the Submerged Arc Furnaces.
- xvi. 100% of the slag generated through the process shall be utilised.
- xvii. No Ferro-chrome production shall be carried out without prior Environmental clearance from MOEF&CC.
- xviii. AOD (Argon Oxygen Decarburisation) Convertor shall have Secondary Fume extraction facility.
- xix. The proposed project shall be designed as "Zero Liquid Discharge" Plant. ETP shall be installed and there shall be no discharge of effluent from the plant. Domestic effluent shall

be treated in Sewage Treatment Plant. Suitable measures shall be adopted for sewage water handling to ensure no contamination of any kind of water body.

- xx. The company shall also undertake rain water harvesting measures as per the plan submitted in the EIA/EMP report and reduce water dependence from the outside source.
- xxi. The nearest human settlement from the project site is Palamu Colony (0.4 km, NE) and Marar (0.8 km, N).
- xxii. Damodar River (1.4 Km, S), Raura Nala (2.5 km, E), Meramgarh Nala (5.4 Km, E), Unnamed stream (0.5 Km, W), Ramgarh Village pond (4.0 Km, S) and Seota village Pond (1.5 Km, NE) exists within the study area of 10 km from the project site. The EAC is of the opinion that water bodies shall not be disturbed. Mitigation measures w.r.t. safeguarding the water bodies shall be implemented.
- xxiii. As reported, PP shall adopt Marar Village and prepare and implement a robust plan to develop it into model villages in next 10 years.
- xxiv. Briquetting and Jigging plant shall be installed in Ferro Alloys Plant.
- xxv. A proper action plan must be implemented to dispose of the electronic waste generated in the industry.
- xxvi. Three tier Green Belt shall be developed in at least 40% of the project area in a time frame of one year with native species all along the periphery of the project site of adequate width and tree density shall not be less than 2500 per ha. Survival rate of green belt developed shall be monitored on periodic basis to ensure that damaged plants are replaced with new plants in the subsequent years. PP shall develop greenbelt in the form of shelter belt comprising of total of 6 rows of 2x2 m plantation with tall trees & broad leaves with thick canopy alongwith windshield inside the plant premises to act as green barrier for air pollution & noise levels towards Palamu Colony (0.4 km, NE) and Marar (0.8 km, N). Compliance status in this regard, shall be submitted to concerned Regional Office of the MoEF&CC.
- xxvii. Greening and Paving shall be implemented in the plant area to arrest soil erosion and dust pollution from exposed soil surface.
- xxviii. Particulate matter emission from stacks shall be less than 30 mg/Nm<sup>3</sup>. Dry gas cleaning systems shall be provided by the project proponent to meet particulate matter emission norms of less than 30mg/Nm<sup>3</sup> for the furnace flue gases.
- xxix. The PP shall minimize the evaporation losses in jigging operation to less than 10% using suitable advanced process.
- xxx. The PP shall install CO sensors at the furnace top level and the monitoring report shall be submitted to the IRO, MoEFCC in this regard.
- xxxi. Action Plan for fire fighting system including provision for flame detectors, temperature actuated heat detectors with alarms, automatic sprinkler system, fixing the location of fire water tanks, separate power system for fire fighting, involvement of qualified and trained fire personnel, nearest fire station & time required to reach the proposed site shall be prepared and implemented.
- xxxii. The Piezometric wells shall be established in all directions surrounding the project area to monitor groundwater levels and determine aquifer parameters such as transmissibility, hydraulic conductivity, storage, to sample groundwater for chemical/ heavy metals/ toxic leachates and microbiological analysis.

- xxxiii. The PP shall adopt the best practices of House-keeping in the whole project area and specially where the tailings are proposed to be stacked.
- xxxiv. All the commitments made to the public during the Public Hearing/Public Consultation shall be satisfactorily implemented. The action plan based on the social impact assessment study of the project as per the EMP in accordance to the Ministry's OM dated 30.09.2020 shall be strictly implemented and progress shall be submitted to the Regional Office of MoEF&CC.
- xxxv. The Plastic Waste Management Rules 2016, inter-alia, mandated banning of identified Single Use Plastic (SUP) items with effect from 01/07/2022. In this regard, CPCB has issued a direction to all the State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) on 30/06/2022 to ensure the compliance of Notification published by Ministry on 12/08/2021. The technical guidelines issued by the CPCB in this regard is available at <https://cpcb.nic.in/technical-guidelines-3/>. All the project proponents are hereby requested to sensitize and create awareness among people working within the Project area as well as its surrounding area on the ban of SUP in order to ensure the compliance of Notification published by this Ministry on 12/08/2021. A report, along with photographs, on the measures taken shall also be included in the six monthly compliance report being submitted by the project proponents.
- xxxvi. The project proponent shall adopt the Clean Air practices like mechanical collectors, wet scrubbers, fabric filters (bag houses), electrostatic precipitators, combustion systems (thermal oxidizers), condensers, absorbers, adsorbers, and biological degradation. Controlling emissions related to transportation shall include emission controls on vehicles as well as use of cleaner fuels. Sufficient numbers of additional truck mounted Fog/Mist water cannons shall be procured and operated regularly inside the project premises and also in the surrounding villages to arrest suspended dust in the atmosphere.

## **B. General Conditions**

### **I. Statutory compliance:**

- i. The Environment Clearance (EC) granted to the project/ activity is strictly under the provisions of the EIA Notification, 2006 and its amendments issued from time to time. It does not tantamount/ construe to approvals/ consent/ permissions etc., required to be obtained or standards/conditions to be followed under any other Acts/Rules/Subordinate legislations, etc., as may be applicable to the project.

### **II. Air quality monitoring and preservation**

- i. The project proponent shall install 24x7 continuous emission monitoring system at process stacks to monitor stack emission as well as two Continuous Ambient Air Quality Station (CAAQS) for monitoring AAQ parameters with respect to standards prescribed in Environment (Protection) Rules 1986 as amended from time to time. The CEMS and CAAQMS shall be connected to SPCB and CPCB online servers and calibrate these systems from time to time according to equipment supplier specification through labs recognised under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- ii. The project proponent shall monitor fugitive emissions in the plant premises at least once in every quarter through laboratories recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.

- iii. Appropriate Air Pollution Control (APC) system shall be provided for all the dust generating points including fugitive dust from all vulnerable sources, so as to comply prescribed stack emission and fugitive emission standards.
- iv. The project proponent shall provide leakage detection and mechanized bag cleaning facilities for better maintenance of bags.
- v. Recycle and reuse iron ore fines, coal and coke fines, lime fines and such other fines collected in the pollution control devices and vacuum cleaning devices in the process after briquetting/ agglomeration.
- vi. The project proponent shall ensure covered transportation and conveying of ore, coal and other raw material to prevent spillage and dust generation.
- vii. The project proponent shall provide primary and secondary fume extraction system at all melting furnaces.
- viii. Design the ventilation system for adequate air changes as per prevailing norms for all tunnels, motor houses, Oil Cellars.

### **III. Water quality monitoring and preservation**

- i. The project proponent shall install 24x7 continuous effluent monitoring system with respect to standards prescribed in Environment (Protection) Rules 1986 (G.S.R 414 (E) dated 30<sup>th</sup> May 2008; G.S.R 277 (E) dated 31<sup>st</sup> March 2012 (applicable to IF/EAF); as amended from time to time and connected to SPCB and CPCB online servers and calibrate these system from time to time according to equipment supplier specification through labs recognised under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- ii. The project proponent shall monitor regularly ground water quality at least twice a year (pre- and post-monsoon) at sufficient numbers of piezometers/sampling wells in the plant and adjacent areas through labs recognised under Environment (Protection) Act, 1986 and NABL accredited laboratories.
- iii. Sewage Treatment Plant shall be provided for treatment of domestic wastewater to meet the prescribed standards.
- iv. The project proponent shall provide the ETP for effluents of rolling mills to meet the standards prescribed in G.S.R 277 (E) 31<sup>st</sup> March 2012 (applicable to IF/EAF) as amended from time to time.
- v. Garland drains and collection pits shall be provided for each stock pile to arrest the run-off in the event of heavy rains and to check the water pollution due to surface run off.
- vi. Tyre washing facilities shall be provided at the entrance/exit of the plant gates.

### **IV. Noise monitoring and prevention**

- i. Noise quality shall be monitored as per the prescribed Noise Pollution (Regulation and Control) Rules, 2000 and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.

### **V. Energy Conservation measures**

- i. Energy conservation measures may be adopted such as adoption of solar energy and provision of LED lights etc., to minimize the energy consumption.

### **VI. Waste management**

- i. Used refractories shall be recycled.
- ii. Kitchen waste shall be composted or converted to biogas for further use.

#### **VII. Green Belt**

- i. The project proponent shall prepare GHG emissions inventory for the plant and shall submit the programme for reduction of the same including carbon sequestration including plantation.
- ii. Project proponent shall submit a study report on De-carbonization program, which would essentially consist of company's carbon emissions, carbon budgeting/ balancing, carbon sequestration activities and carbon capture, use and storage and offsetting strategies. Further, the report shall also contain time bound action plan to reduce its carbon intensity of its operations and supply chains, energy transition pathway from fossil fuels to Renewable energy etc. All these activities/ assessments should be measurable and monitor able with defined time frames.

#### **VIII. Public hearing and Human health issues**

- i. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
- ii. The project proponent shall carry out heat stress analysis for the workmen who work in high temperature work zone and provide Personal Protection Equipment (PPE) as per the norms of Factory Act.
- iii. Occupational health surveillance of the workers shall be done on a regular basis and records maintained.

#### **IX. Environment Management**

- i. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 30/09/2020. As part of Corporate Environment Responsibility (CER) activity, company shall adopt nearby villages based on the socio-economic survey and undertake community developmental activities in consultation with the village Panchayat and the District Administration as committed.
- ii. The company shall have a well laid down environmental policy duly approve by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.
- ii. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.

#### **X. Miscellaneous**

- i. The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of

which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.

- ii. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- iii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
- iv. The project proponent shall monitor the criteria pollutants level namely; PM10, SO2, NOx (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects and display the same at a convenient location for disclosure to the public and put on the website of the company.
- v. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
- vi. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- vii. The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
- viii. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
- ix. The PP shall put all the environment related expenditure, expenditure related to Action Plan on the PH issues, and other commitments made in the EIA/EMP Report etc. in the company web site for the information to public/public domain. The PP shall also put the information on the left over funds allocated to EMP and PH as committed in the earlier ECs and shall be carried out and spent in next three years, in the company web site for the information to public/public domain.
- x. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
- xi. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xii. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xiii. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xiv. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.

- xv. Any appeal against this EC 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.

**\*\*\***

### **Re-Consideration of Environmental Clearance Proposal**

#### **Agenda No. 24.9**

- 24.9 Installation of Induction Furnace & Rolling Mill for production of Ingots, Billets 5,00,000 TPA and TMT Bars & Long product: 5,00,000 TPA respectively (In addition to Existing 3,24,000 TPA Sponge Iron Plant, 0.216 MTPA Coal Washery & 25 MW Power Plant) of M/s Lloyds Metals and Energy Limited, located at Plot A-1 and A-2, MIDC Area, Ghugus, Chandrapur, Maharashtra – Consideration of Environmental Clearance.**

**[Proposal No.: IA/MH/IND1/404101/2022; and IA/MH/IND1/417900/2023 File No. IA-J-11011/243/2019-IA-II(IND-I)]**

**[Consultant: Pollution and Ecology Control Services; Valid upto 10.04.2023]**

- 24.9.1 M/s. Lloyds Metals & Energy Limited has made an online application vide proposal no. IA/MH/IND1/404101/2022 dated 19<sup>th</sup> December 2022 along with copy of EIA/EMP report, Forms (Part A, B and C) and certified compliance report seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at S. No. 3(a) Metallurgical industries (ferrous & non-ferrous) and 1(d) Thermal Power Plants under Category “A” of the schedule of the EIA Notification, 2006 and appraised at Central Level.
- 24.9.2 Name of the EIA consultant: M/s Pollution and Ecology Control Services, Nagpur [List of ACOs with their Certificate / Extension Letter no. QCI/NABET/ENV/ACO/23/2634; valid upto 10.04.2023, as on February 27, 2023].

#### **Details submitted by Project proponent**

- 24.9.3 The details of the ToR are furnished as below:

<b>Date of Application</b>	<b>Consideration</b>	<b>Details</b>	<b>Date of Accord</b>	<b>Validity</b>
24.06.2019	13 <sup>th</sup> Meeting of Re-constituted EAC (Industry-1) held on 27 <sup>th</sup> to 29 <sup>th</sup>	Terms of Reference	10 <sup>th</sup> February 2020	9 <sup>th</sup> February 2023



## 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-4412165/2020/1819

Dated : 2020-11-10

### 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 2020-10-03 of GAUTAM FERRO ALLOYS (UNIT OF BFCL), Occupier Name :HARI KRISHNA BUDHIA 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 Environmental Clearance (EC) vide ref. No.-J11011/34/2010-IA.II(I), Dated-31.10.2011 issued by Ministry of Environment & Forest, Govt. of India, New Delhi.

(b) The content of Consent-to-Establish (CTE), vide Ref. No.

(i) T-551, Dated- 24.02.2000 for 26 TPD,

(ii) 2577 , Dated-20.05.2009 for 30 TPD &

(iii) D-1510(N), Dated. 21.05.2014 for 40 TPD.

(c) The content of Consent-to-Operate (CTO), vide Ref. No. B-42, Dated. 06.01.2016.

(d) The content of Inspection Report (IR) vide Ref. No. 936 Dated. 08.09.2020.

(e) The content of self certificate regarding procurement of raw material from valid sources.

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

Project	Site-Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			Date of issue To
Before Expansion	1405 (P)	7.26 Acre	35 Crore	Ferro Alloys Silico/ Manganese - 96 TPD (as per previous CTO)	31/12/2025

#### (A) Specific Conditions:

1. That, the occupier shall obtain raw materials from valid source only.
2. That, the occupier shall operate and maintain online stack emission monitoring system with connectivity to Jharkhand State Pollution Control Board server.
3. That, the occupier shall do regular cleaning and wetting of the ground and shall maintain good housekeeping.
4. That, the occupier shall install and operate fixed type water sprinklers at all dusty places inside the plant.
5. That, the occupier shall upgrade, operate and maintain air pollution control device such as fume extraction system and bag filters.
6. That, the occupier shall utilize solid waste properly.
7. That, the occupier shall comply all the conditions of EC and CTO and submit its six monthly compliance report to the Board alongwith recent analysis report successively.
8. That, this CTO supersedes the CTO granted vide ref. no. B-42, dated 06.01.2016.
9. 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 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 <sub>2</sub> ), µg/m <sup>3</sup>	Annual 24 hours	50 80	20 80
2.	Nitrogen Dioxide (NO <sub>2</sub> ), µg/m <sup>3</sup>	Annual 24 hours	40 80	30 80
3.	Particulate Matter (size less than 10 µm) or PM <sub>10</sub> , µg/m <sup>3</sup>	Annual 24 hours	60 100	60 100
4.	Particulate Matter (size less than 2.5 µm) or PM <sub>2.5</sub> , µg/m <sup>3</sup>	Annual 24 hours	40 60	40 60
5.	Ozone(O <sub>3</sub> ), µg/m <sup>3</sup>	8 hours 1 hour	100 180	100 180
6.	Lead (Pb) µg/m <sup>3</sup>	Annual 24 hours	0.50 1.0	0.50 1.0
7.	Carbon Monoxide (CO) mg/m <sup>3</sup>	8 hours 1 hour	02 04	02 04
8.	Ammonia (NH <sub>3</sub> ) µg/m <sup>3</sup>	Annual 24 hours	100 400	100 400
9.	Benzene (C <sub>6</sub> H <sub>6</sub> ) µg/m <sup>3</sup>	Annual	05	05
10.	Benzo(a) Pyrene(BaP) Particulate Phase only ng/m <sup>3</sup>	Annual	01	01
11.	Arsenic (As) ng/m <sup>3</sup>	Annual	06	06
12.	Nickel (Ni) ng/m <sup>3</sup>	Annual	20	20
<b>Note : Serial no. 1 to 4 – Mandatory</b> <b>Serial no. 5 to 12 As applicable for specific type of industry.</b>				

- (2) That, the occupier shall maintain the emission quality within the standard and the quantity, as follows:

S N	Parameter	Standard
1	Particulate Matter	150 mg/Nm <sup>3</sup>

- (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]**

Member Secretary

Memo No. : JSPCB/HO/RNC/CTO-4412165/2020/1819

Dated : 2020-11-10

**Copy to:** Sri Hari Krishna Budhia (MD), M/s Gautam Ferro Alloys (Unit of BFCL), At+P.O.- Marar, Ramgarh-Industrial Area, Dist.- Ramgarh(Jharkhand)/ Director of Industry, Government of Jharkhand, Ranchi/ Chief Inspector of factories, Ranchi/ Deputy Commissioner, Ramgarh/ DFO, Ramgarh/ Regional officer, Ro, Hazaribagh for information & ensuring compliance of the above conditions. Regional Officer, Hazaribagh is requested to examine the status of compliance every year and shall submit the report to the Board.

**[Rajeev Lochan Bakshi]**

Member Secretary

True Copy/-

## ANNEXURE A7 (Colly)



**F. No. J-11011/384/2010-IA-II(IND-I)**  
**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(Impact Assessment Division)**

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Indira Paryavaran Bhawan  
 Vayu Wing, 3<sup>rd</sup> Floor, Aliganj  
 Jorbagh Road, New Delhi - 110003

**Dated:** 15<sup>th</sup> May, 2023

To,

**The Member Secretary,**  
**Jharkhand State Pollution Control Board**  
**CTI Colony, Sector 4, Birsa Nagar**  
**Vandraw Rd, CTI Colony, Sector 4, Birsa Nagar**  
**Ranchi, Jharkhand- 834 004**  
**E-Mail: [ranchijspcb@gmail.com](mailto:ranchijspcb@gmail.com)**

**Sub.: Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand – Violation case as per SOP dated 07.07.2021-regarding**

Sir,

This has reference to your proposal No. IA/JH/IND1/417175/2023, dated 20<sup>th</sup> February 2023 for environmental clearance (EC) to the project for Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand, as per the provisions of Ministry's OM dated 07.07.2021 [Violation SOP].

2. The Ministry has issued SOP, vide an OM dated 07.07.2021 for appraisal of projects for grant of terms of reference/environmental clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed the product mix without obtaining prior environmental clearance under the EIA Notification, 2006. As per the above said SOP, in cases of violation, action is to be taken against the project proponent by the respective State Government or the State Pollution Control Board under the provisions of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate (for the violation project) to be issued till the project is granted environmental clearance.

3. The proposed project activity is listed at schedule no. 3(a) Metallurgical industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at central level. The proposal was considered and recommended by the EAC (Industry 1) in its 24<sup>th</sup> meeting held on 28<sup>th</sup> Feb – 1<sup>st</sup> March 2023 under violation category.

4. The EAC noted that the existing project was accorded environmental clearance vide F. No. J-11011/384/2010-IA (II) (I) dated 31.10.2011. Consent to Operate for the existing unit was accorded by JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated

10.11.2020 (which is in the name of GAUTAM FERRO ALLOYS (UNIT OF BFCL) which is valid upto 31-12-2025. Subsequently name of the plant in CTO has been changed to Bihar Foundries & Castings Limited vide order dated 23.01.2023 and is valid till 31.12.2025.

5. The EAC further noted that the company has started installation of the 5th Submerged Arc Furnace of 1x9 MVA & CLU converter without completing the process of Environment Clearance. As these units were installed without prior environmental clearance, the project falls under violation and is appraised under the provision of S.O. 804 (E) issued by MoEF&CC dt. 14.03.2017 and OM, dt. 07.07.2021 regarding SOP for identification and handling for projects under violation.

6. The Committee observed that JSPCB has filed a case in the Hon'ble Magistrate court of Ramgarh vide no complainant case/ 117/2023 vide dated 07-01-2023 to initiate credible action against M M/s. Bihar Foundry & Casting Limited for the offence committed u/s 19 of Environment (Protection) Act, 1986

7. It may further be mentioned that an application has been registered by the Hon'ble NGT against the proposed project and constituted a joint Committee comprising State PCB, CPCB, Regional Officer, MoEF&CC, Ranchi and District Magistrate, Hazaribagh who shall visit the site, collect relevant information and submit factual report as also action taken, if any, to this Tribunal. State PCB will be the nodal agency for coordination and compliance

8. In view of the above, the undersigned has been directed to request you kindly submit the requisite documents/information regarding the credible action taken by you against the Project Proponent u/s 19 of the E(P) Act, 1986 and also submit the factual report as directed by NGT with intimation to this Ministry.

