

FORTY SIXTH REPORT
COMMITTEE ON PETITIONS
(FOURTEENTH LOK SABHA)

MINISTRY OF ENVIRONMENT AND FORESTS
MINISTRY OF DEFENCE

(Presented to Lok Sabha on 23.12.2008)



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COMPOSITION OF THE COMMITTEE ON PETITIONS

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FORTY-SIXTH REPORT OF THE COMMITTEE ON PETITIONS
(FOURTEENTH LOK SABHA)

INTRODUCTION

I, the Chairman, Committee on Petitions, having been authorized by the Committee to present the Report on their behalf, present this Forty-Sixth Report of the Committee to the House on the following Petitions :

- (i) Petition regarding pollution caused by the Hindalco Factory situated near Muri, District Ranchi (Jharkhand).
- (ii) Petition requesting to give benefits to casual workmen employed by Hindustan Aeronautics Ltd., Nasik Division, Ozar, Nasik at par with workmen employed in Hyderabad Division.

2. The Committee considered and adopted the draft Forty-Sixth Report at their sitting held on 22nd December, 2008.

3. The observations/recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI;
22 December, 2008
1 Pausa, 1930 (Saka)

SYED SHAHNAWAZ HUSSAIN,
Chairman,
Committee on Petitions.

CHAPTER I

PETITION REGARDING POLLUTION BEING CAUSED BY THE HINDALCO FACTORY SITUATED NEAR MURI, DISTRICT RANCHI, JHARKHAND

1.1 On 22nd February, 2006, Shri Basudeb Acharia, M.P. presented to Lok Sabha a petition signed by Shri Mustafa Kamal and others from Village Muri, District Ranchi, Jharkhand regarding pollution being caused by the Hindalco Factory situated near Muri, District Ranchi, Jharkhand (**Appendix-I**).

1.2 In their petition, the petitioners submitted the following points:—

- (i) Hindalco Factory in Muri produces Aluminium Powder. During the production in the factory, residue is remitted as Red Mud which is ultimately causing pollution.
- (ii) River Subarnarekha, the lifeline of the area, flows along this factory. Residue water of this factory falls in this river, thereby the river water also gets polluted. As a result thereof, the small fishes have disappeared from there and the livelihood of villagers of the area has also been affected as they depended upon catching fishes;
- (iii) All sources of potable water like well located in the range of 10 Km. has been fully polluted;
- (iv) Smoke emitted from the chimney of this factory contains poisonous gases like Sulphur Dioxide and Hydrogen Sulphide due to which, hundreds of people of the area are suffering from respiratory and lung ailments;
- (v) Three High Schools are being run near the factory and the students of these schools are suffering from respiratory problems and are also badly affected by noise pollution; and
- (vi) The fertility of agricultural land of the area is getting eroded by the pollution emitted from the factory. Laah farming used to be on a large scale which has been ruined. Apart from human beings, animals and birds are also bearing the impact of pollution. The rural masses of the area are badly affected by water, air and noise pollution emerging from the factory on a large scale.

The petitioners, therefore, requested that an appropriate inquiry may be made in the matter and suitable action be taken so as to relieve them from the pollution.

1.3 The Ministry of Environment and Forests (MoEF) were requested to furnish their comments on the issues raised in the petition. In their response, the

Ministry of Environment and Forests *vide* communication dated 13th March, 2006 furnished their interim comments as under:—

“The industrial pollution of various units in the country is being monitored regularly by the Central Pollution Control Board (CPCB) and the respective State Pollution Control Boards. As per the information received from CPCB the industry is controlling both air and water pollution with requisite pollution abatement measure. It has also been indicated that the industry is complying with the stipulated norms of the regulatory agencies. The consent for disposal of red mud has also been obtained from SPCB after treatment. It has also been reported that the drainage water is recycled and reused in the plant with no discharge. In addition, the regulatory agencies *i.e.* CPCB and the Jharkhand PCB are monitoring the air and water pollution regularly. Both CPCB and the Jharkhand PCB have been requested to carry out an inspection and ascertain the fact raised in the Petition.

The Government, under the National River Conservation Plan (NRCP) has also included Subarnarekha river for its conservation. Accordingly, 3 towns namely; Ghatshila, Jamshedpur and Ranchi have been covered under the NRCP for various pollution abatement works. The work is under progress.”

1.4 The MoEF *vide* communication dated 20th November, 2006 furnished their Final Report, based on the joint inspection conducted at Hindalco Industries Limited, Muri, Jharkhand by a team comprising officials from the MoEF, CPCB and Jharkhand State Pollution Control Board between the 5th to 7th July, 2006. The main contents of the Report are as follows:—

“Hindalco Industries Limited (formerly the Indian Aluminium Company Limited) established in 1948 has an alumina refinery of 125 KTPA capacity at Chota Muri, Ranchi, Jharkhand. This plant produces both standard Alumina as well as special grade Alumina. The plant is a captive supplier of alumina to the Aluminium Smelter at Hirakund and supplies about 80% of its production requirement. The industry is situated on the right bank of perennial river Subarnarekha. Topographically, the plant area is of plain terrain with small hillocks surrounding the area. The climate of the region is semi arid to temperate.

The residents of nearby villagers have complained of air and water pollution caused by the red mud being stored by the industry. The villagers have apprehended that the air and water pollution, caused by the industry impacts the health of inhabitants residing nearby, the fertility of the agricultural land and the fish catch from the River Subarnarekha.

Environmental aspects of the refinery, in brief, are contained in (**Appendix-II**).

M/s. Hindalco Industries, Muri, Ranchi, was inspected between 3rd May to 5th May, 2006 by a team comprising officials from MoEF, CPCB and Jharkhand State Pollution Control Board.

A team comprising officials from MoEF, CPCB and Jharkhand SPCB inspected the factory between July 5 to July 7, 2006 for collection of the samples and verification of the status of preventive measure taken by the industry.

Field Observations

- * * * * *
- High visual emissions from the boiler stacks were observed during the visit.
 - Only one outlet for discharging the treated wastewater from the conventional STP was observed and accordingly sample was collected.
 - Presently the Industry does not possess any valid air and water consent. The last consent under Air and Water Acts expired on 31.12.2004. The industry has applied for renewal of consent.
 - None of the Red Mud Pond (RMP) has lining to contain the seepage or percolation to ground water.
- * * * * *
- In RMP, subsidence of earthen bunds towards the river face was observed at several places. No abatement or flood control measures at toe or surface of these bunds towards river front to contain any cutting or subsidence has been provided. Seepage collection facility is only provided on the western side of pond No. 2. Therefore, it is apprehended that seepage from the river front side in all probability will go directly to the river.
- * * * * *
- Process sludge bearing approx. 12% of vanadium categorized as by-product by the industry is being sold to small scale industry as informed. Such waste attracts the provision of Hazardous Waste (Management & Handling) Amendment Rules, 2003. Hazardous waste authorization was granted to the industry on 9th January, 2002 and is valid for five years.

Results:—

- Water quality in three dug wells (Sample code 9, 10 and 13) has higher values for Ec, TDs, Chloride, Sulphate, Hardness, Sodium and Potassium. Dug wells (sample code 9 and 10) between RMP Nos. 2 and 3 have alkalinity higher in multiple of 3-5 times compared to the nearby dug wells, Nitrite concentration ss 0.86 and 0.05 mg/l respectively and Sulphate as 239 and 155 mg/l well above the values in the other dug well of similar depth in the vicinity.
- Sample code 13,— Dug well in Mardu village, Approx. 400 m south of RMP No. 4 shows some signs of contamination. Samples taken from

this well show EC level of 674 umho/cm, Cl –127mg/l, Na—54 mg/l, and hardness as 302 mg/l. This well along with other wells falling in the lower contour of ground water table as shown in map indicate increasing concentration of some parameters and therefore, a possibility of impact from the RMP area underflow.

* * * * *

- Red Mud Pond runoff from Nos. 3, and 4 seepage from the abandoned pond Nos. 2 were found highly alkaline (pH>10).

Recommendations

- Industry should ensure and take adequate preventive measure to avoid any spillage or discharge of highly alkaline water from the red mud ponds to near by land or surface water body.
- Industry shall ensure that no industrial wastewater including runoff from abandoned pond during the rain is released into river Subarnarekha.

* * * * *

- To assess any impact on ground water in the vicinity due to seepage or percolation from RMPs, scientifically located observation wells for continuous monitoring of water quality should be established.
- New Proposed site for disposal of Red mud should be developed as per the CPCB guidelines with adequate measures to prevent any adverse impact on the environment.

* * * * *

- Industry needs to identify all hazardous waste generated in the process as per the provision of Hazardous Waste (Management & Handling) Amendment Rules, 2003 and obtained a fresh authorization at the earliest.

* * * * *

- The industry shall use only one outlet for discharge of wastewater from its premises for which consent has been obtained/applied. No New outlet shall be made/permitted for discharge of any waste water.
- As most of the equipments installed for containing air emissions are not adequate to contain pollutant emissions within the stipulated norms, there is an urgent need for upgradation of these equipments.

* * * * *

- Potable water supply by the industry to the populace residing between RMP Nos. 2 and 3 should be made urgently as the ground water from dug wells has become non-potable.

1.5 Thereafter, the Committee took oral evidence of the representatives of the Ministry of Environment & Forests (MoEF) on 12th January, 2007.

1.6 During the course of evidence, the witness, Secretary, MoEF submitted the details about the case as under:—

“At the outset, I would like to submit that the Hindalco factory was set up in 1948. At that time the works regarding environmental standard and technology were not of that kind in which pollution standard could have been maintained. Whereas at present there is a proposal to expand the factory 4 times for which an environmental clearance has already been given and sanction in this regard is likely to be accorded in May-June after that the factory will have the state of the art technology with zero emission. So far as the old factory is concerned the petition was received only in the month of the March in last year after that a Committee was constituted under the chairmanship of the Chairman, Central Pollution Board. The Committee has presented its report but several lacunae were found in this report and the Committee has given a number of recommendations. On taking action in accordance with the recommendation we have witnessed some improvement in it. It could not be said that all shortcomings have been removed but it is certain that some improvement has been noticed after the Committee gave this recommendation. But some shortcomings are still there and action is being taken thereon. Jharkhand Pollution Board has sought latest report in this regard and the Board has inspected the site or factory on 10th just two days ago. There will certainly be some improvement if we act according to our recommendations which included 17 directions of the Central Pollution Board. Action has been taken in certain cases and in some cases it is likely to be taken or is being taken. I do agree that the pollution has not stopped altogether but the proposed upgradation and expansion with the state of the art technology the situation will certainly improve.”

1.7 When the Committee asked about the date as to when the environmental clearance was given to the factory, the witness replied that it was given in September, 2005.

1.8 The Committee wanted to know as to whether any investigation was conducted before granting clearance in order to ensure that factory is complying the norms and how could the clearance be given to the factory after noticing so many drawbacks? At this, the witness stated as under:—

“All the conditions will be fulfilled in the new factory which has been constructed with the state of the art technology with zero discharge.”

1.9 When the Committee asked whether it was for expansion or for the new factory, the witness replied that it was for expansion.

1.10 The Committee asked about the reasons for giving the clearance to the factory for its expansion ignoring the drawbacks? At this, the witness responded as under:—

“This expansion will be done with the latest technology. The old technology will not have any relevance as here the discharge will be nil and there will

certainly be improvement in the old factory. The expert Committee of our Ministry has given the clearance therein after thorough investigation. Along with the new one there will be improvement in the environmental conditions of the old also. There will be no paucity of any kind as such.”

1.11 The Committee wanted to know whether any review or assessment was undertaken about the number of people in the vicinity of the factory who were affected by the polluted water as a result of leaching from the ponds. At this, the witness, Member Secretary, CPCB stated as under:—

“I want to submit that there were three types of pollution which spreads by these types of plants, air pollution, water pollution and solid waste pollution. This factory spread all the three types of pollution. Because much has been written in the petition about the air pollution, I would like to say something about the air pollution. There is a power plant of 5 MW in its existing plant and after expansion they are going to set up a power plant of 30 MW. This power plant of 30 MW will be set up using state of the art technology where level of air pollution will remain lowest. We have the standard level of 150MG/M3 and they have made a commitment to keep it to 100MG/M3. Thereafter, the old 5 MW plant will be closed. Secondly, bauxite handling system will be replaced by new plant where water sprinkling system will be installed so that there will be no fugitive dust. Water sprinkling system will be installed in the existing plant also. It will prevent the dust from inside the factory. Thirdly, rotary kiln is the source of air pollution from which they used to form aluminium oxide, the water inside it is dried which causes a lot of pollution so E.S.P has been installed to check the pollution. In new plant state of the art E.S.P will be installed so that particular matter will be within limits. If we extract one ton aluminium, it generates one ton of Red Mud also and this Red Mud was dumped in the ponds. They have closed two ponds and Teri has been awarded a contract of Rs. 32 lakhs to put vegetative cover and complete afforestation.

