

**IN THE NATIONAL GREEN TRIBUNAL, EASTERN ZONE
BENCH
AT KOLKATA**

ORIGINAL APPLICATION NO. 117 OF 2024

IN THE MATTER OF:

M/S Sai Fertilizers Pvt Ltd

... Applicant

Vs.

CENTRAL POLLUTION CONTROL BOARD

~~Union of India & Ors.~~

... Respondents

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Through



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Advocates for Respondent No. 5
S-266, Greater Kailash -1,
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Place: New Delhi

Date: 03.07.2024.

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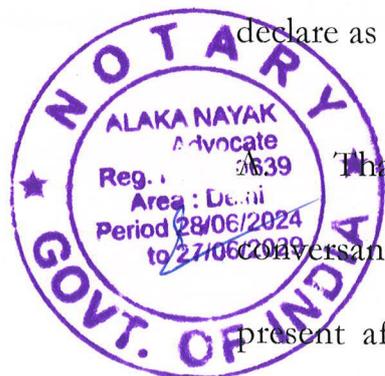
~~Central Pollution Control Board & Ors.~~

... Respondents

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 5

I, D. Ramakrishnan, S/o Shri Late K.R. Doraisamy, aged about 69 years, Secretary of the Respondent No. 5 herein, having office at FAI House, 10 Shaheed Jit Singh Marg, New Delhi – 110067, do hereby solemnly affirm and

declare as under: -



That in my capacity as the Secretary of Respondent No. 5, I am well conversant with the facts of the present case and hence competent to swear the present affidavit. That the factual submissions made hereunder are true and correct to the best of my knowledge, information, and belief. In these circumstances, it is just and necessary that this Hon'ble Tribunal may be pleased to accept the accompanying Counter Affidavit on file in the interests of justice.

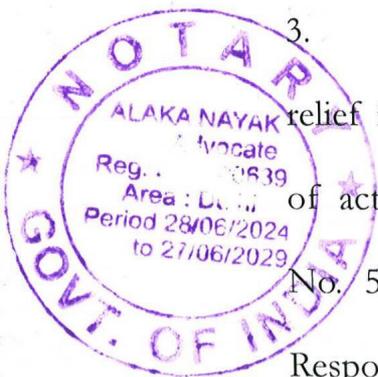
D. Ramakrishnan

PRELIMINARY SUBMISSIONS

1. That the Applicant in the present Original Application has *inter alia* sought direction from this Hon'ble Tribunal to the Respondent No. 1 that final Standard Operating Procedure (SoP) for utilization of Spent Sulphuric Acid generated from Liner Alkyl Benzene Sulphonic Acid (LABSA) process in manufacture of Single Super Phosphate (SSP) Fertilizers, be issued expeditiously.

2. That the Respondent No. 1 during the pendency of the present Original Application i.e. June, 2024 has duly issued Standard Operating Procedure (SoP) for utilization of Spent Sulphuric Acid generated from LABSA process in manufacturing of SSP Fertilizers and thus the prayers sought in the present Original Application stand satisfied. A copy of Standard Operating Procedure (SoP) for utilization of Spent Sulphuric Acid generated from LABSA process in manufacture of (SSP) Fertilizers as issued by Respondent No. 1 in June, 2024 is annexed hereto as **Annexure- R**

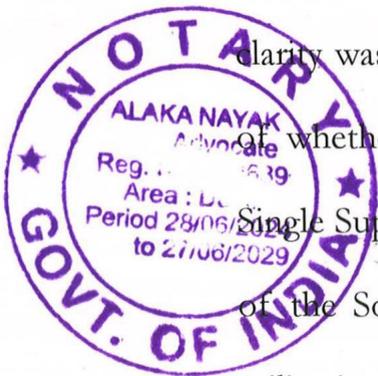
3. That the Applicant in the present Original Application has sought no relief from or against the Respondent No. 5 herein and further there is no cause of action pleaded in the present Original Application against the Respondent No. 5. That even otherwise it is not within the remit or competence of Respondent No. 5 to issue Standard Operating Procedure (SoP) for utilization of Spent Sulphuric Acid generated from LABSA process in manufacture of



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(SSP) Fertilizers (which is the relief sought in the present Original Application). Such SoP can only be issued by Respondent No. 1. In continuation of the foregoing, it is stated that Respondent No. 5 herein is an association of Fertilizer Units in India and is a non-profit and non-trading company, registered under Section 26 of the Companies Act, 1913. The Respondent No. 5 *inter alia* represents fertilizer manufacturers, distributors of fertilizers, importers of fertilizers etc. and was established in the year 1955. Accordingly, it is stated that the Respondent No. 5 has been wrongly arrayed as party in the present Original Application.

