

**IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
APPEAL NO. 14 OF 2020**

IN THE MATTER OF:

Chandni Chemicals Pvt. Ltd. ...Appellant

VERSUS

Uttar Pradesh Pollution Control Board ...Respondent

Objections of Appellant to UPPCB's Report dated 28.07.2022

PAPER BOOK
(PLEASE SEE INSIDE FOR INDEX)



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Place: New Delhi
Date: 18.08.2022

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Objections of Appellant to UPPCB's Report dated 28.07.2022

1. The Appellant has been acquainted with a copy of the Report dated 28.07.2022 filed by the Uttar Pradesh Pollution Control Board (UPPCB) in the captioned case pursuant to the Order dt.12.11.2021 of this Hon'ble Tribunal in the captioned appeal.

2. It is relevant to note that even before preparation/filing of the Report dt.28.07.2022, the UPPCB had issued a Demand Notice dt.14.04.2022, assessing Appellant's liability as Rs. 27,40,62,295 on the basis of a deemed contribution of chromium waste of 6090.273 MT. Appellant has already filed IA No.126/2022 on 23.05.2022 in the captioned appeal before this Hon'ble Tribunal, challenging the said notice.

3. The Report dt.28.07.2022 filed by the UPPCB appears to be by way of afterthought considering that they had already issued Demand Notice dt.14.04.2022 without any scientific basis and in blatant violation of this

Hon'ble Tribunal's Order dt.12.11.2021. The Report deserves to be rejected on this preliminary ground. Without prejudice, and for the sake of completeness, the Appellant has however furnished the present objections, dealing with the merits of the Report dt.28.07.2022.

4. The UPPCB's Report dated 28.07.2022 contains the following factual assertions:

- A. Assessment of contribution of chromium waste is based on the “production capacity of the industry”.
- B. Pursuant to this Hon'ble Tribunal's Order dt.12.11.2021, the replies of four of the noticees, *i.e.*, Khanna Vivek Chemical Pvt. Ltd. Unichem India, IGS Chemicals Pvt Ltd., Rahman Industries Ltd., were found satisfactory and accordingly, the proceedings against these units were revoked.
- C. None of the appellants before the Hon'ble NGT have furnished record of Form-1 and Form 13. The inspection report of Regional Officer, Kanpur Dehat/Kanpur Nagar of relevant period shows that the concerned industries have time and again, thrown their generated hazardous waste unscientifically outside their industry premises.
- D. Therefore, the concerned industries were responsible for the dumping of hazardous waste and their liability is to be apportioned as per production and operation period.

5. On this basis, the UPPCB has entered the following conclusion against the Appellant herein:

Name & address of industry:	<i>M/s Chandni Chemicals Pvt. Ltd., Khanchandpur Rania, Kanpur Dehat</i>
Production capacity (MTD):	3
Operational Period:	<i>1999 to Oct. 2005 NOC dated 12.08.99 (75 months).</i>
Assessed quantity of dumped Chromium waste as per percentage of production (MT):	<i>About 8.779 percent of total waste based on production capacity (Chromium Waste 5435.267 MT).</i>
Revised Assessed quantity of dumped Chromium waste after assessment of stored quantity in the premises (M.T.):	$5435.267 + [8.779 * 4652 / (28.092 + 8.779 + 4.682 + 15.021 + 5.774)] = 6090.273 \text{ MT.}$
Revised Environmental Compensation	<i>Rs. 27,40,62,295/-</i>

6. The aforesaid findings and conclusions contained in UPPCB's Report dt.28.07.2022, are incorrect, whimsical, capricious, and arbitrary. In the succeeding paragraphs, Appellant sets out its objections to the report.

Whimsical fluctuating assessments

7. As per the Order dt.28.05.2020 (originally impugned in appeal), the UPPCB declared that that the Appellant was responsible for dumping **8885.73 MT** and assessed liability thereon as **Rs.39,98,57,850**. The said

assessment was stayed by this Hon'ble Tribunal on 04.01.2021 and the UPPCB thereafter gave Report dt.30.09.2021 stating that the Appellant had dumped **4773.601 MT** of chromium waste and must pay **Rs.21,48,12,058**. Even this assessment was found faulty, as evident from this Hon'ble Tribunal's Order dt.12.11.2021. Now, in the third instance, the UPPCB's Report dt.28.07.2022 has come out with the story that the Appellant is responsible for dumping **6090.273 MT** of chromium waste and liable to pay **Rs. 27,40,62,295**. For ease of reference, the figures are tabulated below:

Order dt.28.05.2020	Report dt.30.09.2021	Report dt.28.07.2022
8885.73 MT	4773.601 MT	6090.273 MT
Rs.39,98,57,850	Rs.21,48,12,058	Rs. 27,40,62,295

8. In all three instances, there is no scientific or rational basis for calculation. The chromium dumps in question are in existence since 1976 (as recorded by the Hon'ble Tribunal in various judicial orders). Yet, the dump of 62225 metric ton has been sought to be divided only among a few units, including Appellant that operated only between 1999-2005 on the basis of "production capacity".

9. It is relevant that the Order dated 15.11.2019 as passed in OA Nos.985-986/2019 speaks of chromium dumps and water pollution **at two sites:** (i) Rania, Village Khan Chandpur, District Kanpur Dehat (ii) Rakhi Mandi, Kanpur Nagar, which have been in existence since 1976. The said order

records that the CPCB had filed a report on 30.10.2019 stating that both the contaminated sites located at Khan Chandpur and Rakhi Mandi require remediation of groundwater. The damages of Rs.280 crores (approx.) was apparently assessed as estimated cost for remediation of **both areas**. However, UPPCB has apportioned the waste only among the units in Kanpur Dehat in each instance.

10. UPPCB has failed to comply with the Order dt.12.11.2021 of this Hon'ble Tribunal. No scientific reasons have been furnished for the determination of quantum of waste and consequent liability. The Report dt.28.07.2022 has made an estimate on the basis of "production capacity", which methodology has not been approved hitherto. The same methodology was hitherto followed by the UPPCB in its Notice dt.28.05.2020, Reply to Appeal dt. NIL November 2020, Report dt.30.09.2021 filed in the captioned appeal. However, the said methodology was not approved by this Hon'ble Tribunal, as would be apparent from the Orders dt.10.07.2020, 04.01.2021 and 12.11.2021.

Unexplained escalation in quantity

11. The total quantity of waste as assessed in the UPPCB Impugned Order dated 28.05.2020, Report dated 30.09.2021 and Report dt.28.07.2022 is 62225 MT. On the contrary, in 2009, as per the intimation of UPPCB itself, the total waste was assessed as 45000 MT. True and Typed Copy of the

UPPCB Letter dated 01.04.2009 is annexed herewith as **Annexure 'A'**. Appellant had objected to the said communication categorically raising the plea that the dump was pre-existing Appellant's operations. True Copy of the Letter dt.10.07.2009 is annexed herewith as **Annexure 'B'**. The matter was not further actioned. It appears that between 2009 and 2019, the 45000 MT has gone up to 62225 MT as per UPPCB's own inspection. Indisputably, Appellant had shut down in 2005. Therefore, assuming but not conceding Appellant bore any responsibility, it could not be responsible for the escalation in quantity.

12. UPPCB has not disclosed the waste quantity as it stood in 2005. It appears that UPPCB has permitted other establishments/operators to continue with dumping activity beyond 2009 but affixed responsibility thereto to the appellants in the present batch of cases.

Arbitrary exclusions of favoured units

13. There were various other entities operating chromium-based units in the concerned area but the UPPCB has found some or the other reason to exempt or absolve such units of liability and conveniently accepted whatever explanation has been provided by other units which were issued show cause notices.

