

Item No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL**
(Through Video Conferencing)

Original Application No. 02/2023(CZ)

Sheikh Shakir

Applicant(s)

Versus

Grasim Industries Ltd. Chemical Division & Ors.

Respondent(s)

Date of hearing: **09.02.2023**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

For Applicant (s):

Ms. Zubia Sajid, Adv.

For Respondent(s):

None.

ORDER

1. The issues raised in this application is non-compliance of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 and discharging the chemical /untreated water into the open land adversely damaging the soil and further discharge of chemical water into the water body adversely affecting the fishes and animals who drink the water of the river. The brief facts of this original application are that the respondent no. 1 is a large scale industry engaged in production of stable bleaching power, poly aluminum chloride, Chlorinated paraffin, Chloromethane, Chloro Sulphonic Acid, Calcium Chloride and caustic soda. In addition to these the industry is production many by products which include Chlorine, Hydrochloric Acid, Sodium Hypochlorite, Hydrogen, Compressed Hydrogen, Carbon Dioxide. The city areas namely Rajendra Nagar.

Durgapura and Mehatwas are located adjacent to the co-generation plant about 200 meters in ward 35-36 of Nagda city which is a thickly populated area.

2. Respondent no. 1 operates with highly acidic elements like sulphur, mercury, chlorine, aluminium chloride, brine and HCL on a daily basis, leading to indiscriminate pollution in the area. The coal is heated with sulphur to produce carbon di sulphide and caustic soda which is highly inflammable.
3. Owing to the chemical processes, the chemical water from the premises is discharged into an industrial drain purposefully made by the officials of respondent no. 1 which flows into Chambal river located around 300 meters and thereby the toxic water is drained into the Gandhi Sagar Dam downstream the Chambal Nadi. This water is supplied to Nagda and Kachhrod for consumption.
4. The chemical used/produced in the industry is highly toxic and gives out a pungent smell which is unbearable for the residents living in and around Nagda town. Birds like sand-piper, dove were common in the area but are not visible anymore.
5. The respondent industry has not taken permission for extraction of ground water from the ground water board, however the industry is engaged in regular use of ground water.
6. The side effect of the these chemicals are submitted as follows :-

<i>Chloromethane (gas)</i>	<i>Acute (Short -Term) Exposure to high concentration of Methyle Chloride in humas has caused severe neurological effects. Methyle Chloride has also caused effects on the heart rate, blood pressure, liver and kidneys in humans, Chronic (ling - term)</i>
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	<i>animal's studies have shown liver, kidney spleen and central nervous system (CNS) effects.</i>
<i>Sodium Hypochloride</i>	<i>Is corrosive and may irritate the skin or cause burning, pain, inflammation and blisters ocular exposure can cause irritation, pain, lacrimation and photophobia.</i>
<i>Carbon di – Oxide</i>	<i>Can cause headache, dizziness, difficulty in breathing, tremors, confusion and ringing the ears, higher exposure can cause convulsion, coma and death.</i>
<i>Hydrogen Chloride Gas</i>	<i>Can cause irritation of the eyes, skin, and respiratory tract – exposure to high level can result in corrosive damage to the eyes, skin and respiratory tissues and could lead to Pulmonary edema and even death in extreme cases.</i>
<i>Poly Aluminium Chloride</i> <i>Hydrogen Gas</i>	<i>Causes eye and skin irritation mist and vapor - causes respiratory tract and mucous membrane irritation. Potential Health Effects – inhalation irritation eye contact, may cause irritation with redness and swelling ingestion : irritation of the mouth and stomach headaches, ringing in ears dizziness, vomiting and depression of all senses.</i>
<i>Sodium Hydroxide</i>	<i>(कार्बिक सोडा) यह बहुत क्षारीय है, यह जल संसाधनों को प्रदूषित करता है। अल्सरटेड और अन्नप्रणाली छिद्रित पेट और छोटी आंत।</i> <i>Contact with very high concentration of sodium hydroxide can cause severe burns to eyes, skin, digestive system or lungs, resulting in permanent damage may cause dermatitis. Repeated inhalation of Sodium hydroxide vapor can lead to permanent lung damage.</i>

<i>Sodium Hypochloride</i>	<i>The impacts are stomach pain, a burning sensation, coughing, loose bowels and irritate throat and heaving it causes redness and pain eyes and skin.</i>
<i>Hydrochloric Acid</i>	<i>Hydrochloric acid is corrosive to the eyes, skin and mucous membranes. Acute (Short – term) inhalation exposure may cause eye, nose and respiratory tract irritation and inflammation and pulmonary edema in humans, vapors or mist can cause damage to the mucous membranes of the respiratory system. Chronic exposure can cause chronic bronchitis.</i>
<i>क्लोरीन गैस</i>	<i>सांस लेने में कठिनाई और खांसी, फेफड़ों के सुनने से आम तौर पर दरारें दिखाई देंगी, मतली, उलटी, सिरदर्द या घबराहट</i>

7. A substantial issue of environment has been raised.
8. Issue notice to the respondents, returnable within six weeks.
Respondents are directed to submit their reply within six weeks through E-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
9. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
10. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-
 - i. Collector, Ujjain, (M.P.).
 - ii. One representative from MoEF&CC, Regional Office, Bhopal.
 - iii. One representative from Central Pollution Control Board, (M.P.).
 - iv. One representative from Madhya Pradesh Pollution Control Board

11. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.
12. Applicant is directed to supply the copy of the application and relevant documents to the Committee and Respondent(s) within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served upon the Committee and respondent(s).
13. The report in the matter be filed by the Committee through email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List it on **23rd March, 2023.**

Sheo Kumar Singh, JM

Dr. A. Senthil Vel, EM

09th February, 2023
OA No. 02/2023 (CZ)
PN