

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTER ZONE BENCH, KOLKATA
(ORIGINAL APPLICATION NO. 157 OF 2024 / EZ)
(Earlier OA No.771/2024/PB)**

News item titled "Odisha 9 hospitalised
After suspected gas leak at Rourkela
Steel Plant" appearing in the Times of
India dated 01.07.2024

...Applicant

VERSUS

Central Pollution Control Board & Ors.

...Respondents

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3.	Photocopy of the preliminary investigation report for the inspection carried out on 01.07.2024. (ANNEXURE – R2/2)	
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SPCB Odisha, R.No.2

Through

Kolkata

Date:

Smt. Papiya Banerjee Bihani

Advocates for the Respondent No.2

(State Pollution Control Board, Odisha)

e-mail: pbanerjeebihani@gmail.com

Phone No.:9831493390

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTER ZONE BENCH, KOLKATA
MISCELLANEOUS APPLICATION NO.15/2024
(ORIGINAL APPLICATION NO. 157 OF 2024 / EZ)
(Earlier OA No.771/2024/PB)**

News item titled "Odisha 9 hospitalised
After suspected gas leak at Rourkela
Steel Plant" appearing in the Times of
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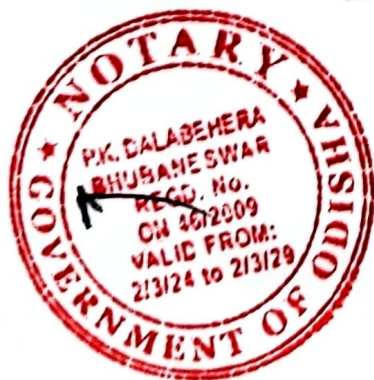
...Respondents

**AFFIDAVIT ON BEHALF OF STATE
POLLUTION CONTROL BOARD, ODISHA,
RESPONDENT NO.2.**

I, Dr. Kailasam Murugesan, IFS, son of late Paramasivam Kailasam aged around 56 years, at present working as Member Secretary, State Pollution Control Board, having my office at Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, P.O. Nayapalli, Bhubaneswar, Dist – Khurda, Odisha-751012, do hereby solemnly affirm and state as under:



1. That I am the Member Secretary of the Respondent No.2 Board and, as such, am well-acquainted with the facts and circumstances with the case and competent to swear this affidavit.
2. That the Hon'ble NGT, PB, New Delhi has suo motu taken cognizance of the news item appearing in The Times of India dtd.01.07.2024 titled "Odisha 9 hospitalised after suspected gas leak at Rourkela Steel Plant" and registered the same as OA No.771/2024/PB and in their order dtd.09.07.2024 has impleaded various authorities as respondents including this Board as R-2 and directed for filing the response before the EZB, Kolkata which will be listed on 10.09.2024. A copy of the order dtd.09.07.2024 of the Hon'ble NGT, PB, New Delhi in OA No.771/2024 referred above is annexed to this affidavit and marked as ANNEXURE – R2/1.
3. That notice has also been received from the Registrar, NGT, EZB, Kolkata wherein it is indicated that the case after transfer has been renumbered as OA No.157/2024



and notice has been issued for appearance on 10.09.2024.

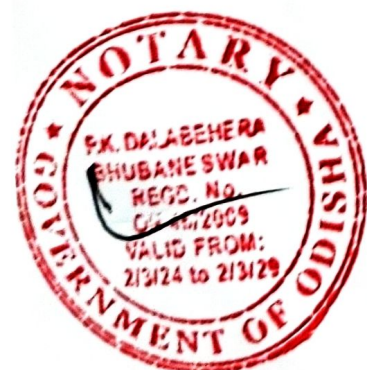
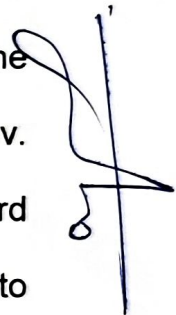
4. That it is humbly submitted that the R-2 Board on receipt of information about incidence through the news item and as per direction of Member Secretary of the R-2 Board, the officials of Regional Office, Rourkela have carried out inspection of the site on 01.07.2024 and submitted a preliminary investigation report on incidental exposure of Carbon Monoxide (CO), Blast Furnace-V of M/s. Rourkela Steel Plant, Rourkela, Dist-Sundargarh and forwarded the report to the head office, Bhubaneswar. Copy of the preliminary investigation report for the inspection carried out on 01.07.2024 is annexed to this affidavit and marked as **ANNEXURE – R2/2**.

