

Northern Coalfields Limited
Khadia Area

Response of Khadia Project, Northern Coalfields Limited in the matter of Original Application no. 512/2022 (Sanjay Kushwaha Vs Stae of Uttar Pradesh) as directed by Hon'ble National green Tribunal in the order dated 21.12.2022.

1. Khadia Project respectfully differs from observation no. 3 of Regional Officer, UPPCB, Sonebhadra and ADM, Sonebhadra and submits that the sprinkling on haul road is a regular activity and hence chances of emission during transportation are minimal. Same was observed during the time of site inspection as stated at observation no. 4.
2. Response towards the recommendations made by Regional Officer, UPPCB, Sonebhadra and ADM, Sonebhadra.

| Sl. No. | Recommendations | Response |
|---------|---|---|
| 1 | It may be concluded that NCL has not taken care of responsibility to provide fresh Air as a fundamental right of citizen and accordingly liable to pay appropriate Environmental Compensation which need to be calculated as per existing mechanism (if any) developed for the purpose. | Based on the observation and discussion with complainant, it is evident that the root cause of the issue raised is due to earthen road. However, regular water sprinkling is being practised on the haul road and as mentioned in the report itself, the construction of CC road is already in progress and Khadia Project is taking all the necessary steps to minimise pollution. Hence, Khadia Project respectfully submits that there is no ground for liability of Environmental Compensation. |
| 2 | The earthen road should be converted into CC road along with necessary green belt as proposed within reported time frame. | The work of construction of Cement Concrete Road is already in progress and likely to be completed in FY 2022-23. As secondary measure, a boundary wall at the edge of the road towards the habitation is proposed to be constructed in order to control the diffusion of PM particles, if any, due to vehicular movement. The expected timeline for completion is 06 months. Green belt is already developed besides the said haul road. However, gap planation will be done by Khadia Project, wherever required as routine measures. |
| 3 | The committee directed that NCL representative for continuous sprinkling of water to suppress the dust during movement of vehicle and should be monitored in the daily basis. | Continuous water sprinkling is being done and is being monitored on daily basis. The condition of water sprinkling has already been incorporated in the agreement signed with the contractual agency deploying vehicle on the said road (Copy enclosed as Annexure-A). |
| 4 | Water sprinkling should be done regularly to suppress the dust. | Water sprinkling is being done regularly in order to suppress the dust. |
| 5 | PTZ camera should be installed in the | Camera has been installed at the starting point of |

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| | affected area and should be connected with CPCB / UPPCB server for monitoring. | the said road. The Connectivity of this camera will be provided to CPCB / UPPCB server for monitoring. |
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Qm
20/02/2023
General Manager
Khadia Area, NCL
Qm

In case UP/MP Govt. authorities lift the restriction on the quantity transported per truck, the benefit will pass on to NCL and accordingly, the payment will be restricted to the permissible net weight per truck or actual whichever is less, on monthly basis.

- 3.08 The re-appropriation / reallocation of quantities may be done with the approval of Engineer -in-Charge within the stipulated contract period and contract value with the approval of approving authority of the contract. In case the approving authority is Board, then with the approval of the CMD of subsidiary company.
- 4.00 No manual workers shall be engaged by the contractor for loading / unloading of the trucks or loading of wagons, under any circumstances whatsoever.
- 5.00 The contractor shall bring / take back and arrange for the transportation of the trucks / equipments / men and materials required for the work at his own cost.
- 6.00 Contractor's trucks should ply only on specified routes / roads. In case, plying of the trucks on any other route / road become necessary, due to any reason, prior approval for the same shall be taken by the contractor from the General Manager. In case of violation of this provision penalty may be imposed on the contractor and / or the contract terminated.
- 6.01 The contractor(s) will make arrangement for sprinkling of water on roads on which his / their tipping trucks are plying as well as on the siding / wharfwall for suppression of dust in the interest of safety as well as health of the persons working nearby. The contractor(s) shall have to engage sufficient number of water tankers for this purpose. The tippers shall be suitably covered while transporting the coal. Contractor Has to ensure compliance of law of land, lighting, water spraying arrangement, dust suppression to the standard as desired by the Pollution Control Board.
- 7.00 The work shall be executed round the clock on all the days of week as directed by the General Manager and the contractor shall be obliged to comply with the same.
- 8.00 The contractor shall not have any claim whatsoever for the idleness of his tipping trucks / trucks/ payloaders / equipments / employees for want of coal or non-availability of departmental equipment or lack of space available at the unloading site or any dislocation en-route and / or for any other reason.
- 9.01 The contractor shall at his own cost arrange for all materials, stores, spares, tools, tackles etc. and maintenance/ repairs of the tipping trucks/ pay loaders/ equipments required / deployed for the work. The company shall have no liability whatsoever on this account.
- 9.02 In emergent situations and provided the contractor makes an application in this regard, POL, if available with the company, may at the sole discretion of the company, be issued to him with the approval of the General Manager but value of the same alongwith the handling / departmental charges as per the then prevailing rules of the company shall be charged from him or recovered from his bills / security deposit.
- 10.00 The contractor shall maintain proper records in English / Hindi of the trucks / equipments / persons etc. deployed for the work, work done, daily attendance of the employees, payment to the employees etc. and the Company shall have the right of access to and inspection of these records or to call for any or all these records or ask the contractor to submit such reports as it considers necessary and the contractor shall be bound to comply with such instructions.
- 11.00 The Company shall have no responsibility / liability whatsoever for any accident / damage to the contractor's vehicle / equipments in transit or while engaged in the works.

Tender ID 2019_NCL_132607_1

KANDOI TRANSPORT LTD.

AUTHORISED SIGNATORY



महाप्रबन्धक
खडिया परियोजना