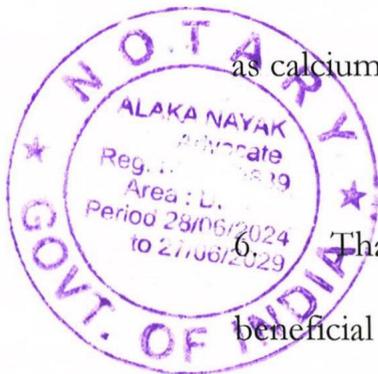
4. That without prejudice to the contents of paragraphs 1 to 3 hereinabove, it is stated that Respondent No. 5 does not oppose/object to the reliefs as sought for by the Applicant vide the present Original Application before this Hon'ble Tribunal. That since the issuance of the draft Standard Operating Procedure (SoP) by the Respondent No. 1 in January 2024 until June 2024, no clarity was given by either Respondent No. 1 or Respondent No. 2 on the issue of whether the use of Spent Sulphuric Acid is allowed in the manufacture of Single Super Phosphate (SSP) fertilizers during the interim period till finalization of the SoP. However, now that the Standard Operating Procedure (SoP) for utilization of Spent Sulphuric Acid generated from LABSA process in manufacture of (SSP) Fertilizers has been issued by Respondent No. 1 there is no uncertainty as regards usage of Spent Sulphuric Acid from LABSA in



D. Ramakrishnan

manufacture of SSP Fertilizers and the concerns of the Applicant herein is now taken care of. It is stated that vide the SoP issued by Respondent No. 1 in June 2024, the Respondent No. 1 has permitted the usage of Spent Sulphuric Acid (generated from LABSA) for manufacturing SSP Fertilizers.

5. That it is stated that use of Spent Sulphuric Acid produced from LABSA process may be allowed for manufacture of SSP as it forms an integral part of the agriculture ecosystem in India. That SSP is an important indigenous low-cost fertilizer produced in India. History of SSP Fertilizers dates back to 1906, when the first fertilizer factory was commissioned in Ranipet, Tamil Nadu for the production of SSP. SSP in addition to phosphate is an excellent source of two other plant nutrients viz., Sulphur (S) and Calcium (Ca). The presence of both Sulphur (S) and Calcium (Ca) in SSP can be an agronomic advantage to soils where both of these nutrients are deficient and especially for oilseeds and pulses. That SSP is preferred for oilseed crops as Sulphur (S) is an integral part of many edible oils. That the presence of Calcium (Ca) in SSP is also useful in acidic soils as calcium (Ca) helps increase yields.



6. That production and utilization of SSP is far more economical and beneficial for farmers. SSP is not imported because it is not a globally traded product. That SSP is generally more cost-effective. This is because SSP is made through a simpler manufacturing process which requires fewer resources. That a

J. Ramnath

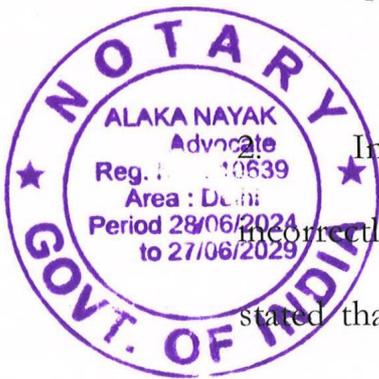
large number of units produce SSP from indigenous rock phosphate and spent/recycled sulphuric acid. That SSP even has a lower carbon footprint because it is made in a simpler way that uses less energy and puts out fewer greenhouse gases.

PARA-WISE REPLY

1. That the contents of paragraphs 1 to 5 of the present application under reply are matters of record. Hence, the same do not merit response from Respondent No. 5.

PARA-WISE REPLY TO BRIEF FACTS

1. That the contents of paragraphs 1 to 2 under the head of 'Brief Facts' in the present application under reply are matters of record. Hence the same do not merit response from Respondent No. 5.



In response to the contents of the corresponding paragraph which is incorrectly numbered as 6 in the present Original Application under reply, it is stated that during the pendency of the present Original Application i.e. June, 2024 has duly issued Standard Operating Procedure (SoP) for utilization of Spent Sulphuric Acid generated from LABSA process in manufacturing of SSP Fertilizers and thus the prayers sought in the present Original Application stand satisfied.

D. Ramnarayan

3 to 7. That the contents of paragraphs 3 to 7 under the head of 'Brief Facts' in the present application under reply are matters of record. Hence, the same do not merit any response from Respondent No. 5.

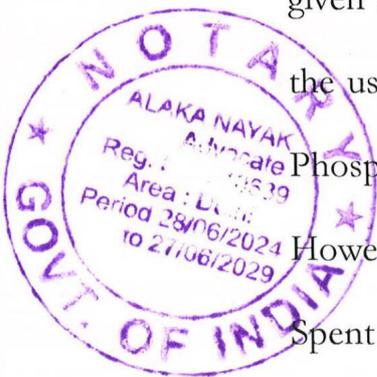
8. That in response to the contents of corresponding paragraph 8 under the head of 'Brief Facts' in the present application under reply, it is stated that Respondent No. 5 does not oppose/object to the reliefs as sought for by the Applicant vide the present Original Application before this Hon'ble Tribunal. The factual position put forth by the Applicant regarding its financial health which has been impacted due to the uncertainty on the use of Spent Sulphuric Acid generated from LABSA process for manufacturing SSP Fertilizers is true and correct. That since the issuance of the draft Standard Operating Procedure (SoP) by the Respondent No. 1 in January 2024 until June 2024, no clarity was given by either Respondent No. 1 or Respondent No. 2 on the issue of whether

the use of Spent Sulphuric Acid is allowed in the manufacture of Single Super Phosphate (SSP) fertilizers during the interim period till finalization of the SoP.

