

Action Taken Report in Original Application No. 684 / 2023 titled as Sandeep Versus JR Group Power Automobile India Pvt. Ltd. & Ors. in Hon'ble National Green Tribunal, Principal Bench, New Delhi.

1. BACKGROUND

Hon'ble NGT vide order dated 08.11.2023 in Original Application No. 684/2023 titled as Sandeep Versus JR Group Power Automobile India Pvt. Ltd. & Ors. passed the following direction:-

"1. Mr. Sandeep s/o Mr. Ratan Singh resident of Chirhara, Block Bawal, District Rewari, Haryana has filed this application under the provisions of the National Green Tribunal Act, 2010 complaining about causing of air pollution by M/s J.R. Group Power Automobile operating in Sector 7, HSIIDC, IMT, Bawal resulting in breathing problems and other ailments to the residents of the locality. The applicant made complaints to the concerned authorities but no action has been taken on the same.

2. Prima facie, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010.

3. Notices alongwith copies of the application and documents attached therewith be issued to respondent requiring it to file its reply/response to the allegations made in the application within three months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

4. In view of the averments made in the application, we also consider it appropriate that a Joint Committee be constituted to verify the factual position and suggest appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of CPCB, State PCB and Deputy Commissioner, Rewari and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and suggest appropriate remedial action. The State PCB will be the nodal agency for coordination and compliance.



5. Factual and Action taken Report may be submitted within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

6. List for further consideration on 05.04.2024."

2. DETAIL OF INSPECTION

(i). In compliance with the Hon'ble NGT order dated 08.11.2023, Joint Committee has inspected the unit on 10.01.2024. The joint committee felt the need of carrying out monitoring for volatile emissions during the industrial operation with respect to Benzene (gaseous phase), Benzo-a-pyrene, Nickel (Ni), Arsenic(Ar), Lead(Pb). An interim report dated 12.02.2024 was filed before this Hon'ble Tribunal. Thereafter, Joint Committee consisting of below mentioned officers from Central Pollution Control Board, State Pollution Control Board and District Administration, Rewari made another visit for aforesaid purpose on 01.03.2024:-

- | | | |
|----|------------------------------------|---------------|
| 1. | Sh. Manoj Kumar, SDM | Bawal, Rewari |
| 2. | Sh. Suneel Dave, Regional Director | CPCB |
| 3. | Sh. Praveen Kumar, AEE | HSPCB |

The Photographs showing the ambient air quality monitoring being carried out inside and outside the industry's premises are enclosed as **Annexure R-1.**

The monitoring of ambient air quality was carried out on 01.03.2024 and 05.03.2024 by a Laboratory, recognized under Environment Protection Act, 1986 and engaged by HSPCB. The monitoring was carried at 03 locations each inside (at point A, B and C) and outside (at point D, E and F) the premises. A sketch showing location of the monitoring point w.r.t. the unit is placed at **Annexure R-2.**

(ii). The analytical results of the ambient air quality monitoring are tabulated below:-

Location A (Near Main Gate No. 02 and paint booth exhaust)

Parameters	Unit	Standard Limits	Results	Results after applying Coefficient of Correction
Nickel (N)	ng/m ³	20	15.44	20.55
Arsenic (As)	ng/m ³	06	5.97	7.94
Benzo (a) Pyrene (BaP)	ng/m ³	01	BDL	-
Lead (Pb)	µg/m ³	1.0	0.39	0.51
Benzene as C ₆ H ₆	µg/m ³	05	05.90	7.85

Location B (Near Cooling Tower)

Parameters	Unit	Standard Limits	Results	Results after applying Coefficient of Correction
Nickel (N)	ng/m ³	20	7.25	9.64
Arsenic (As)	ng/m ³	06	5.61	7.46
Benzo (a) Pyrene (BaP)	ng/m ³	01	BDL	-
Lead (Pb)	µg/m ³	1.0	0.27	0.35
Benzene as C ₆ H ₆	µg/m ³	05	3.88	5.16

Location C (Near Scrap Yard Area)

Parameters	Unit	Standard Limits	Results	Results after applying Coefficient of Correction
Nickel (N)	ng/m ³	20	12.37	16.46
Arsenic (As)	ng/m ³	06	5.05	6.72
Benzo (a) Pyrene (BaP)	ng/m ³	01	BDL	-
Lead (Pb)	µg/m ³	1.0	0.30	0.39
Benzene as C ₆ H ₆	µg/m ³	05	4.43	5.89