5. That after receipt of the copy of preliminary investigation report at Annexure – R2/2, the R-2 has issued direction U/s-31A of the Air (PCP) Act, 1981 and U/s-33A of the Water (PCP) Act, 1974 to the Executive Director (Works) of M/s. Rourkela Steel Plant (SAIL), Rourkela vide letter



No.10200 dtd.05.07.2024 to comply certain measures and furnish action taken report within 15 days. It is indicated in the said direction that failure of submission of the compliance report, appropriate action will be shall be taken without giving any further opportunity. A copy of letter No.10200 dtd.05.07.2024 is annexed to this affidavit and marked as **ANNEXURE – R2/3**.

6. That in compliance to the direction at Annexure –R2/3, the M/s. Rourkela Steel Plant has submitted the action taken report vide their letter dtd.15.07.2024. In the meantime, Er.Chandrasekhar Chouhan, Dy.Env. Engineer of Regional Office, Rourkela of the R-2 Board has carried out inspection on 27.08.2024 in order to verify the compliance status of the direction issued by this Board vide Annexure – R2/3 and submitted a report indicating the compliance status of the unit. Copy of the action taken report dtd.15.07.2024 of Rourkela Steel Plant and copy of inspection report carried out on 27.08.2024 are annexed to this affidavit and marked as **ANNEXURE–R2/4** and **ANNEXURE – R2/5** respectively.



- 7. That the Respondent No.2 Board craves the leave of this Hon'ble Tribunal to file further affidavit if necessary for proper adjudication of this case.
- 8. That the annexures annexed to the present affidavit are true and correct copies of their originals.
- 9. That the contents of the above paragraphs are true and correct to the best of my knowledge, as derived from the official records, and that nothing material has been concealed therefrom.



[Signature]
DEPONENT
 Member Secretary
 State Pollution Control Board
 Odisha, Bhubaneswar

VERIFICATION:

I, the above named deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge, as derived from official records, and that nothing material has been concealed therefrom.

Verified at Bhubaneswar on this the 6th day of September, 2024.

THE ABOVE NAMED DEPONENT BEING IDENTIFIED BY.....*M.K. Pradhan*..... ADV. BBSR APPEARS BEFORE ME AND STATE AN OATH ON.....*21/9/24*..... AT ABOUTAM/PM THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE TO THE BEST OF HIS/ HER KNOWLEDGE

[Signature]
DEPONENT
 Member Secretary
 State Pollution Control Board
 Odisha, Bhubaneswar

[Signature]
P.K. DALASEHERA
 Notary, Bhubaneswar
 Regd. No. ON-46/09

ANNEXURE-R2/1

Item No. 04

Court No. 1

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

Original Application No. 771/2024

News item titled "Odisha 9 hospitalised after suspected gas leak at Rourkela Steel Plant" appearing in The Times of India dated 01.07.2024

Date of hearing: 09.07.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

ORDER

1. This Original Application is registered *suo-motu* on the basis of the news item titled "Odisha 9 hospitalised after suspected gas leak at Rourkela Steel Plant" appearing in The Times of India dated 01.07.2024.
2. The matter relates to the hospitalization of nine people following a suspected gas leak incident at Rourkela Steel Plant in Odisha. As per the article, nine persons, including three officials and six contract employees felt unwell while working in the blast furnace number 5 after coming in contact with some gas. It is alleged that the leak was reported in a blast furnace of the plant.
3. The above news item indicates violation of the provisions of the Public Liability Insurance Act, 1992 and the Environment Protection Act, 1986.
4. The news item raises substantial issue relating to compliance of the environmental norms and implementation of the provisions of scheduled enactment.

5. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.
6. Hence, we implead the following as respondents in this matter:
 - i. Central Pollution Control Board, Through its Member Secretary Parivesh Bhawan, East Arjun Nagar, Delhi-110032
 - ii. Odisha Pollution Control Board, Through its Member Secretary Paribesh Bhawan, A/118, Nilakantha Nagar, Unit – VIII, Bhubaneswar – 751012, Odisha
 - iii. Ministry of Environment and Forest, Regional Office Integrated Regional Office, A/3, Chandrasekharpur, Bhubaneswar – 751023
 - iv. District Magistrate, Sundargarh
Office of the Collector cum District Magistrate, Collectrate, Sundargarh, At/Po-Sundargarh, PIN-770001, Dist.Sundargarh
7. Let notice be issued to the above Respondents for filing their response before the Eastern Zonal Bench of the Tribunal.
8. Since the matter relates to the Eastern Zonal Bench, Kolkata, therefore, OA is transferred to the Eastern Zonal Bench for appropriate further action. Let the original record of this OA be transferred to the Eastern Zonal Bench, Kolkata.
9. List before Eastern Zonal Bench at Kolkata on 10.09.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 09, 2024
O.A. No. 771/2024
HB

ANNEXURE-R2/2



Preliminary investigation Report on Incidental Exposure of Carbon Monoxide (CO) Blast Furnace-V of M/S. Rourkela Steel Plant (SAIL), Rourkela Dist: Sundargarh, Odisha

On receipt of information about incident through news and Member Secretary, SPCB, Odisha and Er. B. K. Behera, CEE, SPCB, Odisha, Bhubaneswar, Blast Furnace-V of Rourkela Steel Plant was inspected on dtd.01.07.2024 by RO, SPCB, Odisha, Rourkela with Er. C. S. Chauhan, DEE and Er. B. K. Bhoi, DEE in connection with exposure of Carbon Monoxide (CO) gas in scrubber & clarifier area (near U-Seal-1) of Blast Furnace-V. Sri Sumeet Kumar, GM (Blast Furnace), Mr. P.C Dash, GM-I/C (Env. Engineering Department), Mr. V. V. R Murty, GM (Env. Engg Dept.) & others of RSP were present during inspection.

Observations:

1. By the time we reach at the incident site, affected person were shifted to the Ispat General Hospital (IGH). Area (U-seal-1 of Blast Furnace-5) where leakage was occurred has been cordoned off by the RSP.
2. Leakage was completely stopped by the RSP. We didn't find any CO leakage from the area during our visit. Which was also ensured through the CO gas detectors both by online and portable.
3. It was observed from the Continuous Ambient Air Quality Monitoring Stations (CAAQMS) installed by the RSP at four (04) location inside plant premises that concentration of Carbon Monoxide (CO) in the ambient area at respective locations does not exceeds the prescribed standards of the Board. It reflects that impact of leakage was local only.
4. The matter was discussed with the Sri Sumeet Kumar, GM (Blast Furnace) and others at the site. Following information has been furnished by the RSP (SAIL) authority:
 - At around 10:40 AM on dt.01.07.2024, employees working in scrubber & clarifier area of BF-5 found 3 labour of M/s TPL lying unconscious on the road near U-Seal - 1. Immediately ambulance was called on the spot by the area I/C and the above 3 workmen were taken to first aid and then admitted to the Ispat General Hospital (IGH) for treatment.
 - Gas leakage was observed from the drain of nearby U-Seal-1 and the U-Seal was immediately isolated.
 - 6 workmen who rescued the affected were also taken to first aid and 5 of them were admitted in IGH as a precautionary measure. 1 lady contractual employee was released after being administered the first aid at OHSC.

- Cause of the gas leakage is under investigation and details will be shared by the SAIL authority after a thorough enquiry.

Details of the injured person

Sl. No.	Name of the injured person	Designation	Age	Status
1.	Sri Jairam Barik	Sr Mgr, BF(O)	36	Bed-13, IGH
2.	Sri P. K. Sahu	MOMT, BF	52	Bed-14, IGH
3.	Sri Dikhisyam Das	MOMT, BF	36	Bed-11, IGH
4.	Sri Raju Ku. Maiti	Contractual	38	Bed-12, IGH
5.	Sri Pradip Kujur	Employees,	30	Bed-3(B), IGH
6.	Sri Santanu Nayak	M/S TPL	33	Bed-7, IGH
7.	Sri Suraj Chhatri		26	Bed-4, IGH
8.	Smt. Laxmi Singh	Contractual	34	Bed-10, IGH
9.	Smt. Pana Soren	Employees, M/s S K Gouda	39	Released after first aid

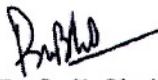
- All the eight persons admitted in IGH are in stable condition and will be released shortly.