One pond is still working and the new Red Mud Pond will be formed 6 K.M. away from the river. That will be formed using state of the art technology and there will be geo textile lining as per CPCB guidelines. There will be no problem of ground water. Vanadium metal is released from it. We will sell it as it is precious. Now the main question is about the work regarding checking of stability of Red Mud Pond near Subarnarekha river for which work has been accorded to IIT, Kharagpur. They will follow the recommendations of the IIT. Red Mud is not harmful. It is a solid material. It contains iron oxide and silica which is not included in hazardous base. It is solid mass. When we extract aluminium from bauxite this impurity in the form of red colour residue remains which becomes solid when water falls on it. It does not seeps underground. There will be geo textile lining in new big pond to control the air and water pollution within the standard. Before giving environmental clearance, a detailed study has been conducted by the department.”

1.12 When the Committee specifically asked about the action that has been taken so far, the witness from CPCB stated as under:—

“Both of these will be linked. As the new plant will be set up, old one will be closed. As I have informed you, five Mega Watt plant will be closed.

They have brought improvement in the ESP of the power plant after inspection was carried out. As a result particular material is coming within the limit.”

1.13 The Committee wanted to know whether any inspection was carried out by the officers of CPCB in the matter from time to time and if so, whether any report was submitted by them and what action was taken thereon? At this the witness from CPCB stated as under:—

“I would like to submit that guidelines and standards have been conveyed to Jharkhand State Pollution Control Board by the Central Pollution Control Board from time to time. Thereafter in 2003, we launched a new programme corporate responsibility for environmental protection. We have issued separate guidelines for aluminium industry therein. The officials of Jharkhand State Pollution Control Board, headquarter at Ranchi, inspect existing plant from time to time and whenever any drawback was found they were advised to rectify these drawbacks. Three improvements were carried out. One of them was related to Red Mud Pond. Three Ponds were given, out of which 2 ponds have been closed. Earlier Jharkhand Pollution Board has closed two Red Mud ponds and only third pond is working. Two ponds have already been closed. Work is under progress for vegetative cover on this. Trees are being planted there. The power plants which emit smoke, its ESP should be improved. Jharkhand Pollution Control Board have identified these shortcomings and suggested that it should be under the limits. They have improved the ESP on Board’s interference. Due to the efforts of Jharkhand Pollution Board many improvements have been done in old plant. But, the technical committee or CPCB which visited has identified seventeen more points and much progress have been done.”

1.14 When the Committee asked as to whether Jharkhand Pollution Control Board is under the control of CPCB, the witness stated that it is an autonomous body and do not come under their control.

1.15 The Committee wanted to know about the action taken by the Government on the 17 points submitted by Technical Committee of CPCB which inspected the Aluminium Factory. Replying to this, the witness of the Ministry stated as under:—

“They have given 17 points. After the inspection on 10th, that is day before yesterday, on each of the 17 points, they have mentioned which one is complied and which are under process because it takes little more time.”

1.16 When the Committee asked about the role of CPCB for monitoring such industries, the witness from CPCB stated as under:—

“State Pollution Control Board monitors the industry on day-to-day basis and it is the responsibility of Jharkhand State Pollution Control Board to inspect it from time to time. We have identified 17 categories of highly

polluted industries in the country in which aluminium industry has also been identified as a polluting industry. As I told, we formulated a programme in the year 2003 and did a review on therein. Our zonal office is located in Kolkata. It carried out inspection from time to time and recommended the State Board for remedial action. They have brought improvements under the existing plan, it is not so that they have deferred everything for the new plan. As I told the existing plant is of 5 MW and improvement has been made in its ESP.”

1.17 The Committee wanted to know whether there are any rules/guidelines framed by the Pollution Control Board in regard to penalties which could be imposed on violators of the Board’s guidelines? At this, the witness from CPCB stated as under:—

“Those who do not follow the Pollution regulations action can be initiated against them under section 33. There is no provision of fine. At first, the Industry is given notice and informed about their shortcomings. They are required to give their action plan. If they are unable to do so, there is provision to close them. We disconnect their electricity, water connections as per the power conferred to us under sections. It is ensured that the action plan is implemented in a time bound manner.”

1.18 The Committee asked whether any shortcomings were found by the officials who inspected the factory and if so, what action was taken on the report submitted by them. Replying to this, the witness from CPCB stated as under:—

“Whatever shortcomings identified have been forwarded to Jharkhand Pollution Control Board from time to time and we had also sent letters to them to take action on the shortcomings.”

1.19 On being asked about the action taken by the State Pollution Control Board on the recommendations/guidelines of CPCB, the witness from CPCB stated as under:—

“17 point recommendations were made only after the visit of the Committee of CPCB. Whatever improvement has been done on our recommendations”.

1.20 The Committee inquired about the action taken by the Government when no action is taken by the State PCB on the directions of the CPCB. The witness replied as under:—

“We have no power as such to direct State Pollution Control Board.”

1.21 On being asked as to whether CPCB or SPCB gives the environmental clearance, the witness from CPCB stated as under:—

“This clearance is given by the Ministry of Environment and Forests under EP Act, the Ministry of Environment has the power.”

1.22 On being questioned as to whether this clearance is given on the recommendations of the Ministry, the witness answered as under:—

“There is a separate procedure. A technical committee looks into this and on that basis, this is done.”

1.23 When the Committee wanted to know as to whether the drawbacks are reviewed at the time of giving recommendation for clearance, the Secretary, MoEP stated as under:—

“This particular factory was established in 1948. Processing of environmental clearance has been started from 1994. Prior to that environmental clearance were not done for the factories.”

The witness further added as under:—

“No environmental clearance was given to this factory as this factory was set up prior to 1994. All the factories which have been set up after 1994, need to take environmental clearance.”

1.24 When the Committee observed as to whether the factories installed prior to 1994 are free to do any thing as the guidelines of the CPCB are not applicable to them. At this, the witness from CPCB responded as under:—

“A few minutes back you have asked about the action taken to overcome shortcomings? It is true that punitive action has not been taken by neither Central Pollution Control Board nor by the Jharkhand Pollution Control Board. All the shortcomings detected during inspection have been conveyed to industries from time to time. All these shortcomings were there till this petition has come up. It is also true that whatever action for improvement was taken after receipt of the petition is reflected. It is true that the action has been taken seriously after the petition. We admit that no penalty or punitive action has been taken so far against the industries.”

1.25 In their comments *vide* communication dated 11.01.2007, the MoEF submitted as under:—

“To assess the impact of pollution emitted by the industry to the surrounding environment, a team was constituted by the Ministry of Environment and Forests. Monitoring of the site was conducted in May, 2006 and again in July, 2006. During monitoring from July 5 to July 7, 2006, samples of the ground water and surface water were collected to check whether the ground water has been contaminated from leaching from the Red Mud ponds. The industry was also asked to ensure that there was no seepage from the embankments of the Red Mud ponds and in case any seepage was detected the same should be collected and pumped to the Red Mud pond area. During a recent inspection conducted by Jharkhand State Pollution Control Board (JSPCB) on 10.01.07, there was no seepage from the Red Mud pond.”

1.26 As regards the basic norms/ guidelines which all factories have to follow to check environmental pollution in the surrounding area, the MoEF submitted in their note as under:—

“All Industries have to obtain consent under Air Prevention and Control of Pollution Act, 1981 and Water Prevention and Control of Pollution Act, 1974.

Limits for emissions are specified in the consent condition, which the industry has to adhere. The Industry has also to get itself registered under the Hazardous Waste (Management and Handling) Rules, 1989.

In the present case the industry M/s. Hindalco Industry Limited, Muri was granted consent under Air Act on 24.7.2006 and it was valid upto 31.12.2006.

Similarly, the industry was renewed consent under Water Act on 24.7.2006 and it was valid upto 31.12.2006.”

1.27 In their written reply, the MoEF stated that the following penalties can be imposed on such factories which causes pollution affecting inhabitants of the area under various Environmental Acts:—

“(A) Water (Prevention and Control of Pollution) Act, 1974

Section 41 (1) Whoever fails to comply with any direction given under sub-section (2) or sub-section (3) of section 20 within such time as may be specified in the direction shall, on conviction, be punishable with imprisonment for a term which may extend to three months or with fine which may extend to ten thousand rupees or with both and in case the failure continues, with an additional fine which may extend to five thousand rupees for every day during which such failure continues after the conviction for the first such failure.

- (2) Whoever fails to comply with any order issued under clause (c) of sub-section (1) of section 32 or any direction issued by a court under sub-section (2) of section 33 or any direction issued under section 33A shall, in respect of each such failure and on conviction, be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine, and in case the failure continues, with an additional fine which may extend to five thousand rupees for every day during which such failure continues after the conviction for the first such failure.

(B) Air (Prevention and Control of Pollution) Act, 1981

Section 37 (1) Whoever fails to comply with the provisions of section 21 or section 22 or directions issued under section 31A, shall, in respect of each such failure, be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine, and in case the failure continues, with an additional fine which may extend to five thousand Rupees for every day during which such failure continues after the conviction for the first such failure.

- (2) If the failure referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which shall not be less than two years but which may extend to seven years and with fine.

(C) The Environment (Protection) Act, 1986

Section 15(1) Whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued thereunder, shall, in respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.

- (2) If the failure or contravention referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term, which may extend to seven years.

1.28 About the mechanism being followed to monitor the activities of factories, which causes pollution in the air and water, the MoEF in their written submission stated as under:—

“All the major industries have to monitor the emissions (both air and water) regularly and submit the report to the State Pollution Control Board. Monitoring of ambient air quality is also done. In addition to the monitoring conducted by the industry the State Pollution Control Boards also monitor the emissions and the ambient air quality around the industry. In case the monitored emissions are not complying with the standards as prescribed in the consent conditions, the industry is asked to take necessary action. In case of repeated failures of the industry to comply with the prescribed norms, action under the relevant Act is taken”.

1.29 On being asked about the frequency at which various industrial units are monitored and the outcome of the inspection carried out in respect of Hindalco factory on the last occasion, the MoEF in their written communication stated as under:—

“The industries are classified into different categories depending upon their pollution potential. The monitoring frequency is based on the category of the industry. The highly polluting industries are monitored frequency, as compared to the industries with low pollution potential, which are monitored once in a year or two. The frequency of monitoring is fixed by the State Pollution Control Boards.

The regular monitoring of the industry is done by the concerned State Pollution Control Board. CPCB also monitors the major industries (with a high pollution potential) to assess the status of compliance. The Hindalco factory was monitored by CPCB in the month of May, 2006 and in July, 2006 for air emissions and effluent discharge alongwith disposal methods followed

by industry for red mud disposal. The report indicates that the factory is complying the air emission and water quality norms. The industry has been asked to develop green belt on the entire abandoned red mud pond No. 2 within the next three years for which comprehensive plan has been received.

During a recent inspection carried out by JSPCB on 10.01.07 of the construction Hindalco Industries, no seepage was found from the red mud pond. The maintenance work of the bundh of red mud ponds was going on. Size 5M X 8M X 2M pucca pond for storage of run off water was under near red mud pond. The upgradation work for the use of only one outlet for discharge of waste water from its premises, for which consent has been obtained/applied, is under process.”

1.30 The Committee desired to know whether the Hindalco factory was/is being monitored/inspected regularly, and if so what were the reasons which caused pollution in the area. The MoEF in their written reply stated as under:—

“The Industry had obtained consent under Water Act only for one outlet, however, during inspection in May, 2006 two more outlets for possible discharge were observed, which could have been source of pollution of river Subarnarekha, as alleged by the petitioner. The same has been verified by the inspection team in July 6, 2006. RMP No. 2 has been abandoned. For RMP Nos. 3 and 4, Action Plans have been given as under:—

For Red Mud Pond No.3: Scope for discharge of any runoff wastewater has been eliminated. A recovery system has been in place to collect runoff water and recycle back to pond/holding pond, by a portable pumping system. The collected water is recycled back to plant. To reinforce the system, a sump pit with permanent pumping arrangement is being installed and will be commissioned by February, 2007. Further, a garland drain has been provided all around the inside periphery of the pond to collect runoff water in a small holding pond wherefrom it is recycled back for process use.

For Red Mud Pond 4: In course of time (when the pond will be used for dumping semi-dry red mud) garland drain will be provided as per general practice to collect contaminated runoff water inside the pond.

As the ground water from dug wells has become non-potable, the existing potable water supply by the company to the neighbouring villages has been reinforced to reach more number of people residing in the vicinity of pond area.”

