

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

Appeal No. 05 of 2022

Bhawani Industries P. Ltd.

Appellant

versus

Chairman, Punjab Pollution Control Board

Respondent

**Reply on behalf of Punjab Pollution Control Board**

**Respectfully showeth:**

- 1) That respectfully it is submitted that the appellant has filed the present appeal before the Hon'ble National Green Tribunal against the order / judgement dated 18.8.2021 passed by the Ld. Appellate Authority constituted under the Air (Prevention and Control of Pollution) Act, 1981, whereby the appellant has directed to deposit environmental compensation for a period of 100 days @ 5000/- per day i.e. a total amount of Rs. 5,00,000/- in the office of Punjab Pollution Control Board. The Hon'ble National Green Tribunal after consideration of the matter has passed an order dated 18.2.2022, thereby directing the State Pollution Control Board to place on record the details of the proceedings that have taken place before the Ld. Appellate Authority. The relevant extract of para no.3 of the order dated 18.2.2022 in this regard is reproduced herein below:

"We have given our thoughts to the matter. We are of the opinion that details of the proceedings which have taken place before the Ld. Appellate Authority as well as objections

and other relevant documents filed by the appellant are required for disposal of present appeal. Let the same be filed by the State PCB within 15 days from today."

2) That in compliance of the order dated 18.2.2022, following documents are attached herewith for kind consideration of the Hon'ble National Green Tribunal

a) Copy of appeal filed by the appellant M/s Bhawani Industries Private Limited, Village Ajnali, Near Focal Point, Mandi Gobindgarh before the Appellate Authority against the order dated 10.8.2021 of the State Pollution Control Board – **Annexure R/1.**

b) Copy of reply filed by the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Fatehgarh Sahib before the Appellate Authority – **Annexure R/2.**

c) Copy of order dated 13.10.2021 passed by Appellate Authority in appeal case of the appellant – **Annexure R/3.**

3) That briefly stated the facts of the case are that Mandi Gobindgarh in Fatehgarh Sahib District is one of the Non-attainment cities of the State of Punjab where control of air pollution is one of the main priorities of the State Government. The Hon'ble National Green Tribunal Principal Bench, New Delhi in the case of Original Application No. 924/2019 titled as Neeraj Goyal Applicant(s) Versus State of Punjab has passed orders dated 11.2.2020 in reference to poor air quality of Mandi Gobindgarh with a direction to the State Pollution Control Board to take stringent measures by way of stopping the polluting activities and recovering compensation on Polluter Pay's Principle apart from other statutory action. The relevant extract of the order dated 11.2.2020 is reproduced below for kind perusal:

"Units should have been monitored having regard to the adverse consequences on the health of the inhabitants in

violation of Fundamental Right to breathe clean air and to clean environment. Continuous and stringent action is required which has yet been taken. Let the Committee file a fresh and detailed report by covering large number of units.

We also direct that carrying capacity of the area to sustain such activities may be conducted by the Committee in terms of number such units which can be sustained to give effect to 'Sustainable Development principle and to enable the regulatory authorities to ensure steps for preventing pollution.

Accordingly, we direct the State PCB to take further stringent measures by way of stopping the polluting activities and recovering compensation on 'Polluter Pays' principle, apart from any other statutory action as may be warranted in the situation".

- 4) That the appellant industry is an induction furnace unit engaged in the manufacturing of Concast Billets/ Slabs @ 400 TPD, Steel Castings/ Ingots @ 50 TPD, Rolling Mill-Flats/ Strips @ 190 TPD or Rolling Mill-TMT Bars/ Wire Rods/ Bars/ Structural Steel @ 200 TPD. The industry was granted consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 on 18/04/2018 and under Air (Prevention & Control of Pollution) Act, 1981 on 09/01/2020, having validity upto 31/03/2021, with certain conditions as mentioned in the consent letters. The appellant industry was also granted authorization under HWM Rules, 2016 for hazardous waste Category 5.1 @ 0.020 KLA and Category 35.1 @ 490 TPA vide no. HWM/renew/FGS/2020/11385928 dated 27/01/2020 valid upto 31/03/2024, subject to certain conditions mentioned therein and specific condition that the industry will send its hazardous waste Category 35.1 to M/s Madhav Alloys Pvt. Ltd. District Fatehgarh Sahib.

- 5) That the industry was visited by Assistant Environmental Engineer of the Board alongwith Scientist-B of the Central Pollution Control Board on 27.2.2020 and it was observed that industry is having two number induction furnaces of 20 TPH and 6 TPH and has installed separate side hoods with each induction furnace, which leads to common bag house filter as APCD. During visit, the APCD was found in operation, but some emissions were found escaping into working shed and then into the ambient without any treatment through APCD due to inadequate suction of the APCD. The industry is using PPE bags for storage of Hazardous Waste instead of HDPE bags.
- 6) That the industry was served with notices for cancellation of consent to operate granted under the Air (Prevention & Control of Pollution) Act, 1981, issuance of directions u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and for cancellation of authorization with an opportunity of personal hearing before the Chairman of the Board. The hearing held on 10.9.2020 was attended Sh. Narinder Singh Ubhi, Manager of the Appellant industry who submitted a written reply. The Manager stated that they were not aware about the non-compliances made by the visiting team and came to know about the same only after receipt of notice dated 2.6.2020. However, the statement of the Manager of the Appellant industry was found to be incorrect when the officer of the Board stated that the visit report dated 27.2.2020 containing the observations of the visiting team was got signed from Sh. Narinder Singh Ubhi, Manager. After hearing of the officer of the Board and the Manager of the industry and considering material facts, following decisions were taken by the Chairman of the Board, which were conveyed to the appellant industry for compliance vide letter no. 2920-2921 dated 25.9.2020.
- a) The industry shall take more measures to collect the entire process emission generated from induction furnaces and will pass the same through Air Pollution Control Device.

- b) The industry shall operate the Air Pollution Control Device regularly and efficiently, so as to achieve the prescribed emission standards on regular basis.
- c) The industry shall appoint dedicated staff for operation/ maintenance of Air Pollution Control Device.
- d) The industry shall comply with the SOP prescribed by the Board for induction furnace.
- e) Environmental Compensation @ Rs. 5000/- per day be imposed upon the industry due to environmental damage caused by it. The Environmental Engineer, Regional Office, Fatehgarh Sahib shall verify actual number of operation days from 27/02/2020 to 05/08/2020 as industry has submitted that it remained closed for a certain period due to COVID-19 situation.

7) That in compliance to the decisions taken during the hearing on 10.9.2020, the industry was requested by Regional Office, Fatehgarh Sahib to produce production register for verification of actual number of operation days from 27-02-2020 to 05-08-2020, so that, Environmental Compensation @ Rs. 5000/- per day may be calculated for environmental damage caused by the industry. But, the industry denied to produce documents for verification of actual number of operation days. Sh. Narinder Singh Ubhi, Manager was personally requested by the officer of the Board to produce production register, but, the industry failed to submit the same.

8) That upon receipt of complaints regarding air pollution being caused by induction furnaces in Mandi Gobindgarh, the Chairman of the Monitoring Committee, has directed Punjab Pollution Control Board to inspect the industry by deputing a team of officers. In compliance to the directions of the Monitoring Committee and the decision of hearing held on 10.9.2020, the

area of Mandi Gobindgarh was inspected by the officers of the Board during night hours from 9.00 p.m. to 12.30 a.m on 17-18.10.2020 to check the operational status of the APCDs installed by the industries. During the visit the appellant industry was found in operation, but the industry denied to open the main gate. Even a telephonic call was made to Sh. Narinder Singh Ubhi, Manager of the appellant industry, but the officers of the Board were not allowed to enter the premises of the industrial unit.

9) That keeping in view the violation and the conduct of the industry, the Competent Authority of the Board constituted a team of officers comprising Er. Surnider Singh Matharu, EE and Er. Rajiv Goel, EE on 26.10.2020 to visit the industry and submit the report with recommendations. Accordingly, the team had visited the appellant industry on 19/12/2020 and reported the following violations:

- a) The APCDs provided with induction furnaces of capacity 20 T/heat & 6 T/heat was found in operation, however significant emissions were seen escaping the shed at the time of charging of raw material.
- b) The port hole provided with the stack of APCD was not at 8D (8-time diameter of the stack) as such it was not feasible to carry out iso-kinetic sampling for SPM.
- c) The industry has provided online continues emission monitoring system at the stack of the APCD, which showing the conc. of SPM 8.4 mg/Nm<sup>3</sup>. Therefore, it is evident that OCEMS was showing 53.33 % less analyzed value of SPM in the emission, as such the OCEMS is required to be calibrated by the industry from its supplier in the presence of the Official of the Board.
- d) The industry has installed one no. ladle refining furnace of capacity 20 T/heat and no APCD has been installed to control

the process emissions generated during operation of the same. Lot of emissions from ladle refining furnace were escaping into the working shed at the time of addition of Ferro metals.

- e) Significant secondary emissions were seen escaping into the working shed especially when the molten metal is poured in the concast unit, when the metal comes in contact with air may be due to oxidation of the metal. The industry is required to explore the possibility to capture said emissions.
- f) The industry has installed metal recovery unit from slag with crushing and sewing process, but no APCD has been installed to control the emissions to be generated during its operation.
- g) The industry has also provided separate energy meter with ID fan of the electric motor of capacity 515 KW capacity with the APCDs. Therefore, in case this fan is presumed to be operated at 80 % of its efficiently, the consumption of units comes out to be  $515 \times 0.8 = 42$  KWH units. Therefore, in case the industry is operated for 24 hours then the units to be consumed for operation of the APCD come out to be 9888. However, as per record submitted by the industry after conduct of visit for the month of January, 2020 and February, 2021, the consumption of varies in the range of 918 to 10730 units, which is much less than the units to be consumed calculated above by taking into account the capacity of the electric motor attached with ID fan and operation hours of the industry.
- h) The industry has installed an STP based on aerobic biological treatment, which was in operation. There was hardly any growth of bio-mass in the aeration tank despite the fact that

the aeration system was in operation, which shows that the STP installed by the industry is not being operated properly.

- i) The industry has not provided proper distribution network for use of treated wastewater in the plantation area and significant wild growth was observed in the said area.
- j) The industry has not stabilized the vehicle movement area/ entry & exist point. At the time of entry to the unit, a flexible pipe was seen through which purge water from the re-circulation tank was being discharged into a channel leading to the low lying area inside the premises of the unit, which causing stagnation.
- k) Non-compliance of SOPs framed by the Board for induction furnaces were also observed as under:
  - i. The scrap being used was not free from oil grease/rust/paint.
  - ii. The air flow of dust laden air in the APCD was from inside to outside instead outer to inside the bags.
  - iii. There was no mechanism to measure the pressure drop after collection hood of APCD and before APCD.
  - iv. The industry could not produce the record of the compressor of the APCD as per SOP.
  - v. There was no interlocking of APCD with the induction furnace to ensure regular operation of the industry
- l) The process dust contained by APCD which is hazardous in nature was seen packed in plastic bags. Further, the perusal of record maintained by the industry, it has been observed that the industry has got lifted hazardous waste quantity 13.140 Ton, 12 Ton and 13.530 Ton of process dust Cat. 35.1

to unauthorized vendor namely M/s Laxmi Inds. Meerut on 17/11/2020, 8/12/2020 and 14/12/2020, respectively.

- 10) That keeping in view the observations of the visiting team and the fact that the industry is not complying with the conditions of consent granted under the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 as well as authorization granted under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and is causing pollution in the vicinity intentionally & deliberately, show cause notice for revocation / cancellation of consent to operate, authorization as well as notice to issue directions with imposition of Environmental Compensation was issued to the appellate industry vide letter no. 2639 dated 12.7.2021 with an opportunity of virtual hearing before the Chairman of the Board on 30.3.2021, which was postponed to 29.4.2021 on the request of the appellant industry.
- 11) That the hearing was held on 27.7.2021 through virtual mode and was attended by the Director of the industry Sh. Rohit Sood. Reply submitted by the industry was taken on record. The director stated that they have already complied with the observations of the visiting teams except stabilizing the vehicle movement area entry & exit point in factory premises. They have installed APCD as per design of PSCST, Chandigarh and operating the same on regular basis. The PSCST has already issued completion certificate to industry vide letter dated 21.8.2019. They have already provided manometer to measure the pressure drop after collection hood of APCD, which could not be seen by the visiting team. Also provided OCEMS with the stack and the same has been got calibrated and the concentration of particulate matter remains within the permissible limits. The porthole and platform provided on APCD is as per PPCB norms, which can be verified any time. The STP is being operated regularly by the industry. The hazardous waste generated by the industry was earlier being sold to M/s Bhawani Chemical Meerut an authorized operator of Uttar Pradesh Pollution Control Board having valid authorization

upto 17.12.2024. However, they came to know that the said firm is not having valid authorization for transport of hazardous waste inside the territory of State of Punjab and as such, in future they will send the hazardous waste to authorized as advised by the Board. He further stated that they have also informed the number of days to the Environmental Engineer, Regional Office, Fatehgarh Sahib vide its letter dated 7.10.2020 that they rectified the fault due to which there was minor discharge of smoke in the air within two days i.e. upto 28.2.2020. He requested that the Environmental Compensation may not be imposed as they are facing financial problem due to Covid-19. He further assured that one month's time be given to attend the remaining observations of the visiting team and to apply for CTOs under Water Act, 1974 and Air Act, 1981.

- 12) That the reply submitted by the industry and the submissions made were considered in the background of the orders passed by the Hon'ble National Green Tribunal in O.A No. 924 of 2019 and also on the basis of Polluter Pay's Principle. It was observed that the violations of environmental norms were first detected by a joint team of officers of the Punjab Pollution Control Board and Central Pollution Control Board on 27.2.2020, which continued upto 30.3.2021 i.e. the date of hearing afforded by the Board to the appellant industry. The number of days from 27.2.2020 to 30.3.2021 were calculated to be 398 days. However, keeping in view the fact that the industry has rectified some short comings in the said period, hence total number days for violations were counted to be 223 days. It was further observed that in the month of March 2020, a nationwide lockdown was imposed to contain the cause of Covid-19 pandemic and as such 23 days were further deducted from the total number of days of violation. Hence, Environmental Compensation for a total period of 200 days @ Rs.5000/- per day was decided to be imposed upon the appellant industry. The imposition of such Environmental Compensation was also agreed upon by the appellant during the personal hearing. Accordingly, with other decisions, a decision was taken to impose an environmental

compensation amounting to Rs. 10 lakhs upon the appellant industry for a period of 200 days @ Rs.5000/- per day.

- 13) That the decisions taken by the Chairman of the Board during the hearing held on 27.7.2021 were conveyed to appellant industry vide letter no. 2937 dated 13.8.2021. During the hearing of the case, the director of the appellant industry has agreed to pay the Environmental Compensation for the reduced number of days from 398 to 200 days, but has later on filed an appeal before the Appellate Authority constituted by the State Government under the provisions of the Air (Prevention and Control of Pollution) Act, 1981.
- 14) That after consideration of the appeal filed by the appellant M/s Bhawani Industries Pvt. Ltd., Mandi Gobindgarh, the Appellate Authority has passed an order dated 13.10.2021, thereby directing the appellant industry to deposit environmental compensation for a period of 100 days @ 5000/- per day i.e. a total amount of Rs. 5,00,000/- in the office of the Board. In this regard, the relevant paragraph no. 8 of the order dated 13.10.2021 of the Appellate Authority is reproduced herein below for kind perusal:

"There is an admission on the part of the Board that the industry has rectified the faults after the violations were first detected by the visiting team on 27.2.2020. It is not disclosed in the proceedings as to how the number of days of violation have been calculated to be 200 days. The appellant in the appeal has stated that the industry has operated the unit for 99 days from 27.2.2020 to 5.8.2020. Keeping in view the observations recorded above, relying upon the facts relating to the operation of the industry and also considering the prevalence of the circumstances and situation created by Covid-19 pandemic, I hereby extend the benefit of doubt and advantage in the case by reducing the number of days in proportion to the violations committed and direct the appellant industry to deposit environmental

compensation for a period of 100 days @ Rs. 5000/- per day i.e. a total amount of Rs. 5.0 Lacs in the office of the Board. The appellant is directed to make compliance within 15-days from the date of receipt of this order, failing which the Board shall be at liberty to recover the amount of environmental compensation by resorting to coercive action."

- 15) That the Appellate Authority while passing the order dated 13.10.2021 has relied upon the statement of the Appellant industry made in the appeal with regard to the operation of the industry from 27.2.2020 to 5.8.2020 and has thereby directed the industry to deposit the environmental compensation for a period of 100 days. In this regard, the relevant extract of paragraph 2 (x) of the appeal filed by the appellant before the Appellate Authority is reproduced herein below for kind perusal:

"Against query of the Environmental Engineer, which was made as per order of proceedings mentioned at ix(5) above, the appellant had again informed vide letter dated 7.10.2020 that fault, due to which there was minor discharge of smoke in the Air, was rectified within 2 days and also submitted detail of working days from 2.6.2020 to 5.8.2020 as under:

27.2.2020 to 28.2.2020	2
March 20	18
April 20	0
May 20	15
June 20	29
July 20	30
1.8.2020 to 5.8.2020	5
Total	99

- 16) That respectfully it is submitted that the appellant cannot escape its liability for the violation of environmental norms committed intentionally and deliberately and for paying the environmental compensation on the basis of Polluter Pay's Principle. Moreover, the details of working days has been submitted by the appellant itself during the submissions made before the Appellate Authority.

The reply of the Board alongwith relevant documents as desired by the Hon'ble National Green Tribunal vide order dated 18.2.2022 is / are hereby submitted for kind consideration and appropriate orders.

Submitted by

Date 10<sup>th</sup> March 2022

Place Fatehgarh Sahib  
Pb.

  
Er. Anuradha Sharma,  
Environmental Engineer,  
Punjab Pollution Control Board,  
Regional Office, Fatehgarh Sahib

**Government of Punjab**  
**Department of Science, Technology and Environment**

Office of the Appellate Authority Constituted under the Water (Prevention and Control of Pollution) Act 1974 and the Air (Prevention and Control of Pollution) Act 1981.

To

The Member Secretary,  
Punjab Pollution Control Board,  
Vatavaran Bhawan, Nabha Road,  
Patiala.

No.13/SLO/AA/2021/

Dated

Subject: Appeal filed by M/s Bhawani Industries Pvt Ltd., Village Ajnali, Near Focal Point Mandi Gobindgarh against order dated 10.8.2021 of the Board.

Please find enclosed herewith the subject cited appeal case alongwith demand draft no.153107 (Indian Bank) dated 17.8.2021 amounting to Rs. 5000/- on account of appeal fee.

- 2) You are requested to direct the concerned officer to file reply in the case by 6.9.2021 and to attend the case through virtual hearing.
- 3) The appeal will come up for virtual hearing before the Appellate Authority-cum- Principal Secretary to Government of Punjab, Department of Science, Technology and Environment on **09.09.2021 at 2.30 PM**. Link for virtual hearing will be supplied in due course of time.

sd/-  
**Senior Law Officer**  
**Appellate Authority**

Endst. No. 13/SLO/AA/2021/219-221

Dated 26/8/2021

A copy of the above is forwarded to the following for information and necessary action please:

- ✓ 1) Environmental Engineer, Punjab Pollution Control Board, Regional Office, Fatehgarh Sahib.
- 2) M/s Bhawani Industries Pvt Ltd., Village Ajnali, Near Focal Point Mandi Gobindgarh, District Fatehgarh Sahib.
- 3) Personal Assistant to Principal Secretary to Government of Punjab, Department of Science, Technology and Environment, Mini Secretariat Punjab, Chandigarh.

*Amrik Singh*  
**Senior Law Officer**  
**Appellate Authority**

Before the Secretary to Government of Punjab

Department of Science and Technology and Environment, Punjab Cum Appellate  
Authority under the Air (Prevention and Control of Pollution Act), 1981.

**Appeal U/s 31 of the Air (Prevention and Control of Pollution) Act,  
1981**

In the case of

**M/s M/s Bhawani Industries Pvt . Ltd.**

INDEX OF DOCUMENTS

SR#	Particulars	Page#
1	Memorandum of Appeal, Facts of case and Grounds of Appeal	1-10
2	Impugned orders dated 10.8.2021	11-14.
4	Copy of Consent issued under Air Act	15-16
5	Certificate Pb State Council for Science and Technology	17
6	Copy of Show Cause Notice 1535 dated 2.6.2020	18-19
7	Copy of Show Cause Notice 1537 dated 2.6.2020	20-21
8	Copy of Show Cause Notice 1539 dated 2.6.2020	22-23
9	Copy of Order No. 2920 dated 25.9.2020	24-26
10	Copy of Reply of appellant dated 7.10.20	27
11	Chart showing working days from 27.2.20 to 5.8.20	28-34
12	Show cause notices 1221,1226,1228,1230 dated 18.3.2021	35-44
13	Reply dated 12.7.2020	45-46
14	Reply dated 21.7.2021	47-51
15	Copy of resolution of Board of Directors	52
13	Vakalatnama	53

Form-6  
(See sub rule (i) of Rule 16)

Before Appellate Authority under section 31 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) Cum Principal Secretary, Punjab, Department of Science and Technology, Environment and Non Conventional Energy.

Bhawani Industries Pvt Ltd.  
Village Ajnali, Near Focal Point  
Mandi Gobindgarh-147301

Appellant

Vs

Punjab Pollution Control Board  
Patiala

Respondent

The appeal of M/s Bhawani Industries Pvt Ltd. against the order No. 2900 dated 10.08.2021 passed by the Hon'able Chairman of respondent board ordering to deposit Rs. 10 lakh as Environment Compensation @ Rs. 5000 per day for 200 days.

(1) Under section 21 of the Air (Prevention and Control of Air Pollution) Act, 1981 (14 of 1981) hereinafter referred to as "the Act". the appellant has been issued consent which was valid upto 31.3.2021 and the renewal of the said consent is under process

(2) The facts of the case are as under:-

- i) The appellant has installed world class Air Pollution Control Device (APCD) at the cost of 10 times of the normal APCD cost. The APCD is installed as per design and drawing of Punjab State Council for Science and Technology.
- ii) The working of APCD is online and results of which are available to the official of Board online.