However, now that the Standard Operating Procedure (SoP) for utilization of Spent Sulphuric Acid generated from LABSA process in manufacture of (SSP)

Fertilizers has been issued by Respondent No. 1 there is no uncertainty as regards usage of Spent Sulphuric Acid from LABSA in manufacture of SSP

Fertilizers and the concerns of the Applicant herein is now taken care of. It is



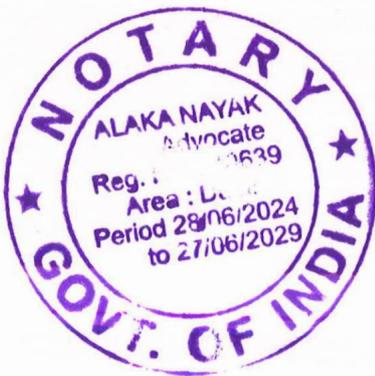
D. Ramannaiah

stated that vide the SoP issued by Respondent No. 1 in June 2024, the Respondent No. 1 has permitted the usage of Spent Sulphuric Acid (generated from LABSA) for manufacturing SSP Fertilizers.

PARA-WISE REPLY TO GROUNDS

9 (A to D). That in response to the contents of paragraphs A to D under the head of 'Grounds' in the present application, it is stated that during the pendency of the present Original Application i.e. June, 2024 has duly issued Standard Operating Procedure (SoP) for utilization of Spent Sulphuric Acid generated from LABSA process in manufacturing of SSP Fertilizers and thus the prayers sought in the present Original Application stand satisfied since the SoP issued in June 2024 permits the manufacturing of SSP by way of utilization of Spent Sulphuric Acid generated from LABSA process. Reliance in this regard is further placed upon the contents of the preliminary submissions stated hereinabove.

9 (E to F). That in response to the contents of paragraphs E to F under the head of 'Grounds' in the present application, it is stated that the same are matters of record. Further, reliance in this regard is placed upon the contents of the preliminary submissions hereinabove.



D. Ramamohan

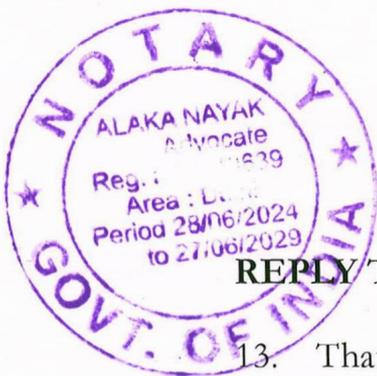
9 (G). That in response to the contents of paragraph G, it is stated that same are internal matters of Applicant herein and thus do not merit any response from Respondent No. 5 herein.

9 (H). That in response to the contents of paragraph H under the head of 'Grounds', reliance is placed upon the contents of preliminary submissions as stated hereinabove.

10 to 11. That the contents of paragraphs 10 to 11 of the present application under reply do not merit any response from Respondent No. 5.

REPLY TO PRAYER FOR INTERIM RELIEF

12. That in response to the Applicant's prayers for Interim Relief, it is stated that Respondent No. 5 does not oppose/object to the interim relief sought by it. Further, reliance in this regard is placed upon the contents of the preliminary submissions stated hereinabove.



REPLY TO PRAYER

13. That in response to the Applicant's prayers (i) to (iv) in the present Original Application, it is stated that Respondent No. 5 does not oppose the same.

D. Ramachandran

Further, reliance in this regard is placed upon the contents of the preliminary submissions stated hereinabove.

14. Therefore, it is requested that this Hon'ble Tribunal may kindly be pleased to dispose of the present application after considering the submissions made in the present Counter Affidavit on behalf of Respondent No. 5.

15. I state that the contents of the above affidavit are true and correct and nothing material has been concealed therefrom.

D. Ramamurthi
The Fertiliser Association of India
New Delhi
DEPONENT

03 JUL 2024
03 JUL 2024

VERIFICATION

Verified at New Delhi on this the 03rd day of July 2024 that the contents of the above affidavit are true and correct to my knowledge and information received by me and believed to be true. Nothing material has been concealed therefrom.

