

By Registered Post/AD

F. No. J-11011/137/2006-IA. II (I)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

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Dated: 20thSeptember, 2018

To

The Head – Environment,
M/s. Electrosteel Steels Limited
(Formerly M/s. Electrosteel Integrated Limited),
Village – Siyaljori, P.O. – Jogidih,
P.S. Siyaljori, District – Bokaro,
Jharkhand – 828303.
E-mail: siddharth.pandey@vedanta.co.in

Subject: Revocation Order under Section 5 of Environment (Protection) Act, 1986 in view of violations pertaining to the environmental clearance of Integrated Steel Plant of M/s. Electrosteel Steels Limited (Formerly M/s. Electro Steel Integrated Limited) located at Bokaro District, Jharkhand– reg.

Sir,

Whereas Environmental Clearance for setting up of Integrated Steel Plant (3 MTPA) at Parbatpur, Jharkhand was accorded by Ministry of Environment, Forest and Climate Change (MoEF&CC) to M/s. Electro Steel Integrated Limited (Presently M/s. Electrosteel Steels Limited) vide letter no. J-11011/137/2006-IA.II(I) dated 21/02/2008 (**copy enclosed as Annexure –I**) subject to implementation of the various conditions and environmental safeguards contained therein., and

2. Whereas Jharkhand State Pollution Control Board (JSPCB) vide letter dated 18/05/2012 (**copy enclosed as Annexure –II**) informed the Ministry the following with respect to the environmental clearance accorded to M/s. ESL:

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- i. Company was carrying out the construction activities of the proposed plant at Bhagabandhmouza in Bokaro district instead of Parbatpur in the Chandankaniyari block of Bokaro district; and
 - ii. Construction activity was also being carried out on notified forest land as well as on land which is recorded as jungle-jhar in the revenue records.
3. Whereas MoEF&CC issued Show Cause Notice (SCN) under section 5 of the Environment (Protection) Act, 1986 to M/s. ESL vide letter of even no. dated 6/6/2012(**copy enclosed as Annexure –III**), prima facie based on the report of the Jharkhand State Pollution Control Board (JSPCB) dated 18/05/2012 stating that why the environmental clearance dated 21/02/2008 should not be revoked. Whereas, it is also mentioned in the SCN dated 6/6/2012 that M/s. ESL may indicate, whether a person hearing is requested.
4. Whereas M/s. ESL vide letter no. Nil dated 20/6/2012 (**copy enclosed as Annexure –IV**) submitted its response to the issues raised in the SCN and also requested MoEF&CC to provide an opportunity for personal hearing.
5. Where as site inspection was carried out Regional Office of MoEF&CC at Ranchi during 3rd August, 2017 to 4th August, 2017 and submitted the inspection report to MoEF&CC vide letter no. 103-131/07/EPE dated 17/08/2017(**copy enclosed as Annexure –V**) wherein substantive non-compliances/partial compliances have been reported.
6. Whereas, the Hon'ble High Court of Jharkhand vide its order dated 25/08/2018(**copy enclosed as Annexure –VI**) in Writ Petition No.1873 of 2018 in the matter M/s. Electrosteel Steels Limited Vs Jharkhand State Pollution Control Board and Ors directed the following:
 - i. So far as decision of the Ministry of Environment, Forest & Climate Change are concerned, considering the fact that the unit of the petitioner is running unit and large number of employees are working in this unit of the petitioner, this court consider it appropriate that the issue regarding the environmental clearance of the petitioner should be decided at the earliest.



- ii. It is further observed that it is open to the petitioner to approach the Union of India with their proposal/ application for regularization of the alleged violation, without prejudice to their rights (including right, title, interest, possession and nature of property of the petitioner) and advance submissions before the respondent authority of Union of India pursuant to the show cause notice issued to them dated 6.6.2012 and the appropriate authority may, if possible, simultaneously consider the aforesaid application of the petitioner for regularization along with the show cause reply of the petitioner such that entire dispute is decided and the petitioner may also have a clarity about the fate of its unit. The decision which is to be taken by the Union of India be brought on record by either of the parties by filing supplementary affidavit latest by 25.09.2018.
- iii. It is made clear that this court has not gone into the merits of the claim of the petitioner and it will be open to the respondent no 3 i.e., MoEF&CC to take decision as per law.
- iv. Post this case on 27.09.2018.

