

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

**M.A. No. 989 of 2015
In
Original Application No. 100 of 2014**

Dr. A. Kishan Rao & Ors. Vs. Union of India & Ors.

**CORAM : HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER
HON'BLE Mr. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present: Applicant in M.A. : Mr. Pinaki Misra, Sr. Adv. with Mr. D. Bharathi Reddy
and Ms. Shivani Khandekar, Advs.
Respondent No. 1: Mr. Vikas Malhotra and Mr. M.P. Sayay, Advs.
Respondent No. 3: Mr. B.V. Niren, Advocate for CGSC
Respondent No. 5: Mr. Dhananjay Baijal and Mr. Nikhil Nayyar,
Advocates
Mr. S.L. Gundli, Sr. LO, CPCB**

	Date and Remarks	Orders of the Tribunal
	Item No. 02 September 30, 2015	<p>Heard the Learned Counsel appearing for Applicant in M.A. No. 989 of 2015, M/s. Sri Chaitanya Chlorides Pvt. Ltd. Submits that the present application has been moved for modification of the order dated 10th September, 2015 passed by us in absence of the Applicant for directing closure of the Applicant's industry. He submits that what weighed in the mind of the Tribunal is the report dated 11th June, 2015 which made reference to the closure order passed by State Pollution Control Board on 13th May, 2015 and the status as recorded therein. However, according to the Applicant, the corrective measures taken by the industry as regards the <i>Kachha Pits/Trench</i> as referred to in the aforesaid report, perhaps, escaped from the scrutiny of the Tribunal and the Tribunal formed an opinion that the huge quantity of acidic effluents were lying in the <i>Kachha Pits</i>, thereby giving rise to leachates, percolation and consequent contamination of groundwater with acidic content. He points out to the material contents in order dated 26th May, 2015 which made reference to the report of 11th</p>

June, 2015.

“The industry also taken certain corrective measures, against the lapses pointed out by the NGT team as “a & b” in their observation, which are as follows :

- a. The industry concretized floor area to an extent of 6600 sq. mtrs. In process section boiler section, ETP area & Hazardous waste storage area and area where there was acidic seepage was observed by the NGT team.*
- b. The industry has provided a trench for collection of seepages within the industry premises. This seepage was tested during inspection of 11.06.2015 and found to have a pH of 7, which was acidic during the NGT team inspection if, at any time this, seepage is found to be acidic, provisions were made for pumping this liquid to neutralization tank and then fed to MEE for evaporation.*

The industry has also provided granite flooring and side walls of 250 sq. mtrs in the scrubber area with acid/alkali proof resin with a collection pit to collect, neutralize and feed to the MEE for evaporation.

Thus the industry has complied the NGT recommendations/suggestion and also took corrective measures against the issues cited by Board while issuing closure order on 13.05.2015.”

According to him the *Kachha Pit* now converted into the trench collects the seepage from the elevated portion of the adjacent industries. Hence, now with concrete lining of the trench the issue of contamination of groundwater is materially addressed. He further submits that industry has installed MEE (Multi Effects Evaporator) which deals with the neutralized acidic contents of the trench and ultimately causes its evaporation to obtain Calcined salty remains resulting from neutralization of the acidic effluents. He also submits that industry has taken steps to install a Digester/Bio-treatment System which deals with water obtained from MEE for the purpose of making

it fit to be recycled within the plant. However, he submits that for the installation and commissioning of this digester they would require power and therefore the electricity connection be restored and the plant may be allowed to operate so as to facilitate the joint inspection of the plant to ascertain its environmental compatibility.

Notice to the non-Applicants by Registered Post/Acknowledgement due and Dasti as well. Notice made returnable on 14th October, 2015. Service of the notice is waived by the Respondents No. 1 – Union of India and the Respondent No. 5 – Telangana State Pollution Control Board and Respondent No. 2 – Central Pollution Control Board. Copies of the Application along with annexures thereto shall be furnished by the Applicant to the Learned Counsel appearing for Respondent No. 1, 2 and 5 forthwith.

In the meanwhile we permit the restoration of the electricity to the industry only for the purpose of installation of the digester and such other ancillary machinery within the plant. The Respondent No. 5 – Telangana State Pollution Control Board shall carry out inspection of the plant in order to verify whether the installation of digester and other machinery required to make the plant environmentally compatible has been done. Report be placed before the Tribunal upon such verification on 14th October, 2015.

Applicant shall give Notice to Respondent No. 5 – Telangana State Pollution Control Board of completion of the installation of requisite machinery referred to hereinabove.

		<p>List this matter on 14th October, 2015.</p> <p>.....,JM (U.D. Salvi)</p> <p>.....,EM (Ranjan Chatterjee)</p>
--	--	--

