

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, DELHI
ORIGINAL APPLICATION NO. 620/2022**

IN THE MATTER OF:

Kaushal Kishore Vishwakarma

... Applicant

Versus

State of Punjab and Ors.

... Respondents

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NDOH- 15.10.2024

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Date: 14.10.2024
Place: New Delhi

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, DELHI
ORIGINAL APPLICATION NO. 620/2022**

In the matter of: -

Kaushal Kishore Vishwakarma

Applicant

Vs.

State of Punjab & Ors.

Respondent(s)

**REPLY ON BEHALF OF THE RESPONDENT NO. 9 CENTRAL
POLLUTION CONTROL BOARD. (CPCB)**

MOST RESPECTFULLY SHOWETH:

1. That the Hon'ble National Green Tribunal (hereinafter referred as NGT) *vide* Order dated 08.01.2024 impleaded the Central Pollution Control Board (hereinafter referred as CPCB / Answering Respondent) as Respondent No. 9 and *vide* order dated 28.08.2024 has sought the reply of CPCB in the instant matter. Thereby, the submissions are made in the succeeding paragraphs.
2. That, CPCB is a statutory Board constituted under Section 3 of the Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981 and The Environment (Protection) Act, 1986.
3. That, it is further submitted that the State Pollution Control Boards/Pollution Control Committees (hereinafter referred as SPCBs/PCCs) have been created in all States/Union Territories under Section 4 of the Water (Prevention & Control of Pollution), Act 1974



and under Section 5 of the Air (Prevention & Control of Pollution), Act 1981, to perform the functions and implement the provisions of these Acts in respect of their territorial Jurisdiction.

4. That Hon'ble NGT vide order dated 08.01.2024 in the instant matter directed CPCB to direct SPCBs/UTPCCs to verify the factual position regarding storage and disposal of carbon slurry in nitrogenous and complex fertilizer producing industries or any other industries in their jurisdiction. In compliance of the said direction, CPCB issued directions to all SPCBs and PCCs and submitted the affidavit containing the details provided by SPCBs / PCCs. The information was not provided by some of the SPCBs and PCCs.
5. That, the Hon'ble NGT thereafter vide order dated 28.08.2024 in the instant matter directed CPCB *"To obtain information from the remaining State PCBs and UTPCCs which have not provided the same so far and compile the information, issue appropriate directions on the basis of information received and file status report with details regarding action taken on the basis of information received"*. In compliance of the said direction, CPCB sent letter dated 12.09.2024 and reminder letter dated 23.09.2024 to seek information from State PCBs and PCCs. Copies of the said letters are annexed herewith as **Annexure Nos. I and II** respectively.
6. That, further CPCB vide Email dated 05.10. 2024 communicated those SPCBs and PCCs from which information were not received, to attend a meeting through video conference on 08.10.2024 and the said meeting was convened on 08.10.2024.
7. That in response to the aforesaid directions, letters and subsequent to aforementioned meeting dated 08.10.2024, CPCB has received information



from the SPCBs and PCCs except the SPCBs of the following states viz. Arunachal Pradesh, Himachal Pradesh, Jharkhand and Manipur.

8. That the compiled status report as per response submitted by SPCBs / PCCS as on 10.10.2024 is annexed at **Annexure-III**. And the information as received from SPCBs / PCCS is enclosed at **Annexure –IV**.
9. That, the answering respondent herein craves leave of the Hon'ble Tribunal to file additional reply, in future, if required.
10. That, in view of the submissions made in preceding paragraphs, the answering respondent i.e. CPCB shall abide by the orders/directions passed by the Hon'ble Tribunal in the instant matter.



(Dinabandhu Gouda)
Scientist 'F'

Central Pollution Control Board



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, DELHI
ORIGINAL APPLICATION NO. 620/2022**

In the matter of: -

Kaushal Kishore Vishwakarma

Applicant

Vs.

State of Punjab & Ors.

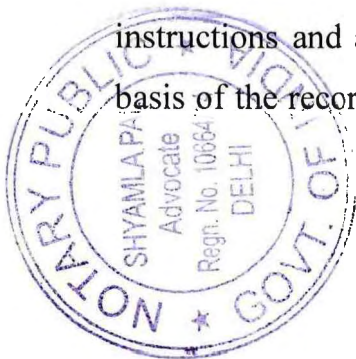
Respondent(s)

**REPLY ON BEHALF OF THE RESPONDENT NO. 9 CENTRAL
POLLUTION CONTROL BOARD. (CPCB)**

AFFIDAVIT

I, Dinabandhu Gouda, working as Scientist 'F' in the Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, the Respondent No.-9 in the above matter, do hereby solemnly affirm, declare on oath and state as under: -

1. That I deponent herein is authorized representative to represent the Respondent CPCB in the present case, and as such, well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit.
3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB



and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.



DEPONENT

दीनबन्धु गोडा /Dinabandhu Gouda
 प्रभागीय प्रमुख, आई.पी.सी.-I/Divisional Head, IPC-I
 केन्द्रीय प्रदूषण नियंत्रण बोर्ड
 Central Pollution Control Board
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
 M/o Env't. Forest & Climate Change, Govt. of India
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

11 4 OCT 2024

Verified at Delhi on this day of _____ 2024 that the contents of the above reply are correct and true on the basis of the records of the case as mentioned in the day-to-day affairs of the CPCB. Noting has been concealed therefrom or mis-stated.



DEPONENT

दीनबन्धु गोडा /Dinabandhu Gouda
 प्रभागीय प्रमुख, आई.पी.सी.-I/Divisional Head, IPC-I
 केन्द्रीय प्रदूषण नियंत्रण बोर्ड
 Central Pollution Control Board
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
 M/o Env't. Forest & Climate Change, Govt. of India
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

ATTESTED



NOTARY PUBLIC DELHI
 GOVT. INDIA

1 4 OCT 2024



CM-13011/189/2023-LAW-HO-CPCB-HO
To

4950-4971

September 12, 2024

The Member Secretary
Concerned SPCB / PCC
(As per List enclosed)

Sub.: Information regarding Nitrogenous & Complex Fertilizer units-In the matter of O.A.62012022Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. -reg.

Sir,

You are aware that Central Pollution Control Board (CPCB) on 01.02.2024 issued following directions under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1) (b) of The Air (Prevention and Control of Pollution) Act, 1981 to your State Pollution Control Board / Pollution Control Committees w.r.t. the order passed by Hon'ble National Green Tribunal (NGT) Principle Bench in O.A. No. 620/2022 :

1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified by the State Pollution Control Boards / Pollution Control Committees in their jurisdiction.
2. The action taken report along with status of storage and disposal of carbon slurry w.r.t. above direction shall be submitted to CPCB within 10 days of issuance of this direction.

In this regard, it is to inform that so far no response to above stated directions has been received from your end.

Now Hon'ble NGT in the same matter has directed CPCB to obtain information from the State PCBs and UTPCCs which have not provided the information and file status report with details regarding action taken on the basis of information received.

Also it is to inform that the matter is listed on 15.10.2014 and the report / response has to be filed by CPCB by one week before the date of hearing i.e. by 08.10.2024.

In view of this, it is requested to provide the information / action taken report w.r.t. aforementioned directions to CPCB by 18.09.2024.

Considering the paucity of time, it is requested that this matter may be taken on priority.

Yours faithfully

(Signature)

(Dinabandhu Gouda)
CPIO &DH
IPC-I Division

Encl: as above

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत... N. Singh
दिनांक 13/9/2024

o/c

List of remaining States

1. The Member Secretary,
Andhra Pradesh Pollution Control Board,
D.No. 33-26-14 D/2, Near Sunrise Hospital,
Pushpa Hotel Centre, Chalamvari Street,
Kasturibaipet, Vijayawada- 520010
Andhra Pradesh
2. The Member Secretary,
Arunachal Pradesh Pollution Control Board,
Paryavaran Bhawan, Yupia Road,
Pappu Hill,
Naharlagun – 791110
Arunachal Pradesh
3. The Member Secretary,
Assam Pollution Control Board,
Bamunimaidan,
Guwahati – 781021
Assam
4. The Member Secretary,
Bihar Pollution Control Board,
Parivesh Bhawan, Plot No. NS-B/2,
Paliputra Industrial Area,
Patliputra, Patna-800023
Bihar
5. The Member Secretary,
Chhattisgarh Environment Conservation Board,
Paryavas Bhavan, North Block Sector-19
Naya Raipur – 492 002
Chhattisgarh
6. The Member Secretary,
Goa Pollution Control Board,
Nr. Pilerne Industrial Estate,
Opp. Saligao Seminary, Saligao - Bardez Goa – 403511
7. The Member Secretary,
Haryana Pollution Control Board,
C-11, Sector 6, Panchkula,
Haryana- 134109

8. The Member Secretary,
Himachal Pradesh Pollution Control Board,
Him Parivesh, Phase III,
Below BCS, New Shimla – 171009
Himachal Pradesh
9. The Member Secretary,
Shiekh-ul-Campus, behind Govt. Silk
Factory, Raj Bagh, Srinagar(J&K)
(May-Oct)
10. The Member Secretary,
Jharkhand Pollution Control Board,
T.A Building, HEC, P.O. Dhurwa,
Ranchi – 834004
Jharkhand
11. The Member Secretary,
Karnataka Pollution Control Board,
Parisara Bhavan, 4th & 5th floor, #49, Church Street,
Bangalore – 560 001
Karnataka
12. The Member Secretary,
Maharashtra Pollution Control Board,
Kalpataru Point, 3rd & 4th floors,
Opp. Cine Planet Cinema, Nr. Sion Circle, Sion (E),
Mumbai 400 022
Maharashtra
13. The Member Secretary,
Madhya Pradesh Pollution Control Board,
Paryavaran Parisar, E-5 Arera Colony,
Bhopal – 462016
Madhya Pradesh
14. The Member Secretary,
Manipur Pollution Control Board,
Lamphelpat, Near Imphal West D.C. Office
Imphal – 795004
Manipur
15. The Member Secretary,
Mizoram Pollution Control Board,
New Secretariat Complex,
Khatla, Thlanmual Peng, Khatla, Aizawl
Mizoram- 796001

16. The Member Secretary,
Punjab Pollution Control Board,
Vatavaran Bhawan, Nabha Road,
Patiala - 147001
Punjab

17. The Member Secretary,
Sikkim Pollution Control Board,
Department of Forest,
Environment & Wildlife Management Government of Sikkim,
Deorali, Gangtok, -737102

18. The Member Secretary,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai - 600032
Tamil Nadu

19. The Member Secretary,
Tripura Pollution Control Board,
Vigyan Bhawan Pandit Nehru Complex,
Gorkhabasti, PO: Kunjaban
Agartala: 799006

20. The Member Secretary,
West Bengal Pollution Control Board,
Paribesh Bhavan,
10-A, Block -L.A., Sector III,
Bidhan Nagar,
Kolkata - 700 106
West Bengal

21. The Member Secretary,
Delhi Pollution Control Committee,
Government of N.C.T. Delhi,
4th floor, ISBT Building,
Kashmere Gate,
Delhi - 110006

22. The Member Secretary,
Puducherry Pollution Control Committee,
Housing Board Complex,
Anna Nagar, Pondichery - 600005



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

Urgent

Reminder-II

CM-13011/189/2023-LAW-HO-CPCB-HO

September 23, 2024

To

Member Secretary
(As per List enclosed)

Sub.: Information regarding Nitrogenous & Complex Fertilizer units-In the matter of O.A.62012022Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. –reg.

Sir,

This has reference to CPCB letter dated 11.09.2024 wherein Hon'ble NGT order in the matter of O.A.62012022 was referred in which Hon'ble NGT has directed CPCB to obtain information from the remaining State PCBs and UTPCCs which have not provided the factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified by the State Pollution Control Boards / Pollution Control Committees in their jurisdiction and the action taken report along with status of storage and disposal of carbon slurry.

Further, it was also mentioned in the CPCB letter that the matter is listed on 15.10.2014 and the report / response has to be filed by CPCB by one week before i.e. by 08.10.2024.

Earlier, CPCB has also issued direction on 01.02.2024 for submitting the said information to this office within 10 days of issuance of this direction.

After aforementioned CPCB direction, Hon'ble NGT order and CPCB reminder letter, no information has been received, yet, from your end.

In view of this, it is again requested to provide the same to this office by 27.09.2024.

This matter may be taken on priority.

Yours faithfully


(Dinabandhu Gouda)
CPIO &DH IPC-I Division

Encl: as above

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाईट/Website : www.cpcb.nic.in

List of remaining States

1. The Member Secretary,
Andhra Pradesh Pollution Control Board,
Dr. Y.S.R.Paryavaran Bhavan,
APIIC Colony Road, Gurunanak Colony,
Autonagar, Vijayawada- 520007.
2. The Member Secretary,
Arunachal Pradesh Pollution Control Board,
Paryavaran Bhawan, Yupia Road,
Pappu Hill,
Naharlagun – 791110
Arunachal Pradesh
3. The Member Secretary,
Assam Pollution Control Board,
Bamunimaidan,
Guwahati – 781021, Assam
4. The Member Secretary,
Bihar Pollution Control Board,
Parivesh Bhawan, Plot No. NS-B/2,
Paliputra Industrial Area,
Patliputra, Patna-800023
Bihar
5. The Member Secretary,
Chhattisgarh Environment Conservation Board,
Paryavas Bhavan, North Block Sector-19
Naya Raipur – 492 002
Chhattisgarh
6. The Member Secretary,
Haryana Pollution Control Board,
C-11, Sector 6, Panchkula,
Haryana- 134109
7. The Member Secretary,
Himachal Pradesh Pollution Control Board,
Him Parivesh, Phase III,
Below BCS, New Shimla – 171009
Himachal Pradesh
8. The Member Secretary,
Jammu & Kashmir Pollution Control Board,
Shiekh-ul-Campus, behind Govt. Silk Factory,
Raj Bagh, Srinagar(J&K).
9. The Member Secretary,
Jharkhand Pollution Control Board,
T.A Building, HEC, P.O. Dhurwa,
Ranchi – 834004
Jharkhand

10. The Member Secretary,
Karnataka Pollution Control Board,
Parisara Bhavan, 4th & 5th floor, #49, Church Street,
Bangalore – 560 001
Karnataka
11. The Member Secretary,
Maharashtra Pollution Control Board,
Kalpataru Point, 3rd & 4th floors,
Opp. Cine Planet Cinema, Nr. Sion Circle, Sion (E),
Mumbai 400 022
Maharashtra
12. The Member Secretary,
Madhya Pradesh Pollution Control Board,
Paryavaran Parisar, E-5 Arera Colony,
Bhopal – 462016
Madhya Pradesh
13. The Member Secretary,
Manipur Pollution Control Board,
Lamphelpat, Near Imphal West D.C. Office
Imphal – 795004
Manipur
14. The Member Secretary,
Mizoram Pollution Control Board,
New Secretariat Complex,
Khatla, Thlanmual Peng, Khatla, Aizawl
Mizoram- 796001
15. The Member Secretary,
Punjab Pollution Control Board,
Vatavaran Bhawan, Nabha Road,
Patiala - 147001
Punjab
16. The Member Secretary,
Sikkim Pollution Control Board,
Department of Forest,
Environment & Wildlife Management Government of Sikkim,
Deorali, Gangtok, -737102
17. The Member Secretary,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai - 600032
Tamil Nadu
18. The Member Secretary,
Tripura Pollution Control Board,
Vigyan Bhawan Pandit Nehru Complex,
Gorkhabasti, PO: Kunjaban

Agartala: 799006

19. The Member Secretary,
West Bengal Pollution Control Board,
Paribesh Bhavan,
10-A, Block -L.A., Sector III,
Bidhan Nagar,
Kolkata - 700 106
West Bengal
20. The Member Secretary,
Delhi Pollution Control Committee,
Government of N.C.T. Delhi,
4th floor, ISBT Building,
Kashmere Gate,
Delhi - 110006
21. The Member Secretary,
Puducherry Pollution Control Committee,
Housing Board Complex,
Anna Nagar, Pondichery - 600005

Status Report as on 10.10.2024 is as follows:

S.No.	State Pollution Control Boards / Pollution Control Committees (SPCBs/ PCCs)	Reply of SPCB / PCC to the directions issued by CPCB on 01.02.2024 / letters dated 15.12.2023, 12.09.2024 and 23.09.2024 regarding status of disposal of Carbon Slurry	Mode of Disposal of carbon slurry	Action taken by CPCB
1.	Andhra Pradesh	APPCB vide letter dated 01.10.2024 informed that there are 04 nitrogenous and complex fertilizers industries existing in the state of Andhra Pradesh and it is observed from the record, that these industries are not generating carbon slurry	Not Applicable	Not Applicable
2.	Andaman & Nicobar Islands	In response of CPCB direction dated 01.02.2024, Andaman & Nicobar PCB through letter dated 19.03.2024 informed that the action report regarding storage and disposal of carbon slurry be treated as nil.	Not Applicable	Not Applicable

3.	Assam	Assam SPCB through e-mail dated 08.10.2024 informed that there is no carbon slurry generating unit in Assam.	Not Applicable	Not Applicable
4.	Bihar	Bihar SPCB vide letter dated 09.10.2024 informed that Bihar has only one fertilizer producing unit named M/s Hindustan Urvarak & Rasayan Ltd, which does not generate carbon slurry.	Not Applicable	Not Applicable
5.	Chandigarh	In response of CPCB direction dated 01.02.2024, Chandigarh PCC through letter dated 14.03.2024 informed that there are no nitrogenous / complex fertilizer producing industries or any other industries that are involved in storage and disposal of carbon slurry in the UT.	Not Applicable	Not Applicable
6.	Chhattisgarh	In response of CPCB letter dated 12.09.2024, Chhattisgarh SPCB through letter dated 27.09.2024 informed that there are no nitrogenous / complex fertilizer producing industries in the state.	Not Applicable	Not Applicable

7.	Daman Diu and Dadra Nagar Haveli	In response of CPCB letter dated 15.12.2023, Daman & Diu PCC through letter dated 15.02.2024 informed that there are no nitrogenous / complex fertilizer units in the UT.	Not Applicable	Not Applicable
8.	Delhi	DPCC through letter dated 07.10.2024 informed that no nitrogenous and complex fertilizers manufacturing units are operating in Delhi.	Not Applicable	Not Applicable
9.	Goa	In response of CPCB letter dated 15.12.2023, Goa SPCB through letter dated 03.01.2024 informed that there is only one fertilizer industry named M/s Paradeep Phosphates Limited in the state, which uses Natural Gas as feedstock and does not generate carbon slurry.	Not Applicable	Not Applicable
10.	Gujarat	In response of CPCB letter dated 15.12.2023, Gujarat SPCB through letter dated 06.02.2024 informed that out of the three fertilizer units in the state, there is one unit named Gujarat Narmada Valley Fertilizers & Chemicals Limited (Unit-1) which generates carbon soot.	As per the Consent & Authorization from Gujarat PCB the unit utilizes Carbon Slurry generated in process in its boiler. The unit vide Email dated 08.10.2024 submitted that in 2013, the feed stock for manufacturing of	In view of directions issued by CPCB on 01.02.2024 and further CPCB letters dated 12.09.2024 and 23.09.2024 and in the information provided by the GPCB and the unit, CPCB issued letter to Gujarat SPCB on 08.10.2024 for ensuring that M/s. Narmada Valley Fertilizers & Chemicals Ltd dispose its carbon

			<p>ammonia for Urea production was replaced from LSHS to Natural gas . The ammonia manufactured using natural gas accounted for more than 60 % of the total ammonia production. Presently less than 40 % ammonia required for Industrial Products only is manufactured from LSHS gasification. The unit has installed carbon recovery system to recover more than 99% unburnt carbon (i.e. soot) and the small grey water blowdown stream (5757 kg/hr) having Carbon Soot content about 100~ 250 ppm against the design limit of 500 ppm is sent to Central ETP. Two nos. of Carbon Settling Ponds (CSP) having storage capacity of 9500 m³ are provided at Central</p>	<p>soot as per SOP issued by CPCB. The copy of letter issued by CPCB is enclosed as Annexure V.</p>
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			<p>ETP. These ponds are cleaned alternately as and when they get filled with the Carbon Soot. Once filled, the pond is isolated and kept for natural drying. After drying, Carbon Soot is collected from CSP. At the present production of ammonia using LSHS gasification the expected soot generation is about 9.0 Tonnes per annum (Volume \approx about 12 m³). As very low quantity of Carbon Soot is generated the settled Carbon Soot from CSP is removed once in 10-15 years. As of now, the unit does not have any Carbon Soot stored at-site and it will be generated after few years when the CSP needs to be cleaned. As CPCB has categorized carbon residue under the</p>	
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			hazardous waste category schedule-1, 18.2 category , the unit will manage the Carbon Soot as specified under Hazardous and Other (Waste (M&TM) Rules, 2016) after obtaining required permission as & when generated.	
11.	Haryana	Haryana PCB, Regional Office Panipat vide its letter dated 08.10.2024 has informed that there is one nitrogenous fertilizer unit M/s. National Fertilizer Limited, Panipat , which had stopped generating carbon slurry after November, 2012. The quantity of Carbon slurry stored at unit and requiring disposal was 122600 MT. The unit is disposing carbon slurry to M/s Shubham Chemicals since February, 2024 and has disposed 3126.9 MT . At present stored quantity of carbon slurry is 119473.1 MT. Environmental compensation for not disposing the waste within time period as per HOWM	The unit is disposing carbon slurry to M/s Shubham Chemicals since February, 2024 and has disposed 3126.9 MT. At present stored quantity of carbon slurry is 119473.1 MT	In view of directions issued by CPCB on 01.02.2024 and further CPCB letters dated 12.09.2024 and 23.09.2024 and in the information provided by Haryana SPCB , CPCB issued letter to Haryana SPCB on 11.10.2024 to ensure that the unit shall provide environmentally sound storage management of the remaining carbon residue and shall submit a time bound action plan for disposal/utilization to SPCB immediately ; and that further disposal / utilization of remaining carbon residue shall be ensured as per Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016 and as per the SOP issued by Central Pollution Control Board for

		Rules has been recommended to higher authority for imposition. The hearing for imposing environmental compensation is fixed on 09.10.2024.		utilization of carbon residue generated from Urea fertilizer industries. The copy of letter issued by CPCB is enclosed as Annexure VI.
12.	Jammu & Kashmir	In response of CPCB letter dated 12.09.2024, Jammu & Kashmir SPCB through letter dated 24.09.2024 informed that there are no fertilizer units in Jammu & Kashmir	Not Applicable	Not Applicable
13.	Karnataka	Karnataka SPCB through letter dated 12.03.2024 informed that Mangalore Chemicals & Fertilizer Ltd is the only industry in Karnataka which is producing Nitrogenous fertilizer. The said unit was earlier naphtha based and now Regasified Liquid Natural Gas based and has not generated carbon slurry.	Not Applicable	Not Applicable
14.	Kerala	In response of CPCB letter dated 15.12.2023, Kerala SPCB through letter dated 16.02.2024 informed that M/s Fertilizer and Chemicals Travancore Ltd (FACT), Ernakulum is the major fertilizer unit in the state, which does not generate carbon slurry since 1994. As on date there is nil quantity of	Not Applicable	Not Applicable

		carbon slurry required to be disposed		
15.	Lakshadweep	In response of CPCB direction dated 01.02.2024, Lakshadweep SPCB replied through letter dated 04.03.2024 informed that there are no spent carbon (carbon residue) generating industries in the UT.	Not Applicable	Not Applicable
16.	Madhya Pradesh	In response of CPCB letter dated 12.09.2024, Chhattisgarh SPCB through Email dated 28.09.2024 informed that there is one NFL unit in the state, which is methane based and does not generate carbon slurry.	Not Applicable	Not Applicable
17.	Maharashtra	As per information submitted by Maharashtra PCB vide Email dated 09.10.2024 no carbon slurry generating fertilizer unit is operating in the state.	Not Applicable	Not Applicable

18.	Meghalaya	In response of CPCB letter dated 12.09.2024, Meghalaya SPCB through letter dated 06.03.2024 informed that there is no urea fertilizer industry in the state.	Not Applicable	Not Applicable
19.	Mizoram	In response of CPCB letter dated 12.09.2024, Mizoram SPCB through letter dated 24.09.2024 informed that here are no nitrogenous / complex fertilizer units or any unit generating carbon slurry in the state.	Not Applicable	Not Applicable
20.	Nagaland	In response of CPCB letter dated 15.12.2023, Nagaland SPCB through letter dated 06.02.2024 informed that there are no urea / nitrogenous and complex fertilizer units in the state.	Not Applicable	Not Applicable
21.	Odisha	In response of CPCB direction dated 01.02.2024, Odisha replied through letter dated 27.02.2024 informed that there are no unit engaged in the manufacturing of urea /nitrogenous and	Not Applicable	Not Applicable

		complex fertilizer in the State. Hence, there is no generation of such hazardous waste in the state.		
22.	Puducherry	In response of CPCB letter dated 15.12.2023, Puducherry replied through e-mail dated 18.01.2024 informed that there is no Nitrogenous and Complex Fertilizer unit in the U.T of Puducherry.	Not Applicable	Not Applicable
23.	Punjab	In response of CPCB letter dated 23.09.2024, Punjab PCB vide its letter dated 07.10.2024 has informed that there are two nitrogenous & Complex fertilizers units , the details of which in respect of carbon residue disposal as provided by Punjab PCB is as follows: <ol style="list-style-type: none"> 1. M/s. National Fertilizer Limited, Bathinda: The unit has not generated carbon residue since 2013. The unit used to have 39600 MT of carbon residue, out of which 4900.2 MT has been disposed to a 	Authorized vendor lifted up Total 4,900.2 MT carbon Slurry from NFL Bathinda.	In view of directions issued by CPCB on 01.02.2024 and further CPCB letters dated 12.09.2024 and 23.09.2024 and in the information provided by Punjab PCB , CPCB issued letter to Punjab PCB on 11.10.2024 to ensure that the unit shall provide environmentally sound storage management of the remaining carbon residue and shall submit a time bound action plan for

		<p>hazardous waste reprocessor named M/s Shubham Sales Corporation, Haryana.</p> <p>ii. M/s. National Fertilizer Limited, Naya Nangal, District Rupnagar : No carbon slurry stored in the unit.</p> <p>Further, Punjab PCB informed that on 09.10.2024 it has imposed Environmental Compensation of Rs 11.88 Crores on M/s. National Fertilizer Limited, Bathinda</p>		<p>disposal/utilization to SPCB immediately ; and that further disposal / utilization of remaining carbon residue shall be ensured as per Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016 and as per the SOP issued by Central Pollution Control Board for utilization of carbon residue generated from Urea fertilizer industries. The copy of letter issued by CPCB is enclosed as Annexure VII.</p>
24.	Rajasthan	In response of CPCB letter dated 15.12.2023, Rajasthan SPCB through letter dated 23.01.2024 informed that there are no carbon slurry generating units in the state.	Not Applicable	Not Applicable
25.	Sikkim	In response of CPCB letter dated 12.09.2024, Sikkim SPCB through letter dated 24.09.2024 informed that there are no nitrogenous / complex fertilizer units or	Not Applicable	Not Applicable

		any unit generating carbon slurry in the state.		
26.	Tamil Nadu	Tamil Nadu has informed vide its letter dated 08.10.2024 that there are 6 fertilizer industries in the state and none of them generates carbon slurry.	Not Applicable	Not Applicable
27.	Telangana	In response of CPCB letter dated 15.12.2023, Telangana SPCB replied through letter dated 06.05.2024 informed that there are no carbon slurry generating units in the state.	Not Applicable	Not Applicable
28.	Tripura	In response of CPCB letter dated 23.09.2024, Tripura informed that informed that there is no Nitrogenous and Complex Fertilizer unit in the State of Tripura.	Not Applicable	Not Applicable
29.	Uttarakhand	In response of CPCB letter dated 15.12.2023, Uttarakhand replied through letter dated 19.01.2024 informed that there are no urea / nitrogenous and complex fertilizer units in the state	Not Applicable	Not Applicable

30.	Uttar Pradesh	In response of CPCB letter dated 15.12.2023, UP SPCB replied through letter dated 10.01.2024 informed that that the fertilizer units in the state are naphtha / natural gas based and do not generate carbon slurry.	Not Applicable	Not Applicable
31.	West Bengal	In response of CPCB letter dated 23.09.2024, West Bengal PCB has informed vide letter dated 07.10.2024 that in State only one unit ie. M/s. Matix Fertilizer and Chemicals Ltd. is manufacturing Nitrogenous Fertilizer but not generating, storing and disposing carbon slurry.	Not Applicable	Not Applicable



27

626

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

By Speed Post & Email

CM-13011/189/2023-LAW-HO-CPCB-HO

October 11, 2024

To

The Member Secretary,
Punjab Pollution Control Board,
Vatavaran Bhawan,
Nabha Road,
Patiala- 147001,
Punjab

Sub: Regarding Hon'ble National Green Tribunal matter O.A. No. 620 of 2022 (Kaushal Kishore Vishwakarma vs State of Punjab & Others) --reg.

