

## BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

## PRINCIPAL BENCH, DELHI

Original Application No. 1198/2024

## IN THE MATTER OF:

PEOPLES RIGHTS AND SOCIAL

RESEARCH CENTRE (PRASAR) &amp; ORS.

... Applicants

## VERSUS

UNION OF INDIA &amp; Ors

... Respondents

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**Filed by: Adv. Rajkumar**  
**On behalf of Central Pollution Control Board**

Place: Delhi

Date: 24.01.2025

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL  
BENCH, DELHI**

**Original Application No. 1198/2024**

**IN THE MATTER OF:**

**PEOPLES RIGHTS AND SOCIAL  
RESEARCH CENTRE (PRASAR) & ORS. ... Applicant**

**VERSUS**

**UNION OF INDIA & Ors ... Respondents**

**RESPONSE ON BEHALF OF CENTRAL POLLUTION CONTROL BOARD  
(CPCB)**

1. That, Hon'ble NGT vide order dated 03.10.2024 has sought the response of Central Pollution Control Board (hereinafter referred as CPCB) in the instant matter. Thereby, the response is made in 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 (hereinafter Water Act), The Air (Prevention and control of Pollution) Act, 1981 (hereinafter Air Act) and The Environment (Protection) Act, 1986. It is further submitted that the State Pollution Control Boards/Pollution Control Committees (hereinafter referred to as "SPCBs/PCCs") have been constituted in States/UTs under the Water Act, 1974 and the Air Act, 1981 to perform

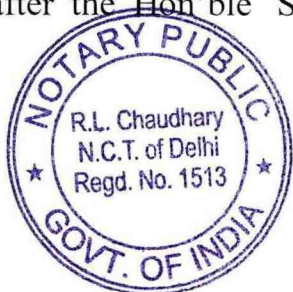


their functions and implement the provisions of these Acts in respect of their territorial jurisdiction.

3. That this original application has been registered on the basis of the direction issued by the Hon'ble Supreme Court in the order dated 06.08.2024 passed in Writ Petition (Civil) No. 110/2006 in the matter of Peoples Rights and Social Research Centre (hereinafter referred as PRASAR) & Ors. vs. Union of India & Ors.
4. That as per the orders available on Supreme Court's website the said Writ Petition (Civil) No. 110/2006 was heard by Hon'ble Supreme Court on various dates during the years 2006 to 2024, starting from the first hearing on 27.03.2006 and till the final Judgement on 06.08.2024.
5. That on some instances during the course of the proceedings in the above matter in 2016 and 2017, Hon'ble Supreme Court sought reports about 35 quartz grinding units in Godhra, Gujarat from CPCB and the reports were filed by CPCB –
  - i. In 2016, in compliance of orders dated 19.02.2016, 30.05.2016 and 30.06.2016, the reports were filed on 27.05.2016, 20.06.2016 and 10.08.2016 respectively, and
  - ii. In 2017, in compliance of order dated 01.05.2017, the report was filed on 24.07.2017.

Copy of the aforesaid four compliance affidavits filed by CPCB to apprise the status of 35 quartz units in Godhra district of Gujarat are given at **Annexures I to IV.**

1. That after 2017, the above matter was heard on 08.02.2019 and 05.03.2019, and thereafter the Hon'ble Supreme Court directed on 15.04.2024 as follows:



*'These matters have been listed after five years. The last order was passed on 05.03.2019 issuing certain directions. Learned counsel for the CPCB, the States and the Union are granted a week's time to file their status reports. It is made clear that no further time will be granted and the Court will proceed to hear the matters on the next date. List the matters again on 30.04.2024 in the top ten cases. In the meantime, liberty is granted to the learned counsel for the parties to file notes on their respective submission'.*

7. That in compliance of the above order dated 15.04.2024, CPCB requested GPCB vide letter dated 15.04.2024 and 18.04.2024 to provide latest operational status and status of air pollution control system in quartz grinding units in Godhra and GPCB vide letter dated 19.04.2024 provided the status of 35 Nos. of quartz grinding units in Godhra which was based on inspections carried out in the past. CPCB further requested GPCB vide email dated 24.04.2024 to provide the latest status of these units. GPCB vide letter dated 26.04.2024 provided the status of 35 Nos. of quartz grinding units in Godhra based on fresh inspections. The said status was filed by CPCB in Hon'ble Supreme Court on 27.04.2024. Copy of the said compliance affidavit filed by CPCB on 27.04.2024 along with its annexure i.e. the letter dated 26.04.2024 of GPCB providing the latest status of 35 quartz industries in Godhra district of Gujarat is given at **Annexures V**.
8. That after filing of the compliance affidavit by CPCB on 26.04.2024 the matter was heard on 30.04.2024 and order was reserved and finally the Judgement has been passed on 06.08.2024.



9. That, the Answering Respondent No. 4 craves leave of the Hon'ble Tribunal to file additional reply, if required, in future.
10. That, in the light of the above submissions, it is respectfully submitted that this Answering Respondent, i.e. CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble Court in the instant O.A.



A handwritten signature in blue ink, appearing to read "Nazimuddin".

(Nazimuddin)

Scientist 'F'

Central Pollution Control Board

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL  
BENCH, DELHI**

**Original Application No. 1198/2024**

**IN THE MATTER OF:**

**PEOPLES RIGHTS AND SOCIAL**

**RESEARCH CENTRE (PRASAR) & ORS.**

... Applicant

**VERSUS**

**UNION OF INDIA & Ors**

... Respondents

**AFFIVADIT**

I, Nazimuddin, working as Scientist 'F' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032, do hereby solemnly affirm and declare as under:

1. That I, the deponent herein is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying response may be read part and parcel of the present affidavit.
3. That the accompanying response 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

नाज़िमउद्दीन / Nazimuddin  
वैज्ञानिक 'एफ' / Scientist 'F'  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(M/o Environment, Forest And Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION  
24 JAN 2025

Verified at New 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. Nothing has been concealed therefrom or mis- stated.



ATTESTED  
  
NOTARY PUBLIC  
GOVT. OF INDIA

24 JAN 2025

  
DEPONENT

नाज़िमउद्दीन / Nazimuddin  
वैज्ञानिक 'एफ' / Scientist 'F'  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(M/o Environment, Forest And Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

*Jyoti Mendiratta*

IN THE SUPREME COURT OF INDIA  
WRIT PETITION (C) 110 OF 2006

IN THE MATTER OF

PEOPLE RIGHTS & SOCIAL RESEARCH CENTRE  
(PRASAR) & ORS

...Petitioner(s)

*7.9.2016*  
*29.11.2016*  
*11.2016*  
*3 Rest*

VS

UNION OF INDIA & ORS

...Respondent(s)

*CPCB Affidavit dt 27.08.2016*

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*Stone crushers*

Place: Delhi

Date: May 27, 2016

Through

Counsel

see from 31/12

IN THE SUPREME COURT OF INDIA

WRIT PETITION (C) 110 OF 2006

IN THE MATTER OFPEOPLE RIGHTS & SOCIAL RESEARCH CENTRE  
(PRASAR) & ORS

...Petitioner(s)

VS

UNION OF INDIA &amp; ORS

...Respondent(s)

AFFIDAVIT OF SUDESH KUMAR ARORA S/O SHRI M. L. ARORA, ADDITIONAL DIRECTOR OF CENTRAL POLLUTION CONTROL BOARD, PARIVESH BHAWAN, EAST ARJUN NAGAR, DELHI - 110032, THE RESPONDENT NO.9 IN COMPLIANCE OF THIS HON'BLE COURT'S ORDERS DATED 19.02.2016 AND 04.05.2016 IN THE AFORESAID MATTER.

I, Sudesh Kumar Arora, working as Additional Director in the Central Pollution Control Board (CPCB), Parivesh Bhawan, East Arjun Nagar, Delhi-110032, do hereby solemnly affirm and declare as under:

2. That I in the capacity of Additional Director of the Central Pollution Control Board (CPCB) am fully conversant with the facts of the case on the basis of records and hence, competent to depose and swear this present affidavit.
3. That this Hon'ble Court vide its order, dated 19.02.2016 directed as follows:-
 

*"... The Central Pollution Control Board, Ministry of Environment and Forests, is directed to file an affidavit within four weeks as to the action taken on*

..2..

*the suggestions made in the Report of the Committee on spreading of Silicosis and Pneumoconiosis Disease due to pollution from Quartz Industries located in Godhra, Gujarat, filed before this Court...*

4. That this matter came up for hearing on 04.05.2016 and after hearing this Hon'ble Court has directed as follows:-

*"...In our order dated 19.02.2016, we had issued a direction to the Central Pollution Control Board (CPCB) to file an affidavit as to the action taken on the suggestion in the report of the Committee on the silicosis and pneumoconiosis diseases due to the pollution from industries located in Godhra, Gujarat. Neither is there any appearance of the Central Pollution Control Board nor any affidavit has been filed on the report of the Committee. In that view of the matter, we direct the Chairman of the Central Pollution Control Board to be present before this Court on the next date of hearing. Post the matter on 11.05.2016 at 10.30 A.M. (as first item)."*

5. That thereafter this matter again heard on 11.05.2016 and this Hon'ble Court has passed the following order:-

*"Despite service of notice on the Chairman of the Central Pollution Control Board (CPCB), there is neither any personal appearance nor any appearance through the counsel requesting exemption from personal appearance. In that view of the matter, issue bailable warrants for securing the presence of the Chairman of the Central Pollution Control Board on the next date of hearing. List on 30.06.2016. "*

6. That the Central Pollution Control Board (hear in after called as CPCB), the Respondent No. 9 unconditionally apologize for being absent on 11.05.2016 before this Hon'ble Court. That Non-appearance on 11.05.2016 was unintentional. The CPCB has highest regard for this Hon'ble Court and is duty bound to comply with the directions/orders made by this Hon'ble Court.

