

Action Taken Report in light of the directions issued by the Hon'ble NGT (PB), New Delhi in O.A No. 390/2021 dated 24.01.2022 in the matter of Jairam Hansda Vs. State of Jharkhand.

1. In light of the directions issued by the Hon'ble NGT (PB), New Delhi in O.A No. 390 of 2021 dated 24.01.2022 in the matter of Jairam Hansda Vs State of Jharkhand, a Joint Committee has been constituted to ascertain the factual position of the grievance raised by the petitioner against ***"Shah Sponge Iron & Power Ltd. Khaparsar Juri (Hata), situated in East Singhbhum District of Jharkhand which is causing Water Pollution (as dust particles are found in water bodies), Air Pollution (as the dust covers the surface of cultivable land as well as on the leaves of the trees planted by the company and grassland) and is also adversely affecting the bio-diversity of the area and also the health of the nearby residents."***

Accordingly, a Joint Committee comprising of the following members has been constituted:-

- i. Sri Nandkishore Lal, ADM (L&O, East Singhbhum, Jamshedpur.
 - ii. Dr. T. H. Mahato, Scientist D, MoEF&CC, Ranchi.
 - iii. Sri. Jitendra Prasad Singh, Regional Officer, JSPCB, Jamshedpur.
 - iv. Sri. Sandeep Roy, Scientist D, CPCB, RD, Kolkata.
2. The Joint Committee has conducted the inspection of M/s Shah Sponge & Power Ltd. on 18.04.2022 as per the direction issued by the Hon'ble NGT in O.A. No. 390/2021 vide its order dated 24.01.2022 and said report was submitted by the Regional Officer, JSPCB Regional Office, Jamshedpur vide letter no. 328 dated 25.04.2022.

The copy of the inspection report submitted by the JSPCB Regional Office, Jamshedpur vide letter no. 328 dated 25.04.2022 is enclosed herewith as **Annexure 1**.

3. The non-compliances reported by the Joint Committee during the inspection are mentioned below:
 - i. Exceedance of SO_x, NO_x (as per OCEMS Display), however PM value was found within the prescribed limit.
 - ii. Leakages from the Kiln feeding and discharge to cooler.
 - iii. Leakages from the Kiln Emergency cap.
 - iv. Sufficient green belt not developed as per CPCB norms.

The Joint Committee in its inspection report has also directed to the unit i.e M/s Shah Sponge & Power Ltd. to submit a time bound action plan for compliance of the above

and shall submit a Bank Guarantee of Rs. 25 Lacs (Rupees Twenty Five Lacs Only) to the concerned department.

4. Based on the abovementioned non-compliance observed by the Joint Committee Environmental compensation has been computed as per the "Report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund" which amounts to ₹ 3,95,71,875.00/- (i.e. Rupees Three Crores Ninety Five Lacs Seventy One Thousand Eight Hundred Seventy Five Only).
5. In light of the above, a show cause notice has been issued to M/s Shah Sponge & Power Limited by giving an opportunity of being heard in person vide Board's Ref. No. B-1024 dated 26.05.2022, but no one has appeared before the Board nor submitted their reply to explain their part.


The copy of the Board's Ref. No. B-1024 dated 26.05.2022 is attached as **Annexure – 2**.

6. For the aforesaid reasons the Board has given a 2nd Show Cause Notice to M/s Shah Sponge & Power Limited vide Board's Ref. No. B-1828 dated 08.09.2022 for non-submission of Environmental Compensation.

The copy of the Board's Ref. No. B-1828 dated 08.09.2022 is attached as **Annexure – 3**.

7. For the aforesaid reason the Board has again sent a Show Cause Notice to M/s Shah Sponge & Power Limited vide Board's Ref. No. B-2094 dated 29.09.2022 to explain their part that why not Environmental Compensation shall be imposed against their Unit for the non-compliance.

The copy of the Board's Ref. No. B-2094 dated 29.09.2022 is attached as **Annexure – 4**.


(Yatindra Kumar Das)
Member Secretary
SPCB, Jharkhand



JHARKHAND STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE-CUM-LABORATORY, MB/15 NEW HOUSING COLONY
ADITYAPUR, JAMSHEDPUR.

Web Site- jspcb.org/ Phone- 0657-2383241/ Fax- 0657-2383905

Ref. No: - 328 ...

