

Minutes of the second meeting of the Task Force - set up in compliance with the Orders of the High Court of Madhya Pradesh at Jabalpur dated 30th March, 2005 and 13th May, 2005 respectively - held on 4th July, 2005 at 12.00 noon in Room No. 220-A, Shastri Bhawan, New Delhi

The second meeting of the Task Force was scheduled to be held on 4th July, 2005 and notices were issued by the Department of Chemicals & Petrochemicals (C&PC) to all the members of the Task Force and other officials concerned. Meanwhile, Secretary, Department of C&PC, who is also the Chairman of the Task Force, had been transferred to the Ministry of Rural Development and the new Secretary was yet to assume charge. In this situation, the meeting needed to be rescheduled/ postponed. However, it was decided to hold it as per schedule as the High Court of Madhya Pradesh had directed vide its orders dated 23rd June, 2005 in the W.P. No.2802 of 2004 (Alok Pratap Singh vs. Union of India and others) that the next meeting of the Task Force should be held in the first week of July, 2005. Therefore, on behalf of the Secretary (C&PC) the meeting was chaired by the Joint Secretary (C&PC).

2. The following members of the Task Force could not attend the meeting:
 - (i) Secretary, Bhopal Gas Tragedy Relief & Rehabilitation Department, Government of Madhya Pradesh - co-ordinator of the Task Force.
 - (ii) Dr. K.P. Nyati, Head, Environment Management Division, Confederation of Indian Industry, New Delhi.
 - (iii) Expert from National Environmental Engineering Research Institute, Nagpur.
3. A list of the officials of the Government of India, Government of Madhya Pradesh (M.P.) and other organisations who attended the meeting is at **Annexure-1**.
4. The Joint Secretary, Department of Chemicals & Petrochemicals (C&PC) welcomed the members of the Task Force and other officials and requested them to report on the progress made in the implementation of the road map, in pursuance of the decisions taken in the first meeting of the Task Force, held on 31st May, 2005.

For removal of stored toxic wastes

5. The Chairman, Madhya Pradesh Pollution Control Board (MPPCB) informed that Phase-I of the road map had been completed. He furnished a brief progress report in the following format:

Phase-I

Sl.No.	Activity	Due Dates	Progress
1.	Collection of Soil, Water and Residue samples placed in bags.	31 st May, 2005	Done.
2. (a)	Placing of all the material lying in bags in sheds in new bags, containers, etc.	20 th June, 2005	Completed on 20th June, 2005.
(b)	Keeping the repacked material and covering with tarpaulin and placing it in a shed under security.		
3.	Preliminary Analysis of these samples with available facilities and also through other Labs.	30 th June, 2005	Done.
4.	Procurement of Equipments for regular analysis of these materials in details.	15 th July, 2005	MPPCB is in process of order placement.

Phase-II

Sl.No.	Activity	Dates	
1. (a)	Identification of SLF site in the premises to be based on Geomorphological, Geohydrological, Edaphic and other Ecological evaluations to be done by an expert agency.	30 th September, 2005	Site identified in April, 2005 itself.
(b)	Selection of the expert consultant/agency, which can undertake stabilization, encapsulation, etc. studies along with construction of the SLF based on CPCB/EP guidelines.	15 th October, 2005	M/s. Ramky Enviro Engineers Ltd. selected.
(c)	Rapid EIA study and a public hearing to be conducted by the same agency identified in (b) or other agency	31 st December, 2005	EIA study done. Public hearing to be held on 6th July, 2005.
2. (a)	Construction of the SLF.	15 th March, 2006	Work to start after monsoons only.
(b)	Initiation of Monitoring in peizometric holes.		
(c)	Capping of the SLF.	31 st March, 2006	

6. The Director, Kamla Nehru Hospital, Government of Madhya Pradesh, informed that the National Environmental Engineering Research Institute (NEERI) had submitted a

proposal to the Government of M.P. for Rs.60 lakh. The State Government had asked NEERI to provide details of the proposal, which were awaited. NEERI's team was yet to visit Bhopal.

7. The expert from the Central Pollution Control Board (CPCB) informed that in pursuance of the letter written by the Department of C&PC, the CPCB had requested the Ministry of Environment & Forests (E&F) to ask the Government of Gujarat to allow transportation of Tarry wastes from Bhopal to Gujarat, for incineration. However, the action taken in this regard by the Ministry of E&F was not known. The Joint Secretary (C&PC) asked CPCB to provide a copy of their letter to the Department of C&PC so that the Ministry of E&F could be requested once again by the Department of C&PC for taking necessary action.

For removal of contaminated soil and remediation of ground/ sub-soil water

8. The Director, Government of M.P. informed that the State Government was awaiting details of the proposal submitted by NEERI. Meanwhile, the National Geophysical Research Institute (NGRI) had visited the UCIL plant site on 1st of July, 2005 and inspected the solar pond, the Secured Landfill (SLF) at the plant site, etc. The State Government had asked NGRI to give a report within a week's time.

