

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH

NEW DELHI

OA NO. 167 OF 2022

IN THE MATTER OF ::

Dilip Kumar & Ors.

...Applicant

VERSUS

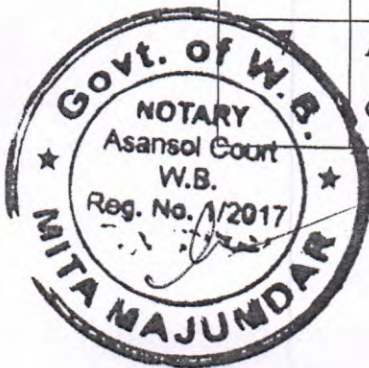
State of Jharkhand & Ors.

...Respondents

N.D.O.H:- 28.11.2022

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वर्षि मंडल अगुवा प्रमुख
Sr. Divisional Commercial Manager

2

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Through



GIGI.C.GEORGE, ADVOCATE

STANDING COUNSEL(UOI)

National Green Tribunal

Ch No. 457, Delhi High Court

New Delhi

M- 98106 25315

Email: gigigeorge.adv42@yahoo.in

DELHI
DATED 23/11/2022



22 NOV 2022

Sr. Divisional Counsel (UOI)

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH

NEW DELHI

OA NO. 167 OF 2022

IN THE MATTER OF ::

Dilip Kumar & Ors.

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...Respondents

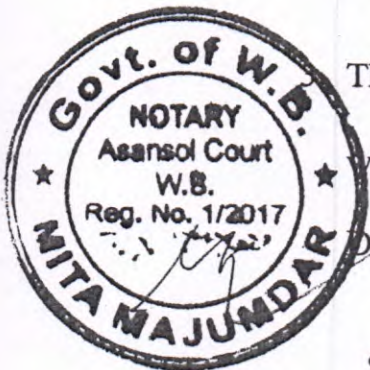
Reply on behalf of the respondent No. 2, Eastern Railway

Respectfully Showeth :

The respondent No. 2 most humbly submits as under:-

1. That the above titled Application is pending before this Hon'ble Court and fixed for hearing on 28.11.2022.
2. That the present Application preferred by the Applicant has impleaded Eastern Railway as respondent No. 2 by this Hon'ble Court.

That the grievence made in the present letter petition/application who are residents of Railway Station Road, Sonuadngal, Rasikpur, Dumka, Jharkhand are that stone chips loading work of at least one

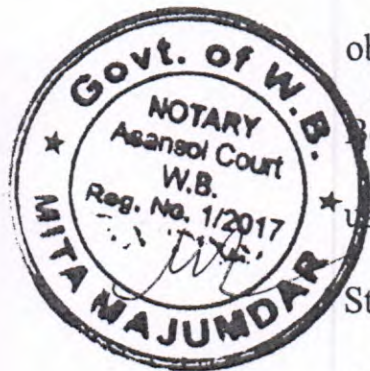


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वारं मंडल वारं मंडल
Sr. Divisional Commercial Manager

goods rake is done every day spreading huge quantity of stone dust in and around the station premises creating thick layer of stone dust on platform, trees, plant and rooftop in a radius of 1.15 kms and causing breathing problems and serious health hazards to the inhabitants. It is further stated that railway authorities have also allowed establishment of coal loading yard very near to the above said unit by completely ignoring woes and worries of the inhabitants in complete violation of environmental norms and fundamental right of the inhabitants to clean and healthy environment.

4. That allegation made by the petitioners were completely false and wrong. It specifically denied that Stone Chips loading one goods rake everyday spreading huge quantity of Stone dust in and around the station premises creating thick layer of stone dust on platform, trees, plant and rooftop in a radius of 1.15kms. The Railway Goods Shed at Dumka, Jharkhand is in operation since 2016. Being a Govt. Organisation Railway always abide by the rules and after obtaining permission from Jharkhand State Pollution Control Board through CTO/CTE has started to load Stone Cut. Railway use to handle bagged consignment like food grains as inward and Stone Cut as outward consignment. Bagged consignment hardly

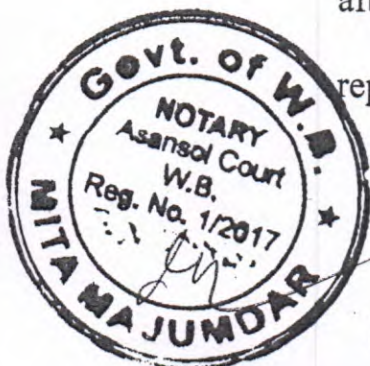


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वरिष्ठ मंडल अधिकारी
Sr. Divisional Commercial Manager

causes any kind of pollution. On the other hand Stone Cut may cause some pollution for which the railway has taken enough measures so that pollution level is not above the prescribed limit. The permission from Jharkhand State Pollution Control Board is annexed as Annexure-R-1

5. That the Jharkhand State Pollution Control Board has time to time issued guidelines to curb the Air and Water Pollution which the railway complies and taken up specific measures to reduce pollution. Railway has even established PM-10 analyser for regular checking of air quality.
6. That the railway has took Air and Noise quality monitoring report on 08.10.2020/09.10.2020 and 19.09.2022/20.09.2022. Both reports show that " the ambient air quality with respect to particulate matters, SO₂ and NO₂ are within the prescribed National Ambient Air Quality Standard also the noise level is well within the standard specified limit for industrial area. The 1st Report is before the starting of Coal Handling ad 2nd Report is after the starting of Coal Handling at Dumka Goods. The said report is annexed as Annexure -R-2.



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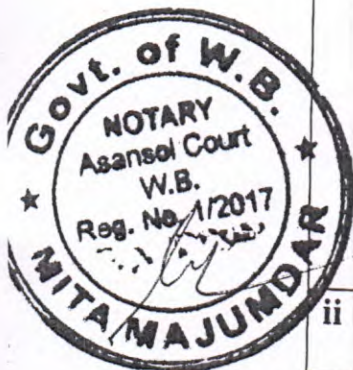
वरिष्ठ मंडल वरिष्ठ प्रबंधक
e. 10/11/2022

7. That the Dumka Railway Station had developed a coal loading point at Dumka Goods Shed for West Bengal Power Development Corporation Limited from Sept. 2022. Jharkand State Pollution Control Board issued combined CTO/CTE for loading and unloading of stone chips and coal vide order dt.29.05.2022. The said order is annexed as **Annexure-R-3**. In the said CTO some parameters were mentioned and railway has complied the same.
8. The following are the observations and recommendations of Joint Committee constituted by the directions of this Hon'ble Tribunal vide order dt.05.05.2022

OBSERVATIONS

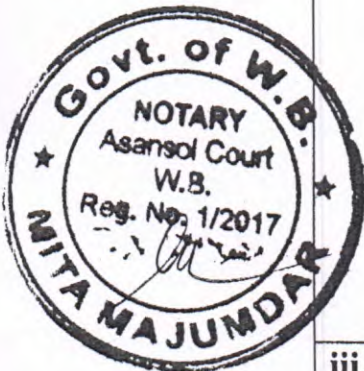
Sl. No.	Observations	Remarks
I	Green Belt is being developed along the railway siding however more numbers of trees are required to be planted for creation of effective fence between siding and habitations	Railway is taking initiative to plant more saplings
ii	Fixed type mist fog water	Two water tankers

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Sr. Divisional Commercial Manager

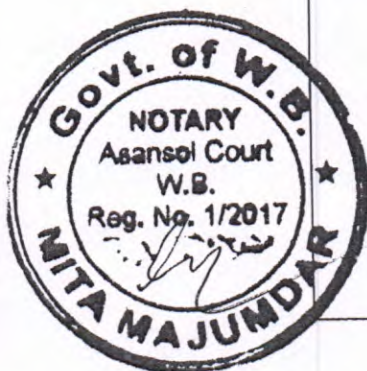
	sprinklers need to be installed to control the dust generated during loading & unloading activity.	have been arranged for sprinkling purpose as and when rakes are handled at the loading/unloading site. 03 Nos of fog mist water sprinklers/cannon atomizers are installed to reduce dust pollution. Apart from that 02 fixed type mist fog water sprinklers are in procurement process and will be installed shortly
iii.	Garland drains and settling pit needs to be constructed to keep	Garland drains provided and



