



J&K Pollution Control Board Jammu

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**The Consultant (Judicial),
Hon'ble National Green Tribunal,
New Delhi.**

No: JKPCB/PS/MS/2020/ **1649-51**

Date:- **29** -10-2020.

Sub:- Compliance report for the directions dt. **23-07-2020** in OA **134/2020** in the case titled as "Massive fire engulf Vizag chemical plant, explosions heard, injuries reported".

Ref:- Consultant Judicial e-mail dt. **29-10-2020**.

Sir,

This has reference to the directions dt. **23-07-2020** issued by the Hon'ble National Green Tribunal in OA **134/2020** in the case titled as "**Massive fire engulf Vizag chemical plant, explosions heard, injuries reported**", kindly find enclosed herewith the **compliance report** with respect to Jammu and Kashmir.

The compliance report may kindly be placed before Hon'ble NGT for consideration please.

Encl:- Compliance report. (2 pages) along with enclosures

Annexures - A & B

Yours faithfully,



(B. M. Sharma)

Member Secretary
PCB, Jammu

Copy to the:-

- i) Commissioner / Secretary to Govt. Department of Forest, Ecology and Environment, Civil Secretariat, Jammu / Srinagar for information.
- ii) Chairman, JK Pollution Control Board, Jammu for information.

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI**

**Original Application No. 134 / 2020 in the case titled as “Massive fire engulf
Vizag chemical plant, explosions heard, injuries reported”**

(Compliance report of the Union Territory of Jammu and Kashmir)

- 1) In the afore titled matter related to several incidents in recent past resulting in deaths and injuries to human beings and damage to the environment on account of failure of compliance of the statutory provisions especially :
 - a) The Manufacture, Storage and Import of Hazardous Chemical Rules, 1989.
 - b) The Chemical Accidents (Emergency Planning, Preparedness and Response) Rules 1996.

The Hon'ble Tribunal vide order dt. 23-07-2020 has directed as :-

“In view of the repeated failures of compliance of safety norms, there is need for preventive action to avoid any such incidents for which the Chief Secretaries of the all the States may hold meetings with concerned officers and stakeholders within two weeks from today to take stock of the situation and issue such directions as may be found necessary. The preventive action may also include mock-drills as statutory requirement to be performed under the 1989 Rules”

- 2) To avoid such incidents to happen and ensure compliance of Hon'ble NGT orders, the Chief Secretary J&K conducted two meetings with all the concerned officers and stake holders and passed on directions as required for safety and preventive action. The record notes of meetings held on **10-08-2020** and **17-08-2020** are enclosed as **Annexure ‘A and B’**.

- 3) The mock drills, on-site emergency plans, safety reports, safety audit reports, approvals and notification of sites etc. as per statutory provisions are taken into account, by all the concerned departments / authorities as specified in the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 and the Chemical Accidents (Emergency Planning, Preparedness and Response) Rules 1996, respectively.
- 4) The circular directions have also been issued by Administrative Department Industries and Commerce vide circular No. **01-JK(I&C) of 2020** dt. **29-10-2020**, directing all the line departments, Corporations and stake holders to ensure strict compliance of the Hon'ble NGT directions and enforcement of relevant rules in this regard. Copy enclosed as **Annexure 'C'**.

Annex. A

160
Date: 1/5/2020
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Minutes of the Meeting held under the Chairmanship of Chief Secretary on 10.08.2020 at 03.00 PM in the Committee Room 3th Floor, Civil Secretariat, Srinagar to review the progress on implementation of the directions of Hon'ble National Green Tribunal passed in Original Applications (OA) 134 of 2020 titled News items published in 2020 "India today" Massive fire engulfs vizag Chemical plant, explosions and injuries reported.

sent:

- I. Chief Secretary : in Chair
- II. Commissioner/Secretary to Government, Industries & Commerce Department.
- III. Commissioner/Secretary to Government, Forest, Ecology & Environment Department. (through VC)
- IV. Divisional Commissioner, Jammu. (through VC)
- V. Divisional Commissioner, Kashmir.
- VI. Secretary to Government, Disaster Management, Relief, Rehabilitation & Reconstruction Department.

Besides, the following officers also participated:

- ~~VII.~~ Chairman, Jammu & Kashmir Pollution Control Board.
- VIII. Director General, Fire & Emergency Services
- IX. Member Secretary, Jammu & Kashmir Pollution Control Board.
- X. Deputy Labour Commissioner Central representing Labour Commissioner, Jammu & Kashmir.
- XI. Inspector Factories, Kashmir.