9. This issues with approval of the competent authority.

  
**(Dr. Rajesh P. Rastogi)**  
**Scientist 'C'/Deputy Director**  
 Tele-fax: 011-20819343  
 Email-rp.rastogi@gov.in

**Copy to: -**

1. M/s Bihar foundry and casting Limited, Plot No.0 1405, Ramgarh Industrial Area, Marar 607, Ramgarh - 829117, Jharkhand. E-mail: [bfclferroalloys@gmail.com](mailto:bfclferroalloys@gmail.com)
2. The Member Secretary, Central Pollution Control Board Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi – 32. E-mail: [mccb.cpcb@nic.in](mailto:mccb.cpcb@nic.in)
3. District Magistrate, Ramgarh Tehsil & District, Jharkhand

**Copy for information to: -**

1. The Additional Chief Secretary, Environment & Forests Department, Government of Jharkhand, Secretariat, Nepal House, Doranda, Ranchi-834001.
2. The Regional Officer, Ministry of Env., Forest and Climate Change, Integrated Regional Office, Bunglow No. A-2, Shyamali Colony, Ranchi-834002
3. Guard File/Monitoring File/Website/Record File/Parivesh Portal.

  
**(Dr. Rajesh P. Rastogi)**  
**Scientist 'C'/Deputy Director**  
 Tele-fax: 011-20819343  
 Email-rp.rastogi@gov.in



**F. No. J-11011/384/2010-IA-II(IND-I)**  
**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(Impact Assessment Division)**

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Indira Paryavaran Bhawan  
 Vayu Wing, 3<sup>rd</sup> Floor, Aliganj  
 Jorbagh Road, New Delhi - 110003

**Dated: 6<sup>th</sup> Sept., 2023**

To,

**M/s Bihar foundry and casting Limited,**  
 Plot No.0 1405, Ramgarh Industrial Area,  
 Marar 607, Ramgarh - 829117, Jharkhand.  
 E-mail: bfclferroalloys@gmail.com

**Sub.: Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand-Submission of Bank Guarantee as per SOP dated 07.07.2021 regarding**

Sir,

This has reference to your proposal No. IA/JH/IND1/417175/2023, dated 20<sup>th</sup> February 2023 for environmental clearance (EC) to the project for Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand, as per the provisions of Ministry's OM dated 07.07.2021 [Violation SOP].

2. The Ministry has issued SOP, vide an OM dated 07.07.2021 for appraisal of projects for grant of terms of reference/environmental clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed the product mix without obtaining prior environmental clearance under the EIA Notification, 2006. As per the above said SOP, in cases of violation, action is to be taken against the project proponent by the respective State Government or the State Pollution Control Board under the provisions of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate (for the violation project) to be issued till the project is granted environmental clearance.

3. The proposed project activity is listed at schedule no. 3(a) Metallurgical industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at central level. The proposal for environmental clearance was considered by the EAC in its 24<sup>th</sup> meeting held on 28<sup>th</sup> Feb – 1<sup>st</sup> March 2023.

4. The EAC noted that the existing project was accorded environmental clearance vide F. No. J-11011/384/2010-IA (II) (I) dated 31.10.2011. Consent to Operate for the existing unit was accorded by JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated 10.11.2020 (which is in the name of GAUTAM FERRO ALLOYS (UNIT OF BFCL) which is valid upto 31-12-2025. Subsequently name

*M/s Bihar foundry and casting Ltd.*

of the plant in CTO has been changed to Bihar Foundries & Castings Limited vide order dated 23.01.2023 and is valid till 31.12.2025.

5. The EAC further noted that the company has started installation of the 5th Submerged Arc Furnace of 1x9 MVA & CLU converter without completing the process of Environment Clearance. As these units were installed without prior environmental clearance, the project falls under violation and is appraised under the provision of S.O. 804 (E) issued by MoEF&CC dt. 14.03.2017 and OM, dt. 07.07.2021 regarding SOP for identification and handling for projects under violation.

6. As per the MoEF&CC OM dated 07.07.2021, M/s Bihar Foundry & Castings Limited, the company prepared a Natural and Community Resource Augmentation plan for an amount of Rs. 21,81,500/- [Cost of damage / Remediation – Rs. 8,21,500/-, Natural Resource Augmentation Plan - Rs.3,10,000/- and Community Augmentation Plan - Rs.10,50,000/-] for 3 years.

7. The Committee observed that JSPCB has filed a case in the Hon'ble Magistrate court of Ramgarh vide no complainant case/ 117/2023 vide dated 07-01-2023 to initiate credible action against M/s Bihar Foundry & Castings Limited and others for the offence committed u/s 19 of Environment (Protection) Act, 1986 in compliance of MoEF & CC TOR letter J-11011/384/2010-IAII(I) dated 24.11.2020 followed by TOR Amendment dated 19.12.2022.

8. The committee found the EIA/EMP report satisfactory and in consonance with the ToR, and recommended the proposal for environmental clearance with certain conditions in terms of the provisions of the Ministry's SOP vide an OM dated 07.07.2021, inter-alia, include the following:

- (i) PP needs to comply all the points of TOR for Violation Project and follow SOP dated 07.07.2021 issued by the Ministry of Environment, Forest & Climate Change, for identification & handling of Violation cases under EIA notification 2006.
- (ii) The total amount of Rs. 21.815 Lakhs shall be spent on Remediation plan and Natural Resource Augmentation Plan and Community Resource Augmentation Plan which shall be implemented in a period of 3 years as per the action plan details given in EIA Report.
- (iii) The project proponent shall submit a bank guarantee of an amount of Rs. 21.815 lakhs towards Remediation plan and Natural and Community Resource Augmentation plan with the CPCB prior to the grant of environmental clearance (EC) as per SOP 07.07.2021.
- (iv) Project proponent shall ensure that the plan shall be completed in three years whereas the bank guarantee shall be for five years. The bank guarantee shall be released by the CPCB after successful implementation of Remediation plan, Natural Resource Augmentation Plan and Community Resource Augmentation plan.
- (v) Project proponent has to submit Rs. 89.296 Lakhs towards penalty provisions as per SOP dated 07.07.2021 to the SPCB prior to the grant of EC as penalty for the violation activity in addition to Damage Assessment cost.

9. As per the provisions contained in the Ministry's SOP vide an OM dated 07.07.2021, the project proponent is required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the Central Pollution Control Board and the quantification will be recommended by EAC and finalized by Regulatory Authority and the bank guarantee shall be deposited prior to the grant of EC and will be released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after the recommendation by Regional Office of the Ministry, Expert Appraisal Committee and approval of the Regulatory Authority.

10. The Ministry accepts the recommendations of the EAC (Industry-1) regarding quantum of bank guarantee towards remediation plan and natural and community resource augmentation plan. In this regard, you are required to submit the bank guarantee of Rs. 21.815 lakhs /- having minimum validity of 5 years, with the Central Pollution Control Board for consideration of the project for environmental

*M/s Bihar foundry and casting Ltd.*

clearance. The bank guarantee shall be released after successful implementation of the remediation plan and natural and community resource augmentation plan, and after the recommendation by Regional Office of the Ministry, Expert Appraisal Committee and approval of the Regulatory Authority.

11. This issues with approval of the competent authority.

**(Dr. Rajesh P. Rastogi)**  
**Scientist 'C'/ Deputy Director**

**Copy to:-**

1. The Member Secretary, Central Pollution Control Board Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi – 32. (*with the request to confirm the receipt of the bank guarantee from the project proponent, as stated above*).
2. The Member Secretary, Jharkhand Pollution Control Board, Town Administrative Building, HEC, Dhurwa, Ranchi- 824004. (*SPCB shall submit the proof of credible action taken against the Project Proponent u/s 19 of the E(P) Act, 1986*).

**Copy for information to:-**

1. The Additional Chief Secretary, Environment & Forests Department, Government of Jharkhand, Secretariat, Nepal House, Doranda, Ranchi-834001.
2. The Regional Officer, Ministry of Env., Forest and Climate Change, Integrated Regional Office, Bunglow No. A-2, Shyamali Colony, Ranchi-834002
3. Guard File/Monitoring File/Website/Record File/Parivesh Portal.

**(Dr. Rajesh P. Rastogi)**  
**Scientist 'C'/ Deputy Director**



**F. No. J-11011/384/2010-IA-II(IND-I)**  
**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(Impact Assessment Division)**

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Indira Paryavaran Bhawan  
 Vayu Wing, 3<sup>rd</sup> Floor, Aliganj  
 Jorbagh Road, New Delhi - 110003

**Dated: 6<sup>th</sup> Sept., 2023**

To

**M/s Bihar foundry and casting Limited,**  
 Plot No.0 1405, Ramgarh Industrial Area,  
 Marar 607, Ramgarh - 829117, Jharkhand.  
 E-mail: bfclferroalloys@gmail.com

**Sub: Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand - Penalty provisions i.e., 1% of project cost attributable to the expansion-regarding**

Sir,

This has reference to your proposal No. IA/JH/IND1/417175/2023, dated 20<sup>th</sup> February 2023 for environmental clearance (EC) to the project for Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand, as per the provisions of Ministry's OM dated 07.07.2021 [Violation SOP].

2. The Ministry has issued SOP, vide an OM dated 07.07.2021 for appraisal of projects for grant of terms of reference/environmental clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed the product mix without obtaining prior environmental clearance under the EIA Notification, 2006. As per the above said SOP, in cases of violation, action is to be taken against the project proponent by the respective State Government or the State Pollution Control Board under the provisions of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate (for the violation project) to be issued till the project is granted environmental clearance.

3. The proposed project activity is listed at schedule no. 3(a) Metallurgical industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at central level. The proposal for environmental clearance was considered by the EAC in its 24<sup>th</sup> meeting held on 28<sup>th</sup> Feb – 1<sup>st</sup> March 2023.

4. The EAC noted that the existing project was accorded environmental clearance vide F. No. J-11011/384/2010-IA (II) (I) dated 31.10.2011. Consent to Operate for the existing unit was accorded by JSPCB vide no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated 10.11.2020 (which is in the name of

*M/s Bihar foundry and casting Ltd.*

GAUTAM FERRO ALLOYS (UNIT OF BFCL) which is valid upto 31-12-2025. Subsequently name of the plant in CTO has been changed to Bihar Foundries & Castings Limited vide order dated 23.01.2023 and is valid till 31.12.2025.

5. The EAC further noted that the company has started installation of the 5th Submerged Arc Furnace of 1x9 MVA & CLU converter without completing the process of Environment Clearance. As these units were installed without prior environmental clearance, the project falls under violation and is appraised under the provision of S.O. 804 (E) issued by MoEF&CC dt. 14.03.2017 and OM, dt. 07.07.2021 regarding SOP for identification and handling for projects under violation.

6. As per the provisions contained in the Ministry's SOP vide an OM dated 07.07.2021, the project proponent is required to submit an amount of Rs 89.296 Lakhs towards penalty provisions as per SOP dated 07.07.2021 to the SPCB prior to the grant of EC as penalty for the violation activity in addition to Damage Assessment cost. The cost of Penalty as per MoEF&CC's OM dated 07.07.2021 is detailed as below: -

Particulars	Value (Rs. In Lakhs)	1% Penalty Cost (Rs. In Lakhs)
Cost of the construction of SAF	1817.80	18.178
Cost of the construction of CLU convertor	7111.80	71.118
<b>Total Cost of Penalty</b>		<b>89.296</b>

7. The Ministry accepts the recommendations of the EAC (Industry-1) regarding penalty for the violation activity. **In this regard, you are required to submit Rs. 89.296/- Lakhs towards penalty provisions, as per SOP dated 07.07.2021 to the SPCB for consideration of the project for environmental clearance.**

8. This issues with approval of the competent authority.

  
(Dr. Rajesh P. Rastogi)  
Scientist 'C'/ Deputy Director

**Copy to:-**

1. The Member Secretary, **Jharkhand Pollution Control Board, Town Administrative Building, HEC, Dhurwa, Ranchi- 824004-(a) Please provide the credible proof of the receipt of Penalty as mentioned above; (b) Further, SPCB is also requested to submit the proof of credible action taken against the Project Proponent u/s 19 of the E(P) Act, 1986, as per SOP dated 07.07.2021.**

**Copy for information to:-**

1. The Additional Chief Secretary, Environment & Forests Department, Government of Jharkhand, Secretariat, Nepal House, Doranda, Ranchi-834001.
2. The Member Secretary, Central Pollution Control Board Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi – 32.
3. The Regional Officer, Ministry of Env., Forest and Climate Change, Integrated Regional Office, Bunglow No. A-2, Shyamali Colony, Ranchi-834002
4. Guard File/Monitoring File/Website/Record File/Parivesh Portal.

  
(Dr. Rajesh P. Rastogi)  
Scientist 'C'/ Deputy Director

**F. No. J-11011/384/2010-IA-II(IND-I)**  
**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(Impact Assessment Division)**

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Indira Paryavaran Bhawan  
 Vayu Wing, 3<sup>rd</sup> Floor, Aliganj  
 Jorbagh Road, New Delhi - 110003

**Dated: 6<sup>th</sup> Sept., 2023**

To,

**M/s Bihar foundry and casting Limited,**  
 Plot No.0 1405, Ramgarh Industrial Area,  
 Marar 607, Ramgarh - 829117, Jharkhand.  
 E-mail: bfclferroalloys@gmail.com

**Sub.: Modification-cum-Expansion of Ferro Alloy Plant (under violation) Modification of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, establishment new 1x9 MVA SEAF & new 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry & Castings Limited, located at Plot No 1405(P), Ramgarh Industrial Area, Marar Village, Ramgarh Tehsil & District, Jharkhand – Consideration for Environmental clearance under violation category- Reg.**

Sir,

This is with reference to your proposal No. IA/JH/IND1/417175/2023, dated 20<sup>th</sup> February 2023 for environmental clearance (EC) to the project mentioned above.

- i. The above mentioned proposal was considered and recommended by the EAC in its 24<sup>th</sup> meeting held on 28<sup>th</sup> Feb – 1<sup>st</sup> March 2023. The Ministry has further examined your proposal and suggested to submit/furnish the following information:
- ii. Status of pending court cases and its order.
- iii. Subject to compliance of the condition: PP has submitted undertaking to IRO to develop the prescribed method for collection and treatment of runoff rain water from the Raw material storage by April 2023.
3. In view of the above, the undersigned has been directed to request you kindly furnish the above information at your earliest.
4. This issues with approval of the competent authority.



**(Dr. Rajesh P. Rastogi)**  
**Scientist 'C'/ Deputy Director**

True Copy/-

**F. No. IA3-22/19/2021-IA.III [E 164361]**  
**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(Impact Assessment Division)**

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Indira Paryavaran Bhawan  
Aliganj, Jorbagh Road  
New Delhi-110 003

Dated: 20<sup>th</sup> September, 2021

**ORDER**

**Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 to not grant or renew CTO unless Environment Clearance, as applicable, has been obtained – regarding.**

Whereas, prior Environmental Clearance is a statutory requirement for project/activities covered in the schedule of the EIA Notification 2006, issued under section 3 of the Environment (Protection) Act, 1986.

2. And whereas, obtaining the consents under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 is mandatory for all industrial units in Red, Orange and Green categories.

3. And whereas, the grant of EC and Consents are requirements under different statutes and are not inter-dependent and can be carried out as a parallel process.

4. And whereas, many a times it has been observed that while industrial units are in possession of valid 'Consent to Establish' (CTE)/ 'Consent to Operate' (CTO) issued by State Pollution Control Boards (SPCBs)/ UT Pollution Control Committees (UTPCC), however, they have not obtained the Environmental Clearance (EC), even though it was required as per provisions of EIA Notification 2006.

5. And whereas, it has been observed that this situation is arising because majority of the SPCBs/ UTPCCs are issuing CTE/CTO to projects without ascertaining the applicability of prior EC to projects/ activities, resulting in an avoidable situation of closure for even those industries also who seek to carry out their activities following due procedure.

6. Now therefore, in exercise of powers conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, hereby directs that all SPCB/UTPCC shall:

- i. Ascertain the applicability of EIA Notification at the time of grant/renewal of CTE and stipulate appropriate condition for obtaining Environmental Clearance (EC), if applicable, before construction/commencement of project/activity.
- ii. Ensure that the project proponent possesses a valid Prior EC in terms of the extant EIA Notification, if applicable, at the time of grant/renewal of CTO and no CTO shall be granted or renewed unless EC, if applicable, has been obtained.

7. This is issued with the approval of the Competent Authority.

  
 (A K Agrawal)  
 Director

To

Chairmen of all State/UT Pollution Control Boards and Pollution Control Committees

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to AS(RA)/JS(SKB)
5. Chairman of all the Expert Appraisal Committees
6. Chairperson/Member Secretaries of all the SEIAAs/SEACs
7. All the Officers of IA Division, MOEFCC
8. Website MoEF&CC/ Guard file.



**File No. IA-J-11011/384/2010-IA-II(IND-I)**  
**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
 (Impact Assessment Division)

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Indira Paryavaran Bhawan  
 Vayu Wing, 3<sup>rd</sup> Floor, Jorbagh Road,  
 New Delhi - 110003

**Dated: 19<sup>th</sup> December, 2022**

To,

**M/S Bihar foundry and casting Limited,**  
 Plot No.0 1405, Ramgarh Industrial Area,  
 Marar Village, Ramgarh, Jharkhand – 829 117  
 Email: [bfclferroalloys@gmail.com](mailto:bfclferroalloys@gmail.com)

**Subject: Modification cum Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry and Casting Limited, located at Plot No.0 1405, Ramgarh Industrial Area, Village Marar, District Ramgarh, Jharkhand – Consideration for Modification of TOR under SOP dated 07.07.2021 (Violation Case)– regarding.**

Sir,

This has reference to your proposal No. IA/JH/IND1/400084/2022 dated 21.10.2022 along with Form-1 and copy of PFR seeking amendment in Terms of Reference accorded by the Ministry vide letter no. J-11011/384/2010-IAII(I) dated 24.11.2020.

2. The proposal was considered by the EAC (Industry 1) in its 16<sup>th</sup> meeting held during 3<sup>rd</sup> November, 2022. The proposed project activity is listed at S. No. 3(a) Metallurgical Industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification and appraised at central level. The EAC proceeding of the said meeting is furnished as below. The minutes of the meeting and all the project documents are available on PARIVESH portal which can be accessed at <https://parivesh.nic.in>

**Details submitted by Project proponent**

3. M/s. Bihar Foundry and Casting Limited had earlier applied for grant of ToR vide proposal no. IA/JH/IND/172815/2020 dated 12/09/2020 for expansion of the existing unit for manufacturing of Ferro Alloys SiMn / FeMn based on Sub Merged Arc (SAF) technology. Accordingly, Terms of Reference was issued vide letter no. J-11011/384/2010-IAII(I) dated 24.11.2020.

4. The instant proposal of M/S Bihar Foundry & Castings Limited located at Plot No.0 1405, Ramgarh Industrial Area, Village Marar, District Ramgarh, Jharkhand is for seeking modification in ToR dated 24.11.2020 for appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07.07.2021 pertaining to consideration of violation cases as PP has reported that the company has constructed 5th Furnace i.e., New 1 x 9 MVA SAF & CLU converter is under construction without prior environmental clearance. PP is ready to comply all the points of TOR for Violation Project and follow SOP dated 07.07.2021 for handling of Violation cases under EIA notification 2006.

5. *Reason for seeking amendment in ToR:* Post compliance of ToR dated 24.11.2020, the PP had applied for EC vide proposal no. IA/JH/IND/223909/2020 dated 23/08/2021. The proposal was appraised by the EAC in its 44th meeting held on 13 – 14th September, 2021 wherein after deliberations, the Committee recommended to return the proposal in its present form, since, the proposal attracts provisions

of S.O. 804 (E) issued by MoEF&CC dated 14.03.2017 and OM, dated 07.07.2021 regarding SOP for identification and handling for the projects under Violation, as the company has constructed 5th Furnace i.e., New 1 x 9 MVA SAF & CLU converter is under construction without prior environmental clearance.

6. The existing project was accorded environmental clearance vide Ir. no. J-11011/384/2010-IA.II(I) dated 31/10/2011. Consent to Operate renewal for the existing unit was accorded by Jharkhand State Pollution Control Board in the name of M/s. Gautam Ferro Alloys (Unit of BFCL) vide Ir. no. Ref no JSPCB/HO/RNC/CTO/4412165/2020/1819 dated 10/11/2020. The validity of CTO is up to 31/12/2025. PP has submitted that they have submitted a request letter to JSPCB for name Change in CTO which is under process.