वरिष्ठ मंडल विधिज्ञ प्रमाण
or Divisional Commissioner, Asansol

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	surface runoff water within the siding	one(1) nos of settling pit is under construction for storing surface runoff water within premises.
iv.	A tin sheet boundary/wind breaking wall 20 feet high and 72 feet long has been constructed to cover the entire Railway Siding	Fencing of 20 feet height of around 100 meter length has been constructed. This is in addition to 72 meter fencing which was constructed earlier and mentioned in the Joint Inspection report. Apart from that the fencing will be extended to the



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वरिष्ठ मंडल (वर्ग) प्रबंधक
Sr. Divisional Commissioner

		entire length of the Railway siding. The work is under progress
V	The coal needs to be dumped at least 50 meters away from the track to avoid dust entering in railway premises or platform	Coal is being dumped at nearly 70 meters away from passenger movements i.e., station platforms.
vi.	The unit shall carry out continuous sprinkling of water along the transportation road to control dust generated from plying of vehicles at the siding	02 water tankers are already deployed for continuous sprinkling of water at loading/unloading site and on roads transportation of coal to control and

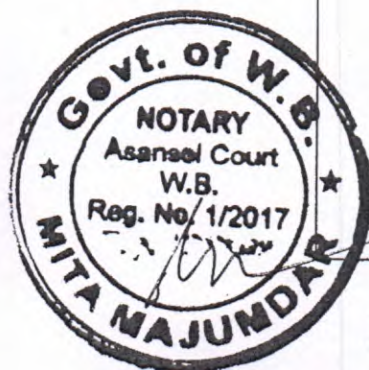


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		prevent dust generation.
vii	The loading and unloading surface needs to be completely paved.	Loading/unloading surface is already made with concrete
Viii	Circle officer Dumka was directed to submit a report about the habitation in vicinity and also their feedback as consultative process	Not pertains to Railway

RECOMMENDATIONS

SL.NO	Recommendations	Remarks
i	The railway siding involved in loading and unloading of materials shall install fixed type water sprinkling system for effective dust suppression, before start of its operation	Two water tankers have been arranged for sprinkling purpose as and when rakes are handled at the loading/unloading



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		site. 03 Nos of fog mist water sprinklers/cannon atomizers are installed to reduce dust pollution. Apart from that 02 fixed type mist fog water sprinklers are in procurement process and will be installed shortly.
ii.	The said unit shall install settling pond of suitable capacity with chemical dosing system for treatment of the run off water	One settling chamber has been constructed. Another 02 Nos of settling chambers are under construction and expected to be



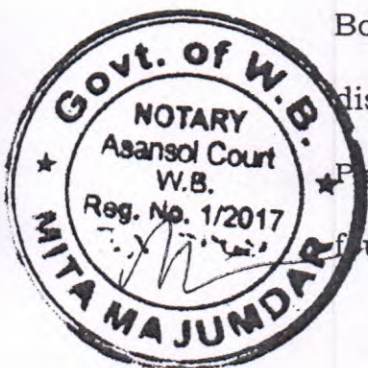
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		completed by Dec.22
iii.	The said unit shall construct the wind breaking wall of 20 feet high covering entire siding area, to prevent the spread of dust and adequate tree plantation shall be carried out all along the boundary wall	As already mentioned, nearly 170 meter long and 20 feet fencing has been constructed. The fencing will be extended to the entire length of the railway siding. Work is under progress.

Sr. Divisional Commissioner, Bhubaneswar

The said complete report of Joint Committee constituted by this Hon'ble Tribunal is annexed as Annexure-R-4

9. That on the directions of the Jharkhand State Pollution Control Board Medical team has done medical test respiratory and skin diseases on the residents within the radius of 1.5 Kms of the Platform of the Railway Station Dumka, Jharkhand and it is found no such diseases of respiratory and skin within 1.5 km



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radius of Dumka Railway Station. The said medical report is annexed as **Annexure-R-5.**

10. That the Divisional Railway Manager has already submitted the compliance report against the observations and recommendations of Joint Committee Report to Jharkand State Pollution Control Board. The railway has taken all the preventive measures to protect the environment and even the recommendations of Joint Committee has also been complied or in the process of the same. The said compliance report is annexed as **Annexure-R-6.**

11. That while deciding the case on merit the above facts, reasons, and circumstances stated in the preceding paragraphs may be considered by the Hon'ble Court.

12. That the Applicants has filed above titled application on false and fictitious ground against the respondent No. 2/railway. It is submitted that the Applicant has no cause of action to file the present litigation against the respondent No. 2/railway. The alleged cause of actions is totally false, fabricated, frivolous and manipulated.



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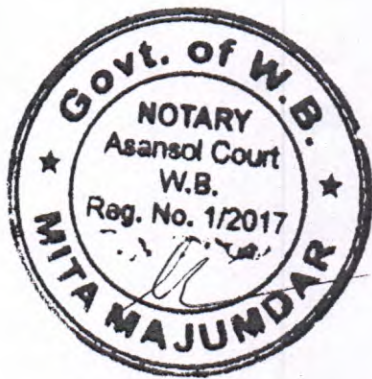
13. That an affidavit in support of this reply is also attached here with.

The undersigned has been authorized by the respondent No. 2 to file this reply on his behalf

PRAYER

In view of the above facts and circumstances, it is therefore, most respectfully and humbly prayed that this Hon'ble Court may kindly be pleased to:

- i. Dismiss the Original Application of the Applicant against the respondent No. 2; and
- ii. Pass any such or further orders as may deem fit and proper in the facts and circumstances of the present case, in the interest of justice.



22 NOV 2022
ASANSOL
DATED

Through

वरिष्ठ मंडल अधिवक्ता प्रबंधक
Sr. Divisional Counsel Manager
पूर्व रेलवे, आसनसोल
Eastern Railway, Asansol

GIGI.C.GEORGE
ADVOCATE

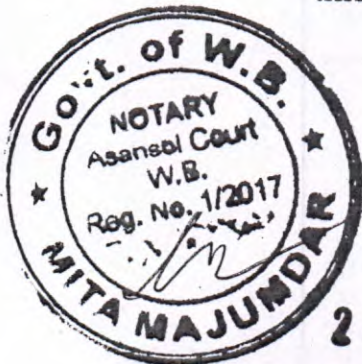
STANDING COUNSEL(UOI)

Chamber No.457, Delhi High Court
New Delhi

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH**NEW DELHI****OA NO. 167 OF 2022****IN THE MATTER OF ::****Dilip Kumár & Ors****...Applicants****VERSUS****State of Jharkhand****...Respondents****Sl. No. 44/2022****AFFIDAVIT**

I, Santanu Chakraborty S/o Sri Asit Kumar Chakraborty aged about 42 years working as Sr Divisional Commercial Manager, Eastern Railway, Asansol Division, do hereby solemnly affirm and declare as under:-

1. That the deponent is the employee of the respondent No. 2 and is fully conversant with the facts and circumstances of the case as per the records maintained by the department and is competent to swear this affidavit.
2. The deponent has been authorized by the respondent No. 2 to file this reply on its behalf.

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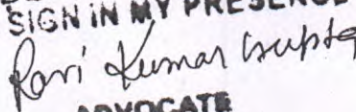
वरिष्ठ मंडल वाणिज्य प्रबंधक
Sr. Divisional Commercial Manager

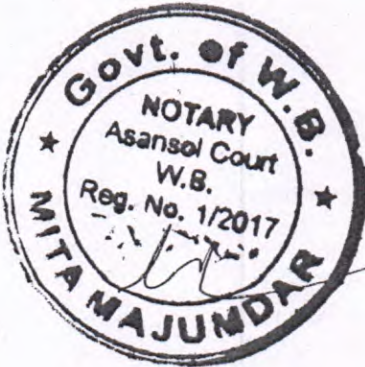
3. That the contents of the accompanying Reply have been drafted by our counsel under our instructions and the same are true to my personnel knowledge derived from records and are based on legal advice received and believed to be correct.