Sir,


This refers to Punjab Pollution Control Board letter dated 07.10.2024 pertaining to above cited subject, wherein following details were provided regarding the following 02 Nitrogenous & Complex fertilizers units in respect of carbon residue disposal:

- I. **M/s. National Fertilizer Limited, Bathinda:** The unit has not generated carbon residue since 2013. The unit used to have 39600 MT of carbon residue, out of which 4900.2 MT has been disposed to a hazardous waste reprocessor named M/s Shubham Sales Corporation, Haryana.
- II. **M/s. National Fertilizer Limited, Naya Nangal, District Rupnagar :** No carbon slurry stored in the unit.

In this regard, the following is requested:

1. Carbon residue is listed as hazardous waste under 18.2 of Schedule I of HOWM Rules, 2016. It must be ensured that the unit shall provide environmentally sound storage management of the remaining carbon residue and shall submit a time bound action plan for disposal/utilization to SPCB immediately.
2. Further disposal / utilization of remaining carbon residue shall be ensured as per Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016 and as per the SOP issued by Central Pollution Control Board for utilization of carbon residue generated from Urea fertilizer industries.

Yours faithfully


(Dinabandhu Gouda)
Scientist 'F' and DH,
IPC-I Division

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

By Speed Post & Email

CM-13011/189/2023-LAW-HO-CPCB-HO

October 11, 2024

To

The Member Secretary,
Haryana State Pollution Control Board,
C-11, Sector-6,
Panchkula,
Haryana

Sub: Regarding Hon'ble National Green Tribunal matter O.A. No. 620 of 2022 (Kaushal Kishore Vishwakarma vs State of Punjab & Others) –reg.


Sir,

This refers to Haryana State Pollution Control Board, Panipat Regional Office letter dated 08.10.2024 pertaining to above cited subject, wherein it was informed that M/s. National Fertilizer Limited, Panipat, had stopped generating carbon slurry after November, 2012. The quantity of Carbon slurry stored at unit and requiring disposal was 122600 MT. The unit is disposing carbon slurry to M/s Shubham Chemicals since February, 2024 and has disposed 3126.9 MT. At present stored quantity of carbon slurry is 119473.1 MT.

In this regard, the following is requested:

1. Carbon residue is listed as hazardous waste under 18.2 of Schedule I of HOWM Rules, 2016. It must be ensured that the unit shall provide environmentally sound storage management of the remaining carbon residue and shall submit a time bound action plan for disposal/utilization to SPCB immediately.
2. Further disposal / utilization of remaining carbon residue shall be ensured as per Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016 and as per the SOP issued by Central Pollution Control Board for utilization of carbon residue generated from Urea fertilizer industries.

Yours faithfully


(Dinabandhu Gouda)
Scientist 'F' and DH,
IPC-I Division

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : www.cpbc.nic.in



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

CM-13011/189/2023-LAW-HO-CPCB-HO

October 08, 2024

To

Member Secretary
Gujarat Pollution Control Board
Paryavan Bhavan, Sector 10- A
Gandhinagar – 382 043, Gujarat

Sub.: Disposal of carbon soot by M/s. Narmada Valley Fertilizers & Chemicals Ltd (Unit-1), P.O: Narmadanagar – 392 015. District: Bharuch, Gujarat- reg.

Sir,

This has reference to the discussion held during the meeting conducted through Video Conference on 08.10.2024 regarding disposal of carbon soot by M/s. Narmada Valley Fertilizers & Chemicals Ltd (Unit-1), P.O: Narmadanagar – 392 015. District: Bharuch, Gujarat. In this regard, it is requested to ensure that the disposal of carbon soot by the unit shall be done as per SOP issued by CPCB.

It is requested to submit Action Taken Report in this regard to this office at the earliest.

Yours faithfully

(Dinabandhu Gouda)
CPIO &DH IPC-I Division

Encl: as above

Copy to :

M/s. Narmada Valley Fertilizers & Chemicals Ltd (Unit-1),
P.O: Narmadanagar – 392 015.
District: Bharuch, Gujarat

(Dinabandhu Gouda)

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : www.cpbc.nic.in



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel 03862-245727, TeleFax, 03862-245726

Website. www.npcb.nagaland.gov.in e-mail: npcb2@yahoo.com

(1)

NPCB/IND-4/ 5385-86

Dated 06/02/2024

To

✓ The Member Secretary
Central Pollution Control Board
Parvesh Bhawan, East Arjun Nagar
New Delhi - 110032

Sub: Directions issued under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1) (b) of The Air (Prevention and Control of Pollution) Act, 1981 in the matter of order passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Original Application No. 620/2022 -reg.

Ref: CPCB letter No. B-29016/IPC-I/ February 01, 2024

Sir,

With reference to the above cited subject, I would like to inform you that there are no urea Fertilizer Industry/ nitrogenous and complex fertilizers producing industries operating in the state of Nagaland

This is for your kind information.

Yours Sincerely,

(K. Hukato Chishi IFS)
Member Secretary

NPCB/IND-4/

Dated 06/02/2024

Copy to:

The Regional Director, Central Pollution Control Board, Regional Directorate – Shillong, BSNL NE-1, Telecom Circle, CTO Building, Ground Floor, Shillong – 793001, for kind information

Member Secretary



प्रदूषण नियंत्रण समिति

Pollution Control Committee

संघ प्रदेश प्रशासन दादरा एवं नगर हवेली एवं दमन एवं दीव

U. T. Administration of Dadra and Nagar Haveli and Daman and Diu

प्रथम तल, उद्योग भवन, भेंसलोर, नानी दमन, दमन - ३९६२१०

1st Floor, Udyog Bhavan, Bhenslore, Nani Daman, Daman-396210

Ph.: 0260 - 2262524 / 2260975, e-mail – pcc-dnhdd@ddd.gov.in



क्रमांक : पीसीसी/डीडीडी/एनजीटी-६२०(२०२२)/२०२३-२४/ 16

दिनांक: 15/01/2024

सेवा में,

दीनबंधु गौड़ा

वैज्ञानिक 'एफ' एवं डीएच-आईपीसी-1 प्रभाग,

परिवेश भवन, पूर्व अर्जुन नगर,

दिल्ली-११० ०३२.

विषय : ओ. ए. ६२०/२०२२ के संदर्भ में : कौशल किशोर विश्वकर्मा बनाम पंजाब राज्य एवं अन्य।

संदर्भ : आपका पत्र क्रमांक : सीएम - ९९/१/२०२३-लो-आरडी-वडोदरा-आरडी(वडोदरा)/५१५

दिनांक : ०२/०१/२०२४.

महोदय,

उपरोक्त विषय एवं संदर्भ में, यह सूचित किया जाता है की संघ प्रदेश दादरा एवं नगर हवेली एवं दमन एवं दीव में कोई भी नाइट्रोजन एवं जटिल उर्वरक इकाइया (Nitrogenous & complex fertilizer Units) स्थापित / संचालित नहीं है। अतः आपसे अनुरोध है की इस संबंध में संघ प्रदेश दादरा एवं नगर हवेली एवं दमन एवं दीव से संबंधित जानकारी को शून्य माना जाए।

सदस्य सचिव,
प्रदूषण नियंत्रण समिति,
दानह एवं द.दि.

प्रतिलिपि:

1. अध्यक्ष, पीसीसी, दानह एवं द.दि. को सूचनार्थ।
2. क्षेत्रीय निदेशालय (पश्चिम), केंद्रीय प्रदूषण नियंत्रण बोर्ड, "परिवेश भवन", वार्ड कार्यालय नं. १० के पास, सुभानपुरा, वडोदरा-३९००२३.

E-157449/11-03-2024

GOA STATE POLLUTION CONTROL BOARD**गोंय राज्य प्रदूषण नियंत्रण मंडळ****(An ISO 9001:2015, ISO 14001:2015, ISO 45001:2018 Certified Board)**Phone Nos : 0832- 2407700,
2407701, 2407703

Email Ids:

Chairman, GSPCB: chairman-gspcb.goa@nic.in
Member Secretary, GSPCB: ms-gspcb.goa@nic.in
Office: mail.gspcb@gov.in

No. 2024/GSPCB/Letter/24746/Tech/27068 Speed Post

Date: 6/03/2024

To,
Member Secretary
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar,
New Delhi -110032

Sub: Reply to Directions issued under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1) (b) of the Air (Prevention & Control of Pollution) Act, 1981 in the matter of order passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Original Application No. 620/2022 reg.

Ref: Your letter No. B-290 16/IPC-1/9287 dated 01/02/2024.

Sir,

With reference to the subject cited above, this is to inform you that in the state of Goa, there is only one fertilizer industry. M/s. Paradeep Phosphates Limited (PPL), then M/s. Zuari Agro Chemicals Limited (ZACL) was using Naptha as feed stock for urea manufacturing. PPL were not using FO/LSHS as feed stock for urea manufacturing. So carbon slurry is not generated in the process.

In this regard in the matter of O.A. 620/2022: Kaushal Kishore Vishwakarma Vs State of Punjab and Ors – reg; Board had submitted reply to CPCB, New Delhi dated on 03/01/2024, copy of letter enclosed for your information.

In view of above reply, the Directions issued to the Board vide your letter referred above may be revoked since there are no industries in the state of Goa that generate carbon slurry.

Yours Faithfully,

(Dr. Shamila Monteiro)
Member Secretary

Goa State Pollution Control Board

Copy to:

1. Office file.
2. Guard file.

ms to
DM-IPC-1

13/3/24

SEE AS 1

**Jammu and Kashmir
Pollution Control Committee**
chairman87jkpcb@gmail.com
membersecretaryjkpcb@gmail.com
0191 – 2472881, 2476925



Parivesh Bhavan, Forest
Complex, Transport Nagar,
Jammu, 180 006
Silk Factory Road
Rajbagh, Srinagar, 190 008

NGT Matter

**Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032.**

No.: JKPC/Sc./OA-620/2024/1041

Date: 24.09-2024

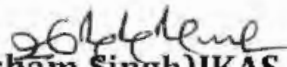
Sub: Information regarding Nitrogenous & Complex Fertilizer units-In
the matter of O.A 620 /2022 Kaushal Kishore Vishwakarma V/s
State of Punjab & Ors. -reg.

Ref: CM-13011/189/2023-LAW-HO-CPCB-HO; dated 23.09.2024.

Sir,

Please refer to the subject & reference referred above. In this
connection, I am to convey that there is **No** Fertilizer industry operational in
UT of Jammu & Kashmir and information to your letter No. B-29016/IPC-
1/9284; dated 01.02.2024 stands shared by this office vide No. JKPC/ Sc. NGT-
27/789-791; dated 07.03.2024.

Yours Sincerely,


(Ghansham Singh)JKAS
Member Secretary 24.9.24

GUJARAT POLLUTION CONTROL BOARD**GPCB**

PARYAVARAN BHAVAN

Sector-10-A. **Gandhinagar**-382 010

Phone : (079) 23226295

Fax : (079) 23232156

Website : www.gpcb.gov.in

NO: GPCB/P1/314/784237**Date:**

14 FEB 2024

**Parul, SRF,
IPC-I Division,
Central Pollution Control Board – HO,
Parivesh Bhavan, East Arjun Nagar,
Delhi - 110032**

Sub: Directions Issued under Section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18(1)(b) of the Air (Prevention & Control of Pollution) Act, 1981 in the matter of order passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Original Application No. 620/2022 -reg.

Ref: 1) Your Email dated: 02/02/2024.
2) Your office letter no. B-29016/IPC-I/9286, dated: 01/02/2024.

Sir,

In connection with above mentioned subject and reference, kindly find herewith requisite details related to Nitrogenous & Complex Fertilizer units in prescribed format.

This is for your kind information and further necessary action please.

This letter is issued after obtaining prior permission of the competent authority.

Thanking you,

For & on behalf of

Gujarat Pollution Control Board

Raj
12/2/24
(R.V. Patel)

Sr. Environmental Engineer

Encl: As above.

Clean Gujarat Green Gujarat

ISO - 9001 - 2008 & ISO - 14001 - 2004 Certified Organisation



35 GUJARAT STATE FERTILIZERS & CHEMICALS LIMITED 634

Fertilizernagar - 391 750. Vadodara, Gujarat, INDIA.

CIN : L99999GJ1962PLC001121

GSFC/EC/CPCB/OA620/2022/CS details

28th December 2023

To,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi - 110032.

Kind. Attn. : Shri Dinabandhu Gouda – Sc. 'F' & DH-IPC-I Division

Sub.: Submission of Information in the matter of O.A. 620/2022: Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. - reg.

Dear Sir,

With ref. to above stated subject, we are in receipt of your letter no. CM-13011/189/2023-LAW-HO-CPCB-HO/3519 dated 15/12/23, which is received today i.e. 28/12/23. In this regard, information sought by your good office are as below:

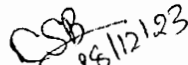
Sr. No.	Information sought	GSFC's information
1	Status of carbon slurry (hazardous waste) generated by the unit per annum,	GSFC's Ammonia plants are based on the Natural Gas feedstock & there is no generation of Carbon Slurry from manufacturing process.
2	Status of quantity of carbon slurry stored by the unit.	Not Applicable
3	Mode of disposal of carbon slurry being carried out by the unit. Evidence of disposal of carbon slurry i.e. copy of Hazardous Wastes Disposal Manifest - Form 10 may be provided,	Not Applicable
4	In case, no carbon slurry is generated by the unit, it may be informed since which year carbon slurry is not being generated.	Not Applicable
5	Quantity of carbon slurry (hazardous waste) that is yet to be disposed of by the unit may be informed.	Not Applicable

We hope that above details are in line with the requirement.

Thanking you,

Yours faithfully

For Gujarat State Fertilizers & Chemicals Limited


K S Badani

Sr. Vice President (I&MB, U&EC & FU)

Ph. : (O) +91-265-2242451, 2242651, 2242751, 2242641

Fax : +91-265-2240966 - 2240119 • Email : ho@gsfcltd.com • Website : www.gsfclimited.com

ISO 9001, ISO 14001, ISO 45001 & ISO 50001 Certified Company

Date: 12.02.2024

Gujarat Narmada Valley Fertilizers & Chemicals Limited (Unit-1)

GPCB ID: 15121

information regarding Nitrogenous & Complex Fertilizer units

Sr.No	Name and address of Industrial unit	Status of carbon slurry (Hazardous waste) generated by the unit per annum.	Status of quantity of carbon slurry stored by the unit.	Mode of disposal of carbon slurry being carried out by the unit. Evidence of disposal of carbon slurry i.e copy of Hazardous Wastes Disposal manifest-Form 10 may be provided.	In case,no carbon slurry is generated by the unit,it may be informed since which year carbon slurry is not being generated.	Quantity of carbon slurry (hazardous waste) that is yet to be disposed by the unit may be informed.
1	Gujarat Narmada Valley Fertilizers & Chemicals Limited (Unit-1)	<p>Carbon soot is generated as & when carbon settling pond taken out for cleaning.</p> <p>Two nos. of carbon settling ponds (SR-9A & SR-9B) having capacity of 4750 m3 are provided.</p> <p>Alternatively, carbon settling ponds are cleaned in a cycle of @ 20 years. Last carbon settling pond (SR-9B) was cleaned in year 2022 and 1805 m3 carbon soot was removed and utilized in GNFC's boiler along with coal.</p> <p>Carbon Settling Pond SR-9A is under drying. GNFC (Unit-1) is under planning for removal of carbon soot from SR-9A in April-2024.</p>	<p>At present there is no carbon soot stored by GNFC. However @ 2000 MT to 2500 MT carbon soot will be generated from SR-9A in April-2024.</p> <p>Approximately 2000 MT to 2500 MT carbon soot will be removed/generated from SR-9A in April-2024.</p>	<p>As & when carbon soot is removed from Carbon Settling Pond, it is being utilized in GNFC's boiler along with coal as per the CC&A order no. AWH-108621 granted by the GPCB.</p>	Not applicable	<p>Currently there is no stock of carbon soot however @ 2000 MT to 2500 MT carbon soot will be generated from SR-9A in April-2024.</p>

5/12

59/c

Gujarat Pollution Control Board
Regional Office - Gandhinagar

Information regarding Nitrogenous & Complex Fertilizer unit

Sr No	Name & Address of the Unit	Status of carbon slurry (Hazardous waste) generated by the unit per Annum	Status and quantity of carbon slurry stored by the unit	Mode of disposal of carbon slurry being carried out by the unit. Evidence of disposal of carbon slurry i.e. copy of Hazardous Waste disposal manifest - From 10 may be provided	In case, no carbon slurry is generated by the unit, it may be informed since which year carbon slurry is not being generated	Quantity of carbon slurry (hazardous waste) that is yet to be disposed by the unit may be informed
1	M/s Indian Farmers Fertilizer Co. Ltd, PO: Kasturi Nagar, Tal: Kalol, Dist: Gandhinagar (GPCB ID: 16444)	Main raw material for manufacture of ammonia in ammonia - urea complex at M/s IFFCO, Kalol is Natural Gas and there is no generation of carbon slurry in the complex since inception.	NIL	NA	Main raw material for manufacture of ammonia in ammonia - urea complex at M/s IFFCO, Kalol is Natural Gas and there is no generation of carbon slurry in the complex since inception.	NIL

Fwd: Details of GNFC on the matter of carbon soot

DG Dinabandhu Gouda <dinabandhu.cpcb@nic.in>
Tue, 08 Oct 2024 6:22:53 PM +0530

To "ashbir singh" <ashbirsingh.cpcb@nic.in>, "Parul Shahi" <parulshahi.cpcb@supportgov.in>

Dinabandhu Gouda, Scientist F(Director)
Divisional Head IPC-I
Central Pollution Control Board
(Ministry of Environment ,Forests & Climate Change)
Parivesh Bhawan
Delhi-110032
011-43102420/011-22304812

==== Forwarded message =====
From: Dharmeshkumar Kantibhai Patel <dkpatel@gnfc.in>
To: <dinabandhu.cpcb@nic.in>
Cc: "M I Shamsi" <mishamsi@gnfc.in>, "H V Dave" <hvdave@gnfc.in>
Date: Tue, 08 Oct 2024 17:57:07 +0530
Subject: Details of GNFC on the matter of carbon soot
==== Forwarded message =====

GNFC/CPCB/2024-25
Date: 08.10.2024

To
Mr. Dinabandhu Gouda
Sc. F & DH, IPC-I
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi

Sub: Details of Gujarat Narmada Valley Fertilizers & Chemicals Limited (GNFC) on the matter of carbon soot.

Respected Sir,

GNFC had installed ammonia plant based on partial oxidation of LSHS utilized in the manufacturing of Urea. In 2013, the feed stock for manufacturing of ammonia for Urea production was replaced from LSHS to Natural gas by installation of ASGP plant. The ammonia manufactured using natural gas accounted for more than 60 % of the total ammonia production. Presently less than 40 % ammonia required for Industrial Products only is manufactured from LSHS gasification.

It is submitted that GNFC has installed TEXACO's well proven carbon recovery system to recover more than 99% unburnt carbon (i.e. soot) and the small grey water blowdown stream (5757 kg/hr) having Carbon Soot content about 100~ 250 ppm against the design limit of 500 ppm is sent to Central ETP. Two nos. of Carbon Settling Ponds (CSP) having storage capacity of 9500 m³ are provided at Central ETP. These ponds are cleaned alternately as and when they get filled with the Carbon Soot. Once filled, the pond is isolated and kept for natural drying. After drying, Carbon Soot is collected from CSP. At the present production of ammonia using LSHS gasification the expected soot generation is about 9.0 Tonnes per annum (Volume \approx about 12 m³). As very low quantity of Carbon Soot is generated the settled Carbon Soot from CSP is removed once in 10-15 years.

In the Consolidated Consent & Authorization granted by the GPCB, this Carbon Soot is categorized as other waste and GNFC is permitted to burn it in boiler along with the coal. As of now, GNFC does not have any Carbon Soot stored at-site and it will be generated after few years when the CSP needs to be cleaned.

As CPCB has categorized carbon residue under the hazardous waste category schedule-1, 18.2 category, GNFC will manage the Carbon Soot as specified under Hazardous and Other (Waste (M&TM) Rules, 2016) after obtaining required permission as & when generated.

Thanks and Regards

D K PATEL
Senior Manager (Environment)
Gujarat Narmada Valley Fertilizers & Chemicals Limited,
PO. Narmadanagar - 392 015
Bharuch (Guj.)
Mobile: 09601451018
Phone : (O) 02642- 202789

☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151
e-mail: chn.kspcb@gov.in; ms.kspcb@gov.in FAX: 2318152 web: kspcb.kerala.gov.in



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004



KSPCB/55/2024-SEE-1

Date: 09/04/2024

From

The Member Secretary

To

The Member Secretary
Central Pollution Control Board
Parivesh Bhavan
East Arjun Nagar, Delhi-110032

Sub: Directions Issued under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1) (b) of The Air (Prevention and Control of Pollution) Act, 1981 in the matter of order passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Original Application No.620/2022- Action Taken Report on Storage and Disposal of Carbon Slurry-reg

Ref: 1.Your office Letter No. B-29016/IPC-I dated 01/02/2024
2.This office Letter of even no dated 16/02/2024

Sir,

Kind attention is invited to the subject matter wherein it was requested to provide the action taken report regarding status of storage and disposal of Carbon Slurry. In addition to the details of Nitrogenous & Complex Fertilizer units submitted vide reference cited 2nd the following may please be noted.