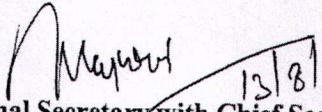
At the outset, Chief Secretary draw attention of the participants towards the directions of the Hon'ble National Green Tribunal (NGT) passed in the O.A No. 134/2020 on the overall progress achieved by the line Departments. During the meeting a power point presentation was shown by Member Secretary, Jammu and Kashmir Pollution Control Board with respect to the matter.

2. After a detailed discussion, the Chief Secretary directed that the line Departments should ensure safety norms and other necessary preventive actions including mock-drills as statutory requirement to be performed under rules. It was noted that there are a multiplicity of agencies implementing the rules with no clarity on rules and responsibilities.

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After consideration of all the aspects of the matter, it was decided as:-

- a. Commissioner/Secretary Forests, Ecology & Environment Department will examine all Acts and Rules pertaining to Manufacture, Storage and Import of Hazardous chemicals-1989, and The Chemical Accidents (Emergency Planning, Preparedness and Response) Rules-1996. The Secretary Forests, shall prepare a chart of roles and responsibilities with respect to approvals, licensing and registration of factories, preparation of emergency plans including examination of safety norms and safety audits and enforcement in tabulated form specific to all covered industries in the above mentioned Rules, and submit the report by **12.08.2020**.
 - b. Line Departments will re-examine the directions of the Hon'ble National Green Tribunal and communicate the progress to the Secretary Forest, Ecology & Environment Department positively by **Friday i.e 14th August, 2020**.
4. Chief Secretary will take holistic review regarding the progress on the matter tentatively on **17.08.2020**.
5. The meeting ended with a vote of thanks to the chair.


13/8/2020
Additional Secretary with Chief Secretary

No.: PS/CS/11/2020 -Minutes- 871-5

Dated 13.08.2020

Copy to the:

- i. Commissioner/Secretary to Government, Industries & Commerce Department.
- ii. Commissioner/Secretary to Government, Forest, Ecology & Environment Department.
- iii. Divisional Commissioner, Jammu.
- iv. Divisional Commissioner, Kashmir.
- v. Secretary to Government, Disaster Management, Relief, Rehabilitation & Reconstruction Department.

Copy also to the:

- vi. Chairman, Jammu & Kashmir Pollution Control Board.
- vii. Director General, Fire & Emergency Services.
- viii. Member Secretary, Jammu & Kashmir Pollution Control Board.
- ix. Deputy Labour Commissioner Central representing Labour Commissioner, Kashmir.
- x. Inspector Factories, Kashmir.
- xi. Private Secretary to Chief Secretary for information of Chief Secretary.

Minutes of the Meeting held under the Chairmanship of Chief Secretary on 17.08.2020 at 2:45 PM in the Committee Room 4th Floor, Civil Secretariat, Srinagar to review the progress on implementation of the directions of Hon'ble National Green Tribunal passed in Original Application (OA) No. 134 of 2020 titled "News items published on 13.07,2020 "India Today" Massive fire engulfs vizag Chemical plant, explosions heard, injuries reported".

Present:

1. Chief Secretary ; in Chair
2. Commissioner/Secretary to Government, Forest, Ecology & Environment Department. (through VC)
3. Chairman, Jammu & Kashmir Pollution Control Board. (through VC)
4. Divisional Commissioner, Jammu. (through VC)
5. Divisional Commissioner, Kashmir.
6. Secretary to Government, Disaster Management, Relief, Rehabilitation & Reconstruction Department.
7. Additional Director General. Fire & Emergency Services.
8. Member Secretary, Jammu & Kashmir Pollution Control Board. (through VC)
9. Special Secretary representing Commissioner/Secretary to Government, Industries & Commerce Department.
10. Additional Secretary (Law), Industries & Commerce Department.
11. Secretary Technical, Forest, Ecology and Environment Department. (through VC)
12. Labour Commissioner, Jammu & Kashmir.
13. Inspector Factories, Kashmir.

At the outset, Chief Secretary drew attention of all the participants to the discussions on 10.08.2020 regarding implementation of the directions dated 23.07.2020 of the Hon'ble National Green Tribunal (NGT) in OA No. 134/2020.

