

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

Appeal No. 46/2015 In (M.A No. 570/2015); Appeal No. 47/2015 In (M.A No. 571/2015); Appeal No. 48/2015 In (M.A No. 572/2015); Appeal No. 49/2015 In (M.A No. 573/2015); Appeal No. 50/2015 In (M.A No. 574/2015); Appeal No. 51/2015 In (M.A No. 575/2015); Appeal No. 52/2015 In (M.A No. 576/2015); Appeal No. 53/2015 In (M.A No. 577/2015); Appeal No. 54/2015 In (M.A No. 578/2015); Appeal No. 55/2015 In (M.A No. 579/2015) And Appeal No. 56/2015 In (M.A No. 580/2015);

IN THE MATTER OF:

Rakesh Jain Vs DPCC; M/s S.V. Industries Vs DPCC; Pardeep Goel Vs DPCC; Sajjan Goel Vs DPCC; Subhash Goel Vs DPCC; Amit Jain Vs DPCC; Dinesh Goel Vs DPCC; Sunil Jain Vs DPCC; Rakesh Goyal (M/s Goyal Enterprises) Vs DPCC; Umesh Jain Vs DPCC And Rakesh Goyal (M/s G.S. Enterprises) Vs DPCC;

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE Mr. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present: Applicant : Mr. S.K. Bhattacharya and Mr. N.B. Paonam, Advs.
Respondent No. 1: Mr. Sanjiv Ralli, Adv., Mr. Ankit Sharma, Advs. with Mr. Dinesh Jindal, LO, Adv.**

Date and Remarks	Orders of the Tribunal
Item Nos. 05 to 15 August 28, 2015	<p>During the course of the arguments, the Learned counsel appearing for the DPCC has placed on record a flow chart of pickling process based on physical inspection of the Units by the Board. In this process <i>inter alia</i> primarily the following violations are shown by the DPCC:-</p> <ol style="list-style-type: none">1. The residues from acid dip tank which includes spent bath, spent acid, spent residue containing metallic salts of Nickel, chromium and iron are the hazardous waste under category 12.1 and 12.3 of the list.2. According the Board there is no mechanism existing in the premises of the Applicant Units to treat this hazardous waste. Furthermore, they have no place of storage for such waste besides all this they do not have authorization from the Board to deal with the

hazardous wastes.

3. As far as the effluent that is collected, after the processes from the water dip tank and pressurize water wash, it goes to ETP installed by the Units and it contains acid, suspended solids, oil and greese, iron, nickel and chromium etc. After processing in the treatment plant, the effluent goes to the CETP through conveyer Belt, while the residue is hazardous waste under category 33.3 (ETPs sludge). All this is done without authorization to deal with the hazardous waste. The storage of ETP sludge as claimed by the Unit does not appear to be correct, if for years together hazardous waste have been stored in the storage tanks or drums. The quantum of hazardous waste generated over the period should have been much higher than what is seen available in the premises of the Units.

It is further submitted that the acid concentration variation between the rinsed water fed to ETP and residue-spent wash from the acidic dip tanks is very high i.e. something like 1:100.

We direct the Applicants to file an Affidavit within three days from today meeting the above issues with reference to the site plan which have been provided by the Board. The Board shall conduct an inspection in relation to the contents of the Reply as well as the process placed by the Applicants on record today.

They would verify the entire process existing, effluent generated and ETP.

The contents of the Reply would be verified by Senior Engineers Team of the DPCC and an Affidavit would be sworn by the inspecting team member and placed before the Tribunal within one week thereafter.

We make it clear that if any party fails to comply with this order we shall draw adverse inference against the defaulting parties and would proceed to hear the matter.

Learned counsel appearing for the Units upon instructions submit that they replenish acidic tanks with acid of high concentration and the excess is pumped to the ETP whenever need arises.

For inspection purpose the property may be de-sealed.

List these matters for final disposal on 11th September, 2015.

.....,CP
(Swatanter Kumar)

.....,JM
(U.D. Salvi)

.....,EM
(Dr. D.K. Agrawal)

.....,EM
(Prof. A.R. Yousuf)

.....,EM
(Ranjan Chatterjee)