Recommendation

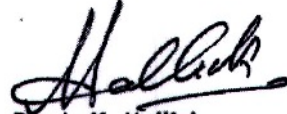
1. RSP shall ensure to deploy only trained workers in CO emission prone areas and they must have portable CO detector.
2. Industry shall upgrade existing alarm systems in the U-Seal areas.
3. Industry shall ensure proper housekeeping in Gas Cleaning Plant (GCP) area.
4. Industry shall clear the siltation in the drains in GCP area.

Note:

By the time report is prepared, it is informed by the RSP authority that all affected persons have been released from the Ispat General Hospital (IGH).


Er. B. K. Bhoi
Dy. Env. Engineer


Er. C. S Chauhan
Dy. Env. Engineer


Dr. A. K. Mallick
Regional Officer & ACES

ANNEXURE-R2/3



STATE POLLUTION CONTROL BOARD, ODISHA

(DEPT. OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVT. OF ODISHA)

A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012

Phone-2561909/ EPABX : 2561909/2562847

E-mail: cto17category@ospcboard.org / Website: www.ospcboard.orgNo 10200 /IND-I-CON - 01Dt 05.07.2024

By - Speed Post/E-Mail:

DIRECTION UNDER SECTION 31A OF AIR (P&CP) ACT, 1981 AND 33A OF WATER (P&CP) ACT, 1974 AMENDED THEREAFTER

WHEREAS, you are operating an Integrated Steel Plant in the name & style of **M/s. Rourkela Steel Plant (SAIL), At-Rourkela, Dist – Sundargarh** with Consent of the Board valid up to 31.03.2025, subject to strict compliance to Consent conditions;

AND WHEREAS, your unit was inspected by the officials of Regional Office, SPC Board, **Rourkela** on 01.07.2024 in connection with leakage of Carbon Monoxide (CO) gas in scrubber & clarifier area (near U-Seal-1) of Blast Furnace5 which occurred at around 10:40 AM on dt. 01.07.2024. (**Copy of the inspection report is enclosed**). From the Inspection report, following observations are made;

1. There was CO gas leakage in scrubber & clarifier area of Blast Furnace-5 at around 10:40 AM on dt.01.07.2024, causing exposure to about 9 no. of workers engaged in the proximity of the U-Seal-1 of Blast Furnace-5 area.
2. The existing alarm systems and CO Detectors for CO gas leakage in the U-Seal area was not functional.

AND WHEREAS, the above non-compliances establish that you have failed to comply with certain Consent conditions, under the provisions of the Air (P&CP) Act, 1981 & Water (P&CP) Act, 1974 and the rules framed there under;

NOW THEREFORE, by virtue of the power conferred under section 31A of the Air (P&CP) Act, 1981 & U/s. 33A of Water (P&CP) Act, 1974 as amended thereafter, the competent authority in the State Pollution Control Board, Odisha do hereby directed to comply the followings;

- Deploy only trained workers in CO emission prone areas and provide portable CO detector.
- Upgrade the existing alarm systems and CO Detectors for any CO gas leakage U-Seal areas of Blast Furnace – 5.
- Ensure proper housekeeping in Gas Cleaning Plant (GCP) area.
- Clear the silt and sediments in the drains in GCP area.

Contd.//



//02//

You are required to furnish action taken report in compliance to the above direction to the Board within 15 days, failing which appropriate action shall be taken against your unit without giving any further opportunity.

Encl: As above


MEMBER SECRETARY

To,

**The Executive Director (Works),
M/s. Rourkela Steel Plant (SAIL)
Rourkela - 769011
Dist -Sundargarh, Odisha**

Memo No. 10201 /Dt. 05-07-2024 / By Email

Copy forwarded to the Regional Officer, **Rourkela** for information and necessary action.


CHIEF ENV. ENGINEER



ANNEXURE-R2/4




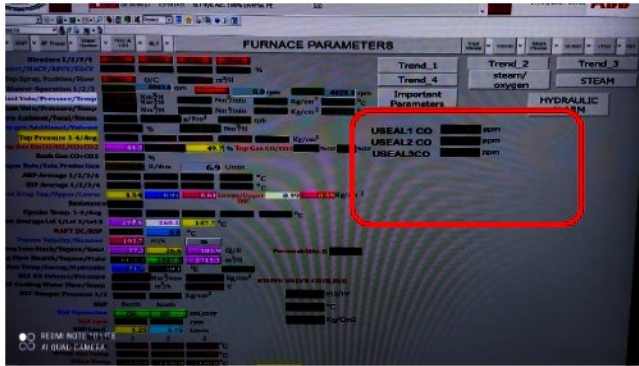
Steel Authority of India Limited
Rourkela Steel Plant
Rourkela – 769011
Fax : 0661-2510183

Ref.No. : 691/EE/7/97
 Date : 15/07/2024.