After a brief presentation on the rule position by the Member Secretary, Jammu and Kashmir Pollution Control Board, it was observed that there are multiple agencies involved as concerned authorities as defined in Schedule 5 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 and functions and duties of the State Crisis Group/District Crisis Group and Local Crisis Group as per the Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996. The activities, authorities and responsibilities with corresponding rules appended herewith as annexure "A".

3. Considering of all aspects of rules in position and directions of Hon'ble National Green Tribunal, the following decisions were taken:

- i. Fresh notifications to be issues for reconstitution of State Crisis Group/District Crisis Group and Local Crisis Group with administrative Secretary Industries and Commerce Department as Member Secretary, for State Crisis Group under

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Rule 6(2) and Rule 8 of the Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996.

(Action by Industries & Commerce Department)

- ii. The JK PCB will prepare a **precise tubular format** depicting activities to be performed, concerned authorities responsible for implementation / approval etc. under the manufacture, Storage and Import of Hazardous Chemical Rules, 1989 for better understanding of the rule position.

(Action by Industries & Commerce Department)

- iii. The Divisional Commissioner Jammu/Kashmir shall have review meeting of All the Deputy Commissioners and concerned authorities of the line departments to ensure implementation and compliance of referred rules and directions of Hon'ble NGT immediately.

(Action by Divisional Commissioner Jammu / Kashmir)

4. The Administrative Secretary Industries and Commerce shall issue circular instructions to all stake holders and line departments to ensure the compliance of the directions of the Hon'ble NGT and ensure the enforcement of the relevant rules in this regard positively by 30th October, 2020.

(Action by Industries & Commerce Department)

The meeting ended with a vote of thanks to the chair.

Nodal Officer (NGT) with Chief Secretary

No.: PS/CS/71/2020 -Minutes - 926 - S

Dated: 24.08.2020

Copy to the:

- i. Commissioner/Secretary to Government, Industries & Commerce Department.
- ii. Commissioner/Secretary to Government, Forest, Ecology & Environment Department.
- iii. Chairman, Jammu & Kashmir Pollution Control Board.
- iv. Divisional Commissioner Jammu.
- v. Divisional Commissioner Kashmir.
- vi. Secretary to Government, Disaster Management, Relief, Rehabilitation & Reconstruction Department.

Copy also to the:

- vii. Director General, Fire & Emergency Services.
- viii. Member Secretary, Jammu & Kashmir Pollution Control Board.
- ix. Secretary Technical, Forest, Ecology and Environment Department.
- x. Labour Commissioner, Kashmir.
- xi. Inspector Factories, Kashmir.
- xii. Private Secretary to Chief Secretary for information of Chief Secretary.

Government of Jammu & Kashmir
INDUSTRIES & COMMERCE DEPARTMENT
Civil Secretariat, Jammu / Srinagar

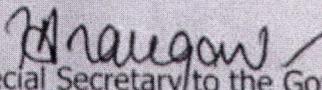
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Sub.: Progress on implementation of the directions of Hon'ble National Green Tribunal (NGT) passed in original application (OA) No. 134 of 2020 titled "News items published on 13-07-2020 India Today – Massive fire engulfs Vizag Chemical Plant, explosions heard, injuries reported".

Circular No.:- 01 - JK(I&C) of 2020
Dated:- 29-10-2020

The meeting to review the progress on implementation of the directions of Hon'ble National Green Tribunal (NGT) passed in original application (OA No. 134 of 2020) was held under the chairmanship of Chief Secretary, J&K on 17-08-2020. During the course of the discussion, it was decided that the decisions and directions passed by the Hon'ble NGT from time to time should be complied with by all the departments without any complacency.

Accordingly, it is impressed upon all the line departments/corporations/boards/stakeholders working under the administrative control of Industries & Commerce Department to ensure strict compliance of the directions of Hon'ble NGT and enforcement of relevant rules in this regard.


Special Secretary to the Government,
Industries & Commerce Department

Copy to the:-

1. Director, Industries & Commerce, Jammu / Kashmir.
2. Director, Geology & Mining, J&K.
3. Director, Handicrafts & Handloom, Jammu / Kashmir.
4. Managing Director, J&K Handloom & Handicrafts Corporation.
5. Director, J&K Entrepreneurship Development Institute.
6. Managing Director, J&K SIDCO.
7. Managing Director, J&K SICOP.
8. Managing Director, JK Minerals Ltd.
9. Managing Director, JK Cements Ltd.
10. Managing Director, JK Industries Ltd.
11. Secretary / CEO, J&K Khadi & Village Industries Board.