

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 424 OF 2023**

**IN THE MATTER OF:**

Sunil Kumar Ramhet

...Applicant

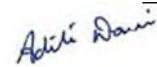
**VERSUS**

State of U.P. & Ors.

...Respondents

**REPLY ON BEHALF OF RESPONDENT NO. 4 J.B.DHARUKA PAPERS  
LTD.**

**FILED BY**



**Mr. Samaksh Goyal / Ms. Aditi Dani**



**Ms. Ranu Purohit / Mr. Rohit Rathi**

Advocates for the Respondent No. 4  
S-74, LGF, Greater Kailash-I  
New Delhi-110049  
Email: adv.ranupurohit@gmail.com

DATE: 24.07.2024

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
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ORIGINAL APPLICATION NO. 424 OF 2023

IN THE MATTER OF:

SUNIL KUMAR RAMHET

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STATE OF U.P. & ORS

...RESPONDENTS

REPLY ON BEHALF OF RESPONDENT NO.4- J.B. DARUKA PAPERS  
LTD.

1. Vide order dated 24.04.2024, this Hon'ble Tribunal had directed the answering Respondent herein to file its further reply. It is submitted that the answering respondent 25.02.2024 had submitted the reply to the present application and additional reply on 24.04.2024. The present reply is submitted in addition to the aforesaid replies.
2. It is submitted that insofar as the issue of ash generated from the boilers is concerned, it is submitted that the same is stored in the low land area of the premises of the industry which is approximately 40,000 sq feet (Osar Zameen) after layering it with the plastic sheet. This is in consonance with the guidelines for disposal/1tilization of Fly Ash for reclamation of Low Lying Area and in Stowing of Abandoned mines/Quarries, issued by the CPCB in March 2019, as per which the

*Sunil Kumar*

fly ash storage silos should be of or coated with anti-abrasive or anti-corrosive material. True copy of the relevant extract of the said Guidelines is annexed herewith and marked as **Annexure R- 1** (Pg. 6-11).

3. That in addition to the above, it is further stated that scientific practice for disposal of sludge generated in pulp mills is that it is commonly landfilled at the source point itself while the dry sludge is sometimes used to refuel the boilers.<sup>1</sup> Thus, it is the usual and common practice followed internationally as well to dispose ash general from such industry in the low lying area of the premise of the industry itself and the answering Respondent has also followed the said practice.
  
4. It is submitted that there is no change in the functioning, expansion or modernization of any activity at the unit of the answering Respondent, hence, in terms of the Environment Impact Assessment (EIA) notification 2006, under the Environment Protection Act 1986, there is no requirement of EC. However, even otherwise the answering Respondent is fully compliant with the General Conditions as per the notification for paper and pulp industry. It is further submitted that fencing of the Bagasse and Rice Husk Storage yard boundary was done

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*Sankar*

with MS sheet wherein the MS frame 8 ft. in height was used. The answering Respondent had further increased the height by adding 8 ft. more of the MS frame, thereby making the total height of the boundary to be 16 feet. The same was only to repair the boundary wall without in any manner affecting the production capacity of the unit.

5. It is submitted that since the inception of the industry i.e. from 1998 to till date, the production capacity of the industry has been same i.e. 50 TPD. The answering Respondent has also installed a Chemical Recovery Plant (CRP) at the premises.
6. That in light of the above, the present O.A. being devoid of merits ought to be dismissed.

*Sunil Kumar*  
RESPONDENT NO. 4

THROUGH

**FILED BY**

*Samaksh Goyal*  
**Mr. Samaksh Goyal / Ms. Aditi Dani**

*Ranu Purohit*  
**Ms. Ranu Purohit / Mr. Rohit Rathi**

Advocates for the Respondent No. 4

S-74, LGF, Greater Kailash-I

New Delhi-110049

Email: adv.ranupurohit@gmail.com

Date: 24.07.2024

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State of U.P. & Ors

...Respondents

AFFIDAVIT

I, Suresh Kumar Agarwal S/o Late Shri. Vishwanath Agarwal, aged about 61 Years, R/o: A-1, Industrial Area, Shahjahanpur Road, Advenia Grant, Sitapur, Uttar Pradesh 261001, do hereby solemnly affirm and state as under:-

(1) That I am the authorized representative of the Respondent No. 4 in the above mentioned Original Application and as such I am well conversant with the facts and circumstances of the case and competent to swear the present affidavit.

