

Item No. 17

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

Original Application No. 35/2018 (WZ)
(M.A. No. 168/2018 & I.A. No. 11/2019)

Jijaba Rangu Salunke & Anr.

Applicant(s)

Versus

M/s. Shree Bhimeshwari Ispat Pvt. Ltd. & Ors.

Respondent(s)

Date of hearing: 03.04.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s):

Mr. Pranav Patil, Advocate

For Respondent (s):

Ms. Saurabh Kulkarni, Ms. Priti Joshi and Mr. Prashant Bhat, Advocates in M.A. No. 168/2018& I.A. No. 11/2019
Ms. Gauri Kawade, Advocate for R-1&R-2
Ms. Manasi Joshi, Advocate for R- 3to5
Mr. Rahul Garg, Advocate for R-10
Mr. Aniruddha S. Kulkarni, Advocate for R-11

ORDER

1. The issue for consideration is the remedial steps to be taken for the air pollution allegedly caused by the industry, M/s Shree Bhimeshwari Ispat Pvt. Ltd. operating three units at plot nos. J-17, 18, 19, additional MIDC, Satara, Maharashtra.
2. According to the applicant, the said units are creating air pollution without protective measures resulting in respiratory diseases to the inhabitants. The Maharashtra State Pollution

Control Board (State PCB) has failed to take necessary action in the matter.

3. Vide order dated 04.07.2018, the Tribunal directed Central Pollution Control Board (CPCB) to furnish a report after verifying facts.

4. Accordingly, report dated 05.09.2018 was filed by CPCB finding violation of environmental norms and recommending as follows:-

“As elaborated above, major gaps were observed in the overall Environmental Systems of the unit. Therefore, following measures are required to be taken by the unit:-

- To develop environmental management system for all their three units through a national reputed/ government institute to address the entire environmental related issues arising due to production activities.
- The adequacy/ efficiency test of all the Air Pollution Control Devices in all their three units should be carried out through any National Laboratory and to submit the adequacy report of the APCDs to MPCB.
- Separate energy meters should be provided for all the APCDs provided in the units and to maintain log book to verify the operational status of ID fans & APCD equipment, etc. in all their three units. The unit may be asked to submit the said log book details of all their three units to MPCB on monthly basis.
- The unit should provide Interlocking system for the operation of equipment of APCDs and

the furnace, so that the operation of fume extraction system in the billet unit will be ensured during the operation of furnaces.

- The unit may be asked to provide CCTV cameras at strategic locations along with recording system within the shed and outside the shed especially towards the complainant village so that MPCB can verify the footages from time to time of the real situation, as regular vigilance of 24×7 is not possible.
- The unit may be asked to install weather monitoring & recording system to see the wind direction and pattern.
- The unit may be asked to provide at least one continuous AAQM stations in the predominant downwind to the unit to assess pollution levels and the connectivity should be provided to MPCB.
- The leakages and opening in the shed of the billet manufacturing unit needs to be closed immediately so as to avoid escaping of emissions from the plant area to outside atmosphere due to entry of wind through shed openings.
- Both the ID fans provided for suction of secondary emissions from Billet Plant (150 HP & 200 HP) shall be continuously operated as presently only blower of 200 HP is being operated as reported.
- The distance between roof top suction fans and secondary emission source in the billet plant is more (approx.70 Feet) and also due to wind interference (entering from open area of shed) proper suction may not be achieved. Additional provision of suction fans from side wall of the shed may be provided for efficient suction of emissions.

- Maintenance of scrubber water feed pumps in the billet shall be carried out regularly & shall be made operational regularly. Stand by pumps shall be ready for operation in case of main pump failure.
- The scrubber water settling tanks in the billet plant which was found filled with water & ash may be evacuated and replenished with fresh water on regular intervals. The unit may also maintain log book for the details of wet ash/sludge removed from the settling tank.
- The unit should provide flow meters where ever applicable so as to quantify the water use in different purposes and reuse/recycled/disposal after treatment.
- The contaminated raw material with paint, oil, plastic scrap will results into emission of poly aromatic hydrocarbons & other noxious gases. Industry shall segregate out such contaminants. Use of contaminated scrap (e.g. oil contaminated metal scrap, rubber & plastic coated/ lined materials) for melting shall be stopped. Though the industry is reportedly started segregating the same.
- The unit shall carry out dense tree plantation in the premises & periphery so as to prevent the dispersal of emissions from the factory premises.
- The unit shall provide effluent treatment plant (for sewage & trade effluent) on priority and the treated effluent shall be recycled/reused in premises. The unit shall avoid the discharge of wastewater into adjacent nalla.
- The unit may be asked to provide storm water drain in all their three units.
- The unit may be asked to provide concrete flooring inside the shed in the billet manufacturing unit.

- The unit shall provide slag/ solid waste storage in premises with proper shade and paved floor and maintain record for disposal of slag/solid waste.
- The unit may be asked to revamp the ladders & platform in the stack and to provide clear aisle to approach the stack area in the Billet manufacturing plant.
- The workers working in industry should be provided with PPEs like gum, boots, goggles, thermic gloves, helmets etc.
- The unit may be asked to improve the housekeeping within the premises in all their three units by way of providing proper flooring, providing storm water drains, disposal of slags and ash, etc. on regular basis and to maintain the record of slag/ ash generation and disposal details.”

5. An affidavit dated 01.04.2019 has also been filed by State PCB stating that notices were issued to the units for violation of consent conditions. A closure order has been passed in respect of Unit at J- 17 on 26.03.2019. It has been further stated that Units at J-18/2/5 and J-18/2/5/1 are not in operation. As regards Units at J-18 and J-19, the same are in operation but they are non-compliant and action is proposed to be taken against the said units also. Let such action be completed expeditiously preferably within 15 days from today.

6. Having regard to the findings of violation of environment norms by the units, the State PCB is also expected to initiate further steps according to law including prosecution, assessment and

recovery of the compensation for the damage already caused which steps may be completed as far as possible within two months. The State PCB may furnish action taken report to this Tribunal within three months by e-mail at ngt.filing@gmail.com.

The application stands disposed of.

List for further consideration on 14.08.2019.

Adarsh Kumar Goel, CP

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

April 03, 2019
Original Application No. 35/2018 (WZ)
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