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7. That the CPCB apologize for non-appearance on 11.05.2016 before this Hon'ble Court and submit that this was unintentional on behalf of the CPCB. As the counsel for CPCB has already entered appearance on behalf of the CPCB, and it was bonafide belief by the Respondent CPCB that the Advocate would be representing and appearing before the Hon'ble Court. On enquiry made from the Advocate on record of the CPCB, he has intimated that he was not aware with regard to listing of the case on the dates as his name was not appearing in the Cause List for the date and as such could not appear.
8. That earlier on 24.01.2006, the CPCB on the request from the Madhya Pradesh State Pollution Control Board regarding complaint relating to Silicosis in Gujarat constituted a Committee comprising members from Industrial Toxicology Research Centre (ITRC), Lucknow; Gujarat State Pollution Control Board, Godhra; Madhya Pradesh Pollution Control Board, Bhopal; Ministry of Environment and Forests, Regional Office, Bhopal; Industrial Safety and Health, Vadodara; CPCB, Zonal Office, Bhopal & Vadodara; CPCB, Delhi, and official from Gujarat Govt. on 24<sup>th</sup> January, 2006 under the Chairmanship of the Director, National Institute of Occupational Health (NIOH), Ahmedabad.
9. That the Committee made a visit to the Quartz Industries in Godhra region of Gujarat on 19.04.2006 and prepared a report on "Spreading of Silicosis and Pneumoconiosis Disease Due To Pollution From Quartz Industries Located In Godhra, Gujarat." In the Report of the Committee recommendations have been made for controlling the emissions and safeguarding the health of the workers working in the Quartz industries located in Godhra, Gujarat. The copy of the Report of the Committee is enclosed as **ANNEXURE-I (Page No. 11-35)**.

Labour  
from  
MP  
to  
Gujarat

..4..

10. That the recommendations contained in the Report of the Committee reproduced here under:-

P-17-18  
of Report

- The Air Pollution Control Devices should be upgraded / installed at all the dust generating sections such as quartz stone unloading, crushing, material conveying, grinding, grading and packing (Feasibility of a model facility with appropriate Air Pollution Control System may be explored).
- The State Govt. may conduct detailed medical examination of all industrial workers of quartz industries in Godhra for occupational health diseases through a reputed organization like NIOH.
- The layout of the plant should be redesigned so that direct exposure of the workers to the silica dust is reduced.
- The dust collected in the hoppers of air pollution control devices is very fine generally less than 100 micron size, which needs to be handled very carefully to avoid its resuspension. During filling of the bags, dust should not get air borne. The finer dust may be dumped in the abandoned mine area and covered with a thin layer of soil.
- The stack height should be at least 2 m above roof level for proper dispersion of pollutants in the atmosphere.
- Fugitive emissions generated from unloading of quartz stone, crushing may be channelised through hood with proper suction arrangement connected to bag filter and stack.
- Leakages of dust from machines and ducts should be plugged.
- During unloading of the material, the drop height should be controlled by telescopic chutes to reduce the Fugitive emissions.

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- Wind breaking wall should be provided to prevent spreading of the dust.
  - Floor should be regularly cleaned by a dustless method such as vacuuming or wetting down. Dry sweeping should be avoided.
  - Housekeeping has lot of scope for improvement
  - Stack, ambient air quality and work zone monitoring (for silica dust) should be carried out by the industry on regular basis and data should be submitted to Regulatory Authorities.
  - All workers and employees should be provided photo identity card
  - Employer should maintain a register having the name and address of all the workers and employees along with date of joining etc. and with photograph
  - Employer should maintain a register for daily attendance of all workers and employees
  - All the workers should be provided with medical surveillance by the employer. Medical surveillance programme should consist of the following
    - Pre – employment medical surveillance
    - Periodic medical examination
    - Medical examination at cessation of employment
    - Maintenance of medical records and
    - Health education
- Proper medical examination record of all the workers should be maintained.
- Workers should be given education about the risk associated with silica dust exposure, potential health effects, etc.

..6..

- Workers should wear good quality mask while working in the plant.
- Display board should be provided showing the hazard associated with silica dust and preventive measures.
- Quartz grinding units should obtain consent under the Air (Prevention & control of Pollution) Act, 1981 from the State Pollution Control Board.
- A Questionnaire may be prepared by NIOH for epidemiological study of industrial workers, so that there is uniformity in all such studies be undertaken in future
- For the quartz grinding industries located in other parts of the Country, the respective State Pollution Control Boards, and concerned State Govt. departments may collect the details of such industries and ensure the implementation of recommendations of this Committee including undertaking of health based studies of the workers exposed in these industries. Organizations like NIOH, ITRC etc having expertise in taking such assignment may be considered for the task.

The copy of Report of the Committee alongwith the recommendations forwarded for implementation to the Gujarat State Pollution Control Board on 11.09.2006. The copy of the CPCB letter dated 11.09.2006 is enclosed as **ANNEXURE-II (Page No. 36-37)**.

11. That the CPCB on 11.09.2006 also sent the recommendations of the Committee to State Pollution Control Boards of Andhra Pradesh, Jharkhand, Karnataka, Rajasthan, Tamilnadu and West Bengal for its implementation. The copy of the CPCB letter dated 11.09.2006 is enclosed as **ANNEXURE-III (Page No. 38-39)**.

..7..

12. That the CPCB sent a communication on 29.01.2007 to the Gujarat State Pollution Control Board to provide the Action Taken Report on the implementation of the recommendations of the Committee. The copy of the CPCB letter dated 29.01.2007 is enclosed as **ANNEXURE-IV (Page No. 40-58)**.
13. That the Gujarat State Pollution Control Board vide letter dated 21.03.2007 informed that they have issued the necessary directions to the units operating in the area under section 31-A of the Air (Prevention & Control of Pollution) Act, 1981 to implement the recommendations of the Committee and submit the compliance report. The copy of the Gujarat State Pollution Control Board's letter dated 21.03.2007 is enclosed as **ANNEXURE-V (Page No. 59)**.
14. That the CPCB again sent a letter on 04.07.2008 to the Gujarat State Pollution Control Board to provide the Action Taken Report on the implementation of the recommendations of the Committee. The copy of the CPCB letter dated 04.07.2008 is enclosed as **ANNEXURE-VI (Page No. 60)**.
15. That the Gujarat State Pollution Control Board informed the action taken vide letter dated 22.07.2008 that the Gujarat State Pollution Control Board had issued necessary directions to the units operating in the area under section 31A of the of the Air (Prevention & Control of Pollution) Act, 1981 to implement the recommendations of the Committee. The Gujarat State Pollution Control Board has further informed that they are monitoring the compliance with respect to the recommendations regularly in the Quartz industries located at Godhra, Gujarat. The copy of the Gujarat State Pollution Control Board's letter dated 22.07.2008 is enclosed as **ANNEXURE-VII (Page No. 61-92)**.

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16. That in the March, 2010, the Central Pollution Control Board has published a Comprehensive Industry Document on Stone Crusher (COINDS/78/2007-08) including Guidelines / Code of Practice for Pollution Prevention and Control. The main objective of the publishing of Comprehensive Industry Documents on Stone Crushers was to impart an overall view of stone crushers operating in the country, to provide cleaner technologies and to specify Guidelines/ Code of Practice for Pollution Prevention and Control. The copies of the Document was circulated to all the SPCB's/PCC's. A copy of the aforesaid document is enclosed as **ANNEXURE-VIII (Page No. 93-256)**.
17. That the CPCB vide order dated 20.05.2016 has also constituted a team of Scientists to visit the Quartz units located in Godhra jointly with Gujarat State Pollution Control Board. The Quartz units will be monitored during inspection for compliance verification and action against non-complying units will be taken under section 5 of the Environment (Protection) Act, 1986 including closure of the units. The copy of the CPCB Office Order dated 20.05.2016 is enclosed as **ANNEXURE-IX (Page No. 257)**.
18. That the Quartz crushing units are required to install air pollution control devices as per the recommendations contained in the Report of the Committee. The CPCB on 24.05.2016 has carried out a quick inspection in Godhra to assess the situation. As there was a power shedding in the region, Quartz units in the region were not in operation. However, one unit namely M/s. Quartz India Limited in Poputpura (Taluq - Godhra) has been inspected to check the types of pollution control devices installed. The

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industry has installed cyclone separator and bag filter followed by stack of 40 feet height from ground level.

19. That the industry representative of the M/s. Quartz India Limited has informed that they are required to maintain various forms as per Factory Act to keep track of workers working in their unit and health record. The industry has shown such records to the visiting team.
20. That the CPCB, Zonal Office, Bhopal has recently on 26.05.2016 approached the Department of Public Health and Family Welfare, Govt. of M.P. requesting to provide the information on number of workers which are suffering due to Silicosis while working in Quartz Industries and reported deaths. The translated copy of the CPCB, Zonal Office, Bhopal letter dated 26.05.2016 is enclosed as **ANNEXURE-X (Page No. 258)**.
21. That on the request of the CPCb, the Gujarat State Pollution Control Board (GSPCB) through e-mail on 26.5.2016 informed that presently there are 30 Quartz units in Godhra, Gujarat out of which 3 units are closed permanently. The Gujarat State Pollution Control Board has inspected all the Quartz units during March-April, 2016. The status of these units as received from Gujarat State Pollution Control Board is enclosed as **ANNEXURE-XI (Page No. 259-268)**.  
*30 units  
3 closed  
for records*
- So far, the GSPCB had issued 59 show cause notices against the Quartz units located in Godhra and nearby area in Gujarat. Further, 8 Quartz industries were issued notice of directions under section 31-A of the Air (Prevention & Control of Pollution) Act, 1981 and on 2 Quartz industries were issued confirmed directions under section 31-A of the Air (Prevention & Control of Pollution) Act, 1981.

..10..

22. That the CPCB has prepared an Action Taken Report (ATR) as on 27.05.2016 on the suggestions made in the Report of the Committee on spreading of Silicosis and Pneumoconiosis disease due to pollution from Quartz industries located at Godhra, Gujarat. The copy of the Action Taken Report (ATR) prepared by the Central Pollution Control Board is enclosed as **ANNEXURE -XII (Page No. 269-272)** and the background / introductory note on the Silicosis is enclosed as **ANNEXURE - XIII (Page No. 273-289).**

23. That the CPCB submits that based upon the joint inspection to be carried out by the officials of the CPCB and GPCB in the Quartz units located in Godhra and nearby area in Gujarat, action will be taken against the non-complying units Under Section 5 of the Environment (Protection) Act, 1986 (including closure of the units.

**DEPONENT****VERIFICATION**

Verified at Delhi on this 27th day of May, 2016 that the contents of this affidavit are true and correct to the best of my knowledge and nothing has been concealed therein.

**DEPONENT**

O/C

III  
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IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
WRIT PETITION (CIVIL) No. 110 OF 2006

IN THE MATTER OF:-

PRASAR

....Petitioner

Versus

Union of India and Ors.

....Respondents

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20.6.2016

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ADVOCATE FOR THE RESPONDENT: P. N. PURI

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CPCB in India

IN THE SUPREME COURT OF INDIA

WRIT PETITION (C) 110 OF 2006

IN THE MATTER OF

PEOPLE RIGHTS & SOCIAL RESEARCH CENTRE

(PRASAR) & ORS

...Petitioner(s)

VS

UNION OF INDIA & ORS

...Respondent(s)

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7.	<b>Annexure-VI:</b> CPCB directions under section 18(1)(b) of the Air (Prevention and Control of Pollution) Act, 1981 issued to Gujarat SPCB vide letter No. B-33014/7/2016/PCI-II dated 16.06.2016.	247-251
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(P. N. PURI)  
 Advocate for the Respondent  
 Lawyer's Chamber No. 17  
 Supreme Court of India  
 New Delhi.

