

IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA No.620/2022

IN THE MATTER OF :

Kaushal Kishore Vishwakarma

Applicant

Versus

State of Punjab & Ors.

Respondent

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FILED BY: -

Place: Bahadurgarh
Dated: 29.05.2023


Regional Officer, HSPCB, Bahadurgarh
REGIONAL OFFICER
Haryana State Pollution Control Board
SCF No. 42 & 43, Shopping Centre
HUDA, Sector 5
Bahadurgarh (Jhajjar)

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IN THE HON'BLE NATIONAL GREEN TRIBUNAL
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OA No. 620/2022

IN THE MATTER OF:

Kaushal Kishore Vishwakarma

Applicant

Versus

State of Punjab &Ors.

Respondent

REPLY ON BEHALF OF HARYANA STATE POLLUTION CONTROL BOARD IN
COMPLIANCE OF ORDERS DATED 03.03.2023.

MOST RESPECTFULLY SHOWETH

1. That above subjected letter petition has been filed by the applicant stating that he wish to bring the fact into notice of this Hon'ble Court regarding bad condition of complainant and other laborers working in Carbon Field. He worked during March and April 2022 with Carb Chem Industries. The applicant has further referred the proceedings of OA No. 72/2019. The applicant has sought action against persons named in the complaint.
2. That this Hon'ble Court vide order 01.11.2022 sought response from (i) State of Punjab (ii) Punjab State Pollution Control Board (iii)

District Magistrate, Bhatinda and (iv) Project Proponent- M/s. National Fertilizer Ltd.

3. That this Hon'ble NGT vide order dated 03.03.2023 passed the following directions:-

“6. In view of the facts and circumstances of the case and the averments made in the replies of respondents no. 2 and 4 we consider presence of M/s Shubham Sales Company, Rohtak and Haryana State Pollution Control to be necessary for just and proper adjudication of the questions involved in the case. Accordingly, they are impleaded as respondents no. 5 and 6. The Registry is directed to amend the Memo of Parties and issue notices to respondents no. 5 and 6 requiring them to file their reply/response.

X

8. Affidavit by respondent no. 2 and replies by respondents no. 5 and 6 be filed within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.”

4. That in compliance of order dated 03.03.2023, present reply is being submitted giving details about M/s Shubham Sales Co. as per office record of the answering respondent, in following paragraphs.
5. That Respondent No.5 i.e. M/s Shubham Sales Co. (herein after referred as 'unit') the present report is being submitted as per official record.

- (i) The said unit 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.
- (ii) The spent carbon is listed at Sl. No.18.2 of Schedule-I of Hazardous Waste Management Rules, 2016. The unit has obtained Consent to Operate under Air Act, 1981 and Water Act, 1974 valid upto 30.09.2024. It has also obtained authorization under Hazardous Waste Management Rules, 2016. Copy of CTO and authorization under HOWM Rules, 2016 are enclosed herewith as ANNEXURE-R/1 (Colly).
- (iii) The unit was inspected on 27.04.2023. The copy of spot inspection report is enclosed herewith as ANNEXURE-R/2. 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. Copy of Analysis Reports are annexed herewith as ANNEXURE-R/3.

- (iv) The unit has made agreement with Common Hazardous Waste Treatment, Storage, and Disposal Facility (TSDF) i.e Gujarat Enviro Protection & Infrastructure Ltd (GEPIL) for scientific disposal of hazardous waste generated from the processing of spent carbon.

6. This reply is being submitted for kind consideration please. It is undertaken to comply with the directions passed by Hon'ble Tribunal.

Date: 29.05.2023
Place: Bahadurgarh



Regional Officer, HSPCB
Bahadurgarh Region
REGIONAL OFFICER
Haryana State Pollution Control Board
SCF No. 42 & 43, Shopping Centre
HUDA, Sector-6
Bahadurgarh (Jhajjar)



HARYANA STATE POLLUTION CONTROL BOARD

SCF No. 42 & 43, Shopping Centre, Sector-6, Huda, Bahadurgarh Ph. 01276-243077 (O) Email:-

hspcbrobdh@gmail.com

E-mail: hspcb@hry.nic.in



No. HSPCB/Consent/ : 344653822ROHCTO30881638

Dated:08/12/2022

To.