1.31 With reference to a question as to whether any survey/study has been conducted by the Government about the affects of the pollution caused by Hindalco factory on the inhabitants of the area including animals and birds, the MoEF stated in their written comments as under:—

“No such study has been carried out to assess the effects of pollution caused by the Hindalco industry on the inhabitants of the area including

animals and birds. However, the industry has got done ground water survey of the area surrounding the industry by National Geophysical Research Institute (NGRI), Hyderabad. The study has revealed that the ground water of 2 wells is polluted out of 33 wells selected for monitoring. During monitoring in July, 2006 few samples of dug wells and hand pumps (down stream of the red mud pond area) were collected by the inspecting team to assess the impact of ponding of red mud. Based on the report by NGRI in consultation with JSPCB, few ground water sampling locations will be identified for periodic monitoring. The findings of the periodic sampling will be used to establish any impact of RMP on ground water and preventive measures will be ensured, in case of any adverse impact observed.”

1.32 As regards the efforts being made by the Government to check the pollution from Hindalco factory and the compensation being paid to the affected people of the area, the MoEF stated as under:—

“In the monitoring conducted during May and July, 2006 samples of the emissions, both air and water were collected. Additionally, surface water and ground water samples were also collected to assess the impact of pollution, if any, caused by the industry. The industry has been asked to comply with the norms as specified under the various environmental acts along with the guidelines imposed under Charter on Corporate Responsibility for Environmental Protection (CREP)”.

1.33 The Committee also undertook on-the-spot study visit to Ranchi on 7th June, 2007 and held informal discussions on this issue with the representatives of the Ministry of Environment & Forests and officials of State Government of Jharkhand.

1.34 The MoEF *vide* their communication dated 14th December, 2007, read with 29th February, 2008 furnished the latest status report in the matter as under:—

“Background

Pursuant to the recommendation made by the Hon’ble Committee of Parliament on Petition, Government of India and as per the direction of head office, Central Pollution Control Board, *vide* letter no. B-33013/11/2007/PCI-II/4343 dated 24th September, 2007, Zonal Office, Kolkata along with the officials of Regional Office, Jharkhand State Pollution Board, Ranchi inspected M/s Hindalco Industries Limited, Muri, Ranchi between 3rd – 5th October, 2007 to ascertain the latest compliance status and progress made on their respective proposals with respect of the direction issued to the industry by CPCB, Delhi based on earlier in-depth study of the environmental management practices and environmental concerns in the proximity of the industry.

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Operational Status

Old Unit – The industry was found in operation during the visit except the Calciner Kiln # 1 due to some mechanical fault. Out of 4 old boilers, only one boiler attached with ESP was found operational. The other three boiler # 1, 2 and 4 were found closed. These three units are closed since last week of July, 2007 as per the undertaking given to Jharkhand State Pollution Control Board.

Expansion – The construction work for capacity expansion of the unit is in advance stage of completion. One out of three units of Boiler proposed in the expansion was found operational, but was under stabilizing condition. Work pertain to pipe connection of steam line requirements to the expansion phase is yet to be completed due to want of some equipments and therefore, the boiler # 1, was operational at approximately 50% of its rated capacity. The power generation from the boiler was 7.5 MW against its 15 MW potential. Boiler # 2 is in pre-commissioning stage whereas Boiler # 3 is in advance stage of construction.

The construction of proposed new calciner unit under expansion is complete and has not been commissioned due to want of the raw materials from the expansion. The main process line is expected to be completed by last week of December, 2007 as informed by the industry.

Major Polluting Sources

The major polluting sources in the industry are as follows:

- Solid waste generated during the processing of Bauxite as Red Mud
- Emission from coal fired boilers for steam and power generation
- Management of red mud pond runoff and any excess discharge from the process
- Fugitive emission due to handling of raw materials, coal and flyash
- Process, domestic and utility waste water

Consent Status

The industry has been granted consent to operate under Water and Air Act respectively, which is valid till 31.12.2007. The industry also possesses hazardous waste handling authorization valid till 8.01.2010.

Sampling and Monitoring

Based on the suggestion made by the Hon'ble Parliamentary Committee on Petition, emission from point and fugitive sources were included in scope of the assessment study. Qualitative assessment of water environment at identified locations and sources were also carried out to compare with their previous quality and to assess any impact or changes in their respective quality.

Air Environment

- Flue gas emission from stacks attached to Boiler # 3 and Alumina Calciner Kiln # 2 of old unit was monitored for verification of compliance with stipulated norms. The results are tabulated below:

S.No.	Stack attach to	PM (mg/Nm ³)		SO ₂ (mg/ Nm ³)
		Std.	OV	
1.	Boiler # 3 (old Unit)	150	77	120
2.	Calciner Kiln # 2	150	104	—

OV – Observed Value, Std. – Norms

Particulate matter emission from both stacks monitored was found to be within prescribed limit of 150 mg/ Nm³. The total SO₂ emitted from the boiler stack is 200 kg/d and accordingly the height of stack (26²52m from GL) which is attached with the boiler was found in conformity with stipulated norms.

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- Ambient air quality at the 3 identified locations (namely – Guest House, Hospital, and near ore handling area) were carried out to assess the impact of fugitive emission in the vicinity of the industry. The air quality has been compared with the national standard for ambient air for Industrial area and the results are tabulated as below:

S.No	Location	PM10		SPM		SO ₂		NO _x	
		OV	Std.	OV	Std.	OV	Std.	OV	Std.
1.	Guest House	74	100	242	200	BDL	80	9.5	80
2.	Ore Handling Area	61.5	150	156	500	BDL	120	10	120
3.	Alumina Club	76.5	100	305	200	BDL	80	16.5	80

OV – Observed Value, Std. – Norms, BDL – 3ug/m³

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Water Environment

- The industrial wastewater from the process area is mainly of two types. Excess high caustic water from the process is discharged in red mud pond whereas the other source is primarily from the utility area such as canteen waste, toilet waste and washing wastes. The wastewater generated from the utility area is treated in effluent treatment plant within the industry premise and the treated water is sent for further treatment at newly commissioned Sewage and Sullage Treatment Plant (SSTP). The treated wastewater from SSTP is presently discharged to the river Subarnarekha, and sample was drawn for its quality assessment and verification of compliance status.

- The treated wastewater from SSTP is presently discharged to River Subarnarekha and is within stipulated norms as shown below:

S.No.	Parameter(s)	Observed Value	Norms
1.	PH	7.08	5.5 – 9.5
2.	TSS	BDL (<10 ppm)	100
3.	BOD	4	30
4.	COD	12	250
5.	Oil & Grease	BDL (<5 ppm)	10

All values are in mg/l except p_H .

- Apart from the above, water samples from other pre-identified 7 locations as mentioned below were collected for assessment of adverse impact on receiving environment. The location and sources include surface water body – River Subarnarekha, ground water sources from dug well situated in the close vicinity of potentials industrial source of contamination, probable discharge sources of industrial process and red mud pond area.
 1. U/S River Subarnarekha near the railway bridge
 2. D/S River Subarnarekha near temple
 3. Impounded water in garland drain and RMP # 4
 4. Pore seepage water collected and pumped back to RMP
 5. Dug well situated just south of RMP # 4
 6. Natural drain flowing south of RMP # 4
 7. Dug well situated in Kokaran village between RMP # 2 and # 3
- The industrial outlet discharge quality as observed in conformity with the stipulated norms. The treated effluent from the SSTP is proposed to be used in the process after commissioning of new unit, which help in achieving zero discharge from the industry.
- The water quality of river at U/S and D/S of the industry doesn't show any adverse impact on the physio-chemical characteristics. However, the P^H at the D/S of the river has been increased, which indicated the seepage of the effluent from the red mud pond (RMP) to river.
- The water quality of dug well with respect to the earlier observed value was found to be in similar range. It indicates that there is no identifiable impact to the ground water quality in the vicinity over last one year.

- Water quality of surface runoff collection pond was observed to be much diluted in comparison with earlier observation due to high rainfall and impoundment of rain water in these ponds.
- Lower values for all parameter were observed for water impounded in RMP 4 with respect to the earlier observed values, indicating significant impact of rain water impounding in the collection pond.
- Contrary to the collection pond water quality, the seepage pore water quality with respect to pH , TDS, Conductivity was observed on higher side with respect to earlier observed values. This may be attributed to higher permeation of impounded water through pores of red mud ponds and in course acquires such characteristics due to wash off of red mud.

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Field Observation(s)

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- No discharge from the industry premises and Red Mud Pond (RMP) area was observed.

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- The seepage collection facility provided on the northern side of RMP 3 as per direction of CPCB was found operational and the collected water is pumped back to the garland drain in RMP # 3. The quantity of seepage water was found higher compared to earlier visit during non-monsoon season, thereby conforming that higher permeation take place during monsoon season.

- The industry has initiated work on making one more seepage water collection pit on the river side of RMP 3 to collect any seepage water and to abate any discharge of such water into river Subarnarekha.

- Sullage and sewage treatment plant (SSTP) constructed for treatment of sewage generated from township area and other utility wastewater from the industrial premises was operational. The wastewater from canteen is also sent to SSTP for treatment.

- The treated wastewater from the SSTP is presently not utilized for industrial purpose as proposed and is discharge to River Subarnarekha after confirming to the stipulated norms. It was reported that the treated wastewater will be used completely in the process after commissioning of expansion project and the industry will achieve zero discharge from the process.

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- The ambient air quality in the vicinity of the industry is confirming to the stipulated standards.

Recommendation(s)

- Industry needs to completely abandon the use of older boilers after commissioning of newer ones to increase better energy efficiency.
- Industry should expedite the construction of new red mud pond to store the huge amount of red mud generation expected from the increased capacity.
- Industry should explore and promote higher fly ash utilization in the region.
- Industry should explore the possibilities of Red Mud Pond utilization.

Compliance Status

The progress made on the direction issued by CPCB Delhi vide letter No. B34013/11/2001/PCI-II/7767 dated 11.09.2006 was also assessed and their compliance status as of 4th October, 2007 is as per (Appendix-III).

1.35 In their communication dated 17.06.2008, the MoEF informed that as a follow up of inspection report conducted during 3-5 October 2007, CPCB made another visit to Hindalco, Jharkhand during 25-26 March, 2008 for updation of compliance status of implementations of recommendations made. In their report, the Ministry stated as under:—

“Pursuant to the commitment made by the industries as per the direction issued by Central Pollution Control Board for time bound compliance of emission standard and to take appropriate measures for abatement of short and long term environmental impacts on surroundings, regular inspection by Zonal Office, Central Pollution Control Board, Kolkata was carried between 25th-26th March, 2008.

Major Polluting Sources

The major polluting sources in the industry are as follows:-

- Emission through stack of alumina calciners.
- Emission through stack of coal fired boilers for steam and power generation.
- Solid waste generated during the bauxite processing as Red Mud and fly ash arrested from boilers.
- Management of red mud pond runoff and any excess discharge from the process.
- Fugitive emission due to handling of raw materials, coal and fly ash.
- Process, domestic and utility waste water.

Consent Status

The industry has been granted consent to operate under Water and Air act respectively valid till 31.12.2007. They have applied for renewal of consent. The industry possesses hazardous waste handling authorization valid till 8th January, 2010.

Sampling and Monitoring

Stack monitoring and qualitative assessment of water environment at pre-identified locations and sources were carried.

Field Observation (s)

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| ● | The analysis results of the sample collected have also been compared with the earlier monitoring results carried out during last two visits. | |
| | Minor variation in quality of water samples is observed for most of the identified sample sources except for garland drain water. The quality for garland drain water is observed higher in comparison to earlier observed values especially for parameters like TDS, SO ₄ , Ca, Mg, Na. This may be attributed to low dilution due to less surface runoff compared to sampling which was carried during rainy season. | |
| ● | The physical monitoring result of emission from the boiler stack is not meeting the norms of 150mg/Nm ³ , whereas the online monitoring result | |
| | ** | ** |
| ● | The emission observed from calciner # 2 was found to be higher than the stipulated norms of 150 mg/Nm ³ . The kiln was operational at 14.5 T/hr load against the designed capacity of 15 T/h. Therefore, the ESP attached with the kiln is not adequate to meet the stipulated norms and needs augmentation. | |
| ● | No seepage or discharge from the industry premises and Red Mud Pond (RMP) area was observed. | |
| | ** | ** |
| ● | Sullage and Sewage Treatment Plant (SSTP) was found operational for treatment of sewage generated from township area and other utility wastewater from the industrial premises. No discharge to river Subarnarekha was found during the visit. | |
| | ** | ** |

Recommendation(s)

1. Disposal of ash from boiler to red mud pond should be avoided as it will reduce the red mud pond holding capacity. Industry should explore

the various options for utilization of ash generated from its boiler. Industry is situated in close vicinity of Rajrappa coal mines project of Central Coal Field, and option for disposal of ash in abandoned mine may also be explored.