- iii) The officer of the Board consisting Er Mohit Singla , Assistant Environmental Engineer, Sh. Sahil Patel SCB, CPCB had visited the factory premises of the appellant firm on 27.02.2020 and observed as under:-
1. The Industry has 2 no. Induction furnaces of 20 TPH and 6 TPH which were found in operation.
  2. The Industry has installed separate side hoods with each induction furnace with common bag house filter as APCD. During visit, the APCD was found in operation. But, 60-70% emissions were found escaping into working shed and then into ambient without any treatment through APCD due to inadequate section of APCD
  3. The working shed was found full of black smoke
  4. The industry is using PPE Bags for storage of Hazardous Waste instead of HDPE bags.
- iv) A show cause notice No. 1535 dated 2.6.2020 was issued to the appellant purposing levy of Environmental Compensation without proposing number of days therein.
- v) A show cause notice No. 1537 dated 2.6.2020 was also issued to the appellant purposing cancellation of Consent issued under Air Act,
- vi) A Show cause notice No. 1537 dated 2.6.2020 was also issued to the appellant purposing cancellation of Consent issued under Air Act.
- vii) A show cause notice No. 1539 dated 2.6.2020 was also issued to the appellant, purposing cancellation of Authorization issued under Hazardous Management Rules.
- viii) Vide letter dated 12.7.2020 received in the office of the respondent on 5.8.2020 the appellant has informed that the

5

APCD as approved by Punjab State Council for Science and Technology Chandigarh and that the record of APCD date is maintained regularly and that minor discrepancy observed by the officer during visit was **removed within 2 days**.

ix) The proceedings of the personal hearing were fixed for 10.9.2020. Vide letter dated 29.9.2020 dated 25.9.2020 the proceedings of the hearing were informed to the appellant which were recorded as under:-

1. The industry shall take more measures to collect the entire process emission generated from induction furnace and will pass the same through Air Pollution Control Device.
2. The industry shall operate the Air Pollution Control Device regularly and efficiently so as to achieve the prescribed emissions standard on regular basis.
3. The industry shall appoint dedicated staff for operation/maintenance of Air Pollution Control Device.
4. The Industry shall comply with the SOP prescribed by the Board for induction furnace.
5. Environmental Compensation @ Rs. 5000 per day be imposed upon the industry due to environmental damage caused by it. The Environmental Engineer Regional Office Fatchgarh Sahib shall verify y actual number of operation days from 27.2.2020 to 05.08.2020 as industry has submitted that it remained closed for a certain period due to COVID-19 situation.

x) Against query of the Environmental Engineer, which was made as per order of proceedings mentioned at ix(5) above, the appellant had again informed vide letter dated 7.10.2020 that fault, due to which there was minor discharge of smoke in the Air, was rectified within 2 days and also submitted detail of working days from 2.6.2020 to 5.8.2020 as under:-

27.2.20 to 28.2.2020	2
March 20	18
April 20	0
May-20	15
June-20	29
July 20	30
1.8.2020 to 5.8.2020	5
Total	99

- 4
- xi) Again the premises of the appellant was visited by the team of the respondent board on 17.10.2020 at 12.30 mid night and the officers could not complete inspection as the responsible person could not reach factory due to mid-night hours.
- xii) Team of Board's office again visited factory premises on 19.12.2020 and found, amongst others minor deficiencies, that during significant secondary emissions were seen escaping into working shed especially when molten metal is poured in the concast unit.
- xiii) Again show cause notices dated 18.3.2021 No. 1224 for revocation/ cancellation of consents under Air Act, No. 1226 for revocation consent under Water Act, 1228 for imposition of Environment Compensation and 1230 for cancellation of Authorization issued under Hazardous Waste Rules.
- xiv) A detailed reply to the show cause notice dated 18.3.2021 were filed with the respondent board.
- xv) Personal hearing against all the show cause notices was held on 27.7.2021 through VC.

5  
xvi) Proceedings of the personal hearing vide impugned order dated 10.8.2021 were conveyed to the appellant on 16.8.2021.

xvii) Vide impugned order dated 10.8.2021 all show cause notices dated 18.3.2021 were disposed with some directions to be followed which are being followed and the show cause notice No. 1535 dated 2.6.2020 for imposition of penalty was disposed by ordering EC for 200 days @ Rs. 5000 per day (Total Rs. 10 lakh)

**3. The Grounds** of which the appellant relies for the purpose of this appeal are as under:-

1. The present appeal has been filed against imposition of Environment Compensation (EC) against the observations of the officer of the board visited factory premises on 27.2.2020. The respondent board has assessed total 223 working days from 27.2.2020 to 7.10.2020 (All working days) and considering 23 closed days due to covid-19 weekly off days EC for 200 days at the rate of Rs. 5000/- per day Rs. 10.00 lakh has been imposed which is arbitrary, illogical and not sustainable in the eyes of law.

2. Minor Deficiencies were found on 27.2.2020, the appellant vide letter dated 12.7.2020 (Acknowledged by appellant board on 5.8.2020) has informed that said deficiencies were removed within 2 days so the EC cannot be imposed more than 2 days. First order dated 25.9.2020 was passed to impose EC from 27.2.2020 to 5.8.2020, when appellant again informed on 7.10.2020 that minor faults were rectified within two days and the actual working days from 27.2.2020 to 5.8.2020 are 99 days, the orders have been rectified and

6  
passed to impose EC from 27.2.2020 to 7.10.2020 without assigning any reason.

3. Rectification of order for changing number of days of violation without issuing show cause notice and without affording opportunity of being heard is liable to be quashed on this ground alone
4. It was well on record that there was complete lock down in March-April 2020. Worthy chairman has grossly erred to assess all days between 27.2.2020 to 7.10.2020 as working days. Impugned order passed on such assessment is to be quashed on this ground alone.
5. There is no justification first to fix date 5.8.2020 (date of intimation by the appellant) then to fix 7.10.2020 (again request letter of the appellant to impose EC for 2 days ) as the date upto which the violations were continued and EC is to impose for the said days. No any reason has been recorded to fix 7.10.2020 as last date of violation and 8.10.2020 as date of rectification.
6. No any show cause notice has been issued, no any opportunity has been provided to discuss to assess number of working days for imposition of EC.
7. The appellant declare that there in no any APCD installed in any unit in Punjab of such high quality. Against minimum SPM of 150 mg/nm<sup>3</sup>, the results of APCD are ever found well

7

below 80 which prove that this unit came forward to fight with the environment pollution seriously. The previous chairman visited this unit personally and praised its efforts to fight with the environment pollution by incurring heavy expenses and gave example to other units to follow the action of the unit of the appellant. Getting order for levy of Environment Compensation is set back for the efforts made by the appellant to control the environment.

8. The working of APCD of the appellant unit is available online for the Board officials. No any adverse inference ever recorded against the environment data available online.
  
9. The officer of the board has not taken sample of emissions. In these circumstances no any coercive action can be taken by the respondent board. The Hon'able Guwahati High court in the case Mahabir Coke Industry And Anr. Vs Pollution Control Board and Ors. Reported as AIR 1998 Gau 10 has quashed the order of the pollution board without obtaining results of the standard. Hon'able court in this decision has observed as under:-

*"16. Looking at the facts of the present case we find that a notice was issued by the Senior Environmental Engineer, Annexure-I to the writ appeal dated 28th July, 1995. In the said notice it has been mentioned that the appellant firm was running its unit without valid consent of the Board and also without taking any measure to control emission of heavy smoke from the process which is infringement of law. The said notice does not indicate that there was any examination of the smoke that was coming out. It also does not indicate what type of smoke was coming out from the*

8

*chimney. At least Annexure-I does not indicate anything in that regard. Yet by another letter dated 27th September, 1995 the appellant firm was informed by the Member Secretary, Pollution Control Board, Assam, that ambient air quality monitoring done in December, 1993 in and around the industrial unit belonging to the appellant firm revealed level of S.P.M. and were beyond permissible limit. In the said letter it was also mentioned that the industrial units belonging to the appellant firm were emitting black smoke without any preventive measures in complete violation of the provisions of the Act. It is not known to this Court whether pollution can be determined on the basis of the colour of smoke. In our opinion chemical examination will be necessary to determine the nature of gas coming out with the smoke. From this it does not appear that any analysis was done to determine what type of black smoke was being emitted. These facts only go to show that respondent No. 1 abdicated its duty to determine whether the industrial unit actually was responsible for emitting air pollutants in excess of the permissible limit, as stated earlier. On this basis alone consent cannot be refused. The Board shall have to examine the matter as prescribed under the Act and the Rules.*

19..... *From the record we find that regarding the air pollutants there was no examination in the manner prescribed. Therefore, we are constrained to hold that the Board did not take the pain to examine the matters in the manner as it is envisaged. This is adulty assigned to the Board. We record that the Board did not address itself regarding the relevant aspect of the matter and simply refused to give consent. As stated earlier, consent can neither be with held nor*

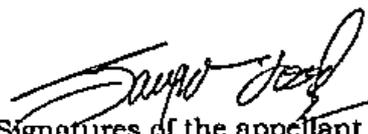
91  
granted without proper examination. As nothing has been done in that regard, in our opinion, the Board failed to discharge its statutory duty and obligation in accordance with law. In that view of the matter we hold that refusal to grant consent without valid ground was illegal, without jurisdiction and contrary to the provisions of law.\*

**PRAY**

In light of what is stated above, the appellant respectfully prayeth that-

- a) That the impugned order passed for imposition of EC may please be quashed.
- b) Environmental Compensation is not imposable as discussed above, and if to be imposed it cannot be imposed more than 2 days.
- c) Personal hearing may please be granted to the appellant.

An amount of Rs. 5000.00 as fee for this appeal has been paid vide Draft No. 153107 dated 17.08.2021 issued by Indian Bank in favor of Member Secretary Punjab Pollution Control Board is attached.

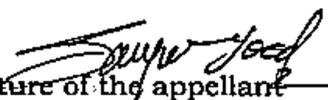
  
Signatures of the appellant

Date 18/08/2021



**Verification**

I Sanjeev Sood Director of M/s Bhawani Industries Pvt Ltd. appellant in the above Memorandum of appeal, duly authorized as per authority letter, hereby declare that what is stated therein is true to the best of my knowledge and belief and nothing has been hidden therein.

  
Signature of the appellant

Through   
  
Rakesh K. Shahi, Ritin Shahi  
Advocate  
Shahi and Shahis Associates  
22 B.D. Complex, Mandi Gobindgarh-147301



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ  
PUNJAB POLLUTION CONTROL BOARD

No. 2900

REGISTERED

Dated: 10-8-2021

To

M/s Bhawani Industries Pvt. Ltd.,  
Vill. Ajnali, Near Focal Point, Mandi Gobindgarh,  
Amloh, Distt. Fatehgarh Sahib.

**Subject:** Proceedings of the hearing given by the Chairman of the Board u/s 33-A of the Water Act, 1974 & u/s 31-A of the Air Act, 1981, cancellation of authorization under HWM Rules, 2016 and Imposition of Environmental Compensation (EC) due to environment damage caused by M/s Bhawani Industries Pvt. Ltd., Vill. Ajnali, Near Focal Point, Mandi Gobindgarh, Amloh, Distt. Fatehgarh Sahib on 27/07/2021 through VC.

The following were present:

**From Board side:**

Er. Krunesh Garg, Member Secretary  
Er. Pardeep Gupta, CEE(B)  
Er. Rajeev Sharma, SEE, ZO-II, Patiala  
Er. Om Parkash, EE, ZO-II, Patiala  
Er. Anuradha Sharma, EE, RO, FGS

**From industry side:**

Sh. Rohit Sood, Director  
Sh. Anoop Sood, Brother of Director  
Sh. Rakesh Sahi, Advocate

Senior Environmental Engineer, Zonal Office-2, Patiala brought out that the industry is an induction furnace unit and is engaged in the manufacturing of Concast Billets/ Slabs @ 400 TPD, Steel Castings/ Ingots @ 50 TPD, Rolling Mill-Flats/ Strips @ 190 TPD or Rolling Mill-TMT Bars/ Wire Rods/ Bars/ Structural Steel @ 200 TPD. The industry was granted consent to operate under the Water Act, 1974 vide no. CTOW/Renewal/Fatehgarh Sahib/2018/7303552 dated 18/04/2018 and under Air Act, 1981 vide no. CTOA/Renewal/FGS/2020/11385040 dated 09/01/2020 both valid upto 31/03/2021, with certain conditions mentioned therein.

The industry was also granted authorization under HWM Rules, 2016 for hazardous waste Cat. 5.1 @ 0.020 KLA and Cat. 35.1 @ 490 TPA vide no. HWM/renew/FGS/2020/11385928 dated 27/01/2020 valid upto 31/03/2024, subject to certain conditions mentioned therein and specific condition that the industry will send its hazardous waste Cat. 35.1 to M/s Madhav Alloys Pvt. Ltd. Distt. Fatehgarh Sahib.

Earlier, the industry was afforded an opportunity of personal hearing before cancellation of air consent, issuance of directions u/s 31-A of the Air Act, 1981 & cancellation of authorization under the HWM Rules, 2016 and imposition of EC due to environment damage caused from the operation of the industry on 10/09/2020 before the Chairman of the Board. Wherein, it was decided as under:

1. The industry shall take more measures to collect the entire process emission generated from induction furnaces and will pass the same through Air Pollution Control Device.
2. The industry shall operate the Air Pollution Control Device regularly and efficiently, so as to achieve the prescribed emission standards on regular basis.
3. The industry shall appoint dedicated staff for operation/ maintenance of Air Pollution Control Device.
4. The industry shall comply with the SOP prescribed by the Board for Induction furnace.
5. Environmental Compensation @ Rs. 5000/- per day be imposed upon the industry due to environmental damage caused by it. The Environmental Engineer, Regional Office, Fatehgarh Sahib shall verify actual number of operation days from 27/02/2020 to 05/08/2020 as Industry has submitted that it remained closed for a certain period due to COVID-19 situation.

121 445PM

In compliance to hearing decisions, the industry was requested by Regional Office, Fatehgarh Sahib to produce production register for verification of actual number of operation days from 27-02-2020 to 05-08-2020, so that, EC @ Rs. 5000/- per day may be calculated due to environmental damage caused by it. But, the industry was denied to produce any document for verification of actual number of operation days. Thereafter, Sh. Narinder Ubhi, Manager was personally requested by the officer of the Board to produce production register. But, the industry failed to submit the same.

The Chairman of the Monitoring Committee, constituted by the Hon'ble NGT has received complaint regarding air pollution being caused by the Induction furnaces units in the Mandi Gobindgarh area. Accordingly, the Chairman of the said committee vide its letter no. 1039 dated 25/09/2020 has directed PPCB that concerned industries may be inspected immediately by deputing a team and to submit action taken report to the Monitoring Committee within 15 days. In compliance of the above said directions and decisions of the personal hearing, EE, RO, Fatehgarh Sahib & AEE visited Mandi Gobindgarh area on 17/10/2020 during late night i.e. 09:00 PM to 12:30 AM to check the operational status of the APCDs installed by the industries. During visit by the team the industry was found in operation, but the industry was denied to open the main gate. Thereafter, AEE of RO make a telephonic call to Sh. Narinder Ubhi, Manager with the request to open the main gate and allow the team to visit the industry. The security guard present at the main gate of the industry has received telephone call from proprietor of the industry and requested to talk to Environmental Engineer present during the visit. The Proprietor / Director of the industry denied the team to enter in the industry for inspection during night time. Also, he questioned the Environmental Engineer stating that the team has not informed him in advance before visit. The team should have to visit the industry during day time and he could not allow the team to visit the industry during this time.

The Competent Authority of the Board constituted a team of Er. Sumider Singh Matharu, EE and Er. Rajiv Goel, EE vide letter no. 3855-56 dated 26/11/2020 to visit the industry and submit the report with recommendations within 15 days. Accordingly, the team visited the industry on 19/12/2020 and has reported the following violations:

1. The APCDs provided with Induction furnaces of capacity 20 T/heat & 6 T/heat was found in operation, however significant emissions were seen escaping the shed at the time of charging of raw material.
2. The port hole provided with the stack of APCD was not at 8D (8-time diameter of the stack) as such it was not feasible to carry out iso-kinetic sampling for SPM.
3. The industry has provided online continues emission monitoring system at the stack of the APCD, which showing the conc. of SPM 8.4 mg/Nm<sup>3</sup>. Therefore, it is evident that OCEMS was showing 53.33 % less analyzed value of SPM in the emission, as such the OCEMS is required to be calibrated by the industry from its supplier in the presence of the Official of the Board.
4. The industry has installed one no. ladle refining furnace of capacity 20 T/heat and no APCD has been installed to control the process emissions generated during operation of the same. Lot of emissions from laddle refining furnace were escaping into the working shed at the time of addition of Ferro metals.
5. The industry has also installed one no. Electric Arc Furnace of capacity 20 TPH with gas cooler followed by bag filter house as APCD, but the same is yet to be commissioned.
6. Significant secondary emissions were seen escaping into the working shed especially when the molten metal is poured in the concast unit, when the metal comes in contact with air may be due to oxidation of the metal. The industry is required to explore the possibility to capture said emissions.
7. The industry has installed skid for getting PNG from M/s IRM Energy Pvt. Ltd., but it has not converted its reverberatory furnace for use of PNG as fuel.
8. The industry has Installed metal recovery unit from slag with crushing and sewing process, but no APCD has been Installed to control the emissions to be generated during its operation.
9. The industry has also provided separate energy meter with ID fan of the electric motor of capacity 515 KW capacity with the APCDs. Therefore, in case this fan is presumed to be operated at 80 % of its efficiently, the consumption of units comes out to be  $515 \times 0.8 = 42$  KWH units. Therefore, in case the industry is operated for 24 hours then the units to be consumed for operation of the APCD come out to be 9888. However, as per record submitted by the industry after conduct of visit for the month of January, 2020 and February, 2021, the consumption of varies in the range of 918 to 10730 units, which is much less than the units to be consumed calculated above by taking into account the capacity of the electric motor attached with ID fan and operation hours of the industry.

10. The industry has installed water softer unit and trade effluent is generated from regeneration of the same. The industry claimed that the trade effluent is mixed with the domestic effluent for treatment in the STP.
11. The industry has installed an STP based on aerobic biological treatment, which was in operation. There was hardly any growth of bio-mass in the aeration tank despite the fact that the aeration system was in operation, which shows that the STP installed by the industry is not being operated properly.
12. The industry has not provided proper distribution network for use of treated wastewater in the plantation area and significant wild growth was observed in the said area.
13. The industry has not stabilized the vehicle movement area/ entry & exist point. At the time of entry to the unit, a flexible pipe was seen through which purge water from the re-circulation tank was being discharged into a channel leading to the low lying area inside the premises of the unit, which causing stagnation.
14. Non compliance of SOPs framed by the Board for induction furnaces were also observed as under:
  - i) The scrap being used was not free from oil grease/rust/paint.
  - ii) The air flow of dust laden air in the APCD was from inside to outside instead outer to inside the bags.
  - iii) There was no mechanism to measure the pressure drop after collection hood of APCD and before APCD.
  - iv) The industry could not produce the record of the compressor of the APCD as per SOP.
  - v) There was no interlocking of APCD with the induction furnace to ensure regular operation of the industry
15. The process dust contained by APCD which is hazardous in nature was seen packed in plastic bags. Further, the perusal of record maintained by the industry, it has been observed that the industry has got lifted hazardous waste quantity 13.140 Ton, 12 Ton and 13.530 Ton of process dust Cat. 35.1 to unauthorized vendor namely M/s LaxmiInds. Meerut on 17/11/2020, 8/12/2020 and 14/12/2020, respectively

Therefore, the industry was not complying with the conditions of consent granted under the Water Act, 1974, Air Act, 1981 & HWM Rules, 2016 and causing pollution in the vicinity intentionally & deliberately.

As per report of Regional Office, the industry was earlier visited on 27/02/2020 and found violating the provisions of pollution control laws and again visited by the team of officers on 19/12/2020 and found violating the provisions of pollution control laws as mentioned above. Thus, the total no. of days w.e.f 27/02/2020 to 30/03/2021 (date of hearing) are 398 days. Accordingly, Environmental Engineer Regional Office, Fatehgarh Sahib has calculated the Environmental Compensation based on the criteria laid down by the Hon'ble NGT/CPCB as per formula:  $EC = P1 \times N \times R \times S \times L \times F$

$$EC = 50 \times 398 \times 250 \times 1.5 \times 1 = 74,62,500/- (1)$$

(2) Minimum Environment Compensation is Rs. 5000/day. Thus, minimum Environment Compensation for 398 days =  $398 \times 5000 = 19,90,000/-$ .

Therefore, from (1) & (2), the industry is required to pay Rs. 74,62,500/- on account of Environment Compensation.

Accordingly, notices for revocation/ cancellation of CTOs & authorization, imposition of EC and notice to issue directions u/s 33-A of the Water Act, 1974 & u/s 31-A of the Air Act, 1981 proposing for closure of the unit were issued to the industry with an opportunity of personal hearing before the Chairman of the Board on 30/03/2021 at 11.00 A.M.

The industry vide e-mail dated 30/03/2021, while expressing inability to attend the personal hearing citing the reasons that the concerned person is suffering from viral, requested to adjourn the hearing and sought some other suitable date after 15 days.

The matter was considered by the Competent Authority and decided to afford last opportunity of personal hearing on 29/04/2021 at 11.00 am before the Chairman of the Board which was conveyed to the industry vide letter no. 1572 dated 12/04/2021. The hearing scheduled on 29.4.2021 was postponed till further order due to administrative reasons vide letter no. 1712 dated 27/04/2021. Due to second wave of Covid-19, no physical hearings were given by the Competent Authority. Now, the Competent Authority has decided to afford an opportunity of hearing before the Chairman of the Board through VC on 27/07/2021 at 12.45 PM before taking further action in the matter. It has also been made clear to the industry in case of failure to attend the hearing, ex-parte decision will be taken without any further notice/opportunity.

The representatives of the industry attended the hearing through VC and stated that they have already submitted the written reply through mail on 23.7.2021, which has been

taken on record. Sh. Rohit Sood, Director of the industry further stated that they have already complied with the observations of the visiting teams except stabilizing the vehicle movement area entry & exit point in factory premises. They have installed APCD as per design of PSCST, Chandigarh and operating the same on regular basis. The PSCST has already issued completion certificate to industry vide its letter dated 21.8.2019. They have already provided manometer to measure the pressure drop after collection hood of APCD, which could not be seen by the visiting team. Also provided OCEMS with the stack and the same has been got calibrated and the concentration of particulate matter remains within the permissible limits. The porthole and platform provided on APCD is as per PPCB norms, which can be verified any time. The STP is being operated regularly by the industry. The hazardous waste generated by the industry being sold to M/s Bhawani Chemical Meerut an authorized operator of Uttar Pradesh Pollution Control Board having valid authorization upto 17.12.2024. However, they have come to know that the said firm is not having valid authorization for transport of hazardous waste inside the territory of State of Punjab and as such, in future they will send the hazardous waste to authorized agencies as advised by the Board. He further stated that they have also informed the number of days to the Environmental Engineer, Regional Office, Fatehgarh Sahib vide its letter dated 7.10.2020 that they rectified the fault due to which there was minor discharge of smoke in the air within two days i.e. upto 28.2.2020. He requested the Environmental Compensation may not be imposed as they are facing financial problem due to Covid-19. He further assured that one month time be given to attend the remaining observations of the visiting team and to apply for CTOs under Water Act, 1974 and Air Act, 1981.

The reply submitted by the industry and submission made during hearing for not imposition of Environmental Compensation due to Covid-19 was considered and observed that violations were first detected by visiting team on 27.2.2020 and industry has rectified that faults. Accordingly, total number of days for which of violation continued works out to be 223 days. However, due to pandemic Covid 2019 lockdown was imposed by Punjab Govt. on 21 March, 2020 and almost entire industry in Punjab remained closed for about 20-25 days. As such, Environmental Compensation is liable to be imposed upon the industry for a period of 200 days.

After hearing the industry and officers of the Board, the Chairman of the Board on the basis of best judgement assessment and as mutually agreed upon by the industry & Board, decided as under :

1. Environmental Compensation amounting to Rs. 5000/- per day for 200 days i.e. Rs.  $5000 \times 200 = 10$  lac be imposed upon the industry for operation of the industry due to which the environmental damage caused.
2. The industry shall comply with all the reported non-compliances and apply for renewal of Consent to Operate under Water Act, 1974 and Air Act, 1981 within 30 days alongwith requisite document & fee.
3. The industry shall send its hazardous waste to authorized agencies operating in the State of Punjab and shall not send it to Meerut based firm.
4. Environmental Engineer, Regional Office, Fatehgarh Sahib shall visit the industry after one month to verify the compliance status of the hearing decisions and submit the detailed report with recommendations.