VERIFICATION:

Verified at Asansol on this 22nd day of November , 2022 that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

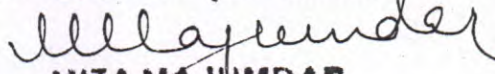

DEPONENT
 वरिष्ठ मंडल वाणिज्य प्रबंधक
 Sr. Divisional Commercial Manager
 पूर्व रेलवे, आसनसोल
 Eastern Railway, Asansol

IDENTIFIED BY ME
 AND SIGN IN MY PRESENCE

 ADVOCATE




DEPONENT
 वरिष्ठ मंडल वाणिज्य प्रबंधक
 Sr. Divisional Commercial Manager
 पूर्व रेलवे, आसनसोल
 Eastern Railway, Asansol

solemnly affirmed & declared on
 Oath before me on identification


MITA MAJUMDAR
 NOTARY Reg. No-1/2017
 Asansol Court Govt. of W.B.
 22 NOV 2022



JHARKHAND

POLLUTION CONTROL BOARD

TOWNSHIP ADMINISTRATION BUILDING, HEC COMPLEX, DHURWA, RANCHI 834004
Telephone: 0651-2400850 (Fax)/ 2400851/2400852/2401847/2400979/2400138

Ref No. JSPCB/HO/RNC/CTE CTO-4959589/2019/3

Dated : 2019-10-13

Combined Consent (CTE & CTO) under section 25 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981

1. Application (s) dated 2019-08-06 of DUMKA GOODS SHED, Occupier Name :Akhilesh ojha for consent(Consent to Establishment and Consent to Operate) 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 contents of Combined CTE & CTO application, Project report and the documents furnished in support of application.

(b) The content of M/s Dumka Goods shed is establish in Railway own land for loading and unloading of materials.

(c) The content of inspection report Ref no. 1172 dated 10.08.2018 of Regional Officer, Regional OfficeCum-Laboratory, J.S.P.C.Board, Dumka. mentioned that, the proposed project is under green category and exempted in new CTE guideline regarding distances.

3. The consent is granted under section 25 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 - RASHIKPUR , P S -DUMKA , District -DUMKA , as follows:

Project	Site-Area		Investment (Rs)	Product & Capacity	Validity
	Plot Nos.	Area			
Before Expansion	Plot No. 295, Khata No.-02	Area- 4953 Sq. Mtrs	Rs. 51,27, 989.49/- (as per project report)	loading and unloading of Minerals Goods----- (capacity not mention in checklist and application)	31/12/2019

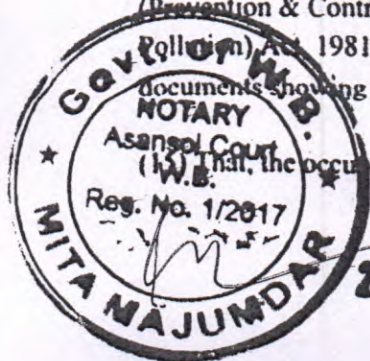


Specific Conditions:

the /they shall submit AAQ & Noise level Monitoring reports within the consent period, and the analysis reports must be prepared by an organization recognized by JSPCB / CPCB / MoEF, Govt. of India.

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- (2) That, he/they shall allow transportation of materials either in lumps or in fines only through covered and leak proof dumpers/trucks within the railway siding area.
- (3) That, he/they shall make arrangement of water sprinkling through fixed water sprinklers or tankers having facility of pressure pump and fogging system at loading-unloading sites and on the transportation road within three months and report to the Board Head office at Ranchi as well as Regional Office, JSPCB, Dhanbad.
- (4) That, he/they shall make tree plantation in good numbers in two rows by making by bamboo Gambians at a spacing of 2.0M within three months and maintain it and report to the Board substantiating the plantation works with photographs taken from all angles.
- (5) That, he/they shall cover all the materials with tarpaulin when it is lying on the railway siding and not being lifted for its transportation through roads.
- (6) That, he/they shall transport the materials only of those mines/plants who have valid authority for transportation under valid provisions of the law.
- (7) That, he (they) shall construct garland drains and settling tanks (sumps) with pumping arrangement to reuse the settled water to control water pollution occurring during rainy season within three months.
- (8) That, he (they) shall construct permanent boundary/wind breaking wall of at least 10 ft. height all along the railway siding within three months.
- (9) That, he (they) shall in no case discharge runoff water or waste water of premises outside the railway sidings.
- (10) That, he (they) shall complete the construction of the Boundary wall and installation of fixed type water sprinklers latest by 30th April, 2019 and 30th June 2019 respectively and submit by monthly progress report of construction and installation of these works to the Board as per the directions given by the Board.
- (11) That, he (they) shall allow transport of materials through the railway siding of such mines/plants which have valid consent to operate order of the State Pollution Control Board and also keep a record thereof and shall make available to the officer (s) concerned during his (their) visits of the site.
- (12) That, the Board shall impose any other condition at any point of time as recommended by the Regional Office / Head Office, JSPCB for control of pollution as it find deem fit.
- (13) That, the occupier shall if be found violating the Consent to Operate at any point of time during inspection of the plant by the competent authority, the Consent to Operate shall be revoked as per provision of the acts.
- (14) That, the occupier shall submit applications for renewal of consent under section 25 / 26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 again 120 days prior to the date of expiry of this consent i.e. 31.12.2019, with documents showing compliance of all of the above conditions.



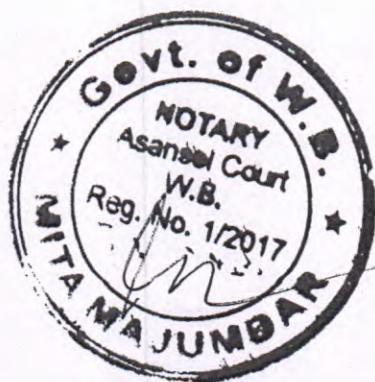
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That, the occupier shall install PM10 analyzer with online connectivity to JSPCB server by 31.12.2019

else environmental compensation would be leived from the date of this CTO.

(B) General Conditions :

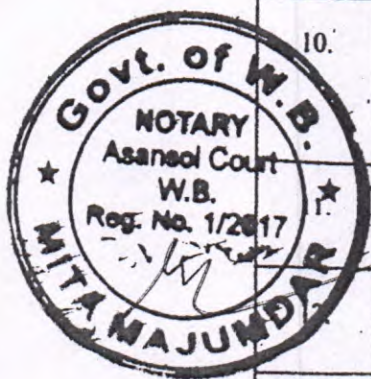
- (1) That, the occupier shall maintain the National Ambient Air Quality Standard given below:



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S N	Pollutant	Time Weighted Average	Concentration in Ambient Air	
			Industrial, Residential, Rural and Other Area	Ecologically Sensitive Area (notified by Central Govt.)
(1)	(2)	(3)	(4)	(5)
1.	Sulphur Dioxide (SO ₂), µg/m ³	Annual 24 hours	50 80	20 80
2.	Nitrogen Dioxide (NO ₂), µg/m ³	Annual 24 hours	40 80	30 80
3.	Particulate Matter (size less than 10 µm) or PM ₁₀ , µg/m ³	Annual 24 hours	60 100	60 100
4.	Particulate Matter (size less than 2.5 µm) or PM _{2.5} , µg/m ³	Annual 24 hours	40 60	40 60
5.	Ozone(O ₃), µg/m ³	8 hours 1 hour	100 180	100 180
6.	Lead (Pb) µg/m ³	Annual 24 hours	0.50 1.0	0.50 1.0
7.	Carbon Monoxide (CO) mg/m ³	8 hours 1 hour	02 04	02 04
8.	Ammonia (NH ₃) µg/m ³	Annual 24 hours	100 400	100 400
9.	Benzene (C ₆ H ₆) µg/m ³	Annual	05	05
10.	Benzo(a) Pyrene(BaP) Particulate Phase only ng/m ³	Annual	01	01
	Arsenic (As) ng/m ³	Annual	06	06
	Nickel (Ni) ng/m ³	Annual	20	20

Note : Serial no. 1 to 4 – Mandatory
Serial no. 5 to 12 As applicable for specific type of industry.



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

S N	Parameter	Standard
1	Particulate Matter	NA

- (3) That, the occupier shall keep process effluent in close-circuit and the quality of effluent from other sources in conformity with the standard (s) and the discharge quantity as below:

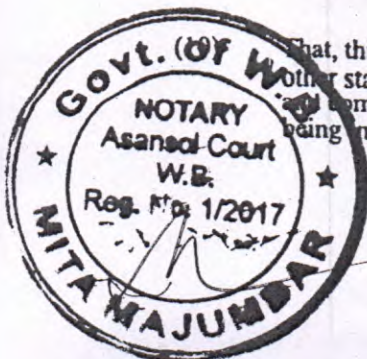
S N	Parameter	Standard
1	Total Suspended Solids	NA

- (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, every year latest by 30th September of the next financial year.
- (9) That, this Consent 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.

That, this Consent 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 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.