7. Implementation status of the existing EC:

S No	Facilities As per EC dated 31/10/2011	Implementation Status as on 24/11/2020	Production as per CTO
1	Ferro Alloys Plant of 96 TPD (2x5 MVA SAF's and 1x7.5+1x9 MVA SAF's with Jigging unit and Micro Pelletizing facility)	Ferro Alloy Plant of 96 TPD	96 TPD

8. The unit configuration and capacity of existing and proposed project is given as below:

S No	Name	Existing Units		Proposed Units (Modification-Cum-expansion)		Total (Existing + Proposed)	
		Configuration	Production TPA	Configuration	Production TPA	Configuration	Production TPA
1	Ferro Alloy unit	2x5+1x7.5 +1x9 MVA SAF With Jigging unit and Micro Pelletizing facility	34,080 (96 TPD) (SiMn / FeMn)	Modification of existing 2x5 MVA to 2x6 MVA SEAFs  Modification of existing 1x7.5 MVA to 1x9 MVA SEAF  Existing 1x9 MVA SEAF  New 1x9 MVA SEAF*  New 12MT per batch CLU Converter for refining liquid HC FeMn to	SiMn- 24,495 TPA (69 TPD)  (or) FeMn- 59,995 TPA (169 TPD)	2x6 MVA + 3x9 MVA SEAFs + 12MT CLU Converter  With Jigging unit and Micro Pelletizing facility	SiMn- 58,575 TPA (165 TPD)  (or) HC/MC/LC FeMn-94,075 TPA (265 TPD)

S No	Name	Existing Units		Proposed Units (Modification-Cum-expansion)		Total (Existing + Proposed)	
		Configuration	Production TPA	Configuration	Production TPA	Configuration	Production TPA
				MC/LC FeMn			
<b>Note:</b>							
* PP has reported that they have constructed 5 <sup>th</sup> Furnace i.e New 1 x 9 MVA SAF & CLU converter is under construction (hence PP is applying a Fresh Application for E.C. under Violation as per SOP dated 07.07.2021)							

9. The total water requirement for existing plant is 35 m<sup>3</sup>/day which is being met from Groundwater source. NOC from CGWA has been obtained to abstract ground water of 35 m<sup>3</sup>/day for industrial use vide letter No. CGWA/NOC/IND/ORIG/2021/10628 dated 02/01/2021 which is valid upto 01/01/2024. The total water requirement for the expansion project is estimated as 148 m<sup>3</sup>/day, which will be met from the Damodar River (Tenughat Reservoir) for which WRD, Govt. of Jharkhand has given a Recommendation letter.

10. Total power consumption is 33 MW, in which meet from DVC 28.5 MW & 4.5 MW from Captive power plant of adjacent unit of BFCL.

11. The capital cost of the project is Rs. 89.3 Crores. Employment generation from proposed project will be 250 nos. through direct employment and 500 nos. through indirect employment.

12. It has been reported by PP that there is no court case is pending related to the project, however, there is a violation under EIA Notification, 2006 related to the project under consideration. The PP has started installation of the 5th Submerged Arc Furnace of 1x9 MVA & CLU converter without completing the process of Environment Clearance because of the following reasons:

- Due to COVID restrictions and social lockdown wherein all the physical activities were restricted, PP could not move ahead with the study, interaction with officials and accordingly could not complete the process of EC due to delay from their end.
- PP has also given a completion date of 31st Dec 2021 for 5th furnace project to their consortium of banks.
- If the completion date is exceeded by a period of 6 months, the loan account will slip into a NPA (Non-Performing Asset) category.
- This situation would have led to bankruptcy of their company as well.
- Thus, to avoid such situation, installation/completion of the 5th furnace has been completed along with CLU converter.

#### **Deliberation by the Committee**

13. The EAC noted the following

- The instant proposal is for Modification cum Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn.

- ii. The EAC noted that M/s. Bihar Foundry & Casting Limited had earlier obtained ToR vide letter dated 24.11.2020 for expansion of the existing unit for manufacturing of Ferro Alloys SiMn / FeMn based on Sub Merged Arc (SAF) technology. Post compliance of ToR, PP applied for EC vide proposal no. IA/JH/IND/223909/2020 dated 23/08/2021 wherein the EAC in its 44th meeting held on 13 – 14th September, 2021 recommended to return the proposal in its present form due to shortcomings.
- iii. The project proponent in the instant application has applied for fresh ToR and decided to come before the committee for appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07.07.2021 pertaining to consideration of violation cases as PP has reported that they have constructed 5th Furnace i.e. New 1x9 MVA SAF & CLU converter is under construction without prior environmental clearance.
- iv. PP has also reported that the Public Hearing for the project was already held on 15/03/2021.
- v. The EAC noted that it is a fit case of violation and to be apprised based on the provisions of the SOP dated 07.07.2021 [Violation Cases]. The Project proponent has to comply all the procedure as laid down in the SOP dated 07.07.2021.
- vi. The EAC has also advised that the Consultant should properly guide to the PP so that such violation has not arisen by the PP.
- vii. The EAC also took into consideration the request of PP submitted through written representation vide letter dated 03.11.2022 for appraisal of the instant proposal as modification/ amendment in TOR granted vide letter No. J-11011/384/2010-IAII(I) dated 24.11.2020 under violation category instead of issuance of fresh TOR.
- viii. Baseline data was earlier collected by previous Consultant M/s. Ampl Environ Pvt Ltd. Hyderabad from 1st December 2019 to 29th February 2020. Subsequently the baseline data has been collected for further period of one month i.e. in May 2022 for Re-validation of Baseline data for preparation of EIA report by M/s. Pioneer Enviro Laboratories & Consultants Pvt. Ltd.
  - In pursuance to MoEF&CC O.M. vide F. No. IA3-22/10/2022-IA.III, dated 8th June 2022, the baseline data shall not be more than three years old at the time of submission of application for consideration of EC. Also, at the time of application for EC, in case baseline data is older than three years, but less than five years old in the case of River valley and HEP Projects, or less than four years old in the case of other projects, the same shall be considered, subject to the condition that it is revalidated with one season fresh non-monsoon data collected after three years of the initial baseline data. The Committee advised the PP to take note of it while submitting the application for EC and if the application is not submitted within the timelines, fresh baseline data for three months shall be collected in pursuance to Ministry's Guidelines.
  - In pursuance to Ministry's OM No. IA3-22/10/2022-IA.III [E 1772581], dated 8th June, 2022 pertaining to Certified Compliance Report (CCR) of the Integrated Regional Office of the Ministry of Environment, Forest and Climate Change/ or concerned authority on the status of compliance of conditions stipulated in all the existing environment clearances including amendments shall be provided. A Certified Compliance Report (CCR) issued by the concerned Authority shall be valid for a period of one year from the date of inspection. The Committee advised the PP to take note of it while submitting the application for EC.
- ix. Further, the EAC observed that the project falls in the Ramgarh district of Jharkhand. Ramgarh is declared as Severely Polluted area (SPA) with CEPI index 65.11 by CPCB vide No. B29012/ESS(CPA)/2015-16/ dated 26th April 2016. The EAC advised PP to comply with all the conditions applicable to CEPI.

- x. Existing EC as well as instant ToR application is in the name of M/s. Bihar Foundry and Castings Limited whereas the Consents obtained from JSPCB is in the name M/s. Gautam Ferro Alloys (Unit of BFCL). PP informed that that they have submitted a request letter to JSPCB for name Change in CTO which is under process.

### **Recommendations of the Committee**

14. After deliberations, the Committee recommended the project proposal for modification in TOR letter No. J-11011/384/2010-IAII(I) dated 24.11.2020 w.r.t. appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07/07/2021 pertaining to consideration of violation cases. All the terms and conditions stipulated in ToR letter no. J-11011/384/2010-IAII(I) dated 24.11.2020 shall remain the same with stipulation of the following specific conditions:

- i. The State Government/SPCB shall take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate to be issued till the project is granted EC.
- ii. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR).
- iii. Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.
- iv. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter (13) in the EIA report by the accredited consultants.
- v. Budget of remediation plan and natural and community resource augmentation plan corresponding to the ecological damage shall be completed within three years and to be prepared accordingly.
- vi. The project proponent shall require to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority.
- vii. Project proponent shall implement penalty provisions i.e., 1% of project cost attributable to the expansion, incurred up to the date of filing of application along with the EIA/EMP report as contained in the paragraph 12 of the Standard Operating Procedure dated 7/07/2021 shall be complied with.
- viii. In pursuance to MoEF&CC OMs dated 31<sup>st</sup> October, 2019 & 30<sup>th</sup> December, 2019 issued in compliance of the order of Hon'ble NGT in OA No. 1038/2018 dated 19<sup>th</sup> August, 2019, the compliance of all the conditions applicable to CEPI shall be prepared. Greenbelt shall be planned in 40% of the project area. CER allocation shall be 1.5 times of the normal calculated amount.
- ix. The project proponent shall obtain name change in Consents (CTE/CTO) for the existing project in the name of M/s. Bihar Foundry and Castings Limited.
- x. The PP shall submit the Action Plan as per Ministry's OM dated 30.09.2020 on the issues raised during the PH. In this instant case the PH was already conducted by the SPCB as per provisions of the EIA Notification, 2006.

xi. The validity of the TOR will be counted from the earlier granted TOR by the Ministry.

**Decision of MoEF&CC**

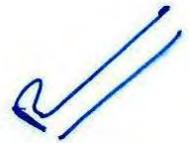
15. The Ministry of Environment, Forest and Climate Change (MoEF&CC) has considered the aforesaid proposal based on the recommendations of the Expert Appraisal Committee (Industry 1) and hereby decided to grant amendment in the ToR dated dated 24.11.2020 w.r.t. appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07/07/2021 pertaining to consideration of violation cases with **stipulation of the specific conditions at Para 14 above and the following condition:**

**The construction/ operation of 5th Furnace which has been constructed/ under construction without prior EC shall be stopped immediately till EC is granted. PP should also ensure that PH has been conducted strictly as per plant configuration provided in the EIA & EMP report/ modified ToR. SPCB shall ensured the same.**

16. All other terms and conditions mentioned in the earlier TOR letter J-11011/384/2010-IAII(I) dated 24.11.2020 shall remain unchanged.

17. The PP shall obtain fresh Terms of Reference in case of change in scope of the project if any.

18. This issues with the approval of the Competent Authority.



(Dr. R. B. Lal)

Scientist 'E'/Additional Director

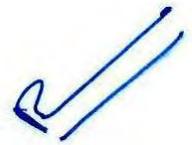
Tele-fax: 011-20819346

[Email-rb.lal@nic.in](mailto:Email-rb.lal@nic.in)

**Copy to: -**

1. The Additional Chief Secretary, Environment & Forests Department, Government of Jharkhand, Secretariat, Nepal House, Doranda, Ranchi-834001.
2. Principal Chief Conservator of Forests and HoFF, Van Bhawan Jharkhand Sate at-Doranda P.O. Doranda, Ranchi-834002 Jharkhand.
3. The Director General of Forest, Ministry of Environment, Forest and Climate Change, New Delhi.
4. The Regional Officer, Ministry of Env., Forest and Climate Change, Integrated Regional Office, Bunglow No. A-2, Shyamali Colony, Ranchi-834002.
5. The Member Secretary, Central Pollution Control Board Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi – 32
6. The Member Secretary, Jharkhand Pollution Control Board, Town Administrative Building, HEC, Dhurwa, Ranchi- 824004.- **The construction/ operation of 5th Furnace which has been constructed/ under construction without prior EC shall be stopped immediately till EC is granted. PP should also ensure that PH has been conducted strictly as per plant configuration provided in the EIA & EMP report/ modified ToR. SPCB shall ensured the same.**
7. Member Secretary, Central Ground Water Authority, Jamnagar House, 18/11, Man Singh Road Area, New Delhi, Delhi 110001

8. Monitoring Cell, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi
9. District Collector, Giridih, Jharkhand
10. Guard File/Monitoring File/ Parivesh Portal /Record File



**(Dr. R. B. Lal)**  
**Scientist 'E'/Additional Director**  
Tele-fax: 011-20819346  
[Email-rb.lal@nic.in](mailto:Email-rb.lal@nic.in)



**F. No. IA-J-11011/384/2010-IA-II(IND-I)**  
**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(Impact Assessment Division)**

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**By Speed Post/Online**

Indira Paryavaran Bhawan  
 Jorbagh Road, New Delhi - 110003

**Dated: 19<sup>th</sup> December, 2022**

To,

**The Additional Chief Secretary,**  
 Environment & Forests Department,  
 Government of Jharkhand, Secretariat,  
 Nepal House, Doranda, Ranchi-834001

**Sub: Modification cum Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry and Casting Limited, located at Plot No.0 1405, Ramgarh Industrial Area, Village Marar, District Ramgarh, Jharkhand - credible action taken against the Project Proponent u/s 19 of the E(P) Act, 1986, as per SOP dated 07.07.2021 – regarding.**

Sir,

This has reference to a proposal No. IA/JH/IND1/400084/2022 dated 21.10.2022 for Amendment in Terms of Reference to the project for Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn by M/s Bihar Foundry and Casting Limited, located at Plot No.0 1405, Ramgarh Industrial Area, Village Marar, District Ramgarh, Jharkhand, as per the provisions of Ministry's OM dated 07.07.2021.

2. The Ministry has issued SOP vide an OM dated 07.07.2021 for appraisal of projects for grant of terms of reference/environmental clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed the product mix without obtaining prior environmental clearance under the EIA Notification, 2006. As per the above said Notification, in cases of violation, action is to be taken against the project proponent by the respective State Government or the State Pollution Control Board under the provisions of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate to be issued till the project is granted environmental clearance.

3. The proposed project activity is listed at schedule no. 3(a) Metallurgical Industries (ferrous & non-ferrous) under Category "A" of the schedule of the EIA Notification, 2006 and appraised at Central Level.

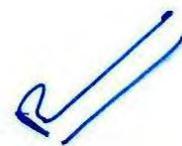
4. Based on the recommendations of EAC, M/s. Bihar Foundry & Casting Limited was granted ToR vide letter no. 11011/384/2010-IAII(I) dated 24.11.2020 for Expansion of Ferro Alloy Plant of existing 2x5 MVA SEAF's to 2x6 MVA SEAF, Modification of existing 1x7.5 MVA SEAF to 1x9 MVA SEAF, Existing 1x9.0 MVA SEAF, New 1x9 MVA SEAF & New 12MT per batch CLU Converter for refining liquid HC FeMn to MC/LC FeMn.

5. Post compliance of ToR, PP applied for EC vide proposal no. IA/JH/IND/223909/2020 dated 23/08/2021 wherein the EAC in its 44th meeting held on 13 – 14th September, 2021 recommended to return the proposal in its present form due to shortcomings.
6. Consequently, the instant proposal for modification of ToR dated 24.11.2020 was considered by the EAC in its 16<sup>th</sup> meeting held during 3<sup>rd</sup> November, 2022 under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures (SOP) dated 07/07/2021 pertaining to consideration of violation cases as the PP has reported that the company has constructed 5th Furnace i.e., New 1 x 9 MVA SAF & CLU converter is under construction without prior environmental clearance.
7. Based on the deliberations made by the EAC, the project proponent vide letter dated 03.11.2022 through email dated 03.11.2022 has requested that instead of appraising the instant proposal for fresh ToR, the said proposal be appraised as modification/ amendment in TOR granted vide letter No. J-11011/384/2010-IAII(I) dated 24.11.2020 under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07/07/2021 pertaining to consideration of violation cases.
8. After deliberations, the Committee **recommended** the project proposal for **modification in TOR letter No. J-11011/384/2010-IAII(I) dated 24.11.2020** w.r.t. appraisal of proposal under violation category as per the provisions contained in the MoEF&CC Standard Operating Procedures dated 07/07/2021 pertaining to consideration of violation cases. All the terms and conditions stipulated in ToR letter no. J-11011/384/2010-IAII(I) dated 24.11.2020 shall remain the same with stipulation of the following specific conditions:
- i. The State Government/SPCB shall take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate to be issued till the project is granted EC.
  - ii. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR).
  - iii. Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.
  - iv. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter (13) in the EIA report by the accredited consultants.
  - v. Budget of remediation plan and natural and community resource augmentation plan corresponding to the ecological damage shall be completed within three years and to be prepared accordingly.
  - vi. The project proponent shall require to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority.
  - vii. Project proponent shall implement penalty provisions i.e., 1% of project cost attributable to the expansion, incurred up to the date of filing of application along with the EIA/EMP report as contained in the paragraph 12 of the Standard Operating Procedure dated 7/07/2021 shall be complied with.

- viii. In pursuance to MoEF&CC OMs dated 31<sup>st</sup> October, 2019 & 30<sup>th</sup> December, 2019 issued in compliance of the order of Hon'ble NGT in OA No. 1038/2018 dated 19<sup>th</sup> August, 2019, the compliance of all the conditions applicable to CEPI shall be prepared. Greenbelt shall be planned in 40% of the project area. CER allocation shall be 1.5 times of the normal calculated amount.
- ix. The project proponent shall obtain name change in Consents (CTE/CTO) for the existing project in the name of M/s. Bihar Foundry and Castings Limited.
- x. The PP shall submit the Action Plan as per Ministry's OM dated 30.09.2020 on the issues raised during the PH. In this instant case the PH was already conducted by the SPCB as per provisions of the EIA Notification, 2006.
- xi. The validity of the TOR will be counted from the earlier granted TOR by the Ministry.

9. The matter was examined in the Ministry and the undersigned has been directed to request the State Government/SPCB to **take the credible action against the Project Proponent u/s 19 of the E(P) Act, 1986, as per SOP dated 07.07.2021. Further, the construction/ operation of 5th Furnace which has been constructed/ under construction without prior EC shall be stopped immediately till EC is granted. PP should also ensure that PH has been conducted strictly as per plant configuration provided in the EIA & EMP report/ modified ToR. SPCB shall ensured the same and submit the compliance report in this regard.**

10. This issues with approval of the competent authority.



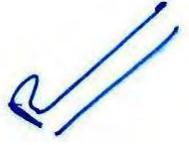
(Dr. R. B. Lal)  
 Scientist 'E'/Additional Director  
 Tele-fax: 011-24695362  
 Email-rb.lal@nic.in

Copy to:-

1. The Member Secretary, Jharkhand Pollution Control Board, Town Administrative Building, HEC, Dhurwa, Ranchi- 824004. (JPCB shall submit the proof of credible action taken against the Project Proponent u/s 19 of the E(P) Act, 1986.)-**The construction/ operation of 5th Furnace which has been constructed/ under construction without prior EC shall be stopped immediately till EC is granted. PP should also ensure that PH has been conducted strictly as per plant configuration provided in the EIA & EMP report/ modified ToR. SPCB shall ensured the same and submit the compliance report in this regard.**
2. M/S Bihar foundry and casting Limited, Plot No.0 1405, Ramgarh Industrial Area, Marar Village, Ramgarh, Jharkhand - 829117. Email: bfc1ferroalloys@gmail.com – **The construction/ operation of 5th Furnace which has been constructed/ under construction without prior EC shall be stopped immediately till EC is granted. PP should also ensure that PH has been conducted strictly as per plant configuration provided in the EIA & EMP report/ modified ToR.**

Copy for information to: -

1. The Regional Officer, Ministry of Env., Forest and Climate Change, Integrated Regional Office, Bunglow No. A-2, Shyamali Colony, Ranchi-834002.
2. The Chairman, Central Pollution Control Board, CBD-Cum-Office Complex, East Arjun Nagar, New Delhi-110 032.
3. Guard File/Monitoring File/Website/Record File/Parivesh Portal.



**(Dr. R. B. Lal)**  
**Scientist 'E'/Additional Director**  
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**Government of India**  
**Ministry of Environment, Forests and Climate Change (MoEF&CC)**  
**Integrated Regional Office - Ranchi**

**MONITORING REPORT**  
**PART I**  
**DATA SHEET**

**File No: 103-325/11/EPE/**

- 1 Project Type : Industry  
 River valley / Mining / Industry /  
 Thermal / Nuclear / Other Specify
- 2 Name of the project : Bihar Foundry & Casting Ltd.  
 (Ferro Alloys Unit)
- 3 a. Clearance letter(s) / OM No. and : J-11011/384/2010-IA-II (I) Dated-  
 dated 31.10.2011  
 b. CTE and CTO : CTE- Memo No. T-551, Dated-  
 24.02.2000 & 2577 Dated- 20.05.2009  
 and PC/NOC/HBZ/288/09/ D-1510 (N)  
 Ranchi Dated- 21.05.2014.  
 CTO- JSPCB/HO/RNC/CTO-  
 4412165/2020/1819 dated 10.11.2020  
 with validity up to 31.12.2025.
- 4 Locations : Industrial Area, Marar, Ramgarh  
 a. Taluk(s) : Mandu  
 District : Ramgarh  
 b. State (s) : Jharkhand-829117  
 c. Latitudes / Longitudes : 23°39'33.79"N 85°30'20.85"E  
 23°39'33.67"N 85°30'24.03"E  
 23°39'25.52"N 85°30'25.28"E  
 23°39'25.35"N 85°30'19.63"E
- 5 Address of correspondence  
 a. Address of concerned project Chief : Shri Gaurav Budhia (Director)  
 Engineer (with Pin Code & : Main Road Ranchi -834001 Jharkhand  
 telephone / telex / fax numbers : Mo. 9631087691  
 Email- bfclgfa@gmail.com  
 b. Address of Executive Project : Shri B.K. Gupta (General Manager -  
 Engineer/ Manager (with Pin : Environment) Industrial Area, Marar  
 Code/fax numbers) : Dist- Ramgarh,  
 Jharkhand-829117  
 Mo. 9955989422  
 Email- bfclgfa@gmail.com
- 6 Salient features:  
 a. Salient features of the project : 2x5 MVA, 1x7.5 MVA and 1x9 MVA  
 Submerged Arc Furnaces  
 b. of the environmental management : Covered in the EIA/EMPs submitted to  
 plans the Ministry of Environment, Forests  
 and Climate Change (MoEF&CC) from  
 time to time for approval at the time of  
 grant of Environmental clearance (EC).
- 7 Breakup of the project area:  
 a Project area : 14 acres (As per the EC accorded).