Dated- 25-4-2022 ...

From,

J.P. Singh
Regional Officer.

To,

The Member Secretary,
Jharkhand State Pollution Control Board,
Ranchi.

Sub: -

Compliance of the directions issued by the Hon'ble NGT Principal Bench, New Delhi in its order dt- 24.01.2022 in O.A. No.- 390/2021 (Jairam Hansda Vs State of Jharkhand) Regarding.

Ref. :-

H.Q. letter No.- B-349 dt- 17.02.2022

Sir,

With reference to subject noted above, It is to inform that committee has visited M/s Shah Sponge & Power Ltd, Juri, Hata, Dist- East Singhbhum and its nearby areas on 18.04.2022. The Inspection report is herewith attached for necessary action at H.Q. level.

This is for information and necessary action.

Encl :- As above.

Yours faithfully,

JP881
25.04.2022
(J.P. Singh)

Regional officer.

Inspection Report

In the matter Original Application No 390/21/PB, Hon'ble National Green Tribunal vide order dated 24/01/2022, issued direction based upon the Grievance raised by Sri Jairam Hansda against M/s Shah Sponge Iron & Power Ltd, Juri, East Singhbhum. The Hon'ble NGT issued following direction:

"Having regard to the seriousness of the allegations, it appears necessary to ascertain the factual position in the matter through a joint Committee of the CPCB, State PCB, Regional Office of MoEF& CC, Bhubaneswar and the District Magistrate-East Singhbhum, (Jharkhand). The State PCB will be the Nodal agency for coordination and compliance. The joint Committee may meet within four weeks and 2 undertake site visit and look into the grievance and take remedial action in accordance with law after following due process".

Accordingly, following Officials Inspected the site on 18th April 2022:

- Sri Nandkishore Lal, ADM (L& O), East Singhbhum, Jamshedpur
- Dr T H Mahato, Scientist D, MoEF&CC, Ranchi
- Sri Jitendra Prasad Singh, Regional Officer, JSPCB, Jamshedpur
- Sri Sandeep Roy, Scientist D, CPCB, RD, Kolkata

Following Officials from M/s Shah Sponge & Iron Ltd were present during inspection:

- Sri Anup Sinha, Director
- Sri S P Mishra, GM-Tech

Sri Jairam Hansda, Applicant/ Petitioner of the said matter was also present during the inspection.

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About the Plant:

M/s Shah Sponge Iron & Power Ltd is in operation at Village Juri, East Singhbhum, Jharkhand. Following manufacturing/ production facilities are available with the plant:

- DRI (Sponge Iron) Unit: 100 TPD x 4
- Captive Power Plant: 8 MW (4 MW WHRB & 4 MW AFBC Boiler)
- Fly ash Bricks: 1.4 Lac Brick/ day
- Induction furnace: 12 TPD x 4

ESP has been installed with DRI and CPP as APCD. The Stack height is reported to be 65 m with dia of 2.5 m. Bag filters have been installed at strategic location of material conveying area.

The Consent to Operate (CTO) is valid till 30/06/2024 and Hazardous waste authorization is valid till 11/08/2025.

Observation:

- I. The plant was found operational during visit. The total area of the plant is reported to be 35 Acres.
- II. Online Continuous Emission Monitoring system (OCEMS) has been installed in two Stacks and emission data has been transferred to JSPCB & CPCB Servers. The OCEMS is installed by M/s Vasthi Instruments Pvt Ltd.
- III. The OCEMS calibration is carried out by M/s Vasthi Instruments Pvt Ltd. and Calibration is valid till 27/08/2022.
- IV. During inspection the OCEMS analysed value for SO_x & NO_x were observed (intermittently) as 90 mg/Nm³ & 91 mg/Nm³ respectively which were exceeding the CTO prescribed norms of 80 mg/Nm³.
- V. During inspection, leakages from Kiln (raw material feeding end) and DRI Discharge to Cooler were observed thus causing fugitive emission in the premises.

