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क्षेत्रीय कार्यालय,
REGIONAL OFFICE,
उ०प्र० प्रदूषण नियंत्रण बोर्ड
U.P. POLLUTION CONTROL BOARD
सोनभद्र
SONBHADRA



संदर्भ संख्या:-

Ref.No.: G000/1013 / O.A. No. 113/2020/2023

दिनांक:-

Date: 20.12.2023

To,

The Registrar,
Hon'ble National Green Tribunal,
Copernicus Marg,
New Delhi.
E-mail-judicial-ngt@gov.in

Subject: Submission of factual report regarding Construction of 'Wharf Wall' in the matter of O.A. No. 113/2020 (M.A. No. 94/2022) Ramesh Chander Verma & Ors. Versus State of Uttar Pradesh under consideration in Hon'ble NGT.

Sir,

In the matter of O.A. No. 113/2020 (M.A. No. 94/2022) Ramesh Chander Verma & Ors. Versus State of Uttar Pradesh under consideration in Hon'ble NGT, the factual report regarding construction of 'wharf wall' is being filed herewith.

It is requested that the Factual report regarding construction of 'wharf wall' may be presented before the Hon'ble Tribunal for kind consideration.

Encl.: As above.

Yours faithfully,


(U.K. Gupta)
Regional Officer
Sonbhadra.

Endt. No. & date as above.

Copy to:-

1. Chief Environmental Officer (Circle-2), U.P. Pollution Control Board, Lucknow for kind information & necessary action please.
2. Chief Law Officer, U.P. Pollution Control Board, Lucknow for kind information and necessary action please.
3. Shri Pradeep Kumar Mishra, Advocate, R/o. B-235, Sector -19, NOIDA (U.P).


Regional Officer
Sonbhadra.

Factual report regarding construction of 'wharf wall' in the matter of O.A. No. 113/2020 (M.A. No. 94/2022) Ramesh Chander Verma & Ors. Versus State of Uttar Pradesh.

1. Hon'ble National Green Tribunal vide its order dated 13.02.2023 in the matter of Original Application No. 113/2020 (M.A. No. 94/2022) Ramesh Chander Verma & Ors. Versus State of Uttar Pradesh instructed the following:-

....."9. Accordingly, we hold the PP liable to pay compensation of Rs. 5 Cores which is 10% of the project cost for past violations, apart from liability to the remedy the situation within two months. The amount of compensation be deposited with the State PCB within two weeks....."

2. Against the above order dated 13.02.2023, M/s. Northern Coalfields Limited, Khadia Project, Shaktinagar, District Sonbhadra filled Civil Appeal No(s). 1528/2023 Versus The State of Uttar Pradesh & Anr. in Hon'ble Supreme Court of India. **(Copy enclosed as Annexure-I)**. Hon'ble Supreme Court of India vide its order dated 17.03.2023, instructed as following:-

"..... there shall be stay of the operation of the impugned order."

Copy of above order received through M/s. Northern Coalfields Limited, Khadia Project, Shaktinagar, District Sonbhadra vide reference No. KHD/GM/Min/Env/UPPCB/23-24/3831 dated 07.04.2023 **(Copy enclosed as Annexure-II)**.

3. Thereafter, Regional Officer, UP Pollution Control Board, Sonbhadra directed M/s. Northern Coalfields Limited, Khadia Project, Shaktinagar, District Sonbhadra for submission of time bound Action Plan regarding construction of wharf wall along with progress report related to constructed wharf wall vide letter No. G000951/O.A. No. 113/2023 dated 12.12.2023 **(Copy enclosed as Annexure-III)**.
4. In compliance of the direction issued by Regional Officer, UP Pollution Control Board, Sonbhadra, the reply of NCL, Khadia Project was received in regional office UPPCB Sonbhadra vide letter No. NCL/GM/KHD/2023/4087 dated 15.12.2023 via e-mail. **(Copy enclosed as Annexure-IV)**.



