

# GODAWARI POWER & ISPAT LIMITED

## List of Annexure

- |    |  |                   |
|----|--|-------------------|
| 1) | Consent to Operate vide letter no. 2347/TS/CECB/2011<br>Dated 25/07/2011 under Water Act & 2349/TS/CECB/2011<br>Dated 25/07/2011 under Air Act for Iron Ore Pellet Plant<br>of 0.6 Million TPA | <b>Annexure-1</b> |
| 2) | Consent to Operate vide letter no. 6030/TS/CECB/2014<br>Dated 28/03/2014 under Water Act & 6032/TS/CECB/2014<br>Dated 28/03/2014 under Air Act Iron Ore Pellet Plant<br>of 1.5 Million TPA     | <b>Annexure-2</b> |
| 3) | Land Details with Khasra nos. of both the pellet plants  | <b>Annexure-3</b> |
| 4) | Water Permission Letter  | <b>Annexure-4</b> |
| 5) | Compliance Status Report of 0.6 million TPA & 1.5 million<br>TPA Pellet Plants submitted to Chhattisgarh Environment<br>Conservation Board   | <b>Annexure-5</b> |
| 6) | NOC / Clearances from Gram Panchayat and Town<br>& Country Planning Department, Government of<br>Chhattisgarh  | <b>Annexure-6</b> |
| 7) | General Layout Drawing showing the respective location<br>of all units of Pellet Plant   | <b>Annexure-7</b> |
| 8) | Khasara Map of the Pellet Plants   | <b>Annexure 8</b> |
| 9) | Key Plan showing 10 Kms. of radius of the plant location   | <b>Annexure 9</b> |





## CHHATTISGARH ENVIRONMENT CONSERVATION BOARD

**1-Tilak Nagar, Shiv Mandir Chowk, Main Road,**  
**Awanti Vihar, Raipur (C.G.) 492 006**

No. 2347 /TS/CECB/2011

Raipur, dated 25/7 /2011

To,

✓ M/S Godawari Power & Ispat Limited,  
 Hira Arcade, New Bus Stand, Pandri,  
 District - Raipur (C.G.)

Sub: Renewal of consent issued under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974.

- Ref:-
1. Consent under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 issued vide letter no. 1909/TS/CECB/2010 Raipur, dated: 30/06/2010.
  2. Extension of the validity of consent under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 issued vide letter no. 5077/TS/CECB/2010 Raipur, dated: 07/12/2010.
  3. Your letter no. GPIL/EMS/10-11/051, dated: 28/04/2011 and subsequent correspondence ending dated: 06/07/2011.

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With reference to your above application, consent is hereby renewed for a period of three years i.e. from 01/07/2011 to 30/06/2014, subject to the fulfillment of the terms and conditions incorporated the consent letter no. 1909/TS/CECB/2010 Raipur, dated: 30/06/2010, subsequent extension of the validity of consent issued by Board and additional conditions mentioned below.

This renewal of consent is valid for production capacity of: -

| S.No. | Name of Product | Production Capacity                                   |
|-------|-----------------|---|
| 1     | Iron Ore Pellet | 6,00,000 Tonnes per Annum (Six Lacs Tonnes per Annum) |

### Terms and Conditions:-

1. Industry shall operate and maintain the effluent treatment system regularly. Industry shall ensure treated effluent quality within the standards prescribed by Board published in Gazette Notification dated: 25/03/1988. All the effluent treatment system shall be kept in good running conditions all the time and failure (if any), shall be immediately rectified without delay otherwise some alternate arrangement shall be made. In the event of any failure of any pollution control system adopted by the industry, the respective production unit shall not be restarted until the control measures are rectified to achieve the desired efficiency. Industry shall not discharge any treated/untreated effluent in to the river

- 1 -

*RL*



or any surface water bodies. No effluent shall be discharged out side of the factory premises in any circumstances; hence zero discharge conditions shall be maintained all the time.

2. Industry shall submit monitoring report of effluent regularly. Industry shall setup laboratory facility for collection and analysis of environmental samples under the supervision of competent technical personnel.
3. Industry shall provide safe and scientific arrangement for collection, storage, transportation and disposal of all solid wastes and sludges. The dust collected in bag filters, electrostatic precipitator hoppers etc. shall be utilized fully in the process. Adequate arrangements shall be provided for proper storage, handling etc. of all solid waste generated. All solid wastes shall be stored above ground level under covered area for smaller period only. All raw materials and fuel shall be stored above ground level under covered area only.
4. Industry shall submit characterization report of all wastes generated. As per characterization report, if any waste comes under the purview of Hazardous Wastes (Management, Handling and Trans Boundary Movement) Rules, 2008 (as amended up to date) . Industry shall obtain authorization from Board for management and handling of hazardous wastes as per Hazardous Wastes (Management, Handling and Trans Boundary Movement) Rules, 2008 (as amended up to date).
5. All internal roads shall be made pucca. ~~Good house~~ Good house keeping practices shall be adopted by the industry.
6. Industry shall submit water cess return to the Board regularly as per the Water (Prevention and Control of Pollution) Cess Act, 1977 (as amended).
7. Industry shall use fly ash brick, fly ash blocks or fly ash based products in their construction/repairing activities.
8. Wide green belt of broad leaf local species shall be developed along the plant premises. As far as possible maximum area of open spaces shall be utilized for plantation purposes.
9. Industry shall submit Environment Statement to this Board as per provision of Environment (Protection) amendment Rule, 1993 for the previous year ending 31st March on or before 30th September every year.

Please acknowledge the receipt of this letter.

For & on behalf of  
Chhattisgarh Environment Conservation Board

*Pur Rao*  
25/7/11

**Member Secretary**  
Chhattisgarh Environment Conservation Board  
Raipur (C.G.)

- 2 - *RE*



Endt. No.  
Copy to: -

/TS/CECB/2011

Raipur, dated: \_\_\_/\_\_\_/2011

- 1- Regional Officer, Regional Office, Chhattisgarh Environment Conservation Board, Raipur (C.G.). Please ensure compliance and report, if any condition/conditions are violated by the industry.
- 2- Cess Section, Chhattisgarh Environment Conservation Board, Raipur (C.G.).

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**Member Secretary**  
Chhattisgarh Environment Conservation Board  
Raipur (C.G.)

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**CHHATTISGARH ENVIRONMENT CONSERVATION BOARD**

**1-Tilak Nagar, Shiv Mandir Chowk, Main Road,**  
**Awanti Vihar, Raipur (C.G.) 492 006**

No. 2349/TS/CECB/2011

Raipur, dated 25/7/2011

To,

✓ M/S Godawari Power & Ispat Limited,  
Hira Arcade, New Bus Stand, Pandri,  
District - Raipur (C.G.)

Sub: Renewal of consent issued Under Section 21 of the Air (Prevention and Control of Pollution) Act 1981.

- Ref:-
1. Consent under section 21 of the Air (Prevention and Control of Pollution) Act 1981 issued vide letter no. 1911/TS/CECB/2010 Raipur, dated: 30/06/2010.
  2. Extension of the validity of consent under section 21 of the Air (Prevention and Control of Pollution) Act 1981 issued vide letter no. 5079/TS/CECB/2010 Raipur, dated: 07/12/2010.
  3. Your letter no. GPIL/EMS/10-11/051, dated: 28/04/2011 and subsequent correspondence ending dated: 06/07/2011.

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With reference to your above application, consent is hereby renewed for a period of three years i.e. from 01/07/2011 to 30/06/2014, subject to the fulfillment of the terms and conditions incorporated the consent letter no. 1911/TS/CECB/2010 Raipur, dated: 30/06/2010, subsequent extension of the validity of consent issued by Board and additional conditions mentioned below.

This renewal of consent is valid for production capacity of: -

| S.No. | Name of Product | Production Capacity                                   |
|-------|-----------------|---|
| 1     | Iron Ore Pellet | 6,00,000 Tonnes per Annum (Six Lacs Tonnes per Annum) |

**Terms and Conditions:-**

1. Industry shall operate and maintain the existing pollution control systems regularly. Industry shall ensure the emission of particulate matter less than prescribed limit i.e. 50 mg/Nm<sup>3</sup> in all circumstances. Industry shall maintain the ambient air quality within the factory premises within prescribed limits. All the air pollution control system shall be kept in good running conditions all the time and failure (if any), shall be immediately rectified without delay otherwise some alternate arrangement shall be made. In the event of any failure of any pollution

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Endt. No.  
Copy to: -

/TS/CECB/2011

Raipur, dated: .../.../2011

Regional Officer, Regional Office, Chhattisgarh Environment Conservation Board, Raipur (C.G.). Please ensure compliance and report, if any condition/conditions are violated by the industry.

**Member Secretary**  
Chhattisgarh Environment Conservation Board,  
Raipur (C.G.)

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## CHHATTISGARH ENVIRONMENT CONSERVATION BOARD

Commercial Complex, Chhattisgarh Housing Board Colony,  
Kabir Nagar, Raipur (C.G.)

No. 6030 /TS/CECB/2014  
To,

Raipur, dated 28/03/2014

M/s Godawari Power & Ispat Limited,  
Plot No. 428/2, Industrial Area,  
Phase -I, Village - Siltara,  
**Raipur (C.G.)**

Sub: - Extension of the validity of consent issued under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974.

- Ref:
1. Permission to Establish issued by the Chhattisgarh Environment Conservation Board vide letter No. 1964/TS/CECB/2012, Raipur, dated 10/07/2012 for Iron Ore Pallet Plant of capacity- 15,00,000 Tonnes per Annum (1.5 MTPA).
  2. Amendment in Permission to establish issued by the Chhattisgarh Environment Conservation Board vide letter No. 6367/TS/CECB/2013, Raipur, dated 30/01/2013 for Coal Gasifier Plant of total capacity 40,000 Nm<sup>3</sup>/hr (2 + 1 Standby) for Iron Ore Pallet Plant capacity of 15,00,000 Metric Tonnes per Annum.
  3. Consent of the Board issued under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 issued vide letter no. 2360/TS/CECB/2013 Raipur, dated: 01/08/2013 for Iron Ore Pallet Plant capacity of 15,00,000 Metric Tonnes per Annum.
  4. Amendment in consent of the Board issued under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 issued vide letter no. 3438/TS/CECB/2013 Raipur, dated: 03/10/2013 for Coal Gasifier Plant of total capacity 20,000 Nm<sup>3</sup>/hr (No. 1 Standby) for Iron Ore Pallet Plant capacity of 15,00,000 Metric Tonnes per Annum.
  5. Your application submitted vide letter no. GPIL/EMS/2013-14/262, dated: 21/10/2013 and subsequent correspondence ending dated: 13/02/2014.

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Permission to establish to the industry for establishment for Iron Ore Pallet Plant of capacity- 15,00,000 Tonnes per Annum (1.5 MTPA) vide letter no. 1964/TS/CECB/2012, Raipur, dated 10/07/2012.

An amendment in Permission to establish was issued by the Chhattisgarh Environment Conservation Board vide letter No. 6367/TS/CECB/2013, Raipur, dated 30/01/2013 for Coal Gasifier Plant of total capacity 40,000 Nm<sup>3</sup>/hr (2 + 1 Standby) for Iron Ore Pallet Plant capacity of 15,00,000 Metric Tonnes per Annum.

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After installation of Iron Ore Pellet with pollution control systems, consent under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 was issued to assess the adequacy of the pollution control systems for period of three months starting from the date of commissioning of the plant vide this office letter no. 2360/TS/CECB/2013 Raipur, dated: 01/08/2013, subject to fulfillment of the terms and conditions mentioned in the consent letter. This plant started on 02/08/2013 and after installation of Coal Gasifier Plant of total capacity 20,000 Nm<sup>3</sup>/hr (one no.), the consent issued under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 was amended vide this office letter no. 3438/TS/CECB/2013 Raipur, dated: 03/10/2013, subject to fulfillment of the terms and conditions mentioned in the consent amendment letter. This consent was valid upto 31/10/2013.

Industry has requested vide its letter under reference to extend the validity of the consent letter for Iron Ore Pallet Plant capacity of 15,00,000 Metric Tonnes per Annum & Coal Gasifier Plant of total capacity 20,000 Nm<sup>3</sup>/hr (one no.) issued under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 for further period. Industry has informed vide letter no. GPIL/EMS/2013-14/262, dated: 21/10/2013 and subsequent correspondence ending dated: 13/02/2013.

Regional Officer, Chhattisgarh Environmental Conservation Board, Raigarh has informed that industry has provided pollution control arrangements and there is no discharge out side the factory premises. Regional Officer, Chhattisgarh Environmental Conservation Board, Raipur has recommended for extension of validity period of the consent.

The facts submitted by the industry have been examined. After careful consideration of the facts & materials in record and in the view of the above, the validity period of consent for Iron Ore Pallet Plant capacity of 15,00,000 Metric Tonnes per Annum & Coal Gasifier Plant of total capacity 20,000 Nm<sup>3</sup>/hr (one no.) issued under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 is hereby extended up to 31/07/2014, subject to the fulfillment of the terms and conditions incorporated in the consent letter no. 3438/TS/CECB/2013 Raipur, dated: 03/10/2013 and additional conditions mentioned below: -

**Additional Condition: -**

1. The operation of coal gasifier plant shall be restricted to such extent that quantity of effluent generated can be treated up to prescribed limit by dilution with available water. The treated waste water shall be used only for industrial purposes. Treated waste water shall not be used for gardening, plantation for dust suppression on the road or any other land application.
2. Industry shall install scientific system / arrangements as per CPCB guidelines for the disposal of phenolic water before 31/07/2014.
3. No treated or untreated industrial waste water i.e. Phenolic water shall be dishchgered out sided premises Phenolic water shall be stored only in leakproof tanks.



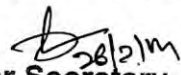
4. Industry shall use coal only to produce gas in gasifier and this gas will be used in Pallet plant as fuel. Coal shall not be used directly in the Pallet plant either as a fuel or raw material.
5. Industry shall operate and maintain the effluent treatment system regularly. Industry shall ensure treated effluent quality within the standards prescribed by Board published in Gazette Notification dated: 25/03/1988. All the effluent treatment system shall be kept in good running conditions all the time and failure (if any), shall be immediately rectified without delay otherwise some alternate arrangement shall be made. In the event of any failure of any pollution control system adopted by the industry, the respective production unit shall not be restarted until the control measures are rectified to achieve the desired efficiency. Industry shall not discharge any treated/untreated effluent in to the river or any surface water bodies. No effluent shall be discharged out side of the factory premises in any circumstances; hence zero discharge conditions shall be maintained all the time.
6. Industry shall submit monitoring report of effluent regularly. Industry shall setup laboratory facility for collection and analysis of environmental samples under the supervision of competent technical personnel.
7. Industry shall provide safe and scientific arrangement for collection, storage, transportation and disposal of all solid wastes and sludges. The dust collected in bag filters, electrostatic precipitator hoppers etc. shall be utilized fully in the process. Adequate arrangements shall be provided for proper storage, handling etc. of all solid waste generated. All solid wastes shall be stored above ground level under covered area for smaller period only. All raw materials and fuel shall be stored above ground level under covered area only.
8. Industry shall take effective steps for safe storage and disposal of solid wastes such as sinders and tar. Ash (sinders) generated from coal gasifier shall be used in brick manufacturing / land filling etc. The filled up area shall be reclaimed with soil cover and plantation immediately. Tar shall be sold to registered recyclers.
9. Industry shall increase the utilization of proportionate quantity of fly ash and ESP dust in cement manufacturing and brick making in such away that proportionate quantity of solid waste i.e. ash, ESP dust sinders from coal gasifier used for land filling shall not increase from present quantity used for land application.
10. Industry shall submit characterization report of all wastes generated. As per characterization report, if any waste comes under the purview of Hazardous Wastes (Management, Handling and Trans Boundary Movement) Rules, 2008 (as amended up to date) . Industry shall obtain authorization from Board for management and handling of hazardous wastes as per Hazardous Wastes (Management, Handling and Trans Boundary Movement) Rules, 2008 (as amended up to date).

*PVK*

11. All internal roads shall be made pucca. Good house keeping practices shall be adopted by the industry.
12. Industry shall submit water cess return to the Board regularly as per the Water (Prevention and Control of Pollution) Cess Act, 1977 (as amended).
13. Industry shall use fly ash brick, fly ash blocks or fly ash based products in their construction/repairing activities.
14. Wide green belt of broad leaf local species shall be developed along the plant premises. As far as possible maximum area of open spaces shall be utilized for plantation purposes.
15. Industry shall submit Environment Statement to this Board as per provision of Environment (Protection) amendment Rule, 1993 for the previous year ending 31st March on or before 30th September every year.

Please acknowledge the receipt of this letter.


For & on behalf of  
Chhattisgarh Environment Conservation Board

  
**Member Secretary**  
Chhattisgarh Environment Conservation Board  
Raipur (C.G.)

Endt. No.        /TS/CECB/2014  
Copy to: -

Raipur, dated:...../...../2014

- 1- Regional Officer, Regional Office, Chhattisgarh Environment Conservation Board, Raipur (C.G.). Please ensure compliance and report, if any condition/conditions are violated by the industry.
- 2- Cess Section, Chhattisgarh Environment Conservation Board, Raipur (C.G.).

  
**Member Secretary**  
Chhattisgarh Environment Conservation Board  
Raipur (C.G.)





**CHHATTISGARH ENVIRONMENT CONSERVATION BOARD**

**Commercial Complex, Chhattisgarh Housing Board Colony,**  
**Kabir Nagar, Raipur (C.G.)**

No. 6032/TS/CECB/2014

Raipur, dated 28/03/2014

To,

✓  
M/s Godawari Power & Ispat Limited,  
Plot No. 428/2, Industrial Area,  
Phase -I, Village - Siltara,  
**Raipur (C.G.)**

Sub: - Extension of the validity of consent of the Board issued under section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

- Ref: 1. Permission to Establish issued by the Chhattisgarh Environment Conservation Board vide letter No. 1964/TS/CECB/2012, Raipur, dated 10/07/2012 for Iron Ore Pallet Plant of capacity- 15,00,000 Tonnes per Annum (1.5 MTPA).
2. Amendment in Permission to establish issued by the Chhattisgarh Environment Conservation Board vide letter No. 6367/TS/CECB/2013, Raipur, dated 30/01/2013 for Coal Gasifier Plant of total capacity 40,000 Nm<sup>3</sup>/hr (2 + 1 Standby) for Iron Ore Pallet Plant capacity of 15,00,000 Metric Tonnes per Annum.
3. Consent of the Board issued under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 issued vide letter no. 2362/TS/CECB/2013 Raipur, dated: 01/08/2013 for Iron Ore Pallet Plant capacity of 15,00,000 Metric Tonnes per Annum.
4. Amendment in consent of the Board issued under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 issued vide letter no. 3440/TS/CECB/2013 Raipur, dated: 03/10/2013 for Coal Gasifier Plant of total capacity 20,000 Nm<sup>3</sup>/hr (No. 1 Standby) for Iron Ore Pallet Plant capacity of 15,00,000 Metric Tonnes per Annum
5. Your application submitted vide letter no. GPIL/EMS/2013-14/262, dated: 21/10/2013 and subsequent correspondence ending dated: 13/02/2014.

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An amendment in Permission to establish was issued by the Chhattisgarh Environment Conservation Board vide letter No. 6367/TS/CECB/2013, Raipur, dated 30/01/2013 for Coal Gasifier Plant of total



capacity 40,000 Nm<sup>3</sup>/hr (2 + 1 Standby) for Iron Ore Pellet Plant capacity of 15,00,000 Metric Tonnes per Annum.

After installation of Iron Ore Pellet with pollution control systems, consent under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 was issued to assess the adequacy of the pollution control systems for period of three months starting from the date of commissioning of the plant vide this office letter no. 2362/TS/CECB/2013 Raipur, dated: 01/08/2013, subject to fulfillment of the terms and conditions mentioned in the consent letter. This plant started on 02/08/2013 and after installation of Coal Gasifier Plant of total capacity 20,000 Nm<sup>3</sup>/hr (one no.), the consent issued under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 was amended vide this office letter no. 3440/TS/CECB/2013 Raipur, dated: 03/10/2013, subject to fulfillment of the terms and conditions mentioned in the consent amendment letter. This consent was valid upto 31/10/2013.

Industry has requested vide its letter under reference to extend the validity of the consent letter for Iron Ore Pellet Plant capacity of 15,00,000 Metric Tonnes per Annum & Coal Gasifier Plant of total capacity 20,000 Nm<sup>3</sup>/hr (one no.) issued under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 for further period. Industry has informed vide letter no. GPIL/EMS/2013-14/262, dated: 21/10/2013 and subsequent correspondence ending dated: 13/02/2013.

Regional Officer, Chhattisgarh Environmental Conservation Board, Raipur has informed that industry has provided pollution control arrangements and there is no discharge out side the factory premises. Regional Officer, Chhattisgarh Environmental Conservation Board, Raipur has recommended for extension of validity period of the consent.

The facts submitted by the industry have been examined. After careful consideration of the facts & materials in record and in the view of the above, the validity period of consent for Iron Ore Pellet Plant capacity of 15,00,000 Metric Tonnes per Annum & Coal Gasifier Plant of total capacity 20,000 Nm<sup>3</sup>/hr (one no.) issued under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 is hereby extended up to 31/07/2014, subject to the fulfillment of the terms and conditions incorporated in the consent letter no. 3440/TS/CECB/2013 Raipur, dated: 03/10/2013 and additional conditions mentioned below: -

**Additional Condition: -**

1. Industry shall install scientific system / arrangements as per CPCB guidelines for the disposal of phenolic water before 31/07/2014.
2. Industry shall operate and maintain the existing pollution control systems regularly. Industry shall ensure the emission of particulate matter less than prescribed limit of 35 mg/Nm<sup>3</sup> all the time. Industry shall maintain the ambient air quality within the factory premises within latest prescribed limits. All the air pollution control system shall be kept in good running conditions all the time and failure (if any), shall be immediately rectified without delay otherwise some alternate arrangement shall be made. In the event of any failure of any pollution control system adopted by the industry, the respective production unit shall not be restarted until the control



measures are rectified to achieve the desired efficiency. Chhattisgarh Environment Conservation Board may further stipulate stringent particulate matter emission limit depending upon environmental conditions.