*Mahab*

- 8 Break up of project affected population with enumeration of those losing houses / dwelling units only, agricultural land only, both dwelling units and agricultural land and landless labourers / artisans  
 a SC,ST/Adivasis : Not Applicable  
 b Others : Not Applicable
- 9 Financial Details:  
 a Project cost as originally planned and subsequent revised estimates and the years of price reference : 20.00 Crores. (As per the EC accorded).  
 b Allocations made for environmental management plans, with item wise and year wise breakup : Rs 2.0 Crore (As per the EC accorded).  
 c Benefit cost ratio / internal rate of return and the years of assessment : Details not furnished  
 d Whether (c) includes the cost of environmental management as shown in (b) above : -  
 e Total expenditure on the Project so far : Details not furnished  
 f Actual expenditure incurred on the environmental management plans so far : April 2019 to Sept 2021  
 Rs.27,252,621.65 (as reported by PP).
- 10 Forest land requirement:  
 a The status of approval for a diversion of forest land for non-forestry use : Not applicable as no forest land is involved (as reported by PP).  
 b The status of compensatory afforestation, if any :  
 c The status of clear felling :  
 d Comments on the viability and sustainability of compensatory afforestation programme in the light of actual field experience so far :
- 11 The status of clear felling in non-forest area (such as submergence area of reservoir, approach road), if any, with quantitative information : Not Applicable (as reported by PP).
- 12 Status of construction:  
 a Date of commencement : 21.05.2014 (as reported by PP).  
 Date of completion (actual and / or planned) : 07.07.2014 (as reported by PP).
- 13 Reasons for the delay if the project is yet to start. : Not Applicable
- 14 Date of site visit:

*Tonahat*

- a The dates on which the project : 02.10.2020  
was monitored by the Regional  
Office on previous occasions, if  
any
- b Date of site visit for this : 05.01.2022  
monitoring report



Photo1: A view of the display board



Photo2: A view of the briquetting unit



Photo3: A view of tarpaulin covered raw material



Photo 4: A view of the green belt along the boundary



Photo 5: A view of rain water recharge pit



Photo6: A view of the coal kept in covered shed.

*Tonahat*

**PART-II&III**  
**DESCRIPTIVE REPORT ON STATUS OF COMPLIANCE TO THE CONDITIONS OF**  
**THE ENVIRONMENTAL CLEARANCE AND ENVIRONMENTAL MANAGEMENT**

Subject: Expansion of Ferro Alloy Plant by Installing SAF (9MVAx1=40TPD) for manufacture of Ferro Silicon/Ferro-Manganese at Plot no 1405, Ramgarh Industrial Area Marar District Ramgarh, Jharkhand by M/s Bihar Foundry and Casting Ltd.

Reference: EC letter no. J-11011/384/2010-IA-II (I) dated 31.10.2011.

**PRESENT STATUS OF THE PROJECT**

Ministry of Environment, Forests and Climate Change accorded Environmental Clearance vide letter no. J-11011/384/2010-IA-II(I) dated: 31.10.2011 to M/s Bihar Foundry and Casting Ltd. for Expansion Ferro Alloy Plant by Installing SAF (9MVAx1=40TPD) for manufacture of Ferro Silicon/Ferro-Manganese at Plot no 1405, Ramgarh Industrial Area Marar District Ramgarh, Jharkhand. The above project was monitored by the Integrated Regional Office Ranchi on 05.01.2022 along with the following representatives of the PP:

- i. Mr Anant Seth, Vice President
- ii. Mr. Ganapati Verma GM Production
- iii. Mr Vinay Gupta, GM Environment

As per the Environmental Clearance accorded vide letter dated 31.10.2011 details of existing and proposed expansion facilities indicated are as follows.

Sl No	Name of the Project	Existing	Proposed Expansion
1	Ferro Alloy (2x5MVA)	26 TPD (Silico Manganese)	--
2	Ferro Alloy (7.5MVA)	30 TPD (Silico Manganese)	--
3	Ferro Alloy (9MVAx1)	--	40 TPD (Ferro silicon/ Ferro manganese)

During visit five SAF has been observed at the site. Four was in operation and one said to be in maintenance. The report is submitted on the basis of field visit and as per the information provided by the Project Proponent. The status of compliance on the stipulated conditions contained in the EC cited above is given below:

SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE
01.	Compliance to all the specific and general conditions stipulated for the existing plant by the Central/State Government shall be ensured and regular reports submitted to the Ministry's Regional Office at	<b>BEING COMPLIED</b> Six Monthly compliance for the period April 2021 to September 2021 has been submitted to the Integrated Regional Office vide email dated 26.11.2021.

*Trachab*

SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE
	Ranchi/SPCB.	
02.	No charcoal shall be used as fuel. Pet coke shall be used as fuel instead of charcoal from unknown sources.	<b>PARTIALLY COMPLIED</b> Charcoal has not been observed to be used as fuel. However, project authority using pearl coke and coal in place of pet coke.
03.	Continuous monitoring facilities for all the stacks and sufficient air pollution control equipments viz. fume extraction system with bag filters, ID fan and stack of adequate height to submerged arc furnace shall be provided to control emissions below 50 mg/Nm <sup>3</sup> .	<b>PARTIALLY COMPLIED</b> Two stack has been provided for the four furnace. One furnace has not been connected to stack. Continuous monitoring facility has been provided for particulate matter for two stack. Fume extraction system with bag filter has been provided. During visit stack emission observed to be less than 50 mg/Nm <sup>3</sup> . However, fumes were found to be escape sideways also which indicate inefficient fume extraction system.
04.	The National Ambient Air Quality Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16 <sup>th</sup> November, 2009 shall be followed.	<b>BEING COMPLIED</b> Ambient air quality monitoring data has been furnished for twelve parameter, vide report dated 25.11.2021. The parameters are within NAAQS.2009.
05.	Secondary fugitive emissions from all the sources shall be controlled within the latest permissible limits issued by the Ministry and regularly monitored. Guidelines / Code of Practice issued by the CPCB shall be followed.	<b>BEING COMPLIED</b> Coal was found to be kept in covered shed. Raw materials were mostly covered with tarpaulin. Fugitive emission monitoring data dated 20.11.2021 has been furnished. Data reported to be 476.59µg/M3 and 479.12 µg/M3.
06.	Regular monitoring of influent and effluent surface, sub-surface and ground water shall be ensured and treated wastewater shall meet the norms prescribed by the State Pollution Control Board or described under the Environment (Protection) Act, 1986 whichever are more stringent. Leachate study for the effluent generated and analysis shall also be regularly carried out and report submitted to the Ministry's Regional Office at Ranchi, SPCB and CPCB.	<b>BEING COMPLIED</b> Cooling water has been recycled. Ground water monitoring has been done from the bore well, and monitoring data dated 20.11.2021 has been furnished. Leachate analysis data of dated 20.11.2021 has been furnished.
07.	The total water requirement shall not exceed 35 m <sup>3</sup> /day and prior Permission to draw the water from Competent Authority shall be obtained. Zero' effluent discharge	<b>BEING COMPLIED</b> As per the environmental statement for the year 2020-21, water consumption reported to be 35m <sup>3</sup> /day. Bore well was found to be fitted with water meter.

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SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE
	shall be strictly followed and no wastewater shall be discharged outside the premises.	Approval has been obtained from CGWA vide letter no CGWA/NOC/IND/ORIG/2021/10628 dated-02.01.2021 which is valid up to 01.01.2024. Cooling water has been re-circulated.
08.	Efforts shall be made to make use of rain water harvested. If needed, capacity of the reservoir should be enhanced to meet the maximum water requirement. Only balance water requirement should be met from other sources.	<b>BEING COMPLIED</b> Rain water recharge pit has been constructed. Approval has been obtained from CGWA for withdrawal of ground water vide letter no CGWA/NOC/IND/ORIG/2021/10628 dated 02.01.2021 which is valid up to 01.01.2024.
09.	Slag produced in Ferro Manganese (Fe-Mn) production shall be used in manufacture of Silico Manganese (Si-Mn). All the other ferro alloy slag shall be used in the preparation of building materials.	<b>BEING COMPLIED</b> As per the production data furnished presently only ferro manganese are being produced. It was informed that ferro manganese slag are being sized and sent to jigging plant for extraction of metals and remaining slag sold to silico manganese manufacturing unit.
10.	Risk and Disaster Management Plan along with mitigation measures should be prepared and a copy submitted to the Ministry's Regional Office at Ranchi, SPCB and CPCB within three months of issue of environment clearance letter.	<b>PARTIALLY COMPLIED</b> A copy of approved Risk and Disaster Management Plan for one SAF has been furnished. Risk and Disaster Management Plan as per the capacity of the unit need to be furnished.
11.	As proposed, green belt shall be developed in at least 33 % of the project area. Selection of plant species shall be as per the CPCB guidelines in consultation.	<b>PARTIALLY COMPLIED</b> Plantation has been observed in patches, not all along the boundary as per CPCB norms.
12.	At least 5% of the total cost of the project should be earmarked towards the Enterprise Social Commitment based on locals need and item-wise details along with time bound action plan should be prepared and submitted to Ministry's Regional Office at Ranchi. Implementation of such program shall be ensured accordingly in a time bound manner.	<b>BEING COMPLIED</b> As per the EC accorded total cost of the project is Rs. 20.00 crores. 5% of that is Rs. 1.00 crores. Project authority reported an expenditure of Rs. 128.763 Lakhs from April 2018 to August 2021 on health, education, medical, social work etc.
13.	The company shall provide housing for construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, safe drinking	<b>PLEASE REFER BELOW</b> During visit the industry was in operation. Condition can't be verified at present.

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SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE															
	water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.																
14.	The Company shall submit within three months their policy towards Corporate Environment Responsibility which should inter-alia address (i) Standard operating process/ procedure to being into focus any infringement/deviation/violation of environmental or forest norms/conditions, (ii) Hierarchical system or Administrative order of the Company to deal with environmental issues and ensuring compliance to the environmental clearance conditions and (iii) System of reporting of non compliance/violation environmental norms to the Board of Directors of the company and/or stakeholders or shareholders.	<b>BEING COMPLIED</b> Project Proponent furnished a copy of the environment policy of Gautam Ferro Alloy unit of BFCL. The policy inter-alia includes sustainability, control of air pollution, control of water pollution, solid waste management, implementation of policy, annual environmental budget etc.															
<b>B. GENERAL CONDITIONS:</b>																	
01	The project authorities must strictly adhere to the stipulations made by the Jharkhand State Pollution Control Board and the State Government	<b>BEING COMPLIED</b> Consent to Establish has been obtained vide letter no. T-551 dated 24.12.2000, Memo No. - 2577 dated 20.05.2009 and Memo no. PC/NOC/HBG/288/09/D-1510(N) dated 21.05.2014. Consent to Operate has been obtained vide letter no. JSPCB/HO/RNC/CTO-4412165/2020/1819 dated 10.11.2020 for Ferro Alloy Silico/Manganese - 96 TPD with a validity up to 31.12.2025.															
02	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment and Forests.	<b>NOT COMPLIED</b> During visit five SAF has been observed at the site. Four SAF was in operation and one said to be in maintenance. As per the EC accorded four SAF with 96 TPD ferro silicon/ ferro manganese has been indicated. Production reported has been tabulated below: <table border="1" data-bbox="868 2102 1425 2274"> <thead> <tr> <th>Year</th> <th>Fe-Si</th> <th>Fe-Mn</th> </tr> </thead> <tbody> <tr> <td>2017-18</td> <td>32215.610</td> <td>00</td> </tr> <tr> <td>2018-19</td> <td>30146.060</td> <td>00</td> </tr> <tr> <td>2019-20</td> <td>21511.995</td> <td>9666.605</td> </tr> <tr> <td>2020-21</td> <td>6034.5</td> <td>21998.971</td> </tr> </tbody> </table>	Year	Fe-Si	Fe-Mn	2017-18	32215.610	00	2018-19	30146.060	00	2019-20	21511.995	9666.605	2020-21	6034.5	21998.971
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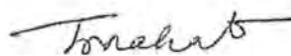
*Jonabab*

SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE		
		2021-22 (6M)	0000	17606.190
03	The gaseous emissions from various process units shall conform to the load/mass based standards notified by this Ministry on 19 <sup>th</sup> May, 1993 and standards prescribed from time to time. The State Board may specify more stringent standards for the relevant parameters keeping in view the nature of the industry and its size and location.	<b>BEING COMPLIED</b> During visit stack emission observed to be less than 50 mg/Nm <sup>3</sup> . Fugitive emission monitoring data dated 20.11.2021 has been furnished. Data reported to be 476.59 µg/M3 and 479.12 µg/M3.		
04	At least four ambient air quality monitoring stations should be established in the downward direction as well as where maximum ground level concentration of PM <sub>10</sub> , SO <sub>2</sub> and NO <sub>x</sub> are anticipated in consultation with the SPCB. Data on ambient air quality and stack emission shall be regularly submitted to this Ministry including its Regional Office at Ranchi and the SPCB / CPCB once in six months.	<b>PARTIALLY COMPLIED</b> Ambient air quality monitoring data of four location has been furnished to Regional Office. However, details of consultation with the SPCB for installation of Ambient Air Quality stations needs to be furnished.		
05	Industrial wastewater shall be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19 <sup>th</sup> May, 1993 and 31 <sup>st</sup> December, 1993 or as amended from time to time. The treated wastewater shall be utilized for plantation purpose.	<b>PARTIALLY COMPLIED</b> Cooling water recycle through cooling tower and storage tank. However, proper collection and treatment of runoff rain water from the raw materials storage area needs to be done.		
06	The overall noise levels in and around the plant area shall be kept well within the standards (85 dBA) by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels should conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (daytime) and 70 dBA (nighttime).	<b>BEING COMPLIED</b> As per the noise level Monitoring data furnished for dated 20.11.2021 Noise level varies from 74.0 dBA to 48.1 dBA during day time and 58.6 dBA to 49.2 dBA during night time.		
07	Occupational health surveillance of the workers should be done on a regular basis and records maintained as per the Factories Act.	<b>PARTIALY COMPLIED</b> Project Proponent reported in the submitted six monthly compliance that Periodical medical examinations of employees are organized as per factory act. Project Proponent has furnished fifteen medical checkup records.		

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SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE
		However, occupational health surveillance of the worker needs to be carried out regularly.
08	The company shall develop surface water harvesting structures to harvest the rain water for utilization in the lean season besides recharging the ground water table.	<b>PARTIALLY COMPLIED</b> Ground water recharge structure has been constructed; however, surface water harvesting structure needs to be constructed.
09	The project proponent shall also comply with all the environmental protection measures and safeguards recommended in the EIA/EMP report. Further, the company must undertake socio-economic development activities in the surrounding villages like community development programmes, educational programmes, drinking water supply and health care etc.	<b>PARTIALLY COMPLIED</b> Status of environmental protection measure has already been depicted in the environmental clearance conditions. EIA/EMP has not been available at IRO Ranchi. Protection measure such as to channelize the fume through the stack, dust extraction system in raw material unloading area, rain water storage pond, etc needs to be implemented. Project authority reported an expenditure of Rs. 128.763 Lakhs from April 2018 to August 2021 on health, education, medical social work etc.
10	Requisite amount shall be earmarked towards capital cost and recurring cost/annum for environment pollution control measures to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government. An implementation schedule for implementing all the conditions stipulated herein shall be submitted to the Regional Office of the Ministry at Ranchi. The funds so provided shall not be diverted for any other purpose.	<b>BEING COMPLIED</b> As per the EC accorded Rs. 2.00 crores has been allotted for environmental management and pollution control measure as capital cost for pollution. PP reported an expenditure of Rs 27252623.62 from April 2019 to September 2021.
11	A copy of clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/Municipal Corporation, Urban Local Body and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the web site of the company by the proponent.	<b>BEING COMPLIED</b> EC letter has been uploaded at the website. A letter has furnished from ward parsad, Ramgarh indicating receipt of Environmental clearance of M/s Bihar Foundry and Casting Limited.
12	The project proponent shall upload the status of compliance of the	<b>BEING COMPLIED</b> Six monthly compliance for the period

SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE
	stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the MOEF at Ranchi. the respective Zonal Office of CPCB and the CECB. The criteria pollutant levels namely; PM10, SO <sub>2</sub> , NO <sub>x</sub> (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.	Apr21 to Sep21 has been furnished to IRO Ranchi vide email dated 26.11.2021 and uploaded on the website of the company. Display board has been provided at the main gate to display the online stack particulate monitoring data and online PM10 monitoring data.
13	The project proponent shall also submit six monthly reports on the status of the compliance of the stipulated environmental conditions including results of monitored data (both in hard copies as well as by e-mail) to the Regional Office of MOEF, the respective Zonal Office of CPCB and the SPCB. The Regional Office of this Ministry at Ranchi/ CPCB / SPCB shall monitor the stipulated conditions	<b>BEING COMPLIED</b> Six monthly compliance for the period Apr21 to Sep21 has been furnished to IRO Ranchi vide email dated 26.11.2021.
14	The environmental statement for each financial year ending 31 <sup>st</sup> March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental conditions and shall also be sent to the respective Regional Offices of the MOEF at Ranchi by e-mail.	<b>BEING COMPLIED</b> Environmental statement has been submitted to IRO Ranchi vide email dated 06.08.2021 and uploaded on the website.
15	The Project Proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the SPCB and may also be seen at Website of the Ministry of	<b>COMPLIED</b> As per the document furnished advertisement regarding accord of Environmental clearance has been published in the Ranchi express and Sunmarg on 04.11.2011



SL NO	A. SPECIFIC CONDITIONS	STATUS OF COMPLIANCE
	Environment and Forests at <a href="http://envfor.nic.in">http://envfor.nic.in</a> . This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same should be forwarded to the Regional office at Ranchi.	
16	Project authorities shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of commencing the land development work.	<b>COMPLIED</b> The date of financial closure for Silico/Ferro manganese reported as 01 <sup>st</sup> June 2014, and date of start of construction of 40 TPD furnace reported to be 21 <sup>st</sup> May 2014.

**Comments and End note:-Status of implementation of stipulated conditions:** - It is inferred from above that following are the non-compliances observed against the stipulated conditions of the Environmental Clearance

**Following condition is not complied**

1. (General Condition ii) During visit five SAF has been observed at the site. Four SAF was in operation and one said to be in maintenance. As per the EC accorded four SAF with 96 TPD ferro silicon/ ferro manganese has been indicated. Production reported has been tabulated below:

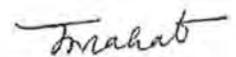
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2019-20	21511.995	9666.605
2020-21	6034.5	21998.971
2021-22 (6M)	0000	17606.190

**Following condition are partially complied**

- (Specific condition ii) Charcoal has not been observed to be used as fuel. However, project authority using pearl coke and coal in place of pet coke.
- (Specific condition iii) Two stack has been provided for the four furnace. One furnace has not been connected to stack. Continuous monitoring facility has been provided for particulate matter for two stack. Fume extraction system with bag filter has been provided. During visit stack emission observed to be less than 50 mg/Nm<sup>3</sup>. However, fumes were found to be escape sideways also which indicate inefficient fume extraction system.

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3. (Specific Condition x) A copy of approved Risk and Disaster Management Plan for one SAF has been furnished. Risk and Disaster Management Plan as per the capacity of the unit needs to be furnished.
4. (Specific Condition xi) Plantation has been observed in patches, not all along the boundary as per CPCB norms.
5. (General Condition iv) Ambient air quality monitoring data of four location has been furnished to Regional Office. However, details of consultation with the SPCB for installation of Ambient Air Quality stations need to be furnished.
6. (General Condition v) Cooling water recycle through cooling tower and storage tank. However, proper collection and treatment of runoff rain water from the raw materials storage area needs to be provided.
7. (General Condition vii) Project Proponent reported in the submitted six monthly compliance that Periodical medical examinations of employees are organized as per factory act. Project Proponent has furnished fifteen medical checkup records. However, occupational health surveillance of the worker needs to be carried out regularly.
8. (General Condition viii) Ground water recharge structure has been constructed; however, surface water harvesting structure need to be constructed.
9. (General Condition ix) Status of environmental protection measure has already been depicted in the environmental clearance conditions. EIA/EMP has not been available at IRO Ranchi. Protection measure such as to channelize the fume through the stack, dust extraction system in raw material unloading area, rain water storage pond, etc has not been implemented. Project authority reported an expenditure of Rs. 128.763 Lakhs from April 2018 to August 2021 on health, education, medical social work etc.