Sorad

Identify the Deponent who has signed/nr T

03 JUL 2024
03 JUL 2024

NOTARY
ALAKA NAYAK
Area : L
Period 28/06/2024
to 27/06/2029
GOVT. OF INDIA

CERTIFIED THAT THE DEPONENT
S/o / G/o / M/o
S/o, W/o No
I identified by S/o / S/o
Has solemnly affirmed before me at
Delhi on as at No
That the contents of the affidavit which
have been read & explained to
him are true & correct to his knowledge

D. Ramamurthi
The Fertiliser Association of India
New Delhi
DEPONENT

**Standard Operating Procedure and Checklist of Minimal
Requisite Facilities for utilization of hazardous waste under Rule
9 of the Hazardous and Other Wastes (Management and
Transboundary movement) Rules, 2016**

**Utilization of spent sulphuric acid (SSA) [generated from Linear
Alkyl Benzene Sulphonic Acid (LABSA) process] in
manufacturing of Single Super Phosphate**



June, 2024

**Central Pollution Control Board
(Ministry of Environment, Forest & Climate Change,
Government of India)
Parivesh Bhawan, East Arjun Nagar,
Shahdara, Delhi – 110032**

Utilization of spent sulphuric acid [generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process] in manufacturing of Single Super Phosphate

Procedure for grant of authorization by State Pollution Control Boards (SPCBs)/ Pollution Control Committee (PCCs) for utilization of Hazardous waste

- 1) While granting authorization for utilization of hazardous wastes, SPCBs/PCCs shall ensure that authorization is given only to those wastes for which Standard Operating Procedures (SoPs) for utilization have been circulated by Central Pollution Control Board (CPCB) ensuring the following:
 - a. The waste (intended for utilization) should have similar source of generation as specified in SoP.
 - b. The utilization shall be similar to as described in SoP.
 - c. End-use / product produced from the waste shall be same as specified in SoP.
 - d. Authorization shall be granted only after verification of details and minimum requisite facilities as given in SoP.
 - e. Issuance of passbooks (similar to the passbooks issued for recycling of used oils, waste oil, non-ferrous scraps, etc.) for maintaining records of receipt of hazardous wastes for utilization.
 - f. Monitor closely the quantity of hazardous waste (spent sulphuric acid) being sent by generators and the quantity being utilized by authorized facilities to manufacture the product (Single Super Phosphate), including the end usage of the product.
- 2) After issuance of authorization, SPCBs/PCCs shall verify the compliance of checklist and SoP on quarterly basis for initial 1 year; followed by random checks during subsequent period for atleast once a year. The compliance reports may be submitted to CPCB.
- 3) In-case of lack of requisite infrastructures with the SPCBs/PCCs, they may engage 3rd party institutions or laboratories having EPA, 1986/NABL/ISO17025 accreditation/ recognition for monitoring and analysis of prescribed parameters in SoPs for verification purpose.
- 4) SPCBs/PCCs shall provide half yearly updated list of units permitted under Rule 9 of Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 (HOWM Rules, 2016) to CPCB and also upload the same on SPCB/PCC website, periodically. Such updated list shall be sent to CPCB.
- 5) Authorization for utilization shall not be given to the units located in the State/Union Territory where there is no Common TSDF, unless the unit ensures authorised captive disposal of the hazardous waste (generated during utilization) or its complete utilization or arrangement of sharing with any other authorised disposal facility.
- 6) In case of the utilization proposal is not same with respect to source of generation or utilization process or end-usage as outlined in this SoP, the same may be referred to CPCB for clarification/conducting trial utilization studies and developing SoP thereof.
- 7) The source and work zone standards suggested in the SoP are based on E(P)A notified and OSHA standard respectively. However, SPCBs/PCCs may impose more stringent standards based on the location or process specific conditions.
- 8) SPCBs/PCCs shall ensure that the utilizer of spent sulphuric acid (SSA) shall maintain daily records in National Hazardous Waste Tracking System (NHWTS).

Utilization of spent sulphuric acid [generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process] in manufacturing of Single Super Phosphate

102.0 Utilization of Spent Sulphuric Acid:

Type of HW	Source of generation	Recovery/Product
Spent Sulphuric Acid (Category no. B-15 & C 2 of Schedule II of HOWM Rules, 2016)	Linear Alkyl Benzene Sulphonic Acid (LABSA) manufacturing process in detergent industry or any other industry producing LABSA for supply to detergent industry.	As a supplementary resource in manufacturing Single Super Phosphate (SSP)

102.1 Source of Waste (Spent Sulphuric Acid)

Sulphonation reaction of Linear Alkyl Benzene with sulphuric acid (98%) and oleum in presence of water results in formation of LABSA, a synthetic detergent. During this process 70 – 80% concentrated spent sulphuric acid is generated. This spent sulphuric acid is categorized as hazardous waste as category B-15 (Inorganic Acid) & C2 of Schedule II of HOWM Rules, 2016 which is required to be disposed in authorized disposal facility in accordance with authorization condition, when not utilized as resource recovery.

Table 1: - Typical Characteristic of spent sulphuric acid generated from LABSA

Parameters	Results	Unit
Moisture	19	%
Acid content (H ₂ SO ₄)	80	%
pH	Highly acidic	-
TOC	200	ppm
Nickel	3	mg/Kg
Calcium	6	mg/Kg
Cobalt	0.13	mg/Kg
Iron	720	mg/Kg
Copper	0.12	mg/Kg
Zinc	3.5	mg/Kg

102.2 Utilization Process

- (a) **At production stage** – Rock Phosphates is grinded and screened through 0.15 mm screen. The coarse material is sent back to silo for grinding and the fine material charged to acidulation vessel along with Spent Sulphuric acid and water. The reacted mass is cured for 2-6 weeks and the final product (i.e., SSP) is packed in form of powder or in form of granules.
- (b) **End utilization** – The product (i.e. SSP fertilizer produced utilizing the spent sulphuric acid) to be applied on land as fertilizer as per the SOP given at section 102.3 (b).