14. In the Report dt.28.07.2022, the UPPCB has given a clean chit to Khanna Vivek Chemical Pvt. Ltd. Unichem India, IGS Chemicals Pvt Ltd.,

Rahman Industries Ltd., accepting the explanation was furnished by them. However, none of the objections nor explanations of the appellants before this Hon'ble Tribunal have found favour with the UPPCB. The UPPCB's slanted and biased approach speaks for itself. The estimated figures (of waste and liability) are for mere convenience of the UPPCB whose only objective appears to be that the total Environmental Compensation of Rs.280.01 Crores has to be divided up among some pre-determined target units (i.e., the Appellants before this Hon'ble Tribunal).

Failure to consider relevant facts pertaining to production

15. The Appellant had consumed limited quantity of chromium ore and generated only limited chromium waste which is nowhere close to the quantity alleged to be dumped. The details of consumption were provided along with the Objections dt.08.11.2021 served on UPPCB and filed before this Hon'ble Tribunal in this captioned appeal. The details were as follows:

- a) Total chromite ore purchased between 1999-2005: 8330.675 MT
- b) Total chromite ore utilised between 1999-2005: 7891.957 MT.
- c) Unused quantity between 1999-2005: 438.718 MT.
- d) Total waste generated between 1999-2005: 986.495 MT (stored in RCC pit built inside premises).
- e) Unit and land in question sold in 2012.

True Copy of the Table of Production Details and Year-wise Purchase Chart of Chromite Ore of Chandni Chemicals is annexed herewith as **Annexure 'C'**.

16. It is relevant that this Hon'ble Tribunal had itself taken cognizance of the objections filed, in the Order dt.12.11.2021. However, the Objections dt.08.11.2021 filed before this Hon'ble Tribunal have not been noticed, let alone considered by the UPPCB. Once again, this approach points to the biased and pre-determined mindset of the UPPCB.

Irrelevant documents furnished as “basis”

17. None of the documents filed with the Report dt.28.07.2022 indicate the quantum of waste alleged to be dumped by the Appellant to be anywhere close to *6090.273 MT*. The barely legible documents filed (in Hindi) by UPPCB appear to pertain to a period *prior to closure of Appellant's unit in 2005*. As such, these documents nowhere support the UPPCB's conclusion as to responsibility of the Appellant in dumping to the extent of *6090.273 MT*.

18. It is also pertinent to note that *vide* Order dt.15.06.2002, the magistrate found that no waste was dumped by Appellant outside its premises. True and Translated Copy of the Order dt.15.06.2002 is annexed herewith as **Annexure 'D'**.

19. The basis (i.e., adverse materials) on which the UPPCB has purported to arrive at the quantum of waste and liability have thus not been furnished. The documents furnished bear little or no nexus to the exercise required to be carried out pursuant to this Hon'ble Tribunal's Order dt.12.11.2021.

Permission for storage / transport of waste

20. It is relevant that Appellant had applied for disposal of the waste likely to be generated, in terms of the Hazardous Waste (Management & Handling) Rules, 1989. True and Typed Copy of Form I Application dt.22.01.2002 of Appellant is annexed herewith as **Annexure 'E'**. True and Typed Copy of the Cover Letter dt.17.11.2004 is annexed herewith as **Annexure 'F'**. During pendency of such applications, in accordance with the NOC dt.12.08.1999 issued by UPPCB, the Appellant stored the chromium waste generated in lined tanks within the factory premises. However, Appellant's application under Hazardous Waste (Management & Handling) Rules, 1989 remained unprocessed and the Appellant was not given permission to remove the chromium waste generated at its unit. The waste was however not dumped outside the premises. Appellant complied with the conditions contained in the NOC dt.12.08.1999 which had specified that production has to cease if the storage capacity within the factory premises is exhausted.

21. Appellant submits that it has not contributed to the chromium waste dumps of size 62225 MT. During the limited time that it was operational, the waste generated was confined to the premises of the Appellant and not dumped elsewhere.

Improper legal basis for calculation of damages

22. The Report dated 28.07.2022 has relied upon a formula prepared by the CPCP under the Hazardous and other Waste (Management and Transboundary Movement) Rules, 2016 being,

"Environmental Compensation (EC) = Q X ERF X R where 'Q' is observed quantity of waste; ERF is environmental risk factor and R is environmental compensation factor @ Rs.30000."

23. This formula, as issued under the 2016 Rules, cannot retrospectively apply qua an alleged violation ending in 2005. Reliance is placed on Rule 1(2) of the 2016 which states that the Rules come into force on the date of their publication in the gazette (which is 04.04.2016). The 2016 Rules or guidelines issued thereunder, being subordinate legislation / executive instructions cannot carry retrospective effect for calculation of damages in respect of alleged dumping upto 2005. Of particular relevance is the 'R' factor taken @ Rs.30000, which benchmark of 2016 would have likely been different if the formulation was to apply for 2005.

24. Assuming but not conceding that the 2016 formula can be applied, the 'Q' factor (quantity of waste) has been incorrectly assessed, as a matter of fact, for the reasons already mentioned above. Going by UPPCB's own Letter of 01.04.2009, the maximum applicable penalty was only Rs.1.125 crores on the basis total quantity being 45000 MT and the disposal charge being Rs.1500 per tonne.

Laches

25. The entire exercise is highly belated and hit by laches. The Appellant is non-functional for a very long time and neither the resources nor materials to defend itself. The very process of requiring the Appellant to defend itself against alleged acts/omissions which relate back to two decades is untenable, hit by delay and laches.

26. The exercise undertaken by the UPPCB was quasi-judicial in nature. It has resulted in a serious civil liability. Even if there is no express provision of limitation for initiation of proceedings of compensation for environmental damage, the proceedings cannot be launched after 15 years of closure of the unit and in respect of dumps in existence since 1976 (well before the incorporation/existence of Appellant). Such proceedings, being quasi-judicial in nature, ought to have been initiated within a reasonable time as held by the Hon'ble Supreme Court in the following cases:

(a) *Shalimar Works Ltd. v. Workmen*, AIR 1959 SC 1217, which holds that though the Industrial Disputes Act, 1947, does not prescribe limitation

for reference of disputes, nonetheless disputes ought to be referred to the tribunal within a reasonable time-frame. Such interpretation was given thought Section 10 of the Industrial Disputes Act in fact permits reference of industrial dispute “at any time”. This position reiterated in *Prabhakar v. Sericulture Department*, (2015) 15 SCC 1.

(b) *Chhedi Lal Yadav v. Hari Kishore Yadav*, (2018) 12 SCC 527. A prayer for repossession of land was filed by farmers after a lapse of 24 years in terms of Bihar Kosi Area (Restoration of Lands to Raiyats) Act, 1951. It was contended that the statute a welfare legislation and ought to be read so as to benefit the Raiyat farmers, in matters of delay. It was contended that there was no provision of limitation regarding suo moto exercise of power by the authority for restoration of land. The Supreme Court rejected the contention on the ground that even if there is no limitation against suo moto exercise of power, there cannot be any exercise of power after a long lapse of time. Similar position has been enunciated in *Collector v. D. Narsing Rao*, (2015) 3 SCC 695.

27. Though the Interim Order dated 04.01.2021 of this Hon’ble Tribunal has expressed a prima facie view against the plea of limitation (on the ground that there is absolute liability under the "polluter pays" principle), it is respectfully submitted that even the doctrine of "absolute liability" premised on the "polluter pays" principle does not enable the Pollution Control Board

to initiate proceedings for imposition of penalty beyond a reasonable time-frame.

28. For example, Section 15(3) of the NGT Act permits the apex authority in the field of environmental law enforcement - i.e., this Hon'ble Tribunal, to entertain applications for compensation within 5 years of the date of cause of action, as first accrued. This shows that there is **no** legislative intent to permit an open-ended and indefinite period for assessment/demand of compensation on the doctrine of absolute liability. When such is the case for the apex body, it ought **not** to be implied that the State Pollution Control Board enjoys unlimited power to impose and assess damages for any length of time.