(2)

5. M/s. NCL, Khadia Project vide its letter dated 15.12.2023, informed as following:-
- i. The work was awarded to M/s. Baghel Infrastructure Pvt. Ltd. for the purpose of "Construction of wharfwall and allied activites", which includes construction of retaining wall, box culvert, drain etc, and it was executed only 66%, due to opposition by local villagers at that time.
 - ii. The balance work of wharfwall and rail connectivity, signaling, In-Motion Weighbridge including environmental measures has been given to M/s. EC Railway on deposit basis.
 - iii. The work by M/s. ECR have been intrupted several times and after various persuasion by NCL management & District authorities the work could only be resumed on 15.09.2023, which is likely to be completed by **May'2024**.
 - iv. Hon'ble NGT in its order dated 23.08.2021 has given direction for necessary safety measures during the construction, which is being complied (Order enclosed). Mobile water sprinkling is regularly being done and as it is a new construction work, no construction debris is being generated and no waste water is getting discharged.
 - v. For pollution control measures during operation stage, a study has been conducted through IIT, BHU, Varanasi for minimization of pollution load due to operationalization of wharfwall, which will be adhered to by Project Proponent (copy of the recommendation of IIT, BHU is enclosed herewith).
6. The UPPCB official has conducted field visit on 19.12.2023 to find out the factual position regarding construction of wharfwall. At the time of inspection, the official interacted with the representative Mr. Samir Kundu, Staff Officer, Mining & Mr. J.P.S. Singh, Staff Officer, Civil. During inspection it was found that the construction of wharfwall near village -Naavtola was being done. Out of 800 meter length of proposed wharfwall, construction work related to platform and patching work in the length of 100 meter was found completed.



Contd..p/3

(3)



7. During inspection, the representative of NCL, Khadia Project informed verbally that after construction of wharfwall, the pollution control majors will be installed and adopted as per recommendation given by IIT, BHU, Varanasi through study report.

The above Factual report may be presented before Hon'ble National Green Tribunal for kind consideration please.

Encl.:- As above.

(Signature)
29/12/2023

(U.K. Gupta)

Regional Officer

U.P. Pollution Control Board,
Sonbhadra (U.P).

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

(BY HYBRID MODE)

Original Application No. 113/2020
(M.A. No. 94/2022)

Ramesh Chander Verma & Ors.

Applicant

Versus

State of Uttar Pradesh

Respondent

Date of hearing: 13.02.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Respondent(s): Mr. Ashutosh Thakur, Advocate with Mr. Anand Murti, General
Manager, Northern Coalfields Ltd., Khadia Project
Mr. Pradeep Misra, Advocate for UPPCB

ORDER

1. Grievance in this application is against developing of a 'wharf wall' (platform for storing coal and flyash) and 'Overburden dump' (stack of mined coal, mixed with fly ash) by Northern Coalfield Limited, Kharia Project, Shakti Nagar, Sonebhadra, U.P., near railway residential area. On account of such activity, dust is generated, affecting the air quality and the health of the inhabitants. The activity falls in 'Red' category, having serious environmental impact.

2. Vide order dated 14.10.2020, an action taken report was sought from the UPPCB and the District Magistrate, Sonebhadra.

3. Vide order dated 23.08.2021, the Tribunal considered the matter further in the light of report of the State PCB to the effect that overburden dump of 50 meters height existed and it was necessary to take mitigation measures to control pollution from dust emanating from the overburden dump. The Tribunal accordingly directed the Northern Coal Field (NCF), Khadia Project, District Sonebhadra to take remedial action to be overseen by the State PCB and the Oversight Committee of this Tribunal. Operative part of the order is reproduced below:-

“1&2...xxx.....xxx.....xxx

3. *In view of above, the State PCB has filed its report dated 27.02.2021 with reference to inspection conducted on 23.01.2021. It is stated that open cast mining is being done as per report dated 14.05.2020 of the Northern Coalfields Limited. 10% of the coal is transported through the road and at a distance of 800 meters from the mine, wharf wall (railway siding) was being constructed for transportation of 90% of the coal by train. At a distance of 100 meters, overburden dump of 50 meters height exists. On some part of the dump plantation has been done. However, the normal life is not disturbed by the said dump. Recommendations have been made to plant more trees to mitigate the pollution caused by dust and send compliance report to the State PCB. It is further recommended that during construction of the dwarf wall, water sprinkling may be undertaken. Water discharged in the drain may be reused during construction. C&D waste management Rules be observed during the construction.*