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- (11) That, this Consent shall not in any way, adversely affect or jeopardize the legal proceeding, if any, instituted in the past or that could be, instituted against you by the State Board for violation of the provisions of the Act or the Rules made there under.
- (12) That, the occupier shall comply with all applicable provisions of the Water (Prevention & Control of Pollution) Act, 1974; the Water (Prevention & Control of Pollution) Cess Act, 1977; the Air (Prevention & Control of Pollution) Act, 1981; and the Environment (Protection) Act, 1986 and Rules made there under.
4. That, this Consent 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 Consent is being issued on the basis of information/ documents/ certificate submitted by the unit. This Consent 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

Memo No. : JSPCB/HO/RNC/CTE/CTO-4959589/2019/3

RAVINDR
A PRASAD
(Ravindra Prasad)
Regional Officer

Dated : 2019-10-13

Copy to: Shri Akhilesh ojha, M/S DUMKA GOODS SHED, At - DUMKA RAILWAY STATION,
P.O.+ Distt.- Dumka/ Director of Industry, Government of Jharkhand, Ranchi/ Director of Mines,
Government of Jharkhand, Ranchi/ Deputy Commissioner, Dumka/ Chief Inspector of Factories, Ranchi/
D.F.O., Dumka/ D.M.O., Dumka/ Regional Officer, Jharkhand State Pollution Control Board, Ranchi/
for information & necessary action.

RAVINDRA D. PRASAD
PRASAD
(Ravindra Prasad)
Regional Officer



22 NOV 2022

**Sabz Care****Environmental Consultancy Pvt. Ltd.**

23.



R-2

Let's start thinking about nature for tomorrow

Recognized by JSPCB, Ranchi
Accredited by NABL, ISO/IEC 17025:2017**TEST REPORT**

Name of Industry	Dumka Goods Shed	ULR No.	TC994822000000667
Address	Dumka Railway Station, Dumka District- Dumka, State- Jharkhand	Particular of the Plant	Railway Goods Shed (Eastern Railway)
Date of Sampling	17.09.2022 to 18.09.2022	Sample Collected by	Vivek Kumar Malakar & Team
Type of Sample	Suspended Dust and Gases	Sample condition	Sealed and Preserved
Sample Details	Ambient Air	Sample Drawn By	Sabz Care Lab
Sample ID	SCECPL/TR/22/247/AA-213	Work order No.-	C.4/Pollution Control/ASN date 16.09.2022
Period of Analysis	19.09.2022 to 20.09.2022	Remarks	
		Report Release Date	20.09.2022

A. GENERAL INFORMATION

Location of Sampling: Location-1: Near Pillar No.-1032(Coordinates- 24°17'20.9"N to 87°15'37.1"E)
 Location- 2: Near Pillar No.-1016 (Coordinates- 24°17'20.9"N to 87°15'37.1"E)
 Location- 3: Near Pillar No.-1010 (Coordinates- 24°17'24.4"N to 87°15'20.8"E)

Duration of Sampling: 24 hours

B. METEOROLOGICAL INFORMATION

1. Average Ambient Temperature (°C) : 29.5
2. Relative Humidity (%) : 84.6
3. Barometric Pressure (mbar) : 1005
4. Weather condition : Cloudy

C. TEST RESULTS

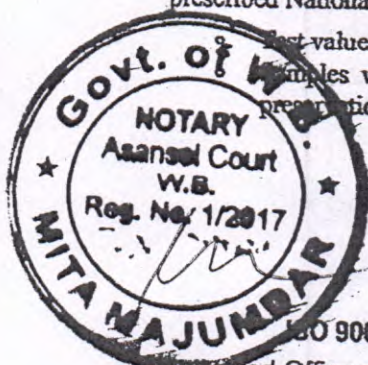
S.N.	PARAMETERS	UNIT	TEST METHOD	RESULTS (Location-1)	RESULTS (Location-2)	RESULTS (Location-3)	Average	Requirements/ Specifications as per CPCB
1.	Particulate Matter as PM _{2.5}	µg/m ³	IS 5182 (Part 24)	38.72	35.38	36.63	36.91	60 (µg/m ³)
2.	Particulate Matter as PM ₁₀	µg/m ³	IS 5182 (Part 23)	69.45	64.28	67.93	67.22	100 (µg/m ³)
3.	Sulphur Dioxide as SO ₂	µg/m ³	IS 5182(Part 2)	22.32	16.96	20.54	19.94	80 (µg/m ³)
4.	Nitrogen Dioxide as NO ₂	µg/m ³	IS 5182(Part 6)	26.54	24.28	22.58	24.47	80 (µg/m ³)

*** END OF REPORT ***

Remarks: The ambient air quality with respect to Particulate matters, SO₂ and NO₂ are within the prescribed National Ambient Air Quality Standard.

Test values are reported based on the samples received.

Samples will be destroyed after 15 days from date of issues of the Test Report subject to nature of preparation. Samples will be preserved as per the standard method.



ISO 9001 : 2015 CERTIFIED COMPANY : OHSAS : 45001 : 2018 CERTIFIED LAB

Registered Office : Aarti Bhawan, Bawan, Bighas, PO- Madhupur, Dist-Deoghar-815353 (Jharkhand)

Contact : 09334315731, 07563048389, e-mail : scecpmdp@gmail.com

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SabzCare Environmental Consultancy Pvt. Ltd.



24.



Let's start thinking about nature for tomorrow

Recognized by JSPCB, Ranchi
Accredited by NABL, ISO/IEC 17025:2017

TEST REPORT

Name of Industry	Dumka Goods Shed	ULR No.	TC994822000000668
Address	Dumka Railway Station, Dumka District- Dumka, State- Jharkhand	Type of Industry	Railway Goods Shed (Eastern Railway)
Date of Study	17.09.2022 to 18.09.2022	Sample Collected By	Vivek Kr. Malakar
Sample ID	SCECPL/TR/22/247/NR-147	Time of Duration	24 Hours
Sample Drawn by	Sabz Care Lab	Work order No.-	C.4/Pollution Control/ASN dated 16.09.2022
Sample details	Ambient Noise	Remarks	
Method No.	IS:9989-2014	Report Release Date	20.09.2022

Limit in Leq dB(A)

(CENTRAL POLLUTION CONTROL BOARD, MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE, GOVERNMENT OF INDIA)

S.N.	CATEGORY OF AREA	DAY TIME	NIGHT TIME
1.	Industrial Area	75	70
2.	Commercial Area	65	55
3.	Residential Area	55	45
4.	Silence Zone	50	40

*Day time is reckoned in between 6:00 A.M. & 10:00 P.M.

* Night time is reckoned in between 10:00 P.M. & 6:00 A.M.

PERMISSIBLE NOISE EXPOSURE FOR INDUSTRIAL WORKERS

Exposure time (in hours per day)	Limit in dB(A)
8	90
4	93
2	96
1	99
1/2	102
1/4	105
1/8	108
1/16	111
1/32	114

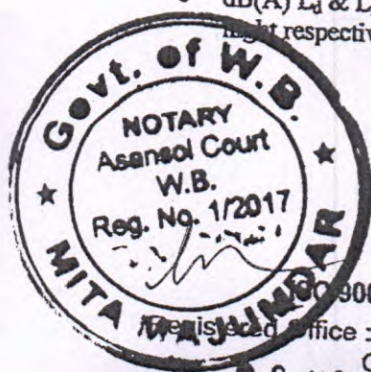
AMBIENT NOISE QUALITY REPORT

Sampling Location	NOISE LEVEL IN dB(A)				
	Minimum	Ld-Mean (Day)	Ln-Mean (Night)	L _{eq} Mean	Maximum
1. Near Pillar No.-1032 (Coordinates- 24°17'20.9"N to 87°15'37.1"E)	59.2	75.8	60.7	74.6	81.5
2. Near Pillar No.-1016 (Coordinates- 24°17'20.9"N to 87°15'37.1"E)	55.2	71.8	56.7	70.6	77.5
3. Near Pillar No.-1010 (Coordinates- 24°17'24.4"N to 87°15'20.8"E)	57.4	74.0	58.9	72.8	79.7

*** END OF REPORT ***

Remarks-

- dB(A) L_d & L_n denotes the time weighted average of the level of sound in decibels on scale(A) in day and night respectively and L_{eq} denotes average of 24 hours which is relatable to human hearing.