29. In the interim order dated 04.01.2021, the Hon'ble Tribunal relied on the judgement in *Hindustan Times v. UOI*, (1998) 2 SCC 242 to observe that limitation is not applicable to the case. However, the aforementioned precedent also takes note of the principle that the defence of delay can be availed where prejudice is pleaded and proved.

30. In the present case, prejudice has been consistently pleaded both before the authority (UPPCB) and this Hon'ble Tribunal. The Appellant's unit was shut in 2005. There was no production for 15+ years. The impugned proceedings of the UPPCB seeks to penalise Appellant for alleged dumping of waste from 1976 for which the UPPCB is not able to produce any record other than rely on hypothetical "production capacity". Petitioner was not

even in existence from 1976. The dumps in question admittedly existed since 1976 while the Appellant operated only between 1999-2005. UPPCB has failed to disclose as to the quantity and extent of the dumps as they existed, prior to the operation of the Appellant. Appellant had never dumped any waste outside its premises during the brief period that it was in operation. As the matter is very stale and production has long ceased, Appellant has found it extremely difficult to make its defence on facts. Appellant has been unable to marshal contemporaneous evidence of wrongdoing of other persons/third parties who may have been the actually entities responsible for the dumping in the areas concerned. Such prejudice is irreversible. Appellant submits that it has even sold the land/unit on 6.05.2012 to Trident Infra Estate Pvt Ltd. Appellant ought not to be visited with adverse civil consequences in respect of the land/unit in 2022 in respect of alleged dumping between 1999-2005 which dumping is unproven by UPPCB. Appellant relies on the principle enunciated in *State of Punjab v. Chaman Lal Goyal*, (1995) 2 SCC 570.

31. Furthermore, if any reliance is to be placed on the documents furnished with Report dt.28.07.2022, UPPCB was fully aware more than 15 years ago, of the alleged dumping, if any. It was thus capable of taking appropriate measures against the erring units at the relevant time that the alleged dumping was detected. It is unlawful and belated for UPPCB to levy environmental compensation 15 years after discovery of alleged violation.

32. Appellant reiterates all other grounds and submissions hitherto made in the appeal, Objections dt.08.11.2021 filed before this Hon'ble Tribunal to UPPCB Report dt.30.09.2021 and IA No.126/2022 filed in the captioned appeal respect of UPPCB's Demand Notice dt.14.04.2022.

33. Appellant respectfully submits that the Appeal may accordingly be allowed and the Impugned Order dt.28.05.2020 and Report dated 30.09.2021 set aside, insofar as the Appellant is concerned.

AND FOR THIS ACT OF KINDNESS THE APPELLANT AS IS DUTY BOUND SHALL EVER PRAY

Filed on: 18.08.2022	<p>FOR CHANDNI CHEMICALS (PVT.) LTD.</p> <p><i>Arjun</i></p> <p>CHANDNI CHEMICALS PVT LTD (Authorised Signatory)</p> <p><i>SK</i></p> <p>ADVOCATE FOR THE APPELLANT: SANTHOSH KRISHNAN</p>
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IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

APPEAL NO. 14 OF 2020

IN THE MATTER OF:

Chandni Chemicals Pvt. Ltd. ...Appellant

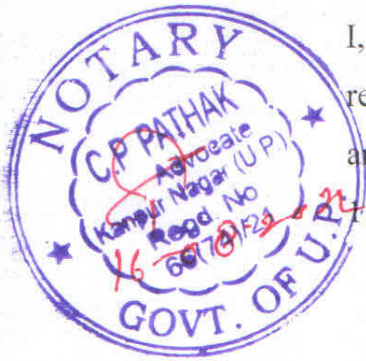
VERSUS

Uttar Pradesh Pollution Control Board ...Respondent

AFFIDAVIT

I, Anil Kumari Tiwari, age about 51 years, son of Alkhnath Tiwari residing at 2024Y/1, Deoki Nagar, Kanpur 208011, solemnly affirm and state as under:

1. I am the Authorised Representative and Director of Appellant. I am conversant with the facts of the case in such capacity, based on the records of the Appellant. I am thus competent to affirm this affidavit.
2. The facts set forth in the accompanying Statement of Objections are true to my knowledge based on the records of the Appellant. Legal submissions made in the Objections are based on legal advice received and believed to be true.
3. Documents annexed with the Statement of Objections are true/typed/translated copies of their respective originals.



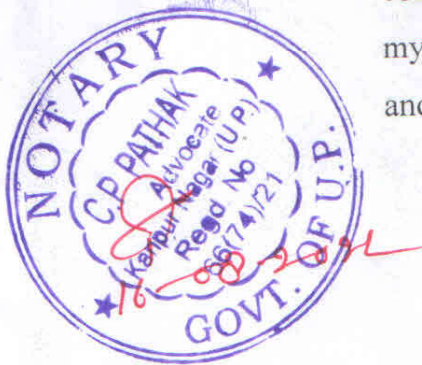
Arjun

Akshay
DEPONENT

VERIFICATION

Verified on this ___ day of August 2022 at _____ that the contents of the foregoing affidavit are true and correct, to the best of my knowledge, information and belief. Nothing false is stated therein and no material fact concealed therefrom.

Akshay
DEPONENT



Sworn before me this day of 16-08-2022
by Shri. Anu / Kumar Tiwari
Contents of the affidavit have been
read over and explained who is duly
identified Sri.....

C.P. PATHAK (Advocate)
Govt. Notary, Kanpur (U.P.)

16-08-2022

ANNEXURE - 'A'

EXHIBIT-7A

The Member Secretary,
Central Pollution Control Board,
East Arjun Nagar, Bahadur,
Delhi - 110052

Subject: Imposing fine under Section 16(3) of the Hazardous Waste Rules, 1989
against Basic Chrome Sulphate (BCS) units of Kanpur Dehat.

Kindly refer your letter no. E-29016 (SC)/1/08/HWMD/2118 dated 09-06-08 on the above subject. Six industries producing Basic Chrome Sulphate are operating at Khandari Village, Raina, Kanpur Dehat for last fifteen years. They have dumped their Hazardous waste, containing Chromium in open ground of approx. 200 X 100 meter and without any treatment. The ground water and the soil of this area is therefore polluted. As per the Report of the Central Pollution Control Board, the quantity of the hazardous waste dumped in this area is given as given below:

1. M/s. Khanchandpur Chemicals Pvt. Ltd., Khanchandpur, Raina, Kanpur Dehat.
2. M/s. Khanchandpur Chemicals Pvt. Ltd., Khanchandpur, Raina, Kanpur Dehat.
3. M/s. Khanchandpur Chemicals Pvt. Ltd., Khanchandpur, Raina, Kanpur Dehat.
4. M/s. Wari's Chemicals Pvt. Ltd., Khanchandpur, Raina, Kanpur Dehat.
5. M/s. Anand Chemicals Pvt. Ltd., Khanchandpur, Raina, Kanpur Dehat.
6. M/s. Rukmani Chemicals Pvt. Ltd., Khanchandpur, Raina, Kanpur Dehat.

It is also to mention that closure order has been issued to these industries under Hazardous Waste Rules and presently they are closed.

These units have not agreed to dispose off the Hazardous Waste illegally dumped by them into TSDF constructed at Kumbhari, Kanpur Dehat nor they are ready to equally share the expenditure. A Meeting between the representatives of these industries and T.S.D.F. operator was held in the presence of U.P. Pollution Control Board officials on dt. 06.12.06 but these industries were not ready to pay Rs. 1500/Ton as required by T.S.D.F. operator at that time.