Respected Sir,


Sub. : Action taken report in compliance to the direction no. 10200 dated 05.07.2024 issued by State Pollution Control Board in connection with leakage of Gas in Blast Furnace-V of RSP.-reg.

This has reference to Board’s letter no. 10200 dated 05/07/2024 regarding submission of Action taken report in compliance to the above direction. As directed , we are submitting the Action taken report.

Sl no.	SPCB Condition	Compliance Status
1.	Deploy only trained workers in CO emission prone areas and provide portable CO detector.	Deployment of trained workers along with portable CO detector is being ensured.
2.	Upgrade the existing alarm systems and CO detectors for any CO gas leakage U-Seal areas of Blast Furnace-5	A new Online CO Monitor alarm system has been installed, whose alarm and reading can be monitored in Main Control Room in Computer. In addition, the alarm system (with Hindi. Oriya) has been provided.  Fig1 : CO Detector near U - Seal
		 Fig 2: CO Detector reading in HMI along with audio alarm system



Steel Authority of India Limited
Rourkela Steel Plant
Rourkela – 769011
Fax : 0661-2510183

3.	Ensure proper housekeeping in Gas Cleaning Plant (GCP) Area	Proper cleaning of GCP Area has been ensured and will be continuously ensured.
4.	Clean the slit and sediments in the drains in GCP Area	Slit and Sediments has been cleaned regularly.
5.	Additional Monitoring System	<p>CCTV has been installed near 3 (three) U –Seals of BF Gas line for effective monitoring.</p>  <p>Fig3: CCTV Installation and Monitor</p>

Thanking you Sir,

With kind regards,

Yours faithfully
for Rourkela Steel Plant,

(P C Dash)
General Manager I/c
Environmental Engg. Department

To : Member secretary,
State Pollution Control Board, Odisha,
Bhubaneswar.



Report on
M/s. Rourkela Steel Plant (SAIL),
Rourkela Dist: Sundargarh, Odisha

Blast Furnace-V of Rourkela Steel Plant was inspected on dtd.27.08.2024 by Er. C. S. Chauhan, DEE in connection with verification of compliance status of directions issued by the Board vide letter No. letter No.10200, dt.05.07.2024. Mr. P.C Dash, GM-I/C (Env. Engineering Department & others of RSP were present during inspection.

Background

There was CO gas leakage in scrubber & clarifier area of Blast Furnace-5 at around 10:40 AM on dt.01.07.2024, causing exposure to about 9 no. of workers engaged in the proximity of the U-Seal-1 of Blast Furnace-5 area. Based on the report of the inspection conducted by Regional Office on 01.07.2024, Board has issued direction to the industry vide letter No.10200, dt.05.07.2024

Compliance to the direction given by the Board vide letter No. 10200, dt.05.07.2024

S.N.	Directions	Compliance Status
1.	Deploy only trained workers in CO emission prone areas and provide portable CO detector.	It was reported by the plant authority that they are deploying trained workers along with portable CO detector in CO emission prone areas.
2.	Upgrade the existing alarm systems and CO Detectors for any CO gas leakage U-Seal areas of Blast Furnace - 5.	<p>Industry has three (03) U-Seal areas in the Blast Furnace - 5 area. Each area had one offline CO detector and alarm system. Now industry has installed one new online CO detector and alarm system at each U-Seals.</p> <p>Online CO detectors are connected with the server of control room for central monitoring.</p> <p>Public Announcement (PA) in Odia and Hindi has been provided in the area for warning.</p> <p>CCTV have been installed near all 3 U-Seals for visual monitoring of the respective areas from control room.</p> <p>All three U-seals have been barricaded to prevent un-authorized entry into the area.</p>
3.	Ensure proper housekeeping in Gas Cleaning Plant (GCP) area.	Housekeeping in the Gas Cleaning Plant (GCP) area was observed to be improved.
4.	Clear the silt and sediments in the drains in GCP area.	Cleaning of silt and sediments from the drains in GCP area was being carried out.


 Er. C. S Chauhan
 Dy. Env. Engineer