(Dr. T.H. Mahato)  
Scientist 'D'

**Government of India**  
**Ministry of Environment, Forests and Climate Change (MoEF&CC)**  
**Integrated Regional Office – Ranchi**  
**MONITORING REPORT**  
**PART I**  
**DATA SHEET**

File No. 103-325/11/EPE

1		Project Type	Industry
2		Name of the project	Bihar Foundry & Castings Ltd. Unit: Gautam Ferro Alloys
3	a.	Clearance letter(s) / OM No. and dated	J-11011/384/2010-IA-II (I) Dated-31.10.2011
4		<u>Locations</u>	Industrial Area Marar
	a.	Taluk(s) District	Mandu Ramgarh
	b.	State (s)	Jharkhand-829117
	c.	Latitudes / Longitudes	23°39'33.79"N 85°30'20.85"E 23°39'33.67"N 85°30'24.03"E 23°39'25.52"N 85°30'25.28"E 23°39'25.35"N 85°30'19.63"E
5		<u>Address of correspondence</u>	
	a.	Address of concerned project Chief Engineer (with Pin Code & telephone / telex / fax numbers)	Shri Gaurav Budhia (Director) Main Road Ranchi -834001 Jharkhand Mo. 9631087691 Email- bfcgfa@gmail.com
	b.	Address of Executive Project Engineer/ Manager (with Pin Code/fax numbers)	Shri S.P. Mishra (General Manager -Environment) Industrial Area Marar Dist- Ramgarh, Jharkhand-829117 Mo. 9534141224 Email- bfcgfa@gmail.com
6		<u>Salient features:</u>	
	a.	Salient features of the project	1. 2x5 MVA Submerged Arc Furnaces 2. 1x 7.5 MVA Submerged Arc Furnaces 3. 1x9 MVA Submerged Arc Furnaces
	b.	of the environmental management plans	As per project proponent, Ferro Alloys Complex-: Ferro Alloys unit (1x 7.5 MVA Submerged Arc Furnaces) (1x9 MVA Submerged Arc Furnaces) Bag filter along with Fume dust extraction system already installed. Ferro Alloys unit (2x5 MVA Submerged Arc furnaces) Bag filter along with Fume dust extraction system already installed. All environmental Monitoring reports such as, Ambient Air Quality, water quality, Stack Emission, Fugitive Emission & Noise monitoring by NABL accredited laboratory
7		<u>Breakup of the project area:</u>	
	a	Project area	14 Acre as per EC

8		Break up of project affected population with enumeration of those losing houses / dwelling units only, agricultural land only, both dwelling units and agricultural land and landless labourers / artisans	That unit is located in notified industrial area Marar Dist Ramgarh Jharkhand. This clause is not relevant.	
	a	SC,ST/Adivasis	Not Applicable	
	b	Others	Not Applicable	
9		<u>Financial Details:</u>		
	a	Project cost as originally planned and subsequent revised estimates and the years of price reference	20.00 Cr. As per EC	
	b	Allocations made for environmental management plans, with item wise and year wise breakup	Rs. 40.00 Lakh (Includes the cost of Chimany, Bag filter & online monitoring system etc.)	
	c	Benefit cost ratio / internal rate of return and the years of assessment	Details not provided	
	d	Whether (c) includes the cost of environmental management as shown in (b) above	Details not provided	
	e	Total expenditure on the Project so far	20.00 Cr.	
	f	Actual expenditure incurred on the environmental management plans so far	45.00 Lakhs	
10		<u>Forest land requirement:</u>	Project proponent stated that not applicable as no forest land is acquired for the project.	
	a	The status of approval for a diversion of forest land for non-forestry use		
	b	The status of compensatory afforestation, if any		
	c	The status of clear felling		
	d	Comments on the viability and sustainability of compensatory afforestation programme in the light of actual field experience so far		
11		The status of clear felling in non-forest area (such as submergence area of reservoir, approach road), if any, with quantitative information	Not relevant.	As per project proponent
12		<u>Status of construction:</u>		
	a	Date of commencement	2009	
		Date of completion (actual and / or planned)	07.07.2014	
13		Reasons for the delay if the project is yet to start.	Not relevant, Project is running	
14		<u>Date of site visit:</u>		
	a	The dates on which the project was monitored by the Regional Office on previous occasions, if any	14.02.2017	
	b	Date of site visit for this monitoring report	02.10.2020	

PART – II

Descriptive report on status of compliance to conditions of environmental clearance

1.	Project type	Industry
2.	Name of the project	Bihar Foundry & Castings Ltd. Unit: Gautam Ferro Alloys
3.	No & date of Environmental Clearance	F. No. J-11011/384/2010-IA-II (I) Dated-31.10.2011
4.	Address for correspondence	
	(a) Project Office	Shri Gaurav Budhia (Director) Main Road Ranchi -834001 Jharkhand Mo. 9631087691 Email- bfclgfa@gmail.com
	(b) Corporate Office	Shri S. P. Mishra (General Manager - Environment) Industrial Area Marar Dist- Ramgarh, Jharkhand-829117 Mo. 9534141224 Email- bfclgfa@gmail.com
5.	Date of site visits :	
	(a) Dates of earlier monitoring	14.02.2017
	(b) Date of monitoring	02.10.2020

The project was visited on 02.10.2020 along with Mr. Anant Shet (Vice President operation), Mr. S.P. Mishra (G.M. Environment) Mr. Arjun (Environment Officer) and Dr. S.C. Jain (Consultant). Based on the site visit, documents provided and discussion held with project officials, the point-wise status of compliance to the various environmental clearance conditions, are as follows.

SL. No.	CONDITIONS	STATUS OF COMPLIANCE
<b>A. SPECIFIC CONDITIONS :</b>		
i.	Compliance to all the specific and general conditions stipulated for the existing plant by the Central / State Govt. shall be ensured and regular reports submitted to the Ministry and its Regional Office at Ranchi / SPCB.	<b>Being complied:</b> Currently project proponent is being submitted half yearly compliance report on regular intervals to this IRO Ranchi.
ii.	No charcoal shall be used as fuel. Pet coke shall be used as fuel instead of charcoal from unknown sources.	<b>Partially complied:</b> Project proponent stated that they have been using Electric Arc Furnace for running of the plant. There is no use of charcoal / pet coke as fuel. <b>Project authorities have been using pearl coke instead of pet coke. At the project site huge amount of charcoal dumps and dry wood was observed which are also being used as fuel.</b> (Photo- 5&6)
iii.	Continuous monitoring facilities for all the stacks and sufficient air pollution control equipments viz. fume extraction system with bag filters, ID fan and stack of adequate height to submerged arc furnace shall be provided to control emissions below 50mg / nm <sup>3</sup> .	<b>Partially complied:</b> Project proponent proponent informed that they have installed one stack online emission monitoring system and another stack it is in process and data is being transmitted to CPCB and JSPCB servers. <b>On the date of project site visit it was observed that there are two stack installed in the project. Stack no. 2</b>

		<p>online emission monitoring system was observed and stack no. 1 is not yet connect with online monitoring system. Both stacks data are yet to be linked to JSPCP server, despite lapse of 9 years of grant of EC in 2011. Recently on 07.10.2020 project proponent has sent some online emission monitored data sheet generated to JSPCB and CPCB. Project proponent should give an explanation on this regards.</p>
iv.	<p>The National Ambient Air Quality Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16<sup>th</sup> November, 2009 shall be followed.</p>	<p><b>Partially complied:</b> Project proponent ensured that the National Ambient Air Quality Standards issued by the Ministry vide G.S.R. No. 826 (E) dated 16th November, 2009 is being followed. Ambient air quality monitored reports submitted by project authorities are within the prescribed standards which were monitored by Institute for Environmental Management, Eco Enviro Lab recognized by NABL and JSPCB. <b>It was observed that project proponent has not installed any kind of device to detect if any variation in parameter beyond the limit immediately received notification from server through SMS or mail.</b></p>
v.	<p>Secondary fugitive emission from all the sources shall be controlled within the latest permissible limits issued by the Ministry and regularly monitored. Guidelines /code of practice issued by the CPCB shall be followed.</p>	<p><b>Partially complied:</b> Project proponent stated that to control secondary fugitive emission provision has been made for regular water sprinkling by a water tankers and pipe sprinklers laid near areas prone to air pollution. The submitted monitored data of fugitive emissions in the plant premises which was found within the limits. <b>The secondary fugitive emission data was monitored by Institute for Environmental Management, Eco Enviro Lab recognized by NABL and JSPCB. Project proponent should have submitted a copy of letter certifying that Institute for Environmental Management, Eco Enviro Lab is NABL accredited. At the project site it was observed that installed Fume Extraction System was inadequate to control fume and dust. Profuse smog was observed inside the industry premises. (Photos-1&amp;2). Inside the industrial premises most of the pathways are neither black topped nor properly paved / concreted creating muddy condition in wet season and dusty in dry season. This location needs fixed water sprinklers, dust extractors system and sweep vacuums. Vehicular movement through this area is additional cause for spread of dust pollution. The industry wastage was</b></p>

		haphazardly placed, in the project sites indicative of poor housekeeping, (photo-8). A copy of water tankers log book signed by authorized signatory must be submitted to this IRO, Ranchi
vi.	Regular monitoring of influent and effluent surface, sub-surface and ground water shall be ensured and treated wastewater shall meet the norms prescribed by the state pollution control board or described under the Environment (Protection) Act, 1986 whichever are more stringent. Leachate study for the effluent generated and analysis shall also be regularly carried out and report submitted to all the Ministry's Regional office at Ranchi SPCB and CPCB.	Partially complied: Project proponent has been submitted waste water test reports and ground water test reports of surrounding bore well area of the industry which were analyzed by third party and data were found in within the limit. The data were monitored by <i>Institute for Environmental Management, Eco Enviro Lab recognized by NABL and JSPCB. Project proponent should have submitted a copy of letter certifying that Institute for Environmental Management, Eco Enviro Lab is NABL accredited. Same as mentioned in the general condition no. v.</i>
vii.	The total water requirement shall not exceed 35m <sup>3</sup> /day. Permission to draw the water from competent Authority shall be obtained. Zero, effluent discharge shall be strictly followed and no wastewater shall be discharge outside the premises.	Not complied yet: The project proponent has been using ground water without obtaining the approval from competent authority as on date and it was informed that their application (no. 21-4/590/JH/IND/2019 dated 01.10.2019) still under process. The water flow meters along with running hours meters have not been installed in 4 nos. of bore well point and the daily water consumption has not been monitored. At present project proponent is being using river water from Damodar river without obtaining the approval from competent authority despite lapse of 9 years of grant of EC in 2011. Such in ordinate pendency of this matter is objectionable. It was observed that surface drainage system was not yet constructed. (photo-7). Industrial waste water contained in the surface water where zero discharge process has not been strictly followed by project proponent.
viii.	Efforts shall be made to make use of rain water harvested. If needed, capacity of the reservoir should be enhanced to meet the maximum water requirement. Only balance water requirement should be met from other sources.	Partially complied: At the project site there are three rain water collected pits and allowed to be collected in the lowest level sumps to augment the ground water resources gradually. The rain water harvesting plan is not a Government approved one. Project proponent should not allow oil / grease or ore/mineral water to percolate inside the water harvesting structure.
ix.	Slag produced in Ferro Manganese (Fe-Mn) production shall be used in manufacture of Silico Manganese (Si-Mn). All the other ferro alloy slag shall be used in the preparation of building materials.	Partially complied: The slag is crushed in the crusher the magnetic particles are removed and recycle in the furnace. Non ferrous particles used in the filling of low laying area. The monitoring of heavy metal such/as, Pb, As, Ni

Approval from SPCB for  
Back filling in a designated  
Area ? CERI guidelines

		etc. has been done and submitted. Project proponent should have submitted the year wise slag production data, quantity of recycled in the furnace and non ferrous particles used in the preparation of building materials to this IRO, Ranchi at the earliest.																		
x.	Risk and Disaster management plan along with mitigation measures, should be prepared and a copy submitted to the Ministry's regional Office at Ranchi, SPCB and CPCB within three months of issue of environment clearance letter.	<b>Not complied yet:</b> As per submitted documents by project proponent stated that the disaster management plan a copy has been submitted to the Ministry of Regional office at Ranchi, Jharkhand SPCB and CPCB. <b>However, the Risk and Disaster Management plan along with mitigation measures is not approved by concerned Government authority.</b>																		
xi.	As proposed, green belt shall be developed in at least 33% of the project area. Selection of plant species shall be as per the CPCB guidelines in consultation with the DFO.	<p><b>Partially complied:</b> As per the submitted six monthly report by project proponent stated that plantation programme is being carried out regularly. Plant species are selected as per CPCB guidelines. Year wise plantation data and numbers of survival of plants are given here;</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Total plantation (nos.)</th> <th>Survival (nos.)</th> </tr> </thead> <tbody> <tr> <td>2015-2016</td> <td>478</td> <td>272</td> </tr> <tr> <td>2016-2017</td> <td>606</td> <td>408</td> </tr> <tr> <td>2017-2018</td> <td>546</td> <td>284</td> </tr> <tr> <td>2018-2019</td> <td>536</td> <td>295</td> </tr> <tr> <td>2019-2020</td> <td>556</td> <td>354</td> </tr> </tbody> </table> <p>At the project site it was observed that as requisite, the Green Belt plantation (33%) has not yet been completely developed along the periphery of the campus. Some tree plantation has been done surrounding the project site, (photo- 7) which is inadequate as per the stipulation. There is scope for development of green belt in most of the areas of the project which should be undertaken at the earliest. To reduce air pollution in the project areas, some high value index air pollution tolerant species (i.e., <i>Ficus bengalensis</i>, <i>Cassia siamea</i>, <i>Mangifera indica</i>, <i>Alstonia scholaris</i>, <i>Toona ciliate</i> etc.) should also be planted in the periphery of the campus and other available areas in project to prevent and reduce the dust pollution.</p>	Year	Total plantation (nos.)	Survival (nos.)	2015-2016	478	272	2016-2017	606	408	2017-2018	546	284	2018-2019	536	295	2019-2020	556	354
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xii.	At least 5% of the total cost of the project should be earmarked towards the Enterprise Social Commitment based on locals need and item-wise details along with time bound action plan should be prepared and submitted to Ministry's regional	<b>Partially complied:</b> As per the submitted six monthly report by project proponent stated that 5% of the project cost has been spent towards Enterprise Social Commitment. During the period 2018-2019 an amount of expenditure made of Rs.																		

	Office at Ranchi. Implementation of such program shall be ensured accordingly in a time bound manner.	20, 75,000/- and in the year 2019-2020 was made of Rs. 625,791/-. Project proponent has been submitted some copies of news paper published activity conducted on Enterprise Social Commitment. The head of expenditure made are given below. <ol style="list-style-type: none"> <li>1. Environment</li> <li>2. Health programme</li> <li>3. Education</li> <li>4. Public family</li> </ol> Project proponent has not shown the activities carried out on Enterprise Social Commitment programme during the time of site visit. The detail of the approved Enterprise Social Commitment (ESC) plan was not yet uploaded on the company website and also not yet submitted to IRO Ranchi. Third party evaluation of ESC activity should also be submitted.
xiii.	The company shall provide housing for construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, safe drinking water medical health care crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.	<b>Complied</b> : As per the project authorities this condition is being complied with.
xiv.	The company shall submit within three months their policy towards corporate Environment Responsibility which should inter-alia address (i) Standard operating process / procedure to bring into focus any infringement / violation of environmental or forest norms/conditions, (ii) Hierarchical system or Administrative order of the company to deal with environmental issues and ensuring compliance to the environmental clearance conditions and (iii) System of reporting of non compliance/violation environmental norms to the Board of directors of the company and/or stakeholder or shareholders.	<b>Not complied yet:</b> The project authorities have submitted vide their ref 2016-17/1543 dated 31.01.2017 some steps towards corporate environmental responsibility (CER). <b>During the site visit discussion with project officials stated that Corporate Environment Responsibility (CER) plan is yet to be prepared which they have not been doing despite being pointed out in the previous monitoring report on 14.02.2017.</b>
<b>B. GENERAL CONDITIONS:</b>		
i.	The project authorities must strictly adhere to the stipulations made by the Jharkhand Pollution Control Board (JPCB) and the State Government	<b>Partially complied:</b> Project proponent stated that all the stipulations made by Jharkhand state pollution control board (JSPCB) is being followed. The CTO has been issued by JSPCB vide letter no. JSPCB/HO/RNC/CTO-571493/2016/686 on dated 26.09.2016 which is valid up to 31.12.2020 and same is being submitted to RO, Ranchi. <b>It was observed that some condition given in the CTO have not complied as yet.</b>

ii.	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment and Forests.	<p><b>Partially complied:</b> Project proponent stated no further Expansion / Modification done without prior permission of MoEFCC, Govt. of India. Project proponent has been submitted year wise production details during the year 2016 to January 2020, which are as follows.</p> <table border="1" data-bbox="889 572 1523 1239"> <thead> <tr> <th>Year wise</th> <th>Production</th> <th>Quantity in (MT)</th> <th>Raw material consumption</th> <th>Quantity in MT</th> </tr> </thead> <tbody> <tr> <td rowspan="3">2016-2017</td> <td rowspan="3">Ferro Manganese/Silico Manganese</td> <td rowspan="3">22840.42</td> <td>Mn ore</td> <td>28518.387</td> </tr> <tr> <td>Coke</td> <td>8011.559</td> </tr> <tr> <td>Coal</td> <td>980.128</td> </tr> <tr> <td rowspan="3">2017-2018</td> <td rowspan="3">Ferro Manganese/Silico Manganese</td> <td rowspan="3">32215.61</td> <td>Mn ore</td> <td>65473.565</td> </tr> <tr> <td>Coke</td> <td>17726.185</td> </tr> <tr> <td>Coal</td> <td>7285.525</td> </tr> <tr> <td rowspan="3">2018-2019</td> <td rowspan="3">Ferro Manganese/Silico Manganese</td> <td rowspan="3">30146.060</td> <td>Mn ore</td> <td>55268.250</td> </tr> <tr> <td>Coke</td> <td>11458.005</td> </tr> <tr> <td>Coal</td> <td>12193.525</td> </tr> <tr> <td rowspan="3">2019-2020</td> <td rowspan="3">Ferro Manganese/Silico Manganese</td> <td rowspan="3">31178.600</td> <td>Mn ore</td> <td>74055.460</td> </tr> <tr> <td>Coke</td> <td>4726.035</td> </tr> <tr> <td>Coal</td> <td>15870.970</td> </tr> </tbody> </table> <p><b>Production record register has not maintained and shown at the project site. Project proponent stated that production data recorded in the Ranchi Office which is about 70km far away from the project site.</b></p>	Year wise	Production	Quantity in (MT)	Raw material consumption	Quantity in MT	2016-2017	Ferro Manganese/Silico Manganese	22840.42	Mn ore	28518.387	Coke	8011.559	Coal	980.128	2017-2018	Ferro Manganese/Silico Manganese	32215.61	Mn ore	65473.565	Coke	17726.185	Coal	7285.525	2018-2019	Ferro Manganese/Silico Manganese	30146.060	Mn ore	55268.250	Coke	11458.005	Coal	12193.525	2019-2020	Ferro Manganese/Silico Manganese	31178.600	Mn ore	74055.460	Coke	4726.035	Coal	15870.970
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iii.	The gaseous emissions from various process units shall conform to the load/mass based standards notified by this Ministry on 19 <sup>th</sup> May, 1993 and standards prescribed from time to time. The State Board may specify more stringent standards for the relevant parameters keeping in view the nature of the industry and its size and location.	<p><b>Partially complied :</b> As per the submitted six monthly report by project proponent stated that all necessary arrangements have been made to control gaseous emission from all sources as per guide-lines fixed by CPCB. Also the fact reflects in the submitted monitored report which was monitored by Institute for Environmental Management, Eco Enviro Lab recognized by NABL and JSPCB. Project proponent should have submitted a copy of letter certifying that Institute for Environmental Management, Eco Enviro Lab is NABL accredited same as mentioned in the general condition no.v. It was observed that the industry does not have effective mechanism to prevent and arrest fugitive dust generated due to movement of traffic and materials. The materials are dumped without cover and spread here and there in the project site as source of dust pollution in the neighbouring locality during windy periods.</p>																																									

