

राजस्थान राज्य प्रदूषण नियंत्रण मण्डल  
**RAJASTHAN STATE POLLUTION CONTROL BOARD**  
 4, Institutional Area, Jhalana Doongri, Jaipur  
 Phone: 5101871, 5101872 PBX 5159600, 5159699, Fax: 5159694, 5159695,  
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No. F14 (99) Corres/RPCB/Plg/ 9656-59

Date:-21.01.2015

Sh. N.K. Gupta,  
 In Charge-Env. Surveillance Squad & Member Convener,  
 Central Pollution Control Board,  
 Parivesh Bhavan, East Arjun Nagar, Shahdara  
 Delhi- 110032(E-mail-nkgpcb@hotmail.com,nkgupta.cpcb@nic.in)

Subject: First Meeting of "Technical Review Committee" to review the issues related to Critically & Severely Polluted Areas.

Ref : C.P.C.B, Delhi Meeting Notice no. B-29012/ESS/CPA/2014-15, dt. 14.01.2015.

Sir,

With reference to above, the status of implementation of remedial action plan formulated for identified three critically polluted industrial clusters in the state of Rajasthan viz. Bhiwadi, Jodhpur & Pali are enclosed for your information & necessary action.

It is pertinent to mention that the issues related with pollution problem of Pali & Jodhpur are pending with Hon'ble NGT related with various applications. The State Board is taking all possible efforts for implementation of the Action Plans as well as compliances of the directions issued by Hon'ble NGT in related matters.

(Encl: As Above)

Yours sincerely,

(Dr. D.N. Pandey)  
 Member Secretary

Copy to following for information:

1. P.S. to Chairman, Central Pollution Control Board, Delhi
2. P.S. to Additional Chief Secretary, Deptt. of Environment, Govt. of Rajasthan, Jaipur
3. P.S. to Chairperson, RSPCB, Jaipur

Member Secretary

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# BHIWADI

## **Status of Implementation of Final Action Plan formulated for Critically Polluted industrial Clusters of Bhiwadi**

- MoEF, GoI, on the basis of assessment of Comprehensive Environmental Pollution Index (CEPI) had imposed moratorium on 13/01/2010 on various industrial areas of Bhiwadi.
- The RIICO Ltd., agency responsible for development of industrial areas and related infrastructure in the State, prepared Draft Action Plan for Environmental Pollution Abatement through PDCOR Ltd., as subsidiary of IL&FS Ltd., in consultation with the State Pollution Control Board and other stakeholders viz: Industries Department, Local Bodies, District Administration and Industrial Associations.
- The Draft Action Plan was presented before the steering committee of Central Pollution Control Board (CPCB) in July' 2010. Subsequently, on advise of the steering committee the Draft Action Plan was further modified and discussed in CPCB on 30<sup>th</sup> Aug., 2011 and 6<sup>th</sup> Sept., 2011.
- The Final Action Plan approved by the Working Group constituted by the Government of Rajasthan with the view that the extra cost that shall be incurred for implementation of pollution control measures shall be borne by the Industries Association, was submitted to CPCB vide letter dated 06 Aug.,2012 followed by reminder dated 17<sup>th</sup> Oct.,2012.
- The Action Plan was reviewed by the in-house committee of CPCB in the meeting held on 20<sup>th</sup> Sept., 2012 and further modifications were suggested by CPCB vide letter dated 15<sup>th</sup> Aug.,2012.
- The revised Final Action Plan was submitted to CPCB by the State Board vide letter dated 12<sup>th</sup> April, 2013 followed by reminder letter dated 10<sup>th</sup> June, 2013 and 06<sup>th</sup> Aug., 2013.
- MoEF, GoI on the basis of the Action Plan and re-assessed the CEPI score based on the monitoring conducted during Feb.-April, 2013 lifted the moratorium for the industrial cluster of Bhiwadi vide office memorandum dated 17<sup>th</sup> Sept., 2013 with certain conditions.
- The State Board requested RIICO Ltd., agency responsible for development of industrial areas and related infrastructure in the State, for implementation of the approved action plan and review of the status vide letter dated 06<sup>th</sup> Oct., 2013 followed by the reminder dated 03<sup>th</sup> Jan.,2014 and 26<sup>th</sup> March, 2014.
- The State Board also requested CPCB to provide information related with third party monitoring for assessment of CEPI score for compliance of conditions imposed by MoEF., for lifting of moratorium vide letter dated 01<sup>th</sup> Nov.,2013. CPCB vide letter dated 09<sup>th</sup> Dec.,2013 suggested M/S Bhagwati Anna lab., of Hyderabad for third party monitoring, however, the reported charges were quite high i.e Rs.10800 for each air sample and Rs.5500 for each water sample and therefore the State Board has decided to develop its own monitoring facilities at Bhiwadi.

- Existing Compliance Status:
  - Biwadi Industrial cluster includes Bhiwadi, Khushkheda, Keharani, Tapokara, Chopanki, Sarekhurd and Patheradi.
  - The updated implementation status of Final Action Plan is enclosed. Major improvements are as under:
    - Presently one CETP, capacity 6 MLD with Tertiary Treatment- 3 MLD.
    - Up-gradation of CETP and additional CETP under plan.
    - Consent has been granted by the State Board for Combined pre-neutralization unit for acidic effluent of S.S. Re-rolling units, to be commissioned shortly.
    - State Board is pursuing the industries for utilization of tertiary treated effluent of CETP
    - Closed pipeline for disposal of treated waste of CETP to river Sabi, within State territory but presently blocked by farmers, water logging in Khushkheda Industrial Area
    - Segregation of industrial and domestic waste water
    - One STP- 4 MLD, present inflow – approx. 2 MLD
    - Connectivity of house units with main sewer line under progress.
    - Unit discharging effluent more than 100 KLD to submit action plan for installation of ETP and RO at their level for ZLD.
    - The State Board has approved installation of one Continuous Ambient Air Quality Monitoring Station, and three stations under National Air Monitoring Programme, procurement of equipments are under process.
    - The Chairperson of State Board reviewed the progress of the Action Plan/measures for abatement of pollution at Bhiwadi only on 19<sup>th</sup> Dec.,2014. Subsequent, to detailed discussion and deliberations with stakeholders for abatement of pollution problem, short term & long term action plan were decided, copy of the minutes of the meeting held on 19<sup>th</sup> Dec.,2014 is enclosed.
    - Based upon the decision taken in the meeting following have been requested by the State Board vide letter dated 30<sup>th</sup> Dec.,2014 for implementation of required actions for prevention and control of pollution:
      - I. Additional Chief Secretary, UDH, GoR,
      - II. M.D, RIICO LTd.,
      - III. President, Bhiwadi Manufacturing Association,
      - IV. Chairmen, Bhiwadi Jal Padusan Niyrantran Trust

**MINUTES OF MEETING HELD ON DATED 19.12.2014 IN THE MEETING HALL OF RIICO GUEST HOUSE BHIWADI UNDER THE CHAIRMANSHIP OF SMT APARNA ARORA, CHAIRPERSON, RAJASTHAN STATE POLLUTION CONTROL BOARD REGARDING ISSUES RELATED WITH PREVENTION AND CONTROL OF WATER POLLUTION IN THE INDUSTRIAL CLUSTER OF BHIWADI AND TO PREVENT THE FLOW OF WASTE WATER INTO TERRITORY OF HARYANA.**

A meeting was held on 19.12.2014 at 2.00 PM in the meeting hall of RIICO Guest House Bhiwadi under the chairmanship of Smt Aparna Arora, Chairperson, Rajasthan State Pollution Control Board (RSPCB) regarding issues related with prevention and control of water pollution in the industrial cluster of Bhiwadi (RIICO industrial areas of Bhiwadi, Khushkhera, Keharani, Tapukra, Chopanki, Sarekhurd & Patheradi) and to prevent flow of waste water (industrial effluent/domestic sewage) into territory of Haryana. The meeting was attended by the senior officials of RSPCB, RIICO Ltd., UIT, Bhiwadi, SDO Tijara, office bearers of Bhiwadi Jal Pradushan Niwaran Trust, (BJPNT), Bhiwadi Manufacturers Association (BMA), entrepreneurs of various industrial groups (SS Re-rolling units, Induction Furnaces, Textile, Secondary Lead Processing units etc.) and the officials of the District Administration, Rewari (Haryana) and Haryana State Pollution Control Board. The list of participants is enclosed.

The issue of discharge of effluent from Bhiwadi in Harayana territory was earlier discussed in the 15<sup>th</sup> meeting of the Standing Committee of Northern Zonal Council held on 10/05/2013, important decisions of the meeting were as under:

1. The State concerned shall expedite installation of Sewage Treatment Plants to prevent pollution in rivers.
2. In relation to inter-state river pollution due to discharge of effluent from Rajasthan in Haryana territory, it was decided that the Government of Rajasthan will control pollution caused by discharge of untreated industrial effluent and the disposal problem of Bhiwadi Industrial Area and Bhiwadi town need to be resolved and final disposal in river Sabbi in Rajasthan will be ensured.

The existing status of treatment and disposal of industrial effluent/ domestic sewage were discussed in detail in the meeting. It was noted that the rapid industrial growth of the Bhiwadi industrial cluster has not only changed the economy of the area but also posed serious environmental challenges related with management for the treatment and disposal of waste water, air emissions, municipal solid waste and hazardous waste. Presently there are around 1800 industrial units in Bhiwadi, out of which approximately 100 are large water - polluting industries. The other main observations were as follows:

- The management and disposal of waste water is the main challenge due to geographical location of industrial clusters, in close proximity with the state of Haryana and natural gradient towards territory of Haryana.

- There is mixing of domestic waste water from residential pockets situated in RIICO acquired area with the industrial effluent contributing approximately 2-3 MLD of effluent.
- The capacity of CETP is 6 MLD whereas influent waste water is to the tune of 9-10 MLD.
- The RIICO has laid pipeline in year 2011 for ultimate disposal of treated effluent of Bhiwadi into river bed of Sabbi in the territory of Rajasthan.
- The treated effluent from CETP is not being discharged into the river bed of Sabbi as the conduit has been blocked by local residents and farmers. Presently, all the waste water, pumped from CETP Bhiwadi is accumulated in the vacant plots of RIICO industrial area, Khushkhera and also on the private land, near M/s Kundan Edible Oil, Khushkhera.
- Due to natural gradient, this accumulated waste water finds its way into territory of Haryana, near village Nandram ka Bas.
- The MoEF, GoI imposed moratorium on establishment of highly polluting industries covered under EIA notification 2006 in Bhiwadi area, based on CEP Index, because of higher level of pollution in the area, vide office memorandum dated 13/01/2010. The moratorium was lifted vide office memorandum dated 17/09/2013 based on the submission of CEPI Action Plan .

Detailed discussions and deliberations on the problems and the possible solutions were made and a consensus emerged that the problem of disposal of effluent can only be tackled by improving the treatment facilities and stress on the reuse of the treated effluent. Therefore, following decisions were taken to address the problem in short term and long term perspective:

**A. ACTION BY BJPNT(CETP TRUST, BHIWADI)**

1. Implementation of the Action Plan for CEPI approved by CPCB as per letter dated 17/09/2013 of MoEF., GoI, for lifting of moratorium for industrial cluster Bhiwadi(Immediate action)
2. Submission of Short-term time bound action plan to augment the capacity and the treatment facility of the CETP to ensure proper treatment of effluent coming to it. (Action within 30 days).
3. Submission of Long-term time bound action plan for expansion of treatment capacity of CETP for treatment capacity upto 15 MLD conforming to prescribed standards and subsequent development for tertiary and recycling facilities for achieving ZLD. (Action within 90 days)
4. Restriction of quantity of influent and volumetric flow rate to CETP upto 6 MLD and 250 KL/Hr. by rationalization of the permitted discharge of member units till the time capacity of CETP is augmented. (Action within 30 days)
5. Repairs and re-activation of existing tertiary treatment facilities of 03 MLD so as to utilize the treated effluent (after tertiary treatment) for construction

- activities, plantation/horticulture with the help of UIT, Bhiwadi.( Action within 15 days)
6. To make operation of the systems provided for the pretreatment of acidic effluent from steel sheet rerolling mills, so that their effluent could meet the inlet standards for the CETP. (Action within 15 days)
  7. Advisory/directions to the member units to discharge only pre-treated effluent into drains having pH within range of 5.5 to 9.0 to prevent receipt of acidic effluent to the CETP.( Action within 07 days)
  8. Submission of time-bound action plan for installation of electromagnetic flow meters at the outlet of the member units having connectivity with CETP for monitoring the quantity of effluent discharge (Action within 30 days).
  9. Development of self monitoring mechanism by Trust for monitoring of quality and quantity of discharge of individual member units and submission of list of defaulters to RIICO Ltd. and RSPCB.( Action within 15 days)
  10. Review of the existing treatment tariff so as to make it viable to meet the CAPEX & OPEX for effective operation of CETP, its upgradation and future expansion in consultation with RIICO Ltd. (Action within 45 days)
  11. Disposal of the CETP sludge in accordance with Hazardous Waste (Management , Handling and Transboundry Movement) Rules, 2008.
  12. Inventorisation and grouping of similar nature of industries ( based upon quality and quantity of effluent) with the help of RIICO Ltd. and RSPCB (Action within 30 days)

#### **B. ACTION BY INDIVIDUAL UNITS**

1. Implementation of the Action Plan for CEPI approved by CPCB as per letter dated 17/09/2013 of MoEF., GoI, for lifting of moratorium for industrial cluster Bhiwadi
2. Compliance of condition of zero discharge status as imposed by RSPCB (immediate)
3. Operation & maintenance of treatment facilities/ETP for specific units for conforming the quality of treated effluent to the standards imposed by RSPCB (immediate action )
4. Utilization of the treated effluent of CETP (after tertiary treatment) for plantation and other gainful purposes upto 50% of the permitted discharge quantity as imposed by the RSPCB with certain units.( Action within 30 days )
5. Submission of action plan for installation of electromagnetic flow meters with connectivity CETP to regulate the discharge upto permitted discharge quantity by the CETP Trust.( Action within 30 days)
6. Submission of action plan for installation of online pH monitoring system at the outlet with the units having generation of acidic waste like SS Re-rolling units, electroplating & galvanizing unit (Action within 30 days).



7. The industrial units having large effluent discharge (more than 100 KLD) to develop and provide systems for treatment and recycling of effluent, so as to maintain zero discharge status. The industries to submit time bound action plan for the same along with appropriate Bank Guarantee (10% of the cost) to the RSPCB within 45 days. (Action within 45 days)
8. Disposal of the ETP sludge in accordance with Hazardous Waste (Management , Handling and Transboundry Movement) Rules, 2008.

**C. ACTION BY RIICO LTD.**

1. Implementation of the Action Plan for CEPI approved by CPCB as per letter dated 17/09/2013 of MoEF., GoI, for lifting of moratorium for industrial cluster Bhiwadi
2. Submission of time-bound action plan for finalization and implementation of DPR for laying closed conduits to carry industrial effluent to CETP.( Action within 30days)
3. Submission of time-bound action plan for installation of CETPs and recycling facilities for achieving ZLD for the various areas of the industrial clusters of Bhiwadi region.( Action within 45 days)
4. Assessment of impact upon the ground-water quality in an around the plots where cess pooling of industrial effluent is permitted by RIICO (Action within 45 days).
5. Study regarding technical viability for installation of Final Treatment Plant(FTP) on the plots where partially treated effluent of CETP is presently collected and utilization of treated effluent of FTP(Action within 45 days)
6. Submission of study report regarding quality and quantity of available water resources for establishment of water based industries in industrial clusters of Bhiwadi region(Action within 90 days)
7. Collection and disposal of hazardous sludge accumulated in the open drains in industrial areas (Action within 90 days).
8. Inventorisation and grouping of similar nature of industries ( based upon quality and quantity of effluent) with the help of CETP Trust and RSPCB (Action within 30 days)
9. Review of the existing treatment tariff so as to make it viable to meet the CAPEX & OPEX for effective operation of CETP, its up gradation and future expansion in consultation with CETP Trust (Action within 45 days)
10. Submission of action plan for management and disposal of non hazardous waste of industrial areas (Action within 90 days).

**D. ACTION BY UIT, BHIWADI**

1. Implementation of the Action Plan for CEPI approved by CPCB as per letter dated 17/09/2013 of MoEF., GoI, for lifting of moratorium for industrial cluster Bhiwadi.( immediate action)

2. Encourage and ensure utilization of the treated effluent (after tertiary treatment) of CETP for construction activities, plantation/horticulture within the areas of UIT, Bhiwadi.( Action within 30 days)
3. Utilization of treated sewage (after adequate disinfection) for gardening and horticulture purpose (Action within 15 days).
4. Completion of connection of residential units with sewerage system so that entire sewage could be treated and the STP and same could operated at its rated capacity of 4 MLD (Action within 90 days).
5. To explore the possibility of imposing condition on housing projects of Bhiwadi area to utilize treated effluent from CETP/ STP for construction activity as per procedure followed in Haryana.( Action within 60 days)
6. Submission of time bound action plan for segregation, collection, transportation and treatment of domestic effluent of the villages/residential areas located within the industrial areas of RIICO Ltd (Action within 180 days).
7. Submission of action plan for management and disposal of municipal solid waste of UIT areas( Action within 90 days).

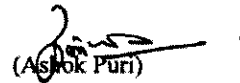
**E. ACTION BY RSPCB**

1. Implementation of the Action Plan for CEPI approved by CPCB as per letter dated 17/09/2013 of MoEF., GoI, for lifting of moratorium for industrial cluster Bhiwadi.( immediate action)
2. Inventorisation and grouping of similar nature of industries ( based upon quality and quantity of effluent) with the help of CETP Trust and RIICO Ltd. (Action within 30 days)
3. Monitoring of compliance of condition of zero discharge status imposed with specific units by RSPCB. (Action within 30 days)
4. Monitoring of treatment facilities / treatment plants of water polluting units for conforming the quality of treated effluent to the standards imposed with the consent to operate letter issued by RSPCB. (Action within 30 days)
5. Monitoring of utilization of the treated effluent of CETP (after tertiary treatment) for plantation and other gainful purposes (at least 50% of the permitted discharge quantity) as per condition imposed by RSPCB with certain units. (Action within 30 days)
6. Initiation / recommendation for appropriate legal action including closure and disconnection of electricity/water supply to the polluting units. (Action within 30 days)
7. Periodic monitoring (once in 15 days) of the quality and quantity of inlet and outlet of CETP, discharge point in Khushkhera industrial area.(immediate action)
8. Periodic monitoring (once in 15 days) of the quality and quantity of inlet and outlet of STP. ( immediate action)

9. Monitoring of stack emissions of major air polluting units and ambient air quality in an around industrial cluster of Bhiwadi with support of Central laboratory(Action within 30 days)
10. Regional Officer shall ensure vigilant monitoring of polluting industries and to ensure that the waste water discharge shall be confirming to standards and within permissible quantity. It shall also carry out the ICE campaign to sensitize the industries about the pollution. (Action within 30 days)

The progress of the above actions shall be reviewed by the Chairperson, RSPCB after 30 days.

The meeting ended with a vote of thanks to the Chairperson.


  
(Ashok Puri)

Chief Environmental Engineer  
Date 29-12-2014

No. F14 (24-14) Corres /RSPCB/Plg/ 9274-96

Copy to following for information and necessary action:

1. P.S. to Chief Secretary, Govt. of Rajasthan, Jaipur.
2. P.S. to ACS, Environment, Govt. of Rajasthan, Jaipur.
3. P.S. to Chairperson ,RPCB, Jaipur.
4. P.S. to Managing Director, RIICO Jaipur
5. Collector, Alwar
6. Sr. P.A. to Member Secretary, RPCB,Jaipur.
7. City Magistrate, Rewari (Haryana)
8. CEE, RSPCB, Jaipur.
9. SDO , Tizara ,District Alwar
10. OSD (Env.) ,RIICO Jaipur
11. Senior Manager, RIICO (UNIT-1) and (UNIT-2), Bhiwadi.
12. Secretary, Urban Improvement Trust, Bhiwadi.
13. Secretary Bhiwadi Manufacturers Association, S-56, BMA House, Main Road, Dhaba Complex, Bhiwadi – 301019.
14. Secretary, Steel Re-rolling Industries Association, Bhiwadi.
15. Chairman, Bhiwadi Jal Pradushan Nivaran Trust (BJPNT), Bhiwadi .
16. SEE (Textile, SWMC, CPM, MUID) RPCB, Jaipur
17. Regional Officer, Alwar/ AEn, RSPCB, Bhiwadi.
18. Regional Officer, Haryana State Pollution Control Board, Daruhera/Rewari (Haryana)

  
Chief Environmental Engineer

014



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5159695, 5159696, 5159697

F.14 (24-14) Corres/RSPCB/Plg./

9316 - 22

Date: 30-12-2014

Additional Chief Secretary  
Urban Development and Housing Department,  
Government of Rajasthan,  
Secretariat,  
Jaipur

**Subject : Action for prevention and control of water pollution in the Industrial Cluster of Bhiwadi.**

Sir,

The industrial cluster of Bhiwadi has witnessed accelerated growth in the last few years. Various kind and different categories of industries has established in the cluster due to conducive environment and infrastructure facilities provided by the State Government and related agencies like RIICO Ltd., Industries Department, UIT Alwar and District Administration, Alwar. The fast industrial growth of the cluster has not only changed the economy of the area but also posed serious environmental challenges related with management for the treatment and disposal of waste water, air emissions, municipal solid waste and hazardous waste. The management and disposal of waste water is the main challenge due to geographical location of industrial clusters, close proximity with the state of Haryana and natural gradient towards territory of Haryana.