You are requested to ensure the compliance of hearing decisions within stipulated period and submit the same to the Board.

*[Signature]*  
10/8/2021  
for & on behalf of  
Pb. Pollution Control Board  
Dated \_\_\_\_\_

Endst. No. \_\_\_\_\_

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Fatehgarh Sahib for information and necessary action. He is requested to ensure the compliance of decisions of the hearing and submit report, accordingly.

*[Signature]*  
for & on behalf of  
Pb. Pollution Control Board



# PUNJAB POLLUTION CONTROL BOARD

Zonal Office-II, Vatavaran Bhawan, Nabha Road, Patiala

Website- www.ppcb.gov.in

15

Office Dispatch No : 140

Registered/Speed Post

Date: 09/01/2020

Industry Registration ID: R12FGS29601

Application No : 11385040

To,

Sh. Narinder Singh Ubhi  
Shastri Nagar, Mandi Gobindgarh  
Mandigobindgarh, Fatehgarhsahib-147301

Subject: Renewal of consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/FGS/2019/9664528 dated 19/04/2019 - M/s Bhawani Industries Pvt. Ltd., Vill. Ajnali, Near Focal Point, Mandi Gobindgarh

## 1. Particulars of Consent to Operate under Air Act, 1981 granted to the industry

Consent to Operate Certificate No.	CTOA/Renewal/FGS/2020/11385040
Date of issue :	09/01/2020
Date of expiry :	31/03/2021
Certificate Type :	Renewal
Previous CTO No. & Validity:	CTOA/Renewal/FGS/2019/9664528 From: 19/04/2019 To: 30/09/2019

## 2. Particulars of the Industry

Name & Designation of the Applicant	Sh. Narinder Singh Ubhi, (Factory Manager)
Address of Industrial premises	Bhawani Industries Pvt. Ltd., Vill Ajnali, Near Focal Point, Mandi Gobindgarh, Amlah, Fatehgarh Sahib-147301
Capital Investment of the Industry	13818.94 lakhs
Category of Industry	Red
Type of Industry	Integrated Iron and Steel
Scale of the Industry	Large
Office District	Fatehgarh Sahib

\*This is computer generated document from OCMMS by PPCB\*  
Bhawani Industries Pvt. Ltd., Vill Ajnali, Near Focal Point, Mandi Gobindgarh, Amlah, Fatehgarh Sahib, 147301

Page 1

16

This is with reference to the request made by the industry for renewal of consent to operate granted by the Board under the Air (Prevention & Control of Pollution) Act, 1981.

The validity of 'consent to operate' granted to the industry vide no. CTOA/Renewal/FGS/2019/9664528 dated 19/04/2019 (valid upto 30.09.2019), is hereby renewed upto 31.03.2021, for the manufacturing of Concast Billets/ Slabs @ 400 TPD, Steel Castings/ Ingots @ 50 TPD, Rolling Mill-Flats/ Strips @ 190 TPD or Rolling Mill-TMT Bars/ Wire Rods/ Bars/ Structural Steel @ 200 TPD with the same terms & conditions and following additional conditions:

- a) The industry will obtain prior permission from the Board before commissioning of its arc furnace.
- b) The industry shall stabilize the vehicles movement area/ entry and exit points of the industry within one month.

All other contents shall remain unchanged. This letter be appended with the original consent no. CTOA/Renewal/FGS/2019/9664528 dated 19/04/2019 issued to the industry vide Board's letter no. 1690 dated 22.04.2019 and subsequent extension(s) from time to time under the Air (Prevention & Control of Pollution) Act, 1981.

09/01/2020

(Rajeev Gupta)  
Environmental Engineer

For & on behalf  
of

(Punjab Pollution Control Board)

PUNJAB

Endst. No.:

Dated:

A copy of the above is forwarded to the following for information and necessary action please:  
Environmental Engineer, Regional Office, Fatehgarh Sahib.

09/01/2020

(Rajeev Gupta)  
Environmental Engineer

For & on behalf  
of

(Punjab Pollution Control Board)



Phone : 91-172-2792325  
Fax : 91-172-2793143  
Website: www.pscst.gov.in

# Punjab State Council for Science & Technology

A Scientific & Industrial Research Organization approved by DSIR & Central Govt.  
under Clause (ii) of Sub-Section (f) of Section 35 of Income Tax Act, 1961  
(A State Govt. Undertaking)

MGSIPA Complex, Institutional Area, Sector 26, Post Box No. 727, Chandigarh -160 019 (India)

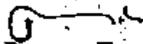
Ref. No. : PSCST/CC/441

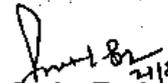
Dated: 21/8/2019

*Not For Litigation Purpose*

## To Whom It May Concern

Certified that M/s Bhawani Industries Pvt. Ltd., Ajnali, G.T. Road, Mandi Gobindgarh, Punjab has installed a common Air Pollution Control Device i.e. Reverse Air Cleaning Type Bag House of adequate capacity on their two Induction Furnaces having capacity as 20 T/heat & 6 T/heat and one LRF having capacity as 20T/heat. Further, the industry is advised to follow Standard Operating Procedures (copy enclosed) to achieve the prescribed emission norms. This supersedes the earlier completion certificate issued vide no. PSCST/CC/2060 dated 23.3.19.

  
Process Engineer

  
Senior Engineer

18



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ  
PUNJAB POLLUTION CONTROL BOARD

No. 1535

Dated: 2/6/2020

REGISTERED

To

M/s Bhawani Industries Pvt. Ltd.,  
Vill Ajnali, Near Focal Point,  
Mandi Gobindgarh, Amlah, Distt. Fatehgarh Sahib.

**Subject: Imposition of Environmental Compensation (EC) due to environment damage caused from the operations of the industry.**

The Parliament of India had enacted the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and for maintaining or resorting the wholesomeness of water and to preserve the quality of air;

And whereas, The National Green Tribunal (NGT), New Delhi through its various orders / Judgments (order dated 3.8.2018, 19.2.2019 passed in Original Application No. 597 of 2017, order dated 6.12.2018 passed in Original Application No. 125 of 2017 and M.A No. 1337 of 2018, order dated 13.12.2018 passed in Original Application No. 1038 of 2018, order dated 12.3.2019 passed in Original Application No. 710 of 2017 Original Application No. 711, 712 of 2017) has empowered the Central Pollution Control Board (CPCB) by laying down the methodology to assess and recover compensation for damage to the environment and utilize such amount in terms of an action plan for protection of the environment. The CPCB has formulated the methodology for assessing Environmental Compensation on the basis of formula submitted to the NGT as mentioned in its order dated 19.2.2019 passed in original application No. 593 of 2017 and the Punjab Pollution Control Board has adopted the said methodology;

And whereas, the industry was surprisingly visited by the team consisting Er Mohit Singla, Assistant Environmental Engineer, Sh. Sahil Patel, Sc'B, CPCB on 27/02/2020. During visit, it was observed as under:

1. The industry has 2 no. Induction furnaces of 20 TPH and 6 TPH, which were found in operation.
2. The industry has installed separate side hoods with each induction furnace equipped with common bag house filter as APCD. During visit, the APCD was found in operation. But, 60-70% emissions were found escaping into working shed and then into the ambient without any treatment through APCD due to inadequate suction of the APCD.
3. The working shed was found full of black smoke.
4. The industry is using PPE bags for storage of Hazardous Waste instead of HDPE bags.

5/6/20

18

And whereas, the concepts of Sustainable Development and Precautionary Principle have been considered by the Supreme Court of India in M.C Mehta v/s Union of India and Others and the same were held to be accepted as part of the law of the land;

And whereas, the Supreme Court India has also considered the concept of Polluter Pays Principle in Indian Council for Enviro Legal Action and other v/s Union of India and Others (1996) 3 SCC 212 para 16; Veilore Citizens Welfare Forum v/s Union of India (1996) 5 SCC 647 para 12-18 and held that Polluter Pays Principle is accepted principle and part of environmental law of the Country even without specific statute;

And whereas, in view of the above stated facts and after considering all the aspects of the case, it has been observed that the activities carried out by you / your Industrial unit has caused environmental damage which the Punjab Pollution Control Board (PPCB) intends to recover in the form of environmental compensation;

And whereas, it has now been proposed to impose the Environment Compensation for causing damage to the environment due to operations of the industry as detailed above.

As such, by the issuance of this notice, you are hereby afforded an opportunity of show cause within 15 days as to why the Environment Compensation shall not be imposed upon the industry due to aforementioned reasons.

*[Signature]*  
2/6/2020

for & on behalf of  
Pb. Pollution Control Board  
Dated \_\_\_\_\_

Endst No. \_\_\_\_\_

A copy of the above is forwarded to Environmental Engineer, Regional Office, FGS with the request to calculate EC which is to be imposed upon the industry and intimated the same to the office.

*[Signature]*  
for & on behalf of  
Pb. Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ  
PUNJAB POLLUTION CONTROL BOARD

1537

20  
Dated: 24/6/2020

REGISTERED

To

M/s Bhawani Industries Pvt. Ltd.,  
Vill Ajnali, Near Focal Point,  
Mandi Gobindgarh, Amloh, Distt. Fatehgarh Sahib.

- Subject: 1. Show cause notice before cancellation of consent to operate under the Air (Prevention & Control of Pollution) Act, 1981.**
- 2. Notice to issue directions u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987.**

Whereas it is mandatory on the part of the industry to obtain the 'consent to establish / operate' of the Board u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 to establish & operate its plant for discharging of emissions from its industrial premises.

And whereas, it is also mandatory on the part of the industry to install adequate and appropriate air pollution control devices, so as to ensure that the concentration of various pollutants in the emissions discharged by the industry is within the permissible limits prescribed by the Board.

And whereas, the industry is an Induction furnace unit and is engaged in the manufacturing of Concast Billets/ Slabs @ 400 TPD, Steel Castings/ Ingots @ 50 TPD, Rolling Mill-Flats/ Strips @ 190 TPD or Rolling Mill-TMT Bars/ Wire Rods/ Bars/ Structural Steel @ 200 TPD. The industry was granted consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/FGS/2020/11385040 dated 09-01-2020 valid upto 31.03.2021.

And whereas, the industry was surprisingly visited by the team consisting Er Mohit Singla, Assistant Environmental Engineer, Sh. Sahil Patel, Sc'B, CPCB on 27/02/2020. During visit, it was observed as under:

1. The industry has 2 no. induction furnaces of 20 TPH and 6 TPH, which were found in operation.
2. The industry has installed separate side hoods with each induction furnace which is equipped with common bag house filter as APCD. During visit, the APCD was found in operation. But, 60-70% emissions were found escaping into working shed and then into the ambient without any treatment through APCD due to inadequate suction of the APCD.
3. The working shed was found full of black smoke.
4. The industry is using PPE bags for storage of Hazardous Waste instead of HDPE bags.

And whereas, THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI in Original Application No. 924/2019 Titled as **Neeraj Goyal Applicant(s) Versus State of Punjab** has passed orders in reference to poor air quality of Mandi Gobindgarh and the same is reproduced as under:

*"Units should have been monitored having regard to the adverse consequences on the health of the inhabitants in violation of Fundamental Right to breathe clean air and to clean environment. Continuous and stringent action is required which has yet been taken. Let the Committee file a fresh and detailed report by covering large number of units."*

We also direct that carrying capacity of the area to sustain such activities may be conducted by the Committee in terms of number such units which can be sustained to give effect to 'Sustainable Development principle and to enable the regulatory authorities to ensure steps for preventing pollution.

Accordingly, we direct the State PCB to take further stringent measures by way of stopping the polluting activities and recovering compensation on 'Polluter Pays' principle, apart from any other statutory action as may be warranted in the situation".

And whereas, the industry is violating the provisions of the Air (Prevention & Control of Pollution) Act, 1981 and causing pollution in the area.

And whereas, the industry is also being issued notice separately for imposition of Environment Compensation as per Hon'ble NGT orders.

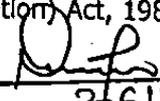
And whereas, now it has been proposed to cancel consent to operate granted under the Air (Prevention & Control of Pollution) Act, 1981 and to initiate further action under the provisions of the Air (Prevention & Control of Pollution) Act, 1981 after affording an opportunity of show cause-cum-personal hearing due to aforesaid reasons.

As such, by the issue of this notice, the industry is hereby afforded an opportunity of personal hearing to show cause as to why the consent to operate granted under the Air (Prevention & Control of Pollution) Act, 1981 shall not be cancelled due to aforesaid reasons.

Now, therefore, the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987 proposes to direct you as under:

1. That the industry shall stop operating an industrial plant & stop forthwith discharging any emissions from its industrial premises into atmosphere.
2. That industry shall not restart any process/plant unless all necessary air pollution control measures are taken and concentration of various pollutants conforms to the emissions standards laid down by the Board.
3. That the industry shall not restart discharging air pollutants until it obtains the consent of the Board to operate an Industrial Plant u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987.
4. That the PSPCL authorities shall be directed disconnect the supply of electricity available to the poultry farm.

You are, hereby, given an opportunity to file objections, if any, on the proposed directions before the **Chairman of the Board on 09.06.2020 at 2:30 pm in his office at Vatavaran Bhawan, Nabha Road, Patiala**, failing which, it will be presumed that the industry has nothing to say and the Board shall go ahead to take further action in the matter under the Air (Prevention & Control of Pollution) Act, 1981 without giving further notice / opportunity.

  
2/6/20

for & on behalf of  
**Pb. Pollution Control Board**  
Dated \_\_\_\_\_

Endst. No. \_\_\_\_\_

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Sri Fatehgarh Sahib with the request to the industry regarding date of hearing. He is also requested to calculate Environment Compensation which is required to be imposed on the industry based on the criteria laid down by the Hon'ble NGT/CPCB and send the report in this regard well before date of hearing.

  
for & on behalf of  
**Pb. Pollution Control Board**

22



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ  
PUNJAB POLLUTION CONTROL BOARD

No. 1539

Dated: 26/06/20

REGISTERED

M/s Bhawani Industries Pvt. Ltd.,  
Vill Ajnali, Near Focal Point,  
Mandi Gobindgarh, Amlah, Distt. Fatehgarh Sahib.

**Sub: Show cause notice before cancellation of authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 framed under Environment (Protection) Act, 1986.**

Whereas, it is mandatory on part of the industry to obtain the authorization of the Board for handling hazardous waste under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 framed under Environment (Protection) Act, 1986.

And whereas, it is also mandatory on the part of the industry, generating hazardous waste to provide adequate and appropriate facilities for storage of the hazardous waste generated by it.

And whereas, the industry is an Induction furnace unit and is engaged in the manufacturing of Concast Billets/ Slabs @ 400 TPD, Steel Castings/ Ingots @ 50 TPD, Rolling Mill-Flats/ Strips @ 190 TPD or Rolling Mill-TMT Bars/ Wire Rods/ Bars/ Structural Steel @ 200 TPD. The industry was granted authorization under Hazardous and Other Waste Rules vide no. HWM/renew/FGS/2020/11385928 dated 27.01.2020 valid upto 31.03.2024 subject to certain conditions mentioned therein.

And whereas, the industry was surprisingly visited by the team consisting Er Mohit Singla, Assistant Environmental Engineer, Sh. Sahil Patel, Sc'B, CPCB on 27/02/2020. During visit, it was observed that the industry is using PPE bags for storage of Hazardous Waste instead of HDPE bags.

And whereas, the industry is not complying with conditions of authorization granted under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. Thus, the industry is violating the provisions of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and unit is being operated in violation of the said Rules.

And whereas, it has now been proposed to cancel the authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 framed under Environment (Protection) Act, 1986 due to the aforesaid reasons after affording an opportunity of show cause-cum-personal hearing.

As such, you are, hereby, afforded an opportunity to show cause in person before the Chairman of the Board on 09.06.2020 at 2:30 P.M in his office

26/20

Vatavaran Bhawan, Nabha Road Patiala to file objections, in writing if any, failing which it will be presumed that the industry have nothing to say and action as proposed above will be taken without giving any further notice/ opportunity.

  
26/2020

for & on behalf of  
Pb. Pollution Control Board

Endst. No. \_\_\_\_\_

Dtd. \_\_\_\_\_

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Fatehgarh Sahib with the request to intimate the date of hearing to the industry. He is also requested to calculate EC and intimate the same well before date of hearing.



for & on behalf of  
Pb. Pollution Control Board

24



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ  
PUNJAB POLLUTION CONTROL BOARD

No. 2920Dated: 25-9-2020

REGISTERED

To

M/s Bhawani Industries Pvt. Ltd.,  
Vill Ajnali, Near Focal Point,  
Mandi Gobindgarh; Amlah,  
Distt. Fatehgarh Sahib

**Subject:** Proceedings of the personal hearing given on 10.09.2020 by the Chairman of the Board to M/s Bhawani Industries Pvt. Ltd., Vill Ajnali, Near Focal Point, Mandi Gobindgarh, Amlah, Distt. Fatehgarh Sahib regarding cancellation of consent to operate under the Air Act, 1981; notice to issue directions u/s 31-A of the Air Act, 1981; cancellation of authorization under Hazardous and Other Wastes (Rules, 2016 framed under Environment (Protection) Act, 1986 and Imposition of Environmental Compensation (EC) due to environment damage.

The following were present:

**From Board side:**

Sh. Pardeep Gupta, CEE(B)  
Sh. Rajeev Sharma, SEE, ZO-II, Patiala  
Sh. Om Parkash, EE, ZO-II, Patiala

**From industry side:**

Sh. Narinder Singh Ubhi, Manager

Senior Environmental Engineer, Zonal Office-2, Patiala brought out that the industry is an induction furnace unit and is engaged in the manufacturing of Concast Billets/ Slabs @ 400 TPD, Steel Castings/ Ingots @ 50 TPD, Rolling Mill-Flats/ Strips @ 190 TPD or Rolling Mill-TMT Bars/ Wire Rods/ Bars/ Structural Steel @ 200 TPD.

The industry was granted consent to operate under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/FGS/2020/11385040 dated 09-01-2020 valid upto 31.03.2021. Also granted authorization under Hazardous Waste Rules, 2016 vide no. HWM/renew/FGS/2020/11385928 dated 27.01.2020 valid upto 31.03.2024 with certain conditions mentioned therein.

The industry was surprisingly visited by a team comprising the Asstt. Environmental Engineer of the Regional Office, FGS and Sh. Sahil Patel, Sc'B, CPCB on 27/02/2020. During visit, it was observed as under:

1. The industry has 2 no. induction furnaces of 20 TPH and 6 TPH, which were found in operation.
2. The industry has installed separate side hoods with each induction furnace, which leads to common bag house filter as APCD. During visit, the APCD was found in operation, but, some emissions were found escaping into working shed and then into the ambient without any treatment through APCD due to inadequate suction of the APCD.

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ

VATAVARAN BHAWAN, NABHA ROAD, PATIALA

E-mail: ppcb2020@gmail.com, Web: www.ppcb.gov.in

3. The industry is using PPE bags for storage of Hazardous Waste instead of HDPE bags.

Therefore, the industry is violating the conditions of the consent to operate granted under the Air (Prevention & Control of Pollution) Act, 1981 and conditions of authorization granted under Hazardous and Other Waste Rules, 2016.

In view of above, the industry was served with notices before cancellation of consent to operate under the Air Act, 1981; directions u/s 31-A of the Air Act, 1981 proposing for closure of unit and for cancellation of authorization under Hazardous and Other Wastes Rules, 2016 alongwith an opportunity of personal hearing before the Chairman of the Board on 09.06.2020. But, the industry had submitted a request letter to give another date of hearing due to shortage of office staff in the unit/ the concerned person is on leave.

The request of the industry was considered by the Competent Authority and the industry was afforded another date of hearing on 16.07.2020 vide Board's letter no. 1901 dated 30.07.2020. The hearing scheduled on 16.07.2020 was postponed till further orders in light of Board's office order dated 13.07.2020 due to pandemic COVID-19 situation.

Also, notice for imposition of Environmental Compensation (EC) was issued to the industry due to environment damage caused by it. Accordingly, Environmental Engineer, Regional Office, FGS has calculated the amount of EC which is to be imposed upon the industry.

In view of the above, the industry has been afforded another opportunity of personal hearing before cancellation of air consent, issuance of directions u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981, cancellation of authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and imposition of EC due to environment damage caused from the operation of the industry on 10.09.2020 before the Worthy Chairman of the Board.

Sh. Narinder Singh Ubhi, Manager of the industry attended the hearing and submitted a written reply, which was taken on record. He further stated that they have installed 2 no. of induction furnaces of capacity 20 T/heat and 6 T/heat, which are in operation. They have already installed common Air Pollution Control Device reverse cleaning system alongwith side hood on both the furnaces as per design of PSCST, Chandigarh and obtained completion certificate from PSCST Chandigarh. They are operating Air Pollution Control Device regularly as to control process emissions and maintaining the record on daily basis. They have also removed all discrepancies observed by the visiting officer, within 2 days. Now, Air Pollution Control Device dust is collected in HDPE bags and stored in proper manners inside its premises. The unit remained closed due to COVID-19 restriction. They are not operating unit properly due to shortage of labour and crisis in the market. He requested not to impose environment compensation and also the consent / authorization may not be cancel. He also stated earlier they were not aware regarding violations caused by the industry and it has come to their notice when they received Board notices dated 02.06.2020. Accordingly, they have submitted the reply of the notices at Regional Office, Fatehgarh Sahib on 05.08.2020. He further contended that they were not aware about any non-compliance

26

/ observations made by the visiting team and came to know about the same only upon receipt of the notice dated 02.06.2020 issued by the Board.

Environmental Engineer, Regional Office, Fatehgarh Sahib has informed that a visit report was prepared by the visiting officer on 27.02.2020 and the same was got signed from the representative Sh. Narinder Singh Ubhi, Manager of the industry.

Therefore, the contention of the industry that they were not aware of non-compliances / observations made by the visiting team is not correct.

After hearing the officers of the Board & Manager of the industry and considering facts on record, the Chairman of the Board decided as under:

1. The industry shall take more measures to collect the entire process emission generated from induction furnaces and will pass the same through Air Pollution Control Device.
2. The industry shall operate the Air Pollution Control Device regularly and efficiently so as to achieve the prescribed emission standards on regular basis.
3. The industry shall appoint dedicated staff for operation / maintenance of Air Pollution Control Device.
4. The industry shall comply with the SOP prescribed by the Board for induction furnace.
5. Environmental Compensation @ Rs. 5000/- per day be imposed upon the industry due to environmental damage caused by it. The Environmental Engineer, Regional Office, Fatehgarh Sahib shall verify actual number of operation days from 27.02.2020 to 05.08.2020 as industry has submitted that it remained closed for a certain period due to COVID-19 situation.

You are requested to comply with the aforesaid decisions in stipulated period.

*[Signature]*  
25-9-2020

for & on behalf of  
Pb. Pollution Control Board

Endst. No. \_\_\_\_\_

Dated \_\_\_\_\_

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Fatehgarh Sahib for information and necessary action. He is requested to calculate Environmental Compensation @ Rs. 5000/- per day to be imposed upon the industry due to environmental damage caused by it and he shall also verify actual number of operation days from 27.02.2020 to 05.08.2020 as industry has submitted that it remained closed for a certain period due to COVID-19 situation.