Total hazardous BCS waste lying at site as per I.I.T.R. study report, is around 45,000 tonnes. Taking transportation, stabilization & disposal charges in Secured Landfill @ Rs. 1,500/tonne, total Expenditure worked out is Rs. 6.75 crores and thus Fine charges for each industry will be Rs. 1.125 crore only (Rs. One Crore Twelve lacs and fifty thousand only).

Contd.

(2)

As evident from the above, these six industries, which have illegally dumped Hazardous Waste At Rania, Kanpur Dehat are not realising their responsibility to rectify the harms done to the environment. They are least interested in shifting and proper disposal of the illegal Hazardous Waste dumped by them.

Therefore a fine of Rs. 1.125 crore is recommended on each of above Industries so that the expenditure incurred in lifting and disposal of Hazardous Waste at TSDF, Kumbhi, Kanpur Dehat can be recovered

In the above circumstances, kindly give necessary approval for imposing the fine on these six industries under section 16(3) of the Hazardous Waste Rules, 1989 so that the fine can be imposed on the above defaulters and the fine money can be used for lifting the dump Hazardous Waste to TSDF.

Yours faithfully,

(Dr. C.S. Bhatt)
Member Secretary

12/11/2012

01.04.09

The Member Secretary,
Central Pollution Control Board,
East Arjun Nagar, Shahdara,
Delhi-110032.

Subject: Imposing fine under Section 16(3) of the Hazardous Waste Rules, 1969 against Basic Chrome Sulphate (BCS) units of Kanpur Dehat.

Dear Sir,

Kindly refer your letter No. B-29016(SC)/1/08/HWMD/2018 dated 09.06.08 on the above subject. Six industries producing Basic Chrome Sulphate are operating at Kanpur Village, Raina, Kanpur Dehat for last fifteen years. They have dumped their hazardous waste containing Chromium in open ground of approx. 200 x 100 meter (illegible). The details of the industries are given below:

- 1.M/s CeruleanChemicals Pvt. Ltd. Khandchandpur, Raina, Kanpur, Dehat.
- 2.M/s ChandniChemicals Pvt. Ltd. Khandchandpur, Raina, Kanpur, Dehat.
3. M/sHilgersChemicals Pvt. Ltd. Khandchandpur, Raina, Kanpur, Dehat.
4. M/s Waris Chemicals Pvt. Ltd. Kanchandpur, Raina, Kanpur Dehat.
5. M/s AmeliaChemicals Pvt. Ltd. Khandchandpur, Raina, Kanpur, Dehat.
- 6.M/sRukmaniChemicals Pvt. Ltd. Khandchandpur, Raina, Kanpur, Dehat.

It is also information that closure order has been issued to these industries, under Hazardous Waste Rules (illegible).

These units have not agreed to dispose of the Hazardous Waste illegally disposed by them to TSDS constructed as Kumbhi, Kanpur Dehat nor they are ready to any share the expenditure. A Meeting between the representatives of those industries and T.S.D.F. operator was held in the presence of U.P. Pollution Control Board on 26.12.05 but these industries were not ready to pay Rs.1,500/Ton (illegible).

Total hazardous BGS waste wing at site as per I.I.T.R. study report, is around 45,000 tones, taking transportation, stabilization & disposal charges

in Secured Land @ Rs. 1,500 tonne, total Expenditure worked out is Rs.6.75 crores and thus Fine charges for each Industry will be Rs.1.125 crore only (Rs.One Crore Twelve lacs and fifty thousand only).

As evident from the above these six industries which have illegally dumped Hazardous Waste at Rania, Kanpur Dehat are not realizing their responsibility to rectify the harms done to the environment. They are least interested in shifting and proper disposal of the illegal Hazardous Waste dumped by them.

Therefore a fine of Rs. 1.125 crores is recommended on each of above Industries so that the expenditure incurred in lifting and disposal of Hazardous Waste at TSDF, Kumbhi, Kanpur Dehat can be recovered.

In the above circumstances, kindly give necessary approval for imposing the fine on these six industries under Section 16(3) of the Hazardous Waste Rules, 1989 so that the fine can be imposed on the above defaulters and the fine money can be used for lifting the dump Hazardous waste to TSDF.

Yours faithfully,

Sd/-
(Dr. C.S. Bhatt)
Member Secretary


TRUE TYPED COPY

ANNEXURE - 'B'

Address for communication :10th July 2009

CERULEAN CHEMICALS PVT. LTD. ,
128 CLYDE HOUSE, THE MALL,
KANPUR – 208004 (UP)

TO,
THE MEMBER SECRETARY,
CENTRAL POLLUTION BOARD,
EAST ARJUN NAGAR,
DELHI.

**RE: Hazardous waste of BCS manufacturing units at Khanchandpur
Rania, Kanpur Dehat (UP)**

Dear sir,

This humble submission is with reference to the letter no. **F47150/c-2/HAZ/440/09 dt.. 01/04/2009** of UP Pollution Control Board, Lucknow (UPPCB) addressed to your good self on the subject:

1. That before writing to you for imposing fine on 6 units of Rania Kanpur Dehat. UPPCB did not give any opportunity to clarify our positions. The quantity and total fined amount stipulated in that letter are fictitious and malafide.
2. That the fine stipulated unit wise is incorrect in total as the said companies ran their units for different span of time. Further the capacity installed & utilized of each plant is different so the quantity of waste generation of individual unit will not be the same.
3. That at the said solid waste dump, the lot of waste was lying there before operation of these 6 units. The many BCS units were in operation before/during the operation of our units in Kanpur Nagar, Kanpur Dehat, Unnao & Fatehpur. That some waste dumped there maybe of units other than BCS factories.

4. That UPPCB was allotted 10.5 Hectares of land by Government free of cost in year 1994 at village Kumbhi, Kanpur Dehat for developing common secured land fill (CSLF) facility. It was the primary responsibility of UPPCB to arrange for CSLF at least for small scale industries like us in UP, but they did not nothing until 2003.
5. That after 10 years in the year 2003 3 Hectares land was leased to KANPUR PRADOOSHAN NIYANTRAN SAMTI (KPNS) to develop and construct CSLF facility. We are also member of KPNS and contributed a lot towards the construction of CSLF facility. KPNS completed the CSLF in the month of Oct 2005, which was intimated to UPPCB vide their letter dated 30/09/2005 (copy attached)

The construction of CSLF was carried out as per technical specification of National Productivity Council, guide lines of local administration and UPPCB. The Chairman of UPPCB also visited the site in May 2005 and appreciated the quality of work being done by KPNS.

That the KPNS also applied for authorization of the operation of the CSLF facility vide their letter dt 07/03/2005 (copy of application attached)

That the UPPCB had neither responded to the request of KPNS for operation of CSLF facility nor intimated to them in regard to deficiency, if any in the work done by them.

6. That without pointing out any shortcoming in the construction work of CSLF the factories were closed/ sealed in 2005, causing us severe financial crisis and unemployment to the workers.
7. That the lease of land to KPNS was terminated by UPPCB unilaterally on 4/10/2006 without giving any opportunity.
8. That if the CSLF was not up to the mark why the said CSLF was given to Bharat Oil & Waste Management Ltd. (BOWML) free of cost, who have no experience of such type of activities. The KPNS has not been compensated for handling over the CSLF facility to BOWML. The present cost of CSLF will be about Rs. 2 Crores.
9. That the authorization for disposal of solid waste in CSLF constructed by KPNS was not given, where as authorization for the same CSLF has been granted to BOWML.
10. That this discriminatory action of the UPPCB heavily damaged the environment, industrial production & social cause.
11. That our units are SSI Sick Units and are unable to bear any fine. Moreover the financial position worsened due to long closure of the units.
12. That howsoever, if the said CSLF Facility is handed over to KPNS we will clear the said site (dump). If CSLF is not handed over to KPNS

then Bharat Oil & Waste Management Ltd. should clear the site (dump) on their cost.

