

1BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO. 875 OF 2019

IN THE MATTER OF:

SHANKARLAL PRAJAPAT

...APPLICANT

VERSUS

STATE OF MADHYA PRADESH AND ORS.

...RESPONDENTS

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N.D.O.H: 12.09.2025

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Place: NEW DELHI

Dated: 10 SEPTEMBER 2025

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 875 OF 2019**

IN THE MATTER OF:

Shankarlal Prajapat ...Applicant

Versus

State of Madhya Pradesh and Ors. ...Respondent

**REPLY TO THE ORIGINAL APPLICATION AND OBJECTIONS TO THE
JOINT COMMITTEE REPORT DATED 05.02.2021 ON BEHALF OF
RESPONDENT NO. 5 [GRASIM INDUSTRIES LIMITED (CHEMICAL
DIVISION)]**

MOST RESPECTFULLY SHOWETH:

1. That the present reply to the Original Application is being filed at the instance of Grasim Industries Limited (Chemical Division), i.e., Respondent No. 5 to the instant Original Application (hereinafter referred to as the “**Respondent No. 5**”). By way of the present reply, the Respondent No. 5 seeks to bring on record its reply to the instant Original Application and its objections to the report dated 05.02.2021, as filed by the Joint Committee constituted by the Hon’ble Tribunal *vide* its order dated 12.10.2020, comprising the Madhya Pradesh Pollution Control Board (“**MPPCB**”), i.e., Respondent No. 2; the Central Pollution Control Board (“**CPCB**”), and the District Magistrate, Ujjain, Madhya Pradesh, i.e., Respondent No. 3 in the present matter (“**Impugned Report**”).

2. By way of the Impugned Report, the Joint Committee has arbitrarily levied Environmental Compensation (“EC”) on the Respondent No. 5 for one alleged violation, as described hereunder:

Industry	Non-Compliance	Non-Compliance observed	Period of Non-Compliance	EC (in INR)	Remarks
M/s Grasim Industries Limited (Chemical Division) - i.e. Respondent No. 5 herein	Industry shall include their by-product acids in hazardous waste authorization	19.01.2021	252 Days	75,60,000	Acid was in the consent as product but as per the CPCB guidelines matter is pending.

3. It must be noted that the aforesaid findings of the Joint Committee came to be affirmed by an order of this Hon’ble Tribunal dated 07.04.2021. The said order, and the findings contained in the Impugned Report were challenged by the Respondent No. 5, along with the Respondent No. 4 before the Hon’ble Supreme Court of India, in Civil Appeal Nos. 1711-1712 of 2021. That by way of its judgment dated 27.11.2024, the Hon’ble Supreme Court observed that the order dated 07.04.2021 had been passed without allowing the Respondent No. 5 an opportunity of being heard, and that in view thereof, the procedure followed by the Tribunal was totally unknown to the principles of natural justice. That the Hon’ble Supreme Court further observed that the Respondent No. 5 was not given any notice by the Joint Committee before giving an adverse report. Accordingly, the Hon’ble Supreme Court was pleased to quash the order dated 07.04.2021 and remand the present matter back to this Hon’ble Tribunal for fresh consideration.

A true copy of the judgment of the Supreme Court dated 27.11.2024 in Civil Appeal Nos. 1711-1712 of 2021 has been annexed herewith and marked as **ANNEXURE R – 1**.

4. That at the very outset, it is stated that the Respondent No. 5 is a law-abiding company operating an environmentally benign industry, in complete compliance with applicable law. That further, the Respondent No. 5 has obtained all requisite licenses, permits and consents required for the purposes of operating its industries and strictly complies with the terms thereof for such purposes. That in compliance with its commitments towards upholding the letter of the law, the Respondent No. 5 undertakes various initiatives to mitigate and reduce the pollution-load of its industry and has significantly invested in its industry to employ and maintain industry-best pollution-control practices and systems. It has also ensured timely compliance with all directions and instructions issued by CPCB and Respondent No. 2 from time to time.
5. That all averments, statements and allegations made against the Respondent No. 5 in the Original Application, as under the letter petition submitted by the Applicant (“**Letter Petition**”), are false, baseless and devoid of merits, and are based on mere surmises without any proof of any wrongdoing. As such, any and all such allegations, averments and statements contained in the said Letter Petition stand denied, unless admitted explicitly hereunder.
6. That pursuant to liberty granted by this Hon’ble Tribunal in its order dated 07.05.2025, the present Reply is being filed by the Respondent No. 5 to bring its contentions and submissions against allegations made by way of the Letter Petition, and to challenge the determination and levy of the EC upon the Respondent No. 5 *vide* the Impugned Report.

A true copy of the Order dated 07.05.2025 passed by the Hon’ble National Green Tribunal, has been annexed herewith and marked as **ANNEXURE R – 2**.

BRIEF FACTS:

7. Before dealing with the allegations of non-compliance made against the Respondent No. 5, it is apposite to place the essential factual matrix that transpired in the present matter, before this Hon'ble Tribunal, as follows:
8. That the present Original Application concerns the Chemical Division operated by Respondent No. 5, which was set up in the year 1972, and engaged in the production of various chemical compounds like Caustic Soda, Hydrochloric Acid ("**HCl**"), Liquid Chlorine, NaOCl, Stable Bleaching Powder, Poly-Aluminium Chloride, Chloro-Sulphonic Acid, Chlorinated Paraffin, Calcium Chloride and Carbon Dioxide ("**Chemical Division**"). The above plant is located in the Birlagram, Nagda, District Ujjain in Madhya Pradesh.
9. That soon after the establishment of the plant, Respondent No. 5 was granted Consent to Operate ("**CTO**") under the Air (Prevention and Control of Pollution) Act, 1981 ("**Air Act**") and the Water (Prevention and Control of Pollution) Act, 1974 ("**Water Act**"), and Authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 ("**Hazardous Waste Rules**"), which specifically included HCl within the list titled "*Product and Production Capacity*" as a product manufactured by Grasim Industries. The said CTO and Authorization under the Hazardous Waste Rules ("**Hazardous Waste Authorization**") have been renewed from time to time, and are valid until 31.01.2027.

True copy of the renewed CTO dated 12.11.2024 granted to the Respondent No. 5 is annexed herewith and marked as **ANNEXURE R-3**.

True copy of the renewed Hazardous Waste Authorization dated 01.02.2022 (as part of the Consolidated Consent and Authorization dated 01.02.2022) granted to the Respondent No. 5 is annexed herewith and marked as **ANNEXURE R-4**.

10. That pertinently, the CTO specifically includes HCl within the list titled “*Product & Production Capacity*” as a product manufactured by the Chemical Division. Additionally, it may be noted that the Respondent No. 5 has been issued an Authorization as part of the Consolidated Consent and Authorization dated 01.02.2022, for operating a facility for generation, collection, reception, storage, transport, reuse, recycling, recovery, pre-processing, co-processing, utilisation, treatment, disposal and use of certain hazardous wastes. Under the same, the list of hazardous wastes generated by Respondent No. 5 does not include HCl within its ambit.
11. That the Respondent No. 5 has operated its plant in strict compliance with the conditions prescribed within the statutory clearances accorded to it, and all applicable environmental norms. It is submitted that for these purposes, Respondent No. 5 has installed continuous emissions monitoring systems, for continuous monitoring of particulate and gaseous matter emitted from its Caustic Soda units, and Chlorinated Paraffin unit stacks. All the data collected by the said systems is directly transmitted online to the Respondent No. 2’s, and the CPCB’s servers. Such emissions have been found to be within the prescribed standards.
12. That Respondent No. 5 has engaged JM Envirolab Pvt. Ltd., which has been duly authorized by the CPCB and the Respondent No. 2, and approved by the Ministry of Environment, Forest and Climate Change (“**MoEF&CC**”), to execute water quality tests under IS-10500-2012, APHA 23rd Edition 2017 sampling and analysis protocol. It is noteworthy that, during the period in which the Joint Committee monitored Respondent No. 5’s compliance

(“**Monitoring Period**”), all effluents collected and analysed from the final outlet and valves of the Effluent Treatment Plant (“**ETP**”) installed at the Respondent No. 5’ plants, were found to be well below the permissible limit prescribed by the CPCB. This is clearly reflected in the report dated 09.10.2020 prepared by JM Envirolab Pvt. Ltd., containing the analysis of Respondent No. 5’s ETP effluents.

A true copy of the ETP-effluent analysis report dated 09.10.2020 prepared by JM-Envirolab Pvt. Ltd. has been annexed herewith and marked as **ANNEXURE R – 5**.

13. That the Respondent No. 5 has installed piezometers to detect groundwater contamination, PTZ Cameras, CEQMS and online flow meter at ETP areas and connectivity to the same has been provided to Respondent No. 2’s surveillance centre servers. Further, chemicals generated at the Respondent No. 5’ plant are transported only through GPS enabled vehicles. The Respondent No. 5 seeks leave to rely upon the Impugned Report and the Action-Taken Report dated 09.10.2020 prepared by Respondent No. 2, to elaborate on the compliances undertaken during the Monitoring Period.
14. Moreover, pursuant to Respondent No. 2’s directions, the Respondent No. 5 has operated its unit in strict compliance with Zero-Liquid Discharge norms, implementation of which was completed in 31.03.2018.
15. That Respondent No. 5 has engaged the National Institute for Research and Environmental Health (“**NIREH**”), Bhopal, to carry out a study *qua* environmental-cum-health profiling of its workers and the population residing in the vicinity of the industries.
16. That thereafter, a letter petition was filed by the Applicant before this Hon’ble Tribunal Bench against *inter alia* the Respondent No. 5 (“**Letter Petition**”). A copy of the said Letter Petition is not available on the website of this Hon’ble Tribunal and has also not been made available to the Respondent No. 5 herein.

It is submitted that the said Letter Petition alleges *inter alia* pollution of the local water resources in the Birlagram area due to the purported discharge of effluents by the Respondent No. 5's Chemical Division.

The contents of the said Letter Petition, as reproduced in the Action-Taken Report dated 09.10.2020 filed by Respondent No. 2 before this Hon'ble Tribunal, have been set out as under:

“The nowadays, the environment is getting destructed and devastated and the water, drinking water and soil of the Nagda City and Birla Gram Area, Village Azimabad, Village Parda, Village Takrawada, Village Aamlabadiyajurda, Village Matisuda, Village Nayan, Village Mehatwas and the villages adjacent to the Chambal due to the polluted water coming out of Grasim Chemical Division Limited, Birlagram Nagda, Tehsil Nagda, District Ujjain and people of the nearby villages are contacting with diseases death graph is increasing due to lack of first aid for the above sick people and the children are becoming orphan and the families of the family are getting destroyed and devastated and restrictive action be taken against the said company by investigating immediately and due to the aforesaid company, people of nearby villages are buying water due the water crisis. And the above wastewater is being mixed in the river, which has polluted the water, air and the water level of the water is also falling and the said sale and purchase of the said water should be banned and the said Grasim Chemical Division Limited is also setting up a new unit at Birlagram Nagda, Nagda Nagar and the Applicant has serious objection on setting up the said unit.

Therefore, I request you to, in light of the said complaint, the illegal water and land pollution being caused in Nagda town and adjoining villages by the Grasim Chemical Division Limited Birlagram Nagda. Kindly take restrictive action by getting it investigated.”

17. That the present Original Application emanates from the above-stated Letter Petition, cognizance of which was taken by this Hon'ble Tribunal in its Order dated 30.10.2019. By way of its order, the Hon'ble Tribunal treated the said Letter Petition to be an application, in derogation of the statutory procedure prescribed in this regard under the National Green Tribunal Act, 2010 (“**NGT Act**”), and the National Green Tribunal (Practice and Procedure) Rules, 2011 (“**NGT Rules**”), issued notice on the said Letter Petition and did not make the Respondent No. 5 a party to the instant matter. Thereafter, this Hon'ble Tribunal directed Respondent No. 2 to inquire into the matter, and take appropriate action in terms of applicable law, and furnish a factual and action-taken report within 1 month from the issuance of the order.

18. That before the issuance of the above order, the Respondent No. 5 submitted an online proposal to the MoEF&CC, bearing number IA/MP/IND2/26969/2015, seeking the grant of an Environmental Clearance, for *inter alia* the expansion of production capacity of the Chemical Division. By way of the said proposal, the capacity of production for certain products, i.e., Caustic Soda, Poly Aluminium Chloride, Stable Bleaching Powder, Chlorinated Paraffin, Chloromethane, Chloro Sulphonic Acid, Calcium Chloride (100%) along with certain co-products and by-products, namely, Chlorine, Hydrochloric Acid (100%), Sodium Hypochlorite (100%), Hydrogen, Compressed Hydrogen & Carbon Dioxide was proposed to be expanded.

19. That terms-of-reference for the project were granted to Respondent No. 5 on 29.07.2015, the validity of which was extended further *vide* letter dated 11.12.2018. Thereafter, public hearings were conducted, to consider the proposal submitted by Respondent No. 5, which were presided over by the Additional District Magistrate, Ujjain, Madhya Pradesh. Subsequently, the said proposal was considered at the central level by the sectoral Expert Appraisal Committee (Industry-2) in its meeting dated 20.11.2019-

22.11.2019, which found the Environment Impact Assessment report (“**EIA Report**”) and Environment Management Plan (“**EMP**”) submitted to it by the Respondent No. 5 to be satisfactory. Accordingly, the project was recommended for grant of Environmental Clearance for production of the products stated hereinabove including HCl as a by-product, which was duly accorded to the Chemical Division by the MoEF&CC on 07.01.2020.

A true copy of the Environmental Clearance dated 07.01.2020 granted to Respondent No. 5 has been annexed herewith and marked as **ANNEXURE R - 6**.

20. That on 19.02.2020, pursuant to a reference made by Hon’ble Member of Parliament (Lok Sabha) for Ujjain, Madhya Pradesh, regarding water pollution in the river Chambal, the CPCB issued certain directions to Respondent No. 2 under Section 18(1)(b) of the Water Act. *Vide* the said letter, CPCB has identified the Chambal River stretch, from Nagda to Rampura as a polluted river stretch, and noted that the Respondent No. 2 has prepared an action plan for its rejuvenation. Accordingly, pursuant to an inspection of the area by CPCB, Respondent No. 2 was directed to issue certain directions to *inter alia* the industries operating in the Nagda region, including Respondent No. 5.
21. That in furtherance of the letter dated 19.02.2020, Respondent No. 2 issued directions to the Chemical Division under Section 33-A of the Water Act by way of a letter dated 13.05.2020, bearing number 856/HO/MPPCB/CPCB-Dir/2020. In terms of the said letter, certain directions were issued to Respondent No. 5 *inter alia* including the following direction in relation to a product generated by Respondent No. 5:

“... ”

- (v) *Industry shall include their by-product acids in hazardous waste authorization immediately.*

... ”

22. That on 06.07.2020, Respondent No. 5 addressed a detailed representation to the CPCB for confirmation on the directions issued by Respondent No. 2 on 13.05.2020, which directed the inclusion of HCl as a waste in its Authorization under the Hazardous Waste Rules. By way of this letter, it was clarified that (i) the Chemical Division operated by Respondent No. 5 is involved in the manufacture and production of Chlor Alkali products and Chlorine derivatives, which involves the generation of HCL as a by-product in the process, (ii) production of HCl has been duly consented to by Respondent No. 2 in the CTO accorded to the unit, (iii) HCl has been included in the list of products and co-products generated by the unit in the EC issued by MoEF&CC, (iv) HCl produced by the unit is not only in conformity with extant parameters prescribed under IS : 265, but is also widely utilized in-house by the unit for the production of other value-added products in a scientific and environmentally-safe manner, and for acidification and pH-control in numerous processes, (v) a substantial portion of the HCl manufactured at the unit is also supplied to various reputed end-users across India, in accordance with the law, by transporting the same in GPS-equipped tankers, (vi) additionally, HCl is not covered under Schedule I of the Notification of the MoEF&CC dated 14.09.2006 bearing number S.O. 1533 (E) (“**EIA Notification**”), or any of the Schedules of the Hazardous Waste Rules, and (vii) finally, it was submitted that in terms of the CPCB’s Framework on Identification of Materials Generated from Industrial Processes as Wastes or By-products, issued in September 2019 (“**Identification Framework**”), HCl produced by the unit squarely identifies as a by-product.

Accordingly, Respondent No. 5 requested the CPCB to issue communications to Respondent No. 2, confirming HCl as a by-product of the unit’s processes. As on the date of filing the instant Reply, the Respondent No. 5 has not received a response to its representation.

A true copy of the letter dated 06.07.2020 issued by Respondent No. 5 to the CPCB, has been annexed herewith and marked as **ANNEXURE R – 7**.

23. That thereafter, Respondent No. 2 filed an Action-Taken Report on 09.10.2020, which clearly records the Respondent No. 5 to be compliant with environmental laws, and with the statutory permits granted thereto. In this regard, it records the numerous mechanisms established by the Respondent No. 5 to ensure such compliance and effective supervision over its pollution-load.
24. That this Hon'ble Tribunal took cognizance of the said report on 12.10.2020, and despite the findings of compliance *qua* the Respondent No. 5 made therein, found the Action-taken Report to be incomplete, and the action-taken to be inadequate. That this Hon'ble Tribunal held that, once a violation has been established to the satisfaction of the pollution control board, assessment of damage must be done and costs should be recovered on the basis of 'Polluter Pays' principle.
25. That in view of the foregoing, the Hon'ble Tribunal passed the following directions:
 - a. The Respondent No. 5 is causing pollution, even though the Action-taken Report does not suggest so;
 - b. For such pollution, Respondent No. 2 is expected to recover the cost of restoration of environment, based on the 'Polluter Pays' principle for the period of non-compliance;
 - c. Such steps ought to be taken in addition to steps for prevention of future violation of environmental norms.
 - d. The Joint Committee be constituted, comprised of Respondent No. 2, the CPCB and the District Magistrate, Ujjain, to present an action-taken report to the Hon'ble Tribunal.