7. Whereas MoEF&CC provided an opportunity to M/s. ESL for a personal hearing particularly to the issues raised in the SCN and inspection report of Regional Office – Ranchi in accordance with the principles of natural justice. The hearing took place at 10.00 Hrs on 10/09/2018 at Indus Hall, Indira Paryavaran Bhawan, MoEF&CC, New Delhi. The written submissions have been received from M/s. ESL vide letter dated 7/9/2018 (**copy enclosed as Annexure –VII**), JSPCB vide letter dated 6/9/2018 (**copy enclosed as Annexure –VIII**), State Forest Department, Govt. of Jharkhand vide letter dated 6/9/2018 (**copy enclosed as Annexure –IX**) and District Collector cum District Magistrate, Bokaro vide letter dated 8/9/2018 (**copy enclosed as Annexure –X**). During the hearing, M/s. ESL submitted supplementary reply (**copy enclosed as Annexure –XI**). The list of participants is enclosed as **Annexure –XII**.

8. Whereas the written submissions/supplementary reply received from the parties concerned have been examined in the Ministry in detail. The point wise observations to the issues are given as below:



I. With respect to shifting of project site


Company was carrying out the construction activities of the proposed plant at Bhagabandhmouza in Bokaro district instead of Parbatpur in the Chandankaniyari block of Bokaro district.

Response of M/s.ESL

- As per the Form I of the EIA Notification 2006, proponent is not required to indicate the specific final location with reference to Plot/Survey/Khasra No./Village/Tehsil/District/State, etc.,The prescribed Form – 1 also did not require the proponent to indicate its location w.r.t. Longitude or Latitude. As such the location 'Parbatpur', indicated in the application was tentative. As per the layout plan submitted along with the EIA report (Figure 2.1, page 2.18) at the time of grant of environmental clearance, plant site is located at South of Parbatpur.
- Public hearing held at Siyaljori school covers the villagers from Bhagabandh. Villagers from Bhagabandh have participated in the hearing.
- Exact location of the steel plant was in the process of determination when the application for EC was made to MoEF&CC.
- NEERI confirmed that study area considered was 10 km radius from the centre of proposed plant area and during public hearing, people from Bhagabandh/Chas block were present. Based on this confirmation, MoEF&CC vide letter dated 2/12/2011 issued a letter to M/s. ESL stating that the revised lay out plan is located within the EIA Study area.

Comments/views of the JSPCB

- Consent to Establish (CTE) was granted by JSPCB to establish the 3MTPA Integrated Steel plant at mauza South Parbatpur of Chandankiyari block of Bokaro District. However, M/s. ESL has shifted its plant site from mauza South Parbatpur of Chandankiyari block of Bokaro District to mauzaBhagabandh of Chas block of Bokaro District.
- JSPCB also reported that the Google Earth image shows that the plant is located about 5.30 km away from actual location mentioned in EIA report.



- M/s. ESL cannot change the location of project without due approval and it will come under the category of violation.

Comments/views of the Dept. of Forest, Environment and Climate Change, State Govt. of Jharkhand

- M/s.ESL did not establish the steel plant at Parbatpur. Instead, they legally shifted the site and constructed the said plant on lands in Bhagabandh, Hutupathar, Bandhdih of Chas block and in Silajori of Chandankiyari block of Bokaro District.
- State Government has further informed that by actually establishing the steel plant at changed location in other villages, M/s.ESL has violated the conditions of environmental clearance granted vide letter dated 21/02/2008 which leads to immediate application of the provisions of the section (8) sub-clause (vi) of the EIA Notification, 2006 pertaining to deliberate concealment and/or submission of false or misleading information.