13. That before taking any action against us, we may please be given a chance of personal hearing also.

Our request may please be considered sympathetically in light of facts and figures furnished here in above in the interest of natural justice.

Thanking You,


Yours faithfully,

For Cerulean Chemicals (P) Ltd., For Waris Chemicals (P) Ltd.,


(Director)


(Director)

For Hilgers Chemicals (P) Ltd., For Chandani Chemicals (P) Ltd.,


(Director)


(Director)

For Amelia Textiles & Chemicals (P) Ltd., For Rulmani Chemicals (P) Ltd.,


(Director)

(Director)

Encl: As above.

Copy to: 1. The Minister of Environment (Govt. UP), Bapu Bhawan, Lucknow.
2: The Member Secretary UPPCB, Lucknow.


True Copy

CHANDNI CHEMICALS PRIVATE LIMITED
UMRAN RANIA KANPUR DEHAT

ANNEXURE NO. 71 Production as per audited Financial Statements

year	SD	BCS	SS	SC	TOTAL
1999-2000	2.000	233.950	15.000	0.000	250.950
2000-01	77.950	962.000	294.760	---	1334.710
2001-02	10.650	1532.900	368.586	8.650	1920.786
2002-03	4.400	1955.000	356.100	0.200	2315.700
2003-04	0.000	1825.900	284.070	---	2109.970
2004-05	1.000	1514.650	227.500	---	1743.150
2005-06	4.350	545.350	38.650	---	588.350
TOTAL	100.350	8569.750	1584.666	8.850	10263.616

SD= Sodium Dichromate, BCS= Basic Chrome Sulphate,
 SS= Sodium Suplahte(Bye Product), SC= Sodium Chromate.

2 Sales & Net Profit as per Audited Financial Statements

Year	SALES	Net Profit
1999-2000	8,165,875.00	108,152.52
2000-2001	18,012,512.00	109,855.12
2001-2002	21,916,809.00	106,660.26
2002-2003	27,857,153.00	135,655.71
2003-2004	23,785,056.00	138,563.79
2004-2005	18,717,573.00	71,242.80
2005-2006	10,877,259.00	(201,660.71)
TOTAL	129,332,237.00	468,469.49

Akshay

M/s CHANDNI CHEMICALS PVT. LTD.
UMRAN RANIA, KANPUR DEHAT

YEAR WISE PURCHASE CHART OF CHROMITE ORE FROM FROM F.Y.
1999-2000 TO 2005-2006

YEAR	Qty. Recd. in MT	Qty. Used in MT
1999-2000	304.070	179.120
2000-2001	1516.905	1305.830
2001-2002	1188.350	1289.755
2002-2003	1796.245	1773.389
2003-2004	1715.095	1634.338
2004-2005	1167.290	1072.105
2005-2006	642.720	637.420
TOTAL	8330.675	7891.957


True Copy

न्यायालय परगना मजिस्ट्रेट अकबरपुर, कानपुर देहात ।
 वाद सं० 27 अन्तर्गत धारा 133 जा० फौ
 ग्राम - उमरान, थाना अकबरपुर जनपद कानपुर देहात ।
 स्टेटे ब बनाम

यादनी केमिकल्स प्रा० लि०
 नया निषेध दिनांक 15-6-2002 ई०

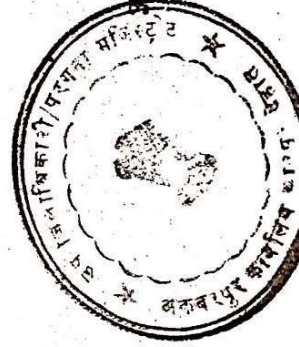
प्रस्तुत वाद रा० नि० को आख्या दिनांक 8-7-2001 पर प्रचलित हुआ । वाद पंजीकृत करके सर्वार्थ आदेश अन्तर्गत धारा 133 ई० जा० फौ० दिनांक 19-7-2001 को निर्गत किया गया । आवश्यक साक्ष्य आदि लेनेके उपरान्त दिनांक 8-3-2002 को धारा 137 ई० सी० आ० ए० पी० सी० के अन्तर्गत आदेश पारित कर वादग्रस्त भूमि सार्वजनिक उपयोग को भूमि मानो गयी तथा प्रथम पक्ष रा० नि० का बयान अंकित किया गया ।

मैने पत्रावली का विभिन्न अवलोकन किया एवं उभय पक्ष के विद्वान अधिवक्ताओं के तर्क सुने । सर्वार्थ आदेश में वर्णित है कि ग्राम उमरान स्थित ~~अर्ल~~ यादनी केमिकल्स प्रा० लि० फैक्टरी के डरे रंग की गाद निकालकर सड़क के किनारे डाली जाती है जिसे आम जनताके स्वास्थ्य पर विपरीत प्रभाव पड़ता है फैक्टरी से गन्दा पानी भी बाहर बहाया जाता है इस सम्बन्धमें हितोपपक्ष ने इनकारी बयान में कहा है कि उसकी फैक्टरी से कोई छरी गाद व गन्दा पानी नहीं निकलता है हरगो गाद परिसर स्थित टैंक में डाली जाती है । श्री अनिल तिवारी डायरेक्टर ने अपने बयान में कहा है कि उनको फैक्टरी से सरकारी भूमि पर कौड़ गाद या राखी नहीं डाले जाती है फैक्टरी से कौड़ पानी बाहर नहीं निकलता है इसी प्रकार क्याबयान महेन्द्रसिंह पुत्र रघुबीरसिंह बंसनोईसिंह पुत्र श्री कसिंह ने भी दिया है राजस्व निरीक्षक श्री राम खिलावन शर्मा न बयान दिया है कि पत्रावली में संलग्न आख्या दिनांक 8-7-2001 उनके द्वारा दी गयी है यादनी केमिकल्स से निकले वाली हरी गाद फैक्टरी के अन्दर डाली जाती है गन्दा पानी फैक्टरी के बार नहीं निकलता है फैक्टरी के अन्दर कचड़ा भी डालर जा रही है फैक्टरी के अन्दर ट्रीटमेन्ट प्लांट लगा है बाहर प्ला कचड़ा अन्य फैक्ट्रियों का है ।

उपरोक्त विवेचना से स्पष्ट है कि इस फैक्टरी के द्वारा निकले वाली गाद फैक्टरी के अन्दर डाली जाती है भूरे द्वारा स्थलीय निरीक्षक समय भी यही स्थिति पायी गयी फैक्टरी ट्रीटमेन्ट प्लांट चालू हालत में पाया गया जितने पानी साफ होकर पुनः प्रयोग में लिया जा रहा था अतः वाद को कार्यवाही समाप्त किये जाने योग्य है ग

आदेश

वाद को कार्यवाही समाप्त की जाती है । हितोपपक्ष को निर्देशित किया जाता है कि वह, इस आशय का प्रथमपत्र प्रस्तुत करे कि भविष्य में भी उसके द्वारा कौड़ कचड़ा या प्रदूषण सार्वजनिक स्थान पर नहीं डाला जायेगा । पत्रावली बाद आवश्यक कार्य-वाही दाखिल दफ्तर हो ।
 दिनांक 15-6-2002



15-6-2002
 एस० डी० मौर्य
 परगना मजिस्ट्रेट
 अकबरपुर, कानपुर देहात ।

§ 28

यह निष्पत्ति मेरे द्वारा हस्ताक्षरित एवं दिनांकित करके युक्त न्यायालयमें उक्तोचित किया गया।

दिनांक 15-6-2002

HO *ed*
 15-6-2002
 सत ङो० मौर्य §
 परम मजिस्टेट
 अकबरपुर, कानपुर देहात ।



Sl. No. of documents 66
 Date of 21-6-2002
 Name of *श्री अमरेश्वर*
 Date of 25/6/2002
 Date of 25-6-2002
 Cost *₹ 2000*

TRUE COPY.
 COURT OF *ed*

ed
 COURT OF *ed*

ed

//TRUE COPY//

25 PAISE
 25 PAISE
 25 PAISE

IN THE COURT OF PARGANA MAGISTRATE,**AKBARPUR KANPUR DEHAT****CASE NO.27 U/S 133 Cr.P.C.****VILLAGE UMRAN, P.S. AKBARPUR, DISTRICT KANPUR DEHAT****COPY OF ORDER DATED 15.06.2002**

That the present case was forwarded to the R.N. on the basis of report dated 08.07.2001. The case was got registered and the conditional order under Section 133 (1) Cr.P.C. was issued on 19.07.2001. That for obtaining necessary evidences, an order was passed on 08.03.2002 under Section 137 (2) Cr.P.C. and the disputed land was considered for public use and the statement of First Party R.N. was got recorded.