M/s :SHUBHAM SALES Co

5.30 km Mile stone,Bhiwani Road Rohtak

Subject: Grant of consent to operate to M/s SHUBHAM SALES Co.

Please refer to your application no. 30881638 received on dated 2022-11-24 in regional office Bahadurgarh. With reference to your above application for consent to operate, M/s SHUBHAM SALES Co is here by granted consent as per following specification/Terms and conditions.

Consent Under	BOTH
Period of consent	07/12/2022 - 30/09/2024
Industry Type	Units engaged in the activities of handling and management of Hazardous Waste as defined in Hazardous and other Wastes (M & TM) Rules, 2016, other than those covered under any of the category of industrial sectors, such as use, treatment, processing, recovery, pre-processing, co-processing, utilization etc. of the hazardous and other wastes
Category	RED
Investment(In Lakh)	35.632099
Total Land Area(Sq. meter)	1170.0
Total Builtup Area(Sq. meter)	936.0
Quantity of effluent	
1. Trade	4.5 KL/Day
2. Domestic	0.5 KL/Day
Number of outlets	2.0
Mode of discharge	
1. Domestic	SEPTIC TANK
2. Trade	ETP
Domestic Effluent Parameters	
1. NA	
Trade Effluent Parameters	
1. BOD	30 mg/l
2. COD	250 mg/l
3. TSS	100 mg/l
4. OIL & GREASE	10 mg/l
5. ph	5.5-9.0

Number of stacks	2
Height of stack	
1 . S T A C K ATTACHED TO E L E C T R I C A L H E A T E R	25.0 METERS
2 . S T A C K ATTACHED TO DG SET OF 62.5 KVA	3.0 METERS
Emission parameters	
1. SPM	80 mg/m ³
2. NOX	mg/m ³
3. SOX	mg/m ³
Product Details	
1. Black Carbon Paste	90 Metric Tonnes/day
2. Carbon Mineral fuel	190 Metric Tonnes/day
Capacity of boiler	
1. NA	Ton/hr
Type of Furnace	
1. NA	
Type of Fuel	
1. Diesel	0.002 KL/day
2. Electricity	0.001 Megawatt/day
Raw Material Details	
Carbon anode/used anode butts	100 Metric Tonnes/Day
Cathode residues including Pot Lining Waste (SPL)	100 Metric Tonnes/Day
Carbon slurry, Cathod residue including Pot Lining waste (SPL)	200 Metric Tonnes/Day
Carbon Slurry	100 Metric Tonnes/Day

*Regional Officer, Bahadurgarh
Haryana State Pollution Control Board.*

Terms and conditions

1. The applicants shall maintain good house keeping both within factory and in the premises. All hose pipelines valves, storage tanks etc. shall be leak proof. In plant allowable pollutants levels, if specified by State Board should be met strictly.
2. The applicant/company shall comply with and carry out directive/orders issued by the Board in this consent order at all subsequent times without negligence of his /its part. The applicant/company shall be liable for such legal action against him as per provision of the law/act in case of violation of any order/directives. Issued at any time and or non compliance of the terms and conditions of his consent order.

3. The applicant shall make an application for grant of consent at least 90 days before the date of expiry of this consent.
4. Necessary fee as prescribed for obtaining renewal consent shall be paid by the applicant alongwith the consent application.
5. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above required variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard vary all or such condition and there upon the applicant shall be bound to comply with the conditions so varied.
6. The industry shall provide adequate arrangement for fighting the accidental leakages, discharge of any pollutants gas/liquids from the vessels, mechanical equipment etc. which are likely to cause environment pollution.
7. The industry shall comply noise pollution (Regulation and control) Rules, 2000.
8. The industry shall comply all the direction/Rules/Instructions as may be issued by the MOEF/CPCB/HSPCB from time to time.
9. The industry shall ensure that various characteristics of the effluents remain within the tolerance limits as specified in EPA Standard and as amended from time to time and at no time the concentration of any characteristics should exceed these limits for discharge.
10. The industry would immediately submit the revised application to the Board in the event of any change in the raw material in process, mode of treatment/discharge of effluent. In case of change of process at any stage during the consent period, the industry shall submit fresh consent application alongwith the consent to operate fee, if found due, which may be on any account and that shall be paid by the industry and the industry would immediately submit the consent application to the Board in the event of any change during the year in the raw material, quantity, quality of the effluent, mode of discharge, treatment facilities etc.
11. The officer/official of the Board shall reserve the right to access for the inspection of the industry in connection with the various process and the treatment facilities. The consent to operate is subject to review by the Board at any time.
12. Permissible limits for any pollutants mentioned in the consent to operate order should not exceed the concentration permitted in the effluent by the Board.
13. The industry shall pay the balance fee, in case it is found due from the industry at any time later on.
14. If the industry fails to adhere to any of the conditions of this consent to operate order, the consent to operate so granted shall automatically lapse.
15. If the industry is closed temporarily at its own, they shall inform the Board and obtain permission before restart of the unit.
16. The industry shall comply all the Directions/ Rules/Instructions issued from time to time by the Board.