Utilization of spent sulphuric acid [generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process] in manufacturing of Single Super Phosphate

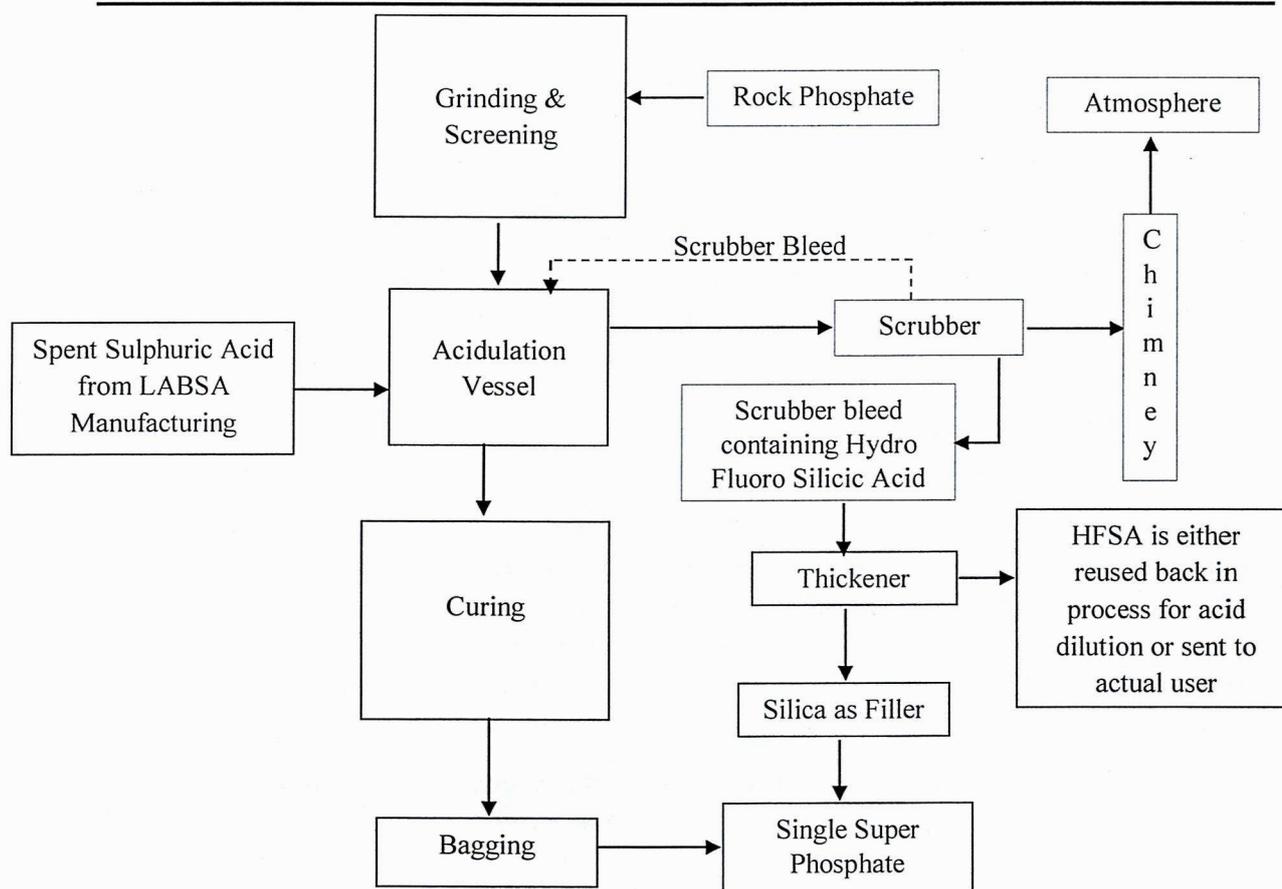


Figure 1: Process flow diagram for utilization of Spent Sulphuric acid in manufacturing of SSP

102.3 Standard Operating Procedure for utilization

(a) At production stage:

This SoP is applicable only for utilization of spent sulphuric acid generated from LABSA process in manufacturing of Single Super Phosphate.

- 1) The spent sulphuric acid shall be transported in SPCB/PCC registered tankers mounted on vehicles fitted with requisite safeguards ensuring no spillage of the same.
- 2) There shall be a designated space for unloading of spent sulphuric acid in to a storage tank. The receiving storage tank shall be placed above the ground and contained with low raise parapet/bund wall with proper slope to collect spillages, if any, into a collection pit.

Further, storage sheds shall have proper slope and seepage collection pit to collect seepage/ floor washing. The collected seepage / floor washing shall be utilized in the process or channelized to ETP for further treatment.