4. *In view of above, the Northern Coal Field, Khadia Project, District Sonebhadra may take further remedial measures mentioned above and send its compliance report to the State PCB and also to the Oversight Committee constituted by this Tribunal to oversee compliance of certain orders of this Tribunal, on suggestion of State of UP, headed by Justice S.V.S. Rathore, former Judge of Allahabad High Court, within two months from today.”*

4. The matter was last considered on 12.12.2022 in the light of the report of the State PCB that pollution and dust have not been controlled by the PP, as recommended by the PCB and as directed by this Tribunal vide order dated 23.08.2021. Accordingly, the Tribunal directed that General Manager, NCF, Khadia Project, District Sonebhadra may remain present in person by VC on the next date. The Tribunal also directed NCF,

Khadia Project, District Sonebhadra to ensure further action within one month and file a compliance report.

5. In pursuance of above, the matter has been taken up for further consideration in the presence of General Manager, NCF Khadia Project who has also filed compliance affidavit on 11.02.2023.

6. We find the situation to be far from satisfactory. The affidavit of the NCF does not show any tangible steps in the matter after the last order dated 23.08.2021 though a period of more than one year has passed. Only explanation given is that remedial measures are being obstructed by local villagers which is patently a lame excuse. The local villagers being victims of continuing damage to the air quality on account of the construction of 'wharf wall' and 'Overburden dump' without any safeguards and mitigation measures will not be interested in obstructing remedial measures but polluting activities which are continuing to the detriment of public and environment which the project proponent has no seriousness in remedying, as shown by the record. In our view, the PP is avoiding its responsibility as shown by its affidavit of compliance which is reproduced below for ready reference:-

"7. That the East Central Railway vide Letter dated 04.11.2022 has issued Letter of Acceptance to M/s K. N, International Ltd for Earthwork in cutting, filling, compaction, blanketing, turfing, Extension of Minor Bridges Construction of Control Building for weigh bridge and barrier at Level crossing, Road work, Retaining wall, Drain work and other associated work as per Railway specification and standards for the Construction of Engine Escape line and Wharf wall siding for the NCL, Khadia Project under Dy. CEC/Renukut unit under Dhanbad Division of East Central Railway. A copy of the Letter No. CAO-C-SOUTH-HQ-ENGINEERING/ECR-CAO-CS-ETEN-54-22-23 dated 04.11.2022 issued by the East Central Railway is annexed herewith and marked as ANNEXURE C-8.

8. That the General Manager, Khadia Project of NCL vide its letter No. NCL/KHD/GM/23/3734 vide its letter dated 09.01.2023 while informing the stoppage of work of wharf wall by the local villagers has requested the District Magistrate, Sonebhadra to take necessary

action so that construction work gets resumed at the earliest. It was also informed that on 09.01.2023 Tehsildar, Dudhi also visited the site and had a meeting with local villagers but the matter could not be resolved. A copy of the Letter No. NCLKHD/GM/23/3734 dated 09.01.2023 issued by the GM, Khadia Project of NCL is annexed herewith and marked as ANNEXURE C-9.

9. That the **construction of wharf wall and wharf siding for the NCL Khadia Project is being continuously obstructed by the Villagers of Nautola due to which the East Central Railway vide its letter dated 25.01.2023 has requested for police protection for resumption of construction as the villagers are creating hindrance by way of stone pelting on the site supervisor and machineries since 29.12.2022. A copy of the Letter No. DCE/Con/RNQ dated 25.01.2023 issued by the East Central Railway along with letter of K. N. International Ltd is annexed herewith and marked as ANNEXURE C-10.**"

7. From the above, it is seen that PP itself in para 9 has stated that obstruction is to construction of wharf which is polluting activity and not remedial action. Further, as shown from para 7, it is only on 04.11.2022 that contract for remedial measures have been awarded. There is thus no explanation for failure to take any action after the order dated 23.08.2021 for more than one year. The PP is thus to be held accountable for the past violations.

8. Needless to say, that under the 'Precautionary' principle and principle of 'Absolute Liability', laid down *inter alia* in (1987) 1 SCC 395 *M.C Mehta v. UoI &Ors* and (1996) 5 SCC 647 *Vellore Citizens' Welfare Forum v. UOI*, PP cannot claim to continue hazardous business activity without safeguarding environment and public health. Apart from being held accountable for past violations, the project itself is liable to stopped to enforce 'Sustainable Development' principle under Section 20 read with Section 15 of the NGT Act, 2010.