ISO 9001 : 2015 CERTIFIED COMPANY : OHSAS : 45001 : 2018 CERTIFIED LAB
 Registered Office : Aarti Bhawan, Bawan, Bighas, PO- Madhupur, Dist-Deoghar-815353 (Jharkhand)
 Contact : 09334315731, 07563048389, e-mail : scecpmdp@gmail.com

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ARDS

Testing Laboratory

AN ISO 9001:2008 and CHSA 5 15001:200 Certified Company

TEST REPORT OF AMBIENT AIR QUALITY MONITORING

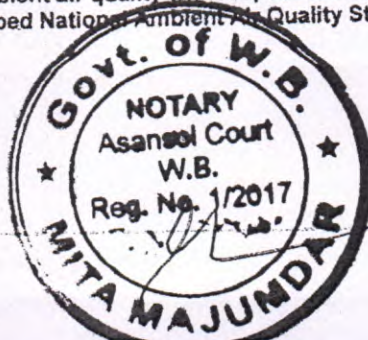
Report No	Ref. No. & Date	NAME AND ADDRESS OF THE CLIENT				
495(a)/2020	ARDS/20-21/ASNW-1133 Dt. 12.10.2020	DUMKA RAILWAY STATION (DUMKA) GOODS SHED, P.O. DUMKA, P.S. - DUMKA, DIST. DUMKA (JHARKHAND) 814101				
Date of Sample Collection		No. of Monitoring Station	Avg. Ambient Temperature (°C)	Average Humidity (%)	Weather Condition	Status of the plant
08.10.2020 - 09.10.2020						
Date of Testing		03	33.8	62	Clear	Running
10.10.2020						
Type of Industry		FACILITIES STORAGE & TRANSPORTATION OF MATERIALS				
Station 1		Near High must Tower Goods Shed.				
Station 2		Main Entrance Railway Station.				
Station 3		Near Platform No. 1				
Test Method		1. For Particulate matters (PM 2.5µm) - As per CPCB Test Methods 2. For Particulate matters(<10µm)-As per IS-5182 Part-23 Test Method 3. For SOX as per IS - 5182 - Part - 2 Test Method. 4. For NOX as per IS - 5182 - Part - 6 Test Method.				

AMBIENT AIR QUALITY MONITORING TEST RESULT

STANDARD OF CPCB	SOx as SO ₂ in µg/m ³	NOx as NO ₂ in µg/m ³	Particulate Matters in µg/m ³	
	80	80	100 PM ₁₀	60 PM _{2.5}
STATION - 1				
02:10 PM - 08:10 PM	16.85	24.12	82.12	48.25
08:20 PM - 04:20 PM	19.15	26.28	79.06	46.43
04:30 PM - 12:30 AM	22.25	28.25	75.28	44.16
Maximum	22.25	28.25	82.12	48.25
Average	18.75	26.22	78.82	46.28
STATION - 2				
12:25 PM - 08:25 PM	19.78	26.70	73.15	42.80
08:35 PM - 04:35 PM	15.42	24.62	70.25	40.15
04:45 PM - 12:45 AM	20.35	28.15	75.18	45.12
Maximum	20.35	28.15	75.18	45.12
Average	18.52	26.49	72.86	42.69
STATION - 3				
12:40 PM - 08:40 PM	18.60	28.48	62.18	36.31
08:50 PM - 04:50 AM	21.38	26.30	64.28	37.50
05:00 AM - 01:00 PM	16.45	25.43	60.30	34.18
Maximum	21.38	28.48	64.28	37.50
Average	18.81	26.74	62.25	36.00

Remarks: The ambient air quality with respect to SO₂, NO₂ & Particulate Matters are within the prescribed National Ambient Air Quality Standard.

Sr. Chemist
Aditi R&D Services



(D.N.P. Singh)
Chief Executive Officer
Aditi R&D Services, Sindri

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ADITI R&D SERVICES

ARDS

Testing Laboratory

AN ISO 9001:2000 and OHSAS 18001:2007 Certified Company

TEST REPORT OF NOISE (AMBIENT) LEVEL MONITORING

Report No.	Ref. No. & Date	NAME AND ADDRESS OF THE CLIENT			
495(b)/ 2020	ARDS/20-21/ASNW- 1134 Dt. 12.10.2020	DUMKA RAILWAY STATION (DUMKA) GOODS SHED P.O. DUMKA, P.S. - DUMKA, DIST. DUMKA (JHARKHAND) 814101			
Date of Monitoring					
08.10.2020 - 09.10.2020		Avg. Ambient Temperature(°C)	Average Humidity (%)	Weather Condition	Status of the Plant
		33.8	62	Clear	Running
Type of Industry		FACILITIES STORAGE & TRANSPORTATION OF MATERIALS			
MONITORING RESULTS					
Sl. No.	Place of Monitoring	Day Time (6 AM to 10 PM) Avg. dB(A)	Night Time (10 PM to 6 AM) Avg. dB(A)	Noise level (Ambient standard) for Industrial Area as per CPCB Ref. G.S.R. 1063(E) Dt. 26 th Dec. 1989	
				Limit in dB(A) Leq	
				Day Time	Night Time
1.	Near High must Tower Goods Shed.	69.00	62.00		
2.	Main Entrance Railway Station.	64.00	60.00		
3.	Near Platform No. 1	60.00	58.00		
AVERAGE dB (A) Leq.		65.81	60.30	75	70

Remarks: Noise level is well within the standard specified limit for Industrial Area.

Sr. Chemist
Aditi R&D Services

(D.N.P. Singh)
Chief Executive Officer
Aditi R&D Services, Sindri



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27.

R-3.

JHARKHAND STATE POLLUTION CONTROL BOARD

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

Ref No. JSPCB/RO/RNC/CTO-11434197/2022/109

Dated : 2022-05-29

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

1. Application (s) dated 2022-01-05 of DUMKA GOODS SHED, Occupier Name :Akhilesh Ojha 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 Combined CTE/CTO granted vide Ref No.-JSPCB/HO/RNC/CTE/CTO-4959589/2019/3, Dated-13.10.2019 of this office.

(b) The content of Consent to Operate (CTO) granted vide Ref. No. JSPCB/HO/RNC/CTO-7084777/2020/2024 dated 04.01.2021 valid upto 31.12.2021;

(c)The content of inspection report Ref no. 1654 dated 11.12.2021 of Regional Officer, Regional Office-Cum-Laboratory, J.S.P.C. Board, Dumka.

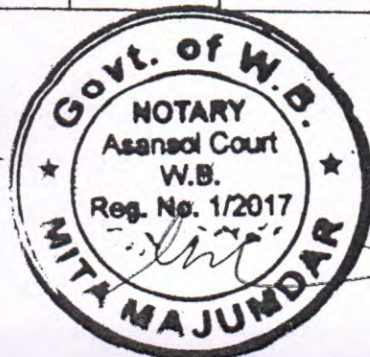
(d) The content of letter dated 18.05.2022 for submission of Environmental Compensation Rs. 14,40,000/- vide DD No. 809909 dated 18.05.2022;

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 -RASHIKPUR , P S -DUMKA , District -DUMKA , as follows:

Project	Site-Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			Date of issue To
Before Expansion	Mauza - RASHIKPUR, Plot No. 295, Khata No.-02	Area - 4953 Sq. Mtrs	51,27,989.4 9/-	Loading and Unloading of Stone Chips - 1,85,000 MT/Month and Coal - 6,25,000 MT/Month	31/10/2022

(A) Specific Conditions:

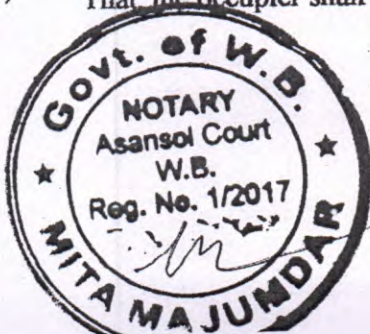
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1. That, the occupier shall, comply with all the conditions including installation of PM 10 analyser related to railway siding as directed in the JSPCB letter memo no B-387 dated. 11.04.2019 within 2 months from the date of issuance of this CTO. If the unit is found to be non-complied with respect to these conditions as stated in the referred letter then CTO shall be revoked and fresh environmental compensation will be levied as per NGT order from the date of Issue of last CTO.
2. That, if the occupier is found violating the Consent to Operate at any point of time during inspection of the plant by the competent authority, the Consent to Operate shall be revoked as per provision of the acts.
3. That, the occupier shall comply all the conditions laid down in CTE and CTO.
4. That, the occupier shall install fixed type mist fog water sprinklers to cover all dusty place in the premises to impart water spraying during loading & unloading of materials and shall keep in good operateable condition at all the times.
5. That, the occupier shall transport the Coal by leak proof and covered vehicles with tarpaulin sheet.
6. That, the occupier shall procure/purchase raw material from those suppliers who have valid consent to operate of the concerned State Pollution Control Board and intimate the Board Head Quarter and Regional Office accordingly.
7. That, the occupier shall submit Ambient air quality and Noise level monitoring reports within the consent period.
8. That, the occupier shall dump the coal at least 50 meter away from the track.
9. That, the occupier shall maintain a detailed record of account of raw material's purchase, ensure local transport by covered trucks and longer distances by covered railway wagons and shall submit the copies of documents to concerned Board/Regional Officer & District Mining Officer every month.
10. That, the occupier shall keep surface run off within the premises and should construct garland drain and settling pit for this purpose.
11. That, the occupier shall submit online applications for renewal of consent under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 again 120 days prior to the date of expiry of this consent i.e. 31.10.2022 with requisite fee and documents showing compliance of all of the above conditions.