Specific Conditions :

1. That the unit shall apply for renewal of consent to operate 90 days earlier, before the expiry of previous consent to operate obtained from the Board.
2. That unit will operate its pollution control devices properly and effectively to keep the parameters within limit.
3. That the unit will not expand its production activity from the existing and will not increase any pollution load under Water Act, 1974, Air Act, 1981 without prior approval of the Board.

4. That if the sampling report under Water Act, 1974 and Air Act, 1981 will be found exceeding in parameters at any stage and found increase in pollution load at any stage consent to operate granted will be revoked.
5. That unit will submit the sampling report under Water and Air Act, as applicable within 90 days.
6. The unit will obtain Authorization under HOWM Rules,2016 for scientific disposal of the Hazardous waste generated.
7. The unit will do agreement with GEPIL/RECYCLER for safe collection, transportation & disposal of Hazardous Waste generated i.e. used oil, used containers of various chemicals & solvents, waste cloth & used oil from Gen set etc.
8. The unit will obtain Authorization under HOWM rules 2016 safe collection, transportation & disposal of Hazardous Waste generated.
9. As the unit is granted with 1st CTO after CTE expansion so previous CTO will become infructuous.

SHAKTI SINGH Digitally signed by SHAKTI SINGH
Date: 2022.12.08 11:31:16 +05'30'
Regional Officer, Bahadurgarh
Haryana State Pollution Control Board.





Haryana State Pollution Control Board
SCF No. 42 & 43, Shopping Centre, Sector-6, Huda, Bahadurgarh Ph. 01276-243077 (O) Email:- hspcbrobdh@gmail.com



No. :HWM/ROH/2022/7618020

DT: 11/12/2022

To

M/s SHUBHAM SALES Co
 5.30 km Mile stone, Bhiwani Road Rohtak
 Rohtak

Sub: Grant of Authorization under Hazardous and Other Wastes(Management & Transboundary Movement) Rules, 2016

- Reference of application:7618020 dated: 11/12/2022
- Kulbhushan arya of SHUBHAM SALES Co is hereby granted an authorization for generation, collection, storage, disposal on the premises situated at 5.30 km Mile stone, Bhiwani Road Rohtak

HARYANA STATE
 Details of Authorization

S.No.	Name of process and Category of Hazardous Waste as per the Schedules I, II and III of these rules	Authorised mode of disposal or recycling or utilisation or co-processing, etc.	Quantity
1	Purification and treatment of exhaust air, water and waste water from the treatment plants (CETP's), Flue gas cleaning residue	GEPIL	0.5 T/Annum
2	Purification and treatment of exhaust air, water and waste water from the treatment plants (CETP's), Chemical sludge from waste water treatment	GEPIL	0.5 T/Annum
3	Production of nitrogenous and complex fertilizers, Spent carbon	After Recycling sent to Actual User	30000 T/Annum
4	Production of primary and secondary aluminium, Cathode residues including pot lining wastes	After Recycling sent to Actual User	30000 T/Annum
5	Production of primary and secondary aluminium, Used anode butts	After Recycling sent to Actual User	30000 T/Annum

- The authorization shall be valid for a period of 07/12/2022 to 30/09/2024
- The authorization is subject to the following general and specific conditions :-