I have carefully perused the case file and heard the statements of both the parties. It has been mentioned in the conditional order that green colour waste is taken out from M/s Chandni Chemicals Pvt. Ltd. and the same is put alongside the road, due to which adverse affect is being caused to the health of general public and the dirty water is also thrown outside the factory. The second party has denied that no green waste or dirty water is thrown on the road and the green waste is stored inside a tank situated within the factory premises. Shri Anil Tiwari, Director has stated in his statement that no waste or ore is thrown outside from his factory, no water comes out from the factory and the same kind of statement is given by Shri Mahender Singh son of Shri Raghubir Singh and Shri Santosh Singh son of Shri Ashok Singh. Revenue Inspector Shri Ram Khilawan Sharma has stated that the report dated 08.07.2001 enclosed with the case file has been issued by him. The green color waste of the Chandni Chemicals factory is stored inside the factory and no

dirty water comes out from the factory and the same is being put inside a pit built up within the factory premises and a treatment plant has been installed inside the factory and the waste lying outside is of some other factories.

That from the abovesaid consideration, it is clear that the green color waste is stored inside the factory itself and while conducting site inspection, I have also found the same condition. The treatment plant in the factory was found in running condition, from which the water is being purified and reused. Hence, the hearing of this case is liable to be completed.

ORDER

That the proceedings of the case is hereby closed. The second party is directed to submit an Affidavit stating therein that they will not put the industrial waste on the public place in future. The case file be consigned to record room after initiating necessary proceedings.

Sd/-

15.06.2002

Pargana Magistrate

Akbarpur, Kanpur Dehat

This order has been pronounced under my signature and date in the open court.

Dated: 15.06.2002

Sd/-

15.06.2002

Pargana Magistrate

Akbarpur, Kanpur Dehat

Regn.No.4958K, 28169



//TRANSLATED COPY//

ANNEXURE - 'E'



Chandni Chemicals Pvt. Limited

Administrative Office : 24-Y-1, Deoki Nagar, Kanpur - 208 011

(O & R) : 635779
Mobile : 9838003829

Ref. No.

Date : 22.01.2002

The Regional Officer
U.P. Pollution Control Board
Kanpur

Sub: Our Application to obtain Authorisation
for Collection/Reception/Treatment/
Transport/Storage/Disposal of
Hazardous Wastes for the years 2002
& 2003.

Dear sir,

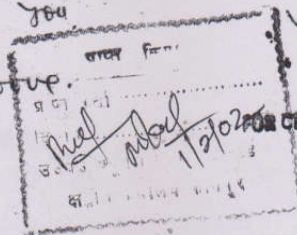
Please find enclosed herewith our
application in triplicate in Form No. 1
to obtain Authorisation for collection/
reception/treatment/transport/storage/
disposal of hazardous waste for the
years 2002 & 2003. We have already
paid Authorisation Processing Fee Rs 7500/-
by DD No. 329570 dt 15.09.2000 by Bank of
Baroda, Naya Ganj, Kanpur favouring
The member secretary UPPCB, Lucknow.

We request you to please forward
our application as early as possible, so
that it may be granted at the earliest.

Thanking you

Yours faithfully

Encl: As above.



FOR CHANDNI CHEMICALS PVT. LTD.

DIRECTOR

FORM -1

APPLICATION FOR
AUTHORISATION/RENEWAL OF AUTHORISATION
FOR COLLECTION/RECEPTION/TREATMENT/TRANSPORT /STORAGE/
DISPOSAL OF HAZARDOUS WASTES.

From

M/s Chandani Chemicals Pvt. Ltd.
Umran, Rania,
Kanpur Dehat

To,

The Member Secretary,
U.P. Pollution Control Board,
PICUP Bhawan, IIIrd Floor,
Vibhuti Khand, Gomti Nagar, Lucknow

Sir,

We hereby apply for authorisation/renewal of authorisation under sub-rule(3) of rule-5 of the Hazardous Wastes (Management and Handling) Rules, 1989 for collection/reception/treatment/transport/storage/disposal of hazardous wastes.

FOR OFFICE USE ONLY

1. Code No.

Chandani Chemicals Pvt Ltd
Umran, Rania, Kanpur Dehat

2. Whether the unit is situated in a critically
polluted area as identified by
Ministry of Environment & Forests

No

Authorisation Fee Rs 7500/- paid as DD No. 32957 0
DT 15.09.2000 by Bank of Baroda, Naya Ganj, Kanpur
payable at Lucknow favouring The Member Secretary
UPPCB Lucknow (1)

TO BE FILLED IN BY APPLICANT

PART-A GENERAL

3. (a) Name of Owner/Occupier S. K. ~~...~~ Tewari
 (b) Name and address of the unit and location of activity Umran
Rania
Kanpur Dehat

(c) Authorisation required for

(Please tick mark appropriate activity/activities)

- (i) Collection
- (ii) Reception
- (iii) Treatment
- (iv) Transport
- (v) Storage
- (vi) Disposal

(d) In case of renewal of authorisation previous authorisation Number :
 Date :

First Time Applied

4. (a) Whether the unit is generating hazardous waste as defined in Hazardous Wastes (Management and Handling) Rules, 1989 : *yes*

(b) If so the category No. :

5. (a) Total Capital invested on the project : Approx Rs 142.00 lacs

(b) Year of commencement of production :

- (c) Whether the industry works
- General
 - 2 Shifts
 - Round the clock

6 (a) List and quantum of products and bye-products :
Basic Chrome Sulphate : 50.00 MT / month
Sodium Dichromate : 25.00 MT / month

- (b) List and quantum of raw materials used
- | | |
|------------------|---------------|
| Chromite ore | : 2.00 MT/day |
| Soda Ash Caustic | : 0.8 MT/day |
| Sulphuric Acid | : 0.8 MT/day |
| Ume | : |
| Molasses | : 0.2 MT/day |

7. Furnish a flow diagram of manufacturing process showing input and out put in terms of products and waste generated including for motive power generation and demineralised water

Enclosed

PART B

Pertaining to sewage and trade effluent

8. Quantity and source of water for

- | | | |
|----------------------------------------|--------|--------------|
| (a) Cooling m ³ /d (boiler) | : 2.00 | } Total 6.00 |
| (b) Process m ³ /d | : 2.00 | |
| (c) Domestic use m ³ /d | : 2.00 | |
| (d) Others m ³ /d | : | |

9. Sewage and trade effluent discharge

- (a) Quantum of discharge m³/d : Domestic 1.00
- (b) Is there any effluent treatment plant : yes
- (c) If yes, a brief description of unit operation with capacity: Collection, Reaction, Settling Tank
- (d) Characteristics of final effluent pH :
- | | |
|-----------------------------------------------|---|
| Suspended solids | : |
| Dissolved solids | : |
| Chemical Oxygen Demand (COD) | : |
| Biochemical Oxygen Demand (BOD ₅) | : |
| Oil and grease | : |
| (Any additional parameters) | : |

N.A.