(2) That I have gone through copy of the Reply and state that the contents thereof are true and correct to my knowledge and belief.

*Sunil Kumar*

DEPONENT

मैं जयप्रकाश को जानता हूँ परधानता  
इन्होंने मेरे सामने हस्ताक्षर, नि०-२४१७  
बनाया है।

*2417*

VERIFICATION

Verified at Sitapur on this 24 day of 7 —, 2024 that the contents of the above affidavit are correct and true to the best of my knowledge and belief nothing material has been concealed therefrom.

*Sankar*

DEPONENT



Solemnly Affirmed By *Sankar Kumar Agarwal*  
At *Sitapur* the Deponent is identified By  
Sri. *Deepak Mehrotra* who has Satisfied  
May Self by Examining the Deponent  
That he Under Stands the Contents  
at the Affidavit which has been Read  
Over and Explained by me.

*[Signature]*  
DEEPAK MEHROTRA  
Advocate NOTARY  
SITAPUR

24-7-24

**Guidelines for disposal/utilisation of Fly Ash for  
reclamation of Low Lying Areas and in stowing of  
Abandoned mines/Quarries**



**Central Pollution Control Board  
March, 2019**

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2.0	Status of flyash utilisation
3.0	Need of guidelines
4.0	Loading/unloading and transportation of flyash
4.1	Current Practice for Handling & Disposal of Flyash & Bottom ash (within the power plant)
4.2	Guidelines for loading, unloading, storage, transportation of flyash
4.2.1	Maximise dry collection of fly ash and bottom ash
4.2.1	Loading, unloading and storage
4.2.3	Transportation
4.2.4	Code of Practices for general maintenance of roads, vehicles and conditioning of flyash
5.0	Reclamation of Low Lying area using Ash
6.0	Disposal of flyash in voids of abandoned mines
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6.2	Mode of ash transportation to mine void area
6.3	Monitoring
6.4	Reclamation of land post-filling
7.0	Precaution
8.0	Regulatory Procedure for Processing the Application
Appendix	Guidelines for disposal of flyash in open cast mines along with Over Burden (OB)
References	1.Guidelines for Reclamation of Low Lying Areas and Abandoned Quarries with Ash , August 2017, Odisha Pollution control board

- 2.Guidelines for Low Lying area development using Ash, ash Policy 2015, NTPC Ltd.
- 3.Permission of DGMS to M/s JSPL & JPL for disposing ash in coal mines

slides, bucket conveyors and screw conveyors, or it can be pneumatically conveyed through pipelines under positive or negative pressure conditions.

Dry fly ash collected is also be suitably moistened with water and wetting agents, as applicable, using specialized equipment (conditioned) and hauled in covered dump trucks for special applications such as structural fills. Water conditioned fly ash can also be suitably stockpiled at jobsites. Exposed stockpiled material must be kept moist or suitably covered to prevent fugitive emission.

The dry bottom ash removal and its transportation is certainly more environment friendly, compared to that of wet ash removal and transport system.

## **4.2 Guidelines for loading, unloading, storage, transportation of flyash**

The power plants need to maximise dry collection of fly ash & bottom ash and also adopt adequate measures to prevent fugitive dust emission during loading, unloading, storage, transportation and various uses of dry as well as ash bottom ash and pond ash. Following guidelines are, therefore, suggested for prevention of pollution and augmentation of flyash utilisation

### **4.2.1 Maximise dry collection of fly ash and bottom ash**

- a. Coarse fly ash from first field of ESP hoppers need to be collected and stored separately.
- b. Fine fly ash from second field onwards of ESP Hoppers should be collected separately. For some specific usage, fine fly ash may be passed through Classifier for further separation of fine fly ash and stored in separate silo.
- c. Bottom ash which is not utilised presently could also be collected in dry form and converted into a valuable resource if processed to match the end use specification. Wet collection & disposal of bottom ash should be minimised as far as possible