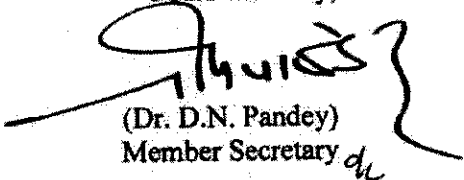
To address the problem, a meeting was convened under the Chairmanship of Smt. Aparna Arora, Chairperson, RSPCB on dt. 19-12-2014 at Bhiwadi with the stakeholders. During the meeting, it was decided that following actions be taken by the UIT, Bhiwadi, the agency responsible for the management of the city sewage, for treatment and disposal of the domestic sewage of the town for prevention and control of water pollution:

1. Implementation of the Action Plan for CEPI approved by CPCB as per letter dated 17/09/2013 of MoEF., GoI, for lifting of moratorium for industrial cluster Bhiwadi.( immediate action)
2. Encourage and ensure utilization of the treated effluent (after tertiary treatment) of CETP for construction activities, plantation/horticulture within the areas of UIT, Bhiwadi.( Action within 30 days)
3. Utilization of treated sewage (after adequate disinfection) for gardening and

4. Completion of connection of residential units with sewerage system so that entire sewage could be treated and the STP and same could operated at its rated capacity of 4 MLD (Action within 90 days).
5. To explore the possibility of imposing condition on housing projects of Bhiwadi area to utilize treated effluent from CETP/ STP for construction activity as per procedure followed in Haryana.( Action within 60 days)
6. Submission of time bound action plan for segregation, collection, transportation and treatment of domestic effluent of the villages/residential areas located within the industrial areas of RIICO Ltd (Action within 180 days).
7. Submission of action plan for management and disposal of municipal solid waste of UIT areas( Action within 90 days).

The minutes of the meeting dt. 19-12-2014 have already been sent to you vide Board's letter No. F14 (24-14) Corres /RSPCB/Plg/9274-96, dated 29-12-2014. You are requested to issue appropriate directions to Secretary, UIT, Bhiwadi to ensure compliances and execution of above actions within the stipulated time period.

Yours sincerely,

  
(Dr. D.N. Pandey)  
Member Secretary dc

Copy to following for information and necessary action:

1. P.S. to Chairperson ,RPCB, Jaipur.
2. Collector, Alwar
3. Secretary, Urban Improvement Trust, Bhiwadi.
4. SEE ( MUID), RPCB, Jaipur
5. Regional Officer, Alwar/ AEn, RSPCB, Bhiwadi.

  
Chief Environmental Engineer dc



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5159695, 5159696, 5159697

F.14 (24-14) Corres/RSPCB/Plg./

9323-30

Date: 30-12-2014

Managing Director,  
RIICO Ltd.,  
Udyog Bhawan, Tilak Marg,  
Jaipur.

**Subject :Action for prevention and control of water pollution in the industrial cluster of Bhiwadi.**

Sir,

The industrial cluster of Bhiwadi has witnessed rapid growth in the last few years, various kind and different categories of industries have established in the cluster due to infrastructure facilities provided by the State Government and related agencies like RIICO Ltd., Industries Department, UIT Alwar and District Administration, Alwar. However, the rapid industrial growth of the cluster has not only changed the economy of the area but also posed serious environmental challenges related with management for the treatment and disposal of waste water, air emissions, municipal solid waste and hazardous waste. The management and disposal of waste water is the main challenge due to geographical location of industrial clusters, close proximity with the state of Haryana and natural gradient towards territory of Haryana.

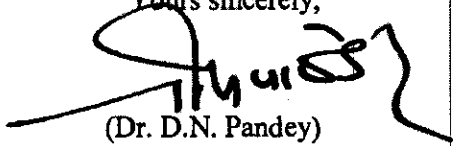
To address the problem, a meeting was convened under the Chairmanship of Smt. Aparna Arora, Chairperson, RSPCB on dt. 19-12-2014 at Bhiwadi with the stakeholders. During the meeting, it was decided that following actions are need to be taken by the RIICO Ltd, the agency responsible for the development of the industrial area, for prevention and control of water pollution:

1. Implementation of the Action Plan for CEPI approved by CPCB as per letter dated 17/09/2013 of MoEF., GoI, for lifting of moratorium for industrial cluster Bhiwadi
2. Submission of time-bound action plan for finalization and implementation of DPR for laying closed conduits to carry industrial effluent to CETP.( Action within 30days)
3. Submission of time-bound action plan for installation of CETPs and recycling facilities for achieving ZLD for the various areas of the industrial clusters of Bhiwadi region.( Action within 45 days)
4. Assessment of impact upon the ground-water quality in an around the plots where cess pooling of industrial effluent is permitted by RIICO (Action within 45 days).

5. Study regarding technical viability for installation of Final Treatment Plant(FTP) on the plots where partially treated effluent of CETP is presently collected and utilization of treated effluent of FTP(Action within 45 days)
6. Submission of study report regarding quality and quantity of available water resources for establishment of water based industries in industrial clusters of Bhiwadi region(Action within 90 days)
7. Collection and disposal of hazardous sludge accumulated in the open drains in industrial areas (Action within 90 days).
8. Inventorisation and grouping of similar nature of industries ( based upon quality and quantity of effluent) with the help of CETP Trust and RSPCB (Action within 30 days)
9. Review of the existing treatment tariff so as to make it viable to meet the CAPEX & OPEX for effective operation of CETP, its up gradation and future expansion in consultation with CETP Trust (Action within 45 days)
10. Submission of action plan for management and disposal of non hazardous waste of industrial areas (Action within 90 days).

The minutes of the meeting dt. 19-12-2014 have already been sent to you vide Board's letter No. F14 (24-14) Corres /RSPCB/Plg/9274-96, dated 29-12-2014. You are requested to issue appropriate directions to Senior Manager, RIICO Ltd., Bhiwadi to ensure compliances and execution of the above actions within the stipulated time period.

Yours sincerely,

  
(Dr. D.N. Pandey)  
Member Secretary *de*

Copy to following for information and necessary action:

1. P.S. to Chairperson ,RPCB, Jaipur.
2. Collector, Alwar
3. OSD (Env.) ,RIICO Ltd., Jaipur
4. Senior Manager, RIICO (Unit-I & Unit-II),Bhiwadi.
5. SEE ( MUID), RSPCB, Jaipur
6. Regional Officer, Alwar/ AEn, RSPCB, Bhiwadi.

  
Chief Environmental Engineer *de*



**राजस्थान राज्य प्रदूषण नियंत्रण मण्डल**  
**RAJASTHAN STATE POLLUTION CONTROL BOARD**  
4, Institutional Area, Jhalana Doongri, Jaipur  
Phone: 5101871, 5101872 PBX 5159600, 5159699, Fax: 5159694,  
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F.14 (24-14) Corres/RSPCB/Plg./

१३३१-३७

Date:30-12-2014

Chairman,  
Bhiwadi Jal Pradushan Nivaran Trust (BJPNT),  
CETP Plant,  
Bhiwadi

**Subject :Action for prevention and control of water pollution in the industrial cluster of Bhiwadi.**

Sir,

The industrial cluster of Bhiwadi has witnessed rapid growth in the last few years, various kind and different categories of industries have established in the cluster due to infrastructure facilities provided by the State Government and related agencies like RIICO Ltd., Industries Department, UIT Alwar and District Administration, Alwar. The rapid industrial growth of the cluster has not only changed the economy of the area but also posed serious environmental challenges related with management for the treatment and disposal of waste water, air emissions, municipal solid waste and hazardous waste. The management and disposal of waste water is the main challenge due to geographical location of industrial clusters, close proximity with the state of Haryana and natural gradient towards territory of Haryana.

To address the problem, a meeting was convened under the Chairmanship of Smt. Aparna Arora, Chairperson, RSPCB on dt. 19-12-2014 at Bhiwadi with the stakeholders. During the meeting , it was decided that following actions need to be taken by the Bhiwadi Jal Pradushan Nivaran Trust (BJPNT),Bhiwadi, agency responsible for the operation and maintenance of Common Effluent Treatment Plant (CETP) for treatment and disposal of the industrial effluent of Bhiwadi, for prevention and control of water pollution:

1. Implementation of the Action Plan for CEPI approved by CPCB as per letter dated 17/09/2013 of MoEF., GoI, for lifting of moratorium for industrial cluster Bhiwadi(Immediate action)
2. Submission of Short-term time bound action plan to augment the capacity and the treatment facility of the CETP to ensure proper treatment of effluent coming to it. (Action within 30 days).
3. Submission of Long-term time bound action plan for expansion of treatment capacity of CETP for treatment capacity upto 15 MLD conforming to prescribed standards and subsequent development for tertiary and recycling



- member units till the time capacity of CETP is augmented. (Action within 30 days)
5. Repairs and re-activation of existing tertiary treatment facilities of 03 MLD so as to utilize the treated effluent (after tertiary treatment) for construction activities, plantation/horticulture with the help of UIT, Bhiwadi.( Action within 15 days)
  6. To make operation of the systems provided for the pretreatment of acidic effluent from steel sheet rerolling mills, so that their effluent could meet the inlet standards for the CETP. (Action within 15 days)
  7. Advisory/directions to the member units to discharge only pre-treated effluent into drains having pH within range of 5.5 to 9.0 to prevent receipt of acidic effluent to the CETP.( Action within 07 days)
  8. Submission of time-bound action plan for installation of electromagnetic flow meters at the outlet of the member units having connectivity with CETP for monitoring the quantity of effluent discharge (Action within 30 days).
  9. Development of self monitoring mechanism by Trust for monitoring of quality and quantity of discharge of individual member units and submission of list of defaulters to RIICO Ltd. and RSPCB.( Action within 15 days)
  10. Review of the existing treatment tariff so as to make it viable to meet the CAPEX & OPEX for effective operation of CETP, its upgradation and future expansion in consultation with RIICO Ltd. (Action within 45 days)
  11. Disposal of the CETP sludge in accordance with Hazardous Waste (Management , Handling and Transboundry Movement) Rules, 2008.
  12. Inventorisation and grouping of similar nature of industries ( based upon quality and quantity of effluent) with the help of RIICO Ltd. and RSPCB (Action within 30 days)


The minutes of the meeting dt. 19-12-2014 have already been sent to you vide Board's letter No. F14 (24-14) Corres /RSPCB/Plg/9274-96, dated 29-12-2014. You are advised to take appropriate action to ensure compliances and execution of the required actions within the stipulated time period.

Yours sincerely,

  
(Dr. D.N. Pandey)

Member Secretary

Copy to following for information and necessary action:

1. P.S. to Chairperson ,RPCB, Jaipur.
  2. P.S. Managing Director, RIICO Ltd, Jaipur
  3. Collector, Alwar
  4. SEE ( MUID) RPCB, Jaipur
  5. Regional Officer, Alwar/ AEn, RSPCB, Bhiwadi.
- 



राजस्थान राज्य प्रदूषण नियंत्रण मण्डल  
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5159695, 5159696, 5159697

F.14 (24-14) Corres/RSPCB/Plg./

9308-15

Date: 30/12/14

President,  
Bhiwadi Manufacturers Association,  
S-56, BMA House, Main Road, Dhaba Complex,  
Bhiwadi - 301019

**Subject : Action for prevention and control of water pollution in the Industrial Cluster of Bhiwadi.**

Sir,

The industrial cluster of Bhiwadi has witnessed rapid growth in the last few years, various kind and different categories of industries have established in the cluster due to infrastructure facilities provided by the State Government and related agencies like RIICO Ltd., Industries Department, UIT Alwar and District Administration, Alwar. The rapid industrial growth of the cluster has not only changed the economy of the area but also posed serious environmental challenges related with management for the treatment and disposal of waste water, air emissions, municipal solid waste and hazardous waste. The management and disposal of waste water is the main challenge due to geographical location of industrial clusters, close proximity with the state of Haryana and natural gradient towards territory of Haryana.


To address the problem, a meeting was convened under the Chairmanship of Smt. Aparna Arora, Chairperson, RSPCB on dt. 19-12-2014 at Bhiwadi with the stakeholders. During the meeting, it was decided that following actions need to be taken by your Association, agency responsible for information and education of the industrial units of Bhiwadi for operation of their units in accordance with the provisions of various Acts, for prevention and control of water pollution:

1. Implementation of the Action Plan for CEPI approved by CPCB as per letter dated 17/09/2013 of MoEF., GoI, for lifting of moratorium for industrial cluster Bhiwadi
2. Compliance of condition of zero discharge status as imposed by RSPCB (immediate)
3. Operation & maintenance of treatment facilities/ETP for specific units for conforming the quality of treated effluent to the standards imposed by RSPCB (immediate action)

4. Utilization of the treated effluent of CETP (after tertiary treatment) for plantation and other gainful purposes upto 50% of the permitted discharge quantity as imposed by the RSPCB with certain units.(Action within 30 days )
5. Submission of action plan for installation of electromagnetic flow meters with connectivity CETP to regulate the discharge upto permitted discharge quantity by the CETP Trust.( Action within 30 days)
6. Submission of action plan for installation of online pH monitoring system at the outlet with the units having generation of acidic waste like SS Re-rolling units, electroplating & galvanizing unit (Action within 30 days).
7. The industrial units having large effluent discharge (more than 100 KLD) to develop and provide systems for treatment and recycling of effluent, so as to maintain zero discharge status. The industries to submit time bound action plan for the same along with appropriate Bank Guarantee (10% of the cost) to the RSPCB within 45 days. (Action within 45 days)
8. Disposal of the ETP sludge in accordance with Hazardous Waste (Management , Handling and Transboundry Movement) Rules, 2008.

The minutes of the meeting dt. 19-12-2014 have already been sent to you vide Board's letter No. F14 (24-14) Corres /RSPCB/Plg/9274-96, dated 29-12-2014. You are advised to inform, educate and circulate appropriate directions to the member units of your Association to ensure compliances and execution of the actions within the stipulated time period.

Yours sincerely,

  
(Dr. D.N. Pandey)  
Member Secretary o/c

Copy to following for information and necessary action:

1. P.S. to Chairperson ,RPCB, Jaipur.
2. P.S., Managing Director, RIICO Ltd., Jaipur
3. Collector, Alwar
4. Secretary, Steel Re- rolling Industries Association, Bhiwadi.
5. SEE ( MUID), RPCB, Jaipur
6. Regional Officer, Alwar/ AEn, RSPCB, Bhiwadi.

  
Chief Environmental Engineer o/c

Table 1: The following Final Action Plan inclusive of Progress Report (Status of Action Plan ) of Bhiwadi is being submitted to update CPCB on the progress made on each of the Action Points as on March, 2013. The Progress Report was also discussed during the Steering Committee meeting held on October 29, 2012.

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholder/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
<b>Short Term Action Plan- Air</b>							
1	Development of ambient air quality and stack emission monitoring facilities by the State board	RSPCB, Industries, Industries Association	December 2013	Expenditure is to be borne by the RSPCB	To strengthen the monitoring of major air polluting industries. The State Board should develop its facilities along with required man power.	The Regional Laboratory at Alwar has been further strengthened for additional scientific manpower so as to carry out the ambient air quality and stack emission monitoring of units located at Bhiwadi. Work has been started. Induction and Lead sectors have been taken in first stage. The work is being executed by RO lab Alwar.	The Regional Laboratory, Alwar has taken up monitoring of ambient air quality and stack emissions of the industries located at Bhiwadi. The R.O. Lab has collected 90 samples of AAQ and stack emissions during the period April, 2013 to December, 2014. General ambient air monitoring was also being carried out in Bhiwadi at two locations. i.e. R.O. Building (industrial) and UIT Guest

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
						Progress shall be submitted within prescribed time limit	house (Residential) during 29/12/2014 to 03/01/2015 for PM10, SO2 and NOx. It is pertinent to mention that three AAQ monitoring stations have been sanctioned at Bhiwadi under the National Ambient air quality Monitoring Project (NAMP). The CPCB and RSPCB Officers have visited the proposed location for these stations. Final approval is awaited. Further, out of the proposed three stations, two will be operated manual, whereas

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
							one station will be operated as continuous air monitoring station. In the mean time, the Regional Laboratory, Alwar is developing necessary infrastructure facilities for the proposed air monitoring stations at Bhiwadi, so that after getting necessary sanction, the work may be taken up at the earliest.
2	Performance monitoring of major air polluting industries for assessment of compliance of the notified air emission standards.	RSPCB, RIICO Industrial Association, CETP Trust	Ongoing continuous activity	Expenditure is being borne by the RSPCB for Sampling & Analysis	The work of stack emission monitoring of the identified major air polluting industries in the industrial cluster would be	After Jan 2012, 08 no. of major air polluting units, which have upgraded their APCM, have been monitored by the	The R.O. Lab Alwar has carried out air monitoring of major air polluting industries during the period April, 2013 to

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
					taken up by the State Board in association with recognized laboratory of the State Board/ CPCB/MoEF for assessing compliance of the emission standards notified under EP Rules '86.	RO lab Alwar. Results of air/stack monitoring in these units were found within prescribed limits. Monitoring of the remaining units shall be taken -up shortly.	December, 2014. The Lab has planned to carryout stack and ambient air monitoring of the induction furnaces and rolling mills located in Bhiwadi during the month of march and April, 2015.
3	Improvement and up gradation of APCM in induction furnaces & lead recycling industrial sectors	RSPCB, Industries, Industries Association	Ongoing continuous activity	Expenditure is being borne by the related unit	The State Board has directed the industries for improvement in operation & maintenance of APCM & their up-gradation. Air monitoring of units is being carried out as per prescribed frequency by the	Out of 46 air polluting units (Lead + induction), 32 units have upgraded the APCMs. 03 units are in advance stage of up gradation of their APCMs and other 11 units are in process to upgrade	Induction furnaces and lead recycling industries have upgraded the APCM's. These industries will be inspected and air sampling will be carried out in the month of March-April, 2015 to evaluate efficacy of APCM'S

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
					RSPCB to evaluate the performance of APCM.	the APCMs. One unit has closed down its operations.	
4	Installation and operation of air monitoring stations at the periphery of each industrial area	RSPCB/RIICO	December-2013	Expenditure to be borne by the RSPCB	RSPCB has identified 3 sites for ambient air quality stations in Bhiwadi industrial area. In addition 2 AAQM stations are being considered for the residential areas in Bhiwadi by RSPCB. Alongside this RSPCB is also considering establishment of 2 AAQM stations in Khushkhera industrial area and 2 AAQM stations in Chaupanki industrial area.	The State Board is in process to purchase the required monitoring equipments, glassware & chemicals through an open tender. Besides the State Board is also pursuing CPCB for finalisation of these locations under NAMP.	The process for installation of NAMP stations at Bhiwadi is at advance stage. As soon as necessary sanction is received, the NAMP stations will be operationalized.



Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
5	To check the illegal use of wastes substances as fuels by the industries	RSPCB, Industries, Industrial Association, Department of factory and boilers	Ongoing activity	-	The inspector of factory and boiler is to take up general survey of the industrial units which are using various types of wastes as a fuel and waste without permission of competent authority.	RSPCB is checking the type of fuels being used by different units, during routine inspections and is initiating action against such defaulter units, if found any. In past, directions were issued by the State Board for closure of the defaulting 3 units. It is a regular activity.	The RSPCB is keeping watch on illegal use of waste as fuel.
6	Rapid study on Epidemiological to assess the impacts of the ambient lead pollution in various target groups	RSPCB, RIICO, State Health Department, Industrial association, Association of The Waste Lead	December 2013	The cost shall be made by the Association of Secondary Lead Manufactur	Rapid study shall be carried out by Association of The Waste Lead Batteries Processing Units.	Letter in this regard is being issued to concerned group of industries with direction to complete the work and report the progress within 60	Action to be taken by the association of Waste lead Batteries processing units. As per the information at the RSPCB, no progress has been made for the same.

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
		Batteries Processing Units		ing Units		days	
<b>Long Term Action Plan-Air</b>							
1	Shift to cleaner fuels	RSPCB, Industry and Industrial Association, RIICO	December 2013	The cost may vary from industry to industry	Work to carry the CNG up to Bhiwadi is already completed. The major fossil fuel (coal or agricultural waste) consuming industries shall be advised to adopt cleaner fuel for prevention of environment. RSPCB and RIICO shall advise and encourage the major air polluting industries to adopt clean fuel, depending upon the availability of	At present 5 rolling mill units have been using CNG. Besides, a few industries are using LPG, instead of conventional fuel. Matter has been taken up by the industrial associations for supply of CNG to small consumers along with large consumers.	The RSPCB is pursuing the industries to replace the fuel i.e. fossil fuel (coal or agricultural waste) with CNG or LPG. So far 18 major/medium scale industries have switched over for the fuel CNG.