- VI. The intermittent leakages from DRI emergency cap was also observed causing fugitive emission.
- VII. Transport road inside the premises was mainly paved by pavers block. Dust accumulation was observed on the premises and causing fugitive emission due to plying of vehicles.
- VIII. During visit water sprinkling observed on the road between Plant and Highway. The said road length is 800 m (approx). As informed, water is sprinkled 3-4 times in a day however it may not be sufficient to control generation of fugitive emission on the approach road.
- IX. Dust (black) layer has been observed on the Leaves inside the plant premises. This reflects the frequent fugitive emission from Plant operations.
- X. Water sprinklers have been mounted on road side inside the plant premises, however during visit the sprinkler were not in operation.
- XI. The char generated from DRI unit is used in the AFBC Boiler for power generation. As informed, char generation is 350 TPD (approx) and its utilisation is 100%.
- XII. Fly ash generated from CPP (AFBC Boiler) is used for low lying area filling and Brick manufacturing. Daily ash generation is 280 T (approx). The plant is having their own Brick Manufacturing unit inside the premises.
- XIII. Daily water consumption for industrial and domestic utilities is reported to be 305 KL. CGWA has granted permission to draw water upto 905 KLD. As informed, any type of Industrial water is not discharged outside of the Plant. Kiln cooling water is continuously recycled in the process.
- XIV. Plantation has been observed inside the premises. From 2017 to 2022 they reportedly planted 5565 nos. trees of various varieties like Sagwan, Gulmohar, Bargad, Jamun, Shisham etc. The plantation has been reportedly done over 6 acres of area. However, green belt as per CPCB norms has not been developed.

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- XV. The project reported carrying out activities like Health Check up camp, to provide Ambulance, Drinking water distribution, Organising Cricket/ Football match etc. as activity under Corporate Social Responsibility. However, they were unable to provide respective documents like log book of Ambulance movement, Health check-up records/ photographs etc.

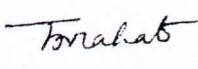

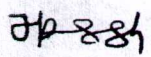
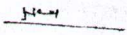
During visit, the committee members also interacted with the Applicant/ Petitioner Mr Jairam Hansda. The applicant mentioned in the Letter/ Application that area upto 3-5 Km radius around the Plant Premises is affected by Water/ Air Pollution due to Plant operation. Accordingly, Mr J Hansda was requested to show the affected area, water body etc and Medical history/ treatment of affected persons due to pollution from Plant operation. The Applicant requested Committee Members for site visit around the Plant premises. Accordingly, the Members including Plant Officials visited nearby Water Bodies (2 Nos.) located at SAMARSAHI Village (South side of the Plant). During visit, as observed local populace were using Pond water for bathing, washing etc. The committee members also interacted with Local/ Villagers (Smt Savita Manna, Mr Khokon Bhumij, Mr Umapada Pramanik, Mr Santosh Madina, Mr Ramapada Pramanik, Mr Raja Pramanik) and as they informed, they are not suffering from any disease (like TB, Asthma etc) as alleged by the Applicant. Significant amount of black dust was observed on leaves of trees upto 200 mtr, then less amount of black dust deposition on leaves was observed at further distance of 200 mtr, in wind direction. The Applicant could not describe about the Fishery business affected due to pollution from the Plant operation which he mentioned in the Application. Further Mr Jairam Hansda could not show the Affected Place/ Affected people due to pollution from Plant operation as claimed in his application to Honourable NGT.

However, during inspection, on following aspects, Plant was found Non-complied:

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- Exceedance of SO_x & NO_x (as per OCEMS Display), however PM value was found within the prescribed limit.
- Leakages from Kiln feeding and discharge to cooler.
- Leakages from Kiln Emergency cap.
- Sufficient green belt not developed as per CPCB norms.

It is, therefore, proposed that M/s Shah Sponge & Power Ltd may be directed to submit time bound action plan for compliance of the above and submit a Bank Guarantee of Rs 25 Lac (Twenty five lac only) with concerned Dept.