2. The result of physical emission monitoring is not matching with the continuous monitoring results and has high deviation. One of the reasons for such deviation may be attributed to wrong placed monitoring port location, as it is at bend. The emission sampling ports provided in duct should be relocated as per the guidelines of CPCB to have representative and homogenous sample. This work should be carried out at the earliest in a time bound manner and reported accordingly.
3. Particulate matter emission from Calciner#2 is not meeting the stipulated norms. The air pollution control equipment attached to the calciner#2 needs augmentation. Industry should be asked to submit a time bound augmentation of APCE to meet the stipulated standard.
4. The proposed expansion will generate significant quantity of red mud and the present red mud pond will only be able to cater for maximum of 2-2.5 years. Industry should expedite for acquiring corresponding land for its disposal at the earliest and provide necessary environmental friendly infrastructural facility at the site.
5. Fixed water sprinkling system at red mud pond needs augmentation due to shift in the line of red mud pond stack at RMP#3.”

Observations/ Recommendations

1.36 The Hindalco Industries Limited (formerly the Indian Aluminium Company Limited) was established in 1948 at Chota Muri, Ranchi, Jharkhand. The factory is situated on the right bank of perennial river Subarnarekha. It produces alumina by processing bauxite with an installed capacity of 125 KTPA. The company has a proposal to increase the alumina refining capacity to 575 KTPA from the present capacity of 125 KTPA for which the construction work is under progress. The major source of water supply to the industry is from river Subarnarekha through an infiltration well. Domestic waste water generated inside the industry premises is treated in a conventional waste water treatment plant and discharged in a natural drain which ultimately meets river Subarnarekha. The majority of population in the vicinity is dependent on ground water sources for their day-to-day requirements. The solid waste generated during the processing of bauxite is known as Red Mud. The quantity of Red Mud generated in Muri Plant is approximately 1,50,000 MT per annum. The Red Mud is washed and filtered to remove soda and then stored in specifically located sites called Red Mud Ponds (RMP) within its premises. The Hindalco Industry was granted consent to operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively which was valid upto

31 December 2007. The company has also applied for renewal of consent. The company possesses hazardous waste handling authorization valid till 08 January 2010.

1.37 In their petition, the petitioners have alleged that Hindalco Factory is causing air and water pollution. During the process of production, the residue is remitted as Red Mud which ultimately causes pollution of the environment. Residue water from the factory falls in river Subarnarekha resulting in water pollution. According to the petitioners, the small fishes have disappeared from there as a result of which the livelihood of the villagers of the area has also been adversely affected. All sources of potable water like wells located in the range of 10 km. around the factory have been polluted. The petitioners have also stated that smoke emitted from the chimney of the factory contains poisonous gases like Sulphur Dioxide and Hydrogen Sulphide due to which a large number of people of the area are suffering from respiratory and lung ailments. Students of the nearby schools are also suffering from respiratory problems and are also badly affected by noise pollution. According to the petitioners, the fertility of the agricultural land of the area is also getting eroded by the pollution caused by the factory. Apart from human beings, animals and birds have also been adversely affected by the pollution emerging from the factory.

1.38 The Committee were informed that in order to assess the impact of pollution emitted by the Hindalco factory to surrounding environment, a team was constituted by the Ministry of Environment & Forests. The site was inspected by the team in May 2006 and again in July 2006. In their Inspection Report, it was pointed out that the major source of air pollution from the factory is through 3 stacks connected to kiln and boilers. Most of the equipments installed are not adequate to contain the pollutant emissions within the stipulated standards. According to the Inspection Report, Hindalco factory must submit a comprehensive plan for Red Mud utilization alongwith remedial measures for accumulated Red Mud. It was reported that Hindalco factory had obtained the consent under Water Act only for one outlet to discharge domestic waste water after necessary treatment. However, during inspection in May 2006, two other outlets for possible discharge of effluent/waste water were observed which could have been the source of pollution of river Subarnarekha. In Effluent Treatment Plant (ETP) for canteen effluent, floating materials and scum were seen indicating poor maintenance. It was also observed in the inspection report that after expansion of the plant, the factory will require 1200 m³/day of fresh water from river Subarnarekha and this will result in the scarcity of water for downstream users as there is very little water in the river during the summer season. Therefore, the company should make alternative arrangements for its water requirement rather than drawing entire water from river Subarnarekha. The inspection report further observed that two types of Hazardous Waste generated during evaporation and out salting system of alumina plant and waste lubricating oils must be handled and disposed of as per the guidelines of Hazardous Waste Management (Handling & Disposal) Rules. During monitoring of the industry in July 2006, samples of the ground water and surface water were collected to check whether the ground water has been contaminated due to leaching from the red mud ponds. The qualitative analysis

of the samples so collected indicated some signs of contamination of ground water, higher values of hardness, alkalinity and increasing concentration of certain other parameters and thus ground water was unsuitable for drinking purposes. According to the inspection team, this may be due to seepage or percolation from Red Mud Ponds as none of the RMPs had lining to contain the seepage or percolation to ground water. In RMP, subsidence of earthen bunds towards the river face was observed at several places. But no abatement or flood control measures to contain any cutting or subsidence had been provided. As a result thereof, it was apprehended by the inspection team that seepage from the river front side in all probability will go directly to the river. According to the inspection team, the runoff collection measures were not adequate to cater to the future intensity as the red mud stacking would fill the pond quickly and reduce the buffer area of the pond. The inspection team observed high visual emissions from the boiler stacks. It was pointed out that the company did not possess any valid air and water consent. The last consent under Air and Water Acts had expired on 31.12.2004. In its report, the inspection team gave recommendations on various points for compliance by the company. The company was asked to take adequate preventive measures to avoid any spillage or discharge of highly alkaline water from the RMPs to nearby land or surface water body. The company should also ensure that no industrial waste water is released into river Subarnarekha. Further, the company was also asked for upgradation of its old equipments installed for containing air emissions within the stipulated norms. It was also recommended by the inspection team that the factory should urgently make the provision of supply of potable water to the populace residing in the vicinity of RMPs as the ground water has become non-potable.

1.39 The Committee note that the Hindalco factory was again inspected in October 2007 to ascertain the compliance status and progress made with respect to direction issued to it based on earlier in-depth study of the environmental management practices and environmental concerns in its proximity. Qualitative assessment of water environment at identified locations and sources were carried out to compare with their previous quality and to assess any impact or changes in their respective quality. The inspection team observed that the quality of industrial outlet discharge was in conformity with the stipulated norms. The water quality of river at U/s and D/s of the industry did not show any adverse impact on physico-chemical characteristics. However, the pH at the D/s of the river had increased, which indicated the seepage of the effluent from RMP to river. During the inspection of the industry undertaken in March, 2008, it was observed that the physical monitoring result of emissions from the boiler stack was not meeting the norms of 150MG/Nm³. The particulate matter emission from the calciner #2 was also found to be on higher side than the stipulated norms of 150MG/Nm³ and the air pollution control equipment attached to the calciner was not found adequate to meet the stipulated norms.

1.40 The Committee are constrained to note that Hindalco factory is one of the polluting industries in the country which has faltered to observe and comply with the air emission and water quality norms over the years. During the course

of evidence, the Ministry/CPCB have accepted that the Aluminium Industry is one of the highly polluted industries identified in the country. It was revealed during the inspection of the factory that most of the equipments installed for containing air emissions were not adequate to contain pollutant emissions within the stipulated norms. The industry was also found illegally discharging effluent/waste water from two more outlets for which no permission was undertaken from SPCB. According to the inspection team these outlets could have been a source of pollution of river Subarnarekha, as alleged by the petitioners. It was also revealed during inspection of the factory in July 2006 that the industry did not even possess any valid air and water consent at that point of time and that the last consent under Air and Water Acts had expired on 31 December 2004. This clearly indicates the poor state of affairs and the ineffectiveness of the mechanism which regulates and monitors such industries. The Ministry/CPCB contended that the Hindalco factory at Muri was established in 1948 with the technology prevalent in those days and the mechanism to grant environmental clearance to the factories for maintaining emissions norms came into effect only after 1994. Therefore, according to the Ministry/CPCB, the question of granting environmental clearance to the Hindalco factory before its establishment did not arise in the past. The Committee are not convinced with this contention of the Ministry/CPCB. The Committee are deeply anguished to note that in spite of the fact that a number of shortcomings were found during the inspections of the Hindalco factory over the past 3 years after the matter was reported to this Committee, the Ministry/CPCB granted environmental clearance to the factory way back in September 2005, instead of taking any punitive action against the factory for its failure to comply with the prescribed air emission and water quality norms and for causing pollution to the environment. The industry was also found illegally discharging effluent/waste water from two more outlets for which no permission was undertaken from SPCB. It is inexplicable as to how the factory could be given environmental clearance in 2005, when a number of drawbacks in the operation of the factory were pointed out during its inspection in the past 3 years. The Committee feel that such clearance might have been accorded under influence from some quarters without ensuring that the environmental norms were complied with by them at that time. The Committee, therefore, recommend that an inquiry should be conducted into the circumstances under which such clearance was granted to the factory and action taken against the officers found guilty in this regard. Any industry which causes any kind of pollution to the environment should be given exemplary punishment either by outrightly terminating its licence to operate or by withholding its operation until it takes corrective measures to check any kind of emission/pollutants in and around the industrial site and bring them within the stipulated norms. Those who fail to comply with directions/guidelines in this regard should, on conviction, be punished with imprisonment alongwith a heavy fine under the relevant Acts.

The Committee also recommend that the existing mechanism including CPCB/SPCB should be strengthened to effectively monitor the activities of industries at regular intervals to prevent environmental pollution caused by them. In this

regard, the Committee would like to stress the need to promote the development and adoption of environment-friendly technology in order to curb/reduce industrial pollution in the country.

1.41 On the issue of adverse impact of the pollution caused by the Hindalco factory on the inhabitants of the area, the Committee were informed that no such study has been carried out to assess the adverse affects of the pollution on the inhabitants of the area including animals and birds. However, the ground water survey of the area surrounding the industry was conducted by the National Geophysical Research Institute (NGRI), Hyderabad. The study has revealed that the ground water of 2 wells was polluted out of the 33 selected for monitoring. According to the Ministry, the findings of the periodic sampling will be used to establish any impact of RMP on ground water and preventive measures will be ensured, in case of any adverse impact observed. The Committee are surprised and anguished to observe that in spite of the fact that the Hindalco factory is now almost 60 years old, the authorities concerned have yet to undertake any kind of study/research to assess the adverse impact of the hazardous waste and pollutants emitted by the factory on the inhabitants living in the area. This shows the insensitive approach of the authorities concerned on the issue. The Committee need not emphasize that the hazardous waste and pollutants emitted from the factory are detrimental to the environment surrounding the factory and to the health of the human beings and other inhabitants of the area. The Committee, therefore, recommend that the Ministry/CPCB should immediately conduct a comprehensive and independent study to assess objectively the nature and extent of harm caused or likely to be caused by the activities of the Hindalco Industry to the environment/ecology and the inhabitants of the area including aquatic life of the river Subarnarekha. The findings of the study should also prioritise remedial actions to be taken by the authorities concerned in order to reduce risk to the environment/ecology and the inhabitants of the area as a result of the activities of the Hindalco factory.

1.42 According to the Ministry, the proposed expansion of Hindalco factory for increasing its capacity of production will be based on state of the art technology with zero emission. However, the Committee observe that a majority of the population in the vicinity of the plant is dependent on ground water sources for their day-to-day requirements and after the proposed expansion of the plant, there will be scarcity of water for down stream users and therefore, the factory needs to make an alternative arrangement for its water requirement rather than drawing entire water from the river Subarnarekha. It has also been observed that the ground water from dug wells has become non-potable due to seepage or discharge of alkaline water from the nearby red mud ponds. Since the industry cannot ignore its responsibility towards the inhabitants of the area, the Committee, therefore, expect Hindalco to take immediate measures to provide potable water to the people living in its vicinity before the plant becomes operational after its expansion.

1.43 The Committee observe that water quality at some locations suffers from contamination which may not be potable as well as conducive for aquatic life. The Ministry/CPCB have claimed that the waste water generated by the Hindalco factory is discharged into the river Subarnarekha only after necessary treatment. However, during inspection in May 2006, two more outlets for possible discharge were observed for which no consent under Water Act was taken by the industry and probably this could have been the source of pollution of river Subarnarekha. The Committee, therefore, desire that regular monitoring of the river water may be undertaken and it may be ensured that no effluents and sewage are discharged into the river Subarnarekha without treatment. An action plan may also be prepared for restoration of water quality of the river Subarnarekha within a fixed time frame so that the people of the area are not deprived of potable water for their daily needs.

