

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, AT NEW DELHI.

O.A NO. 515/2022

IN THE MATTER OF:

DHARAMVIR

...APPLICANT

VERSUS

STATE OF HARYANA & ORS

...RESPONDENT

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Place: Delhi

Date: 12.12.2024

(A.R. TAKKAR, SHRIYA TAKKAR, ASMITA DUGGAL, UNNATI ANAND,

KAPIL BAKSHI, MANAN TAKKAR & AASTHA TYAGI)
ADVOCATES
M/S ARTLO
P-6/2-E, DLF PHASE 2,
GURGAON - 122002
9582209633
EMAIL ID: ARTAKKAR@ARTLO.IN

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IN THE MATTER OF:

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OBJECTIONS ON BEHALF OF RESPONDENT NO.11 I.E. M/S RUCHIRA PAPERS LTD. (WRITING AND PRINTING UNIT) TO THE FINAL REPORT DATED 06.11.2024 FILED BY THE HARYANA POLLUTION CONTROL BOARD.

MOST RESPECTFULLY SHOWETH:

1. That the present Original Application has been filed by the Applicant inter-alia alleging pollution of holy River Markanda at Naraingarh, Tehsil Narayangadh, District Ambala. The Applicant in the letter petition has inter-alia alleged that polluted industrial waste water of Kala Amb factories located at Trilokpur road, is discharged through Kaimi drain in River Markanda is being discharged in river Markanda thereby polluting the holy river water and hurting the religious sentiments of the people as well as causing serious diseases and mortality amongst villagers and the cattle. It has also been alleged that one paper mill is also causing environmental pollution/degradation by discharging its waste water through illegally constructed drain in river Markanda. The matter is pending adjudication before this Hon'ble Tribunal and is now listed for hearing on 19.12.2024.
2. That the Respondent Haryana Pollution Control Board filed its final report dated 06.11.2024 (uploaded on the website on 08.11.2024). The matter was last listed on 08.11.2024, when this Hon'ble Tribunal was pleased to pass the following orders:

"Presently, respondents 11, 13, 15 and 19 have filed their responses. A current status report has also been filed by Haryana State Pollution Control Board (hereinafter referred to as 'HSPCB') vide email dated 07.11.2024.

Respondent 14, appearing in person and learned counsel appearing for respondent 12, 16, 17 and 18, pray for time to file responses. They may file their reply within 10 days.

Industrial Proponents/respondents may also file their objection, if any, to status report submitted by HSPCB vide email dated 07.11.2024 if they are so advised."

That thus, the present objections to the final report of the Haryana Pollution Control dated 06.11.2024 are being filed by the Respondent No.11 herein in compliance of the order dated 08.11.2024 passed by this Hon'ble Tribunal. It is imperative to mention herein that the Respondent No.11 herein has already filed its reply on 05.11.2024 (uploaded on the website on 07.11.2024) and the submissions made by the Respondent No.11 herein in its reply may kindly be treated as part and parcel of the present objections.

3. **OBJECTION TO THE OBSERVATION OF THE RESPONDENT BOARD WITH RESPECT TO LIME**

SLUDGE AND FLY ASH:

1. That as per the Environment Clearance dated 11.10.2007 (Page 513 of the court file) granted to the Respondent Industry, solid waste generated in the form of boiler ash shall be provided to cement/bricks manufacturing units. The said condition of the Environment Clearance is duly being complied with as the fly ash generated from the Respondent Industry herein is being sold to the cement industries i.e. Shri Ram Industries, Satyam Cements, Sky Lark Traders and Lord Chemical Industries. Copy of E-way bills along with the tax invoices depicting outward supply of fly ash by the Respondent herein are already collectively marked and annexed with the reply of the Respondent No.11 herein as Annexure-R/1 (Colly) at page 1366-1422 of the court file. That the said is being transported by the Respondent Industry through its own trucks, which as per the prescribed guidelines are duly covered from all sides so as to avoid any dispersion of fly ash during its transportation. Copy of