- An inspection was conducted at M/s Fertilizer and Chemical Travancore ltd (FACT) (which is the major fertilizer unit in Kerala) by the Board officials on 21/02/2024 to verify the status of storage and disposal of carbon slurry.
- Earlier carbon slurry was generated in the unit during oil gasification process, which was used for producing Hydrogen gas in order to produce ammonia
- The oil gasification plant had stopped since 1994 and the oil gasification process was replaced by more advanced Naphtha reforming process in 1994 and further modified by using LNG in 2013.

- At present steam reforming of natural gas is used instead of oil gasification and the carbon slurry is not produced since then.
- Email from the unit dated 13.02.2024 regarding the carbon slurry disposal is attached herewith. It has been 30 years since the oil gasification plant was decommissioned, presently no carbon slurry is not stored in the industry. No accumulation or storage of carbon slurry was noticed during the inspection.

Yours Faithfully,

Shree A. A.

MEMBER SECRETARY

Copy To: Regional Director, Regional Directorate,
CPCB Bengaluru



Technical Section KSPCB <kspcbtech1@gmail.com>

Details of carbon slurry in Nitrogenous and Complex Fertilizer Units-reg

KSPCB ELOOR <esceloor@yahoo.co.in>

Tue, Feb 13, 2024 at 11:04 AM

Reply-To: KSPCB ELOOR <esceloor@yahoo.co.in>

To: Technical Section KSPCB <kspcbtech1@gmail.com>

Sir,

The additional details received from FACT regarding the carbon slurry is forwarded herewith.

Regards,
Environmental Engineer
Kerala State Pollution Control Board
Environmental Surveillance Centre
Eloor, Ernakulam
Phone: 0484 2545678

----- Forwarded message -----

From: Technical Services-UC,TSD(UC)-F,UC <techucf@factltd.com>**To:** esceloor <esceloor@yahoo.co.in>**Cc:** SM(TS)Pr-UC <smtechucf@factltd.com>; Nagesh Prabhu, DGM(TS)-Pr.,UC <nageshprabhu@factltd.com>; Joy M.A.,GM(T)UC <joyma@factltd.com>**Sent:** Tuesday, 13 February, 2024 at 11:00:04 am IST**Subject:** Re: Details of carbon slurry in Nitrogenous and Complex Fertilizer Units-reg

Dear Sir,

Carbon slurry was generated in Oil gasification plant (O. G .Plant) and the plant is designed to produce Hydrogen gas for ammonia production. Oil gasification plant has stopped since 1994. At present the steam reforming of natural gas is used instead of oil gasification. Since it's been 30 years that the O. G. plant was decommissioned, no other records are available.

Thank You & Regards

Joy M A

General Manager (Technical)

FACT UC

Udyogamandal

From: "esceloor" <esceloor@yahoo.co.in>**To:** "Technical Services-UC, TSD(UC)-F,UC" <techucf@factltd.com>**Sent:** Tuesday, 6 February, 2024 12:41:18**Subject:** Fw: Details of carbon slurry in Nitrogenous and Complex Fertilizer Units-reg

sir,

kindly provide the details immediately.Treat this as most important.

Regards,
Environmental Engineer
Kerala State Pollution Control Board
Environmental Surveillance Centre
Eloor, Ernakulam
Phone: 0484 2545678

By email/ Postal

No. MPCB/HSM-19/2019/2023-2024/ 13

Dtd. Shillong, the 6th March, 2024

To

(Bharat Kumar Sharma)
Member Secretary
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi- 110032
Email Website: parulshahi.cpcb@supportgov.in

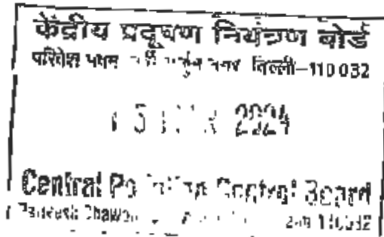
Sub: Direction Issued in the matter of order passed by Hon'ble NGT, Principal Bench, New Delhi in the matter of Original Application No.620/2022-reg.

Sir,

With reference to the subject mentioned above, I am to inform that there are no Urea Fertilizer industry in the state of Meghalaya.

This is for your kind information and needful.

Yours Faithfully,




(DR G. H. CHYRMANG, MFS)
MEMBER SECRETARY

Meghalaya State Pollution Control Board
Shillong

MIZORAM POLLUTION CONTROL BOARD

No. H.88088/Poltn/50(120)/2024-MPCB

: Dated Aizawl, the 24th September, 2024

To,

Shri. Dinabandhu Gouda
CPIO & DH
Industrial Pollution Control (IPC) -I
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi-110032.

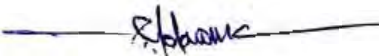
Subj.: Information regarding Nitrogenous & Complex Fertilizer units – in the matter of
O.A. 620/2022 Kaushal Kishore Vishwakarma Vs State of Punjab & Ors.-reg.

Reference: Y/L No. CM-13011/189/2023-LAW-HO-CPCB-HO dt. 12.09.2024

Sir,

With reference to the subject and letter no. cited above, may I inform you that there are no nitrogenous and complex fertilizers producing industries or any other industries that produce carbon slurry in the State. Therefore, the status for the state may be treated as Nil.

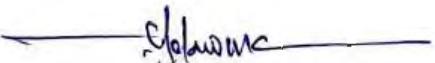
Yours faithfully


(C. LALDUHAWMA)
Member Secretary

Memo No. H.88088/Poltn/50(120)/2024-MPCB

: Dated Aizawl, the 24th September, 2024

Copy to: The Regional Director, Central Pollution Control Board, Shillong for information and necessary action.

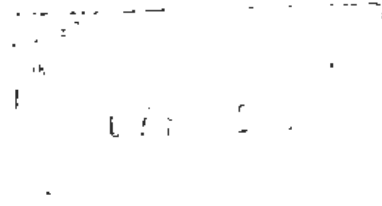

(C. LALDUHAWMA)
Member Secretary
Mizoram Pollution Control Board

Government of Rajasthan
Rajasthan State Pollution Control Board

File Number F13(Gen-9)RSPCB/PDFV-1/2023-00624 / 389

Jaipur, Date 23-01-2024

✓
Sh. Dinabandhu Gouda,
Sc. 'F' & DH – IPC – I Division,
Central Pollution Control Board,
Ministry of Environment, Forest & Climate Change, Govt.,
Parvesh Bhawan, East Arjun Nagar,
Delhi – 110032



Subject – In the matter of O A 620/2022: Kaushal Kishore Vishwakarma V/s State of Punjab & Ors. reg

Reference – Your letter no CM-13011/189/2023-LAW-HO-CPCB-HO dated 15.12.2023

Sir,

Apropos above, the point-wise information pertaining to Nitrogenous & Complex Fertilizers units is as follows:

S No	Particulars of the requisite information	Status of the requisite information
1	Status of carbon slurry (hazardous waste) generated by the unit per annum	NIL
2.	Status of quantity of carbon slurry stored by the unit.	NIL
3	Mode of disposal of carbon slurry being carried out by the unit. Evidence of disposal of carbon slurry i.e., copy of Hazardous Waste Disposal Manifest – Form 10 may be provided.	NIL
4.	In case, no carbon slurry is generated by the unit, it may be informed since which year carbon slurry is not being generated	NIL
5	Quantity of carbon slurry (hazardous waste) that is yet to be disposed by the unit may be informed	NIL

Signature valid

Digitally signed by N. Vijai
Designation: Member, Secretary
Date: 2024.01.23 17:16:27 IST
Reason: Approved



For kind information, please



STATE POLLUTION CONTROL BOARD-SIKKIM
DEPARTMENT OF FOREST & ENVIRONMENT
GOVERNMENT OF SIKKIM
DEORALI, GANGTOK - 737102

Email: spcbsikkim@g.

F. No. 423/SPCBI/9008

Dated: 29/2/2024

To,

Shri Bharat Kumar Sharma,
Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
New Delhi-110032.



Sub: Directions issued under Section 18(1) (b) of the water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1) (b) of The Air (Prevention and Control of Pollution Act 1981). In the matter of order passed by the Hon'ble Nation Green Tribunal, Principal Bench, New Delhi in the matter of Original Application No. 620/2022-reg).

Sir,

With reference to the direction issued by the CPCB vide Direction no. B-290 16 /IPC-1/9283, dated: 01/02/2024 on the subject cited above, it is to inform you that the state does not have Nitrogeneous and complex Fertilizers producing industries or related industries.

This is for your kind information please.

Thanking you,

Yours sincerely,

(Dr. Gopal Pradhan)


Member Secretary

State Pollution Control Board-Sikkim
Dr. Gopal Pradhan

Member Secretary

State Pollution Control Board
Forest & Environment Deptt.
Govt of Sikkim

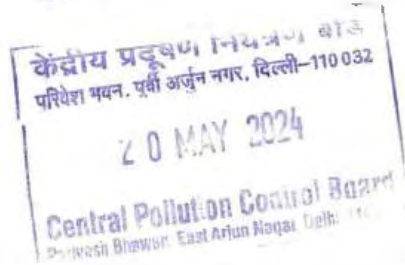


	<p align="center">TELANGANA STATE POLLUTION CONTROL BOARD PARYAVARAN BHAVAN, A - 3, INDUSTRIAL ESTATE, SANATHNAGAR, HYDERABAD - 500 018</p>	<p>Phone: 23887500 Fax: 040 – 23815631 Website: tspcb.cgg.gov.in</p>
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Circular No. TSPCB/Gen/Unit-I/HO/2023 - 323

Dt.06.05.2024

To
 The Member Secretary,
 Central Pollution Control Board,
 Parivesh Bhawan East Arjun Nagar,
 Delhi-110032.



Sir,

Sub: TSPCB – Information on status and storage and disposal of carbon slurry in Telangana State in the matter of Original Application No.620/2022 of Hon'ble National Green Tribunal, Principal Bench, New Delhi – Information furnished – Reg.


Ref: CM-13011/189/2023-LAW-HO-CPCB-HO - 3478, Dt. 15.12.2023, received on 05.01.2024.

With reference to the cited above, the CPCB, New Delhi has requested information on status and storage & disposal of carbon slurry in the matter of Original Application No.620/2022 of Hon'ble National Green Tribunal, Principal Bench, New Delhi.

In this regard, it is to inform that there are no Carbon slurry generating units existing in Telangana State.

Sd/-
MEMBER SECRETARY

///T.C.F.B.O///


 SENIOR ENVIRONMENTAL ENGINEER
 (Unit-I)



केन्द्रीय प्रदूषण नियंत्रण बोर्ड

Central Pollution Control Board

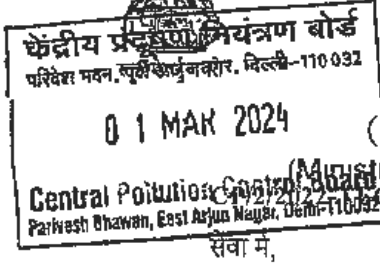
क्षेत्रीय निदेशालय, लखनऊ

Regional Directorate, Lucknow

(पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार)

(Ministry of Environment, Forest and Climate Change, Govt of India)

H-RD-LUCKNOW-RD-Lucknow / 835



दिनांक: 27.02.2024

सेवा में,

सदस्य सचिव,

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

परिवेश भवन, पूर्वी अर्जुन नगर

दिल्ली

(ध्यानाकर्षण: प्रभाग प्रभारी, आई पी सी -I प्रभाग)

विषय: मा. राष्ट्रीय हरित अधिकरण मे दायर ओ. ए. संख्या 620/2022 "कौशल किशोर विश्वकर्मा बनाम स्टेट ऑफ पंजाब एवं अन्य" में पारित आदेश दिनांक - 24.11.2023 के अनुपालन के संबंध में।

महोदय,

कृपया उपरोक्त विषयक मा. राष्ट्रीय हरित अधिकरण मे दायर ओ. ए. संख्या 620/2022 "कौशल किशोर विश्वकर्मा बनाम स्टेट ऑफ पंजाब एवं अन्य" मे पारित आदेश दिनांक - 24.11.2023 के संदर्भ में उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड के पत्राक यूकेपीसीबी/एच ओ/सा03.2024/1261 दिनांक 19.01.2024 के अनुसार उत्तराखण्ड राज्य में कोई भी नाइट्रोजनयुक्त एवं जटिल उर्वरक के उत्पादन से संबंधित इकाई स्थापित/संचालित नहीं है।

पत्र की प्रति सूचनार्थ एवं आवश्यक कार्यवाही हेतु सादर सलाम है।

सलामतक: यथोपरि

भवदीय

(देवेन्द्र कुं. सोनी)

क्षेत्रीय निदेशक



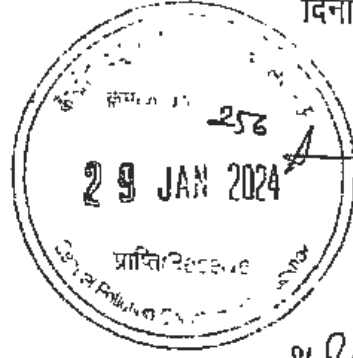
मुख्यालय
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड
"गौरा देवी पर्यावरण भवन"
48बी, आई.टी. पार्क, सहस्त्रधारा रोड, देहरादून
E-mail : msukpcb@yahoo.com, दूरभाष : 0135-2607092

पत्रांक : यूकेपीसीबी/एच.ओ. मा0-03 /2024/1264

दिनांक 19.01.2024

सेवा में,

क्षेत्रीय निर्देशक,
क्षेत्रीय निदेशालय,
केन्द्रीय प्रदूषण नियंत्रण बोर्ड,
पिकप भवन, विभूति खण्ड, गोमती नगर,
लखनऊ, उत्तरप्रदेश।



258
29 JAN 2024
प्रति:Receive
Sh. Ramesh ji
29.01.24

विषय:- मा0 राष्ट्रीय हरित अधिकरण में दायर ओ0ए0 सं0 620/2022 "कौशल किशोर विश्वकर्मा बनाम स्टेट ऑफ पंजाब एवं अन्य" में पारित आदेश दिनांक 24.11.2023 के अनुपालन के सम्बन्ध में।

महोदय,

उपरोक्त विषयक केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा प्रेषित पत्र दिनांक 28.12.2023 का सन्दर्भ ग्रहण करने का कष्ट करे, जिसमें केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा उत्तराखण्ड राज्य में संचालित नाईट्रोजन मुक्त एवं जटिल उर्वरक (Nitrogen & Complex Fertilizer) उत्पादन सम्बन्धी उद्योगों की सूचना चाही गयी है।

उक्त के सम्बन्ध में अवगत कराना है कि नाईट्रोजन एवं जटिल उर्वरक के उत्पादन सम्बन्धी कोई भी ईकाई राज्य में स्थापित/संचालित है।

सूचना सादर प्रेषित है।

संलग्नक:- यथोपरि।

भवदीय

(पी0के0 जोशी)
पर्यावरण अभियन्ता

06.02.2024
आर. पी. (सी.ए.जी.)
21/1/24

I/92327/20



M/3/2022-Dir(S&T)-SnT_AN
 F. No. 10-54/PCC/H.W/2023/1150
 अंडमान तथा निकोबार प्रशासन
 ANDAMAN & NICOBAR ADMINISTRATION
 प्रदूषण नियंत्रण समिति
POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF SCIENCE AND TECHNOLOGY
 Dolly Gunj, Port Blair-744 103 Tel/Fax 250370
 E-mail: dstpcc-andamans@nic.in

Port Blair, dated: 19-03-2024

To.

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

Sub: Direction issued under Section 18(1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18(1)(b) of the air (Prevention and Control of Pollution) Act, 1981 in the matter of order passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Original Application No. 620/2022 -reg;

Ref. : Your office letter no. B-29016/IPC-I/9270 dated 01/02/2024..

Sir.

This is with reference to above-mentioned office letter received from CPCB, seeking for action taken report along with status of storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry.

In this regard, this is to inform you that there are such industries registered to operate in the UT of Andaman and Nicobar Islands and hence the report is treated as "NIL".

Yours faithfully,

Signed by Abhishek Bhukal
 Date: 19-03-2024 15:14:55
 Member Secretary, ANPCC
 Reason: Approved



649

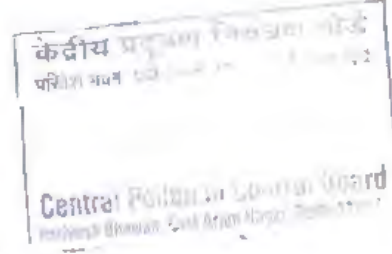
50

Regd.

Chandigarh Pollution Control Committee

Paryavaran Bhawan, Madhya Marg, Sector 19-B, Chandigarh- 160019

No: CPCC/Misc./2024/ 4574



Dated: 14.03.24

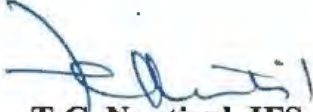
To

Sh. Bharat Kumar Sharma,
Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar, Delhi-110032.

Subject: Directions issued under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1) (b) of the Air (Prevention and Control of Pollution) Act, 1981 in the matter of order passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Original Application No. 620/2022-reg.

This is in reference to your letter no. B-29016/IPC-I/9272 dated 01.02.2024 on the above cited subject.

In this regard, it is hereby informed that U.T. Chandigarh does not have any nitrogenous and complex fertilizers producing industries or any other industries that are involved in storage and disposal of carbon slurry.


T.C. Nautiyal, IFS
(Member Secretary)



छत्तीसगढ़ पर्यावरण संरक्षण मंडल

पर्यावास भवन, सेक्टर - 19,

नवा रायपुर अटल नगर, जिला-रायपुर (छ.ग.) 492002

Email add - hocecb@gmail.com

क्रमांक 5836 / वैज्ञा. / छ.ग.प.सं.मं. / 2024 नवा रायपुर, अटल नगर, दिनांक 27/9 / 2024
प्रति,

श्री दिनबंधु गौडा,
CPIO & DH, IPC-I Division
केन्द्रीय प्रदूषण नियंत्रण बोर्ड,
"परिवेश भवन", पूर्वी अर्जुन नगर,
दिल्ली - 110032

विषय :- Information regarding Nitrogenous & Complex Fertilizer units- In the matter of OA - 62012022 Kaushal Kishore Vishwkarma Vs State of Punjab & Ors. - reg.

संदर्भ :- केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली का पत्र क्रमांक CM-13011/189/2023-LAW-HO-CPCB-HO/4954 दिनांक 12/09/2024,

—00—

उपरोक्त विषयांतर्गत आपके द्वारा संदर्भित पत्र के माध्यम से नाईट्रोजयुक्त एवं कॉम्प्लेक्स फर्टिलाइजर्स उत्पादक उद्योगों द्वारा कार्बन स्लरी के भंडारण एवं अपवहन के संबंध में तथ्यात्मक स्थिति के संबंध में जानकारी चाही गई है। विदित हो कि छत्तीसगढ़ राज्य में नाईट्रोजयुक्त एवं कॉम्प्लेक्स फर्टिलाइजर्स उत्पादक उद्योग संचालित नहीं है। अतः आपके द्वारा चाही गई जानकारी निरंक है। कृपया सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

सदस्य सचिव

छत्तीसगढ़ पर्यावरण संरक्षण मंडल,
नवा रायपुर अटल नगर, रायपुर (छ.ग.)



लक्षद्वीप प्रदूषण नियंत्रण समिति
 LAKSHADWEEP POLLUTION CONTROL COMMITTEE
 विज्ञान एवं प्रौद्योगिकी विभाग
 DEPARTMENT OF SCIENCE & TECHNOLOGY
 कवरत्ती- 682555
 KAVARATTI -682 555
 E-Mail: lk-dst@nic.in

File No: LD-03006/2/2024-LPCC-UT-LKS

Dated: 04.03.2024

To

Member Secretary,
 Central Pollution Control Board,
 Parivesh Bhawan, East Arjun Nagar,
 Delhi- 110 032
 E-Mail: mscb.cpcb@nic.in

Sub: Directions issued under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1) (b) of the Air (Prevention & Control of Pollution) Act, 1981 in the matter of order passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Original Application No. 620/2022

Sir,

Kindly refer the letter No. B-29016/IPC-I/ dated 01.02.2024 regarding the directions issued under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1) (b) of the Air (Prevention & Control of Pollution) Act, 1981 in the matter of order passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in the Original Application No. 620/2022.

In this regard, it is to inform that in the Union Territory of Lakshadweep there are no industries generating Spent Carbon (Carbon residue) units.

Yours faithfully,


 MEMBER SECRETARY,

Lakshadweep Pollution Control Committee

Copy to:-

1. PA to the Advisor to the Hon'ble Administrator, UT of Lakshadweep
2. PA to the Secretary (S&T), UT of Lakshadweep



EPABX : 2653800
Tel : 2562368
E-mail:hwmd@ospboard.org /
paribesh1@ospboard.org
Website:www.ospboard.org

STATE POLLUTION CONTROL BOARD, ODISHA

[FOREST, ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT, GOVERNMENT OF ODISHA]

Paribesh Bhawan, A/118, Nilakantha Nagar, Unit - VIII

Bhubaneswar - 751 012, India

No. 2612 /IND-IV-HW-MISC-332 Dt. 27-02-2024 By E-mail

To

**The Member Secretary
Central Pollution Control Board
Parivesh Bhawan,
East Arjun Nagar, Delhi - 110032**

Sub: Compliance to the Directions Issued under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1) (b) of the Air (Prevention and Control of Pollution) Act, 1981 in the matter of order passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in the matter of Original Application No.620/2022 -reg.

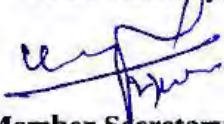
Ref: **Your Direction No. B-29016/IPC-I/9282, dtd. 01-02-2024.**

Sir,

In inviting reference to above, it is understood that the matter is related to Carbon Residue which is categorized as hazardous waste under Sl. No. 18.2 of Schedule-I of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. This waste is generated from Nitrogenous and Complex Fertilizers generated during the thermal cracking of hydrocarbon in the manufacturing of Urea Fertilizer.

In this regard, it is to inform you that there is no unit engaged in the manufacturing of Urea Fertilizer in the State of Odisha. Hence, there is no generation of such hazardous waste in the State.

Yours faithfully,


Member Secretary



Fwd: Most Urgent: In the matter of O.A. 620/2022: Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. - reg.

SK S KARTHIKEYAN <skarthikeyan.cpcb@nic.in>
Mon, 18 Dec 2023 3:20:29 PM +0530
To "parulshahi.cpcb" <parulshahi.cpcb@supportgov.in>

In continuation to the mail, pl find the response received from PPCC stating that no Nitrogenous and Complex Fertilizer unit in the U.T of Puducherry.

From: "Pondicherry Pollution Control Committee Pondicherry" <ppcc@py.gov.in>
To: "S KARTHIKEYAN" <skarthikeyan.cpcb@nic.in>
Cc: "Environment Engineer DSTE Govt of Puducherry" <eedste@py.gov.in>, kalamegam@gmail.com
Sent: Monday, December 18, 2023 1:14:58 PM
Subject: Re: Most Urgent: In the matter of O.A. 620/2022: Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. - reg.

Sir,

With reference to the trailing mail, it is informed that there is no Nitrogenous and Complex Fertilizer unit in the U.T of Puducherry.

With Regards,
Dr. N. Ramesh
Member Secretary
PPCC
Puducherry

From: "S KARTHIKEYAN" <skarthikeyan.cpcb@nic.in>
To: "Pondicherry Pollution Control Committee Pondicherry" <ppcc.pon@nic.in>, "chem prabhu" <chem_prabhu@yahoo.co.in>
Sent: Monday, December 18, 2023 10:23:24 AM
Subject: Fwd: Most Urgent: In the matter of O.A. 620/2022: Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. - reg.

Kindly refer to the ongoing email, which is self-explanatory. As requested, kindly forward the following information regarding Nitrogenous & Complex Fertilizer units on urgent basis in the matter of Hon'ble NGT Case OA no.:620 of 2022.

1. Status of carbon slurry (hazardous waste) generated by the unit per annum.
2. Status of quantity of carbon slurry stored by the unit.
3. Mode of disposal of carbon slurry being carried out by the unit. Evidence of disposal of carbon slurry i.e. copy of Hazardous Wastes Disposal Manifest - Form 1-0 may be provided.
4. In case, no carbon slurry is generated by the unit, it may be informed since which year carbon slurry is not being generated.
5. Quantity of carbon slurry (hazardous waste) that is yet to be disposed of by the unit may be informed.

In case, no such units in UT. of Puducherry, the same may be confirmed please. NGT matter & Time bound manner please.

From: "H D VARALAXMI SEE CPCB" <vlaxmi.cpcb@nic.in>
To: "RAJKUMAR" <rajkumar.cpcb@nic.in>, "Sowmya D" <sowmyad.cpcb@nic.in>, "Poornima B M" <poornima.cpcb@nic.in>, "S KARTHIKEYAN" <skarthikeyan.cpcb@nic.in>
Sent: Friday, December 15, 2023 5:41:48 PM
Subject: Fwd: Most Urgent: In the matter of O.A. 620/2022: Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. - reg.

Pl follow up and obtain the informations pl.

