

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH  
ORIGINAL APPLICATION NO. 552 OF 2022**

**IN THE MATTER OF:**

Ravi Tripathi

...Applicant

Versus

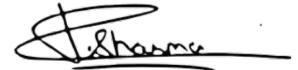
State of Madhya Pradesh

...Respondent(s)

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1.	Reply on behalf of Respondent No. 3 i.e., MPPCB in compliance of Order dated 14.12.2022 passed by the NGT, Principal Bench, in Original Application No. 552 of 2022	<b>1-13</b>

**FILED BY**



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**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH****ORIGINAL APPLICATION No. 552/2022 (PB)**

Applicant: - Ravi Tripathi

V/s

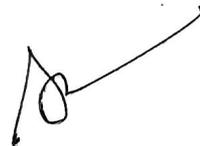
Respondents: - State of Madhya Pradesh &amp; Ors.

**Reply on Behalf of MPPCB**

That the answering respondent is Regulatory Body constituted under section 4 of Water (Prevention & Control of Pollution) Act 1974 and also full filling the responsibility bestowed under section 5 of Air (Prevention & Control of Pollution) Act 1981.

The South Eastern Coalfields Limited (SECL) is one of the eight subsidiaries of Coal India Limited (CIL) and the largest coal producing company of India with its headquarters at Bilaspur, Chattisgarh. SECL comes under administrative control of Ministry of Coal, Government of India. The coal reserve of SECL has spread over the states of Chhattisgarh and Madhya Pradesh. Sohagpur Area of SECL is one of the 13 Coal producing Area of SECL. Sohagpur Area falls under the Central India coal field and it is located in Shahdol and Anuppur district of Madhya Pradesh. The nearest town is Anuppur which is about 10 Km away. The area is very well connected both by rail & road. The nearest Railway Station is Burhar Railway Station and nearest highway is Rewa-Amarkantak road (State-Highway No. 43) passes through the area.

The mines of Sohagpur area are in operation after the nationalization for more than 50 years continuously and are main reason behind progress, prosperity



and economic development of the area. There are seven mines operational in this area out of which two mines are open cast, four mines are underground and one mine is mixed type. The present scenario of coal mines in Sohagpur area is given below:-

**Table 1 : Present scenario of coal mines in Sohagpur Area**

S. No.	Name of the mine	OC/UG	Production Capacity (MTPA)		ML area (Ha)
			Normative	Peak	
1	Khairaha UG Mine	UG	--	0.819	472.065
2	Rajendra UG Mine	UG	--	0.625	590
3	Bangwar UG Mine	UG	--	0.65	496.647
4	Damini UG Mine	UG	--	0.48	335
5	Amlai OC Sec B Mine	OC	1.5	2.025	190.995
6	Dhanpuri OC Mine	OC	2	2.725	1075.78
7	Sharda High wall	Mixed	--	0.85	871.205
TOTAL			3.5	8.174	4031.692

During last three years, production has been within 2 million tonnes per annum, almost about 60% of total production capacity permitted by Ministry of Environment, indirectly reducing pollution load proportionately.

Reply on merit with respect to Grievances of the Applicant Email dated  
11.03.2022

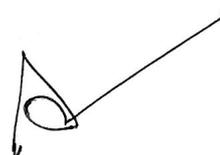
➤ **Reply w.r.t point no. 1, 1/A & 2 [Safety of Wildlife]**

The matter of animals wandering in ML area is related to Forest Department & SECL. Matter is not directly linked to MPPCB. Although Joint Committee reported that, in the coal mines, the chance of direct impact on the life of animals is very less due to following reasons:

- Advance technologies are being used for blasting.
- The Over Burden waste generated are not toxic/hazardous in nature.
- At Sohagpur Area, huge quantity of plantation is done every year on Over Burden Dump area by MPRVVN (Madhya Pradesh Rajya Van Vikas Nigam) with 4 year maintenance, which has eventually developed a dense green belt around the mines. This plantation area has also become a habitat for the wildlife like deer, monkeys etc.

According to the record of Forest Department, during previous year one deer was died due to a road accident near coal mine area at Sohagpur. The incident happened on a public road and registration number of the vehicles by which the animal died is still unidentified. No direct relation has been found between coal mining & this road accident. Panchnama w.r.t. accident of animal is submitted which reads that the cause of death is due to road accident not because of coal mining activity (Copy of panchanama is enclosed as Annexure – 1).

Apart from this incidence, after that no other incident has been reported to the forest department. This is also pertinent that mining



activity of SECL has been continued since last more than 50 years. It seems isolated incident.

➤ **Reply w.r.t point no. 3 [Dumping of over burden on trees]**

Joint Committee reported that, during inspection no trees have been found covered by over burden. Small bushes have definitely got suppressed due to over burden in few places at Amlai open cast mine.