- 3) The spent sulphuric acid shall be transferred through pump to acid feeder where water is mixed to maintain strength of acid as per requirement, ensuring no manual intervention.
- 4) The handling and transfer of the Spent Sulphuric acid shall be carried out through mechanised system ensuring no fugitive emissions.

Utilization of spent sulphuric acid [generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process] in manufacturing of Single Super Phosphate

- 5) The process shall be in a closed system, provided with proper platform for acid feeder and acidulation vessel.
- 6) The units such as grinder and screening shall be connected with adequate dust collection equipment viz. cyclones and bag filters and the dust generated shall be reused back in the system.
- 7) Adequate water and alkali scrubbers to be installed for acidulation vessel for control of process fumes.
- 8) The treated gases shall comply with emission norms prior to dispersion into atmosphere through stack. The stack height shall be a minimum of 30 m from ground level or as prescribed by the concerned SPCB/PCC, whichever is higher.
- 9) The scrubber bleed containing Hydro Fluoro Silicic acid (HFSA) shall be recycled back in to the acidulation vessel OR sent to thickener for separation of HFSA and silica. The silica shall be used as filler in the final product and the HFSA may be sent to authorized recyclers or reused back in the process.
- 10) Treatment and disposal of wastewater:

Waste water generated from floor-washings, spillages, reactor washing, etc. shall be treated Physico-Chemically in an ETP so as to comply with inlet standards prescribed in case of CETP or be treated in captive ETP having adequate treatment facilities to comply with surface water discharge standards as stipulated in the Consent issued by the SPCBs/PCCs.

In case of zero discharge condition, the treated waste water from ETP may be managed as per conditions stipulated by the SPCB/PCC.
- 11) The hazardous wastes generated (if any) during utilization process shall be collected and temporarily stored in non-reactive drums under a dedicated hazardous waste storage area and be sent to authorized common TSDF or other authorized facility within 90 days from generation of the waste in accordance with the authorization issued by the concerned SPCB/PCC. Such storage shall be done under covered storage area with proper ventilation.
- 12) Prior to utilization of spent sulphuric acid, the unit shall obtain authorization for generation, storage, and utilization from the concerned SPCB/PCC under HOWM Rules 2016.
- 13) The unit shall maintain proper ventilation in the work zone and process areas. All personnel involved in the plant operation shall wear proper PPEs specific to the process operations involved and type of chemicals handled as per MSDS. The safety precautions of the worker shall be in accordance with the Factory Act, 1948, as amended from time to time.
- 14) Transportation of spent sulphuric acid shall be carried out by sender (generator) or receiver (utilizer) only after obtaining authorization from the concerned SPCB under HOWM Rules, 2016. Requisite manifest document shall be followed as laid down under the said Rules.

Utilization of spent sulphuric acid [generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process] in manufacturing of Single Super Phosphate

- 15) In case of environmental damages arising due to improper handling of hazardous wastes including accidental spillage during generation, storage, processing, transportation and disposal, the occupier (sender or receiver, as the case may be) shall be liable to implement immediate response measures, environmental site assessment and remediation of contaminated soil/groundwater/sediment etc. as per the "Guidelines on Implementing Liabilities for Environmental Damages due to Handling & Disposal of Hazardous Wastes and Penalty" published by CPCB.
- 16) The unit shall provide suitable fire safety arrangements and flame proof electrical fittings.
- 17) During the process of utilization and handling of hazardous waste, the unit shall comply with requirements in accordance with the Public Liability Insurance Act, 1991 as amended, wherever applicable.

(b) End Usage of the Product:

1. Final product SSP, manufactured utilizing above said hazardous waste shall meet the specifications of SSP as mentioned in Fertilizer Control Order (FCO), 1985 and amendments thereof.
2. The unit shall label the bags containing the product (i.e. Single Super Phosphate produced utilizing spent sulphuric acid) as "*This Single Super Phosphate has been manufactured by utilizing spent sulphuric acid, generated from LABSA process of detergent manufacturing industry.*" Further, all fertilizers products have to comply with the marking requirement specified in S.O. 977 (E) dated 9th November 1987 under FCO.
3. SSP produced by utilizing Spent Sulphuric acid (generated from LABSA process) is permitted to use as a fertilizer based on the long term trial studies and after the acceptance given by Department of Fertilizers letter no. 23011/23/2024-P&K/SSP dated 13/05/2024.

102.4 Record>Returns Filing

- 1) The unit shall maintain a passbook issued by the concern SPCB/PCC and maintain details of each procurement of spent sulphuric acid as mentioned below:
 - Address of the sender
 - Date of dispatch
 - Quantity procured
 - Seal and signature of the sender
 - Date of Receipt in the premises
- 2) A log book with information on source and date of generation/procurement of spent sulphuric acid, quantity, date wise utilization of spent sulphuric acid, quantity of SSP manufactured, hazardous waste generation and its disposal, etc. shall be maintained including analysis report of emission monitoring & effluent discharged, as applicable.
- 3) The unit shall maintain record of hazardous waste generated, utilized and disposed as per Form 3 & also file annual returns in Form 4 as per Rule 20 (1) and (2) of HOWM Rules, 2016.