Location- D (33/11 KV Sub Station) (Outside the premises)

Parameters	Unit	Standard Limits	Results	Results after applying Coefficient of Correction
Nickel (N)	ng/m ³	20	2.80	3.72
Arsenic (As)	ng/m ³	06	0.10	0.13
Benzo (a) Pyrene (BaP)	ng/m ³	01	BDL	-
Lead (Pb)	µg/m ³	1.0	0.09	0.11
Benzene as C ₆ H ₆	µg/m ³	05	BDL	-

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Location-E (Front Side of JRG Automotive Ltd.)

Parameters	Unit	Standard Limits	Results	Results after applying Coefficient of Correction
Nickel (N)	ng/m ³	20	6.50	8.65
Arsenic (As)	ng/m ³	06	4.80	6.38
Benzo (a) Pyrene (BaP)	ng/m ³	01	BDL	-
Lead (Pb)	µg/m ³	1.0	0.23	0.30
Benzene as C ₆ H ₆	µg/m ³	05	3.20	4.25

Location-F (Back side of JRG Automotive Ltd.)

Parameters	Unit	Standard Limits	Results	Results after applying Coefficient of Correction
Nickel (N)	ng/m ³	20	4.91	6.53
Arsenic (As)	ng/m ³	06	2.70	3.59
Benzo (a) Pyrene (BaP)	ng/m ³	01	BDL	-
Lead (Pb)	µg/m ³	1.0	0.16	0.21
Benzene as C ₆ H ₆	µg/m ³	05	1.10	1.46

**Note:-Since the above parameters are monitored and analyzed under ultra low concentration and therefore a correction is applied for taking into account sampling, preservation, transportation and analysis which comes out to be 1.331. .*

- (iii)** *The above observations and the results revealed that the industry is emitting carcinogenic Benzene and its associated compounds such as Benzo (a) Pyrene (BaP) together with heavy metal such as Arsenic (As) and Nickel (N). Although, the concentration of the above mentioned compounds found to be within or close to National Ambient Air Quality Standards at outside the premises but it does not rule out any possibility of adverse impact on the human health due to continues exposure of such compound that would have caused neurological disorder and cancer.*
- (iv)** *It is also observed that no improvement in handling and managing the hazardous & other waste was made by the unit despite the verbal directions given by the committee during the last inspection made on 10.01.2024. The waste disposed or lying within the premises but creating obstruction in clear passage posing a risk to the workers engage in the production to avoid disaster.*





3. RECOMMENDATION

1. Since the industry is engaged in handling of substances which may cause human hazard and adverse impact to human health and environment, it is therefore recommended that the unit may be asked to ensure proper handling and management of materials/chemicals so that no emission is released into the environment which may cause any damage.
2. HSPCB has already issued a show cause notice for closure under section 31-A of Air (Prevention and Control of Pollution) Act, 1981/33-A of Water (Prevention and Control of Pollution) Act, 1974, revocation of CTO, Prosecution for violation for section 24 under section 43 of Water (Prevention and Control of Pollution) Act, 1974 and under section 21/22 of Air (Prevention and Control of Pollution) Act, 1981 Imposing Environmental Compensation, non-complying of hazardous waste management Rules, 2016 and Plastic Waste Management Rules, 2016 and amended thereof vide letter No. HSPCB/RWR/2023-2024/2442 dated 18.03.2024 (**Annexure- R-3**). It is therefore recommended that an environmental compensation may be levied by HSPCB taking into account the human health and environmental damage that would have caused due to continuous emission of hazardous chemicals into the environment and the same may be estimated for the period of the industry was in operation.
3. A safety audit may also be undertaken by the concerned state authority where the issue of hazardous and other wastes dumped inside the premises and the same has created obstruction in free passages be also considered.