(B) General Conditions :

- (1) That the occupier shall maintain the National Ambient Air Quality Standard given below:



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

S N	Parameter	Standard
-----	-----------	----------

- (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:

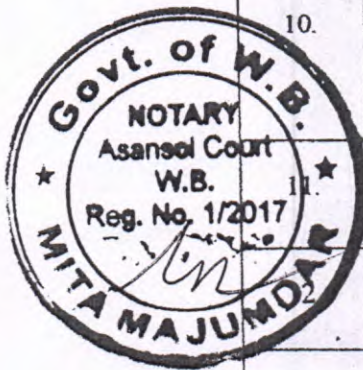
S N	Waste Type	Mode of Disposal
1	Hazardous Carbonaceous Wastes	In co-processing in high temperature furnaces or kilns
	Hazardous Non-Carbonaceous Wastes	In TSDF
	Non-Carbonaceous Non-Hazardous solid wastes/ Mine Over Burden	As a substitute of Soil or Mineral



- (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.

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S N	Pollutant	Time Weighted Average	Concentration in Ambient Air	
			Industrial, Residential, Rural and Other Area	Ecologically Sensitive Area (notified by Central Govt.)
(1)	(2)	(3)	(4)	(5)
1.	Sulphur Dioxide (SO ₂), µg/m ³	Annual 24 hours	50 80	20 80
2.	Nitrogen Dioxide (NO ₂), µg/m ³	Annual 24 hours	40 80	30 80
3.	Particulate Matter (size less than 10 µm) or PM ₁₀ , µg/m ³	Annual 24 hours	60 100	60 100
4.	Particulate Matter (size less than 2.5 µm) or PM _{2.5} , µg/m ³	Annual 24 hours	40 60	40 60
5.	Ozone(O ₃), µg/m ³	8 hours 1 hour	100 180	100 180
6.	Lead (Pb) µg/m ³	Annual 24 hours	0.50 1.0	0.50 1.0
7.	Carbon Monoxide (CO) mg/m ³	8 hours 1 hour	02 04	02 04
8.	Ammonia (NH ₃) µg/m ³	Annual 24 hours	100 400	100 400
9.	Benzene (C ₆ H ₆) µg/m ³	Annual	05	05
10.	Benzo(a) Pyrene(BaP) Particulate Phase only ng/m ³	Annual	01	01
	Arsenic (As) ng/m ³	Annual	06	06
	Nickel (Ni) ng/m ³	Annual	20	20



Note : Serial no. 1 to 4 – Mandatory
Serial no. 5 to 12 As applicable for specific type of industry.

- (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

**KAMLAKAN
T PATHAK**

Digitally signed by KAMLAKAN
PATHAK
Date: 2022.05.29 15:29:44 +05:30

[Kamlakant Pathak]

Regional Officer, Dumka

Dated : 2022-05-29

Memo No. : JSPCB/RO/RNC/CTO-
11434197/2022/109

Copy to: Shri Akhilesh Ojha, GSS, M/S Dumka Goods Shed, At - Dumka Railway Station, P.O.+ Distt.- Dumka/ Director of Industry, Government of Jharkhand, Ranchi/ Director of Mines, Government of Jharkhand, Ranchi/ Deputy Commissioner, Dumka/ Chief Inspector of Factories, Ranchi/ D.F.O., Dumka/ D.M.O., Dumka/ Regional Officer, Jharkhand State Pollution Control Board, Dumka for information & necessary action.

**KAMLAKAN
T PATHAK**
[Kamlakant Pathak]
Regional Officer, Dumka

Digitally signed by
KAMLAKANT PATHAK
Date: 2022.05.29
15:28:43 +05:30



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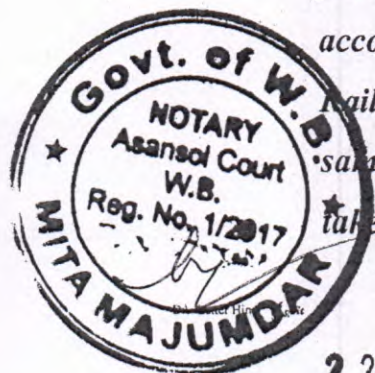
Joint inspection report in the matter of Hon'ble NGT Principal Bench, New Delhi, O.A. No.- 167/2022, Dilip Kumar & Ors. Versus State of Jharkhand Regarding.

1.0 Background

With reference to the order of the Hon'ble NGT, Principal Bench, New Delhi dated 05.05.2022 in O.A. No.- 167/2022, in the matter of **Dilip Kumar & Ors. Versus State of Jharkhand**, a joint committee was constituted of the following members from (i) Jharkhand State Pollution Control Board (JSPCB) (ii) General Manager, Eastern Railway Howrah, West Bengal and (iii) Deputy Commissioner, Dumka Jharkhand. Copy of order enclosed as **Annexure-I**. the order read as

"1. The grievances made in the present letter petition, sent by Mr. Dilip Kumar and others residents of Railway Station Road, Sonuadangal, Rasikpur, Dumka, Jharkhand are that Stone Chips loading unit is being run in Dumka Railway Station in which loading and unloading work of at least one goods- rack is done every day spreading huge quantity of stone dust in and around the station premises creating thick layer of stone dust on platform, trees, plant and rooftop in a radius of 1.15 kms and causing breathing problems and serious health hazards to the inhabitants. It is further stated that the railway authorities have also allowed establishment of Coal Loading Yard very near to the abovesaid unit by completely ignoring woes and worries of the inhabitants in complete violation of environmental norms and fundamental right of the inhabitants to clean and healthy environment.

2. In view of the grievances made in the letter petition, we are of the view that the factual position needs to be verified and remedial action is required to be taken on the basis thereof by the Statutory Authorities as per mandates of the statutory provisions and directions issued by Hon'ble Supreme Court and this Tribunal. We accordingly constitute Joint Committee of State PCB, General Manager, Eastern Railway Howrah, West Bengal and Deputy Commissioner, Dumka and direct the same to verify the factual position, look into the grievances of the applicant and take remedial action in accordance with law by following due process within one



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month from the date of receipt of a copy of this order. State PCB will be the no agency for coordination and compliance....."

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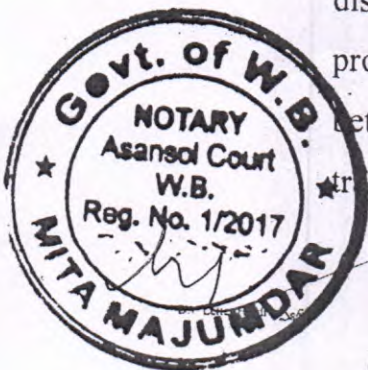
In light of the above direction a Joint inspection was scheduled on 22.07.2022 at 1 PM. Details of the committee member's are as under.

Sl. No.	Name	Designation	Organization
i	Shri Ravi Shankar Shukla	Deputy commissioner, Dumka	Govt. of Jharkhan
ii	Shri Kamlakant Pathak	Regional Officer	JSPCB, Regional Office, Dumka
iii	Shri Brij Kishor Sharma	Assistant commercial manager, Asansol	Eastern Railway, Asansol, West Bengal

Copy of authorization letter is attached collectively as Annexure- II

2.0 Brief Facts and finding of the committee:

- 2.1 Dumka Goods Shed (Railway siding) is located at Longitude: 24°17'22" N & Latitude: 87°15'38" E.
- 2.2 The Dumka Goods Shed (Railway Siding) which is in question of the application situated just opposite and parallel to Dumka Railway station in revenue village Rashikpur of Distt. Dumka.
- 2.3 The platform no.03 of Dumka Railway station is located near the Dumka Goods shed and the Railway siding track on which the loading of stone chips is being done. The distance from platform no.03 is 15 meters and the Railway track where coal is proposed to be loaded is located at a distance of 55 meters. And 61 meters distance between Railway tracks of Coal siding to Railway boundary wall. Coal loading and transportation has not started yet.