## IN THE SUPREME COURT OF INDIA

WRIT PETITION (C) 110 OF 2006

IN THE MATTER OFPEOPLE RIGHTS & SOCIAL RESEARCH CENTRE  
(PRASAR) & ORS

...Petitioner(s)

VS

UNION OF INDIA &amp; ORS

...Respondent(s)

ADDITIONAL AFFIDAVIT OF SUDESH KUMAR ARORA  
S/O SHRI M. L. ARORA, ADDITIONAL DIRECTOR OF  
CENTRAL POLLUTION CONTROL BOARD, PARIVESH  
BHAWAN, EAST ARJUN NAGAR, DELHI – 110032, THE  
RESPONDENT NO.9 IN COMPLIANCE OF THIS HON'BLE  
COURT'S ORDERS DATED 19.02.2016 AND 04.05.2016  
IN THE AFORESAID MATTER.

I, Sudesh Kumar Arora, working as Additional Director in the  
Central Pollution Control Board (CPCB), Parivesh Bhawan ,  
East Arjun Nagar, Delhi-110032, do hereby solemnly affirm  
and declare as under:

2. That I in the capacity of Additional Director of the Central  
Pollution Control Board (CPCB) am fully conversant with the  
facts of the case on the basis of records and hence,  
competent to depose and swear this present affidavit.
3. That this Hon'ble Court vide its order, dated 19.02.2016  
directed as follows:-

*"... The Central Pollution Control Board, Ministry  
of Environment and Forests, is directed to file an  
affidavit within four weeks as to the action taken*

...2..

*on the suggestions made in the Report of the Committee on spreading of Silicosis and Pneumoconiosis Disease due to pollution from Quartz Industries located in Godhra, Gujarat, filed before this Court..."*

4. That CPCB filed an interim affidavit dated 27.05.2016 indicating action taken on the suggestions made in the Report of the Committee on spreading of Silicosis and Pneumoconiosis Disease due to pollution from Quartz Industries located in Godhra, Gujarat.

5. That CPCB also submitted the following vide the said affidavit dated 27.05.2016:

*"CPCB vide order dated 20.05.2016 has also constituted a team of Scientists to visit the Quartz units located in Godhra jointly with Gujarat State Pollution Control Board. The Quartz units will be monitored during inspection for compliance verification and action against non-complying units will be taken under section 5 of the Environment (Protection) Act, 1986 including closure of the units."*

6. That the recommendations contained in the Report on "Spreading of Silicosis and Pneumoconiosis Disease Due To Pollution From Quartz Industries Located In Godhra, Gujarat" of the Committee reproduced here under:-

- I. The Air Pollution Control Devices should be upgraded / installed at all the dust generating sections such as quartz stone unloading, crushing, material conveying, grinding, grading and packing (Feasibility of a model facility with appropriate Air Pollution Control System may be explored).
- II. The State Govt. may conduct detailed medical examination of all industrial workers of quartz industries in Godhra for occupational health diseases through a reputed organization like NIOH.

..3..

- III. The layout of the plant should be redesigned so that direct exposure of the workers to the silica dust is reduced.
- IV. The dust collected in the hoppers of air pollution control devices is very fine generally less than 100 micron size, which needs to be handled very carefully to avoid its resuspension. During filling of the bags, dust should not get air borne. The finer dust may be dumped in the abandoned mine area and covered with a thin layer of soil.
- V. The stack height should be at least 2 m above roof level for proper dispersion of pollutants in the atmosphere.
- VI. Fugitive emissions generated from unloading of quartz stone, crushing may be channelized through hood with proper suction arrangement connected to bag filter and stack.
- VII. Leakages of dust from machines and ducts should be plugged.
- VIII. During unloading of the material, the drop height should be controlled by telescopic chutes to reduce the Fugitive emissions.
- IX. Wind breaking wall should be provided to prevent spreading of the dust.
- X. Floor should be regularly cleaned by a dustless method such as vacuuming or wetting down. Dry sweeping should be avoided.
- XI. Housekeeping has lot of scope for improvement
- XII. Stack, ambient air quality and work zone monitoring (for silica dust) should be carried out by the industry on regular basis and data should be submitted to Regulatory Authorities.

..4..

- XIII. All workers and employees should be provided photo identity card.
- XIV. Employer should maintain a register having the name and address of all the workers and employees along with date of joining etc. and with photograph.
- XV. Employer should maintain a register for daily attendance of all workers and employees
- XVI. All the workers should be provided with medical surveillance by the employer. Medical surveillance programme should consist of the following
  - a. Pre – employment medical surveillance
  - b. Periodic medical examination
  - c. Medical examination at cessation of employment
  - d. Maintenance of medical records and
  - e. Health education
- XVII. Proper medical examination record of all the workers should be maintained.
- XVIII. Workers should be given education about the risk associated with silica dust exposure, potential health effects, etc.
- XIX. Workers should wear good quality mask while working in the plant.
- XX. Display board should be provided showing the hazard associated with silica dust and preventive measures.
- XXI. Quartz grinding units should obtain consent under the Air (Prevention & control of Pollution) Act, 1981 from the State Pollution Control Board.
- XXII. A Questionnaire may be prepared by NIOH for epidemiological study of industrial workers, so that there is uniformity in all such studies be undertaken in future.



..5..

- XXIII. For the quartz grinding industries located in other parts of the Country, the respective State Pollution Control Boards and concerned State Govt. departments may collect the details of such industries and ensure the implementation of recommendations of this Committee including undertaking of health based studies of the workers exposed in these industries. Organizations like NIOH, ITRC etc having expertise in taking such assignment may be considered for the task.
7. That Central Pollution Control Board (CPCB) has carried out inspection and monitoring of air pollution control status in quartz processing units located in Godhra area in Panchmahal District, Gujarat during 01.06.2016 to 04.06.2016. The task has been completed in association with the Regional Office, Godhra of Gujarat Pollution Control Board (GPCB).
8. That Central Pollution Control Board has prepared a Status Report of inspections carried out in quartz processing units located in Godhra, District Pachmahal, Gujarat. A copy of the aforesaid Status Report is enclosed as **ANNEXURE- I (Page No.13-28)**. The individual inspection reports of quartz processing units visited by the team are also enclosed as **ANNEXURE- II (Page No.29-237)**.
9. That there are 30 nos. of industrial units located in the Godhra area as per records of GPCB, out of which 16 industrial units found operational during the inspection. Rest of the units were found either permanently or temporarily closed.

3  
Panchmahal  
District

..6..

10. That the point wise compliance of the suggestions made in the Report of the Committee (of 2006) on spreading of Silicosis and Pneumoconiosis Disease due to pollution from Quartz Industries located in Godhra, Gujarat, as observed by the team is given below:

- i. All the 16 operational quartz grinding units inspected during June 1- 4, 2016, have provided Air Pollution Control Device (APCD) that is, cyclone followed by bag filter or bag filter at crushing, grinding and grading for control of fugitive emissions. However, the fugitive emissions control measures taken including APCD is inadequate.

The fugitive emission monitoring was conducted in 16 operational quartz grinding units and the monitoring results of SPM measured between 3 to 10 metres from process equipment, ranged from  $1049.62 \mu\text{g}/\text{m}^3$  to  $9500.01 \mu\text{g}/\text{m}^3$  against the prescribed standard of  $600 \mu\text{g}/\text{m}^3$ . Fugitive emission for Suspended Particulate Matter (SPM) was found exceeding the norm in all 16 nos. of operational units.

The stack emission monitoring was conducted in 05 operational quartz grinding units and the monitoring results of Particulate Matter (PM) ranged from  $4.13 \text{ mg}/\text{Nm}^3$  to  $138.2 \text{ mg}/\text{Nm}^3$  against the prescribed standard of  $150 \text{ mg}/\text{Nm}^3$ . Source emissions found well within the prescribed limit from all the 06 stacks monitored in 05 operational units. As particulate matter also escapes in the form of fugitive emission, the stack emissions were found low.

P-19 [ other not inspected  
Absence of Adequate Monitoring Facility

What about

..7..

- ii. The implementation of the recommendation regarding medical examination of industrial workers of quartz industries in Godhra pertains to the Gujarat Govt.
- iii. All the quartz units in Godhra have provided covered shed for all the process equipments.
- iv. The fine dust collected from APCDs as well as accumulated dust due to fugitive emissions during operation are collected by the units and stored in haphazard manner. The fine dust is mostly disposed by the units in low lying area. Few units have reported that fine dust is being used for manufacturing hollow bricks or other uses. Most of the units are not maintaining records pertaining to generation and disposal of such dust.
- v. The stack emission monitoring facility found to be inadequate in majority of the units. Moreover, the height of stack is not raised to minimum 2 meter above the roof level in most of the cases.
- vi. Leakages of dusts from machines and ducts were observed.
- vii. None of the units have provided telescopic chute system for the final product filling for dispatch. However, very few units have provided alternate arrangement such as jute cloth chutes for dispatch of products.
- viii. In order to contain fugitive emission, all the 16 inspected units have covered entire plant and machinery under shed made of GI sheets instead of providing wind breaking walls.
- ix. Systematic wetting of premises for suppression of dust is not practised by any of the units. The units are using flexible hoses for application of water resulting over utilization of water and uneven application for the

X

No Recd

Not Compliant

Not Compliant

is it adequate Yes

is it adequate Yes

No Not proper

..8..

- purpose. The units are not maintaining records of water utilization and at the same time bore-wells of the units are not provided with meters.
- x. House keeping with reference to dust management, is poor and needs to be improved in terms of regular upkeep.
- xi. Work zone monitoring for free crystalline silica is being carried out by the units with the help of private laboratory. However, stack and ambient air quality monitoring is not being carried out by the units.
- xii. All the workers are being provided photo identity card by the employer.
- xiii. All the Units are maintaining address record register, daily attendance register and medical examination record register. No record of medical examination is observed at the cessation of the employment. However, the authenticity of such records need to be checked by the concerned Health / Labour Department.
- xiv. Units have informed that they are giving the education to the workers about the risk associated with the silica dust through the local NGO.
- xv. Dust mask for protection from fine dust is provided to the workers by the units.
- xvi. Most of the units have prominently displayed board regarding the effect of silicosis inside the plant shed for awareness of workers.
- xvii. All the quartz grinding units have obtained Common Consent and Authorization (CCA) from Gujarat State Pollution Control Board.
- xviii. CPCB has written a letter vide no. B-33014/7/2016/PCI-II/2141-46 on 6.6.2016 to State Pollution Control Boards of Andhra Pradesh, Jharkhand, Karnataka,

No Record

X

X

// 02/11/16  
Unit

..9..