*[Signature]*

for & on behalf of  
Pb. Pollution Control Board

P2919



# BHAWANI INDUSTRIES PRIVATE LIMITED

(Formerly Known as Bhawani Industries Limited)

Regd. Office & Works: Ajnall, G.T. Road, MANDI GOBINDGARH-147301 (Pb.) INDIA  
M.: +91-78378-00126 • E-mail: accounts@bhawanisteel.com • CIN : U00000PB1999PTC022272

27

BIPL/Pollution/2020-21-76  
Dated 7.10.2020

To

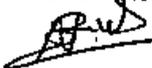
The Environmental Engineer  
Punjab Pollution Control Board  
Regional Office, Fatehgarh Sahib  
NISST Building  
Mandi Gobindgarh

Sub:-Proceeding of the Personal Hearing given on 10.9.2020

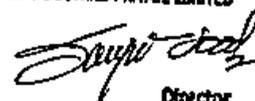
Sir,

Kindly refer to your instructions regarding supply of number of days from 27.2.2020 ( date of visit) which can be counted for discharge of minor effluent in the air. In this regard it is stated that without prejudice to our right of challenging levy of environment cess on this minor fault, it is stated that we have already informed the board that we have rectified the fault due to which there was minor discharge of smoke in the air within two days i.e. upto 28.2.2020. So it is to be appreciated that no levy of environment cess is to be imposed in this case and if imposed, it cannot be more than two days .

For Bhawani Industries Pvt Ltd.

  
DIRECTOR

For BHAWANI INDUSTRIES PRIVATE LIMITED

  
DIRECTOR

CARBON ALLOYS & STAINLESS STEELS  
BILLETS | INGOTS | HOT ROLLED PRODUCTS | HEAVY CASTING  
www.bhawanisteel.com









Form of Raw Material and Components

Name & Address of the Factory: **BHAWANI INDUSTRIES PRIVATE LIMITED**  
 Vill Anhai G.T Road Mandi Gobindgarh

Description of Raw Material/Components **Melting Scrap, H.M.S, Sponge Iron, Pig Iron**

32

Date	Opening Balance	Quantity Received		Total Received	Purchase Return	Sale (As Such)	Quantity used in the Manufacture		Total Issued	Closing Balance	Quantity Manufactured										Burnig Loss	Hazardous Waste										
		Purchase	Receive Transfer				Material Issued	Issued Ferro Alloys			Billet	Billet SS	Steel Ingots	Metal Rolls	Ingots mould Tool & Die	Steel Casting	Billet Alloy	Billet End Cutting														
01/06/2020	3353.747	163.105	0.000	163.105	0.000	0.000	248.300	0.500	248.800	3268.552	229.160	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	19.640	0.000	0.000	0.000	0.000	0.000							
02/06/2020	3268.552	203.335	0.000	203.335	0.000	55.520	213.112	3.788	216.900	3203.255	195.200	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000					
03/06/2020	3203.255	135.310	0.000	135.310	0.000	11.315	272.100	4.100	276.200	3055.150	248.600	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000				
04/06/2020	3055.150	79.480	0.000	79.480	0.000	0.000	304.400	4.500	308.900	2830.230	255.400	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000			
05/06/2020	2830.230	365.250	0.000	365.250	0.000	0.000	185.500	0.000	185.500	3009.980	166.900	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000		
06/06/2020	3009.980	226.810	0.000	226.810	0.000	0.000	300.161	5.339	305.500	2906.639	225.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000		
07/06/2020	2906.639	100.760	0.000	100.760	0.000	0.000	286.800	3.600	290.400	2720.599	261.400	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000		
08/06/2020	2720.599	94.070	66.070	160.140	0.000	16.170	260.757	2.443	263.200	2603.812	236.900	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
09/06/2020	2603.812	485.195	0.000	485.195	0.000	46.390	301.754	2.246	304.000	2772.258	273.700	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
10/06/2020	2718.663	284.385	0.000	284.385	0.000	284.385	149.600	0.055	195.500	2892.928	175.900	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
11/06/2020	2772.258	316.115	0.000	316.115	0.000	0.000	203.300	2.200	205.500	2811.513	185.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
12/06/2020	2892.928	121.885	0.000	121.885	0.000	0.000	189.949	0.051	190.000	2732.004	130.440	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
13/06/2020	2811.513	135.190	0.000	135.190	0.000	24.750	189.949	5.357	194.500	2549.741	175.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
14/06/2020	2732.004	0.000	6.880	6.880	0.000	0.000	189.143	2.095	194.800	2562.956	183.300	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
15/06/2020	2549.741	235.675	0.000	235.675	0.000	19.755	202.705	2.095	204.800	2562.956	183.300	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
16/06/2020	2562.956	182.860	0.000	182.860	0.000	0.000	206.300	5.000	211.300	2539.516	190.200	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
17/06/2020	2539.516	190.190	0.000	190.190	0.000	10.200	91.100	0.000	91.100	2628.406	82.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
18/06/2020	2628.406	180.255	0.000	180.255	0.000	0.000	159.655	4.445	164.100	2649.006	147.700	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
19/06/2020	2649.006	95.995	46.460	142.455	0.000	0.000	232.608	1.292	233.900	2558.853	210.500	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
20/06/2020	2558.853	63.895	0.000	63.895	0.000	0.000	259.700	3.100	262.800	2363.048	236.500	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
21/06/2020	2363.048	163.415	0.000	163.415	0.000	0.000	252.780	3.220	256.000	2273.683	230.400	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
22/06/2020	2273.683	111.900	0.000	111.900	0.000	25.080	227.006	3.684	230.700	2133.497	207.600	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
23/06/2020	2133.497	145.255	0.000	145.255	0.000	0.000	260.135	4.165	264.300	2018.617	237.900	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
24/06/2020	2018.617	277.760	0.000	277.760	0.000	107.380	244.756	5.744	250.500	1944.241	225.500	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
25/06/2020	1944.241	161.525	0.000	161.525	0.000	0.000	257.680	3.820	261.500	1846.626	235.400	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
26/06/2020	1846.626	148.135	0.000	148.135	0.000	0.000	257.945	1.500	259.445	1736.816	233.500	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
27/06/2020	1736.816	258.733	0.000	258.733	0.000	0.000	256.300	2.300	258.600	1739.249	232.700	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
28/06/2020	1739.249	229.468	0.000	229.468	0.000	0.000	240.755	1.445	242.200	1727.962	218.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
29/06/2020	1727.962	0.000	0.000	0.000	0.000	0.000	116.700	0.000	116.700	1611.262	105.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
30/06/2020	1611.262	48.720	76.990	125.710	0.000	0.000	0.000	0.000	0.000	136.972	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
		5204.671	196.400	0.000	540.071	303.410	147.990	6566.446	77.199	6643.645	5920.500	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000

2410-24

**Form of Raw Material and Components**

Name & Address of the Factory: **BHAWANI INDUSTRIES PRIVATE LIMITED**  
 Vill Ajnail G.T Road Mandi Gobindgarh

Description of Raw Material/Components Melting Scrap.H.M.S.Sponge Iron,Pig Iron

Date	Opening Balance	Quantity Received		Total Received	Purchase Return	Sale (As Such)	Quantity used in the Manufacture		Total Issued	Closing Balance	Quantity Manufactured							Burining Loss	Hazardous Waste										
		Purchase	Receive Transfer				Material Issued	Issued Ferro Alloys			Billet	Billet SS	Steel Ingots	Metal Rolls	Ingot mould Tool & Die	Steel Casting Alloy	Steel Casting			Billet Alloy	Billet End Cutting Casting								
01/07/2020	1736.972	282.950	0.000	282.950	0.000	0.000	246.790	4.320	251.110	1773.132	226.100	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	5.880	18.380	0.750		
02/07/2020	1773.132	343.520	0.000	343.520	0.000	0.000	264.096	2.794	266.890	1852.556	240.200	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	6.570	19.320	0.800	
03/07/2020	1852.556	319.865	0.000	319.865	0.000	0.000	332.620	2.490	335.110	1839.801	253.290	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	8.270	24.190	1.050	
04/07/2020	1839.801	28.200	0.000	33.570	0.000	0.000	281.054	3.496	284.550	1592.317	222.600	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	10.200	20.960	0.790	
05/07/2020	1592.317	32.080	0.000	32.080	0.000	0.000	98.890	0.000	98.890	1525.507	89.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	2.500	7.100	0.290	
06/07/2020	1525.507	259.135	0.000	259.135	0.000	0.000	119.075	2.700	121.775	1665.567	109.600	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	2.770	9.045	0.360	
07/07/2020	1665.567	148.080	0.000	148.080	0.000	0.000	276.491	1.729	278.220	1537.156	250.400	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	6.370	20.620	0.830	
08/07/2020	1537.156	228.835	6.870	235.705	0.000	0.000	252.288	3.042	255.330	1520.573	229.800	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	5.615	19.150	0.765	
09/07/2020	1520.573	390.390	0.000	390.390	0.000	0.000	261.000	3.200	264.200	1649.963	237.800	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	6.330	19.280	0.800	
10/07/2020	1649.963	165.470	0.000	165.470	0.000	0.000	265.206	2.294	267.500	1550.227	240.800	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	5.900	20.000	0.800	
11/07/2020	1550.227	170.145	0.000	170.145	8.120	24.880	246.063	3.047	249.110	1441.309	224.200	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	5.480	18.685	0.745	
12/07/2020	1441.309	14.655	0.000	14.655	0.000	0.000	128.900	0.320	129.220	1327.064	85.800	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	3.010	9.520	0.390	
13/07/2020	1327.064	241.610	10.810	252.420	0.000	0.000	0.000	0.000	0.000	1579.484	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
14/07/2020	1579.484	98.420	2.500	100.920	0.000	11.550	175.853	5.447	181.300	1493.001	163.200	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	4.870	12.690	0.540	
15/07/2020	1493.001	166.245	6.020	172.265	0.000	0.000	268.070	3.600	271.670	1397.196	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	244.500	20.020	0.820	
16/07/2020	1397.196	547.240	6.590	553.830	0.000	13.540	243.010	2.100	245.110	1694.476	220.600	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	5.445	18.330	0.735	
17/07/2020	1694.476	270.295	3.100	273.395	0.000	0.000	274.200	6.800	281.000	1693.671	113.100	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	6.910	20.350	0.840	
18/07/2020	1693.671	260.080	3.850	263.930	0.000	5.490	256.528	4.972	261.500	1695.583	235.400	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	7.020	18.300	0.780	
19/07/2020	1695.583	276.315	0.000	276.315	7.280	0.000	263.455	0.745	264.200	1701.163	237.800	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	7.110	18.500	0.790	
20/07/2020	1701.163	338.005	15.100	353.105	0.000	0.000	237.300	2.700	240.000	1816.368	216.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	6.480	16.800	0.720	
21/07/2020	1816.368	216.880	11.950	228.830	0.000	0.000	275.300	2.500	277.800	1770.498	127.760	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	18.300	19.430	0.730	
22/07/2020	1770.498	330.825	0.000	330.825	10.150	30.650	257.532	3.468	261.000	1802.991	235.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	6.950	18.270	0.780	
23/07/2020	1802.991	303.320	7.890	311.210	0.000	0.000	229.955	1.345	231.300	1884.246	208.200	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	6.220	16.190	0.690	
24/07/2020	1884.246	435.815	8.090	443.905	0.000	0.000	253.450	2.750	256.200	2074.701	230.600	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	6.900	17.930	0.770	
25/07/2020	2074.701	341.225	7.520	348.745	0.000	0.000	274.300	1.250	275.550	2149.146	248.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	7.440	19.290	0.820	
26/07/2020	2149.146	217.110	0.000	217.110	0.000	0.000	269.153	2.547	271.700	2097.103	244.500	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	7.400	19.000	0.800	
27/07/2020	2097.103	283.360	6.060	289.420	0.000	18.430	277.635	3.565	281.200	2090.458	253.100	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	7.560	19.700	0.840	
28/07/2020	2090.458	357.345	5.820	363.165	0.000	10.580	253.082	3.918	257.000	2208.391	231.400	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	6.840	17.990	0.770	
29/07/2020	2208.391	246.845	0.000	246.845	0.000	0.000	255.280	5.220	260.500	2199.956	234.500	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	6.990	18.230	0.780	
30/07/2020	2199.956	232.970	2.940	235.910	0.000	0.000	301.033	3.417	304.450	2134.833	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	11.920	19.980	0.850	
31/07/2020	2134.833	254.040	243.105	497.145	0.000	0.000	254.525	6.675	261.200	2377.453	235.100	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	7.150	18.300	0.650	
		7801.270	353.585	8173.285	25.550	115.120	7392.134	92.451	7484.585		5843.850	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	798.450	208.170	535.550	22.065

July - 30

Form of Raw Material and Components

Name & Address of the Factory: **BHAWANI INDUSTRIES PRIVATE LIMITED**  
 VIII Ajnali G.T Road Mandi Gobindgarh

Description of Raw Material/Components **Melting Scrap, H.M.S. Sponge Iron, Pig Iron**

Date	Opening Balance	Quantity Received		Purchase Return	Total Recievd	Sale (As Such)	Quantity used in the Manufacture		Total Issued	Closing Balance	Quantity Manufactured							Burning Loss	Hazardous Waste	
		Purchase	Recieve Transfer				Sale Return	Material Issued			Issued Ferro Alloys	Billet	Billet SS	Steel Ingots	Metal Rolls	Ingot mould Tool & Die	Steel Casting			Billet Alloy
01/08/2020	2377.453	318.330	0.000	0.000	318.330	0.000	263.100	2.400	265.500	2432.683	89.000	0.000	0.000	0.000	0.000	0.000	150.000	7.220	18.600	0.680
02/08/2020	2432.683	192.145	0.000	0.000	192.145	0.000	254.130	2.470	256.600	2370.698	0.000	0.000	0.000	0.000	0.000	0.000	230.900	7.100	17.960	0.640
03/08/2020	2370.698	207.860	0.000	0.000	207.860	0.000	249.050	5.100	254.150	2329.508	0.000	0.000	0.000	0.000	0.000	0.000	198.300	13.400	17.820	0.630
04/08/2020	2329.508	129.315	13.980	0.000	143.295	0.000	248.100	3.000	251.100	2224.703	226.000	0.000	0.000	0.000	0.000	0.000	0.000	6.870	17.600	0.630
05/08/2020	2224.703	721.560	0.000	0.000	721.560	0.000	248.265	2.335	250.600	2697.998	225.500	0.000	0.000	0.000	0.000	0.000	0.000	6.800	17.800	0.500
06/08/2020	2697.998	262.175	0.000	0.000	262.175	0.000	267.952	1.248	269.200	2692.221	242.300	0.000	0.000	0.000	0.000	0.000	0.000	6.980	19.380	0.540
07/08/2020	2692.221	330.495	0.000	0.000	330.495	0.000	261.700	2.200	263.900	2761.016	217.000	0.000	0.000	0.000	0.000	0.000	0.000	11.520	18.500	0.480
08/08/2020	2761.016	303.005	29.570	0.000	332.575	0.000	259.700	1.300	261.000	2833.891	235.000	0.000	0.000	0.000	0.000	0.000	0.000	7.230	18.270	0.500
09/08/2020	2833.891	128.175	0.000	0.000	128.175	0.000	247.696	2.804	250.500	2714.370	224.900	0.000	0.000	0.000	0.000	0.000	0.000	7.210	17.890	0.500
10/08/2020	2714.370	350.930	5.510	0.000	356.440	0.000	299.500	4.200	303.700	2771.310	273.300	0.000	0.000	0.000	0.000	0.000	0.000	8.540	21.260	0.600
11/08/2020	2771.310	250.625	0.000	0.000	250.625	0.000	284.100	5.100	289.200	2737.835	137.910	0.000	0.000	0.000	0.000	0.000	25.934	9.266	20.280	0.520
12/08/2020	2737.835	118.905	0.000	0.000	118.905	0.000	303.900	2.800	306.700	2552.840	272.400	0.000	0.000	0.000	0.000	0.000	0.000	11.920	21.780	0.600
13/08/2020	2552.840	43.620	0.000	0.000	43.620	0.000	163.150	3.650	166.800	2433.310	150.100	0.000	0.000	0.000	0.000	0.000	0.000	4.530	11.840	0.330
14/08/2020	2433.310	48.890	95.400	0.000	144.290	9.680	317.850	4.150	322.000	2250.070	172.580	0.000	0.000	0.000	0.000	0.000	0.000	8.500	22.860	0.740
15/08/2020	2250.070	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	2250.070	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
16/08/2020	2250.070	0.000	0.000	0.000	0.000	0.000	134.400	0.000	134.400	2115.670	0.000	0.000	0.000	0.000	0.000	0.000	120.900	3.700	9.500	0.300
17/08/2020	2115.670	123.949	0.000	0.000	123.949	0.000	283.000	2.900	285.900	1956.619	220.600	0.000	0.000	0.000	0.000	0.000	0.000	6.660	20.050	0.570
18/08/2020	1956.619	142.390	0.000	0.000	142.390	0.000	249.280	4.720	254.000	1849.725	228.700	0.000	0.000	0.000	0.000	0.000	0.000	6.980	17.780	0.540
19/08/2020	1849.729	85.225	0.000	0.000	85.225	0.000	232.760	2.240	235.000	1702.194	211.400	0.000	0.000	0.000	0.000	0.000	0.000	6.330	16.690	0.580
20/08/2020	1702.194	75.815	42.931	0.000	118.746	0.000	182.672	4.628	187.300	1638.268	168.600	0.000	0.000	0.000	0.000	0.000	0.000	3.420	14.860	0.420
21/08/2020	1638.268	134.615	19.894	0.000	154.509	0.000	319.295	4.700	323.995	1473.482	291.800	0.000	0.000	0.000	0.000	0.000	0.000	8.570	23.180	0.445
22/08/2020	1473.482	342.460	0.000	0.000	342.460	0.000	357.320	5.080	362.400	1458.622	0.000	0.000	0.000	0.000	0.000	0.000	23.100	13.850	25.360	0.990
23/08/2020	1458.622	63.990	0.000	0.000	63.990	0.000	306.450	6.350	312.800	1216.162	281.500	0.000	0.000	0.000	0.000	0.000	0.000	8.630	21.890	0.780
24/08/2020	1216.162	240.820	6.940	0.000	247.860	15.565	152.100	3.100	155.200	1296.357	139.700	0.000	0.000	0.000	0.000	0.000	0.000	4.100	11.000	0.400
25/08/2020	1296.357	199.545	10.000	0.000	209.545	21.100	350.125	2.625	352.750	1134.677	0.000	0.000	0.000	0.000	0.000	0.000	20.902	12.298	25.050	0.800
26/08/2020	1134.677	167.065	0.000	0.000	167.065	0.000	161.450	4.050	165.500	1140.292	149.000	0.000	0.000	0.000	0.000	0.000	0.000	4.510	11.590	0.400
27/08/2020	1140.292	199.335	0.000	0.000	199.335	0.000	289.760	0.740	290.500	1049.867	242.100	0.000	0.000	0.000	0.000	0.000	16.000	11.180	20.500	0.720
28/08/2020	1049.867	176.955	4.130	0.000	181.085	0.000	243.155	3.545	246.700	987.797	222.400	0.000	0.000	0.000	0.000	0.000	0.000	6.170	17.500	0.630
29/08/2020	987.797	154.725	0.000	0.000	154.725	0.000	248.000	2.000	250.000	894.522	225.100	0.000	0.000	0.000	0.000	0.000	0.000	6.780	17.500	0.620
30/08/2020	894.522	48.425	73.728	0.000	122.153	0.000	264.600	0.000	264.600	752.075	238.100	0.000	0.000	0.000	0.000	0.000	0.000	7.300	18.520	0.680
31/08/2020	752.075	313.785	30.120	0.000	343.905	0.000	92.753	0.097	92.850	1003.227	54.900	0.000	0.000	0.000	0.000	0.000	20.600	10.780	6.350	0.220
		5875.229	332.203	0.000	6207.432	46.345	7535.313	89.532	7624.845		5139.890	0.000	0.000	0.000	0.000	0.000	184.936	238.364	539.160	16.985

u/s s/s = 5



No.

122/21

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ  
PUNJAB POLLUTION CONTROL BOARD

Dated: 18/03/2021

REGISTERED

To

M/s Bhawani Industries Pvt. Ltd.,  
Vill Ajnall, Near Focal Point,  
Mandi Gobindgarh, Distt. Fatehgarh Sahib.

**Subject: Show cause notice for revocation/cancellation of consent to operate granted under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.**

Whereas, it is mandatory on the part of the industry to obtain consent of the Board u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 to operate an outlet & u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 to operate an outlet/Industrial plant for discharge of effluents/emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/ air pollution control devices so as to contain the various pollutants in the effluents / emissions discharged by the industry within the standards laid down by the Board.

And whereas, the industry is an induction furnace unit and is engaged in the manufacturing of Concast Billets/ Slabs @ 400 TPD, Steel Castings/ Ingots @ 50 TPD, Rolling Mill-Flats/ Strips @ 190 TPD or Rolling Mill-TMT Bars/ Wire Rods/ Bars/ Structural Steel @ 200 TPD. The industry was granted consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTOW/Renewal/Fatehgarh Sahib/2018/7303552 dated 18/04/2018 and under Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/FGS/2020/11385040 dated 09/01/2020 both valid upto 31/03/2021, with certain conditions mentioned therein.

And whereas, the industry was afforded an opportunity of personal hearing before cancellation of air consent, issuance of directions u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 & cancellation of authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and imposition of EC due to environment damage caused from the operation of the industry on 10/09/2020 before the Chairman of the Board. Wherein, it was decided as under:

1. The industry shall take more measures to collect the entire process emission generated from induction furnaces and will pass the same through Air Pollution Control Device.
2. The industry shall operate the Air Pollution Control Device regularly and efficiently, so as to achieve the prescribed emission standards on regular basis.
3. The industry shall appoint dedicated staff for operation/ maintenance of Air Pollution Control Device.
4. The industry shall comply with the SOP prescribed by the Board for induction furnace.
5. Environmental Compensation @ Rs. 5000/- per day be imposed upon the industry due to environmental damage caused by it. The Environmental Engineer, Regional Office, Fatehgarh Sahib shall verify actual number of operation days from 27/02/2020 to 05/08/2020 as industry has submitted that it remained closed for a certain period due to COVID-19 situation.

And whereas, the proceedings of the personal hearing were conveyed to the industry as well as Regional Office, Fatehgarh Sahib vide letter no. 2920-21 dated 25/09/2020 for compliance.

And whereas, in compliance to hearing decisions, the industry was requested by Regional Office, Fatehgarh Sahib to produce production register for verification of actual number of operation days from 27-02-2020 to 05-08-2020, so that, EC @ Rs. 5000/- per day

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਬਾ ਰੋਡ, ਪਟਿਆਲਾ

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36

may be calculated due to environmental damage caused by it. But, the industry was denied to produce any document for verification of actual number of operation days. Thereafter, Sh. Narinder Ubhi, Manager was personally requested by the officer of the Board to produce production register. But, the industry failed to submit the same.