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
					clean fuel.		
2	Installation of continuous real time ambient air quality monitoring station at Bhiwadi	RSPCB, RIICO	December 2013	Expenditure to be borne by the RSPCB & the CPCB	RSPCB may take up the issue with CPCB for financing the installation of continuous real time ambient air quality monitoring station at Bhiwadi.	For installation of Real Time Ambient Air Quality Monitoring Station proposal has been submitted to CPCB vide Board's letter dated 29.8.2010 and letter dated 24.1.2012 for financial assistance. Issue is under consideration with CPCB.	Location of continuous real time ambient air monitoring station at Bhiwadi is to be visited by the joint committee of CPCB and RSPCB constituted vide RSPCB order dt. 22/10/2014.
<b>Short Term Action Plan- Water</b>							
1	Augmentation of capacity existing CETP (6 MLD to 15 MLD)	Industrial Association / RIICO/BJ PNT	Revised date in consultation with CETP	Expenditure is to be borne by the CETP Trust	The work of capacity augmentation is under progress. The work is done	For augmentation of existing CETP, Phase II up gradation of CETP has been	Newly elected trustee/office bearers of the CETP Trust has assumed office

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
			trust is to be finalized		by BJPNT through Bivija Infrastructure Pvt. Ltd.	completed and was commissioned in March 2012, which included installation of grit & slit removal chamber, up-gradation of secondary treatment & sludge handling facilities. For expansion in capacity of existing CETP, BJPNT is in process to submit its application for grant of Environmental clearance (from 6 MLD to 15 MLD) from competent authority through M/S "Grass Roots Research &	recently. The Trust has taken up the various issues relating to expansion of capacity of the CETP, process of seeking EC etc.. A meeting was held under the chairmanship of the Chairperson, RSPCB at Bhiwadi on 19/12/2014 to discuss the issues relating with prevention and control of pollution in the industrial cluster of Bhiwadi. Detailed discussion and deliberations were made on the problems and solutions thereof in the meeting. Action

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
						<p>Creations (I) Pvt Ltd, Noida (UP). However, the application for Environmental clearance may only be filled after allotment of additional land by M/S RIICO Ltd/Urban Improvement Trust, Bhiwadi. The matter is being pursued with BJPNT, RIICO &amp; UIT. Augmentation work of existing CETP has been completed and facilities for removal of silt &amp; grit, installation of flow metre at inlet, oil &amp; grease trap,</p>	<p>plan for the stakeholders (CETP Trust, RIICO, UIT, RSPCB and individual industrial units) was framed in the meeting. Review meeting to monitor the progress is proposed at the RSPCB, Jaipur in next month.</p>

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholder/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
						<p>additional sludge thickening and dewatering facilities, secondary clarifier and sludge drying facilities have been added and commissioned before March 12. The matter of expansion in capacity of CETP is different issue and the proceedings for seeking EC have been started. Capacity expansion has already been included in long term action plan of Water environment</p>	
2	The disposal of treated	RIICO /	Work	Approx. Rs.	About 22 km on	The work of laying	The work for laying

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
	waste water of CETP, Bhiwadi -Completion of work related to laying down closed conduit pipe line up to river Sabi	RSPCB/ BJPNT Trust	Completed	7.72 crores	laying the closed conduit pipeline from Bhiwadi to River Sabi is completed out of total 24 km. The work of approx. 2km is yet to be completed due to land allocation/land dispute problems.	down closed conduit pipe lines (25.5 km) for ultimate disposal of treated waste water in river Sabi, into territory of Rajasthan State, has been completed and commissioned. <b>The work related to laying down of disposal pipe line up to river Saabi has been completed</b>	of pipe line for ultimate disposal of treated waste water of CETP, Bhiwadi up to river Sabi has been completed by the RIICO Ltd. However, the villagers of Haryana and Rajasthan from the villages located enroute the pipeline (from Khuskhera onward) had agitated and not allowed disposal of treated effluent into the river. The entire river bed has been converted into agriculture farms and cultivation of crops is being done in the river bed also. The farmers have plugged the main

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
							<p>holes of the pipeline passing through their fields by pouring soil and boulders in it. As a result the treated effluent is getting accumulated in the open land at RIICO industrial area Khuskhera. The treated effluent disposed in this manner sometimes flows into agriculture fields in the nearby area. Presently it is pounding in the Borrow pits of soil mining in past, near Kundan edible oils. The RSPCB has taken up the issue with the RIICO and CETP Trust for</p>



Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
							<p>gainful utilization of treated effluent. The Trust has initiated work of improvement in the operation and maintenance of the CETP, So as to ensure that quality of the treated effluent meets the Stream standards. <b>The RIICO has engaged consultant for preparing detailed project report (DPR) for design of closed conveyance system at Bhiwadi industrial area. The consultant has submitted final DPR of tentative cost</b></p>

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
							Rs.30.62 Cr. The DPR under examination at the RIICO level.
3	Segregation of trade & Domestic effluent	RIICO/RS PCB	Activity completed for Segregation of trade & Domestic effluent	Expenditure has been borne by RIICO	<p>The job of segregation of trade and domestic effluent has been taken up by RIICO.</p> <p>In first phase of this job related to laying of closed conduit pipe lines, RIICO has started laying down of 3.8 KM pipe line from Parshvanth mall to CETP and from Samtel Mode to CETP. The job of Phase-I is in progress and pipe lines of about 600 meter length have</p>	<p>The Stage-I of this Job has been completed at the cost of approximately Rs. 3 crores &amp; commissioned (3.8 km). With completion of this job, the industrial waste water has now been segregated from the terminal points of industrial area Bhiwadi. Now mainly industrial effluent is reaching CETP &amp; resulting to address the problem of overloading of</p>	<p>The UIT Bhiwadi has completed and commissioned STP of capacity 04 MLD. They have laid down pipe lines from STP to the Public Parks of UIT for utilization of treated effluent for gardening. Work of hydraulic testing of the pipelines is being done. It is expected that by the end of this month they will be able to utilize the entire treated effluent for gardening/plantation purposes.</p>

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
					been laid down.	<p>CETP.</p> <p>For stage II, RIICO has invited EOI for closed conduit work (72 km) in whole of industrial area Bhiwadi.</p> <p>Connections of all effluent generating industries to the closed conduit system shall be done after completion of stage II work.</p> <p><b>Remark:</b> The Project i.e. Phase I has been executed at site. However, limit for Phase II may be assigned up to Dec-2015.</p>	
4	Development of Recycling and reuse of treated effluent	RSPCB/RIICO/Industrial	Ongoing Activity	The cost will vary from	About 12 industries in Bhiwadi have	UIT, RIICO, District Administration	The CETP Trust, RIICO, UIT may develop modus-

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
		Association		industry to industry	already taken steps to recycle and reuse the treated waste water. The State Board is pursuing the remaining major water polluting industries to adopt water conservation techniques by way of recycling and reuse of treated waste water.	have taken up the matter jointly to provide central facility for reuse of treated waste water of CETP for gainful purposes like road construction, irrigation & use in industries. The cost of recycling system shall be worked out & borne by stakeholders.	operandi to utilize the treated effluent for gainful utilization.
5	Installation of flow meter by the member units of CETP for monitoring the flow entering into closed conduit line from each of the member industry	Industries' Association / RSPCB/ Industries	Ongoing activity	Not Available Expenditure for installation of flow meter is being borne by the units	Flow meters are to be installed by the member units to monitor the discharge through the conveyance system to CETP viz a viz the quantity permitted by CETP trust for	Industries having effluent quantity exceeding 25 KLD have installed flow meters at the outlet of their ETP. Installation of flow meter at final outlet would be taken up after	Most of the industries have Installed flow meters at the inlet and/or outlet of their ETPs. The same is being verified by the officials of RSPCB during routine

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
					the treatment.	laying down of closed conduit line in whole industrial area.	inspections.
6	Development of sewerage system including STP (4 MLD)	UIT/RSPC B	December -2013	Approx. Rs. 17.24 Crores	The Work of development of sewerage system including STP is almost completed by 90%.	Sewage treatment plant has already been commissioned for trials in July 2012. The job of laying down sewer lines in residential areas of Bhiwadi is almost complete and house to sewer connections are being done.  Letter is being issued to UIT regarding expected time for completion of work of sewage	The work of laying down sewer lines in the remaining residential areas of Bhiwadi has been taken up by the UIT.

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
						lines and their connections with houses	
7	Regulation on groundwater abstraction by the industries	RIICO/RS PCB/CGWA	Ongoing activity	--	<p>The RSPCB is insisting for CGWA NOC for groundwater withdrawal of more than 25 KLD.</p> <p>For compliance of CGWA guidelines RIICO and RSPCB to insist and ensure the Installation of water meter by the industries which extracts groundwater.</p>	<p>Industries are being persuaded to install water meter and to obtain permission of CGWA, where ever required.</p> <p>Industries have started installation of water meter and the same is being verified during routine inspection by RSPCB.</p>	Water intensive units have installed water meters at the sources of ground water abstraction. They are maintaining record of daily water with drawl, which is being checked during routine inspections by RSPCB officials.
8	Monitoring of groundwater quality	RSPCB, CETP Trust, RIICO	Ongoing Activity	Expenditure for sampling & analysis is being borne	The State Board has increased ground water quality monitoring points from earlier	Groundwater monitoring has been started by the Board in Pre monsoon and post	The CPCB had approved 12 stations in Bhiwadi Region for ground water monitoring

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
				by the RSPCB	5 points to 10 points around Bhiwadi and other industrial under NWMP having frequency of one sample in six month. The frequency of the sampling of all the six points shall be increased to once in three months for upgrading the monitoring of ground water quality.	monsoon season under NWMP project at 12 locations. Besides, RSPCB & Groundwater Department have also started monitoring of groundwater jointly in Pre monsoon and post monsoon season at different locations from year 2012. The analysis reports reveal that the quality of groundwater meets the prescribed norms.  (The work is being done by the Board on regular basis at	under the National Water Monitoring Programme( NWMP). Samples from these stations are being collected by the Regional laboratory, Alwar in pre monsoon and post monsoon. Lastly samples were collected from 10 locations on 13/10/2014. ( 02 stations were closed due to source dismantled). The Analysis Reports reveal that the quality of ground water meets the prescribed standards.

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
						least twice a year)	
9	Development of recharging structures for groundwater recharge	RIICO, RSPCB, RUIDP and BMC	Ongoing Activity	The cost is borne by related industry.	The RSPCB and RIICO are pursuing the existing industries to setup RWH structures.	The RIICO is persuading the units for installation of RWH.	The major water intensive industries have developed/ constructed rain water harvesting structures. The same is being physically verified by the RSPCB during routine inspection of the industries.
10	Assessment of the quality of the treated effluent of major highly polluting industries	RSPCB	Ongoing activity	Expenditure for sampling & analysis is being borne by the RSPCB	RSPCB is monitoring the quality of treated effluent allowed to be discharge on the land /gardening	8 units have been identified under highly polluted 17 category of industries in the cluster. Monitoring has been carried out with 4 industries and results were found complying the prescribed	Action is being taken by the RSPCB. It is on going activity.



Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholder/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
						standards. <b>Remark:</b> Limits may be omitted because it is an ongoing activity	
<b>Long Term Action Plan- Water</b>							
1	Capacity enhancement of CETP for Bhiwadi <ul style="list-style-type: none"> <li>By enhancing the capacity of 6 MLD to 15 MLD</li> <li>or</li> <li>Development separate CETP of 10 MLD</li> </ul>	RSPCB/Industrial Association /RIICO/ BJPNT	2012 – 2015	Approx. Rs. 13.5 Crores	The issue regarding the enhancement of existing CETP or installation of separate CETP is under consideration with BJPNT. For setting up of new CETP, RIICO shall allocate a land on concessional basis.	For expanding the capacity of existing CETP, the BJPNT has awarded the job to external party for obtaining EC from competent authority. The capacity is proposed to be expanded from 6 MLD to 15 MLD. Recently during meeting headed by the MD RIICO, it has been decided to allot the land to trust. However,	RIICO has allotted 11600 sqm land to CETP Trust for up gradation and augmentation of CETP Bhiwadi. The Trust has taken up the matter of up gradation of CETP.

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
						for knowing the progress & for exact time, letter is being issued to the Trust.	
2	Development of CETP for Khushkhera and Tapukada (capacity Approx. 5-7 MLD)	RSPCB/Industrial Association /RIICO/ BJPNT	December 2015	Approx. Rs. 7-8 crores	RIICO has engaged M/s. Ramky Enviro Engineers Ltd, Hyderabad to prepare a feasibility report on possible capacity and locations of CETP in Bhiwadi region and modalities for constructing and operating them on PPP basis.	In compliance of orders of DOE, GOR, Separate trust has been formed for establishment of CETP at Khushkhera and Tapukada. Recently, RIICO has invited the EoI from the reputed environment consultancy firm.	<b>RIICO has earmarked land for CETPs in the upcoming industrial areas at Khushkhera and Tapukara.</b>
3	Development of CETP for Chopanki and Kaharani (approx. 5-7 MLD)	RSPCB/Industrial Association /RIICO/ BJPNT	December 2015	Approx. Rs. 7-8 crores	RIICO has engaged M/s. Ramky Enviro Engineers Ltd, Hyderabad to prepare a feasibility	In compliance of orders of DOE, GOR, Separate trust has been formed for establishment of	<b>RIICO is acquiring land in close proximity of industrial area Kaharani for setting up CETP.</b>

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
					report on possible capacity and locations of CETP in Bhiwadi region and modalities for constructing and operating them on PPP basis.	CETP at Chopanki and Kaharani.  Recently, RIICO has invited the EoI form the reputed environment consultancy firm.	
4	Development of CETP (approx. 5-7 MLD) for Pathredi	RSPCB/Industrial Association /RIICO/ BJPNT	December 2015	Approx. Rs. 7-8 crores	RIICO has engaged M/s. Ramky Enviro Engineers Ltd, Hyderabad to prepare a feasibility report on possible capacity and locations of CETP in Bhiwadi region and modalities for constructing and operating them on PPP basis.	In compliance of orders of DOE, GOR, Separate trust has been formed for establishment of CETP at Pathredi. Now RIICO is being pursued for allotment of land and further proceedings for EoI.	<b>RIICO has earmarked land for RIA , Pathredi, part of Chopanki and Bandapur.</b>
5	Closed Conduit	RIICO,	2012-2015	Approx. Rs.	In Stage-II of the	RIICO has invited	<b>The RIICO has</b>

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
	Conveyance system to carry wastewater from industries to CETP in Bhiwadi	CETP Trust, Industries' Association		18 crores (for Stage II)	project, RIICO is in process to call revised tenders for closed conduit work in whole industrial area Bhiwadi. The length of stage I & stage II lines shall be 3.8 KM & 72 KM respectively. Connections of all effluent generating industries to the closed conduit system shall be done after completion of Stage-II work.	Expression of Interest (EOI) for preparation of detailed report on the basis of which bids shall be invited to Finance, Design, Build, Own, Operate & maintain effluent Conveyance System and CETP in Bhiwadi Industrial Cluster	<b>engaged consultant for preparing detailed project report (DPR) for design of closed conveyance system at Bhiwadi industrial area. The consultant has submitted final DPR of tentative cost Rs.30.62 Cr. The DPR under examination at the RIICO level.</b>
<b>Action Plan Land</b>							
1	Identification & development of a Site for MSW Treatment & Disposal	Bhiwadi Municipal Council & UIT in consultation with State	2013-2015	Not Available	The Municipality Bhiwadi has requested the district administration for allotment of the	Matter is being persuaded with Municipality Bhiwadi & SDM Tijara. (Letter is being	The matter of allotment of land for development of MSW treatment and disposal site is under consideration

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholder/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
		Urban Development Dept.			land so that necessary DPR etc may be prepared.	issued to Nagar Palika Bhiwadi, The date may only be communicated after reply of Nagar Palika	at the level of Dist. Administration. The RIICO has developed a site for disposal of Non hazardous waste from the industries at Bhiwadi near village- Rampura Mandana on an area 15.0 Acres. Boundary wall has been constructed all along the site. The industries at Bhiwadi are being advised to dispose the non hazardous wastes at this site and compliance is being monitored by the RIICO and RSPCB.
2	Augmentation of treatment and disposal facility for Bio-	Medical and Health	Ongoing Activity	Health Care Facilities	The biomedical waste from the	Facility has been upgraded and is	The biomedical waste from the

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
	medical Waste	Department , RSPCB and Municipal Corporation		(HCF) are paying for collection , transportation and disposal of their biomedical waste to the authorized Common Disposal Facility Operator, Alwar	health care facilities of Bhiwadi is being collected, transported and disposed with the authorized Common Bio Medical Waste Treatment and Disposal Facility located in Alwar i.e., at distance of approx. 85 km. The RSPCB is monitoring the disposal of biomedical waste in accordance with the provision of Bio Medical Waste (Handling & Management) Rules 1998. The disposal facility requires	functioning as per CPCB guidelines.	health care facilities of Bhiwadi is being collected, transported and disposed at the Common Bio Medical Waste Treatment and Disposal Facility located in Alwar. No separate facility is required at Bhiwadi.

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
					augmentation for the compliance of CPCB guidelines for treatment and disposal facility of BMW.		
<b>Action Point-Others</b>							
1	Tree Plantation for Greening the Area	Forest Dept., UIT, RIICO, RSPCB	Ongoing activity	Expenditure is being borne by the industries, industrial Association and RIICO Ltd.	UIT Bhiwadi, RIICO, BMA and industrial association have planted trees in various areas.  Moreover, the large scale industrial units have achieved plantation in more than 33% area of their premises. The same has been verified during routine inspections.	RIICO Bhiwadi & Industrialist have planted 5300 nos tree in the Industrial cluster Bhiwadi.	<b>RIICO has carried out plantation on the land earmarked for green belt development in the industrial area. The RIICO has initiated utilization of treated w/w from CETP in green belt development through tankers.</b>

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
2	Capacity Building for prevention & control of Pollution	RIICO , CETP Trust & RSPCB	Ongoing Activity	Expenditure are borne by the RSPCB, RIICO Ltd and CETP Trust	<p><b>Following actions shall be taken up by the RSPCB:</b></p> <p>Strengthening of technical and scientific manpower of Regional Office, Bhiwadi (RO , Bhiwadi)</p> <p>RSPCB must establish full fledged Regional Office at Bhiwadi to monitor the implementation of action Plan and enforcement of regulatory region.</p> <p>The technical side of staff should have 1 Environmental Engineer, 2 nos. Assistant</p>		<p>The RSPCB has deputed Scientific and Technical staff at Bhiwadi office. 02 Junior Scientific Officers and 01 Jr. Env. Engineer had been posted at Bhiwadi office in the month of Oct-November,14. Necessary infrastructure facilities have also been developed at the Bhiwadi office for its smooth and efficient functioning.</p>



Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
					Environmental Engineer, 3 nos. Junior Environmental Engineer, supporting staff, computer facility, laboratory facility and transportation facility. a. The scientific side of staff should have 1 nos. Scientific Officer, 2 nos. Junior Scientific Officer, 2 nos. Senior Scientific Assistant. b. Strengthening of		

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
					<p>regional laboratory of RO , Bhiwadi for regular assessment of PCM with the industries, CETP, water quality and air quality of the area</p> <p>c. Education and training of technical and scientific staff of familiarization with the latest technology for</p>	<p>Actions Taken</p>	

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
					<p>pollution control and analytical techniques</p> <p>d. Strengthening of online connectivity of RO, Bhiwadi with HO-Jaipur and CPCB Delhi for upgrading the data transfer mechanism</p> <p>e. Seminar and workshop for education and awareness of the</p>	<p>by RIICO:</p> <p>i. A dedicated Environment Management Cell headed by GM level officer has been set up in RIICO Head Office having Senior Regional Manager and three Assistant Regional Managers.</p> <p>ii. There are dedicated unit offices</p>	

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
					<p>project proponents for adoption of cleaner fuel and advanced process techniques for reduction of air emission and effluent discharge</p> <p><b>2 Following action shall be taken up by RIICO Limited &amp; CETP Trust:</b></p> <p>i. To</p>	<p>in Bhiwadi, Pali and Jodhpur consisting of technical qualified officers to look after environment pollution &amp; industrial development issue.</p> <p>iii. The strength of the technical officers varies from 3-7. Industrial Association have</p>	

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
					<p>encourage use of cleaner fuel by providing soft loan for replacement / conversion of the existing boiler / thermo pack to cleaner fuel.</p> <p>ii. To encourage &amp; provide soft loan to industrial unit which intends to install RO plant at</p>	<p>been formed for all the industrial areas.</p> <p>iv. The unit head conduct regular meeting with them. Meetings are also held regularly at the level of District Collector.</p>	

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Action Plan /Remark	Status of Action Plan	Progress as on today/latest
					iii. their own for recycling of their effluent. RIICO shall develop industrial areas for non polluting industries		

**Note:** While recommending the interventions to reduce CEPI, various studies, reports, Master Plans, RSPCB and RIICO data was referred to and wherever the information was available, the costs of interventions have already been included in the Action Plans. These interventions will be implemented by different agencies, including RIICO as identified in the Report.

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List of Small Scale Textile units of Alwar Directions have been issued under section 33 A of the Water Act during 22.07.10 to 29.07.10

S.No.	Unit Name	Date of issue	Water Act no
1	Vanasthli Textile Industries Ltd., F-3-5, RIICO Industrial Complex, Vigyan Nagar, Shahjapur, District-Alwar	07.03.11	33A
2	Crystal Fabtex & Investment Pvt. Ltd. SP-24, Ind. Area, Neemrana, District Alwar	17.05.11	31A, 33A both
3	Apollo Chemicals Pvt. Ltd., F-456, MIA, Alwar	30.08.11	33A



# JODHPUR

### Progress of Action Plan of Jodhpur Industrial Cluster:

The following Final Action Plan inclusive of Progress Report (Status of Action Plan) of Jodhpur is being submitted to update CPCB on the progress made on each of the Action Points as on January 2015.