Rajasthan, Tamilnadu and West Bengal where quartz grinding units are located, to inform the Action Taken Report on the recommendations made in the Report of the Committee (of 2006) on spreading of Silicosis and Pneumoconiosis Disease due to pollution from Quartz Industries. The response is awaited except Andhra Pradesh SPCB. A copy of the CPCB letter dated 06.06.2016 is enclosed as **ANNEXURE- III (Page No.238-239)**. A copy of the letter dated 16.06.2016 received from Andhra Pradesh SPCB is enclosed as **ANNEXURE- IV (Page No.240-242)**.

Response  
annexure

xix. The recommendations of the committee and the Action taken are tabulated at **Annexure- V (Page No.243-246)**

11. That considering the non compliance of all the 16 operational quartz processing units in Godhra, CPCB has issued the directions under section 18(1)(b) of the Air (Prevention and Control of Pollution) Act, 1981 to Gujarat State Pollution Control Board to further direct the quartz processing units located in Godhra under section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 for compliance of the following directions:

- i. Adequate provision of dust extraction system shall be made at potential sources such as jaw crusher hopper, transfer points of materials from conveyer belt, disintegrator, transfer points of materials from bucket elevators to other plant equipment, rotary screens, magnetic separators, vibratory screens etc. The dust extraction system of such potential sources shall be routed through Air Pollution Control Device

..10..

- (APCD). The quartz grinding units shall meet the stipulated norms for fugitive emission (suspended particulate matter) prescribed by GPCB.
- ii. APCDs provided by the units shall be maintained and operated properly. Stacks attached to APCDs are to be equipped with adequate monitoring facility as per CPCB Emission Regulation, Part-III.
  - iii. The height of stack shall be maintained minimum 2 meter above the roof level as prescribed by GPCB.
  - iv. Sheds provided for plant process machineries shall be closed properly and provision of Closed Circuit Television (CCTV) camera shall be made rather than keeping small openings in shed for frequent observations.
  - v. The internal roads shall be made of bitumen / concrete to reduce the fugitive emission by vehicular movement with proper cleaning and wetting mechanism.
  - vi. Provision of green belt shall be made along the periphery of the individual unit.
  - vii. Provision shall be made for systematic water sprinkling at places of dust generation to reduce the fugitive emission and records of water utilization shall be maintained.
  - viii. The telescopic chute / any other system shall be adopted to reduce the fugitive emission while loading the products into trucks / fine dust in the bags.
  - ix. Provision of Personal Protective Equipments (dust mask, helmet, safety shoes, goggles, ear plugs) and utilization by all the workers during operation of the plant shall be ensured.

..11..

- x. Prominent display regarding the effect of silicosis inside the premises for awareness of workers and other concern shall be ensured.
- xi. Units shall provide designated storage for dust collected from APCDs and fugitive emissions. The dust shall be disposed in the manner prescribed by GPCB. The records of dust disposal shall be maintained. The unit shall remove the collected dust at regular interval.
- xii. The units shall ensure environmental monitoring and submission of reports to GPCB at regular intervals.
- xiii. The units shall also ensure the compliance of provisions of aspects related with health, safety and labour laws enforced by concerned Govt. agencies.
- xiv. The house keeping shall be improved.
- xv. Each industry under the supervision of State Authority shall have X-ray scan with other supporting clinical tests of each worker of the industry on monthly / bi-monthly basis or as per the Health Requirement Protocols.
- xvi. The Units shall submit a time bound action plan to comply with the above measures, within 30 days.

A copy of the Direction under section 18(1)(b) of the Air (Prevention and Control of Pollution) Act, 1981 issued to Gujarat State Pollution Control Board vide letter no. B-33014/7/2016/PCI-II dated 16.6.2016 is enclosed as **ANNEXURE- VI (Page No.247-251)**.

12. That CPCB through the directions issued to Gujarat State Pollution Control Board dated 16.6.2016 also directed to constitute a committee with members from

..12..

Department of Industrial Safety and Health, Department of Labour and Employment, National Institute of Occupational Health, Local Civil Hospital, Gujarat SPCB, CPCB and other concerned departments to ensure the health of the industrial workers engaged in quartz grinding and related industries and control the spreading of silicosis and pneumoconiosis as well as monitoring stack emission and fugitive emission. The Committee shall meet quarterly and submit the progress report to Govt. of Gujarat and concerned Departments for further suitable action.

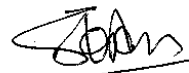
13. That CPCB has also directed Gujarat SPCB to set up (with Industry Department) continuous ambient air quality monitoring station at Godhra and other quartz processing industries clusters to monitor PM1 & PM2.5 and report the data in local newspapers.
14. That CPCB has also directed Gujarat SPCB to issue the similar directions to the quartz processing units located in other parts of the Gujarat like Balasinor etc. to comply the directions as stated above.



DEPONENT

**VERIFICATION**

Verified at Delhi on this 20<sup>th</sup> day of June, 2016 that the contents of this affidavit are true and correct to the best of my knowledge and nothing has been concealed therein.



DEPONENT

Writ Petition - 27/9/2016  
Court No 9  
Adm No - 7

95V

P. N. P

Annexure-III

29/11/2016

Writ Petition - 8/2/2019  
Court No 2  
Adm No - 52

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
WRIT PETITION (CIVIL) No. 110 OF 2006

IN THE MATTER OF:-

PRASAR .....Petitioner  
Versus  
Union of India and Ors. ....Respondents

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2.	<u>Annexure -I</u> Copy of the directions issued by the Gujarat State Pollution Control Board to individual industries.	11-64
3.	<u>Annexure -II</u> Copy of inspections reports of 12 units inspected during the period of 20-21 July 2016.	65-134
4.	<u>Annexure -III</u> A copy of the CPCB letter dated 03.08.2016 forwarding copy of the inspection reports to Gujarat State Pollution Control Board.	135

ADVOCATE FOR THE RESPONDENT: P. N. PURI

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
WRIT PETITION (CIVIL) No. 110 OF 2006

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....Petitioner

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ADVOCATE FOR THE RESPONDENT: P. N. PURI

IN THE SUPREME COURT OF INDIA

WRIT PETITION (C) 110 OF 2006

IN THE MATTER OF  
PEOPLE RIGHTS & SOCIAL RESEARCH CENTRE  
(PRASAR) & ORS ...Petitioner(s)

VS

UNION OF INDIA & ORS

...Respondent(s)

**ADDITIONAL AFFIDAVIT OF SUDESH KUMAR ARORA S/O SHRI M. L. ARORA, ADDITIONAL DIRECTOR OF CENTRAL POLLUTION CONTROL BOARD, PARIVESH BHAWAN, EAST ARJUN NAGAR, DELHI – 110032, THE RESPONDENT NO.9 IN COMPLIANCE OF THIS HON'BLE COURT'S ORDERS DATED 19.02.2016, 04.05.2016, 30.05.2016 and 30.06.2016 IN THE AFORESAID MATTER.**

I, Sudesh Kumar Arora, working as Additional Director in the Central Pollution Control Board (CPCB), Parivesh Bhawan , East Arjun Nagar, Delhi-110032, do hereby solemnly affirm and declare as under:

2. That I in the capacity of Additional Director of the Central Pollution Control Board (CPCB) am fully conversant with the facts of the case on the basis of records and hence, competent to depose and swear this present affidavit.

3. That this Hon'ble Court vide its order, dated 19.02.2016 directed as follows:-

*"... The Central Pollution Control Board, Ministry of Environment and Forests, is directed to file an affidavit within four weeks as to the action taken on the suggestions made in the Report of the Committee on spreading of Silicosis and Pneumoconiosis Disease due to pollution from Quartz Industries located in Godhra, Gujarat, filed before this Court..."*

4. That in compliance of the Hon'ble Supreme Court orders dated 19/02/2016, CPCB filed an interim affidavit dated 27.05.2016 and an additional affidavit dated 20.6.2016 indicating action taken on the suggestions made in the Report of the Committee on spreading of Silicosis and Pneumoconiosis Disease due to pollution from Quartz Industries located in Godhra, Gujarat.

5. That Central Pollution Control Board (CPCB) had carried out comprehensive inspection and monitoring of air pollution control status in quartz processing units located in Godhra area in Panchmahal District, Gujarat during 01.06.2016 to 04.06.2016. Out of 30 quartz grinding units, 16 operational units were found non-complying and rest 14 were found either permanently or temporarily closed.

18.2.2016  
4.6.2016  
16 non  
comply

6. That considering the non compliance of all the 16 operational quartz processing units in Godhra, CPCB had issued the directions on 21.06.2016 under section 18(1)(b) of the Air (Prevention and Control of Pollution) Act, 1981 to Gujarat State Pollution Control Board to further direct the quartz processing units under section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 for compliance of the following directions:

- i. Adequate provision of dust extraction system shall be made at potential sources such as jaw crusher hopper, transfer points of materials from conveyer belt, disintegrator, transfer points of materials from bucket elevators to other plant equipment, rotary screens, magnetic separators, vibratory screens etc. The dust extraction system of such potential sources shall be routed through Air Pollution Control Device (APCD). The quartz grinding units shall meet the stipulated norms for fugitive emission (suspended particulate matter) prescribed by GPCB.
- ii. APCDs provided by the units shall be maintained and operated properly. Stacks attached to APCDs are to be equipped with adequate monitoring facility as per CPCB Emission Regulation, Part-III.

- iii. The height of stack shall be maintained minimum 2 meter above the roof level as prescribed by GPCB.
- iv. Sheds provided for plant process machineries shall be closed properly and provision of Closed Circuit Television (CCTV) camera shall be made rather than keeping small openings in shed for frequent observations.
- v. The internal roads shall be made of bitumen / concrete to reduce the fugitive emission by vehicular movement with proper cleaning and wetting mechanism.
- vi. Provision of green belt shall be made along the periphery of the individual unit.
- vii. Provision shall be made for systematic water sprinkling at places of dust generation to reduce the fugitive emission and records of water utilization shall be maintained.
- viii. The telescopic chute / any other system shall be adopted to reduce the fugitive emission while loading the products into trucks / fine dust in the bags.
- ix. Provision of Personal Protective Equipments (dust mask, helmet, safety shoes, goggles, ear plugs) and utilization by all the workers during operation of the plant shall be ensured.