And whereas, the Chairman of the Monitoring Committee, constituted by the Hon'ble NGT has received complaint regarding air pollution being caused by the Induction furnaces units in the Mandi Gobindgarh area. Accordingly, the Chairman of the said committee vide its letter no. 1039 dated 25/09/2020 has directed PPCB that concerned industries may be inspected immediately by deputing a team and to submit action taken report to the Monitoring Committee within 15 days. In compliance of the above said directions and decisions of the personal hearing, Environmental Engineer, RO, Fatehgarh Sahib alongwith AEE visited Mandi Gobindgarh area on 17/10/2020 during late night i.e. 09:00 PM to 12:30 AM to check the operational status of the APCDs installed by the industries. During visit, the industry was visited by the team and found that the industry was in operation, but the industry was denied to open the main gate of the industry. Thereafter, AEE of this office make a telephonic call to Sh. Narinder Ubhi, Manager with the request to open the main gate and allow the team to visit the industry. The security guard present at the main gate of the industry has received telephone call from proprietor of the industry and requested to talk to Environmental Engineer present during the visit. The Proprietor /- Director of the industry denied the team to enter in the industry for inspection during night time. Also, he questioned the Environmental Engineer stating that the team has not informed him in advance before visit. The team should have to visit the industry during day time and he could not allow the team to visit the industry during this time.

And whereas, the Competent Authority of the Board constituted a team of Er. Suminder Singh Matharu, EE and Er. Rajiv Goel, EE vide letter no. 3855-56 dated 26/11/2020 to visit the industry and submit the report with recommendations within 15 days. Accordingly, the team visited the industry on 19/12/2020 and has reported the following violations observed during visit:

1. The APCDs provided with induction furnaces of capacity 20 T/heat & 6 T/heat was found in operation, however significant emissions were seen escaping the shed at the time of charging of raw material.
2. The port hole provided with the stack of APCD was not at 8D (8-time diameter of the stack) as such it was not feasible to carry out iso-kinetic sampling for SPM.
3. The industry has provided online emission monitoring system at the stack of the APCD, which showing the conc. of SPM 8.4 mg/Nm<sup>3</sup>, therefore, it is evident that OCEMS was showing 53.33 % less analyzed value of SPM in the emission as such the OCEMS is required to be calibrated by the industry from its supplier in the presence of the Official of the Board.
4. The industry has installed one no. ladle refining furnace of capacity 20 T/heat and no air pollution control device has been installed to control the process emissions generated during operation of the same. Lot of emissions from ladle refining furnace were escaping into the working shed at the time of addition of Ferro metals.
5. The industry has also installed one no. electric arc furnace of capacity 20 TPH with gas cooler followed by bag filter house as APCD, but the same is yet to be commissioned.
6. Significant secondary emissions were seen escaping into the working shed especially when the molten metal is poured in the coricast unit, when the metal comes in contact with air may be due to oxidation of the metal. The industry is required to explore the possibility to capture said emissions.
7. The industry has installed skid for getting PNG from M/s IRM Energy Pvt. Ltd., but it has not converted its reverberatory furnace for use of PNG as fuel.
8. The industry has installed metal recovery unit from slag with crushing and sewing process, but no APCD has been installed to control the emissions to be generated during its operation.
9. The industry has also provided separate energy meter with ID fan of the electric motor of capacity 515 KW capacity with the APCDs. Therefore, in case this fan is presumed to be operated at 80 % of its efficiently, the consumption of units comes out to be  $515 \times 0.8 = 42$  KWH units. Therefore, in case the industry is operated for 24 hours then the units to be consumed for operation of the APCD come out to be 9888. However, as per record submitted by the industry after conduct of visit for the month of January, 2020 and February, 2021, the consumption of varies in the range of 918 to 10730 units, which is much less than the units to be consumed calculated above by taking into account the capacity of the electric motor attached with ID fan and operation hours of the industry.

- 10. The industry has installed water softer unit and trade effluent is generated from regeneration of the same. The industry claimed that the trade effluent is mixed with the domestic effluent for treatment in the STP.
- 11. The industry has installed an STP based on aerobic biological treatment, which was in operation. There was hardly any growth of bio-mass in the aeration tank despite the fact that the aeration system was in operation, which showed that the STP installed by the industry is not being operated properly.
- 12. The industry has not provided proper distribution network for use of treated wastewater in the plantation area and significant wild growth was observed in the said area.
- 13. The industry has not stabilized the vehicle movement area/ entry & exist point. At the time of entry to the unit, a flexible pipe was seen through which purge water from the re-circulation tank was being discharged into a channel leading to the low lying area inside the premises of the unit, which causing stagnation.
- 14. Non compliance of SOPs framed by the Board for Induction furnaces were also observed as under:-
  - i) The scrap being used was not free from oil grease/rust/paint.
  - ii) The air flow of dust laden air in the APCD was from inside to outside instead outer to inside the bags.
  - iii) There was no mechanism to measure the pressure drop after collection hood of APCD and before APCD.
  - iv) The industry could not produce the record of the compressor of the APCD as per SOP.
  - v) There was no interlocking of APCD with the induction furnace to ensure regular operation of the industry.

In view of above, the visiting team has recommended to initiate action against the industry under the provisions of pollution control Laws/ Acts/ Rules.

And whereas, it is evident that the industry is not complying with the conditions of consent granted under the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and causing pollution in the vicinity intentionally & deliberately. Thus, violating the provisions of the said Acts.

And whereas, the matter was considered by the Competent Authority and decided to revoke/cancel the consents to operate granted under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, due to aforesaid violations.

And whereas, it has now been decided to revoke/cancel the consents to operate granted under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 due to aforesaid reasons after affording an opportunity of show cause-cum-personal hearing.

As such, you are, hereby, afforded an opportunity to show cause in person before the Chairman of the Board in his office at Vatavaran Bhawan, Nabha Road, Patiala on 30/03/2021 at 11:00 am, to explain as to why the proposed action under the provisions of Water (Prevention & Control of Pollution) Act, 1974 should not be taken. Failing which, it will be presumed that industry has nothing to say and the Board shall go ahead to take the proposed action under the said Acts without giving any further notice/opportunity.

*[Signature]*  
18.3.2021

for & on behalf of  
Pb. Pollution Control Board

Endst. No. \_\_\_\_\_ Dated \_\_\_\_\_

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Fatehgarh Sahib with the request to Intimate the date of hearing to the industry.

*[Signature]*  
for & on behalf of  
Pb. Pollution Control Board



NOTICE 33-A & 31-A  
ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ

PUNJAB POLLUTION CONTROL BOARD

No. 1226

Dated: 18/03/2021

REGISTERED

To

M/s Bhawani Industries Pvt. Ltd.,  
Vill Ajnail, Near Focal Point,  
Mandi Gobindgarh, Distt. Fatehgarh Sahib.

**Subject:** Notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981.

Whereas, it is mandatory on the part of the Industry to obtain consent of the Board u/s 25 of the Water (Prevention & Control of Pollution) Act, 1974 to operate an outlet & u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 to operate an outlet/Industrial plant for discharge of effluents/emissions arising from its premises.

And whereas, it is mandatory on the part of the industry to provide adequate and appropriate effluent treatment facilities/ air pollution control devices so as to contain the various pollutants in the effluents / emissions discharged by the industry within the standards laid down by the Board.

And whereas, the industry is an induction furnace unit and is engaged in the manufacturing of Concast Billets/ Slabs @ 400 TPD, Steel Castings/ Ingots @ 50 TPD, Rolling Mill-Flats/ Strips @ 190 TPD or Rolling Mill-TMT Bars/ Wire Rods/ Bars/ Structural Steel @ 200 TPD. The industry was granted consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTOW/Renewal/Fatehgarh Sahib/2018/7303552 dated 18/04/2018 and under Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/FGS/2020/11385040 dated 09/01/2020 both valid upto 31/03/2021, with certain conditions mentioned therein.

And whereas, the Industry was afforded an opportunity of personal hearing before cancellation of air consent, Issuance of directions u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 & cancellation of authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and Imposition of EC due to environment damage caused from the operation of the Industry on 10/09/2020 before the Chairman of the Board. Wherein, it was decided as under:

1. The industry shall take more measures to collect the entire process emission generated from induction furnaces and will pass the same through Air Pollution Control Device.
2. The industry shall operate the Air Pollution Control Device regularly and efficiently, so as to achieve the prescribed emission standards on regular basis.
3. The industry shall appoint dedicated staff for operation/ maintenance of Air Pollution Control Device.
4. The industry shall comply with the SOP prescribed by the Board for Induction furnace.
5. Environmental Compensation @ Rs. 5000/- per day be imposed upon the industry due to environmental damage caused by it. The Environmental Engineer, Regional Office, Fatehgarh Sahib shall verify actual number of operation days from 27/02/2020 to 05/08/2020 as industry has submitted that it remained closed for a certain period due to COVID-19 situation.

And whereas, the proceedings of the personal hearing were conveyed to the Industry as well as Regional Office, Fatehgarh Sahib vide letter no. 2920-21 dated 25/09/2020 for compliance.

And whereas, in compliance to hearing decisions, the industry was requested by Regional Office, Fatehgarh Sahib to produce production register for verification of actual number of operation days from 27-02-2020 to 05-08-2020, so that, EC @ Rs. 5000/- per day may be calculated due to environmental damage caused by it. But, the Industry was denied to produce any document for verification of actual number of operation days. Thereafter, Sh. Narinder Ubhl, Manager was personally requested by the officer of the Board to produce production register. But, the Industry failed to submit the same.

And whereas, the Chairman of the Monitoring Committee, constituted by the Hon'ble NGT has received complaint regarding air pollution being caused by the Induction furnaces units in the Mandi Gobindgarh area. Accordingly, the Chairman of the said committee vide its letter no. 1039 dated 25/09/2020 has directed PPCB that concerned industries may be

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inspected immediately by deputing a team and to submit action taken report to the Monitoring Committee within 15 days. In compliance of the above said directions and decisions of the personal hearing, Environmental Engineer, RO, Fatehgarh Sahib alongwith AEE visited Mandi Gobindgarh area on 17/10/2020 during late night i.e. 09:00 PM to 12:30 AM to check the operational status of the APCDs installed by the Industries. During visit, the industry was visited by the team and found that the industry was in operation, but the industry was denied to open the main gate of the industry. Thereafter, AEE of this office make a telephonic call to Sh. Narinder Ubhi, Manager with the request to open the main gate and allow the team to visit the industry. The security guard present at the main gate of the industry has received telephone call from proprietor of the industry and requested to talk to Environmental Engineer present during the visit. The Proprietor / Director of the industry denied the team to enter in the industry for inspection during night time. Also, he questioned the Environmental Engineer stating that the team has not informed him in advance before visit. The team should have to visit the industry during day time and he could not allow the team to visit the industry during this time.

And whereas, the Competent Authority of the Board constituted a team of Er. Sumider Singh Matharu, EE and Er. Rajiv Goel, EE vide letter no. 3855-56 dated 26/11/2020 to visit the industry and submit the report with recommendations within 15 days. Accordingly, the team visited the industry on 19/12/2020 and has reported the following violations observed during visit:

1. The APCDs provided with induction furnaces of capacity 20 T/heat & 6 T/heat was found in operation, however significant emissions were seen escaping the shed at the time of charging of raw material.
2. The port hole provided with the stack of APCD was not at 8D (8-time diameter of the stack) as such it was not feasible to carry out iso-kinetic sampling for SPM,
3. The industry has provided online continuous emission monitoring system at the stack of the APCD, which showing the conc. of SPM 8.4 mg/Nm<sup>3</sup>, therefore, it is evident that OCEMS was showing 53.33 % less analyzed value of SPM in the emission as such the OCEMS is required to be calibrated by the industry from its supplier in the presence of the Official of the Board.
4. The industry has installed one no. ladle refining furnace of capacity 20 T/heat and no air pollution control device has been installed to control the process emissions generated during operation of the same. Lot of emissions from ladle-refining furnace were escaping into the working shed at the time of addition of Ferro metals.
5. The industry has also installed one no. electric arc furnace of capacity 20 TPH with gas cooler followed by bag filter house as APCD, but the same is yet to be commissioned.
6. Significant secondary emissions were seen escaping into the working shed especially when the molten metal is poured in the concast unit, when the metal comes in contact with air may be due to oxidation of the metal, The industry is required to explore the possibility to capture said emissions.
7. The industry has installed skid for getting PNG from M/s IRM Energy Pvt. Ltd., but it has not converted its reverberatory furnace for use of PNG as fuel.
8. The industry has installed metal recovery unit from slag with crushing and sewing process, but no APCD has been installed to control the emissions to be generated during its operation.
9. The industry has also provided separate energy meter with ID fan of the electric motor of capacity 515 KW capacity with the APCDs. Therefore, in case this fan is presumed to be operated at 80 % of its efficiently, the consumption of units comes out to be  $515 \times 0.8 = 42$  KWH units. Therefore, in case the industry is operated for 24 hours then the units to be consumed for operation of the APCD come out to be 9888. However, as per record submitted by the industry after conduct of visit for the month of January, 2020 and February, 2021, the consumption of varies in the range of 918 to 10730 units, which is much less than the units to be consumed calculated above by taking into account the capacity of the electric motor attached with ID fan and operation hours of the industry.
10. The industry has installed water softer unit and trade effluent is generated from regeneration of the same. The industry claimed that the trade effluent is mixed with the domestic effluent for treatment in the STP.
11. The industry has installed an STP based on aerobic biological treatment, which was in operation. There was hardly any growth of bio-mass in the aeration tank despite the fact that the aeration system was in operation, which showed that the STP installed by the industry is not being operated properly.

12. The industry has not provided proper distribution network for use of treated wastewater in the plantation area and significant wild growth was observed in the said area.
13. The industry has not stabilized the vehicle movement area/ entry & exist point. At the time of entry to the unit, a flexible pipe was seen through which purge water from the re-circulation tank was being discharged into a channel leading to the low lying area inside the premises of the unit, which causing stagnation.
14. Non compliance of SOPs framed by the Board for Induction furnaces were also observed as under:
- The scrap being used was not free from oil grease/rust/paint.
  - The air flow of dust laden air in the APCD was from inside to outside. Instead outer to inside the bags.
  - There was no mechanism to measure the pressure drop after collection hood of APCD and before APCD.
  - The industry could not produce the record of the compressor of the APCD as per SOP.
  - There was no interlocking of APCD with the induction furnace to ensure regular operation of the industry.

In view of above, the visiting team has recommended to initiate action against the industry under the provisions of pollution control Laws/ Acts/ Rules.

And whereas, it is evident that the industry is not complying with the conditions of consent granted under the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and causing pollution in the vicinity intentionally & deliberately. Thus, violating the provisions of the said Acts.

And whereas, the matter has been considered by the Competent Authority and it has been decided to issue notices u/s 33- A of the Water (Prevention & Control of Pollution) Act, 1974 & u/s 31- A of the Air (Prevention & Control of Pollution) Act, 1981 proposing for closure of the unit after affording an opportunity of personal hearing due to aforesaid violations. Also, notice for imposition of Environmental Compensation (EC) be issued to the industry, due to environmental damaged caused by it.

Now, therefore, the Punjab Pollution Control Board, in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987 proposes to direct you as under:

- That the industry shall take all necessary steps to close down its operations and stop forthwith discharging any emissions into the atmosphere and effluents / wastewater onto land for stagnation / inland surface water / irrigation or through any mode;
- That the industry shall immediately stop its operation / activities and will not restart the same unless all necessary water / air pollution control measures are taken.
- That the industry shall not restart discharging its effluent/ air pollutants until it obtains the consent of the Board to operate an outlet/ industrial plant u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987.
- That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the Industry with immediate effect.

As such, you are, hereby, given an opportunity to file objections, if any, on the proposed directions before the Chairman of the Board in his office at Vatavaran Bhawan, Nabha Road, Patiala on 30/03/2021 at 11:00 am, failing which, it will be presumed that the owner of the industry has nothing to say and the Board shall go ahead to take proposed action in the matter under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 without giving further notice / opportunity.

for & on behalf of  
Pb. Pollution Control Board

Endst. No. \_\_\_\_\_

Dated \_\_\_\_\_

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Fatehgarh Sahib with request to inform the industry telephonically regarding date of hearing and submit report before hearing accordingly.

for & on behalf of  
Pb. Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ  
PUNJAB POLLUTION CONTROL BOARD

No. 1298

Dated: 18/03/2021

REGISTERED

To

M/s Bhawanl Industries Pvt. Ltd.,  
Vill Ajnali, Near Focal Point,  
Mandi Gobindgarh, Amlöh,  
Distt. Fatehgarh Sahib.

**Subject: Imposition of Environmental Compensation (EC) due to environment damage caused from the operations of the industry.**

The Parliament of India had enacted the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and for maintaining or resorting the wholesomeness of water and to preserve the quality of air;

And whereas, The National Green Tribunal (NGT), New Delhi through its various orders / Judgments (order dated 3.8.2018, 19.2.2019 passed in Original Application No. 597 of 2017, order dated 6.12.2018 passed in Original Application No. 125 of 2017 and M.A No. 1337 of 2018, order dated 13.12.2018 passed in Original Application No. 1038 of 2018, order dated 12.3.2019 passed in Original Application No. 710 of 2017 Original Application No. 711, 712 of 2017) has empowered the Central Pollution Control Board (CPCB) by laying down the methodology to assess and recover compensation for damage to the environment and utilize such amount in terms of an action plan for protection of the environment. The CPCB has formulated the methodology for assessing Environmental Compensation on the basis of formula submitted to the NGT as mentioned in its order dated 19.2.2019 passed in original application No. 593 of 2017 and the Punjab Pollution Control Board has adopted the said methodology;

And whereas, the industry is an induction furnace unit and is engaged in the manufacturing of Casted Billets/ Slabs @ 400 TPD, Steel Castings/ Ingots @ 50 TPD, Rolling Mill-Flats/ Strips @ 190 TPD or Rolling Mill-TMT Bars/ Wire Rods/ Bars/ Structural Steel @ 200 TPD. The industry was granted consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTOW/Renewal/Fatehgarh Sahib/2018/7303552 dated 18/04/2018 and under Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/FGS/2020/11385040 dated 09/01/2020 both valid upto 31/03/2021, with certain conditions mentioned therein.

And whereas, the industry was afforded an opportunity of personal hearing before cancellation of air consent, issuance of directions u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 & cancellation of authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and Imposition of EC due to environment damage caused from the operation of the industry on 10/09/2020 before the Chairman of the Board. Wherein, it was decided as under:

1. The industry shall take more measures to collect the entire process emission generated from induction furnaces and will pass the same through Air Pollution Control Device.
2. The industry shall operate the Air Pollution Control Device regularly and efficiently, so as to achieve the prescribed emission standards on regular basis.
3. The industry shall appoint dedicated staff for operation/ maintenance of Air Pollution Control Device.
4. The industry shall comply with the SOP prescribed by the Board for induction furnace.
5. Environmental Compensation @ Rs. 5000/- per day be imposed upon the industry due to environmental damage caused by it. The Environmental Engineer, Regional Office, Fatehgarh Sahib shall verify actual number of operation days from 27/02/2020 to 05/08/2020 as industry has submitted that it remained closed for a certain period due to COVID-19 situation.

And whereas, the proceedings of the personal hearing were conveyed to the industry as well as Regional Office, Fatehgarh Sahib vide letter no. 2920-21 dated 25/09/2020 for compliance.

And whereas, in compliance to hearing decisions, the industry was requested by Regional Office, Fatehgarh Sahib to produce production register for verification of actual number of operation days from 27-02-2020 to 05-08-2020, so that, EC @ Rs. 5000/- per day may be calculated due to environmental damage caused by it. But, the industry was denied to produce any document for verification of actual number of operation days. Thereafter, Sh. Narinder Ubhi, Manager was

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VATAVARAN BHAWAN, NABHA ROAD, PATIALA

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42

personally requested by the officer of the Board to produce production register. But, the Industry failed to submit the same.

And whereas, the Chairman of the Monitoring Committee, constituted by the Hon'ble NGT has received complaint regarding air pollution being caused by the Induction furnaces units in the Mandi Gobindgarh area. Accordingly, the Chairman of the said committee vide its letter no. 1039 dated 25/09/2020 has directed PPCB that concerned Industries may be inspected immediately by deputing a team and to submit action taken report to the Monitoring Committee within 15 days. In compliance of the above said directions and decisions of the personal hearing, Environmental Engineer, RO, Fatehgarh Sahib alongwith AEE visited Mandi Gobindgarh area on 17/10/2020 during late night i.e. 09:00 PM to 12:30 AM to check the operational status of the APCDs installed by the Industries. During visit, the industry was visited by the team and found that the industry was in operation, but the industry was denied to open the main gate of the industry. Thereafter, AEE of the Board make a telephonic call to Sh. Narinder Ubhi, Manager with the request to open the main gate and allow the team to visit the industry. The security guard present at the main gate of the industry has received telephone call from proprietor of the industry and requested to talk to Environmental Engineer present during the visit. The Proprietor / Director of the industry denied the team to enter in the industry for inspection during night time. Also, he questioned the Environmental Engineer stating that the team has not informed him in advance before visit. The team should have to visit the industry during day time and he could not allow the team to visit the industry during this time.

And whereas, the Competent Authority of the Board constituted a team of Er. Surninder Singh Matharu, EE and Er. Rajiv Goel, EE vide letter no. 3855-56 dated 26/11/2020 to visit the industry and submit the report with recommendations within 15 days. Accordingly, the team visited the industry on 19/12/2020 and has reported the following violations observed during visit:

1. The APCDs provided with induction furnaces of capacity 20 T/heat & 6 T/heat was found in operation, however significant emissions were seen escaping the shed at the time of charging of raw material.
2. The port hole provided with the stack of APCD was not at 8D (8-time diameter of the stack) as such it was not feasible to carry out iso-kinetic sampling for SPM.
3. The industry has provided online continuous emission monitoring system at the stack of the APCD, which showing the conc. of SPM 8.4 mg/Nm<sup>3</sup>, therefore, it is evident that OCEMS was showing 53.33 % less analyzed value of SPM in the emission as such the OCEMS is required to be calibrated by the industry from its supplier in the presence of the Official of the Board.
4. The industry has installed one no. ladle refining furnace of capacity 20 T/heat and no air pollution control device has been installed to control the process emissions generated during operation of the same. Lot of emissions from ladle refining furnace were escaping into the working shed at the time of addition of Ferro metals.
5. The industry has also installed one no. electric arc furnace of capacity 20 TPH with gas cooler followed by bag filter house as APCD, but the same is yet to be commissioned.
6. Significant secondary emissions were seen escaping into the working shed especially when the molten metal is poured in the concast unit, when the metal comes in contact with air may be due to oxidation of the metal. The industry is required to explore the possibility to capture said emissions.
7. The industry has installed skid for getting PNG from M/s IRM Energy Pvt. Ltd., but it has not converted its reverberatory furnace for use of PNG as fuel.
8. The industry has installed metal recovery unit from slag with crushing and sewing process, but no APCD has been installed to control the emissions to be generated during its operation.
9. The industry has also provided separate energy meter with ID fan of the electric motor of capacity 515 KW capacity with the APCDs. Therefore, in case this fan is presumed to be operated at 80 % of its efficiently, the consumption of units comes out to be  $515 \times 0.8 = 412$  KWH units. Therefore, in case the Industry is operated for 24 hours then the units to be consumed for operation of the APCD come out to be 9888. However, as per record submitted by the industry after conduct of visit for the month of January, 2020 and February, 2021, the consumption of varies in the range of 918 to 10730 units, which is much less than the units to be consumed calculated above by taking into account the capacity of the electric motor attached with ID fan and operation hours of the Industry.
10. The industry has installed water softer unit and trade effluent is generated from regeneration of the same. The industry claimed that the trade effluent is mixed with the domestic effluent for treatment in the STP.
11. The industry has installed an STP based on aerobic biological treatment, which was in operation. There was hardly any growth of bio-mass in the aeration tank despite the fact that the aeration system was in operation, which showed that the STP installed by the industry is not being operated properly.
12. The industry has not provided proper distribution network for use of treated wastewater in the plantation area and significant wild growth was observed in the said area.