1.44 The Committee are dismayed with the submission of the Ministry/CPCB that they have no effective role to play in the matter as it is for the State Pollution Control Board (SPCB) to take action against the industries for not complying with the prescribed norms of emissions and the ambient air quality around the industry. The Committee deprecate this kind of complacent attitude/approach of the Ministry/CPCB on the issue. It is not just enough for the Ministry/CPCB to notify the laws/guidelines which are to be complied with by the industries for prevention/abatement of pollution in their sites, they have also to oversee that such laws/guidelines are implemented in letter and spirit. The Committee are of the firm view that being the nodal agency, the Ministry/CPCB can not absolve themselves of their responsibility on such vital issues. It is for the Ministry/CPCB to take initiative to curb environmental pollution and to take remedial/corrective measures for abatement of pollution in the country. The Committee would like to be apprised of the action taken by the Government in this regard within a period of three months.

CHAPTER II

PETITION REQUESTING TO GIVE BENEFITS TO CASUAL WORKMEN EMPLOYED BY HINDUSTAN AERONAUTICS LIMITED, NASIK DIVISION, OZAR, NASIK AT PAR WITH WORKMEN EMPLOYED IN HYDERABAD DIVISION

2.1 Shri Basudeb Acharia, M.P. presented to Lok Sabha on 16th March, 2007 a petition signed by Shri Dilip Waman Pagare and hundreds of other casual workers working in Hindustan Aeronautics Limited (HAL), Ozar (MIG), Nasik, CITU, Kamgar Bhawan, Khutwad Nagar, (Maharashtra), requesting to give benefits to casual workmen employed by HAL, Nasik Division, which were being granted to workmen placed in similar conditions in Hyderabad Division (Appendix-IV).

2.2 In their petition, the petitioners stated that they were working with Hindustan Aeronautics Limited, Nasik Division, for the last 20 to 25 years. They are doing the work of regular and perennial nature under the directions, control and supervision of the management of HAL. Though they were employed by the management of HAL, they are called as Casual Labourers. The company employed permanent workmen for doing same and similar work but the wages paid to the permanent workmen were quite high as compared to what they were being paid. The petitioners contended that even though they were not termed as permanent employees, still the principles of equal pay for equal work was required to be adopted by the State. Their Provident Fund contribution as well as employer's contribution was deposited with the Trust meant for the company's employees till the year 1995. But in 1995 a separate Provident Fund code number was obtained from the Regional Provident Fund Commissioner and their account was transferred to that Fund despite strong resistance by workmen. Their repeated requests to make them permanent and pay them wages at par with permanent employees had not been heard.

The petitioners, therefore, requested that Workmen of Nasik Division of HAL may be given benefits at par with Workmen of Hyderabad Division.

2.3 The Ministry of Defence (Department of Defence Production) were requested to furnish their comments on the issues raised in the petition. In response, the Ministry of Defence (Department of Defence Production) *vide* their O.M dated 18th June, 2007, furnished their comments as under:—

- “(i) In Nasik Division, certain unskilled jobs *viz.* loading/unloading, movement of parts, sanitation work, maintenance of horticulture sites etc. are being executed through Contract Labour engaged in similar jobs as permanent employees of the company. The Division ensures that the respective Contractors are complying with all the statutory requirements including payment of minimum wages as notified by the

Government of Maharashtra from time to time.

- (ii) Further, the said Contract Labour, who are engaged by the registered Contractors are extended certain facilities *viz.* six paid holidays including national holidays, one day paid leave for every 20 days actually worked, coverage under contributory PF etc. Apart from the above facilities, the Division is extending canteen, medical and transport facilities without any legal obligation. It is submitted that the Contract Labour are paid not less than the minimum wages as notified by the State Government of Maharashtra from time to time.
- (iii) It is not correct to state that the Contract Labourers who are presently engaged by the Contractors in HAL, Nasik Division were Casual Workers of HAL prior to 1995 and HAL Management in 1995 transferred these Labourers to private Contractors. In this regard, it is stated that since beginning, they are engaged as “Contract Labourers” by Contractors to perform specific unskilled jobs as per the terms and conditions of the Contract.
- (iv) With regard to their request for regularization it may be mentioned that HAL has been filling up posts only in areas critical to the requirement of the Division/complex taking into account the production activities and order book position and has not been filling any vacancy in the unskilled category.
- (v) The said Contract Labourers are paid the wages as notified by the State Government of Maharashtra from time to time whereas the salary and allowances payable to the permanent employees are as per the Tri-partite Wage settlement arrived at between the HAL Management and the recognized Employee’s Union.
- (vi) With regard to PF code, it is mentioned that:—
 - (a) Prior to 1995, PF of these Contract Labourers was being deposited in the PF Trust of HAL.
 - (b) Subsequently, the Nasik Division has followed the guidelines of the Central Provident Fund Commissioner for the persons employed through the Contractors and based on the same, the Division was allotted a sub-code number. Accordingly, the Provident Fund contribution of these Contract Labourers were separated from the PF Trust of the Division and started being deposited with the Provident Fund Commissioner.
- (vii) As regards the issue of Casual Labourers of HAL, Hyderabad Division, it may be mentioned that in Hyderabad Division, wages and certain benefits for Casual Labourers have been rationalized/introduced during the year 2003, in pursuance of directions by the Labour Authorities/

Courts, viz. decisions/orders in ID No.48/94 in the Industrial Tribunal, Hyderabad, Andhra Pradesh, Writ Petition No.26364/96 of Hon'ble High Court of Judicature, AP, Writ Appeal No.1264/97 of Hon'ble High Court of Judicature, AP, Civil Appeal No.610/98 (SLP No.1164/98) in the Hon'ble Supreme Court of India, New Delhi followed with a series of tripartite meetings with Labour Authorities and Recognized Union by signing a Tripartite Settlement under the Industrial Dispute Act, 1947 with the Recognized Union of the Division. Whereas the same is not applicable to Contract Labour who are engaged through contractors. Further, the Contract Labour in Hyderabad Division are engaged through respective contractors who are governed by the Terms and Conditions of the contract and have not been granted the benefits as in the case of Casual Labour in Hyderabad Division”.

2.4 The Committee, thereafter, took oral evidence of the representatives of the Ministry of Defence on 5th February, 2008.

2.5 During the course of oral evidence, the Secretary, Ministry of Defence (Department of Defence Production), explained the details of the case as under:—

“About 1073 persons are working as contract labourer at Nasik. There are 519 Contract Labourers and 45 Casual Labourers in Hyderabad. Hyderabad Division has itself appointed the Casual Labourers. Contract is given for labourers and HAL is a principal contractor and they are the employees under the contractor. As far as the Contract Labourers of Hyderabad and Nasik are concerned, there are no differences. They are paid salaries as per Contractor and keeping in view the principal employer, they are given minimum wages, the facilities of canteen, medical care etc. as per the Contract Labour Act. But Casual Labourers were directly employed under the Industrial Dispute Act. This dispute was filed and several years ago it had been decided that if they possess qualification and there are vacancies, they should be given appointment. Since no vacancies arised in the last few years, they were given some better facilities as per agreement concluded within the Union. Therefore, both the contract and casual categories are different”.

2.6 As regards benefits given to the Hyderabad Division workers, the Ministry of Defence *vide* their written replies dated 05.02.2008 submitted as follows:-

“The Contract Labourers of Hyderabad Division are engaged by the registered Contractors and these Labourers are governed as per the terms and conditions of the contracts, like the Contract Labour at Nasik Division.

The Casual Labourers of Hyderabad Division were engaged directly by the company. The wages and certain benefits of the Casual Labour of the Hyderabad Division were revised during 2003 in pursuance of the directions of the Labour Authorities and various courts of Laws (including the Hon'ble Supreme Court of India) and to absorb them as regular employees as and when vacancies arise.

They could not be absorbed as regular employees, as vacancies were not available suiting their qualifications. Consequently, based on the demand raised by the recognized Trade Union and discussions held, it was decided to enhance their wages.

The benefits extended to the Casual Labour of Hyderabad Division during 2003, are as under:—

(i)	Basic Pay	Rs.2900.00
(ii)	DA	Rs.1386.00
(iii)	Accommodation Allowance	Rs.290.00
(iv)	Transport Allowance	Rs.100.00
(v)	Washing Allowance	Rs.20.00
(vi)	Ex-gratia	Rs.208.00
	TOTAL	Rs.4904.00 (p.m.)

Besides the above, they are provided facilities *viz.*, PF, ESI, Casual Leave, Vacation Leave, Paid Holidays, Uniforms, Gratuity, Canteen facilities etc”.

2.7 Regarding the nature of work/duties being performed by the Casual Workers of Hyderabad Division *vis-à-vis* Contract Workers of Nasik Division, the Ministry *vide* their written reply submitted as follows:—

“The nature of work being carried out by the Casual Labourers (45 in number) of Hyderabad Division is messenger/helper jobs. The Contract Labourers of Nasik Division are engaged through Contractors who have been awarded work/work package pertaining to House keeping, Security (non-sensitive areas), Horticulture, Loading and Unloading of materials etc.

Keeping in view that there is difference between the Casual Labour of the HAL Hyderabad Division and the Contract Labour engaged by the Contractors at HAL Nasik Division and the fact that the Contract Labour at Nasik are paid Wages by the Contractor’s Establishment, the issue of extending equal benefits to the Contractor’s Labour at HAL Nasik Division is not applicable”.

2.8 The Committee asked as to why no priority can be given to Contract Labourers who are experienced against the vacancies that arise after retirement of regular employees. The witness, Chairman, HAL submitted during the course of oral evidence as follows:—

“Our regular workmen have specific skills. We hire them. For that there is a whole process. For example, vacancies are created through Employment Exchange, which are for technical stream. The regular workmen are in technical streams. We take them in different categories like Tuners, Millers, Grinders, Welders, etc. Majority of the workmen are like that. They are employed on a permanent basis based on our vacancies and based on our

new projects. We are giving them regular pay scales and offering other allowances like conveyance etc. The Contractor's Labour is of a different category. Contractor's Labour is generally providing services like horticulture, maintenance, sanitation, security, etc. Those skills are completely different. We are a technical company which manufactures aeroplanes".

He further added:—

"Our recruitment is done against some specific skills every year. For example, we want Welders or Aircraft Builders. There are educational qualifications and there is age requirement. Then we have to fill certain quotas like PWD, SC, ST quota etc. That process goes on through the Employment Exchange. If the individual Contractor's Labourers possess those qualifications and they are eligible to apply for those posts, they can register themselves through the Employment Exchanges and then can get in. If they qualify, we will take them. There is no bias either for or against them. Contractor Workers remain the Contractor's Worker. Supposing a boy working in Horticulture or Sanitation gets some education and picks up certain trades through the ITI, he is eligible to apply. There is no bias in any case".

2.9 When asked if any priority is given to the experienced Contract Workers in case vacancies arise, the witness replied in negative.

2.10 When the Committee desired to know, if any official of the company supervises that the Contract Workers are getting the salary and facilities as per rules, the witness replied as follows:-

"It is our obligation as the principal who are getting the contract done. There is an Act under which we have to guarantee that the facilities are provided and conditions are met. A register is maintained to monitor regular payment of their salaries. But our system is related to the work package. We tell them that so much area is to be cleared, it is the responsibility of the Contractor to deploy the Labourers according to the size of the land. We oversee, if we make payment to the Contractor, in turn he is disbursing it for them. We oversee that whole thing".

He further added:—

"That is a statutory requirement because if Contractor defaults, it is our responsibility to see that the employees of the Contractor are given payment and other facilities alongwith P.F. contribution facility. We take that later from the Contractor. But we have an oversight function".

2.11 When the Committee asked if any complaint has been received by the company regarding, irregularity in payment of salary to the workers by the Contractor, the witness replied in negative and submitted as under:—

"Actually we are very vigilant because these contracts are for work packages. If we are not vigilant, there can be problem. So, it is better to avoid the problem and so we are keeping a very close watch".

2.12 In response to a query whether there are permanent employees in the company doing the same work as these Casual Labourers or Contract Workers are doing, the witness replied in negative and submitted as follows:—

“There is no such thing because HAL is a very technically-oriented company. We build aircraft and systems. There are all special skills. For example, there are Mechanics, Welders, Painters, people with special treatment, people who build Aircraft and Systems. There is our regular skill. That is a specific skill. Contract Labourers are primarily in providing services like Horticulture, Sanitation, Security, *etc.* We have large areas which need to be cleaned. That kind of work is done by the Contractor’s Labour”.