From: "parulshahi cpcb" <parulshahi.cpcb@supportgov.in>
To: "Member Secretary APPCB" <membersecy@appcb.gov.in>, membersecretary@pcbassam.org, "msbspccb bih" <msbspccb_bih@gov.in>, "Member Secretary GSPCB" <ms-gspcb.goa@nic.in>, membersecretarygpcb@gmail.com, ms-gpcb@gujarat.gov.in, hspcbms@gmail.com, ranchijspcb@gmail.com, "Member Secretary KSPCB" <ms@kspcb.gov.in>, "Head office Karnataka State Pollution Control Board" <ho@kspcb.gov.in>, "Sheela A.M" <ms.kspcb@gov.in>, "ms msoffice" <ms-mppcb@mp.gov.in>, ms@mpcb.gov.in, "Member Secretary PPCB" <msppcb@punjab.gov.in>, msppcb@gmail.com, "Member Secretary" <member-secretary@rpcb.nic.in>, "MS TNPCB" <memsec@tnpcb.gov.in>, "S Krishna Aditya" <ms-tspcb@telangana.gov.in>, ms@uppcb.in, "RAJESH KUMAR" <ms.wbpcb-wb@bangla.gov.in>, mspcbwb@gmail.com, ms@wbpcb.gov.in
Cc: "J Chandra Babu" <jcb.cpcb@nic.in>, "Pentani jagan" <jagan191.cpcb@gov.in>, "Pentani Jagan" <cpcb.bhopal@gov.in>, "Mrinal Kanti Biswas" <mkbiswas.cpcb@nic.in>, "D K Soni" <dksoni.cpcb@nic.in>, "Mantu Kumar Choudhury"

<mkc.cpcb@gov.in>, "PRASOON GARGAVA" <prasoon.cpcb@nic.in>, "Pratik Bharne" <pratik.cpcb@gov.in>, "H D VARALAXMI SEE CPCB" <vlaxmi.cpcb@nic.in>, "gurnam" <gurnamsingh.cpcb@nic.in>, "Dinabandhu Gouda" <dinabandhu.cpcb@nic.in>, "ashbir singh" <ashbirsingh.cpcb@nic.in>, "Richa Tuli" <richatuli.cpcb@supportgov.in>

Sent: Friday, December 15, 2023 5:10:06 PM

Subject: Most Urgent: In the matter of O.A. 620/2022: Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. - reg.

Sir/ Ma'am

Please find attached CPCB letter regarding Honble NGT order dated 24.11.2023 (Copy enclosed) in the matter of O.A. 620/2022: Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. for necessary action please on urgent basis. Kindly provide the aforementioned information by **28.12.2023** positively.

With regard

Parul
SRF
IPC-I Division
CPCB-HO
Delhi



--
H.D. Varalaxmi
Regional Director
CENTRAL POLLUTION CONTROL BOARD
Ministry of Environment, Forests & Climate Change
2nd Floor, 77-A, South Avenue Road
Ambattur Industrial Estate, Chennai - 600058
Phone:
Mobile : 09449004165

Fwd: Regarding Nitrogenous & Complex fertilizer units

DG Dinabandhu Gouda <dinabandhu.cpcb@nic.in>
Sat, 28 Sep 2024 6:57:16 PM +0530

To "ashbir singh" <ashbirsingh.cpcb@nic.in>, "Parul Shahi" <parulshahi.cpcb@supportgov.in>

For Madhya pradesh board

Dinabandhu Gouda, Scientist F(Director)
Divisional Head IPC-I
Central Pollution Control Board
(Ministry of Environment ,Forests & Climate Change)
Parivesh Bhawan
Delhi-110032
011-43102420/011-22304812

==== Forwarded Message =====

From : hsmalviya-pcb@mp.gov.in
To : dinabandhu.cpcb@nic.in
Cc : jagan191.cpcb@gov.in, ashbirsingh.cpcb@nic.in, sandeepkumart.cpcb@gov.in, ro.mppcbguna26@gmail.com, parulshahi.cpcb@supportgov.in, pro-mppcb@mp.gov.in, yash.sailly@gmail.com
Date : Sat, 28 Sep 2024 10:54:30 +0530
Subject : Fwd: Regarding Nitrogenous & Complex fertilizer units
==== Forwarded Message =====



Dear sir, Please find attached herewith reply on the issue of "Nitrogenous & Complex fertilizer units". The only one NFL unit is here in MP which not using carbon rather it is CNG (Metane) based plant hence no generation of carbon slurry.

From: "ro mppcbguna26" <ro.mppcbguna26@gmail.com>
To: "Hanumat Malviya" <hsmalviya-pcb@mp.gov.in>
Sent: Friday, September 27, 2024 6:21:58 PM
Subject: Regarding Nitrogenous & Complex fertilizer units

Created and shared using Adobe Scan.

📎 **1 Attachment(s)** • [Download as Zip](#)



Adobe Scan Sep 27, 2024.pdf
422.4 KB • 🔗



नेशनल फर्टिलाइजर्स लिमिटेड

(भारत सरकार का उपक्रम)

विजयपुर इकाई : विजयपुर - ४७३१११

जिला : गुना (म. प्र.)

दूरभाष : 07544-273691/273050

फैक्स : 07544 - 273089



National Fertilizers Limited

(A Govt. of India Undertaking)

Vijaipur Unit - Vijaipur - 473111

Distt. Guna (M.P.)

Phone 07544 - 273691 / 273050

Fax : 07544 - 273089

To

1. The Member Secretary
Central Pollution Control Board
New Delhi

2. The Member Secretary
MP Pollution Control Board
Bhopal

Subject: Information regarding Nitrogenous & Complex fertilizer units – in the matter of O.A.62012022 Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. –reg.

Sir,

With reference to Letter No. CM-13011/189/2023-LAW-HO-VPVB-HO Dated 12th September, 2024 our response is as under:

Sl. No.	Query	Reply
1.	The factual position regarding storage & disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified by the State Pollution Control Boards/ Pollution Control Committees in their jurisdiction	Fertilizer Industries which uses Coal Or Fuel Oil as its raw material or fuel generate carbon slurry. National Fertilizers Limited Vijaipur unit use Natural Gas as raw material and fuel both since inception. Hence NFL Vijaipur unit does not generate any carbon slurry.
2.	The action taken report along with the status of storage & disposal of carbon slurry w.r.t. above direction shall be submitted to CPCB within 10 days of issuance of this direction.	NFL Vijaipur unit does not generate Carbon Slurry, hence no storage of Carbon Slurry

Yours Faithfully

For National Fertilizers Limited

वीरज कुमार

मुख्य प्रबन्धक (टीएस)

National Fertilizers Limited (NFL) Vijaipur Unit

Dy. General Manager (Technical Services)

कॉर्पोरेट कार्यालय : ए-११, सेक्टर-२४, नोएडा-२०१३०१ (उ.प्र.) दूरभाष : ०१२०-२४१२२९४, २४१२४४५ फैक्स : ०१२० - २४१२३९७

Corporate Office : A-11, Sector - 24, Noida - 201301(U.P.), Tel. : 0120-2412294, 2412445 Fax : 0120 - 2412397

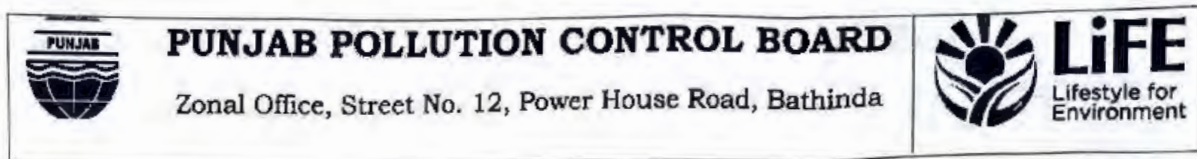
पंजीकृत कार्यालय : स्कोप कॉम्प्लेक्स, कोर २, ७, इंस्टीट्यूशनल एरिया, लोधी रोड, नई दिल्ली - ११० ००३ दूरभाष : २४३६००६६ फैक्स : २४३६१५५३

Regd. Office : Scope Complex, Core III, 7, Institutional Area, Lodhi Road, New Delhi - 110 003 • Tel : 24360066 • FAX : 24361553

CIN : L74899DLI974GOIOO7417

Website : <http://www.nationalfertilizers.com>

Facebook : @nationalfertilizers



No. 4257

Through e-mail only

Dated 7, 10, 2024

To,

The Member Secretary,
 Central Pollution Control Board,
 Parivesh Bhawan, East Arjun Nagar,
 New Delhi – 110032.

Subject: Information regarding Nitrogenous & Complex Fertilizer units-In the matter of O.A. 620/2022 Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. – reg.

Reference: CPCB letter dated 12.09.2024.

Please refer to the subject cited above and the directions issued by Central Pollution Control Board (CPCB) dated 01.02.2024 u/s 18 (1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1)(b) of the Air (Prevention and Control of Pollution) Act, 1981 to all the State Pollution Control Board / Pollution Control Committees w.r.t. the order dated 08.01.2024 passed by Hon'ble National Green Tribunal (NGT) in O.A. No.620/2022.

2. The Central Pollution Control Board (CPCB) issued following directions in the matter:
 - i. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified by the State Pollution Control Boards/ Pollution Control Committees in their jurisdiction.
 - ii. The action taken report along with status of storage and disposal of carbon slurry w.r.t. above direction shall be submitted to CPCB within 10 days of issuance of this direction.
3. It is submitted that there are 2 no. of Nitrogenous & Complex Fertilizer units in the State of Punjab namely M/s National Fertilizers Limited, Sivian Road, Bathinda and M/s National Fertilizers Limited, Naya Nangal, District Rupnagar and the factual position regarding storage and disposal of carbon slurry is as under:

i. M/s National Fertilizers Limited, Sivian Road, Bathinda

Carbon residue i.e. hazardous waste of category 18.2 of schedule-I of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 used to be generated from the manufacturing process of the industry, however the same has not

been generated since 2013 after changeover of fuel from fuel oil to natural gas and the convertors/columns of ammonia plant.

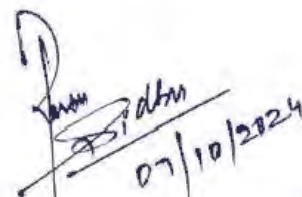
Industry used to have 39,600 MT of hazardous waste of category 18.2 stored in its dykes, out of which 4,900.2 MT has been got lifted to M/s Shubham Sales Corporation, Rohtak, Haryana (re-processor of hazardous waste). At present 34,699.8 MT of hazardous waste is still lying in the dykes of the industry.

ii. **M/s National Fertilizers Limited, Naya Nangal, District Rupnagar**

There is no storage of the carbon residue i.e. hazardous waste of category 18.2 of schedule-I of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 in the industry.

4. It is further submitted that the in the matter in O.A. no. 620/2022 titled as Kaushal Kishore Vishwakarma Vs State of Punjab & Ors., the Punjab Pollution Control Board and M/s National Fertilizers Limited, Bathinda as well as M/s National Fertilizers Limited, Naya Nangal, District Rupnagar are already respondent parties.

5. This is for your kind information, please.

Handwritten signature and date: 07/10/2024

**Environmental Engineer (ZB)
For Chairman, PPCB**



LiFE
Lifestyle for
Environment

WEST BENGAL POLLUTION CONTROL BOARD
(Department of Environment, Government of West Bengal)
Parivesh Bhawan, 10A, Block LA, Sector III, Bidhannagar
Kolkata - 700 106, Ph. No. 2202-3097/3096
Website: www.wbpcb.gov.in, Email: net.wbpcb-wb@bangla.gov.in

Memo No. 10173-4A/18/2008 (part-V)

Date 07/10/2024

To,
Mr. Dinabandhu Gouda
CPIO & DH, IPC-I Division
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi-110032

Sub: Information regarding Nitrogenous & Complex Fertilizer units- in the matter of O.A. 62012022 in the court of Honourable NGT.

Ref: Your letter no. CM-13011/189/2023-LAW-HO-CPCB-HO dated 12.09.2024

Sir,

It has been observed from the information provided by Nitrogenous & Complex Fertilizer units that there is no Nitrogenous fertilizer manufacturing unit within the state of West Bengal except M/s. Matix Fertilizers and Chemicals Ltd, who submits that their unit is not generating, storing and disposing Carbon slurry since they are using natural gas/ CBM as feedstock. Submission of the unit is enclosed herewith for ready reference.

Thanking You,

Yours faithfully,

Enclosed as stated.


Officer on Special Duty
(Operation & Execution)
West Bengal Pollution Control Board

Email

DEEPAYAN DAS

Fwd: Storage & disposal of Carbon slurry regarding

From : RUBY SINHA <ee8.wbpcb-wb@bangla.gov.in> Thu, Oct 03, 2024 07:06 PM
Subject : Fwd: Storage & disposal of Carbon slurry regarding 1 attachment
To : DEEPAYAN DAS <aee11.wbpcb-wb@bangla.gov.in>

From: "rabindranath sahu" <rabindranath.sahu@matixgroup.com>
To: "RUBY SINHA" <ee8.wbpcb-wb@bangla.gov.in>
Sent: Tuesday, October 1, 2024 3:29:35 PM
Subject: Storage & disposal of Carbon slurry regarding


Dear Sir,
Greetings of the Day!

With reference to the Memo No.- 10131-4A/18/2008(Pt-V) Dated: 30.09.2024, we submit that Carbon slurry is not generated in our plant, nor we have any storage of that at our site. We are producing Ammonia & Urea using Natural gas/Coal Bed methane (NG/CBM) as feedstock/fuel since inception.

Submitted for your kind information and necessary record please.

Yours Sincerely,

Dr. Rabindra Nath Sahu
General Manager-EHS&F

MATIX  **Matix Fertilisers and Chemicals Limited**
Panagah Industrial Park,
Panagah, Purba Bardhaman, West Bengal, 713145
☎ +91 (343) 3068001 🌐 www.matixgroup.com

Boardline: 0343-3068171, Mobile: +91-7567894626

**TRIPURA STATE POLLUTION CONTROL BOARD**

(A Statutory Organisation Under Government of Tripura)
Department of Science Technology & Environment

No. F.18(28)/TSPCB/NGT/620/6392

October 08, 2024

To
Shri Dinabandhu Gauda
Scientist-F & DH IPC-I
Central Pollution Control Board
MoEF& CC, Govt. of India.
Parivesh Bhawan, East Arjun Nagar, Delhi-110032.

Sub.: Information regarding Nitrogenous and Complex Fertilizer Unit-reg.
Ref.: CPCB letter No. CM-13011/189/2023-Law-HO-CPCB-HO dated
23.09.2024

Sir,

This has reference to the subject cited above. In this regard, I would like to inform you that that there is no Fertilizer Manufacturing Industrial Unit operational in the State of Tripura. This is for kind information and necessary action please.

Enclosed: As stated

Yours faithfully,

(Dr. Bishu Karmakar)

Member Secretary

Copy to:

1. PA to the Chairman, Tripura State Pollution Control Board for kind information.

LGL-12, 4/2024-Legal-PCBA

Pollution Control Board, Assam
(Department of Environment & Forest :: Government of Assam)
Bamunimaidam, Guwahati-21

Phone : 0361-2652774 & 2550258

E-mail : membersecretary@pcbassam.org

Website : www.pcbassam.org

No.: LGL-12/4/2024-Legal-PCBA/15

To

Dinabandhu Gouda
CPIO & DH, IPC-I Division
CPCB, MoEF&CC, New Delhi-110032

Email: <dinabandhu.cpcb@nic.in> , <ashbis Singh.cpcb@nic.in>,
<parulshahi.cpcb@nic.in>

Sub: Information pertaining to Nitrogenous & Complex Fertilizer unit in the matter of OA no. 620 of 2022 order dated 28-08-2024 Kaushal Kishore Vishwakarma Vs State of Punjab & Ors.

Ref: CPCB letter no. CM-13011/189/2023-LAW-HO-CPCB-HO 4952 dated 12-09-2024.

Sir,

With reference to the subject cited above, it is to inform that there is no nitrogenous and complex fertilizer unit or any other unit in the State of Assam that produce carbon slurry as byproduct/ waste . This is for your kind information and necessary action.

Signed by

Gokul Bhuyan

Date: 08-10-2024

Gokul Bhuyan

Add. Secy Env. Engineer.

	DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 5 TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6 Visit us at: http://dpcc.delhigovt.nic.in	
---	--	---

DPCC-K014/2/2024-CMC2- 882 A

Dated: 07/10/2024

To,
Sh Dinabandhu Gouda,
DH, IPC-I Division
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar,
New Delhi-110032

Subject: Information regarding Nitrogenous & Complex Fertilizer units-in the matter of O.A.62012022 Kaushal Kishore Vishwakarma Vs State of Punjab & Ors-reg

Sir,

With reference to your letter No. CM-13011/189/2023-LAW-HO-CPCB-HO dated 12.09.2024 on the above mentioned subject, it is to inform that no nitrogenous and complex fertilizers manufacturing units are operating in Delhi.



Incharge, CMC-II

Dr. B.M.S. Reddy
Senior Environmental Engineer
Delhi Pollution Control Committee
4th & 5th Floor, ISBT Building,
Kashmere Gate, Delhi, Delhi-110006

ಹೆಲ್ಪ್ ಲೈನ್ / Helpline : 080-25582559
 ಈಮೇಲ್ / Email : contact@kspcb.gov.in
 ವೆಬ್‌ಸೈಟ್ / Website : kspcb.karnataka.gov.in

080-25581383, 25589112
 080-25589113, 25589114



ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
Karnataka State Pollution Control Board

"ಪರಿಸರ ಭವನ", 1 ರಿಂದ 5ನೇ ಮಹಡಿಗಳು, ನಂ. 49, ಚರ್ಚ್ ಸ್ಟ್ರೀಟ್, ಬೆಂಗಳೂರು - 560 001, ಕರ್ನಾಟಕ ರಾಜ್ಯ, ಭಾರತ
 "Parisara Bhavan", 1st to 5th Floor, # 49, Church Street, Bangalore - 560 001, Karnataka State, India

No.PCB/ WMC-2/3301/HWM/2019/ 6246

Dated: 12 MAR 2024

// BY RPAD//



To:

The Member Secretary,
 Central Pollution Control Board,
 Parivesh Bhawan, East Arjun Nagar,
 New Delhi - 110 032.

Sir,

- Sub:** Compliance to the directions issued under Section 18(1)(b) of the Water (prevention and Control of Pollution) Act, 1974 and Section 18(1)(b) of the Air (prevention and control of Pollution) Act, 1981 in the matter of Order passed by the Hon'ble NGT, Principal Bench, New Delhi in the matter of Original application No. 62/2022- reg.
- Ref:** Direction issued by the CPCB vide letter No. B-290 16/IPC-I Dated: 01/02/2024.

◇◇◇

This is in reference to directions issued by the CPCB vide above cited reference wherein the CPCB has directed the Board to verify the factual position regarding storage and disposal of carbon slurry by Nitrogenous and complex fertilizer producing industries or any other industry which is covered under Sl. No. 18.2 of Schedule Hazardous and Other Waste (M & TM) Rules, 2016. In this regard, it is to be informed that, there is one fertilizer industry operating in the State of Karnataka engaged in production of Nitrogenous fertilizer operating in the name of M/s Mangalore Chemicals and Fertilizer Ltd., located at Panampur, Mangalore ,Dakshina Kannada District. The said industry was inspected by the Zonal senior Environmental Officer on 15/02/2024 in view of the above directions and reported as under;

M/s Mangalore Chemicals and Fertilizers Ltd., Panambur, Mangalore, Dakshina Kannada District has started Urea production during the year 1971 using Naptha in steam reforming process both as feed and fuel in their reformer for production of Hydrogen and

Carbon Dioxide. The industry has never used FO/LSHS as feed or fuel their reformer. Hence, the industry has not produced Carbon Slurry. Further, the said industry has switched over to **Regasified Liquefied Natural Gas (RLNG)** both as feed and fuel and ^{has} eliminated use of Naptha since 2022. This is for your information and further needful.

Yours faithfully,

[Handwritten Signature]

Member Secretary

[Handwritten initials]



TAMIL NADU POLLUTION CONTROL BOARD



From
The Member Secretary,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032.

To
The Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi -110032.

Letter No. TNPCB / T1 / F.002977 / CPCB / 2024, Dated: 08.10.2024

Sub: TNPCB – CPCB – Information regarding Nitrogenous & Complex Fertilizer units or any other units generating carbon slurry - Called for - In the matter of O.A.620 / 2022, Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. - Details submitted - Regarding.

Ref: 1. CPCB Direction No. B-29016 / IPC -1 / 9266 – 9300, dated: 01.02.2024
2. CPCB Letter No. CM -13011 / 189 / 2023 – LAW – HO – CPCB – HO, dated 12.09.2024

I invite kind attention to the reference 2nd cited, wherein the CPCB has requested the TNPCB to provide information / action taken report with respect to CPCB direction dated 01.02.2024 in the reference 1st cited. In this regard, the details is enclosed herewith vide Annexure.

This is submitted for favor of information please.

Enclosure: As above

Dinabandhu
08/10/24
For Member Secretary

DS
08/10/24

Copy to:

The Director,
CPIO & DH, IPC – I Division
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar, Delhi-110032
dinabandhu.cpcb@nic.in

Annexure

S.No	List of nitrogenous and complex fertilizers producing industries or any other industry	Factual position regarding storage and disposal of carbon slurry from the said industries.
1.	M/s. Madras Fertilizers Ltd, S.F.No. R.S.NO.212 to 248, Manali Village & Po, Thiruvottiyur Taluk, Chennai District - 600 068	The unit is using RLNG as feedstock for the manufacturing of urea. Hence, there is no generation of carbon slurry in their process.
2.	M/s. Kothari Industrial Corporation Ltd, Fertilizer Division, SF No. 10/2, 11, 30, 31/1&2, 32, 37B, 241, 242, 243, 244, 261/5, Kattivakkam Village, Ennore Po, Madharvaram Tk, Chennai - 600 057	The unit involves in the process of granulating Rock phosphate with the help of Sulphuric Acid to form granulated single superphosphate and there is no carbon slurry generation in this unit.
3.	M/s. Coromandel International Limited, SF No. 37/B2, 38/5A, 39/B1, 39/6A, 246/2, 3, 4, 5, 6, 7, 247 / (part) 1A, 2A, 3C, 3A, Ernavoor Village, Thiruvottiyur Taluk, Chennai District- 600 057	The unit involves in the manufacturing "Ammonium Phosphate Potash Sulphate" using Sulphur, Rock Phosphate, Muriate of Potash and ammonia as raw materials. Hence, there is no generation of carbon slurry.
4.	M/s. Southern Petrochemical Corporation Limited, SPIC Nagar, Mullakkadu Part 1, Tuticorin	All the three units has no generation of carbon slurry in its process since these units' sources hydrocarbons from Naphtha and Natural Gas
5.	M/s. Greenstar Fertilizers Limited, SPIC Nagar, Mullakkadu Part 1, Tuticorin	
6.	M/s. Tuticorin Alkali Chemicals and Fertilizers Limited, Harbour Construction Road, Muthiapuram, Tuticorin	

D. J. K. S. S. S.
For Member Secretary

88
08/10/24



HARYANA STATE POLLUTION CONTROL BOARD
SCO No.55, SECTOR-25, HUDA, PANIPAT

Ph. - (0180) 2672037, Telefax - 2664951, E-mail: hspcbprpr@gmail.com

No.HSPCB/PR/2024/1354

Dated: 08-10-2024

To

The Member Secretary,
 Central Pollution Control Board,
 New Delhi.

Sub: Information regarding Nitrogenous & Complex Fertilizer units-In the matter of O.A.620/2022 Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. -reg.

Ref: CPCB Letter dated 23/09/2024.

In this connection, it is submitted that 01 No. unit M/s National Fertilizer Limited is manufacturing nitrogenous fertilizer. In an endeavor to keep in pace with clean technology and with a commitment to sustainable development, the Plants of National Fertilizers Limited, Panipat were restructured in November, 2012. The feedstock was replaced from LSHS to Natural Gas, which not only reduced the specify energy per metric tons (MT) of urea, but also lowered the carbon footprint. The change of feedstock from fuel oil to natural gas also annulled the generation of carbon slurry as a by-product. The carbon slurry generated till November, 2012 was stored by National Fertilizer Limited, Panipat in two separate designated carbon slurry in properly lined ponds. The point wise reply of the information as asked vide letter under reference is as below:-

1. The generation of carbon slurry from the Nitrogenous & Complex Fertilizer has been completely stopped by M/s National Fertilizer Limited, Panipat after November, 2012 due to change of fuel from LSHS to Natural Gas. At present stored quantity of carbon slurry is 1,19,473 MT.
2. The quantity of carbon slurry stored at the site was 122600 MT which need to be dispose off by the unit. Unit has made agreement with M/s Shubham Chemicals for lifting the carbon slurry. The unit starts lifting the waste from February, 2024. The month wise lifting of waste is given below:-

Sr. No.	Month	Carbon Slurry lifted (MT)
I.	February, 2024	21.49

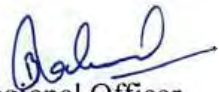

2.	March, 2024	303.7
3.	April, 2024	972.86
4.	May, 2024	976.96
5.	June, 2024	559.60
6.	July, 2024	236.58
7.	August, 2024	0.00
8.	September, 2024	55.71
	Total	3126.90

Total 3126.90 MT of waste have been lifted from the site of the unit but still 1,19,473.1 MT of waste lying with the said unit. Environment Compensation for not disposing the waste within time period as per HOWM Rules has been recommended to higher authority for imposition. The hearing for imposing environmental compensation is fixed on 09.10.2024.

It is submitted for your kind information and further necessary action, please.

CC:-

A copy of the above is forwarded to the Member Secretary, Haryana State Pollution Control Board, Panchkula.