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Remarks	Status of Action Plan (latest)
<b>Short Term Action Plan- Air</b>						
1.	Performance monitoring of major air polluting industries for assessment of compliance of the notified air emission standards.	RSPCB, RIICO Industrial Association, CETP Trust	Ongoing continuous activity	Expenditure is being borne by the RSPCB for sampling and analysis	The work of stack emission monitoring of the identified major air polluting industries in the industrial cluster would be taken up by the State Board in association with recognized laboratory of the State Board/ CPCB/MoEF for assessing compliance of the emission standards notified under EP Rules '86.	<p>There are no major air polluting industries in the industrial cluster and all the industries are small scale in nature. The RSPCB is carrying out regular monitoring of these industries from 2011.</p> <p>Till date, 36 ambient air quality monitoring sampling has been conducted. The results are within permissible limits.</p> <p>In addition, stack monitoring of 4 industries have also been conducted. The results are within permissible limits.</p> <p>In the year 2012 to 2014, 69 ambient air quality monitoring (fugitive) and six stack sampling have been carried out. The results have been found within</p>

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Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/Agency involved	Time limit	Cost	Remarks	Status of Action Plan (latest)
						<b>permissible limits.</b>
2.	Up-gradation of the air pollution control measures e.g. dust collector, multi cyclone etc. with the non compliance industries.	RSPCB, RIICO Industrial Association, CETP Trust	Ongoing continuous activity	Expenditure is being borne by the related unit	The State Board will issue directions under the provision of Air Act' 81 to the non complying industry for up gradation for the air pollution control measures before end of Oct- 2012.	As the monitoring conducted of the industries has been within permissible limits, no directions have been passed under the provision of Air Act.  The industrial areas of Jodhpur do not have major air polluting industries and the industries have installed adequate air pollution control measures. The results are within the permissible limits.
3.	Installation of Real Time Continuous Air Quality Monitoring System	RSPCB	Activity Completed	Expenditure has been borne by the RSPCB & the CPCB	The work of installation of Real Time Continuous Air Quality Monitoring stations is going on and will be functional by March 2012.  The system will provide real time Ambient Air Quality for PM10, SO2, NOx, CO, O3 and BTX. The real time data shall be available with Board's Head office and Regional Office, Jodhpur. The station will also provide necessary metrological data including wind speed, wind	The installation of continuous air quality monitoring station was completed in 22/12/2011 and the trial run was commenced in Jan 2012. Regular operation started in July-2012. The online monitoring report for average values of parameters for the months of July-2012, Aug-2012, Sept-2012 have parameters within permissible limit for NOx, SO2, CO, O3 Benzene, Toluene. The PM10 has not been monitored so far and

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					<p>direction, temperature, pressure and humidity.</p> <p>Efforts are also made for the up-gradation of the system for monitoring of PM 2.5.</p>	<p>directions have been issued to M/s Environment SA for the same.</p> <p><b>Real Time Continuous Air Quality Monitoring station installed at Collectorate Jodhpur is Continuously operative.</b></p> <p>The system has been providing real time Ambient Air Quality for PM10, PM 2.5, SO<sub>2</sub>, NO<sub>x</sub>, CO, O<sub>3</sub>, NH<sub>3</sub> and VOC. The real time data are available with Board's Head office and Regional Office, Jodhpur. The station is also providing necessary meteorological data including wind speed, wind direction, temperature, pressure and humidity.</p> <p>All the parameters have been found within the limits except that the results of PM 10 and PM 2.5 have been observed beyond the limits (i.e. in the range of 150-300 µg/m<sup>3</sup>), which may be due to proximity of desert area and climatic conditions.</p>

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4.	Installation of ambient air quality monitoring station	RSPCB, RIICO, Industries Department	December-2013	Expenditure to be borne by the RSPCB and CPCB	Three additional ambient air quality monitoring stations (existing 6 stations) to monitor the ambient air quality as per the NAAQMS are under consideration in Jodhpur with analytical facilities (lab facilities) in Jodhpur industrial clusters.	<p>At present 6 ambient air quality monitoring stations are being operated in Jodhpur; two in industrial area (Regional office RSPCB Jodhpur building &amp; DIC building) and four in residential /commercial area (Mahamandir, Housing Board Office, Chopasani, Shastri Nagar Police Station &amp; Sojai Gate).</p> <p>Budget for this additional ambient air quality monitoring station has been sanctioned by CPCB and the tentative locations of their installation are Sangaria industrial area, Housing Board office Kudi Bhagtasni and PWD Office High Court Colony.</p> <p>RSPCB is procuring instruments through open tenders and additional stations are likely to be commenced from Jan-2013.</p> <p>The results of RSPM are not within the standards (i.e.</p>

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						found in the range of 100-300 $\mu\text{g}/\text{m}^3$ )
<b>Long Term Action Plan-Air</b>						
1.	Implementation of Traffic Master Plan	Traffic Police, RTO, RSPCB, District Supply Officer, PWD	Continuous Process	-	<ul style="list-style-type: none"> <li>a. Introduction of one way traffic in selected areas to reduce the traffic density</li> <li>b. Banning entry of heavy commercial vehicle inside the City to reduce vehicular pollution</li> <li>c. Issuing licenses to LPG based autos as per notification dated 22/12/2010</li> <li>d. Continuous monitoring of vehicles by flying squads of transport department to check PUC</li> <li>e. Regular monitoring of the quality of the fuel being used by the vehicles.</li> <li>f. Periodic education and awareness campaigns for the public, drivers, transporters and other</li> </ul>	<ul style="list-style-type: none"> <li>a. One way Traffic has been introduced in inside city areas such as Bata Tiraha, Ghasmandi, Nai Sarak, Panna Niwas, Ghanta Ghar, Manak Chowk. Similarly one way traffic is introduced from Puri Choraha to Jalori Gate and also from Paota to Sojati Gate.</li> <li>b. The entry of heavy commercial vehicle inside the city is banned from 7.00 A.M. to 10.00 P.M. to reduce vehicular pollution.</li> <li>c. The Transport Dept. has issued license to 931 LPG based auto up to 25.01.2012 as notification dated 22/12/2010.</li> <li>d. The Transport Dept. is</li> </ul>

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Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Remarks	Status of Action Plan (latest)
					<p>stake holders</p> <p>g. Phasing out of 15 year old commercial vehicles is already in progress. 3,323 autos have been phased till now</p> <p>h. Removal of encroachment on the road side</p> <p>i. Development of parking arrangements by traffic management near the commercial areas by JDA</p> <p>j. Widening of main roads for reducing the traffic congestion and periodic maintenance of roads</p> <p>k. Development of roadside arboriculture</p> <p>l. Construction of multi-storeyed/underground parking areas</p>	<p>continuously checking vehicles for PUC and in the period become 01-08-12 to 25-10-12 it has initiated action against 901 vehicles and seized 337 vehicles. Similarly the Traffic police has filed challan against 1365 vehicles in the current year 2012</p> <p>e. The Dist. Supply Officer conducts checks on every petrol pump once in three months to monitor the quality of fuel being used by the Vehicle.</p> <p>f. A team has been constituted by the Traffic Police to educate the students of schools, colleges on the traffic rules and regulation. In the last month Sept.-2012, 1650 students were educated on the traffic rules. To educate the auto rickshaw / city bus drivers and</p>

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						<p>conductor seminar was organized on DPS circle. In Sept-2012, 7000 pamphlets were distributed on the rules for security of students Bal Vahini Safety Clubs have been constituted for the security of the children and Traffic warden have been deputed which shall organize exhibitions and seminars in schools.</p> <p>h. The municipal corporation has framed strict rules for removal of encroachment and penalties are 5000 Rs. For the first time defaulter, Rs. 10000 for second time and sealing of the shop / house etc if the defaulter is booked for the third time. The Municipal Corporation is taking action continuously according to the same.</p> <p>i. A total of 66 parking</p>



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						<p>areas have been demarcated by the JDA and 18 area have been demarked as no parking zones near the commercial areas.</p> <p>j. The JDA has done road widening from PWD choraha to Riktiya Bheruju Choraha and moreover the action taken for removal of encroachments and demarcation of no parking zones also leads to road widening.</p> <p>k. For the three year period beginning from 2012 a cost of Rs. 455.5 lacs has been accorded by the JDA for development of plantation near road sides, parks, colonies. In the year 2011-12, a total of 1,12,223 plants have been planted by the JDA in the above areas with a cost of Rs. 204.13 lacs.</p>

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						<p>1. The state government has ordered RIDCOR to construct multilevel parking near Gandhi maiden at a cost of Rs. 10 cr. And the decision for construction of the parking /foot over bridge at Nai sarak is pending.</p> <p><b>Note:</b> These efforts have resulted in reduction of air pollution levels in the city area.</p> <p>No new stations have been added. Letters have been issued to all the concerned departments on 19-01-2015. Reply / information is awaited.</p>
2.	Adoption of Clean fuel by the Industry	RSPCB, Industry and Industrial Association, RIICO	Since the infrastructure for supply of cleaner fuel i.e. CNG/LPG through pipe is yet to	Since the infrastructure for supply of cleaner fuel i.e. CNG/LPG through pipe is yet to developed thus	The State Board shall advise the major air polluting industries to adopt clean fuel, depending upon the availability of clean fuel.  The state board may take a view to advise the major air polluting	With the persuasion of the RSPCB, the steel re-rolling units have switched over to carbon black fed stock (CBFS) fuel having sulphur less than 0.3% in place of furnace oil (Sulphur: 4.5%) <b>However, in case of non</b>

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			developed thus specifying the time limit is not feasible	specifying the cost is not feasible	industries for promotion of cleaner fuel and replacement of boiler/thermo pack which are 10 year old.	availability of CBFS, 5% units might be using furnace oil according to the information given by representative of Steel Re-rollers Association on telephone.
<b>Short Term Action Plan- Water</b>						
1.	Assessment of the compliance of the effluent quality standards of the water polluting industries with the prescribed standards of effluent quality for inlet to CETP as specified under EP Rules	RSPCB, RIICO Industrial Association, CETP Trust	Ongoing activity	The expenditure for the sample collect & analysis is borne by the RSPCB	The work of effluent quality assessment of the identified major water polluting industries in the industrial cluster would be taken up by the State Board in association with recognized laboratory of the State Board/ CPCB/MoEF for assessing compliance of the inlet to CETP standards notified under EP Rules'86.	In the industrial areas of Jodhpur there are 212 textile industries and 108 steel re-rolling industries having connectivity to the CETP. The steel re-rolling units generated acidic effluent and are connected to the CETP through a closed conduit and a centralized system has been installed prior to the CETP in the same premises for the neutralization of the effluent generated from the same. The effluent after the centralized neutralization system is monitored with respect to inlet CETP standards (i.e. pH, Oil & Grease) and also required to improve. All other inlet

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						<p>parameters are already complied. The textile effluent is conveyed through open drain after complying with the CETP inlet standards as per the EPA.</p> <p>Installation of underground closed conduit pipe lines for alkaline effluent is in progress and is likely to be completed by mid of Feb-2015.</p> <p>At present, 210 existing textile industries, 99 steel re-rolling industries and 12 miscellaneous units are connected to CETP. Besides, Jodhpur Pradushan Niwaran Trust (JPNT) is likely to consider additional 60-63 units for connectivity to the existing CETP depending upon spare capacity within 20 MLD.</p>
2.	Up-gradation of the primary treatment facilities e.g. physicochemical	RSPCB, RIICO Industrial Association, CETP Trust	Ongoing activity	The expenditure for up gradation of	The State Board will issue directions under the provision of Water Act' 74 to the non complying industry for up	As far as the steel re rolling mills are concerned, there is centralized treatment system for the neutralization of pH for the

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	treatment etc. with the non compliance industries.			primary treatment facilities are being borne by the Industry	gradation for the primary treatment facilities before end of Oct- 2012.	<p>compliance of the CETP inlet standards and individual units are not required to install primary treatment facilities and there is no non compliance of the CETP inlet standards. The textile effluent is conveyed through open drain after complying with the CETP inlet standards as per the EPA.</p> <p><b>An additional equalization tank of approximately 5 Million Liter has been constructed and JPNT has incurred an expenditure of Rs. 4 Crore on this tank and measures under taken for improvement of performance of CETP.</b></p>
3.	Installation of Flow meter / Water meter with each member unit of CETP trust for monitoring of compliance of the permitted discharge quantity by CETP Trust.	RSPCB, RIICO Industrial Association, CETP Trust	Ongoing activity	Expenditure for installation of flow meter is being borne by the unit	RIICO will ensure that each industry sets up water meter/flow meter within the given timeframe. (The work of confirmation for installation of water meter / flow meter by each member unit of CETP Trust shall be out sourced to recognized Agency /laboratory)	Directions have been given by the RSPCB to all the member textile units of the CETP to install flow meters and 180 units out of 212 units have either installed the same or in the process of installation and the work shall be completed by Dec-2012. The capacity to treat

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						<p>the acidic effluent in CETP generated from stainless steel rerolling mills is 5 MLD whereas only 1 MLD of effluent is received through closed conduits hence directions were given to textile units only.</p> <p>JPNT has informed that flow meters of electromagnetic type have been installed by all the member units. RSPCB has been carrying out verification of the same and has directed the units to maintain single outlet with flow meter along with proper log-book.</p>
4.	Commissioning of additional Sewage Treatment Plant (STP) at Salawas.	RSPCB, RUIDP and Municipal Corporation	(1) September 2011 (already commissioned) (2) Dec. 2013	(1) Approx Rs. 34 crores of 50 MLD Salawas (I) (2) Approx. 40.41 Crore of 50 MLD Salawas (II)	Under UIDSSMT scheme, construction of 50 MLD STP project had been sanctioned. The construction work of STP is completed and started working on trial basis. The commissioning of STP is preventing discharge of untreated sewage to river which will result in prevention of contamination of groundwater.	1. For the treatment of waste water generated from Jodhpur (160MLD) there is a STP of 20 MLD at Nandri. In addition to this another STP of 50 MLD capacity has been constructed at Salawas at a cost of 34 Crore and commenced operation from Oct-

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						<p>2011. The STP is presently under operation and monitoring of the same was conducted continuously for 7 days and sample collected on each day from 1<sup>st</sup> to 7<sup>th</sup> Aug-2012 and the parameters of the analysis report are within the permissible limit of inland surface water standards. For the remaining 90 MLD capacity of untreated sewage Rs 90 Crore has been sanctioned by the State Government and Municipal Corporation Jodhpur has planned to establish two STPs one at Salawas 50 MLD Phase-II and other at Basni Benda of 40 MLD capacity. The work progress for these two STPs are as under;</p> <ul style="list-style-type: none"> <li>• 50 MLD STP Phase -II at</li> </ul>

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						<p><b>Salawas:</b> The work of 50 MLD STP Phase-II at Salawas has been awarded to M/s GeoMiller &amp; Co Pvt Ltd, New Delhi for Rs 40.41 Crore, the date of start the works is 18/12/2012 and stipulated date of completion is 17/12/2013. The firm shall complete the construction works in one year and further Operate and Maintain the plant for next 15 years. The basic cost of plant shall be around Rs 30.05 crore. The firm has started the Site cleaning, Survey and designing works at site.</p> <p><b>40 MLD STP at Basni Benda:</b> Another STP has been planned to be develop at Basni Benda, where</p>



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Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/ Agency involved	Time limit	Cost	Remarks	Status of Action Plan (latest)
						<p>at present the domestic sewage from open drain is being discharged untreated in Jojari river. At present the work on the outfall sewer is under progress at site and the Land Acquisition/ Land Allotment of the identified land is under process. After finalization of land allotment, the DPR of STP shall be finalized; the work of preparation of Basni Benda STP has already been awarded to Consulting Firm M/s NJS Engineers Pvt Ltd, New Delhi.</p> <p>The work of construction of STP of 50 MLD Phase-II is likely to be completed by June-2015. The work of construction of 40 MLD capacity STP at Basni Benda may be started after allotment of land by JDA. This matter was discussed during the meetings held in the chamber of Distt. Collector on dtd. 11-12-2014 &amp; 12-01-2015 and the concerned authority (JDA) has been directed to expedite action for land allotment to Nagar</p>

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						<b>Nigam Jodhpur.</b>
5.	Up-gradation of the sewerage system	RSPCB, RUIDP, Municipal Corporation, JDA	(1) March 2012 (already completed) (2) Jan - 2015	(1) Approx. Rs. 38 crores for 129 km pipeline (2) Approx. 79.43 Crore for further 168 km pipeline	Up-gradation of sewerage system will help in regularizing and ensuring proper collection and transportation of city sewage. Sewerage system is being developed in the Jodhpur city. Total length of the sewage line is 125 km out of which 90% of the work of laying of the pipeline has been completed. The collected sewage will ultimately be taken to Salawas STP for the treatment.	The works of upgradation of the sewerage system in the newly developed areas of the city of laying 125 km of new sewer lines has been taken up by JDA and 129 kms pipeline is already laid and commissioned by JDA in UIDSSMT scheme at a cost of Rs. 38 Crore. Further 168 KM of Laying of New Sewer line works are under progress in different works packages costing Rs 79.43 Crores.  <b>Letters have been issued to concerned departments on dtd. 19-01-2015. Reply / information is awaited.</b>
6.	Up-gradation of existing CETP at Sagariya	CETP Trust, RIICO, Industrial Associations and RSPCB	December 2013	Expenditure for up gradation shall be borne by the CETP Trust Jodhpur and will be approximately	Preliminary study shall be carried out and the report regarding location, capacity and estimated cost shall be submitted. The estimated cost of preparation of the report is Rs. 20-30 lakhs.	The existing CETP at Sangaria is of 20 MLD capacity (15 MLD for alkaline and 5 MLD for acidic effluent) in the industrial areas of Jodhpur. There are 212 textile industries and 108 steel re-rolling industries having connectivity

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				56 lacs.		<p>to the CETP. The steel re-rolling units generated acidic effluent and are connected to the CETP through a closed conduit and a centralized neutralization system has been installed at the CETP for the pH neutralization. The effluent after the centralized neutralization system is monitored with respect to inlet CETP standards (pH, oil &amp; grease) and also required to improve. The textile effluent is conveyed through open drain and complies with the CETP inlet standards as per the EPA. At present the work of laying of conduit conveyance system for carrying of textile effluent into CETP is under process. The JPNT has submitted a bank guarantee of Rs. 5.6 lacs for upgradation in the CETP by 31 Dec. 2013.</p> <p>An additional equalization tank of approximately 5 Million Liter has been constructed and JPNT has</p>

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						<p>incurred an expenditure of Rs. 4 Crore on this tank and measures under taken for improvement of performance of CETP.</p> <p>The work of closed conduit pipe lines for alkaline effluent is likely to be completed by mid of Feb.-2015.</p>
7.	Cleaning, Desilting & repairs of the open drains for transportation of untreated industrial effluent to CETP in the industrial area	RIICO CETP Trust , RSPCB	Ongoing periodic activity by RIICO Ltd, till completion of effluent conduit conveyance system	Expenditure is being borne by the RIICO Ltd.	The cleaning of the drains will prevent overflow and spread of effluent on land. This will also help in smooth conveyance of effluent to CETP.	<p>The RIICO authorities are already taking up the work of regular Cleaning, Desilting &amp; repairs of open drains and it is a continuous phenomenon depending upon the necessity. However, the cleaning is essentially done twice a year and sludge generated is disposed at their level.</p> <p>RIICO has incurred an expenditure of Rs. 20.92 lacs, Rs. 37.15 lacs &amp; Rs. 46.29 lacs in the years 2012-2013, 2013-2014 and 2014-2015 respectively.</p>

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8.	Construction of closed conduit conveyance system for carrying effluent of textile units to CETP	RIICO, CETP Trust and Industrial Association	April 2013	Approx. Rs. 9.63 Crores Expenditure is being borne by the CETP Trust Jodhpur	<p>The Phase-I of the Project for connecting all the 109 small scale S.S. Re-rolling member units with the CETP has already been completed.</p> <p>Phase-II includes laying the 23 km pipeline which will carry alkaline wastewater from the RIICO industrial area. The work is already undertaken by Jodhpur Pradushan Nivaran Trust on the own expense.</p>	<p>The work of laying down of conduit conveyance system for carrying of textile effluent into CETP is under process and 70% work completed so far by M/s Tapi Prestressed Product Ltd to which work has been allotted by JPNT. All the expenses of the above are borne by JPNT and no financial assistance has been provided by any external way. At present 18 km of pipeline has been laid out of 23 km and 5 crore expenses has been incurred out of total 9.63 cr. The pipeline is of RCC hume pipe and having dia ranging from 200 mm to 700 mm.</p> <p>The work of closed conduit pipe lined is likely to be completed by mid of Feb.-2015. The length of pipe lines may be approximately 26 kms and the expenditure may be approximately Rs. 7.25 crore instead of earlier projected cost of Rs. 9.63 crore.</p>

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9.	Performance monitoring of CETPs and STPs	RSPCB, CETP Trust and Municipal Corporation	Ongoing activity	Expenditure for sampling & analysis is being borne by the RSPCB	RSPCB is monitoring the performance of CETP on a monthly basis which includes the quality of treated effluent and disposal of ETP sludge. The performance monitoring of additional STP (50 MLD) shall be taken up after its regular commissioning.	The performance monitoring of the CETP is carried out monthly and direction given accordingly to JPNT for operational improvement. During the year 2012 till date the number of samples of treated effluent collected are 9 and 2 samples were slightly not confirming to the inland surface water standards mainly the parameters BOD and TSS which could be due to variation in quality of effluent received in the CETP. The performance monitoring of newly established STP of 50 MLD at Salawas was carried out for 7 days from 1st to 7th Aug-2012 and the parameters of treated sewage confirm to the inland surface water standards. The parameters of treated of sewage of Nandri STP also confirm to the inland surface water standards based on analysis report dtd. 02-03-2012. The treated wastewater of the two STPs and the CETP is

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						<p>discharged into River Jojri.</p> <p>Total seven samples were collected from final outlet of CETP in the year 2014 and all the samples were found to have values of TSS, BOD and COD beyond the prescribed standards.</p> <p>From the STP of 20 MLD capacity, two samples of treated sewage were collected and the values of TSS, BOD &amp; COD were found beyond the limits.</p> <p>Similarly two samples of treated sewage from 50 MLD STP were collected. Results of analysis of one samples were not meeting the standards for TSS, BOD &amp; COD.</p>
10	Monitoring of groundwater quality	RSPCB, CETP Trust, RIICO	Ongoing Activity	Expenditure for sampling & analysis is being borne by the RSPCB and the CPCB	The State Board has increased ground water quality monitoring points from earlier two points to six points around Jodhpur under NWMP having frequency of one sample in six month. The frequency of the	<p>The NWMP project is funded by CPCB and the frequency of sampling shall be increased to once in three months whenever funds are allotted for the same.</p> <p>The frequency of sampling is</p>