26. That pursuant to the foregoing, the Joint Committee came to be formed on 20.11.2020, and held its first meeting on 07.01.2021, to discuss the assessment of EC and progress in on-going work for pollution control.
27. That Respondent No. 5 wrote another letter on 23.10.2020 to the Member Secretary of the Respondent No. 2, repeating its detailed submissions against the inclusion of HCl within the Authorization granted to it under the Hazardous Waste Rules. The Respondent No. 5 craves leave of this Hon'ble Tribunal that the contents of the said letter be read as part and parcel of the present Reply as the contents thereof have not been repeated herein for the sake of brevity and to avoid prolixity.

A true copy of the letter dated 23.10.2020 issued by Respondent No. 5 has been annexed herewith and marked as **ANNEXURE R – 8**.

28. That pursuant to its inspection of the Respondent No. 5's unit on 19.01.2021, the Impugned Report was filed by the Joint Committee before the Hon'ble Tribunal on 05.02.2021, whereby, the Joint Committee levied EC on the Respondent No. 5 for one alleged violation, as under:

Industry	Non-Compliance	Non-Compliance observed	Period of Non-Compliance	EC (in INR)	Remarks
M/s Grasim Industries Limited (Chemical Division)	Industry shall include their by-product acids in hazardous waste authorization	19.01.2021	252 Days	75,60,000	Acid was in the consent as product but as per the CPCB guidelines matter is pending.

29. That thereafter, an Office Order dated 19.02.2021 was issued by Respondent No. 2, whereby a moratorium/ grace period of nine months, from 01.04.2020 to 31.12.2020, was granted by Respondent No. 2 to concerned industries, for compliance with its directions. The said moratorium appears to have been provided by Respondent No. 2, in consideration of the ongoing COVID-19 pandemic situation, and the impact thereof on *inter alia* the procurement and supply of materials, and the availability of manpower to ensure compliance.

A true typed and translated copy of the Office Order issued by Respondent No. 2, dated 19.02.2021 has been annexed herewith and marked as **ANNEXURE R – 9**.

30. That it is submitted, that without prejudice to anything to the contrary contained herein, even if it is assumed that the Respondent No. 5 is liable to pay EC for the alleged non-compliance highlighted hereinabove, the entire period ranging from the date of issuance of Respondent No. 2's directions, i.e., 13.05.2020, till the end of the moratorium / grace period, i.e., 31.12.2020, would stand excluded from the computation of Respondent No. 5's purported period of non-compliance.

31. In view of the aforesaid facts and circumstances, it is submitted that the instant Original Application deserves to be dismissed at the very threshold with exemplary costs, as being not maintainable, on the following grounds which are in the alternative and without prejudice to each other:

PRELIMINARY OBJECTIONS TO THE ORIGINAL APPLICATION

32. That by entertaining the Applicant's Letter Petition, which is devoid of the requisite particulars, evidences and supporting documents, this Hon'ble Tribunal has rendered provisions of Section 18 of the NGT Act read with Rule 8 of the NGT Rules, completely otiose and nugatory.
33. That the instant Original Application, emanates from the Letter Petition filed by the Applicant herein, seeking relief against damage to the environment and public health of Nagda City and the Birlagram area in Ujjain, Madhya Pradesh, and has been purportedly registered in terms of Section 14 and 15 of the NGT Act.
34. That the provisions under Section 18 of the NGT Act read with Rule 8 of the NGT Rules, stipulate that each application to the Hon'ble Tribunal under Section 15 of the NGT Act, must be presented in accordance with Form I of the NGT Rules, by *inter alia* setting out a conspectus of the relevant facts, and the grounds alleged by the concerned applicant. Such an application must be accompanied by relevant documents and materials substantiating the same.
35. It is submitted that the Letter Petition submitted by the Applicant does not meet the statutory mandate laid down under the aforesaid provisions. The said Letter Petition is entirely silent on the facts that have led to the filing of the same and fails to make out any grounds warranting the intervention of this Hon'ble Tribunal. Further, the Letter Petition raises bald allegations of soil, air and water pollution by Respondent No. 5, whilst being devoid of any material evidence to substantiate the same.
36. That as such, the plea raised in the Letter Petition to take restrictive action against Respondent No. 5, is based on mere surmises and assumptions of the Applicant and appears to be a blatant attempt to abuse the process of this Hon'ble Tribunal.

37. That further, in terms of Section 18(2) of the NGT Act, an application for the grant of relief or compensation or settlement of a dispute, must be made to the Hon'ble Tribunal by the person(s) who has sustained the injury, or a person(s) aggrieved, including any representative body or organisation. It is submitted that the Letter Petition miserably fails to demonstrate the Applicant's locus in the present matter as an aggrieved person, as it is silent on how the Applicant himself is *bona fide* concerned in its outcome. In this regard, the Letter Petition vaguely records the Applicant's 'serious objection' to the establishment of the Respondent No. 5' units in Birlagram, without producing any justifiable reasons or supporting evidence of the Applicant's apprehensions against such establishment.
38. That it has been held by the Hon'ble Supreme Court, that the National Green Tribunal must test the *bona fides* and credentials of applicants before permitting them to seek orders which may have far-reaching effects on industry. Absent the requisite disclosures regarding the Applicant's standing or connection to the present matter, there arises no occasion for this Hon'ble Tribunal to entertain the Letter Petition, which appears to be a mere fishing-and-roving exercise against an industry which operates its unit in strict compliance with applicable law, and a vexatious attempt to malign the Respondent No. 5's goodwill.
39. Hence, it is submitted that, by converting the said Letter Petition comprising broad surmises and assumptions of the Applicant herein, to an Original Application against *inter alia* the Respondent No. 5, this Hon'ble Tribunal has permitted the Applicant to abuse the process of this Hon'ble Tribunal, by giving the mandatory procedural provisions of the Act under Section 18 of the Act, read with Rule 8 of the Rules, a complete go-by.

40. That the frivolity of the Letter Petition is obvious, as it baselessly attributes the pollution of the river Chambal to Respondent No. 5, alleging that the unit has been releasing untreated wastewater into the same. That these allegations are rejected in *toto* as being entirely misconceived and completely contrary to the factual record, as the Respondent No. 5 has operated its unit under Zero Liquid Discharge conditions, in strict compliance with the orders of Respondent No. 2, since 2018.
41. That the Respondent No. 5' compliance with applicable norms has been acknowledged by Respondent No. 2 in its report dated 09.10.2020, which clearly negates the meritless claims made by the Applicant in its Letter Petition.
42. That Section 15(3) of the NGT Act categorically provides that applications for grant of relief, compensation and restitution have to be filed within a period of five years from the date on which the cause for such compensation or relief first arose. It is submitted that the Letter Petition suffers from a patent infirmity, as it fails to disclose the date on which the cause to bring the same first arose, and hence, it cannot be claimed that the said Original Application is within the limitation period.
43. That even if it is assumed without admitting, that the instant Original Application constitutes a dispute in terms of Section 14 of the Act, it has been filed well beyond the prescribed limitation period.

PRELIMINARY OBJECTIONS TO THE IMPUGNED REPORT***That the imposition of EC is violative of the principles of natural justice***

44. That the Impugned Report records conclusive findings of non-compliance against the Respondent No. 5, even though no opportunity of being heard was granted to the Respondent No. 5, prior to its issuance. The denial of such hearing constitutes a clear violation of the principle of *audi alteram partem*, which mandates that no person shall be condemned without being afforded a reasonable and meaningful opportunity of being heard.
45. It is submitted that the right to a fair hearing is not an empty formality, but a substantive safeguard against injustice and arbitrary decision-making, and that this Hon'ble Tribunal has in numerous judgments, reinforced that whenever any direction is issued by a statutory regulator for imposition of EC, it must observe, comply with and strictly follow the principles of natural justice.
46. As such, the Joint Committee's failure to provide a hearing to the Respondent No. 5, before making out findings of fault, or pursuing coercive action, renders the instant proceedings fundamentally flawed and illegal. It is humbly submitted that the Impugned Report is liable to be rejected on this ground alone.
47. That further, the imposition of EC on the Respondent No. 5 is *ex-facie* untenable, for want of procedural propriety, as the Impugned Report has been prepared by the Joint Committee without following a fair and unjust process.
48. It is settled law, that the decision of an administrative or quasi-judicial authority must be recorded in the form of a speaking order, mandatorily disclosing the reasons for which a particular conclusion is arrived at by the authority. Further, such reasons must have a nexus and should deal with the grounds which have been raised before the authority, by the affected party. Accordingly, the Joint Committee was required to apply its mind to all evidence adduced and contentions raised before it, prior to recording any conclusive findings against the Respondent No. 5.

49. That in the present matter, the Impugned Report constitutes a non-speaking order, which fails to disclose the Joint Committee's reasons behind imposing the arbitrary EC on the Respondent No. 5.
50. The Impugned Report ignores clear evidence of the Respondent No. 5's compliance, as filed before this Hon'ble Court by Respondent No. 2 itself, *vide* its report dated 09.10.2020. That to the shock and surprise of the Respondent No. 5, the Impugned Report even confounds its own observations, justifying the Respondent No. 5's purported non-compliance with the Respondent No. 2's directions dated 13.05.2020, which have been recorded under the 'Remarks' column of the said report.
51. That in addition to the above materials, the Impugned Report completely fails to take into account Respondent No. 5's letters dated 06.07.2020 and 23.10.2020, whereby Respondent No. 5 raised its contemporaneous objections to the directions dated 13.05.2020 before the CPCB and Respondent No. 2 respectively. *Vide* the said letters, the Respondent No. 5 had beseeched the authorities to communicate their confirmation regarding the identification of HCl as a by-product of Respondent No. 5's manufacturing processes.
52. Most importantly, the Impugned Report remains completely silent on the reasons adopted by the Joint Committee to reject such compelling evidence, in complete derogation of the principles of natural justice and fair hearing.

The Impugned Report suffers from non-application of mind and is arbitrary

53. That the Impugned Report severely suffers from an abject non-application of mind, as it imposes EC on the Respondent No. 5 where no pollution has occurred. That at the very outset, without prejudice to anything to the contrary contained herein, and for valid reasons which shall be set out hereinbelow, the alleged violation for which EC has been imposed does not pertain to any findings of fault with respect to non-compliance of any condition(s) of the

existing statutory clearances granted to Respondent No. 5, and at most the Respondent No. 5 has merely failed to implement the procedural directions of Respondent No. 2 which were issued to improve the monitoring of pollution indices of the Respondent No. 5's unit. As such, the purported non-compliance with such directions would not by itself validate the recovery of costs for the restoration of the environment, especially where no harm or damage has been occasioned to the environment by the Respondent No. 5.

54. That even so, by imposing EC on Respondent No. 5 for alleged non-compliance with the Respondent No. 2's directions *qua* inclusion of HCl in the authorization under the Hazardous Waste Rules, the Joint Committee has failed to appreciate its own observations wherein it has been stated that the issue of inclusion of HCl as a by-product acid in the hazardous waste authorization is pending before the CPCB. That the Joint Committee has outrightly failed to appreciate that Respondent No. 5 predominantly utilizes the HCl being produced as a by-product from the Chlor Alkali manufacturing process, for the production of certain Value-added Product (VAP), while the remaining HCl is being supplied to other end user customers in tankers that are equipped with GPS-based tracking and online control through control tower. The imposition of EC on an issue which in itself is pending before the CPCB for consideration, is manifestly arbitrary, especially when such pendency is acknowledged by the Joint Committee in the same Impugned Report.
55. That further, the Impugned Report completely ignores the fact that the CPCB has, at all times, access to the OCEMS installed by the Respondent No. 5 at its unit, which would clearly evince the Respondent No. 5's compliance with applicable environmental norms, including any parameters prescribed by Respondent No. 2 in the CTO and Hazardous Waste Authorization accorded to the unit, during the entire Monitoring Period.

56. That it is settled that before arriving at a conclusive finding against an affected party, the authority imposing liability on such a party must employ a fair and justifiable process, by mandatorily considering all evidence adduced before it. That even if such evidence or grounds stand to be rejected, an adjudicatory authority must necessarily disclose the reasons for their rejection, failing which, the entire process would be vitiated for being contrary to the established principles of natural justice and fair hearing.
57. That as such, it is submitted that the imposition of EC on the Respondent No. 5 is patently illegal, as the Impugned Report is non-speaking and arbitrarily assesses an EC of INR 75,60,000, against Respondent No. 5, for purported non-compliance with Respondent No. 2's directions dated 13.05.2020. Such imposition has been done without disclosing the factual basis or the reasoning adopted by the Joint Committee in coming to such findings. Further the Impugned Report has been prepared without application of mind by the Joint Committee, as it does not address or in any manner, deal with the Respondent No. 5' submissions or any evidence confirming the Respondent No. 5' compliance with applicable law.

That the Impugned Report exceeds the Joint Committee's mandate

58. That without prejudice, the attention of this Hon'ble Tribunal is brought to its order dated 12.10.2020, by way of which the Joint Committee came to be constituted, and received its terms-of-reference, an excerpt of which is reproduced as under:

“5. *In view of above, it appears to be necessary to take remedial action not only for preventing future pollution but also by recovering the cost of damage already caused, following due process of law. It has to be ensured that no polluted effluent or sewage is discharged in a water body, which is a criminal offence. The restoration plan has to be prepared and executed,*

utilising the compensation recovered, associating the community or suitable agencies. The restoration plan may relate to environment quality in the area and water quality of the river stretch in question. Health survey be conducted for requirement of potable water and improvement of ground water quality. Steps to be taken may include setting up of STPs, in-situ remediation of drains joining the river, creation of biodiversity parks. For this purpose, we direct constitution of a joint Committee of CPCB, State PCB and District Magistrate, Ujjain. State PCB will be nodal agency for coordination and compliance. The Committee will be free to take assistance from any other expert or organisation.”

59. That by way of the said order, the Hon’ble Tribunal clearly directed the constitution of the Joint Committee, for the purposes of *inter alia* remediation of the pollution of the subject river stretch, and for the recovery of cost of pollution that has already been caused, following the due process of law. It is submitted that the EC on the Respondent No. 5, has not been determined for any alleged past pollution or damage caused by the Respondent No. 5, but for non-compliance with mere procedural directions issued by the Respondent No. 2. That pertinently, the specific directions *qua* inclusion of HCl within the authorization under the Hazardous Waste Rules, do not bear any correlation with the past activities of the Respondent No. 5, or any pollution of the river stretch.
60. That it is submitted that the imposition of EC under the Impugned Report is in complete derogation of the scope and mandate of the Joint Committee contemplated by the Hon’ble Tribunal’s order, as it does not produce any evidence demonstrating that the Respondent No. 5’ alleged non-compliance with the above directions has led to any pollution of the river stretch.

The levy of EC is arbitrary and baseless

61. That it is submitted that the imposition of EC under the Impugned Report is legally untenable as it suffers from abject opacity and manifest arbitrariness.
62. That, the Impugned Report arbitrarily levies EC upon the Respondent No. 5, for a period of 252 days of non-compliance, beginning on 13.05.2020, the date on which Respondent No. 2 issued its directions to the Respondent No. 5, for failure to include HCl within its hazardous waste authorization. It is submitted that in doing so, the Joint Committee has failed to understand that the period of the alleged non-compliance, if any, cannot begin from the very date of issuance of the direction, without affording the Respondent No. 5 reasonable time to comply with the same. That the subject directions were freshly issued to the Respondent No. 5 only on 13.05.2020, and it cannot be expected of the industries to have ensured compliance therewith on the same date.
63. That the Impugned Report mentions broad parameters laid down by the CPCB under the Report of the CPCB In-house Committee on the Methodology for Assessing EC and Action Plan to Utilize the Fund dated 15.07.2019 (“**CPCB Report**”) and calculates the same based on *inter alia* the factors of Pollution Index of the industry and the number of days on which the violation took place.
64. That evidently, the Impugned Report has failed to consider Clause 1.3 of the said CPCB Report, whereunder the general cases that are considered for the levy of EC are listed out. It is submitted that in terms of Clause 1.3.1 of the CPCB Report, it is clearly provided that Pollution Index may be used as a basis to levy EC, in the following limited circumstances:
 - a) Discharges in violation of consent conditions, mainly prescribed standards / consent limits;

- b) Not complying with the directions issued, such as direction for closure due to non-installation of OCEMS, non-adherence to the action plans submitted etc;
 - c) Intentional avoidance of data submission or data manipulation by tampering the Online Continuous Emission / Effluent Monitoring systems.
65. That it is submitted that the present matter does not fall within any of the narrowly circumscribed grounds under which the levy of EC is permissible, as the directions dated 13.05.2020 issued by the Respondent No. 2 do not relate to any actual pollution being caused by the Respondent No. 5, and that the Respondent No. 5's compliance in this regard is duly acknowledged by the Joint Committee, and under the Action-Taken Report filed by Respondent No. 2 dated 09.10.2020.
66. That at no stage in the instant proceedings, has the Respondent No. 2 or the Joint Committee presented any evidence that would bring such directions within the scope of category 'b' above, and hence, the assessment of EC based on the Pollution Index of the Respondent No. 5 for alleged non-compliance with procedural directions is unwarranted.
67. That it is submitted, that the Joint Committee purports to impose uniform EC on both, the Respondent No. 5, as well as Respondent No. 4, i.e., Grasim Industries Limited (Staple Fibre Division). That without prejudice to the foregoing submissions, it is submitted that such uniform imposition is manifestly arbitrary, as it does not take into account or in any way base the levy on the extent of pollution purportedly caused by the Respondent No. 5's unit by way of its purported non-compliance.