9. Accordingly, ^{SH}we hold the PP liable to pay compensation of Rs. 5 Cores which is 10% of the project cost for past violations, apart from liability to the remedy the situation within two months. The amount of compensation

be deposited with the State PCB within two weeks which may be utilized for restoration of environment as per District Environment Plan, if necessary, associating the PP, District Magistrate and other stake holders.

10. If satisfactory remedial measures are not completed within two months, for which there can be no 'ifs' and 'buts', the Tribunal may have no other option except to direct closure of the project for continuous violation of provisions of the Air (Prevention and Control of Pollution) Act, 1981.

11. A compliance report be filed by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF within two months. The General Manager, NCF Khadia Project may remain present in person by video conference on the next date also.

12. The joint Committee of CPCB, State PCB and District Magistrate may verify the scientific management of the '*Overburden dump*' and compliance of mitigation measures to prevent air pollution and damage to environment and public health and give its report by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF within two months. The State PCB will be the nodal agency for coordination and compliance.

List for further consideration on 15.05.2023.

A copy of this order be forwarded to the CPCB, State PCB and District Magistrate by email for compliance.

Adarsh Kumar Goel, CP

Annexure No.

II

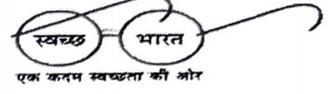
नॉर्दर्न कोलफील्ड्स लिमिटेड
खड़िया परियोजना

(मिनिरात्र कंपनी)

(कोल इण्डिया लिमिटेड की अनुषंगी कंपनी)



Northern Coalfields Limited
Khadia Project
(A Miniratna Company)
(A subsidiary of Coal India Limited)

Office of the General Manager

CIN- U10102MP1985GOI003160

An ISO: 9001, ISO: 14001 & OHSAS: 18001 Certified Company

थाना-शक्तिनगर, जिला-सोनभद्र (उ०प्र०) पिन-231222/ Thana-Shaktinagar, Dist. Sonebhadra (U.P.) Pin- 231222

Phone: 05446- 232274, (FAX) 05446- 232274 Email: cgm.khd@gmail.com, website : www.ncil.in

No. KHD/GM/Min/Env/UPPCB/23-24/ 3831

Dated: 07/04/23

To,
Chief Environmental Officer (Circle-2),
UP Pollution Control Board,
Dr. Bhimrao Ambedkar Bhawan, T.C. 12 V,
Vibhuti Khand, Gomati Nagar Lucknow, (U.P.) - 226010

Sub: Stay order issued by Hon'ble Supreme Court of India against the order dated 13.02.2023 issued by Hon'ble NGT, Delhi.

Ref. (1) Your office's letter no. H89224/C-2/NGT-07/23 dated 16.02.2023

(2) This office's letter no. NCL/KHD/GM/Min/Env/UPPCB/22-23/3805 dated 13.03.2023

Dear Sir,

In pursuance with letter at reference, please find enclosed herewith the stay order issued by Hon'ble Supreme Court of India against the order issued by Hon'ble National Green Tribunal, New Delhi on 13.02.2023 in the matter of O.A no. 113/2020 (Ramesh Chandra Verma & Ors v/s State of Uttar Pradesh).

Encl : As above

Yours faithfully,

JM
Put up with file.
12/04/2023

07/04/2023
General Manager,
Khadia Project

Copy to :

- 1) The Regional Officer, U.P. Pollution Control Board, H.No. 162, Uttar Mohal, Robertsganj (U.P.)
- 2) GM (Env), NCL HQ - Singrauli

ITEM NO.10

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COURT NO.2

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 1528/2023

NORTHERN COALFIELDS LTD. KHADIA PROJECT

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

(IA No.46366/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.46364/2023-EX-PARTE STAY and IA No.46365/2023-EXEMPTION FROM FILING O.T.