Praveen Kumar
AEE, HSPCB, Rewari


Suneel Dave,
Director, CPCB


Manoj Kumar,
SDM, Bawal



Monitoring of ambient air quality for volatile emission



Monitoring of ambient air quality for volatile emission



Monitoring of ambient air quality for volatile emission



Monitoring of ambient air quality for volatile emission



Monitoring of ambient air quality for volatile emission



Monitoring of ambient air quality for volatile emission



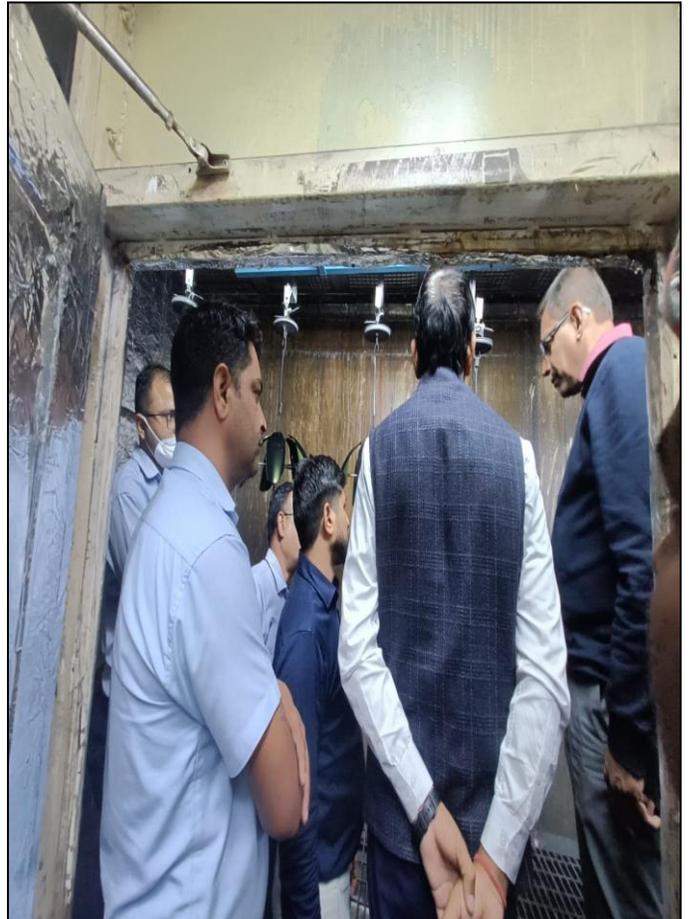
Monitoring of ambient air quality for volatile emission



Monitoring of ambient air quality for volatile emission



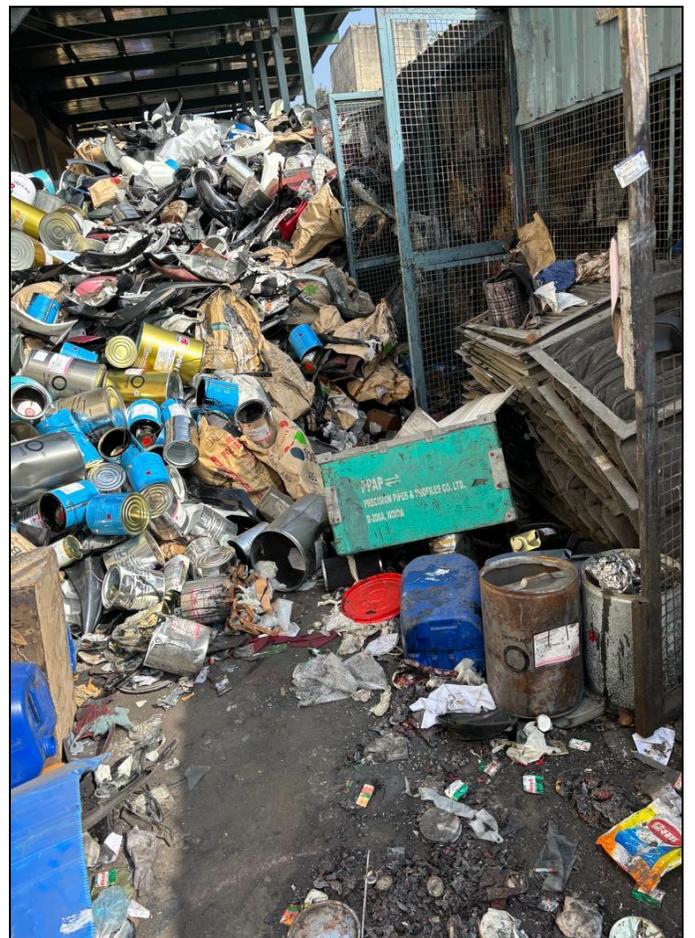
**Inspection of the unit by
Joint Committee**