			
(Dr T H Mahato) Scientist D	(Sandeep Roy) Scientist D	(J P Singh) Regional Officer	(Nand Kishore Lal) ADM- L&O

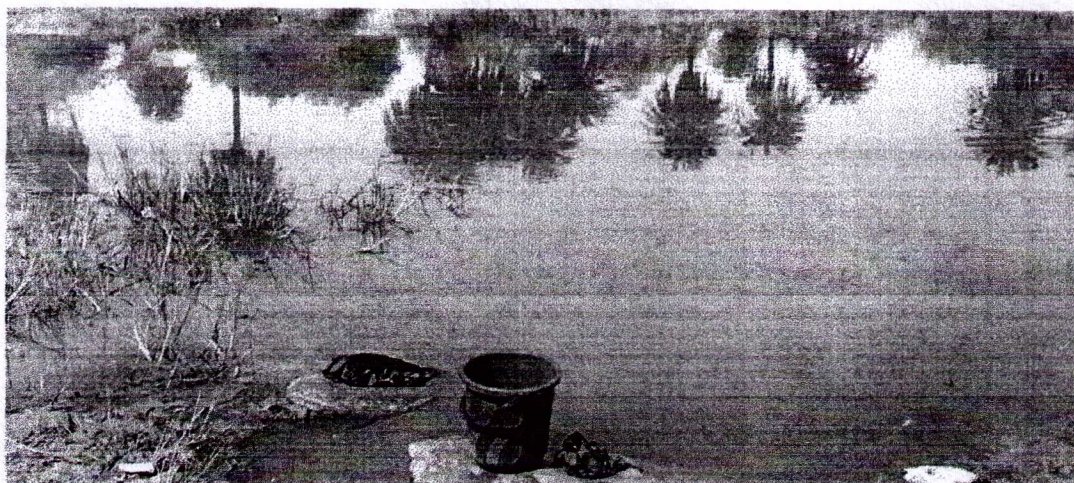
43



Dust layer on tree leaves (inside the Plant)



Dust spillage in Plant area



Water pond at SAMARSAHI Village

41

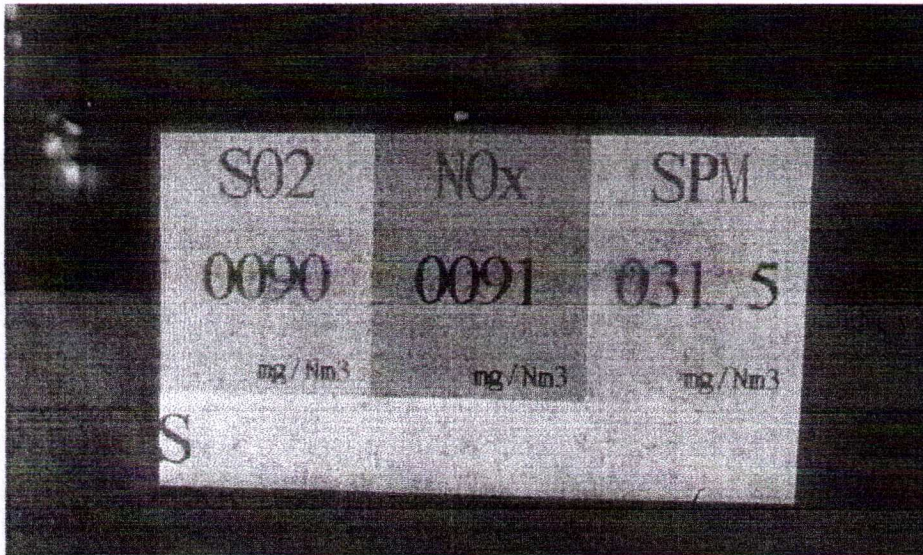


Water body at SAMARSAHI Village



Status of Leaves (1 km from Plant area), No black dust found

40



A photograph of a digital display showing three columns of data for SO2, NOx, and SPM. Each column has a header, a large numerical value, and a unit. The display is dark with light-colored text.

SO2	NOx	SPM
0090	0091	031.5
mg/Nm3	mg/Nm3	mg/Nm3

OCEMS Reading for DRI (@1310hrs dt 18/01/2022)

(81)

जिला दण्डाधिकारी एवं उपायुक्त का कार्यालय, पूर्वी सिंहभूम, जमशेदपुर।

(गोपनीय शाखा)

पत्रांक-.....814...../गो0

प्रेषक,

उपायुक्त
पूर्वी सिंहभूम, जमशेदपुर।

सेवा में,

क्षेत्रीय पदाधिकारी,
झारखण्ड राज्य प्रदूषण नियंत्रण पर्वद,
आदित्यपुर, जमशेदपुर।

जमशेदपुर, दिनांक.....12.04.2022.....

