

PROHIBITION OF STORAGE OF CHEMICALS IN ANTOP HILL IN BOMBAY

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests and Wildlife)

NOTIFICATION

New Delhi, the 9th February, 1990

Notification under section 3(2) (v) of the Environment (Protection) Act, 1986 and rule 5(3) (a) of the Environment (Protection) Rules, 1986 prohibiting storage of chemicals in Antop Hill in Bombay.

S.O. 136 (E) Whereas a notification under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the said rules) inviting objections against the imposition of prohibition on storage of chemicals in Antop Hill in Bombay was published vide S.O. 852(E), dated the 7th September, 1988;

And whereas an order under clause (a) of sub-rule (3) of rule 5 of the said rules could not be issued within 120 days of the notification under clause (a) of sub-rule (3) of rule 5 of the said rules because of the matter being sub judice under Writ Petition 12179/85, namely, M.C. Mehta vs. Union of India and others in Supreme Court of India and Writ Petition 3381 of 1987 in the Bombay High Court;

And whereas the Honourable Supreme Court in its order dated 05.12.1989 directed the Government of India in the Ministry of Environment and Forests to consider objection received in response to the Notification No. S.O. 852(E) dated the 7th September, 1988 and take decision without having any objection in respect of the fact that the matter is pending in that Court;

And whereas 138 objections were received which included 133 against and 5 for the prohibition;

And whereas 5 representations received in support of prohibition included suggestions by M/s Mount Steward Tea Estate, Bombay to develop Antop Hill Warehousing area into a semi wholesale Kirana Market and not for storage of hazardous chemicals. The Save Bombay Committee cites inappropriateness of the complex in densely populated area and warned against the consequences of hazards in case of explosion or accident. The Institution of Industrial Managers India, the members of the Cooperative Housing Society Ltd. of the Bank of India and the Bombay Environmental Action Group have expressed the same views. However, the Save Bombay Committee have no objection to the storing of non-hazardous chemicals;

And whereas of the 133 representations against the prohibition the institutional ones are from :

- (i) Secretary, Department of Environment, Government of Maharashtra,
- (ii) Antop Hill Warehousing Company Ltd., through its solicitors (AHWC),
- (iii) The Municipal Corporation of Greater Bombay,
- (iv) The Indian Chemicals Manufacturers Association,
- (v) The Indian Merchants Chamber, and
- (vi) The Chemical and Alkali Merchant Association.

The rest of the representation against the prohibition were by individual traders who have booked offices or godown space in the warehouse complex. The representations from the traders are similar in nature and cite financial loss and need for storage spaces as the basis for opposing the notification. The main thrust of the view of the Government of Maharashtra and the Municipal Corporation of the Greater Bombay is that no environment pollution is likely by the storing of non-hazardous chemicals at Antop Hill Warehousing Company Limited (AHWC) complex. Such chemicals do not generate noxious gases or liquids in any manner injurious to environment. It is also emphasized the instrumentation conditions have been envisaged for storage of chemicals and the license granted by the Municipal Corporation of Greater Bombay to the AHWC will be conditional with safeguards for safety. The AHWC gave the genesis of the Warehousing Complex at the Antop Hills and highlighted the various construction features like the electrical fittings, fire protection features etc. The government of Maharashtra was anxious to remove the storage of chemicals from the congested residential and commercial areas of the Bombay city measures primarily to shift the chemical storage from Greater Bombay which are highly congested and selected after detailed studies conducted by the Government of Maharashtra and the Municipal Corporation of Greater Bombay. The usual land reclamation investment had been undertaken by the Government of Maharashtra and the Municipal Corporation of the Greater Bombay during 1975-79. The AHWC then obtained the approval of the Chief Fire Officer of the Municipal Corporation of the Greater Bombay, Chief Controller of Explosives, Government of India, Nagpur and other concerned authorities/ departments. The AHWC claims that they have given the complete list of safety measures incorporated in planning based on the stipulation imposed by the Chief Fire Officer and the Chief Controller of Explosives, Government of India in Write Petition No. 12179/85, namely, M.C. Mehta Versus Union of India and others in the Supreme Court of India. The AHWC also contended further that the storage is only for chemicals in their original packed condition and not meant for any bulk storage or repacking or storing of any gases/carcinogenic substances or explosives and that the total quantity of chemicals to be stored in the complex at any one time is not more than 5000 metric tones. Another main objection of AHWC was that the notification could not be issued since the matter was subjudice in another Writ Petition No. 3381 of 1987 pending in Bombay High Court. The Indian Chemical Manufacturers Association, the Indian Merchants Chamber and the Chemical and Alkali Merchant Association presented the same arguments.

ANNEXURE

Chemicals, with quantity that can be stored at the Warehousing Complex, Wadala

1.	Activated bleaching earth	2 te
2.	Aluminium sulphate	50 te
3.	Anhydride butile	25 te
4.	Aspirin powder	10 te
5.	Barium Sulphate	15 te
6.	Basic chrome sulphate	2 te
7.	Bitumen	10 te
8.	Borax	100 te
9.	C.M.C. (Carboxy Methyl Cellulose)	5 te
10.	Calcium chloride	100 te
11.	Calcium fluoride	3 te
12.	Calcium oxide	75 te
13.	Calcium sulphate	75 te
14.	China Clay	25 te
15.	Citric acid	100 te
16.	Copper sulphate	6 te
17.	Cream of tartar	5 te
18.	Dipotassium phosphate	1 te
19.	Disodium phosphate	2 te
20.	Fatty alcohols	5 te
21.	Ferric chloride	10 te
22.	Glass wool	2 te
23.	Glauber salt	175 te
24.	Glucose liquid	25 te
25.	Hillo suspension	50 te
26.	Lactic acid	20 te
27.	Lactose	250 te
28.	Lithopone	105 te
29.	Magnesium chloride	10 te

30.	Magnesium oxide	2 te
31.	Manitol	5 te
32.	Mono sodium glutamate	3 te
33.	Oleic acid	2 te
34.	Potash alum	80 te
35.	Potassium bicarbonate	25 te
36.	Potassium chloride	45 te
37.	Pectin	10 te
38.	Polysorbate	5 te
39.	Salicylic acid	200 te
40.	Sodium acetate	5 te
41.	Sodium alginate	25 te
42.	Sodium bicarbonate	150 te
43.	Sodium Carbonte	150 te
44.	Sodium chloride	75 te
45.	Sorbitol	100 te
46.	Stearic acid	10 te
47.	Talcum Powder	50 te
48.	Tamarind seed	50 te
49.	Tannin extract	10 te
50.	Tartaric acid	50 te
51.	Titanium dioxide	25 te
52.	Tapioca	25 te
53.	Trisodium Phosphate	50 te
54.	Wax	35 te
55.	Zinc Oxide	50 te

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