**Inspection of the unit by
Joint Committee**

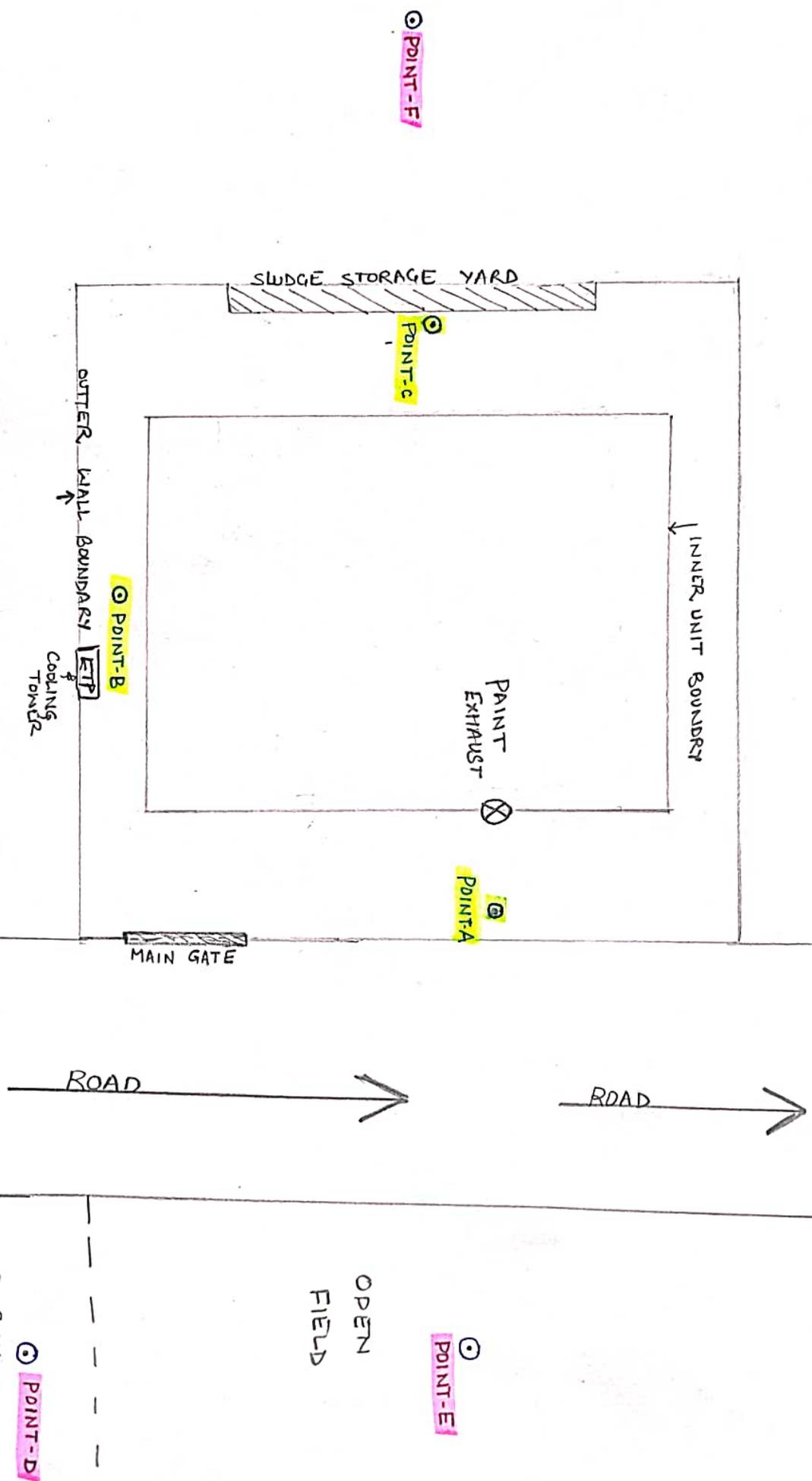


Paint Sludge stored at back Yard



Plastic and Iron Scrap

ROUGH SKETCH OF TRG, PLOT NO. 22-23-24, SEC. 7, HSIDC BAWAL



POINT-F

POINT-C

POINT-B

POINT-A

POINT-E

POINT-D

SLUDGE STORAGE YARD

INNER UNIT BOUNDARY

OUTTER WALL BOUNDARY

PAINT EXHAUST

MAIN GATE

COOLING TOWER

ROAD

ROAD

OPEN FIELD

DHBVN SUB STATION



Haryana State Pollution Control Board
Regional Office, Rewari at SCO-D6 & D-7,
Suncity Commercial Complex, Sector-6, A-Block Rewari
Tele Fax: 01274-244241, E-Mail: hspcbrodr@gmail.com