2.13 When asked if these workers also change with the change in Contractor, the witness submitted as follows:—

“It could happen, Sir. For example, in factory there are so many hectares of land which has to be cleaned; grass has to be levelled; gardens have to be maintained; sanitation has to be done. So, there is a tender for that. There is a set tendering process based on which some Contractor gets that work. Then the contractor deploys the people to do that work”.

2.14 When the Committee desired to know when the workers change with the change in Contractor, how these Contract Workers have been working in the company for the past 20 to 25 years, the witness replied:—

“People are all living in the vicinity. So, if one Contractor gets it, it is quite likely that some of the people migrate to him. If somebody else gets a contract by giving it at a marginally cheaper rate, we will go to the cheaper person. The new Contractor may take some people. It happens because of the geographical distribution of that area”.

2.15 On being asked if all the units of HAL employ people similarly, the witness replied in affirmative.

2.16 When the Committee desired to know if any of these workers is made permanent, the Secretary, Ministry of Defence replied in the negative and submitted as under:—

“Basically the company has a policy of employment. Permanent employees are there, as the Chairman was explaining, for higher order of jobs like Fitter, Welder and others. The routine services are being outsourced and ensured that the ESI and PF payments are made and regular wages are paid. This is done under the Contract Labour Act. Permanent employees are those who are employed based on the technical requirement”.

2.17 In their written replies dated 05.02.2008, the Ministry submitted as under:—

“In general there has been no regularization of Contract Labourers in the Company. However, more than 20 years ago *i.e.* in 1984 & 1988 to 1990, 34 & 38 Contract Labourers had been regularized in Hyderabad Division,

consequent to the settlement reached between the Division and the recognized Union”.

2.18 When the Committee inquired if the wages of Contract Workers are revised, the witness submitted as under:—

“They are revised by the State Government. Normally, the requirement under the Contract Labour Act is that a worker must be paid the minimum wages as is provided. Normally, at least in Maharashtra, I am told they are revised every six months. Then they have been assigned a separate PF number also into which the PF payments are made. What is being ensured is that whatever is provided as the responsibility of the principal employer, are being strictly complied with. It is also being ensured that whatever medical facilities are there, are being provided”.

2.19 The petition was also forwarded to the Ministry of Labour & Employment for furnishing their comments in the matter. In response, giving the status of the case, the Ministry of Labour & Employment *vide* their O.M dated 22nd April, 2008, submitted as follows:—

“The industrial dispute raised by Nasik Workers Union, Nasik was taken in conciliation by Assistant Labour Commissioner (Central). Failure of Conciliation (FOC) report was submitted by the Assistant Labour Commissioner (Central), which was duly examined and referred to the CGIT-cum-Labour Court No.II, Mumbai for adjudication on 07.04.2008.”

2.20 When asked about the reasons for separating the Provident Fund of the Contract Labourers from the Provident Fund Trust of the Division, the Ministry of Defence *vide* their written reply submitted as follows:—

“Yes, the Provident Fund of only the Contract Labourers was separated by the Provident Fund Trust of the HAL Nasik Division. The reason for separating the Provident Fund Account of the Contract Labourers from the Provident Fund Trust of the Division is primarily on account of the fact that the Provident Fund Trust of HAL Nasik Division is applicable for the permanent employees of HAL, Nasik Division. In so far as the Contractors are concerned, they have been allotted separate Provident Fund codes by the Provident Fund Authorities. The contributions/remittance of Provident Fund in respect of these Contract Labourers are deposited in the respective Accounts with the RPF”.

The Ministry further submitted:—

“The Contractors are the Employees of the Contract Labour. The instructions issued by the Company stipulates that Contracts should be awarded only to the Contractors who have their own Terms & Conditions of Employment, separate Provident Fund and ESI Codes etc. This has been done to fully protect the interest of the Contract Labourers who are engaged by the Contractors, in so far as the Statutory provisions are concerned. In view of this, most of the Divisions of HAL Divisions have separated out the Provident Fund contributions of the Contractor’s Labour.

The Provident Fund Contributions of most of the Contract Labourers are deposited with the respective Regional Provident Fund Commissioner by the Contractors who are the employees of these Contract Labourers. These Contractors have been allotted their own Provident Fund codes by the respective Regional Provident Fund Commissioners.

In some of the Divisions, Provident Fund contributions of the Contract Labourers are deposited in HAL Provident Fund Trust, but on a different sub code. As per the instructions, such contractors have been advised to register themselves with the respective Provident Fund Authorities and deposit the Provident Fund contributions of Contract Labourers with the Provident Fund Authorities *i.e.* Regional Provident Fund Commissioner”.

2.21 On being asked about the merits of having a Provident Fund Account in Provident Fund trust of HAL and that of having with Provident Fund Commissioner, the Ministry in their written replies submitted that:—

“Both HAL Provident Fund Trust as well as the Provident Fund maintained under the Regional Provident Fund Commissioner are governed by the provisions of the Employees’ Provident Fund and Misc. Provisions Act, 1952. Hence there is no difference”.

Observation/Recommendations

2.22 In their petition the petitioners have submitted that they are working with Hindustan Aeronautics Ltd. (HAL), Nasik Division, for the last 20 to 25 years. They are doing the work of regular and perennial nature. They are employed by the management of HAL but they are called as Casual Labourers. Also, the Company employs permanent workmen for doing the same work but the wages paid to the permanent workmen for doing same work is many times higher than what they are being paid. The petitioners have contended that even though they are not termed as permanent employees, the principle of equal pay for equal work should still be adopted by the State. They have further submitted that the HAL has granted some benefits to the similarly placed employees at their Hyderabad Division. The petitioners have also submitted that their Provident Fund contribution as well as employer’s contribution was deposited with the trust meant for the Company’s employees till 1995. Thereafter a separate Provident Fund (PF) code number was obtained from the Regional Provident Fund Commissioner, Nasik and their account was transferred to the Regional Provident Fund Commissioner, Nasik despite strong resistance by workmen. The petitioners have, therefore, requested that justice should be given to the Workmen and they may be regularized and placed in similar conditions, *i.e.* ‘Hyderabad Pattern’ may be granted to Casual Workers of Nasik Division of HAL.

2.23 The Committee note from the reply of the Ministry that in Nasik Division, certain unskilled jobs, *viz*, loading/unloading, movement of parts, sanitation work, maintenance of horticulture sites, etc. are being executed through Contract Labour engaged in similar jobs as permanent employees of the company. The Division ensures that the respective Contractors are complying with all the statutory

requirements including payment of minimum wages as notified by the Government of Maharashtra from time to time. Such Contract Labour who are engaged by the registered Contractors are extended certain facilities, viz. six paid holidays including national holidays, one day paid leave for every 20 days actually worked, coverage under contributory PF, etc. Apart from the above facilities, the Division is extending canteen, medical and transport facilities without any legal obligation. The Contract Labour are paid the minimum wages as notified by the State Government of Maharashtra from time to time. However, the salary and allowances payable to the permanent employees are as per the Tripartite Wage settlement arrived at between the HAL Management and the recognized Employees' Union. According to the Ministry, it is not correct to state that the Contract Labourers who are presently engaged by the Contractors in HAL, Nasik Division were Casual Workers of HAL prior to 1995 and HAL Management in 1995 transferred these Labourers to private Contractors. Since beginning, they are engaged as "Contract Labourers" by Contractors to perform specific unskilled jobs as per the terms and conditions of the Contract. HAL has been filling up posts only in areas critical to the requirement of the Division/Complex taking into account the production activities and order book position and has not been filling any vacancy in the unskilled category.

2.24 With regard to PF code, the Committee were informed that prior to 1995, PF of these Contract Labourers was being deposited in the PF Trust of HAL. Subsequently, the Nasik Division has followed the guidelines of the Central Provident Fund Commissioner for the persons employed through the Contractors and based on the same, the Division was allotted a sub-code number. Accordingly, the Provident Fund contribution of these Contract Labourers were separated from the PF Trust of the Division and deposited with the Provident Fund Commissioner.

2.25 As regards the Casual Labourers of HAL, Hyderabad Division, the Committee were informed that they were engaged directly by the Company. Their wages and certain benefits were rationalized/introduced during the year 2003, in pursuance of directions by the Labour Authorities/Courts, viz. decisions/orders in ID No.48/94 in the Industrial Tribunal, Hyderabad, Andhra Pradesh, Writ Petition No.26364/96 of Hon'ble High Court of Judicature, AP, Writ Appeal No.1264/97 of Hon'ble High Court of Judicature, AP, Civil Appeal No.610/98 (SLP No.1164/98) in the Hon'ble Supreme Court of India, New Delhi followed with a series of tripartite meetings with Labour Authorities and Recognized Union by signing a Tripartite Settlement under the Industrial Disputes Act, 1947 with the Recognized Union of the Division. Whereas the same is not applicable to Contract Labour who are engaged through contractors. Further, the Contract Labour in Hyderabad Division are engaged through respective contractors who are governed by the Terms and Conditions of the contract like the Contract Labour at Nasik Division and have not been granted the benefits as in the case of Casual Labour in Hyderabad Division. During the course of evidence, the Committee were informed that there are about 1,073 persons who are working as Contract Labourers at Nasik Division, whereas in Hyderabad Division, 519 Contract Labourers and 45 Casual Labourers are working.

2.26 The Committee note that the wages and certain benefits of Casual Labour of the Hyderabad Division were revised during 2003 in pursuance of the directions of the Labour Authorities and various Courts of Laws (including the Hon'ble Supreme Court of India) and to absorb them as regular employees as and when vacancies arise. They could not be absorbed as regular employees, as vacancies were not available suiting their qualifications. Consequently, based on the demand raised by the recognized Trade Union and discussions held, it was decided to enhance their wages.

The benefits extended to the Casual Labour of Hyderabad Division during 2003, are as under:—

(i) Basic Pay	Rs. 2900.00
(ii) DA	Rs. 1386.00
(iii) Accommodation Allowance	Rs. 290.00
(iv) Transport Allowance	Rs. 100.00
(v) Washing Allowance	Rs. 20.00
(vi) Ex-gratia	Rs. 208.00
TOTAL	Rs.4904.00 (p.m.)

Besides the above, they are provided facilities, *viz.* PF, ESI, Casual Leave, Vacation Leave, Paid Holidays, Uniforms, Gratuity, Canteen facilities, *etc.*

2.27 In their submission, the Ministry have contended that there is difference between the Casual Labour of the HAL, Hyderabad Division and the Contract Labour engaged by the Contractors at HAL Nasik Division. The nature of work being carried out by the Casual Labourers (45 in number) of Hyderabad Division is that of messenger/helper. The Contract Labourers of Nasik Division are engaged through Contractors who have been awarded work/work package pertaining to House keeping, Security, Horticulture, Loading/Unloading of materials etc. Further, since the Contract Labour at Nasik are paid Wages by the Contractor's Establishment, the issue of extending equal benefits to the Contractor's Labour at HAL Nasik Division is not applicable. Over the years, no Contract Labourer has been regularized in the Company except in 1984 and 1988 to 1990 when 34 and 38 Contract Labourers were regularized in Hyderabad Division, consequent to the settlement reached between the Division and the recognized union.

2.28 The Committee, however, note from the submission made by the Ministry of Labour & Welfare that the industrial dispute raised by Nasik Workers Union, Nasik was taken in conciliation by Assistant Labour Commissioner (Central). Failure of conciliation (FOC) report was submitted by the Assistant Labour Commissioner (Central), which was duly examined and referred to the CGIT-Cum-Labour Court No.II, Mumbai for adjudication on 07.04.2008 with the following directions:—

“Whether the demand of the Nasik Workers Union for absorption of Contract Labourers, is legal and justified? If so, to what relief are they entitled to?”

The matter is still pending before the Central Government Industrial Tribunal-Cum-Labour Court No.2, Mumbai and thus the same is *sub-judice*.

2.29 From the foregoing, the Committee observe that the Contract Labourers of HAL, Nasik Division were not engaged directly by the Company. They were, in fact, engaged by registered contractors by the terms and conditions of contract for execution of certain unskilled jobs like House keeping, Loading/Uploading of materials, sanitation work, etc. They are paid minimum wages as notified by the State Government of Maharashtra from time to time. They are also extended certain facilities like paid holidays, coverage under contributory PF, medical, transport, canteen, etc. However, they cannot be regularized unless they possess the requisite qualification and are eligible to apply for those posts and also they register themselves through the Employment Exchanges. On the other hand, the Casual Labourers of HAL, Hyderabad Division were engaged directly by the Company. Their wages and certain benefits were revised during 2003 in pursuance of the directions of the Labour authorities and various Courts of Laws. They are to be absorbed as regular employees subject to availability of vacancies as per their qualifications in the Company.