विषय-

माननीय राष्ट्रीय हरित अधिकरण द्वारा ओ0ए0 सं0-390/2021 (जयराम हांसदा बनाम झारखण्ड सरकार) में दिनांक-24.01.2022 को पारित आदेश के संबंध में।

प्रसंग-

आपका पत्रांक-131/आदित्यपुर, दिनांक 24.02.2021

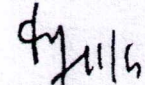
महाशय,

उपर्युक्त विषयक प्रासंगिक पत्र के आलोक में मेसर्स शाह स्पॉज आयरन एण्ड पावर लि0, हाता द्वारा वायु, जल प्रदूषण की वस्तुस्थिती की जानकारी हेतु कमिटी का गठन किया गया है।

अतः अपर जिला दण्डाधिकारी, विधि-व्यवस्था, पूर्वी सिंहभूम, जमशेदपुर को कमिटी हेतु सदस्य मनोनीत किया जाता है।

विश्वासभाजन

अनुलग्नक-यथोक्त।



उपायुक्त,
पूर्वी सिंहभूम, जमशेदपुर।

8888
13.04.2022

50
ROR MoEFCC ro.ranchi-mef@gov.in via gov.in Tue, Apr 12, 6:51 PM (17 hours ago)

to Jharkhand, me, Legal

Images are not displayed. Display images below - Always display images from ro.ranchi-mef@gov.in

Sir,

This refers to Hon'ble National Green Tribunal, Principal Bench's, order dated 24.01.2022 in Original Application No. 390 of 2021. This is to inform that Dr.Timir Haran Mahato, Scientist 'D' (Mobile no. 95234 25019), IRO Ranchi has been nominated as a member of the committee constituted by Hon'ble NGT. This is for your information and necessary action, please.

With regards,

Dr. T.H.Mahato
Scientist 'D'
IRO,Ranchi
MoEF&CC



JHARKHAND STATE POLLUTION CONTROL BOARD

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

By email

Hon'ble NGT Matter
Time Bound (Urgent)

Ref. No.....

Ranchi, Dated.....

From,

Yatindra Kumar Das.
Member Secretary.

To,

The Deputy Commissioner,
East Singhbhum.

The Regional Office,

MoEF&CC, Bhubaneswar.

The Regional Director,

CPCB Regional Directorate, Kolkata.

Sub: - Compliance of the directions issued by the Hon'ble NGT, Principal Bench, New Delhi in its order dated 24.01.2022 in O.A. No. 390/2021 (Jairam Hansda Vs State of Jharkhand) – Regarding.

Sir,

In connection with the above subject matter – it is to inform that the Hon'ble NGT, Principal Bench, New Delhi in its order dated 24.01.2022 in O.A. No. 390/2021 (Jairam Hansda Vs State of Jharkhand) has given certain directions (Copy enclosed). The operative part of which is as follows: -

"2. Having regard to the seriousness of the allegations, it appears necessary to ascertain the factual position in the matter through a joint Committee of the CPCB, State PCB, Regional Office of MoEF & CC, Bhubaneswar and the District Magistrate-East Singhbhum, (Jharkhand). The State PCB will be the Nodal agency for coordination and compliance. The joint Committee may meet within four weeks and undertake site visit and look into the grievance and take remedial action in accordance with law after following due process. Factual and action taken report may be furnished within three months by e-mail at judicialngt@gov.in"

In light of the above, it is further informed that Sri Jitendra Prasad Singh, Regional Officer, JSPCB Regional Office - cum - Laboratory, Jamshedpur (Contact No. - 9572552863; Email: - jspcb.jr@gmail.com) is nominated as the member of the committee on behalf of JSPCB to look into this matter. This is for your information and necessary action please.

Thanking You

Encl: As above.

Yours sincerely,

Sd/-

(Yatindra Kumar Das)
Member Secretary

Memo No. 347

Ranchi, dated. 17/7/2022

Copy to: The Regional Officer, JSPCB Regional Office - Cum - Laboratory, Jamshedpur for information and necessary action.