- x. Prominent display regarding the effect of silicosis inside the premises for awareness of workers and other concern shall be ensured.
  - xi. Units shall provide designated storage for dust collected from APCDs and fugitive emissions. The dust shall be disposed in the manner prescribed by GPCB. The records of dust disposal shall be maintained. The unit shall remove the collected dust at regular interval.
  - xii. The units shall ensure environmental monitoring and submission of reports to GPCB at regular intervals.
  - xiii. The units shall also ensure the compliance of provisions of aspects related with health, safety and labour laws enforced by concerned Govt. agencies.
  - xiv. The house keeping shall be improved.
  - xv. Each industry under the supervision of State Authority shall have X-ray scan with other supporting clinical tests of each worker of the industry on monthly / bi-monthly basis or as per the Health Requirement Protocols.
  - xvi. The Units shall submit a time bound action plan to comply with the above measures, within 30 days.
7. That in compliance of the CPCB directions, Gujarat State Pollution Control Board has issued directions dated 12.07.2016 u/s 31-A of the Air (Prevention and Control of

Pollution) Act, 1981 to all the 16 non-complying quartz grinding units and 11 non-operational quartz grinding units to comply the following directions within 15 days from the date of receipt of the directions.

27/7/2016

- i. Adequate provision of dust extraction system shall be made at potential sources such as jaw crusher hopper, transfer points of materials from conveyer belt, disintegrator, transfer points of materials from bucket elevators to other plant equipment, rotary screens, magnetic separators, vibratory screens etc. The dust extraction system of such potential sources shall be routed through Air Pollution Control Device (APCD). Stacks attached to APCDs are to be equipped with adequate monitoring facility as per CPCB Emission Regulation, Part-III.
- ii. The height of stack shall be maintained minimum 2 meter above the roof level as prescribed by Board.
- iii. Sheds provided for plant process machineries shall be closed properly and provision of Closed Circuit Television (CCTV) camera shall be made rather than keeping small openings in shed for frequent observations.

- iv. The internal roads shall be made of bitumen / concrete to reduce the fugitive emission by vehicular movement with proper cleaning and wetting mechanism.
- v. Provision of green belt shall be made along the periphery of the individual unit.
- vi. Provision shall be made for systematic water sprinkling at places of dust generation to reduce the fugitive emission and records of water utilization shall be maintained.
- vii. The telescopic chute / any other system shall be adopted to reduce the fugitive emission while loading the products into trucks / fine dust in the bags.
- viii. Provision of Personal Protective Equipment (dust mask, helmet, safety shoes, goggles, ear plugs) and utilization by all the workers during operation of the plant shall be ensured.
- ix. The units shall ensure environmental monitoring and submission of reports to GPCB at regular intervals.
- x. The house keeping shall be improved.
- xi. The Units shall submit a time bound action plan to comply with the above measures, within 30 days.

The copies of the directions issued by the Gujarat State Pollution Control Board to individual industries are enclosed as **Annexure- I (Page No 11-64)**.

8. That this Hon'ble Court vide its order, dated 30.06.2016 directed as follows:-

*"...The Central pollution Control Board has filed an affidavit and submits that the CPCB is taking vigorous action. Report be filed within six weeks..."*

9. That in pursuant to the Hon'ble Court order, dated 30.06.2016, Central Pollution Control Board (CPCB) has carried out inspection and monitoring during July 20-21, 2016 of those 14 quartz processing units which were found closed during earlier inspection (01.06.2016 to 04.06.2016). The task has been completed in association with the Regional Office, Godhra of Gujarat Pollution Control Board (GPCB).

10. That 14 quartz grinding units were inspected, out of which 4 industrial units were found operational, 8 units were found non-operational (two units have been merged) and one unit

is permanently closed.

*4 operation  
8 no operation*

- 11 The fugitive emission monitoring was conducted in all 4 operational quartz grinding units and the monitoring results of SPM ranged from 138.67  $\mu\text{g}/\text{m}^3$  to 610.55  $\mu\text{g}/\text{m}^3$  against the prescribed standard of 600  $\mu\text{g}/\text{m}^3$ . Fugitive emission for Suspended Particulate Matter (SPM) found exceeding in one operational unit.

12 The stack emission monitoring was also conducted in 01 operational quartz grinding unit. The emission monitoring in other 3 units could not be conducted due to lack of adequate monitoring facility in the stacks. The monitoring result of Particulate Matter (PM) was 105 mg/Nm<sup>3</sup> against the prescribed standard of 150 mg/Nm<sup>3</sup>. Source emissions found well within the prescribed limit.

13 The non-compliance observed in one unit w.r.t. prescribed norms is similar to that non-compliance which was observed in 16 units inspected earlier. In other three operational units, deficiencies w.r.t. pollution control measures, housekeeping etc. were observed for which recommendations have been made in the individual inspection reports. The copies of inspection reports of all 12 units (as 1 unit is permanently closed and 1 unit is merged with other unit) is enclosed as **Annexure – II (Page No. 65-134)**

14 That Central Pollution Control Board has forwarded the copy of inspection reports of 12 quartz grinding units to Gujarat State Pollution Control Board for pursuing the matter for ensuring the compliance of the directions issued earlier in

these units. The copy of the CPCB letter dated 03.08.2016 is enclosed as **Annexure III (Page No. 135)**

**Prayer:**

CPCB has undertaken comprehensive inspection and monitoring of all the quartz grinding units located in Godhra, Gujarat and already directed Gujarat Pollution Control Board to take measures to control the pollution and safeguarding the health of the workers of quartz grinding units u/s 18(1)(b) of the Air Act, 1981. The compliance of the directions and further follow up has to be ensured by the Gujarat State Pollution Control Board.



**DEPONENT**

**VERIFICATION**

Verified at Delhi on this 10<sup>th</sup> day of August, 2016 that the contents of this affidavit are true and correct to the best of my knowledge and nothing has been concealed therein.



**DEPONENT**

OK  
Page no. - 1247

107

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
WRIT PETITION (CIVIL) NO. 110 OF 2006

IN THE MATTER OF:-

PEOPLE'S RIGHTS & SOCIAL RES.  
CENTRE & ORS .....PETITIONERS

VERSUS

UNION OF INDIA & ORS .....RESPONDENTS

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2.	<u>Annexure I</u> Copy of the order dated 01.05.2017.	6 - 10
3.	<u>Annexure II</u> The names of the 35 units inspected in the Godhra District Gujarat and their date of inspection alongwith compliance status.	11 - 16
4.	<u>Annexure III</u> The quartz units were directed to comply the emission conditions/norms as detailed in the order of Hon'ble Supreme Court dated 30.08.2016.	17 - 33
5.	<u>Annexure IV</u> Visit reports of quartz grinding units for verification of compliance by units & status of verification of directions issued by CPCB U/s 18(1)(b) to Gujarat Pollution Control Board from 14.06.2017 to 19.06.2017.	34 - 230

Filed by,

(P. N. PURI)

Advocate for the Respondent No. 9

Dated: 24.07.2017

IN THE HON'BLE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 110 OF 2006

IN THE MATTER OF:-

PEOPLE'S RIGHTS & SOCIAL

RES. CENTRE & ORS

PETITIONERS

VERSUS

UNION OF INDIA & ORS

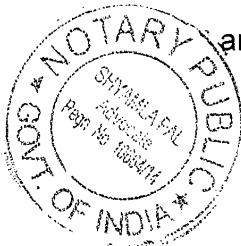
RESPONDENTS



AFFIDAVIT IN COMPLIANCE OF THE ORDER  
DATED 01/05/2017 PASSED BY THIS HON'BLE  
COURT ON BEHALF OF THE CENTRAL  
POLLUTION CONTROL BOARD, DELHI

1. I, Nalin Kumar Gupta, Central Pollution Control  
Board (CPCB), Parivesh Bhavan, East Arjun  
Nagar, Delhi 110 032 do hereby solemnly affirm

and declare as under:



2

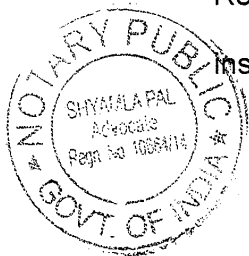
2. That, I in the capacity of the Additional Director, Central Pollution Control Board (CPCB), Delhi, am fully conversant with the facts of the case and hence, competent to swear this Affidavit.

3. That the Hon'ble Supreme Court vide order dated 01/05/2017 issued directions to the Central Pollution Control Board as reproduced below:

"Mr. Bhusan states that the Central Pollution Control Board may be directed to inspect the factories again. Learned counsel appearing for the said Pollution Control Board has assured us that inspections of factories will be carried out as desired by Mr. Bhusan."

The copy of the order dated 01/05/2017 is annexed hereto as **Annexure-I**.

4. It is submitted that in compliance of the said order the Central Pollution Control Board, Regional Directorate, Vadodara conducted the inspection/monitoring of 35 quartz and other



3

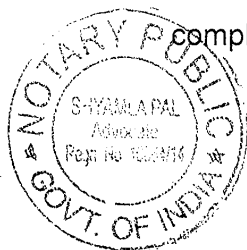
silica producing industries situated in Godhra, Gujarat during the period from 14/06/2017 to 19/06/2017.

5. That the names of the 35 units inspected in the Godhra district Gujarat and their date of inspection along with compliance status are given at **Annexure-II**.

6. That the quartz units were directed to comply with emission conditions/norms as detailed in the order of Hon'ble Supreme Court dated 30/08/2016 and the same is given at **Annexure-III**.

7. That out of 35 quartz units, none of the unit is complying the stipulated conditions, 23 units are partially complying the conditions and 12 units are not in operation.

8. That CPCB is taking necessary steps to issue directions to 23 partially complying units for complete compliance.



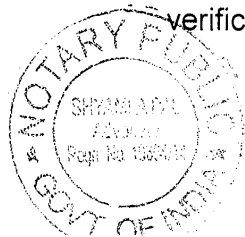
4

9. That on 16/06/2016, CPCB issued directions to the Chairman, Gujarat Pollution Control Board, Gandhi Nagar U/s 18 (1) (b) of the Air (Prevention and Control of Pollution) Act, 1981 in the matter related to quartz grinding units, Godhra, Gujarat. Thereafter Gujarat PCB submitted an affidavit before this Hon'ble Court dated 19.9.2016 giving the following details:

- Gujarat PCB has already issued directions under Sec 31A of the Air Act to 27 quartz industries located in the Godhra while 3 units are permanently closed.
- 14 non-operating units to be monitored as & when they are in operation.
- Direction under Sec 31A Air Act issued to 5 quartz industries for not replying to the direction.
- Direction of closure under Sec 31A issued to all non-complying units.
- Gujarat PCB will see that quartz grinding units will function only if they comply with the mandatory requirements as per CPCB recommendations.

