

**By Registered Post**

B-29016/59(1)/HWMD/NCEF (8)/2012/ 484

April 11, 2017

To

The Chairman  
Madhya Pradesh Pollution Control Board,  
Paryavaran Parisar, Sector E-5, Arera Colony,  
Bhopal – 462 016, Madhya Pradesh

**Direction under Section 5 of the Environment (Protection) Act, 1986 to ensure lifting and disposal of hazardous waste lying in the premises of Plot No. 61- B, Dosigaon Industrial Area, Ratlam**

WHEREAS, the Central Government has notified the Hazardous and Other Wastes (Management and Transboundary Movement), Rules, 2016 (hereinafter referred to as HOWM Rules), under the Environment (Protection) Act, 1986, in supersession of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008, for safe and environmental sound management of hazardous and other wastes;

WHEREAS, as per Rule 4(2) of the Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016, the occupier shall be responsible for safe and environmentally sound management of hazardous and other wastes;

WHEREAS, the records indicate that the erstwhile closed industry M/s Sajjan India Limited had stored hazardous waste improperly under a damaged shed at Plot No. 61-B, Dosigaon Industrial area, Ratlam and the waste was not disposed by the said occupier over the last 15 years, thus violating the provisions of HOWM Rules, 2016;

WHEREAS, the shed storing hazardous waste was completely damaged resulting into spillage to adjacent area and the run-off from waste during monsoon period has caused contamination of soil, surface water and groundwater in the surrounding area. The waste lying in open damaged shed is continued to cause contamination of soil and groundwater in every passing monsoon over the years without any remedial measures;

WHEREAS Madhya Pradesh Pollution Control Board (hereinafter referred to as MPPCB) is the prescribed authority to take action against the Responsible party that is M/s Sajjan India Limited for causing damages to the environment due to improper management of hazardous wastes as per Rule 23 of HOWM Rules, 2016;

*Contd.....2/-*

WHEREAS, Project undertaken by Central Pollution Control Board for remediation of contaminated sites in Dosigaon Industrial Area (DIA) found that the groundwater adjacent to the waste dump was highly contaminated with color and inorganic salt and it is estimated that about 1,147 Metric tonnes (MT) of hazardous waste and about 450 metric tonnes of impacted soil exists at Plot No. 61-B, Dosigaon Industrial Area, Ratlam;

WHEREAS, Technical Expert Committee (TEC) constituted by CPCB has recommended that the waste lying in open at Plot No. 61-B should be lifted immediately prior to next monsoon, so as to contain further release of contaminants from openly dumped waste from the said Plot;

WHEREAS, MPPCB could not pursue with the Responsible party that is M/s Sajjan India Limited, for lifting and disposal of openly stored hazardous waste from Plot No. 61-B;

WHEREAS, the Central Government vide Notifications No. S.O. 157(E) of February 27, 1996 and S.O.730(E) dated July 10, 2002, has delegated the powers under Section 5 of the Environment (Protection) Act, 1986 to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local or any other authority for the violation of the standards and rules, notified under the Environment (Protection) Act, 1986 and amendments thereof;

NOW, THEREFORE, in exercise of the powers vested under the Section 5 of the Environment (Protection) Act, 1986, and considering the observations made as above, following directions are issued herewith:

- (i) MPPCB shall engage the TSDF operator for lifting and disposal of openly stored hazardous waste including the impacted soil from Plot No. 61-B, Dosigaon Industrial Area, Ratlam by 15/5/2017;
- (ii) MPPCB shall make payments to the TSDF operator towards disposal charges from its own financial resources and may recover such costs along with interest from the Responsible Party that is M/s Sajjan India Limited;
- (iii) MPPCB shall submit the action taken report for the direction at points (i) & (ii), within 45 days of this directions.

Compliance to the aforesaid directions is essential and non-compliance would be subjected in accordance with the provisions of the Environment (Protection) Act, 1986, and amendments thereof.

  
(S. P. S. Parihar)  
Chairman

Encl.: As above

Contd.....3/-

**Copy to:**

1. The Joint Secretary :  
HSM Division,  
Ministry of Environment, Forest & Climate  
Change,  
Indira Paryavaran Bhavan, Jor Bagh Road,  
New Delhi - 110 003
2. The Principal Secretary :  
Housing & Environment Department,  
Government of Madhya Pradesh,  
Vallabhawan, Mantralaya, Bhopal,  
Madhya Pradesh
3. The Regional Director :  
Central Pollution Control Board,  
3rd Floor, Sehkar Bhawan, North,  
TT Nagar, Bhopal - 462 003
- ✓ 4. Nodal Officer, IT Division :

  
(A. B. AKolkar)