- (i) **1. Unit will apply next CTO 90 days before expiry of the present Authorization.**

**Regional Officer Bahadurgarh
For Haryana State Pollution Control Board**

Conditions of Authorization:

1. The authorised person shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made there under.
2. The authorization or its renewal shall be produced for inspection at the request of an officer authorised by the State Pollution Control Board.
3. The person authorised shall not rent, lend, sell, transfer or otherwise transport the hazardous and other wastes except what is permitted through this authorization.
4. Any unauthorised change in personnel equipment or working conditions as mentioned in the application by the person authorised shall constitute a breach of this authorization.
5. The person authorised shall implement Emergency Response Procedure (ERP) for which this authorization is being granted considering all site specific possible scenarios such as spillages, leakages, fire etc. and their possible impacts and also carry out mock drill in this regard at regular interval of time.
6. The person authorised shall comply with the provisions outlined in the Central Pollution Control Board guidelines on "Implementing Liabilities for Environmental Damages due to Handling and Disposal of Hazardous Waste and Penalty".
7. An application for the renewal of an authorization shall be made as laid down under these Rules.
8. Any other conditions for compliance as per the guidelines issued by the Ministry of Environment, Forest and Climate Changes or Central Pollution Control Board from time to time.
9. Annual return shall be filed by June 30 th for the period ensuring 31 st March of the year.

SHAKTI SINGH Digitally signed by SHAKTI SINGH
Date: 2022.12.11 13:26:47 +05'30'
**Regional Officer Bahadurgarh
For Haryana State Pollution Control Board**



HARYANA STATE POLLUTION CONTROL BOARD, BAHADURGARH
SPOT INSPECTION REPORT

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1.	Name of the industry	:	Shubham Sales Co. 5.3 mile stone, Bhiwani Road, Rahtak
2.	Date of Inspection	:	27.4.23
3.	Location of industry	:	Bhiwani Road Rahtak.
4.	Raw material	:	Carbon Slurry. 100 MTD (at present 0.6 Ton laying)
5.	Product	:	Carbon Mineral 100 MTD
6.	Process	:	Attached
7.	Name of the M.D/ Director/Partners/Prop.	:	Sh. Kulbhushan Arya and others.
8.	Water Pollution a) Source of water pollution b) Status of control devices	:	From processing of Carbon Slurry Installed ETP
9.	Air Pollution a) Source of Air pollution b) Status of Control Measures	:	Pre heaters Bag house.
10.	Status of Hazardous Waste alongwith H.W. storage size	:	ETP Sludge. & process Residue 4'x4' Bags (shed)
11.	Status Authorization from PPCB	:	Obtained vide letter 2225 dated 21/11/22 recd from NSPCB vide letter dated 16.3.21
12.	Status of Manifest	:	-
13.	Status of Annual Return	:	Submitted
14.	Status regarding display board on relevant information about	:	provided. and adequate.

	hazardous waste outside the factory gate (as directed by Hon'ble Supreme Court vide orders dated 14.10.2023 in the matter of WP No. 657/1995; Research Foundation for Science Technology and National Resource Policy Versus Union of India & Anr).	
15.	Status of D.G. set	: 82.5 HVA (Acoustic) with stack height 3 mtrs above.
16.	Status of labeling on bags stored with carbon slurry as per the rule 17(1) of the HOWM Rules, whereas, the industry is required to label the bags with requisite details as prescribed in form B of the HOWM Rules, 2016.	: Labeling done on bags.
17.	Status of sign of any leakage in the premises of the factory due to storage of the carbon slurry.	: No sign of leakage found due to storage of Carbon

The unit has obtained CTO under Water Act/Air Act for the period up to 30.9.2024. The unit has obtained Authorization under HOWM Rules, 2016 for the period up to 30.9.2024 for Utilization and for processing of carbon-slurry generated from Urea manufacturing plants. The unit has obtained permission of transportation from HSPCB and PPCB. The unit has provided environmentally sound technology for utilization/processing of waste

Signature of owner/Partner/
Representative/M.D./Manager of the Industry with
designation

Signature of inspecting officer/officers 27.4.23

Sachin Kumar AEE



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FORM J
(See Rule 20)