- (e) Mode of disposal and final discharge point (enclose map showing discharge point)
- (f) Parameters and Frequency of self monitoring
- No process effluent is discharged. It is recycled & reused.

PART C

Pertaining to stack (Chimney) and vent emissions

10. (a) Number of stacks and vents with height and dia (m)
- | | |
|------------------|-----------------|
| No. 1 Furnace | 2' dia 30.00 |
| No. 2 Boilers | 1.5' dia 25.0 |
| No. 3 & 4 Dg-set | 2" dia (each) 5 |
- (b) Quality and quantity of stack emission from each of the above stacks Particulate matter and Sulphur Dioxide (So₂)
- | | |
|--|-----|
| | 2 |
| | 3.5 |

- (c) (Any additional parameters)
 (d) A brief account of the air pollution control unit to deal with the emission
 (e) Parameters and Frequency of self monitoring

Settling chamber
 for furnace
 flue gas
 &
 Cyclone dust collector
 for Boilers

PART D

Pertaining to hazardous waste and hazardous chemicals.

11. Solid Wastes

- (a) Total quantum of generation : 1.5 MT/day
 (b) Quantum of hazardous waste generated 0.5 MT/day
 and its nature, as defined under the Environment
 (Protection) Act, 1986. See the Hazardous Wastes (Management
 and Handling) Rules, 1989.
 (c) Mode of storage within the plant and method of disposal etc. Sludge is stored
 in sludge storage
 pit

12. (a) Hazardous Chemicals as defined under

Environment (Protection) Act, 1986

(See the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989)

(b) Whether any isolated storage is involved if yes, attach details Yes/No

(c) Whether emergency plans are prepared for taking

-on site measures Yes/No

-Off site measures Yes/No

CHANDNI CHEMICALS PVT. LTD.

Your faithfully

DIRECTOR

Name and Signature of applicant

Sunil Kumar
 Tewari

ANNEXURE TO FORM -1

1. Important environmental features of the surrounding areas of the site
(Please attach a map of the area, 2.5 Kms radius with the site at the Centre indicating therein water bodies and important human activities ,sensitive features)
Map Enclosed
2. Description of Process/Operation steps which give rise to hazardous waste
Enclosed
3. Description of Hazardous waste
 - (a) Physical Properties
 - (1) Physical form(solid/semi solid/liquid others with respective quantity in each form)
Solid
 - (2) Sp. gravity
Not Available
 - (3) Percentage solids
 - (4) Chemical composition
 - (b) Detailed characteristics ,if known
 - (1) Flash Point
 - (2) Reactivity
 - (3) Toxicity
Not Available
 - (4) Explosivity
 - (5) Calorific value
 - (6) Biodegradability
4. Method of packaging of wastes
 - (1) Type of containers, size & number
Stored in lined Tank
 - (2) Is the packaging/labelling in accordance with the Rules made by Central Government under Motor Vehicle Act, 1988?
5. Method of handling and transport
 - (a) By hand /Trolley/Tractor/Truck/Trailer or by any other means
By Hand Trolly
 - (b) Name of Transport /Scrap Contractor
X
 - (c) RTO Number of vehicle
P.A
 - (d) Is the transport in accordance with Rules made by the Central Government under Motor Vehicle Act, 1988?
N.A
 - (e) Temperature & Pressure
N.T

6. Method of Treatment of Wastes

- (a) Give details of treatment facilities with map, diagram, design, type of treatment etc
- (b) Quantity of leachate generated
- (c) Analysis of leachate
- (1) pH
 - (2) TOC
 - (3) BOD
 - (4) COD
 - (5) TDS
 - (6) Heavy Metals
 - (7) Oil and grease
 - (8) Phenolics
 - (9) Cyanide
 - (10) Pesticide
 - (11) Toxicity

Neutralisation

N.A.

- (d) Whether disposal area is restricted area with fencing, if so give details and the security arrangement.

N.A.

7. Details of Surface Water/Ground Water surveillance conducted

- (a) Details of soil/survey conducted
- (b) if collection & treatment of leachate is provided, give details of treatment of leachate
- (c) Mode of disposal of leachate on land or in surface waters with municipal sewer/drain/estuary or any other
- (d) Do you have emergency plan and facility give detailed emergency contingency plan

N.A.

8. Details of Waste Incineration system

- (a) Waste Quantity
- (b) Height of Stack
- (c) Characteristics of off-gases
- (d) Details of off-gases cleaning
- (e) Ash disposal System

N.A.

(6)

Other solid Wastes(In the form of containers, Floor cleaning etc)

- (a)
(b)
(c)

No

NOTE :

1. The occupier/generator may fill Form -1(see rules)
2. The records are required to be maintained in Form-3(see rules)
3. Submission of returns regarding the disposal of hazardous wastes has to be done to U.P.Pollution Control Board in Form-4.
4. The accident during transport or to the facility has to be reported to U.P.Pollution Control Board immediately in Form-5.
5. Please attach annexures wherever required.

Tewari

Sunil Kumar

or M/s

Surname

Name

Chandni Chemicals Pvt Ltd

authorised by above said company of Board of Directors/Partners or Proprietors have read the Form and Annexure attached and that I understand that all above information filled in is correct.

CHANDNI CHEMICALS PVT. LTD.

DIRECTOR

Signature & Seal

Address

Vill. Umran
Rania

Distt. Kanpur Dehat

Telephone No.

Date: 19.01.2002

Chandni Chemicals Pvt. Ltd.

Administrative Office: 24-Y-1, Deoki Nagar, Kanpur-208 011.

Ref: No.

Date: 22.01.2002

The Regional Officer
U.P. Pollution Control Board
Kanpur.

Sub: Our Application to obtain Authorisation for Collection / Reception / Treatment / Transport / Storage / Disposal of Hazardous Wastes for the ear 2002 & 2003.

Dear Sir,

Please find enclosed herewith our application in triplicate in Form No. 1 to obtain Authorisation for collection / reception / treatment / transport / storage / disposal of hazardous waste for the years 2002 & 2003. We have already paid Authorisation Processing Fee Rs. 7500/- by DD No. 329570 dated 15.09.2000 by Bnak of Baroda, Naya Ganj, Kanpur favouring The Member Secretary UPPCB, Lucknow.

We request you to please forward our application as early as possible, so that it may granted at the earliest.

Thanking you,

Yours faithfully

For CHANDNI CHEMICALS PVT. LTD.

Sd/-

DIRECTOR

Encl: As above

FORM- 1
APPLICATION FOR
AUTHORISATION / RENEWAL OF AUTHORISATION
FOR COLLECTION/RECEPTION/TREATMENT/TRANSPORT/
STORAGE/DISPOSAL OF HAZARDOUS WASTES.

From:

M/s Chandani Chemicals Pvt. Ltd.
 Umran, Rania,
 Kanpur Dehat.

To,

The Member Secretary,
 U.P. Pollution Control Board
 PICUP Bhawan, IIIrd Floor,
 Vibhuti Khand, Gomti Nagar, Lucknow.

Sir,

I/We hereby apply for authorization / renewal of authorization under sub-rule (3) of rule-5 of the Hazardous Wastes (Management and Handling) Rules, 1989 for collection / reception / treatment / transport / storage / disposal of hazardous wastes.