iv.	At least four ambient air quality monitoring stations shall be established in the downward direction as well as where maximum ground level concentration of SPM, SO <sub>2</sub> and NO <sub>x</sub> are anticipated in consultation with the Jharkhand SPCB. Data on ambient air quality and stack emission should be regularly submitted to this Ministry including its Regional Office at Bhubaneswar and the Jharkhand PCB / CPCB once in six months.	<b>Partially complied:</b> Ambient air monitoring is being regularly carried out at four different stations within the surrounding in plant premises, which were located in consultation with the visiting officers of state pollution control board Jharkhand and reports are being submitted to regional office, MoEF & CC, Ranchi. Ambient air quality reports & stack emission has been submitted to IRO Ranchi where data are found within the standard norms. <b>The project proponent has not yet installed online continuous Ambient Air Quality Monitoring system in the project site.</b>
v.	Industrial wastewater shall be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19 <sup>th</sup> May, 1993 and 31 <sup>st</sup> December, 1993 or as amended from time to time. The treated wastewater shall be utilized for plantation purpose.	<b>Partially complied:</b> As per project proponent there is no waste water discharge from the plant, as this is zero discharge units. It was observed that surface drainage system was not yet constructed. Industrial waste water contained in the surface water where zero discharge process has not been strictly followed by project proponent same as mentioned in the specific condition no.vii.
vi.	The overall noise levels in and around the plant area shall be kept well within the standards (85 dBA) by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels should conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (daytime) and 70 dBA (nighttime).	<b>Complied:</b> As per the submitted documents by project proponent stated that the overall noise levels in and around the plant area shall be kept well within the standards (85 dBA). The ambient noise levels shall conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (daytime) and 70 dBA (night time).
vii.	Occupational health surveillance of the workers shall be done on a regular basis and records maintained as per the Factories Act.	<b>Partially complied:</b> Project proponent stated that they have conducted occupational health surveillance of the workers on a regular basis. In this regards some health checkup report has been submitted to IRO, Ranchi which was certified by registered medical officer. <b>There was not maintaining patient record register in the project site.</b>
viii.	The company shall develop surface as well as ground water harvesting structures to harvest the rain water for utilization in the lean season besides recharging the ground water table.	<b>Partially complied:</b> The project does not have any surface pond / lake in the plant. They have constructed three rain water harvesting structure in the project site. <i>The rain water harvesting plan is not a Government approved one. Project proponent should not allow oil / grease or ore/mineral water to percolate inside the water harvesting structure same as mentioned in the specific condition viii</i>
ix.	The project proponent shall also comply with all the environmental protection measures and safeguards recommended in the EIA/EMP report. Further, the company must undertake socio-economic development activities in the	<b>Partially complied:</b> Project proponent has been submitted some documents on activity carried out for socioeconomic development. <b>Socio-economic development activity in the surrounding villages like community development</b>

	surrounding villages like community development programmes educational programmes drinking water supply and health care etc.	programmes, educational programmes, drinking water supply and health care etc. was not able to shown by project proponent on the date of site visit. Copy of EIA/EMP report has not yet submitted to IRO, Ranchi
x.	Requisite amount shall be earmarked towards capital cost and recurring cost / annum for Environmental pollution control measures to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government. The funds so provided shall not be diverted for any other purpose.	<b>Partially complied.</b> Project proponent stated that all furnaces are connected with the bag filter along with ID fan. <b>No separate account has been maintained by project proponent on environmental protection measures.</b> The year wise and activity wise expenditure incurred for environmental protection measures have not been recorded and furnished to IRO, Ranchi. <b>Project proponent should submit the details of personnel along with their qualification associated with the environment management cell (separate lists for personnel exclusive and others)</b>
xi.	A copy of clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad / Municipal Corporation, Urban Local Body and the local NGO, if any, from whom suggestions / representations, if any, were received while processing the proposal. The clearance letter shall also be put on the web site of the company by the proponent.	<b>Being complied :</b> The clearance letter has been sent to all concerned and put it on the company's website <a href="http://www.bfcl.in">www.bfcl.in</a> .
xii.	The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the MOEF, the respective Zonal Office of CPCB and the JPCB. The criteria pollutant levels namely; SPM, RSPM, SO <sub>2</sub> , NO <sub>x</sub> (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.	<b>Partially complied:</b> Project proponent stated that results of monitored data uploaded on the website to pollution control board servers. <b>It was observed that only one half yearly compliance report dated 30.10.19 has been found uploaded in project's website.</b> Project proponent should <b>upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same periodically.</b> It was also observed that the pollutant levels AAQ (ambient air quality) data has not been shown / installed in the digital display board or other manual board at a convenient location near the main gate and in the public domain in the project site.
xiii.	The project proponent shall also submit six monthly reports on the status of the compliance of the stipulated environmental conditions including results of monitored data (both in hard copies as well as by e-mail) to the Regional Office of MOEF, the respective Zonal Office of CPCB and the JPCB. The Regional Office of this Ministry / CPCB / JPCB shall monitor the stipulated conditions.	<b>Being complied:</b> At present six monthly compliance reports are being submitted regularly on the status of implementation of the stipulated environmental safeguards to the MoEF & CC, Integrated Regional office Ranchi, and JSPCB & CPCB.

xiv.	The environmental statement for each financial year ending 31 <sup>st</sup> March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental conditions and shall also be sent to the respective Regional Offices of the MOEF by e-mail.	<b>Partially compliance:</b> The environmental statement for the financial year-2018-19 and 2019-20 has been submitted to the Integrated Regional office of the Ministry of Environment and Forest, Ranchi. <b>The environmental statement for each financial year ending 31<sup>st</sup> March in "From- V" is not yet uploaded on the website.</b>
xv.	The Project Proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the SPCB and may also be seen at Website of the Ministry of Environment and Forests at <a href="http://envfor.nic.in">http://envfor.nic.in</a> . This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same shall be forwarded to the Regional office.	<b>Complied:</b> The project proponent has been submitted copies of the news paper advertisement which was published in the 'Ranchi Express' and 'Sanmarg' in the Year 2011.
xvi.	Project authorities shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of commencing the land development work.	<b>Partially complied:</b> Project proponent stated that the plant is already in running conditions so financial closure has already been achieved. <b>As per document produced by project proponent which has certified and signed by Chartered Accountant CA, Nikesh Kumar on behalf of Mr. Vinish Kumar &amp; CO (Chartered Accountant, FCA) on 5.10.2020 stated that the date of commencement for Ferro Alloys Division (Silico Manganese / Ferro Manganese) is 21<sup>st</sup> February, 2008 and date of financial closer for Silico Manganese / Ferro Manganese is 1<sup>st</sup> June 2014.</b> However, As per vide email dated 10.03.017, the project proponent mentioned that the date of commencement of the project is on 07.07 2014, and same as mentioned in the previous monitored report (dated 14.02.2017) and also same has mentioned in the recent submitted industry information proforma by project proponent on dated 05.10.20. Project proponent should give an explanation on this anomaly.

Some photographs of the project site during project monitoring period (Dated 02.10.2020)



1&2 Photo of profuse smog inside the industry

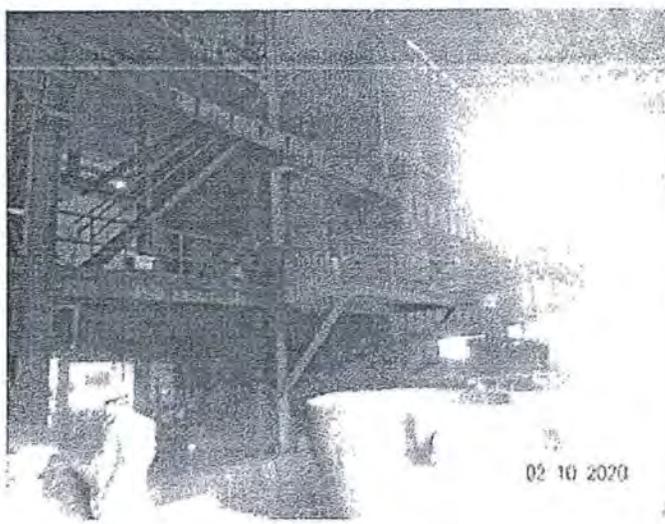


Photo no. 2



3 &4. Photo of raw materials stockyard without cover



Photo no. 4



5. Photo of charcoal dump



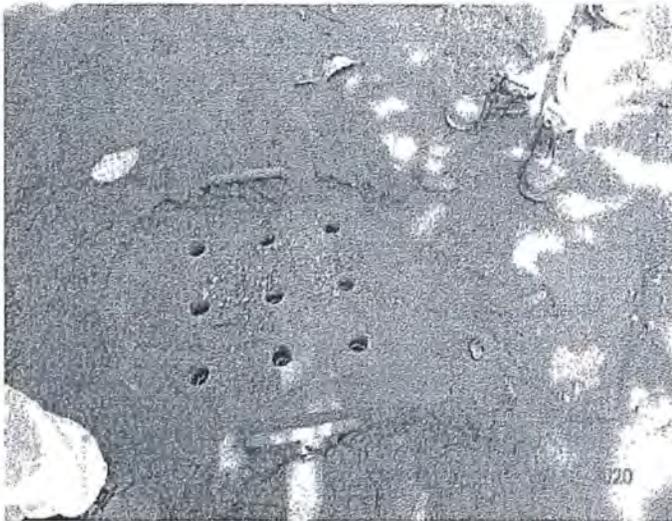
6. Photo of firewood stock



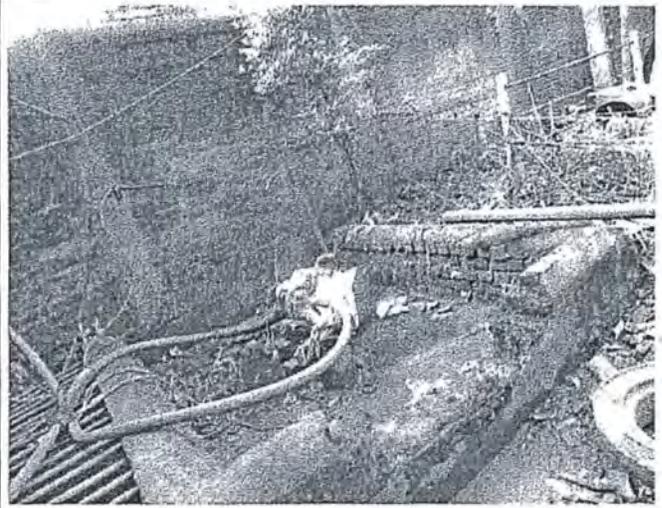
7. Photo of no drainage system and inadequate plantation



8. Photo of poor house keeping



9. Photo of rainwater discharge area



10. Photo of ground water withdrawal point.

### Summary of the report

Site inspection of the project has been carried out on 02.10.2020. Following observations were made during the site inspection that needs special attention:

#### Following conditions are not yet complied:

##### A. Specific Conditions:

**Condition no. vii):** The project proponent has been using ground water without obtaining the approval from competent authority as on date and it was informed that their application (no. 21-4/590/JH/IND/2019 dated 01.10.2019) still under process. The water flow meters along with running hours meters have not been installed in 4 nos. of bore well point and the daily water consumption has not been monitored. At present project proponent is being using river water from Damodar River without obtaining the approval from competent authority despite lapse of 9 years of grant of EC in 2011. Such inordinate pendency of this matter is objectionable. It was observed that surface drainage system was not yet constructed. (photo-7). Industrial waste water contained in the surface water where zero discharge process has not been strictly followed by project proponent.

**Condition no. x):** The Risk and Disaster Management plan along with mitigation measures is not approved by concerned Government authority.

**Condition no. xiv):** During the site visit discussion with project officials stated that Corporate Environment Responsibility (CER) plan is yet to be prepared which they have not been doing despite being pointed out in the previous monitoring report on 14.02.2017.

**Following conditions found to be partially complied:**

**A.) Specific Conditions :**

**Condition no. ii):** Project authorities have been using pearl coke instead of pet coke. At the project site huge amount of charcoal dumps and dry wood was observed which are also being used as fuel.(photo- 5&6)

**Condition no. iii):** On the date of project site visit it was observed that there are two stack installed in the project. Stack no. 2 online emission monitoring system was observed and stack no. 1 is not yet connect with online monitoring system. Both stacks data are yet to be linked to JSPCP server, despite lapse of 9 years of grant of EC in 2011. Recently on 07.10.2020 project proponent has sent some online emission monitored data sheet generated to JSPCB and CPCB. Project proponent should give an explanation on this regards.

**Condition no. iv):** It was observed that project proponent has not installed any kind of device to detect if any variation in parameter beyond the limit immediately received notification from server through SMS or mail.

**Condition no. v):** The secondary fugitive emission data was monitored by Institute for Environmental Management, Eco Enviro Lab recognized by NABL and JSPCB. Project proponent should have submitted a copy of letter certifying that Institute for Environmental Management, Eco Enviro Lab is NABL accredited. At the project site it was observed that installed Fume Extraction System was inadequate to control fume and dust. Profuse smog was observed inside the industry premises, (photos-1&2). Inside the industrial premises most of the pathways are neither black topped nor properly paved / concreted creating muddy condition in wet season and dusty in dry season. This location needs fixed water sprinklers, dust extractors system and sweep vacuums. Vehicular movement through this area is additional cause for spread of dust pollution. The industry wastage was haphazardly placed, in the project sites indicative of poor housekeeping, (photo-8). A copy of water tankers log book signed by authorized signatory must be submitted to this IRO, Ranchi

**Condition no. viii):** The rain water harvesting plan is not a Government approved one. Project proponent should not allow oil / grease or ore/mineral water to percolate inside the water harvesting structure.

**Condition no. ix):** Project proponent should have submitted the year wise slag production data, quantity of recycled in the furnace and non ferrous particles used in the preparation of building materials to this IRO, Ranchi at the earliest.

**Condition no. xi):** At the project site it was observed that as requisite, the Green Belt plantation (33%) has not yet been completely developed along the periphery of the campus. Some tree plantation has been done surrounding the project site, (photo- 7) which is inadequate as per the stipulation. There is scope for development of green belt in most of the areas of the project which should be undertaken at the earliest. To reduce air pollution in the project areas, some high value index air pollution tolerant species (*i.e., Ficus bengalensis, Cassia siamea, Mangifera indica, Alstonia scholaris, Toona ciliate etc.*) should also be planted in the periphery of the campus and other available areas in project to prevent and reduce the dust pollution.

**Condition no. xii):** Project proponent has not shown the activities carried out on Enterprise Social Commitment programme during the time of site visit. The detail of the approved Enterprise Social Commitment (ESC) plan was not yet uploaded on the company website and also not yet submitted to IRO Ranchi. Third party evaluation of ESC activity should also be submitted.

**B ). General Conditions:**

**Condition no. i):** It was observed that some condition given in the CTO have not complied as yet.

**Condition no. ii):** Production record register has not maintained and shown at the project site. Project proponent stated that production data recorded in the Ranchi Office which is about 70km far away from the project site.

**Condition no. iii):** It was observed that the industry does not have effective mechanism to prevent and arrest fugitive dust generated due to movement of traffic and materials. The materials are dumped without cover and spread here and there in the project site as source of dust pollution in the neighbouring locality during windy periods.

**Condition no. iv):** The project proponent has not yet installed online continuous Ambient Air Quality Monitoring system in the project site.

**Condition no. vii):** There was not maintaining patient record register in the project site.

**Condition no. ix):** Socio-economic development activity in the surrounding villages like community development programmes, educational programmes, drinking water supply and health care etc. was not able to shown by project proponent on the date of site visit. Copy of EIA/EMP report has not yet submitted to IRO, Ranchi.

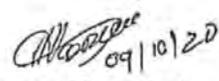
**Condition no. x):** No separate account has been maintained by project proponent on environmental protection measures. The year wise and activity wise expenditure incurred for environmental protection measures have not been recorded and furnished to IRO, Ranchi. Project proponent should submit the details of personnel along with their qualification associated with the environment management cell (separate lists for personnel exclusive and others)

**Condition no. xii):** It was observed that only one half yearly compliance report dated 30.10.19 has been found uploaded in project's website. Project proponent should upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same periodically. It was also observed that the pollutant levels AAQ (ambient air quality) data has not been shown / installed in the digital display board or other manual board at a convenient location near the main gate and in the public domain in the project site.

**Condition no. xiv):** The environmental statement for each financial year ending 31<sup>st</sup> March in "From- V" is not yet uploaded on the website.

**Condition no. xvi):** As per document produced by project proponent which has certified and signed by Chartered Accountant CA, Nikesh Kumar on behalf of Mr. Vinish Kumar & CO (Chartered Accountant, FCA) on 5.10.2020 stated that the date of commencement for Ferro Alloys Division (Silico Manganese / Ferro Manganese) is 21<sup>st</sup> February, 2008 and date of financial closer for Silico Manganese / Ferro Manganese is 1<sup>st</sup> June 2014.

However, as per vide email dated 10.03.2017, the project proponent mentioned that the date of commencement of the project is on 07.07 2014, and same as mentioned in the previous monitored report (letter dated 29.03.2017) and also same has mentioned in the recent submitted industry information proforma by project proponent on dated 05.10.20. Project proponent should give an explanation on this anomaly.

  
 (Dr. Hemen Hazarika)  
 Scientist "D"

**MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE  
EASTERN CENTRAL ZONE, RANCHI  
MONITORING REPORT**

**Part -I, Data Sheet**

1. Project type	Industry		
2. Name of the Project	Bihar Foundry & Castings Ltd. Unit: Gautam Ferro Alloys		
3. No & date of Environment Clearance	J-11011/384/2010-IA-II(I) dated 31.10.2011		
4. Locations: District & State	Marar, Ramgarh, Jharkhand		
5. Address of correspondence:			
a. Address of concerned project Chief Engineer (with Pin Code & telephone/telex/fax numbers)	Deepak Chittore, GM( Plant), Pin Code: 834001 Phone: 0651-2202699/ Mob: 09934012689		
b. Address of Executive Project Engineer /Manager (with Pin Code/fax numbers)	Er. A. Alam (Civil), PGCM/DGMM Ramgarh Cantt. Pin Code: 829122; Mob: 9835322042		
6. Salient features			
(a) Of the project	Existing capacity for ferro alloy is 26 TPD( 2* 5 MVA), for 30 TPD( 7.5 MVA) and 40 TPD ( 9 MVA). Project area as per EC is 14 acres. Total project cost as given in EC is 20 crores.		
(b) Of the EMP	33 % of area should be developed as green belt. Budget for EMP and pollution control is 2 crores. Safe environment for workmen must be provided. No charcoal shall be used as fuel.		
7. Project area	<b>Forest</b>	<b>Non-Forest</b>	<b>Total</b>
			14 acres
8. Break-up of project affected population, with enumeration of those, no. of housing or dwelling have been affected losing houses/dwelling units only, Agriculture land and less Labourers /artisans.	None, As Industrial unit is located Industrial Area notified in 1973.		
9. Project Cost /financial details	<b>Parameters</b>		<b>Amount</b>
	(a) Project cost as originally planned and subsequent revised estimates and the years of price reference.		Project Cost of Rs. 15 crores including Rs.4.00 crores Pollution control device.( as per project proponent)
	(b) Allocations made for environmental management plans, with item wise and year wise break up.		Above Rs. 1.5 crore per year. This includes Rs.90 lakhs per year

		towards electricity operation of pollution control device.( As per project proponent)
	(c)Total expenditure on the Project so far	As (a) above Rs.15.00 crores
	(d) Actual expenditure incurred on the environmental management plans so far.	Rs.4.00 Crores( as claimed by project proponent)
10. Forest land requirement: a. The status of approval for and Diversion of forest land for Non-forestry use b. The status of compensatory afforestation c. The status of clear felling d. Comments on the viability &Sustainability of Compensatory Afforestation programme in the Light of actual field experience so far.	N.A.	
11. The status of clear felling in non –forest area (such as submergence area of Reservoir approach roads) if any with Quantitative information.	NA	
12. Status of the construction of project	Date of commencement	Date of completion commissioning/commercial production
		07.07.2014
13. Date of site visits		
(a) Dates on which the project was monitored by this office on previous occasions.		
(b) Date of present visit	14.02.2017	

**PART - II**

Descriptive Report on status of compliance to conditions of Environmental Clearance.