(Yatindra Kumar Das)
Member Secretary



JHARKHAND STATE POLLUTION CONTROL BOARD

T.A. DIVISION BUILDING (GROUND FLOOR), H.E.C., DHURWA, RANCHI-834004
Phone: - 2400852, 2400851 Fax :- 0651-2400850, Website:-www.jspcb.org

62

Ref. Letter No. B-1024

Ranchi, Dated:- 26/5/2022

From

S. K. Srivastava
Section Head, Jamshedpur

To

M/s Shah Sponge & Power Ltd.,
Mauza- Juri/ Barasai. P.S. Juri,
Dist- East Singhbhum

ORDER

Whereas, Hon'ble NGT, Principal Bench, New Delhi in its order dated 24.01.2022 in O.A. No. 390/2021 (Jairam Hansda Vs State of Jharkhand) has given certain directions. The operative part of which is as follows: -

"2. Having regard to the seriousness of the allegations, it appears necessary to ascertain the factual position in the matter through a joint Committee of the CPCB, State PCB, Regional Office of MoEF & CC, Bhubaneswar and the District Magistrate-East Singhbhum, (Jharkhand). The State PCB will be the Nodal agency for coordination and compliance. The joint Committee may meet within four weeks and undertake site visit and look into the grievance and take remedial action in accordance with law after following due process. Factual and action taken report may be furnished within three months by e-mail atjudicialngt@gov.in")

Whereas, the committee has visited the unit and its nearby areas on 18.04.2022 and submitted the report

During inspection of the committee, on following aspects, plant was found non-complied:

- (1) that, exceedence of SOx and NOx (as per OCEMS display), however PM value was found within the prescribed limit;
- (2) that, leakages from the kiln feeding and discharge to cooler
- (3) that, leakages from the kiln emergency cap
- (4) that, sufficient green belt not developed as per CPCB norms;

Whereas, the competent Authority has ordered to calculate the Environmental Compensation against your unit as per the Report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund. The calculation of Environmental Compensation is as follows:

CALCULATION OF ENVIRONMENTAL COMPENSATION OF

M/S SHAH SPONGE & POWER LTD., MOUZA - JURI/BARASAI, PS - JURI, DIST - E. SINGHBHUM.

Nature of violation - Non compliance of CTO conditions

[Signature]

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Basis to levy the Environmental Compensation – Pollution Index

The environmental compensation is based on the following formula:

$$\text{EC} = \text{PI} \times \text{N} \times \text{R} \times \text{S} \times \text{LF}$$

Where.

- EC- Environmental compensation
- PI- Pollution Index of Industrial Sector
- N – Number of days of violation took place
- R – A factor in rupees for EC
- S- Factor of scale of operation
- LF – Location Factor

Now in this case,

PI is to be taken as 90 as the industry belongs to Red category (Iron & Steel (involving processing from ore/ integrated steel plants) and or Sponge Iron units) (as per CPCB's guidelines).

N is to be taken as 938 days (from 24/09/2019 to 18/04/2022).

R is to be taken as 250 (as per CPCB's guidelines).

S is to be taken 1.5 as the unit belongs to Large Scale as per Notification No. - S.O. 1702(E) – dated 01/06/2020 of Ministry of Micro, Small and Medium Enterprises (S could be 0.5 for micro or small, 1.0 for medium and 1.5 for large units as per CPCB Guidelines).

LF is to be taken as 1.25 as the population of E. Singhbhum is > 1 million. (District Census Handbook, E. Singhbhum of 2011).

Therefore,

$$\begin{aligned}\text{EC (Per day)} &= \text{PI} \times \text{R} \times \text{S} \times \text{LF} \\ &= 90 \times 250 \times 1.5 \times 1.25 \\ &= ₹ 42,187.50/-\end{aligned}$$

Henceforth, the Environmental Compensation for one day comes out to be ₹ 42,187.50/-. So the total Environmental Compensation for 938 days comes out to be ₹ 3,95,71,875.00/- (i.e. Three Crores Ninety Five Lakhs Seventy One Thousand Eight Hundred and Seventy Five Rupees Only).

You are, therefore, given an opportunity to be heard in person on 03.06.2022 at 11 AM in the office chamber of Member Secretary, as why not environmental compensation shall be imposed against your unit on the grounds mentioned above.

Yours Faithfully,

Sd/-

(S. K. Srivastava)

Section Head, Jamshedpur

Ranchi, Dated 26/5/2022

Ref. No. B-1024

Copy to: Regional Office, Regional office-cum-laboratory, Jamshedpur for information and necessary action.