10. That visit reports of quartz grinding units for verification of compliance by units & status of

*QNM*



5

verification of directions issued by CPCB U/s 18 (1)  
(b) to Gujarat Pollution Control Board from  
14/06/2017 to 19/06/2017 are annexed herewith as  
**Annexure-IV.**

11. That in view of the above, it is respectfully  
submitted that this Hon'ble Court may be  
pleased to pass appropriate order or directions  
and the Central Pollution Control Board shall  
abide by the orders/directions if any, given to it.

*[Handwritten signature]*

DEPONENT

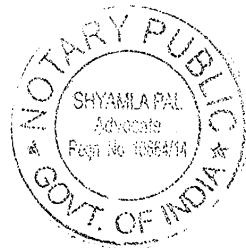
VERIFICATION

Verified at Delhi on this 21<sup>st</sup> day of July, 2017 that  
the contents of this affidavit are true and correct to the  
best of my knowledge and nothing has been  
concealed therein.

*[Handwritten signature]*  
Identify the Deponent who has signed  
through electronic means before me.

*[Handwritten signature]*

DEPONENT



**ATTESTED**

*[Handwritten signature]*  
NOTARY PUBLIC DELHI  
GOVT INDIA

21 JUL 2017

**IN THE SUPREME COURT OF INDIA  
(CIVIL ORIGINAL JURISDICTION)  
WRIT PETITION (CIVIL) NO. 110 of 2006**

**IN THE MATTER OF:**

PEOPLES RIGHTS AND SOCIAL

RESEARCH CENTRE (PRASAR) & ORS.

... APPELLANT(S)

VERSUS

UNION OF INDIA & ORS.

... RESPONDENT(S)

**INDEX**

S.No.	Particulars	Page No.
1.	Additional Affidavit on behalf of the Respondent No. 9, Central Pollution Control Board.	1-3
2.	<b>ANNEXURE I:</b> Copy of letters written by Central Pollution Control Board to Gujrat Pollution Control Board requesting status of non-complying units.	4-7
3.	<b>ANNEXURE II:</b> Copy of GPCB's letter providing the latest status of quartz units in Godhra, Gujarat.	8-13
4.	Proof of Service	14

THROUGH:

Digitally signed  
by SAURABH  
MISHRA  
Date: 2024.04.27  
16:38:21 +05'30'

**SAURABH MISHRA**

**ADVOCATE FOR THE RESPONDENT No. 9**

Chamber: 628, Block D, Additional Building Complex

Supreme Court of India, New Delhi – 110001

Office: D-277, First Floor, Defence Colony

New Delhi – 110024

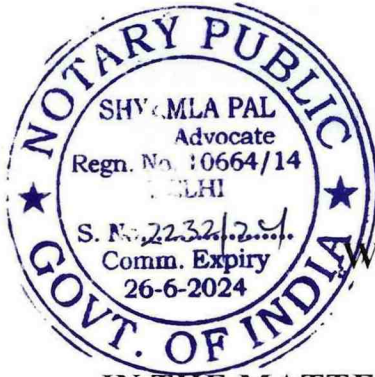
Mob: +91-9810160176

Email: reachsaurabh@hotmail.com

office@mishra.law

**Place:** New Delhi

**Date:** 27.04.2024



IN THE SUPREME COURT OF INDIA  
(CIVIL ORIGINAL JURISDICTION)

WRIT PETITION (CIVIL) NO. 110 OF 2006

**IN THE MATTER OF: -**

'PEOPLES RIGHTS AND SOCIAL

RESEARCH CENTRE (PRASAR) & ORS

...APPELLANT(S)

VERSUS

UNION OF INDIA AND ORS.

... RESPONDENT(S)

**ADDITIONAL AFFIDAVIT FOR AND ON BEHALF OF RESPONDENT  
NO. 9, i.e. CENTRAL POLLUTION CONTROL BOARD IN  
COMPLIANCE OF THIS HON'BLE COURT'S ORDER DATED  
15.04.2024 IN THE AFORESAID MATTER**

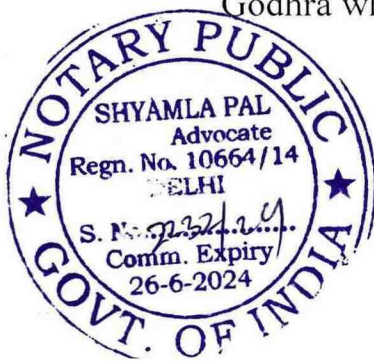
I, Nazimuddin S/o Iftitah Uddin, aged about 58, working as Scientist "F" in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032, do hereby solemnly affirm and declare as under:

2. That, I, in the capacity of Scientist "F" in Central Pollution Control Board, am fully conversant with the facts of the case and hence, competent and duly authorised to swear this Affidavit on behalf of the Respondent No.9. i.e., Central Pollution Control Board (hereinafter referred to as "CPCB" or "Answering Respondent").
3. That the Hon'ble Supreme Court vide order dated 15.4.2024 in Writ Petition (C) No. 110 of 2006, in the matter of 'Peoples Rights and Social

Research Centre (PRASAR) & Ors. vs Union of India & Ors', has directed as follows:

*'These matters have been listed after five years. The last order was passed on 05.03.2019 issuing certain directions. Learned counsel for the CPCB, the States and the Union are granted a week's time to file their status reports. It is made clear that no further time will be granted and the Court will proceed to hear the matters on the next date. List the matters again on 30.04.2024 in the top ten cases. In the meantime, liberty is granted to the learned counsel for the parties to file notes on their respective submission'.*

4. That it is humbly submitted that in compliance of the last order passed on 05.03.2019, wherein certain directions were issued by this Hon'ble Court, CPCB requested Gujarat Pollution Control Board (hereinafter referred to as "GPCB") vide letter dated 8.3.2019 and 5.4.2019 to provide status of quartz units in Godhra, Gujarat. Subsequently, further to these letters, CPCB requested GPCB vide an e-mail dated 24.4.2019 to provide details of the action taken or proposed to be taken against non-complying units. Copies of the above said letters and email, are enclosed as **Annexure 1** collectively.
5. That it is humbly submitted that in compliance of the latest order dated 15.4.2024, CPCB requested GPCB vide letter dated 15.4.2024 and 18.4.2024 to provide latest operational status and status of air pollution control system in quartz grinding units in Godhra and GPCB vide letter dated 19.4.2024 provided the status of 35 Nos. of quartz grinding units in Godhra which was based on inspections carried out in the past.



dated 19.4.2024 provided the status of 35 Nos. of quartz grinding units in Godhra which was based on inspections carried out in the past.

6. That it is humbly submitted that CPCB again requested GPCB vide email dated 24.4.2024 to provide the latest status of these se units and GPCB vide letter dated 26.4.2024 has provided the latest status of 35 Nos. of quartz grinding units in Godhra based on fresh inspections. Letter dated 26.04.2024 of GPCB providing the latest status of quartz unit in Godhra, Gujarat is enclosed as **Annexure- 2**.

*hazgi*

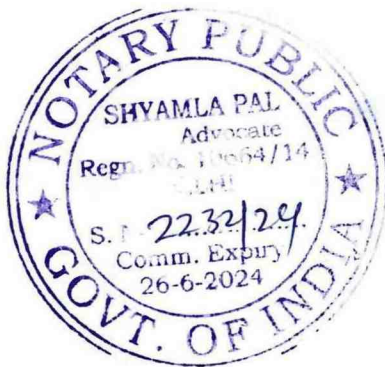
**DEPONENT**

नाज़िमउद्दीन / Nazimuddin  
वैज्ञानिक 'एफ' / Scientist 'F'  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(M/o Environment, Forest And Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

*sub*  
Identify the Deponent as Nazimuddin  
thumb impression in my presence

**VERIFICATION**

Verified at New Delhi on this **27 APR 2024** day of April, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.



*hazgi*

**DEPONENT**

नाज़िमउद्दीन / Nazimuddin  
वैज्ञानिक 'एफ' / Scientist 'F'  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(M/o Environment, Forest And Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

**ATTESTED**

*Shyamla Pal*  
NOTARY PUBLIC DELHI  
GOVT INDIA

**27 APR 2024**

Email

Power, CPCB

---

**Fwd: Order dated 05/03/2019 in W.P. (C) 110 of 2006 (Peoples Rights and Social Research Centre Vs Union of India, Ministry of Labour and Employment Secretary & Ors.) Hon'ble Supreme Court - Regarding**

---

**From :** Nazimuddin <nazim.cpcb@nic.in> Fri, Apr 26, 2024 02:15 PM  
**Subject :** Fwd: Order dated 05/03/2019 in W.P. (C) 110 of 2006 (Peoples Rights and Social Research Centre Vs Union of India, Ministry of Labour and Employment Secretary & Ors.) Hon'ble Supreme Court - Regarding 3 attachments  
**To :** Power, CPCB <power.cpcb@gov.in>

Pl club two letters and email page (without court order) as one pdf

---

**From:** "Dinesh Chandra Jakhwal" <jakhwaldc@yahoo.com>  
**To:** "Vijaykumar D. Rakholia (GoG-GPCB Dept.)" <uh-gpcb-godh@gujarat.gov.in>, ms-gpcb@gujarat.gov.in, "Legal Officer" <legal.gpcb@gmail.com>, membersecretarygpcb@gmail.com  
**Cc:** "Nazim Pams" <nazim.cpcb@nic.in>  
**Sent:** Wednesday, April 24, 2019 5:01:35 PM  
**Subject:** Re: Order dated 05/03/2019 in W.P. (C) 110 of 2006 (Peoples Rights and Social Research Centre Vs Union of India, Ministry of Labour and Employment Secretary & Ors.) Hon'ble Supreme Court - Regarding

Sir,

This has reference to your e-mail providing operational status of 35 quartz units in Godhra. Please provide details of the action taken against non-complying units (closure / other actions) after CPCB's directions dated 16.06.2016 and also the action proposed on the basis of current status for closure of non-complying units urgently.

Yours faithfully;

D. C. Jakhwal

---

Dinesh Chandra Jakhwal,  
Scientist 'C',  
IPC - II Division,  
Central Pollution Control Board,  
(Ministry of Environment, Forest and Climate Change, Government of India),  
'Parivesh Bhawan',  
C.B.D. Cum Office Complex,  
East Arjun Nagar, Delhi - 110 032, **INDIA**,  
Phone No. (Office): +91 -11 - 43102349  
Fax No. (Office): +91 -11 - 22301071  
Mobile No.: +91-9891436656

E - Mail Addresses: [jakhwaldc@yahoo.com](mailto:jakhwaldc@yahoo.com), [dcj.cpcb@nic.in](mailto:dcj.cpcb@nic.in)

On Thursday, 18 April, 2019, 3:12:53 pm IST, Vijaykumar D. Rakholia (GoG-GPCB Dept.) <uh-gpcb-godh@gujarat.gov.in> wrote:

Respected Sir,




With reference to above I am directed to submit that Regional Office of the Board has monitored 35 Quartz units located in Godhra Region recently. Operational status of above 35 units is attached herewith for your information and necessary action.