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					sampling of all the six points shall be increased to once in three months for upgrading the monitoring of groundwater quality.	twice in year.
11	Installation of rain water harvesting system in the buildings and institutions	RIICO, Municipal Corporation, RSPCB	Ongoing activity	Expenditure is being borne by Industry	The RIICO is making allocation of new plots with the condition for installation of proper rain water harvesting structures for the proposed industrial unit. This will improve the level of groundwater in the industrial cluster as well quality of groundwater.	RIICO has been pursuing the industries for installation of rain water harvesting system and the RSPCB is also supporting the RIICO efforts by imposing the condition for installation of the above in the consent to establish and operate granted to the industries.
<b>Long Term Action Plan- Water</b>						
1.	Construction of the additional CETP for Industries apart from textile & steel industries near Salawas	CETP Trust, RIICO, Industrial Associations and RSPCB	Submission of Project Report	Not Available Expenditure is to be met by State and Centre Govt.subsidy (50%) and contribution of rest 50% by CETP Trust	Preliminary study shall be carried out and the report regarding location, capacity and estimated cost shall be submitted. The estimated cost of preparation of the report is Rs. 20-30 lakhs.	The Chief Secretary of Rajasthan had directed to allot 25 bigha land for additional CETP to JDA and it has been earmarked near Salawas STP and shall be given to RIICO after rates are finalized. The industrialist have created the Marwar Pradushan Niwaran Trust with authorized capital of 5 crore and pursuing the district administration for allotment of



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						<p>land for CETP. Study shall be taken up by the JPNT for capacity and estimated cost after allocation of the land.</p> <p>According to the information revealed by commissioner, JDA during the meeting held on 12-0-2015 in the chamber of Distt. Collector, amount to be deposited by RIICO has been finalised. The demand note of Rs. 2.56 crore has been received by RIICO. As soon as the amount is deposited by RIICO, land shall be allotted by JDA to RIICO and then RIICO shall further allot the land to JPNT.</p>
2.	Construction of the additional CETP for Industries near Boranada	CETP Trust, RIICO, Industrial Associations and RSPCB	Presently not required	-	<p>Preliminary study shall be carried out and the report regarding location, capacity and estimated cost shall be submitted. The estimated cost of preparation of the report is Rs. 20-30 lakhs.</p> <p>New CETP is required to be</p>	<p>As there are no major water polluting industries in Boranada, CETP is not proposed and the consent to establish/operate granted to the industries have the condition to maintain zero discharge outside the premises. The major water polluting industries at Boranada</p>

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					provided in Boranada Industrial area for development of new units as well as to take care of effluent generated from a few existing units.	is M/s Varun Beverages and it has installed its own ETP for the treatment of waste water and is reusing the treated waste water for plantation purposes for which it has adequate land within premises. All other industries of Boranada are generating domestic waste water only for which they have installed septic tank and soak pit arrangement.  A few guar gum and textile units discharged their waste water into RIICO drain / sewer lines.
3.	Reuse and Recycling of treated effluent	RSPCB, RIICO, Industrial Association and CETP trust	December 2013	Expenditure to be borne by the CETP Trust	Preliminary study shall be carried out and the report regarding location, capacity and estimated cost shall be submitted. The estimated cost of preparation of the report is Rs. 20-30 lakhs.	The Tehsildar Jodhpur has demarcated the land of area approx 200 ha which could be utilized for plantation purposes and sent the proposal for final approval. The JPNT has requested allotment of the same as that the treated waste water can be utilized for plantation purposes. JPNT is yet to initiate study for reuse of treated effluent in want of financial

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						<p>support.</p> <p>Hon'ble NGT has passed orders on dated 01-05-2014 for complete recycling / reuse of treated effluent so as to achieve ZLD. The proposal of plantation should be dropped because of the problems likely to be faced in maintaining the qualitative and quantitative load to be applied for plantation. The other option of providing RO plant has been taken up by JPNT. DPR has been prepared and project proposal of Rs. 127 Crore has been submitted to Ministry of Textile, Govt. of India for financial support.</p>
4.	Construction of the additional STP of 50 MLD capacity at Salawas.	JDA & JMC	(1) September 2011 (already commissioned) (2) Dec. 2013	(1) Approx Rs. 34 crores of 50 MLD Salawas (I) (2) Approx. 40.41 Crore of 50 MLD Salawas (II)	DPR has already been prepared and the work is likely to be allocated soon.	For the treatment of waste water generated from Jodhpur there is a STP of 20 MLD at Nandri. In addition to this another STP of 50 MLD capacity has been constructed at Salawas at a cost of 34 Crore and commenced operation

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						<p>from Oct-2011. For the remaining 90 MLD capacity of untreated sewage Rs 90 Crore has been sanctioned by the State Government and Municipal Corporation Jodhpur has planned to establish two STPs one at Salawas 50 MLD Phase-II and other at Basni Benda of 40 MLD capacity. The work progress for these two STPs are as under;</p> <ul style="list-style-type: none"> <li>• <b>50 MLD STP Phase -II at Salawas:</b> The work of 50 MLD STP Phase-II at Salawas has been awarded to M/s GeoMiller &amp; Co Pvt Ltd, New Delhi for Rs 40.41 Crore, the date of start the works is 18/12/2012 and stipulated date of completion is 17/12/2013. The firm shall complete the construction works in one year</li> </ul>

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						<p>and further Operate and Maintain the plant for next 15 years. The basic cost of plant shall be around Rs 30.05 crore. The firm has started the Site cleaning, Survey and designing works at site.</p> <p><b>40 MLD STP at Basni Benda:</b> Another STP has been planned to be develop at Basni Benda, where at present the domestic sewage from open drain is being discharged untreated in Jojari river. At present the work on the outfall sewer is under progress at site and the Land Acquisition/ Land Allotment of the identified land is under process. After finalization of land allotment, the DPR of STP shall be finalized; the work of preparation of Basni Benda STP has already been awarded to Consulting Firm M/s NJS Engineers Pvt Ltd, New Delhi.</p> <p><b>The work of construction of STP of 50 MLD Phase-II is</b></p>

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						likely to be completed by June-2015. The work of construction of 40 MLD capacity STP at Basni Benda may be started after allotment of land by JDA. This matter was discussed during the meetings held in the chamber of Distt. Collector on dtd. 11-12-2014 & 12-01-2015 and the concerned authority (JDA) has been directed to expedite action for land allotment to Nagar Nigam Jodhpur.
<b>Short Term Action Plan- Land</b>						
1.	Augmentation of Treatment and Disposal facility for Biomedical Waste	Medical and Health Department, RSPCB and Municipal Corporation	Ongoing Activity	Health Care Facilities (HCF) are paying for collection, transportation and disposal of their biomedical waste to the authorized Common Disposal	The Biomedical Waste of the health care facilities of Jodhpur is being collected, transported and disposed at the authorized Common Bio Medical Waste Treatment and Disposal Facility located at Village Keru near Jodhpur on Jaisalmer Road. The RSPCB is monitoring the disposal of biomedical waste in accordance with the provision of Bio Medical Waste (Handling & Management) Rules 1998.	At present the capacity of Bio medical facilities is 100kg/hr (incineration); 40kg/hr (autoclave) and the BMW reaching the site is 800kg/day on an average. The results of air monitoring conducted and water sampling conducted by the State board are within the permissible limits. Any further augmentation as per CPCB guidelines if required shall be incorporated.

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				Facility Operator	The disposal facility requires augmentation for the compliance of CPCB guidelines for treatment and disposal facility of BMW.	
2.	Disposal of Hazardous Waste	CETP Trust, Industries, RIICO, RSPCB, Rajasthan Waste Management System and UCCI	Ongoing activity	CETP Trust is paying for collection, transportation and disposal of their hazardous waste to the authorized Common Disposal Facility Operator	The CETP sludge from physico-chemical treatment comes under the definition of hazardous waste. This sludge is presently collected, dried and transported to common treatment storage and disposal facility developed by Rajasthan Waste Management System near village Gudli in accordance with the provisions of Hazardous Waste (Management, Handling & Trans-boundary Movement) Rules 2008. The RSPCB has advised the CETP Trust to go for co-incineration of the ETP sludge in Kiln of Cement Plant with prior approval under the Rules for co-incineration. This will result in reduction of disposal cost as well recovery of the energy.	<p>Authorization has been granted to CETP for disposal of 5000 MTA of ETP sludge for co-incineration in Shri cement plant Beawar on dtd 14.9.12 and the CETP shall be sending the same from November 2012 onwards to the same. At present the same is being sent to Ramky waste disposal facility Balotara.</p> <p>JPNT has sent approximately 10045 tonnes of sludge from Jan.-2014 to Dec.-2014 for disposal at TSDF at Balotra. No waste was sent to M/s Shri Cement because of non-acceptance for co-incineration.</p>

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<b>Short Term Action Plan- Land</b>						
1.	Development of Municipal Solid Waste disposal facility	Municipal Corporation, RIICO and RSPCB	work of collection of MSW already start	Rs. 829.44/ MT of MSW collected to be borne by Municipal Corporation	Land of development of Sanitary landfill site has already been identified. Presently, 100 TPD compost plant is partially in operation.	The letter of award for Integrated Solid Waste Management in Jodhpur on DBOOT(design build own operate and transfer) basis has been awarded by Municipal Corporation to M/s Ramkey Enviro Engineers Pvt. Ltd. On 13-06-2012 which includes door to door collection of municipal solid waste and transfer of waste to MSW facility / landfill facility, and safe disposal of the same. The firm has started their works initially in 24 wards and gradually the works shall be expanded in all 65 wards.  Letter has been issued to Nagar Nigam Jodhpur on dated 19-01-2015. Reply / information is awaited.
<b>Action Point-Others</b>						
1	Development of green belt and tree	Forest Department, Industry, RIICO,	Ongoing activity	Expenditure is being borne by	The RIICO Limited and Industrial Association is to	Plantation programmes are being conducted every year



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	plantation in industrial area	RSPCB		the industries, industrial Association and RIICO Ltd.	develop & encourage road side plantation in the industrial cluster as well as to develop green spot in cluster for maintenance of ambient air quality.	under Harit Rajasthan scheme in association with RIICO and industrial associations along the road sides and in the premises of the industrial areas. Total 12,000 trees have been planted.  <b>Letters have been issued to concerned departments on dtd. 19-01-2015. Reply / information is awaited.</b>
2	Capacity Building for prevention & control of Pollution	RIICO, CETP Trust & RSPCB	Ongoing Activity	Expenditure are borne by the RSPCB, RIICO Ltd and CETP Trust	<p>1. <b>Following actions shall be taken up by the RSPCB:</b></p> <p>a. Strengthening of technical and scientific manpower of Regional Office, Jodhpur (RO, Jodhpur)</p> <p>b. Strengthening of regional laboratory of RO, Jodhpur for regular assessment of PCM with the industries, CETP, water quality and air quality of the area</p> <p>c. Education and training of technical and scientific staff of</p>	<p><b>Following Actions have been taken by RSPCB:</b></p> <p>i. Two Junior Environmental Engineer and one Junior Scientific officer have been appointed in the RO Jodhpur in the year 2012</p> <p>ii. Lab is to be upgraded shortly and procurement of instruments in under progress. One continuous real time station has been commissioned in July 2012 which is giving</p>

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					<p>familiarization with the latest technology for pollution control and analytical techniques</p> <p>d. Strengthening of online connectivity of RO, Jodhpur with HO-Jaipur and CPCB Delhi for upgrading the data transfer mechanism</p> <p>e. Seminar and workshop for education and awareness of the project proponents for adoption of cleaner fuel and advanced process techniques for reduction of air emission and effluent discharge</p> <p><b>2 Following action shall be taken up by RIICO &amp; CETP Trust:</b></p> <p>i. Development of Regional Research Centre for development of new technology for reduction of dyes &amp; chemicals in textile processing as well as reduction of water</p>	<p>online air quality status of Jodhpur located at Distt Collectorate campus</p> <p>iii. The Regional Officer attended a 5 day training at Japan on e-waste organized by the environment ministry of Japan</p> <p>iv. The RO, HO and the CPCB are connected online for data transfer mechanism</p> <p>v. RIICO has been pursued to organize such workshop and seminars for education and awareness of the project proponents for adoption of cleaner fuel and advanced process techniques for reduction of air emission and effluent discharge</p> <p><b>Following Actions have been taken by RIICO:</b></p> <p>i. A dedicated Environment Management Cell</p>

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					<p>requirement.</p> <p>ii. To encourage use of cleaner fuel by providing soft loan for replacement / conversion of the existing boiler / thermo pack to cleaner fuel.</p> <p>iii. To develop non polluting industries like weaving units / ready mate garment manufacturing units for diversion of industrial activities.</p> <p>iv. To encourage &amp; provide soft loan to industrial unit which intends to install RO plant at their own for recycling of their effluent.</p>	<p>headed by GM level officer has been set up in RIICO Head Office having Senior Regional Manager and three Assistant Regional Managers.</p> <p>ii. There are dedicated unit offices in Bhiwadi, Pali and Jodhpur consisting of technical qualified officers to look after environment pollution &amp; industrial development issue.</p> <p>iii. The strength of the technical officers varies from 3-7. Industrial Association has been formed for all the industrial areas.</p> <p>iv. The unit head conduct regular meeting with them. Meetings are also held regularly at the level of District Collector</p> <p><b>The office of Regional Office RSPCB Jodhpur has been</b></p>

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						upgraded. Senior Environment Engineer has been functioning as head of the office instead of Environment Engineer.

Note: While recommending the interventions to reduce CEPI, various studies, reports, Master Plans, RSPCB and RIICO data was referred to and wherever the information was available, the costs of interventions have already been included in the Final Action Plan. These interventions will be implemented by different agencies, including RIICO as identified in the Report.

## **Status of Implementation of Final Action Plan formulated for Critically Polluted industrial Clusters of Jodhpur**

- MoEF, GoI, on the basis of assessment of Comprehensive Environmental Pollution Index (CEPI) had imposed moratorium on 13/01/2010 on various industrial areas of Jodhpur.
- The RIICO ltd., agency responsible for development of industrial areas and related infrastructure in the State, prepared Draft Action Plan for Environmental Pollution Abatement through PDCOR Ltd., as subsidiary of IL&FS Ltd., in consultation with the State Pollution Control Board and other stakeholders viz: Industries Department, Local Bodies, District Administration and Industrial Associations.
- The Draft Action Plan was presented before the steering committee of Central Pollution Control Board (CPCB) in July' 2010. Subsequently, on advise of the steering committee the Draft Action Plan was further modified and discussed in CPCB on 30<sup>th</sup> Aug., 2011 and 6<sup>th</sup> Sept., 2011.
- The Final Action Plan approved by the Working Group constituted by the Government of Rajasthan with the view that the extra cost that shall be incurred for implementation of pollution control measures shall be borne by the Industries Association, was submitted to CPCB vide letter dated 06 Aug.,2012 followed by reminder dated 17<sup>th</sup> Oct.,2012.
- The Action Plan was reviewed by the in-house committee of CPCB in the meeting held on 20<sup>th</sup> Sept., 2012 and further modifications were suggested by CPCB vide letter dated 15<sup>th</sup> Aug.,2012.
- The revised Final Action Plan was submitted to CPCB by the State Board vide letter dated 12<sup>th</sup> April, 2013 followed by reminder letter dated 10<sup>th</sup> June, 2013 and 06<sup>th</sup> Aug., 2013.
- The revised final action plan is yet to be approved by the CPCB/MoEF.
- Existing Compliance Status:
  - Jodhpur Industrial cluster includes; Mandore Industrial Area, Bornada Industrial Area, Light Industrial Area, Heavy Industrial Area, and Basni (Phase I & II), Industrial Areas of Tanawada, Sangaria (Phase I & II), Boranada and Salawas.
  - The updated implementation status of Final Action Plan is enclosed. Major improvements are as under:
    - Around 210 small scale water polluting textile units and around 99 S.S. Re-rolling units.
    - Presently one CETP is operative having capacity of 20 MLD.
    - Close conduit pipeline for acidic effluent of S.S. Re-rolling units to CETP completed and commissioned
    - Close conduit pipeline for alkaline effluent of textile units to CETP in final stage of completion.
    - Additional one CETP is proposed, land acquisition is in process.

- Units connected with CETP have installed electromagnetic flow meter, for monitoring discharge as well as to keep it within the discharge limit given by CETP trust.
  - Sludge generated from the CETP is mainly deposited through the TSDF and partly by co-incineration in Cement industries.
  - Unit discharging effluent more than 100 KLD to submit action plan for installation of ETP and RO at their level for ZLD.
  - Domestic effluent around 135 MLD, presently installed and operational; two STP (20 MLD and 50 MLD), one STP under construction (50 MLD), one STP proposed (40 MLD).
  - For monitoring the ambient air quality, one Continuous Ambient Air Quality Monitoring Station is in operation since July, 2012, besides six stations under National Air Monitoring Programme is in operation. Monitoring data are submitted to CPCB regularly.
- Directions of hon'ble NGT:
- Hon'ble NGT has issued the detailed directions for abatement of pollution in Jodhpur vide its order dated 01<sup>st</sup> May, 2014 in the matter of M/s Laxmi Suitings V/s State of Rajasthan & others, original application no.358 (THC)/2013 and another direction dated 01<sup>st</sup> May, 2014 in the matter of Sh. U.R. Beniwal V/s State of Rajasthan & others, original application no. 448 (THC)/2013, copies of referred directions are enclosed.
  - In compliance with the direction of NGT, a State level committee has been constituted under the chairmanship of Secretary, DoE, GoR which is monitoring the compliance of various directions.
  - The Member Secretary of State Board has also reviewed the progress of the compliance of the direction of the NGT on 12<sup>th</sup> Jan., 2015., copy of the minutes of the meeting held on 12<sup>th</sup> Jan., 2015 is enclosed.
  - The next date of hearing in the matter is scheduled on 22<sup>nd</sup> Jan., 2015 with the Circuit Bench of NGT in Jodhpur.

**BEFORE THE PRINCIPAL BENCH  
NATIONAL GREEN TRIBUNAL  
NEW DELHI  
CIRCUIT BENCH AT JODHPUR**

**Original Application No. 448 (Thc)/2013  
(C.W. No. 4050/2012)**

**U.R. Beniwal V/s State of Rajasthan & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER  
HON'BLE PROF. (DR.) P.C. MISHRA, EXPERT MEMBER  
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER**

**Present: Applicant: Appearance not given.**

**Respondent :Mr. Manish Sisodia, Adv. for SPCB  
Dr. Pratishtha Dave appearing on behalf  
of Mr. P.S. Bhati, AAG for State of Rajasthan**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item Nos. 84 May 1, 2014</b>	<p>Learned Counsel appearing for the Applicant submits that he has already filed the detailed Application raising various issues. Let copy of this Application be supplied to all the Learned Counsel appearing in the case during the course of the day. Reply on behalf of the Non-Applicant should be filed within three weeks from today with advance copy to the Learned Counsel appearing for the Applicant who may file Rejoinder, thereto, within two weeks thereafter.</p> <p>We may observe that some of the issues raised in this Application may be covered by the Judgment pronounced by the Tribunal today in the case of "M/s Laxmi Suting vs. State of Rajasthan &amp; Ors (Original application No. 358(thc)/2013)" but there are other issues which are to be dealt with independently. We further direct all the Learned Counsel appearing for the Respondents, particularly, Learned Counsel appearing for the State to take clear instructions as to what immediate steps are being taken by the State Government to ensure that the 37 MLD of waste water/trade effluent which is being directly discharged into the river Jodri has to be stopped and how the treatment</p>

plant for the same shall be installed within the time frame.

The State Government, Pollution Control Board and the CETP Trust shall take proper steps for treatment and removal of sludge from the river and around before the commencement of the monsoon.

Issue Notice to all the other Respondents in this Application.

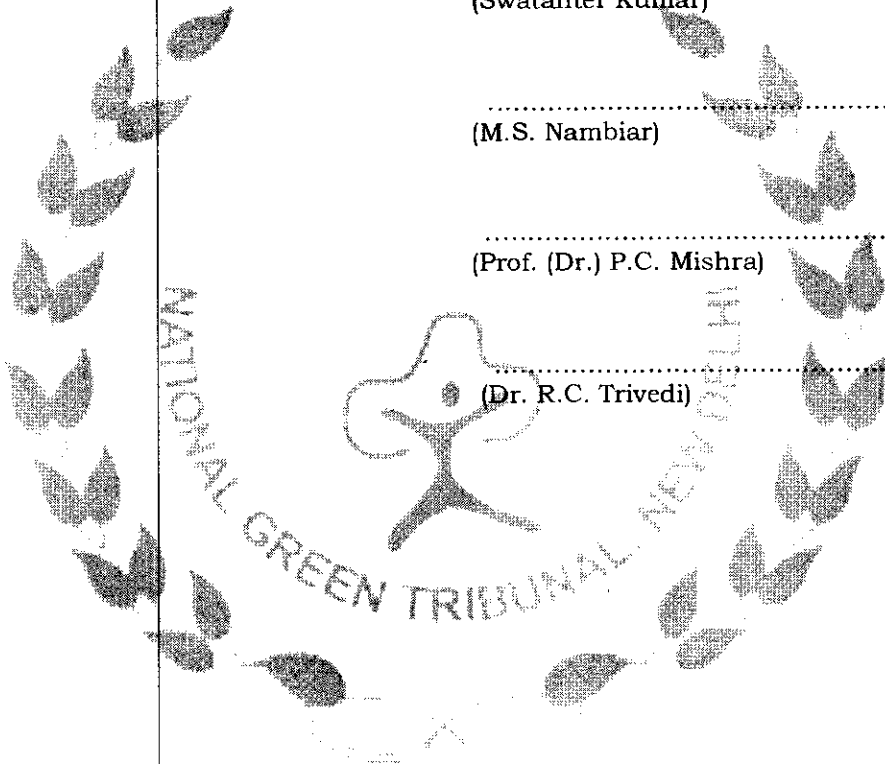
List this matter on 10<sup>th</sup> July, 2014.

.....,C.P.  
(Swatanter Kumar)

.....,JM  
(M.S. Nambiar)

.....,EM  
(Prof. (Dr.) P.C. Mishra)

.....,EM  
(Dr. R.C. Trivedi)





**CORRECTED JUDGMENT**

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

.....