Date : 17-03-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ARAVIND KUMARFor Appellant(s) Mr. Tushar Mehta, Solicitor General
Mr. Neeraj Shekhar, AOR
Mr. Ashutosh Thakur, Adv.
Dr. Sumit Kumar, Adv.
Mr. Chandra Pratap, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R
Applications for exemption from filing c/c of
the impugned order and official translation are
allowed.Learned Solicitor General submits that the over
site Committee of the Tribunal in fact opined in
favour of the petitioner in the report extracted at
page 2 opining that normal life was not disturbed by
the dump but made certain recommendations. Learned
counsel has then drawn our attention to the letter
dated 09.01.2023 of the General Manager of the

Project of the petitioner at site informing about the stoppage of work of wharf wall by the local villagers despite the intervention of the Tehsildar. On the matter not being resolved, the request was made vide letter dated 09.01.2023 to the District Magistrate to take necessary action.

It is thus, his say that steps were being taken for redemption but were being obstructed.

In view thereof, he submits that the observations in para 7 to the effect that the obstruction is to construction of a wharf which is a polluting activity is not correct as the construction of the wharf is a remedial measure.

Issue notice.

In the meantime, there shall be stay of the operation of the impugned order.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)



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क्षेत्रीय कार्यालय,
REGIONAL OFFICE,
उ०प्र० प्रदूषण नियंत्रण बोर्ड
U.P. POLLUTION CONTROL BOARD
सोनभद्र
SONBHADRA

Annexure No III



सदर संख्या:-

Ref.No.: 0000951/OA NO-113/2023

दिनांक:-

Date: 12/12/2023

सेवा में,

महाप्रबन्धक,
मेसर्स नार्दर्न कोलफील्ड्स लि०,
खड़िया परियोजना, खड़िया,
जनपद-सोनभद्र।

विषय:- मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० संख्या-113/2020 रमेश चन्द्र वर्मा एण्ड अदर्स बनाम उ०प्र० सरकार में पारित आदेश दिनांक-14.10.2020 के अनुपालन में मेसर्स नार्दर्न कोलफील्ड्स लि०, खड़िया परियोजना, खड़िया, जनपद-सोनभद्र द्वारा रेलवे पुनर्वास बस्ती के समीप वार्फ वॉल निर्माण किये जाने सम्बन्धी कार्ययोजना प्रेषित किये जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक संदर्भ ग्रहण करने का कष्ट करें। उक्त प्रकरण में आप अवगत ही हैं कि मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० संख्या-113/2020 रमेश चन्द्र वर्मा एण्ड अदर्स बनाम उ०प्र० सरकार में पारित आदेश दिनांक-14.10.2020 के अनुपालन में मेसर्स नार्दर्न कोलफील्ड्स लि०, खड़िया परियोजना, खड़िया, जनपद-सोनभद्र द्वारा रेलवे पुनर्वास बस्ती के समीप वार्फ वॉल निर्माण किये जाने के निर्देश निर्गत हैं। तत्क्रम में वार्फ वॉल निर्माण किये जाने सम्बन्धी समयबद्ध कार्ययोजना, प्रदूषण नियंत्रण व्यवस्थाओं सम्बन्धी विवरण एवं अद्यतन निर्माण की स्थिति सम्बन्धी सूचना आपके स्तर से प्राप्त होना अपेक्षित है। अग्रेतर अवगत हों कि उक्त प्रकरण की अग्रिम सुनवाई हेतु मा० राष्ट्रीय हरित अधिकरण द्वारा दिनांक-22.12.2023 नियत की गयी है।

अतः उपरोक्त के परिप्रेक्ष्य में आपको निर्देश दिये जाते हैं कि वार्फ वॉल निर्माण किये जाने हेतु पर्याप्त वायु प्रदूषण नियंत्रण विवरण के साथ समयबद्ध कार्ययोजना एवं निर्माण की अद्यतन सम्बन्धी सूचना विलम्बतम् 03 दिवस के अन्तर्गत इस कार्यालय को प्रेषित करना सुनिश्चित करें, जिससे नियत सुनवाई तिथि से पूर्व अद्यतन स्थिति सम्बन्धी रिपोर्ट मा० न्यायालय में दाखिल की जा सके।

भवदीय,


12/12/2023
(य०के० गुप्ता)
क्षेत्रीय अधिकारी

प०सं० एवं दिनांक उपरोक्तानुसार।

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु सादर प्रेषित:-

1. जिलाधिकारी महोदय, सोनभद्र को सादर सूचनार्थ प्रेषित।
2. मुख्य पर्यावरण अधिकारी(वृत्त-2), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
4. मुख्य विधि अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
3. श्री प्रदीप कुमार मिश्रा, एडवोकेट ऑन रिकार्ड मा० उच्चतम न्यायालय, नई दिल्ली।