68. That the mechanical imposition of penalties on the Respondent No. 5 by the Joint Committee, based on an assumed start-date of violation, without any cogent basis in law or fact to support the same, and in clear contradiction to reliable independent evidence demonstrating the Respondent No. 5' compliance, evince the casual and perfunctory approach employed by the Joint Committee, thereby rendering the said determination of non-compliance and consequent computation of EC completely invalid.

Direction for inclusion of HCl as a hazardous waste runs contrary to the scheme of the Hazardous Waste Rules

69. That it is submitted that the very issuance of a direction by Respondent No. 2, for the inclusion of HCl under the hazardous waste authorization, runs entirely contrary to the scheme and object of the Hazardous Waste Rules.
70. That the Hazardous Waste Rules define “waste” under Sub-Rule 38 of Rule 3, as:

38. “waste” means materials that are not products or by-products, for which the generator has no further use for the purposes of production, transformation or consumption.

Explanation.—for the purposes of this clause,

- (i) *waste includes the materials that may be generated during, the extraction of raw materials, the processing of raw materials into intermediates and final products, the consumption of final products, and through other human activities and excludes residuals recycled or reused at the place of generation; and*
- (ii) *by-product means a material that is not intended to be produced but gets produced in the production process of intended product and is used as such;*

71. That it must be noted at the very outset, that the above definition of waste, explicitly excludes materials that are products or by-products, for which the generator of such waste has no further use. That further, the Clause (ii) to the explanation to the same provides, that by-products include such materials which are not originally intended to be produced in the production process of the intended product but are used as such.
72. That in terms of Sub-Rule 17 of Rule 3 under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 (“**Hazardous Waste Rules**”), “hazardous waste” has been defined as under:
- ...any waste which by reason of characteristics such as physical, chemical, biological, reactive, toxic, flammable, explosive or corrosive, causes danger or is likely to cause danger to health or environment, whether alone or in contact with other wastes or substances, and shall include— (i) waste specified under column (3) of Schedule I; (ii) waste having equal to or more than the concentration limits specified for the constituents in Class A and Class B of Schedule II or any of the characteristics as specified in Class C of Schedule II; and (iii) wastes specified in Part A of Schedule III in respect of import or export of such wastes or the wastes not specified in Part A but exhibit hazardous characteristics specified in Part C of Schedule III;*
73. That further, in terms of Rule 6 of the Hazardous Waste Rules, every occupier of a facility who is engaged in handling, generation, collection, storage, packaging, transportation, use, treatment, processing, recycling, recovery, pre-processing, co-processing, utilisation, sale, transfer or disposal of hazardous wastes, must necessarily obtain an authorization for such activity(s), from the relevant State Pollution Control Board.

74. It is humbly submitted that the HCl generated by the Respondent No. 5's unit, falls squarely within the latter definition, as while it is produced by the Respondent No. 5 in the production process of Chlor Alkali and Chlorine derivative products, it is utilized by Respondent No. 5.
75. That the Chemical Division of Respondent No. 5 has provided for requisite facilities at its plant for the environmentally sound management and utilization of HCl that is generated from the plant in the normal course of its business. That 65% of the produced HCl is used by the Respondent No. 5 for the manufacture of certain 'value-added products', including Poly Aluminium Chloride, Calcium Chloride and Chor Sulphonic Acid, and in the acidification and pH control of certain chemical processes at the Plant. As such, the Plant manages the captive consumption of the same, as the above processes do not involve any resultant production/ co-production or generation of HCl during their lifecycle.
76. That the remaining HCl is supplied by Respondent No. 5 to various reputed end user customers across India, which is transported by the Chemical Division in strict compliance with applicable environmental norms, including the equipment of tankers with GPS systems and the tracking of such transport vehicles from the factory to the end-consumer.
77. That EIA Report and EMP was prepared by the Respondent No. 5 in respect of its EC application, both of which were duly approved by the Expert Appraisal Committee constituted under the EIA Notification. The MoEF&CC has expressly granted its approval for the co-production of HCl, subject to the Chemical Division's compliance with the terms and provisions thereof, by way of the EC issued to Respondent No. 5. That, the said Environmental Clearance further stipulates the requirement for the Chemical Division to undertake waste minimization measures, including *inter alia* reuse of by-products from the process as raw materials or as raw material-substitutes in other processes. Further, under the CTO granted to the Respondent No. 5, the generation of

HCl as a by-product, has been duly consented to by Respondent No. 2. Hence, it is submitted that the Respondent No. 5 has undertaken substantial due diligence to ensure that its production of HCl as a by-product is in compliance with applicable laws.

78. That additionally, as stated hereinabove, the HCl manufactured by Respondent No. 5 squarely conforms with all parameters specified under IS: 265, and does not require any further processing for use by Respondent No. 5 or its end-consumers to whom the HCl is supplied in an environmentally sound and scientific manner.
79. That in view of the foregoing due diligence undertaken by Respondent No. 5, and the categorical approval accorded to it by the statutory authorities, it can be gainfully said that the HCl generated by the Respondent No. 5 can be classified as a by-product of its processes. That, as stated hereinabove, the Respondent No. 5 has been repeatedly representing the above stated position before Respondent No. 2 and the CPCB, but to no avail.
80. That further, it is submitted that HCl has not been included and does not fall within any of the Schedules to the said Hazardous Waste Rules. Hence, HCl cannot be considered to be a waste, for the handling of which the Chemical Division of the Respondent No. 5 would be required to obtain an authorisation from Respondent No. 2, under Rule 3(17) read with Rule 6 of the said rules.
81. That in any event, the Respondent No. 5 has at all times during the Monitoring Period, been in strict compliance with all applicable environmental laws, and the conditions of its statutory permissions and consents. In this regard reliance is placed on the report dated 09.10.2020 prepared by JM-EnviroLab Pvt. Ltd. (a laboratory approved by the MoEF&CC) analysing samples collected from the Effluent Treatment Plant of the Respondent No. 5, which categorically observes that the effluents collected and analysed from the final outlet and valves were in compliance with the permissible limits prescribed by CPCB. The said report has already been annexed herewith as Annexure R – 5.

82. In view of the submissions made hereinabove, it must be noted that the Impugned Report fails to appreciate that environmental law, like other laws, is dynamic in nature and the Respondent No. 5 has kept with the times by either adopting the most advanced technology in the interest of sustainable development by their own volition, or pursuant to directions issued by Respondent No. 2. That even otherwise, the Respondent No. 5 has successfully undertaken to comply, on a best-efforts basis, with all the directions issued by Respondent No. 2, to the extent the Respondent No. 5 was legally and logistically permitted.
83. Further, that any purported failure to comply with the directions dated 13.05.2020, does not by any stretch of the imagination counteract the compliance that the Respondent No. 5 has ensured, and the commitment of the Respondent No. 5 towards sustainable development is clear from its constant endeavour to improve and update its systems in terms of the guidance provided to it by the Respondent No. 2, and other statutory authorities from time to time.
84. That such frivolous litigation, if permitted by this Hon'ble Tribunal, would have serious and wide-scale ramifications for the Respondent No. 5's industry, despite it being a law abiding and responsible company. Any coercive action against the Respondent No. 5, as sought in the Letter Petition, based on entirely fictitious allegations and grounds would not only have financial implications for the management thereof, but would also have an adverse impact on the livelihood of the workers employed by the Respondent No. 5, as well as their families. Therefore, the instant Original Application deserves to be dismissed at the very threshold with costs.
85. In view of the foregoing submissions, it is humbly prayed that the subject Impugned Report be rejected, and the instant Original Application be dismissed with exemplary costs.

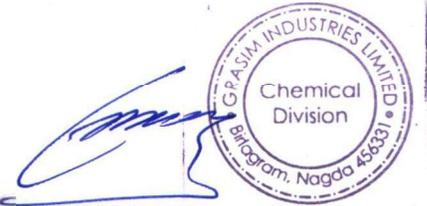
RESPONDENT NO. 5
GRASIM INDUSTRIES LIMITED (CHEMICAL DIVISION)

Through Counsel

Rajat Jariwal
[D/1402/2005]
TRILEGAL
Advocate for the Respondent 5
1st Floor, Wing A & B, Prius Platinum, D-3, Saket District Centre,
New Delhi – 110017
Email Id: rajat.jariwal@trilegal.com
Tel: 011 41639393/ Mobile: +91 9910348181

PLACE: NEW DELHI

DATED: 10 SEPTEMBER 2025



RESPONDENT NO. 5
GRASIM INDUSTRIES LIMITED (CHEMICAL DIVISION)

THROUGH COUNSEL

A handwritten signature in blue ink, appearing to read "Rajat Jariwal", is written over a horizontal line.

RAJAT JARIWAL

[D/1402/2005]

Trilegal

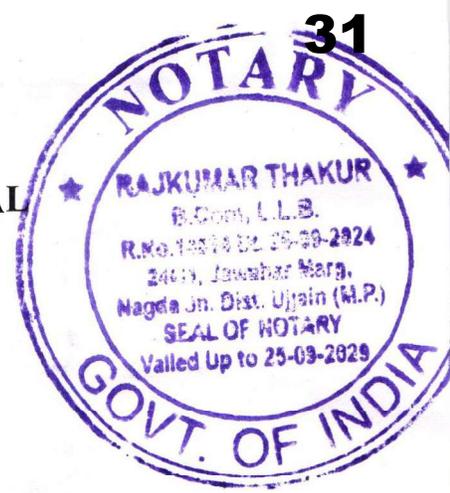
Advocates for the Respondent No. 5
Ground Floor, Wing A & B, D3 Prius Platinum,
District Centre, Saket, New Delhi 110017
E-mail id: rajat.jariwal@trilegal.com

Contact No.: +91-9910348181

DATE: 10 SEPTEMBER 2025
PLACE: NEW DELHI

1000

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 875 OF 2019



IN THE MATTER OF:

SHANKARLAL PRAJAPAT

...APPLICANT

VERSUS

STATE OF MADHYA PRADESH & ORS.

...RESPONDENT (S)

AFFIDAVIT IN SUPPORT OF THE REPLY

I, Sagar Mal Khadda, aged 49 years, son of Shri Bodu Ram, resident of Chemical Staff Colony Birlagram, Nagda, Madhya Pradesh 456331, working as Assistant General Manager with the Respondent No.5, do hereby solemnly affirm and state as under:

1. That I am the Authorized representative of the Respondent No. 5 abovenamed and as such am conversant with the facts of the case from the documents and records maintained by the Respondent No. 5. I am as such competent to depose the present Affidavit.
2. That I have read and understood the contents of the Reply which has been drafted under my instructions and state that the contents thereof are true and correct to my knowledge, as derived from the records maintained by the Respondent No. 5 and on the basis of the legal information received and believed to be true.

09 SEP 2025

ATTESTED
R.K. Thakur
(Rajkumar Thakur)
NOTARY
District Ujjain Teh. Nagda



1002

3. That the contents of the present affidavit are true and correct and nothing material has been concealed therefrom.


DEPONENT

VERIFICATION

I, the Deponent above named, do hereby verify that the contents of foregoing affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

Verified at Nagda (M.P.) on this 9th day of September, 2025.

Rajkumar Thakur Notary Only
appointed and authorized under Statutes
Act. 53 of 1952 and various Rules 20 of the
1956 Residing at MAGDA do hereby Certify that



Place
Dist. Ujjain Teh. Nagda Jn. (M.P.)
Time 10.45 A.M. at Serial No. 8 (763)


DEPONENT

SOWN BEFORE ME

Date 09 SEP 2025

Identified by 21991421

Adhar Card No. 896849930362

to Verified 212148419 and

ATTESTED

(Rajkumar Thakur)
NOTARY
District Ujjain Teh. Nagda

09 SEP 2025



1003

2024 INSC 926

NON-REPORTABLE

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NOS. 1711-1712 OF 2021

GRASIM INDUSTRIES LIMITED **...APPELLANT(S)**

VERSUS

**THE STATE OF MADHYA PRADESH
AND ANOTHER** **...RESPONDENT(S)**

WITH

CIVIL APPEAL NO. 5158 OF 2021

J U D G M E N T

B.R. GAVAI, J.

CIVIL APPEAL NO(S). 1711-1712/2021

1. These appeals challenge the order dated 07.04.2021 passed by the National Green Tribunal (NGT), vide which the NGT has held that the appellant had committed a violation of the provisions of Environment Protection Act. The Court found that the appellant had failed to install the online flow meter in CS2 stacks to quantify the CS2 emissions. It also found that the acid produced which is a by-product of the process employed by the appellant was hazardous to the

environment. The NGT, therefore, on different counts imposed penalty of Rs.75,00,000/- each.

2. We have heard Shri Neeraj Kishan Kaul, learned senior counsel for the appellant and Shri Raghav Sharma, learned counsel appearing for Respondent No.1/State of Madhya Pradesh through Madhya Pradesh Pollution Control Board and Shri Rahul Pratap, learned counsel appearing for Respondent No.2.

3. Though, Shri Neeraj Kishan Kaul, learned Senior Counsel, submits that there is no violation as found by the learned NGT, we find that the present appeals deserve to be allowed on the following short ground.

4. After the NGT entertained the O.A. on the basis of the letter addressed by Respondent No.1, it initially directed the plant of the appellant to be examined by the State Pollution Control Board. After the receipt of the report of the State Pollution Control Board, the Court appointed a Joint Committee to give its report. The said Joint Committee made certain recommendations and the NGT passed the impugned order on the basis of the said recommendations.

5. The material placed on record would also reveal that the

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appellant herein was not made a party to the proceedings before the learned NGT or before the Joint Committee. Though an application for impleadment was filed by the appellant, the same was rejected by the learned NGT.

6. It further appears that even the Joint Committee appointed by the NGT neither gave any notice to the appellant nor an opportunity was given of being heard. Though, this objection was specifically taken by the appellant, the NGT observed “We asked the learned Counsel whether the stand of the unit is that the violations found never existed or whether they existed but have been remedied. His answer is later. It is patent that there were violations”.

7. It is thus clear that the procedure followed by the learned NGT was totally unknown to the settled principles of natural justice.

8. Neither was any notice given by the Joint Committee before giving an adverse report against the appellant nor the NGT permitted impleadment of the appellant as a party respondent. As a matter of fact, the NGT could not have proceeded further with the matter even at the initial stage

without impleading the appellant herein as a party respondent. The approach adopted by the NGT clearly smacks of condemning a person unheard. A reliance in this respect should be placed on the judgment of this Court in the case of ***Municipal Corporation of Greater Mumbai v. Ankita Sinha and Others***¹.

9. Another glaring error that has been committed by the NGT is that it has based its decision only on the basis of the report of the Joint Committee. The NGT is a tribunal constituted under the National Green Tribunal Act of 2010. A tribunal is required to arrive at its decision by fully considering the facts and circumstances of the case before it. It cannot outsource an opinion and base its decision on such an opinion. A reliance in this respect should be placed on the judgment of this Court in ***Kantha Vibhag Yuva Koli Samaj Parivartan Trust and Others v. State of Gujarat and Others***².

10. In that view of the matter, the impugned orders are not sustainable, the same are quashed and set aside and the matters are remitted back to the learned NGT for considering

¹ (2022) 13 SCC 401 : 2021 INSC 624

² 2022 SCC OnLine SC 120 : 2022 INSC 79

the matters afresh.

11. Needless to state that if the NGT decides to proceed further on the basis of the complaint of Respondent No.1, it shall not do so unless the appellant herein is impleaded as a party respondent.

12. With these observations and directions, the appeals are allowed.

13. Pending application(s), if any, shall stand disposed of.

CIVIL APPEAL NO. 5158 OF 2021

1. The facts in the present case are almost similar or rather more glaring than the facts in Civil Appeal Nos. 1711-1712 of 2021. In the present appeals the complainant (Respondent No.2 herein) had not even mentioned the name of the present appellant. However, the learned National Green Tribunal (NGT) on the basis of the Report of the Joint Committee imposed penalty of Rs.82.2 Lacs and Rs.75.6 Lacs for violation of environment laws on two counts.

2. In the appeal arising out of the same common order we have found that the approach of the NGT in deciding the matter without impleading an affected party and passing its

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decision on an outsourced opinion of the experts is not permissible on the ground of violation of principle of natural justice.

3. In that view of the matter, we are inclined to allow this appeal.
4. The impugned order is quashed and set aside and the matter is remitted back to the learned NGT for considering the matter afresh.
5. The appeal is accordingly allowed.
6. Pending application(s), if any, shall stand disposed of.