Utilization of spent sulphuric acid [generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process] in manufacturing of Single Super Phosphate

- 4) The unit shall submit quarterly and annual information on hazardous wastes consumed, its source, products generated or resources conserved (specifying the details like type and quantity of resources conserved) to the concerned SPCB/PCC.
- 5) The unit shall use NHWTS to manage the manifest, enter daily records of quantity generated, disposed, etc. as soon as the portal is operational and till such time continue using platform provided by respective SPCB/PCC.

102.5 Standard

a) At Production stage:

- 1) Source emission monitoring from the common stack attached to scrubber shall comply with the following emission standards or as prescribed by the concerned SPCB/PCC, whichever is stringent;

PM	150.0 mg/Nm ³
SO ₂	40 mg/Nm ³
HF	25 mg/Nm ³
NO _x	25 mg/Nm ³
Total Fluoride	20 mg/Nm ³

- 2) Fugitive emission in the work zone shall comply with the following standards:

PM ₁₀	5.0 mg/m ³ TWA*
H ₂ SO ₄ mist	13 mg/m ³
Fluorine	0.2 mg/m ³

**Time-weighted average (TWA)- measured over a period of 8 hours of operation of process.*

- 3) Monitoring of the specified parameters for source emission shall be carried out quarterly for the first year followed by at least annually in the subsequent year of utilization. Fugitive emission for specified parameters shall be carried out quarterly. The monitoring shall be carried out by ISO 17025 accredited or EPA, 1986 approved laboratories and the results shall be submitted to the concerned SPCB/PCC on a quarterly basis.
- 4) Standard for wastewater discharge: Treated effluent shall be discharged in accordance with the conditions stipulated in Consent to Operate issued by respective SPCB/PCC under the Water (Prevention and Control of Pollution) Act, 1974. In case of (i) zero discharge as per consent or (ii) non-availability of Common Effluent Treatment Plant (CETP), the unit shall achieve zero discharge by setting up adequate captive treatment facility

b) At utilization stage:

- 1) SSP produced utilizing SSA should be analysed for the parameters, as prescribed in Fertilizer Control Order (FCO), 1985, and amendments thereof, once in every three months and be submitted to concerned SPCB/PCC. In case, parameters not meeting prescribed standards, utilization shall be stopped reported to concerned SPCB/PCC.
- 2) Final products manufactured utilizing SSA shall meet the specifications mentioned in Fertilizer Control Order, 1985 and amendments thereof.

Utilization of spent sulphuric acid [generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process] in manufacturing of Single Super Phosphate

102.6 Siting of production Industry

Facilities for production of SSP by utilizing spent sulphuric acid shall be located preferably in a notified industrial area or industrial park/estate/cluster and in accordance with Consent to Establish issued by the concerned SPCB/PCC.

102.7 Size of Plant & Efficiency of utilization

The production facility may use about 0.45 MT spent sulphuric acid per 0.56 MT rock phosphate (raw material) to produce 1 Metric Tonne of SSP. Therefore, requisite facilities of adequate size such as of storage shed and other plant & machinery as given in para 102.8 below shall be installed accordingly.

102.8 On-line detectors / Alarms / Analysers

Online emission monitoring systems shall be installed in case of continuous process operations for PM, SO₂, NO_x, and F as prescribed by the SPCBs/PCCs and the online data be connected to the server of the concerned SPCB/PCC and CPCB.

102.9 Checklist of Minimal Requisite Facilities

Sl. No	Particulars
1.	Storage tank(s) of adequate capacity to store Spent Sulphuric acid. Storage tank(s) shall be placed above the ground and contained with low raise parapet/bund wall with slope to collect spillages, if any, into collection pit.
2.	Mechanized system for transfer of spent sulphuric acid from storage tank to acid feeder and acidulation vessel.
3.	Grinder, reactor (acidulation vessel)
4.	Adequate water and alkali scrubbers shall be installed at acidulation vessel.
5.	Adequate dust collection system such as Cyclones and bag filters for dust collection at grinding and screening section.
6.	Suction arrangement to channelize emissions from grinding and screening section and dust collector system to Air Pollution Control Devices.
7.	Effluent treatment plant.
8.	Common Stack to have sampling port, platform, access to the platform etc. as per the guidelines on methodologies for source emission monitoring published by CPCB under laboratory analysis techniques LATS/80/2013-14.
9.	Online emission monitoring systems shall be installed in case of continuous process operations for PM, SO ₂ , NO _x , and F as prescribed by the SPCBs/PCCs.





NATIONAL GREEN TRIBUNAL, EASTERN ZONE AT KOLKATA

Case No. 117 of 2024

M/S Sai Fertilizers Pvt. Ltd.

Plaintiff/Appellant/Petitioner/Complainant

CPCB & Ors.