2.30 Considering the fact that the demand of the workers of Nasik Division for their absorption and relief is before the Central Government Industrial Tribunal Cum-Labour Court No-2, Mumbai for adjudication and the same is still pending before them, the Committee would like the Ministry to make sincere efforts for an early decision so as to resolve the issue expeditiously within a fixed time frame to avoid any hardship to such workers without precluding the option of out-of-court settlement, specially in view of the fact that in 1984 and 1988 to 1990, 34 and 38 Contract Labourers had been regularized in Hyderabad Division, consequent to the settlement reached between the Division and the recognized union. These workers, being quite experienced, should be given opportunity and priority for their absorption/regularization against the regular posts in the Company subject to their suitability for the jobs and fulfilling the necessary requirements. The Committee would like to be apprised of the action taken in this regard within a period of 3 months.

2.31 As regards separation of the Provident Fund of the Contract Labourers from the Provident Fund Trust of HAL, the Committee note that the Provident Fund Trust of the HAL Division is applicable to the permanent employees of HAL, Nasik Division and the Contractors have been allotted separate Provident Fund Codes by the Provident Fund Authorities. This has been done to fully protect the interests of the Contract Labourers who are engaged by the Contractors, in so far as the statutory provisions are concerned. The Provident Fund contributions of most of the Contract Labourers are deposited with respective Regional Provident Fund Commissioner by the Contractors. In some of the Divisions, Provident Fund contributions of the Contract Labourers are deposited in HAL Provident Fund Trust but on a different sub code. As per the instructions, such contractors have been advised to register themselves with the respective Provident Fund Authorities and deposit the Provident Fund contributions of

Contract Labourers with the Provident Fund Authorities, i.e. Regional Provident Fund Commissioner. Both HAL Provident Fund Trust as well as the Provident Fund maintained under the Regional Provident Fund Commissioner are governed by the provisions of the Employees' Provident Fund and Misc. Provisions Act, 1952. The Committee are, therefore, satisfied to note that there is no difference in HAL Provident Fund of the permanent employees of Nasik Division as well as Provident Fund maintained under the Regional Provident Fund Commissioner in respect of Contract Labourers and, therefore, would not like to pursue this issue further.

NEW DELHI;
22 December, 2008
1 Pausa, 1930 (Saka)

SYED SHAHNAWAZ HUSSAIN,
Chairman,
Committee on Petitions.

APPENDIX-I

(See Para 1.1 of the Report)

LOK SABHA

PETITION NO. 10

(Presented to Lok Sabha on 22.2.2006)

To

Lok Sabha
New Delhi.

The humble petition of Shri Mustafa Kamal Ahmed from Village Muri, Distt. Ranchi (Jharkhand) and others.

SHEWETH

We, the undersigned 1167 villagers of Muri and nearby areas want to draw your attention to the following facts:—

- (i) Hindalco factory in Muri produces Aluminium Powder. During the production in the factory, Aluminium powder is remitting residue as Red Mud which is ultimately releasing pollutants in the air and water and as a result the atmosphere of the whole area is getting polluted day by day making unhealthy for inhabitants to live these:
- (ii) River Subarnarekha, the life line of the area, flows along this factory. Residue water of this factory falls in this river, thereby the river water also gets polluted and small fishes have disappeared from therefrom and the livelihood of villagers of this area also affected as they depended upon catching fishes;
- (iii) All sources of potable water like well located has been fully polluted;
- (iv) Smoke emitted from the chimney of this factory contains poisonous gases like Sulfur dioxide and Hydrogen Sulphide due to which, hundreds of people of this area are suffering from respiratory and lung ailments;
- (v) Three High Schools are being run near factory and the students of these schools are suffering from respiratory problems and are also badly affected by noise pollution;
- (vi) The fertility of agriculture land of this area is getting eroded by the pollution emitted from the factory. Laah farming used to be on a large scale has ruined. Apart from human beings, animal, birds are also bearing the impact of pollution. The rural mass of the area are badly affected by water, air and noise pollution emerging from this factory on a large scale;

We therefore, request that an appropriate inquiry may be made in the matter and suitable action be taken so as to relive us from this pollution.

And your petitioners as in duty bound shall every pray.

Name	Address	Signatures
Shri Mustafa Kamal Ahmed	Village: Muri, Distt. Ranchi (Jharkhand)	Sd/-
Shri Sanjay Kumar Sidhartha.	Village: Muri, Distt. Ranchi (Jharkhand).	Sd/-

Counter signed by Shri Basudeb Acharia, M.P.

APPENDIX-II

(See para 1.4 of the Report)

FINAL REPORT BASED ON THE JOINT INSPECTION OF THE M/s. HINDALCO INDUSTRIES LIMITED, MURI, JHARKHAND CONDUCTED BETWEEN 5TH TO 7TH JULY, 2006

Environmental Aspects of The Refinery

Air Environment

Major source of air pollution from the Industry is through 3 stacks connected to Kiln and boilers. There are 2 numbers of calcination kilns and 3 numbers of boilers. Both the kilns are attached with one stack having multi-cyclone and ESP installed. Boiler No. 4 has been provided with a dust collector with boiler No. 3 has cyclone type dust collector. Most of the equipment installed is not adequate to contain the pollutant emissions within the stipulated standards.

Grinding and sieving of alumina is done for manufacture of specialized alumina inside the plant. It is mainly a dry process and appropriate measures have been taken for controlling any fugitive emission or loss of product.

Water Environment

The industrial and domestic requirement of water is 1008 m³ and 478 m³ per day respectively as reported by the industry. Major source of water supply to the industry is from River Subarnarekha through an infiltration well. Domestic waste water generated inside the industry premises is treated in a conventional wastewater treatment plant and discharged in a natural drain (Drain no. 2), which ultimately meets River Subarnarekha. The sewage generated from the township is treated in Sewage Treatment Plant (STP) and recycled for irrigation in the plant township. Most of the industrial wastewater generated is recycled back into the system after recovery of soda from the red mud or is stored in Red Mud Pond no. 4 for use in sprinkling system to arrest/control re-suspension of red mud in ambient air during dry season.

Ground water

The ground water level in the area varies between 2.5 to 7.5m with a hydraulic gradient of 5.5 m per 600 m length towards river bed. The ground water contour shows a decline from North to South in the area. Majority of population in the vicinity is dependent on ground water sources for their day to day requirement.

Surface Source

Subarnarekha—a perennial river is the main source of water apart from the ground water. The average depth of water flowing in the river during the visit was approx. 50 cm. There are small non-perennial drains passing through the industry premises and south of Red mud pond. These drains are used by local villagers for bathing, washing and irrigation purpose. A small check dam is also constructed on the drain south of red mud pond no. 4 which is mainly used for the purpose of irrigation and bathing.

Solid Waste

Residue left after digestion of bauxite, called Red Mud is separated from liquor by decanting, washing and processing through vacuum drum filter. The Slurry thus separated is recycled back into the recirculation circuit whereas the solid content having moisture in the range of 35–40 % is stored in a steel hopper. From the bottom outlet of the hopper, it is directly transferred to dumper for transportation to the Red Mud Pond for final disposal.

There are three Red Mud Ponds out of which Pond No.3 is presently in use. All the three ponds have one side (East face) exposed to River Subarnarekha. Water sprinkling arrangement has been made in Pond No. 3 to control re-suspension of red mud dust during dry season. Pond no.2 (approx. area – 6000 m²) has been abandoned and not used for disposal of red mud. Tree Plantation has been done on approximately 10-15% area of the abandoned pond, while the rest of the area is used for storage and fabrication work associated with the on-going expansion work of the industry. The area was used to store red mud before the dry stacking method was adopted by the industry and therefore the red mud was pumped in slurry form. Tree plantation has also been done on the western slope of the pond with provision to collect the seepage from the pond by inserting pipes into the bunds.

Excess waste water (storm water and surface runoff) from the industry premises is presently pumped into Pond no. 4 for storage and utilization for sprinkling on red mud pond during dry season.

APPENDIX-III

(See para 1.34 of the Report)

COMPLIANCE STATUS AS ON 04.10.2007 ON THE PROGRESS MADE
ON THE DIRECTION ISSUED BY CPCB, DELHI *VIDE* LETTER
NO. B34013/11/2001/PCI-II/7767 DATED 11.09.2006

Sl. No.	Direction	Compliance as of 4th October, 2007
1.	Industry should ensure and take adequate preventive measures to avoid any spillage or discharge of highly alkaline water from the red mud pond to nearby land or surface water body.	No seepage or discharge found during the visit. Seepage collection pit and all necessary pumping arrangement to pump the seepage water back to the RMP 3 was found in operation.
2.	Industry shall ensure that no industrial wastewater including runoff from abandoned pond during the rain is released into river Subarnarekha.	Garland drain along the inside periphery of the red mud pond constructed, but due to heavy rain in the region, the southern side drain was submerged in rain water. Except the treated wastewater from the SSTP, no discharge from the industry was found in the river.
3.	Industry should make permanent provisions for collection of surface runoff from the RMP # 3 and 4 considering the high intensity of flow in future due to reduced buffer zone.	Industry informed that it will initiate work after the buffer zone gets reduced below safe level.
4.	Adequate flood cutting and subsidence abatement measures of existing earthen bunds for all the three RMPs towards river front need to be provided on priority in the time bound manner to avoid any eventuality.	Soil investigation based on the recommendation of IIT, Kharagpur has been completed. Two options has been suggested based on the finding of the study. Construction of seepage channel all along the river side of the RMP to abate any discharge to the river and also to collect any seepage occurring and pump it back to the pond. This is

Sl. No.	Direction	Compliance as of 4th October, 2007
		a short term measure to control any seepage through the bunds. For long term the option suggested is under discussion considering the implementation and other safety aspects, as reported by the industry.
5.	Exposed red mud surface on Pond No. 2 should be covered with clay of low permeable solid and preventive measures taken for preventing such occurrence	The exposed surface on RMP # 2 has been covered with low permeable clay soil except in the storage area. This area will also be covered after completion of expansion work as informed by the industry.
6.	Measures to control any rain water percolation in the RMP No. 2 (abandoned) to avoid any future seepage generation need to be taken. Comprehensive seepage collection, treatment and disposal system should be in place to avoid any adverse impact on the surrounding water and land environment.	Seepage collection system is in place.
7.	To assess any impact on ground water in the vicinity due to seepage or percolation from RMPs, scientifically located observation wells for continuous monitoring of water quality should be established (including the abandoned red mud ponds also).	National Geophysical Research Institute, Hyderabad has been engaged to conduct twice a year ground water monitoring at 32 identified locations. The results are submitted accordingly.
8.	New proposed site for disposal of Red mud should be developed as per the CPCB guidelines with adequate measures to prevent any adverse impact on the environment.	Land acquisition activities is under process.
9.	The industry should develop green belt on the entire Red Mud point no. 2 within the next 3 years (as per their action plan submitted by the industry). The progress should	Afforestation or green belt development on top of red mud pond no. 2 has been initiated. Out of 25 acres of surface area, about 3 acres was used for green belt

Sl. No.	Direction	Compliance as of 4th October, 2007
	be submitted to CPCB every six months. Suitable remedial measures for the abandoned ponds should be taken to prevent any possibility of contamination of ground water/ surface water due to leaching/ surface runoff.	development in 2006, another 5 acres have been utilized for development with help and know how of TERI, Delhi in 2007. Approximately 3 acres of area at surface top is presently used as storage area for expansion project.
10.	New proposed site for disposal of Red mud should be developed as per the CPCB guidelines with adequate measures to prevent any adverse impact on the environment.	Land acquisition activities is under process.
11.	The industry should develop green belt on the entire Red Mud pond No. 2 within the next 3 years (as per their action plan submitted by the industry). The progress should be submitted to CPCB every six months. Suitable remedial measures for the abandoned ponds should be taken to prevent any possibility of contamination of ground water/ surface water due to leaching/ surface runoff.	Afforestation or green belt development on top of red mud pond No. 2 has been initiated. Out of 25 acres of surface area, about 3 acres was used for green belt development in 2006, another 5 acres have been utilized for development with help and know how of TERI, Delhi in 2007. Approximately 3 acres of area at surface top is presently used as storage area for expansion project.
12.	The condition of garland drain constructed around the Red Mud pond No. 3 should be improved to take care of overflow, if any, from the pond. The overflow from the garland drain shall be pumped to the holding pond.	Garland drain has been constructed to contain the runoff and collect and reuse it back into the process.
13.	Industry needs to identify all hazardous waste generated in the process as per the provisions of Hazardous Waste (Management & Handling) Amendment Rules, 2003 and obtain a fresh authorization at the earliest.	Authorization has been obtained from JSPCB which is valid till 08.01.2010.
14.	Any construction activity on river front side by the industry like the construction of road that is in progress should be taken up, only after approval by JSPCB and the concerned authorities.	No construction activity on river side was found in progress during the visit.