.....J.
(B.R. GAVAI)

.....J.
(K.V. VISWANATHAN)

**NEW DELHI;
NOVEMBER 27, 2024.**

Item No. 08

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 875/2019

Shankarlal Prajapat

Applicant

Versus

State of Madhya Pradesh & Ors.

Respondent(s)

Date of hearing: 07.05.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Respondent: Mr. Rajat Jariwal, Ms. Prerna Singh & Mr. Dev Vijay Chand, Advs. for R - 4 & 6
Mr. T.G. Narayanan Nair, Mr. Manish Nair, Mr. Gaurav Singh Chouhan & Ms. Samynktha H. Nair, Advs. for R - 6
Mr. Raghav Sharma, Adv. for MP PCB (Through VC)

ORDER

1. By the order dated 27.01.2025, the necessary parties were impleaded and noticed.
2. Learned Counsel appearing for the Respondents No. 4 to 6 seek six weeks' time to file the reply.
3. The parties are permitted to complete the pleadings within 8 weeks.
4. List on 12.09.2025.

Prakash Shrivastava, CP


TRUE COPY

Dr. A. Senthil Vel, EM



M.P. Pollution Control Board

E-5, Arera Colony Paryavaran Parisar, Bhopal - 466016 MP Tele : 0755-2466191, Fax-0755-2463742



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Consent Order

RED-LARGE

CCA-Renewal

PCB ID: 25471

To,

The Occupier,

Outward No:- ~~121678-12/11/2024~~
M/S. Grasim Industries Ltd., (Chemical Division),

Consent No:AW-61343

Survey No.-22/1, Birlagram Nagda, Industrial Area Mehatwas,
Tal : Nagda, Dist : Ujjain (M.P.)- 456331

Subject: Grant of Renewal of Consent to Operate under section 25 of the Water (Prevention & Control of Pollution) Act,1974 under section 21 of the Air (Prevention & Control of Pollution) Act,1981

Ref: Your Application Receipt No. 1397319 Dt. 18/09/2024 and last communication received on Dt. 23/10/2024

With reference to your above application for Renewal of consent to operate has been considered under the aforesaid Acts and existing rules therein. The M. P. Pollution Control Board has agreed to grant consent up to **31/01/2027**, subject to the fulfillment of the terms & conditions, enclosed with this letter and-

SUBJECT TO THE FOLLOWING CONDITIONS :-

- Location: Survey No.-22/1, Birlagram Nagda, Industrial Area Mehatwas, Tal : Nagda, Dist : Ujjain (M.P.)- 456331
Latitude : 23.4408 Longitude : 75.4091
- The capital investment: Rs. 1032.35 Crs
- Product & Production Capacity:

S. No.	Product	CCA Qty / year
1.	Caustic Soda Lye	3,00,000.0 M.T
2.	Chlorine	2,39,111.0 M.T
3.	Hydrogen	7480.0 M.T
4.	Sodium Hypo	59,470.0 M.T
5.	Hydrochloric Acid	87,800.0 M.T
6.	Compressed Hydrogen	1070.0 M.T
7.	Stable Bleaching Powder	43800.0 M.T
8.	Poly Aluminium Chloride	36,500.0 M.T
9.	Chloro Sulphonic Acid	23,400.0 M.T
10.	Chlorinated Paraffin Wax	27,000.0 M.T
11.	Calcium Chloride	54,000.0 M.T
12.	Carbon Di Oxide	23,760.0 M.T
13.	DG – Set (Electricity Generation)	2X 2000KVA

Note :-

- For any change in above industry shall obtain fresh consent from the board.
- This consent is being granted without prejudice to the Criminal proceeding pending against the industry in the Court of Law. This consent in no way be taken as measures of proof that the industry has not violated any pollution control laws at any time in the past. Hence, whatsoever may be decision of the Hon'ble Court shall be binding to the industry and this Board.
- The hydrochloric acid generated from air pollution control arrangement shall be treated as hazardous waste and same shall be handled and transported as per category 33.1 of the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 and need to obtain permission under Rule 9 even used or treated within the plant.

The Validity of the consent is up to **31/01/2027** and has to be renewed before expiry of consent validity. Online application through XGN with annual license fees in this regard shall be submitted to this office 6 months before expiry of the consent/Authorization. Board reserves the right to amend/cancel / revoke the above condition in part or whole as and when required.

Enclosures:-

- * Conditions under Water Act
- * Conditions under Air Act



(Organic Authentication on AADHAR from UIDAI Server)
TPAV # 85NFW38WQO

Signature Not Verified
Digitally Signed by : A. A
Mishra, Member Secretary
Date: 12/11/2024 02:56:27 PM

By the order of Chairman, MPPCB

ACHYUT ANAND MISHRA
Member Secretary

TRUE COPY

1. The daily quantity of trade effluent of the unit shall not exceed **475.0 KLD/day**, and the daily quantity of sewage of the unit shall not exceed **60.0 KLD/day**.

1011

2. Trade Effluent Treatment:-

The applicant shall operate comprehensive effluent treatment system including ETP, RO MEE & Dryer to remain Zero Liquid Discharge (ZLD) and in case of accidental discharge the waste shall be treated properly to achieve following standards

pH	Between	5.5 – 9.0	TDS	Not exceed	2100 mg/l.
Suspended Solids	Not exceed	100 mg/l.	Chlorides	Not exceed	1000 mg/l.
BOD ₃ Days 27 °C	Not exceed	30 mg/l.			
COD	Not exceed	250 mg/l.			
Oil and grease	Not exceed	10 mg/l.			

For other parameters general standards of discharge as notified under EP Act 1986 notified by MPPCB from time to time shall be applicable

3. Sewage Treatment :-

The applicant shall provide comprehensive sewage treatment system and maintain the same properly to achieve following standards-

pH	Between	6.5 – 9.0
Suspended Solids	Not exceed	100 mg/l.
BOD ₃ Days 27 °C	Not exceed	30 mg/l.
COD	Not exceed	250 mg/l.
Oil and grease	Not exceed	10 mg/l.
Fecal Coliform (MPN/100ml)	Not exceed	1000

4. The effluent shall be treated up to prescribed Standards and reuse in the process, for cooling and for green belt devolvement/gardening within premises. Hence **zero discharge condition** shall be practiced. In no case treated effluent shall be discharged outside of industry/unit premises.

5. Water meter preferably electromagnetic/ultrasonic type with digital flow recording facilities shall be installed separately for category wise consumption of water for Industrial cooling/boiler feed, process & domestic purposes and data shall be submitted online through XGN monthly patrak/statements. The industry/unit shall also monitor the treated wastewater flow and report the same online through monthly patrak/statements.

Sr	Water Code (Qty in KLD)	WC : 3293.0	WWG 493.0	Water Source
1	Cooling Water	1510.0	345.0	Local Body
2	Domestic Purpose	93.0	60.0	Local Body
3	Manufacturing Process	1690.0	88.0	Local Body

6. Any change in production capacity, process, raw material used etc. and for any enhancement of the above prior permission of the Board shall be obtained. All authorized discharges shall be consistent with terms and conditions of this consent. Facility expansions, production increases or process modifications which result new or increased discharges of pollutants must be reported by submission of a fresh consent application for prior permission of the Board.

7. All treatment/control facilities/systems installed or used by the applicant shall be regularly maintained in good working order and operate effectively/efficiently to achieve compliance of the terms and conditions of this consent

8. The specific effluent limitations and pollution control systems applicable to the discharge permitted herein are set forth as above conditions.

9. Compilation of Monitoring data-

- i. Samples and measurements taken to meet the monitoring requirements specified above shall be representative of the volume and nature of monitored discharge.
- ii. Following promulgation of guidelines establishing test procedures for the analysis of pollutants, all sampling and analytical methods used to meet the monitoring requirements specified above shall conform to such guidelines unless otherwise specified sampling and analytical methods shall conform to the latest edition of the Indian Standard specifications and where it is not specified the guidelines as per standard methods for the examination of Water and Waste latest edition of the American Public Health Association, New York U.S.A. shall be used.
- iii. The applicant shall take samples and measurement to meet the monthly requirements specified above and report online through XGN the same to the Board.

10. Recording of Monitoring Activities & Results-

- i. The applicant shall make and maintain online records of all information resulting from monitoring activities by this Consent.
- ii. The applicant shall record for each measurement of samples taken pursuant to the requirements of this Consent as

follows:

- (i) The date, exact place and time of sampling
- (ii) The dates on which analysis were performed
- (iii) Who performed the analysis?
- (iv) The analytical techniques or methods used and
- (v) The result of all required analysis

iii. If the applicant monitors any Pollutant more frequently as is by this Consent he shall include the results of such monitoring in the calculation and reporting of values required in the discharge monitoring reports which may be prescribed by the Board. Such increased frequency shall be indicated on the Discharge Monitoring Report Form.

iv. The applicant shall retain for a minimum of 3 years all records of monitoring activities including all records of Calibration and maintenance of instrumentation and original strip chart regarding continuous monitoring instrumentation. The period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the applicant or when requested by Central or State Board or the court.

11. Reporting of Monitoring Results:-

Monitoring Information required by this Consent shall be summarized and reported by submitting a Discharge Monitoring report on line to the Board.

12. Limitation of discharge of oil Hazardous Substance in harmful quantities:-

The applicant shall not discharge oil or other hazardous substances in quantities defined as harmful in relevant regulations into natural water course. Nothing in this Consent shall be deemed to preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities, or penalties to which the applicant is or may be subject to clauses.

13. Limitation of visible floating solids and foam:

During the period beginning date of issuance the applicant shall not discharge floating solids or visible foam.

14. Disposal of Collected Solid waste/sludge-

All hazardous waste/sludge shall be disposed of as per the Authorization issued under Hazardous & other waste (M&TM) Rules 2016. And/other Solids Sludges, dirt, silt or other pollutant separated from or resulting from treatment shall be disposed of in such a manner as to prevent any pollutant from such materials from entering any such water. Any live fish, Shell fish or other animal collected or trapped as a result of intake water screening or treatment may be returned to eaters body habitat.

15. Provision for Electric Power Failure-

The applicant shall assure to the consent issuing authority that the applicant has installed or provided for an alternative electric power source sufficient to operate all facilities utilized by the applicant to maintain compliance with the terms and conditions of the Consent.

16. Prohibition of By pass system of treatment facilities-

The diversion or by-pass of any discharge from facilities utilized by the applicant to maintain compliance with the terms and conditions of this Consent is prohibited except:

- i. where unavoidable to prevent loss of life or severe property damage, or
- ii. Where excessive storm drainage or run off would damage any facilities necessary for compliance with the terms and conditions of this Consent. The applicant shall immediately notify the consent issuing authorities in writing of each such diversion or by-pass in accordance with the procedure specified above for reporting non-compliance.

17. Industry management shall submit the information online through XGN in reference to compliance of consent conditions.

18. In case of any discharge found outside of unit premises the unit may be liable to pay environmental compensation as per NGT orders O.A. no 593/2017 dated 22.02.2021 and the industry shall be punishable or court case may be filed by the Board under provisions of the Water (Prevention & Control of Pollution) Act, 1974.

Additional Water condition:-

1. The industry shall take all the effluent through closed conduit to effluent treatment plant and ZLD system and maintain ZLD.
2. Domestic sewage shall be treated in STP up to the prescribed standards and shall be recycled/reused within the plant in process, cooling, gardening etc to remain ZLD unit.
3. The industry shall operate and maintain wastewater flow meter at each unit and inlet of ETP to ensure complete collection of wastewater for treatment.
4. The industry shall operate and maintain CEQMS at inlet of ETP & MEE to monitor TDS, Flow, Chlorides, pH, COD etc and display the same in public domain through web based realtime display Board.
5. The industry shall comply with the industry specific standards notified by the MoEF&CC.

1. The applicant shall provide comprehensive air pollution control system consisting of control equipments as per the proposal submitted to the Board with reference to generation of emission and same shall be operated & maintained continuously so as to achieve the level of pollutants to the following standards:-

Name of section	Capacity	Stack height (m)	Fuel	Control equipment to be installed	Emission standard (mg/NM ³)	CEMS
Caustic unit-I	5.5 m ³ /Hr	32	---	Alkali Scrubber	Chlorine-15	Online real- time emission monitoring systems to be maintained and connected to MPPCB, ESC, Bhopal
	2 m ³ /Hr	34	---	Water Scrubber	HCl mist-35	
	2 m ³ /Hr	34	---	Water Scrubber	HCl mist-35	
Caustic Unit-II	0.5m ³ /Hr	34	---	Alkali Scrubber	Chlorine-15	
	1 m ³ /Hr	34	---	Water Scrubber	HCl mist-35	
	1 m ³ /Hr	34	---	Water Scrubber	HCl mist-35	
Stable bleaching Powder (De-dusting unit)	2 m ³ /hr	30	---	Bag Filter, Cyclone ,Dust Collector, Gravity Settling Chamber, Hood Cover,	PM-50, Cl ₂ -15	
	2 m ³ /hr	30	---	Bag Filter, Cyclone ,Dust Collector, Gravity Settling Chamber, Hood Cover,	PM-50, Cl ₂ -15	
PAC Liquid	3.5 m ³ /hr	34	---	Water Scrubber	HCl Mist-35	
PAC Dryer-I	6 m ³ /hr	34	---	Water Scrubber	HCl Mist-35	
PAC Dryer-II	5.5 m ³ /hr	34	---	Water Scrubber	HCl Mist-35	
Chloro sulphonic Acid	1.5 m ³ /hr	30	---	H ₂ SO ₄ scrubber	SO ₃ -50	
	1.5 m ³ /hr	30	---	Water Scrubber	HCl Mist-35,PM-50	
CPW Plant	5 m ³ /hr	34	---	Water Scrubber	HCl Mist-35	
				Alkali Scrubber	Cl ₂ -15	
Calcium Chloride Plant	5 m ³ /hr	34	---	Water Scrubber	HCl Mist-35	
D.G. Sets	2 x 2000 KVA	30	Diesel	Acoustic enclosure, Muffler	As per CPCB/MoEFCC	

2. The Ambient air quality norms are prescribed in MoEF gazette notification no. GSR/826(E), dated: 16/11/09. Some of the parameters are as follows:

- Particulate Matter (less than 10 micron) - 100 µg/m³ (PM10 µg/m³ 24 hrs. basis)
- Particulate Matter (less than 2.5 micron) - 60 µg/m³ (PM2.5 µg/m³ 24 hrs. basis)
- Sulphur Dioxide [SO₂] (24 hrs. Basis) - 80 µg/m³
- Nitrogen Oxides [NO_x] (24 hrs. Basis) - 80 µg/m³
- Carbon Monoxide [CO] (8 hrs. Basis) - 2000 µg/m³

3. The industry shall take adequate measures for control of noise level generated from industrial activities within the premises less than 75 dB(A) during day time and 70 dB(A) during night time.

4. The industry/unit shall make the necessary arrangements for control of the fugitive emission from any source of emission/section/activities.

5. All other fugitive emission sources such as leakages, seepages, spillages etc shall be ensured to be plugged or sealed or made airtight to avoid the public nuisance.

6. The industry/ unit shall ensure all necessary arrangements for control of odour nuisance from the industrial activities or process within premises

7. All the internal roads shall be made pucca to control the fugitive emissions of particulate matter generated due to transportation and internal movements. Good housekeeping practices shall be adopted to avoid leakages, seepages, spillages etc.

8. Industry shall take effective steps for extensive tree plantation preferably of the local tree species within or around the industry/unit premises for general improvement of environmental conditions and as stated in below.

9. In case of emission found exceeding prescribed standards, the unit may be liable to pay environmental compensation as per NGT orders O.A. no 593/2017 dated 22.02.2021 and the industry shall be punishable or court case may be filed by the Board under provisions of the Air (Prevention & Control of Pollution) Act, 1981.

Additional Air condition:-

- Online real-time emission monitoring systems shall be installed, operated and maintained at all emission points and shall remain connected to MPPCB, ESC, Bhopal all the time. For any break down, immediate intimation shall be sent.
- The industry shall install adequate numbers of the HCl mist & Chlorine detection censors within the plant premises and the same shall be connected to the public display system.

1014

GENERAL CONDITIONS:

1. The non hazardous solid waste arresting in the industry/unit/unit premises sweeping, etc. be disposed off scientifically so as not to cause any nuisance/pollution. The applicant shall take necessary permission from civic authorities for disposal to dumping site. If required.

Non Hazardous Solid wastes:-

Type of waste	Quantity	Disposal
STP Sludge	4.167 MT	Composting and used as manure or land fill after composting
Food Waste	0.833 MT	
Glass Waste	0.167 MT	The materials to be sold to the authorized and consented actual users and the intimation of each dispatch shall be given to the Board
PVC Frills Cooling Tower	0.167 MT	
Paper wastes, Waste Carton, Discarded Poster, Carpet	0.833 MT	
Wooden Waste	8.330 MT	
General Trash/Refuse, Gardening Waste	8.330 MT	
Metal Scrap, Valve & Pipe, Copper & Aluminium Cables	83.330 MT	
Discarded Equipment/machinery	8.330 MT	
Construction and Demolition Waste	83.330 MT	
Other Sludge (Drain & Pit)	25.00 MT	
CaCl2	291.670 MT	It shall be given to the actual users

2. The applicant shall allow the staff of Madhya Pradesh Pollution Control Board and/or their authorized representative, upon the representation of credentials:

- a. To inspect raw material stock, manufacturing processes, reactors, premises etc to perform the functions of the Board.
- b. To enter upon the applicant’s premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this Consent.
- c. To have access at reasonable times to any records required to be kept under the terms and conditions of this Consent.
- d. To inspect at reasonable times any monitoring equipment or monitoring method required in this Consent: or,
- e. To sample at reasonable times any discharge or pollutants.