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(24)

2.4 Consent to operate (CTO) for operation of the Dumka Goods shed (Railway Siding) is granted under Air (Prevention and Control of Pollution) Act 1981 and Water (Prevention and Control of Pollution) Act 1974 has been issued by Jharkhand State Pollution Control Board vide letter no. JSPCB/RO/RNC/CTO 11434197/2022/109 Dated 2022-05-29 which is valid up to 31.10.2022 duly stipulating certain conditions for loading & unloading of Stone chips-185000 MT/Month and Coal-625000 MT/Month. Copy of CTO is enclosed as **Annexure III**

2.5 Presently at Dumka Goods shed only loading of Stone chips and unloading of rice and wheat of Food Corporation of India (FCI) is done. The transportation or loading of coal is proposed with the compliance of certain conditions as directed by Jharkhand State Pollution Control Board. Along with this, it was also told by the railway representative that on an average 2500 passengers travel daily in Dumka railway station. Copy of direction issued to Dumka Goods shed for compliance of certain conditions and copy of the Stone chips loading details for the last 6 months and average daily travel passengers details provided by Railway is enclosed collectively as **Annexure-IV**

2.6 During the inspection the work of Loading & unloading of Stone Chips was not being done. Due to which harmful effect of dust particles could not be properly assessed. However, it was observed that Stone dust is bound to be generated due to Loading/unloading and plying of vehicles, which shall cause the spread of stone dust in platform, station premises, in and around the tree plants and rooftop of the nearby habitations and hence preventive, precautionary and mitigating measures are necessary. Photographs are enclosed as **Annexure-V**

2.7 As per health reports submitted by medical department Dumka, there is no any symptom of asthmatic and skin diseases in local residents within the diameter 1.15 KM of Railway siding. Civil Surgeon-Cum-Chief Medical Officer, Dumka letter is enclosed as **Annexure-VI**



3.0 Regulatory compliance status under Air (Prevention and Control of Pollution) Act 1981 and Water (Prevention and Control of Pollution) Act 1974:

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35. 3.1 A tin sheet boundary /wind breaking wall about 20 feet height and 72 feet long been constructed near the St. Xavier's School. Some part of which was found in damaged conditions during inspection. Work for construction of boundary wall is under process. Photographs & copy of tender documents is enclosed as **Annexure-VII**

3.2 To prevent dust from the loading and unloading activity, two movable water tanks have been provided. Fixed type mist fog water sprinklers have not been installed. Railway representative informed that the work of installation of 4 nos. of fixed mist cannons is under process. Photographs & copy of proposed supply is enclosed as **Annexure-VIII**

3.3 Garland drain with de silting pit has not been constructed along the boundary wall. Construction is also under process. Copy of tender documents is enclosed as **Annexure-VII**

3.4 Greenery in Railway siding is not adequate at present. Photographs & copy of tender documents are enclosed as **Annexure-VII**

3.5 Concrete sleeper road have been constructed at the entry and exit points of railway siding. It was noticed during inspection that, the roads were not maintained properly. Photographs are enclosed as **Annexure-IX**

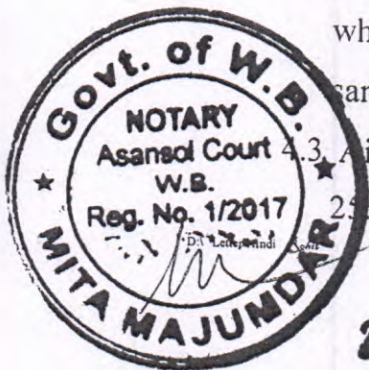
3.6 Rain water harvesting system has not been implemented at the siding. Implementation of Rain water harvesting is under process. Copy of tender documents is enclosed as **Annexure-VII**

4.0 Environmental parameter monitoring:

4.1 An online PM10 analyzer has been found installed and was in operation, Real time data & were being transmitted to JSPCB website. Photographs & copy of the monitoring data for the Month of June & July 2022 is enclosed as **Annexure - X**

4.2 Air quality data monitored on dated 08.02.2022 to 09.02.2022 and 24.07.2022 to 25.07.2022 by JSPCB authorized and NABL accredited lab were analyzed. Minimum value of PM10 was observed $62.03\mu\text{g}/\text{m}^3$ And maximum value was $69.60\mu\text{g}/\text{m}^3$ which are within the limit ($\text{PM}_{10} = 100\mu\text{g}/\text{m}^3$) prescribed by CPCB. Report of same is enclosed as **Annexure- XI**

4.3 Air quality data monitored on dated 08.02.2022 to 09.02.2022 and 24.07.2022 to 25.07.2022 by JSPCB authorized and NABL accredited lab were analyzed. Minimum



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value of PM 2.5 was observed $33.10\mu\text{g}/\text{m}^3$ And maximum value was $38.80\mu\text{g}/\text{m}^3$ which are within the limit ($\text{PM}_{2.5} = 60\mu\text{g}/\text{m}^3$) prescribed by CPCB. Report of the same is enclosed as **Annexure- XI**

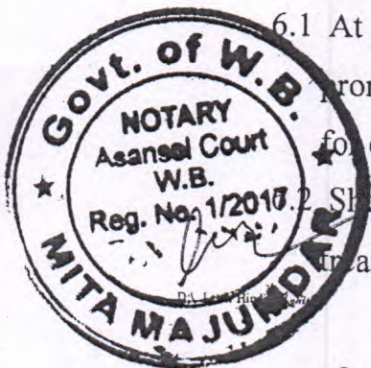
5.0 Over all observation:

- 5.1 Green belt is being developed along the railway siding however more numbers of trees are required to be planted for creation of effective fence between Siding and Habitations.
- 5.2 Fixed type mist fog water sprinklers need to be installed to control the dust generated during loading & unloading activity.
- 5.3 Garland drains and settling pit need to be constructed to keep surface runoff water within the siding.
- 5.4 A tin sheet boundary /wind breaking wall about 20 feet height and 72 feet long has been constructed. Needs to be extended as per the length of railway siding.
- 5.5 The coal needs to be dumped at least 50 meters away from the track to avoid dust entering in railway premises or platform.
- 5.6 There is a need for continuous sprinkling of water during the transportation road to control dust generated from plying of vehicles at the siding.
- 5.7 The loading and unloading surface needs to be completely paved.
- 5.8 The Circle Officer of Dumka, who accompanied the team during the visit, was directed to submit a report about the habitation in vicinity and also their feedback as a consultative process, which is annexed herewith as **Annexure – XII**

6.0 Recommendations:

In view of the observation made by the committee constituted by the Hon'ble NGT, in the above said matter, the competent authority may issue necessary direction (if needed and deemed fit) to ensure the following

- 6.1 At the railway siding involved in loading and unloading of the materials which are prone to generate fugitive dust emissions, should install fixed type water sprinklers for effective dust suppression, before start of its operation.
- 6.2 Should install settling pond of suitable capacity with chemical dosing system for treatment of the runoff water,



22 NOV 2022

6.3 Should construct the wind breaking wall of 20 feet high covering entire siding area to prevent the spread of dust and adequate tree plantation along the boundary wall should be ensured..