Observations of MoEF&CC

- Environmental Clearance granted by the MoEF&CC is site specific. As per the environmental clearance accorded, M/s. ESL must establish the 3.0 MTPA ISP at Parbatpur in the Chandankiyari block of Bokaro district whereas M/s. ESL has established and operating Integrated Steel Plant at Bhagabandhmouza of Chas block of Bokaro District without the prior approval of MoEF&CC.
- As per the monitoring report of Regional Office – Ranchi, approximate geographical location of proposed site as mentioned in EIA report is 23°40' N latitude & 86 ° 20' E longitudes. However as per Google Earth image, the steel plant is located approximately 5.3 km from the above mentioned co-ordinate i.e., 23°40' N & 86 ° 20' E). Copy of the google image is enclosed as **Annexure –XIIA.**
- As per MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 22/01/2010 stated that any shift in project location after holding public hearing will be deemed to be a new proposal and will be appraised afresh as per the



procedure prescribed under EIA Notification, 2006 provided that the respective Expert Appraisal Committee (EAC) is satisfied that the shift is so minor as to have no change in EIA/EMP.

- In Writ Petition No. 2247 of 2012, Ministry filed a Counter Affidavit in the Hon'ble Court of Jharkhand stating that the clarification issued on 2/12/2011 is not an approval /amendment to the environmental clearance for change in location of the project site. In accordance with the Ministry's OM dated 22/01/2010, any shift in project location after holding public hearing will be deemed to be a new proposal and will be appraised afresh as per the procedure prescribed under EIA Notification, 2006 provided that the respective Expert Appraisal Committee (EAC) is satisfied that the shift is so minor as to have no change in EIA/EMP. Copy of the affidavit is enclosed as ***Annexure XIIB.***

In view of the above, it is clear that M/s. ESL has violated the general condition no. ii of the EC dated 21/02/2008 and also violated the provisions of the EIA Notification, 2006.

II. With respect to involvement of Forest land

Construction activity was also being carried out on notified forest land as well as on land which is recorded as jungle-jhar in the revenue records.

Response of M/s.ESL

- Claim of Forest Department of Government of Jharkhand regarding certain portions of plant area being forest land due to notification dated 24.05.1958 is untenable as this notification was issued in terms of provision to Section 29(3) of the Indian Forest Act.
- M/s. ESL mentioned various Court orders claiming that their project is not located in Forest land and they have purchased Raiyati land.
- Law laid down that the raiyati lands of the vendors cannot be declared protected forest. Hence, M/s. ESL had made bonafide statement in their application for grant of EC that; 'no forest land was involved' as ESL duly

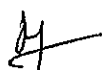


acquired the land of the plant area from such Raiyats holding proper right, title and interest in their lands.

Comments/views of the Dept. of Forest, Environment and Climate Change, State Govt. of Jharkhand

As per Annexure VI of the written submission of Dept. of Forest, Environment and Climate Change, State Govt. of Jharkhand, it is noted that DFO, Bokaro in the meeting held on 29/04/2009 with representatives of M/s. ESL stated clearly that non-forestry work is being done in notified Forest land and informed ESL to obtain NOC. DFO had shown original copy of the cadastral map proving that steel plant is located in notified Forest land. Further, DFO instructed M/s. ESL to stop the non-forestry work in said Forest land.

M/s. ESL has encroached upon 220.88 acres of protected Forest land notified under Section 29 of Indian Forest Act, 1927 vide Government of Bihar gazette Notification No. C/F-17014/58-1429R dated 24/05/1958 in 4 villages, i.e., Bhagabandh, Silajori, Hutupathar and Bandhdih. The said notification clearly mentions that owner of the land notified is Govt. of Bihar (Presently, Govt. of Jharkhand). The encroached forest land is located in 4 villages i.e., Bhagabandh (147.39 acres), Silajori (71.83 acres), Hutupathar (0.78 acres) and Bandhdih (0.88 acres). All these lands fall within the administrative jurisdiction of Bokaro Forest Division of Jharkhand Forest Department. Thus, the company has committed offences under the provisions of the Indian Forest Act, 1927. Further, the Company has not so far applied for diversion of notified forest land for non-forestry purpose, thereby, constituting violation of Forest (Conservation) Act, 1980 also. The majority of the notified protected forests which were encroached by the company were also recorded as Jungle Jhari in the record of Rights framed under section 8(3) of Chotanagpur Tenancy Act, 1908. Therefore, in terms of the Hon'ble Supreme Court order dated 12/12/1996 in Civil appeal no. 202/1995 T.Godaverman Thirmulpad Vs Union of India, these lands should be treated as "Forest" for the purpose of Forest Conservation Act, 1980, irrespective of title (or) possession. Out of 220.88 acres, only 17.68 acres in village Bhagabandh is the subject matter of a legal dispute over the title. In the remaining 202.20 acres, there is no title dispute. Hence, M/s. ESL has undeniably encroached upon government



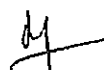
notified and demarcated 'Protected Forests' thus violating both Indian Forest Act, 1927 and Forest (Conservation) Act, 1980.