3. This consent is transferable in nature, in case of any change in ownership / management, the new owner / partner / directors / proprietor shall immediately apply for the consent with new requisite information.

4. The issuance of this Consent does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any invasion of personal rights, nor any infringement of Central, State or local laws or regulations.

5. Industry shall install separate electric metering arrangement for running of pollution control devices and this arrangement shall be made in such fashion that any non functioning of pollution control devices shall immediately stop electric supply to the production and shall remain tripped till such time unless the pollution control device/devices are made functional.

6. This consent is granted in respect of Water pollution control Act 1974 or Air Pollution Control act, 1981 only and does not relate to any other Department/Agencies. License required from other Department/Agencies have to be obtained by the unit separately and have to comply separately as per there Act / Rules.

7. Balance consent fee, if any shall be recoverable by the Board even at a later date.

8. The applicant shall submit such information, forms and fees as required by the board not later than 180 day prior to the date of expiration of this consent.

9. The industry/unit shall establish a separate environmental cell, headed by senior officer of the unit for reporting the environmental compliances. The industry/ Unit shall submit environmental statement for the previous year ending 31st March on or before 30th September every year to the Board.

10. Industry shall obtain membership of Emergency Response Center of the Board if needed.

11. Knowingly making any false statement for obtaining consent or compliance of consent conditions shall result in the imposition of criminal penalties as provided under the section 42(g) of the Water Act or section 38 (g) of the Air Act.

12. After notice and opportunity for the hearing, this consent may be modified, suspended or revoked by the Board in whole or in part during its term for cause including, but not limited to, the following :

- (a) Violation of any terms and conditions of this Consent.

(b) Obtaining this Consent by misrepresentation or failure to disclose fully all relevant facts.
 (c) A change in any condition that requires temporary or permanent reduction or elimination of the authorized discharge.

1015

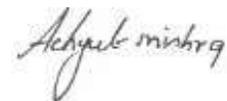
13. On violation of any of the above-mentioned conditions the consent granted will automatically be taken as canceled and necessary action will be initiated against the industry.
14. The industry/unit shall also monitor the treated wastewater flow and report the same online through monthly patrak/statements.
15. The applicant shall take samples and measurement to meet the monthly requirements specified above and report online through XGN the same to the Board.
16. Ambient air quality at the boundary of the industry/unit premises shall be monitored and reported to the Board regularly on quarterly basis
17. The record of electricity consumption for running of pollution control equipment shall be maintained and submitted to the Board every month.

Additional condition:-

1. The Industry shall operate & maintain Outdoor HD Industrial grade IP (Internet Protocol) Cameras with pan-Tilt Zoom (PTZ) feature, minimum focal length 20X with night vision facility and temper proof mechanism at suitable location to display all emission sources and effluent discharge point and connect the same with Environment Surveillance Centre, MP Pollution control board Bhopal for remote surveillance.
2. The industry shall inventories the solid waste generation from the unit and submit the details within one month to the board and update same within 06 months for actual quantities.
3. The industry shall obtain the public liability insurance under Public Liability Act 1991 and shall maintain valid copy of the same.
4. The industry shall maintain valid Onsite Emergency Plan/ Disaster Management Plan duly approved by Department of Industrial Health & Safety.
5. The industry shall obtain membership of Emergency Response Center, MPPCB, Bhopal.
6. The industry shall comply with the all conditions of CREP Charter conditions, EC stipulations issued vide F No. 11011/119/2015- IA-I(I) dated 07/01/2020 and standards notified by Ministry of Environment, Forests and Climate Change, GoI, Dehli under EPA 1986 .
7. The industry shall not be permitted to store the hazardous wastes more than 90 days as prescribed in HOWM Rules, 2016 and firm arrangements shall be made with the end users and copy of MoUs shall be submitted within 03 months to the Board.
8. Based on hazard identification and risk analysis, risk mitigation measures, industry shall ensure all possible efforts with coordinations local bodies to reduce risk and enhance safety at the plant and its surroundings.
9. The industry shall maintain the material balance for each product and submit the same to the Board annually.
10. Information of each Mock drill shall be given to local body, local administration & MPPCB RO, Ujjain atleast 07 days in advance.
11. The fire safety arrangements shall be maintained properly and tested during each mock drill.

Renewal of Consent as required under the Water (Prevention & Control of Pollution) Act, 1974 & The Air (Prevention & Control of Pollution) Act, 1981 is granted to your industry subject to fulfillment of all the conditions mentioned above. For further renewal purpose you shall have to make an application to this Board through XGN at least Six months before the date of expiry of this consent. The applicant without valid consent (for operation) of the Board shall not bring in to use any outlet for the discharge of effluent and gaseous emission.

For and on behalf of
 By the Member Pollution Control Board



ACHYUT ANAND MISHRA
 Member Secretary



(Organic Authentication on AADHAR from UIDAI Server)
 TPAV # 85NFW38WQO



ANNEXURE R – 4

Consent Order 1016

M.P. Pollution Control Board
E-5, Arera Colony
Paryavaran Parisar, Bhopal - 16 MP
Tele : 0755-2466191, Fax-0755-2463742

RED-LARGE

CCA-Expansion

CONSENT NO: ***

PCB ID: 25471

47

Outward No:114665.01/02/2022
NO: /MPPCB/UJJ

Consent No:AWH-55153

To,
The Occupier,
M/s. Grasim Industries Ltd., Chemical Division
Survey No.-22/1, Birlagram Nagda, Industrial Area Mehatwas
Tal : Nagda Dist : Ujjain, Latitude : 23.4373 Longitude : 75.4118

Subject: Grant of Consent to Operate under section 25 of the Water (Prevention & Control of Pollution) Act,1974 & under section 21 of the Air (Prevention & Control of Pollution) Act,1981 and Authorization under Hazardous and other Waste (Management & Transboundary movement) Rules, 2016

Ref: Your Consent to Operate Application Receipt No. 1105555 Dt. 19/01/2022 and last communication received on Dt.27/01/2022

With reference to your above application for consent to operate has been considered under the aforesaid Acts and existing rules therein. The M. P. Pollution Control Board has agreed to grant consent up to 31/01/2023 & authorisation up to 31/01/2027, subject to the fulfillment of the terms & conditions, enclosed with this letter and-

SUBJECT TO THE FOLLOWING CONDITIONS :-

- a. **Location:** Survey No.-22/1, Birlagram Nagda, Industrial Area Mehatwas, Tal : Nagda Dist : Ujjain
- b. **The capital investment in lakhs:** Rs. 74884.1208
- c. **Product & Production Capacity:**

S.No.	Product	CCA Qty / year
1	Caustic Soda Lye	300,000 MT
2	Chlorine	239,111 MT
3	Hydrogen	7,480 MT
4	Sodium Hypo	59,470 MT
5	Hydrochloric Acid	87,800 MT
6	Compressed Hydrogen	1,070 MT
7	Stable Bleaching Powder	43,800 MT
8	Poly Aluminium Chloride	36,500 MT
9	Chloro Sulphonic Acid	23,400 MT
10	Chlorinated Paraffin Wax	27,000 MT
11	Calcium Chloride	54,000 MT
12	Carbon Dioxide	23,760 MT
13	DG – Set (Electricity Generation)	2X 2000KVA

- Note:-**
- (1) For any change in above industry shall obtain fresh consent from the board.
 - (2) This consent is being granted without prejudice to the Criminal proceeding pending against the industry in the Court of Law. This consent in no way be taken as measures of proof that the industry has not violated any pollution control laws at any time in the past. Hence, whatsoever may be decision of the Hon'ble Court shall be binding to the industry and this Board.
 - (3) The hydrochloric acid generated from air pollution control arrangement shall be treated as hazardous waste and same shall be handled and transported as per category 33.1 of the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 and need to obtain permission under Rule 9 even used or treated within the plant.
 - (4) This CCA is issued combined for the existing units of M/s Grasim Industries Ltd. (CD) wrt EC issued by MoEF&CC on 07/01/2020.

The Validity of the consent is up to 31/01/2023 and has to be renewed before expiry of consent validity. Online application through XGN with annual license fees in this regard shall be submitted to this office 6 months before expiry of the consent/Authorization. Board reserves the right to amend/cancel / revoke the above condition in part or whole as and when required.



der Water Act
der Air Act

(Original Authentication Issued from UIDAI Server)
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TRUE COPY

Achyut Mishra

ACHYUT ANAND MISHRA
Member Secretary

**CONDITIONS PERTAINING TO WATER (PREVENTION & CONTROL OF POLLUTION) ACT 1974 :-**

1. The daily quantity of trade effluent at out fall of the unit shall not exceed 433.000 KL/day, and the daily quantity of sewage at out fall of the unit shall not exceed 60.000 KL/day

2. Trade Effluent Treatment:-

The applicant shall operate comprehensive effluent treatment system including ETP, RO MEE & Dryer to remain Zero Liquid Discharge (ZLD) and in case of accidental discharge the waste shall be treated properly to achieve following standards-

pH	Between	5.5 – 9.0
Suspended Solids	Not exceed	100 mg/l.
BOD ₅ Days 27 °C	Not exceed	30 mg/l.
COD	Not exceed	250 mg/l.
Oil and grease	Not exceed	10 mg/l.

TDS	Not exceed	2100 mg/l.
Chlorides	Not exceed	1000 mg/l.

For other parameters general standards of discharge as notified under EP Act 1986 shall be applicable.

3. **Sewage Treatment :-** The applicant shall provide comprehensive sewage treatment system as per the proposal submitted to the Board and maintain the same properly to achieve following standards-

pH	Between	5.5 – 9.0
Suspended Solids	Not exceed	100 mg/l.
BOD ₅ Days 27 °C	Not exceed	30 mg/l.
COD	Not exceed	250 mg/l.
Oil and grease	Not exceed	10 mg/l.

The operator of the STP shall comply with the standards notified vide G.S.R. 1265(E) under sections 6 and 25 of the Environment (Protection) Act, 1986 by the Ministry of Environment, Forest and Climate Change New Delhi dated 13th October, 2017.

4. The effluent shall be treated up to prescribed Standards and reuse in the process, for cooling and for green belt devolvement/gardening within premises. Hence zero discharge condition shall be practiced. In no case treated effluent shall be discharged outside of industry/unit premises.

5. Water meter preferably electromagnetic/ultrasonic type with digital flow recording facilities shall be installed separately for category wise consumption of water for Industrial cooling/boiler feed, mine spray, process & domestic purposes and data shall be submitted online through XGN monthly patrak/statements. The industry/unit shall also monitor the treated wastewater flow and report the same online through monthly patrak/statements.

Sr	Water Code (Qty in klpd - Kilo Ltr per Day)	WC : 3293.000	WWG : 493.000	Water Source
1	Cooling Water	1510.000	345.000	Local Body
2	Domestic Purpose	93.000	60.000	Local Body
3	Mnfg Process	1690.000	88.000	Local Body

6. Any change in production capacity, process, raw material used etc. and for any enhancement of the above prior permission of the Board shall be obtained. All authorized discharges shall be consistent with terms and conditions of this consent. Facility expansions, production increases or process modifications which result new or increased discharges of pollutants must be reported by submission of a fresh consent application for prior permission of the Board

7. All treatment/control facilities/systems installed or used by the applicant shall be regularly maintained in good working order and operate effectively/efficiently to achieve compliance of the terms and conditions of this consent

8. The Consent does not authorize or approve the Construction of any physical structures or facilities or the undertaking of any work in any water course or within its high flood level (HFL) area

9. The specific effluent limitations and pollution control systems applicable to the discharge permitted herein are set forth as above conditions.

10. Compilation of Monitoring data-

i. Samples and measurements taken to meet the monitoring requirements specified above shall be representative of the volume and nature of monitored discharge.

ii. Following promulgation of guidelines establishing test procedures for the analysis of pollutants, all sampling and analytical methods used to meet the monitoring requirements specified above shall conform to such guidelines unless otherwise specified sampling and analytical methods shall conform to the latest edition of the Indian Standard specifications



and where it is not specified the guidelines as per standard methods for the examination of Water and Waste latest edition of the American Public Health Association, New York U.S.A. shall be used.

iii. The applicant shall take samples and measurement to meet the monthly requirements specified above and report online through XGN the same to the Board.

11. Recording of Monitoring Activities & Results-

i. The applicant shall make and maintain online records of all information resulting from monitoring activities by this Consent.

ii. The applicant shall record for each measurement of samples taken pursuant to the requirements of this Consent as follows:

- (i) The date, exact place and time of sampling
- (ii) The dates on which analysis were performed
- (iii) Who performed the analysis?
- (iv) The analytical techniques or methods used and
- (v) The result of all required analysis

iii. If the applicant monitors any Pollutant more frequently as is by this Consent he shall include the results of such monitoring in the calculation and reporting of values required in the discharge monitoring reports which may be prescribed by the Board. Such increased frequency shall be indicated on the Discharge Monitoring Report Form.

iv. The applicant shall retain for a minimum of 3 years all records of monitoring activities including all records of Calibration and maintenance of instrumentation and original strip chart regarding continuous monitoring instrumentation. The period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the applicant or when requested by Central or State Board or the court.

12. Reporting of Monitoring Results:-

Monitoring Information required by this Consent shall be summarized and reported by submitting a Discharge Monitoring report on line to the Board.

13. Limitation of discharge of oil Hazardous Substance in harmful quantities:-

The applicant shall not discharge oil or other hazardous substances in quantities defined as harmful in relevant regulations into natural water course. Nothing in this Consent shall be deemed to preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities, or penalties to which the applicant is or may be subject to clauses.

14. Limitation of visible floating solids and foam:

During the period beginning date of issuance the applicant shall not discharge floating solids or visible foam.

15. Disposal of Collected Solid waste/sludge-

All hazardous waste/sludge shall be disposed of as per the Authorization issued under Hazardous & other waste (M&TM) Rules 2016. And/other Solids Sludges, dirt, silt or other pollutant separated from or resulting from treatment shall be disposed of in such a manner as to prevent any pollutant from such materials from entering any such water Any live fish, Shall fish or other animal collected or trapped as a result of intake water screening or treatment may be returned to eaters body habitat.

16. Provision for Electric Power Failure-

The applicant shall assure to the consent issuing authority that the applicant has installed or provided for an alternative electric power source sufficient to operate all facilities utilized by the applicant to maintain compliance with the terms and conditions of the Consent.

17. Prohibition of By pass system of treatment facilities-

The diversion or by-pass of any discharge from facilities utilized by the applicant to maintain compliance with the terms and conditions of this Consent is prohibited except :

- i. where unavoidable to prevent loss of life or severe property damage, or
- ii. Where excessive storm drainage or run off would damage any facilities necessary for compliance with the terms and conditions of this Consent. The applicant shall immediately notify the consent issuing authorities in writing of each such diversion or by-pass in accordance with the procedure specified above for reporting non-compliance.

18. Industry/Institute/mine management shall submit the information online through XGN in reference to compliance of consent conditions.

Additional Water condition:-

- 1. The industry shall take all the effluent through closed conduit to effluent treatment plant and ZLD system and maintain ZLD.

Consent No:AWH-55153



- Domestic sewage shall be treated in STP up to the prescribed standards and shall be recycled/reused within the plant in process, cooling, gardening etc to remain ZLD unit.
- The industry shall install wastewater flow meter at each unit and inlet of ETP to ensure complete collection of wastewater for treatment.
- The industry shall install CEQMS at inlet of ETP & MEE to monitor TDS, Flow, Chlorides, pH, COD etc within 06 months and display the same in public domain through web based realtime display Board.
- The industry shall comply with the industry specific standards notified by the MoEF&CC.