3. Industry shall use coal only to produce gas in gasifier and this gas will be used in Pallet plant as fuel. Coal shall not be used directly in the Pallet plant either as a fuel or raw material.
4. Industry shall maintain fugitive dust emissions to the minimum level in the areas of road transportation routes of fuel and ash to ensure Ambient Air Quality Standards prescribed by Board including black topping/asphalting/concreting and maintenance with requisite water sprinkling arrangements. Vehicular emissions shall be kept under control and regularly monitored. Vehicles used for transporting the mineral shall be covered with tarpaulins and optimally loaded.
5. Industry shall provide appropriate dust suppression/dust extraction system / bag filters at all fugitive dust emission sources such as coal loading /unloading handling and wastes handling section, conveying system, transfer points/junction points, stock house etc. All conveyor belt, all transfer points, all junction points etc. shall be covered to avoid fugitive emission. All internal roads shall be black topped (pucca) before commissioning of the plant. Good house keeping practices shall be adopted by the industry.
6. Industry shall take effective steps for safe storage and disposal of solid wastes such as sinders and tar. Ash (sinders) generated from coal gasifier shall be used in brick manufacturing / land filling etc. The filled up area shall be reclaimed with soil cover and plantation immediately. Tar shall be sold to registered recyclers.
7. Industry shall increase the utilization of proportionate quantity of fly ash and ESP dust in cement manufacturing and brick making in such away that proportionate quantity of solid waste i.e. ash, ESP dust sinders from coal gasifier used for land filling shall not increase from present quantity used for land application.
8. All internal roads shall be made pucca. Good house keeping practices shall be adopted by the industry.
9. Regular monitoring for the measurement of air pollutants level in ambient and emission of air pollutants from stack shall be carried out. Industry shall submit stack and ambient air quality monitoring reports to the Board regularly. Industry shall setup laboratory facility for collection and analysis of environmental samples under the supervision of competent technical personnel.
10. Reduction in fugitive emissions due to transportation of raw materials, fuels, finished products and solid wastes etc. (which contribute the air pollutants such as suspended particulate matter in ambient air in the nearby residential, rural and other areas) shall be done in the existing transport system by adopting appropriate control measures and infrastructure development. Industry shall transport the raw materials,

fuels, finished products, solid wastes etc. through properly tarpaulin covered vehicles to avoid fugitive dust emission.

11. Industry shall use fly ash brick, fly ash blocks or fly ash based products in their construction/repairing activities.
12. Wide green belt of broad leaf local species shall be developed along the plant premises. As far as possible maximum area of open spaces shall be utilized for plantation purposes.
13. Industry shall submit Environment Statement to this Board as per provision of Environment (Protection) amendment Rule, 1993 for the previous year ending 31st March on or before 30th September every year.

Please acknowledge the receipt of this letter.

For & on behalf of  
Chhattisgarh Environment Conservation Board

*B28/21m*  
**Member Secretary**  
Chhattisgarh Environment Conservation Board  
Raipur (C.G.)

Endt. No.        /TS/CECB/2014  
Copy to: -

Raipur, dated: \_\_\_\_/\_\_\_\_/2014

Regional Officer, Regional Office, Chhattisgarh Environment Conservation Board, Raipur (C.G.). Please ensure compliance and report, if any condition/conditions are violated by the industry.

*1*  
**Member Secretary**  
Chhattisgarh Environment Conservation Board  
Raipur (C.G.)

*Rajeev*



**GODAWARI POWER AND ISPAT LIMITED**  
**DETAILS OF LAND WITH KHASRA**

| Khasra | Area in |
|--------|---------|
| No.    | Acre    |
| 697    | 1.999   |
| 698    |         |
| 699    |         |
| 704/8  |         |
| 704/9  |         |
| 670/1  | 0.08    |
| 670/4  | 0.06    |
| 670/6  | 0.08    |
| 670/7  | 0.07    |
| 670/9  | 0.06    |
| 670/10 | 0.06    |
| 670/3  | 0.33    |
| 670/5  | 0.22    |
| 676/1  | 0.89    |
| 664/2  | 0.86    |
| 665/4  | 0.50    |
| 683/1  | 0.15    |
| 683/2  | 0.15    |
| 683/3  | 0.15    |
| 685/2  | 0.50    |
| 670/2  | 0.68    |
| 681/2  | 0.53    |
| 705/2  | 0.10    |
| 705/3  | 0.30    |
| 705/7  | 0.89    |
| 705/12 | 0.13    |
| 670/8  | 0.07    |
| 670/11 | 0.57    |
| 705/4  | 0.12    |
| 705/8  | 0.18    |
| 705/9  | 0.18    |
| 705/10 | 0.18    |
| 705/5  | 0.61    |
| 697/3  | 0.61    |
| 698/3  |         |
| 704/3  |         |
| 697/4  |         |
| 698/4  |         |
| 704/4  |         |
| 657    | 1.59    |
| 663/8  | 0.29    |

| Khasra | Area in |
|--------|---------|
| No.    | Acre    |
| 658/2  | 1.45    |
| 658/1  | 1.40    |
| 662/3  | 0.80    |
| 659/2  | 0.42    |
| 659/4  | 0.42    |
| 659/9  | 0.40    |
| 659/11 | 0.10    |
| 662/2  | 0.80    |
| 661/2  | 1.01    |
| 650/1  | 0.32    |
| 650/2  | 0.32    |
| 682    | 1.62    |
| 689/1  | 1.00    |
| 694/1  | 0.23    |
| 705/6  | 0.26    |
| 663/3  | 0.30    |
| 656/2  | 0.43    |
| 694/2  | 0.50    |
| 694/7  | 0.27    |
| 659/5  | 0.50    |
| 659/8  | 0.30    |
| 659/1  | 0.63    |
| 659/7  | 0.30    |
| 659/10 | 0.20    |
| 692    | 0.41    |
| 659/3  | 0.25    |
| 659/6  | 1.63    |
| 694/6  | 0.23    |
| 695/2  | 0.32    |
| 675/1  | 0.52    |
| 675/5  | 0.26    |
| 675/2  | 0.52    |
| 675/6  | 0.26    |
| 663/5  | 0.25    |
| 671/1  | 0.50    |
| 671/2  | 0.59    |
| 663/1  | 0.36    |
| 663/9  | 0.12    |
| 691    | 1.22    |
| 672    | 1.26    |
| 662/4  | 0.28    |

| Khasra        | Area in      |
|---------------|--------------|
| No.           | Acre         |
| 662/5         | 0.28         |
| 662/1         | 0.28         |
| 661/3         | 0.27         |
| 660/2         | 0.58         |
| 664/1         | 0.48         |
| 677           | 1.23         |
| 675/3         | 0.52         |
| 675/4         |              |
| 705/1         | 0.12         |
| 705/11        | 0.10         |
| 694/3         | 0.91         |
| 689/2         | 0.40         |
| 690           |              |
| 679/2         | 0.61         |
| 694/4         | 0.23         |
| 694/5         | 1.33         |
| 695/1         |              |
| 653           | 2.76         |
| 674           |              |
| 676/2         |              |
| 663/2         | 1.32         |
| 663/4         |              |
| 663/6         |              |
| 663/7         |              |
| 707/1         | 1.38         |
| 734/4         | 0.84         |
| 652 /1 A      | 1.19         |
| 652 / 1       | 1.19         |
| 651/5 & 651/6 | 0.61         |
| 651/2 & 651/3 | 0.60         |
| 651/1 & 651/4 | 0.51         |
| 298/9         | 0.10         |
| 304           | 0.79         |
| 660/3, 661/4  | 1.86         |
| <b>TOTAL</b>  | <b>56.64</b> |



छत्तीसगढ़ CHHATTISGARH

K 470050

**छत्तीसगढ़ इस्पात भूमि लिमिटेड  
रायपुर (छ. ग.)**

उत्तरा औद्योगिक क्षेत्र, रायपुर (छ. ग.)  
फोन नं. : 2322600 / 601 / 603 फैक्स नं. 0771.2322602

क. श्री. आर. बी. एल. /

दिनांक: 25/02/2014

संशोधित अनुबंध  
(नियम 7 देखें)

छत्तीसगढ़ इस्पात भूमि लिमिटेड  
औद्योगिक प्रयोजन हेतु नल कनेक्शन के लिये अनुबंध

यह अनुबंध आज दिनांक 25 मार्च 2014 प्रथम पक्ष संचालक छ.ग. इस्पात भूमि लिमिटेड रायपुर ( जिन्हें इसकी परचाश मुद्रिका कहा गया है जिस अभिव्यक्ति में जहां अपेक्षित हो उनके पदानुवर्ती शामिल होंगे) और द्वितीय पक्ष श्री. अभिवेक अग्रवाल पिता का नाम श्री. बजरंग लाल अग्रवाल मेसर्स गोदावरी पौवर एण्ड इस्पात लिमिटेड जिन्हें इसकी परचाश उपभोक्ता कहा गया है जिस अभिव्यक्ति में जहां संदर्भ में अपेक्षित हो उनके वैध चारित्र्य उत्तराधिकारी प्रतिनिधि निरुपेक्षक शामिल होंगे के बीच किया जाता है।  
चूंकि इकाई / उपभोक्ता ने औद्योगिक क्षेत्र सिलतारा फेस-1 में स्थित CSIDC / निजी-मूनि / मकान के भू-खंड क्रमांक 428/2 पर स्थित है में जल कनेक्शन के लिये निहित धार्म में आवेदन किया है।



छत्तीसगढ़ इस्पात भूमि लिमिटेड  
Kakkar  
Director



और दूक औद्योगिक क्षेत्र सिलतरा फेस - 1 स्थित जल प्रदाय विभाग में इसमें प्रहवान दिये गये निबंधनी तथा बर्ती के अध्ययनीय उक्त परिसर में 7800000 लीटर प्रतिदिन जलप्रदाय के लिये औद्योगिक मीटर युक्त / बिना मीटर के जल कनेक्शन नियमानुसार मंजूर हो है।

अतएव अब यह अनुबंध इस बात का संक्षेप है कि और इसके द्वारा नियमानुसार किया जाता है-

- 1 इस अनुबंध की सभी दृष्टियों से तत्समय प्रदत्त जल प्रदाय नियम वर्ष अगस्त 1981 से लागू किये गये हैं अथवा सी.आई. वी.एल. द्वारा संशोधित किये गये हैं। ( के अध्ययनीय पढा जावेगा और तदनुसार उसका कार्य लगाया जावेगा।)
- 2 उपभोक्ता को जिस प्रयोजन के लिये संयोजन मंजूर किया गया है उससे भिन्न किसी प्रयोजन के लिए जल का उपयोग नहीं करेगा और न ही जल का दुरुपयोग करेगा न ही अन्य मकानों या भूमियों या इकाईयों के निवासियों को मल का जल लेने देगा। इस खण्ड के उल्लंघन के मामले में उपभोक्ता उनका भुगतान करने का उत्तरदायी होगा जो छ. ग. इरपात भूमि लिमिटेड रायपुर द्वारा जलप्रदाय नियम के अधीन दिये जलकर का दुगना या उससे अधिक प्रभारित की जा सकती तथा जल संयोजन विच्छेद भी किया जा सकता है।
- 3 खपत हुए जल के मासिक बिल तैयार किये जावेंगे और उपभोक्ताओं को इसमें नियत तारीख के भीतर भुगतान के लिए भेज दिये जावेंगे यदि उपभोक्ता भुगतान देय होने की तारीख के भीतर बिल की रकम का भुगतान नहीं करता है तो उसे उस पर 1.5 प्रतिशत अधिभार देना होगा जो कि अगले माह के बिल में जोड़ दिया जावेगा यदि उपभोक्ता बिलों को दो माह तक नियत तिथि पर भुगतान नहीं करता तो जल आपूर्ति बंद कर दी जावेगी एवं मल संयोजन विच्छेद कर दिया जावेगा। इसके लिए अलग से कोई नोटिस देय नहीं होगा। यदि उपभोक्ता का मीटर एक माह से अधिक समय तक खराब रहता है या उपभोक्ता मीटर ठीक नहीं करवाता है उस स्थिति में उस माह से पूर्व के 12 माह में औसतन राशि के समतुल्य राशि बसूल की जावेगी।
- 4 (क) विभाग के प्राधिकृत कर्मचारियों को यह अधिकार होगा कि वे अकस्मात अल्पकालिन सूचना देकर परिसर में प्रवेश करें तथा यह जांच करने के लिए कि जल का दुरुपयोग तो नहीं किया जा रहा है सभी या किसी भी फिटिंग या नली का परिक्षण करें।  
(ख) यदि उपभोक्ता या उसके प्रतिनिधि द्वारा जल प्रदाय विभाग के कर्मचारी को उसके कर्तव्यों का पालन करने में कोई बाधा उपस्थित की जाती है तो उपभोक्ता को कारण बताओ नोटिस देने के बाद कनेक्शन काट दिया जावेगा।
- 5 मीटर तथा मीटर वाचन:-  
(अ) जलपूर्ति मापने के लिए अपेक्षित सभी मीटर एंकीलेटर तथा विशेष उपकरण सुविधाजनक स्थान पर स्थापित किये जावेंगे।  
(ब) किसी भी स्थिति में जल प्रदाय विभाग छ. ग. इरपात भूमि लिमिटेड रायपुर के प्राधिकारियों को छोड़कर किसी अन्य व्यक्ति द्वारा कोई मीटर नहीं लगाया जावेगा और ऐसी मीटर छत्तीसगढ़ इरपात भूमि लिमिटेड या उसके प्रतिनिधि द्वारा स्वीकृत किया जावेगा एवं उपभोक्ता अपने मीटर तथा मापक उपकरण का निराम को अनुसार अच्छी हालत में रखने के लिए उत्तरदायी होगा।  
(ग) मीटरों का वाचन प्रत्येक माह में एक बार ऐसी अंतर तिथियों या समयों पर किया जावेगा जो छ. ग. इरपात भूमि लिमिटेड रायपुर के इंजीनियर या उसके प्रतिनिधि उपयुक्त समझे।  
(घ) यदि छ. ग. इरपात भूमि लिमिटेड रायपुर के इंजीनियर या उसके प्रतिनिधि को यह विश्वास करने के कारण हो कि उपभोक्ता के परिसर में लगाये गये मीटर ठीक नहीं है (जिसमें रुकें हुए या बंद  $\frac{1}{2}$  लेज मीटर शामिल हैं) तो मीटर की जांच होने तक सही मात्रा पिछले 12 महीने के औसतन वाचन के समतुल्य निश्चित की जावेगी।  
(घ) यदि कोई मीटर खराब हो जाये या उसकी मरम्मत हो रही हो ( वह अर्थात् अधिकतम एक माह की होगी) तो कार्यालय की जलकर निम्नानुसार संगणित किया जावेगा।



CC - Chhatra Ghar Inpud Bhumi (C.G.)

*[Signature]*

*[Signature]*

1. यदि जांच करने में यह पाया गया कि मीटर 5 प्रतिशत से अधिक भंड नहीं है तो वार्षिक खपत के अनुसार जलकर वसूल किया जाएगा।

2. यदि मीटर 5 प्रतिशत से अधिक भंड पाया जाता है तो गत माह में अधिकतम वाचन के समकक्ष जलकर वसूल किया जाएगा।

(छ) उपभोक्ता का यह कर्तव्य होगा कि वह जल मीटर को सभी प्रकार की हानियों से सुरक्षित रखे और यदि वह टूट-भूट जाये तो उसको ठीक करने या खराब होने की सूचना तुरंत कंपनी के क्षेत्रीय कार्यालय में दी जाये एवं उसकी मरम्मत उपभोक्ता के खर्च द्वारा अधिकतम एक माह के समय में करायी जायेगी।

(ज) कोई भी उपभोक्ता मीटर के साथ छेड़छाड़ नहीं करेगा और न ही कंपनी की अनुमति के बिना हटायेगा या उसका स्थान परिवर्तन करवायेगा यदि वह इसमें कोई भी नियम विरुद्ध कार्यवाही करेगा तो यह वास्तविक भागी होगा। वास्तविक निर्धारण समय समय पर नीतिगत निर्णय अनुसार होगा।

6. (क) कंपनी जलापूर्ति की गारंटी नहीं देता है और न ही किसी ऐसी हानि के लिए उत्तरदायी होगा जो वाटरमैन्स या मशीनरी आदि संबंधी किसी अप्रत्याशित घटना या किसी आपदा स्थिति के कारण जलापूर्ति न होने से हुई हो और जिससे जलापूर्ति बंद हो गई हो कंपनी पूर्ववत् जलापूर्ति के बंद होने के कारण की पर्याप्तता का एक मात्र निर्णायक होगा।

(ख) कंपनी सहायिकता जलापूर्ति या जलापूर्ति के घाटे नियंत्रित करने का पूर्ण अधिकारी है।

(ग) पूर्तिकर्ता जलापूर्ति की किसी मात्रा या दबाव के संबंध में बाधा नहीं है।

(घ) उपभोक्ता जलापूर्ति बंद हो जाने या प्रतिबंधित की स्थिति में पूर्तिकर्ता से किसी भी दावे का हकदार नहीं होगा।

7. यदि इस अनुबंध से संबंधित पक्षकारों के बीच इस अनुबंध या इसमें दिये उपबंधों या उससे उत्पन्न किसी बाधा के संबंध में कोई विवाद उत्पन्न हो तो उसे संचालक छ.ग. इस्पात भूमि लिमिटेड रायपुर को निर्दिष्ट किया जाएगा और उस पर उनका निर्णय अंतिम और दोनों पक्षों को बंधनकारी होगा।

8. म.प्र. जलप्रदाय नियम 1991 इस अनुबंध के भाग होंगे। ये नियम पुनरीक्षित किये जा रहे हैं तथा यह अनुबंध पुनरीक्षित नियमों की धर्ती के अधीन होगा भले ही वे वर्तमान धर्ती से हटकर हों।

9. इस अनुबंध के अधीन उपभोक्ता से अप्रॉफ कोई भी राशि उससे भू-राजस्व को बकाया के रूप में वसूल की जा सकती।



For Chhattisgarh Ispat Bhumi Ltd.

*[Signature]*  
Director



10. समय-समय पर कंपनी द्वारा पुनरीकित की गयी नई बरे लागू की जावेंगी जिसके लिये उपभोक्ता देने के लिये बाध्य होगा इसके साथ में इसके पक्षकारों ने इस अनुबंध पर प्रत्येक को सामने उल्लेखित तारीख और वर्ष को अपने हस्ताक्षर किए हैं।
11. आपको द्वारा पूर्व में किए गए अनुबंध के अनुसार 6500000 लि प्रतिदिन जल आपूर्ति की जा रही है। अब इस संशोधित अनुबंध के अनुसार आपको 1300000 लि प्रतिदिन अतिरिक्त जल आपूर्ति की जावेंगी। इस प्रकार वर्तमान में कुल जल आपूर्ति 7800000 लि प्रतिदिन होगी। इस संशोधित अनुबंध की मात्रा 7800000 लि प्रतिदिन दिनांक 01 मार्च 2014 से लागू होगी।

साक्षी :-

*Penkey*

1. नाम - AVINASH LADDER  
पता - HG-763 SECTOR-5  
SABTU HBC, RAIPUR

उपभोक्ता **Abhishek Agrawal (ED)**  
**Godawari Power & Ispat Ltd.**

नाम - गौदावरी पावर एण्ड इस्पात लिमिटेड  
पदनाम - डायरेक्टर  
श्री. अभिषेक अग्रवाल

सील -



2. नाम - M. Hanu Krishna  
पता - Shivanadrager Sektas  
Raipur (C.G.)

For, Chhatrasen Ispat Bhumi Ltd.

पूतिकर्ता

छ.ग. इस्पात भूमि लिमिटेड के संचालक

दिनांक 25/02/2014



**GODAWARI POWER & ISPAT**

GPIL/CECB/14-15/005

7<sup>th</sup> April, 2014

To

The Member Secretary,  
Chhattisgarh Environment Conservation Board,  
Commercial Complex,  
Chhattisgarh Housing Board Colony, Kabir Nagar,  
Raipur (C.G.).

**Sub : Request for renewal of Consents under Air & Water Act for our  
6,00,000 TPA Pellet Plant of Godawari Power and Ispat Limited**

**Ref : 1) Your letter No. 2347/TS/CECB/2011 dated 25/07/2011  
2) Your letter No. 2349/TS/CECB/2011 dated 25/07/2011**

Dear Sir,

We invite reference to your letter Nos. 2347 & 2349/TS/CECB/2011 dated 25/07/2011, granting us Consent to Operate under Water & Air Act for our 6.0 lakh TPA capacity Pelletizing Plant. The validity of the Consent is going to expire on 30.06.2014.

In the above connection, we enclose herewith the following :

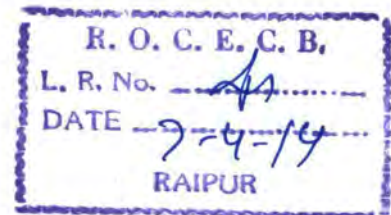
- 1) Compliance status of Consent to Operate under Water & Air Act (Annexure-I)
- 2) Pay Order No. 526548 dated 15/02/2014 for Rs. 6,00,000/- towards renewal fee under Water & Air Act for a period of three years i.e. 2014-15 to 2016-17.
- 3) C.A. Certificate showing the gross block of Rs. 244.72 Crores as on 31.03.2013 (Annexure-II)
- 4) Production figures of our Pelletizing Plant for the period from July, 2011 to December, 2013 (Annexure-III).

We shall be grateful if the Renewal of Consent of our Iron Ore Pelletizing Plant of capacity 6,00,000 tons per year for a period of three years i.e. from 2014-15, 2015-16 & 2016-17 is issued at the earliest.

Thanking you,

Yours faithfully,  
For Godawari Power and Ispat Limited,

  
Authorized Signatory



Encl. : as above.