Comments/views of the JSPCB

As per provisions of Forest (Conservation) Act, 1980, no authority can divert Forest land for non-forestry activity without prior approval of the Central Government. The Hon'ble Supreme Court in Civil appeal no. 202/1995 T.GodavermanThirmulkpad Vs Union of India in its order dated 12.12.1996 has interpreted the word "Forest" for the purpose of implementation of Forest (Conservation) Act, 1980. According to Hon'ble Supreme Court Order dated 12/12/1996, the word "Forest" must be understood according to the dictionary meaning and all lands which are recorded as forest or its synonyms in Government records will attract provisions of Forest Conservation Act even if utilized/diverted for non-forestry purpose irrespective of their ownership. This order further stated that even if the title is in the name of tenant and the land is recorded as Forest or its synonyms in Government records then provisions of Forest Conservation Act, 1980 shall be applicable. JSPCB has further submitted that records placed in the file shows that 273 acres of land of plot number 1120, 1159, 1389 and 1321 of village Bhagabandh of Chaos block has been recorded in revenue records (or) rights (Khaityan) as jungle-jhari (or) jungle. Out of 273 acres, 220.88 acres of land is said to be notified as protected forest. M/s. ESL while taking environmental clearance from MoEF&CC has concealed vital information regarding "No Forest Land is involved".

Observations of MoEF&CC

As per the EC accorded, total project area was 1350 acres and no forest land was involved. However, as per the monitoring report of the Regional Office – Ranchi, random point at various sites/ location (latitude, longitude) within the plant premises were recorded through GPS instrument. Digital forest map of Chas range (where the M/s Electrosteel Integrated Ltd. Plant is located) was obtained from State Forest Department, Government of Jharkhand. After correlation and Superimposition, it was observed that many structures/infrastructures of the steel plant seems to be located on notified forest.



On the basis of the written submissions of Dept. of Forest, Environment and Climate Change, Dept. of Forest, Environment and Climate Change, State Govt. of Jharkhand and JSPCB, it is noted that M/s. ESL has encroached upon 220.88 acres of protected Forest land located in the 4 villages Bhagabandh, Silajori, Hutupathar and Bandhdih without prior approval of the Competent Authorities concerned. The Company has not so far applied for diversion of notified forest land for non-forestry purpose. Thus, M/s. ESL has violated the provisions of Indian Forest Act, 1927 and Forest (Conservation) Act, 1980.

III. With respect to encroachment of Revenue land


District collector cum District Magistrate (DM) of Bokaro District vide his letter no. 2070/RTI dated 08.09.2018 has given reply to MoEFCC, New Delhi enclosing C.O., chas (Bokaro) report and C.O., Chandankyari (Bokaro) report. As per the C.O. Chas (Bokaro) report M/s Electro steel has encroached total 142.90 acres pure Govt. land apart from encroaching notified forest land in chas circle. C.O. Chas (Bokaro) has also mentioned in his letter that M/s Electro Steel has also encroached river Izri. C.O. chas has further mentioned that M/s Electrosteel has gone to Hon'ble High Court of Jharkhand after District Administration order. The Hon'ble Court had ordered that "Until further order, no corrective other shall be taken against the petitioner pursuant to the impugned order. As per C.O. chandankyari (Bokaro report M/s Electro Steel has encroached total 120.65 acres of Govt. land in chandakyari circle.

Observations of MoEF&CC

M/s. ESL has encroached upon 142.90 acres of pure Govt. land in chas circle and 120.65 acres of Govt. land in chandakyari circle apart from the encroachment of Forest land.