CONDITIONS PERTAINING TO AIR (PREVENTION & CONTROL OF POLLUTION) ACT 1981 :-

1. The applicant shall provide comprehensive air pollution control system consisting of control equipments as per the proposal submitted to the Board with reference to generation of emission and same shall be operated & maintained continuously so as to achieve the level of pollutants to the following standards:-

Name of section	Capacity	Stack height (mtrs)	Fuel	Control equipment to be installed	(mg/NM ³)	CEMS
Caustic unit-I	5.5 m ³ /Hr	32	---	Alkali Scrubber,	Chlorine-15	Online real-time emission monitoring systems to be installed and connected to MPPCB, ESC, Bhopal on or before application for CTO
	2 m ³ /Hr	34	---	Water Scrubber,	HCl mist-35	
	2 m ³ /Hr	34	---	Water Scrubber,	HCl mist-35	
Caustic Unit-II	0.5m ³ /Hr	34	---	Alkali Scrubber,	Chlorine-15	
	1 m ³ /Hr	34	---	Water Scrubber,	HCl mist-35	
	1 m ³ /Hr	34	---	Water Scrubber,	HCl mist-35	
Stable bleaching Powder (De-dusting unit)	2 m ³ /hr	30	---	Bag Filter, Cyclone ,Dust Collector, Gravity Settling Chamber, Hood Cover,	PM-50, Cl ₂ -15	
	2 m ³ /hr	30	---	Bag Filter, Cyclone ,Dust Collector, Gravity Settling Chamber, Hood Cover,	PM-50, Cl ₂ -15	
PAC Liquid	3.5 m ³ /hr	34	---	Water Scrubber	HCl Mist-35	
PAC Dryer-I	6 m ³ /hr	34	---	Water Scrubber	HCl Mist-35	
PAC Dryer-II	5.5 m ³ /hr	34	---	Water Scrubber	HCl Mist-35	
Chloro sulphonic Acid	1.5 m ³ /hr	30	---	H ₂ SO ₄ scrubber	SO ₃ -50	
	1.5 m ³ /hr	30	---	Water Scrubber,	HCl Mist-35,PM-50	
CPW Plant	5 m ³ /hr	34	---	Water Scrubber	HCl Mist-35	
				Alkali Scrubber	Cl ₂ -15	
Calcium Chloride Plant	5 m ³ /hr	34	---	Water Scrubber	HCl Mist-35	
D.G. Sets	2 x 2000 KVA	30	Diesel	Acoustic enclosure, Muffler,	As per CPCB/MoEFCC	

2. Ambient air quality at the boundary of the industry/unit premises shall be monitored and reported to the Board regularly on quarterly basis: The Ambient air quality norms are prescribed in MoEF gazette notification no. GSR/826(E), dated: 16/11/09. Some of the parameters are as follows:

- Particulate Matter (less than 10 micron) - 100 µg/m³ (PM10 µg/m³ 24 hrs. basis)
- Particulate Matter (less than 2.5 micron) - 60 µg/m³ (PM2.5 µg/m³ 24 hrs. basis)
- Sulphur Dioxide [SO₂] (24 hrs. Basis) - 80 µg/m³
- Nitrogen Oxides [NO_x] (24 hrs. Basis) - 80 µg/m³
- Carbon Monoxide [CO] (8 hrs. Basis) - 2000 µg/m³

3. The industry shall take adequate measures for control of noise level generated from industrial activities within the premises less than 75 dB(A) during day time and 70 dB(A) during night time.

4. Industry/Unit shall provide with each stack port hole with safe platform of 1 meter width with support & spiral ladder/Stepped ladder with hand rail up to monitoring platform as per specifications given in part-III emission regulation of CPCB. In no case monkey ladder shall be allowed as stack monitoring facility.

5. The industry/unit shall make the necessary arrangements for control of the fugitive emission from any source of emission/section/activities.

6. All other fugitive emission sources such as leakages, seepages, spillages etc shall be ensured to be plugged or sealed or made airtight to avoid the public nuisance.

7. The industry/ unit shall ensure all necessary arrangements for control of odour nuisance from the industrial activities or process within premises

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8. All the internal roads shall be made pucca to control the fugitive emissions of particulate matter generated due to transportation and internal movements. Good housekeeping practices shall be adopted to avoid leakages, seepages, spillages etc.

9. Industry shall take effective steps for extensive tree plantation preferably in 03 rows of the local tree species with minimum spacing of 2X2 meters within or around the industry/unit premises for general improvement of environmental conditions and as stated in below..

(Minimum number of plants to be planted by the unit:-59200)

Additional Air condition:-

1. Online real-time emission monitoring systems shall be installed, operated and maintained at all emission points and shall remain connected to MPPCB, ESC, Bhopal all the time. For any break down, immediate intimation shall be sent.
2. The industry shall install adequate numbers of the HCl mist & Chlorine detection sensors within the plant premises and the same shall be connected to the public display system .
3. The industry shall submit the sources emission monitoring report to the Board regularly on monthly basis to ensure the emission within norms and effective performance of the scrubbers.

CONDITIONS PERTAINING TO THE HAZARDOUS AND OTHER WASTES (MANAGEMENT AND TRANSBOUNDARY MOVEMENT) RULES, 2016:-

**FORM-2
[See rule 6 (2)]**

FORM FOR GRANT OR RENEWAL OF AUTHORISATION BY STATE POLLUTION CONTROL BOARD TO THE OCCUPIERS, RECYCLERS, REPROCESSORS, REUSERS, USER AND OPERATORS OF DISPOSAL FACILITIES

1. Number of authorisation and date of issue : ,
2. Reference of application (No. and date) : **COE-1105555, dt: 19/01/2022**
3. COE-1105555, dt: 19/01/2022 of Grasim Industries Ltd., Chemical Division (Calcium Chloride Mfg. Unit) is hereby granted an authorisation based on the enclosed signed inspection report (can be seen in xgn) for generation, collection, reception, storage, transport, reuse, recycling, recovery, pre-processing, co-processing, utilisation, treatment, disposal or any other use of hazardous or other wastes or both on the premises situated at Survey No.-22/1, Birlagram Nagda, Industrial Area Mehatwas, Tal : Nagda Dist : Ujjain

Details of Authorisation

Serial No.	Category of Hazardous Waste as per the Schedules I, II and III of these rules	Authorised mode of disposal or recycling or utilisation or co-processing, etc.	Quantity (ton/annum)
1.	Used or Spent Oil(5.1)	Collection, storage and disposal to authorized recyclers, (Co-processing & Preprocessing if not suitable for recycling)	40.250-MT
2.	Brine Sludge(16.3)	Captive Land fill upto December, 2022 , CTSDf	7500.000-M.T
3.	Chemical sludge from waste water treatment(35.3)	Captive Land fill upto December, 2022 , CTSDf	500.000-M.T
4.	Residue or Sludges And Filter Cakes(16.2)	CTSDf or CPCB SOP based actual users for utilisation	7200.000-M.T
5.	Spent ion exchange resin containing toxic metals(35.2)	CTSDf, Coprocessing, Pre-processing,coincineration in boilers	2.000-M.T
6.	Residue or Sludges And Filter Cakes(16.2)	CTSDf, Coprocessing, Pre-processing,	1200.000-M.T
7.	Spent carbon(28.3)	CTSDf, Coprocessing, Pre-processing,	5.000-M.T
8.	Empty barrels/containers/liners contaminated with hazardous chemicals /wastes(33.1)	CTSDf, Coprocessing, Pre-processing, authorized recyclers	25.000-M.T
9.	Oil And Grease, Skimming(35.4)	CTSDf, Coprocessing, Pre-processing,	2.000-M.T
10.	Contaminated cotton rags or other cleaning materials(33.2)	CTSDf, Coprocessing, Pre-processing,	2.000-M.T
11.	Chemical sludge from waste water treatment(35.3)	CTSDf,	3000.000-M.T
12.	Chemical Waste (Solid)(Z33)	Captive Land fill upto December, 2022 , CTSDf	10.000-M.T
13.	Asbestos(Z16)	Captive Land fill upto December,2022, CTSDf	1.000-M.T
14.	Glasswool (Z22)	Captive Land fill upto December, 2022 CTSDf	5.000-M.T
15.	Filter Waste (Z37)	CTSDf, Coprocessing, pre-processing	10.000-M.T
16.	Rubber(X08)	Authorised recyclers,	10.000-M.T
17.	Pvc & Plastic Waste(Z46)	Athorised Recyclers, consented recyclers	600.000-M.T
18.	Thermocol(Z50)	Captive Land fill upto December,2022, CTSDf	0.500-M.T

Consent No:AWH-55153

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19.	Chemical Waste (Solid)(Z33)	Captive Land fill upto December, 2022 CTSDF	200.000-M.T
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- (1) The authorisation shall be valid for a period of 01/02/2022~31/01/2027
- (2) The authorisation is subject to the following general and specific conditions (Please specify any conditions that need to be imposed over and above general conditions, if any):

A. General conditions of authorisation:

1. The authorised person shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made there under.
2. The authorisation or its renewal shall be produced for inspection at the request of an officer authorised by the State Pollution Control Board.
3. The person authorised shall not rent, lend, sell, transfer or otherwise transport the hazardous and other wastes except what is permitted through this authorisation.
4. Any unauthorised change in personnel, equipment or working conditions as mentioned in the application by the person authorised shall constitute a breach of his authorisation.
5. The person authorised shall implement Emergency Response Procedure (ERP) for which this authorisation is being granted considering all site specific possible scenarios such as spillages, leakages, fire etc. and their possible impacts and also carry out mock drill in this regard at regular interval of time;
6. The person authorised shall comply with the provisions outlined in the Central Pollution Control Board guidelines on Implementing Liabilities for Environmental Damages due to Handling and Disposal of Hazardous Waste and Penalty
7. It is the duty of the authorised person to take prior permission of the State Pollution Control Board to close down the facility.
8. The imported hazardous and other wastes shall be fully insured for transit as well as for any accidental occurrence and its clean-up operation.
9. The record of consumption and fate of the imported hazardous and other wastes shall be maintained.
10. The hazardous and other waste which gets generated during recycling or reuse or recovery or pre-processing or utilisation of imported hazardous or other wastes shall be treated and disposed of as per specific conditions of authorisation.
11. The importer or exporter shall bear the cost of import or export and mitigation of damages if any.
12. An application for the renewal of an authorisation shall be made as laid down under these Rules.
13. Any other conditions for compliance as per the Guidelines issued by the Ministry of Environment, Forest and Climate Change or Central Pollution Control Board from time to time.
14. Annual return shall be filed by June 30th for the period ensuring 31st March of the year.
15. The non hazardous solid waste arresting in the industry/unit/unit premises sweeping, etc. be disposed off scientifically so as not to cause any nuisance/pollution. The applicant shall take necessary permission from civic authorities for disposal to dumping site. If required.


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B. Specific conditions:

1. The industry shall display the information on hazardous waste generated on notice board of size 6' x 4' (in Hindi & English) outside the unit main gate along with quantity and nature of hazardous chemicals being handled in the plant, including wastewater, air emission and hazardous wastes.
2. The authorisation or its renewal shall be produced for inspection at the request of an officer authorised by the State Pollution Control Board.

Additional Haz condition:-

1. The industry shall obtain insurance under Public Liability Insurance Act, if applicable and shall submit a copy to the board.
2. Any unauthorized change in production capacity, process, raw materials, personnel, equipments etc. as mentioned in the application by the person authorized shall constitute a breach of this authorisation.
3. The unit shall maintain the records of hazardous waste as per the Form-3 of rule 6(5) and shall online submit the annual return in Form-4 as per rule 6(5) 20(2) to this office on or before 30th June every year and preferably before 30th April.
4. The information regarding quantity of hazardous wastes generated and its analysis report should be sent to the Board online at least annually.
5. Hazardous Waste Storage Site & Danger signboard shall be provided with all safety devices at the storage site.
6. The authorized person shall inform the name and address of the contact person / occupier responsible for hazardous waste management.
7. In case of importing Hazardous Waste, occupier shall apply to the M.P. Pollution Control Board, 180 days in advance in Form-6, for permission to import of the waste as per Rule 13(i) of Hazardous and other Waste (Management and Transboundary Movement) Rule 2016 as amended up to date.
8. In the event of any accident due to handling of hazardous wastes, the authorized person must inform immediately to the Regional Office & Head office of the board on fax/telephone/email-it_mppcb@rediffmail.com about the incident and detail report should be sent in Form No.5 as per Rule-10 of Hazardous and other Waste (Management and Transboundary Movement) Rule 2016 as amended upto date.

Additional Packing, Labeling & Transportation of Hazardous wastes:-

1. The unit shall maintain the records of hazardous waste as per the Form-3 of rule 6(5) and shall online submit the annual return in Form-4 as per rule 6(5), 20(2) to this office on or before 30th June every year and preferably before 30th April.
2. Hazardous Waste Storage Site & Danger signboard shall be provided with all safety devices at the storage site.
3. In the event of any accident due to handling of hazardous wastes, the authorized person must inform immediately to the Regional Office & Head office of the board on fax/telephone/emailit_mppcb@rediffmail.com about the incident and detail report should be sent in Form No.11 as per Rule-22 of Hazardous and other Waste (Management and Transboundary Movement) Rule 2016 as amended upto date.
4. The occupier shall ensure that the hazardous waste are packaged and labeled, based on the composition in a manner suitable for safe handling, storage and transport as per the guidelines issued by the Central Pollution Control Board in October 2004 & updated from time to time.
5. In case of transportation of hazardous wastes through a State other than the State of origin or destination, the occupier shall intimate the concerned State Pollution Control Board before he hands over the hazardous wastes to the transporter.


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**GENERAL CONDITIONS:**

1. The non hazardous solid waste arresting in the industry/unit/unit premises sweeping, etc. be disposed off scientifically so as not to cause any nuisance/pollution. The applicant shall take necessary permission from civic authorities for disposal to dumping site. If required.

Non Hazardous Solid wastes:-

Type of waste	Quantity	Disposal
STP Sludge	4.167 MT	Composting and used as manure or land fill after compostion
Food Waste	0.833 MT	
Glass Waste	0.167 MT	The materials to be sold to the authorized and consented actual users and the intimation of each dispatch shall be given to the Board
PVC Frills Cooling Tower	0.167 MT	
Paper wastes, Waste Carton, Discarded Poster, Carpet	0.833 MT	
Wooden Waste	8.330 MT	
General Trash/Refuse, Gardening Waste	8.330 MT	
Metal Scrap, Valve & Pipe, Copper & Aluminium Cables	83.330 MT	
Discarded Equipment/machinery	8.330 MT	
Construction and Demolition Waste	83.330 MT	As per Construction and demolition Rules 2016, disposal shall be ensured
Other Sludge (Drain & Pit)	25.00 MT	It shall be given to the actual users
CaCl ₂	291.670 MT	

2. The applicant shall allow the staff of Madhya Pradesh Pollution Control Board and/or their authorized representative, upon the representation of credentials:

- To inspect raw material stock, manufacturing processes, reactors, premises etc to perform the functions of the Board.
- To enter upon the applicant's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this Consent.
- To have access at reasonable times to any records required to be kept under the terms and conditions of this Consent.
- To inspect at reasonable times any monitoring equipment or monitoring method required in this Consent: or,
- To sample at reasonable times any discharge or pollutants.

3. This consent / authorisation is transferable in nature, in case of any change in ownership / management, the new owner / partner / directors / proprietor shall immediately apply for the consent with new requisite information.

4. The issuance of this Consent does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorise any invasion of personal rights, nor any infringement of Central, State or local laws or regulations.

5. Industry shall install separate electric metering arrangement for running of pollution control devices and this arrangement shall be made in such fashion that any non functioning of pollution control devices shall immediately stop electric supply to the production and shall remain tripped till such time unless the pollution control device/devices are made functional. The record of electricity consumption for running of pollution control equipment shall be maintained and submitted to the Board every month

6. This consent is granted in respect of Water pollution control Act 1974 or Air Pollution Control act, 1981 or Authorization under the provisions of Hazardous and other Waste (Management & Transboundary movement) Rules 2016 only and does not relate to any other Department/Agencies. License required from other Department/Agencies have to be obtained by the unit separately and have to comply separately as per there Act / Rules.

7. Balance consent/authorisation fee, if any shall be recoverable by the Board even at a later date.

8. The applicant shall submit such information, forms and fees as required by the board not letter than 180 day prior to the date of expiration of this consent/authorisation

9. The industry/unit shall establish a separate environmental cell, headed by senior officer of the unit for reporting the environmental compliances. The industry/ Unit shall submit environmental statement for the previous year ending 31st



March on or before 30th September every year to the Board.

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- 10. Industry shall obtain membership of Emergency Response Center of the Board if needed.
- 11. Knowingly making any false statement for obtaining consent or compliance of consent conditions shall result in the imposition of criminal penalties as provided under the section 42(g) of the Water Act or section 38 (g) of the Air Act.
- 12. After notice and opportunity for the hearing, this consent may be modified, suspended or revoked by the Board in whole or in part during its term for cause including, but not limited to, the following :
 - (a) Violation of any terms and conditions of this Consent.
 - (b) Obtaining this Consent by misrepresentation of failure to disclose fully all relevant facts.
 - (c) A change in any condition that requires temporary or permanent reduction or elimination of the authorized discharge.
- 13. On violation of any of the above-mentioned conditions the consent granted will automatically be taken as canceled and necessary action will be initiated against the industry.