✓ cc to : The Regional Officer, Chhattisgarh Environment Conservation Board,  
New HIG - 9, 10, 11, Tatibandh, Raipur (C.G.)

**Godawari Power & Ispat Limited**

An ISO 9001:2008, ISO 14001:2004 & OHSAS 18001:2007 certified company

Registered Office and Works: Plot No. 428/2, Phase I, Industrial Area, Siltara, Raipur - 493111, Chhattisgarh, India

P: +91 771 4082333, F: +91 771 4082334

Corporate address: Hira Arcade, Near New Bus Stand, Pandri, Raipur - 492001, Chhattisgarh, India

P: +91 771 4082000, F: +91 771 4057601

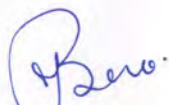


## ANNEXURE- I

## GODAWARI POWER AND ISPAT LIMITED

COMPLIANCE STATUS OF CONDITIONS IMPOSED IN CONSENT TO OPERATE  
FOR WATER VIDE LETTER NO. 2347/TS/CECB/2011 RAIPUR, DATED: 25.07.2011

| Sl. No | Terms & Conditions  | Compliance by GPIL  |
|--------|---|---|
| 1.     | Industry shall operate and maintain the effluent treatment system regularly. Industry shall ensure treated effluent quality within the standards prescribed by Board published in Gazette Notification dated: 25/03/1988. All the effluent treatment system shall be kept in good running conditions all the time and failure (if any), shall be immediately rectified without delay otherwise some alternate arrangement shall be made. In the event of any failure of any pollution control system adopted by the industry, the respective production unit shall not be restarted until the control measures are rectified to achieve the desired efficiency. Industry shall not discharge any treated / untreated effluent in to the river or any surface water bodies. No effluent shall be discharge out side of the factory premises in any circumstances hence zero discharge conditions shall be maintained all the time. | Effluent treatment system is being kept in operation by regular maintenance. The quality of trade effluents is being ensured within the norms of CECB by treatment.. Any failure of the treatment system is being rectified immediately. In the event of any failure of treatment system, the respective production unit is kept idle until the system is rectified. <b>Zero discharge</b> is being maintained under any circumstances by utilizing waste water after treatment in the process. |
| 2.     | Industry shall submit monitoring report of effluent regularly. Industry shall setup laboratory facility for collection and analysis of environment samples under the supervision of competent technical personnel.  | The analysis results of the effluent are being submitted to the Board regularly on monthly basis A full fledged and well equipped environmental laboratory with qualified personnel has been established to monitor environmental parameters.   |
| 3.     | Industry shall provide safe and specific arrangement for collection, storage, transportation and disposal of all solid wastes and sludges. The dust collected in bag filters, electrostatic precipitator hoppers etc. shall be utilized fully in the process. Adequate arrangements shall be provided for proper storage, handling etc, of all solid waste generated. All solid wastes shall be stored above ground level under covered area for smaller period only. All raw materials and fuel shall be stored above ground level under covered area only.  | Generation of solid waste is almost nil and generated negligible amount of sludge is being collected in ponds and allowed for open dry. The dust collected in bag filters, ESP hoppers etc is being utilized fully in the process. All raw materials and fuel is being stored on concreted floor above the ground level under covered shed to avoid rain wash out.  |





|    |  |  |
|----|--|--|
| 4. | Industry shall submit characterization report of all wastes generated. As per characterization report, if any waste comes under the purview of hazardous wastes (Management ,handling and trans boundary movement ) Rules,2008 (as amended up to date). Industry shall obtain authorization from Board for management and handling of Hazardous wastes as per Hazardous wastes (Management, handling and trans boundary movement) Rules, 2008 (as amended up to date). | We already had the authorization under hazardous waste (Management Handling Transboundary Movement ) Rules , 2008 (As amended vide letter no. 329/HSMD/HO/CECB/2011 dated 20.04.2011 and characterization reports being submitted regularly as per guidelines. |
| 5. | All internal roads shall be made pucca Good house keeping practices shall be adopted by the industry.  | All internal roads having a total length of 4000 meters have been made concreted and these roads are being kept cleaned regularly by adopting good house keeping practices.  |
| 6. | industry shall submit water Cess return to the board regularly as per the water (Prevention and Control of Pollution) Cess Act, 1977 (As amended).   | Water cess return is being submitted to the Board regularly every month.   |
| 7. | Industry shall use fly ash brick, fly ash blocks or fly ash based products in their construction / repairing activities.   | Only fly ash bricks, fly ash block and fly ash based products are being used in the construction/repairing activities.   |
| 8. | Wide green belt of board leaf local species shall be developed along the plant premises. As far as possible maximum area of open spaces shall be utilized for plantation purposes. Green belt/plantation shall be developed within and around the plant premises in at least 33% of total plant area.  | Dense green belt has already been developed in and around plants of GPIL. We had already planted 55950 nos. saplings in the year 2012-13, approx.65000 nos. in 2013-14 & further 65000 nos. saplings are proposed for current year for GPIL.                   |
| 9. | Industry shall submit Environment Statement to this Board as per provision of Environment (Protection) amendment Rule, 1993 for the previous year ending 31st march on or before 30th September every year.  | Environmental statement is being submitted to CECB every year. The last environmental statement was submitted on 30.09.13 vide our letter No. GPIL/EMS/2013-14/232 .   |





**COMPLIANCE STATUS OF CONDITIONS IMPOSED IN CONSENT TO OPERATE  
FOR AIR VIDE LETTER NO. 2349/TS/CECB/2011RAIPUR, DATED: 25.07.2011**

| Sl. No. | Conditions   | Compliances   |
|---------|--|---|
| 1.      | Industry shall operate and maintain the existing pollution control systems regularly. Industry shall ensure the emission of particulate matter less than prescribed limit in all circumstance. Industry shall maintain the ambient air quality within the factory premises within prescribed limits. All the air pollution control system shall be kept in good running conditions all the time and failure (if any), shall be immediately rectified without delay otherwise some alternate arrangement shall be made. In the event of any failure of any pollution control system adopted by the industry, the respective production unit shall not be restarted until the control measures are rectified to achieve the desired efficiency. Chhattisgarh Environment Conservation Board may further stipulate stringent particulate matter emission limit depending upon environment conditions. | All the existing pollution control systems i.e. ESPs & Bag Filters are being regularly & effectively maintained. The particulate matter emission is less than 50 mg/Nm <sup>3</sup> at all the time. To control fugitive emission, water sprinkling arrangements at dust generating points, road spillage cleaning, engagement of sweep machine on roads, concreting of all internal roads and water spraying on roads is in practice. The fugitive emission is below than the MoEF prescribed norm. The ambient air quality at the boundary in all four directions of the plant premises are well within the prescribed limits. In the event of any failure of any pollution control system, the respective production unit is kept under shutdown until the control measures are rectified to achieve the desired efficiency. |
| 2.      | All internal roads shall be made pucca. Good house keeping practices shall be adopted by the industry.   | All internal roads having a total length of 4000 meters have been made concreted and these roads are being kept cleaned regularly by adopting good house keeping practices.   |
| 3.      | Regular monitoring for the measurement of air pollutants level in ambient and emission of air pollutant from stack shall be carried out. Industry shall submit stack and ambient air quality monitoring reports to the Board regularly every month. Industry shall setup laboratory facility for collection and analysis of environment samples under the supervision of competent technical personnel.  | Regular monitoring of ambient air quality and stack emission is being carried out and the results are being submitted to CECB regularly in every month. A full fledged and well equipped environmental laboratory with qualified personnel has been established to monitor environmental parameters.  |
| 4.      | Reduction in fugitive emissions due to transportation of raw materials, fuels, finished Products and solid wastes etc. (which contribute the air pollutants such suspended particulate matter in ambient air in the nearby residential, rural and other areas) shall be done in the existing transport system by adopting appropriate control measures and   | To control fugitive emission, water sprinkling arrangements at dust generating points, road spillage cleaning, engagement of sweep machine on roads, concreting of all internal roads and water spraying on roads is in practice. The fugitive emission is below than the MoEF prescribed norm. The ambient air   |



|    |  |  |
|----|--|--|
|    | infrastructure development. Industry shall transport the raw materials, fuels, and finished products, solid wastes etc. through properly tarpaulin covered vehicles to avoid fugitive dust emission.   | quality at the boundary in all four directions of the plant premises are well within the prescribed limits. Transportation of the raw materials, fuels, and finished products, solid wastes etc. is being carried out through properly tarpaulin covered vehicles to avoid fugitive dust emission. |
| 5. | Industry shall use fly ash bricks, fly ash blocks or fly ash based products in their construction / Repairing activities.  | Only fly ash bricks, fly ash block and fly ash based products are being used in the construction/repairing activities.   |
| 6. | Wide green belt of board leaf local species shall be developed along the plant premises. As far as possible maximum area of open spaces shall be utilized for plantation purposes. Green belt/plantation shall be developed within and around the plant premises in at- least 33% of total plant area. | Dense green belt has already been developed in and around plants of GPIL. We had already planted 55950 nos. saplings in the year 2012-13, approx. 65000 nos. in 2013-14 & further 65000 nos. saplings are proposed for current year for GPIL.  |
| 7. | Industry shall submit Environment Statement to this Board as per provision of Environment (Protection) amendment Rule, 1993 for the previous year ending 31st March on or before 30th September every year   | Environmental statement is being submitted to CECB every year. The last environmental statement was submitted on 30.09.13 vide our letter No. GPIL/EMS/2013-14/232.  |

*GPIL*



# HIRA

**GODAWARI POWER & ISPAT**

GPIL/EMS/2013-14/262

Date: 21.10.2013

To,

**The Member Secretary**

Chhattisgarh Environment Conservation Board

CG Housing Board Colony, Kabir Nagar

Raipur (C.G)

**Subject:** - Renewal of Consent to Operate of Pellet Plant (Capacity-1.5 MTPA) with Coal Gasifier (Capacity – 20000 Nm<sup>3</sup>/hr)

**Reference:** - (i) Amendment in consent to operate vide letter no. 3438 & 3440/TS/CECB/2013 Dated 03.10.2013

(ii) Our letter no. GPIL/EMS/2013-14/220 dated 16.09.2013

Dear Sir,

With reference to above letter amendment in consent to operate was granted by your good office for Pellet Plant (Capacity – 1.5 MTPA) with coal gasifier (Capacity – 20000 Nm<sup>3</sup>/hr) with validity up to 31.10.2013.

Hence please find attached herewith Air & Water consent forms dully filled and singed for further renewal of consent. *along with compliance status of the conditions.*

You are requested for earlier issuance of renewal of consent for Pellet Plant (1.5MTPA) with Coal Gasifier (20000Nm<sup>3</sup>/hr).

Thanking You

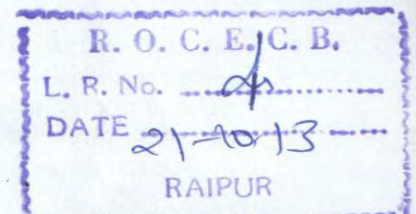
Yours faithfully,

**For, GODAWARI POWER & ISPAT LTD.**

*(Signature)*  
**(S.K. Mishra)**

**DY. Chief Executive Officer**

*Cc to: The Regional officer, CECB, Tatibandh, Raipur*



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P: +91 771 4082000, F: +91 771 4057601

www.gpilindia.com, www.hiragroupindia.com

**COMPLIANCE STATUS OF CONDITIONS IMPOSED IN CONSENT TO OPERATE FOR  
WATER VIDE LETTER NO.2360/TS/CECB/2013 RAIPUR, DATED: 01/08/2013**

**Annexure -I**

**A. GENERAL CONDITIONS**

| <b>SL. NO.</b> | <b>CONDITIONS</b>   | <b>COMPLIANCE</b>   |
|----------------|---|---|
| 1.             | All discharge authorized shall be consistent with terms and conditions of this consent facility expansions production increases or process modifications which result in new or increased discharges of pollutant must be reported by submission of a new consent application or if such new, or increased discharge does not violate the effluent limitations specified in the consent by submission to the board details of such new or increased discharge of pollutant in which case the consent maybe modified to specify effluent limitations for any pollutants not identified and limited here in the discharge of any pollutant more frequently than or at a level in excess of that identified and authorized by the consent shall constitute a violation of the terms and conditions of the consent. | Industry has adopted Zero effluent discharge , waste water generated from boiler blow down , cooling tower blow down etc, will be taken in settling pond and being utilized for dust suppression , gardening & horticulture . |
| 2.             | After notice and opportunity for the hearing this consent may be modified suspended or revoked by the board in whole or in part during its terms for cause including but not limited to the following :-<br>(a) Violation of any terms and condition of this consent<br>(b) Obtaining this consent by misrepresentation of failure to disclose fully all relevant facts.<br>(c) A change in any condition that require temporary or permanent reduction or elimination of the authorized discharge.   | Agreed  |
| 3.             | Notwithstanding para (2) above, if a toxic effluent standards or prohibition (including any schedule of compliance specified in such effluent standards or prohibition) is established for a toxic pollutant which is present in the discharge authorized here in and such standard or prohibition is more stringent than any limitation upon such pollutant in this consent the consent shall be revised or modified in accordance with the toxic effluent standards or prohibition that the board may consider and the applicant shall be so notified.  | Agreed  |
| 4.             | The applicant shall allow the staff of Chhattisgarh Environment Conservation Board and/or their authorized representative upon the Presentation of credentials:-<br>(a) To enter upon the applicant's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this consent.<br>(b) To have access to and copy at reasonable time any records required to be kept under the terms and conditions of this consent<br>(c) To inspect at reasonable time any monitoring equipment or monitoring method required in this consent or<br>(d) To sample at reasonable time any discharge of pollutants.  | Agreed  |



|    |   |                |
|----|---|----------------|
| 5. | The applicant shall at all times maintain in good working order and operate as efficiency as possible all treatment or control facilities of system installed or used by him to achieve compliance with the terms and conditions of this consent.   | We will follow |
| 6. | The issuance of this consent does not convey any property rights in either real or personal property or any exclusive privileges, no does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State or local laws or regulation. | Agreed         |
| 7. | The consent does not authorize or approve the construction of any physical structures or facilities or the undertaking of any work in any watercourse.  | Agreed         |
| 8. | The specific effluent treatment limitations and other pollution controls applicable to the discharge permitted here in are set forth below as specific conditions. also sets forth below are self monitoring  |                |

## B. SPECIAL CONDITION

1.

Initial effluent limitation during the period beginning on the effective date of this consent and lasting until one calendar year discharge from outfalls shall be limited and monitored by the applicant are specified below:-

(a) The following shall be limited by the applicant as specified:

| S. No. | Effluent characteristics | Discharge limitation |        |         |        | Monitoring requirement   |                |
|--------|--------------------------|----------------------|--------|---------|--------|--------------------------|----------------|
|        |                          | Average              |        | Maximum |        | Frequency of measurement | Type of sample |
|        |                          | Mg/l                 | Kg/Day | Mg/l    | Kg/Day |                          |                |
|        |                          |                      |        |         |        |                          |                |
|        |                          |                      |        |         |        |                          |                |

Daily/weekly/Monthly/Tri-Monthly  
Grab/24 Hours Composite

In additional to above discharge shall be limited and monitored as specified below:

| S. No. | Effluent characteristics | Discharge limitation |        |         |        | Monitoring requirement   |                |
|--------|--------------------------|----------------------|--------|---------|--------|--------------------------|----------------|
|        |                          | Average              |        | Maximum |        | Frequency of measurement | Type of sample |
|        |                          | Mg/l                 | Kg/Day | Mg/l    | Kg/Day |                          |                |
|        |                          |                      |        |         |        |                          |                |
|        |                          |                      |        |         |        |                          |                |

For the purpose of this sub-section the daily average discharge is the total discharge by weight during the calendar month divided by the number of days in month the production or commercial facility was operating for the purpose of the sub-section the daily maximum discharge mean the total discharge by weight during any calendar day

(b) The pH shall not be less than 5.5 or greater than 9.0

Zero Effluent discharge

Industry has adopted Zero effluent discharge , waste water generated from boiler blow down , cooling tower blow down etc, will be taken in settling pond and being utilized for dust suppression , gardening & horticulture .

Monitoring is being done on regular basis and reports are being submitted to CECB every month.

| 2.     | <p>Final effluent limitation:- During the period beginning from 1<sup>st</sup> day of commissioning of the plant and lasting until the date of expiration of this Consent discharge from the outfalls shall be limited and monitored by the applicant as specified below:-</p> <p>(a) The following shall be limited and monitored by the applicant as specified:-</p> <table><tr><th rowspan="3">S. No.</th><th rowspan="3">Effluent characteristics</th><th colspan="4">Discharge limitation</th><th colspan="2">Monitoring requirement</th></tr><tr><th colspan="2">Average</th><th colspan="2">Maximum</th><th rowspan="2">Frequency of measurement</th><th rowspan="2">Type of sample</th></tr><tr><th>Mg/l</th><th>Kg/Day</th><th>Mg/l</th><th>Kg/Day</th></tr><tr><td>1.</td><td>B.O.D</td><td></td><td></td><td>30</td><td>0.36</td><td>Monthly</td><td>24 hours composite</td></tr><tr><td>2.</td><td>C.O.D</td><td></td><td></td><td>250</td><td>3.00</td><td></td><td></td></tr><tr><td>3.</td><td>S.S</td><td></td><td></td><td>100</td><td>1.20</td><td></td><td></td></tr><tr><td></td><td>pH 5.5 to 9.0<br/>Flow: 12 Cum/Day</td><td colspan="4"></td><td>Daily</td><td>Grab</td></tr></table> <p>Daily/weekly/Monthly/Tri-Monthly<br/>Grab/24 Hours Composite</p> <p>Additional outfalls shall be monitored as follow:</p> <p>(I) Flow, Temperature and Total Solids : One per month</p> <p>(II) Grab samples maximum discharge</p> <p>(III) uniforms as per ISI at 40°C</p> <p>The temperature shall be moister once per each outfall. For the purpose of the sub-section the daily average is the total discharge by weight during month divided by the number of days in month that the production or commercial facility was operating for the purpose of this sub-section the daily maximum discharge means the total discharge by weight during any calendar day.</p> <p>(b) The ph shall not be less than 5.5 or greater than 9.0 outfalls. The samples are taken as monthly grab samples.</p> | S. No.         | Effluent characteristics | Discharge limitation |        |         |                    | Monitoring requirement   |                | Average |  | Maximum |  | Frequency of measurement | Type of sample | Mg/l | Kg/Day | Mg/l | Kg/Day | 1. | B.O.D |  |  | 30 | 0.36 | Monthly | 24 hours composite | 2. | C.O.D |  |  | 250 | 3.00 |  |  | 3. | S.S |  |  | 100 | 1.20 |  |  |  | pH 5.5 to 9.0<br>Flow: 12 Cum/Day |  |  |  |  | Daily | Grab |  |
|--------|---|----------------|--------------------------|----------------------|--------|---------|--------------------|--------------------------|----------------|---------|--|---------|--|--------------------------|----------------|------|--------|------|--------|----|-------|--|--|----|------|---------|--------------------|----|-------|--|--|-----|------|--|--|----|-----|--|--|-----|------|--|--|--|-----------------------------------|--|--|--|--|-------|------|--|
| S. No. | Effluent characteristics  |                |                          | Discharge limitation |        |         |                    | Monitoring requirement   |                |         |  |         |  |                          |                |      |        |      |        |    |       |  |  |    |      |         |                    |    |       |  |  |     |      |  |  |    |     |  |  |     |      |  |  |  |                                   |  |  |  |  |       |      |  |
|        |   |                |                          | Average              |        | Maximum |                    | Frequency of measurement | Type of sample |         |  |         |  |                          |                |      |        |      |        |    |       |  |  |    |      |         |                    |    |       |  |  |     |      |  |  |    |     |  |  |     |      |  |  |  |                                   |  |  |  |  |       |      |  |
|        |   | Mg/l           | Kg/Day                   | Mg/l                 | Kg/Day |         |                    |                          |                |         |  |         |  |                          |                |      |        |      |        |    |       |  |  |    |      |         |                    |    |       |  |  |     |      |  |  |    |     |  |  |     |      |  |  |  |                                   |  |  |  |  |       |      |  |
| 1.     | B.O.D   |                |                          | 30                   | 0.36   | Monthly | 24 hours composite |                          |                |         |  |         |  |                          |                |      |        |      |        |    |       |  |  |    |      |         |                    |    |       |  |  |     |      |  |  |    |     |  |  |     |      |  |  |  |                                   |  |  |  |  |       |      |  |
| 2.     | C.O.D   |                |                          | 250                  | 3.00   |         |                    |                          |                |         |  |         |  |                          |                |      |        |      |        |    |       |  |  |    |      |         |                    |    |       |  |  |     |      |  |  |    |     |  |  |     |      |  |  |  |                                   |  |  |  |  |       |      |  |
| 3.     | S.S   |                |                          | 100                  | 1.20   |         |                    |                          |                |         |  |         |  |                          |                |      |        |      |        |    |       |  |  |    |      |         |                    |    |       |  |  |     |      |  |  |    |     |  |  |     |      |  |  |  |                                   |  |  |  |  |       |      |  |
|        | pH 5.5 to 9.0<br>Flow: 12 Cum/Day   |                |                          |                      |        | Daily   | Grab               |                          |                |         |  |         |  |                          |                |      |        |      |        |    |       |  |  |    |      |         |                    |    |       |  |  |     |      |  |  |    |     |  |  |     |      |  |  |  |                                   |  |  |  |  |       |      |  |
| 3.     | <p>Schedule of Compliance for Effluent Limitation:- The applicant shall achieve compliance with the effluent limitation: specified above for discharge from outfalls in accordance with the following schedule:</p> <p>(i) Report of Progress:</p> <p>(ii) Completion of contact of other commitment of financing:</p> <p>(iii) Commencement of construction by:</p> <p>(iv) Report of construction progress:</p> <p>(v) Competition of construction by:</p> <p>(vi) Attainment of operational level by:</p> <p>(B) The applicant shall submit to the consent issuing authority the required report or progress or where a specific action is required in (a) above to be taken by a certain date a written notice of compliance or non-compliance with each of the above scheduled dates post marked not later than 14 days following each elapsed date. each notice of compliance shall include the following:-</p>   | We will follow |                          |                      |        |         |                    |                          |                |         |  |         |  |                          |                |      |        |      |        |    |       |  |  |    |      |         |                    |    |       |  |  |     |      |  |  |    |     |  |  |     |      |  |  |  |                                   |  |  |  |  |       |      |  |



