

Item No. 01

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

I.A. No. 09/2019
IN
Application D. No. 10/2019

Telangana Renewable Green Energy Welfare

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 20.02.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Mr. P. Venkaiah Naidu, Advocate

ORDER

1. This application seeks a declaration that decision of the Technical Review Committee Meeting (TRC) of the Ministry of Environment & Forest & Climate Change (MoEF&CC) and the resultant Office Memorandum of MoEF&CC, HSM Division, Government of India dated 05.06.2015 sought to be pressed for implementation by the Telangana State Pollution Control Board through its orders passed in the year 2018, communicated by letter dated 11.07.2018 of the MoEF&CC, Government of India, the 1st respondent herein as arbitrary, illegal, capricious and opposed to all canons of law and justice and consequently direct the Respondents not to proceed with the implementation of the Office Memorandum of the 1st Respondent dated 05.07.2018 in any manner whatsoever and pass such other order or further orders as this Tribunal deems fit and proper under the circumstances of the case.

2. The applicants are various industries engaged in the business of Tyre Pyrolysis units. Pyrolysis is a thermo chemical decomposition of organic material at elevated temperatures in the absence of oxygen (or any halogen). It involves the simultaneous change of chemical composition and physical phase and is irreversible. The Pyrolysis method for recycling used tyre is a technique which heats whole or shredded tyres in a reactor vessel containing an oxygen free atmosphere and a heat source. In the reactor the rubber is softened after which the rubber polymers continuously break down into smaller molecules. These smaller molecules eventually vaporize and exit from the reactor. These vapors can be burnt directly to produce power or condensed into an oily type liquid, generally used as a fuel. Some molecules are too small to condense. They remain as a gas which can be burned as fuel. The minerals that were part of the tyre, about 40% by weight, are removed as a solid.

3. The MOEF&CC, based on an opinion of TRC, has laid down a standard operating procedure for the manufacturing process by which the applicants are aggrieved.

4. We are of the view that the grievance of applicant is not maintainable before this Tribunal having regard to the provisions of Section 14 and 15 of the National Green Tribunal Act, 2010 and judgment of the Hon'ble Supreme Court in Techitara Vs. Rajendra Singh Bhandari & Ors.¹

¹ 2018 (11) SCC 734

In view of the above, the application is dismissed as not maintainable.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

February 20, 2019
I.A. No. 09/2019 IN Application D. No. 10/2019
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