Additional condition:-

- 1. The Industry shall operate & maintain Outdoor HD Industrial grade IP (Internet Protocol) Cameras with pan-Tilt Zoom (PTZ) feature, minimum focal length 20X with night vision facility and temper proof mechanism at suitable location to display all emission sources and effluent discharge point and connect the same with Environment Surveillance Centre, MP Pollution control board Bhopal for remote surveillance.
- 2. The industry shall install CEQMS at inlet of ETP & MEE to monitor TDS, Flow, Chlorides, pH, COD etc within 06 months and display the same in public domain though web based realtime display Board.
- 3. The industry shall inventorise the solid waste generation from the unit and submit the details within one month to the board and update same within 06 months for actual quantities.
- 4. The industry shall obtain the public liability insurance under Public Liability Act 1991 and shall maintain valid copy of the same.
- 5. The industry shall maintain valid Onsite Emergency Plan/ Disaster Management Plan duly approved by Department of Industrial Health & Safety.
- 6. The industry shall obtain membership of Emergency Response Center, MPPCB, Bhopal.
- 7. The industry shall comply with the all conditions of CREP Charter conditions, EC stipulations issued vide F No. 11011/119/2015-IA-I(I) dated 07/01/2020 and standards notified by Ministry of Environment, Forests and Climate Change, GoI, Dehli under EPA 1986 .
- 8. The Industry shall submit environmental statement for every financial year ending 31st March on or before 30th September and preferably before 30th April to the Board, containing details in reference to all consented products either produced for that year or not.
- 9. The industry shall not be permitted to store the hazardous wastes more than 90 days as prescribed in HOWM Rules, 2016 and firm arrangements shall be made with the end users and copy of MoUs shall be submitted within 03 months to the Board.
- 10. Based on hazard identification and risk analysis, risk mitigation measures, industry shall ensure all possible efforts with co-ordinations local bodies to reduce risk and enhance safety at the plant and its surroundings.
- 11. The industry shall maintain the material balance for each product and submit the same to the Board annually.
- 12. Information of each Mock drill shall be given to local body, local administration & MPPCB RO, Ujjain atleast 07 days in advance.
- 13. The fire safety arrangements shall be maintained properly and tested during each mock drill.
- 14. **This consent is being granted without prejudice to the Criminal proceeding pending against the industry in the Court of Law. This consent in no way be taken as measures of proof that the industry has not violated any pollution control laws at any time in the past. Hence, whatsoever may be decision of the Hon'ble Court shall be binding to the industry and this Board.**
- 15. **The hydrochloric acid generated from air pollution control arrangement shall be treated as hazardous waste and same shall be handled and transported as per category 33.1 of the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 and need to obtain permission under Rule 9 even used or treated within the plant.**
- 16. **This CCA is issued combined for the existing units of M/s Grasim Industries Ltd. (CD) wrt EC issued by MoEF&CC on 07/01/2020.**
- 17. **The consent and authorizations granted to other units shall be stand cancelled after issuance of this order.**

Consent/authorization as required under the Water (Prevention & Control of Pollution) Act,1974 , The Air (Prevention & Control of Pollution) Act,1981 and the Authorization under Hazardous Waste (Management handling & Transboundary movement) Amended Rule, 2016 is granted to your industry subject to fulfillment of all the conditions mentioned above. For renewal purpose you shall have to make an application to this Board through XGN at least Six months before the date of expiry of this consent/authorisation. The applicant without valid consent (for operation) of the Board shall not be allowed to discharge of effluent and gaseous emission.



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M.P. Pollution Control Board
ACHYUT ANAND MISHRA
Member Secretary

Consent No:AWH-55153



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JM ENVIROLAB PVT LTD

Approved from MoEF&CC & Certified - ISO 9001:2015, ISO 14001:2015, OHSAS 18001:2007

TEST REPORT

Sample Number	JME/GNWW/02	Report No	JME/WW/201003010
Name & Address of Unit	M/s. Grasim Industries Limited Birlagram, Nagda, Madhya Pradesh-456331	Format No.	7.5 F-01
Sample Description	Waste water (ETP outlet)	Party Reference No	Nil
Sampling Location	ETP Plant	Reporting Date	09/10/2020
Client Representative (Name & Designation)	Mr. Rakesh Patnaik (Dy. GM)	Receipt Date	03/10/2020
Sample collected by (Name & Designation)	Mr. Kamal Kumar (Field Co-ordinator)	Sampling Date	01/10/2020
Latitude	--	Sampling Type	Grab
Longitude	--	Preservation	Refrigerated
Packing status:	Temporary sealed	Sample Quantity	5.0 Litre
Sampling & Analysis Protocol	IS-10500-2012, APHA 23 rd Edition 2017	Parameter Required	As per work order

TEST RESULTS

S. No.	Parameters	Testing protocol	Result	Unit	Limits as per CPCB
1.	pH (at 25°C)	APHA 23rd Edition, 4500-H+ B	7.29	-	6.5-9.0
2.	Free Residual Chlorine	APHA 23rd Edition, 2350 B	BDL (DL 0.2)	mg/l	1
3.	Chemical Oxygen Demand	APHA 23rd Edition, 5220 B	112.0	mg/l	250
4.	Biochemical Oxygen Demand	IS:3025, P-44, 1999, Reaffirmed 2003	22.0	mg/l	30
5.	Total Dissolved Solids	APHA 23rd Edition, 2540 C	1924.0	mg/l	2100
6.	Total Suspended Solids	APHA 23rd Edition, 2540 D	14.20	mg/l	100
7.	Oil & Grease	APHA 23rd Edition, 5520E	BDL (DL-0.40)	mg/l	10
8.	Sulphate (as SO ₄)	APHA 23rd Edition, 4500 E	812.38	mg/l	1000
9.	Fluoride (as F)	APHA 23rd Edition, 4500-F- D	0.72	mg/l	2
10.	Hexa Chromium as Cr+6	APHA 23rd Edition, 3500-Cr B	BDL (DL 0.03)	mg/l	0.1
11.	Zinc (as Zn)	APHA 23rd Edition, 3113 B	0.13	mg/l	1
12.	Copper (Cu)	APHA 23rd Edition, 3111 B	BDL (DL 0.02)	mg/l	3
13.	Cadmium (as Cd)	APHA 23rd Edition, 3113 B	BDL (DL 0.002)	mg/l	2
14.	Lead (as Pb)	APHA 23rd Edition, 3113 B	BDL (DL 0.008)	mg/l	0.1
15.	Nickel (as Ni)	APHA 23rd Edition, 3113 B	BDL (DL 0.005)	mg/l	3
16.	Chloride (as Cl)	APHA 23rd Edition, 4500Cl-B	516.74	mg/l	1000
17.	Sulphide	IS:3025 (P-29), 1986, Reaffirmed 2014	BDL (DL 1.0)	mg/l	2
18.	Chromium as Cr	APHA 23rd Edition, 3111 B	BDL (DL 0.002)	mg/l	2
19.	Mercury as Hg	APHA 23rd Edition, 3111 B	BDL (DL 0.001)	mg/l	0.01
20.	Cyanide (as CN)	APHA 23rd Edition, 4500CN- CD	BDL (DL 0.02)	mg/l	0.2
21.	Phendic compounds	APHA 23rd Edition, 5530 C	BDL (DL 0.001)	mg/l	1

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Susham
Tested by

Ravishankar
Checked by

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Authorized Signatory

Note:

- This test report has been at your request and test results pertain to the tested sample received
- This reports is for your reference only and not to be used for any legal purpose.
- Any discrepancy in the test report or any remarks regarding the test results shall be brought to our knowledge within 7 days of the issue of this report
- Total liability or any claim in case of dispute is limited to the invoice raised by the laboratory
- The sample will be destroyed after retention time unless otherwise specified specially.
- Endorsement of the product tested by the laboratory is neither inferred nor implied.
- All disputes are subject to exclusive jurisdiction of Jaipur court only.

Reg. Office & Lab.

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E-mail: jmenvirolab@hotmail.com | www.jmenvirolab.com

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JM ENVIROLAB PVT LTD

Approved from MoEF&CC & Certified - ISO 9001:2015, ISO 14001:2015, OHSAS 18001:2007

TEST REPORT

Sample Number **JME/GN/WW/02** Report No **JME/WW/201003010**

S. No.	Parameters	Testing protocol	Result	Unit	Limits as per CPCB
22.	Selenium (as Se)	APHA 23rd Edition, 3114 C	BDL (DL 0.005)	mg/l	0.05
23.	Boron as B	APHA 23rd Edition, 4500 B-C	0.28	mg/l	2
24.	Ammonical Nitrogen	IS:3025 (P-34), 1988	2.26	mg/l	50
25.	Odour	APHA 23rd Edition, 2150	Odourless	--	Odourless
26.	Total Dissolve Nitrogen	IS:3025 (P-34), 1988	5.48	mg/l	100
27.	Dissolve phosphate as PO4	APHA 23rd Edition, 4500 PD	0.45	mg/l	5
28.	Arsenic as as	APHA 23rd Edition, 3111 B	BDL (DL 0.005)	mg/l	0.2
29.	Free Ammonia as NH3	IS:3025 (P-34), 1988	BDL (DL 0.1)	mg/l	5
30.	Color	APHA 23rd Edition, 2120 B	BDL (DL 5.0)	Hazen Unit	Colorless
31.	Alpha Emitters*	IS:14194 (P-2) 2013	<10-7	µCi/ml	10-7
32.	Beta Emitters*	IS:14194 (P-2) 2013	<10-6	µCi/ml	10-6
33.	Bioassay test	APHA 23rd Edition, 8910C	100% survival after 96 hours with 100% effluent	%	100% survival during 96 hours
34.	Pesticide	By GC	Absent	mg/l	Absent

*Outsourced parameters

End of report

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Authorized Signatory

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E-mail: jmenvirolab@hotmail.com | www.jmenvirolab.com

Corporate Office
202-A, ABW Tower, MG Road,
IFFCO Chowk, Sector 25,
Gurugram - 122001 (Haryana) INDIA

Note:

1. This test report has been at your request and test results pertain to the tested sample received
2. This reports is for your reference only and not to be used for any legal purpose.
3. Any discrepancy in the test report or any remarks regarding the test results shall be brought to our knowledge within 7 days of the issue of this report
4. Total liability or any claim in case of dispute is limited to the invoice raised by the laboratory
5. The sample will be destroyed after retention time unless otherwise specified specially.
6. Endorsement of the product tested by the laboratory is neither inferred nor implied.
7. All disputes are subject to exclusive jurisdiction of Jaipur court only.

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F. No. J-1101111972015-IA-II (I)

Government of India

Ministry of Environment, Forest & Climate Change

Impact Assessment Division

Indira Paryavaran Bhavan,
Vayu Wing, 3rd Floor, Aliganj,
Jor Bagh Road, New Delhi-110 003

Dated: 7th January, 2020

To,

M/s Grasim Industries Ltd.,
Village- Birlagram, Nagda,
District-Ujjain-456 331 (Madhya Pradesh)

Sub: Expansion of Caustic Chlorine Products from and Value Added Derivatives along with installation of new Chloromethane Plant by M/s Grasim Industries Ltd. (Chemical Division) at Birlagram, Nagda, District Ujjain (Madhya Pradesh) – Environmental Clearance reg.

Sir,

This has reference to your online proposal No.IA/MP/IND2/26969/2015, dated 30th September, 2019 along with the EIA/EMP report and Public hearing proceedings for the above mentioned project.

2. The details of proposed products are as under -

S. No.	Particulars	Existing (TPA)	Additional (TPA)	Total (TPA)
A. Main Products				
1.	Caustic Soda	270000	180000	450000
2.	Poly Aluminum Chloride	27720	137280	165000
3.	Stable Bleaching Powder	29436	25314	54750
4.	Chlorinated Paraffin	27000	18645	45645
5.	Chloromethane	Nil	36000	36000
6.	Chloro Sulphonic Acid	23400	Nil	23400
7.	Calcium Chloride (100 %)	54000	Nil	54000
B. CO-Products and By-Products				
1.	Chlorine	215200	149800	365000
2.	Hydrochloric Acid (100%)	79000	56000	135000
3.	Sodium Hypochlorite (100%)	53520	36480	90000
4.	Hydrogen	6730	4670	11400
5.	Compressed Hydrogen	960	500	1460
6.	Carbon Dioxide (By-product)	23760	Nil	23760

3. The proposed project/activity is listed under category A of item 4(d) 'Chlor - Alkali Industry' and 5(f) 'Synthetic organic chemical industry' in the schedule of Environment Impact Assessment (EIA) Notification, 2006, and requires appraisal/approval at central level by sectoral Expert Appraisal Committee (EAC).

4. The terms of reference for the project was granted on 29th July, 2015 followed by validity extension of ToR vide letter dated 11th December, 2018. Public Hearing for the

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proposed expansion project was conducted by State Pollution Control Board on 04th June, 2019. The Public Hearing was chaired by ADP-Ujjain. The main issue raised during the public hearing are related to Employment, Water source & Water pollution, Effluent discharge, Gaseous Emission etc.

- 5.** Project Proponent reported that the existing land area is 61.92 ha (619200 m²). No additional land will be required for proposed expansion. Industry has already developed greenbelt in an area of 38% i.e. 23.68 ha (236800 m²) out of total area of the project. Project Proponent reported that there is no National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger/Elephant Reserve, and Wildlife Corridor within 10 km distance from the project site. Dam is at a distance of 2.13 km in NW direction, Bangerl Nadi flows at distance of 2.5 km in West direction, Chambal River flows at a distance of 0.6 km in West direction, Khajuri Nala is at 0.5 km in South direction.
- 6.** Project Proponent reported that total water requirement is 6000 m³/day including fresh water requirement of 5400 m³/day proposed to be met from Chambal river. Effluent of 610 m³/day quantity is being/will be treated in Effluent Treatment Plant. The plant is being/will be based on Zero Liquid discharge system. Power requirement after expansion will be 141 MW including existing 80 MW and will be met from Outsource & Madhya Pradesh State Electricity Board (MPSEB). Existing unit has 2 Nos. DG sets of 2000 KVA capacity each, having 30 metre stack height as per CPCB norms used during power failure. Additionally, no DG sets will be required for proposed expansion project. Existing unit has 2 Hydrogen gas fired boilers of 9 TPH capacity each. No new boiler will be installed.
- 7.** Project Proponent reported that the Ambient air quality monitoring was carried out at 8 locations during Winter Season (Dec., 2016 to Feb., 2017) and the baseline data indicates the ranges of concentrations as: PM₁₀ (63.2 to 90.1 µg/m³), PM_{2.5} (28.2 to 47.4 µg/m³), SO₂ (7.3 to 32.9 µg/m³), NO₂ (12.6 to 30.6 µg/m³), respectively. AAQ modeling study for point source emissions indicates that the maximum incremental GLCs after the proposed expansion project would be 0.024 µg/m³, 0.085 µg/m³, 0.10 µg/m³, with respect to PM, Cl₂, HCl. The resultant concentration of PM is within the National Ambient Air Quality Standards (NAAQS).
- 8.** The estimated project cost for expansion of the project is ₹285 Crores. Total capital cost earmarked towards environmental pollution control measures is ₹20 Crores and the recurring cost (operation and maintenance) will be about ₹3.4 Crores/annum. The expenditure towards Corporate Environment Responsibility (CER) for the project would be ₹5 Crores of the project cost as committed by the project proponent. Total employment will be 1545 persons (Regular: 245 + Contractual: 1300) including 128 persons (Regular: 28 + Contractual: 100) after expansion of the project.
- 9.** The project proponent has informed that a case was filed in High court and transferred to NGT (Case no.77/2017 CZ) regarding pollution being caused in the river Chambal due to effluents from the industry. As per NGT order, Grasim Industries Ltd. Chemical Division received MPPCB directions, in compliance of which company has achieved ZLD in March, 2018. As on date no other case is due against the existing project.
- 10.** The EAC, constituted under the provision of the EIA Notification, 2006 and comprising of Experts Members/domain experts in various fields, have examined the proposal submitted by the Project Proponent in desired form along with EIA/EMP report prepared and submitted by the Consultant accredited by the QCI/ NABET on behalf of the Project Proponent. The EAC noted that the Project Proponent has given undertaking

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that the data and information given in the application and enclosures are true to the best of his knowledge and belief and no information has been suppressed in the EIA/EMP report and public hearing process. If any part of data/information submitted is found to be false/misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent.

11. The Committee noted that the EIA/EMP report is in compliance of the ToR issued for the project, reflecting the present environmental concerns and the projected scenario for all the environmental components. Issues raised during the public hearing has been properly addressed in the EIA/EMP report. The EAC has deliberated the proposal and has made due diligence in the process as notified under the provisions of the EIA Notification, 2006, as amended from time to time and accordingly made the recommendations to the proposal. The Experts Members of the EAC have found the proposal in order and have recommended for grant of Environmental Clearance (EC).

12. The proposal was considered by the Expert Appraisal Committee (Industry-2) in its meeting held on **20-22 November, 2019**, wherein the project proponent and their accredited consultant presented the EIA/EMP Report. The Committee found the EIA/EMP report to be satisfactory, complying with the ToR, and **recommended** the project for grant of environmental clearance.

13. The Ministry of Environment, Forest and Climate Change has examined the proposal in accordance with the Environmental Impact Assessment Notification, 2006 and further amendments there to and hereby accords the environmental clearance under the provisions thereof to the above mentioned proposal of **M/s Grasim Industries Ltd. (Chemical Division) for Expansion of Caustic Chlorine Products from 2,70,000 TPA to 4,50,000 TPA of Caustic soda and Value Added Derivatives along with installation of new Chloromethane Plant (Para 2 of Page 1), located at Birlagram, Nagda, District Ujjain, Madhya Pradesh** subject to compliance of the followings terms and conditions and environmental safeguards mentioned below:-

A. Specific Conditions:

- (i) **This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, as may be applicable.**
- (ii) Necessary permission as mandated under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, as applicable from time to time, shall be obtained from the State Pollution Control Board.
- (iii) As already committed by the project proponent, ZLD shall be ensured and no waste/treated water shall be discharged outside the premises.
- (iv) Necessary authorization required under the Hazardous and Other Wastes (Management and Trans-Boundary Movement) Rules, 2016; Solid Waste Management Rules, 2016 shall be obtained and the provisions contained in the Rules shall be strictly adhered to.
- (v) To control source and the fugitive emissions, suitable pollution control devices shall be installed to meet the prescribed norms and/or the NAAQS. The gaseous

emissions shall be dispersed through stack of adequate height as per CPCB/SPCB guidelines.