|    |   |                        |
|----|---|------------------------|
|    | <ol style="list-style-type: none"> <li>1) A short description of the non-compliance.</li> <li>2) A description of any action taken or proposed by the applicant to comply with the elapsed scheduled requirement without further delay.</li> <li>3) An estimate of any factor which tend to explain or mitigate the non-compliance and</li> <li>4) An estimate of the date the applicant with complies with the elapsed scheduled requirement and assessment of the possibility that the applicant will meet the next scheduled requirement time.</li> </ol>  |                        |
| 4. | <p>Compilation of monitoring data</p> <ol style="list-style-type: none"> <li>(a) Samples and measurements taken to meet the monitoring requirements specific above shall be representative of the volume and nature of monitored discharge</li> <li>(b) Following promulgation of guideline establishing test procedures of the analysis of pollutants, all sampling and analytical methods used to meet monitoring requirements specified above shall conform to such guideline, unless otherwise specified sampling and analytical methods shall conform to the latest edition of the Indian standards specifications and where it is not specified the guidelines as per standards methods for the Americans Public Health Association, New-York U.S.A shall be used.</li> <li>(c) The applicant shall take samples and measurement to meet the monthly requirements specified above at the location indicate below:<br/> <b>POINT OF SAMPLING</b> <ol style="list-style-type: none"> <li>(i) Outfalls of waste.</li> <li>(ii) 100 meter from point of confluence, down stream to river or lake</li> </ol> </li> </ol>                         | Agreed                 |
| 5. | <p>Recording of monitoring activities and results:</p> <ol style="list-style-type: none"> <li>(a) The applicant shall make and maintain records of all information resulting from monitoring activities by this consent</li> <li>(b) The applicant shall record for each measurement of sample taken pursuant to the requirements of this consent the following information: <ol style="list-style-type: none"> <li>1) The date, exact place and time of sampling</li> <li>2) The dates on which analysis was performed</li> <li>3) Who performed the analysis</li> <li>4) The analytical techniques or method used and</li> <li>5) The result of all required analysis</li> </ol> </li> <li>(c) If applicant monitors any pollutant more frequently as is required by this consent he shall include the results of such monitoring in the calculation and reporting of values required in the discharge monitoring reports, which may be prescribed by he board, such increased frequency shall be indicated on the discharge monitoring report form.</li> <li>(d) The applicant shall retain for a maximum of 3 years all records of</li> </ol> | Agreed and will follow |

|    |  |   |
|----|--|---|
|    | <p>monitoring activities and result including all records of calibration and maintenance of instrumentation and original strips chart regarding continuous monitoring instrumentation. The period of retention shall be the extent during the course of any unresolved litigation regarding the discharge of pollutant by the applicant or when requested by the Central or State Board.</p>   |   |
| 6. | <p>Reporting of Monitoring Result:</p> <p>(a) Monitoring information required by this consent shall be summarized and reported by submitting a discharge Monitoring Report form duly filled in and signed to the Board's office at the following address:<br/> <u><b>Commercial Complex,</b></u><br/> <u><b>Chhattisgarh Housing Board Colony,</b></u><br/> <u><b>Kabir Nagar, Raipur (C.G)</b></u></p> <p>(b) Each submitted discharge Monitoring report shall be signed as follows:</p> <ol style="list-style-type: none"> <li>1) If submitted by Corporation by a Principal Executive Officer of at least the level Vice-President or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the discharge Monitoring report originates.</li> <li>2) If submitted by a partnership firm by a general partner.</li> <li>3) If submitted by a sole proprietor the proprietor.</li> <li>4) If submitted by a Municipal, State or Central Government or other public enterprises by a Principal Executive Officer ranking elected official commanding officer, or other duly authorized employee.</li> </ol> <p>(c) All the information submitted on the discharge Monitoring Form shall be based upon measurements and sampling carried out during the three previous calendar months. The first discharge Monitoring report shall be submitted for a period ending 60 days from issuance. Thereafter reporting period shall end on the last date of each month. The applicant shall submit a discharge Monitoring report post marked no later than 28<sup>th</sup> day of the month following each completed reporting period.</p> | <p>Monitoring is being done on regular basis and reports are being submitted to CECB every month.</p> |
| 7. | <p>Limitation of Discharge of Oil Hazardous Substance in harmful quantities: The applicant shall not discharge oil in quantities defined as harmful in regulation. In addition the applicant shall not discharge hazardous substance into natural watercourse in quantities defined as harmful in regulations promulgated by the Board. Nothing in this Consent shall be deemed to preclude the Institution of any legal action nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subject to clauses.</p>  | <p>Will follow the guidelines</p>   |
| 8. | <p>Limitation of visible Floating Solid and Form: During the period beginning date of issuance and lasting until the date of expiration of this consent the applicant shall</p>  | <p>Agreed</p>   |
| 9. | <p>Disposal of collected solids:</p> <ol style="list-style-type: none"> <li>(a) intake water</li> <li>(b) Waste water Treatment solid sludge's filter back wash or other pollutant removed from or resulting from treatment or control of waster shall be disposed of in such a manner as to prevent any pollutant from such materials from entering natural water.</li> </ol>   | <p>Will follow the guidelines.</p>  |



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| 10. | <p>Non-compliance with Effluent Limitations:</p> <p>(a) if for any reason the applicant does not comply with or will be unable to comply with or will be unable to comply with any daily maximum effluent limitation specified in this consent the applicant shall immediately notify the consent issuing authority or his designed by telephone No. 0771-2443923/2443934 and previous the consent issuing Authority with the following information in writing within 5 days of such notification:</p> <ol style="list-style-type: none"> <li>1) Cause of Non- compliance</li> <li>2) A description of the non-complying discharge including its impact upon the receiving water.</li> <li>3) Anticipated time of non-compliance is expected to continue or if such condition has been corrected the duration of non-compliance</li> <li>4) Steps taken by the applicant to prevent recurrence of conditions on non-compliance.</li> </ol> <p>(b) The applicant shall take all responsible steps to minimize any adverse impact to natural waters resulting from non-compliance with any effluent limitation specified in this consent including such accelerated or additional monitoring as necessary to determine the nature and impact on the non-complying discharge.</p> <p>(c) Nothing in this consent shall be constructed to relieve the applicant from civil or criminal penalties for non-compliance, whether or not such non-compliance is due to factors beyond his control such as equipment beak down electric power failure, accident or natural disaster.</p> |                            |
| 11. | Limitation of batch discharge  |                            |
|     | <b>SPECIAL CONDITIONS</b>  |                            |
| 12. | <p>Provision for Electric Power failure: The applicant shall either:</p> <p>(a) No later than ..... certify in writing to the consent issuing authority that applicant has installed or provided for an alternative electric power source sufficient to operate all facilities utilized by the applicant to maintain compliance with the terms and conditions of the consent or.</p> <p>(b) No later than 30 days after the effective date of his Consent, clarify in writing to the consent issuing authority that upon the reduction loss or failure of one or more of the primary sources of electric power to any facilities utilized by the applicant to maintain compliance with the terms and conditions of his consent the applicant shall halt, reduce or otherwise Control production and/or all discharge in order to maintain compliance with the terms &amp; conditions of this Consent.</p>  | Agreed                     |
| 13. | <p>Prohibition of By pass of Treatment Facilities: The diversion or by-pass of any discharge from facility utilized by the applicant to maintain compliance with the terms and conditions of this consent is prohibited except:</p> <ol style="list-style-type: none"> <li>1) where unavoidable</li> </ol>   | Agreed                     |
| 14. | Spill prevention and containment plan: with 90 days of this effective date of the  | Will follow the guidelines |

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|                           | <p>consent the applicant shall prepare and submit to the consent issuing authority spill prevention containment and countermeasure plan for the facility covered by this consent. Such plan shall include the following information and procedures relating to the prevention of spills and unauthorized discharge or all and hazardous substances:</p> <ul style="list-style-type: none"> <li>(a) A description of a reporting system to be used to notify immediately persons responsible for management of a facility and appropriate State and Central authorities</li> <li>(b) A description of equipment or facilities (including overall facility) for the prevention containment of spills and unauthorized discharge.</li> <li>(c) A list of all oil and hazardous materials used processed or store at the facility including the normal quantity maintain on the premises for each listed material</li> <li>(d) A brief description of any spills or unauthorized discharge which occurred during the 36 months period preceding the effective date of this consent and subsequent measures taken by the applicant or reduce the possibility of further spills or unauthorized discharge and</li> <li>(e) An implementation schedule for additional equipment or facilities which might be required for, sub para (b) above but which are not yet operational.</li> </ul> |   |
| <b>SPECIAL CONDITIONS</b> |  |   |
| 1.                        | Beneficiation of Iron ore/Iron ore fines shall not be carried out in any process/operation of pelletisation plant under any circumstances, failing which, this consent will be treated as cancelled without further notice.  | Agreed  |
| 2.                        | Industry shall use heavy furnace oil (HFO) only as fuel in iron ore pelletization plant. Industry shall not use coal as fuel in any circumstances.   | Agreed  |
| 3.                        | Industry shall provide adequate facility for proper treatment of industrial, if any and domestic effluent. Industry shall provide lined setting pond of adequate capacity for treatment of cooling tower blow down. Domestic effluent shall be treated in well-designed septic tank and soak pits. In case of any failure of effluent treatment arrangement. it shall be immediately rectified or same alternate arrangement shall be provided. Treated effluent shall be utilized either in process or for plantation purposes within plant premises only. Industry shall make arrangement of suitable drains/pipe networks to ensure adequate flow for full utilization of treated effluent inside the premises. No effluent shall be discharged out of plant premises under any circumstances. Hence zero discharge conditions shall be maintained all the time. industry shall ensure the treated effluent quantity within the standards prescribed by Board published in Gazette notification dated 25.03.1988  | Industry has adopted Zero effluent discharge , waste water generated from boiler blow down , cooling tower blow down etc, will be taken in settling pond and being utilized for dust suppression , gardening & horticulture . |
| 4.                        | Industry shall provided adequate measuring arrangements for the measurement of water utilized in different categories and effluent generated.  | Water meters have been installed.   |
| 5.                        | All internal roads shall be made pucca. Good house keeping practices shall be adopted by the industry.   | All internal roads having a total length of ---- meters have been made concreted and these roads are being kept cleaned regularly   |
| 6.                        | Industry shall install separated electric metering arrangements with time totalizer for the running of pollution control device/devices. These arrangements shall be made in such a fashion that any non-functioning of  | Industry had installed separate energy meters for monitoring of electric consumptions of  |



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|     | pollution control device/devices shall immediately stop the electric/fuel supply to the unit and shall remain tripped till the pollution control device/devices are made functional again/rectified to achieve the desired efficiency. The record of power & chemical consumption for running the pollution control to Board every month. a separate logbook shall be maintained for this.  | pollution monitoring equipments like ID fan , ESP Bag filters etc.  |
| 7.  | Industry shall provide safe and scientific arrangement for collection, storage, transportation and disposal of all solid wastes and sludge. The dust collected in bag filters, hoppers etc shall be utilized fully in the process. Adequate arrangements shall be provided for proper storage, handling etc. of all solid waste generated to avoid any fugitive emission. All solid wastes shall be stored above ground level under covered area for smaller period only. All raw materials and fuel shall be stored above ground level under covered area only.  | Being done as per guidelines.   |
| 8.  | Industry shall submit characterization report of all wastes generated. as per characterization report, if any waste comes under the purview of Hazardous Wastes (Management & Handling and Trans Boundary Movement) Rules, 2008 (as amended up to date). Industry shall obtain authorization from Board for management and handling of hazardous wastes as per Hazardous Wastes (Management Handling and Trans Boundary Movement) Rules, 2008 (as amended up to date)   | We already had obtained authorization for waste oil/ lubricants and further applied for tar & phenolic water. We are submitting the characterization of hazardous waste with hazardous waste returns. |
| 9.  | Garland drains with appropriate check dams shall be provided all along the iron ore fines storage areas and solid wastes temporary storage area to avoid any possibility of erosion during rain. Garland drain (size, gradient & length) and sump capacity shall be designed keeping 50% safety margin over and above the peak sudden rainfall and maximum discharge in the area adjoining the project to allow proper setting of silt material. Sedimentation pits shall be constructed at the corners of the garland drains. The surface run-off shall be de-silted through a series of check dams and drains. Storm water flowing over plant premises shall not be allowed to join nearby nallah or nay river. the treated storm water shall be used either in process or for land application | Following the guidelines.   |
| 10. | Industry shall adopt rainwater – harvesting technique in the project area and residential area (if any) for recharge of ground water. Industry shall develop rainwater structures to harvest the rainwater for utilization in the lean-season as well as to recharge the ground water table.  | We had already established the rain water harvesting system.  |
| 11  | Extensive tree plantation with local board leaf plant species at all around the factory premises and in the open areas available within the factory premises shall be carried out. As far as possible maximum area of open spaces shall be utilized for plantation purposes. Green belt / plantation shall be developed within and around the plant premised.   | We had planted 55950 saplings during 2012-13 & further we will plant 65000 saplings during 2013-14 inside & outside plant premises at GPIL.   |
| 12. | Industry shall use fly ash brick block and fly ash based products in the construction/repairing activities.   |   |
| 13. | Industry shall establish an environmental management cell to carryout function relating to environmental management under the supervision of senior executive who will directly report to the head of organization. a full –fledged laboratory with qualified technical/scientific staffs to monitor the influent, effluent, ground water, surface water, soil etc. shall be provided.  | GPIL had set up environment management cell having qualified personals & set up a laboratory for water/waste water & air monitoring.  |
| 14. | Industry shall obtain statutory clearances/licenses from concerned Central/State Government Departments, Boards, Bodies and Corporations etc. Industry shall follow direction issued by Central/ State Government, Central Pollution Control Board/ Chhattisgarh Environment Conservation Board from time to time regarding control of water & air pollution and for environmental  | Agreed  |

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|     | conservation.  |        |
| 15. | The issuance of this consent does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement to Central, State or local laws or regulations.                               | Agreed |
| 16. | Necessary fund shall be provided for implementation of the above conditions and for environment safeguards. The funds earmarked for environmental protection measures shall be kept in separate account and not diverted for any other purpose.  | Agreed |
| 17. | Any change in production capacity, process, raw materials used, project profile etc. shall be intimated to the Chhattisgarh Environment Conservation Board and prior permission of the Board shall be obtained for the same.   | Agreed |
| 18. | Board reserves the right to amend/cancel any of the conditions and add new conditions in the consent to operate and further stringent the effluent limits as and when deemed necessary in the interest of environmental protection, change in the project or non-satisfactory implementation of the stipulated conditions etc. | Agreed |

**COMPLIANCE STATUS OF CONDITIONS IMPOSED IN CONSENT TO OPERATE FOR AIR  
VIDE LETTER NO.2362/TS/CECB/2013 RAIPUR, DATED: 01/08/2013**

**Annexure -II**

**TERMS & CONDITIONS**

| SL. NO. | CONDITIONS  | COMPLIANCE  |
|---------|---|---|
| 1.      | Beneficiation of iron ore/iron ore fines shall not be carried out in the process/operation of pelletisation plant under any circumstance tailing which, this consent will be treated as cancelled without further notice  | Agreed  |
| 2.      | Industry shall use heavy furnace oil (HFO) only as fuel in iron ore pelletization plant. Industry shall not use coal as fuel in any circumstances.  | Agreed  |
| 3.      | Industry shall install appropriate air pollution control equipments to control the emission of air pollutants at all points of emission. Industry shall install bag filters with suction hoods to control the dust emission from crushers, screen, feed proportionating system and coke & flux grinding system. Industry shall provide dust extraction system at material | Industry has already the air pollution control equipment like ESP, bag filters & multicyclone in Pellet Plant to ensure stack emission within limits. Regular monitoring is being done and reports are being submitted to CECB every month. |



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|     | handling section. Industry shall provide appropriate dust suppression/dust extraction system at transfer points/junction points, stock house, before start of production. Multi cyclone followed by Electro Static Precipitator (s) of adequate capacity and efficiency not less than 99.5% shall be installed to control particulate matter emission of flue and hot gases from Grate-Kiln-cooler system before start of production. Emission of particulate matter from any point source shall not exceed 35 mg/Nm <sup>3</sup> under any circumstances. Chhattisgarh Environment Conservation Board may further stipulate stringent particulate matter emission limit depending upon environmental conditions. |   |
| 4.  | Industry shall install appropriate dust suppression/ dust extraction system for solid wastes handling and conveying system etc. before start of any production activity. All conveyor belts, all transfer points, all junction points etc. shall be covered to avoid fugitive emission.   | Industry had already installed continuous water sprinkling system on roads to reduce fugitive emission and also installed dryfog system at high dust zone to check fugitive emission.<br>A part from this continuous sprinkling is also being done by tankers on roads & yards. |
| 5.  | All internal roads shall be made pucca. Good house keeping practices shall be adopted by the industry.  | All internal roads are pucca & good housekeeping is maintained on regular basis.  |
| 6.  | All Air pollution control system shall be kept in good running conditions all the time and failure (if any), shall be immediately rectified without delay otherwise same alternate arrangement shall be made in the event of any failure of any pollution control system adopted by the industry, the respective production unit shall not be restarted until the control measures are rectified to achieve the desired efficiency.   |   |
| 7.  | The ambient air quality within the factory premises shall not exceed the latest prescribed standards. Industry shall ensure the ground level concentration of pollutants in ambient air within standards prescribed for residential, rural areas in the nearby residential/rural areas due to commissioning plant.  | We are regularly monitoring the ambient air quality & reports are being submitted.<br>How ever we are also establishing 4 nos. ambient air quality monitoring stations.   |
| 8.  | The emission from Grate Kiln-cooler shall be treated in well designed multi cyclone followed by electro static precipitator (s) and shall be emitted through stack of height based on $H=14(Q)^{0.3}$ (where Q is emission rate of SO <sub>2</sub> in kg/Hr and H is stack height in meters) or as per notification/guideline of Ministry of Environment and Forests, Government of India/Central Pollution Control Board or 65 meter (whichever is more). The height of other stack (S) shall be not less than 30 meter.   | All stack heights are as per guidelines.  |
| 9.  | Regular monitoring for the measurement of air pollutants level in ambient and emission of air pollutants from stack shall be carried out. Industry shall install opacity meter for continuous monitoring of particulate matter emission from Grate-Kiln-Cooler Stack. Industry shall submit stack and ambient air quality monitoring reports to the board regularly every month.  | Regular monitoring of stacks & ambient air quality is being done & reports are being submitted to CECB regularly.   |
| 10. | Industry shall install separate electric metering arrangements with time totalizer for the running of pollution control devices.  | Industry had installed separate energy meters for monitoring of electric consumptions of  |

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|     | These arrangements shall be made in such a fashion that any non-functioning of pollution control device/devices shall immediately stop the electric supply to the production unit/fuel supply/raw material system and shall remain tripped till the pollution control devices/devices are made functional again /rectified to achieve the desired efficiency. The record of electric consumption for running the pollution control equipments shall be submitted to Board regularly every month. A separate log-book shall be maintained for this purpose.        | pollution monitoring equipments like ID fan , ESP Bag filters etc.   |
| 11. | Industry shall provide safe and scientific arrangement for collection, storage, transportation and disposal of all solid wastes and sludge. The dust collected in bag filters, hoppers etc. shall be utilized fully in the process .adequate arrangements shall be provided for proper storage, handling etc. of all solid waste generated to avoid any fugitive emission. All solid wastes shall be stored above ground level under covered area for smaller period only. All raw materials and fuel shall be stored above ground level under covered area only. | Being done as per guidelines.  |
| 12. | Industry shall provide proper arrangement to control the noise pollution. Industry shall install appropriate noise barriers/control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation to control the noise. The noise level shall not exceed the limit 75 dB (A) during the day time and 70 dB (A) during the night time within the plant premises. adequate measures shall be control of noise levels below 85 dB(A) in the work of environment   |  |
| 13. | Extensive tree plantation with local board leaf   | Agreed.  |
| 14. | Industry shall use fly ash brick, fly ash block and fly ash based products in the construction /repairing activities.   | Agreed   |
| 15. | Industry shall establish an environmental management cell to carryout function relating to environmental management under the supervision of senior executive who is directly reporting to the head of organization. a full-fledged laboratory with qualified technical/scientific staffs to monitor stack emission and ambient air quality etc. shall be provided  | GPIL had set up environment management cell having qualified personals & set up a laboratory for water/waste water & air monitoring. |
| 16. | Industry shall obtain statutory clearances/licenses from concerned Central/ State Government Departments Boards Bodies and corporations etc. Industry shall follow direction issued by Central /State Government, Central Pollution Control Board / Chhattisgarh Environment Conservation Board from time to time regarding control of water & air pollution and for environmental conservation.  | Agreed   |
| 17. | The issuance of this consent does not convey any property rights in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights nor any infringement of central state or local laws or regulations.  | Agreed   |
| 18. | Necessary fund shall be provided for implementation of the above conditions and for environmental safeguards. The funds   | Agreed   |



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|     | earmarked for environmental protection measures shall be kept in separate account and not diverted for any other purpose.   |        |
| 19. | Any change in production capacity, process, raw materials used, project profile etc. shall be intimated to the board and prior permission of the Board shall be obtained for the same.  | Agreed |
| 20. | Board reserve the right to amend/cancel any of the above condition, stringent the emission limits stipulated above and add new conditions as and when deemed necessary in the interest of environmental protection change in the project profile or non-satisfactory implementation of the stipulated conditions etc. | Agreed |