Sl. No.	Direction	Compliance as of 4th October, 2007
15.	The industry shall use only one outlet for discharge of wastewater from its premises for which consent has been obtained/applied. No new outlet shall be made/permitted for discharge of any wastewater.	SSTP is operational and treated water is only discharged at present.
16.	The industry shall meet the following requirements for new power plant as per the recommendation of CREP: The emissions from Power plant shall meet 100 mg/Nm ³ for Particulate Matter. The power plant shall use the abandoned coal mines for ash disposal. The power plant will adopt dry fly ash extraction/dry disposal system for fly ash.	The ESP for the new plant is designed for 100 mg/Nm ³ No abandoned mines is available as informed by the industry. Necessary provision has been made for collection of dry ash.
17.	Potable water supply by the industry to the populate residing between RMP No. 2 and 3 should be made urgently as the ground water from dug wells has become non-potable.	Potable water supply to the adjacent habitat—Kokarana just adjacent to the Red Mud pond has been made by the industry.

APPENDIX-IV

(See Para 2.1 of the Report)

LOK SABHA

PETITION NO. 14

(Presented to Lok Sabha on 16.3.2007)

To

Lok Sabha
New Delhi.

The humble petition of Shri Dilip Waman Pagare and hundreds of other casual workers of Hindustan Aeronautics Ltd., Ozar (MIG) Nashik, CITU, Kamgar Bhawan, Khutwad Nagar, Nasik (Maharashtra).

SHEWETH

We, the undersigned, casual workmen of M/s. Hindustan Aeronautics Limited, Nasik Division, Ozar, Nasik (Maharashtra) submit the following petition for consideration.

We are working with Hindustan Aeronautics Ltd., Nasik Division, for the last 20 to 25 years. We are doing the work of regular and perennial nature. We are working under the directions, control and supervision of the management of Hindustan Aeronautics Ltd. The company employs permanent workmen for doing same and similar work, but the wages paid to the permanent workmen for doing the same and similar work is many times than what we are getting. Even though we are not termed as permanent employees, still the principles of equal pay for equal work is required to be adopted by the State irrespective of the fact that the workmen are permanent or not permanent.

It is submitted that though we are employed by the management of Hindustan Aeronautics Ltd., we are called as casual labourers. Our Provident Fund contribution as well as employer's contribution was deposited with the Trust meant for the company's employees till the year 1995. It is only in the year 1995 that a separate provident fund code number was obtained from the Regional Provident Fund Commissioner, Nasik and our account was transferred to the regional Provident Fund Commissioner, Nasik despite strong resistance by workmen. Our repeated requests to make us permanent and pay us wages at par with permanent employees has not been heard.

It is submitted that the company has recently granted some benefits to similarly placed employees at their Hyderabad Division, under Defence Ministry.

Accordingly, your petitioners pray that we may be given benefits granted to Hyderabad Division workmen on the basis of the rule that same justice should be given to the workmen placed in similar conditions. In other Words “Hyderabad Pattern” may be granted to Nasik Division of HAL, Ozar for the said reason.

And your petitioners as in duty bound will ever pray.

Sl. No.	Name	Address	Signatures
1.	Sh. Dilip Waman Pagare and hundreds of other casual Workers of HAL	CITU, Kamgar Bhawan, Khutwad Nagar, Nasik -422008 (Maharashtra)	Sd/-

Countersigned by Shri Basudeb Acharia, M.P.

ANNEXURE- I

MINUTES OF THE FIFTIETH SITTING OF THE COMMITTEE ON PETITIONS
(FOURTEENTH LOK SABHA).

The Committee on Petitions sat on Friday, 12th January, 2007 from 1500hrs. to 1600 hrs. in Committee Room 'B', Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

Shri Prabhunath Singh — *Chairman*

MEMBERS

2. Shri N.S.V. Chitthan
3. Shri Anant Gangaram Geete
4. Adv. Suresh Kurup
5. Shri Dharmendra Pradhan
6. Kunwar Jitin Prasada
7. Shri Kishan Singh Sangwan
8. Shri Mansukhbhai Dhanjibhai Vasava
9. Shri Paras Nath Yadav

SECRETARIAT

1. Shri J.P. Sharma — *Joint Secretary*
2. Shri A.K. Singh — *Director*
3. Shri U.B.S. Negi — *Under Secretary*

WITNESSES

Ministry of Environment and Forests

1. Shri Sidhartha Behura — *Additional Secretary*
2. Shri R.K. Vaish — *Joint Secretary*
3. Dr. Nalini Bhat — *Director*
4. Dr. B. Sengupta — *Member Secretary, CPCB*
5. Shri M. Subha Rao — *Additional Director*
6. Dr. Manju Raina — *Additional Director*

2. At the outset, the Chairman welcomed the representatives of the Ministry of Environment and Forests and drew their attention to Direction 55(1) of the Directions by the Speaker, Lok Sabha regarding confidentiality of the proceedings. The Chairman also drew attention to Direction 95 which clearly stipulates that the Committee shall also meet as often as necessary to consider representations, letters, telegrams from various individuals, associations etc. which are not covered by the rules relating to petitions and give directions for their disposals.

3. Thereafter, the Committee took oral evidence of the representatives of the Ministry of Environment and Forests on the following petitions:—

- (i) Petition regarding pollution being caused by the Hindalco Factory situated near Muri, District Ranchi (Jharkhand); and

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- I. Petition regarding pollution being caused by the Hindalco Factory situated near Muri, District Ranchi (Jharkhand)

The following issues/points were discussed by the Committee:—

- (i) Details about procedure to be adopted for giving environment clearance to an industry;
- (ii) Details about environmental pollution caused by Hindalco Factory at Muri and steps taken by the Government to stop the pollution in the surrounding area of the factory;
- (iii) Role of Central Pollution Control Board (CPCB) as well as Jharkhand State Pollution Control Board to control the Pollution in Hindalco Factory;
- (iv) Action taken by the Government on the recommendations made by the CPCB to control the pollution in the factory; and
- (v) Guidelines for regulating punishment/penalty for violation of pollution norms by the factories/industries.

4. The Committee desired that the representatives of the Central Pollution Control Board as well as Jharkhand State Pollution Control Board may be called for evidence during the next sitting of the Committee on Petitions. The Committee also desired that a report may about the present status of pollution in Hindalco factory may also be called for from the Chief Secretary, Jharkhand.

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6. The Committee directed the witness to supply the detailed information on the issues as raised during the discussion before the next sitting of the Committee.

The witnesses then withdrew.

7. A copy of the verbatim proceedings of the sitting of the Committee was kept on record.

The Committee then adjourned.

ANNEXURE-II

MINUTES OF THE SEVENTY-SIXTH SITTING OF THE COMMITTEE ON
PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Tuesday, 5th February, 2008 from 1500 hrs. to 1700 hrs. in Committee Room 'C', Parliament House Annexe, New Delhi.

PRESENT

Shri Prabhunath Singh — *Chairman*

MEMBERS

2. Shri Mohan Jena
3. Adv. Suresh Kurup
4. Kunwar Jitin Prasada

SECRETARIAT

1. Shri A.K. Singh — *Director*
2. Shri U.B.S. Negi — *Deputy Secretary*
3. Smt. Jagriti Tewatia — *Committee Officer*

WITNESSES

Ministry of Defence

1. Shri P.K. Rastogi — *Special Secretary (Defence)*
2. Shri Pradeep Kumar — *Secretary (Defence Production)*
3. Dr. W. Selvamurthy — *CCR & D (LS&HR)*
4. Shri Ashok K. Baweja — *Chairman, HAL*
5. Shri Binoy Kumar — *JS (O)*
6. Shri S.N. Misra — *JS (HAL)*
7. Shri Ajay Tirkey — *JS (E)*
8. Maj. Gen. P.K. Rath — *ADG DV*
9. Maj. Gen. V.K. Tiwari — *ADG Arty (A)*

10. Maj. Gen. Anukul Chandra	—	ADG (EM)
11. Maj. Gen. S. Sunder	—	ADG WE
12. Maj Gen. Chander Prakash	—	Addl. DGQA (A)
13. Dr. Narender Kumar	—	Director, Personnel
14. Dr. A.K. Singh	—	Director, PEACE
15. Shri Pankaj Kumar	—	DS (O)
16. Shri S.C. Barmma	—	Director (AG)

2. At the outset, the Chairman welcomed the representatives of the Ministry of Defence and drew their attention to Direction 55(1) of the Directions by the Speaker Lok Sabha regarding confidentiality of the proceedings. The Chairman also drew attention to Direction 95 which clearly stipulates that the Committee shall also meet as often as necessary to consider representations, letters, telegrams from various individuals, associations etc. which are not covered by the rules relating to petitions and give directions for their disposals.

3. Thereafter, the Committee took oral evidence of the representatives of Ministry of Defence on the following four representations:—

- (i) Petition requesting to give benefits to casual workmen employed by Hindustan Aeronautics Limited, Nasik Division, Ozar, Nasik which are being granted to Hyderabad Division workmen placed in similar conditions *i.e.* Hyderabad pattern;
- (ii) Representation regarding denying appointment to the post of Senior Technical Assistant, Dehradun;
- (iii) Representation signed by Shri Manvendra Singh, M.P. regarding irregularities observed in procurement of Electronic Fuzes by the Ministry of Defence; and
- (iv) Representation signed by Lt. S.S. Chauhan and forwarded by Capt. Jai Narayan Prasad Nishad, M.P. (Rajya Sabha) regarding injustice by the Ministry of Defence for the last 17 years.

I. Petition requesting to give benefits to casual workmen employed by Hindustan Aeronautics Limited, Nasik Division, Ozar, Nasik which are being granted to Hyderabad Division workmen placed in similar conditions *i.e.* Hyderabad pattern.

The following issues/points were discussed by the Committee:—

- (i) Contract workers are different from casual labourers but their minimum wages, canteen and medical facilities ESI and PF are as per Contract Labour Act.

- (ii) Being experienced, contract workers to be given priority in appointment against regular vacancies.
- (iii) As principal employer, to monitor the payment and other facilities to the contract labourers by contractor.
- (iv) Nature of work performed by contract workers.
- (v) Tendering process for engagement of contractor who in turn deploy the people to do the work.

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4. The Committee asked the witnesses to send the replies on points or demands which were not supplied or readily available with them during the evidence, within, the stipulated period.

The witnesses then withdrew.

5. A copy of the verbatim proceedings of the sitting of the Committee was kept on record.

The Committee then adjourned.

ANNEXURE-III

MINUTES OF THE HUNDREDTH SITTING OF THE COMMITTEE ON
PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Monday, the 22nd December, 2008 from 1500 hours to 1515 hours in Chairman's Room No. 45(II) Ground Floor, Parliament House, New Delhi and from 1630 hours to 1830 hours in Room No.139, Parliament House Annexe, New Delhi.

PRESENT

Shri Syed Shahnawaz Hussain — *Chairman*

MEMBERS

2. Shri N.S.V. Chitthan
3. Shri Sardinha Francisco
4. Shri Manikrao Hodlya Gavit
5. Shri Anant Gangaram Geete
6. Shri C. Kuppusami
7. Shri Kishan Singh Sangwan

SECRETARIAT

1. Shri P.K. Grover — *Joint Secretary*
2. Shri A.K. Singh — *Director*
3. Shri U.B.S. Negi — *Deputy Secretary*
4. Shri H.R. Kamboj — *Deputy Secretary-II*
5. Shri V.P. Gupta — *Under Secretary*
6. Smt. Jagriti Tewatia — *Committee Officer*

2. The Committee considered and adopted the following draft Reports of the Committee without any modifications:—
 - (i) Forty-Sixth Report on the following subjects:—
 - (a) Petition concerning the Ministry of Environment and Forests presented to Lok Sabha on 22 February, 2006 by Shri Basudeb Acharia, MP regarding pollution caused by the Hindalco Factory situated near Muri, District Ranchi (Jharkhand).

(b) Petition concerning the Ministry of Defence presented to Lok Sabha on 16 March, 2007 by Shri Basudeb Acharia, MP requesting to give benefits to casual workmen employed by Hindustan Aeronautics Ltd., Nasik Division, Ozar, Nasik at par with workmen employed in Hyderabad Division.

(ii) Forty-Seventh Report on the representations concerning the Ministries of Civil Aviation and Railways.

3. The Committee also authorised the Chairman to finalise and present the Reports to the House.

4. **

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The Committee then adjourned.