

**GOVERNMENT OF INDIA
CHEMICALS AND FERTILIZERS
LOK SABHA**

UNSTARRED QUESTION NO:2389
ANSWERED ON:08.12.2011
AMMONIUM NITRATE AS SPECIAL CATEGORY EXPLOSIVE
Tewari Shri Manish

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

- (a) whether the legitimate fears of classifying ammonium nitrate as a 'special category explosive substance' under Explosive Act, 1884 which would result in treating even minor offences as violation of the Act leading to stringent punishment, been factored in;
- (b) if so, the details thereof;
- (c) the details regarding constitution, time of constitution, number of meetings and views of Inter-Ministerial Committee constituted to work on modalities to regulate its commercial usage, handling, storage and sale;
- (d) the objections raised or received by the Ministry to the idea of regulating the commercial usage, handling, storage, sale of ammonium nitrate;
- (e) the number of ammonium nitrate manufacturers in India;
- (f) the manner in which the Government ensures that ammonium nitrate sourced in garb of overtly legitimate uses like agriculture is not covertly directed by subversive acts as was done by Anders Breivik in Norway; and
- (g) the instances of diversion/theft/pilferage of ammonium nitrate between 2004-11, Year-wise and State-wise?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION AND MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS.(SHRI SRIKANT KUMAR JENA)

(a) & (b): Ammonium Nitrate is notified as an "explosive" under Section 17 of the Explosives Act, 1884 vide Government of India, Gazette Notification No. S.O. 1678 (E) dated 21/07/2011. The draft Ammonium Nitrate Rules have also been published for suggestions and objections of the stake holders. The punishment for violations of Ammonium Nitrate Rules notifying under the Explosives Act, 1884 will be in accordance with Section 9B of the Explosives Act, 1884 and not as per Explosives Substance Act, 1908.

(c) & (d): As per the decision taken by Ministry of Commerce and Industry, Government of India, an Expert Committee has been constituted to look into the various aspects in respect of Ammonium Nitrate Rules. After notification of Ammonium Nitrate under the Explosives Act 1884, three meetings of the Committee have been held in the office of Chief Controller of Explosives, Nagpur on 9.7.2011, 28.7.2011 and 16.11.2011. Participants from various concerned organizations participated in the last meeting held on 16.11.2011. In the last meeting, the Committee has chalked out tour programme to visit Bharuch, Mumbai, Vishakhapatnam, Kolkata, Haldia and Gomia tentatively from 29.11.2011 to 6.12.2011, to visit various premises related to manufacturing, import, storage, bagging, conversion and transport of Ammonium Nitrate in order to get the first hand idea on those premises and to know the prevailing practices. Department of Industrial Policy and Promotion is a co-opted member of the Committee. The Committee proposes to identify the grey areas in the draft Ammonium Nitrate Rules and address them without compromising the objectives of the forthcoming Ammonium Nitrate Rules.

(e): There are 5 Ammonium Nitrate manufacturers in India namely;

(i) Rashtriya Chemicals and Fertilizers Ltd., Mumbai

(ii) Gujarat Narmada Valley Fertilizers Co. Ltd., Bharuch

(iii) National Fertilizers Ltd., Nangal.

(iv) Deepak Fertilizers and Petrochemicals Corporation Ltd., Taloja

(v) Smartchem Technologies Ltd., Shrikakulam (AP)

(f): Ammonium Nitrate as such, is not a fertilizer under the Fertilizer (Control) Order. However, three fertilizer companies, M/s National Fertilizer Ltd. (NFL), M/s Rashtriya Chemicals and Fertilizers Ltd. (RCF) and M/s Deepak Fertilizers and Petrochemicals Ltd.

(DFPCL) are the manufacturers of Ammonium Nitrate. Calcium Ammonium Nitrate (CAN), which is produced out of the Ammonium Nitrate melt is one of the fertilizers covered under the Fertilizer (Control) Order. M/s Gujarat Narmada Valley Fertilizers Co. Ltd. (GNVFC) is the manufacturer of CAN. M/s NFL, M/s RCF and M/s DFPCL sell Ammonium Nitrate to their notified dealers. The quantity of Ammonium Nitrate sold by these companies to the notified dealers is monitored by the companies. The dealers give their undertaking to the companies that they will/they have used the Ammonium Nitrate purchased from the companies for their respective industrial purposes. Since, CAN is a fertilizer, M/s GNVFC sell this product to the dealers approved by the State Governments for agricultural purposes.

(g) The Statement furnished by Petroleum and Explosives Safety Organization, Nagpur regarding instances of diversion/pilferage of Ammonium Nitrate during 2004-2011, year-wise and State-wise is at Annexure-I.