IV. Non-compliances/partial compliances with respect to the conditions stipulated in the EC

As per the inspection report submitted to MoEF&CC vide letter no. 103-131/07/EPE dated 17/08/2017 by Regional Office – Ranchi, following environmental clearance conditions were partially complied/Not complied.



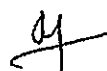
A. Specific conditions:

- **(Condition no. ii):** Permanent water sprinklers were not running during onsite monitoring. However, on enquiring the project authorities started them.
- **(Condition no. iii):** Dust extraction systems were not seen at sizing plants. Water sprinkling was not found satisfactory. Dust emissions were noticed in SMS plant also and it was pointed out to Manager/in-charge of the SMS plant there itself with instructions for proper cleaning /housekeeping & use of Pollution Control equipment.
- **(Condition no. vi):** Project authorities have not submitted the drawing/design & plan for Construction of rain water harvesting structures to RO Ranchi. Reservoir dimensions with drawing have not been submitted by project authorities.
- **(Condition no. viii):** Fly ash was disposed outside the plant boundary. That area is claimed by Project Proponent as their own land. However, documents regarding ownership of the land has not been submitted to RO Ranchi.
- There was no ground water monitoring near fly ash disposal area. Many solid waste, mostly slag, scrap iron was also disposed in plant premises but ground water monitoring near those waste disposal areas could not be done. The reason as per the project authorities was that they don't have the permission for withdrawal of ground water.
- **(Condition no. x):** Much BF slag was disposed outside the plant boundary. Project authorities did not submit the list of cement manufactures who have taken their slag & also the amount of slag sent to them in the year 2015-16. Amount of SMS Slag generated & utilized for road making was not submitted to RO Ranchi. Time bound action to reduce solid waste its proper utilization and disposal not submitted to RO Ranchi.
- **(Condition no. xi):** Amount of fly ash sent for brick manufacturing (in the year 2015-2016) with manufactures name not submitted to RO Ranchi. There was no landfill suitably designed to dispose the bottom ash. Fly ash was not sent to any Cement manufactures. Fly ash was disposed outside of the plant boundary. (The project authorities claimed that it is their purchased land but did not give any proof / documents thereof. Catch drains were constructed on only one side of the fly ash dump but it too was silted with very little space left.



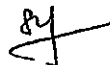
There were chances that rainwater may take fly ash to the adjoining area of the dump. Groundwater quality monitory report was not submitted for the area where fly ash was disposed. Latest leachate study with respect to slag and fly ash must be submitted.

- **(Condition no. xii):**The total project area as per EC is 1350 acres and so in 445.5 acres green belt should have been developed. The project authorities did not provide the acreage on which the green belt has been developed till date. Overall green belt development was not satisfactory. Along the periphery of plant at many places trees/green belt was negligible. As per project proponent EIA report p. no.5.7, 5.2.4.1:Greenbelt in and Around the Project Boundary-"With a view to attenuate noise and to mitigate negative impacts, it is recommended to develop greenbelt of 30-40 meter wide along the periphery of project site and at different site and at different possible locations within the project premises".p.no.5.8, Roadside Plantation-"Minimum of two rows of plants are required for plantation of roadside to minimize the pollution effects. While planting care should be taken to ensure that plants in second row fall in between the two plants of first row." The above conditions have not been complied.
- No document was submitted to show that green belt development was done in consultation with DFO.
- **(Condition no. xiii):** Fly ash disposal is not as per recommendations in CREP.
- **(Condition no. xiv):** Project authority have submitted copy of letter dated 08.05.2008 of Environment & Forest Department, Government of Jharkhand,in which it is mentioned that the department has no objection for establishment of Electrosteel integrated ltd. steel plant at Parbatpur of Chandankyari block. (with respect to specific condition xiv of EC letter). However, steel plant has been constructed at BhagabandhMauza of Chas block. Also, there is no mention of likely impact of proposed steel plant on surrounding reserve/protected forest & its remedy and Implementation in the State Govt, Jharkhand letter.