Thanking You,

V. D. Rakholia

Unit Head- Godhra

This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any error or omissions in the contents of this message, which arise as a result of e-mail transmission.

- 
-  **Letter of GPCB 08.03.2019.pdf**  
2 MB
  -  **Letter of GPCB & RDW 05.04.2019.pdf**  
351 KB
  -  **Operational status of Quartz units\_Gujarat.docx**  
27 KB
-

**SPEED POST**

No. CPCB / Mining / IPC – II/ 2017 -18

5<sup>th</sup> April 2019

To,  
The Member Secretary,  
Gujarat Pollution Control Board,  
Sector 10-A, Gandhi Nagar – 382 043,  
**GUJARAT**

Sub.: **Order dated 05/03/2019 in W.P. (C) 110 of 2006 (Peoples Rights and Social Research Centre Vs Union of India, Ministry of Labour and Employment Secretary & Ors.) Hon'ble Supreme Court - Regarding.**

Sir,

This has reference to CPCB letter dated 8<sup>th</sup> March 2019 and related E- Mail dated 13<sup>th</sup> March 2019 on above cited subject, wherein it was requested to provide closure direction status and functional - non functional status of concerned quartz units at the earliest. The requested information is still awaited.

It is again requested to provide the desired information at the earliest, so that necessary Action Taken Report can be submitted to the Hon'ble Supreme Court in time.

Yours faithfully;

**(Nazimuddin)**  
**Additional Director &**  
**Divisional Head – IPC II**

Copy to:

✓ The Regional Directorate (West), : For follow up please.  
Central Pollution Control Board,  
Parivesh Bhawan,  
Opp. VMC Ward Office No. 10,  
Subhanpura, Vadodara-390 023  
**GUJARAT**

**SPEED POST**

No. CPCB / Mining / IPC – II/ 2017 -18

8<sup>th</sup> March 2019

17923

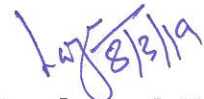
To,  
The Member Secretary,  
Gujarat Pollution Control Board,  
Sector 10-A, Gandhi Nagar – 382 043,  
**GUJARAT**

Sub.: **Order dated 05/03/2019 in W.P. (C) 110 of 2006 (Peoples Rights and Social Research Centre Vs Union of India, Ministry of Labour and Employment Secretary & Ors.) Hon'ble Supreme Court - Regarding.**

Sir,

It is requested to refer to i) CPCB's direction issued u/s 18(1)(b) of Air Act 1981 issued to GPCB on July 16, 2016 regarding quartz units in Godhra, ii) CPCB's report regarding verification of compliance status of 35 quartz units in Godhra, which was submitted to Supreme Court in July 2017 in WP (C) 110 of 2006 - Peoples Rights and Social Research Centre (Prasar) Vs. Union of India, Ministry of Labour and Employment Secretary & Ors., and iii) Supreme Court order dated March 5, 2019 - the portion related to said CPCB's report; and provide closure direction status and functional - non functional status of concerned quartz units at the earliest, preferably by March 13, 2019.

Yours faithfully;



**(Nazimuddin)**  
**Additional Director &**  
**Divisional Head – IPC II**

केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
निर्गत...  
दिनांक 11-03-19



121  
ANNEXURE - II  
GUJARAT POLLUTION CONTROL BOARD

8

PARYAVARAN BHAVAN, SECTOR 10-A,  
GANDHINAGAR - 382010,  
(T) 079-23232152

By R.P.A.D.

No. GPCB/ LGL-SC-14(3)/ 809704

26 APR 2024

To,  
Divisional Head-IPC-II,  
Parivesh Bhavan, East Arjun Nagar,  
New Delhi – 110032.

**Subject:** Writ Petition (Civil) No. 110 of 2006 Peoples Rights And Social Research Centre  
(Prasar) Vs. Union of India Ministry of Labour and Employment Secretary – reg.

**Reference :** (i) CPCB, New Delhi's letter dated 15.04.2024.  
(ii) Letter of this office dated 19.04.2024.

Respected Sir,

In connection to above subject and reference, it is to kindly inform you that with respect to Writ Petition (Civil) No. 110 of 2006 Peoples Rights And Social Research Centre (Prasar) Vs. Union of India Ministry of Labour and Employment Secretary, Gujarat Pollution Control Board (GPCB) has conducted site-inspections of the 35 nos. quartz grinding units in order to verify current status of compliance of CPCB directions.

During site-inspection, it is observed that among 35 nos. quartz grinding units, 9 nos. quartz grinding units are found in operation at the time of inspection whereas remaining 26 nos. quartz grinding units are found not in operation at the time of inspection. Among these 26 nos. units, 16 nos. units are found functional, however temporarily not in operation due to low market demand/routine maintenance work; whereas 2 nos. units are found locked & closed and 8 nos. units has dismantled their plant machinery and permanently closed their units.

Earlier, GPCB has submitted compliance details of the said 35 nos. quartz grinding units as per available records of previous inspection reports, vide letter dated 19.04.2024.

Now, Details w.r.to CURRENT STATUS OF COMPLIANCE of the said 35 nos. quartz grinding units are enclosed as Annexure-‘A’.

This letters is issued with the approval of competent authority.

With Regards,

Yours Faithfully



(A.J. Patel)

Unit Head - Godhra

**Encl:** Annexure-‘A’

**Copy To:**

The Regional Director, CPCB,  
Parivesh Bhavan, Opp. Ward No. 10, VMC Office,  
Subhanpura, Vadodara – 390023

..... For your kind information  
please.

Annexure - A

DETAILS OF QUARTZ UNITS - GODHRA, GUJARAT

Sr.No.	NAME	DATE OF LAST INSPECTION	CTE/CCA STATUS	Is unit in operation ? (Y/N)	Compliance of CPCB Directions (Details of compliance points are attached as Annexure-1)														Remarks
					Point 1	Point 2	Point 3	Point 4	Point 5	Point 6	Point 7	Point 8	Point 9	Point 10	Point 11	Point 12	Point 13	Point 14	
1	BADRI MINERALS, Plot no 144/2,Ahmedabad Highway, Nr FCI Godown, PO: Bhamaiya Tal: Godhra, Dist:Panchmahal	19.04.2024	AW-32440 23/09/2025	Y	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is found in operation and Provided APCDs are found in operation No major abnormalities observed during inspection.
2	Crystal India, Plot no 144/1/p, Ahmedabad Highway,Vill: Bhamaiya Tal:Godhra, Dist:Panchmahal	19.04.2024	AW-64732 01/08/2030	Y	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is found in operation and Provided APCDs are found in operation No major abnormalities observed during inspection.
3	Shrinathji Minerals, Plot no 151/p,Vill:Timba Tal:Lunawada,Dist:Mahisagar	20.04.2024	AW-35516 31/12/2028	Y	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is found in operation and Provided APCDs are found in operation No major abnormalities observed during inspection.
4	SHRINATHJI QUARTZ INDUSTRIES, Plot no 151/p Vill:Timba,PO: Singanli Tal:Lunawada,Dist:Mahisagar	20.04.2024	AW-35517 31/12/2028	Y	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is found in operation and Provided APCDs are found in operation No major abnormalities observed during inspection.
5	Diamond Abrasives, R.S. No: 360, Vajalpur Road, Chikhodra Tal: Godhra,Dist:Panchmahal	19.04.2024	AW-34022 20/12/2025	Y	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is found in operation and Provided APCDs are found in operation No major abnormalities observed during inspection.
6	QUARTZ INDIA, Plot no 54/6 to 57/3, Vill:lileshra, Tal:Godhra,Dist:Panchmahal	19.04.2024	AW-29520 31/03/2025	Y	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is found in operation and Provided APCDs are found in operation No major abnormalities observed during inspection.
7	National Minerals, Plot no 184/1, Chikhodra,Godhra-Baroda Highway, Ta: Godhra,Dist:Panchmahal	19.04.2024	EXPIRED AW-54786 18/05/2032	Y	Complied	Partially Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is found in operation.. Unit has partially complied with point no. 2. Unit has provided APCD as well as stack. However, provided stack monitoring facility is not adequate.
8	SHREE JALARAM INDUSTRIES (UNIT-II), Vill:Sureli,Tal:Kalol, Dist: Panchmahal	02.04.2024	APPLIED (previous CCA expired on 01.02.2024)	Y	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	Unit has dicontinued production of quartz sand.
9	BHARAT SILICA WORKS, 625,626,627, At Sureli Tal: Kalol,Dist:Panchmahal	07.03.2024	AW-71543 26.06.2026	Y	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	Unit has dicontinued production of quartz sand.
10	DHARTIDAN MINERALS, S.no. 135, Vill: Bhamaiya, Tal:Godhra, Dist:Panchmahal	19.04.2024	CCA RENEWAL REJECTED (previous CCA expired on 18.03.2021)	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.

11	SARA MINERALS, Sr no 127,Vill:Popatpura Tal:Godhra,Dist:Panchmahal	19.04.2024	AW-40661 05/01/2027	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.
12	UNIVERSAL MINERAL, Sr no 698/1/p/1, Vill: Samali,Daruniya Road, Tal:Godhra,Dist:Panchmahal	19.04.2024	AW-30916 30/06/2025	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.
13	CLASSICAL MINERALS, Plot no 189/1, Vill:Popatpura, Tal:Godhra,Dist:Panchmahal	19.04.2024	AW-46038 14/11/2025	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.
14	PERFECT MINERALS, S.No. 145, Vill: Bhamaiya Tal:Godhra, Dist: Panchmahal	19.04.2024	AW-37629 18/05/2024	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.
15	RAYESHEEN MINERALS, Opp:CitizenCement, Vill:Chikhodra, Tal: Godhra,Dist: Panchmahal.	19.04.2024	AW-28452 31/03/2025	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.
16	ELICON MINERAL CORPORATION, Plot no 163, Near Railway Over Bridge, Ahmedabad Road, Tal: Ghodhra, Dist:Panchmahal	19.04.2024	AW-32726 04/10/2025	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.
17	New Panchmahal Minerals, Sr no 672/2, DaruniyaSamli Road, Tal: Godhra,Dist:Panchmahal	19.04.2024	AW-68958 10/11/2033	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.
18	Gujarat Minerals, Sr no 700-7,Vill: Samali Daruniya Road, Tal: Godhra,Dist:Panchmahal	19.04.2024	AW-47676 04/06/2031	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.
19	Vasundhra Mineral Products, 69, Vill: Popatpura Tal: Godhra,Dist:Panchmahal	19.04.2024	AW-45680 10/03/2028	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.
20	Nilkanth Minerals, Sr no445 P-2,Vill: Limbadiya Tal: Khanpur,Dist:Mahisagar	20.04.2024	AW-30716 31/03/2025	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.
21	SHRI VITHALESH MINERAL, Plot no 7,Mega GIDC ,Kharedi Tal: Dahod, Dist: Dahod	20.04.2024	AW-46220 23/04/2026	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.
22	Raj Minerals, Plot no 144/2, Nr FCI Godown,Vill: Bhamaiya Tal: Godhra, Dist:Panchmahal	19.04.2024	AW-32439 20/09/2025	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.
23	HINDUSTAN MINERAL PRODUCTS, S.No. 112,Vill: Bhamaiya Tal:Godhra,Dist: Panchmahal	20.04.2024	AW-52013 31/12/2026	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection.