For implementation of Phase III (dismantling and decommissioning of the plant)

9. The Government of M.P. had arranged for obtaining copies of the relevant plans and drawings of the UCIL plant and providing them to the Indian Institute of Chemical Technology (IICT). The Expert from the IICT confirmed that copies of 35 relevant drawings had been obtained from the CJM's Court, Bhopal, with assistance from the Central Bureau of Investigation (CBI). He also informed the Task Force that IICT had conducted a survey of the plant site and had prepared a project proposal for 'Detoxification and Decommissioning of M/s Union Carbide Plant at Bhopal' along with complete financial estimates. The estimated expenditure on the entire project, as calculated by IICT, would be Rs.121.22 crore (including Service tax of Rs.11.22 crore). The Director, Government of M.P., informed the Task Force that the State Government had asked the IICT to give further details of the proposal and that their reply was awaited.

10. The role of Engineers India Limited (E.I.L.) in the emerging scenario came up for discussion. The Joint Secretary (C&PC) observed that the EIL was making the issue of work order to them as a pre-condition to the procurement of the drawings/ plans from the CJM Bhopal's Court and the CBI's office at Bhopal. This attitude was not correct and no pre-condition could be attached in this manner. Moreover, the work order was to be issued by the State Government only after receipt of estimates/ proposal from different agencies. It was, therefore, decided that since the IICT was attending to the work of preparation of a report on the decommissioning/ dismantling of the UCIL plant and had already obtained copies of 35 relevant drawings, they may be given the responsibility of obtaining any other drawings, with the help of the State Government.

11. The Director, Government of Madhya Pradesh, informed that the Institute of Pesticides Formulation Technology (IPFT) had been requested by the State Government to study the plant site and give its suggestions regarding dismantling/ decommissioning of the plant but nothing had been heard from IPFT so far. The Joint Secretary (C&PC) directed that a D.O. letter from the Department of C&PC may be written to the Director, IPFT, to send a team to Bhopal and give a report expeditiously.

For financing of the project

12. On the issue of preparation of a detailed project report in EFC format by the Government of M.P., their Director stated that since firm estimates from all the concerned agencies were yet to be received, the detailed report was yet to be finalised.

Issues arising in context of the Court's latest order, dated 23rd June, 2005

13. In view of the observations of the High Court of M.P. that Government agencies should not include service tax etc. in their financial proposals, the State Government assured that all the agencies concerned would be requested to take into account the observations of the High Court before furnishing their revised estimates. The expert from IICT informed that in compliance of the directions issued by the High Court of M.P., IICT's proposal submitted to the Government of M.P. would be examined by their Business Management personnel.

Construction of a memorial at the plant site

14. The Director, Government of M.P. conveyed that the State Government was considering a view that the plant need not be dismantled and a memorial may be built at the UCIL plant site. The members of the Task Force were of the view that it was a purely technical issue which had to be addressed by the agencies engaged for carrying out the surveys and studies for dismantling and decommissioning the plant.

15. **The following decisions were taken:**

- (i) The CPCB would provide a copy of the letter written by them to the Ministry of E&F to ask the Government of Gujarat to allow transportation of tarry residuals from Bhopal to Gujarat for incineration, in their incinerators. The Department of C&PC would write to the Ministry of E&F for taking necessary action, if not already taken.
- (ii) IICT would obtain more drawings/ plans from the CJM Bhopal's Court and CBI's office, if required, and the same could be used by other agencies also.
- (iii) A letter would again be written to IPFT, by the Department of C&PC, to give its suggestions on the dismantling/ decommissioning of the UCIL plant.
- (iv) The proposals submitted by the agencies concerned, to the Government of M.P., would be revised in the light of the observations of the High Court of M.P. that items like service tax should not be included in their estimates.
- (v) The Government of M.P. would submit a detailed proposal in EFC format after obtaining the estimates from all the agencies concerned.

16. The next meeting will be held in the first week of August, 2005.

17. The meeting ended with a vote of thanks to the Chair.

Annexure-1

List of officials of the Government of India, Government of M.P. and other organisations present in the meeting of the Task Force held on 4th July, 2005 at 12.00 noon in Room No. 220-A, Shastri Bhawan, New Delhi

Government of India (Department of Chemicals & Petrochemicals) :

- (i) Shri Mukesh Kacker, Joint Secretary.
- (ii) Shri Yashvir Singh, Deputy Secretary.

Government of M.P. :

- (iii) Dr. B.S. Ohri, Director, Kamla Nehru Hospital.

Madhya Pradesh Pollution Control Board:

- (iv) Dr. P.S. Dubey, Chairman.

Central Pollution Control Board:

- (v) Shri N.K. Verma, Additional Director.

Indian Institute of Chemical Technology:

- (vi) Shri A. Krishna Reddy, Deputy Director.

Engineers India Limited:

- (vii) Shri R.B. Singh, Deputy Manager - Environment.