**WATER VIDE LETTER NO.3438/TS/CECB/2013 RAIPUR, DATED: 03/10/2013**

**ADDITIONAL CONDITIONS**

| SL. NO. | CONDITIONS   | COMPLIANCE  |
|---------|--|---|
| 1.      | Industry shall use producer gas and furnace oil in the ratio of (70:30) as fuel in pellet plant.   | Agreed<br>We will ensure gas & furnace will utilization in ratio 70:30  |
| 2.      | No industrial waste water i.e. Phenolic water shall be discharged out sided premises Phenolic water shall be stored only in leak proof tanks & sold to authorized recyclers.   | Phenolic water will be stored in RCC pits with approx limit and will be sent to authorize recycler only.  |
| 3.      | Industry shall use coal only to produce gas in gasifier and this gas will be use in Pellet plant as fuel. Coal shall not be used directly in the Pellet plant either as a fuel or raw material.  | Agreed<br>Will be use coal only in coal gasification. Coal gas & furnace oil will be used in pellet plant.  |
| 4.      | Industry shall take effective steps for safe storage and disposal of solid wastes such as sinders and tar. Ash (Sinders) generated from coal gasifier shall be used in brick manufacturing / land filling etc. The field up area shall be reclaimed with soil cover and plantation immediately. Tar shall be sold to registered recyclers. | Ash sinders & coal gas plant will be stored in ash hopper and will be utilized in brick plant & filling of low lying are.<br>Tar will be stored in MS tanks and tar will be sold to authorized party. |
| 5.      | As per proposal submitted, industry shall increased the utilization of proportionate quantity of fly ash and ESP dust in cement manufacturing and brick making in such away that proportionate quantity of solid waste i.e.  | Presently 60% of total flyash is being utilized for cement and brick manufacturing and remaining being utilized in filling of low laying area   |

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|    | ash, ESP dust sinders from coal gasifier used for land filling shall not increased from present quantity used for land application.  |   |
| 6. | Industry shall obtain letter of authorization under Hazardous Wastes (Management, Handling and Trans Boundary Movement) Rules, 2008 (as amended up to date ) from the board, if any waste comes under the purview of Hazardous Wastes (Management, Handling and Trans Boundary Movement) Rules, 2008 (as amended up to date) | We already have obtain the authorization for waste oil/lubricant and further applied for authorization for tar & pehonlic water |

**AIR VIDE LETTER NO.3440/TS/CECB/2013 RAIPUR, DATED: 03/10/2013**

**ADDITIONAL CONDITIONS**

| SL. NO. | CONDITIONS   | COMPLIANCE   |
|---------|--|--|
| 1.      | Industry shall use producer gas and furnace oil in the ratio (70:30) as fuel in Pellet Plant.  | Agreed<br>We will ensure gas & furnace will utilization in ratio 70:30   |
| 2.      | Particulate matter emission from stack shall not exceed 35 mg/Nm <sup>3</sup> under any circumstances.   | Particulate emission is being maintain as per guideline  |
| 3.      | Regular monitoring for the measurement of air pollutants level in ambient and emission of air pollutants from stack shall be carried out. Industry shall submit stack and ambient air quality monitoring reports to the Board regularly every month. Industry shall setup laboratory facility for collection and analysis of environmental samples under the supervision of competent technical personnel. | Regular monitoring of all stacks and ambient Air quality is being done. report re being submitted to CECB  |
| 4.      | Industry shall use coal only to producer gas in gasifier and this gas will be used in Pellet plant as fuel. Coal shall not be used directly in the pellet plant either as a fuel or raw material.  | Coal will be use in coal gasifier only. furnace oil & coal gas will be used in pellet plant  |
| 5.      | Industry shall maintain fugitive dust emission to the minimum level in the areas of road transportation routes of fuel and ash to ensure Ambient Air Quality Standards prescribed by Board including black topping/asphalting/concreting and maintenance with requisite water sprinkling arrangements. Vehicular emission shall be kept under control and regularly monitored.                             | We have installed continuous water sparkling system on roads for dust suppuration. Tarpaulins covered vehicles are being use for transportation of material. all the roads |

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|    | Vehicles used for transporting the mineral shall be covered with tarpaulins and optimally loaded.  |  |
| 6. | Industry shall provide appropriate dust suppression/dust extraction system / bag filters at all fugitive dust emission sources such as coal loading / unloading handling and wastes handling section, conveying system, transfer point/ junction points, stock house etc. all conveyor belt, all transfer points, all junction points etc. shall be covered to avoid fugitive emission. All internal roads shall be black topped (pucca) before commissioning of the plant. Good house keeping practices shall be adopted by the industry. | We have installed dry fog system at all bag filters outlet to check fugitive emission. pug mil installed at all ash silo to check fugitive emission daily loading of vehicles. regular house keeping being done and roads are being clean by road sweepers |
| 7. | Industry shall take effective steps for safe storage and disposal of solid wastes such as sinders and tar. Ash (Sinders) generated from coal gasifier shall be used in brick manufacturing / land filling etc. the filled up area shall be reclaimed with soil cover and plantation immediately. Tar shall be sold to registered recyclers.  | Tar will be stored in 2 nos. MS tanks of capacity 80 tons. Ash of coal gasifier being installed in hoppers and will be utilized in cement plant, bricks plant and for filling of low laying area. tar will be sold to authorized party                     |
| 8. | As per proposal submitted, industry shall increased the utilization of proportionate quantity of fly ash and ESP dust in cement manufacturing and brick making in such away that proportionate quantity of solid waste i.e. ash, ESP dust sinders from coal gasifier used for land filling shall not increase from present quantity used for land application  | Industry is committed for safe & environment friendly disposal of fly ash. presently approx 60% of total ash being utilized in cement plant and brick plant and utilized for filling of low laying area  |



**कार्यालय ग्राम पंचायत सिलतरा**  
जनपद पंचायत धरसीवा जिला रायपुर (छत्तीसगढ़)

क्रमांक

दिनांक 07/12/04

प्रति,

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विषय : उद्योग स्थापना हेतु अनुज्ञा पत्र.

सन्दर्भ : 1. प्रस्तावित उद्योग स्थापना का आवेदन दिनांक 3/7/04 ..... संबंधित पत्र में वर्णित भूमि  
ख.नं. 935/14 ..... कुल क्षेत्र .....  
2. ग्राम पंचायत द्वारा प्रारित संकल्प समिति का नाम .....  
प्र.क्रमांक 3/1 ..... दिनांक 6/12/04 .....

उपरोक्त संदर्भित आवेदन पत्र, मानचित्र व प्रस्तावित निर्माणाधीन स्थल एवं ग्राम पंचायत को प्राप्त अनुज्ञा  
फीस राशि रुपये 48000=00 ..... (अक्षरी .....)  
रसीद क्रमांक 77/9/12/04 के तहत संदर्भित अनुक्रमांक 2 पंचायत द्वारा पारित संकल्प जो कि पंचायत राज  
अधिनियम 1993 की धारा 55 एवं 56 एवं उसकी आदर्श उपविधियों द्वारा निर्देशित प्रावधानों एवं शर्तों में संशोधन  
के अधिकार सुरक्षित रखते हुए और जनहित में सरपंच द्वारा तत्कालिक लिए गये निर्णयों के तहत निम्न शर्तों के  
अध्यधीन रहते हुए निर्माण कार्य हेतु अनुमति दी जाती है :-

1. आवेदित भूमि आवेदक के आधिपत्य एवं स्वामित्व में अविवादित हो.
2. भूमि का व्यवर्तन कराये जाने के पश्चात ही निर्माण कार्य प्रारंभ करे.
3. मानचित्र श्रुति पूर्ण या निर्माण में श्रुति पूर्ण होने की स्थिति में आवेदक स्वयं जिम्मेदार होंगे एवं अनुज्ञा रद्द  
माना जावेगा और पंचायत द्वारा पंचायत राज अधिनियम 1993 की धारा 55(2)-(3) के अधीन कार्यवाही  
की जावेगी.
4. उद्योग स्थापना में ढांचा एवं भवन का निर्माण कराया जाना सुनिश्चित हो परन्तु मानचित्र में प्रदर्शित न  
किये जाने को पंचायत "धोखा" निरूपित करेगी जिसके लिए आवेदक (उद्योग संलाचक मंडल) जिम्मेदार  
होंगे.
5. उद्योग द्वारा उत्पादन प्रारंभ किये जाने के पूर्व प्रदूषण विभाग छ.ग. शासन का अनुमति प्रपत्र की सत्य  
प्रति आवेदक द्वारा ग्राम पंचायत को दिया जाना आवश्यक होगा.



6. उद्योग कृषि क्षेत्र से संलग्न क्षेत्र में प्रस्तावित है अतः भू-राजस्व संहिता की धारा 131 में संपादित सुखाचार नियमों का परिपालन बंधनकारक होगा.
7. मुख्य मार्ग से उद्योग स्थापना क्षेत्र से संबंधित पहुंच मार्ग का संवर्धन ग्राम पंचायत के मांगों के अनुरूप निर्माण करना उद्योग प्रबन्धक की जिम्मेदारी होगा. यह बंधनकारक होगा. प्रस्तावित उद्योग से मुख्य मार्ग तक पहुंच मार्ग का भौतिक संरचना मानचित्र में स्पष्ट किया जाना आवश्यक है.
8. उद्योग स्थापना से कृषक-मजदूर परिवारों का (भूमि क्रय से संबंधित कृषक एवं स्थानीय मजदूर) दैनिक/ मासिक आय के अप्रत्यक्ष कटौती सम्भावित है अतः प्रस्तावित उद्योग में योग्यतानुसार रोजगार प्रदान करना आवश्यक होगा यह शर्त उद्योग स्थापना हेतु शासन द्वारा भूमि अर्जित किये जाने पर रोजगार उपलब्धता संबंधित निर्देशिका का समतुल्य होगा.
9. उद्योग स्थापना से संबंधित विभागों का अनापत्ति पत्र <sup>पा</sup> सहमति पत्र । अन्य आवश्यक दस्तावेज जो उद्योग प्रबन्धन के पास हो की सत्य प्रति ग्राम पंचायत को आवश्यकता होने पर मांग की जावेगी जिसका परिपालन करना उद्योग प्रबन्धन की जिम्मेदारी होगी.
10. ग्राम पंचायत द्वारा अधिकृत अधिकारी को जिसे निर्माणाधीन क्षेत्र का माप एवं जांच का अधिकार दिया गया हो को संस्थान में प्रवेश एवं निर्माण ढांचा का माप व जांच करने में प्रबन्धक द्वारा आवश्यक सहयोग किया जाना होगा.
11. निर्माण कार्य पर उत्खनित पदार्थ का संचय एवं उत्पादित पदार्थ उपयोगी-अनुपयोगी का संचय स्वयं के भूमि पर निदिष्ट स्थल पर ही करना होगा अन्य स्थल पर किये जाने पर <sup>संलग्न</sup> अधिनियम की धारा 56 के उपनियमों के तहत कार्यवाही की जावेगी.
12. संलग्न कृषि प्रक्षेत्र जिसका सिंचाई जल व निकास जल प्रस्तावित उद्योग क्षेत्र से पूर्व में संचालित हो तो इसकी व्यवस्था उद्योग प्रबन्धन द्वारा किया जाना आवश्यक हो, व्यवस्था नहीं किये जाने कि स्थिति में कृषक को हानि का मुवावजा संबंधित उद्योग प्रबन्धन द्वारा किया जाना होगा.
13. *मार्ग 4290 4290 है निर्माण प्रारम्भ*

दिनांक : 9/12/04

स्थान :

ग्राम पंचायत

*सरपंच*

सरपंच

ग्राम पंचायत सिलतरा

वि. ख. धरसीवा नि. रायपुर



कार्यालय संयुक्त संचालक,  
नगर तथा ग्राम निवेश, क्षेत्रीय कार्यालय रायपुर-छ0ग0

क्रमांक / 5688 / नग्रानि / पीएल - 77 / 2009  
प्रति,

रायपुर, दिनांक :- 4/



✓ मेसर्स गोदावरी पावर एण्ड इस्पात लि०  
संचालक श्री दिनेश कुमार अग्रवाल,  
जेल रोड, रायपुर- छ0ग0

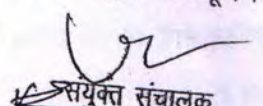
विकास अनुज्ञा बाबत ।  
आपका आवेदन पत्र दिनांक 18/03/09.

उपरोक्त संदर्भित आवेदन पत्र में यथावर्णित मौजा सिलतरा एवं ग्राम टाडा खसरा क्रमांक 646/1-2, 654/1-2, 649, 650/1-2, 651/1 से 6, 652/1-3, 653, 656/2, 657, 658/1-2, 659/1 से 5 एवं 7 से 11 तक, 660/2, 661/1-2, 662/1 से 5 तक, 671/1-2, 672, 774, 675/1 से 6, 676/2, 679/2, 681/2, 682, 684/2, 688/2, 689/1-2, 690, 691, 692, 694/1 से 7, 695/1-2, 697/3, 697/4, 698/4, 704/4, 697/8, 698/8, 698/9, 704/9, 699/8, 697/12, 705/1 से 12, एवं ग्राम टाडा के खसरा क्रमांक 425/221, 221/1 से 17, 220/2, 204, 205/1, 206/1-2, 210, कुल रकबा 23.720 हेक्टर पर संलग्न अभिन्यास में दर्शाये अनुसार औद्योगिक उपयोग (पैलीटाइजेशन प्लांट) हेतु विकास को क्रियान्वित करने हेतु अनुज्ञा छ0ग0 नगर तथा ग्राम निवेश अधिनियम-1973 की धारा 37 (5) सहपठित धारा 16 एवं छ0ग0 भूमि विकास नियम-1984 के नियम 27 के तहत निम्न शर्तों के अध्वधीन रहते हुए दी जाती है:-

01. अनुमति इस आधार पर दी जाती है कि आवेदित भूमि आवेदक के पूर्ण स्वामित्व एवं आधिपत्य में है स्वामित्व संबंधी विवाद के लिए आवेदक स्वयं जिम्मेदार होगा। सारभूत तथ्य के संबंध में कोई असत्य पाये जाने पर यह अनुज्ञा प्रतिसंहत की जा सकेगी।
02. भूमि का व्यपवर्तन राजस्व विभाग से कराना आवश्यक है।
03. किसी भी स्थिति में विकास अनुज्ञा के विरुद्ध कोई विकास/निर्माण न किया जावे।
04. अभिन्यास में दर्शाए अनुसार मार्गों का विकास एवं खुले स्थानों का विकास करना आवश्यक है।
05. सर्वप्रथम भूमि का सीमांकन राजस्व विभाग से कराना होगा तत्पश्चात् स्थल पर अभिन्यास अनुसार सीमांकन कराया जाकर सीमांकित मानचित्र का सत्यापन इस कार्यालय से कराया जाना आवश्यक है।
06. छ0ग0भूमि विकास नियम-1984 के अनुसार प्रति 100 वर्गमीटर में एक वृक्ष की दर से वृक्षारोपण कराना होगा।
07. छ0ग0 नगर तथा ग्राम निवेश अधिनियम 1973 संशोधित अधिनियम 1998 में विहित प्रावधानों के अनुसार यह अनुज्ञा स्वीकृति दिनांक से तीन वर्ष तक प्रभावशील रहेगी। निर्धारित कालावधि में विकास निर्माण कार्य पूर्ण न होने पर इस अनुज्ञा को वर्षानुवर्ष विधिमाम्य कराना होगा, जिसकी कुल अवधि प्रथम स्वीकृति के दिनांक से अधिकतम पांच वर्षों तक हो सकेगी।



08. परिसर में आवश्यक सुविधाओं जैसे जल आपूर्ति जल/मल निकास सेप्टिक टैंक, सोकपिट, खुले स्थानों का विकास सड़कों का निर्माण एवं विद्युतीकरण आदि का विकास आवेदक को स्वयं के व्यय पर करना होगा।
09. रेन वाटर हार्वेस्टिंग हेतु छ0ग0भूमि विकास नियम-1984 के प्रावधानों के अनुसार उक्त विकास को करना आवश्यक होगा।
10. भवन निर्माण की अनुमति इस कार्यालय से प्राप्त करना आवश्यक होगा।
11. विकास कार्य पूर्ण करने के पश्चात् नियमानुसार भवन निर्माण की अनुमति प्राप्त करने के पश्चात् ही निर्माण कार्य किया जावे।
12. नालियों का बेड लेबल प्राकृतिक जल प्रवाह की दिशा में रखा जावे एवं उसकी चौड़ाई कम से कम 0.5 मीटर रखी जावे एवं भूखण्ड के सम्मुख नाली का निर्माण मल जल निकास के लिए आवेदक को स्वयं के व्यय पर करना होगा।
13. इस अनुमति का यह आशय नहीं है कि प्रश्नाधीन भूमि शासकीय या अर्ध-शासकीय विभागों से प्राप्त की जाने वाली अनुमतियों से मुक्त है। अर्थात् यदि किसी प्रकार की अनुमति आदि प्राप्त करना हो तो ऐसी अनिवार्यता इस अनुमति से प्रभावित नहीं होगी।
14. भूमि संबंधी किसी प्रकार के विवाद के लिए आवेदक स्वतः उत्तरदायी होगा। शासकीय भूमि अथवा किसी अन्य की भूमि पर अतिक्रमण न किया जावे।
15. भूखण्ड परिसर में सेप्टिक टैंक/सीवरेज ट्रीटमेण्ट प्लांट का निर्माण किया जावे एवं इससे सलग्न क्षेत्र में सोकपिट का निर्माण किया जाना आवश्यक है।
16. समस्त विकास कार्य एवं विद्युतीकरण का कार्य आवेदक को स्वयं के व्यय से करना होगा।
17. पर्यावरण संरक्षण मंडल रायपुर, उद्योग विभाग अथवा अन्य विभाग जिसकी अनुमति/अनापत्ति आवश्यक होगी प्राप्त करना आवश्यक होगा।
18. श्रमिक सुरक्षा एवं उसके कल्याण हेतु आवश्यक व्यवस्था करना अनिवार्य है।
19. औद्योगिक सुरक्षा संबंधी उपाय किये जावें।
20. वाहनों को परिसर अंतर्गत ही खड़ा करने की व्यवस्था की जावे, मार्गाधिकार में वाहन पार्किंग प्रतिबंधित रहेगा।
21. एफ.ए.आर 0.30 से अधिक नहीं होगा।
22. उपरोक्त किसी भी शर्त का उल्लंघन होने पर इस भूमि पर प्रदत्त विकास अनुज्ञा छ.ग.भूमि विकास नियम 1984 के नियम 25 के तहत रिवोक की जा सकेगी।

  
संयुक्त संचालक  
नगर तथा ग्राम निवेश, क्षेत्रीय कार्यालय रायपुर-छ0ग0

रायपुर, दिनांक :-

पृ0कमांक/  
प्रतिलिपि :-

/नग्रानि/ मीएल - 77 / 2009

1-

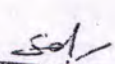
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2-

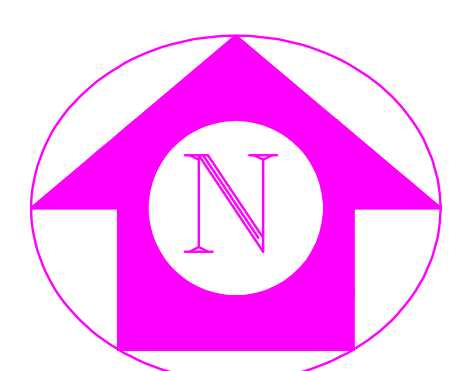
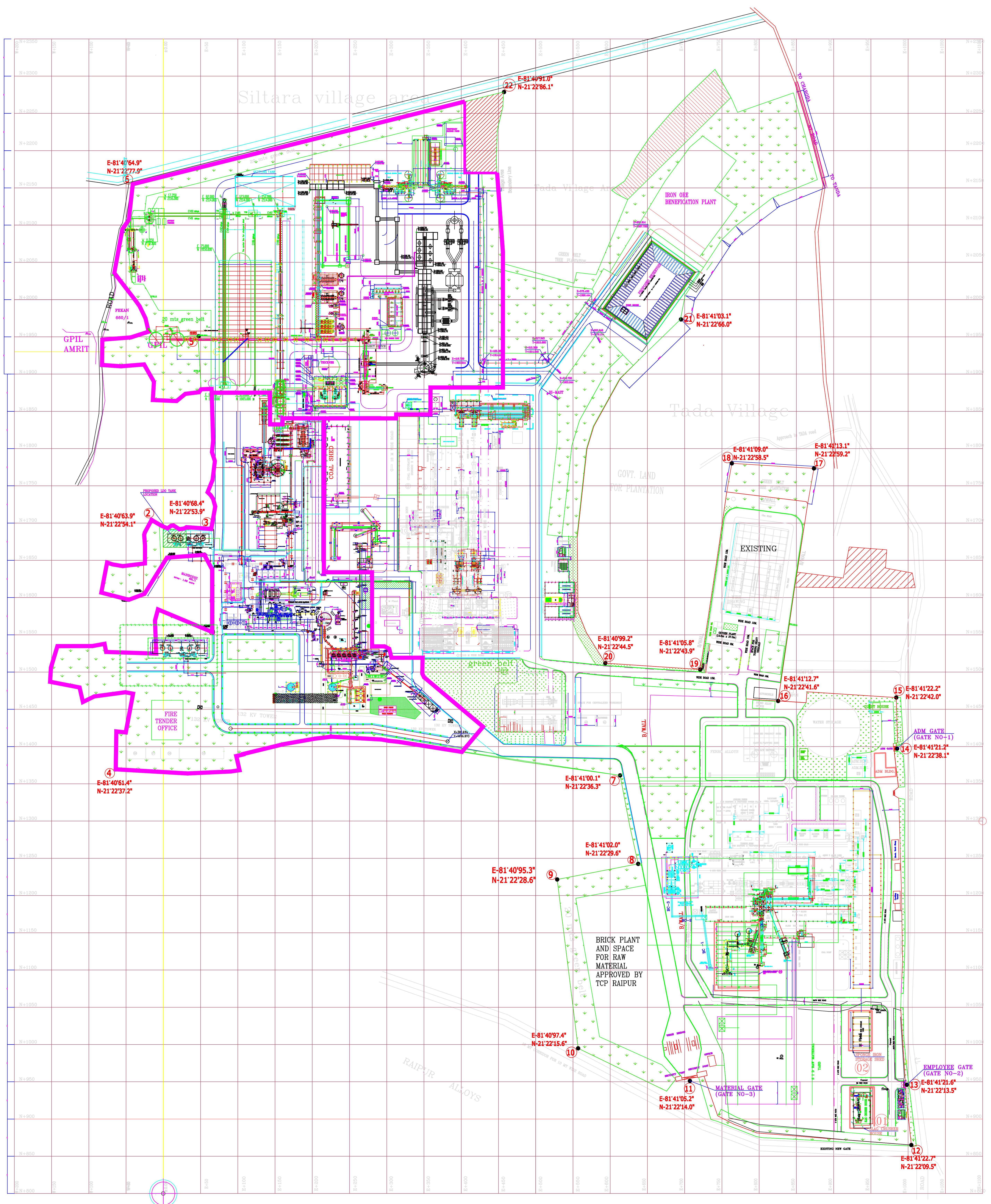
आयुक्त आयकर विभाग, रायपुर को सूचनार्थ।