ਬਾਹਾਰਵਾੜ ਬਚਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ

VATAVARAN BHAWAN, NABHA ROAD, PATIALA

E-mail : [ppcbzp2@gmail.com](mailto:ppcbzp2@gmail.com), Web: [www.ppcb.gov.in](http://www.ppcb.gov.in)

13. The industry has not stabilized the vehicle movement area/entry & exist point. At the time of entry to the unit, a flexible pipe was seen through which purge water from the re-circulation tank was being discharged into a channel leading to the low lying area inside the premises of the unit, which causing stagnation.

14. Non compliance of SOPs framed by the Board for induction furnaces were also observed as under:

- i) The scrap being used was not free from oil grease/rust/paint.
- ii) The air flow of dust laden air in the APCD was from inside to outside instead out to inside the bags.
- iii) There was no mechanism to measure the pressure drop after collection hood of APCD and before APCD.
- iv) The industry could not produce the record of the compressor of the APCD as per SOP.
- v) There was no interlocking of APCD with the induction furnace to ensure regular operation of the industry.

15. The process dust contained by APCD, which is hazardous in nature was seen packed in plastic bags. Further, the perusal of record maintained by the industry, it has been observed that the industry has got lifted hazardous waste quantity 13.140 Ton, 12 Ton and 13.530 Ton of process dust Cat. 35.1 to unauthorized vendor namely M/s Laxmi Inds. Meerut on 17/11/2020, 8/12/2020 and 14/12/2020, respectively

In view of above, the visiting team has recommended to initiate action against the industry under the provisions of pollution control Laws/ Acts/ Rules.

And whereas, the concepts of Sustainable Development and Precautionary Principle have been considered by the Supreme Court of India in M.C Mehta v/s Union of India and Others and the same were held to be accepted as part of the law of the land;

And whereas, the concepts of Sustainable Development and Precautionary Principle have been considered by the Supreme Court of India in M.C Mehta v/s Union of India and Others and the same were held to be accepted as part of the law of the land;

And whereas, the Supreme Court of India has also considered the concept of Polluter Pays Principle in Indian Council for Enviro Legal Action and other v/s Union of India and Others (1996) 3 SCC 212 para 16; Vellore Citizens Welfare Forum v/s Union of India (1996) 5 SCC 647 para 12-18 and held that Polluter Pays Principle is accepted principle and part of environmental law of the Country even without specific statute;

And whereas; in view of the above stated facts and after considering all the aspects of the case, it has been observed that the activities carried out by you / your industrial unit has caused environmental damage for the period detailed above, which the Punjab Pollution Control Board (PPCB) intends to recover in the form of environmental compensation;

And whereas, the matter has been considered afresh and it has been decided to issue a notice along with an opportunity of personal hearing before Chairman of the Board proposing to impose the Environment Compensation for causing damage to the environment due to operations of the industry as detailed above.

As such, by the issuance of this notice, you are hereby afforded an opportunity of personal hearing before Chairman of the Board on 30/03/2021 at 11.00 am in his office at Vatawaran Bhawan, Nabha Road, Patiala to explain your position, as to why the Environment Compensation shall not be imposed upon the industry due to aforementioned reasons.

*[Signature]*  
for & on behalf  
17/3/2021

of Pb. Pollution Control Board

Dated \_\_\_\_\_

Endst. No. \_\_\_\_\_

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Fatehgarh Sahib with request to calculate Environmental Compensation which is to be imposed to the industry and intimate to this office before the date of hearing.

*[Signature]*  
for & on behalf  
of Pb. Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੋਟਰੋਲ ਬੋਰਡ  
PUNJAB POLLUTION CONTROL BOARD

No. 1230

Dated: 18/03/21

REGISTERED

To

M/s Bhawani Industries Pvt. Ltd.,  
Vill Ajnall, Near Focal Point,  
Mandi Gobindgarh, Distt. Fatehgarh Sahib.

**Subject: Show cause notice before cancellation of authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 framed under Environment (Protection) Act, 1986.**

Whereas, it is mandatory on part of the industry to obtain the authorization of the Board for handling hazardous waste under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 framed under Environment (Protection) Act, 1986.

And whereas, it is also mandatory on the part of the industry, generating hazardous waste to provide adequate and appropriate facilities for storage of the hazardous waste generated by it.

And whereas, the industry is an induction furnace unit and is engaged in the manufacturing of Concast Billets/ Slabs @ 400 TPD, Steel Castings/ Ingots @ 50 TPD, Rolling Mill-Flats/ Strips @ 190 TPD or Rolling Mill-TMT Bars/ Wire Rods/ Bars/ Structural Steel @ 200 TPD. The industry was granted authorization under Hazardous and Other Waste Rules, 2016 for hazardous waste Cat. 5.1 @ 0.020 KLA and Cat. 35.1 @ 490 TPA vide no. HWM/renew/FGS/2020/11385928 dated 27/01/2020 valid upto 31/03/2024, subject to certain conditions mentioned therein and specific condition that the industry will send its hazardous waste Cat. 35.1 to M/s Madhav Alloys Pvt. Ltd. Distt. Fatehgarh Sahib.

And whereas, the Competent Authority of the Board constituted a team of Er. Sumider Singh Matharu, EE and Er. Rajiv Goel, EE vide letter no. 3855-56 dated 26/11/2020 to visit the industry and submit the report with recommendations within 15 days.

And whereas, the team visited the industry on 19/12/2020 and has reported that the process dust contained by APCD, which is hazardous in nature was seen packed in plastic bags. Further, the perusal of record maintained by the industry, it has been observed that the industry has got lifted hazardous waste quantity 13.140 Ton, 12 Ton and 13.530 Ton of process dust Cat. 35.1 to unauthorized vendor namely M/s Laxmi Inds. Meerut on 17/11/2020, 8/12/2020 and 14/12/2020, respectively.

And whereas, the industry is not complying with the condition of authorization granted to it under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. Thus violating the provisions of the said Rules.

And whereas, it has now been proposed to cancel the authorization granted under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 framed under Environment (Protection) Act, 1986 due to the aforesaid reasons after affording an opportunity of show cause-cum-personal hearing.

As such, you are, hereby, afforded an opportunity to show cause in person before the **Chairman of the Board in his office at Vatavaran Bhawan, Nabha Road, Patiala on 30/03/2021 at 11:00 am.**, to explain as to why the proposed action under the provisions of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 should not be taken. Failing which, it will be presumed that industry has nothing to say and the Board shall go ahead to take the proposed action under the said Acts without giving any further notice/opportunity.

*[Signature]*  
for & on behalf

of Pb. Pollution Control Board

Endst. No. \_\_\_\_\_

Dated \_\_\_\_\_

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Fatehgarh Sahib with the request to intimate the date of hearing to the industry and submit report before date of hearing.

*[Signature]*  
for & on behalf

of Pb. Pollution Control Board

ਵਾਤਾਵਰਣ ਖਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ  
VATAVARAN BHAWAN, NABHA ROAD, PATIALA  
E-mail: [pcbzon2@ymail.com](mailto:pcbzon2@ymail.com), Web: [www.pccb.gov.in](http://www.ppcb.gov.in)



o/c

45

## BHAWANI INDUSTRIES PRIVATE LIMITED

(Formerly Known as Bhawani Industries Limited)

Regd. Office & Works: Ajnall, G.T. Road, MANDI GOBINDGARH-147301 (Pb.) INDIA  
M.: +91-78378-00126 • E-mail: accounts@bhawanisteel.com • CIN : U00000PB1999PTC022272

*Received  
mf/18*

Dated: 12.07.2020

To

The Chairman,  
Punjab Pollution Control Board,  
Vatavaran Bhawan, Nabha Road, Patiala.

**Sub: Reply of:**

1. Show cause notice before the cancellation of consent to operate under the Air Act, 1981 and notice to issue directions u/s 31-A of the Air Act, 1981 as amended in 1987.
2. Show cause notice before the cancellation of authorization under the Hazardous & Other Waste (Management) Rules, 2016.
3. Imposition of Environmental Compensation (EC) due to environment damage caused from the operation of the industry.

**Ref: PPCB letter no. 1537 dated 2.6.2020, no. 1539 dated 2.6.2020 & no. 1535 dated 2.6.2020**

Respected Sir,

With due respect, it is submitted that we have complied with all the observations raised by the officer of the Board and CPCB team during visit in our factory on 27.2.2020 as under:

1. That we have installed 2 no. induction furnaces of capacity 20 T/heat and 6 T/heat were in operation during visit.
2. That we have installed common adequate APCD reverse cleaning system alongwith side collection hood on our both the furnaces as per the design of Punjab State Council for Science & Technology, Chandigarh as per direction of the Board. We have obtained completion certificate from the PSCST, Chandigarh for the new APCD system. We are operating our APCD system regularly as to control the process emissions and maintaining the record of daily basis for the

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46



# BHAWANI INDUSTRIES PRIVATE LIMITED

(Formerly Known as Bhawani Industries Limited)

Regd. Office & Works: Ajnall, G.T. Road, MANDI GOBINDGARH-147301 (Pb.) INDIA  
M.: +91-78378-00126 • E-mail:accounts@bhawanisteel.com • CIN : U00000PB1999PTC022272

operation of the APCD system. We have removed all discrepancies observed by the officer during visit within 2 days.

3. Now, we are collecting our APCD dust in HDPE bags and storing properly in the hazardous waste rules (photographs attached).

We have obtained valid consents from the Board under the Water Act, 1974; Air Act, 1981 and authorization of hazardous waste to run the unit. Our unit was lying closed due to COVID-19 restriction. We are not operating our unit properly due to shortage of labour and crises in the market.

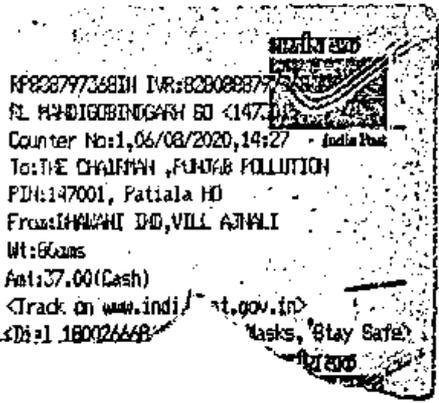
You are requested to please not to impost Environmental Compensation (EC) on our unit and may drop the above said notices issued to us before taking any further decision.

With regards,

Yours Sincerely

For M/s Bhawani Industries Pvt. Ltd.,

*Sanyu Singh*  
Director // Auth. Signatory



RF02879736811 IVR:82088877  
FL MANDIGOBINDGARH 50 147301  
Counter No:1,06/08/2020,14:27 India Post  
To:THE CHAIRMAN, PUNJAB POLLUTION  
CID:147001, Patiala HD  
From:BHAWANI IND, VILL AJNALLI  
Wt:8kms  
Amt:37.00(Cash)  
<Track on www.india.gov.in>  
<Dis:1 1800266668>

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# BHAWANI INDUSTRIES PRIVATE LIMITED

BHAWANI

Ref.No.BIPL/21-22/PPCB/3

Dated 21.07.2021

To,

The Chairman  
Punjab Pollution Control Board,  
Vatawari Bhawan, Nabha Road,  
Patiala

- Sub.: i) Common reply of Notice to Issue directions u/s 33-A of Water (Prevention of control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention of control of Pollution) Act, 1981.
- ii) Imposition of Environmental composition (EC) due to environment damage caused from the operations of the Industries.
- iii) Show cause notice for revocation/cancellation of consent to operate granted under the 1974 and Air (Prevention & control of Pollution) Act, 1981
- iv) Show cause notice before cancellation of Authorization under Hazardous and other waste (Management and Transboundary Movement) Rules, 2016 framed under Environment (Protection) Act, 1986.

Ref.: Your office letter Nos.1226, 1220 & 1224, 1230 dated 18.03.2021

Respected Sir,

It is respectfully submitted that our unit is an Induction furnace unit, we are engaged for the manufacturing of concast Billet/Slab @400 TPD, Steel Castings/Ingots @ 50 TPD, Rolling Mill-TMT Bars/Wire Rods/water consent granted by the Board to the Industries. Both were valid up to 31.03.2021.

Further we would like to bring it to your kind notice that the current management has taken-over this unit a few months ago. (Copy of new Directors attached). The company has applied for renewal of consents under Air and Water Act through OCMMC. Our company has already furnished the detailed record of actual operation of the unit to your good office for calculation the EC as sought by you as directed in the personal hearing before your goodself. (Copy attached)

In response to the observations, pointed out by the competent board authorities during the visit at our factory on 19.12.2020, our pointwise as under:-

Pointwise:-

Observation:-1

The APCD provided with induction furnaces of capacity 20 T/heat & 6 T/heat was found in operation, however significant emissions were seen escaping the shed at the time of charging of raw material.

48

**Reply :-**

Due to the nature of industry, when the metal is pour (tapped), minor fume surfaced for a moment just for a minute. At the time of visit of the team minor emissions may be seen escaping the shed for few minutes. So no adverse inference should be drawn for this unavoidable observation.

**Observation:-2**

The port hole provided with the stack of AAPCD was not at 8D (8-time diameter of the stack) as such it was not feasible to carry out ISO-kinetic sampling for SPM.

**Reply:-**

The port hole provided as per pollution norms. (8D) . So the observation is unfounded.

**Observation:-3**

The industry has provided online continues emission monitoring system at the stack of the APCD, which showing the conc., of SPM 8.4 mg/Nm<sup>3</sup>, therefore, it is evident that OCEMS was showing 53.33 % less analyzed value of SPM in the emission as such the OCEMS is required to be calibrated by the industry from its supplier in the presence of the official of the board.

**Reply:-**

The calibration certificate is attached.

**Observation:-4**

The industry has installed one no. ladle refining furnace of capacity 20 T/heat and no air pollution control device has been installed to control the process emission generated during operation of the same. Lot of emission from ladle refining furnace were escaping into the working shed at the time of addition of Ferro metal.

**Reply:-**

Ladle refining furnace chimney has already installed & it has been connected with our APCD system.

**Observation:-5**

The industry has also installed one no. electric arc furnace of capacity 20 TPH with gas cooler followed by bag filter house as APCD, but the same is yet to be commissioned.

**Reply:-**

We undertake to inform the Board before its actual operation.

**Observation:-6**

Significant secondary emissions were seen escaping into the working shed especially when the molten metal is poured in the concast unit, when the metal comes in concast with air may be due to oxidation of the metal. The industry is required to explore the possibility to capture said emissions.

**Reply:-**

At CCM there is no smoke during smooth ladle opening in normal circumstances, when ladle nozzle do not open smoothly then we have to put external oxygen lancing pressure to open ladle, in the process minor fume emerge just for few minutes. But such occurrences happened rarely. Sir keeping in view the nature of industry, this is inevitable. But in future we shall be more vigilant to avoid such occurrence.

49

**Observation:-7**

The Industry has installed skid for getting PNG from M/s IRM Energy Pvt. Ltd., but it has not converted its reverberatory furnace for use of PNG as fuel.

**Reply:-**

The PNG skid has installed & commissioned by IRM MS Iron Engg. Pvt. Ltd. has done & now in use at our site.

**Observation:-8**

The industry has installed metal recovery unit from slag with crushing and sewing process, but no APCD has been installed to control the emissions to be generated during its operation.

**Reply:-**

We have already plan it and shall be provided.

**Observation -9**

The industry has also provided separate energy meter with ID fan of the electric motor of capacity 515 KW capacity with the APCD'S. Therefore, In case this fan is presumed to be operated at 80% of its efficiency, the consumption of units comes out to be  $515 \times 0.8 = 412$  KWH units. Therefore, in case the industry is operated for 24 hours then the units to be consumed for operation of the APCD come out to be 9888. However, as per record submitted by the industry after conduct of visit for the month of January, 2020 and February, 2021, the consumption varies in the range of 918 to 10730 units, which is much less than the units to be consumed calculated above by taking into account the capacity of the electric motor attached with ID fan and operation hours of the Industry.

**Reply:-**

There is no authentication of 80% operation. Even total load sanctioned is not giving 80% consumption as per energy bills. As observed 515 KW motor operates from VFD system & also motor run on 60% to 80% as per when required. (MSLC/GRADE). The variation is depend on multiple factors however it is commissioned and working and we have no control over its operation.

**Observation -10**

The industry has installed water softer unit and trade effluent is generated from regeneration of the same. The industry claimed that the trade effluent is mixed with the domestic effluent for the treatment in the STP.

**Reply:-**

The trade effluents are not mixed with domestic effluent because its line is separated from each other.

**Observation:-11**

The industry has installed an STP based on aerobic biological treatment, which was in operation. There was hardly any growth of bio-mass in the aeration tank despite the fact that the aeration system was in operation, which showed that the STP installed by the industry is not being operated properly.

**Reply:-**

We have installed an STP based on aerobic biological treatment, which was regularly operate & record in Daily STP reading register which was attached herewith for your kind information & record.

**Observation:-12**

The industry has not provided proper distribution network for use of treated waste water in the plantation area and significant wild growth was observed in the said area.

**Reply:-**

We have installed proper distribution network for use of treated waste water in the plantation area as per your prescribed norms of the board issued time to time.

50

**Observation:-13**

The industry has not stabilized the vehicle movement area/entry & exist point. At the time of entry to the unit, a flexible pipe was seen through which purge water from the re-circulation tank was being discharged into a channel leading to the low lying area inside the premises of the unit, which causing stagnation.

**Reply:-**

We have already planned to provide inter-locking tiles at the vehicle movement area. Due to financial problem in covid the same is pending. However we will provide the same at the earliest. There is no any stagnation of water due to minor quantity of water being used for watering the plants in the pots before office.

**Observation -14**

Non compliance of SOP's framed by the board for induction furnaces were also observed as under:

- i) The scrap being used was not free from oil greases/rust/paint.

**Reply:-**

- i) We are not using such type of scrap that containing oil greases/rust/paint etc. We are regularly monitoring it in order to avoid losses to the unit apart from environmental issues. We have employed a dedicated team to segregate scrap on daily basis. We are using melting scrap and there is remote possibilities of availability of such items in scrap. It is ensured that if such items found, segregated and disposed off immediately and never put in furnace under any circumstances.

- ii) The air flow of dust laden air in the APCD was from inside to outside instead outer to inside the bags.

**Reply:-**

We have installed reverse air bag house (RABH) system & this system is running as per design.

- iii) There was no mechanism to measure the pressure drop after collection hood of APCD & before APCD.

**Reply:-**

Manometer has already been installed backside of bag house.

- iv) The industry could not produce the record of the compressor of the APCD as per SOP. The copy if SOP attached

**Reply:-**

We have used 03 no's of air compressor & all are interconnected with each other. The copy of SOP is attached.

- 51
- V) There was no Interlocking of APCD with the Induction furnace to ensure regular operation of Industry.

**Reply :-**

- 1.) We have already interlocked our APCD system with the Induction Furnace Unit as to ensure for regular operation of the APCD system.

**Reply to Show cause notice No. 1230 dated 18.3.2021:-**

1. It is wrong to say that there was condition in the authorization to lift Hazardous Waste ONLY to Madav Alloys Pvt Ltd.
2. We are supplying the Hazardous Waste unit to Bhawani Chemical Meerut an authorized operators of Uttar Pradesh Pollution Control Board the validation of authorization is upto 17.12.2024. (Copy attached.)
3. The unit lifting H. Waste by paying about three times more than Madhav Alloys as board has not control over Madav Alloys in the matter of fixing prices.
4. In the terms and conditions issued by the UP Pollution Board there is no any restriction that the said firm cannot lift hazardous waste from the site outside the state. Even State board has not such authority to put such condition as per H.W. Rules.
5. There is no restriction bar on the developer/processor to lift hazardous waste material from the state from which the authorization is issued.
6. Hazardous Waste rules are framed by the central government, state pollution control board has not any authority to issue instructions which is not provided in the rules.
7. The above said firm is also lifting hazardous waste from various other generator situated outside Uttar Pradesh.
8. That we are collecting our hazardous waste dust in HDPE Bags as prescribed proceeding.

The visiting team visited that factory premises during mid-night and the responsible person was getting asleep. So the visiting team could not complete inspection on 17.10.2020. The bulk of minor objections may be due to getting annoyed by the officer. Sir, due to covid restrictions the factory is hardly running to meet with the achievement of capacity. So it is requested that taking lenient view, action purposed in these show cause notices may not be taken.

Thanking you

Yours Sincerely,

For BHAWANI INDUSTRIES PRIVATE LIMITED

  
DIRECTOR

CC: 1) The Chief Environmental Engineer, PPCB, Patiala

2) The Environmental Engineer, PPCB, Regional Office, M.GG



# BHAWANI INDUSTRIES PRIVATE LIMITED

**CERTIFIED TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING OF THE BOARD OF DIRECTORS OF BHAWANI INDUSTRIES PRIVATE LIMITED HELD AT THE REGISTERED OFFICE OF THE COMPANY AT VILLAGE AJNALI, FOCAL POINT, MANDI GOBINDGARH, PUNJAB-147301 ON MONDAY 16<sup>TH</sup> DAY OF AUGUST, 2020 AT 12.00 P.M.**

**FILING APPEAL AGAINST THE ORDER OF CHAIRMAN PUNJAB POLLUTION CONTROL BOARD**

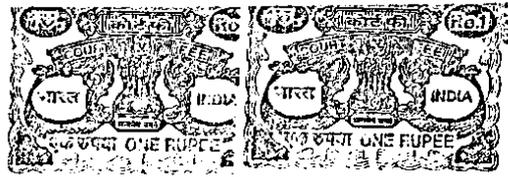
**"RESOLVED THAT** an appeal is to be filed with appellate authority against the order of Chairman Punjab Pollution Control Board No. 2900 dated 10.8.2021 and Sh Sanjeev Sood Director is authorised to file appeal on behalf of co. and to sign all relevant documents and to appoint advocate to plead the case.

Certified True Copy  
For BHAWANI INDUSTRIES PRIVATE LIMITED

**SANJIV SOOD**  
MANAGING DIRECTOR  
DIN- 08590812

Date- 16.08.2021  
Place- Mandi Gobindgarh

# VAKALATNAMA



In the court of : Appellate Authority U/s 31 of the Air (Prevention and control of Pollution) Act, 1981 in the Department of Science and Technology, Environment and Conventional Energy

53

Reg: Appeal U/s 31 of the Air (Prevention and control of Pollution) Act, 1981

M/s Bhawani Industries Pvt Ltd., Mandi Gobindgarh Appellant

Vs

Punjab Pollution Control Board Respondent

Know all to whom these presents shall come that I/we the undersigned  
Hereby appoint Rakesh K. Shahi, Ritin Shahi C/o Shahi  
and Shahis Associates 22 B.D. Complex Mandi Gobindgarh

hereinafter called the advocates, to be the advocates for us in the above mentioned case to do all the following acts, deeds and things or any of them that is to say:

1. To act, appear and plead in the above mentioned case of any other Court in which the same may be tried or heard in the first instance or in appeal or Revision or Execution or Letter Patent Appeal or leave or to appeal or in any other stage of its progress until its final decision.
2. To present, Pleadings, Appeals, Cross objections for petitions for execution, review, revision, withdrawal, compromise or other petitions of affidavits or other documents as shall be deemed necessary or advisable for the prosecution of the said cause in all its stages.
3. To withdraw or compromise the said case or submit to arbitration any difference or disputes that shall arise touching or in any manner relating to the said case.
4. To receive moneys and grants receipts therefore and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
5. To employ any other Legal Practitioner authorizing him to exercise the power and authorities hereby conferred on the Advocates whenever he may think fit to do so.