FOR OFFICE USE ONLY

1.	Code No.	:	Chandani Chemicals Pvt. Ltd. Umran, Rania, Kanpur Dehat.
2.	Whether the unit is situated in a critically polluted area as identified by Ministry of Environment & Forests.	:	No
Authorisation Fee Rs. 7500/- paid as DD No. 329570 dated 15.09.2000 by Bank of Baroda, Naya Ganj, Kanpur payable at Lucknow favouring The Member Secretary UPPCB Lucknow.			
PART-A		GENERAL	
3(a)	Name of Owner/Occupier	:	S.K. Tewari
(b)	Name and address of the unit and location of activity.	:	Umran Rani, Kanpur Dehat.
(c)	Authorisation required for (Please tick mark appropriate	:	

	activity / activities) (i) Collection (ii) Reception (iii) Treatment (iv) Transport (v) Storage (vi) Disposal		
(d)	In case of renewal of authorization previous authorization Number: Date:	:	First time Applied
4(a)	Whether the unit is generating hazardous waste as define din Hazardous Wastes (Management and Handling) Rules, 1989.	:	Yes
(b)	If so the category No.	:	
5(a)	Total Capital invested on the project:	:	Approx. Rs. 42.00 Lacs
(b)	Year of commencement of production	:	1999
(c)	Whether the industry works General 2 Shifts Round the clock	:	
6(a)	List and quantum of products and bye-products	:	Basic Chrome Sulphate 50.00 MT/ Month Sodium Dichromate 25.00 MT/ Month
(b)	List and quantum of raw materials used	:	Chromits Ore 2.00 MT/day Soda ash/Caustic 0.8 MT/day Sulphuric Acid 0.8 MT / day Unit Molasses 0.2 MT/day
7.	Furnish a flow diagram of manufacturing process showing input and output in terms of products and waste generated including for ...power generation and deminarailsed water.	:	Enclosed

	<p>(So₂).</p> <p>(c) (Any additional parameters)</p> <p>(d) A brief account of the air pollution control unit to deal with the emission.</p> <p>(e) Parameters and Frequency of self monitoring</p> <p>PART d</p> <p>Pertaining to hazardous waste and hazardous chemicals.</p>	:	Settling chamber for furnace flue gas and Cyclone Dust Collector for Boiler.
11.	<p>Solid Wastes</p> <p>(a) Total quantum of generation</p> <p>(b) Quantum of hazardous waste generated and its nature, as defined under the Environment (Protection) Act, 1986. See the Hazardous Wastes (Management and Handling) Rules, 1989.</p> <p>(c) Mode of storage within the plant and method of disposal etc.</p>	:	<p>1.5 MT/day</p> <p>0.5 MT / day</p> <p>Sludge is stored in sludge storage pet</p>
12.	<p>(a) Hazardous Chemicals as defined under Environment (Protection) Act, 1986. (See the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989).</p> <p>(b) Whether any isolate storage is involved if yes, attach details.</p> <p>(c) Whether emergency plans are prepared for taking</p> <p>- On site measures</p> <p>- Off site measures</p>	:	<p>No</p> <p>No</p> <p>No</p>

Your faithfully

For CHANDNI CHEMICALS PVT.LTD.

Sd/- Sunil Kumar Tewari

DIRECTOR

ANNEXURE TO FORM-1

1.	Important environmental features of the surrounding areas of the site (Please attach a map of the area, 2.5 Kms radius with the site at the Centre indicating therein water bodies and important human activities sensitive features).	:	Map enclosed
2.	Description of Process / Operation steps which give rise to hazardous waste.	:	Enclosed
3.	Description of Hazardous waste (a) Physical Properties (1) Physical form(solid/semi solid/liquid others with respective quantity in each form (2) Sp. Gravity (3) Percentage solids (4) Chemical composition (b) Detailed characteristics, if known (1) Flash Point (2) Reactivity (3) Toxicity (4) Explosively (5) Calorific value (6) Biodegradability	:	Solid Not available Not available
4.	Method of packaging of wastes (1) Type of containers, size & number (2) Is the packaging / labeling in accordance with the Rules made by Central Government under Motor Vehicle Act, 1988?	:	Stored in lined tank
5.	Method of handling and transport (a) By hand / Trolley / Tractor/ Truck / railer or by any toehr means (b) Name of Transport / Scrao Contractor (c) RTO Number of vehicle (d) Is the transport in accordance with Rules made by the Central Government under Motor Vehicle Act, 1988? (e) Temperature & Pressure	:	By hand Trolley : X : N.A : N.A : N.A
6.	Method of Treatment of Wastes	:	Neutralisation

	<p>(a) Give details of treatment facilities with map, diagram, design, type of treatment etc.</p> <p>(b) Quantity of leachate generated : N.A</p> <p>(c) Analysis of leachate : N.A</p> <p>(1) pH</p> <p>(2) TOC</p> <p>(3) BOD</p> <p>(4) COD</p> <p>(5) TDS</p> <p>(6) Heavy Metals</p> <p>(7) Oil and grease</p> <p>(8) Phenolics</p> <p>(9) Cyanide</p> <p>(10) Pesticide</p> <p>(11) Toxicity</p> <p>(d) Whether disposal area is restricted area with fencing, if so give details and the security arrangement. : N.A</p>	
7.	<p>Details of Surface Water / Ground Water surveillance conducted</p> <p>(a) Details of soil / survey conducted : N.A</p> <p>(b) If collection & treatment of leachate is provided, give details of treatment of leachate : N.A</p> <p>(c) Mode of disposal of leachate on land or in surface waters with municipal sewer / drain / estuary or any other. : N.A</p> <p>(d) Do you have emergency plan and facility give detailed emergency contingency plan. : N.A</p>	
8.	<p>Details of Waste Incineration system:</p> <p>(a) Waste Quantity</p> <p>(b) Height of Stack</p> <p>(c) Characteristics of off-gases</p> <p>(d) Details of off-gases cleaning</p> <p>(e) As disposal System</p> <p>(f) Other solid Wastes (in the form of containers, Floor cleaning etc.)</p> <p>(a)</p> <p>(b)</p> <p>(c)</p>	: No

ANNEXURE - 'F'

Fax : 0512-2621593



(O) 2621405, 2621593, (R) 2635779

Mobile : 9415043982, 9415043983, 3115581

**Chandni Chemicals Pvt. Limited**

Administrative Office : 24-Y-1, Deoki Nagar, Kanpur - 208 011

Ref. No.

Date : 17.11.2004

To
The Regional Officer
U. P. Pollution Control Board
Kanpur

Sub: Application for
Authorisation for
Collection/ Reception/ Treatment/
Transport/ Storage/ Disposal
of Hazardous Waste
For the years 2005 & 2006

Dear sir,

Please find enclosed herewith our
application in triplicate to obtain
Authorisation for the years 2005 & 2006.

We are temporarily storing sludge
in pit inside factory premises and
finally at common secured landfill
Facility at Kumbhi, Akbarpur,
Kanpur Dehat.

We request you to please forward
our application to HO UPPCB Lucknow
so that Authorisation may be granted
to our unit.

Thanking you.

FOR CHANDNI CHEMICALS PVT. LTD

Yours faithfully
For Chandni Chemicals Pvt Ltd
Director

DIRECTOR

Works & Regd. Office : Umran, Ramia, Kanpur - Dehat • Mobile : 9415131183

True Copy

Santhosh Krishnan <mail@skrishnan.in>

Advance Service: Objections to UPPCB Report dt.28.07.2022 [NGT Cases: Chandni Chemicals v. UPPCB Batch, Appeal Nos.14,15,17/2020]
1 message

Santhosh Krishnan <mail@skrishnan.in> 17 August 2022 at 18:45
To: pradeepmisra@yahoo.com

To:
Mr. Pradeep Mishra
Advocate for UPPCB

Dear Sir,

Please find below the link to download the scanned copy of the objections proposed to be filed on behalf of the appellants (Chandni Chemicals, Amelia Textiles & Heilger Chem) in respect of UPPCB's Report dt.28.07.2022.

 [17.08.2022 Objections - Chandni Chemicals Pvt. ...](#)

 [17.08.2022 Objections - Heilger Textiles Pvt. L...](#)

 [17.08.2022 Objections - Amelia Textiles Pvt. Lt...](#)

Please download the same at your earliest convenience as the links are not permanent.

Regards,

Santhosh Krishnan
Advocate