### **4.2.2 Loading, Unloading and Storage**

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Installation of Bag Filters with dry flyash collection and storage in Silos at loading and unloading points are standard practices at both locations i.e loading at power plant site as well as at the unloading point at user's site. Suggestions for further improvement in existing practices are as under:

- a. Current practice of loading of fly ash in Bulklers/Tankers requires improvement at the stage of loading of fly ash in Tankers. The opening of telescopic chutes at the loading end should be air tight and confined to avoid fugitive dust emission.
- b. The Pollution Control Equipment / Cascade Filters, attached with fly ash loading chute should be periodically cleaned along with regular scheduled maintenance of bag filter to avoid choking and malfunctioning of Bag Filter. It would mitigate the dust emission during loading of fly ash.
- c. Malfunctioning of level sensors can be avoided, with regular maintenance, to prevent over filling of fly ash in Tankers .
- d. The Weigh Bridge to be installed under fly ash loading chute to fill just the required quantity of fly ash in tankers so that overflow/spillage of fly ash in open areas is avoided which otherwise results in heavy fugitive emission all around.
- e. Opening of tankers need to be properly locked during transportation of fly ash. Automatic opening / closing system need to be installed without fail.
- f. Current practice of unloading of fly ash from tanker to storage hopper through pneumatic system is fairly good. Otherwise, the leakage of fly ash will occur at bends and joints of transportation pipe line. The fly ash being abrasive in nature causes damage at bends and joint locations. Fly ash should, therefore be transported through PVC coated pipes to avoid abrasion otherwise it may lead to leakage of flyash. The mechanical unloading system should be envisaged to avoid high pressure and dust leakage from unloading pipe lines. As far as possible, number of bends should be minimised.
- g. The fly ash storage silo should be of or coated with anti-abrasive or anti-corrosive material. It is better to provide concrete silo/hopper to avoid leakages.

- h. Proper functioning of all the level sensor of Storage Hopper to be ensured to avoid any possible spillage from Hopper opening.
- i. The Bag Filter made of anti-abrasive material/cloth be provided with telescopic chute.
- j. Dumping of ash in Ash pond should be done mechanically in moist condition so that ash does not get air borne and pose fugitive dust problem.
- k. The bottom ash discharged from boiler bed, may be transported pneumatically in dry form / in slurry form to the ash pond

### **4.2.3 Transportation**

Fly ash transportation has many challenges like distance to be transported, form of ash i.e. dry or wet ash, user's requirement, economic feasibility, requirement of surrounding vicinity and many other site specific issues. In any case, control of dust emission during transportation is prime concern and more challenging being a non-point source of pollution and larger area coverage due to movement from one place to other passing through various receptors. As flyash is used by different users for different purposes such as cement manufacturing, brick manufacturing, mine back filling, road construction and filling of low lying area, the handling and transportation have to accordingly decided. Following modes of transportation and precautions are suggested for mine back filling and development of low lying areas by disposal of flyash or bottom ash to avoid fugitive dust emission:

#### **a. Transportation for abandoned mine back filling**

- I. Pipe conveyors, wherever feasible, based on the topography of the area should be used.
- II. Tankers/ railway wagons/ bulkers or mechanically designed covered trucks need to be used
- III. Thermal Power Plants using wet ash disposal, if permitted can transport ash slurry directly to abandoned mine through ash slurry pipe line.

#### **b. Transportation for filling of low lying area**





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Ranu Purohit &lt;office.ranupurohit@gmail.com&gt;

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**FOR SERVICE: Sunil Kumar Ramhet vs. State of U.P. & Ors. // OA. No. 424 of 2023**

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1 message

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**Ranu Purohit** <office.ranupurohit@gmail.com>  
To: info@uppcb.in

Wed, Jul 24, 2024 at 6:35 PM

Dear Sir/Madam,

Please find the attached Reply on behalf of Respondent No. 4 in the subject matter.

Please acknowledge the receipt of this mail.

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Kind regards,  
**Ranu Purohit**  
Advocate-on-RecordOffice: S-74, LGF  
Greater Kailash-1  
New Delhi- 110048  
(M) +91-9560457997**Please spare a thought for the environment. Print this mail only if necessary.****CONFIDENTIALITY NOTE**

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