AND I/We hereby agree to ratify whatever the Advocates or his substitute shall do in case.

AND I/We hereby agree not to hold the Advocates or his substitute responsible for the result of the said cause in consequence of his absence from the Court when the said cause is called up for hearing.

AND I/We hereby agree that in the event of the whole or any part of the fee agree by me /us to be paid to the Advocates remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid.

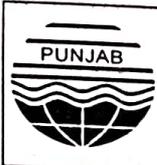
IN WITNESS WHERE OF I / We herein to set my/our hand to these presents the contents of which have been explained to and understand by me / us.

Date 18.8.21

Signature of the Party

Signatures of the appellant verified

(Rakesh K. Shahi) (Ritin Shahi)  
Shahi and Shahis Associates  
22. B.D. Complex  
Mandi Gobindgarh Ph 9780300415



## PUNJAB POLLUTION CONTROL BOARD

Regional Office, Fatehgarh Sahib

NISST Building, G.T Road, Opposite Floating Restaurant, Mandi Gobindgarh.

Email- eerofqs@gmail.com

Phone : 01765-242400

No. 4535

Dated 13/10/2021

To

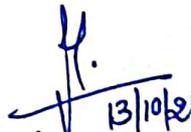
**Appellate Authority - cum-Secretary,**  
Department of Science, Technology & Environment,  
Government of Punjab, Chandigarh.

**Subject: Appeal filed by M/s Bhawani Industries (P) Ltd. Village Ajnali, Near Focal Point, Mandi Gobindgarh against order dated 10.08.2021 of the Board.**

Reference: Department of Science Technology & Environment, Government of Punjab endst. No. 13/SLO/AA/2021/254-56 dated 08/10/2021.

In reference to the above, it is submitted that M/s Bhawani Industries (P) Ltd. Village Ajnali, Near Focal Point, Mandi Gobindgarh has filed an appeal before the Appellate Authority - cum - Secretary to Government of Punjab, Department of Science Technology & Environment which is fixed on 13/10/2021 at 03:00 PM in the office at Room no. 721-722, 7<sup>th</sup> Floor, Mini Secretariat, Punjab, Sector - 9, Chandigarh. This office is directed to file written statement and to attend the case on date of hearing.

The final reply of the said appeal after getting vetted from the competent authority is enclosed herewith for your kind information and further necessary action please.

  
13/10/21  
o/c **Environmental Engineer**

**Office of the Appellate Authority Constituted under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981**

M/s Bhawani Industries Pvt. Ltd., Village Ajnali, Near Focal Point, Mandi Gobindgarh, Distt. Fatehgarh Sahib.

Appellant

Versus

Punjab Pollution Control Board, Patiala

Respondent

In Re: Appeal against the order dated 10.08.2021 passed by the Chairman of the respondent Punjab Pollution Control Board ordering to deposit Rs. 10 Lakhs as Environment Compensation @ Rs. 5000/- per day for 200 days.

**Reply of Er. Anuradha Sharma, Environmental Engineer, Punjab Pollution Control Board, Regional Office, Fatehgarh Sahib on behalf of Respondent Board**

**Respectfully showeth**

**Preliminary Submissions**

- 1) That briefly stated the facts of the case are that Mandi Gobindgarh in Fatehgarh Sahib District is one of the Non-attainment cities of the State of Punjab where control of air pollution is one of the main priorities of the State Government. The Hon'ble National Green Tribunal Principal Bench, New Delhi in the case of Original Application No. 924/2019 titled as Neeraj Goyal Applicant(s) Versus State of Punjab has passed orders dated 11.2.2020 in reference to poor air quality of Mandi Gobindgarh with a direction to the State Pollution Control Board to take stringent measures by way of stopping the polluting activities and recovering compensation on Polluter Pay's Principle apart from other statutory action. The relevant extract of the order dated 11.2.2020 is reproduced below for kind perusal:

"Units should have been monitored having regard to the adverse consequences on the health of the inhabitants in violation of Fundamental Right to breathe clean air and to clean environment. Continuous and stringent action is required which has yet been taken. Let the Committee file a fresh and detailed report by covering large number of units.

We also direct that carrying capacity of the area to sustain such activities may be conducted by the Committee in terms of number such units which can be sustained to give effect to 'Sustainable Development principle and to enable the regulatory authorities to ensure steps for preventing pollution.

Accordingly, we direct the State PCB to take further stringent measures by way of stopping the polluting activities and recovering compensation on 'Polluter Pays' principle, apart from any other statutory action as may be warranted in the situation".

- 2) That the appellant industry is an induction furnace unit engaged in the manufacturing of Concast Billets/ Slabs @ 400 TPD, Steel Castings/ Ingots @ 50 TPD, Rolling Mill-Flats/ Strips @ 190 TPD or Rolling Mill-TMT Bars/ Wire Rods/ Bars/ Structural Steel @ 200 TPD. The industry was granted consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 on 18/04/2018 and under Air (Prevention & Control of Pollution) Act, 1981 on 09/01/2020, having validity upto 31/03/2021, with certain conditions as mentioned in the consent letters. The appellant industry was also granted authorization under HWM Rules, 2016 for hazardous waste Category 5.1 @ 0.020 KLA and Category 35.1 @ 490 TPA vide no. HWM/renew/FGS/2020/11385928 dated 27/01/2020 valid upto 31/03/2024, subject to certain conditions mentioned therein and specific condition that the industry will send its hazardous waste Category 35.1 to M/s Madhav Alloys Pvt. Ltd. District Fatehgarh Sahib.
- 3) That the industry was visited by Sh. Sahil Patel, Scientist-B of the Central Pollution Control Board alongwith Sh. Mohit Singla, Assistant Environmental Engineer, PPCB on 27.2.2020 and it was observed that industry is having two number induction furnaces of 20 TPH and 6 TPH and has installed separate side hoods with each induction furnace with common bag house filter as APCD. During visit, the APCD was found in operation, but some emissions were found escaping into working shed and then into the ambient without any treatment through APCD due to

inadequate suction of the APCD. The industry was found using PPE bags for storage of Hazardous Waste instead of HDPE bags.

4) That the industry was served with Notices for cancellation of consent to operate granted under the Air (Prevention & Control of Pollution) Act, 1981, issuance of directions u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and for cancellation of authorization with an opportunity of personal hearing before the Chairman of the Board. The hearing held on 10.9.2020 was attended by Sh. Narinder Singh Ubhi, Manager of the Appellant industry, who submitted a written reply. The Manager stated that they were not aware about the non-compliances pointed by the visiting team and came to know about the same only after receipt of notice dated 2.6.2020. However, the statement of the Manager of the Appellant industry was found to be incorrect when the officer of the Board stated that the visit report dated 27.2.2020 containing the observations of the visiting team was got signed from Sh. Narinder Singh Ubhi, Manager. After hearing of the officer of the Board and the Manager of the industry and considering material facts, following decisions were taken by the Chairman of the Board, which were conveyed to the appellant industry for compliance vide letter no. 2920-2921 dated 25.9.2020.

- a) The industry shall take more measures to collect the entire process emission generated from induction furnaces and will pass the same through Air Pollution Control Device.
- b) The industry shall operate the Air Pollution Control Device regularly and efficiently, so as to achieve the prescribed emission standards on regular basis.
- c) The industry shall appoint dedicated staff for operation/ maintenance of Air Pollution Control Device.
- d) The industry shall comply with the SOP prescribed by the Board for induction furnace.
- e) Environmental Compensation @ Rs. 5000/- per day be imposed upon the industry due to environmental damage caused by it. The Environmental Engineer, Regional Office, Fatehgarh Sahib shall verify actual number of operation days from 27/02/2020 to 05/08/2020 as industry has submitted that it remained closed for a certain period due to COVID-19 situation.

5) That in compliance to the decisions taken during the hearing on 10.9.2020, the industry was requested by Regional Office, Fatehgarh Sahib to produce production

register for verification of actual number of operation days from 27-02-2020 to 05-08-2020, so that, Environmental Compensation @ Rs. 5000/- per day may be calculated for environmental damage caused by the industry. But, the industry denied to produce documents for verification of actual number of operation days. Sh. Narinder Singh Ubhi, Manager was personally requested by the officer of the Board to produce production register, but, the industry failed to submit the same.

- 6) That upon receipt of complaints regarding air pollution being caused by induction furnaces in Mandi Gobindgarh, the Chairman of the NGT Monitoring Committee, has directed Punjab Pollution Control Board to inspect the industries by deputing a team of officers. In compliance to the directions of the Monitoring Committee and the decision of hearing held on 10.9.2020, the area of Mandi Gobindgarh was inspected by the officers of the Board during night hours from 9.00 p.m. to 12.30 a.m on 17-18.10.2020 to check the operational status of the APCDs installed by the industries. During the visit, the appellant industry was found in operation, but the industry denied to open the main gate. Even a telephonic call was made to Sh. Narinder Singh Ubhi, Manager of the appellant industry, but the officers of the Board were not allowed to enter the premises of the industrial unit.
- 7) That keeping in view the violation and the conduct of the industry, the Competent Authority of the Board constituted a team of officers comprising Er. Surinder Singh Matharu, EE and Er. Rajiv Goel, EE on 26.10.2020 to visit the industry and submit the report with recommendations. Accordingly, the team had visited the appellant industry on 19/12/2020 and reported the following violations:
- a) The APCDs provided with induction furnaces of capacity 20 T/heat & 6 T/heat was found in operation, however significant emissions were seen escaping the shed at the time of charging of raw material.
  - b) The port hole provided with the stack of APCD was not at 8D (8-time diameter of the stack) as such it was not feasible to carry out iso-kinetic sampling for SPM.
  - c) The industry has provided online continuous emission monitoring system at the stack of the APCD, which showing the conc. of SPM was 8.4 mg/Nm<sup>3</sup>. As per analysis report received from Punjab Pollution Control Board laboratory, the conc. of SPM was found to be 18 mg/Nm<sup>3</sup>. Therefore, it is evident that OCEMS was showing 53.33 % less analyzed value of SPM in the emission, as such the OCEMS is required to be calibrated by the industry from its supplier in the presence of the Official of the Board.

- d) The industry has installed one no. ladle refining furnace of capacity 20 T/heat and no APCD has been installed to control the process emissions generated during operation of the same. Lot of emissions from ladle refining furnace were escaping into the working shed at the time of addition of Ferro metals.
- e) Significant secondary emissions were seen escaping into the working shed especially when the molten metal is poured in the concast unit, when the metal comes in contact with air may be due to oxidation of the metal. The industry is required to explore the possibility to capture said emissions.
- f) The industry has installed metal recovery unit from slag with crushing and sewing process, but no APCD has been installed to control the emissions to be generated during its operation.
- g) The industry has installed an STP based on aerobic biological treatment, which was in operation. There was hardly any growth of bio-mass in the aeration tank despite the fact that the aeration system was in operation, which shows that the STP installed by the industry is not being operated properly.
- h) The industry has not provided proper distribution network for use of treated wastewater in the plantation area and significant wild growth was observed in the said area.
- i) The industry has not stabilized the vehicle movement area/ entry & exist point. At the time of entry to the unit, a flexible pipe was seen through which purge water from the re-circulation tank was being discharged into a channel leading to the low lying area inside the premises of the unit, which causing stagnation.
- j) Non-compliance of SOPs framed by the Board for induction furnaces were also observed as under:
- i. The scrap being used was not free from oil grease/rust/paint.
  - ii. The air flow of dust laden air in the APCD was from inside to outside instead outer to inside the bags.
  - iii. There was no mechanism to measure the pressure drop after collection hood of APCD and before APCD.
  - iv. The industry could not produce the record of the compressor of the APCD as per SOP.

- v. There was no interlocking of APCD with the induction furnace to ensure regular operation of the industry
  - k) The process dust contained by APCD which is hazardous in nature was seen packed in plastic bags. Further, the perusal of record maintained by the industry, it has been observed that the industry has got lifted hazardous waste quantity 13.140 Ton, 12 Ton and 13.530 Ton of process dust Cat. 35.1 to unauthorized vendor namely M/s Laxmi Inds. Meerut on 17/11/2020, 8/12/2020 and 14/12/2020, respectively.
- 8) That keeping in view the observations of the visiting team, it has been concluded that:
- a) The APCDs provided with induction furnaces of capacity 20 T/heat & 6 T/heat was found in operation, however significant emissions were seen escaping the shed at the time of charging of raw material possibly due to inadequate suction and especially when the molten metal is poured in the concast unit, as the metal comes in contact with air, may be due to oxidation of the metal. The industry is required to explore the possibility to capture said emissions.
  - b) The industry has installed an STP based on aerobic biological treatment, which was in operation. There was hardly any growth of bio-mass in the aeration tank despite the fact that the aeration system was in operation, which shows that the STP installed by the industry is not being operated properly.
  - c) The industry has not stabilized the vehicle movement area/ entry & exist point. At the time of entry to the unit, a flexible pipe was seen through which purge water from the re-circulation tank was being discharged into a channel leading to the low lying area inside the premises of the unit, which causing stagnation.
  - d) The industry is disposing off its APCD dust to the unauthorized vendor, hence not complying with the conditions of Authorization granted under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.
- 9) That the industry is not complying with the conditions of consent granted under the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 as well as authorization granted under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and is causing pollution in the vicinity intentionally & deliberately. Accordingly, show cause notice

for revocation / cancellation of consent to operate, authorization as well as notice to issue directions with imposition of Environmental Compensation was issued to the appellate industry vide letter no. 2639 dated 12.7.2021 with an opportunity of virtual hearing before the Chairman of the Board on 30.3.2021, which was postponed to 29.4.2021 on the request of the appellant industry.

- 10) That the hearing was held on 27.7.2021 through virtual mode and was attended by the Director of the industry Sh. Rohit Sood. The complete proceedings of the said hearing are placed at **Annexure-A**.
- 11) That it is worth to inform here that the reply submitted by the industry and the submissions made were considered by the Board in the background of the orders passed by the Hon'ble National Green Tribunal in O.A No. 924 of 2019 and also on the basis of Polluter Pay's Principle. It was evident that the violations of environmental norms were first detected by a team of officers of the CPCB and PPCB on 27.2.2020, which continued upto 30.3.2021 i.e. the date of hearing afforded by the Board to the appellant industry. The number of days from 27.2.2020 to 30.3.2021 were calculated as to be 398 days. However, keeping in view the fact that the industry has rectified some short comings in the said period, hence total number days for violations were counted as 223 days. It was further observed that in the month of March 2020, a nationwide lockdown was imposed to contain the Covid-19 pandemic and as such, 23 more days were further deducted from the total number of days of violation. Hence, Environmental Compensation for a total period of 200 days @ Rs.5000/- per day was decided to be imposed upon the appellant industry. The imposition of such Environmental Compensation was also agreed upon by the Appellant. Accordingly, with other decisions, a decision was taken to impose an environmental compensation amounting to Rs. 10 lakhs upon the appellant industry for a period of 200 days @ Rs.5000/- per day.
- 12) That the decisions taken by the Chairman of the Board during the hearing held on 27.7.2021 were conveyed to appellant industry vide letter no. 2937 dated 13.8.2021. During the hearing of the case, the director of the appellant industry has agreed to pay the Environmental Compensation for the reduced number of days from 398 to 200 days, but has now filed the appeal before the Hon'ble Appellate Authority. The appellant cannot escape its liability for the violation of environmental norms committed intentionally and deliberately and for paying the Environmental Compensation on the basis of Polluter Pay's Principle.
- 13) That in view of the above stated facts, the appeal filed by the appellant deserves to be dismissed.

### Reply on Merits

- 1) That the contents of para no. 1 of the appeal are admitted that the consent granted to the appellant u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 was valid upto to 31.3.2021. However, it is stated that the industry was found violating the conditions of the consent and the details in this regard may kindly be read under the preliminary submissions.
- 2) That in reply to the contents of para no. 2 of the appeal relating the facts of the case may please be read as under:
  - i) That the contents of sub para i) are admitted that the industry has installed APCD as per the design of Punjab State Council for Science and Technology. However, the industry is not following the mandatory standard operating practices prescribed by the Board vide letter dated 27.6.2018 and have also been conveyed to all the induction furnaces.
  - ii) That the online system installed by the industry has not been calibrated.
  - iii) That the contents of sub para iii) relating to visit dated 27.2.2020 are admitted being matter of record.
  - iv) That the contents of sub para iv) relating to show cause notice no. 1535 dated 2.6.2020 are a matter of record.
  - v) That the contents of sub para v) relating to show cause notice no. 1537 dated 2.6.2020 are a matter of record.
  - vi) That the contents of sub para vi) relating to show cause notice no. 1537 dated 2.6.2020 are a matter of record.
  - vii) That the contents of sub para vii) relating to show cause notice no. 1539 dated 2.6.2020 are a matter of record.
  - viii) That the contents of sub para viii) relating to letter dated 12.7.2020 of the appellant are a matter of record.
  - ix) That the contents of sub para ix) relating to personal hearing held on 10.9.2020 and conveyed to the appellant vide letter no. 2920 dated 25.9.2020 are a matter of record.
  - x) That the contents of sub para x) relating to letter dated 7.10.2020 are denied as no such letter is available in the official record of the Board.
  - xi) That the contents of sub para xi) are admitted to the extent that the appellant industry was visited by the team of officer in the midnight on 17-18.10.2020, but the officers were not allowed to enter the premises of the

industry. In this regard, the contents of preliminary submissions may kindly be read.

- xii) That the contents of sub para xii) relating to the visit of the appellant industry by the team of Board officers on 19.12.2020 are admitted. However, in reply to the remaining contents of this sub para, the reply given under the heading preliminary submissions may kindly be read.
  - xiii) That the contents of sub para xiii) relating to show cause notices no. 1224, 1226, 1228 and 1230, all dated 18.3.2021 are admitted being matter of record.
  - xiv) That the contents of sub para xiv) with regard to submission of reply by the appellant to the show cause notice are a matter of record. The reply was received by the Board on 23.7.2021.
  - xv) That the contents of sub para xv) are a matter of record.
  - xvi) That the contents of sub para xvi) are a matter of record.
  - xvii) That in reply to the contents of sub para xvii), it is submitted that environmental compensation amounting to Rs. 10 lakh was imposed after the appellant agreed deposit the same.
- 3) That in reply to the contents of para no. 3 of the appeal, it is submitted that no ground as alleged by the appellant in sub para 1 to 8 of paragraph 3 is made out to set aside the orders of environmental compensation passed by the Board. It is wrong hence denied that the environmental compensation amounting to Rs. 10.0 lakhs imposed upon the appellant is arbitrary, illogical and not sustainable in eyes of Law. The reply to almost all the grounds mentioned in this para has already been given in the above paras on merits and under the heading preliminary submission which may kindly be read as part of reply to the contents of paragraph 3 of the appeal. The contents of sub para 9 of the grounds relating to the judgment of the Hon'ble Guwahati High Court in the case of Mahavir Coke Industry v/s Pollution Control Board and Others are admitted being matter of record. However, in view of the orders passed by the Hon'ble National Green Tribunal in O.A No. 924 of 2019 and other facts of the case, the judgment of the Hon'ble Guwahati High Court cannot be made applicable in the present case. The Environmental compensation has been imposed after due consideration of all the facts of the case and after the appellant has agreed to deposit the environmental compensation on account of violations committed by the unit, which have been explained under the heading preliminary submissions.

It is, therefore, prayed that the appeal filed by the appellant may kindly be disposed of with appropriate orders, in view of the submissions made herein above.

Submitted by

Date: 13/10/21

Place: Fatehgarh Sahib

  
(Er. Anuradha Sharma)  
Environmental Engineer  
Punjab Pollution Control Board,  
Regional Office, Fatehgarh Sahib

Verification:

Verified that the contents of Para Nos. 1 to 12 of the Preliminary Submissions and Para nos.1 to 3 of Reply on Merits are true and correct as per my knowledge and belief and as per information derived from the official record. Nothing has been false and concealed therein.

Date: 13/10/21

Place: Fatehgarh Sahib

  
(Er. Anuradha Sharma)  
Environmental Engineer  
Punjab Pollution Control Board,  
Regional Office, Fatehgarh Sahib



M/s Bhawani Industries Pvt. Ltd., Vill. Ajnall, Near Focal Point,  
Mandi Gobindgarh, Amloh, Distt. Fatehgarh Sahib  
Proceedings (Chairman & MS)

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ  
PUNJAB POLLUTION CONTROL BOARD

No. 2900

REGISTERED

Dated: 10-8-2021

To

M/s Bhawani Industries Pvt. Ltd.,  
Vill. Ajnall, Near Focal Point, Mandi Gobindgarh,  
Amloh, Distt. Fatehgarh Sahib.

**Subject:** Proceedings of the hearing given by the Chairman of the Board u/s 33-A of the Water Act, 1974 & u/s 31-A of the Air Act, 1981, cancellation of authorization under HWM Rules, 2016 and Imposition of Environmental Compensation (EC) due to environment damage caused by M/s Bhawani Industries Pvt. Ltd., Vill. Ajnall, Near Focal Point, Mandi Gobindgarh, Amloh, Distt. Fatehgarh Sahib on 27/07/2021 through VC.

The following were present:

**From Board side:**

Er. Krunesh Garg, Member Secretary

Er. Pardeep Gupta, CEE(B)

Er. Rajeev Sharma, SEE, ZO-II, Patiala

Er. Om Parkash, EE, ZO-II, Patiala

Er. Anuradha Sharma, EE, RO, FGS

**From industry side:**

Sh. Rohit Sood, Director

Sh. Anoop Sood, Brother of Director

Sh. Rakesh Sahi, Advocate

Senior Environmental Engineer, Zonal Office-2, Patiala brought out that the industry is an induction furnace unit and is engaged in the manufacturing of Concast Billets/ Slabs @ 400 TPD, Steel Castings/ Ingots @ 50 TPD, Rolling Mill-Flats/ Strips @ 190 TPD or Rolling Mill-TMT Bars/ Wire Rods/ Bars/ Structural Steel @ 200 TPD. The industry was granted consent to operate under the Water Act, 1974 vide no. CTOW/Renewal/Fatehgarh Sahib/2018/7303552 dated 18/04/2018 and under Air Act, 1981 vide no. CTOA/Renewal/FGS/2020/11385040 dated 09/01/2020 both valid upto 31/03/2021, with certain conditions mentioned therein.

The industry was also granted authorization under HWM Rules, 2016 for hazardous waste Cat. 5.1 @ 0.020 KLA and Cat. 35.1 @ 490 TPA vide no. HWM/renew/FGS/2020/11385928 dated 27/01/2020 valid upto 31/03/2024, subject to certain conditions mentioned therein and specific condition that the industry will send its hazardous waste Cat. 35.1 to M/s Madhav Alloys Pvt. Ltd. Distt. Fatehgarh Sahib.