Regional Officer,
HSPCB, Panipat




BIHAR STATE POLLUTION CONTROL BOARD

Pariveesh Bhawan, Patliputra Industrial Area, P.O.-Sadakat Ashram, Patna-800010

EPABX.0612-2261250/2262265, Fax.0612-2261050

Ref. No.: 1284

Patna, dated-09/10/24

From,

S Chandrasekar, IFS,
Member Secretary.

To,

Sri Dinabandhu Gouda,
CPIO & DH, IPC-1 Division,
Central Pollution Control Board,
East Arjun Nagar, Delhi.
PIN- 110 032.

**Sub:-Information regarding Nitrogenous & Fertilizer units-in the matter of
O.A.-620/2022 Kaushal Kishore Vishwakarma Vs State of Punjab &
Ors.-reg.**

Ref: CM-13011/189/2023-ZAW-HO-CPCB-HO/4950-4971 dt. 12.09.2024

Sir,

With reference to the subject mentioned above, I would like to inform you that the state of Bihar has only one fertilizer unit, namely M/s Hindustan Urvarak & Rasayan Limited (HURL), located in Barauni, Begusarai. This unit has adopted a technology that does not generate carbon slurry. The other fertilizer units in the state are primarily formulation units.

Yours faithfully


(S Chandrasekar)
Member Secretary.

Fwd: Information regarding Nitrogenous & Complex Fertilizer units-In the matter of O.A.62012022Kaushal Kishore Vishwakarma Vs State of Punjab & Ors.

DG Dinabandhu Gouda <dinabandhu.cpcb@nic.in>
Wed, 09 Oct 2024 4:06:30 PM +0530
To "ashbir singh" <ashbirsingh.cpcb@nic.in>, "Parul Shahi" <parulshahi.cpcb@supportgov.in>

MPCB REPLY IS ATTACHED

Dinabandhu Gouda, Scientist F(Director)
Divisional Head IPC-I
Central Pollution Control Board
(Ministry of Environment ,Forests & Climate Change)
Parivesh Bhawan
Delhi-110032
011-43102420/011-22304812

==== Forwarded message =====

From: AST <ast@mpcb.gov.in>
To: "Parul Shahi" <parulshahi.cpcb@supportgov.in>
Cc: "pratikcpcb" <pratik.cpcb@gov.indinash>, "CPCB Dinbandhu" <dinabandhu.cpcb@nic.in>, "ashbir singh" <ashbirsingh.cpcb@nic.in>, "Sandeep Kumar Tatapudi" <sandeepkumart.cpcb@gov.in>
Date: Wed, 09 Oct 2024 16:03:52 +0530
Subject: Fwd: Information regarding Nitrogenous & Complex Fertilizer units-In the matter of O.A.62012022Kaushal Kishore Vishwakarma Vs State of Punjab & Ors.

==== Forwarded message =====

Please find enclosed herewith information regarding Nitrogenous & Complex Fertilizer units-In the matter of O.A.62012022Kaushal Kishore Vishwakarma Vs State of Punjab & Ors related to Maharashtra State.

Regards,
Dr. V. M. Motghare
Assistant Secretary (Technical),
Maharashtra Pollution Control Board (HQ), Mumbai.



<http://missionlife-moefcc.nic.in/>

📎 1 Attachment(s) • [Download as Zip](#)



Fertilizer.xlsx
12.5 KB • 📄

Sr. No	Name of Unit	Basant Agro Tech (I) Ltd, S No 62, Kanheri Sarap, Barshitakli , Akola
1	RO office 1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Amravati Not producing nitrogenous & complex fertilizers
2	Name of Unit RO office 1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Shiva Global Agro Industries Ltd, Gat No-244, Dhakni,Tal-Loha, Dist-Nanded Chh. Sambhajinagar (Aurangabad) Not producing nitrogenous & complex fertilizers
3	Name of Unit RO office 1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Shree Pushkar Petro Products Ltd. PI no- D-25, MIDC Lote, Parshuram Tq. Khed Dist. Rantagri Kolhapur Not producing nitrogenous & complex fertilizers
4	Name of Unit RO office 1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Rashtriya Chemicals & Fertilisers Ltd. Trombay Unit, Mumbai Mumbai Clean fuel is used in RCF premises, Hence Carbon slurry is not generated within premises.
5	Name of Unit	Bhilai Engg. Corporation Ltd., (Formerly know as BEC Fertilizers, Pulgaon Unit.) Pulgaon Unit, Plot No.375 / IK, Gunjkheda Tal-Deoli, Dist-Wardha.

	RO office	Nagpur
	1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Engaged in manufacturing of phosphate-based fertilizers and no nitrogenous fertilizer manufactured in the unit , carbon slurry is not generated in the unit
6	Name of Unit	Basant Agro Tech(I) Ltd. Gut No. 314, Village Khadoli, Jalgaon
	b	Nashik
	1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Not producing nitrogenous & complex fertilizers
7	Name of Unit	Datta Agro Services Pvt. Ltd. Gut No.139, At - Bhokari, Po - Kerhale Bk Bhokari Shivar, Tal:Raver, Dist: Jalgaon
	RO office	Nashik
	1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Not producing nitrogenous & complex fertilizers
8	Name of Unit	RC FERTILISERS PVT. LTD GUT NO 179/02 AND 179/03, VILLAGE LAKHMAPUR, TALUK DINDORI, DISTT NASHIK
	RO office	Nashik
	1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Not producing nitrogenous & complex fertilizers
9	Name of Unit	R.M. Phospate and Chemical Pvt. Ltd. T-1/3, Phase-II, Nardana MIDC, Industrial Estate, Tal. Shindkheda Dist. Dhule.
	RO office	Nashik
	1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Not producing nitrogenous & complex fertilizers

10	Name of Unit	Deepak Fertilisers & Petrochemicals Corporation Limited Plant Office: Plot K-1, MIDC Industrial Area, Taloja - 410208, Dist: Raigad
	RO office	Navi Mumbai
	1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Not applicable to our manufacturing process.
11	Name of Unit	Smartchem Technologies Limited., K- 1, K-1 (part-1), K-1 (part-2)
	RO office	Navi Mumbai
	1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Not applicable to our manufacturing process.
12	Name of Unit	Smartchem Technologies Limited., Plot No. K- 1 Part-1, K-2, K-3, K-4, K-5 & K-6.
	RO office	Navi Mumbai
	1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Not applicable to our manufacturing process.
13	Name of Unit	Ramakrishi Rasayan Ltd. At Loni, Tal:- Haveli, Dist:- Pune
	RO office	Pune
	1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Not applicable to our manufacturing process.
13	Name of Unit	Rashtriya Chemicals & Fertilisers Ltd. Thal Unit, Alibag, Raigad, Maharashtra 402208
	RO office	Raigad
	1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified from your jurisdiction.	Clean fuel is used in RCF Thal premises, Hence Carbon slurry is not generated within premises.



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ सं/Ref. No. 105471 सी-2/सां-174/24

दिनांक/Date 10/12/24

सेवा में,
श्री दीनबंधु गौड़ा,
Sc. 'F' & DH-IPC-I Division,
केन्द्रीय प्रदूषण नियंत्रण बोर्ड,
परिवेश भवन, पूर्वी अर्जुन नगर,
दिल्ली-110032

ई-मेल

विषय:—In the matter of O.A. 620/2022: Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. – reg.

महोदय,

कृपया उपरोक्त विषयक अपने पत्र संख्या CM-13011/189/2023-LAW-HO-CPCB-HO दिनांक 15.12.2023 का संदर्भ ग्रहण करने का कष्ट करें। उक्त के संबंध में अवगत कराना है कि प्रदेश में स्थापित/संचालित फर्टिलाइजर उत्पादक इकाइयों नेप्था/नेचुरल गैस पर आधारित हैं तथा उनमें कोयले का प्रयोग नहीं किया जाता है जिसके फलस्वरूप कार्बन स्लरी जनित नहीं होती है। अतएव उक्त संबंध में वांछित सूचना शून्य समझी जाये।

सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

भवदीय

(राजेन्द्र सिंह)

मुख्य पर्यावरण अधिकारी
(वृत्त-2)

Production Capacity And Capacity Utilization

Year of Comm.	Unit	Feedstock Installed Comm. and Sector	Installed Capacity
1970	KFCL-Kanpur	Gas-Private	7.22
1981	IFFCO-Phulpur	Gas—Coop.	5.511
1988	Indorama-Jagdishpur (Formerly Indogulf)	Gas-Private	8.646
1994	YARA-Babrata (Formerly TCL)	Gas-Private	8.646
1995	KRIBHCO SHYAM-Shahjahanpur (Formerly OCFL)	Gas-Private	8.646
2022	The Fertilezer corporation of India Ltd. Gorakhpur	Gas-Private	1.3
1988	IFFCO-Aonla	Gas-Coop.	8.646



ANDHRA PRADESH POLLUTION CONTROL BOARD
Dr. Y.S.R. Paryavaran Bhavan, APIIC Colony Road,
Gurunanak Colony, Autonagar, Vijayawada- 520007
Phone. No.0866-2463200, Website : <https://pcb.ap.gov.in/>



Lr. No. APPCB-11022/509/2024-TEC-CTO-APPCB

Dt. 01/10/2024

To
 The CPIO & Divisional Head, IPC-I Division,
 Central Pollution Control Board (CPCB),
 Parivesh Bhawan,
 East Arjun Nagar, Delhi – 110032.

Sub: APPCB – HO – Information regarding Nitrogenous & Complex Fertilizer units – In the matter of O.A.620/2022 Kaushal Kishore Vishwakarma Vs State of Punjab & Ors - Information furnished- Reg.,

Ref: Lr No. CM-13011/189/2023-LAW-HO-CPCB-HO dated, 12.09.2024.

The CPCB requested all SPCBs to provide following information regarding Nitrogenous & Complex Fertilizer units in the matter of O.A.620/2022 Kaushal Kishore Vishwakarma Vs State of Punjab & Ors vide reference cited above:

1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified by the State Pollution Control Boards / Pollution Control Committees in their jurisdiction.
2. The action taken report along with status of storage and disposal of carbon slurry.

In this regard, it is to inform that the following nitrogenous and complex fertilizers industries are existing in the state of Andhra Pradesh.

S.No	Industry
1.	M/s. Coromandel International Ltd., Sriharipuram, Malkapuram (P.O) Visakhapatnam.
2.	M/s. Coromandel International Limited.,(Expansion), D.No. 3-15/1, Beach Road, Vakalapudi(V), , Kakinada Rural, Kakinada District.
3.	M/s. Nagarjuna Fertilizers and Chemicals Ltd., Nagarjuna Road, Kakinada.
4.	M/s. KPR Agrochem Limited, Nallamilli, Biccavolu (V & M), East Godavari District.

It is observed from the record, that the above industries are not generating carbon slurry. The copies of the letters obtained from the above industries are enclosed.

Encl. as above.

Yours faithfully,

S SRI
SARAVANAN, MS(SS), O/o MEMBER SECRETARY-APPCB

EHS/CPCB/2024-096

26th September, 2024

To

Mr Dinabandhu Gouda, CPIO & DH, IPC-I Division
Central Pollution Control Board
Ministry of Environment Forest & Climate Change Govt of India
Parivash Bhawan, East Arjun Nagar, Delhi-110032

Subject- Submission of Information sought.

Reference- CPCB letter through mail vide No. CM-13011/189/2023-LAW-HO-CPCB-HO Dated 12th September, 2024 on subject matter of Kaushal Kishore Vishwakarma Vs State of Punjab & Ors.

Dear Sir,

With reference to the above subject and reference matter herewith submitting the information sought by the CPCB following to the order by Hon'ble NGT in the matter of O.A No 620/2022: Kaushal Kishore Vishwakarma Vs State of Punjab & Ors as below:

S No	Description	Response
1	Status of carbon slurry (hazardous waste) generated by the unit per annum.	The process of "Partial Oxidation of fuel Oil/LSHS by Shell gasification" not involved at Coromandel International Limited, Visakhapatnam unit. Hence generation of carbon slurry not envisaged.
2	Status of quantity of carbon slurry stored by the unit.	Not Applicable
3	Mode of disposal of carbon slurry being carried out by the unit. Evidence of disposal of carbon slurry i.e., copy of Hazardous Waste Disposal Manifest-Form 10 may be provided.	Not Applicable
4	In case, no carbon slurry is generated by the unit, it may be informed since which year carbon slurry is not being generated.	Not Applicable
5	Quantity of carbon slurry (hazardous waste) that is yet to be disposed of by the Unit may be informed.	Not Applicable

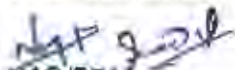
Thanking You

Yours Faithfully

For Coromandel International Limited


Gnanasundaram M

Vice President & Head Manufacturing-Vizag


NAG/SDM

17/9/24



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

CM-13011/189/2023-LAW/HD-CPCB/HD

September 12, 2024

To

The Member Secretary
Concerned SPCB / PCC
(As per List enclosed)

SEP 2024

Subj: Information regarding Nitrogenous & Complex Fertilizer units-in (the matter of O.A.62012022Kaushal Kishore Vishwakarma Vs State of Punjab & Ors. -reg.

Sir,

You are aware that Central Pollution Control Board (CPCB) on 01.02.2024 issued following directions under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1) (b) of The Air (Prevention and Control of Pollution) Act, 1981 to your State Pollution Control Board / Pollution Control Committees w.r.t the order passed by Hon'ble National Green Tribunal (NGT) Principle Bench in O A No. 620/2022

1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified by the State Pollution Control Boards / Pollution Control Committees in their jurisdiction.
2. The action taken report along with status of storage and disposal of carbon slurry w.r.t above direction shall be submitted to CPCB within 10 days of issuance of this direction.

In this regard, it is to inform that so far no response to above stated directions has been received from your end.

Now Hon'ble NGT in the same matter has directed CPCB to obtain information from the State PCBs and UTPCCs which have not provided the information and file status report with details regarding action taken on the basis of information received.

Also it is to inform that the matter is listed on 15.10.2024 and the report / response has to be filed by CPCB by one week before the date of hearing i.e. by 08.10.2024.

In view of this, it is requested to provide the information / action taken report w.r.t aforementioned directions to CPCB by 18.09.2024.

Considering the paucity of time, it is requested that this matter may be taken on priority.

Yours faithfully

ES Subhan
17/9/2024

JRF
Sent mail to member
ad copy to RO/1/2024
18/9/24

(Dinabandhu Gouda)
CPIO & DH
IPC-I Division

Encl: as above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website: www.cpcb.nic.in

To
Mr. Dinabandhu Gouda,
Scientist F & DH, IPC-I Division
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Subject: Submission of information sought

Reference:

1. Your mail from <unit4-ee2@appcb.gov.in> dated 19.09.2024.
2. CM-13011/189/2023-LAW-HO-CPCB-HO dated- 12.09.2024 on subject matter of Kaushal Kishore Vishwakarma Vs State of Punjab & Ors.

(Through - Office of the Member Secretary APPCB/ <unit4-ee2@appcb.gov.in>)

Respected Sir,

With reference to the above subject and reference matter herewith submitting the information sought by the CPCB following to the order passed by Hon'ble NGT on date 24.11.2023 in the matter of OA No 620/2022: Kaushal Kishore Vishwakarma Vs State of Punjab & Ors as below:

S No	Description	Response
1	Status of carbon slurry (hazardous waste) generated by the unit per annum	The process of "Partial Oxidation of fuel Oil/LSHS by Shell gasification" not involved at Coromandel International Limited, (Kakinada Unit). Hence generation of carbon slurry is not envisaged.
2	Status of quantity of carbon slurry stored by the unit	Not Applicable
3	Mode of disposal of carbon slurry being carried out by the unit. Evidence of disposal of carbon slurry i.e. copy of Hazardous Wastes Disposal Manifest -Form 10 may be provided.	Not Applicable
4	In case, no carbon slurry is generated by the unit, it may be informed since which year carbon slurry is not being generated.	Not Applicable
5	Quantity of carbon slurry (hazardous waste) that is yet to be disposed of by the unit may be informed.	Not Applicable

Hope you will find the above information in line as desired.

Thanking You

Yours Truly,

For Coromandel International Limited



Ch Srinivasa Rao

Senior Associate Vice President & Head Manufacturing

Subject: APFCB – Air - CTO - CPCB – Information regarding Nitrogenous & Complex

Date: Thu, Sep 26, 2024 at 2:32 PM

From: Shaik Meera Subhan <unit4-ee2@appcb.gov.in>

0884 2360022

KAKINADA

AM Green Ammonia (India) Private Ltd

Sr. Manager(Lab & Env.)

L V Venkateswara Rao

Regards,

domain changed from Nfcl.in to Amgreen.com.

Note: This is to inform you that, M/s. AM Green Ammonia (India) Private Ltd. has taken over assets of M/s Nagarjuna Fertilizers and Chemicals Limited at Kakinada w.e.f. 1st June 2024. Subsequently, email-id

Please find the attachment, pertaining to the subject matter, an email sent to CPFB on 27.12.2023.

SI. No.	Description	Remarks
1.	Status of carbon slurry (Hazardous Waste) generated by the unit per annum.	Not applicable to us because Fuel Oil / LSHS are not being used as feed since inception.
2.	Status of quantity of carbon slurry stored by the unit.	
3.	Mode of disposal of carbon slurry being carried out by the unit. Evidence of disposal of carbon slurry i.e., copy of Hazardous wastes disposal of manifest – Form 10 may be provided.	
4.	In case, no carbon slurry is generated by the unit, it may be informed since which year carbon slurry is not being generated.	
5.	Quantity of carbon slurry (Hazardous waste) that is yet to be disposed of by the unit may be informed.	

NFCL, Kakinada.

As per the above subject, please find the below information pertaining to carbon slurry on behalf of M/s.

Dear Sir,

Vijayakumar C <Vijayakumar.C@amgreen.com>

<Umamaheswararao.BBK@amgreen.com> ,

Umamaheswararao BBK

<Environment.kakinada@amgreen.com> ,

Environment Kakinada

CC : SEE, Water <unit1-see1@appcb.gov.in> ,

To : Shaik Meera Subhan <unit4-ee2@appcb.gov.in>

Information called for- Reg.Dear Sir,

Vishwakarma Vs State of Punjab & Ors –

matter of O.A.62012022 Kaushal Kishore

Nitrogenous & Complex Fertilizer units – In the

Subject : APFCB – Air - CTO - CPCB – Information regarding

<Venkateswararao.LV@amgreen.com>

From : Venkateswararao LV

Thu, Sep 26, 2024 08:30 PM

2 attachments

APFCB – Air - CTO - CPCB – Information regarding Nitrogenous & Complex Fertilizer units – In the matter of O.A.62012022 Kaushal Kishore Vishwakarma Vs State of Punjab & Ors –Information called for- Reg.Dear Sir,

Fertilizer units – In the matter of O.A.62012022 Kaushal Kishore Vishwakarma Vs State of Punjab & Ors –Information called for- Reg.

To: <sheshagiriraot@coromandel.murugappa.com>, <lvvrao@nfcl.in>, <nagarajud@coromandel.murugappa.com>
Cc: SEE, Water <unit1-see1@appcb.gov.in>

Please find herewith attached the representation of CPCB on 12th Sep 2024 pertaining to information regarding Nitrogenous & Complex Fertilizer units in the matter of O.A.620/2022 Kaushal Kishore Vishwakarma Vs State of Punjab & Ors for necessary action.

In view of the above, the industries are hereby directed to submit the report on following:

1. The factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry shall be verified by the State Pollution Control Boards / Pollution Control Committees in their jurisdiction.
2. The action taken report along with status of storage and disposal of carbon slurry w.r.t above direction shall be submitted to CPCB within 10 days of issuance of this direction.

Regards,
Meera Subhan Shaik,
Environmental Engineer
APPCB
(CZMA & Air)

 **CPCB Letter 12 09 2024.pdf**
319 KB

 **Mail to CPCB_carbon slurry _ 27122023.pdf**
546 KB



K.P.R. Agrochem Limited

(Formerly K.P.R. Fertilisers Limited)

CIN : U24129 AP 2007 PLC 052218

Ref No. KPR-AC/PCB/2024/12

Dt.21.09.2024

TO,
THE ENVIRONMENTAL ENGINEER,
A.P. POLLUTION CONTROL BOARD,
REGIONAL OFFICE,
KAKINADA-233005.

Sir,

Sub:- In the matter of O.A. 62012022 , Kaushal Kishore Vishwakarma Vs State of Punjab & Ors Data Requested by the Environmental Engineer (CZMA & AIR) through mail – Reply submission Reg.

Ref: CM-13011/189/2023-LAW-HO-CPCB-HO Communicated through mail by the EE, (CZMA&AIR) Dated: 19-09-2024

Here we are submitting the reply to the above reference cited, as we are not generating, not storing and not disposing any carbon slurry till now as we are not the manufacturers of carbon slurry based complex fertilisers.

This is for your kind information...,

Thanking You.

For KPR AGROCHEM LTD

A. S. Reddy
Authorised Signatory.



Registered Office :

8-256, Tata Nagar, Balabhadrapuram - 533 343, East Godavari District, Andhra Pradesh, India, Tel : +91-08857-236787

E-mail : fertilisers@kpmgroup.in

Factories :

1. 3-128/S, Mallamilli Road, Biccavolu - 533 343, East Godavari District, Andhra Pradesh, India. Tel : 08857-237177, 237367,70326 07777

Fax : 08857-237333.

2. 8-256, Tata Nagar, Balabhadrapuram - 533 343, East Godavari District, Andhra Pradesh.

3. Sy. No. 108 & 109, Near Kunikeri Thanda, Halavarthi Village, Dist & TQ Koppal, Karnataka, Ph : 70266 41283



Item No.3

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No.620/2022

Kaushal Kishore Vishwakarma

...Applicant

Versus

State of Punjab & Ors.

...Respondents

Date of hearing:- 28.08.2024.

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None for the applicant.

Respondents: Mr. Vivek Kohli, Senior Advocate with Mr. Juvas Rawal and Ms. Bhavya Bhatia, Advocates for respondents No. 4, 7 and 10(through VC).
Mr. Rahul Khurana, Advocate for respondent no. 6- HSPCB (through VC)
Ms. Nidhi Jaswal, Advocate for respondent no. 8- MoEF (through VC).

Application is registered based on a letter petition received by Post.

ORDER

1. Mr. Kaushal Kishore Vishwakarma has sent to this Tribunal by post the present letter petition, which has been treated and registered as Original Application, complaining about violation of environmental norms in handling of carbon and hazardous waste with prayer for taking of

appropriate steps for saving the lives of the labourers and protection and improvement of the environment.

2. Briefly stated, the applicant has submitted that he had been employed as daily labourer during March-April, 2022 by Mr. Lallan, Contractor who was working for Mr. Jagtar Walia and Mr. Napinder Singh. The applicant was told that the above said persons were working on behalf of MC Baljinder Singh and name of the company was Carbo-Chem Industries. He was assigned the work of drying carbon, packing the same in the bags and loading/unloading the same for transportation to the godown in front of Central University, Mansa Road, Bathinda. After vacating the Mansa Road godown the above said persons have stored the carbon in the godowns situated in front of Maharaja Ranjit Singh College on Badal Road and in village Dunewal, Sangat Mandi, Bathinda. When the applicant had problem in breathing and developed rashes on his skin, the above said persons paid an amount of Rs. 2,000/- to him through Mr. Lallan and asked him to leave for his village and threatened him with dire consequences, if he told any person about his medical problems. The applicant left Bathinda and contacted a lady working for Jan Vikas Society, who told him that O.A. No. 72/2019 had been filed before this Tribunal.

3. Vide order dated 01.11.2022, the State of Punjab through Chief Secretary, Government of Punjab, the Punjab State Pollution Control Board (PSPCB), the District Magistrate, Bathinda and the Project Proponent- M/s. National Fertilizer Ltd. Plant, Bathinda were impleaded as respondents no. 1 to 4 and notices were ordered to be issued to them.

4. Reply has been filed by respondent no. 2-PSPCB vide email dated 15.02.2023. In its reply, the respondent no. 2-PSPCB has summarized the facts of the case in **O.A no. 72 of 2019** titled as **Rakesh Singh v/s State of Punjab & Ors.** action taken and compliance made with the orders passed by this Tribunal as under:-

“a) That the issue for consideration in O.A no. 72 of 2019 titled as Rakesh Singh v/s State of Punjab was the remedial action against storing of hazardous waste by M/s Carbon Chemical Industries at Bathinda, Punjab in violation of the Hazardous Waste Management Rules, 2016.