1	Name of the project	Expansion of Ferro Alloys Plant of M/s Bihar Foundry & Castings Ltd.
2	No & date of environmental clearance	J-11011/384/2010-IA.II(I) dated 31.10.2011
3	Address for correspondence	:
	(a) Registered Office	The Managing Director, Bihar Foundry & Castings Ltd. Unit: Gautam Ferro Alloys, Main Road, Ranchi-834001.
	(b) Project Office	Factory Incharge/Director Bihar Foundry & Castings Ltd. Unit: Gautam Ferro Alloys, Industrial Area, Ramgarh. P.O-Marar, Dist- Ramgarh-829117.
4	Date of site visits:	
	(a) Dates of earlier monitoring	
	(b) Date of Monitoring	14.02.2017

The project was visited on 14.02.2017 along with Shri Deepak Chittore, GM (Plant), Shri Vishnu Upadhyay, GM (Admin), Shri Neeraj Mishra, Lab incharge and Environment Cell member, Shri Deepak Tindha, Supervisor, M/s Bihar Foundry & Castings Ltd., Unit: Gautam Ferro Alloys, Ramgarh. Based on the site visit, documents provided and discussion held with project officials, status of compliance of various environmental clearance conditions, is as follows:

Sl. No	A. SPECIFIC CONDITIONS	COMPLY
i	Compliance to all the specific and general conditions stipulated for the existing plant by the Central/State Government shall be ensured and regular reports submitted to the Ministry's Regional Office at Ranchi/SPCB.	<b>Partially Complied.</b> The project proponent has submitted only three half yearly compliance reports till date vide Letter No. 2012-13/688A dated-27.07.2012, letter No. 2014-15/611 dated-14.08.2014, letter No. 2016-17/1456A dated-06.01.2017 (revised vide letter No. 2016-17/1543 dated-31.01.2017). Environmental statement has been submitted from 01.04.2012 to 31.03.2013 for 2012-13 vide Letter No.2013-14/235 dated 23.05.2013 and for period 01.04.2015 to 31.03.2016 vide letter no 2016-17/1543 dated 31.01.2017. <b>It shows that project authorities are irregular in submitting the compliance reports to Regional office of MOEFCC.</b> <b>Half yearly compliance reports should be submitted regularly as per EIA notification.</b>

ii	No charcoal shall be used as fuel. Pet coke shall be used as fuel instead of charcoal from unknown sources.	<p><b>Reportedly complied.</b></p> <p>The project authorities vide their letter no. Ref 2016-17/1543 dated 31.01.2017 have informed that there is no use of charcoal/pet coke as fuel. It was observed during site visit that they have electric arc furnace for manufacturing of ferro alloys and the project authorities claimed that charcoal /petcoke was not used as fuel in such furnace.</p> <p>However as per the reports submitted they are using Steam coal, bez. coke and Pet coke as raw material in the plant.</p>
iii	Continuous monitoring facilities for all the stacks and sufficient air pollution control equipments viz. fume extraction system with bag filters, ID fan and stack of adequate height to submerged arc furnace shall be provided to control emissions below 50 mg/Nm <sup>3</sup> .	<p><b>Partially Complied.</b></p> <p>As per the stack Gas Analysis Report submitted by Project proponent for sampling date 28.11.2016 (Report of Envirocheck) the concentration of particulate matter is 36.47 mg/Nm<sup>3</sup> but <b>as per the stack monitoring report (date of sampling 14.12.2015 and 25.12.2015) of Jharkhand State Pollution Control Board dust concentration is 144.29 mg/Nm<sup>3</sup> and 129.87 mg/Nm<sup>3</sup> respectively which is more than the EC condition.</b></p>
iv	The National Ambient Air Quality Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16 <sup>th</sup> November, 2009 shall be followed.	<p><b>Partially Complied.</b></p> <p>Ambient Air Quality Emission reports submitted by project authorities are within the prescribed standards.</p> <p>The report of Ambient Air Quality prepared by Envirocheck lab mentions that its laboratory is in Dhanbad, Jharkhand whereas Envirocheck Kolkata, West Bengal lab is NABL accredited. The project proponent should submit copy of letter certifying that Envirocheck, Dhanbad lab is NABL accredited.</p>
v	Secondary fugitive emissions from all the sources shall be controlled within the latest permissible limits issued by the Ministry and regularly monitored. Guidelines / Code of Practice issued by the CPCB shall be followed.	<p><b>Partially Complied.</b></p> <p>During site visit manual water sprinkling was observed at some places through pipes. The project authorities vide their email dated 09.03.2017 has sent a copy of the details of their water tanker vehicle no. JH01BY/4653 which they claim is used for water sprinkling to minimize dust pollution. Water tanker could not be seen at the site and the project authorities said that it was sent to provide water to nearby people. Running hours and diesel consumption report of water tanker from April 2016 to Jan 2017 has been submitted to RO Ranchi by project authorities. <b>However the above report doesn't mention the designation of the person signing it. A log book of water tanker should</b></p>

		<p>be maintained mentioning its daily diesel consumption, running hours, breakdown hours, etc. and it must be signed daily by some official of the project. It must be ensured that water sprinkling is done for sufficient time by the tanker to minimize dust pollution. It is also suggested to have permanent water pipes layed at places in the plant and to have water sprinkling to minimize dust pollution.</p>
vi	<p>Regular monitoring of influent and effluent surface, sub-surface and ground water shall be ensured and treated wastewater shall meet the norms prescribed by the State Pollution Control Board or described under the Environment (Protection) Act, 1986 whichever are more stringent. Leachate study for the effluent generated and analysis shall also be regularly carried out and report submitted to the Ministry's Regional Office at Ranchi, SPCB and CPCB.</p>	<p><b>Partially complied.</b> The project authorities claim that there is no effluent generation at their ferro alloy plant. They claimed that Water is being used for cooling purpose which is recycled through cooling tower. However a quality control lab was found in the plant and chemicals were used in the lab. It is suggested to have the sample of effluent discharged from the lab must be checked and report submitted to Regional office.</p>
vii	<p>The total water requirement shall not exceed 35 m<sup>3</sup>/day and prior Permission to draw the water from Competent Authority shall be obtained. Zero' effluent discharge shall be strictly followed and no wastewater shall be discharged outside the premises.</p>	<p><b>Partially Complied.</b> Ground water used is recorded in water meter sealed by JSPCB. The project authorities have submitted letter no 2015-16/875 dated 22.09.2015 to Member secretary, JSPCB for water consumption cess for period July 2014 to June 2015. Latest water cess report must be submitted i.e. for the year 2015-16 with supporting documents that Project is not consuming water for more than 35 m<sup>3</sup>/day. As per the project authorities Zero effluent discharge is strictly followed but in the industry information proforma filled and submitted by the project authorities it is mentioned that 10 KL water is discharged.</p>
viii	<p>Efforts shall be made to make use of rain water harvested. If needed, capacity of the reservoir should be enhanced to meet the maximum water requirement. Only balance water requirement should be met from other sources.</p>	<p><b>Partially Complied.</b> Copy of the Rain water Harvesting plan prepared by Ketki Consultancy Engineering Services Ranchi has been submitted by project authorities. However the plan is not a Government approved one. Rain water harvesting structures were found at the plant as can be seen form photographs 1&amp;2. It was suggested to project proponent to not allow oil/ grease or ore/mineral water to percolate inside the water harvesting structures. It was also told to project</p>

		<b>authorities to remove all the ore/mineral from the vicinity of the water harvesting structures to avoid contamination of Ground water.</b>												
ix	Slag produced in Ferro Manganese (Fe-Mn) production shall be used in manufacture of Silico Manganese (Si-Mn). All the other ferro alloy slag shall be used in the preparation of building materials.	<p><b>Reportedly complied.</b> The details of slag production and its use submitted by project proponent is as given below:</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Slag produced (units in MT)</th> <th>Qty recycled in the Furnace (Units in MT)</th> <th>Non-Ferrous particulars used in the preparation of Building Material (Units in MT)</th> </tr> </thead> <tbody> <tr> <td>2014-15</td> <td>16357</td> <td>9814</td> <td>6543</td> </tr> <tr> <td>2015-16</td> <td>20965</td> <td>12579</td> <td>8386</td> </tr> </tbody> </table> <p>The slag is crushed in crusher. The magnetic particles are removed and recycled in the furnace, whereas non ferrous particles are used in preparation of building material.</p>	Year	Slag produced (units in MT)	Qty recycled in the Furnace (Units in MT)	Non-Ferrous particulars used in the preparation of Building Material (Units in MT)	2014-15	16357	9814	6543	2015-16	20965	12579	8386
Year	Slag produced (units in MT)	Qty recycled in the Furnace (Units in MT)	Non-Ferrous particulars used in the preparation of Building Material (Units in MT)											
2014-15	16357	9814	6543											
2015-16	20965	12579	8386											
x	Risk and Disaster Management Plan along with mitigation measures should be prepared and a copy submitted to the Ministry's Regional Office at Ranchi, SPCB and CPCB within three months of issue of environment clearance letter.	<p><b>Partially Complied.</b> As per the project authorities for the purpose of risk and disaster management plan, retired Chief Inspector of Factories, Bihar had prepared On-site Emergency plan (copy submitted) which was submitted to Inspector of Factories office in the year 1998. <b>However it is not approved by the concerned Government Authority.</b> A Copy of Risk and Disaster Management Plan was submitted before to the Ministry's Regional Office at Ranchi on 27.07.2012 which was also not Government approved.</p>												
xi	As proposed, green belt shall be developed in at least 33 % of the project area. Selection of plant species shall be as per the CPCB guidelines in consultation with the DFO.	<p><b>Partially Complied.</b> The project proponent has submitted plantation details for the year 2012 to 2016. As per the details submitted, 529 nos of plants were planted in the area of 3515 ft<sup>2</sup> in year 2012, 452 nos of plants were planted in the area of 4535 ft<sup>2</sup> in year 2013, 489 nos of plants were planted in the area of 2180 ft<sup>2</sup> in year 2014, 478 nos of plants were planted in the area of 9448 ft<sup>2</sup> in year 2015 and 606 nos of plants were planted in the area of 9737 ft<sup>2</sup> in year 2016. <b>Therefore, total trees (including flowers) planted from year 2012 to 2016 is 29415 ft<sup>2</sup> or 0.675 acres only as against 4.62 acres as per EC.</b></p>												

		<p>Many of the plants shown in plantation are flowering plants like Rose, Marigold, and Lotus etc. During onsite inspection it was observed that at places near the periphery/boundary trees are negligible (Photographs no.3 &amp; 4) or very sparse. More green belt should be developed along the periphery &amp; inside the plant in consultation with DFO so that green belt development becomes 33% of the project area (Total project area as per EC is 14 acres)</p>
xii	<p>At least 5% of the total cost of the project should be earmarked towards the Enterprise Social Commitment based on locals need and item-wise details along with time bound action plan should be prepared and submitted to Ministry's Regional Office at Ranchi. Implementation of such program shall be ensured accordingly in a time bound manner.</p>	<p><b>Partially Complied.</b> The project proponent has submitted details of year wise expenditure towards Enterprise Social Commitment (ESC) form the 2012-13 to the year 2015-16 and as per the report an amount of Rs 1, 24, 55,820/- has been spent on ESC. Project proponent has also submitted copies of some ledger accounts in support of above ESC expenditure. <b>Further supporting documents were not shown to RO Ranchi to establish percentage expenditure on ESC.</b></p>
xiii	<p>The company shall provide housing for construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.</p>	<p><b>Complied.</b> As per the project authorities this condition has been complied.</p>
xiv	<p>The Company shall submit within three months their policy towards Corporate Environment Responsibility which should inter-alia address (i) Standard operating process/ procedure to being into focus any infringement/deviation/violation of environmental or forest norms/conditions, (ii) Hierarchical system or Administrative order of the Company to deal with environmental issues and ensuring compliance to the environmental clearance conditions and (iii) System of reporting of non compliance/violation environmental norms to the Board of Directors of</p>	<p><b>Partially complied.</b> The project authorities have submitted vide their ref 2016-17/1543 dated 31.01.2017 some steps towards Corporate Environment Responsibility (CER). <b>However the Company should submit their policy towards Corporate Environment Responsibility according to the condition stipulated in EC.</b></p>

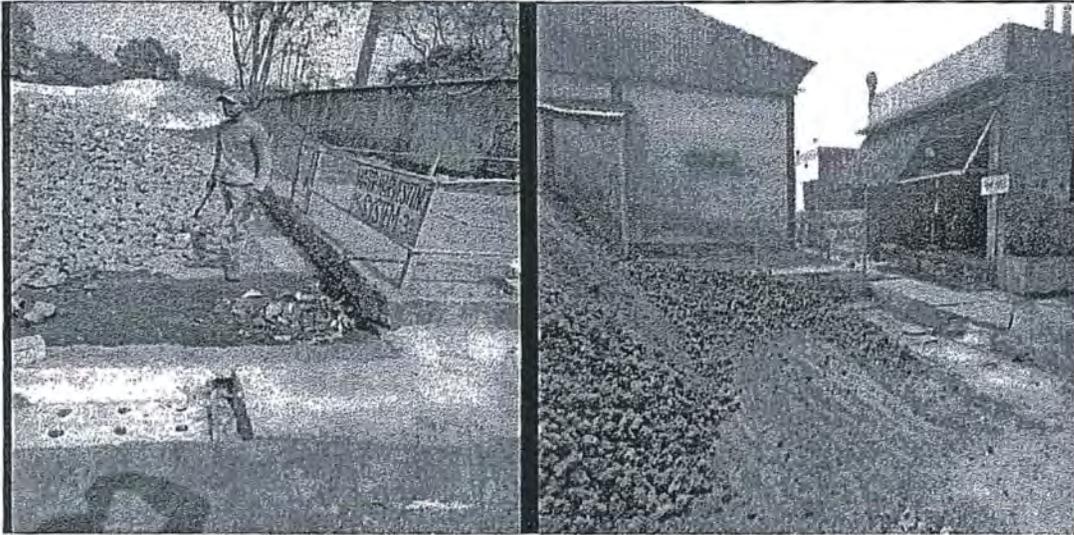
the company and/or stakeholders or shareholders.	
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Sl. No	B. GENERAL CONDITIONS:	COMPLIANCE
i	The project authorities must strictly adhere to the stipulations made by the Jharkhand State Pollution Control Board and the State Government	<b>Partially complied.</b> The project proponent has submitted a compliance report of CTO given by Jharkhand State Pollution Control Board. <b>On analyzing it was found that some of the conditions given in the CTO have not been fully complied.</b>
ii	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment and Forests.	<b>Reportedly Complied.</b> The project authorities have assured to abide by the condition.
iii	The gaseous emissions from various process units shall conform to the load/mass based standards notified by this Ministry on 19 <sup>th</sup> May, 1993 and standards prescribed from time to time. The State Board may specify more stringent standards for the relevant parameters keeping in view the nature of the industry and its size and location	<b>Partially Complied.</b> As per the stack Gas Analysis Report submitted by Project proponent for sampling date 28.11.2016 (Report of Envirocheck) the concentration of particulate matter is 36.47 mg/Nm <sup>3</sup> but <b>as per the stack monitoring report (date of sampling 14.12.2015 and 25.12.2015) of Jharkhand State Pollution Control Board dust concentration is 144.29 mg/Nm<sup>3</sup> and 129.87 mg/Nm<sup>3</sup> respectively which is more than the EC condition.</b>
iv	At least four ambient air quality monitoring stations should be established in the downward direction as well as where maximum ground level concentration of PM <sub>10</sub> , SO <sub>2</sub> and NO <sub>x</sub> are anticipated in consultation with the SPCB. Data on ambient air quality and stack emission shall be regularly submitted to this Ministry including its Regional Office at Ranchi and the SPCB / CPCB once in six months.	<b>Partially complied.</b> The project has three Ambient Air Quality Monitoring Stations. <b>The project authorities assured that they will increase one more monitoring station with the consultation of JSPCB. The project is very irregular in submitting data on ambient air quality and stack emissions.</b>
v	Industrial wastewater shall be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19 <sup>th</sup> May, 1993 and 31 <sup>st</sup> December, 1993 or as amended from time to time. The treated wastewater shall be utilized for plantation purpose.	<b>Complied.</b> As per the project authorities no wastewater is being discharged from the Ferro Alloy plant as the water is reused the water for cooling purpose from their cooling tower.
vi	The overall noise levels in and around the plant area shall be kept well within the standards (85 dBA) by providing noise	<b>Partially complied.</b> As per the reports submitted by project proponent the Noise levels are within the

	control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels should conform to the standards prescribed under EPA Rules, 1989 viz. 75 dBA (daytime) and 70 dBA (nighttime).	permissible limits. The report of results of Noise Level study prepared by Envirocheck lab mentions that its laboratory is in Dhanbad, Jharkhand whereas Envirocheck Kolkata, West Bengal lab is NABL accredited. The project proponent should submit copy of letter certifying that Envirocheck, Dhanbad lab is NABL accredited.
vii	Occupational health surveillance of the workers should be done on a regular basis and records maintained as per the Factories Act.	<b>Partially complied.</b> The project authorities have submitted a certificate by Dr.V.K. Chaturvedi, M.B.B.S citing that 75 workers and 101 workers of the plant had undergone occupational health surveillance in the year 2015 and 2014 respectively. <b>However a sample health check copy of some of the workers indicating the types of medical examinations held on them needs to be submitted to RO Ranchi.</b>
viii	The company shall develop surface water harvesting structures to harvest the rain water for utilization in the lean season besides recharging the ground water table.	<b>Partially complied.</b> The project does not have any surface pond/lake in its plant. They have constructed three Rain Harvesting structures in the plant. It was suggested to project proponent to not allow oil/grease or ore/mineral water to percolate inside the water harvesting structures. It was also told to project authorities to remove all the ore/mineral from the vicinity of the water harvesting structures to avoid contamination of Ground water.
ix	The project proponent shall also comply with all the environmental protection measures and safeguards recommended in the EIA/EMP report. Further, the company must undertake socio-economic development activities in the surrounding villages like community development programmes, educational programmes, drinking water supply and health care etc.	<b>Partially complied.</b> Bag filters to control the emissions from the submerged arc furnace were found during onsite inspection. Rain water harvesting system has been made. <b>However, more socio-economic development activities in the surrounding villages must be done and details must be submitted.</b>
x	Requisite amount shall be earmarked towards capital cost and recurring cost/annum for environment pollution control measures to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government. An implementation schedule for implementing all the conditions stipulated herein shall be submitted to the Regional Office of the	<b>Partially complied.</b> The project proponent has submitted that Rs. 2.5 crores have been spent on establishment of fume extraction system, bag filter systems, etc., Rs. 75.00 lakhs approx has been spent for development of Greenbelt till February 2017 and Expenditure on Environmental Cell

	Ministry at Ranchi. The funds so provided shall not be diverted for any other purpose.	members salary and wages comes Rs. 60.00 lakhs approx. per annum. They also claim that the expenditure cost per year is about Rs.85 lakhs mainly due to cost of electrical energy use in operation for pollution control measures. <b>However an implementation schedule for implementing all the conditions stipulated herein has not been submitted to the Regional Office Ranchi.</b>
xi	A copy of clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/Municipal Corporation, Urban Local Body and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the web site of the company by the proponent.	<b>Partially complied.</b> The project authorities claim that they have submitted copy of the clearance letter to the respective agencies. <b>However the clearance letter was not found on the web site of the company.</b>
xii	The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the MOEF at Ranchi, the respective Zonal Office of CPCB and the CECB. The criteria pollutant levels namely; PM10, SO <sub>2</sub> , NO <sub>x</sub> (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.	<b>Partially complied.</b> <b>Only one six monthly compliance report dated 14.08.2014 has been found uploaded in project's website. The project proponent shall as per EIA notification upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically.</b> PM10, SO <sub>2</sub> , NO <sub>x</sub> , levels indicated for the project was displayed near the main gate of the company in the public domain.
xiii	The project proponent shall also submit six monthly reports on the status of the compliance of the stipulated environmental conditions including results of monitored data (both in hard copies as well as by e-mail) to the Regional Office of MOEF, the respective Zonal Office of CPCB and the SPCB. The Regional Office of this Ministry at Ranchi/ CPCB / SPCB shall monitor the stipulated conditions	<b>Partially complied.</b> The project proponent has submitted only three half yearly compliance reports till date vide Letter No. 2012-13/688A dated-27.07.2012, letter No. 2014-15/611 dated-14.08.2014, letter No. 2016-17/1456A dated-06.01.2017 (revised vide letter No. 2016-17/1543 dated-31.01.2017). <b>It shows that project authorities are irregular in submitting the compliance reports to Regional office of MOEFCC.</b> <b>Half yearly compliance reports should be submitted regularly as per EIA</b>

		<b>notification 2006.</b>
xiv	The environmental statement for each financial year ending 31 <sup>st</sup> March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental conditions and shall also be sent to the respective Regional Offices of the MOEF at Ranchi by e-mail.	<b>Partially complied.</b> Only two Environmental statement has been submitted till date viz.from 01.04.2012 to 31.03.2013 vide Letter No.2013-14/235 dated 23.05.2013 and for period 01.04.2015 to 31.03.2016 vide letter no. 2016-17/1543 dated 31.01.2017. <b>It shows irregularities in submitting environmental statement. Environmental statement was not found put on the website of the company.</b>
xv	The Project Proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the SPCB and may also be seen at Website of the Ministry of Environment and Forests at <a href="http://envfor.nic.in">http://envfor.nic.in</a> . This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same should be forwarded to the Regional office at Ranchi.	<b>Partially Complied.</b> The project authorities submitted copy of the newspaper advertisement but <b>it does not make clear</b> the name of newspaper and <b>the date of advertisement</b> . Later they informed that advertisement was published in 'Ranchi Express' and 'Sanmarg', Ranchi in the year 2011.
xvi	Project authorities shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of commencing the land development work.	<b>Not complied.</b> <b>No communication/letter was found in which project authorities have informed Regional office of MOEFCC about date of commencing the land development work.</b> Recently vide their letter dated 10.03.2017, the project proponent has submitted that the date of commissioning of the project is on 07.07.2014.