**ORIGINAL APPLICATION NO. 358(T<sub>HC</sub>)/2013  
(DBCWP No. 8074/2010)**

**In the matter of:**

M/s Laxmi Suiting,  
20/5(1), Heavy Industrial Area,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

..... Respondents

AND

**ORIGINAL APPLICATION NO. 359(T<sub>HC</sub>)/2013  
(DBCWP No. 8682/2010)**

**In the matter of:**

M/s Arun Dal Mills,  
21/2, Heavy Industrial Area,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Vidyut Vitran Nigam Ltd.  
Through Superintending Engineer,  
Jodhpur.

5. The Assistant Engineer(BIII),  
Medical College, Jodhpur DISCOM,  
Jodhpur.

6. Jodhpur Pradushan Niwaran Trust,  
Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

.....Respondents

AND

**ORIGINAL APPLICATION NO. 360(T<sub>HC</sub>)/2013  
(DBCWP No. 9612/2010)**

**In the matter of:**

M/s Adarsh Industries,  
51, Heavy Industrial Area,  
Behind New Power House,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Vidyut Vitran Nigam Ltd.  
Through Superintending Engineer,  
Jodhpur.

5. The Assistant Engineer (BIII),  
Medical College, Jodhpur DISCOM,  
Jodhpur.

6. Jodhpur Pradushan Niwaran Trust,  
Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

.....Respondents

AND

**ORIGINAL APPLICATION NO. 361(T<sub>HC</sub>)/2013  
(DBCWP No. 9612/2010)**

**In the matter of:**

M/s Kiran Creations,  
27/B, Heavy Industrial Area,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Chairman,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Member Secretary/ Commissioner,  
Rajasthan State Pollution Control Board,  
4, Paryavaran Marg, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. The Assistant Engineer (BIII),  
Medical College, Jodhpur DISCOM,  
Jodhpur.

5. The State of Rajasthan,  
Through its Secretary (Industries),  
Udyog Bhawan, Tilak Marg,  
Jaipur.

6. Jodhpur Pradushan Niwaran Trust,  
Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

..... Respondents

AND

**ORIGINAL APPLICATION NO. 362(T<sub>HC</sub>)/2013  
(DBCWP No. 3615/2011)**

**In the matter of:**

Mr. Anand S/o Shri Shankar Lal Paliwal  
Himica Textile,  
G.1-717, Derby Road,  
Marudhar Industrial Area Ph.II, Basni,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through District Collector,  
Jodhpur

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

.....Respondents

AND

**ORIGINAL APPLICATION NO. 363(T<sub>HC</sub>)/2013  
(DBCWP No. 8828/2012)**

**In the matter of:**

M/s Jojoba India Pvt. Ltd.,  
Through Mr. Jai Parkash Khatri,  
R/o 23B/77, Chopasni Housing Board,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Industrial Development and  
Investment Corporation Ltd.  
through Regional Manager,  
Mini Udyog Bhawan, New Power House Road,  
Jodhpur.

3. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

4. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

5. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

6. Jodhpur Vidyut Vitran Nigam Ltd.,  
Through Superintending Engineer,  
Jodhpur

7. The Assistant Engineer (BIII),  
Medical College, Jodhpur DISCOM,  
Jodhpur.

.....Respondents

AND

**ORIGINAL APPLICATION NO. 364(T<sub>HC</sub>)/2013  
(DBCWP No. 2087/2013)**

**In the matter of:**

M/s Building Material,  
Through Mohd. Yakoob,  
F-143, MIA-2, Basni II Phase,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

.....Respondents

AND

**ORIGINAL APPLICATION NO. 365(T<sub>HC</sub>)/2013  
(DBCWP No. 2630/2013)**

**In the matter of:**

Nisar Mohammed,  
M/s Hussain Textile,  
1033/740, Raghav Nagar, Basni,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Chief Secretary,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Vidyut Vitran Nigam Ltd.,  
Through Superintending Engineer,  
Old Power House,  
Jodhpur

5. The Assistant Engineer (B.III),  
DISCOM, Medical College,  
Jodhpur

..... Respondents

AND

**ORIGINAL APPLICATION NO. 366(T<sub>HC</sub>)/2013  
(DBCWP No. 2631/2013)**

**In the matter of:**

M/s Golden Emery Stone,  
H-116, BNPH New Jodhpur Industrial Area,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan Sectt.  
Jaipur.

2. Rajasthan State Industrial Development and  
Investment Corporation Ltd.  
through Regional Manager,  
Mini Udyog Bhawan, New Power House Road,  
Jodhpur.

3. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

4. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

5. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

6. Jodhpur Vidyut Vitran Nigam Ltd.  
through Superintending Engineer,  
Jodhpur

7. The Assistant Engineer(B.III),  
Jodhpur DISCOM, Medical College,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 367(T<sub>HC</sub>)/2013  
(DBCWP No. 2648/2013)**

**In the matter of:**

M/s Nisha Laboratories,,  
E-639, MIA-2, Basni II Phase,  
Jodhpur

..... Applicant

Versus



1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan Sectt.  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
Through its Managing Trustee,  
CETP, Plot No.SP-I, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Assistant Engineer (B-4),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 368(T<sub>HC</sub>)/2013  
(DBCWP No. 2649/2013)**

**In the matter of:**

M/s Gaurav Textile Mills  
(M/s Ankur Udyog),  
E-538(A), MIA-2, Basni II Phase,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan Sectt.  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur. Control B

3. The Regional Officer,  
Rajasthan State Pollution Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Assistant Engineer (B-4),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

..... Respondents

AND

**ORIGINAL APPLICATION NO. 369(T<sub>HC</sub>)/2013  
(DBCWP No. 2650/2013)**

**In the matter of:**

M/s Sun Textile,  
F-306 (A), MIA-2, Basni II Phase,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Assistant Engineer (B-4),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 370(T<sub>HC</sub>)/2013  
(DBCWP No. 2651/2013)**

**In the matter of:**

M/s Khatri Bhograj Motilal  
G-610, MIA-2, Basni II Phase,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Assistant Engineer (B-4),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 371(T<sub>HC</sub>)/2013  
(DBCWP No. 2707/2013)**

**In the matter of:**

M/s Kishore Kumar & Company,  
F-74, MIA-1, Basni Phase I,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Assistant Engineer (B-4),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

..... Respondents

AND

**ORIGINAL APPLICATION NO. 372(T<sub>HC</sub>)/2013  
(DBCWP No. 2709/2013)**

**In the matter of:**

M/s Chetan Knitwear,  
G-607, MIA-2, Basni Phase II,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Asistant Engineer (B-4),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 373(T<sub>HC</sub>)/2013  
(DBCWP No. 2710/2013)**

**In the matter of:**

M/s Mangal Textile  
F-304 & E-332A, MIA IInd Phase, Basni,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Assistant Engineer (B-4),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 374(T<sub>HC</sub>)/2013  
(DBCWP No. 2713/2013)**

**In the matter of:**

M/s Bhawna Prints,  
E-517(A), MIA IInd Phase, Basni,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Assistant Engineer (B-4),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 375(T<sub>HC</sub>)/2013  
(DBCWP No. 2730/2013)**

**In the matter of:**

M/s Jagdamba Fabrics  
Plots No.73/74, Near Ramdev Industries,  
Basni II Phase,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Assistant Engineer (B-4),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 376(T<sub>HC</sub>)/2013  
(DBCWP No. 2783/2013)**

**In the matter of:**

M/s Rishabh Creation,  
Balaji Nagar, Sangariya Industrial Area,  
Jodhpur ..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Assistant Engineer (B-4),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

..... Respondents

AND

**ORIGINAL APPLICATION NO. 377(T<sub>HC</sub>)/2013  
(DBCWP No. 2784/2013)**

**In the matter of:**

M/s Pari Impex,  
Balaji Nagar, Sangariya Industrial Area,  
Jodhpur ..... Applicant

Versus



1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Assistant Engineer (B-4),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 378(T<sub>HC</sub>)/2013  
(DBCWP No. 2785/2013)**

**In the matter of:**

M/s Bhandari Impex,  
Balaji Nagar, Sangariya Industrial Area,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Assistant Engineer (B-4),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 379(T<sub>HC</sub>)/2013**  
**(DBCWP No. 2888/2013)**

**In the matter of:**

M/s L.R. Creation,  
Village Dhinana Ki Dhani,  
Near Junao Ki Dhani,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Assistant Engineer (B-5),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 380(T<sub>HC</sub>)/2013  
(DBCWP No. 2892/2013)**

**In the matter of:**

Suban Khan s/o Dilawar Khan,  
M/s Shirin Textile,  
E-326, MIA IInd Phase, Basni,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Chief Secretary,  
Government of Rajasthan Secretariat,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Vidyut Vitran Nigam  
Through the Superintending Engineer,  
Old Power House,  
Jodhpur.

5. The Assistant Engineer (B-4),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 381(T<sub>HC</sub>)/2013  
(DBCWP No. 2896/2013)**

**In the matter of:**

M/s Veetex Creation,  
3, C/D, Vivekanand Udhyog Nagar,  
Near Derby Textile,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Chief Secretary,  
Government of Rajasthan Secretariat,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
Through the Managing Trustee, CETP,  
Plot No.SP-1, Sangaria Industrial Area Phase II,  
Jodhpur

5. The Assistant Engineer (B-5),  
Jodhpur Vidyut Vitran Ltd.,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 382(T<sub>HC</sub>)/2013  
(DBCWP No. 2899/2013)**

**In the matter of:**

M/s Rajesh Exporter & Importer  
and Sona Textile,  
1<sup>st</sup>, A-14, Chopasni Housing Board,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 383(T<sub>HC</sub>)/2013  
(DBCWP No. 2900/2013)**

**In the matter of:**

M/s Bhawani Industries,  
Through its Proprietor Shri Anil Kumar,  
G-73, Shastri Nagar,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 384(T<sub>HC</sub>)/2013  
(DBCWP No. 2901/2013)**

**In the matter of:**

M/s Vardhman Industries,  
Through its Proprietor Shri Sandeep Kumar Golechha,  
G-73, Shastri Nagar,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 385(T<sub>HC</sub>)/2013  
(DBCWP No. 2903/2013)**

**In the matter of:**

M/s Kamdhenu Madeup & Garments,  
Through its Proprietor Shri Oma Ram,  
R/o Junavo Ki Dhani, Village & Post Pal,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 386(T<sub>HC</sub>)/2013  
(DBCWP No. 2904/2013)**

**In the matter of:**

M/s Adarsh Creations,  
Through its Proprietor Shri Pavitra Golecha,  
269, 4<sup>th</sup> 'B' Road, Sardarpura,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 387(T<sub>HC</sub>)/2013  
(DBCWP No. 2905/2013)**

**In the matter of:**

M/s JMD Industries,  
Through its Manager Shri Madan Lal,  
R/o Dhinano Ki Dhani, near Junavo Ki Dhani,  
Village & Post Pal,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 388(T<sub>HC</sub>)/2013  
(DECWP No. 2906/2013)**



**In the matter of:**

M/s Pakija Fabrics,  
Through its Proprietor Shri Nishar Mohd.,  
Khasras No.176/6 and 176/77,  
Main Salawas Road  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 389(T<sub>HC</sub>)/2013  
(DBCWP No. 2907/2013)**

**In the matter of:**

M/s Maheshwari Fabrics,  
Through its Proprietor Smt. Kavita Sharma,  
Khasras No.115, 115/2, Village Salawas,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 390 (T<sub>HC</sub>)/2013  
(DBCWP No. 2908/2013)**

**In the matter of:**

M/s Suncity Holding & Trading Ltd.,  
Through its Director Sh. G.M. Singhvi,  
Resident of 73, Dev Nagar,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Regional Office, Special Plot No.2,  
Marudhar Industrial Area, 1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 392(T<sub>HC</sub>)/2013  
(DBCWP No. 2962/2013)**

**In the matter of:**

M/s Dhanlaxmi Prints  
Through the Proprietor Ramesh Vijayvargia,  
Gandhi Mohalla, City Police,  
Jodhpur ..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO. 393(T<sub>HC</sub>)/2013  
(DBCWP No. 2963/2013)**

**In the matter of:**

M/s M.B. Industries,  
Through its Proprietor Sandeep Dhidharia,  
B-132, Saraswati Nagar,  
Jodhpur ..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

..... Respondents

AND

**ORIGINAL APPLICATION NO.394(T<sub>HC</sub>)/2013  
(DBCWP No. 2964/2013)**

**In the matter of:**

M/s Salasar Balaji Industries,  
Through its Proprietor Pradeep Choudhary,  
173, Saraswati Nagar,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

..... Respondents

AND

**ORIGINAL APPLICATION NO.395(T<sub>HC</sub>)/2013  
(DBCWP No. 2965/2013)**

**In the matter of:**

M/s Jitendra Industries,  
Through its Proprietor Jitendra Dhidharia,  
132-B, Saraswati Nagar,  
Jodhpur ..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur.

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

..... Respondents

AND

**ORIGINAL APPLICATION NO.396(T<sub>HC</sub>)/2013  
(DBCWP No. 2966/2013)**

**In the matter of:**

M/s Vineeta Fabrics,  
Through its Proprietor Mahesh Chandra Pal,  
18/366, Chopasni Housing Board,  
Jodhpur ..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO.397(T<sub>hc</sub>)/2013  
(DBCWP No. 2967/2013)**

**In the matter of:**

M/s Balaji Industries,  
Through its Proprietor Smt.Neeru Choudhary,  
132-B, Saraswati Nagar,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO.398(T<sub>HC</sub>)/2013  
(DBCWP No. 2968/2013)**

**In the matter of:**

M/s Ambika Sales,  
Through its Manager Shri Hemant Ramdeo,  
Vyas Park, Chandpole Ki Ghati,  
173, Saraswati Nagar,  
Jodhpur ..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO.399(T<sub>HC</sub>)/2013  
(DBCWP No. 2969/2013)**

**In the matter of:**

M/s Anusha Fashion,  
Through its Proprietor Shri Prakash Jain,  
4-7-B, Shashtri Nagar,  
Jodhpur ..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur

4. Jodhpur Vidyut Vitran Ltd.,  
Through the Assistant Engineer (O&M),  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO.400(T<sub>HC</sub>)/2013  
(DBCWP No. 2984/2013)**

**In the matter of:**

Mr. Dinesh Kumar Gupta,  
14/1000, Housing Board,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries Secretariat,  
Jaipur

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.



4. Jodhpur Vidyut Vitran Ltd., DISCOM,  
Through its Assistant Engineer (O&M),  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO.401(T<sub>HC</sub>)/2013  
(DBCWP No. 3039/2013)**

**In the matter of:**

Mr. Hemant Prints,  
Plots No.41-42, Khasra No.228/48,  
Village Tanawada, Tehsil Luni  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries Secretariat,  
Jaipur

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Vidyut Vitran Ltd., DISCOM,  
Through its Assistant Engineer (O&M),  
Jodhpur

..... Respondents

AND

**ORIGINAL APPLICATION NO.402(T<sub>HC</sub>)/2013  
(DBCWP No. 3040/2013)**

**In the matter of:**

M/s P.S. Industries.  
Through its Proprietor Kishore Arora,  
R/o Arpit-422, 1<sup>st</sup> L. Road, Sardarpura,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries Secretariat,  
Jaipur

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Vidyut Vitran Ltd., DISCOM,  
Through its Assistant Engineer (O&M),  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO:403(T<sub>HC</sub>)/2013  
(DBCWP No. 3044/2013)**

**In the matter of:**

M/s Siddhi Vinayak Prints,  
Through its Proprietor Shreekant Kulkarni,  
R/o 18 E-544, CHB,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries Secretariat,  
Jaipur

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Vidyut Vitran Ltd., DISCOM,  
Through its Assistant Engineer (O&M),  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO.404(T<sub>HC</sub>)/2013  
(DBCWP No. 3046/2013)**

**In the matter of:**

M/s Saraswati Textile,  
Plot No.10, Rishab Nagar Industrial Area,  
Salawas Road, Village Tanawada, Tehsil Luni,  
Jodhpur ..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries Secretariat,  
Jaipur

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Vidyut Vitran Ltd., DISCOM,  
Through its Assistant Engineer (O&M),  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO.405(T<sub>HC</sub>)/2013  
(DBCWP No. 3047/2013)**

**In the matter of:**

M/s Maharani Fabrics,  
Plot No.11, Khasra No.26/1/1/16,  
Salawas Road, Village Tanawada, Tehsil Luni,  
Jodhpur ..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries Secretariat,  
Jaipur

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Vidyut Vitran Ltd., DISCOM,  
Through its Assistant Engineer (O&M),  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO.406(T<sub>HC</sub>)/2013  
(DBCWP No. 3091/2013)**

**In the matter of:**

M/s Ramdev Creations,  
Through its Proprietor Kalpit Bothra,  
R/o 217, Narpat Nagar, Pal Road,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur.

4. Jodhpur Vidyut Vitran Ltd., DISCOM,  
Through its Assistant Engineer (O&M),  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO.407(T<sub>HC</sub>)/2013  
(DBCWP No. 3095/2013)**

**In the matter of:**

M/s Monika Industries  
Through its Proprietor Manish Kumar,  
Plot No.52, Masuria Artisian Colony,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur.

4. Jodhpur Vidyut Vitran Ltd., DISCOM,  
Through its Assistant Engineer (O&M),  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO.408(T<sub>HC</sub>)/2013  
(DBCWP No. 3115/2013)**

**In the matter of:**

M/s Jakeer Hussain Handicraft,  
Through its Proprietor Jakeer Husain,  
R/o Shantipriya Nagar Road,  
Plot No.39, Cheerghar,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur.

4. Jodhpur Vidyut Vitran Ltd., DISCOM,  
Through its Assistant Engineer (O&M),  
Jodhpur

..... Respondents

AND

**ORIGINAL APPLICATION NO.409(T<sub>HC</sub>)/2013  
(DBCWP No. 3116/2013)**

**In the matter of:**

M/s Ajanta Creations,  
Through its Proprietor Meena Jain,  
R/o 10/B, Subhash Nagar,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur.

4. Jodhpur Vidyut Vitran Ltd., DISCOM,  
Through its Assistant Engineer (O&M),  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO.410(T<sub>HC</sub>)/2013  
(DBCWP No. 3117/2013)**

**In the matter of:**

M/s A.S. Fashions,  
Through its Proprietor, Aminuddin Khan,  
R/o Near Yateem Khana, Khanda Falsa,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur..

4. Jodhpur Vidyut Vitran Ltd., DISCOM,  
Through its Assistant Engineer (O&M),  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO.411(T<sub>HC</sub>)/2013  
(DBCWP No. 3118/2013)**

**In the matter of:**

M/s Mamta Fabrics Prints,  
Through its Proprietor Smt. Mamta Gaur,  
R/o Fajeev Gandhi Colony, Pal Link Road,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur.

4. Jodhpur Vidyut Vitran Ltd., DISCOM,  
Through its Assistant Engineer (O&M),  
Jodhpur

..... Respondents

AND

**ORIGINAL APPLICATION NO.412(T<sub>HC</sub>)/2013  
(DBCWP No. 3121/2013)**

**In the matter of:**

M/s Babu Lal Gaur HUF,  
Through its Proprietor Babu Lal Gaur,  
R/o 3/26, DDP Nagar, Madhuban Housing Board,  
Jodhpur

..... Applicant

Versus

1. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

2. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase Basani,  
Jodhpur.



3. Jodhpur Development Authority,  
Through the Commissioner,  
Jodhpur.

4. Jodhpur Vidyut Vitran Ltd., DISCOM,  
Through its Assistant Engineer (O&M),  
Jodhpur

.....Respondents

AND

**ORIGINAL APPLICATION NO.415(T<sub>HC</sub>)/2013  
(SBCWP No. 8044/2007)**

**In the matter of:**

M/s Vivek Kumar,  
S/o Shri Vishnu Das,  
R/o Shobhavton Ki Dhani,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through Secretary (Environment),  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. Senior Environmental Engineer-II,  
Rajasthan State Pollution Control Board  
Through its Member Secretary,  
Institutional Area, Jhalana Doongri,  
Jaipur

.....Respondents

AND

**ORIGINAL APPLICATION NO.416(T<sub>HC</sub>)/2013  
(SBCWP No. 5596/2011)**

**In the matter of:**

M/s Gautam Timber,  
G-94, New Jodhpur Industrial Area,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Vidyut Vitran Nigam Ltd.,  
Through the Superintending Engineer,  
Jodhpur.

5. Jodhpur Pradushan Niwaran Trust,  
CETP, Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

..... Respondents

AND

**ORIGINAL APPLICATION NO. 418(T<sub>HC</sub>)/2013  
(SBCWP No. 12092/2012)**

**In the matter of:**

Om Prakash  
S/o Late Shri Parasmal Golecha,  
M/s Jai Laxmi Impex,  
G-1-110, BNPH, New Industrial Area,  
Jodhpur

.....Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
Through Executive Secretary,  
Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

.....Respondents

AND

**ORIGINAL APPLICATION NO. 419 (T<sub>HC</sub>)/2013  
(SBCWP No. 3045/2013)**

**In the matter of:**

M/s Jagdamba Fabrics,  
Khasra No.26/5, Main Salawas Road,  
Village Tanawada, Tehsil Luni,  
Jodhpur

..... Applicant

Versus

1. State of Rajasthan  
Through its Secretary,  
Department of Industries Secretariat,  
Jaipur

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. The Assistant Engineer (B-4),  
Jodhpur Vidyut Vitran Nigam Ltd.,  
Jodhpur DISCOM,  
Jodhpur

.....Respondents

**ORIGINAL APPLICATION NO. 49 (T<sub>HC</sub>)/2014  
(SBCWP No. 12956/2013)**

**In the matter of:**

M/s Western Wooden Handicraft,  
Through its Proprietor Abdul Wahid,  
Plot No.7/3/E, Vyas Ji Ki Bawari,  
Near Basni Phase II,  
Jodhpur .