3-

महाप्रबंधक, जिला उद्योग केन्द्र, रायपुर की ओर सूचनार्थ।


  
संयुक्त संचालक,  
नगर तथा ग्राम निवेश, क्षेत्रीय कार्यालय रायपुर-छ0ग0



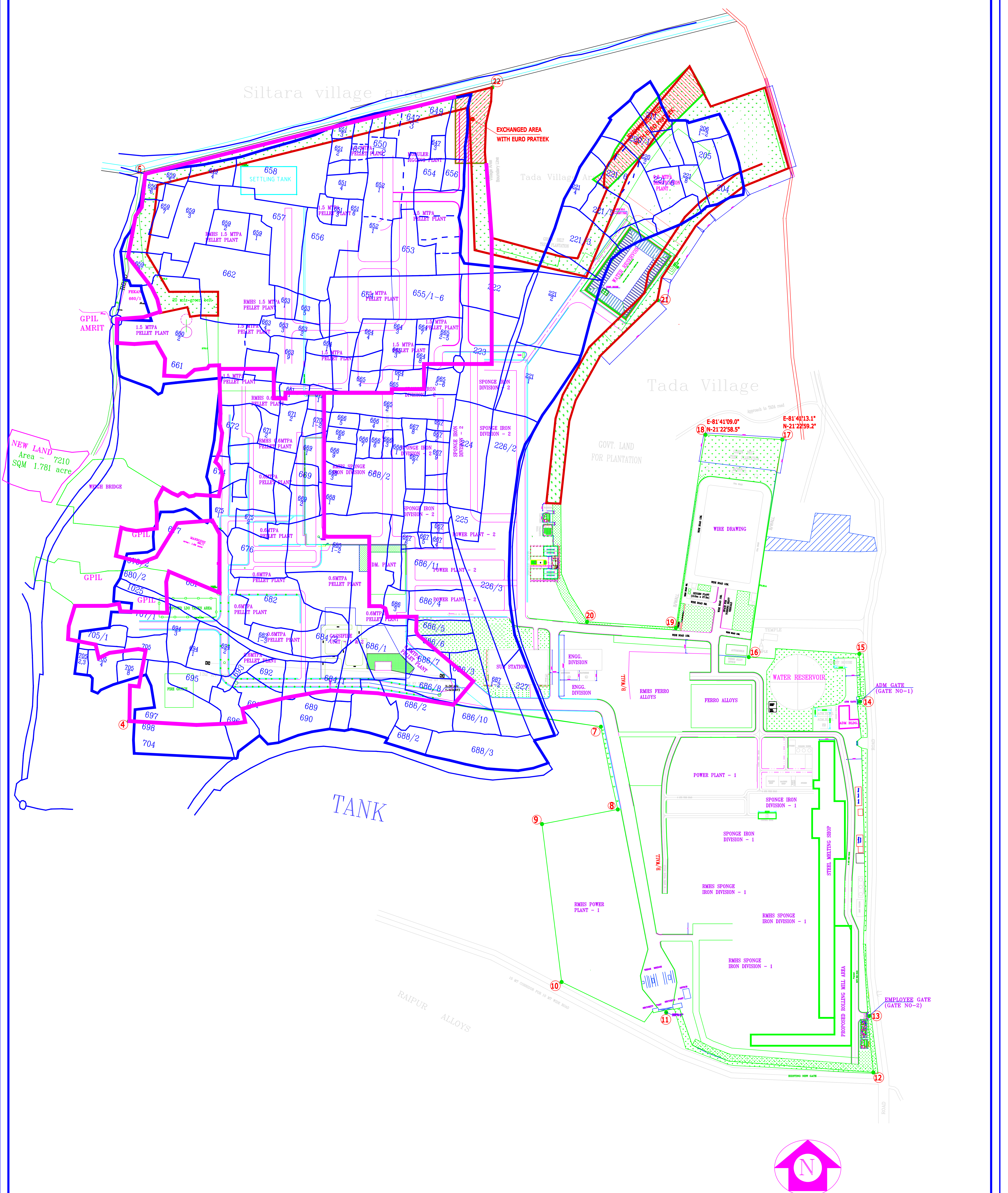



| LAND DETAILS OF GODAWARI POWER & ISPAT LTD. |                         |                              |               |             |
|---|-------------------------|------------------------------|---------------|-------------|
| SL.NO.                                      | PARTICULERS             |                              | AREA IN ACRES | NO. OF TREE |
| 01.   | TOTAL LAND AREA OF GPIL |                              | 213.657       | ----        |
| 02.   | TOTAL COVERED AREA      |                              | 45.078        | ----        |
| 03.   | TOTAL ROAD AREA         |                              | 35.029        | ----        |
| 04.   | TOTAL GREEN BELT AREA   | PLANTATION ALREADY DONE      | 50.666        | 56000       |
|   |                         | PROPOSED AREA FOR PLANTATION | 24.112        | 35000       |
| 05.   | TOTAL OPEN AREA         |                              | 58.770        | ----        |

NOTE:- ALL DIMENTION IN MILLIMETER

|   |             |  |   |
|---|-------------|--|---|
|  |             | <h1 style="text-align: center;">GODAWARI POWER AND ISPAT LIMITED</h1> <p style="text-align: center;">PLOT NO. 428 / 2 PHASE-1, INDUSTRIAL<br/>AREA, SILTARA- 493111, RAIPUR (C.G.)</p> |   |
| Drn.  | S.K. DIXIT  | 25.01.14   | <b>TITLE:-</b><br><br><b>MASTER LAYOUT PLAN OF GPIL</b><br>TO SHOW THE GREEN BELT AREA<br>(UPDATED ON - 25.01.14) |
| Dgn.  |             |  |   |
| Chd.  | M.L. SAHU   | 25.01.14   |   |
| Appd.   | S.K. MISHRA | 25.01.14   |   |
| Scale.  |             | Drwg. No.- GPIL/GEN.L/GB AREA/0/003  | REV- 00   |

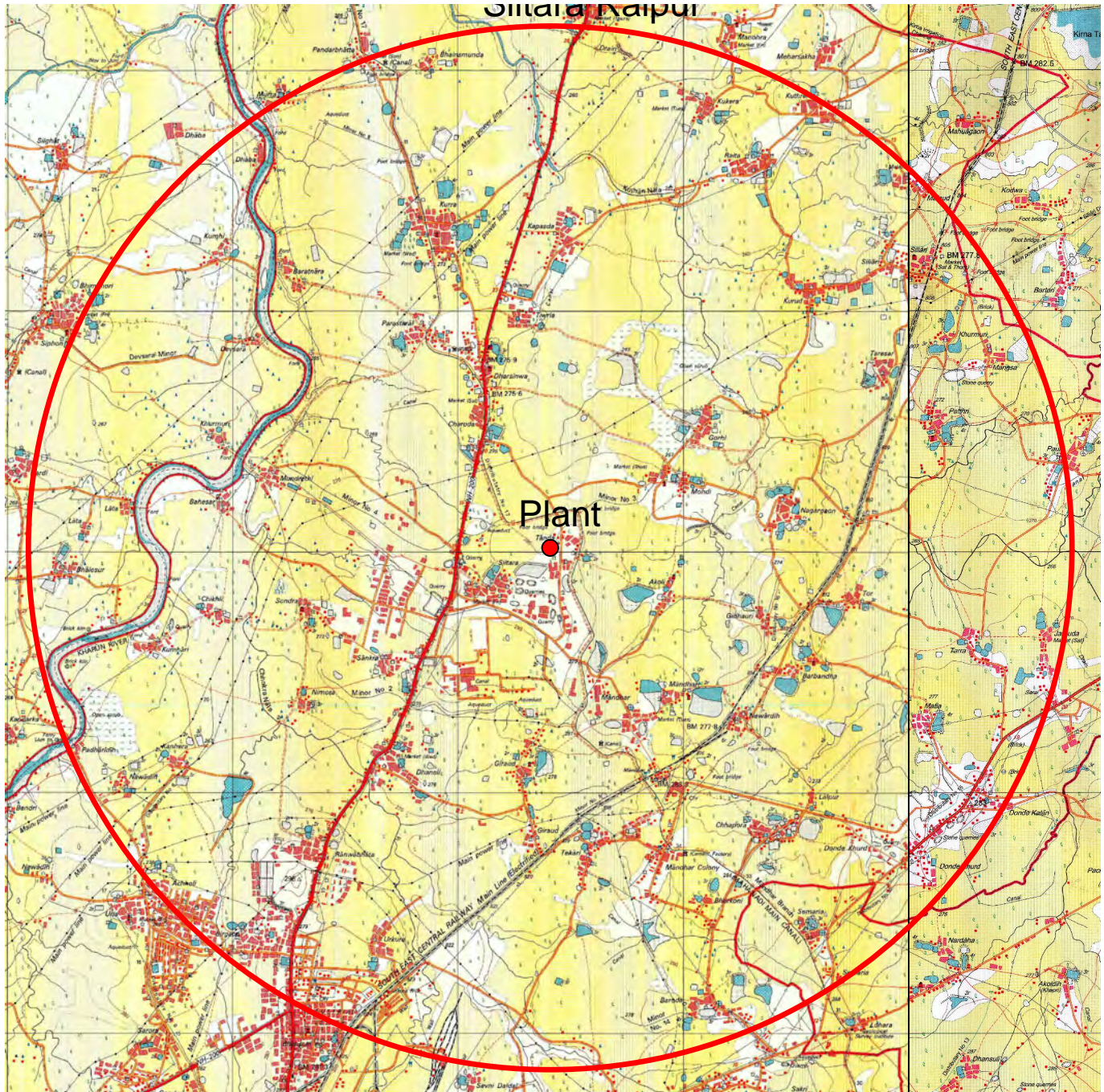




|   |            |                                     |  |
|---|------------|-------------------------------------|--|
|  <div> <h1 style="text-align: center;">GODAWARI POWER AND ISPAT LIMITED</h1> <p style="text-align: center;">PLOT NO. 428 / 2 PHASE-1, INDUSTRIAL<br/>AREA, SILTARA- 493111, RAIPUR (C.G.)</p> </div> |            |                                     |  |
| Drn.  | S.K. DIXIT | 04.06.14                            | TITLE:-<br><br>MASTER LAYOUT PLAN OF GPIL<br>(SHOWING WITH PATWARI KHASARA MAP<br>FOR 0.6 & 1.5 MTPA PELLET PLANT) |
| Dgn.  |            |                                     |  |
| Chd.  |            |                                     |  |
| Appd.   |            |                                     |  |
| Scale.  |            |                                     |  |
|   |            | Drg. No.- GPIL/GEN. L/KHASARA/0/003 | REV- 00  |

NOTE:- ALL DIMENTION IN MILLIMETER







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

.....

**APPEAL NO. 05 OF 2014**

**IN THE MATTER OF:**

M/s Ardent Steel Limited  
Plot No. 208, New Colony,  
Jamuhata, Keonjhar  
Odisha – 758001

Having its registered office at:

M/s Ardent Steel Limited  
A – 401, Lotus Corporate Park,  
Jay Coach Signal Off.,  
Western Express Highway, Goregaon (East),  
Mumbai – 400063

..... Appellant

Versus

1. Ministry of Environment and Forests (MoEF),  
Government of India  
Through the Secretary,  
Paryavaran Bhawan,  
CGO Complex, Lodhi Road  
New Delhi – 110003

2. State Pollution Control Board, Odisha  
Through its Member Secretary,  
A/118, Paribesh Bhawan,  
Nilakantha Nagar, Unit-VIII,  
Bhubaneswar, Odisha – 751012

..... Respondents

**Counsel for Appellant:**

Mr. Pinaki Mishra, Sr. Advocate  
Mr. Ratan K. Singh, Advocate  
Ms. Shashi Bhushan, Advocate  
Mr. Suraj Prakash, Advocate

**Counsel for Respondents:**

Mr. Vivek Chib, Advocate  
Mr. Asif Ahmed, Advocate  
Mr. Kushal Gupta, Advocate (for Respondent No. 1)  
Mr. A.K. Panda, Senior Advocate  
Mr. S. Panda, Advocate (for Respondent No. 2)

**JUDGMENT**

**PRESENT:**

**Hon'ble Mr. Justice Swatanter Kumar (Chairperson)**  
**Hon'ble Mr. Justice U.D. Salvi, Judicial Member**  
**Hon'ble Dr. D.K. Agrawal, Expert Member**  
**Hon'ble Mr. Bikram Singh Sajwan, Expert Member**  
**Hon'ble Dr. R.C. Trivedi, Expert Member**

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**Dated: May 27, 2014**

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**JUSTICE SWATANTER KUMAR (CHAIRPERSON):**

In the present Appeal, the following short but interesting questions of law and public importance have arisen for consideration of the Tribunal:

2. Whether on its true construction and scope, a pelletization plant would fall under Entry 3(a) (Metallurgical industries) (ferrous and non-ferrous) of the Schedule to the Environmental Clearance Regulations, 2006 (for short 'Regulations of 2006').

3. Eschew of unnecessary details, the precise facts giving rise to the present Appeal are that the Appellant is a company registered under the Companies Act, 1956 having its Office at



Lotus Corporate Park, Western Express Highway, Goregaon East, Mumbai. The company is involved in the business of manufacturing of pellets for the 'stand alone' iron ore pelletization plant in Orissa. The plant is of 0.6 MTPA capacity. The company had applied for 'Consent to Establish' the plant which was granted by the State Pollution Control Board, Orissa (for short 'the Board') on 17<sup>th</sup> November, 2008. Having established the plant and for making it operational, the company applied for 'Consent to Operate' under the provisions of the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974. The Board issued 'Consent to Operate' to the company after which the company started its regular operation. According to the company, since the year 2010, the Board had been issuing 'Consent to Operate' every year under both the above said Acts. The consent was last issued on 10<sup>th</sup>, April, 2013 which was valid till March, 2014.

4. The company had plans of expanding its activity and enlarging the capacity of the plant from 0.6 MTPA to 2.1 MTPA and to establish one sponge iron unit, iron ore washery, steel melting shop and captive power plant. It is the own case of company that it required Environmental Clearance from the Ministry of Environment and Forest, New Delhi (for short 'the MoEF'). Resultantly, the company would require Environmental Clearance under the provisions of the

Regulations of 2006. It is the case of the company that this existing pelletization plant was a 'stand alone' plant for which the company was not required to take Environmental Clearance. However, in view of the proposed expansion, the company applied for obtaining Environmental Clearance on 2<sup>nd</sup> May, 2012 to the MoEF. The Application was placed before the Expert Appraisal Committee (for short 'the EAC') as constituted under the Regulations of 2006. While considering the application of the company, primarily founded on the expansion programme, the EAC in its meeting held on 10-11<sup>th</sup>, June, 2013 observed that even the 'stand alone' pelletization plant did not have Environmental Clearance under the Regulations of 2006 and therefore, deferred the consideration of the proposed expansion. The principal ground for such deferment was that the existing 0.6 MTPA iron ore pelletization plant is running without obtaining prior Environmental Clearance. In the minutes, it was also observed that the matter should be dealt with by MoEF in accordance with its Office Memorandum dated 12<sup>th</sup> December, 2012. These minutes of the EAC were put on the website of the MoEF from where the Applicant came to know about the meeting. Thereafter, the company made a detailed representation to the MoEF on 24<sup>th</sup> September, 2013, 7<sup>th</sup> October, 2013, 7<sup>th</sup> November, 2013 and 13<sup>th</sup> November, 2013. In all these representations the company put forward different grounds taking a clear stand that a 'stand alone' pelletization plant

would not be covered under the Regulations of 2006 and the company was not required to take the stated Environmental Clearance. In their representation dated 24<sup>th</sup> September, 2013, the company also referred to a decision of the MoEF in the meeting held on 19-20<sup>th</sup> December, 2013 which had taken a decision somewhat on similar lines. The relevant extract of the said minutes reads as under:

1) Ministry may send a communication to all the State Pollution Control Boards/ Pollution Control Committees stating that the iron ore pellet plants are falls under S. No. 3(a) [Primary Metallurgical Industries] under category 'A' of the Schedule 3 of EIA Notification, 2006 and requires Environmental Clearance (EC) from MoEF. The iron ore pellet plants which are operating within their jurisdiction without obtaining EC may be advised to regularize their statutory approvals by applying to MoEF for the grant of EC in accordance with the procedure stipulated in the EIA Notification 2006 within a time frame of six months.

2) Ministry may take a holistic view regarding applicability of EC for the iron ore pellet plants which are under operation with the valid consents as there is a conflict of opinion regarding applicability of EC for pellet plants between SPCBs and MoEF.

3) Further, action taken against M/s ASL in respect of their violation may be viewed by the Ministry as there is a conflict of opinion regarding applicability of EC for pellet plants between SPCBs and MoEF.

5. The company took a stand that it has been noticed by the Committee also that there is a conflict of opinion regarding applicability of the Regulations of 2006 on iron ore pellet plants between the State Board and the MoEF. It was also noticed that even the other State Boards like Chhattisgarh, Jharkhand etc. have been granting 'Consents to Establish'



and to 'Consent operate' to the 'stand alone' pelletization plants within their jurisdiction without requiring them to obtain Environmental Clearance under the Regulations of 2006. Such plants were running for years together. In the case of the company, it was asked to regularize the said statutory approvals and take Environmental Clearance in accordance with the Regulations of 2006 within a period of six months. The company received a letter dated 12<sup>th</sup> December, 2013 whereby the company was asked to make their representation before the 14<sup>th</sup> EAC to be held on 19<sup>th</sup> - 20<sup>th</sup> December, 2013 at New Delhi. The Company made a representation before the EAC of the MoEF. During the course of the meeting on 19<sup>th</sup> – 20<sup>th</sup> December, 2013, the representative of the company was informed that no adverse stand would be taken against the Appellant as the Committee was of the view that there was a conflict of the opinion regarding inclusion of 'stand alone' iron ore pellet plant under Entry 3(a) of Schedule to the Regulations of 2006. The company also received a letter dated 12<sup>th</sup> December, 2013 which according to the company was ante dated. Vide this letter, the company was asked to stop the production in its plant on the ground that the company had not obtained Environmental Clearance under the Regulations of 2006. However, this letter was dispatched on 26<sup>th</sup> December, 2013 and was received by the Appellant on 3<sup>rd</sup> January, 2014. According to the company, the letter dated 12<sup>th</sup> December, 2013 was in conflict with the assurance given

in the EAC meeting that the company would be granted six months time to take Environmental Clearance in terms of the Regulations of 2006. The impugned Order dated 12<sup>th</sup> December, 2013 reads as under:

“Whereas M/s Ardent Steel Limited (ASL) had applied vide letter no. EC/13-14/002 dated 2<sup>nd</sup> May, 2013 to the Ministry of Environment and Forest (MoEF) for the grant of Terms of Reference (ToR) for the proposed expansion of Iron Ore Pelletizing Plant (0.6 MTPA to 2.1 MTPA) by addition of Iron Ore washery (3.0 MTPA), DRI Plant (1.2 MTPA), SMS (1.2 MTPA), Rolling Mill (1.2 MTPA) along with Power Plant (100 MW) at village Phulijhar, Block-Bansapal, Tehsil Telkoi, District Keonjhar, Odisha in accordance with the provisions of the Environmental Impact Assessment (EIA) Notification, 2006.

Whereas MoEF vide letter of even no. dated 27<sup>th</sup> May, 2013 requested M/s. ASL to make a presentation in the 9<sup>th</sup> Meeting of the Reconstituted Expert Appraisal Committee (Industry) held during 10-11<sup>th</sup> June, 2013 for prescribing Terms of Reference (ToR) for preparation of EIA Report for the proposed expansion of Iron Ore Pelletizing Plant (0.6 MTPA to 2.1 MTPA) by addition of Iron Ore Washery (3.0 MTPA), DRI Plant (1.2 MTPA), SMS (1.2 MTPA) Rolling Mill (1.2 MTPA) along with Power Plant (100 MW) at village Phulijhar, Block-Bansapal, Tehsil Telkoi, District Keonjhar, Odisha.

Whereas the proposal of expansion of Iron Ore Pelletizing Plant (0.6 MTPA to 2.1 MTPA) by addition of Iron Ore Washery (3.0 MTPA), DRI Plant (1.2 MTPA), SMS (1.2 MTPA), Rolling Mill (1.2 MTPA) along with Power Plant (100 MW) at village Phulijhar, Block-Bansapal, Tehsil Telkoi, District Keonjhar, Odisha was considered in the 9<sup>th</sup> Meeting of the Reconstituted Expert Appraisal Committee (Industry) held during 10-11<sup>th</sup> June, 2013 wherein, the Committee deferred the consideration of the proposal as the project proponent has already established and is operating 0.6 MTPA iron ore pelletization plant without obtaining prior environmental clearance from the Ministry and recommended that MoEF shall deal with the violation matter in accordance with its Office Memorandum No. J-11013/41/2006-IA.II(I) dated 12<sup>th</sup> December, 2012.