HSPCB/RWR/2023-2024/.....2442

Dated.....18/2/2024

To

M/s JRG Automotive Industries India Pvt. Ltd. Unit 2,
Plot No. 22-23-24, Sec-7 HSIIDC Bawal

Sub:- Show cause notice for closure under section 31-A of Air (Prevention & Control of Pollution) Act, 1981 / 33-A of Water (Prevention & Control of Pollution) Act, 1974, revocation of CTO, prosecution for violation of section 24 of Water Act under section 43 of Water (Prevention & Control of Pollution) Act, 1974 and under section 21/22 of Air (Prevention and Control of Pollution) Act, 1981, imposing Environmental Compensation, non-complying under Hazardous Waste Management Rules, 2016 & Plastic Waste Management Rules, 2016 and amended thereof.

Whereas, your unit has obtained consent to operate from the Board for the period 25/03/2021 - 31/03/2025 under Red category.

Whereas, in reference to the order dated 08.11.2023 in Original Application No. 684 of 2023 titled as Sandeep Versus JR Group Power Automobile India Pvt. Ltd. & Others passed by Hon'ble NGT, inspection of the site was conducted by joint team. During the inspection, the joint team decided to conduct ambient air sampling to monitoring the presence of Benzo-a-pyrene, Ni, Ar, Pb in the ambient air due to air emission from the painting process.

Whereas, in reference to the Head Office letter I/241834/2024 dated 31.01.2024, sampling of ambient air quality for monitoring the presence of Benzo-a-pyrene, Ni, Ar, Pb in the ambient air due to air emission from the painting process was carried out by the joint team

Whereas, as per the analysis report No. EL/020324-100 dated 07.03.2024, following parameters are found exceeding the latest prescribed limit.

Sr. No.	Parameters	AR No. and Date	Results of Ambient Air, Near Main Gate No. 02	Prescribed Limits (ug/m ³)
1	Benzene as C ₆ H ₆	EL/020324-100 dated 07.03.2024	05.90 ug/m ³	05.0 ug/m ³

Moreover, during inspection, the Committee has observed that following three potential sources, responsible for volatile organic pollutants causing smell and breathing problems as mentioned in the O. A. No. 684/2023:

- Paint Shop Exhaust with Water Droplets
- Unscientific Storage of Paint Sludge, a hazardous waste,
- Effluent Treatment Plant Sludge, another hazardous waste.
- Not complying with PWM Rules, 2016 and amended thereof.

Whereas, for the above said violations, you are liable to pay the Environmental Compensation in terms of the directions of Board issued letter no. HSPCB/PLG/2021/2343-2350 dated 22.12.2021 as assessed by the Board as per methodology defined therein.

Therefore, you are hereby directed to show cause & explain within 15 days as to why closure action may not be taken against your unit u/s 33-A Water (Prevention and Control of Pollution) Act, 1974, under section 31-A of Air (Prevention and Control of Pollution) Act, 1981, prosecution under Section 43 & 44 read with Section 47 for violation of Section 24 & 25 of Water (Prevention & Control of Pollution) Act, 1974 & under section 31 A for violation of section 21/22 of Air (Prevention and Control of Pollution) Act, 1981, and imposition of environmental penalty as per the amendments in the Jan Vishwas Act, 2023 and imposition of Environmental Compensation as per HSPCB Policy on Imposition of Environment Compensation.

In case you fail to reply/comply with the deficiencies mentioned above within above mentioned stipulated period, it will be presumed that you have nothing to say in this regard and accept the status as mentioned above, which will warrant closure action against your unit under relevant Acts/ Rules besides initiation of legal action under the relevant Acts/Rules without giving any further notice.

Regional Officer
Rewari Region