

Present : Mr. G.S.Gill, Advocate,
for the petitioner.

Ms. Reeta Kohli, Addl. A.G. Punjab
for respondents No.1 to 4.

Mr. D.S.Patwalia, Advocate,
for respondents No. 5 and 6.

Mr. O.S.Batalvi, Standing Counsel for UOI.

The Central Pollution Control Board has submitted a report alongwith an affidavit dated 10.9.2010 giving their recommendations for handling rice husk ash. The said recommendations are as follow:-

1. *The ash collected from APCD from husk fired boiler shall be temporarily stored in a shed/chamber closed from at least three sides and a roof, with access only from the front side for ash removal purpose.*
2. *During loading/unloading of ash, water shall be spread periodically to keep the ash heap in wet condition so that the top layer remains wet thereby prevent blowing of ash particles due to wind.*
3. *All the conveyors/vehicles conveying ash within or outside the plant premises shall be covered from all sides to prevent blowing of ash particles due to wind.*
4. *The boiler ash shall be disposed of in such a way that secondary emissions of the ash do not occur due to wind blowing effect. The following disposal practices may be followed.*

a) *For units disposing ash outside their own premises:*

- *The rice mills disposing their boiler ash outside their premises through contractors shall ensure that the ash has been disposed to a designated landfill site facility as approved by State Pollution Control Board.*

b) *For units disposing ash within their own premises:-*

- *The units disposing ash at the ground level should cover the ash with soil and periodically spray water on the disposed ash so as to keep it in wet condition. Piling up of another batch of ash over the earlier disposed ash could be done, but the ash heap needs to be covered each time by soil and kept wet by spraying water. A wind breaking wall of a height equal to the height of the ash heap disposed shall be erected around the ash disposal site, leaving the opening only for access road.*

- *The industry may develop underground ditch for disposal of boiler ash within plant premises.*

B The industry should explore possibilities of ash utilization in making bricks or use in cement plants instead of disposal. To enable possibility of use of ash in cement plants, controlled burning of rice husk in the boiler shall be adopted through use of preferably fluidized bed boiler such that unburnt carbon in ash is below 8 percent. The feasibility to be explored by concerned agencies.

The Punjab Pollution Control Board shall now submit a status report alongwith an affidavit with regard to the compliance of the guidelines aforementioned. The affidavit has now been filed by the Secretary, Ministry of Environment & Forests, Government of India, as directed by this Court vide order dated 27.8.2010. It has been pointed out in that affidavit that apart from seeking clarification/details with regard to the recommendations detailed in the affidavit of Central Pollution Control Board, the financial sanction from the Ministry of Environment is awaited.

Central Pollution Control Board is directed to give details/clarification sought by the Ministry of Environment in

paragraph No.14 within one month from today which reads as follows:-

- i) *Activities to be performed by the additional staff proposed with due justification and whether IT Cell has been covered?*
- ii) *The proposed installation of needed equipment, laboratory-wise with justification;*
- iii) *Building/construction plans with primary estimates from CPWD/PWD in respect of buildings at CPCB HQ, Delhi and Shillong including expansion of Labs with justification.*
- iv) *Locations where the vehicles are to be deployed and their purpose with due justification.*

The Ministry of Environment, Government of India thereafter shall furnish response including that of the Ministry of Finance within three months thereafter.

List again on 18.02.2011.

(MUKUL MUDGAL)
CHIEF JUSTICE

(AJAY/TEWARI)
JUDGE

13.09.2010

'ravinder'