*b) Vide order dated 26.2.2019, this Hon'ble Tribunal directed the Punjab State Pollution Control Board to furnish a factual and action taken report in the case. A report was furnished vide e-mail dated 5.4.2019 to the effect that huge quantity of carbon slurry was lying stored at the site and tentative quantity appeared to be 3470 tones. A copy of order dated 26.2.2019 passed by the Hon'ble Tribunal in O.A No. 72 of 2019 is enclosed as **Annexure-A**.*

*c) The report of the Punjab State Pollution Control Board was duly considered by this Hon'ble Tribunal vide order dated 3.7.2019. In view of violation of Hazardous Waste Management Rules, the Hon'ble Tribunal issued directions for the constitution of a Joint Committee comprising of Central Pollution Control Board and State Pollution Control Board to assess and recover compensation and furnish a compliance report. A sum of Rs. 10 Lakhs was directed to be collected as an interim compensation. A copy of order dated 3.7.2019 passed by the Hon'ble Tribunal in O.A No. 72 of 2019 is enclosed as **Annexure-B**.*

*d) The Joint Inspection Report has been filed on 4.9.2019 to the effect that compensation has been duly assessed. A copy of Joint Inspection Report filed in O.A No. 72 of 2019 is enclosed as **Annexure-C**.*

*e) The report of the Joint Committee was considered by the Hon'ble Tribunal and vide order dated 13.9.2019 directions were issued for recovery of the compensation in accordance with Law and filing of a compliance report by e-mail at judicial-ngt@gov.in. A copy of order dated 13.9.2019 passed by the Hon'ble Tribunal in O.A No. 72 of 2019 is enclosed as **Annexure-D**.*

f) In compliance to order dated 13.9.2019, report was filed before the Hon'ble Tribunal on 20.11.2019 that remedial action has been taken. In view of the facts of the case, the Original Application No. 72 of 2019 titled, as Rakesh Singh

*v/s State of Punjab was disposed of by the Hon'ble National Green Tribunal vide order dated 17.1.2020. A copy of order dated 17.1.2020 is enclosed as **Annexure-E**.*

5. In its reply respondent no. 2-PSPCB has also mentioned the point wise compliance of the recommendations of the Joint Committee in annotated form as under:-

S. No.	Recommendations	Compliance
1	<i>The industry shall operate only after obtaining Consent under Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974, as applicable and Authorization under Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016.</i>	<i>The consent to operate under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 is not applicable as industry was not processing any raw material to produce any product and was only engaged in transportation of carbon residue.</i>
2	<i>The industry shall apply under Rule 9 of HOWM Rules for pre-processing of carbon slurry as per the provisions of HOWM Rules, 2016.</i>	<i>The industry has obtained authorization under the provisions of HOWM Rules, 2016 from the Punjab Pollution Control Board for transportation of carbon residue @ 3500 Ton vide letter no. HWM/Fresh/BTI/2019/11732324 dated 20.12.2019, valid upto 31.12.2020.</i>
3	<i>The industry shall provide display board out the factory premises in accordance the orders dated 14/10/2003 of the Hon'ble Supreme Court passed in the matter of WP NO. 657/1995; Research Foundation for Science Technology and National Resource Policy Versus Union of India & Anr.</i>	<i>The display board had been provided in the premises of the industry as observed by the officers of the Board during visit to the industry on 20.11.2019. Later on, the industry had shifted the remaining carbon residue @ 2944.59 Ton at newly established environmentally sound premises at Badal Road, Bathinda, for which the industry has obtained fresh authorization from the Punjab Pollution Control Board vide letter no. HWM/Fresh/BTI/ 2022/18547006 dated 05.07.2022 valid upto 04.07.2023 for transportation of carbon residue to the actual user i.e., M/s Shubham Sales Co., 5.30 KM Mile Stone, Bhiwani Road, Rohtak (Haryana). The industry had closed its premises at Mansa Road, Bathinda after obtaining permission from the Board for its new premises.</i>

4	<i>The industry shall provide covered storage shed for processed and unprocessed carbon slurry within 03 months. Such storage and processing area shall have impervious lined floor.</i>	<i>The industry had shifted the remaining carbon residue @ 2944.59 Ton from Mansa Road, Bathinda to its newly established environmentally sound (covered shed) premises at Badal Road, Bathinda, for which the industry has obtained fresh authorization from the Board vide letter no. HWM/Fresh/BTI/2022/18547006 dated 05.07.2022 valid upto 04.07.2023 for transportation of carbon residue to the actual user i.e., M/s Shubham Sales Co., 5.30 KM Mile Stone, Bhiwani Road, Rohtak (Haryana).</i>
5	<i>The industry may be directed not to sell/trade/transport the stored Carbon Slurry i.e. Hazardous Waste category 18.2 which is approx. 3470 ton without the prior permission of Punjab PCB.</i>	<i>The industry has obtained authorization from the Punjab Pollution Control Board vide letter no. HWM/Fresh/BTI/2022/18547006 dated 05.07.2022 valid upto 04.07.2023 for transportation of carbon residue to the actual user.</i>
6.	<i>Punjab PCB shall levy and collect (i) financial penalty of Rs.09 Lacs for the observed violations by enforcing Rule 23(2) of the HoWM Rules, 2016, in accordance with "Guidelines on Implementing Liabilities for Environmental Damages due to Handling & Disposal of Hazardous Wastes and Penalty' published by CPCB, (ii) apart from the above financial penalty, Environmental Compensation of Rs. 6,21,000/- shall also be recovered for the damages caused to the environment.</i>	<i>The industry has deposited Rs. 15.21 lacs (Rs.9,00,000/- +Rs. 6,21,000/-) with the Punjab Pollution Control Board vide DD no. 039968 dated 07.11.2019 vide Receipt no. 33/5096 dated 08.11.2019 in compliance to the orders of the Hon'ble National Green Tribunal.</i>

6. Respondent no. 2-PSPCB has accordingly submitted that in view of the fact that compliance of order dated 17.01.2020 passed by this Tribunal in O.A No. 72 of 2019 has been duly made by PSPCB and the Project Proponent in question, the present application has become infructuous.

7. Reply has also been filed by respondent no. 4-NFL, Bathinda, vide email dated 27.02.2023. In its reply respondent no. 4-NFL, Bathinda has submitted that no allegations have been made against NFL, Bathinda in the OA which has become infructuous in view of compliance and

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payment of compensation. No lifting of carbon slurry was done by any contractor of NFL Bathinda during March and April 2022. Sale order was issued to M/s Shubham Sales Company, Rohtak on 21.06.2022 for disposal of entire available carbon slurry quantity of 39,600 MT. Till date M/s Shubham Sales Company, Rohtak has already lifted 1342.890 MT of carbon slurry and presently lifting of carbon slurry is not being done due to non-deposition of contractual amount by M/s Shubham Sales Company, Rohtak. From year 2013 onwards, due to shifting of type of fuel being used for manufacturing of Urea from LSHS to Natural Gas, no carbon slurry was produced. The carbon slurry which was already produced is being disposed of by awarding the contracts to authorized parties. During the period carbon slurry remained in the premises of NFL, the carbon slurry is kept in isolated place which is specifically designated for storage of carbon slurry and same is being maintained properly. Proper distance of storage facility from public at large has been maintained so that there may not be any loss of health during loading or unloading.

8. In view of the averments made in reply of respondent no. 4-NFL, Bathinda, this Tribunal, vide order dated 03.03.2023, impleaded M/s Shubham Sales Company, Rohtak and Haryana State Pollution Control Board (HSPCB) as respondents no. 5 and 6 and ordered issuance of notices to them.

9. Pursuant to order dated 03.03.2023 replies have been filed by respondent no. 5-M/s Shubham Sales Company, Rohtak vide email dated 25.05.2023 and respondent no. 6- HSPCB vide email dated 29.05.2023.

10. In its reply respondent no. 5-M/s Shubham Sales Company, Rohtak has submitted that respondent no. 5 is not having go-down in

Bathinda and has installed its plant for the processing of the carbon slurry at Rohtak, Haryana after obtaining consent to establish, consent to operate and necessary authorizations under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 from Regional Office of HSPCB and CPCB by complying with the CPCB Guidelines for Processing, Handling, Transporting and Collecting Hazardous Waste. Respondent no. 5 has also obtained permission from PSPCB for inter-state transportation of hazardous waste. No lifting was ever effected by respondent no. 5 from NFL Bathinda, during the month of April 2022, work pertaining to the contract of respondent no. 5 with NFL Bathinda began in the month of July 2022. Respondent no. 5 has lifted 1342.890 Metric Tonnes only of carbon slurry from NFL Bathinda which has been transported and processed at its facility at Rohtak and the same has been sold out to the actual users for further utilisation.

11. In its reply respondent no. 6-HSPCB has submitted that respondent no.5-M/s Shubham Sales Co. is engaged in manufacturing of Carbon mineral/Powder from spent carbon/carbon slurry. The Spent Carbon is pumped from the collection pit to mixing vessel/slurry preparation tank (where spent carbon is mixed with water). This carbon slurry mixed with water is injected from the slurry preparation tank through pipeline into the reactor. Temperature not less than 2000°C is being maintained in the reactor. After pulverizing the Material received from reactor, final product carbon black powder gets ready which is being sold in rubber and tyre industries. The spent carbon is listed at SI. No.18.2 of Schedule-I of the Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016. The unit has obtained Consent to Operate under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974 valid upto

30.09.2024. It has also obtained authorization under the Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016. The unit was inspected on 27.04.2023. The samples of air emissions and treated effluent were taken for analysis. As per analysis report dated 02.05.2023, air emission were found within prescribed limits. As per analysis report dated 03.05.2023, treated effluent was found within prescribed limits. The unit has made agreement with Common Hazardous Waste Treatment, Storage, and Disposal Facility (TSDF) Gujarat Enviro Protection & Infrastructure Ltd (GEPIL) for scientific disposal of hazardous waste generated from the processing of spent carbon.

12. Vide order dated 03.03.2023 respondent no. 2-PSPCB was directed to file an affidavit furnishing information regarding utilization of the amount of Rs. 15,21,000/- which was imposed on and realized from M/s. Carbon Chemical Industries at Bathinda, Punjab.

13. PSPCB filed reply vide email dated 29.05.2023. In its reply, respondent no. 2-PSPCB has submitted that the industry deposited environmental compensation of Rs. 15.21 Lakh vide D.D dated 07.11.2019. In compliance of order dated 21.10.2022 passed by this Tribunal in M.A. No. 74 of 2022 in O.A. No. 976 of 2019, the Government of Punjab constituted a High Power Committee vide notification no. 10/01/2023-STE(2)/03 dated 03.01.2023. The first meeting of the High Power Committee was held on 05.01.2023 to discuss the utilization of Environmental Compensation funds. The High Power Committee observed that the total Environmental Compensation accrued with the PSPCB till 31.03.2022 was Rs.13.8 Crores and decided to allocate Rs. 12 crores for setting up of mechanized MRF Centre of M.C Jalandhar by Punjab Municipal Infrastructure Development Company

(PMIDC) and Rs. 1.8 Crores for upgradation / strengthening of Environmental Monitoring Laboratory by Punjab Bio Technology Incubator (PBTI), Mohali. In compliance to the decisions of the High Power Committee, PSPCB vide office order no. 98 dated 09.03.2023 released the amount of Rs. 12.0 Crore to the Chief Executive Officer, Punjab Municipal Infrastructure Development Company and vide office order no. 99 dated 09.03.2023 released the amount of Rs. 1.8 to Punjab Bio Technology Incubator, Mohali.

14. Vide order **30.05.2023**, respondent no. 4-NFL Bathinda was directed to file an affidavit as to whether any carbon residue is now lying in its premises and what further action has been taken for its safe disposal.

15. Thereafter, vide order dated **04.10.2023** respondent no. 4 was directed to file an affidavit giving complete details regarding storage of hazardous waste-carbon slurry and measures taken for safe disposal thereof with status of implementation of the same and also its response to submission of learned counsel for respondent no.5. Respondent no. 5 was also directed to file affidavit mentioning in detail the steps taken for disposal of carbon slurry already lifted by it and its action plan for lifting, processing and disposal of remaining carbon from NFL, Bathinda in terms of the above said sales order.

16. In the course of hearing learned counsel for respondent no. 5 mentioned that there is some storage of hazardous waste-carbon slurry by NFL, Panipat also and in view thereof National Fertilizers Ltd. (NFL), Panipat was impleaded as respondent no. 7 and notice was ordered to be issued to respondent no. 7 requiring the same to file its response, with

regard to status of storage/disposal of hazardous waste-carbon slurry by it.

17. Respondent no. 4-NFL, Bathinda filed replies vide emails dated 31.07.2023, 03.10.2023 and 23.11.2023 and respondent no. 7-NFL Panipat filed reply vide email dated 23.11.2023.

18. This Tribunal considered presence of MoEF & CC and CPCB and NFL, Nangal regarding issuance of guidelines and monitoring mechanism for monitoring storage and disposal of hazardous waste of carbon slurry by similar industries and National Fertilizers Ltd. (NFL), Nangal for verifying the factual position regarding storage and disposal of carbon slurry in its plant and apprising this Tribunal about the practices adopted for disposal thereof and impleaded them as respondents no. 8 to 10 and ordered issuance of notices to them vide order dated 24.11.2023.

19. Replies were filed by respondent no. 10- NFL, Nangal vide email dated 03.01.2024, by respondent no. 9-CPCB vide email dated 05.01.2024 and by respondent no. 8-MoEF & CC vide email dated 20.02.2024.

20. This Tribunal observed in its order dated 08.01.2024 that a perusal of reply affidavit filed by respondent no. 9-CPCB showed that Gujarat Narmada Valley Fertilizers and Chemical Ltd. at serial no. 8 in list annexure III is generating 2000 MTA carbon slurry while Hindustan Urvarak and Rasayan Ltd. at serial no. 12 thereof had not provided any information to the CPCB and that list annexure III was prepared on the basis of information provided by 38 units that responded to the communications made by CPCB. Respondent no. 9-CPCB was directed to obtain the requisite information from Hindustan Urvarak and Rasayan

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Ltd. at serial no. 12 in list annexure III and also to direct SPCBs/UTPCCs to verify the factual position regarding storage and disposal of carbon slurry in its plant by any similar industries in their jurisdiction.

21. In compliance thereof CPCB filed status note vide email dated 21.02.2024.

22. This Tribunal also noticed in its order dated 08.01.2024 that respondent no. 4-NFL, Bathinda and respondent no. 7-NFL, Panipat had not filed upto date status reports and action plans and directed them to file Action Taken Reports/Action Plan with all requisite details.

23. In compliance thereof affidavits were filed by respondents no. 4 and 7 vide email dated 16.02.2024. Additional report was filed by respondent no. 7 vide email dated 07.03.2024.

24. This Tribunal also noticed in its order dated 08.01.2024 that despite unjustified continued storage of carbon slurry by respondents no. 4 and 7 and also inaction/delay on their part in disposal thereof in accordance with mandatory statutory provisions, no action has been taken by PSPCB and HSPCB for imposition of environmental compensation and also prosecution of the defaulting officers/officials and PSPCB and HSPCB were directed to initiate appropriate proceedings for imposition of environmental compensation and prosecution of the defaulting officers/officials in accordance with law and file Action Taken Report.

25. In compliance thereof replies were filed by PSPCB and HSPCB vide separate emails dated 20.02.2024.

26. The replies/responses filed by the respondents as mentioned above will be referred to in requisite detail in later part of this order.

27. None has appeared for the applicant and respondents no. 1 to 3 during hearing of the case.

28. We heard arguments addressed by the learned Counsel for the respondents no. 4, 5 and 6 and reserved order on 13.03.2024.

29. However, while going through the material on record we found that relevant information material to adjudication of the questions involved in the present case has not been placed on record and relisting of the matter for further hearing was necessary on which the matter has been relisted for further hearing/directions.

30. On due consideration of the submissions made and perusal of the material on record we are of the considered view that in view of serious non-compliance with the environmental laws/norms regarding management, storage and disposal of Hazardous waste, the scope of the present proceedings is required to be widened and intervention by this Tribunal by issuance of remedial directions and continuous monitoring of compliance is necessitated and scope of the proceedings is widened accordingly.

The Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016

31. In exercise of the powers conferred by sections 6, 8, and 25 of the Environment (Protection) Act, 1986, the erstwhile Ministry of Environment and Forests, New Delhi vide G.S.R No. 395 (E) dated 04.04.2016 notified, the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

32. As provided by Rule 2 the Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016 apply to the management of hazardous and other wastes as specified in the Schedules to above said Rules.

33. However, as provided by Rule 2 the Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016 do not apply to:-

- “(a) waste-water and exhaust gases as covered under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and the rules made thereunder and as amended from time to time;*
- (b) wastes arising out of the operation from ships beyond five kilometres of the relevant baseline as covered under the provisions of the Merchant Shipping Act, 1958 (44 of 1958) and the rules made thereunder and as amended from time to time;*
- (c) radio-active wastes as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and the rules made thereunder and as amended from time to time;*
- (d) bio-medical wastes covered under the Bio-Medical Wastes (Management and Handling) Rules, 1998 made under the Act and as amended from time to time; and*
- (e) wastes covered under the Municipal Solid Wastes (Management and Handling) Rules, 2000 made under the Act and as amended from time to time.”*

34. Rule 3 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 contains the definitions. Rule 3 (1) (17) thereof defines hazardous waste while Rule 3 (1) (23) defines other wastes.

35. Rule 3 (1) (17) of the Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016 read as under:-

- “3.(1)(17). ‘Hazardous waste’ means 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, 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.

36. Rule 3 (1) (23) of the Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016 read as under:-

“3.(1) 23. ‘Other wastes’ means wastes specified in Part B and Part D of Schedule III for the purpose of import and export and include such indigenously produced wastes as may be notified from time to time. (As amended vide Notification G.S.R. 798(E) dated 12th November, 2021).”

37. Rules 4 to 10 in Chapter II of the above said rules lay down the procedure for management of hazardous and other wastes. Rule 4 lays down the responsibilities of the occupier for management of hazardous and other wastes while Rule 5 lays down the responsibilities of State Government for environmentally sound management of hazardous and other wastes. Rule 6 provides for grant of authorisation for managing hazardous and other wastes by State Pollution Control Board while Rule 7 confers power to suspend or cancel the authorization. Rule 8 contains the provisions regarding storage of hazardous and other waste while Rule 9 provides for utilization of hazardous and other wastes. Rule 10 lays down standard operating procedure or guidelines for actual users. Chapter III containing Rules 11 to 15 makes provisions regarding import and export of hazardous wastes. Chapter IV contains Rule 16 which provides for treatment, storage and disposal facility for hazardous and other wastes. Chapter V (Rules 17 to 19) deals with packaging, labelling and transport of hazardous and other wastes. Rule 17 provides for

packaging and labelling while Rule 18 provides for transportation of hazardous and other wastes and Rule 19 lays down manifest system (Movement Document) for hazardous and other waste to be used within the country only. Chapter VI embodies the miscellaneous provisions and Rule 20 provides for record and return. Rule 21 lays down responsibility of authorities. Rule 22 provides for reporting of accidents. Rule 23 provides for liability of occupier, importer or exporter and operator of a disposal facility. Rule 24 provides for appeal.

38. Rule 4 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 reads as follows:-

“4. Responsibilities of the occupier for management of hazardous and other wastes.-

(1) For the management of hazardous and other wastes, an occupier shall follow the following steps, namely:-

- (a) prevention;*
- (b) minimization;*
- (c) reuse,*
- (d) recycling;*
- (e) recovery, utilisation including co-processing;*
- (f) safe disposal.*

(2) The occupier shall be responsible for safe and environmentally sound management of hazardous and other wastes.

(3) The hazardous and other wastes generated in the establishment of an occupier shall be sent or sold to an authorised actual user or shall be disposed of in an authorised disposal facility.

(4) The hazardous and other wastes shall be transported from an occupier’s establishment to an authorised actual user or to an authorised disposal facility in accordance with the provisions of these rules.

(5) The occupier who intends to get its hazardous and other wastes treated and disposed of by the operator of a treatment, storage and disposal facility shall give to the operator of that facility, such specific information as may be needed for safe storage and disposal.

(6) The occupier shall take all the steps while managing hazardous and other wastes to-

(a) contain contaminants and prevent accidents and limit their consequences on human beings and the environment;

and

(b) provide persons working in the site with appropriate training, equipment and the information necessary to ensure their safety.”

39. Rule 8 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 reads as follows:-

“8. Storage of hazardous and other wastes.- (1) *The occupiers of facilities may store the hazardous and other wastes for a period not exceeding ninety days and shall maintain a record of sale, transfer, storage, recycling, recovery, pre-processing, co-processing and utilisation of such wastes and make these records available for inspection:*

Provided that the State Pollution Control Board may extend the said period of ninety days in following cases, namely:-

- (i) small generators (up to ten tonnes per annum) up to one hundred and eighty days of their annual capacity;*
- (ii) actual users and disposal facility operators up to one hundred and eighty days of their annual capacity,*
- (iii) occupiers who do not have access to any treatment, storage, disposal facility in the concerned State; or*
- (iv) the waste which needs to be specifically stored for development of a process for its recycling, recovery, pre-processing, co-processing or utilisation;*
- (v) in any other case, on justifiable grounds up to one hundred and eighty days.”*

Spent Carbon/Carbon Residue/Carbon Slurry falls in the category of Hazardous Waste

40. Schedule I to the Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016 contains the ‘List of Processes Generating Hazardous Wastes’. Carbon residue generated in the process of production of nitrogenous and complex fertilizers is categorized as hazardous waste at serial no. 18.2 in the above said list.

41. In the present case it is not disputed by respondent no. 4-NFL, Bathinda, respondent no. 7-NFL, Panipat and respondent no. 10-NFL, Nangal that carbon slurry which is subject matter of the grievances in the present original application falls in the category of hazardous waste at serial no. 18.2 in the list of Processes Generating Hazardous Wastes contained in Schedule I of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

Compliance with the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016

42. The material placed on record shows that respondents no. 4-NFL, Bathinda and 7-NFL, Panipat started their commercial production in the year 1979 and respondent no. 10-NFL, Nangal started its commercial production in the Year 1978. They used Fuel Oil ("FO") / Low Sulphur Heavy Stock ("LSHS") as feedstock for the production of Urea from 1979 till November, 2012. The Plants were based on the partial oxidation of Fuel Oil by the Shell Gasification process with the help of oxygen and steam at 55 kg/cm² at a temperature of 1350 degrees Celsius. During the partial oxidation of Fuel Oil, which was an energy-intensive process, carbon was generated due to inevitable thermal cracking. The carbon so generated was removed from the raw gas by water and collected in a carbon separator called "Carbon Slurry", a mixture of carbon and water. As per the design, about 80% of the generated carbon was recycled back to the process in the form of carbon oil as feed through the carbon recovery unit, while the balance quantity was sent as Carbon Slurry to the separate designated brick-lined Carbon Slurry Ponds. In an endeavor to keep in pace with clean technology and with a commitment to sustainable development, the Plants were restructured by respondents no. 4-NFL, Bathinda and 7-NFL, Panipat in November, 2012 and by respondent no. 10-NFL, Nangal in February, 2013. The feedstock was replaced from LSHS to Natural Gas, which not only reduced the specific energy per metric ton of urea, but also lowered the carbon footprint. The change of feedstock from Fuel Oil to Natural Gas also annulled the generation of carbon slurry as a by-product. As a result, there was no generation of carbon slurry by respondents no. 4-NFL, Bathinda and 7-NFL, Panipat at their Plants since 2012 and by respondent no. 10-NFL,

Nangal at its Plant since 2013. It is stated that leftover carbon slurry amounting to approximately 53100 metric ton was stored in NFL, Bathinda, leftover carbon slurry amounting to approximately 85000 metric ton was stored in NFL, Panipat and left over carbon slurry amounting to approx. 9800 MT (inclusive of water) in the designated carbon slurry ponds after following all the rules, regulations, guidelines and taking all necessary precautions.

43. It may be observed here that “carbon residue in production of nitrogenous and complex fertilizers” was categorized as “Hazardous Waste” at serial number 18.2 in the list of Processes Generating Hazardous Waste in Schedule I of the Hazardous Waste (Management and Transboundary Movement) Rules, 2016.

Compliance by Respondent no. 10-NFL, Nangal

44. Vide order dated 24.11.2023 NFL, Nangal was impleaded as respondent no. 10 to verify the factual position regarding storage and disposal of carbon slurry by it and apprising this Tribunal about the practices adopted for disposal thereof.

45. In its reply filed vide email dated 03.01.2024 respondent no. 10-NFL, Nangal has mentioned that respondent no. 10-NFL, Nangal has disposed of the entire quantity of Carbon Slurry stored at its Ponds, in accordance with the said Rules and other Regulations as issued by the Government of India from time to time. The relevant part of the reply reads as under:-

“E-auction for disposal of Carbon Slurry according to the said Rules”

10. As per the said Rules, Carbon Slurry could only be lifted by 'intermediaries' — i.e., processors — from the Ponds and could not be sold to consumers / industries directly. Furthermore, only valid authorized parties registered with the Central Pollution Control Board (hereinafter referred to as "CPCB") or the concerned State Pollution Control Board (hereinafter referred to as "SPCB") could participate in the tendering process.

11. Accordingly, E- Auction No. MSTC/ NRO/ NATIONAL FERTILIZERS LIMITED/ 16/ NFL NAYA NANGAL/ 16-17/ 17532, dated 07.02.2017, was conducted by Metal Scrap Trade Corporation Limited (hereinafter referred to as "MSTC") on behalf of the Respondent No.10 on an 'as is where is basis', for the lifting / sale / removal of Carbon Slurry from the three ponds of the Respondent No.10. The E-auction was conducted on the basis of a report submitted by an outside agency -i.e., Projects and Development India Limited ("PDIL").

12. A total of three (3) bidders participated the E-auction as under:

S. No.	Name of the Bidders
1.	Carbo Chem Industries, Bathinda
2.	Super Trading Corporation, Bathinda
3.	Rohtak Wire and Hardware Store, Delhi

13. The H-1 Bidder was Carbo Chem Industries, Bathinda. In furtherance of the same, the Acceptance Letter was issued by MSTC on 28.07.2017, on behalf of the Respondent No. 10.