Report No.:-94
Dated - May 03, 2023

I, hereby, certify that I Narender Hooda as Board Analyst, duly appointed under sub section (3) of section 53 of Water (Prevention and control of Pollution) Act, 1974(6 of 1974) received on the 28th day of April, 2023 from Sh. Sachin Kumar AEE, a sample of liquid trade effluent of M/s Subham Sales Co., Bhiwani Road, Rohtak, collected on 27.04.2023 from the Outlet of ETP for analysis. The Sample was in a condition fit for analysis reported below:-
I further certify that I have analyzed the afore-mentioned sample on 28/04/2023 to 03/05/2023 and declare the result of analysis to be as follow:-

Sr. No.	Parameter	Outlet of ETP	Prescribed Limits	Method of Testing
1.	Colour	Almost Colorless	----	As per relevant parts of IS:3025 (Part-I) 1987 & relevant parts and Standard Methods for the Examination of water and waste water APHA(23 rd edition) 2017
2.	Odour	Mild	---	
3.	pH Value	7.8	5.5-9.0	
4.	Conductivity μ S/cm	3140	----	
5.	Total Suspended Solids mg/l	38	100	
6.	B.O.D.(3 Days at 27 ^o C) mg/l	17	30	
7.	Chemical Oxygen Demand mg/l	92.9	250	
8.	Oil & Grease mg/l	BDL	10	
9.	Iron as Fe mg/l	0.4	3	

The condition of the seals, fastening and container on receipt was as follow:
Container had its seals found intact in order; slip on the container had the signature of the representative of the industry and the board representative.
Signed this on **03rd day of May, 2023**

Haryana State Pollution Control Board Laboratory,
Sector-16 A, Faridabad


Board Analyst

To
The Member Secretary, HSPCB, Panchkula/ Regional Office, HSPCB, Bahadurgarh

Endst. No. HSPCB/LAB/F/2023/ 715

Dated: 03/05/2023

This test report relate only to the particular sample submitted for testing



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FORM IV
(See Rule 14)

Report No.:-72

Dated-May 2, 2023

I, hereby, certify that I Narender Hooda as Board Analyst, duly appointed under sub section (2) of section 29 of Air (Prevention and control of Pollution) Act, 1981(14 of 1981) received on the 28th day of April, 2023 from Sh. Sachin Kumar AEE, a sample of air emission of M/s Subham Sales Co., Bhiwani Road, Rohtak, collected on 27.04.2023 from Common Stack attached to Heaters for analysis. The Sample was in a condition fit for analysis reported below:-

I further certify that I have analyzed the afore-mentioned sample on 28/04/2023 to 02/05/2023 and declare the result of analysis to be as follow:-

1.	Name of the Plant/emission source monitored	Common Stack attached to Heaters	
2.	Stack Identification/Type of Chimney	Common Stack attached to Heaters	
3.	Location of sampling Point	As per norms	
4.	Stack height (mt)		
	(a) From source of emission	---	
	(b) From the roof level	---	
	© From the ground level	60 feet	
5.	Diameter of Stack	6"	
6.	Sampling duration	30 min	
7.	Product manufactured	Carbon Minerals, Mineal Fuel	
8.	Normal operating schedule	----	
9.	Stack Temperature	55°C	
10.	Wind condition/Direction	Normal	
11.	Quantity of Emission m ³ /sec	0.0553	
12.	Type of Fuel	Electricity	
		Results	Prescribed Limits
13.	Particulate Matter mg/ Nm ³	27.2	80
14.	Sulpher Dioxide mg/ Nm ³	ND	---
15.	Oxides of Nitrogen mg/ Nm ³	ND	---

The condition of the seals, fastening and container on receipt was as follow:

Container had its seals found intact in order; slip on the container had the signature of the representative of the industry and the board representative.

Signed this on **02nd day of May, 2023**

Haryana State Pollution Control Board Laboratory,
Sector-16 A, Faridabad

↓

Board-Analyst

To

The Member Secretary, HSPCB, Panchkula/ Regional Office, HSPCB, Bahadurgarh

Endst. No. HSPCB/LAB/F/2023/ 709

Dated: 02/05/2023

This test report relate only to the particular sample submitted for testing