

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

**Original Application No. 283/2013
(M. A. No. 756/2013)
&
(M. A. No. 1057/2013)**

R. N. T. Plantations Ltd. V/s. Union of India & Ors.

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. G. K. PANDEY, EXPERT MEMBER
HON'BLE MR. B. S. SAJWAN, EXPERT MEMBER**

Present:

Applicant / Appellant	:Mr. Amit Agarwal, Adv.
Respondent No. 1	:Ms. Panchajanya Batra Singh, Adv.
Respondent No. 2	:Mr. Ashish Kumar, Adv.
Respondent No. 3	:Mr. Shuvodeep Roy, Adv. :Mr. Rajkumar, Adv. and Mr. S.L. Gundli, Sr. Law Officer for CPCB Mr. Abhishek Paruthi, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 1 August 11, 2014	<p>Heard. Perused.</p> <p>On 6th May, 2014, we had ordered independent inquiry at the hands of CPCB in respect of the area in question and sought answers to the following questions :</p> <ol style="list-style-type: none">1. Whether the Rajgarjan and Gohainjan are natural water streams or man-made drains and whether they are blocked by the work carried out by ONGC.2. Whether the ONGC has been discharging effluents/sludge, crude oil and other waste materials into the Rajgarjan and Gohainjan streams/man-mad drains.3. Whether the culverts constructed by the ONGC are undersized so as to allow free flow of water in Rajgarjan and Gohainjan streams/man-made drains.4. Whether ONGC has been dumping oil, sludge and other waste materials including drilling mud and effluents openly in the tea estate of the applicant and in the nearby areas.

5. Whether there is continuous oil spillages from the pipelines laid-down by the ONGC in the tea estate of the applicant and thereby cause pollution.
6. Whether the pipeline laid-down by ONGC for carrying crude oil are over ground at various places and whether the said works as envisaged in the scheme prepared by ONGC has been carried out and if so whether they are effective.
7. Whether the wells/Christmas trees are fenced as required under law.
8. Whether the fertility of the soil of the estate of the applicant has been degraded due to the pollution hazard created by ONGC.
9. Whether the scheme envisaged by respondent no. 1 is sufficient to prevent further pollution. Whether the conditions provided in the EC granted on 08.08.2007 are fully complied with.

On July 2014, CPCB filed a report with reference to the questions posed and made suggestions regarding completion of the ARP scheme without blocking Rajgarjan and Gohainjan drain during laying of pipeline, clean up of three of the oil sludge dumping sites and fencing of wells/Christmas trees in Lukwah tea estate.

Today, learned Counsel appearing for the Applicant submits that he wants to question the observations made in the report particularly in respect of the lining of the soil sludge dumping sites and the analyses report of the effluent discharged in Rajgarjan drain and the size of the culverts.

The learned Counsel appearing for the ONGC submits that the ONGC has merely financed the culverts and it was the Public Works Department of Assam which designed and constructed the

culverts as per the design flow in the drains. He further submitted that what is depicted in the figure 2 in the report at page 3 is not the flow of effluents coming from Gas Compressor Plant-II complex of the ONGC but it is water from the borewell which has accidentally spilled-out. Actually, he submits that borewell water is used for cooling the GCP and as such there is no change in its chemical characteristics of the borewell water.

He further discloses on instructions that GCP-II complex does not generate any effluents and effluent generated is from the pipeline leakage and whenever such leakage is noticed the soil around the leakage is collected and treated. The oil sludge and other waste material is treated with bioremediation process i.e. use of micro-organisms for breaking down the oil sludge to soil and whatever that remains by way of treated effluents is injected in earth to the depth of 1000 meters.

From the report and submissions made, we feel that there is something on which there should be clarification. We, therefore, grant time to the Applicant to file its objections in line with what is disclosed today and further to hand over to the CPCB the photographs/videography of the inspection proceedings in order to help CPCB to further clarify in respect of points raised in objections by the Applicant.

Copies of the objections be furnished to the CPCB and other parties well in advance i.e. on or before 25.08.2014.

List the matter on 5th September, 2014

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

....., EM
(Dr. G.K. Pandey)

....., EM
(B. S. Sajwan)