photographs of trucks used for transportation of fly ash from the Respondent Industry to the cement industries in Paonta Sahib, Himachal Pradesh are already marked and annexed with the reply of the Respondent No.11 herein as Annexure-R/2(Colly) at page 1423-1438 of the court file. Further, it is imperative to mention herein that during the Financial Year 2023-2024, the Respondent Industry has sold boiler ash worth Rs. 2.79 crores. Copy of the statement depicting vendor wise sale of ash for the Financial Year 2023-2024 along with the customer account statements are already collectively marked and annexed with the reply of the Respondent No.11 herein as Annexure-R/3(Colly) at page 1439-1459 of the court file. Copy of Balance Sheet of the Respondent Industry depicting the sale of ash for the Financial Year 2022-2023 and 2023-2024 is already marked and annexed with the reply of the Respondent No.11 herein as Annexure-R/4(Colly) at page 1460-1462 of the court file.

- II. That the Joint Committee report states that "With reference to the Lime Sludge generated in the Pulp and Paper, the "SCHEDULE I [See rule 3 (1) (17) (i)] LIST OF PROCESSES GENERATING HAZARDOUS WASTES" clearly specifies at S.No. 35 that (35.3) Chemical sludge from waste water treatment, from the processes mentioned in this schedule is hazardous. Since, Pulp and Paper process is mentioned in this Schedule I and the Lime Sludge is generated during treatment of Black Liquor (Waste water generated during pulping) in the Chemical Recovery Process and therefore Lime Sludge from Pulp & Paper Industry is Hazardous Waste. Being hazardous waste, Lime sludge is to be either recycled back by recovery of Lime through Lime Kiln and if for any reason, it is not used in the Lime Kiln, it must be sent to a Treatment, Storage and Disposal Facility (TSDF) after obtaining authorization under HWM Rules, 2016, from State Pollution Control Board". The report further continues to mention that It is pertinent to mention that "according to Corporate Responsibility for Environment Protection (CREP) Guidelines, Pulp and Paper Industry is required to install Lime Kiln, for recovery of Lime from the Lime Sludge generated during Chemical Recovery Process (CRP). M/s Ruchira Papers Ltd. have

installed a Rotary Lime Kiln of 60 TPD Capacity for recovery of Lime from the Lime Sludge". Therefore, admittedly the Respondent Industry herein has installed a Lime Kiln for regeneration of Calcium Dioxide from waste lime sludge and is thus complying with the conditions of the Environment Clearance dated 11.10.2007. The Lime kiln installed by the Respondent Industry herein on land khasra no. 94/5 (owned by the Respondent Industry itself as mentioned in the Joint Committee Report at page 501 of the court file) is efficient and adequate enough to process the lime sludge generated by the industry. It is imperative to mention herein that when in compliance to the conditions of the Environment Clearance the Respondent Industry herein is recycling back the Lime sludge through the lime kiln, there arises no question of the same being hazardous or non-hazardous.

- III. It is submitted that no lime sludge is being deposited by the Respondent No.11 herein on the banks of the river as falsely alleged in the Joint Committee Report and the lime sludge in its entirety is being processed in the lime kiln installed by the Respondent Industry. That to corroborate the same an inspection was carried out by the Revenue Department and the department has thereby issued a certificate dated 24.07.2024 stating that Khasra No. 94/5 is owned by M/s Ruchira Papers Ltd. and on the spot there is no lime sludge/mud etc. Copy of the certificate dated 24.07.2024 issued by the Revenue Department along with its true translated copy is already marked and annexed with the reply of the Respondent No.11 herein as Annexure-R/5 at page 1463-1464 of the court file. It is therefore submitted that neither any lime sludge/mud exists in Khasra No. 94/5 nor the Respondent Industry is depositing the same on the banks of the river.
4. It is reiterated that the Respondent Industry is not depositing lime sludge at the banks of the river and has rather installed a Lime Kiln for regeneration of Calcium Dioxide from waste lime sludge and is thus complying with the conditions of the Environment Clearance dated 11.10.2007. The fly ash the fly ash generated from

the Respondent Industry herein is being sold to the cement industries i.e. Shri Ram Industries, Satyam Cements, Sky Lark Traders and Lord Chemical Industries.