Whereas MoEF vide Office Memorandum No. J-11013/41/2006-IA.II(I) dated 27<sup>th</sup> June, 2013 decided that directions under Section 5 of the Environment (Protection) Act, 1986 shall be issued to the project proponent in respect of the violations committed by them inter-alia including production shall be stopped for the operation of an Unit without a valid Environmental Clearance as required under the provisions of the EIA Notification, 2006.

Now, therefore, in exercise of powers vested under Section 5 of Environment (Protection) Act, 1986, M/s. ASL is hereby directed to stop the production of 0.6 MTPA iron ore pelletization plant immediately till the required Environmental Clearance is obtained under the provisions of the EIA Notification, 2006. M/s. ASL is hereby directed to report the compliance of this direction to MoEF immediately.”

6. The company thus, is aggrieved from the above Order dated 12<sup>th</sup> December, 2013, passed by the Respondents herein, as well as the decision of the EAC as contained in the minutes of the meeting dated 19<sup>th</sup> - 20<sup>th</sup> December, 2013 wherein the company had been called upon to take Environmental Clearance for the existing ‘stand alone’ pelletization plant and to stop its production and wherein the Application for Environmental Clearance with reference to the Expansion Plan of the company had been deferred.

7. While challenging the above stated proceedings and Orders, the Appellant company also stated that it is ready and willing to obtain Environmental Clearance under the Regulations of 2006 as it would be an integral part of the Expansion Plan that is required to be set up in furtherance to the proposal submitted by the company. However, the

company raised the question for consideration of the Tribunal that if the Expansion Plan is given up by the company and it continues with the 'stand alone' pelletization plant, whether the Environmental Clearance under terms of Regulations of 2006 is required or not.

8. The legality and correctness of the above Order dated 12<sup>th</sup> December, 2013 is challenged by the Company before the Tribunal, primarily on the ground that a 'stand alone' iron ore pelletization plant is not covered under Entry 3(a) of the Schedule to the Regulations of 2006. Further, that the process of pelletization does not amount to/cannot be construed as primary metallurgical activity in as much as it does not involve any metallurgical process. Furthermore, according to the appellant the process of pelletization is a green and clean process and is an excellent method of consuming iron fines which were either being exported, or being lost in emissions. The company calls the process of pelletization as merely an agglomeration of iron ore by using binding agents as there is no extraction of metals, no beneficiation and no change in chemical parameters. Thus, it was not obligatory on the part of the company to seek Environmental Clearance for their 'stand alone' pelletization plant and the impugned Order passed by the Respondents is not sustainable in law and is arbitrary.

#### **STATUTORY INTERPRETATION AND DISCUSSION ON MERITS**



9. The acceptance or otherwise of the contentions raised on behalf of the company would entirely depend upon the interpretation and scope of Entry 3(a) of the Schedule to the Regulations of 2006. Thus, we must at the very outset refer to the Entry in question:

| Project or Activity |  | Category with threshold limit   |   | Conditions if any   |
|---------------------|--|---|---|---|
|                     |  | A   | B   |   |
| 3                   |  | Materials Production  |   |   |
| 3(a)                | Metallurgical industries (ferrous & non ferrous) | <p>a)Primary metallurgical industry</p> <p>All projects</p> <p>b) Sponge iron manufacturing ≥ 200TPD</p> <p>c)Secondary metallurgical processing industry</p> <p>All toxic and heavy metal producing units ≥ 20,000 tonnes /annum</p> | <p>Sponge iron manufacturing &lt;200TPD</p> <p>Secondary metallurgical processing industry</p> <p>i.)All toxic and heavy metal producing units &lt;20,000 tonnes /annum</p> <p>ii.)All other non –toxic secondary metallurgical processing industries &gt;5000 tonnes/annum</p> | <p>General Condition shall Apply.</p> <p>Note: (i) The recycling industrial units registered under the HSM Rules, are exempted.</p> <p>(ii) In case of Secondary metallurgical processing industrial units, those projects involving operation of furnaces only such as induction and electric arc furnace, submerged arc furnace, and cupola with capacity more than 30,000 tonnes per annum (TPA) would require environmental clearance.</p> <p>(iii) Plant/units other than power plants [Given against Entry No. 1(d) of the Schedule], based on municipal solid waste (non-hazardous) are exempted.]</p> |

10. From a perusal of the Object and Reasons of the Environmental Protection Act, 1986 (for short 'the Act of 1986'), it is clear that the legislature noticed that some major areas of environmental hazard were not covered, that there existed uncovered gaps in the areas of major environmental hazards and that there were inadequate linkages in handling the matters of industrial and environmental safety by the existing laws dealing directly or indirectly with environmental matters. It was also a matter of concern for the legislature that there was rapid decline in environmental quality. Thus, the legislature felt the need for a general legislation which led to the enactment of the Act of 1986. Section 3 of Act of 1986 empowers the Central Government to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of environment and preventing, controlling and abating environmental pollution. These measures could relate to any or all of the matters stated under Section 3(2) of the Act of 1986. Similarly, Section 5 of Act of 1986 which opens with a non-obstante clause but is subject to the provisions of the Act, empowers the Central Government to issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions. The directions which could be issued are of very wide magnitude including closure, prohibition or regulation of any industry, operation or process. It has empowered the Central Government to issue



directions with regard to the stoppage or regulation of supply of electricity or water or any other service to the industry. Under Section 6 of the Act of 1986, the Central Government, by Notification in the Official Gazette can make rules in respect of all or any of the matters referred to in Section 3 of the Act. Such rules could provide standards of quality of air, water, soil, maximum allowable limits of concentration of various environmental pollutants including noise and also provide the procedure and safeguards for the handling of hazardous substances etc. Section 25 of the Act of 1986 vests the Central Government with the power to make rules to carry out the purpose of this Act. Such rules are to be laid before the Parliament in accordance with the procedure prescribed under Section 26 of the Act of 1986. In exercise of the powers conferred by Sections 6 and 25 of the Act of 1986, the Central Government framed rules, called the Environmental Protection Rules, 1986 (for short 'the Rules of 1986'). In terms of Rule 5 thereunder, the Central Government has to take into consideration the factors stated in Rule 5 (1), while prohibiting or restricting the locations of industry and carrying on of process and operation in different areas. In terms of Rules 5(2) and 5(3)(a), the Central Government is required to follow the procedure prescribed, before it could put prohibition or restriction on the location of the industry and carrying on of processes and operations in an area. It is expected to prepare a draft notice in that regard, invite objections and after

considering such objections, the Government could issue a final notice, unless following of such procedure is dispensed with by the Central Government in public interest as contemplated under Rule 5(4) of the Rules of 1986.

11. On 18<sup>th</sup> May, 2006, the Union Cabinet approved the National Environmental Policy and the procedure in accordance with which environmental clearances need to be granted. The Government prepared a draft Notification under Rule 5 (3) of the Rules of 1986, for imposing certain restrictions and prohibitions on new projects or activities or on the expansion or modernization of existing projects or activities, based on their potential environmental impact being undertaken in any part of India unless prior Environmental Clearance has been accorded in accordance with the Notification. Copies of this Notification were published and were made available in the public domain inviting objections from the public. The objections and suggestions were received and considered by Central Government whereupon it issued a final Notification as Regulations of 2006. Under this Notification, all the projects as specified in the Schedule were required to take Environmental Clearance. Application for Environmental Clearance had to be considered and dealt with in accordance with procedure prescribed in the Regulations of 2006.



12. As is evident from the very opening paras of the Regulations of 2006, they were framed primarily with the intention of preventing and controlling pollution, resulting from the industrial activity of the scheduled industries and projects. Potential environmental impacts from such projects and industries were of prime consideration while dealing with the applications filed for seeking Environmental Clearance. The Tribunal has to examine the cumulative impact of the object of the Act of 1986, the Rules of 1986 and the Regulations of 2006 while considering the ambit, scope and meaning of an Entry existing in the Schedule to the Regulations of 2006.

13. First and foremost, we must examine as to how an Entry in a social welfare legislation like the Act of 1986 should be interpreted and what principles of interpretation are to be applied while dealing with such an Entry. We may at this stage refer to a recent judgment of the Tribunal of *“Haat Supreme Wastech Pvt. Ltd. v State of Haryana, 2013 All (I) NGT Reporter (2) (DELHI) 140”*, where the Bench of the Tribunal was concerned with interpreting another Entry of the same Schedule i.e. Entry 7(d) of the Schedule to the Regulations of 2006-“Common hazardous waste treatment, storage and disposal facility.” It will be useful to notice the following discussion from the said judgment:

“The Act of 1986 and the rules afore-referred, in particular Rules of 1998, are socio-welfare legislations

as they have triple objects: firstly, they are welfare legislations in as much as they mandate the State to provide clean and decent environment. Secondly, they provide for remedies which could be invoked by different stakeholders and even by any aggrieved person and thirdly, the consequences of violating the environmental provisions including punitive actions. Thus, while interpreting the relevant provisions, these concepts have to be appropriately considered by the Tribunal. The object of these provisions being wholesome environment, the rule of reasonable constructions in conjunction with the liberal construction would have to be applied. While dealing with a social welfare legislation, the provisions and the words therein are to be given a liberal and expanded meaning. Of course, liberal construction does not mean that the words shall be forced out of their natural meaning but they should receive a fair and reasonable interpretation so as to attain the object for which the instrument is designed and the purpose for which it is applied. Both the object and purpose of an Act in relation to its application are thus, relevant considerations for interpretation. The Courts have also permitted departure from the rule of literal construction so as to avoid the statute becoming meaningless or futile. In the case of *Surjit Singh v. Union of India* (1991) 2 SCC 87 and *Sarajul Sunni Board v. Union of India* AIR 1959 SC 198, the Supreme Court has also held that it is not allowable to read words in a statute which are not there, but where the alternative allows, either by supplying words which appear to have been accidentally omitted or by adopting a construction which deprives certain existing words of all meaning, it is permissible to supply the words. It is also a settled cannon that in case of a social or beneficial legislation, the Courts or Tribunals are to adopt a liberal or purposive construction as opposed to the rule of literal construction.

These well-known principles of interpretation have to be applied, but with caution. Construction favorable to achieve the purpose of enactment but without doing violence to the language is of paramount consideration. In the case of *Shivaji Dayanu Patil & Anr. v. Vatschala Uttam More* (1991) 3 SCR 26a, the Supreme Court while dealing with a beneficial provision of the Motor Vehicles Act, 1939 held as under:

“It is thus evident that Section 92-A was in the nature of a beneficial legislation enacted with a view to confer the benefit of expeditious payment of a limited amount by way of compensation to the victims of an accident



arising out of the use of a motor vehicle on the basis of no fault liability. In the matter of interpretation of a beneficial legislation the approach of the courts is to adopt a construction which advances the beneficial purpose underlying the enactment in preference to a construction which tends to defeat that purpose.”

The doctrine of reasonable construction implies that the correct interpretation is the one that best harmonizes the words with the object of the statute. Lord Porter in *Bhagwan Baksh Singh (Raja) v Secretary of State*, AIR 1940 Privy Council 82, stated: “right construction of the Act can only be attained if its whole scope and object together with an analysis of its wording and the circumstances in which it is enacted are taken into consideration.” The Tribunals will also keep in mind that the application of a given legislation to new and unforeseen things and situations broadly falling within the statutory provisions is within the interpretative jurisdiction of the courts. In the case of *Charan Lal Sahu v Union of India*, AIR 1990 SC 1480, the Hon’ble Supreme Court while dealing with the provisions of the Bhopal Gas leak disaster and directing the government to give interim relief to the victims as a measure in articulate premise from the spirit of the Act, declared this approach to the interpretation of the Act as constructive intuition which in the opinion of the court was a permissible mode of viewing the acts of the Parliament.

Keeping in view the legislative intent, object of the Act and the Rules framed thereunder and the purpose sought to be achieved, recourse to any of the above doctrine would be appropriate. Certainly, it is the obligation of the respective governments to prevent and control pollution on one hand and provide clean environment to the public at large on the other. The industrial development cannot be permitted to ignore environmental interests and damage the ecology or ambient environmental quality irretrievably. The units of plants which violate the prescribed standards and cause serious pollution,

are to be dealt with strictly in accordance with the prescribed penal or other consequences which may even include the closure of a unit. The rules primarily provide a regulatory regime that is required to be adhered to for the purposes of permissive industrial activity. All these regulatory regimes whether relating to municipal waste, hazardous waste or bio-medical waste, owe their allegiance to the substantive provisions and object of the Act of 1986. Reasonable construction is intended to provide a balance between the industrial development and the environment. Principle of 'constructive intuition' would also have its application to the provisions of the Act, the Rules and particularly the Notification of 2006 in relation to dealing with the entries provided in the Schedule. The liberal construction rule would help in giving a purposeful meaning and interpretation to the provisions of the Act and the Rules for attainment of the basic object, i.e. cleaner environment.

From the above discussion, it is clear that to an Entry of the Schedule of a social welfare legislation, the principle of reasonable and/or liberal construction should be adopted to ensure that the object and purpose of the Act is undefeated by such interpretation. Most suitable interpretation would be one which would further the cause of the Act and ensure prevention and control of pollution rather than provide escape



route to the industry from taking anti-pollution measures and complying with the provisions of the Act.

14. As far as the Entry 3(a) of the Schedule to the Regulations of 2006 is concerned, another reason for the Tribunal to adopt a liberal or wider interpretation of it is that the process of pelletization is that of a low grade iron in our country, that is not set for great use. Large capacity for pelletization and beneficiation is aimed at utilizing the lower grade iron ore and are presently under way. The Standing Committee on Coal and Steel of the Lok Sabha vide its 38<sup>th</sup> Report vide primarily examined the review of export of iron ore policy and observed: “we seek pelletization as a necessary form of upgrading the existing low quality ore”. This clearly shows that pelletization is a process adopted for upgradation of low quality iron ore to make it fit for use in the process of making steel finished products. It is thus only a stage of the composite and complete process of making final steel products from the iron extracted from the mines.

15. As noticed above, pelletization is a part of a larger process of manufacturing or making steel items for human consumption or otherwise and is a process which acts as the feeder to the further process for extraction of iron and steel from iron ore and no other purpose. It certainly causes serious pollution and thus requires to be checked and controlled at the very threshold. There is nexus between

carrying on the process of pelletization and causing pollution. Thus, it gives rise to environmental issues which must be dealt with in accordance with law. The vision of the Act of 1986 would come into place once such nexus is established and substantial questions in relation to environment arise. In the case of *Kehar Singh v State of Haryana, 2013(1) – All India (NGT) Reporter 556*, the Tribunal took a view that the cause of action must have nexus to such disputes which relates to the issue of environment / substantial question relating to environment or any such proceeding to trigger the prescribed period of limitation and held that cause of action must be read in conjunction with and should take colour from the expression ‘such dispute’. ‘Such dispute’ must be one which is relatable to environment. In that case, the Tribunal concluded that publication of Section 14 Notification under the Land Acquisition Act would not trigger the limitations in terms of Section 14 of the NGT Act. Similarly in the present case, when direct nexus between the carrying on of the business and resultant pollution is established and the process in its entirety is covered under the Entry, then such Entry, i.e. Entry 3(a) of the Schedule to the Regulations of 2006 would receive a wider connotation and would take within it the process of pelletization as part of primary metallurgical activity. Of course the matter would be different and the Entry may not receive such interpretation if pelletization was not an integral part or was in no way relatable to the entire



process of making steel. Further, the process of pelletization results in consequential environmental impact as far as pollution is concerned but both these factors are conspicuous by their very absence in the technical and scientific material placed before us.

16. Process of pelletization is gaining momentum in the steel industry as it helps in refining the ore for removal of impurities. But it is a direct source of environmental pollution. The pellets are used only for extraction of metal either through blast furnace or reduction process. The process of pelletization enables iron ore fines into “Uniformed Sized Iron Ore Pellets” that are convenient to be charged. These pellets with their high uniform mechanical strength and high abrasive strength increase production of iron by 25 % to 30 % with same amount of fuel. The Tribunal is expected to examine the cumulative environmental impact of this activity on the environment which has to be environment-centric, being part of the entire metallurgical process than a mere stand alone activity. The purpose of subjecting such an industry to obtain Environmental Clearance is to ensure prevention of pollution and also that higher and prescribed standards of anti-pollution measures are maintained in the interest of the environment in general rather than being case specific.

17. The problems of environmental pollution in our country have attained serious dimensions and the Courts and

Tribunals need to adopt an approach which does not encourage industrial or other polluting units to avoid legal framework within which they ought to operate on the strength of mere technicalities. If on true and reasonable construction of an Entry, the industry or unit is covered under the Schedule then it is obligated to comply with the prescribed law. In this backdrop now, let's revert to Entry 3(a) Column 2 of the Schedule to the Regulations of 2006 which contains the expression 'metallurgical industries'. This expression *ex facie* contains two different concepts. One is 'metallurgical' and the other is 'industries'. Metallurgy is a process in itself which the industry is to adopt. In common parlance, metallurgy is a science that deals with procedures used in extracting metals from their ores, purifying and alloying metals and creating useful objects from metals.

18. According to McGraw-Hill Encyclopedia of Science & Technology, 10th Edition - (Malestrom), "metallurgy" is a technology and science of metallic materials. Metallurgy as a branch of engineering is concerned with the production of metals and alloys, their adaptation to use, and their performance in service. As a science, metallurgy is concerned with the chemical reactions involved in the processes by which metals are produced. This is primary metallurgical process. The winning of metals would have been of little value without the ability to work them for different uses. Thus, the winned

metal has to be converted into different forms of metal for different uses. The process involved in converting raw metal into usable metallic form through changing its physical and chemical properties is called secondary metallurgical process.

Oxford Dictionary of English, Third Edition provides meaning of metallurgy as follows:

*“The branch of science and technology concerned with the properties of metals and their production and purification”*

19. In the Encyclopedia of Metallurgical Terms by Tootleman, published by Longmans, London, the term 'metallurgy' is defined to embrace "the practice and science of extracting metals from their ores, the refining of crude metal, the production of alloys and the study of their constitution, structure and properties and relationship and physical and mechanical properties to thermal and mechanical treatment of metals and alloys."

In the case of *Tata Engineering and Locomotive v State of Bihar and Ors.*, AIR 1989 Pat 23, the Court concluded while explaining metallurgical process as follows:

*“From all these definitions from the authoritative texts, referred to above, one thing appears to be clear that the scope and ambit of a metallurgical industry starts from extracting mineral ores, refining them by mechanical and chemical processes and finally producing steel in various forms. With this the function of the metallurgical industry ends.”*



20. Now, we may examine the meaning of industry in general and with specific reference to the case in hand. Section 2(j) of the Industrial Disputes Act, 1947, defines 'industry' as any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment, handicraft or industrial occupation or avocation of workmen. This definition was amended and stood substituted by Act 46 of 1982 whereby 'industry' means any systematic activity carried on by co-operation between an employer and his workmen for the production, supply or distribution of goods or services with a view to satisfy human wants or wishes, whether or not,-

(i) .....

(ii) such activity is carried on with a motive to make any gain or profit.

While dealing with the meaning and the scope of the word 'industry' and the wide connotation that the expression should receive, the Supreme Court in the case of *State of Bombay and others v Hospital Mazdoor Sabha and Others*, [1960] 2 SCR 866, held as under:

"The decision of this question depends upon the interpretation of the definition of 'industry' prescribed by s. 2(j) of the Act. Let us first read the definition. Section 2(j) provides that ', 'industry' means any business, trade, undertaking, manufacture of calling of employers and includes any calling, service, employment, handicraft, or industrial occupation or avocation of workmen. It would be noticed that the words used in the definition are very wide in their import and even so its latter part purports to provide an

inclusive definition. The word "undertaking" according to Webster means "anything undertaken; any business, work or project which one engages in or attempts, an enterprise ". Similarly, " trade " according to Halsbury, in its primary meaning, is " exchange of goods for goods or goods for money ", and in its secondary meaning it is " any business carried on with a view to profit whether manual or mercantile, as distinguished from the liberal arts or learned professions and from agriculture "; whereas " business " is a wider term not synonymous with trade and means practically " anything which is an occupation as distinguished from a pleasure The word "calling" again is very wide; it means "one's usual occupation, vocation, business or trade"; so is the word "service" very wide in its import. Prima facie, if the definition has deliberately used words of such wide import, it would be necessary to read those words in their wide denotation; and so read, Hospitals cannot be excluded from the definition.

It is, however, contended that, in construing the definition, we must adopt the rule of construction *noscuntur a sociis*. This rule, according to Maxwell, means that, when two or more words which are susceptible of analogous meaning are coupled together they are understood to be used in their cognate sense. They take their colour from each other, that is, the more general is restricted to a sense analogous to a less general. The same rule is thus interpreted in " Words and Phrases " (Vol. XIV, P. 207): " Associated words take their meaning from one another under the doctrine of *noscuntur a sociis*, the philosophy of which is that the meaning of a doubtful word may be ascertained by reference to the meaning of words associated with it; such doctrine is broader than the maxim *Ejusdem Generis*." In fact the latter maxim "is only an illustration or specific application of the broader maxim *noscuntur a sociis* ". The argument is that certain essential features or attributes are invariably associated with the words " business and trade " as understood in the popular and conventional sense, and it is the colour of these attributes which is taken by the other words used in the definition though their normal import may be much wider. We are not impressed by this argument. It must be borne in mind that *noscuntur a sociis* is merely a rule of construction and it cannot prevail in cases where it is clear that the wider words have been deliberately used in order to make the scope of the defined word correspondingly wider. It is only where the intention of the Legislature in associating wider words with words of narrow significance is doubtful, or

otherwise not clear that the present rule of construction can be useful applied.”