➤ **Reply w.r.t point no. 4 [Intimation to Applicants]**

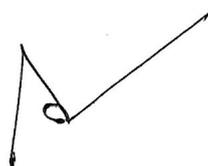
Complainant was also intimated on 17.10.2022 by e-mail & by mobile phone about the Joint Committee visit scheduled on 19/10/2022. Committee member met with complainant during joint inspection. Complainant expressed his points of view and committee member have patiently heard him. Complainant's father Shri Murli Tripathi was also present during discussion with villager of Bemhouree during joint visit on 19/10/2022. Documents related to all complaints done by complainant were already with committee members. Committee Members were already very well versed with various issues raised by complainant.

➤ **Reply w.r.t point no. 5 [Mode of inspection]**

Petitioner has made a statement based on mere speculations, statement are not facts, hence no comments. Inspection is done by visiting all relevant spots including pollution control facilities. GPS photo related to inspection indicating location of field with time. Complaint contains very frivolous, superficial, fact less & ground less statements. Inspection is done as per procedure and regulation mentioned in various pollution control acts.

➤ **Reply w.r.t point no. 6 [Public Information office of SECL]**

Related to Right of Information wing of SECL, hence no comments.



- **Reply w.r.t point no. 7 [C.S.R activities of SECL]**
- Related to C.S.R activities of SECL & District Administration, not specially linked with pollution control matter. C.S.R activities are finalised, supervised and regulated by committee headed by district collector. SECL has been doing road construction and maintenance activities within their lease area.

➤ **Reply w.r.t point no. 8 [Regarding plantation in SECL Area]**

As reported in Joint Committee report, Committee has seen dense plantation in all over Sohagpur Coal Area. Lush green field are clearly visible around the periphery of mine area and on both sides of the road approaching towards mine. The plantation work on the OB dumps of Open Cast Mine and subsidence land of the underground mines is done by the MP Rajya Van Vikas Nigam Limited (MPRVVNL) every year along with a 4 year additional maintenance and protection work. A MOU vide order no. SECL/BSP/Forest/MOU plantation/MPRVVNL/2018/190 dated 29.12.2018 has been signed between SECL and MPRVVNL for the plantation work.

**Details of plantation work done by mine management in last 5 years**

S. N.	Name of Mine	Plantation in the Last 5 years	Plantation Area (HA)
1.	Amlai OC and Amlai OC Sec B Mine	1,16,500	58.25
2.	Bangwar UG Mine	2,600	1.04
3.	Damni UG Mine	4,000	1.6
4.	Dhanpuri OC Mine	1,39,500	55.8

5.	Khairaha UG Mine	12,000	4.8
6.	Rajendra UG Mine	58,000	23.2
7.	Sharda OC Mine	1,65,000	66

**Details of plantation work since inception**

S.N.	Name of Mine	No of Plantation done	Area in Ha
1.	Amlai OC Sec B Mine	2,57,375	102.95 Ha
2.	Bangwar UG Mine	31,799	12.72 Ha
3.	Damni UG Mine	8,500	3.4 Ha
4.	Dhanpuri OC Mine	6,40,175	256.070 Ha
5.	Khairaha UG Mine	17,000	6.8 Ha
6.	Rajendra UG Mine	2,30,267	92.1 Ha
7.	Sharda OC Mine	4,47,500	199.98 Ha
Total		16,32,616	674.02 Ha

Above status is verified during visit of joint committee constituted by Hon'ble NGT.

➤ **Reply w.r.t point no. 9 [Fencing around mine area]**

Joint Committee constituted by Hon'ble NGT has mentioned in the report that, the boundary of the mines is fenced by barbed wire in most of the area. Some parts where fencing was not found for which mine administration informed about theft of the wires. Mine administration has also submitted the FIR copy of the same which is enclosed as Annexure- 2. Committee has also seen that the restoration/reconstruction work of stolen fencing has also been in process and is likely to be completed in next one or two weeks. Instructions to complete ongoing restoration work are issued

by MPPCB, Shahdol to mine management. As intimated by mine management due to frequent occurrence of theft cases by local Kabadi Mafia, this is general practice adopted by management to re-erect the fencing time-to-time after following due procedure of tendering & contract. To keep the cattle's away from mine pit area, toe wall made by stone boulder is also constructed in some part of the periphery of mines.

➤ **Reply w.r.t point no. 10 [Plantation of fruit bearing trees]**

Details regarding plantation work done by SECL in various mines of Sohagpur coal area is already mentioned in reply of point no. 8. Apart from plantation of Eucalyptus, various other species of plants were also observed planted during joint committee visit. Committee has also recommended in report to increase their plantation target by 25% to 50% more than last five year average from next year 2023-24. Species such as Neem (fruit bearing tree), Mango (fruit bearing tree), Gulmohar (ornamental tree), Teak & Sheesam (utility tree) also existing in plantation done by SECL.