B. General conditions:

- **(Condition no. i):** Copy of the compliance report to JSPCB with respect to NOC/CTE & CTO Conditions not submitted to RO Ranchi.
- **(Condition no. ii):** Project Proponent has made its steel plant in Bhagabandh of Chas block instead of Parbatpur of Chandankiyari block without prior information to MOEFCC, New Delhi. However, MOEF&CC, New Delhi has vide its letter no J-11011/137/2006-IA II (I) dated- 02.12.2011 to M/s Electrosteel Integrated Limited writes that "the overall impacts predicted in the study area do include the area covered by Bhagabandh in the western direction of proposed lay out of the steel plant. During the public hearing people from Bhagabandh / Chas block were present." The Ministry further writes in the letter that "the revised layout plan submitted by the proponent shows that the plant is located within the EIA study area."
- Also in the EC letter the company's name mentioned is "M/s Electrosteel Integrated Ltd." while the company is sending its documents/Six monthly compliance reports in the name of M/s Electrosteel Steels Limited.
- **(Condition no. iii):** Interlocking facilities so that process can be automatically stopped in case emission level exceeds the limit was not shown.
- **(Condition no. iv):** Ambient air quality monitoring stations have not been shown on plant layout. Copy of documents to prove that the ambient air quality monitoring stations have been established in consultation with JSPCB were also not submitted.
- **(Condition no. v):** Some sludge cakes after treatment were kept inappropriately during the visit and it was pointed out to Head (Environment) doing onsite monitoring.
- **(Condition no. vi):** In the plant workers were not wearing ear plugs/muffs even in noisy area. When a worker was asked he told that ear plug was not issued to him.
- **(Condition no. vii):** Medical examiner's (Physician) name is not clear in the report. A copy of list of both (Initial & Periodical medical examination) not submitted to RO Ranchi.



- **(Condition no. viii):** There was also some waste materials /plastics found in the nala /joriya within plant premises. No pond & rainwater harvesting structures have been shown in plant layout submitted to RO Ranchi.
- **(Condition no. ix):** Many of the conditions mentioned in the EIA/EMP report, in the chapters Project Description, Anticipated Environmental Impacts & Mitigation Measures, Environmental Management Plan have not been complied.
- **(Condition no. xiii):** Project authorities did not inform about the date of commencing of the land development work.
- In this connection this is also to inform you that as per the Minutes of the meeting of the Public consultation dated 28.09.2007 organized by JSPCB, Jharkhand (for Integrated Steel Plant at Block Chandankyari, Jharkhand by M/s Electrosteel Integrated Limited) villagers from affected villages viz Chandaha, Batbinor, Parbatpur, Asansol, Talgaria, Mahal, Tetulia, Babugram/Kudharia, Uparbadha, Bhagabandh, Sialjori, Bandhdih, etc., were present. However, DFO Bokaro has reported that the steel plant has encroached 220.88 acres forest area in Bhagabandh, Sialjori, Hutupahar, Bandhdih. After superimposition of GPS points (Lat, long.) on the digital forest map, it seems that forest land (as stated by Jharkhand State Govt.) has been encroached.

Response of the M/s.ESL and comments of Regional Office - Ranchi

M/s. ESL has submitted point wise reply to the aforesaid non-compliances/ partial compliances of RO – Ranchi. This has been examined by Regional Office – Ranchi. As per the examination of RO- Ranchi(*copy enclosed as Annexure –XIII*), still there are many non-compliances/partial compliances inter-alia including fugitive dust control measures, green belt development, utilization/disposal of fly ash, rain water harvesting, and non-adherence to the recommendations of EIA/EMP etc., which are yet to be complied by M/s. ESL.

Observations of MoEF&CC

M/s. ESL is yet to comply with the several environmental clearance conditions inter-alia including fugitive dust control measures, green belt development,



utilization/disposal of fly ash, rain water harvesting, and non-adherence to the recommendations of EIA/EMP etc. Further, as per the monitoring report, M/s. ESL has acquired 2667.51 acres whereas as per the environmental clearance accorded total land was only 1350 acres. However, this matter has not been clarified in the M/s. ESL reply.