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
Through Executive Secretary,  
Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

..... Respondents

AND

**ORIGINAL APPLICATION NO. 451 (T<sub>HC</sub>)/2013  
(SBCWP No. 11518/2012)**

**In the matter of:**

M/s Gurucharan Enterprises,  
Through the Proprietor Smt. Heera Devi,  
G-584, Basni II Phase, Gali No.9,  
M.I.A.,  
Jodhpur .

..... Applicant

Versus

1. State of Rajasthan  
Through the Secretary,  
Department of Industries,  
Government of Rajasthan,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Pradushan Niwaran Trust,  
Through Executive Secretary,  
Plot No.SP-1, Sangaria Industrial Area,  
2<sup>nd</sup> Phase, Sangariya,  
Jodhpur.

5. The Assistant Engineer(B-4),  
Jodhpur Vidyut Vitran Nigam Ltd.,  
Jodhpur

.... Respondents

AND

**ORIGINAL APPLICATION NO. 451 (T<sub>HC</sub>)/2013  
(SBCWP No. 1571/2011)**

**In the matter of:**

M/s Leela Tex Exports,  
Through its Partner Naresh Kumar Lila,  
Resident of 2 B, Shastri Nagar,  
Jodhpur .

..... Applicant

Versus

1. State of Rajasthan  
Through its Secretary,  
Department of Industries Secretariat,  
Jaipur.

2. Rajasthan State Pollution Control Board  
Through its Member Secretary,  
4, Institutional Area, Jhalana Doongri,  
Jaipur.

3. The Regional Officer,  
Rajasthan State Pollution Control Board,  
Special Plot No.2, Marudhar Industrial Area,  
1-Phase, Basani,  
Jodhpur.

4. Jodhpur Vidyut Vitran Nigam Ltd.,  
Through the Superintending Engineer,  
Jodhpur

5. The Assistant Engineer (B.III),  
Jodhpur Vidyut Vitran Nigam Ltd.,  
Medical College, Jodhpur DISCOM,  
Jodhpur

6. Jodhpur Pradushan Niwaran Trust  
Through the Executive Trustee,  
Plot No.S.P. No.1, Sangaria II Phase, Sangaria,  
Jodhpur

.....Respondents

**Counsel for Applicant:**

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Mr. B.S. Sandhu, Advocate  
Mr. Umesh Shrimali, Advocate  
Mr. D.N. Vyas, Advocate  
Mr. Rajat Dave, Advocate  
Mr. Ram Pakmuya, Advocote  
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**Counsel for Respondents :**

Mr. Manish Shishodia and  
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Jodhpur Pradushan Niwaran Trust, Jodhpur  
Mr. V.K. Bhadu, Advocate for  
Jodhpur Vidyut Vitran Nigam Ltd., Jodhpur  
Mr. Manoj Bhandari, Advocate for  
Jodhpur Development Authority, Jodhpur

## JUDGMENT

### PRESENT:

**Hon'ble Mr. Justice Swatanter Kumar (Chairperson)**  
**Hon'ble Mr. Justice M.S. Nambiar, Judicial Member**  
**Hon'ble Prof. (Dr.) P.C. Mishra, Expert Member**  
**Hon'ble Dr. R.C. Trivedi, Expert Member**

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Dated : May 1, 2014

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### JUSTICE SWATANTER KUMAR (CHAIRPERSON):

By this judgment, we shall dispose of the above 62 appeals/applications, as they raise common questions of law, based upon somewhat similar facts before the Tribunal.

2. Thus, in view of above, it is not necessary for us to notice facts, in any greater detail, of all the appeals/applications. Suffice would it be to refer to the facts of the Original Application No. 358(THC)/2013 (S.B. Civil Writ Petition No. 8074/2010) and limited reference of facts in other connected appeals/applications.

### FACTS:

3. The State of Rajasthan had handed over a piece of land to the Rajasthan State Industrial Development and Investment Corporation Limited (for short the "RIICO") for the purpose of setting up an industrial area. RIICO planned the land into plots for leasing out to industrialists for erection/setting up/establishing industrial units. These industrial premises

allotted by RIICO were to be used for manufacture of industrial products by the respective units.

4. M/s Laxmi Suiting (for short "the applicant") is a proprietorship concern, carrying on the business of washing and dying of fabrics at Jodhpur. The RIICO had developed a Heavy Industrial Area in Jodhpur. M/s Laxmi Suiting applied for a plot of land in the said Heavy Industrial Area in the year 2004. This was allotted to the applicant and a lease agreement dated 16<sup>th</sup> December, 2004 was executed between the applicant and the RIICO in respect of Plot No.20/5(1) at the Heavy Industrial Area, Jodhpur. The lease deed was executed in furtherance to Rule 11 of the RIICO Disposal of Land Rules, 1979.

5. Some of the clauses of the said lease deed, which are relevant for taking a decision in the present application can be usefully reproduced at this stage as under:

"2(c) That the Lessee will obey and submit to the rules of Municipal or other competent authority now existing or thereafter to exist so far as they relate to the immovable property or affect health, safety, convenience of the other inhabitants of the place.

2(d) That the Lessee will erect the industrial unit on the demised premises in accordance with the site plan and will complete construction activities within a period of two years and start commercial production within a period of three years from the date of these presents or from the date of possession, whichever be earlier, or within such extended period as may be allowed by the lessor in writing at its discretion on payment of retention charges or otherwise.

Provided that unutilized land of the allotted plot or plots shall revert to the lessor on expiry of the



prescribed/extended period for starting  
production/expansion of the unit.

XXXXX

XXXXX

XXXXX

2(ee) The lessee shall become a member of the Association / Agency created for setting up and operating the Common Effluent Treatment CETP (CETP) and Solid Waste (Hazardous and Non-Hazardous) Disposal System (SWDS). All the Capital & Revenue expenses relating to acquisition, operation and maintenance of CETP & SWDS shall be borne by all members of Association / Agency in the proportion decided by the Committees of the said Association / Agency.

2(f) That the Lessee shall take all measures, which are required for Pollution Control and shall strictly adhere to the stipulations imposed by Rajasthan State Pollution Control Board (for short the "Board") and other statutory pollution laws of the State for the time being in force.

XXXXX

XXXXX

XXXXX

2(h) That the Lessee will not carry on or permit to be carried on, on the demised premises any obnoxious trade or business whatsoever or use the same or permit the same to be used for any religious purpose or any purpose other than for the Industrial purposes as aforesaid without the previous consent in writing of the Lessor and the Local Municipal Authority and subject to such terms and conditions as the Lessor / Local Municipal Authority may impose and will not do or suffer to be done, on the demised premises or any part thereof any act or thing which may be or grow to be a nuisance, damage, annoyance or inconvenience to the Lessor or Local Municipal Authority or the owner or occupiers of other premises in the neighbourhood.

6. During the process of establishing its Common Effluent Treatment Plant (for short the "CETP") in the Heavy Industrial Area, the applicant moved an application for obtaining consent to establish and operate the same, to the Jodhpur Pradushan Niwaran Trust (for short the "Trust"). The tentative date of completion of the project was 15<sup>th</sup> June, 2008. According to

the applicant, the Trust is a body established by its trustees. With the sanction and permission from the Government, it established a CETP and gave permission to the members, like the applicant, to discharge effluents into the drain that would be carried to the CETP of the Trust and treated there prior to further discharge. According to the applicant, it was an arrangement, of course, not barred by any statutory provision, that the industrial units in the RIICO Heavy Industrial Area were required to discharge their effluents into the drain which were to be treated at the CETP established by the Trust, for which purpose the membership of the Trust was given to the industrial units. Through a common drain, the trade effluents from the industrial units were carried to the CETP of the Trust. All kinds of discharge, whether acidic or alkaline in nature, were treated at the CETP, thereby minimizing the chances of polluting the environment.

7. The application of the applicant herein to the Trust remained pending for a considerable time and ultimately, vide order dated 8<sup>th</sup> July, 2008, it was rejected by the Trust. The relevant part of the said order of the Trust reads as under:

“Your discharge quantity of effluent shown in the application is not justified therefore membership is not granted.”

8. Having received the above order, the applicant submitted a representation dated 5<sup>th</sup> August, 2008 to the Trust, stating therein that with the same kind of discharge as that of the petitioner's unit, some other units have been given

membership and the impugned action was apparently discriminatory. Similar letter was also written by the applicant on 17<sup>th</sup> February, 2008 and a further request was made to the Trust to give membership to the applicant. Despite his meeting with the Managing Trustee of the Trust, the order dated 8<sup>th</sup> July, 2008 was neither revoked nor modified. According to the applicant, the reason behind rejecting the application, that the quantity of effluent shown being not justified, was without any basis. On 23<sup>rd</sup> September, 2009, a social worker and an ex-trustee of UIT, submitted an application before the Trust seeking certain information about the working of the Trust, and later on, an application was also filed under the Right to Information Act, 2005 for the same. As a result of this exercise, it was revealed that neither the Trust nor the CETP was working properly. In terms of the information, it was revealed that the capacity of the CETP was 20 MLD, out of which 15 MLD of acidic and 5 MLD of alkaline water could be treated. Further, 1-1.5 MLD of acidic and 10-12 MLD of alkaline water is received by the CETP and treated thereupon. Thus, the total capacity of the CETP having been exhausted, was not a correct statement. The applicant has also stated that as per the information received, 127 steel re-rolling industries are permitted to operate by the Rajasthan Pollution Control Board (for short the "Board") and are connected to the CETP. No flow meter etc. are installed in any of the units to measure the nature and volume of the waste water being

discharged from different units or being received by the CETP from the units. As many as 138 textile units are also working at Jodhpur and none of these units have obtained or have been given consent by the Board to establish and operate in that area.

9. The applicant has also placed documents on record to show that as back as on 5<sup>th</sup> August, 2008, the Board, while dealing with the application for renewal of the consent dated 16<sup>th</sup> January, 2008 submitted by the Trust, issued a show cause notice asking the Trust to explain as to why it should not be ordered to be closed down immediately as well as water and electricity supply to the CETP be not disconnected immediately. However, this was not pursued any further and the CETP is operating till date. It is contended that this is clear evidence of the fact that CETP is not functioning properly and to its optimum capacity.

10. The working of the CETP was inappropriate and was not in consonance with the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (for short the "Water Act") and the Water (Prevention and Control of Pollution) Rules, 1975 (for short the "Water Rules") framed thereunder. There is no averment in the application of the applicant that it had ever applied for obtaining consent of the Board for establishment and operation of the unit. It is also clear from

the records that neither such consent was applied for nor was it ever granted in the case of the applicant.

11. After the application of the applicant for obtaining membership was rejected vide order dated 8<sup>th</sup> July, 2008 after a lapse of nearly two years, the Board, in exercise of the powers vested in it under Section 33A of the Water Act, directed to close down the industrial unit of the applicant, vide its order dated 10<sup>th</sup> August, 2010, and in the event of failure to comply with the said order, it was stated that, it being a criminal offence, would be punishable under Section 41(2) of the Water Act. In this very order, it was stated that the unit had not obtained NOC from the Trust, the discharge of polluted trade effluents from the unit was reaching the CETP, thus, disrupting its functioning and an inspection was conducted on 9<sup>th</sup> October, 2010 during which, it was noticed that the unit was operating without obtaining the consent to establish and operate from the Board and was discharging trade effluents in violation of the Water Act. For these reasons, the Board had passed the order directing closure of the unit.

12. The applicant, thus, questions the legality and correctness of the two orders, namely the order 8<sup>th</sup> July, 2008 passed by the Trust rejecting the application of the applicant for membership and the order dated 10<sup>th</sup> August, 2010 passed by the Board directing closure of the unit in question.

13. The applicant also claims that it had moved an application to the Board on 17<sup>th</sup> August, 2010 for obtaining its consent to operate in furtherance to which the unit was inspected by a team of officers of the Board on 16<sup>th</sup> November, 2010. The said application has not been finally disposed of and as such the consent of the Board would be deemed to have been granted under Section 25(7) of the Water Act.

14. The facts of other cases are somewhat similar, but in some of the cases, the units had submitted applications for obtaining consent of the Board, out of which, in some cases, the consent sought was refused while in other cases, their applications are still pending determination by the Board. Still, there are other cases in which the industrial units hold the membership of the Trust and have applied for obtaining consent of the Board under the provisions of the Water Act. These applications were moved on different dates, for instance in the case of Original Application No.361 (THC) of 2013, the application was filed on 30<sup>th</sup> August, 2010, which is stated to be still pending with the Board. Still there is another bunch of cases where the industrial units are operating outside the earmarked or specified industrial area. Such industries are located on agricultural land. They have applied for conversion of the user of the land for purposes other than agricultural i.e. industrial purpose, which applications are still pending. There are also certain applicants who have either not applied for or

obtained consent or have applied for but for want of land use conversion certificate, their applications have not been disposed of by the Board. In this category, there are transferred applications No.400-402 and 405 (THC) of 2013.

15. The Trust or the Board, as the case may be, has passed somewhat identical orders in most of the cases with the exception of a few. Majority of the cases where identical orders have been passed, which we shall deal with them hereinafter under one head while the others, we will proceed to mention and discuss separately. The common challenge to the orders passed by the Trust or the Board against the applicant concerned, is *inter alia* but primarily on the following grounds:

(i) The action of the Trust or the Board, as the case may be, is unfounded and arbitrary. It is the case of the applicants that the CETP of the Trust has the capacity to take further load of trade effluents for treatment. Thus, the reason given for revocation is without any basis. There are 29 industries which have closed down in the meanwhile. The claim of the applicant should be adjudged against discharge of such industries. Furthermore, the Trust has increased the capacity of the existing CETP unit by more than three-fold on the one hand while they have declined membership to the applicants on the other.

(ii) The Board has passed the impugned orders without applying the principles of natural justice. The applicants were

neither given any show cause notice nor were heard before passing of the impugned order. The Board is required to comply with the procedure and afford an opportunity to the applicant, as contemplated under Rule 34 of the Water Rules before passing orders under Section 33A of the Water Act. Non-compliance by the Board with the statutory rules vitiates the order in its entirety.

(iii) The applications submitted by the applicants for obtaining the consent of the Board for operating their units, having been kept pending for years, would be deemed to have been granted permission in terms of Section 25(7) of the Water Act. Thus, neither any action could be taken nor any prohibitive direction under Section 33A of the Water Act could be issued by the Board. The State Government, the Board and the Trust are failing to discharge their Constitutional and statutory obligations in relation to prevention and control of pollution on the one hand, while on the other, are taking coercive measures to the extent of depriving the applicants of the source of their livelihood.

16. On behalf of the respondents, a stand has been taken that all the industries/units are operating without obtaining consent of the Board. The units are discharging trade effluents into the drain or on the open land, thus causing serious water or underground water pollution. Reliance has been placed upon the report of the Rajasthan State Pollution Control



Board, prepared on the basis of the inspection conducted from 8<sup>th</sup> to 11<sup>th</sup> November, 2014. According to the Board, out of the 62 applications herein, in 22 cases, the consent to establish/operate has been refused and 10 applications were pending before the Board. Further, according to the respondent, the remaining of the 62 applicants have not even filed any application for obtaining consent of the Board. The industries cannot be permitted to continue to cause pollution and the private interest of these applicants must give in to the public interest of maintaining proper quality of environment and preventing the pollution. Thus, the order directing closure of these units is fully justified in the facts of the case. The industries operating in the non-conforming zones are a more serious threat to environment as they have neither the consent from the Trust nor from the Board to operate. They are located in agricultural areas and their textile activities, thus, expose the environment to a potentially greater damage and degradation.

17. The Trust has stated, and in fact reiterated, during the course of arguments, that the CETP established by the Trust has a capacity of 20 MLD – 15 MLD for treating alkaline and 5 MLD for treating acidic effluents. Presently, they are treating 11 MLD of alkaline effluents of textile and 3 MLD of acidic effluents of steel industries, thus operating at a capacity of 14 MLD. The reason for rejecting the consent of the applicants by

the Trust was not the capacity of the CETP but the incorrect description and disclosure by the industries in relation to the discharge of effluents. None of these industries have installed flow meters in their premises. According to the Trust, they are presently treating only 50% of the effluents while the remaining 50% goes directly into the river through the drains as untreated.

18. The total land that was made available to the Trust was 9 acres and presently the CETP is situated within 5 acres on the said land. It has laid down conduit pipeline for collecting the trade effluents of its members, particularly in relation to textile industries and would be treating the entire effluents that they receive through this pipeline. Connection to this pipeline would be provided only to the members who have been given consent to discharge effluents into the drain. This pipeline is expected to be completed by the end of April, 2014. The CETP is presently operating to its optimum capacity and the 212 members of the Trust from the textile industry are discharging nearly 11.851 MLD of trade effluents while the steel industry is discharging 3.15 MLD. The Trust has plans to upgrade its CETP but has not been able to do it for a variety of reasons including financial limitations.

19. The State of Rajasthan has not put up any specific reply or advanced any contention. Of course, it was stated, which the Tribunal must record with appreciation, that in discharge

of its obligations - institutional and statutory - the State Government had agreed to take such measures and provide such assistance and resources to the various bodies concerned with the prevention and control of pollution to ensure that this entire industrial area and other surrounding industries do not cause any pollution.

20. However, the common contention is that the applicants who have even moved applications for obtaining consent of the Board are not entitled to derive any benefit under Section 25(7) of the Act inasmuch as there was inordinate delay in filing of applications, that too incomplete ones, and they have been causing pollution for years. Thus, the contentions of the applicants, according to the respondent, are liable to be rejected and the applications deserve to be dismissed.

21. Before we proceed to discuss the merits or otherwise of the contentions raised by the respective parties before us in the light of the above factual matrix, we would first refer to the appeals which need to be dealt with separately for the reasons recorded below:

OA No.373 (THC) of 2013 - MANGAL TEXTILES V. STATE OF RAJASTHAN (DB CIVIL WRIT PETITION NO.2710 of 2013) BEFORE THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

22. This is a case where the petitioner has raised a challenge to the show cause notices dated 27<sup>th</sup> December, 2011 and 11<sup>th</sup> September, 2012 issued by the Board under Sections 33A and

25/26 of the Water Act respectively. The applicant was asked vide the first notice dated 27<sup>th</sup> December, 2011, to show cause as to why direction of closure under Section 33A of the Water Act be not issued against the industry and through the second notice dated 11<sup>th</sup> September, 2012, as to why the consent applied for be not refused. The other connected relief was also prayed for.

23. No order of closure or refusal to grant consent has been placed on record, which might have been passed by the Board in furtherance to the show cause notices afore-referred. It is obvious that the applicant is neither in possession of the said premises nor is carrying on any textile industry thereat. However, after service of these notices, the applicant who appeared in person before the Tribunal, admitted that he is not carrying on any business in F-304A and 332A, Industrial Area, Basni IInd Phase, Jodhpur district, the premises in question and is not in possession of any part of the said industrial plot. He has rented out the premises to different tenants who are carrying on textile activities in the said premises in their own name and style and that the firm, M/s Mangal Textiles, does not exist in the said premises. None of the stated tenants or occupants are parties to the application and he is not aware whether their business has been ordered to be closed by an order passed by the Board. In light of these facts, which were stated during the course of the hearing and

are undisputed, it is obvious that there is no cause of action against the applicant, Mangal Textiles, a sole proprietorship concern, which subsists against it as of now or in fact even at the time of filing of the application. Since the applicant has neither any cause of action nor any *locus standi* and cannot be said to be aggrieved by the issuance of the show cause notices afore-referred, we find no reason to entertain this application. Accordingly, OA No.373 of 2013 is dismissed. We, however, make it clear that the dismissal of this application would not affect the rights of the persons who are in possession of the premises as tenants of the applicant. There shall be no order as to costs.

OA No.370 (THC) of 2013 – M/s KHATRI BHOGRAJ MOTILAL V. STATE OF RAJASTHAN (DB CIVIL WRIT PETITION NO.2651 OF 2013) BEFORE THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

24. This is the application filed by the applicant raising a challenge to the show cause notice dated 27<sup>th</sup> December, 2011 passed by the Secretary of the Board, requiring the applicant to show cause as to why a direction of closure in terms of Section 33A of the Water Act be not issued against him. The challenge is also raised against the order dated 3<sup>rd</sup> January, 2009 issued by the Trust, rejecting the application for consent for discharge of the trade effluents into the CETP run by the Trust. It is also prayed in the application that the electricity, which was directed to be disconnected, in the said premises may be ordered to be restored.

25. During the course of the hearing, the learned counsel appearing for the applicant submitted that after issuance of the said notice and during the operation of the stay granted by the High Court in the above mentioned Writ Petition, they have installed all anti-pollution devices, carried out the directions issued by the Board and that their industry is compliant and a non-polluting one. If that be so, there is nothing for the Tribunal to examine the merits or demerits of the challenge raised in the present application. Suffices it to note that the applicant has prayed to move a fresh application before the Board and the Trust within two weeks from today. If such application is filed within the time allowed, the Board and the Trust shall consider the said application expeditiously and in any case not later than six weeks from the date of its filing. Needless to notice that consideration of such application shall be in accordance with law and in terms of this judgment.