(37)

02 8 22

(Brij Kishor Sharma)
Assistant commercial manager,
Asansol, Eastern Railway

Kamal
02/08/2022
(Kamlakant Pathak)
Regional Officer,
Dumka
J.S.P.C. Board

Ravi Shankar Shukla
(Ravi Shankar Shukla)
Deputy commissioner,
Dumka
Govt. of Jharkhand



22 NOV 2022



कार्यालय, असेनिक शल्य चिकित्सक सह मुख्य चिकित्सा पदाधिकारी, दुमका।

प्रेषक,

पत्रांक 3107 /

सेवा में,

असेनिक शल्य चिकित्सक-सह-
मुख्य चिकित्सा पदाधिकारी, दुमका।

क्षेत्रीय पदाधिकारी
झारखण्ड राज्य प्रदुषण नियंत्रण पर्वट, दुमका

दुमका, दिनांक 25/07/22,

विषय -

Compliance of the direction issued by Hon'ble NGT, Principal Bench, New Delhi in its Order dated 05-05-2022 in O.A.No 167/2022 के संबंध में।

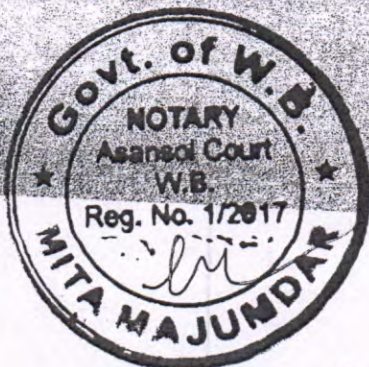
महाशय

उपयुक्त विषयक के संबंध में Hon'ble NGT, Principal Bench, New Delhi in its Order dated 05-05-2022 in O.A.No 167/2022 में दायर दिलीप कुमार एवं अन्य झारखण्ड राज्य एवं अन्य के संबंध में दिनांक 05.05.2022 को पारित आदेश के अनुसार दुमका रेलवे स्टेशन परिसर स्थित रेलवे साईडिंग से पत्थर चिप्स का लोडिंग अनलोडिंग के कम में काफी मात्रा में पत्थर धूल कण फैल जाने के कारण निवासियों को सांस समस्या एवं अन्य संबंधी खतरो तथा बिमारीयों होने की संभावना को दर्शाया गया है।
उक्त के आलोक में संबंधित क्षेत्र का निरीक्षण किया गया, 1.15 KM के परिधि में स्थित प्लेटफार्म अंतर्गत निवासीयों के निरीक्षण के दौरान संबंधित क्षेत्र के कई व्यक्तियों को सांस एवं चर्म रोग संबंधित जांच किया गया जिसमें यह पाया गया कि किसी प्रकार का सांस एवं चर्म रोग के तत्काल लक्षण नहीं पाया गया है।

विश्वासभाजन

असेनिक शल्य चिकित्सक-सह-
मुख्य चिकित्सा पदाधिकारी, दुमका।

25/07/22



22 NOV 2022



परमानंद शर्मा
आई आई एस आई
Permanand Sharma
IRSME
मंडल रेल प्रबन्धक
पूर्व रेलवे/आसनसोल
DIVISIONAL RAILWAY MANAGER
EASTERN RAILWAY, ASANSOL



आसनसोल | 713301
Asansol

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0341 - 2302319
E-mail : drm@asn.railnet.gov.in
drmasn14@gmail.com

No.C.4/Pollution Control/ASN/20

Asansol dated 26.10.2022.

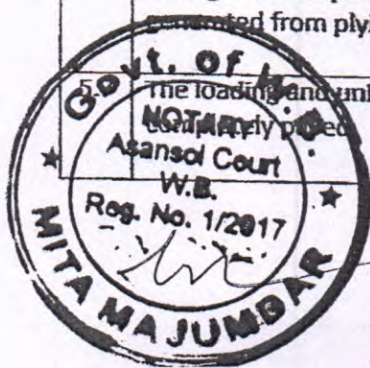
Member Secretary,
Jharkhand State Pollution Control Board,
Ranchi

Sub: Compliance of directions issued by Hon'ble NGT, Principal Bench, New Delhi in its order dated 15.09.2022 in O. A. No. 167/2022 in the matter of Dilip Kumar & Ors. Versus State of Jharkhand- Regarding.

Ref: JSPCB's letter no. B-2234 dated 14.10.2022.

Reference above, item wise compliance of Overall observations are as under:-

S/N	Observation	Compliance
5.1	Green belt is being developed along the railway siding however more numbers of trees are required to be planted for creation of effective fence between Siding and Habitations.	Tree plantation within the periphery & other available spaces has been done and continuing.
5.2	Fixed type mist fog water sprinklers needs to be installed to control the dust generated during loading & unloading activity.	02 Water tankers have been arranged for sprinkling purpose as and when rakes are handled. 03 nos. of fog mist water sprinklers /cannon installed. Procurement of 02 more Fixed type mist fog water sprinklers is in the tender floating stage and will be completed without delay.
5.3	Garland drains and settling pit need to be constructed to keep surface runoff water within the siding.	Garland drains provided & 01 nos. of settling pit constructed. Another 02 nos. of settling pit is under construction for keeping surface run off within premises.
5.4	A tin sheet boundary/ wind breaking wall about 20 feet height and 72 feet long has been constructed. Needs to be extended as per length of railway siding.	Fencing of 20 feet height of around 100 meter apart from the existing 72 meters has been constructed. It will be extended to the entire length of the railway siding around 600 mtrs. Work is under progress.
5.5	The coal needs to be dumped at least 50 meters away from the track to avoid dust entering in railway premises or platform.	Coal is being dumped at nearly 70, meters away from passenger platform.
5.6	There is a need for continuous sprinkling of water during the transportation road to control dust generated from plying of vehicles.	02 water tankers are already deployed for continuous sprinkling of water during the transportation road to control dust generated from plying of vehicles
	The loading and unloading surface needs to be	Loading surface has already been made with concrete.



Cont.....P2/-

S/N	Recommendation	Compliance
6.1	At the railway siding involved in loading and unloading of the materials which are prone to generate fugitive dust emissions, should install fixed type water sprinklers for effective dust suppression, before start of its operation.	02 Water tankers have been arranged for sprinkling purpose as and when rakes are handled. 03 nos. of fog mist water sprinklers /cannon installed. Procurement of 02 more Fixed type mist fog water sprinklers is in the tender floating stage and will be completed without delay.
6.2	Should install settling pond of suitable capacity with chemical dosing system for treatment of the runoff water.	01 no. of settling chamber has been constructed. Another 02 nos. of settling chambers is under construction and will be completed by December 2022. There is no waste soluble in water so require chemical neutralisation.
6.3	Should construct the wind breaking wall of 20 feet height covering entire siding area, to prevent the spread of dust and adequate tree plantation along the boundary wall should be ensured.	Fencing of 20 feet height of around 100 meter apart from the existing 72 meters has been constructed. It will be extended to the entire length of the railway siding. Work is under progress.

P. Sharma
 (Permanand Sharma)
DRM/E. Rly./Asansol



Badri Narayan
 01/11/2022

22 NOV 2022

VAKALATNAMA

IN THE HIGH COURT AT CALCUTTA

DISTRICT NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELConstitutional Writ Criminal Revision Jurisdiction
Civil Appeal

W.P./C.R./C.R./O.A.

No. 167

of 2022

Dilip Kumar & orsAppellant
Petitioner

-Versus-

State of Jharkhand & orsRespondent
Opposite -Party

Vakalatnama on behalf of Respondent no - 2 Knows all
men by these presents that by the Vakalatnama I/We appoint the Advocates noted below or any one
of them, my/our lawful Advocate or Advocates for filling the memorandum of appeal or petition in
for entering appearance

the above matter for appearing in, conducting and arguing the same for depositing or withdrawing
any money in connection therewith for moving the Court in any matter connected therewith, for
preparing the paper-book in the case and for putting in papers, petitions etc. on my/our behalf for
filling or taking back any documents for withdrawing suits or appeals or petitions with permission the
institute fresh suits, etc. for signing and filling petitions of compromise in connections with the said
matter and for taking copies of paper from the record and I/We further say that any act done by
my/our said Advocate or Advocates or by any one of them after accepting this Vakalatnama, shall be
considered. As my/our said Advocate or Advocates or by any one of them after accepting this
Vakalatnama, shall be considered as my/our own true and lawful act.

And i/We further hereby agree and undertake to pay the said Advocate or Advocates his or
their fees as settled and all others sums that may be necessary to carry out the requisition of the
Court and otherwise to enable the said Advocate or Advocates to conduct the case properly, failing
which the said Advocate or Advocates after notice to me/us will be at liberty to withdraw from the
further conduct of the case.

IN WITNESS WHEREOF I/we sign and execute this vakalatnama, on this the
20th day of Nov. 2022

NAME OF THE ADVOCATE

GIGI. C. GEORGE

Ch. no. 457, Delhi

High Court, N.D

M-9810625315

Email: gigigeorge.adv42@yahoo.in

D/154(CR)/1999

Dy. General Manager(G)
Eastern Railway,

उप महाप्रबंधक (सा०)

पूर्व रेलवे, कोलकाता

Deputy General Manager (G)
Eastern Railway, Kolkata