9.0 Whereas, MoEF&CC noted that M/s. ESL has committed following violations from aforesaid para 8:

- i. As per the environmental clearance accorded, M/s. ESL must establish the 3.0 MTPA ISP at Parbatpur in the Chandankiyari block of Bokaro district whereas M/s. ESL has established and operating Integrated Steel Plant at Bhagabandhmouza of Chas block of Bokaro District without the prior approval of MoEF&CC. Hence, M/s. ESL has violated the general condition no. ii of the EC dated 21/02/2008 and also violated the provisions of the EIA Notification, 2006. Further, as per the Google Earth image, the steel plant is located approximately 5.3 km from the above original co-ordinate i.e., 23°40' N & 86 ° 20' E as mentioned in the EIA report. Such, shift in project location will be deemed to be a new proposal and mandates fresh appraisal as per the procedure prescribed under EIA Notification, 2006.
- ii. M/s. ESL has encroached upon 220.88 acres of protected Forest land located in the 4 villages Bhagabandh, Silajori, Hutupathar and Bandhdih without prior of the Competent Authorities concerned. The Company has not so far applied for diversion of notified forest land for non-forestry purpose. Thus, M/s. ESL has violated the provisions of Indian (Forest) Act, 1927 and Forest (Conservation) Act, 1980.
- iii. M/s. ESL has encroached upon 142.90 acres of pure Govt. land in chas circle and 120.65 acres of Govt. land in chandakyari circle apart from the encroachment of Forest land.
- iv. M/s. ESL is yet to comply with the several environmental clearance conditions inter-alia including fugitive dust control measures, green belt development, utilization/disposal of fly ash, rain water harvesting, and non-adherence to the recommendations of EIA/EMP etc. Further, M/s. ESL has acquired 2667.51 acres beyond 1350 acres stipulated in the environmental clearance.



10. Whereas serious violations/non-compliances to the stipulated environmental clearance conditions reported above mandate commensurate action.

11. Whereas M/s. ESL has requested MoEF&CC in their letter dated 7/9/2018 to favourably consider their request to deal with any irregularity finally established against the company through a relevant judicial process and for this purpose, they are willing to furnish a security to MoEF&CC in the form of a bank guarantee covering the amounts that may eventually be payable by the company for a resolution of legal issues such as NPV, compensatory afforestation and statutory charges as may be determined by MoEF&CC.

12. Now, therefore based on the response submitted by you vide letter dated 20/6/2012, additional documents submitted vide letter dated 7/9/2018&10/9/2018, written submissions of JSPCB, State Forest Department, Govt. of Jharkhand and District Collector cum District Magistrate, Bokaro and personal hearing held on 10/9/2018 and analysis made by the Ministry, the Competent Authority hereby decided to revoke the environmental clearance accorded vide letter no. J-11011/137/2006-IA.II(I) dated 21/02/2008 to M/s. Electrosteel Steels Limited with immediate effect in accordance with the Section 5 of the Environment (Protection) Act, 1986.

13. M/s. Electrosteel Steels Limited may apply for environmental clearance afresh after clearing all the issues as per the rules.


13. This issues with the approval of the Competent Authority.


(Sharath Kumar Pallerla)
Scientist 'F'/Director

Copy to:-

1. **The Secretary**, Department of Environment, Government of Jharkhand, Secretariat, Ranchi – *It is requested to ensure compliance with the aforesaid Order of the Ministry.*

2. **The Additional Principal Chief Conservator of Forests (C)**, Ministry of Environment and Forest, Regional Office (ECZ), Bungalow No. A-2, Shyamali Colony, Ranchi-834002 – *It is requested to ensure compliance with the aforesaid Order of the Ministry.*
3. **The Chairman**, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032 – *It is requested to ensure compliance with the aforesaid Order of the Ministry.*
4. **The Chairman**, Jharkhand State Pollution Control Board, T.A. Division Building (Ground Floor), HEC Campus, P.O. Dhurwa, Ranchi - 834004, Jharkhand – *It is requested to ensure compliance with the aforesaid Order of the Ministry and take immediate action in accordance with the Acts/Rules.*
5. **The Member Secretary**, Central Ground Water Authority, A2, W3 Curzon Road Barracks, K.G. Marg, New Delhi-110001.
6. **The District Collector**, Bokaro District, Jharkhand – *It is requested to ensure compliance with the aforesaid Order of the Ministry*
7. **Guard File / Record File / Monitoring File.**
8. **MoEF&CC Website.**


(Sharath Kumar Pallerla)
Scientist 'F'/Director