Photograph 1  
Water harvesting system no.3 at the plant.

Photograph 2  
Water harvesting system no.2 at the plant.



Photograph 3  
Plantation at one of the boundaries.



Photograph 4  
Plantation at other boundary of the plant.

### Summary of the report

Site inspection of the project has been carried out on 14.02.2017. Following observations were made during the site inspection that needs special attention:

#### Specific Conditions:

Following conditions were **partially complied:**

(**Condition no. i**): Project authorities are irregular in submitting the compliance reports to Regional office of MOEFCC. Half yearly compliance reports should be submitted regularly as per EIA notification 2006.

(Condition no. iii): As per the stack monitoring report (date of sampling 14.12.2015 and 25.12.2015) of Jharkhand State Pollution Control Board dust concentration is 144.29 mg/Nm<sup>3</sup> and 129.87 mg/Nm<sup>3</sup> respectively which is more than the EC condition.

(Condition no. iv) : The report of Ambient Air Quality prepared by Envirocheck lab mentions that its laboratory is in Dhanbad, Jharkhand whereas Envirocheck Kolkata, West Bengal lab is NABL accredited. The project proponent should submit copy of letter certifying that Envirocheck, Dhanbad lab is NABL accredited.

(Condition no. v): The running hours and diesel consumption report of water tanker doesn't mention the designation of the person signing it. A log book of water tanker should be maintained mentioning its daily diesel consumption, running hours, breakdown hours, etc and it must be signed daily by some official of the project. It must be ensured that water sprinkling is done for sufficient time by the tanker to minimize dust pollution. It is also suggested to have permanent water pipes laid at places in the plant and to have water sprinkling to minimize dust pollution.

(Condition no. vi) : A quality control lab was found in the plant and chemicals were used in the lab. It is suggested to have the sample of effluent discharged from the lab must be checked and report submitted to Regional office.

(Condition no. vii) : Latest water cess report must be submitted i.e for the year 2015-16 with supporting documents that Project is not consuming water for more than 35 m<sup>3</sup>/day. As per the project authorities Zero effluent discharge is strictly followed but in the industry information proforma filled and submitted by the project authorities it is mentioned that 10 KL water is discharged.

(Condition no. viii) : The Rain water Harvesting plan is not a Government approved one. It was suggested to project proponent to not allow oil/grease or ore/mineral water to percolate inside the water harvesting structures. It was also told to project authorities to remove all the ore/mineral from the vicinity of the water harvesting structures to avoid contamination of Ground water.

(Condition no. x) : The risk and disaster management plan is not approved by the concerned Government Authority.

(Condition no. xi) : Total trees (including flowers) planted from year 2012 to 2016 is 29415 ft<sup>2</sup> or 0.675 acres only as against 4.62 acres as per EC. Many of the plants shown in plantation are flowering plants like Rose, Marigold, and Lotus etc. During onsite inspection it was observed that at places near the periphery/ boundary trees are negligible (Photographs no.3 & 4) or very sparse. More green belt should be developed along the periphery & inside the plant in consultation with DFO so that green belt development becomes 33% of the project area (Total project area as per EC is 14 acres).

(Condition no. xii) : Further supporting documents were not shown to RO Ranchi to establish percentage expenditure on ESC.

(Condition no. xiv) : The Company should submit their policy towards Corporate Environment Responsibility according to the condition stipulated in EC.

#### General Conditions:

Following condition was **not complied**:

(Condition no. xvi) : No communication/letter was found in which project authorities have informed Regional office of MOEFCC about date of commencing the land development work.

Following conditions were **partially complied**:

(Condition no. i) : On analyzing it was found that some of the conditions given in the CTO has not been fully complied.

(Condition no. iii): As per the stack monitoring report (date of sampling 14.12.2015 and 25.12.2015) of Jharkhand State Pollution Control Board dust concentration is 144.29 mg/Nm<sup>3</sup> and 129.87 mg/Nm<sup>3</sup> respectively which is more than the EC condition.

(Condition no. iv) : The project authorities assured that they will increase one more monitoring station with the consultation of JSPCB. The project is very irregular in submitting data on ambient air quality and stack emissions.

(Condition no. vi) : The report of results of Noise Level study prepared by Envirocheck lab mentions that its laboratory is in Dhanbad, Jharkhand whereas Envirocheck Kolkata, West Bengal lab is NABL accredited. The project proponent should submit copy of letter certifying that Envirocheck, Dhanbad lab is NABL accredited.

(Condition no. vii) : A sample health check copy of some of the workers indicating the types of medical examinations held on them needs to be submitted to RO Ranchi.

(Condition no. viii) : It was suggested to project proponent to not allow oil/grease or ore/mineral water to percolate inside the water harvesting structures. It was also told to project authorities to remove all the ore/mineral from the vicinity of the water harvesting structures to avoid contamination of Ground water.

(Condition no. ix) : More socio-economic development activities in the surrounding villages must be done and details must be submitted.

(Condition no. x) : An implementation schedule for implementing all the conditions stipulated herein has not been submitted to the Regional Office Ranchi.

(Condition no. xi) : The clearance letter was not found on the web site of the company.

(Condition no. xii) : Only one six monthly compliance report dated 14.08.2014 has been found uploaded in project's website. The project proponent shall, as per EIA notification, upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and shall update the same periodically.

(Condition no. xiii): Project authorities are irregular in submitting the compliance reports to Regional office of MOEFCC. Half yearly compliance reports should be submitted regularly as per EIA notification 2006.

(Condition no. xiv): It is found that there are irregularities in submitting environmental statement. Environmental statement was not found put on the website of the company.

(Condition no. xv) : The newspaper copy does not make clear the date of advertisement.

(Condition no. xvi) : No communication/letter was found in which project authorities have informed Regional office of MOEFCC about date of commencing the land development work.



(Rajeev Ranjan)  
Scientist 'D'

True Copy/-

## ANNEXURE A11



जल शक्ति मंत्रालय  
जल संसाधन, नदी विकास  
और गंगा संरक्षण विभाग  
केन्द्रीय भूमि जल प्राधिकरण  
Government of India  
Ministry of Jal Shakti  
Department of Water Resources,  
River Development & Ganga Rejuvenation  
Central Ground Water Authority

(भूजल निकासी हेतु अनापत्ति प्रमाण पत्र)  
**NO OBJECTION CERTIFICATE (NOC) FOR GROUND WATER ABSTRACTION**

Project Name:	Bfcl- Gautam Ferro Alloys		
Project Address:	Plot1405 (p), Marar Industrial Area, Ps Ramgarh		
Town:	Mandu (ct)	Block:	Mandu
District:	Ramgarh	State:	Jharkhand
Pin Code:			
Communication Address:	Managing Director, M/s Bihar Foundry And Castings Ltd, Main Road, Ranchi-834001, Namkum, Ranchi, Jharkhand - 834001		
Address of CGWB Regional Office :	Central Ground Water Board Mid Eastern Region, 6th & 7th Floor, Lok Nayak Jai Prakash Bhawan, Frazer Road Dak Banglow, Patna, Bihar - 800011		

1. NOC No.:	CGWA/NOC/IND/ORIG/2021/10628											
2. Application No.:	21-4/590/JH/IND/2019	3. Category: (GWRE 2017)	Semi Critical									
4. Project Status:	Existing Project		5. NOC Type:	New								
6. Valid from:	02/01/2021	7. Valid up to:	01/01/2024									
8. Ground Water Abstraction Permitted:												
	Fresh Water		Saline Water		Dewatering		Total					
	m <sup>3</sup> /day	m <sup>3</sup> /year	m <sup>3</sup> /day	m <sup>3</sup> /year	m <sup>3</sup> /day	m <sup>3</sup> /year	m <sup>3</sup> /day	m <sup>3</sup> /year				
	35.00	12775.00										
9. Details of ground water abstraction /Dewatering structures												
	Total Existing No.:2						Total Proposed No.:1					
	DW	DCB	BW	TW	MP	MPu	DW	DCB	BW	TW	MP	MPu
Abstraction Structure*	0	0	2	0	0	0	0	0	1	0	0	0
*DW- Dug Well; DCB-Dug-cum-Bore Well; BW-Bore Well; TW-Tube Well; MP-Mine Pit;MPu-Mine Pumps												
10. Ground Water Abstraction/Restoration Charges paid (Rs.):							76650.00					
11. Number of Piezometers(Observation wells) to be constructed/ monitored & Monitoring mechanism.	No. of Piezometers						Monitoring Mechanism					
							Manual	DWLR**	DWLR With Telemetry			
**DWLR - Digital Water Level Recorder	1						1	0	0			

**(Compliance Conditions given overleaf)**

This is an auto generated document & need not to be signed.

18/11, जामनगर हाउस, मानसिंह रोड, नई दिल्ली - 110011 / 18/11, Jamnagar House, Mansingh Road, New Delhi-110011

Phone: (011) 23383561 Fax: 23382051, 23386743

Website: cgwa-noc.gov.in

पानी बचाये - जीवन बचाये  
SAVE WATER - SAVE LIFE

**CGWA No Objection Certificate of M/s Bihar Foundry & Castings Limited-Ferro Alloys Unit**

NOC Ref No.

CGWA/NOC/IND/ORIG/2021/10628 dated

02.01.2021 to Validity up to-01.01.2024

True Copy/-

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**No. Q-16017/38/2018-CPA**  
**GOVERNMENT OF INDIA**  
**MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE**  
**(CP Division)**

\*\*\*\*\*

**1<sup>st</sup> Floor, Agni Block,**  
**Indira Paryavaran Bhawan,**  
**Jor Bagh Road,**  
**Aliganj, New Delhi-110003**

Dated: 24<sup>th</sup> October, 2019

To,

**Member Secretary**  
 Central Pollution Control Board  
 Parivesh Bhawan, East Arjun Nagar  
 Delhi-110032

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**Subject: - Compliance of Hon'ble NGT order dated 19.08.2019 (published on 23.08.2019) in O. A. No. 1038 2018 - reg.**

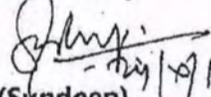
Sir,

Please refer to your letter No. CPCB/IPC-VII/CEPI/NGT/2019 dated 18.10.2019 regarding the subject mentioned as above. In this context, find enclosed herewith the mechanism for environmental management of Critically and Severely Polluted Areas and consideration of activities/projects in such areas in compliance of directions issued by Hon'ble National Green Tribunal on 19.08.2019 (published on 23.08.2019) in O. A. No. 1038 2018. The enclosed Mechanism may be shared with the State/UT Governments and SPCB/PCCs for implementation. However, the report regarding CEPI and EPI assessment study done by CPCB may be put up to the Ministry for further deliberation.

This issues with the approval of the Competent Authority.

**Encl: as above**

Your Faithfully

  
 (Sundeep)

Director/Scientist 'F'

Email: [sundeep.moef@gmail.com](mailto:sundeep.moef@gmail.com)

Phone/Fax:011-24695339

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Mechanism evolved after consultation with stakeholders for new activities/ expansion by Red & Orange Category of industries in Critically/ Severely Polluted areas

**A. Environmental Management of CPAs and SPAs**

Protocol to be followed by the State Pollution Control Boards (SPCBs)/ Pollution Control Committees(PCCs) For improvement of environmental quality in the Critically Polluted Areas (CPAs) and Severely Polluted areas(SPAs)

- i. The CEPI score assessment done by CPCB may be used as warning tool by the State Governments, SPCBs and other concerned to understand the severity of pollution existing in the area and to formulate appropriate action plan.
- ii. The State Govts. / Union Territories / SPCBs/PCCs may finalize the time bound action plans within three months for the identified CPAs and SPAs to restore environment quality within norms. Short term and long term action points have to be formulated with time frames of up to one year and more than one year, as may be required, respectively.
- iii. The action plan may be prepared by a committee constituted by Chief Secretary. Representative of industries association may be included in the committee constituted. The final preparation of action plan including its execution may be overseen by the Chief Secretary of the concerned state. The same may shall be submitted to CPCB for consideration & approval.
- iv. While preparing action plans, the committee constituted by the Chief Secretary shall follow the directions, issued by CPCB under section 18(1) (b) of the Water (Prevention & Control of pollution) Act, 1974 and the Air (Prevention & Control of pollution) Act,1981 on 26.04.2016, which include (i) environmental quality monitoring in all CPAs, (ii) installation of continuous ambient air quality monitoring stations/ Strengthening of manual monitoring stations (iii) installation of continuous water quality monitoring stations, (iv) application of revised CEPI version and (v) action plan & monitoring. Long term and short term action plans, along with sector and region wise action points, should be defined clearly with time lines and responsible implementing agencies. Additionally, Source apportionment Studies may be conducted to ascertain contribution from sources including industries for planning actions.
- v. The progress of implementation of action points may be reviewed by district and State Level Monitoring Committees, quarterly. It would be ensured that there is no slippage either in terms of time frame or the activities to be completed relating to the action plan. In case of delay/inefficiency in implementation of action plan, the concerned State

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Government will take appropriate action against the responsible authorities, implementing agencies, industries, etc. under the provisions of relevant acts/laws.

- vi. The SPCBs/PCCs may undertake environmental quality monitoring for evaluating CEPI in the critically and severely polluted areas falling under their jurisdiction through an outside third party recognized agency (laboratory) under Environment (Protection) Act, 1986 and accredited under NABL. The frequency of monitoring may be twice in a year i.e. pre- monsoon season and post-monsoon season.
  - vii. The action plans prepared for the CPAs/SPAs, environmental quality monitoring data, evaluated CEPI scores (as per revised CEPI-2016 concept) and progress reports of committee meetings to be placed in public domain through their respective State Govts. / UTs / SPCBs / PCCs websites. ~~CPCB may also review the progress of implementation of action plans of CPAs/ SPAs on a quarterly basis.~~
  - viii. In case CEPI scores of a particular CPA continue to be in critical category for a year, MoEF&CC may review the action plans with the concerned State Govt. / Union territory and impose additional safeguards such as revising the time limits for implementation of action points, supplementary action points and may recommend penal action against the authorities responsible for implementation of action plan for environmental management of CPAs/SPAs.
  - ix. CPCB may also carry out re-assessment of CEPI scores in CPAs, with concurrence of MoEF&CC and report outcome for further consideration and decision by MoEF&CC
  - x. Carrying capacity study of the each of the area may be carried out by State Govts. / Union Territories /SPCBs/PCCs based on the protocols prepared by CPCB.
- B. Consideration of proposals for grant of Environmental clearance for new and expansion activities listed in 'Red' and 'Orange' Categories located in Critically Polluted Areas and Severely Polluted areas:**
- i. Any project or activity specified in Category B1 will be appraised at the Central Level, if located in whole or in part within 5 km from the boundary of Critically Polluted Areas or Severely Polluted Areas. However, Category B2 projects shall be considered at state level stipulating Environmental Clearance conditions as applicable for the Category 'B1' project/activities.

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- ii. Proposals located in CPAs and SPAs may be examined by the sectoral Expert Appraisal Committee (EAC) during scoping/appraisal based on the CEPI scores of Air/Water/Land Environment as published by CPCB from time to time. In such proposals, appropriate mitigation measures for the environment possessing higher CEPI score may be made by EAC in the form of recommendations/decision. These recommendations may be explicitly mentioned in the Terms of Reference/Environmental Clearance letter and to be ensured by the member secretary concerned.
- iii. SPCBs/PCCs may prescribe following additional conditions, deemed fit for grant Consent to establish (CTE)/Consent to Operate (CTO) to those projects/activities of Red/Orange Categories located in CPAs/SPAs which are not covered under the provisions of the EIA Notification, 2006.

Environment	Mitigation Measures
Air	<p><u>Stipulation of conditions such as:</u></p> <ul style="list-style-type: none"> <li>i. Stack emission levels should be stringent than the existing standards in terms of the identified critical pollutants.</li> <li>ii. CEMS may be installed in all large/medium red category industries (air polluting) and connected to SPCB and CPCB server.</li> <li>iii. Effective fugitive emission control measures should be imposed in the process, transportation, packing etc.</li> <li>iv. Transportation of materials by rail/conveyor belt, wherever feasible.</li> <li>v. Encourage use of cleaner fuels (pet coke/ furnace oil/LSHS may be avoided).</li> <li>vi. Best Available Technology may be used. For example, usage of EAF/SAF/IF in place of Cupola furnace. Usage of Supercritical technology in place of sub-critical technology.</li> <li>vii. Increase of green belt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever feasible.</li> <li>viii. Stipulation of greenbelt outside the project premises such as avenue plantation, plantation in vacant areas, social forestry, etc.</li> </ul>

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	ix. Assessment of carrying capacity of transportation load on roads inside the industrial premises. If the roads required to be widened, shall be prescribed as a condition.
Water	<p><u>Stipulation of conditions such as:</u></p> <ul style="list-style-type: none"> <li>i. Reuse/recycle of treated wastewater, wherever feasible.</li> <li>ii. Continuous monitoring of effluent quality/quantity in large and medium Red Category Industries (water polluting).</li> <li>iii. A detailed water harvesting plan may be submitted by the project proponent</li> </ul>
	<p>iv. <del>Zero liquid discharge wherever techno-economically feasible.</del></p> <p>v. In case, domestic waste water generation is more than 10 KLD, the industry may install STP.</p>
Land	<p><u>Stipulation of conditions such as:</u></p> <ul style="list-style-type: none"> <li>i. Increase of green belt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever, feasible for new projects.</li> <li>ii. Stipulation of greenbelt outside the project premises such as avenue plantation, plantation in vacant areas, social forestry, etc.</li> <li>iii. Dumping of waste (fly ash, slag, red mud, etc.) may be permitted only at designated locations approved by SPCBs/ PCCs.</li> <li>iv. More stringent norms for management of hazardous waste. The waste generated should be preferably utilized in co-processing.</li> </ul>
Other Condition(Additional):	<ul style="list-style-type: none"> <li>i. Monitoring of compliance of EC conditions may be submitted with third party audit every year.</li> <li>ii. The % of the CER may be at least 1.5 times the slabs given in the OM dated 01.05.2018 for SPA and 2 times for CPA in case of Environmental Clearance.</li> </ul>

VAKALATNAMA

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH AT KOLKATA  
ORIGINAL APPLICATION No. OF 2023

IN THE MATTER OF:

VISHAL KUMAR

...APPLICANT

VS

BIHAR FOUNDRY AND CASTINGS

LIMITED &amp; ORS.

...RESPONDENTS

KNOWN ALL to whom these presents shall I, Vishal Kumar do hereby appoint Akshar Bhatt, Ishan Agrawal, Shiv Ratan Kakrania, Tanuj Kakrania, Karanjeet Sharma, Nabendu Das hereinafter called Advocates to be my/ our advocates in the above noted case and authorize them

To act, appear and plead in the above noted case in the National Green Tribunal (Western Bench at Pune) or in any court in which the same may be tried or heard and also in the appellate courts including High Court.

To sign, verify and present pleadings application, appeals, cross objections or petitions for execution, review, restoration, withdrawal, compromise or other petitions, replies, objections or affidavits or documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents.

To withdraw or compromise the said case or submit to arbitration any difference of disputes that may arise touching or in any manner relating to the said case.

To take out execution proceedings.

To deposit, draw and receive moneys, cheques and grant receipts there and to all other acts and things which may be necessary to be done for the progress and in the course of prosecution of that said case.

To appoint and instruct other legal practitioners authorizing him to exercise the power and authorize hereby confer upon the advocate whenever he may think fit to do so and sign the power of attorney on our behalf.

And I/ We undersigned do hereby agree ratify and confirm acts done by the advocates or his substitute in the matter is my/ our acts as if done by me/us to all intents and purposes.

And I/ We undersigned do hereby agree that in the event of any part of the fees agreed by me/ us to be paid to the Advocate remaining unpaid, he shall be entitled to withdraw from the prosecution and would be entitled to the same.

IN THE WITNESS WHEREOF I/ We do hereby upto put my/ our hand to these presents the contents to which have been understood by me / us on the 06<sup>th</sup> of December, 2023.

Accepted:



Akshar Bhatt, Ishan Agrawal

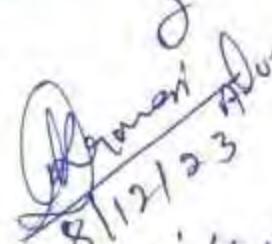
Advocates for the Applicant

A-89, FIRST FLOOR, SHIVALIK, MALVIYA NAGAR, NEW DELHI-110017

Email: akshar@outlook.com;

Mobile No.: 91-9818987688

Client  
Vishal Kumar  
(Vishal Kumar)

  
8/12/23  
(Durgu Kumar)  
EN-11243/13

08/12/2023  
NOTARY PUBLIC  
RANCHI

HARI SHANKAR SAHU  
NOTARY PUBLIC  
Reg.No-840/2016  
Ranchi Jharkhand (India)

Signature attested on  
identification of lawyer

- 8 DEC 2023