14. Thereafter, Carbo Chem Industries, Bathinda started lifting the material at Respondent No.10's Plant from 03.10.2020 onwards and successfully finished the lifting of the Carbon Slurry by 31.12.2022.

15. It is humbly submitted that the Respondent No.10 has disposed-off the entire quantity of Carbon Slurry stored at its Ponds, in accordance with the said Rules and other Regulations as issued by the Government of India from time to time. At present there is no quantity of carbon slurry at the premises of Respondent No.10."

Compliance by respondent no. 4-NFL, Bathinda and respondent no. 7-NFL, Panipat

46. In their reply respondents no. 4 and 7 have mentioned that prior to the notification of Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016 carbon slurry was sold in the open market as an industrial product for industries like ink manufacturers, paint manufacturers retreated tyres, etc. and after the

notification of the said Rules, the respondents no. 4 and 7 have been following the rules, regulations, etc. for safe and environmentally sound management of hazardous waste at its unit. In their respective reply respondents no. 4 and 7 have also mentioned the steps taken for (i) storage and management of carbon slurry and (ii) disposal of the carbon slurry.

47. The relevant part of the reply filed vide email dated 16.02.2024 by respondent no. 4 regarding (i) storage and management of carbon slurry and (ii) disposal of the carbon slurry reads as under:-

“Affidavit of Respondent-4, NFL, Bhatinda

HEAD C : STORAGE AND MANAGEMENT OF CARBON SLURRY

16. *Since the notification of the said Rules, the Respondent No.4 has been following the required rules, regulations, etc. for safe and environmentally sound management of carbon slurry at its Unit.*
17. *Rule 4 of the said Rules lays down the responsibilities of the occupier for management of hazardous and other wastes. Rule 3 (21) defines occupier as "...a person who has control over the affairs of the factory or the premises and includes in relation to any hazardous and other wastes, the person in possession of the hazardous or other waste."*
18. *Thus, in the present case, the Respondent No.4 is the "occupier" of the carbon slurry and its duties are envisaged under the Rule 4, which is produced hereinbelow for ready reference by this Hon'ble Tribunal.*

"4. Responsibilities of the occupier for management of hazardous and other wastes.-

- 1) *For the management of hazardous and other wastes, an occupier shall follow the following steps, namely:-*
 - (a) *prevention;*
 - (b) *minimization;*
 - (c) *reuse,*
 - (d) *recycling;*
 - (e) *recovery, utilisation including co-processing;*

(f) *safe disposal*

- 2) *The occupier shall be responsible for safe and environmentally sound management of hazardous and other wastes.*
- 3) *The hazardous and other wastes generated in the establishment of an occupier shall be sent or sold to an authorised actual user or shall be disposed of in an authorised disposal facility.*
- 4) *The hazardous and other wastes shall be transported from an occupier's establishment to an authorised actual user or to an authorised disposal facility in accordance with the provisions of these rules.*
- 5) *The occupier who intends to get its hazardous and other wastes treated and disposed of by the operator of a treatment, storage and disposal facility shall give to the operator of that facility, such specific information as may be needed for safe storage and disposal.*
- 6) *The occupier shall take all the steps while managing hazardous and other wastes to-*
 - (a) *contain contaminants and prevent accidents and limit their consequences on human beings and the environment; and*
 - (b) *provide persons working in the site with appropriate training, equipment and the information necessary to ensure their safety."*

19. *The carbon slurry amounting to approximately 53,100 metric tonnes (MT) generated till 2012 was stored by the Respondent No.4 at four (4) separate designated ponds after taking all necessary precautions and following all the regulations and guidelines. The carbon slurry from one Pond was sold in 2017-18, and now the available quantity is stored in three (3) ponds. The details of the 3 carbon slurry ponds located at the Respondent No.4's premises are as follows:*

Pond	Size
<i>Pond Number 1</i>	<i>11,252 square metres</i>
<i>Pond Number 2</i>	<i>12,610 square metres</i>
<i>Pond Number 3</i>	<i>48,300 square metres</i>
Total size	71,300 square metres

20. *The carbon slurry ponds are brick lined with High-Density Polyethylene (HDPE) which is excellent in its durability, flexibility, im-permeability. HDPE is highly resistant to environment conditions and is widely used for the manufacture of chemical tanks.*

21. *To prevent any leaks or spillage from the ponds, the dyke walls are raised by 3 to 5 metres from the carbon slurry storage level. Furthermore, the dyke walls around the carbon slurry ponds are surrounded by a lush tree cover.*
22. *The Respondent No.4 has also installed two (2) piezometric wells at the north — east and north — west side, as well as two (2) piezometric wells at the south and west of the carbon slurry ponds. The Respondent No.4 carries out monthly analysis of all the four (4) piezometric wells to ensure the quality of ground water. Monthly reports are also being sent to the Punjab State Pollution Control Board (hereinafter referred to as "**PSPCB**").*

*Copy of the plot plan indicating the location of the Piezometers, is attached herewith and marked as **DOCUMENT — 4.***

*Copy of Analysis Report, dated 01.02.2024, of ground water samples collected on 12.01.2024, is attached herewith and marked as **DOCUMENT - 5.***

23. *Improper slurry management can harm water sources and negatively affect soil quality through contamination. As evident from the monthly analysis of the ground water surrounding the carbon slurry ponds, the Respondent No.4 has assumed all responsibility to guarantee that the carbon slurry stored at its Unit does not have negative environmental impact.*
24. *It is reiterated that no carbon slurry has been generated at the Respondent No.4's Unit after the notification of the said Rules. Further, the Respondent No.4 has been undertaking all the steps from its end to ensure safe storage, management and disposal of the leftover carbon slurry at its Unit, as provided under the said Rules and other regulations as notified by the Government of India from time to time.*

HEAD D: DISPOSAL OF CARBON SLURRY

25. *For the safe disposal and lifting of the carbon slurry from its Ponds, the Respondent No.4 ensures that the carbon slurry is transported / disposed of by the authorised contractor(s) in closed trucks and containers, affixed with labels containing the emergency numbers in case of any spillage of the hazardous waste material, in accordance with the said Rules. Rule 18 is produced hereinbelow for ready reference:*

"18. Transportation of hazardous and other wastes.- (1) *The transport Of the hazardous and other waste shall be in accordance with the provisions of these rules and the rules made by the Central Government under the Motor Vehicles Act, 1988 and the guidelines issued by the Central Pollution Control Board from time to time in this regard.*

(2) *The occupier shall provide the transporter with the relevant information in Form 9, regarding the hazardous nature of the wastes and measures to be taken in case of an emergency and shall label the hazardous and other wastes containers as per Form 8.*

(3) *In case of transportation of hazardous and other waste for final disposal to a facility existing in a State other than the State where the waste is generated, the sender shall obtain 'No Objection Certificate' from the State Pollution Control Board of both the States.*

(4) *In case of transportation of hazardous and other waste for recycling or utilisation including co-processing, the sender shall intimate both the State Pollution Control Boards before handing over the waste to the transporter.*

(5) *In case of transit of hazardous and other waste for recycling, utilisation including co-processing or disposal through a State other than the States of origin and destination, the sender shall give prior intimation to the concerned State Pollution Control Board of the States of transit before handing over the wastes to the transporter.*

(6) *In case of transportation of hazardous and other waste, the responsibility of safe transport shall be either of the sender or the receiver whosoever arranges the transport and has the necessary authorisation for transport from the concerned State Pollution Control Board. This responsibility should be clearly indicated in the manifest.*

(7) *The authorisation for transport shall be obtained either by the sender or the receiver on whose behalf the transport is being arranged."*

26. *The Respondent No.4 also ensures that the hazardous waste is packaged and labelled in accordance with Rule 17 of the said Rules, which reads as follows:*

"17. Packaging and Labelling. - (1) *Any occupier handling hazardous or other wastes and operator of the treatment, storage and disposal facility shall ensure that the hazardous and other wastes are packaged in a manner suitable for safe handling, storage and transport as per the guidelines issued by the Central Pollution Control Board from time to time. The labelling shall be done as per Form 8 under HWM Rules, 2016.*

(2) *The label shall be of non-washable material, weather proof and easily visible."*

27. *The Respondent No.4 also ensures that any such contractor(s) have all the necessary and valid approvals, authorisations and permissions from the concerned Pollution Board(s), in terms of Rule 9:*

“9. Utilisation of hazardous and other wastes.- (1) *The utilisation of hazardous and other wastes as a resource or after pre-processing either for co processing or for any other use, including within the premises of the generator (if it is not part of process), shall be carried out only after obtaining authorisation from the State Pollution Control Board in respect of waste on the basis of standard operating procedures or guidelines provided by the Central Pollution Control Board.*

(2) Where standard operating procedures or guidelines are not available for specific utilisation, the approval has to be sought from Central Pollution Control Board which shall be granting approval on the basis of trial runs and thereafter, standard operating procedures or guidelines shall be prepared by Central Pollution Control Board:

Provided, if trial run has been conducted for particular waste with respect to particular utilisation and compliance to the environmental standards has been demonstrated, authorisation may be granted by the State Pollution Control Board with respect to the same waste and utilisation, without need of separate trial run by Central Pollution Control Board and such cases of successful trial run, Central Pollution Control Board shall intimate all the State Pollution Control Board regarding the same.

(3) No trial runs shall be required for co processing of waste in cement plants for which guidelines by the Central Pollution Control Board are already available; however, the actual users shall ensure compliance to the standards notified under the Environment (Protection) Act, 1986 (29 of 1986), for cement plant with respect to co processing of waste:

Provided that till the time the standards are notified, the procedure as applicable to other kind of utilisation of hazardous and other waste, as enumerated above shall be followed.”

28. *The Respondent No.4 appointed Metal Scrap Trade Corporation Limited - a public sector undertaking under the Ministry of Steel, Government of India (hereinafter referred to as "MSTC") for the disposal of carbon slurry through tendering process. Carbo Chemical Industries was selected by MSTC as the H1 Bidder. The quantity of 9,305.94 MT of carbon slurry was lifted by Carbo Chemical Industries vide Sale Order No. 288, dated 06.03.2017, valid upto 12.01.2018.*

29. *Thereafter, MSTC issued the Notice Inviting Tender (hereinafter referred to as “NIT”) on behalf of the Respondent No.4 on its website on 11.11.2019 with the*

auction dated as 10.12.2019 for lifting of the remaining quantity of 39,600 MT of carbon slurry.

30. *After several extensions, re-auctions, and negotiations, the bid placed by Respondent No.5 herein -i.e., Shubham Sales Corporation Limited, Rohtak, was approved online by the Respondent No.4 on 09.04.2021. The Respondent No.5 furnished the security deposit on 15.04.2021 and 16.04.2021, and accordingly, MSTC issued the Acceptance Letter, dated 20.04.2021, to the Respondent No.5.*
31. *Before the issuance of the Acceptance Letter, dated 20.04.2021, the Respondent No.4 fulfilled all the compliances as mandated under the said Rules for disposal of 'hazardous waste'. The Respondent No.4 had obtained the following documents from the Respondent No.5 and verified their authenticity-*
- i) licence from Pollution Control Board for handling carbon slurry;*
 - ii) valid Consent to Operate ("CTO") for both air and water hazardous waste, from the Haryana State Pollution Control Board (hereinafter referred to as "HSPCB");*
 - iii) authorisation cum passbook from the Haryana SPCB;*
 - iv) authorisation for collection, transportation and utilisation of carbon slurry from Respondent No.4's Unit from the Punjab SPCB;*
 - v) no objection certificate from the Punjab SPCB and Haryana SPCB.*
32. *After the issuance of the Acceptance Letter, the Respondent No.5 was unable to deposit the First Instalment payable to Respondent No.4 in a timely manner due to the ongoing Covid-19 pandemic. The Respondent No.5 furnished part of the First Instalment on 11.03.2022 and accordingly, the Sale Order No. 393, dated 21.06.2022, was issued by the Respondent No.4 for lifting of 39,600 MT of carbon slurry.*
33. *The following measures were adopted by the Respondent No. 4 to ensure the safe lifting of carbon slurry from its Ponds by Respondent No.5, in compliance with the said Rules.*
- Before loading of the carbon slurry, the Respondent No. 4 ensured that only closed container type vehicles were deputed by the Respondent No. 5 for transporting the slurry, as authorized by PPSCB vide Authorisation Letter SSO(HWM)/2020/PPCB/S-14, dated 02.11.2020, and the subsequent Extension Letter SEE(HQ-3)/2022/2225, dated 21.11.2022.*

- *The Respondent No. 4 also ensured that the suitable sticker or label containing the emergency numbers in case of spillage of Hazardous Waste Material was affixed to the above vehicles.*
- *Further, as per the NIT, it was mandatory on part of the Contracting Agency (in the present case-the Respondent No. 5) to ensure that the truck is weighed empty while loading the slurry, the truck is covered and further collection/loading is done through mechanized means as per the said Rules to prevent air transmission of the hazardous material.*

34. *The Respondent No.5 started the lifting of the carbon slurry from Respondent No.4's pond on 13.07.2022.*
35. *In view of a fresh proposal received from Respondent No.5, dated 07.08.2023, and upon several discussions and deliberations, the Respondent No.4 issued the Amendment No.1, dated 07.10.2023, as well as the Amendment No.2, dated 04.11.2023, to the Sale Order No. 393, for lifting of carbon slurry.*

HEAD E : CURRENT STATUS AND ACTION PLAN

36. *It is pertinent to mention that the Respondent No.5 has commenced the re-lifting of the carbon slurry from the three carbon slurry ponds of the Respondent No.4 from 20.11.2023, in furtherance of Amendment No.2, dated 04.11.2023, to the Sale Order No. 393.*
37. *At this point, it is pertinent to mention that the Respondent No.5 herein has endeavoured to complete the lifting of the slurry from the ponds of Respondent No. 4 by 30.09.2024.*
38. *Copy of the Letter, dated 07.08.2023, sent by the Respondent No.5 to the Respondent No.4, is attached herewith and marked as **DOCUMENT - 6**.*
39. *As on 31.01.2024, there is an estimated quantity of 37,931.250 MT of carbon slurry lying at the ponds of the Respondent No.4. Since the re-lifting of the carbon slurry commenced on 20.11.2023, an estimated quantity of 325.860 MT of carbon slurry has already been lifted by the Respondent No.5, the details of which are as follows:*

Date	Quantity Lifted (MT)
23-11-2023	9.820
08-12-2023	20.860

12-12-2023	22.200
15-12-2023	23.130
18-12-2023	25.890
19-12-2023	9.640
21-12-2023	33.860
23-12-2023	10.100
25-12-2023	21.490
02-01-2024	42.220
06-01-2024	23.630
15-01-2024	22.570
20-01-2024	16.250
30-01-2024	44.200
Total	325.860

40. *It is submitted that there are a lot of intricacies involved in the lifting and disposal of the carbon slurry under the said Rules which must be complied with. As stated above, the slurry can be lifted only by contractors authorised by the State or Central Pollution Control Board. Furthermore, the carbon slurry cannot be sold directly to its end users in the open market and must be lifted with utmost care and precaution.*
41. *Thus, as can be seen, the Respondent No.4 has left no stone unturned to ensure safe storage and management of the carbon slurry and its efficient disposal. The carbon slurry, last generated by the Respondent No.4 in 2012, is kept in isolated ponds specifically designated for the storage of hazardous waste. It is further reiterated, the carbon Ponds at Respondent No.4's Units are built at a considerable distance from civilization / public at large to prevent any hazards while loading and unloading.*
42. *It is reiterated that the Respondent No.5 herein strives to complete the lifting of the remaining 37,931.250 MT of carbon slurry from the Respondent No.4's ponds by 30.09.2024, in terms of the Amendments to the Sale Order. It is further reiterated that the Respondent No.4 shall take all steps necessary to support the Respondent No.5 in its endeavour and expedite the disposal of the carbon slurry from its ponds."*

48. The relevant part of the reply filed vide email dated 16.02.2024 by respondent no. 7-NFL, Panipat regarding (i) storage and management of carbon slurry and (ii) disposal of the carbon slurry reads as under:-

“Affidavit Respondent No 7-NFL, Panipat

HEAD C: STORAGE AND MANAGEMENT OF CARBON SLURRY

13. *Since the notification of the said Rules, the Respondent No.7 has been following the required rules, regulations, etc. for safe and environmentally sound management of carbon slurry at its Unit.*

14. *Rule 4 of the said Rules lays down the responsibilities of the occupier for management of hazardous and other wastes. Rule 3 (21) defines occupier as “...a person who has control over the affairs of the factory or the premises and includes in relation to any hazardous and other wastes, the person in possession of the hazardous or other waste.”*

15. *Thus, in the present case, the Respondent No.7 is the "occupier" of the carbon slurry and its duties are envisaged under the Rule 4, which is produced hereinbelow for ready reference by this Hon'ble Tribunal :*

“4. Responsibilities of the occupier for management of hazardous and other wastes.-

1) For the management of hazardous and other wastes, an occupier shall follow the following steps, namely:-

- (a) prevention;*
- (b) minimization;*
- (c) reuse,*
- (d) recycling;*
- (e) recovery, utilisation including co-processing;*
- (f) safe disposal.*

2) The occupier shall be responsible for safe and environmentally sound management of hazardous and other wastes.

3) The hazardous and other wastes generated in the establishment of an occupier shall be sent or sold to an authorised actual user or shall be disposed of in an authorised disposal facility.

4) The hazardous and other wastes shall be transported from an occupier's establishment to an authorised actual

user or to an authorised disposal facility in accordance with the provisions of these rules.

5) *The occupier who intends to get its hazardous and other wastes treated and disposed of by the operator of a treatment, storage and disposal facility shall give to the operator of that facility, such specific information as may be needed for safe storage and disposal.*

6) *The occupier shall take all the steps while managing hazardous and other wastes to-*

(a) *contain contaminants and prevent accidents and limit their consequences on human beings and the environment; and*

(b) *provide persons working in the site with appropriate training, equipment and the information necessary to ensure their safety."*

16. *The carbon slurry generated till 2012, amounting to approximately 1,22,600 metric tonnes (MT), as evaluated by Projects and Development India Limited (hereinafter referred to as "PDIL") —a Government of India undertaking, was stored by the Respondent No.7 at two (2) separate designated ponds. The details of the 2 carbon slurry ponds located at the Respondent No.7's premises are as follows:*

Pond	Size	Quantity stored
<i>Part –A Area</i>	<i>33,150 square metres</i>	<i>56,285 metric tonnes</i>
<i>Part –B Area</i>	<i>9000 square metres</i>	<i>66,316 metric tonnes</i>
Total size	42,150 square metres	1,22,600 metric tonnes

17. *The carbon slurry ponds are brick lined with High-Density Polyethylene (HDPE) which is excellent in its durability, flexibility, im-permeability. HDPE is highly resistant to environment conditions and is widely used for the manufacture of chemical tanks.*

18. *To prevent any leaks or spillage from the ponds, the dyke walls / earthen embankments are raised by 2.4 metres from the carbon slurry storage level, and the average depth of the carbon slurry ponds is approximately 6 metres. Furthermore, the dyke walls around the carbon slurry ponds are surrounded by trees.*

19. *The aforementioned carbon slurry ponds are built at a considerable distance from human settlement to prevent any hazards while loading and unloading. To ensure further safety, fencing has been done by the Respondent No.7 around the carbon slurry ponds and security guard(s) with proper gear and training have been posted.*

20. *As an added precaution, a committee has been constituted by the Respondent No.7 for regular monitoring of the carbon slurry while it is being lifted, to ensure that the*

said Rules are complied with and no environmental harm or damage is caused during the process. The Respondent No.7 has also installed CCTV cameras around the carbon slurry ponds to aid the monitoring process.

21. *Improper slurry management can harm water sources and negatively affect soil quality through contamination. As evident from the above, the Respondent No.7 has assumed all responsibility to guarantee that the carbon slurry stored at its Unit does not have negative environmental impact.*

22. *It is reiterated that no carbon slurry has been generated at the Respondent No.7's Unit after the notification of the said Rules. Further, the Respondent No.7 has been undertaking all the steps from its end to ensure safe storage, management and disposal of the leftover carbon slurry at its Unit, as provided under the said Rules and other regulations as notified by the Government of India from time to time.*

Head D: Disposal of Carbon Slurry

23. *For the safe disposal and lifting of the carbon slurry from its Ponds, the Respondent No.7 ensures that the carbon slurry is transported disposed of by the authorised contractor(s) in closed trucks and containers, affixed with labels containing the emergency numbers in case of any spillage of the hazardous waste material, in accordance with the said Rules. Rule 18 is produced hereinbelow for ready reference:*

“18. Transportation of hazardous and other wastes.- (1) The transport of the hazardous and other waste shall be in accordance with the provisions of these rules and the rules made by the Central Government under the Motor Vehicles Act, 1988 and the guidelines issued by the Central Pollution Control Board from time to time in this regard.

(2) The occupier shall provide the transporter with the relevant information in Form 9, regarding the hazardous nature of the wastes and measures to be taken in case of an emergency and shall label the hazardous and other wastes containers as per Form 8.

(3) In case of transportation of hazardous and other waste for final disposal to a facility existing in a State other than the State where the waste is generated, the sender shall obtain 'No Objection Certificate' from the State Pollution Control Board of both the States.

(4) In case of transportation of hazardous and other waste for recycling or utilisation including coprocessing, the sender shall intimate both the State Pollution Control Boards before handing over the waste to the transporter.

(5) In case of transit of hazardous and other waste for

recycling, utilisation including co-processing or disposal through a State other than the States of origin and destination, the sender shall give prior intimation to the concerned State Pollution Control Board of the States of transit before handing over the wastes to the transporter.

(6) In case of transportation of hazardous and other waste, the responsibility of safe transport shall be either of the sender or the receiver whosoever arranges the transport and has the necessary authorisation for transport from the concerned State Pollution Control Board. This responsibility should be clearly indicated in the manifest.

(7) The authorisation for transport shall be obtained either by the sender or the receiver on whose behalf the transport is being arranged.”

24. *The Respondent No.7 also ensures that the hazardous waste is packaged and labelled in accordance with Rule 17 of the said Rules, which reads as follows:*

“17. Packaging and Labelling. - (1) Any occupier handling hazardous or other wastes and operator of the treatment, storage and disposal facility shall ensure that the hazardous and other wastes are packaged in a manner suitable for safe handling, storage and transport as per the guidelines issued by the Central Pollution Control Board from time to time. The labelling shall be done as per Form 8 under HWM Rules, 2016.

(2) The label shall be of non-washable material, weather proof and easily visible.”

25. *The Respondent No.7 also ensures that any such contractor(s) have all the necessary and valid approvals, authorisations and permissions from the concerned Pollution Board(s), in terms of Rule 9:*

“9. Utilisation of hazardous and other wastes.- (1) The utilisation of hazardous and other wastes as a resource or after pre-processing either for co-processing or for any other use, including within the premises of the generator (if it is not part of process), shall be carried out only after obtaining authorisation from the State Pollution Control Board in respect of waste on the basis of standard operating procedures or guidelines provided by the Central Pollution Control Board.

(2) Where standard operating procedures or guidelines are not available for specific utilisation, the approval has to be sought from Central Pollution Control Board which shall be granting approval on the basis of trial runs and thereafter, standard operating procedures or guidelines shall be prepared by Central Pollution Control Board:

Provided, if trial run has been conducted for particular waste

with respect to particular utilisation and compliance to the environmental standards has been demonstrated, authorisation may be granted by the State Pollution Control Board with respect to the same waste and utilisation, without need of separate trial run by Central Pollution Control Board and such cases of successful trial run, Central Pollution Control Board shall intimate all the State Pollution Control Board regarding the same.

(3) No trial runs shall be required for co-processing of waste in cement plants for which guidelines by the Central Pollution Control Board are already available; however, the actual users shall ensure compliance to the standards notified under the Environment (Protection) Act, 1986 (29 of 1986), for cement plant with respect to co-processing of waste:

Provided that till the time the standards are notified, the procedure as applicable to other kind of utilisation of hazardous and other waste, as enumerated above shall be followed.”

26. The Respondent No.7 appointed Metal Scrap Trade Corporation Limited - a public sector undertaking under the Ministry of Steel, Government of India (hereinafter referred to as "MSTC") for the disposal of carbon slurry through tendering process. It is pertinent to point out that disposal of all hazardous waste material is to be done through the MSTC Online Portal only.

27. Thereafter, the E-auction No. MSTC/NRO/NATIONAL FERTILIZERS LIMITED/9/GOHANA ROAD/19-20/32756, dated 02.03.2020, was conducted on behalf of Respondent No.7 and only two (2) bidders participated for the lifting of carbon slurry stored at the Unit.

28. The bid placed by Respondent No.5 herein -i.e., Shubham Sales Co., Rohtak, was accepted by the Respondent No.7 and subsequently the Acceptance Letter, dated 30.11.2020, was issued to the Respondent No.5 through MSTC.