क्षेत्रीय अधिकारी

नार्दर्न कोलफील्ड्स लिमिटेड

एक मिनी रत्न कम्पनी

महाप्रबंधक कार्यालय, खडिया परियोजना

डाकघर: शक्तिनगर, जिला: सोनभद्र (उ.प्र.), 231222

दूरभाष: 05446-232001



Northern Coalfields Limited

(A Mini Ratna Company)

Office of the General Manager Khadia Project

Post: Shaktinagar, District: Sonbhadra, (U.P.) 231222

Tel No : 05446-232001.

CIN - U10102MP1985GO1003160

Email: cgm.khd@gmail.com, Web Site: www.nclcil.in

No. NCL/GM/KHD/2023/408 #

Date: 15.12.2023

प्रति,

क्षेत्रीय अधिकारी,

उ० प्र० प्रदूषण नियंत्रण बोर्ड,

एच० न०. 162, उत्तर मोहाल, राबर्ट्सगंज (उ० प्र०)

Sub: Submission of Timeline for construction of wharfwall at Khadia Area.

Ref:- Your letter No. G000951/OA No.-113/2023 dated 12/12/2023

Dear Sir,

In response of your above referred letter, please find the updated progress of wharfwall as detailed below:-

1. The work awarded to M/s Baghel Infrastructure Pvt. Ltd for the purpose of "Construction of wharfwall and allied activities", which includes construction of retaining wall, box culvert, drain etc, was executed only 66%. Due to opposition by local villagers the work was foreclosed.
2. The balance work of wharfwall and rail connectivity, signalling, In-Motion Weighbridge including environmental measures has been entrusted upon M/s EC Railway on deposit basis.
3. The work by M/s ECR have been interrupted several times and after various persuasion by NCL management & District authorities the work could only be resumed on 15.09.2023, which is likely to be completed by **May'2024**.
4. For the construction purpose, the direction given by Hon'ble NGT in its order dated 23.08.2021 is being complied (Order enclosed). Mobile water sprinkling is regularly being done and as it is a new construction work, no construction debris is being generated and no waste water is getting discharged.
5. For the purpose of pollution control measures during operation stage, a study has been conducted through IIT, BHU, Varanasi for minimisation of pollution load due to operationalization of wharfwall, which will be adhered to (copy of the recommendation of IIT, BHU is enclosed herewith).

Encl: As above

Yours sincerely,

[Signature]
15/12/2023
General Manager
Khadia Area

प्रतिलिपि:-

1. जिलाधिकारी महोदय, सोनभद्र को सादर सूचनार्थ प्रेषित |
2. मुख्य पर्यावरण अधिकारी (वृत्त -2), उ० प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ |
3. मुख्य विधि अधिकारी, उ० प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ |
4. श्री प्रदीप कुमार मिश्रा, एडवोकेट आन रिकार्ड मा० उच्चतम न्यायालय, नई दिल्ली |

8.0 Recommendations

The following are the recommendations based on the analysis of data and conclusions:

- (i) A curtain wall must be made along the length of wharfwall of 800 m towards the local village. The height of the curtain wall should be at least 5 m so that at the time of wagon loading, the dust can be arrested with in the mining area.
- (ii) A fixed water sprinkler system should be developed along the length of the wharfwall so that at the time of loading and unloading of coal, it can suppress the dust quickly.
- (iii) Some mobile water sprinkler system should also be made available at the time of loading and unloading as per the need if required.
- (iv) Fixed fog canon must also be deployed in the vicinity of the wharfwall to efficiently suppress the dust during the operation of wharfwall. It is the most effective way to reduce the air pollution level in the concerned area.
- (v) After implementing all the above-mentioned pollution control measures, the concentration levels of $PM_{2.5}$, PM_{10} and TSP may come down within permissible limits.

Disclaimer

The validity of the modelling work is limited to the data used in this study. In no case, the results of specific sections can be extended to any other similar site that might exist in the mine. Further, the modelling of air pollutants has been done based on the surface meteorological data provided by the mine. If the surface meteorological data provided by the mine contain any deviation from the condition actually prevailing in the field, the validity of the results will seize.

Zwanna
28/11/21