It is pertinent to mention that most of the points raised in petition area not directly linked to MPPCB. Although various steps are taken by MPPCB from time to time in regards to prevention and control of Environment Pollution and upgradation of existing pollution control measure's by ensuring deployment of mist gun and establishment of STPs and CAAQMS. These facts are already mentioned in Joint Committee Report.



Average value of Ambient Air Quality related to various mine's has been mostly within stipulated prescribed standard, as evident from below mentioned table.

**Ambient Air Quality Monitoring Result Conducted by MPPCB Shahdol  
(Date of Sampling – 11.10.2022 & 12.10.2022)**

Name of Mine	Sampling Point (near)	Particulate Matter (PM10)( $\mu\text{g}/\text{m}^3$ )	Sulphur Dioxide (SO <sub>2</sub> ) ( $\mu\text{g}/\text{m}^3$ )	Nitrogen Dioxide (NO <sub>x</sub> )( $\mu\text{g}/\text{m}^3$ )	Average Noise Level(dB)
Amlai OC Mine	Sub Area Office	86.57	12.19	16.47	61.24
	Coal Area Loading Point	92.13	14.73	18.89	68.39
Bangwar UG Mine	Manager Office	68.71	11.24	15.46	60.12
	Substation	71.92	13.97	18.06	55.21
Damini UG Mine	Manager Office	60.36	11.38	14.25	62.57
	Substation	65.51	15.71	18.48	69.31
Dhanpuri OC Mine	MTK Office	89.71	12.86	16.24	63.49
	D – Sector	94.76	15.31	19.08	69.04
Khairaha UG Mine	Manager Office	71.43	10.98	12.69	61.74
	Substation	74.87	13.05	15.36	67.32
Rajendra UG Mine	Sub Area Office	62.84	14.51	17.92	59.77
	Manager Office	66.48	17.62	23.54	64.81
Sharda OC Mine	Manager Office	82.58	13.47	15.01	64.94
	Coal Area Loading Point	90.04	14.26	18.37	71.28

### Details of mist fogging machine operating in various mine

S.N.	Name of Mine	Nos of water tankers
1.	Amlai OC Sec B Mine	Mist fogging machine – 1 no
2.	Bangwar UG Mine	Mist fogging machine – 1 no
3.	Damni UG Mine	Mist fogging machine – 1 no
4.	Dhanpuri OC Mine	Mist water tanker 28 KL – 4nos
5.	Khairaha UG Mine	Mist fogging machine – 1 no
6.	Rajendra UG Mine	Mist fogging machine – 1 no
7.	Sharda OC Mine	Mist fogging machine – 1 no

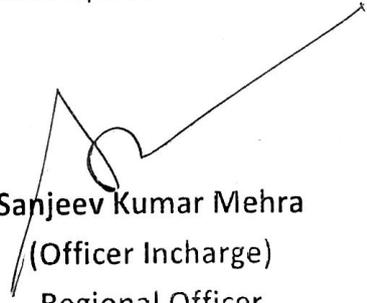
### Details of water pollution control arrangement in Sohagpur coal mine Area

Name of Mine	ETP (Capacity/Size) Mine Water Settling Tank	STP (Capacity)
Amlai OC Sec B Mine	One settling tank (750 KL)	1 MLD capacity STP(Activated Sludge Process) at Sanjay Nagar Colony
Dhanpuri OC Mine	Mine sump (300000 KL capacity) & one mine water treatment plant at Sanjay Nagar Colony for domestic use of Sanjay Nagar	
Bangwar UG Mine	Two nos of settling tank of 186 Kl capacity & one Mine water treatment plant of 1638 KLD capacity	Oxidation pond for sewage treatment capacity of approx 2160 KL waste water (01 Ha. area)
Damini UG Mine	Two nos of settling tank of 2100 Kl capacity and one polishing pond of 5180 KL capacity	
Khairaha UG Mine	1. Two settling tank of 200 KL capacity. 2. One pressure filter plant of 1638 KLD capacity. 3. One mine water filter plant of 2184 KLD capacity which supplies water to Khannath	SBR based STP installed at Rajendra Colony to treat 0.5 MLD sewage.

	village.	
Rajendra UG Mine	1. Two nos of settling tank of 600 KL Capacity. 2. One pressure filter. 3. One mine water treatment plant of 2184 KLD capacities which supplied water to Chirhiti village.	
Sharda OC Mine	Two Mine settling sump of capacity 277500 KL .	No Colony under Sharda OC. Employees resides in different colonies of area.