Earlier, the industry was afforded an opportunity of personal hearing before cancellation of air consent, issuance of directions u/s 31-A of the Air Act, 1981 & cancellation of authorization under the HWM Rules, 2016 and Imposition of EC due to environment damage caused from the operation of the industry on 10/09/2020 before the Chairman of the Board. Wherein, it was decided as under:

1. The industry shall take more measures to collect the entire process emission generated from induction furnaces and will pass the same through Air Pollution Control Device.
2. The industry shall operate the Air Pollution Control Device regularly and efficiently, so as to achieve the prescribed emission standards on regular basis.
3. The industry shall appoint dedicated staff for operation/ maintenance of Air Pollution Control Device.
4. The industry shall comply with the SOP prescribed by the Board for induction furnace.
5. Environmental Compensation @ Rs. 5000/- per day be imposed upon the industry due to environmental damage caused by it. The Environmental Engineer, Regional Office, Fatehgarh Sahib shall verify actual number of operation days from 27/02/2020 to 05/08/2020 as industry has submitted that it remained closed for a certain period due to COVID-19 situation.

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ  
VATAVARAN BHAWAN, NABHA ROAD, PATIALA  
E-mail : [ppcbrop2@gmail.com](mailto:ppcbrop2@gmail.com), Web: [www.ppcb.gov.in](http://www.ppcb.gov.in)

21 4/5/21

In compliance to hearing decisions, the Industry was requested by Regional Office, Fatehgarh Sahib to produce production register for verification of actual number of operation days from 27-02-2020 to 05-08-2020, so that, EC @ Rs. 5000/- per day may be calculated due to environmental damage caused by it. But, the Industry was denied to produce any document for verification of actual number of operation days. Thereafter, Sh. Narinder Ubhi, Manager was personally requested by the officer of the Board to produce production register. But, the industry failed to submit the same.

The Chairman of the Monitoring Committee, constituted by the Hon'ble NGT has received complaint regarding air pollution being caused by the Induction furnaces units in the Mandi Gobindgarh area. Accordingly, the Chairman of the said committee vide its letter no. 1039 dated 25/09/2020 has directed PPCB that concerned industries may be inspected immediately by deputing a team and to submit action taken report to the Monitoring Committee within 15 days. In compliance of the above said directions and decisions of the personal hearing, EE, RO, Fatehgarh Sahib & AEE visited Mandi Gobindgarh area on 17/10/2020 during late night i.e. 09:00 PM to 12:30 AM to check the operational status of the APCDs installed by the industries. During visit by the team the industry was found in operation, but the industry was denied to open the main gate. Thereafter, AEE of RO make a telephonic call to Sh. Narinder Ubhi, Manager with the request to open the main gate and allow the team to visit the industry. The security guard present at the main gate of the industry has received telephone call from proprietor of the industry and requested to talk to Environmental Engineer present during the visit. The Proprietor / Director of the industry denied the team to enter in the industry for inspection during night time. Also, he questioned the Environmental Engineer stating that the team has not informed him in advance before visit. The team should have to visit the industry during day time and he could not allow the team to visit the industry during this time.

The Competent Authority of the Board constituted a team of Er. Surnider Singh Matharu, EE and Er. Rajiv Goel, EE vide letter no. 3855-56 dated 26/11/2020 to visit the industry and submit the report with recommendations within 15 days. Accordingly, the team visited the industry on 19/12/2020 and has reported the following violations:

1. The APCDs provided with induction furnaces of capacity 20 T/heat & 6 T/heat was found in operation, however significant emissions were seen escaping the shed at the time of charging of raw material.
2. The port hole provided with the stack of APCD was not at 8D (8-time diameter of the stack) as such it was not feasible to carry out Iso-kinetic sampling for SPM.
3. The industry has provided online continuous emission monitoring system at the stack of the APCD, which showing the conc. of SPM 8.4 mg/Nm<sup>3</sup>. Therefore, it is evident that OCEMS was showing 53.33 % less analyzed value of SPM in the emission, as such the OCEMS is required to be calibrated by the industry from its supplier in the presence of the Official of the Board.
4. The industry has installed one no. ladle refining furnace of capacity 20 T/heat and no APCD has been installed to control the process emissions generated during operation of the same. Lot of emissions from ladle refining furnace were escaping into the working shed at the time of addition of Ferro metals.
5. The industry has also installed one no. Electric Arc Furnace of capacity 20 TPH with gas cooler followed by bag filter house as APCD, but the same is yet to be commissioned.
6. Significant secondary emissions were seen escaping into the working shed especially when the molten metal is poured in the concast unit, when the metal comes in contact with air may be due to oxidation of the metal. The industry is required to explore the possibility to capture said emissions.
7. The industry has installed skid for getting PNG from M/s IRM Energy Pvt. Ltd., but it has not converted its reverberatory furnace for use of PNG as fuel.
8. The industry has installed metal recovery unit from slag with crushing and sewing process, but no APCD has been installed to control the emissions to be generated during its operation.
9. The industry has also provided separate energy meter with ID fan of the electric motor of capacity 515 KW capacity with the APCDs. Therefore, in case this fan is presumed to be operated at 80 % of its efficiently, the consumption of units comes out to be  $515 \times 0.8 = 412$  KWH units. Therefore, in case the industry is operated for 24 hours then the units to be consumed for operation of the APCD come out to be 9888. However, as per record submitted by the industry after conduct of visit for the month of January, 2020 and February, 2021, the consumption varies in the range of 918 to 10730 units, which is much less than the units to be consumed calculated above by taking into account the capacity of the electric motor attached with ID fan and operation hours of the industry.

10. The Industry has installed water softer unit and trade effluent is generated from regeneration of the same. The Industry claimed that the trade effluent is mixed with the domestic effluent for treatment in the STP.
11. The Industry has installed an STP based on aerobic biological treatment, which was in operation. There was hardly any growth of bio-mass in the aeration tank despite the fact that the aeration system was in operation, which shows that the STP installed by the industry is not being operated properly.
12. The industry has not provided proper distribution network for use of treated wastewater in the plantation area and significant wild growth was observed in the said area.
13. The Industry has not stabilized the vehicle movement area/ entry & exist point. At the time of entry to the unit, a flexible pipe was seen through which purge water from the re-circulation tank was being discharged into a channel leading to the low lying area inside the premises of the unit, which causing stagnation.
14. Non compliance of SOPs framed by the Board for Induction furnaces were also observed as under:
  - i) The scrap being used was not free from oil grease/rust/paint.
  - ii) The air flow of dust laden air in the APCD was from inside to outside instead outer to inside the bags.
  - iii) There was no mechanism to measure the pressure drop after collection hood of APCD and before APCD.
  - iv) The industry could not produce the record of the compressor of the APCD as per SOP.
  - v) There was no interlocking of APCD with the Induction furnace to ensure regular operation of the Industry
15. The process dust contained by APCD which is hazardous in nature was seen packed in plastic bags. Further, the perusal of record maintained by the industry, it has been observed that the industry has got lifted hazardous waste quantity 13.140 Ton, 12 Ton and 13.530 Ton of process dust Cat. 35.1 to unauthorized vendor namely M/s LaxmiInds. Meerut on 17/11/2020, 8/12/2020 and 14/12/2020, respectively

Therefore, the Industry was not complying with the conditions of consent granted under the Water Act, 1974, Air Act, 1981 & HWM Rules, 2016 and causing pollution in the vicinity intentionally & deliberately.

As per report of Regional Office, the industry was earlier visited on 27/02/2020 and found violating the provisions of pollution control laws and again visited by the team of officers on 19/12/2020 and found violating the provisions of pollution control laws as mentioned above. Thus, the total no. of days w.e.f 27/02/2020 to 30/03/2021 (date of hearing) are 398 days. Accordingly, Environmental Engineer Regional Office, Fatehgarh Sahib has calculated the Environmental Compensation based on the criteria laid down by the Hon'ble NGT/CPCB as per formula:  $EC = P \times N \times R \times S \times LF$

$EC = 50 \times 398 \times 250 \times 1.5 \times 1 = 74,62,500/-$  (1)

(2) Minimum Environment Compensation is Rs. 5000/day. Thus, minimum Environment Compensation for 398 days =  $398 \times 5000 = 19,90,000/-$ .

Therefore, from (1) & (2), the industry is required to pay Rs. 74,62,500/- on account of Environment Compensation.

Accordingly, notices for revocation/ cancellation of CTOs & authorization, imposition of EC and notice to issue directions u/s 33-A of the Water Act, 1974 & u/s 31-A of the Air Act, 1981 proposing for closure of the unit were issued to the Industry with an opportunity of personal hearing before the Chairman of the Board on 30/03/2021 at 11.00 A.M.

The Industry vide e-mail dated 30/03/2021, while expressing inability to attend the personal hearing citing the reasons that the concerned person is suffering from viral, requested to adjourn the hearing and sought some other suitable date after 15 days.

The matter was considered by the Competent Authority and decided to afford last opportunity of personal hearing on 29/04/2021 at 11.00 am before the Chairman of the Board which was conveyed to the Industry vide letter no. 1572 dated 12/04/2021. The hearing scheduled on 29.4.2021 was postponed till further order due to administrative reasons vide letter no. 1712 dated 27/04/2021. Due to second wave of Covid-19, no physical hearings were given by the Competent Authority. Now, the Competent Authority has decided to afford an opportunity of hearing before the Chairman of the Board through VC on 27/07/2021 at 12.45 PM before taking further action in the matter. It has also been made clear to the Industry in case of failure to attend the hearing, ex-parte decision will be taken without any further notice/opportunity.

The representatives of the Industry attended the hearing through VC and stated that they have already submitted the written reply through mail on 23.7.2021, which has been

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taken on record. Sh. Rohit Sood, Director of the industry further stated that they have already complied with the observations of the visiting teams except stabilizing the vehicle movement area entry & exit point in factory premises. They have installed APCD as per design of PSCST, Chandigarh and operating the same on regular basis. The PSCST has already issued completion certificate to industry vide its letter dated-21.8.2019. They have already provided manometer to measure the pressure drop after collection hood of APCD, which could not be seen by the visiting team. Also provided OCEMS with the stack and the same has been got calibrated and the concentration of particulate matter remains within the permissible limits. The porthole and platform provided on APCD is as per PPCB norms, which can be verified any time. The STP is being operated regularly by the industry. The hazardous waste generated by the industry being sold to M/s Bhawani Chemical Meerut an authorized operator of Uttar Pradesh Pollution Control Board having valid authorization upto 17.12.2024. However, they have come to know that the said firm is not having valid authorization for transport of hazardous waste inside the territory of State of Punjab and as such, in future they will send the hazardous waste to authorized agencies as advised by the Board. He further stated that they have also informed the number of days to the Environmental Engineer, Regional Office, Fatehgarh Sahib vide its letter dated 7.10.2020 that they rectified the fault due to which there was minor discharge of smoke in the air within two days i.e. upto 28.2.2020. He requested the Environmental Compensation may not be imposed as they are facing financial problem due to Covid-19. He further assured that one month time be given to attend the remaining observations of the visiting team and to apply for CTOs under Water Act, 1974 and Air Act, 1981.

The reply submitted by the industry and submission made during hearing for not imposition of Environmental Compensation due to Covid-19 was considered and observed that violations were first detected by visiting team on 27.2.2020 and industry has rectified that faults. Accordingly, total number of days for which of violation continued works out to be 223 days. However, due to pandemic Covid 2019 lockdown was imposed by Punjab Govt. on 21 March, 2020 and almost entire industry in Punjab remained closed for about 20-25 days. As such, Environmental Compensation is liable to be imposed upon the industry for a period of 200 days.

After hearing the industry and officers of the Board, the Chairman of the Board on the basis of best judgement assessment and as mutually agreed upon by the industry & Board, decided as under :

1. Environmental Compensation amounting to Rs. 5000/- per day for 200 days i.e. Rs.  $5000 \times 200 = 10$  lac be imposed upon the industry for operation of the industry due to which the environmental damage caused.
  2. The industry shall comply with all the reported non-compliances and apply for renewal of Consent to Operate under Water Act, 1974 and Air Act, 1981 within 30 days alongwith requisite document & fee.
  3. The industry shall send its hazardous waste to authorized agencies operating in the State of Punjab and shall not send it to Meerut based firm.
  4. Environmental Engineer, Regional Office, Fatehgarh Sahib shall visit the industry after one month to verify the compliance status of the hearing decisions and submit the detailed report with recommendations.
- You are requested to ensure the compliance of hearing decisions within stipulated period and submit the same to the Board.

Endst. No. \_\_\_\_\_

*10/3/2021*  
for & on behalf of  
Pb. Pollution Control Board  
Dated \_\_\_\_\_

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Fatehgarh Sahib for information and necessary action. He is requested to ensure the compliance of decisions of the hearing and submit report, accordingly.

*Sd/*  
for & on behalf of  
Pb. Pollution Control Board

Government of Punjab  
Department of Science, Technology and Environment

Office of the Appellate Authority Constituted under the Water (Prevention and Control of Pollution) Act 1974 and the Air (Prevention and Control of Pollution) Act 1981.

To

The Member Secretary,  
Punjab Pollution Control Board,  
Vatavaran Bhawan, Nabha Road,  
Patiala.

No.13/SLO/AA/2021/

Dated

Subject: Appeal filed by M/s Bhawani Industries Pvt Ltd., Village Ajnali, Near Focal Point Mandi Gobindgarh against order dated 10.8.2021 of the Board.

Please refer to the subject cited above.

The subject cited case has been disposed of by the Appellate Authority-cum-Principal Secretary to Government of Punjab, Department of Science, Technology and Environment by an order dated 13.10.2021. Please find enclosed herewith a certified copy of the said order dated 13.10.2021 for information and necessary action.

sdl-  
Senior Law Officer  
Appellate Authority

Endst. No. 13/SLO/AA/2021/337-339

Dated 11/11/2021

A copy of the above is forwarded to the following for information and necessary action please:

- 1) Personal Assistant to Principal Secretary to Government of Punjab, Department of Science, Technology and Environment, Mini Secretariat Punjab, Chandigarh.
- 2) Environmental Engineer, Punjab Pollution Control Board, Regional Office, Fatehgarh Sahib.
- 3) M/s Bhawani Industries Pvt. Ltd., Village Ajnali, Near Focal Point Mandi Gobindgarh, District Fatehgarh Sahib.

*Amrik Singh*  
Senior Law Officer  
Appellate Authority



A&E II  
ਨਵੀਂ ਡਾਕ  
ਵਾਤਾ: ਟਿੱਜੀ  
4.  
12/11

Government of Punjab  
Department of Science, Technology and Environment

Office of the Appellate Authority Constituted under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

Appeal No. 13/SLO/AA/2021

Date of Filing: 23.8.2021

Date of Decision: 13.10.2021

M/s Bhawani Industries Pvt. Ltd., Village Ajnali,  
Near Focal Point Mandi Gobindgarh

V/s

Punjab Pollution Control Board

Order

- Present:
1. Sh. Rakesh K. Shahi and Sh. Ritin Shahi, Advocates on behalf of the Appellant.
  2. Er. Anuradha Sharma, Environmental Engineer alongwith Er. Rubal Goel, Assistant Environmental Engineer on behalf of Punjab Pollution Control Board.

Order

The appellant has filed the present appeal against the order dated 10.8.2021 of the Punjab Pollution Control Board, whereby Environmental Compensation amounting to Rs. 10 Lakh has been imposed. A prayer has been made in the appeal to the set aside the order of the Board. Upon notice, the Punjab Pollution Control Board has filed reply in the case which was taken on record and a copy was supplied to the counsel for the appellant.

- 2) Parties were heard.
- 3) The counsel for the appellant submitted that the unit of the appellant was visited by the officers of the Board on 27.2.2020 and minor deficiencies were found. The Board has issued show cause notices and in response to the show cause notices, the appellant

informed the Board that minor discrepancies were removed within 2 days and that Environmental Compensation cannot be imposed for more than 2 days. The unit was again visited during the midnight on 17.10.2020 but responsible person could not reach the spot and due to this reason the Board has imposed Environmental Compensation amounting to Rs. 10 Lakhs for 200 days. The Board has alleged that the Board officers had found deficiencies during visit on 19.12.2020. Show-cause notice was issued on 18.3.2021 and detailed reply was given. First order dated 25.9.2020 was passed to impose Environmental Compensation from 27.2.2020 to 5.8.2020. No notice was issued or hearing afforded to assess the number of working days for imposition of Environmental Compensation. The appellant has informed the Board that the unit had remained in operation for 99 days. The appellant has installed APCD of best quality as per the design of Punjab State Council for Science and Technology. The Board has grossly erred to assess the working days. The counsel for the appellant requested to set aside the order passed by the Board.

4) The officer of the Board stated that in the background of the orders passed by the Hon'ble National Green Tribunal in O.A No. 924 of 2018, the unit of appellant was visited on 27.2.2020 by the officers of Punjab Pollution Control Board and Central Pollution Control Board. Deficiencies were observed. The unit was again visited on the midnight of 17.10.2020, but the main gate was not opened and the Board officers were not allowed to visit the industry. The unit was again visited on 19.12.2020 by the officers of the Board when significant emissions were found escaping into the working shed and non-compliance of SOPs framed by the Board for induction furnaces were also observed. The industry has also disposed of the process dust which is hazardous in nature to an unauthorized vendor. The industry was found to be violating the provisions of Environmental Laws intentionally and deliberately. The violations were first detected by a team of officers of Punjab Pollution Control Board and Central Pollution Control Board on 27.2.2020 which continued upto 30.3.2021 i.e. the date of hearing afforded by the Board. The number of days of violation from 27.2.2020 to 30.3.2021 were calculated to be 398 days. The reply submitted by the industry and submissions made during the hearing were considered and observed that violations were first detected on 27.2.2020 and the industry has rectified the faults. Accordingly, the number of days for which violation continued were worked out to be 223 days. 23 days were further deducted on

account of Covid-19 pandemic. Hence Environmental Compensation of Rs. 10 Lakh for a total period of 200 days was imposed at the rate of Rs. 5000/- per day. The officer of the Board requested for dismissal of the appeal case and issuance of directions to the industry to deposit the amount of environmental compensation.

5) After hearing, I have examined the record available on file with the assistance of the parties. The actual facts which have emerged are that the appellant is an induction furnace unit visited by the officers of the Punjab Pollution Control Board and Central Pollution Control Board on 27.2.2020, when emissions were found to be escaping into the working shed and then into the ambient air without any treatment through APCD due to inadequate suction of APCD. The Board has issued notices on 2.6.2020, for cancellation of consent to operate under Air (Prevention & Control of Pollution) Act, 1981, cancellation of authorization under Hazardous Waste Management Rules and imposition of Environmental Compensation. Hearing was held on 10.9.2020, wherein decision was taken to impose Environmental Compensation @ Rs. 5000/- per day and Environmental Engineer, Regional Office, Fatehgarh Sahib was directed to verify the actual number of days from 27.2.2020 to 5.8.2020 as the industry has submitted that it remained closed for certain period due to Covid-19 situation. The decision, however, was not concluded by the Board and in the meantime due to complaints regarding air pollution being caused by induction furnaces, the Chairman, Monitoring Committee has directed the Punjab Pollution Control Board to visit industries by deputing a team of officers. Industries were visited during night hours by the officers of the Board on 17-18.10.2020 to check the operational status of APCD, but the appellant industry denied to open the main gate in-spite of its operation. On 26.10.2020, the Competent Authority of the Board has constituted a team of officers comprising Er. Surinder Singh Matharu and Er. Rajiv Goel, Environmental Engineers to visit the appellant industry and submit report with recommendations. The designated team visited the appellant industry on 19.12.2020 and reported violations. Show cause notices were again issued on 18.3.2021 with an opportunity of hearing on 30.3.2021. The hearing was actually held on 27.7.2021 and the decisions were conveyed to the appellant vide letter no.2937 dated 13.8.2021, wherein, Environmental Compensation of a total period of 200 days @ Rs. 5000/- per day was decided to be imposed upon the appellant.

6. In view of the actual facts and circumstances of the case as narrated in paragraph 5 above, it is observed that the Board should have concluded the first action which was initiated after deficiencies were observed in the appellant unit on 27.2.2020, the hearing after issuance of notices for which was held on 10.9.2020. A decision was in-fact taken and conveyed to the appellant vide letter no.2920-2921 dated 25.9.2020 for imposition of environmental compensation from 27.2.2020 to 5.8.2020 upon verification of the number of days by the Environmental Engineer. The Board has not concluded the first action and the Competent Authority of the Board had constituted a team of officers on 26.10.2020 after about one and a half month from the date of the hearing held on 10.9.2020. The team took 54 days to perform its visit to the appellant unit on 19.12.2020, wherein, the violations were reported. Notices for violations were issued after three months on 18.3.2021 and the hearing was actually held on 27.7.2021 after about 4 months from the date of issuance of the notices and the action was concluded on 13.8.2021 when the appellant was informed about the imposition of environmental compensation for a total period of 200 days @ Rs. 5000/- per day vide letter no. 2937 dated 13.8.2021.

7. The conclusion of the first action beyond the date of first hearing on 10.9.2020 and pause in the formation of the team of officers thereafter, hiatus in performance of visit by the designated team, delay in issuance of notices and gap in holding of personal hearing and issuance of proceedings as explained above has created doubtful facts and actuality. The Board in the proceedings of hearing held on 27.7.2021, which were conveyed to the appellant vide letter no. 2937 dated 13.8.2021 has recorded the facts that the reply submitted by the industry and submission made during the hearing for non-imposition of environmental compensation due to COVID-19 was considered and observed that violations were first detected by visiting team on 27.2.2020 and the industry has rectified that faults. Accordingly, total number of days for which violation continued works out to be 223 days. 23 days were further deducted by the Board and environmental compensation for a period of 200 days was imposed upon the appellant industry @ Rs. 5000/- per day.

8. There is an admission on the part of the Board that the industry has rectified the faults after the violations were first detected by the visiting team on 27.2.2020. It is not disclosed in the proceedings as to how the number of days of violation have been calculated

to be 200 days. The appellant in the appeal has stated that the industry has operated the unit for 99 days from 27.2.2020 to 5.8.2020. Keeping in view the observations recorded above, relying upon the facts relating to the operation of the industry and also considering the prevalence of the circumstances and situation created by Covid-19 pandemic, I hereby extend the benefit of doubt and advantage in the case by reducing the number of days in proportion to the violations committed and direct the appellant industry to deposit environmental compensation for a period of 100 days @ Rs. 5000/- per day i.e. a total amount of Rs. 5.0 Lacs in the office of the Board. The appellant is directed to make compliance within 15-days from the date of receipt of this order, failing which the Board shall be at liberty to recover the amount of environmental compensation by resorting to coercive action.

9. The appeal stands disposed of in above terms.

Sd/-  
(Dilip Kumar, IAS)  
Appellate Authority  
-cum-

13-10-2021  
Pronounced

**Certified Copy**  
*Amrik Singh*  
Senior Law Officer  
Appellate Authority  
Government of Punjab  
Deptt. of Science, Technology  
and Environment, CHD  
11-11-2021

Principal Secretary to Government of Punjab,  
Department of Science, Technology  
and Environment, Chandigarh

13-10-2021