24	Patel Minerals, Plot no 144/2, Nr FCI Godown,Vill: Bhamaiya Tal: Godhra,Dist:Panchmahal	19.04.2024	AW-37833 02/05/2029	N	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Partially Complied	Unit is functional, however not found in operation during inspection. Housekeeping is required to be improved.
25	Ajanta Minerals, S.no 151-2,Vill: Bhamaiya Tal: Godhra,Dist:Panchmahal	19.04.2024	AW-31106 30/06/2025	N	Complied	Partially Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Complied	Unit is functional, however not found in operation during inspection. Unit has provided APCD as well as stack. However, unit has not provided stack monitoring facilities.
26	SKYT MINERALS, Plot no 503, GIDC Kharedi, Tal: Dahod, Dist: Dahod	20.04.2024	CCA RENEWAL REJECTED	N	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	Unit is not functional/operational..Unit is found closed & locked during inspection.
27	SKYT INDUSTRIES, Plot no 388 & 389, GIDC Kharedi, Tal: Dahod, Dist: Dahod	20.04.2024	CCA RENEWAL REJECTED	N	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	Unit is not functional/operational..Unit is found closed & locked during inspection.
28	KIRAN GLOBAL CHEMS LTD. (FORMERLY WHITE SILICA), 92-1,Vill: Bhamaiya Tal:Godhra,Dist: Panchmahal	20.04.2024	EXPIRED	N	NOT APPLICABLE (NA)														These units are permanently closed and plant machinery are dismantled/removed. Units are not functional.
29	HARSIDHHI MINERALS, S.No. 44/p,Vill: Jethari, Tal:Lunawada, Dist:Mahisagar	20.04.2024	CCA EXPIRED	N															
30	INDIAN MINERALS, Plot no 30-1,Vill:Hamirpur, Tal:Godhra,Dist: Panchmahal	19.04.2024	CCA EXPIRED	N	NOT APPLICABLE (NA)														As reported earlier, these units are permanently closed and plant machinery are dismantled/removed. Units are not functional.
31	YAMUNAJI MINERALS CORPORATION, Plot no 83,84 GIDC Godhra Tal:Godhra, Dist:	19.04.2024	CCA EXPIRED	N															
32	BHAGWAD MINERALS, Tal:Godhra,Dist: Panchmahal	19.04.2024	CCA EXPIRED	N															
33	MAYUR MINERALS, Tal:Godhra,Dist: Panchmahal	19.04.2024	CCA EXPIRED	N															
34	KUMAR INDUSTRIAL CORPORATION, Plot No. 62,63/5-6, GIDC-Godhra Tal:Godhra,Dist: Panchmahal	19.04.2024	CCA EXPIRED	N															
35	KUMAR MINERALS, Tal:Godhra,Dist: Panchmahal	19.04.2024	CCA EXPIRED	N															

**Annexure 1**

Compliance Point 1	Adequate provision of dust extraction system shall be made at potential source such as jaw crusher hopper, transfer points of materials from conveyer belt, disintegrator, transfer points of materials from bucket elevators to other plant equipment, rotary screens, magnetic separators, vibratory screens etc. The dust extraction system of such potential sources shall be routed through Air Pollution Control Device (APCD). The quartz grinding units shall meet the stipulated norms for fugitive emission (suspended particulate matter) prescribed by GPCB.
Compliance Point 2	APCDs provided by the units shall be maintained and operated properly. Stacks attached to APCDs are to be equipped with adequate monitoring facility as per CPCB Emission Regulation, Part – III
Compliance Point 3	The height of stack shall be maintained minimum 2 meter above the roof level as prescribed by GPCB.
Compliance Point 4	Sheds provided for plant machineries shall be closed properly and provision of Closed Circuit Television (CCTV) camera shall be made rather than keeping small openings in shed for frequent observations.
Compliance Point 5	The internal roads shall be made of bitumen / concrete to reduce the fugitive emission by vehicular movement with proper cleaning and wetting mechanism.
Compliance Point 6	Provision of green belt shall be made along the periphery of the individual unit.
Compliance Point 7	Provision shall be made for systematic water sprinkling at places of dust generation to reduce the fugitive emission and records of water utilization shall be maintained.
Compliance Point 8	The telescopic chute / any other system shall be adopted to reduce the fugitive emission while loading the products into trucks / fine dust in the bags.
Compliance Point 9	Provision of Personal Protective Equipment (dust mask, helmet, safety shoes, goggles, ear plugs) and utilization by all the workers during operation of the plant shall be ensured.
Compliance Point 10	Prominent display regarding the effect of silicosis inside the premises for awareness of workers and other concern shall be ensured.
Compliance Point 11	Units shall provide designated storage for dust collected from APCDs and fugitive emission. The dust shall be disposed in the manner prescribed by GPCB. The records of dust disposal shall be maintained. The unit shall remove the collected dust at regular interval.
Compliance Point 12	The units shall ensure environmental monitoring and submission of reports to GPCB at regular intervals.
Compliance Point 13	The house keeping shall be improved
Compliance Point 14	Each industry under the supervision of State Authority shall have X-ray scan with other supporting clinical tests of each worker of the industry on monthly / bi-monthly basis or as per the Health Requirement Protocols

Item No. 06

Court No. 1

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

Original Application No. 1198/2024

Peoples Rights and Social Research Centre  
(PRASAR) & Ors.

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 03.10.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Abhimanue Shrestha & Mr. Amulya Nidhi, Advs. for Applicant No. 4  
(Through VC)

**ORDER**

1. This original application has been registered on the basis of the direction issued by the Hon'ble Supreme Court in the order dated 06.08.2024 passed in Writ Petition (Civil) No. 110/2006 in the matter of *Peoples Rights and Social Research Centre (PRASAR) & Ors. vs. Union of India & Ors.*

2. The Writ Petition under Article 32 of the Constitution of India was filed by the Applicant (writ Petitioner) raising the issue of Silicosis among workers in various industries across the country. A plea was raised that Silicosis is an incurable occupational lung disease caused by prolonged inhalation of silica dust and the said disease is rampant throughout India due to inadequate detection, monitoring, and remedial measures. It was also the plea that the inhaled silica particles over time cause

inflammation and scarring of the lung tissue, leading to reduced lung function and severe respiratory distress.

3. Various parties were impleaded as the case had progressed before the Supreme Court. The Central Pollution Control Board (CPCB) had conducted an inspection of the quartz grinding units in the State of Gujarat and made the recommendations which have also been taken note of by the Hon'ble Supreme Court and in pursuance to said recommendations, the Hon'ble Supreme Court had directed the Chairmen of SPCBs of Haryana, Rajasthan, Madhya Pradesh, Puducherry, Jharkhand and Delhi to identify the quartz grinding units and report the deficiencies. Accordingly, the units were identified and needful as per the direction of the Hon'ble Supreme Court was done.

4. The Hon'ble Supreme Court apart from other parties had also impleaded the *Silicosis Peedit Sangh* and had finally issued the following directions:

- “6. *Having perused the various reports submitted by the respective State Committees, the NHRC, the CPCB, and the DGMS, the instant writ petition raises two primary aspects for consideration. For both these aspects, there are statutory bodies duly constituted. They would be in a better position to monitor and oversee that the mandate of law and the earlier directions issued by this Court are not only duly implemented but further necessary steps are also undertaken.*
7. *Firstly, the environmental aspect of the matter pertains to ensuring that industries abide by certain minimal standards to prevent silicosis among their workers. In the event of non-compliance, these industries should face closure. **In our considered opinion, the National Green Tribunal<sup>1</sup> is the appropriate authority to oversee this aspect of the matter. The NGT, established under the National Green Tribunal Act in 2010, is tasked with the expeditious disposal of cases related to environmental protection and the speedy implementation of decisions. Given that this writ petition was filed in 2006, prior to the establishment of the NGT, these matters could not have been presented before the Tribunal initially. However, we***

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<sup>1</sup> NGT

***now direct the NGT to oversee the impact of silicosis prone industries and factories across India and ensure that the CPCB and the respective SPCBs comply with the earlier directions of this Court. Furthermore, we direct the NGT to undertake any additional necessary steps to prevent the spread of silicosis by such industries and factories.***

8. *The second aspect concerns ensuring that adequate compensation is received by the affected workers or their next of kins as swiftly as possible. In this regard, we direct the NHRC to oversee the compensation process across the respective states. We also direct the ESIC and the Chief Secretaries of the respective states to adhere to the directions of the NHRC and collaborate with them to ensure that the compensation distribution process is carried out efficiently and without delay.*
9. *We further direct the Registry of this Court to ensure that all the relevant reports and affidavits pertaining to this matter, as submitted by the respective State Committees, the CPCB, the NHRC, and the DGMS, are forwarded to the NGT and the NHRC to facilitate the execution of their responsibilities effectively and swiftly. Petitioners would also be at liberty to approach the NGT and NHRC and extend all cooperation in implementation of the directions.*
10. *The Writ Petition is accordingly disposed of.”*

5. By the above order, NGT has been entrusted with the responsibility to oversee the impact of silicosis-prone industries and factories across India and ensure that the CPCB and respective SPCBs comply with the earlier directions of the Hon’ble Supreme Court. Further direction to NGT is to undertake the additional necessary steps to prevent the spread of silicosis by such industries and factories.

6. Issue notice to all the parties impleaded in the Writ Petition (OA).

7. Mr. Abhimanue Shrestha, Advocate is representing Petitioner No. 4. He is directed to serve all the parties in this OA/writ petition and file an affidavit of service at least one week before the next date of hearing. He is also directed to place on record a copy of the Writ Petition No. 110/2006 alongwith all the annexures thereto within four weeks.

8. List on 29.01.2025.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

October 03, 2024  
Original Application No. 1198/2024  
dv..