Joint Committee report is already produced by Head Office, MPPCB through its council to Hon'ble NGT. Average Results of Air & Water samples taken are mostly found to be within limit hence any violations of environmental norms are not prevailing. According to ranking released by environmental surveillance center, Bhopal for last 3 years air quality index of Shahdol district and nearby anuppur district is always comes in satisfactory or moderate category. Matters raised in complaints are based upon possibilities and unfounded assumption and faulty notion. Many points mentioned in complain are very frivolous and exaggerated in nature, therefore it is humbly prayed to dismiss above petition.

Date:- 19/04/2023

  
Sanjeev Kumar Mehra  
(Officer Incharge)  
Regional Officer  
M.P Pollution Control Board  
Shahdol (M.P)

List of Enclosures

Sr. No	Annexure's	Page No.
1	Copy of Panchnama w.r.t. accident of animal	13
2	Copy of FIR regarding theft of wires.	14



हम नीचे लिखे पंचनामा यह तस्वीर करते हैं कि (72)  
 दिनांक- 26/04/2022 को सायं-4 बजे सी.एम. डेप्यु  
 टायन शिवायत ब्रान्ड-17284715 श्री जांच के शिवायतता  
 श्री रवि शर्मा निवासी गरुड़िया से डौन से संपर्क कर  
 मौजूदा स्थल पर बुलाया गया। मौजूदे में आउर शिवायतता  
 श्री रवि शर्मा द्वारा बैम्बोरी जंगल चौकी को ब्रस होना  
 स्वीकार किया गया। जंगल चौकी ब्रस होने के कारण वन-  
 संपर्क बिराफे के मजान में रहना है। बैम्बोरी बीट के  
 संपर्क जो भी ब्रस घटना, संपर्क ब्रस, वनो में हुई  
 है उधरा वन संपर्क प्रकरण चौकीबंद है। प्रगलाई  
 श्री सी.एम. डेप्युता जवान द्वारा 100 से 300मी. परिधि  
 में लगे बरे भरे बांस के पेड़ बनने का शिवायत के  
 संबंध में जांच करने पर यह पाया गया कि बरमान  
 में किसी भी प्रकार का कोई पेड़ बाली द्वारा नुकसान  
 नहीं पहुंचाया गया है। जहां पर भी बर्ष उर रह है  
 वह SECL को हस्तगतित क्षेत्र है। जहां पर वह  
 बर्ष करने के लिए स्वतंत्र है। बर्ष करने के  
 बाद SECL वन विभाग को पेड़ पौधे लगाकर जैसा  
 अभी है ब्रस उरडे देगा। मौजूदे में शिवायत बर्ष  
 द्वारा संतुष्ट होकर शिवायत के बंड उराने का क्वारण  
 देते हुए जांच पंचनामा में हस्ताक्षर किए जो सही  
 एवं सत्य है।

Recorded by me.

शिवायत बर्ष  
रवि शर्मा

फोन - 9301036761

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## Annexure 2

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साजथ ईस्टर्न कोलापील्डरस लिमिटेड  
(मिनी पब्लिक कंपनी)

कायालय मुठ प्रबन्धक (धनपुर), प्रबन्धक, अमलाई ओसीएम  
पोस्ट आफिस-संजयनगर, जिला-धानुपपुर (म०प्र०)



सहस्रपत्र, सो.सं. १०००(अ), अओसीएम/२२/२०२२ दिनांक-18.10.2022

प्रति,

शाना प्रभारी महोदय,

शाना धनपुरी जिला सहस्रपत्र (म०प्र०)

विषय :- अमलाई ओसीएम के आउटसोर्सिंग पैक से कंटीले तार के चोरी होने के संबंध में।

महोदय,

सुरक्षा प्रहरी/प्रभारी अमलाई ओसीएम के पत्र द्वारा सूचना प्राप्त हुई कि अमलाई ओसीएम खान में पैकेजरी पैक के ऊपर जमीन के स्तर पर लगाई गई लगभग 100 मीटर कंटीले तारों की बाड़(फेंसिंग) चोरी हो गई।

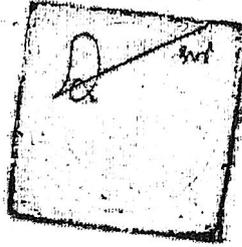
महोदय विषय आपको जानकारी एवं उचित कार्यवाही हेतु प्रेषित।

18/10/2022  
खान प्रबन्धक  
अमलाई ओसीएम

संदर्भ :- उपरोक्तानुसार

प्रतिलिपि:-

1. उम क्षेत्रीय प्रबन्धक, अमलाई ओसीएम।
2. क्षेत्रीय सुरक्षा अधिकारी, सोहागपुर क्षेत्र।



FIR Copy Regarding Stealing of Fencing Wire