Versus

Contemnors/Defendants/Respondents/Accused

KNOW ALL to whom these presents shall come that I/We D. Ramakrishnan, the above Named AR of Respondent No. 5 do hereby appoint

Sarad Kumar Sunny (D/765/2012), Rohan Dua (D/6072/2022) & Keshav Mann (D/4261/2020)
266 (Ground Floor), S-Block, Greater Kailash 1, New Delhi – 110048.
Ph: +91-9958178853, E-Mail ID – saradksunny@gmail.com

(hereinafter called the Advocate/s) to be my/our Advocate in the above noted case authorize him/her:

To Act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the Appellate Court including High court subject to payment of fees separately for each court by me/us.

To sign, file, verify and present pleadings, appeals cross-objections or petitions for execution, review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents, to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

To deposit, draw and receive monthly cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/We the undersigned do hereby agree not to hold the Advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he shall receive and retain for himself.

And I/We undertake that I/We or my/our duly authorised agent would appear in court on all hearings and will inform the Advocate for appearance when the case is called.

And I/We the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if case prolongs for more than 3 years the original fee shall be paid by me/us.

IN WITNESS WHEREOF I/We do here unto set my/our hand to these presents the contents of which have been understood by me/us on this the 3rd July day of 3rd July, 2024.

Accepted subject to the terms of Fees.

K.L.M. (D/4261/2020)
Rohan Dua
D/6072/2022
Advocate
Sarad
D/765/2012



D. Ramakrishnan
Client
Identified
Sarad Client

CERTIFIED COPY OF THE FAI BOARD RESOLUTION PASSED BY CIRCULATION
ON 2ND MARCH, 2024

WHEREAS the Department of Fertilizers, Ministry of Chemicals & Fertilizers, has issued Office Memorandum No. 23011/8/2020 – P&K dated 23.11.2023, in addition to the Detailed Guidelines for Evaluation of Reasonableness of MRPs of P&K Fertilizer dated 15.11.2019 issued by Department of Fertilizers vide Office Memorandum No. 23011/1/2018-MPR.

NOW, THEREFORE BE IT as follows:

RESOLVED THAT The Fertiliser Association of India (“FAI”) be and is hereby authorised to represent its Members for challenging *inter alia* the above-mentioned notifications, office memoranda, guidelines and notices issued thereunder before the competent Courts in India.

FURTHER RESOLVED THAT the FAI is, be, and hereby also authorized to file further appeal or seek any other legal remedy, if required, during the course of legal proceedings.

FURTHER RESOLVED THAT Director General, FAI; Deputy Director General, FAI; and Secretary, FAI be and are hereby appointed as the true and lawful representative of the FAI to do either singly or jointly all or any of the acts, deeds, things specified hereinafter, in connection with above matter in the competent Court of Law (Original/Appellate and/or for Revision/Review Jurisdiction)

1. To sign, verify, pursue, and present petitions, suits, appeals, revision, applications, before appropriate Forum/Court and to give statement/affidavit either oral or written on oath and/or otherwise which may be required to be done by the FAI and to pursue in any manner such petitions, suits, applications and to take all such further steps as may be necessary and required for the purposes.

CERTIFIED COPY OF THE FAI BOARD RESOLUTION PASSED BY CIRCULATION
ON 2ND MARCH, 2024

2. To sign, verify and pursue, any application, replies, affidavits or any other relevant document, before the Court and to take all such further steps as may be necessary and required for the purposes.
3. To admit and/or deny any document, to receive and hand over the documents on behalf of the FAI for the said purpose. They are further authorized to file any application/pleadings, filing of which may become necessary at the subsequent stage for effectively pursuing the case.
4. To adduce evidence, give statement, inspect the judicial file and take notes and apply and receive certified copy thereof.
5. To engage and appoint any lawyer, advocate or attorney, and to sign either singly or jointly the affidavits, Vakalatnama and/or any other legal documents in the matter on behalf of the members and the FAI.
6. And to do all acts, deeds and things which are not specifically mentioned hereinabove but may become necessary at the subsequent stage for the effective disposal of each above mentioned case.

AND FURTHER RESOLVED THAT the expenditure in this regard be shared by the concerned members as per the established practice.

For The Fertilizers Association India

D. Ramakrishnan

D. Ramakrishnan
Secretary



Service of Counter Affidavit on behalf of Respondent No.5 (Fertilizer Association of India) in OA 117 of 2024 (NGT -Kolkata Bench)

1 message

Rohan Dua <rohandua18@gmail.com>

Wed, Jul 3, 2024 at 5:07 PM

To: gitanjali@eldfindia.com

Cc: Sarad Sunny <saradksunny@gmail.com>

Dear Ma'am,

I represent Respondent No.5 i.e. Fertilizer Association of India in the captioned application pending before Hon'ble NGT, Kolkata Bench.

In this regard, please find attached herewith Respondent No.5's Counter Affidavit to the captioned application alongwith an application for condonation of delay under Rule 16(6) of NGT (Practice and Procedure) Rules, 2016.

Regards,

Rohan Dua

Advocate

266 (Ground Floor),

S-Block, Greater Kailash 1,

New Delhi - 110048.

Mobile Number - +91 9650805135

2 attachments**Condonation of Delay Application NGT.pdf**

1326K

**Counter Affidavit-Sai Fertilizers.pdf**

18717K