21. In relation to the expression ‘industry’ appearing in the Industrial Disputes Act, 1947 and Allied Acts, the Courts have taken a view that it should receive liberal construction as it falls in a socio welfare legislation and is intended to achieve the larger public interest relating to workmen.

22. Having examined the meaning of the expressions used in Column 2 of the Schedule to the Regulations of 2006, we may now examine column (3) of Entry 3(a) of the said Schedule. It describes that metallurgical industry could have two kinds of functions. One as a Primary Metallurgical industry and the other is as a secondary metallurgical industry. Thus, it is necessary to know what exactly both these expressions mean.

### **Primary Metallurgical Process**

Primary metallurgical process refers to the production of metal from ore, which includes, ore extraction, ore beneficiation, pelletization or sintering and metal extraction.

### **Secondary Metallurgical process**

Secondary metallurgical process refers to production of alloys from ingots and to recovery of metal from scrap and salvage. The process includes casting, molding, forging alloy making, re-rolling etc. It includes processes like melting, giving aimed shape to the final output, through forming, pouring liquid metal and alloys to the mold cavity and forging.



23. The process of "primary metallurgy" involves the processing of iron ore to hot metal or sponge iron and the further treatment to crude steel. Regarding energy and emission-optimization in the steel industry, the exploratory focus concentrates on the issues of reduction and steel metallurgy. The results of the research activities are used for the enhancement of existing processes and for the implementation of new technologies. Further application areas are characterization and evaluation of raw materials and reducing agents for the various processes of iron making.

24. At this stage, we may also deal with the material on record or otherwise that throw some light as to whether or not pelletization forms part of primary or secondary metallurgy. The Ministry of Environment and Forest, Government of India has prepared Technical EIA Guidance Manual for Metallurgical Industry in August, 2010. This deals both with ferrous metal industries and non-ferrous metal industries. Upon the study of this manual it emerges:

In order to have uniform procedure for environment impact assessment (EIA) and environment clearance, MoEF prepared Guidance Manual for 27 categories of developmental activities including metallurgical industry in 2010. The Manual designed by Expert Committee reviewed by PEER and CORE Committee constituted, category-wise. This manual under table 3.8 deals with iron metallurgical process and includes the following eight steps under that head:

1. Coke making – coke oven plant
2. Iron ore beneficiation plant
3. Pelletization – pellet plant
4. Sintering – Sinter plant

5. Iron making - Blast furnace/Sponge iron plant
6. Steel making - Basic oxygen furnace
7. Secondary refining - Ladle furnace RH degassing
8. Continuous casting - Slab caster

The first 5 steps can be included in primary metallurgical process, while the 6 to 8 are part of secondary metallurgical process.

In the same manual, pellet plant is described as follows:

### **Pellet plant**

Pellet plant, an alternative to sinter plant, will utilize iron ore fines to produce BF grade pellets to be used in blast furnace. The process involves drying of the ores (from 8-10% to less than 1% moisture), grinding to 45 micron size, feed preparation by adding binders and moisture, green pelletization and induration (heat hardening).

The Experts have also described process of pelletization and pollution thereof as follows:-

Prior to the formation of pellets, water is added to the fine iron ore, to adjust the moisture content to approximately 9%, and the ore is mixed with small amounts of binding agents such as bentonite (approximately 0.5%) and fluxes such as limestone, olivine and dolomite (1-5%). These agents give the pellets the prerequisite physical and metallurgical properties required for further processing. Mixing takes place in continuously operating drum. On an industrial scale, green pellets are formed either in pelletizing discs or drums. These pellets are then hardened. The pellets are then endured at 850 to 1000°C then cooled. The process of pelletization enables converting Iron Ore Fines into “Uniformed Sized Iron Ore Pellets” that is convenient to be charged. Pellets with their high, uniform mechanical strength and high abrasive strength increase production of sponge iron by 25% to 30% with same amount of fuel. The pellets so manufactured are used only for iron extraction and not for any other purpose and hence, it is a part of iron metallurgical process.

25. As an essential corollary to the above discussion, now, it has to be now examined if the ‘stand alone’ activity of

pelletization can be a source of pollution and cause substantial environmental hazards.

### **Pollution in Pelletization**

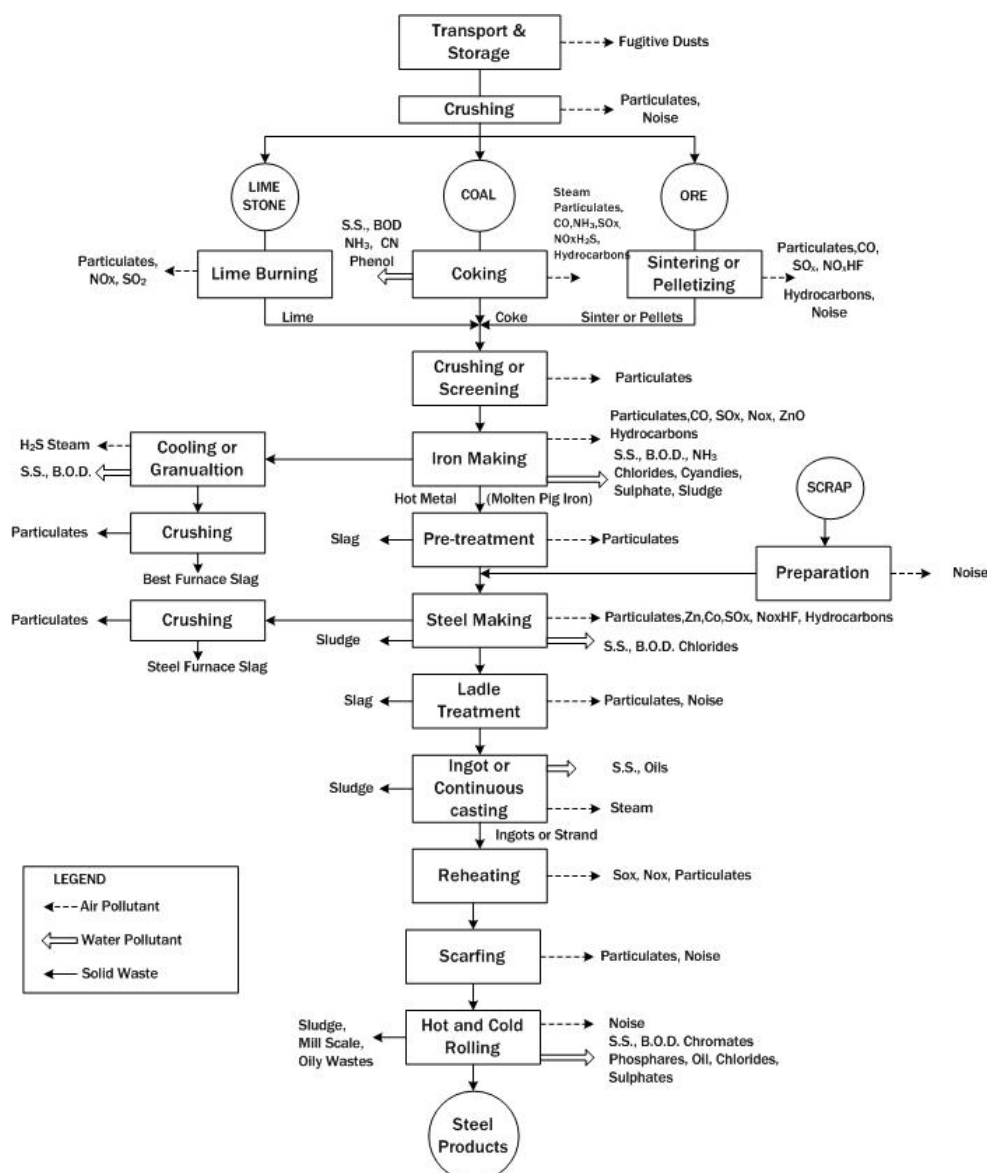
The main pollution sources in pelletization plant are the handling of raw material, wind-box, exhaust emission, cooler and cold screen. The Cleaning of gases generated from pelletization plant is the most difficult task. The wind-box exhaust is a primary source of particulate matter mainly iron oxides, sulphur oxides, carbonaceous compounds, aliphatic hydrocarbons and chlorides. Generally, cyclone cleaner, electrostatic precipitator (ESP), wet scrubbers and bag filters are installed to control pollution. However, the ESP is not efficient to reduce hydrocarbons, which may include dioxin and furan gases. The treatment of scrubbed matter is also very essential. Thus, this part of iron metallurgical process is a polluting activity.

26. From the above discussions, it is evidently clear that the expression 'metallurgical industry' has been used by the legislature as words of wide import and thus, it would be necessary to read those words in their wide denotations. It must be given a meaning which would enlarge its scope with the primary object of preventing and controlling pollution in terms of the prescribed law. The primary metallurgical industry would thus take within its ambit the activity of pelletization which is one of the stages in the entire process



from the point of extraction of iron ore till its conversion into the final product that is to be consumed by human beings and/or used for their benefit. It is also evident and in fact, can hardly be disputed that activity of pelletization is carried out only to ensure that the impurities in the metal ore are reduced and it is then used for extracting metal from the ore by the process that the industry may adopt. Except this, *per se*, the process of pelletization has no other object to achieve. Furthermore, undoubtedly, the process of pelletization is a source of serious pollution and is required to be stopped by anti-pollution devices under the law in force. The company has also raised a contention that though, pelletization (pellet plants) may be flowing broadly with the process steps which are to be taken for the process of steel making, since there is no refining and no change in chemical properties and it is only an iron ore agglomeration, it would fall under category B-2. This contention does not impress us. It is needless to note that even according to the company, pelletization is one of the processes of making steel. Iron and steel industry comprises the preparation of raw materials, agglomeration of fines in the sinter plant, feeding of burden to blast furnace, manufacturing of coke in coke ovens, conversion of pig iron to steel, making and shaping of steel, granulation of slag, recovery of chemicals in by-product plant etc. All the above mentioned processes add to air, water, solid waste and noise pollution. Experts

described flow chart of linkage pollutants and principle process as follows:-



From the above diagram, it is clear that pelletization is a definite source of pollution. It generates Particulates, CO, SO<sub>2</sub>, NO<sub>2</sub>, HF, Hydrocarbons and noise. All these pollutants have serious impacts on the environment. Thus, undoubtedly, it requires greater checks and restrictions to ensure prevention of pollution.

27. Lastly, it has been contended on behalf of the applicant that on one hand, there is divergence of views between the State Board and the MoEF while, on the other hand, MoEF

itself had earlier taken the stand that the stand-alone pelletization plant does not fall under the Entry 3(a) of the Schedule to Regulations of 2006. This argument is sought to be substantiated with reference to certain documents that have been placed by the applicant on record. Reliance is placed upon the letter dated 8<sup>th</sup> December, 2000 written up by the MoEF to the Member-Secretary of the Andhra Pradesh Pollution Control Board stating that the matter had been examined in the Ministry and it is to be informed that as an activity, pelletization will not fall under Schedule 1 of the EIA Notification of 1994 for grant of Environmental Clearance. The Expert Committee of the State Pollution Control Board, Odisha in its meeting dated 7<sup>th</sup> April, 2014 had also observed that the process of pelletization does not involve metal extraction or extensive chemical changes and should not be categorized as primary metallurgical process. Reliance is also placed upon the Office Memorandum dated 27<sup>th</sup> March, 2014 issued by the Ministry of Steel, Govt. of India, clarifying that pelletization is only a burden preparation process prior to actual metal extraction and therefore would not fall under the head 'primary metallurgical industry'. It needs to be noticed that a contrary view has been expressed in some of the other documents placed on record. The Reconstituted Expert Appraisal Committee (Industry) in its meeting 19<sup>th</sup> - 20<sup>th</sup> December, 2013, in relation to the appellant before the Tribunal had opined that the pelletization plant cannot be



permitted to operate without taking environmental clearance from the Ministry. In fact, after detailed deliberations, the Committee recommended that the Ministry should send a communication to all the State Pollution Control Boards/Committees, stating that the iron ore pellet plant falls under Entry 3(a) (Primary Metallurgical Industry) of the Schedule to the Regulations of 2006 and comes under category 'A' which requires Environment Clearance from the MoEF. It was also recommended that the Ministry may take a holistic view regarding the applicability of Environmental Clearance for the iron ore pellet plants which are under operation. The State Pollution Control Board, Orissa in its report dated 3<sup>rd</sup> May, 2014, while specifying elements of serious air pollution arising from the operation of pelletization plants, recommended for the inclusion of such item in the Schedule of 2006 separately. Relevant extract of the Resolution reads as under:

- i) Iron ore pelletization is the process of converting iron ore fines into iron ore pellets.
- ii) As per the Technical Guidance Manual of EIA prepared by MoEF, Govt. of India pelletization process has a potential to generate dust levels at 13 – 15 kg/Ton of pellet, about 6 kg. of SO<sub>2</sub>, 14 kg. of CO and 0.8 kg of NO per ton of pellet produced. With this potential standalone pellet plants can be termed as highly air polluting industry.

28. The MoEF adverted itself to the prevalent conflict as afore-indicated and in particular to the above letter of Ministry of Steel dated 17<sup>th</sup> January, 2014 and finally took the

considered view that a ‘stand alone’ pelletization plant would require Environmental Clearance under the Regulations of 2006. The Ministry after consulting the expert bodies, even the experts of the Central Pollution Control Board, representative of CII, Director, Metallurgical Laboratory and Experts of the MoEF Appraisal Committee, issued a letter dated 11<sup>th</sup> April, 2014. The relevant extract of the said letter which has a direct bearing on the matter in issue before us, is as follows:

“2. The comments of Ministry of Steel have been examined. The Ministry of Environment & Forests, has notified the Environment Impact Assessment (EIA) Notification, 2006 vide S.O. 1533 E, dated 14<sup>th</sup> September, 2006 under the Environment (Protection) Act, 1986. Following the introduction of this EIA Notification 2006, the MoEF, with a view to rationalizing the granting environmental clearances and for implementing the various provisions of the New EIA Notification 2006 by various stakeholders – regulators, project proponents, Expert Appraisal Committees at both Central State Level, SEIAAs, etc, had prepared Sector specific EIA Manuals. The EIA Manuals for various sectors listed to the Schedule of the Notification were got prepared through various sector specific Expert Committees. The various Sectoral Expert Committees examined the various Sectoral issues, including environmental issues, requirements of the sector concerned vis-à-vis the EIA Notification 2006. In regard to Metallurgy Sector also, the MoEF had constituted Core and peer Committees drawing experts from Central Pollution Control Board, Representative of CII, Director, National Metallurgical Laboratory and Expert Members of the MoEF’s Expert Appraisal Committee (Industry) dealing with environmental clearances pertaining to Metallurgy Sector. The Final EIA Manual for the Metallurgy Sector states that the environmental impacts of Pellet plants whether they are ‘stand alone’ or part of an Integrated Steel Plant are severe in terms of air and water pollution and solid wastes generated etc. Details of this have been covered in various chapters of the EIA Manual, which is available on the Ministry website. Thus, the sector specific EIA manual on Metallurgical Industry indicated that pellet plants, whether they are stand alone or part of an Integrated Steel Plant fall

within the purview of the metallurgical industry requiring prior environmental clearance under the EIA Notification, 2006.

3. Further, the Ministry has constituted the Expert Appraisal Committee (Industry) comprising of subject matter experts under the EIA Notification, 2006 for the appraisal of the Industry sector projects for granting environmental clearances. The EAC (Industry) has always been of the view that the stand alone iron ore pellet plants fall under S. No. 3(a) in Primary Metallurgical Industries under category 'A' of the Schedule of EIA Notification, 2006 and requiring an Environmental Clearance (EC) from MoEF. Several ECs for such Stand-alone Iron Ore Pellet Plants have accordingly been apprised by the EAC(Industry) and on the basis of their recommendations, ECs have been accorded by MoEF in the past. In its recent meeting held on 19<sup>th</sup>-20<sup>th</sup> December 2013, the Expert Appraisal Committee (Industry) of the MoEF has reiterated its stand-Alone Pellet Plant require an EC under the EIA Notification 2006.

4. In view of above, it is to inform that this Ministry is of the view that the stand-alone iron ore pellet plants fall under S.No. 3(a) in Primary Metallurgical Industries under Category 'A' of the Schedule of EIA Notification, 2006 and therefore require prior Environmental Clearance (EC) from MoEF.”

29. As is evident from the very language of the letter dated 11<sup>th</sup> April, 2014, the Ministry has taken a considered view in regard to the various aspects of the matter in issue with definite emphasis on the environmental impact of pelletization plants. We have already noticed various technical literatures placed by the parties before us or otherwise, that clearly show that the process of pelletization is a serious air pollutant. There is a definite and increasing trend in this process to purify the iron ore and to convert it into fine iron ore pellets which are to be then used for the purposes of manufacturing/



making of varied steel items. The Regulations of 2006 is a Notification of wide spectrum to make it mandatory for the specified project and industries to seek Environmental Clearance in the interest of the environment. The said Notification having been issued under the provisions of the Act of 1986 has to be read and construed with reference to the provisions of the said Act, its objects and purposes. Compliance to the provisions of the Regulations of 2006 is independent of compliance to other environmental laws in force. The legislature in its wisdom has placed this additional obligation upon the project/industry/unit which are seriously polluting industries, to ensure environmental protection. As per the law stated in the case of *Kehar Singh* (supra), precept to provide interpretation is to examine true nexus between the environmental pollution and the prevention and control thereof, in terms of the statutory provisions. We may examine Entry 3(a) of the Schedule to the Regulations of 2006 even with the aid of 'Doctrine of Purposive Construction'. The law has been enacted with the object of prevention and control of pollution. The intent of Entry 3(a) is to cover the entire process of metallurgical industry and to prevent and control the pollution of various kinds that arises from such process. This was the mischief that was sought to be checked. There should be higher standards of checking environmental pollution by the industries involved in primary or secondary metallurgical processes.

30. The MoEF has been vested with the powers to issue directions, specify measures and even frame regulations for carrying out the object and purposes of the Act of 1986. In a sense, it is the Ministry that is required to perform expert functions under the provisions of the said Act. After considering various aspects and consulting various experts in and outside the Ministry, it has come to the conclusion that Entry 3(a) would cover pelletization plants and they would be required to take Environmental Clearance. Besides the fact that it is the declared interpretation by the body vested with such powers, even we as a Tribunal consisting of Expert Members would have no hesitation in accepting the said view for the reasons afore-stated. The Learned Counsel appearing for the Applicant while relying upon the Judgment of the Supreme Court in the case of *Ram Chandra Mawa Lal and others v State of Uttar Pradesh and others, 1984 [Supp] SCC 28* contended that the conflict between the laws i.e. the State Board opinion and MoEF should be resolved by giving precedence to the State Board opinion being the State subject. We do not think this contention has any merit. Firstly, there is no conflict between the Central and the State law and as such the case of *Ram Chandra Mawa Lal (supra)* has no application what so ever to the facts of the present case. Here we are concerned with the opinion expressed by State Boards and the final view taken by the MoEF. Having considered various

aspects we are unable to find any inconformity in the final view taken by the MoEF holding that Entry 3(a) takes in its ambit pelletization plants as well.

We may usefully refer to the Judgment of the Bombay High Court in the case of *Shankar Raghunath Jog v Talaular and Sons Pvt. Ltd*, 2011 (5) All Maharashtra Law Reporter 803, where the Court took the view that “it is settled law that for the purposes of interpretation of the statute, the entire statute has to be read in its entirety. The purpose and the object of the Act must be given its full effect. Furthermore, in the case of the present nature involving environmental issues, the principles of purposive construction must come into force. Considering the said aspects, Para III of the said EIA Notification, 1994 would have to be construed with reference to the context vis-à-vis the other paras of the said Notification of 1994 so as to make it consistent with the purpose and object of the said Act of 1986.” It may be noted here that the Notification of 1994 was substituted by the Regulations of 2006.

31. In light of the above discussion, this Tribunal has no hesitation in holding that pelletization is a process which squarely falls under the head “primary metallurgical industry”. As such the industries carrying on the process of pelletization, even as a stand alone project, would be required to seek Environmental Clearance in terms of the Regulations of 2006. Having returned this finding, we cannot set aside or quash the



Order dated 12<sup>th</sup> December, 2013 and the proceedings of the EIA Committee taking that view. However, we would direct and grant liberty to the Appellant before the Tribunal to seek Environmental Clearance even for the 'stand alone' pelletization plant under the Regulations of 2006 as a 'stand alone' or part of the comprehensive expansion plan of the Appellant. Such application should be filed within one month from today and shall be disposed of by the MoEF as far as the 'stand alone' pelletization plant is concerned, within three months thereafter. Upon grant of such clearance, the unit would operate in accordance with law.

32. In view of the findings afore recorded, it is necessary for the Tribunal to issue a direction to MoEF and all the State Pollution Control Boards to take steps immediately, requiring the stand alone pelletization plants to obtain environmental clearance from the concerned authorities. Let copy of this judgment be circulated by the registry to the Secretary, MoEF and Member Secretaries of all the State Pollution Control Boards and Pollution Control Committees.

33. For the fact that MoEF has now taken the view that stand alone pelletization plants would also require environmental clearances, which has been accepted by this Tribunal, it will be open to the MoEF/ State Pollution Control Boards to examine the possibility, whether such units should be permitted to operate during the *interregnum* of applying for

environmental clearance and grant/refusal of the same by the competent authorities in accordance with law.

34. Needless to notice that such requests to operate during *interregnum* should only be considered if the units are found otherwise complying with the terms and conditions imposed by the concerned Board / Committees for establishment / operation of such unit.

35. Resultantly, we find no merit in this appeal. The same is dismissed, however, with the above directions and while leaving the parties to bear their own costs.

**Hon'ble Mr. Justice Swatanter Kumar**  
**Chairperson**

**Hon'ble Mr. Justice U.D. Salvi**  
**Judicial Member**

**Hon'ble Dr. D.K. Agrawal**  
**Expert Member**

**Hon'ble Mr. Bikram Singh Sajwan**  
**Expert Member**

**Hon'ble Dr. R.C. Trivedi**  
**Expert Member**

Dated: May 27, 2014