S.K. Srivastava
26.05.22

(S. K. Srivastava)

Section Head, Jamshedpur



JHARKHAND STATE POLLUTION CONTROL BOARD

T.A. DIVISION BUILDING (GROUND FLOOR), H.E.C., DHURWA, RANCHI-834004
Phone: - 2400852, 2400851 Fax :- 0651-2400850, Website:-www.jspcb.org

Ref. Letter No. B-1828

Ranchi, Dated:- 08/9/2022

From

Y. K. Das
Member Secretary

To

M/s Shah Sponge & Power Ltd.,
Mauza- Juri/ Barasai. P.S. Juri,
Dist- East Singhbhum

Sub: Regarding 2nd show cause for non submission of Environmental compensation

Whereas, Hon'ble NGT, Principal Bench, New Delhi in its order dated 24.01.2022 in O.A. No. 390/2021 (Jairam Hansda Vs State of Jharkhand) has given certain directions. The operative part of which is as follows: -

"2. Having regard to the seriousness of the allegations, it appears necessary to ascertain the factual position in the matter through a joint Committee of the CPCB, State PCB, Regional Office of MoEF & CC, Bhubaneswar and the District Magistrate-East Singhbhum, (Jharkhand). The State PCB will be the Nodal agency for coordination and compliance. The joint Committee may meet within four weeks and undertake site visit and look into the grievance and take remedial action in accordance with law after following due process. Factual and action taken report may be furnished within three months by e-mail atjudicialngt@gov.in".)

Whereas, the committee has visited the unit and its nearby areas on 18.04.2022 and submitted the report

During inspection of the committee, on following aspects, plant was found non-complied:

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- (2) that, leakages from the kiln feeding and discharge to cooler
- (3) that, leakages from the kiln emergency cap
- (4) that, sufficient green belt not developed as per CPCB norms;

Whereas, the competent Authority has ordered to calculate the Environmental Compensation against your unit as per the Report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund. The calculation of Environmental Compensation is as follows:

CALCULATION OF ENVIRONMENTAL COMPENSATION OF

M/S SHAH SPONGE & POWER LTD., MOUZA - JURI/BARASAI, PS - JURI, DIST - E. SINGHBHUM.

Nature of violation - Non compliance of CTO conditions

(65)

Basis to levy the Environmental Compensation – Pollution Index
The environmental compensation is based on the following formula:

$$\text{EC} = \text{PI} \times \text{N} \times \text{R} \times \text{S} \times \text{LF}$$

Where,

EC- Environmental compensation
PI- Pollution Index of Industrial Sector
N – Number of days of violation took place
R – A factor in rupees for EC
S- Factor of scale of operation
LF – Location Factor

Now in this case,

PI is to be taken as 90 as the industry belongs to Red category (Iron & Steel (involving processing from ore/ integrated steel plants) and or Sponge Iron units) (as per CPCB's guidelines).

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R is to be taken as 250 (as per CPCB's guidelines).

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LF is to be taken as 1.25 as the population of E. Singhbhum is > 1 million. (District Census Handbook, E. Singhbhum of 2011).

Therefore,

$$\begin{aligned}\text{EC (Per day)} &= \text{PI} \times \text{R} \times \text{S} \times \text{LF} \\ &= 90 \times 250 \times 1.5 \times 1.25 \\ &= ₹ 42,187.50/-\end{aligned}$$

Henceforth, the Environmental Compensation for one day comes out to be ₹ 42,187.50/-. So the total Environmental Compensation for 938 days comes out to be ₹ 3,95,71,875.00/- (i.e. Three Crores Ninety Five Lakhs Seventy One Thousand Eight Hundred and Seventy Five Rupees Only).

You are, therefore, given 2nd opportunity to be heard in person on 14.09.2022 at 11 AM in the office chamber of Member Secretary, as why not environmental compensation shall be imposed against your unit on the grounds mentioned above.

Yours Faithfully,

Sd/-

(Y. K. Das)

Member Secretary

Ref. No. B-1828

Ranchi, Dated 08/9/2022

Copy to: Regional Office, Regional office-cum-laboratory, Jamshedpur for information and necessary action.