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- (vi) Solvent management, if any, shall be carried out as follows company shall undertake waste minimization measures as below:-
- (a) Reactor shall be connected to chilled brine condenser system.
 - (b) Reactor and solvent handling pump shall have mechanical seals to prevent leakages.
 - (c) The condensers shall be provided with sufficient HTA and residence time so as to achieve more than 98% recovery.
 - (d) Solvents shall be stored in a separate space specified with all safety measures.
 - (e) Proper earthing shall be provided in all the electrical equipment wherever solvent handling is done.
 - (f) Entire plant shall be flame proof. The solvent storage tanks shall be provided with breather valve to prevent losses.
- (vii) Odour shall be prevented at the source and effective odour management scheme shall be implemented.
- (viii) Total fresh water requirement shall not exceed 5400 m³/day proposed to be met from Chambal River. Prior permission in this regard shall be obtained from the concerned regulatory authority.
- (ix) Rain water harvesting structures shall be provided to reduce dependency of fresh surface water for industrial purposes. In any case, no ground water shall be used for the plant.
- (x) The storm water from the premises shall be collected and discharged through a separate conveyance system.
- (xi) Hazardous chemicals shall be stored in tanks, tank farms, drums, carboys etc. Flame arresters shall be provided on tank farm and the solvent transfer through pumps.
- (xii) ETP sludge, process inorganic & evaporation salt shall be disposed through Captive Secured Landfill.
- (xiii) The Company shall strictly comply with the rules and guidelines under Manufacture, Storage and Import of Hazardous Chemicals (MSIHC) Rules, 1989 as amended time to time. All transportation of Hazardous Chemicals shall be as per the Motor Vehicle Act (MVA), 1989.
- (xiv) The company shall undertake waste minimization measures as below:-
- a. Metering and control of quantities of active ingredients to minimize waste.
 - b. Reuse of by-products from the process as raw materials or as raw material substitutes in other processes.
 - c. Use of automated filling to minimize spillage.
 - d. Use of Close Feed system into batch reactors.
 - e. Venting equipment through vapour recovery system.
 - f. Use of high pressure hoses for equipment clearing to reduce wastewater generation.

- (xv) The green belt of 5-10 m width shall be developed in more than 33% of the total project area, mainly along the plant periphery, in downward wind direction, and along road sides etc. Selection of plant species shall be as per the CPCB guidelines in consultation with the State Forest Department.
- (xvi) As proposed ₹5 Crores shall be allocated for CER. The CER funds shall be utilized for greenbelt development, skill development and check dam construction, as suggested during public hearing. The CER plan shall be completed within a period of two years or before commissioning of the project.
- (xvii) For the DG sets, emission limits and the stack height shall be in conformity with the extant regulations and the CPCB guidelines. Acoustic enclosure shall be provided to DG set for controlling the noise pollution.
- (xviii) The unit shall make the arrangement for protection of possible fire hazards during manufacturing process in material handling. Fire fighting system shall be as per the norms.
- (xix) Storage of raw materials shall be either stored in silos or in covered areas to prevent dust pollution and other fugitive emissions.
- (xx) Continuous online (24x7) monitoring system for stack emissions shall be installed for measurement of flue gas discharge and the pollutants concentration, and the data to be transmitted to the CPCB and SPCB server. For ZLD, the unit shall install web camera with night vision capability and flow meters in the channel/drain carrying effluent within the premises. For continuous discharge the unit shall install pH, TSS, BOD, COD and flow meter at the ETP outlet.
- (xxi) The energy sources for lighting purposes shall preferably be LED based.
- (xxii) Transportation of raw materials/products should be carefully performed using GPS enabled vehicles.
- (xxiii) Occupational health surveillance of the workers shall be done on a regular basis and records maintained as per the Factories Act. PP shall submit the six monthly compliance report to the Regional Office of the Ministry.
- (xxiv) The project proponent shall conduct 3D modeling for risk management and mitigation measures as the flammable and hazardous chemicals are being stored and processed in the Plant. PP shall conduct a study comprise the details of detectors and its locations and outcome of the study shall be implemented and the compliance shall be submitted six monthly to the Regional Office of the Ministry.
- (xxv) There shall be adequate space inside the plant premises earmarked for parking of vehicles for raw materials and finished products, and no parking to be allowed outside on public places.

14. The project proponent shall strictly comply the sector specific conditions as mentioned in the Ministry's Office Memorandum No. 22-34/2018-IA.III, dated 9th August, 2018. The said OM is available at the Ministry's website (PARIVESH portal i.e. www.parivesh.nic.in). The grant of Environmental Clearance is further subject to compliance of generic conditions as mentioned in the Ministry's Office Memorandum No. 22-34/2018-IA.III, dated 9th August, 2018.

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15. The project proponent shall submit six monthly reports on the status of the implementation of the stipulated environmental safeguards to the Ministry of Environment, Forest & Climate Change, its regional office, Central Pollution Control Board and State Pollution Control Board.

16. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer(s) of the Regional Office by furnishing the requisite data / information/monitoring reports.

17. The Ministry reserves the right to stipulate additional conditions, if found necessary at subsequent stages and the project proponent shall implement all the said conditions in a time bound manner. The Ministry may revoke or suspend the environmental clearance, if implementation of any of the above conditions is not found satisfactory.

18. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.

19. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

20. The above conditions will be enforced, *inter-alia* under the provisions of the Water (Prevention & Control of Pollution) Act, 1974; Air (Prevention & Control of Pollution) Act, 1981; Environment (Protection) Act, 1986; Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991, read with subsequent amendments therein and also any other orders passed by the Hon'ble Supreme Court of India/High Court of Madhya Pradesh/Hon'ble NGT and any other Court of Law relating to the subject matter.

21. This issues with the approval of the competent authority.


(Dr. R. B. Lal)

Scientist 'E'/Additional Director

(डा. आर. बी. लाल)
(Dr. R. B. LAL)
वैज्ञानिक 'ई'/Scientist 'E'
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Min. of Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

Copy to: -

1. Principal Secretary, Environment, Forest and Climate Change Department, Govt. of Madhya Pradesh.
2. The Principal Chief Conservator of Forests (PCCF), Satpuda Bhawan, Bhopal, Madhya Pradesh.
3. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi -32.
4. The Chairman, Madhya Pradesh State Pollution Control Board, Paryavaran Parisar, E-5, Arera Colony, Bhopal - 462 016, Madhya Pradesh.
5. Monitoring Cell, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 3.
6. Member Secretary, Central Ground Water Authority, 18/11, Jamnagar House, Man Singh Road,

New Delhi-110011.

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7. District Collector, Ujjain, Madhya Pradesh.
8. Guard File/ Record File/ Monitoring File/ Website of MoEF&CC

(Dr. R. B. Lal)
Scientist 'E'/ Additional Director



GRCO/54

To,

Date: 6th July 2020

Shri Dinbandhu Gauda
 Scientist 'E' & DH, IPC-1
 Central Pollution Control Board
 Parivesh Bhawan,
 East Arjun Nagar, Delhi-110032

Subject: - Conformation required for Hydrochloric acid as Product from Chlor Alkali Manufacturing

Respected Sir,

With respect to the above subject, in reference to letter from MPPCB letter 856/HO/MPPCM/CPCB-Dir/2020 dated 13-5-2020, which states, "Hydrochloric acid should apply for authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

In this regard, we would like to inform your good office about our Chlor-alkali Products and few technical points for your kind consideration.

1. We Grasim Industries Limited, Chemical Division, Nagda, Ujjain, MP, manufacturing caustic soda, chlorine and other value-added chlorine derivative products since 1972.
2. Unit manufacturing hydrochloric acid as a part of Chlor alkali production and Chlorine derivatives productions. Hydrochloric acid produced conforms to all parameters specified in IS : 265.

Chemical Reaction



3. Presently around 65 % of hydrochloric acid produced by us are using in-house for manufacturing of other value-added products like Poly aluminium chloride, Calcium chloride and Chlor Sulphonic acid along with uses for acidification and pH control in different process. Unit also have valid consent to operate and Environment Clearance for the same.
4. Hydrochloric Acid manufactured is supplied to various reputed customers in India. During the transportation each tanker is equipped with GPS system and online control through Central Control Tower for tracking the movement of tankers and trucks all through factory dispatch to the customer end and back to the factory site. This also has e mail alert facility to the concerned to take course corrections.
5. Hydrochloric acid is a common product which are being used around 110 chemical manufacturing process which utilize HCl as a raw material (Globally 37% used for production of EDC-Ethylene dichloride and 61% used for production of organic compound, power plant and remaining used in merchant application)
6. Hydrochloric acid is a product which is not covered under Schedule-1 of EIA notification-2006 and not required prior Environment Clearance (EC) but unit had conducted EIA and obtained EC from MoEF & CC for the same.

Grasim Industries Limited

Chemical Division

Birlagram - 456 331, Nagda (M.P.) INDIA Tele: +91 7366 246760-66

E-mail : grasimchem@adityabirla.com Website: www.grasim.com CIN : L17124MP1947PLC000410

Regd. Office : P.O. Birlagram, Nagda - 456 331 (M.P.) India



7. As per CPCB guideline for identification of material generated from process as Waste or By-Product (Under HWMR-2016) issued on Sep-2019.



8. As per CPCB Guideline- By-product means a material that is not intended to be produced but get produced in the production process and which can be used as such without any further processing. It should not mention in Schedule-1, Schedule-3, Schedule-4 or Schedule-6 of HOMR-16.

Schedule-1	Chlor-Alkali-HCl	Not mentioned	
Schedule-3	Chlor-Alkali-HCl	Not mentioned	
Schedule-4	Chlor-Alkali-HCl	Not mentioned	
Schedule-6	Chlor-Alkali-HCl	Not mentioned	
Conduct a feasibility study for its end use.		Widely used in industries as raw material	
Are the end uses feasible?	Yes (around 110 chemical manufacturing units are using it)		
Conduct Environment and Health impact and risk assessment studies covering different end use scenarios of the material.	It has covered in EIA study which is done by Unit.		
If any potential risk or impact identified in any of the end use scenario.	If no-	By product	It has calculated risk and mitigation plan has already been available.
	If yes	Hazardous waste	
EC Granted under EIA notification	If yes	By product	EC not applicable as per EIA notification 2006.

The all above statement says that Hydrochloric acid is a By-product in Chlor-alkali process and this will not require authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

As per the above guideline by CPCB, The hydrochloric acid manufactured from Chlor Alkali Production and Chlorine Derivatives productions is a product. Request you to consider our above submission and please get it conformed to MPPCB in this regard.

The above details submitted for your kind information, confirmation of the Hydrochloric acid as product, and communication to all the PCBs in general and specifically to the MPPCB

Thanking you,
Yours faithfully
For Grasim Industries Limited


Prem Tiwari
Unit Head

Cc: Member Secretary
MP Pollution Control Board
Paryavaran Parisar, E-5 Arera Colony
Bhopal - 462016

Grasim Industries Limited

Chemical Division

Birlagram - 456 331, Nagda (M.P.) INDIA Tele: +91 7366 246760-66

E-mail : grasimchem@adityabirla.com Website : www.grasim.com CIN : L17124MP1947PLC000410

Regd. Office : P.O. Birlagram, Nagda - 456 331 (M.P.) India



QRCD/EHS/302-A

To,

Date: 23rd Oct 2020

The Member Secretary
MP Pollution Control Board
Paryavaran Parisar, E-5 Arera Colony
Bhopal - 462016

Subject: - Conformation required for Hydrochloric acid as Product from Chlor Alkali Manufacturing

Respected Sir,

This is in reference to your letter No. 856/HO/MPPCM/CPCB-Dir/2020 dated 13-5-2020. which states, "Hydrochloric acid should apply for authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

In this regard, we would like to inform your good office about our Chlor-alkali Products and few technical points for your kind consideration.

1. We Grasim Industries Limited, Chemical Division, Nagda, Ujjain, MP, manufacturing caustic soda, chlorine and other value-added chlorine derivative products since 1972.
2. The hydrochloric acid manufacturing by us already covered under the consent issued by MPPCB in both unit Membrane Cell I & II. Unit has also received Environmental Clearance having details of both manufacturing processes of Hydrochloric acid and covered under Co Products and By-Products.
3. Unit manufacturing hydrochloric acid as a part of Chlor alkali production and Chlorine derivatives productions. Hydrochloric acid produced conforms to all parameters specified in IS: 265.

Chemical Reaction



4. Presently around 65 % of hydrochloric acid produced by us are using in-house for manufacturing of other value-added products like Poly aluminium chloride, Calcium chloride and Chlor Sulphonic acid along with uses for acidification and pH control in different process. Unit also have valid consent to operate and Environment Clearance for the same.
5. Hydrochloric Acid manufactured is supplied to various reputed customers in India. During the transportation each tanker is equipped with GPS system and online control through Central Control Tower for tracking the movement of tankers and trucks all through factory dispatch to the customer end and back to the factory site. This also has e mail alert facility to the concerned to take course corrections.
6. Hydrochloric acid is a common product which are being used around 110 chemical manufacturing process which utilize HCl as a raw material (Globally 37% used for production of EDC-Ethylene dichloride and 61% used for production of organic compound, power plant and remaining used in merchant application)

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Grasim Industries Limited

Chemical Division

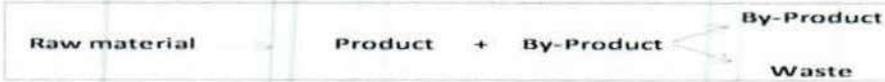
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E-mail : grasimchem@adityabirla.com Website : www.grasim.com CIN : L17124MP1947PLC000410

Regd. Office : P.O. Birlagram, Nagda - 456 331 (M.P.) India



- Hydrochloric acid is a product which is not covered under Schedule-1 of EIA notification-2006 and not required prior Environment Clearance (EC) but unit had conducted EIA and obtained EC from MoEF & CC for the same.
- As per CPCB guideline for identification of material generated from process as Waste or By-Product (Under HWMR-2016) issued on Sep-2019.



- As per CPCB Guideline- By-product means a material that is not intended to be produced but get produced in the production process and which can be used as such without any further processing. It should not mention in Schedule-1, Schedule-3, Schedule-4 or Schedule-6 of HOMR-16.

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Schedule-6	Chlor-Alkali-HCl	Not mentioned	
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Conduct Environment and Health impact and risk assessment studies covering different end use scenarios of the material.	It has covered in EIA study which is done by Unit.		
If any potential risk or impact identified in any of the end use scenario.	If no-	By product	It has calculated risk and mitigation plan has already been available.
	If yes	Hazardous waste	
EC Granted under EIA notification	If yes	By product	EC not applicable as per EIA notification 2006.

The all above statement says that Hydrochloric acid is a By-product in Chlor-alkali process and this will not require authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

As per the above guideline by CPCB, the hydrochloric acid manufactured from Chlor Alkali Production and Chlorine Derivatives productions is a product. Therefore, we are requesting you to consider our above submission and conform.

Thanking you,
Yours faithfully
For Grasim Industries Limited

Prem Tiwari
Unit Head

Cc: The Regional Officer
Madhya Pradesh Pollution Control Board
17, Bharat Puri, Ujjain

TRUE COPY



1038**Madhya Pradesh Pollution Control Board****Environment Complex, E-5 Sector, Arera Colony,
Bhopal**

Sr No. 344 /Estd /2021 Bhopal, dated 19 Feb 2021

Office Order

According to the decision taken in the agenda point 2.5 of the 156th meeting of the State Board held on 29 January 2021, in the context of (Covid-2019), an increase of 9 months (1/4/20 to 31/12/20) will be available in the final time limit set by the Board to complete the work related to improvement in pollution control system in industries/institutions, and the eligible industries/institutions will be free from paying the penalty of 2 percent per month under the provisions of clause 3 of the Board's order number 619 dated 30/3/2015 for the above time extension.

**Sd/-
AA Mishra
Member Secretary
Bhopal**

End. No. 345 /Estd /2021 Date: 19 Feb. 2021


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//TRUE TYPED AND TRANSLATED COPY

Copy to:

1. For information to the Staff Officer, Chairman, MP Pollution Control Board, Bhopal.
2. For information and compliance on behalf of all unit heads, headquarter zonal officer / regional officer / laboratory in-charge, MP Pollution Control Board.
3. Notice Board/Guard File/IT Branch/Office Order

(AA Mishra)
Member Secretary

From: Dev Chand
Sent: Wednesday, September 10, 2025 4:07 PM
To: dmujjain@nic.in; romppcb_ujjain@yahoo.co.in
Cc: Rajat Jariwal; Manish Barrua
Subject: Reply on Behalf of Respondent No. 5 | Original Application No. 875 of 2019 | Before the National Green Tribunal (Principal Bench)

Dear Sir/ Madam,

Please find attached herewith a link to the folder containing the copy of the Reply to the Original Application and objections to the Joint Committee Report dated 05.02.2021, to be filed on behalf of the Respondent No. 5, i.e., Grasim Industries Limited (Chemical Division), before the Principal Bench of the Hon'ble National Green Tribunal in Original Application No. 875 of 2019.

Link:  [Reply_Grasim Industries Limited \(Chemical Division\)_Service](#)

Kindly treat this email as service and acknowledge the receipt of the same.

Regards,

Trilegal,

Advocates for the Respondent No. 5

Dev Chand
Associate

Trilegal
1st Floor, Wing A&B,
Prius Platinum,
D-3, District Centre,
Saket, New Delhi,
110017

Tel Dir +911142599315

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