29. Before the issuance of the Acceptance Letter, dated 30.11.2020, the Respondent No.7 fulfilled all the compliances as mandated under the said Rules for disposal of 'hazardous waste'. The Respondent No.7 had obtained the following documents from the Respondent No.5 and Haryana State Pollution Control Board (hereinafter referred to as "HSPCB") and verified their authenticity -

- (i) authorisation cum passbook from the Haryana SPCB;*
- (ii) authorisation for collection, transportation and utilisation of carbon slurry from Respondent No. 7's Unit from the HSPCB;*
- (iii) valid Consent to Operate ("CTO") for both air and water, from the HSPCB.*

30. The following measures have been adopted by the Respondent No. 7 to ensure the safe lifting of carbon slurry from its Ponds by Respondent No.5, in compliance with the said Rules:

- Before loading of the carbon slurry, the Respondent No.7 ensures that only closed container type vehicles shall be deputed by the Respondent No.5 for transporting the slurry.
- The Respondent No.7 also ensures that the suitable sticker or label containing the emergency numbers in case of spillage of Hazardous Waste Material shall be affixed to the above vehicle.
- The Respondent No 7 has completed the construction of Entry and Exit Gates, the area have been covered with fencing along with the installation of CCTV cameras around loading area keeping in view of the safety concerns for smooth lifting and transportation of the Carbon Slurry.

31. Thereafter, after several delay(s) due to the outbreak of the Covid-19 pandemic and settlement of litigation disputes, a Fresh Delivery Order, dated 15.12.2023, was issued by the Respondent No. 7 to Respondent No. 5 for lifting of carbon slurry from its ponds.

Copy of the Delivery Order, dated 15.12.2023, issued by the Respondent No. 7 to Respondent No. 5, is attached herewith and marked as **DOCUMENT – 1**

HEAD E: CURRENT STATUS AND ACTION PLAN

32. It is pertinent to mention that the Respondent No.7 has completed the construction of Entry and Exit Gates from the Ponds, the area has been covered with fencing along with the installation of CCTV cameras around loading area keeping in view the safety concerns for smooth lifting and transportation of the Carbon Slurry. The Respondent No. 5 is in the process of lifting the slurry from the Respondent No.7's Unit, in furtherance of the Fresh Delivery Order, dated 15.12.2023.

Copies of pictures / photographs showing construction of roads around the ponds, entry and exit points, installation of CCTV camera, etc., are annexed herewith and collectively marked as **DOCUMENT — 2 (COLLY)**.

33. It is submitted that there are a lot of intricacies involved in the lifting and disposal of the carbon slurry under the said Rules which must be complied with. As stated above, the slurry can be lifted only by contractors authorised by the State or Central Pollution Control Board. Furthermore, the carbon slurry cannot be sold directly to its end users in the open market and must be lifted with utmost care and precaution.

34. Thus, as can be seen, the Respondent No.7 has left no stone unturned to ensure safe storage and management of the carbon slurry and its efficient disposal. The carbon slurry, last generated by the Respondent No.7 in 2012, is kept in isolated ponds specifically designated for the storage of hazardous waste. It is further reiterated that the carbon Ponds at Respondent No.7's Units are built at a considerable distance from human settlement to prevent any hazards while loading and unloading."

49. Relevant part of affidavit filed vide email dated 07.03.2024 by respondent no. 7-NFL, Panipat reads as under: -

"Affidavit on behalf of Respondent No.7, containing the action plan for disposal of carbon slurry.

X X X X
4. That the Respondent No.7 has completed the construction of entry and exit gates from the carbon slurry Ponds at its Unit. Further, the area has been covered with fencing along with the installation of CCTV cameras around the loading area, keeping in mind the safety concerns for smooth lifting and transportation of the carbon slurry.

5. That in furtherance of the Fresh Delivery Order, dated 15.12.2023, the authorised Contractor, Shubham Sales Co., Rohtak -i.e., the Respondent No.5 herein, commenced the lifting of carbon slurry on 20.02.2024 from the Ponds of the Respondent No.7.

6. That out of the total quantity of 1,22,600 metric tonnes ("MT") of carbon slurry, 68.34 MT of carbon slurry has been lifted from the Ponds of the Respondent No.7. Thus, as on 05.03.2024, a quantity of 122531.66 MT of carbon slurry remains stored at Respondent No.7's Unit.

7. That the Respondent No. 7 endeavours to dispose-off the entire leftover quantity of the carbon slurry stored at its Unit by 31.03.2025, through the Respondent No. 5 herein, after taking all the necessary precautions and steps as envisaged under the Rules.

8. That the Respondent No.7 shall take all steps necessary to support the Respondent No.5 in its endeavour and expedite the disposal of the carbon slurry from its ponds in line with the abovementioned timelines."

50. Respondents no. 4-NFL, Bathinda, 7-NFL, Panipat and 10-NFL, Nangal being occupiers of facilities could store the hazardous and other

waste for a period not exceeding 90 days which period could be extended by the State Pollution Control Boards-PSPCB and HSPCB respectively upto 180 days. In compliance with the Hazardous and other Waste (Management and Transboundary Movement) Rules, 2016 respondent no. 10-NFL, Nangal had disposed of carbon slurry. However, respondents no. 4-NFL, Bathinda and 7-NFL, Panipat have illegally stored hazardous wastes for more than 08 years. Respondents no. 4-NFL, Bathinda and 7-NFL, Panipat have tried to justify their failures to dispose of hazardous waste in accordance with the Hazardous and other Waste (Management and Transboundary Movement) Rules, 2016 on the grounds (i) time taken in tendering process by Metal Scrap Trade Corporation Limited (MSTCL); (ii) procedural requirements/conditions prescribed by the Hazardous and other Waste (Management and Transboundary Movement) Rules, 2016; (iii) litigation or procedural delays and (iv) lapses on the part of respondent no. 5 in lifting requisite quantities of carbon slurry. We do not find justifications given to be valid and reasonable. If respondent no. 10-NFL, Nangal could comply and dispose of carbon slurry, respondent no. 4-NFL, Bathinda and respondent no. 7-NFL, Panipat could also do so. It appears that even after carbon slurry was declared hazardous waste, respondent no. 4-NFL, Bathinda and respondent no. 7-NFL, Panipat continued to treat the same as byproduct which was earlier sold in open market and was source of generating revenue for them. Such unjustified long storage of hazardous waste only for the purpose of generation of revenue by way of open auction with stringent commercial terms and conditions by respondent no. 4-NFL, Bathinda and respondent no. 7-NFL, Panipat was highly improper. Respondent no. 4-NFL, Bathinda and respondent no. 7-NFL, Panipat completely ignored damage caused to environment by such long unjustified long storage of hazardous waste.

51. Since delay in disposal of huge quantity of carbon slurry unjustifiably stored by respondent no. 4-NFL, Bathinda and respondent no. 7-NFL, Panipat has occurred due to delayed tendering process by MSTCL, we consider presence of MSTCL to be necessary for adjudication of the questions involved in the case. Accordingly, MSTCL is impleaded as respondents no. 11 and Registry is directed to issue notice to respondent no. 11 requiring it to file its response with respect to exploring the possibility of ensuring disposal of carbon slurry stored by respondent no. 4-NFL, Bathinda and respondent no. 7-NFL, Panipat in statutorily permissible period by engaging suitable number of contractors by fixing reasonable mutually agreed price without being hampered by the tendering process for allocation of work to only one contractor at the highest price offered in the bid.

52. In view of statutory provisions referred to above requiring time bound disposal of hazardous waste of carbon slurry and also the quantity lifted by respondent no. 5 so far, we consider it necessary to seek response from respondents no. 2, 4, 6, 7 and 11 as to measures required to be taken for suitably increasing the number of contractors for disposal of the quantity of carbon slurry stored by respondents no. 4-NFL, Bathinda and 7-NFL, Panipat within the period of 180 days in time bound manner without any further extension of time.

53. Respondent no. 4-NFL, Bathinda and Respondent no. 7-NFL, Panipat are directed to upload information regarding disposal of carbon slurry during preceding week from Monday to Saturday on their websites by 5 P.M. on every Monday with link on main page of their websites.

54. Respondent no. 5 is also directed to file separate status reports regarding lifting of carbon slurry from respondent no. 4-NFL, Bathinda

and respondent no. 7-NFL, Panipat respectively in execution of respective agreements entered into with them.

55. In the present case carbon slurry, which was earlier considered to be a byproduct of manufacturing of fertilizer, was declared to be hazardous waste in 2016 and was required to be stored, managed and disposed of in accordance with the Hazardous and other Waste (Management and Transboundary Movement) Rules, 2016. Despite being under an obligation to dispose of the hazardous waste in accordance with the Hazardous and other Waste (Management and Transboundary Movement) Rules, 2016, NFL, Bathinda and NFL, Panipat have continued with storage of large quantities of hazardous waste for more than 08 years. Both the State Pollution Control Boards-PSPCB and HSPCB did not issue any direction to and did not take any action against NFL, Bathinda and NFL, Panipat before filing of the present application.

Reply by MoEF & CC

56. Respondent no. 8-MoEF & CC has in its reply submitted that SPCBs and the State Governments are the nodal agencies to ensure the monitoring storage and disposal of Hazardous waste and enforcement and implementation of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 on ground, which include handling, generation, collection, storage, packaging, transportation, use, treatment, processing, recycling, recovery, pre-processing, co-processing, utilization, offering for sale, transfer or disposal of the hazardous and other wastes.

57. We find that almost in all cases MoEF & CC submits casually drafted stereotype replies referring only to the statutory provisions and

also to delegation to various authorities and does not look into the failures of the concerned authorities to implement the relevant statutory provisions and ensure compliance with the environmental enactments, rules framed, notifications, orders and guidelines issued. The ultimate responsibility for implementation of the relevant statutory provisions and ensuring compliance with the environmental enactments, rules framed, notifications, orders and guidelines issued lies on MoEF & CC which is under constitutional obligation to protect and improve the environment and is also statutorily empowered to issue appropriate directions under section 5 of the Environment (Protection) Act, 1986.

58. In view thereof MoEF & CC is mandatorily required to monitor the working of the statutory bodies and take appropriate action in case of failure on their part to discharge the statutory obligations. In the eventuality of not doing so MoEF & CC will also be liable to be treated as an abettor and will also be liable to pay environmental compensation alongwith the violators for remediating the environmental damage thereby caused. MoEF & CC is directed to look into these aspects and issue appropriate directions to the State Pollution Control Boards/Union Territory Pollution Control Committees and other Authorities as may be required.

Information about similar industries and storage and disposal of carbon slurry by them

59. Vide order dated 24.11.2023 CPCB was impleaded as respondent no. 9 and was directed to obtain information about similar industries and storage and disposal of carbon slurry by them.

60. In compliance of order dated 24.11.2023, reply affidavit has been filed by respondent no. 9-CPCB vide email dated 05.01.2024. The

relevant part of the reply affidavit filed by respondent no. 9-CPCB reads as under:-

“X **X** **X** **X**
The Spent Carbon (Carbon Residue) is generated during the thermal cracking of hydrocarbon for manufacturing of urea fertilizer. Spent Carbon (Carbon Residue) is listed as hazardous waste under S No. 18.2 of Schedule -1 of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

*CPCB had published Standard Operating Procedure (SOP) for Utilization of Spent Carbon (Carbon Residue) generated from Urea Fertilizer Industry in March 2017. The aforementioned SOP is enclosed as **Annexure - II***

The aforementioned SOP specifies the process which involves utilization of spent Carbon (Carbon Residue) in carbon black industry to reduce consumption of raw material to achieve resource recovery. Carbon Residue is mixed with quench water and is used as quench liquor at a temperature of about 2000 °C in the reactor to reduce the temperature and in process, carbon in the Carbon Residue becomes carbon black.

The Spent carbon (Carbon Residue) may be disposed in authorized disposal facility in accordance with authorization condition, when not utilized in manufacturing of Carbon black.

As per Hon'ble NGT order dated 24.11.2023, CPCB has collected information from concerned fertilizer industries/SPCBs and Association. CPCB through letter and Email dated 15.12.2023 requested concerned fertilizer industries, State Pollution Control Boards and Fertilizer Association of India to provide requisite information.

Out of 42 concerned industries, CPCB received information from all 42 industries.

Only one unit i.e. M/s Gujarat Narmada Valley Fertilizers & Chemicals Ltd (Unit-1), Bharuch, Gujarat has informed that it generates carbon residue (carbon soot) during partial oxidation of Low sulphur Heavy Stock (LSHS) in Ammonia making process. Since 2013 the feed stock of manufacturing of urea was replaced from LSHS to natural gas. Only a small quantity of Ammonia is being manufactured through LSHS. As per conditions of Consolidated Consent & Authorization issued by Gujarat Pollution Control Board, the unit is generated capacity of 2000 MT / Annum of Carbon soot. The unit informed that it is being utilized carbon soot in its boiler along with coal, which is in accordance with conditions of Consolidated Consent & Authorization issued by Gujarat Pollution Control Board.

National Fertilizers Ltd, Bathinda informed that it has not generated carbon slurry since November 2012 after changing feed stock from fuel oil to natural gas. The unit informed that it disposes carbon slurry to authorized Hazardous Waste recycler and has submitted documentary evidence in this regard. The unit informed that the quantity of carbon slurry stored in ponds as on 19.12.2023 is 38145.57

MT which is yet to be disposed by it.

National Fertilizers Ltd. Nangal informed that it has not generated carbon slurry since February 2013 after switched off to natural gas. It has disposed off carbon slurry as per Hazardous and Other Wastes Management and Transboundary Movement) Rules, 2016. The unit has submitted documentary evidence in this regard. The unit has informed that the all carbon slurry has been disposed off. Presently carbon slurry pond is empty.

National Fertilizers Ltd, Panipat informed that it has not generated carbon slurry since November 2012. The unit has informed that the quantity of carbon slurry is stored in pond is 122600 MT, which is yet to be disposed off. The unit informed that it has permitted Haryana State Pollution Control Board authorized hazardous waste recycler / processor for disposal of stored carbon slurry; and has submitted documentary evidence in this regard.

*In addition to above stated 04 units; 38 units that responded to the communications made by CPCB informed that they do not generate any spent carbon and have no stored quantities of spent carbon. The information collected by CPCB from various industries is summarized in tabular form in **Annexure -III**".*

61. This Tribunal observed in its order dated 08.01.2024 that a perusal of reply affidavit filed by respondent no. 9-CPCB showed Gujarat Narmada Valley Fertilizers and Chemical Ltd. at serial no. 8 in list annexure III is generating 2000 MTA carbon slurry while Hindustan Urvarak and Rasayan Ltd. at serial no. 12 thereof had not provided any information to the CPCB and that list annexure III was prepared on the basis of information provided by 38 units that responded to the communications made by CPCB. Respondent no. 9-CPCB was directed to obtain the requisite information from Hindustan Urvarak and Rasayan Ltd. at serial no. 12 in list annexure III and also to direct SPCBs/UTPCCs to verify the factual position regarding storage and disposal of carbon slurry in its plant by any similar industry in their jurisdiction.

62. Status Note has been filed by CPCB vide email dated 21.02.2024 and the relevant part thereof reads as under:

“Status note in compliance to Hon'ble NGT order dated 08.01.2024 in Original Application No. 620/2022, Kaushal Kishore Vishwakarma Vs. State of Punjab & Ors.

Status Note

Hon'ble National Green Tribunal, Principal Bench vide order dated 08.01.2024 in the matter of Original Application No.620/2022 directed CPCB to obtain the requisite information from Hindustan Urvarak and Rasayan Ltd., Jharkhand regarding generation and disposal of carbon slurry and also to direct SPCBs/UTPCCs to verify the factual position regarding storage and disposal of carbon slurry in its plant by any similar industries in their jurisdiction.

In compliance to Hon'ble NGT order dated 08.01.2024, the Central Pollution Control Board ("CPCB") issued directions under 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1) (b) of The Air (Prevention and Control of Pollution) Act, 1981 to all State Pollution Control Boards and Pollution Control Committees on 01.02.2024 to verify the factual position regarding storage and disposal of carbon slurry by nitrogenous and complex fertilizers producing industries or any other industry in their jurisdiction. Copy of the said letter dated 01.02.2024 is annexed herewith as **Annexure I**.

That till date, CPCB has received replies to its aforesaid letter from the State Pollution Control Boards / Pollution Control Committees of Gujarat, Rajasthan, Kerala, Uttar Pradesh, Daman Diu and Nagaland that are enclosed at **Annexure II**.

Above SPCBs/PCC have informed that presently there are no carbon slurry generating fertilizer industries in their states and the quantity of carbon slurry that is yet to be disposed by fertilizer industries in their states is Nil.

Reminder have been issued to remaining SPCBs vide email dated 19.02.2024 in continuation of earlier CPCB letter dated 15.12.2023.

Further as directed by Hon'ble NGT vide order dated 08.01.2024, CPCB also obtained the requisite information from M/s Hindustan Urvarak and Rasayan Ltd., Jharkhand regarding generation and disposal of carbon slurry. CPCB earlier sent a letter to the unit on 15.12.2023 to provide information and again sent an email on 13.02.2024 in compliance of to the Hon'ble NGT Order. The unit vide letter dated 15.02.2024 has submitted that its process of manufacturing of Urea is based on Natural Gas Feedstock and do not generate Carbon Slurry in the process of manufacturing Urea fertilizer. Copy of the said letter is annexed herewith as **Annexure III.**”

63. CPCB is directed to obtain information from the remaining State PCBs and UTPCCs which have not provided the same so far and compile the information, issue appropriate directions on the basis of information received and file status report with details regarding action taken on the basis of information received.

Remedial/punitive action by PSPCB and HSPCB

64. Rule 21 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 mandates that the authority specified in column (2) of Schedule VII shall perform the duties as specified in column (3) of the said Schedule subject to the provisions of these rules. As per Schedule VII of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, State Pollution Control Board or Pollution Control Committees constituted under the Water (Prevention and Control of Pollution) Act, 1974 have to perform the following duties:-

- “(i) Inventorisation of hazardous and other wastes*
- (ii) Grant and renewal of authorisation*
- (iii) Monitoring of compliance of various provisions and conditions of permission including conditions of permission for issued by Ministry of Environment, Forest and Climate Change for exports and imports.*
- (iv) Examining the applications for imports submitted by the importers and forwarding the same to Ministry of Environment, Forest and Climate Change.*
- (v) Implementation of programmes to prevent or reduce or minimise the generation of hazardous and other wastes.*
- (vi) Action against violations of these rules.*
- (vii) Any other function under these Rules assigned by Ministry of Environment, Forest and Climate Change from time to time.”*

65. This Tribunal noticed in its order dated 08.01.2024 that despite unjustified continued storage of carbon slurry by respondents no. 4 and 7 and also inaction/delay on their part in disposal thereof in accordance with mandatory statutory provisions, no action has been taken by PSPCB

and HSPCB for imposition of environmental compensation and also prosecution of the defaulting officers/officials and PSPCB and HSPCB were directed to initiate appropriate proceedings for imposition of environmental compensation and prosecution of the defaulting officers/officials in accordance with law and file Action Taken Report.

66. In compliance thereof replies were filed by PPCB and HSPCB vide separate emails dated 20.02.2024.

67. Relevant part of the reply filed by PSPCB vide email dated 20.02.2024 reads as under:-

“Reply of Punjab Pollution Control Board in compliance of order dated 08.01.2024 through Er. Ramandeep Singh Sidhu, Environmental Engineer, Regional Office, Bathinda.

X X X X

3. That the order dated 8.1.2024 passed by the Hon'ble Tribunal has been examined a notice to directions u/s 5 of the Environment (Protection) Act, 1986 for violation of the provisions of Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016 was issued to M/s National Fertilizers Ltd., Sivian Road, Bathinda by the Board vide letter no. 816 dated 12.2.2024 with an opportunity of hearing before the Chairman of the Board on 14.2.2024. The industry was directed to show cause as to why the directions already proposed vide Board's letter no. 3809 dated 22.12.2023 for imposition of environmental compensation alongwith an additional proposed direction to initiate legal action of the defaulting officers/officials in accordance with the law for unjustified continued storage of carbon slurry by the industry and also in action/delay on their part in disposal thereof, may not be taken. A copy of letter no. 3809 dated 22.12.2023 is enclosed as **Annexure-A** and a copy of letter no. 816 dated 12.2.2024 is enclosed herewith as **Annexure-B**.

4. That Sh. V.K. Goyal, Executive Director, Smt. Sandhya Batra, DGM (TS), Sh. Harmesh Lal Thandi, Senior Manager of National Fertilizers Ltd., Bathinda have appeared for hearing on 14.2.2024 before the Chairman of the Board in reference to the notice dated 12.2.2024 issued by the Board. The representatives of the industry submitted written reply to the notice issued by the Board and the reply was taken on

record. As per the reply submitted by the M/s National Fertilizers Ltd., in one of the points it has been mentioned that the lifting of the HW Cat. 18.2 has been commenced again w.e.f. 20.11.2023 and 325.86 MT more quantity of hazardous waste has been lifted to the re-processor till 13.2.2023 and 37931.25 MT of hazardous waste is lying with the industry in its dyes. After hearing the representatives of the industry and the officers of the Board and also considering the orders being passed by the Hon'ble National Green Tribunal in O.A No. 620 of 2022, the Chairman of the Board decided as under:

(a) In compliance to the orders of the Hon'ble NGT, the prosecution of the defaulting officers/officials of NFL, Bathinda is approved to be filed in the court of law under the provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 framed under Environment (Protection) Act, 1986 for unjustified continued storage of carbon slurry by the industry and also in action/delay in their part in disposal thereof which has caused environmental damage in the area.

(b) NFL, Bathinda is directed to give the names of the defaulting officers/officials responsible for unjustified continued storage of carbon slurry by the industry and also in action/delay on their part in disposal thereof, to the Regional Office, Bathinda of the Board, within 07 days.

(c) Environmental Engineer, Regional Office, Bathinda shall calculate the amount of Environmental Compensation to be imposed upon the industry in accordance with the law for unjustified continued storage of carbon slurry by the industry and also inaction/delay on their part in disposal thereof, within 07 days and shall send the same for verification to the Committee constituted by the Board for Imposition of Environmental Compensation. Subsequently, the Board shall issue orders for Imposition of Environmental Compensation to the industry for causing environmental damage.

(d) The industry shall also ensure to dispose of its entire hazardous waste of category 18.2 at the earliest possible shortest time by exploring all means available in compliance to the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and shall submit monthly report in the matter to the Regional Office, Bathinda of the Board.

*5. That the proceedings of the hearing held on 14.2.2024 before the Chairman of the Board were conveyed to M/s National Fertilizers Ltd., Sivian Road, Bathinda vide letter no. 919 dated 15.2.2024 and a copy of the same is enclosed as **Annexure-C**.*

6. That respectfully it is submitted that the Punjab Pollution Control Board in compliance to order dated 8.1.2024 of the

Hon'ble Tribunal has initiated appropriate proceedings against respondent no.4 namely M/s National Fertilizers Ltd., Bathinda for filing of prosecution case against the industry as well as its responsible officers/officials and for imposition of environmental compensation in accordance with the provisions of the Law."

68. Relevant part of the reply/Status Report filed by HSPCB vide email dated 20.02.2024 reads as under:

"Status report by Haryana State Pollution Control Board, Panipat in Original Application No. 620/2022 titled as Kaushal Kishore Vishwakarma v. State of Punjab & Ors.

2. That as per direction passed by Hon'ble Tribunal action has been initiated against the unit. The unit was inspected on 29.01.2024 by the team of Regional Office, Panipat. During Inspection the hazardous waste was found stored in two lagoons of area 33150 square meters and 9000 square meters. Carbon slurry of quantity 56285 MT and 66315 MT was stored in both of these lagoons respectively. These lagoons are brick lined with HDPE but covered shed was not found on these lagoons.

3. That a show cause notice was issued to the unit vide letter No. HSPCB/PR/2024/2719 dated 29.01.2024 for imposition of Environment Compensation for violation of HOWM Rules, 2016. The unit submitted reply to the show cause notice vide their letter No. NFL/PT/LAB/2024/418 dated 02.02.2024. The reply submitted by the unit was not found proper as the unit has submitted that it is not feasible to cover the such lame area of the pond with covered shed and has submitted that it has now made agreement with authorized recycler M/s Shubham Sales Co., Bhiwani Road, Rohtak, Haryana for disposal of hazardous waste stored in the form of carbon slurry by the unit. However, the lifting of carbon slurry has not been started at site by the authorized recycler M/s Shubham SalesCo., Bhiwani Road, Rohtak. The unit M/s NFL, Panipat has also not submitted any action plan for disposal of such large quantity of Carbon Slurry in time bound manner. The copy of show cause notice issued by HSPCB and copy of reply submitted by the unit is enclosed as **Annexure-R-1 & R-2**.

4. That case for Imposition of Environment compensation of Rs. 36.78 Crore has been sent to the competent authority of HSPCB by Regional Office, Panipat vide letter No. HSPCB/PR/2024/2846 dated 15.02.2024 for finalization of the environment compensation as proposed by the Regional Office, Panipat.

5. That prosecution action has also been recommended to competent authority of HSPCB vide letter No.HSPCB/PR

/2024/2854 dated 19.02.2024 for vetting of complaint and sanction of prosecution against the unit M/s NFL, Panipat..”

69. PSPCB and HSPCB are directed to take further action for imposition of environmental compensation on respondents no. 4 and 7 for past violations and recovery thereof in accordance with law and file further action taken report.

70. Reports/responses be filed by respondents no. 2, 4, 5, 6, 7, 8, 9 and 11 as directed above at least one week before the date of hearing hereby fixed.

71. List on 15.10.2024 for further consideration.

72. A copy of this order be sent to respondents no. 2, 4, 5, 6, 7, 8, 9 and 11 by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

August 28th, 2024
AG