(Y. K. Das)

Member Secretary



JHARKHAND STATE POLLUTION CONTROL BOARD

T.A. DIVISION BUILDING (GROUND FLOOR), H.E.C., DHURWA, RANCHI-834004
Phone: - 2400852, 2400851 Fax :- 0651-2400850, Website:-www.jspcb.org

Ref. Letter No. B-2094
From

Ranchi, Dated:- 29/9/2022

Y. K. Das
Member Secretary

To

M/s Shah Sponge & Power Ltd.,
Mauza- Juri/ Barasai. P.S. Juri,
Dist- East Singhbhum

Sub: Regarding - show cause for non submission of Environmental compensation
Ref. : 2nd show cause vide B-1828 dated 08.09.2022

Whereas, Hon'ble NGT, Principal Bench, New Delhi in its order dated 24.01.2022 in O.A. No. 390/2021 (Jairam Hansda Vs State of Jharkhand) has given certain directions. The operative part of which is as follows: -

"2. Having regard to the seriousness of the allegations, it appears necessary to ascertain the factual position in the matter through a joint Committee of the CPCB, State PCB, Regional Office of MoEF & CC, Bhubaneswar and the District Magistrate-East Singhbhum, (Jharkhand). The State PCB will be the Nodal agency for coordination and compliance. The joint Committee may meet within four weeks and undertake site visit and look into the grievance and take remedial action in accordance with law after following due process. Factual and action taken report may be furnished within three months by e-mail atjudicialngt@gov.in")

Whereas, the committee has visited the unit and its nearby areas on 18.04.2022 and submitted the report

During inspection of the committee, on following aspects, plant was found non-complied:

- (1) that, exceeding of SOx and NOx (as per OCEMS display), however PM value was found within the prescribed limit;
- (2) that, leakages from the kiln feeding and discharge to cooler
- (3) that, leakages from the kiln emergency cap
- (4) that, sufficient green belt not developed as per CPCB norms;

Whereas, the competent Authority has ordered to calculate the Environmental Compensation against your unit as per the Report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund. The calculation of Environmental Compensation is as follows:

CALCULATION OF ENVIRONMENTAL COMPENSATION OF

M/S SHAH SPONGE & POWER LTD., MOUZA - JURI/BARASAI, PS - JURI, DIST - E. SINGHBHUM.

Nature of violation - Non compliance of CTO conditions

Rizw- Env Comp (Shah Sponge) - SC A4/3

(70)

Basis to levy the Environmental Compensation – Pollution Index

The environmental compensation is based on the following formula:

EC = PI × N × R × S × LF

Where,

- EC- Environmental compensation
- PI- Pollution Index of Industrial Sector
- N – Number of days of violation took place
- R – A factor in rupees for EC
- S- Factor of scale of operation
- LF – Location Factor

Now in this case,

PI is to be taken as 90 as the industry belongs to Red category (Iron & Steel (involving processing from ore/ integrated steel plants) and or Sponge Iron units) (as per CPCB's guidelines).

N is to be taken as 938 days (from 24/09/2019 to 18/04/2022).

R is to be taken as 250 (as per CPCB's guidelines).

S is to be taken 1.5 as the unit belongs to Large Scale as per Notification No. - S.O. 1702(E) – dated 01/06/2020 of Ministry of Micro, Small and Medium Enterprises (S could be 0.5 for micro or small, 1.0 for medium and 1.5 for large units as per CPCB Guidelines).

LF is to be taken as 1.25 as the population of E. Singhbhum is > 1 million. (District Census Handbook, E. Singhbhum of 2011).

Therefore,

$$\begin{aligned}\text{EC (Per day)} &= \text{PI} \times \text{R} \times \text{S} \times \text{LF} \\ &= 90 \times 250 \times 1.5 \times 1.25 \\ &= ₹ 42,187.50/-\end{aligned}$$

Henceforth, the Environmental Compensation for one day comes out to be ₹ 42,187.50/-. So the total Environmental Compensation for 938 days comes out to be ₹ 3,95,71,875.00/- (i.e. Three Crores Ninety Five Lakhs Seventy One Thousand Eight Hundred and Seventy Five Rupees Only).

You are, therefore, given another opportunity on your request to be heard in person on 30.09.2022 at 11 AM in the office chamber of Member Secretary, as why not environmental compensation shall be imposed against your unit on the grounds mentioned above.

Yours Faithfully,

(Y. K. Das)
Member Secretary