5. It is therefore most respectfully prayed that this Hon'ble Tribunal in order to provide substantial justice in the matter may kindly be pleased to take on record the facts stated in the body of this Objections and be further pleased to discharge the Answering Respondent Industry from this OA.

PRAYER

It is further prayed that this Hon'ble Tribunal may pass any such or further order as it may deem fit and proper in the interest of justice and fair play in favour of the Answering Respondent Industry.

Place: Delhi

Date: Gurgaon



(A.R. TAKKAR, SHRIYA TAKKAR, ASMITA DUGGAL, UNNATI ANAND,

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OA NO. 515 OF 2022

IN THE MATTER OF:

DHARAMVIR

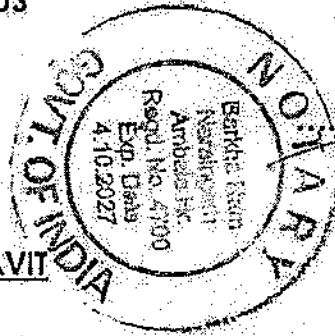
.... APPLICANT

VERSUS

STATE OF HARYANA. & Ors.

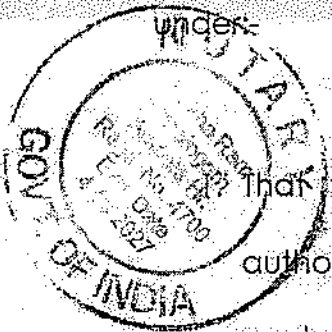
RESPONDENTS

AFFIDAVIT



I, Mr. Vipin Gupta S/o Sh. Ram Kumar Gupta, aged about 54, Working as Executive Director at M/s Ruchira Papers Ltd, Trilokpur Road, Village Rampur Jattan, Kala-Amb, Sirmaur, Himachal Pradesh.

I the above named deponent do hereby solemnly affirm and declare as



under-
That the above titled Objections have been drafted under the authority and instructions of the deponent and after perusing its contents, the deponent has duly signed it, and the contents of paragraph Nos. 1 to 5 thereof are true and correct to the knowledge of the deponent, and the same may be read as contents of this affidavit also, which are not being reproduced for the sake of brevity. No part of it is false and nothing material has been kept concealed therefrom.

2. That the contents of paragraphs no. 1 to 5 of above filled Objections are true and correct to my knowledge, no part of that is false and nothing has been kept concealed therefrom.

Vipin Gupta

3. That the Annexures attached with the Objections are true copies of their respective originals.

Vipin Gupta.
DEPONENT

VERIFICATION

Verified that the contents of paragraphs no. 1 to 3 of my above affidavit are true and correct to my knowledge. No part of it is false and nothing has been concealed therein.

Verified at Noida on 11 day December, 2024.

Vipin Gupta.
DEPONENT



The above statement has been sworn solemnly & is attested by the Dependent executant structure me on

at Noida

who is identified by Sr. who is known to me and that this Documents has been read and admitted correct by Dependent offered at

No. 98-93

Dated 11/12/2024

NOTARY PUBLIC Noida

ATTESTED
NOTARY PUBLIC

11/12/2024

ATTESTED

Harkna Das

NOTARY PUBLIC Noida


OBJECTION ON BEHALF OF R11 TO THE REPORT FILED BY HPCB DATED 06.11.2024.

From Prince <prince@artlo.in>

Date Thu 12/12/2024 4:02 PM

To rkhranalegal@gmail.com <rkhranalegal@gmail.com>; dvmedia@gmail.com <dvmedia@gmail.com>;
hspcbho@gmail.com <hspcbho@gmail.com>; pcbroparwanu@gmail.com <pcbproparwanu@gmail.com>

Cc Aastha Tyagi <aastha@artlo.in>; Unnati <Unnati@artlo.in>; Manan Takkar <manantakkar@artlo.in>

 1 attachment (384 KB)

Dharmvir.pdf;

Dear Sir,

Please find attached herewith scanned copy of objection to the report filed by HPCB dated 06.11.2024 in Dharamvir Vs State of Haryana & Anr.