26. This application is, therefore, disposed of with the above direction, leaving the parties to bear their own costs.

27. Now we would proceed to discuss the contentions, as afore-noticed, raised before us. However, we will take the last contention first. It needs to be noticed that some of the units had obtained consent from the Trust to discharge trade effluents into the drain. Some of the industries, which did not have such a consent, had applied to the Board for obtaining

its consent in terms of Section 25 of the Water Act. These applications are pending. The Board has neither granted the consent nor refused the same. According to the applicants, with the aid of Section 25(7) supra, they would be deemed to have been granted the consent unconditionally as the period of four months has lapsed from the date of submission of their applications. The applications, in such cases, had been moved at different times and in the case of Original Application No.361(THC)/2013, the application was moved on 30<sup>th</sup> August, 2010, which is stated to be still pending with the Board. Thus, the argument advanced is that the benefit contemplated under Section 25(7) supra accrues in favour of the applicants and they are entitled to operate the industry irrespective of the fact that they have not been granted consent to operate by the Board. In order to appreciate the merits of this contention, we must refer to the relevant provisions of the Water Act which are reproduced below:

"25. Restrictions on new outlets and new discharges:

(1) Subject to the provisions of this section, no person shall, without the previous consent of the State Board,--

(a) establish or take any steps to establish any industry operation or process, or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land (such discharge being hereafter in this Section referred to as discharge of sewage); or

(b) bring into use any new or altered outlet for the discharge of sewage; or

(c) begin to make any new discharge of sewage:

Provided that a person in the process of taking any steps to establish any industry, operation or process immediately before the commencement of the Water (Prevention and Control of Pollution) Amendment Act, 1988, for which no consent was necessary prior to such commencement, may continue to do so for a period of three months from such commencement or, if he has made an application for such consent, within the said period of three months, till the disposal of such application.

(2) An application for consent of the State Board under sub-section (1), shall be made in such form, contain such particulars and shall be accompanied by such fees as may be prescribed.

(3) The State Board may make such inquiry as it may deem fit in respect of the application for consent referred to in sub-section (1) and in making any such inquiry shall follow such procedure as may be prescribed.

(4) The State Board may -

(a) grant its consent referred to in sub-section (1), subject to such conditions as it may impose, being -

(i) in cases referred to in clauses (a) and (b) of sub-section (1) of section 25, conditions as to the point of discharge of sewage or as to the use of that outlet or any other outlet for discharge of sewage;

(ii) in the case of a new discharge, conditions as to the nature and composition, temperature, volume or rate of discharge of the effluent from the land or premises from which the discharge or new discharge is to be made; and

(iii) that the consent will be valid only for such period as may be specified in the order,

and any such conditions imposed shall be binding on any person establishing or taking any steps to establish any industry, operation or process, or treatment and disposal system of extension or addition thereto, or using the new or altered outlet, or discharging the effluent from the land or premises aforesaid; or

(b) refuse such consent for reasons to be recorded in writing.



(5) Where, without the consent of the State Board, any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, is established, or any steps for such establishment have been taken or, a new or altered outlet is brought into use for the discharge of sewage or a new discharge of sewage is made, the State Board may serve on the person who has established or taken steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, or using the outlet, or making the discharge, as the case may be, a notice imposing any such conditions as it might have imposed on, an application for its consent in respect of such establishment, such outlet or discharge.

(6) Every State Board shall maintain a register containing particulars, of the conditions imposed under this section and so much of the register as relates to any outlet, or to any effluent from any land or premises shall be open to inspection at all reasonable hours by any person interested in, or affected by such outlet, land or premises, as the case may be, or by any person authorised by him in this behalf and the conditions so contained in such register shall be conclusive proof that the consent was granted subject to such conditions.

(7) The consent referred to in sub-section (1) shall, unless given or refused earlier, be deemed to have been given unconditionally on the expiry of a period of four months of the making of an application in this behalf complete in all respects to the State Board.

(8) For the purposes of this section and sections 27 and 30, -

(a) the expression "new or altered outlet" means any outlet which is wholly or partly constructed on or after the commencement of this Act or which (whether so constructed or not) is substantially altered after such commencement;

(b) the expression "new discharge" means a discharge which is not, as respects the nature and composition, temperature, volume, and rate of discharge of the effluent substantially a continuation of a discharge made within the preceding twelve months (whether by the same or a different outlet), so however that a discharge which is in other respects a continuation of previous discharge made as aforesaid shall not be deemed to be a new discharge by reason of any reduction of the temperature

or volume or rate of discharge of the effluent as compared with the previous discharge.”

28. The above provisions make it clear that they prohibit any person from establishing or taking any steps to establish any industry or process, or any treatment and disposal system, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land, without the previous consent of the Board in terms of Section 25(1) supra. Similarly, no person is entitled to bring into use any new or altered outlet for discharge of sewage or begin to make any discharge of sewage without the specific consent of the Board. Under the scheme of the above provisions, an application has to be moved to the Board for the purpose of obtaining the consent. The Board is required to make such inquiries as it may deem fit. After following the prescribed procedure, the Board may grant its consent, subject to such conditions as it may deem fit and proper, or/and fix the duration during which such consent shall be operative. The Board may also refuse the consent for reasons to be recorded in writing. In terms of Section 25(5) supra, where any industry, operation, process or any treatment and disposal system has been brought into use for the discharge of sewage or new discharge of sewage is made without consent, the Board is empowered to serve a notice upon the person who has established or taken steps for such operation or process, and impose any condition

as it might have imposed on the application for its consent in respect of such establishment, outlet or discharge. A bare reading of Section 25(7) supra entitles the applicant who has submitted an application, complete in all respects, and if such application has remained pending for grant or refusal of consent for a period of four months, it would be deemed to have been granted unconditional consent on the expiry of the period of four months. The Section which grants benefit to a person against the normal course of law has to be construed strictly. Such a provision must be construed on its plain and strict reading so as to ensure that such a deeming fiction is not permitted to be abused and does not frustrate the very object of the legislation. To take the benefit of the deeming fiction contemplated under Section 25(7), one must satisfy the following conditions:

- (a) The application for obtaining the consent has to be complete in all respects.
- (b) Upon such application, the Board has neither granted nor refused the consent for a period of four months of the making of such application.

29. It is upon fulfilment of these two conditions that a person can claim benefit of the deeming fiction in terms of Section 25(7) supra. If these conditions are not satisfied, then it will not trigger the consequences of this provision. The purpose of Section 25(7) supra is not to benefit the defaulters of law or

the persons who have started their units even without making an application in terms of Section 25 supra to the Board concerned. The prohibition contained under Section 25(1) supra is both for establishment and operation of any unit, process or CETP. Section 25(1) supra has intentionally been worded by the legislature in very wide terms and no industry or unit, which is likely to discharge sewage or effluent during its process, can fall outside the ambit of this Section. The expression under Section 25(1) states that no person shall establish or take any steps to establish, without the previous consent of the State Board, any industry, operation or process. This is indicative of the legislative intent to place complete embargo not only upon the establishment but also from taking any step to establish an industry, operation or process, which is likely to discharge sewage or trade effluent into a stream or well or sewer or even on land. The provision of Section 25(7) supra itself has to be examined and interpreted in the light of the legislative scheme contained not only under Section 25 but other provisions of the Act.

30. It is a settled principle of statutory interpretation that while interpreting any provision of a statute, the scheme of the Act, legislative intent and its inter-relations with other provisions of the same statute are relevant considerations. When the question arises as to the meaning of a provision in the statute, it is not only legitimate but also proper to read

that provision in its context. The 'context' means the statute as a whole, the previous state of the law, other statutes in *para materia*, the general scope of the statute and the mischief that it was intended to remedy. In the case of *R.S. Raghunath v. State of Karnataka and Anr.* [(1992) 1 SCC 335], the Supreme Court enunciated this principle of interpretation and stated that the statute must be read in its entirety and in context with the other relevant provisions. The intention of the legislature behind enacting the Water Act is to prevent and control water pollution and restoring the wholesomeness of water for the benefit of the public at large and in the interest of environment. This legislative intent must be given due significance. *Dehors* such an approach, there is every likelihood that the object of the Act would be rendered futile or ineffective. Thus, while examining the provisions of Section 25(7) supra, due significance is to be provided to the legislative intent and the paramount purpose of the Act which is to prevent and control the pollution and not to provide deemed consents even where the applicant is a defaulter of law and an offender. Another aspect of 'deeming fiction' in law is that the conditions precedent to application of such deeming fiction must be strictly satisfied. In other words, the conditions stipulated in terms of Section 25(7) supra must be satisfied *stricto sensu* and then alone the applicant could claim the benefit accruing under such a provision. The onus lies upon

the applicant to show that he has complied with the stipulated conditions without demur and variation.

31. As already noticed, the two conditions stipulated under Section 25(7) supra are (i) the application to the Board should be complete in all respects and (ii) the period of four months should have lapsed after making of such application to enable the applicant to claim such a benefit. In the present case, the applicants, admittedly, have not only established their operations but, in fact, have also started their respective textile units without informing the Board, much less obtaining the consent of the Board for establishment or operationalisation of their respective units.

This was, undoubtedly, a clear violation of Section 25 of the Water Act, punishable under Section 44 of the said Act besides rendering such persons liable for other penal action, as provided under the provisions of the Water Act. The applicants, thus, are obviously defaulters and offenders under the provisions of the Water Act on the one hand while on the other, are, in fact, causing serious pollution. Still another facet of these cases is that even when these applicants moved to the Board for obtaining the consent, their applications were not complete in terms of the prescribed form along with the complete analysis report, despite the fact that all of the units were operational at that time. It is on record before the Tribunal that the officers of the Board had even visited the

respective units and found a number of deficiencies. It was also noticed that these units were causing serious pollution and were even discharging trade effluents in excess of the prescribed parameters into the drain and the CETP of the Trust without its consent.

32. For instance, the unit of M/s Laxmi Suiting was inspected by the officers of the Board on 27<sup>th</sup> September, 2010 and 16<sup>th</sup> November, 2010 in the presence of the applicant. On both these inspections, certain deficiencies had been noticed and the unit in question was found to be a polluting industry. Vide letter dated 1<sup>st</sup> December, 2010, the Board had communicated to the applicant the shortfalls and deficiencies in the work being carried out by the unit. Similarly, in the case of other units also, the Board officers had conducted inspections and they found certain deficiencies, non-compliances and shortfalls and that they were polluting industries. To put it simply, the applicants did not submit applications complete in all respects to the Board, and they were found to be polluting industries, offending the provisions of the Water Act. In exercise of its powers under Section 33A of the Water Act, the Board had issued closure orders, acting on the 'precautionary' and the 'preventive' principles so that these industries would not cause any further pollution. In fact, the industry should not be permitted to discharge effluents which are violative of the prescribed parameters. Section 25(5)

of the Water Act, by necessary implication and purposive interpretation forms an exception to the deeming fiction created under Section 25(7) supra. The cases which fall under Section 25(5) cannot invoke the provisions of Section 25(7) as their operations shall be controlled entirely by the provisions of Section 25(5) of the Act. Section 25(5) takes within its ambit any industry, operation or process or any treatment and disposal system or any extension, in addition to a unit, which has been established without obtaining consent of the Board. This will also cover such cases where any steps for such establishment or even any new or altered outlet for the discharge of sewage have been brought into use, etc. The Board may serve a notice on the person who has established such industry, operation, process or treatment system, imposing such conditions as the Board might have imposed on an application for consent in respect of such establishment, outlet or such discharge. To put it simply, the provisions of Section 25(5) are applicable to a specified category of industries or units which have been established or operationalised without obtaining consent of the Board. These units would be governed by the conditions stated in its order of consent by the Board after issuance of notice to them. The consent, thus, would be such as if the one granted in terms of Section 25(1) to (7) of the Water Act. Section 25(5) precedes Section 25(7) supra. Thus, the cases which are covered under Section 25(5) cannot be controlled and taken advantage of the



deeming fiction contemplated under Section 25(7) of the Water Act. Invocation of Section 25(5) can produce two different kinds of results – one, which can be granted consent in terms of Section 25 itself and the other where such conditional consent is not granted and the Board, in exercise of its powers under Section 33A of the Water Act, directs closure of the unit. The order of closure would necessarily imply refusal of consent. In either of these events, the consequences would be rendering Section 25(7) of the Water Act uninvocative by such industries. The units must be compliant of the law before claiming the benefit. If they have moved no application whatsoever and commenced establishment or operation of their units, then they would lose the very initiation of the process which can entitle them to the deemed fiction benefit under Section 25(7) supra. The provisions of Section 25(7) are not intended to legitimise the illegal acts but are themselves exceptions to the rule of grant or refusal of consent. At this stage, it can also be appropriately noticed that even the consent granted under Section 25 of the Water Act is subject to review or subsequent refusal in terms of Section 27(2) of the Water Act. The Board, in exercise of its powers under this provision, can add or modify conditions or even refuse consent in its order, as it may deem fit, of course upon a notice to the party concerned. Once these provisions are read in conjunction, the scheme of the Act becomes quite apparent that the legislature never intended to give any benefit to a

person who has not complied with the statutory conditions or is a pollutant or offender under the provisions of the Water Act. The benefit of law accrues to one who complies with the law and not the one who offends the same.

33. A deeming provision creates a legal fiction. When a statute enacts that something shall be deemed to have been done, which in fact and in truth has not been done, the court is entitled and bound to ascertain for what purpose and between what persons the statutory fiction is to be resorted to. After ascertaining the purpose, full effect must be given to the statutory fiction and it should be carried out to its logical conclusion and to that end, it would be proper and even necessary to assume all those facts on which alone the fiction can operate. In other words, the facts and requirements of the fiction must be satisfied. It has, in fact, also been held by some courts that the word 'deemed' when used in a statute establishes a conclusive or rebuttal presumption, depending upon the context.

34. Another legal principle of construing the legal fiction is that the law cannot be extended beyond its purpose. The Supreme Court, in the case of *Bengal Immunity Co. Ltd. v. State of Bihar* (AIR 1955 SC 661) stated that the legal fictions are created only for some definite purpose. A legal fiction is to be limited to that purpose for which it was created and should not be extended beyond that legitimate field. This approach

was reiterated by the Supreme Court of India in the case of *Union of India v. Sampat Raj Dugar* (AIR 1992 SC 1417), wherein while dealing with Clause 5(3)(ii) of the Import (Control) Order, held that fiction created was for the proper implementation of the Import and Export (Control) Act, 1947 and to hold the licensee responsible for anything and everything that happens from the time of import till the goods are cleared through Customs and it was also held that the fiction cannot be employed to attribute ownership of imported goods to the importer in a case where he abandons them i.e. in a situation where the importer does not pay or receive the documents of title. Reference can also be made to the case of *Rajkumar Khurana v. State of NCT of Delhi* [(2009) 6 SCC 72].

35. Section 25(7) is intended to provide for the deemed fiction only where the law is complied with. The obvious reason for providing the deeming fiction under Section 25 of the Water Act is to ensure that the Board does not unduly withhold the application of an industry or a unit which has acted in accordance with the law and has moved the application for establishment/operation complete in all respects to the Board. The intention of the framers of law is to balance the relationship between the industry and the Board. It is not intended to give any undue or unlawful advantage to either of the two. The Board must not be able to frustrate the

establishment of a project merely by delaying its decision on the application. It is also not intended to give any right to the industry to start its operation without obtaining consent of the Board or even making an application for that purpose. On the principle aforesaid, it will not be permissible to stretch the provisions of Section 25 of the Water Act to give protection to the class of persons who are polluters and are even covered under the specified category contemplated under Section 25(5) supra.

36. In view of the above discussion, we are of the considered view that the applicants are not entitled to the benefit or advantage of the deeming fiction of law contemplated under Section 25(7) of the Water Act *inter alia* but specifically for the following reasons:

(i) The applicants did not submit applications, as contemplated under Section 25(2) of the Water Act, complete in all respects to the Board.

(ii) Indisputably and squarely, the applicants fall within the category of Section 25(5) of the Water Act, which provision is an exception to the very application of Section 25(7) of the Water Act and cannot be claimed as a matter of right.

(iii) Issuance of directions under Section 33A of the Water Act necessarily implies refusal of consent as contemplated under Section 25(4)(b) of the Water Act.

(iv) The applicants are non-compliant, polluting industries, offending the provisions of the Water Act.

These units have violated the law by discharging trade effluents in excess of the prescribed parameters. Their conduct, in fact and in law, is such that would disentitle them from claiming any advantage in terms of Section 25(7) of the Water Act as they have caused pollution for years together without consent of the Board.

37. Now, we may deal with the contentions (i) and (ii) together. The contentions are that the order of the Board is unfounded and arbitrary. Further, the order is also violative of the principles of natural justice. Since there is an apparent link between these contentions, they can usefully be dealt with together. According to the applicants, the impugned orders have been passed in violation of the principles of natural justice and without complying with the procedure prescribed under Rule 34 of the Water Rules. The Board can exercise its powers and issue directions in terms of Section 33A of the Water Act, subject to compliance with the procedure stated under Rule 34 of the said Rules.

38. Section 33A of the Water Act vests in the Board very wide powers of serious consequences. The provisions of Section 33A of the Water Act start with a non-obstante clause and is to have precedence over any other law in force. These powers are to be exercised subject to the provisions of the Water Act as

well as the Water Rules. The provisions of Section 33A of the Water Act empower the Board to issue directions in writing to any person, officer or authority. Such directions have to be issued in exercise of the powers and functions of the Board under the Water Act. The procedure for issuance of such directions is stated under Rule 34 of the Water Rules. The person, officer or authority to whom such directions are issued is duty-bound to comply with such directions. Varied directions could be issued by the Board for a variety of reasons. The variation of the directions issued by the Board could be for different purposes and could even be to the extent of directing closure, prohibition of regulation of the industry, operation or process. It could also relate to stoppage or regulation of supply of electricity or water or any other service to such a unit. Vesting the Board with wide powers under these provisions, is a clear indication of the intent of the legislature, and the object that is sought to be achieved in relation to the industries, which are causing pollution or which are a potent threat to the environment.

39. Rule 34 of the Water Rules provides a road-map of the steps which are required to be taken by the Board from the stage of issuance of directions, as comprehended by the Board, to the stage of their execution. It requires a direction to be made in writing and the service of the proposed direction to be made upon the person, officer or authority, and an

opportunity being granted to file objections thereto and then passing of such final directions and its service upon such person, officer or authority including the occupier. This exercise has to be undertaken by the Board in a time-bound programme in terms of Rule 34 of the Water Rules.

40. Rule 34 of the Water Rules in contradistinction to Section 33A of the Water Act, is a procedural provision to aid the substantive law contained in Section 33A. While Section 33A grants power to a Board to give directions, *inter alia*, in relation to closure, prohibition, regulation or the like, the said rule lays down the manner in which the said power is to be exercised.

41. A plain reading of the said rule makes it clear that its aim and object is, primarily, to bestow upon the "the person, officer or the authority to whom such direction is given" under Section 33A, the advantages of the principles of natural justice, which are also an essential concomitant under general jurisprudence as well as the law of equity, the absence of which would vitiate any proceeding, unless specifically excluded from their application.

42. While Rule 34(2) supra specifically lays down that the direction sought to be made must contain the nature of action and the time taken to carry out the same against the person, Rule 34(3) supra is custodian of the maxim *audi alteram partem*, a component of the principles of natural justice. This

sub-rule gives to the person to whom such direction is sought to be issued, an opportunity of being heard, as well as that of filing objection, if any, which are to be considered by the Board under sub-rule 5 of Rule 34, within 45 days of the receipt of such objections. The same rule under sub-rule 6 of Rule 34 makes an exception to this rule of *audi alteram partem*, however, only when substantiated by reasons, for which this maxim could not be put in application.

43. While on the one hand, sub-rule (3) contemplates a direction of the Board directly to the person against whom the direction is sought to be issued, on the other, sub-rule (4) envisages issuance of a direction through an authority, to the said person. However, in both the cases, the substantive requirement of law to adhere to the principles of natural justice is specifically provided for, i.e. irrespective of the fact whether the person is being issued a direction directly by the Board or through an authority, he shall be given time to file objections, as well as an opportunity of being heard, in consonance with the principles of natural justice, unless the case demands otherwise in which case, the Board shall be duty-bound to give reasons, in writing, for the same.

44. Recording of reasons is a principle of natural justice and every judicial order must be supported by reasons recorded in writing. It ensures transparency and fairness in decision making. (*Secretary and Curator, Victoria Memorial Hall Vs.*



*Howrah Ganatantrik Nagrik Samity & Ors* [2010 (3) SCC 732].

It is a well settled norm that a disciplinary enquiry or a quasi-judicial enquiry has to be conducted in accordance with the principles of natural justice. An enquiry report in a quasi-judicial enquiry must show the reasons for arriving at a particular conclusion. [*Anil Kumar v. Presiding Officer & Ors* {1985 (3) SCC 378}]. Therefore, reasons, as contemplated in sub-rule 5 are, again, an inherent part of the principles of natural justice and must be given whenever a decision is taken by an administrative body, like the Board, to substantiate the rationale behind reaching the same.

45. As already noticed, compliance with the various sub-rules of Rule 34 of the Water Rules is required to be made within the time schedule specified therein. It is also the obligation of the Board to consider such objections and thereupon, confirm, modify or even decide not to issue the proposed direction. But once such a direction is issued, its obedience is mandatory by all persons and authorities concerned.

46. The adherence to *audi alteram partem* by the Board is not free from exception. Rule 34(6) of the Water Rules makes an exception to the provisions of Rule 34(1) to 34(5) supra. However, this exception has three essential ingredients – one, that the Board is to be of the opinion that there is a likelihood of great injury to the environment; two, it would not be

expedient to provide an opportunity to file objections against the proposed direction; and three, the Board should record reasons in writing as to why the directions be issued without providing an opportunity to the person, officer or authority.

47. Natural justice means a fair process excluding arbitrariness and recording of reasons so as to show application of mind. This process, as indicated above, is provided under Rule 34(1) to (5) of the Water Rules. Normally, the Board is expected to comply with the requirements of the principles of natural justice unless the case is one that squarely falls within the exception clause contained in Rule 34(6) of the Water Rules, and only that too when the ingredients thereof are satisfied by the Board.

48. The principles of natural justice are to be construed flexibly and not rigidly. The purpose is to provide a fair opportunity to the party that is likely to get adversely affected while passing of such directions. We may make a reference to a recent judgment of the Tribunal in the case of *Dhunseri Petrochem and Tea Ltd. v. Union of India and Ors.* [2013(2) Part I NGT Reporter], extracts of which are reproduced below:

“11. It is not only undisputed but, in fact is fairly admitted on behalf of the Respondents No.1, 2, 3 and 4 that the applicant was not granted any opportunity of hearing before the impugned communications/orders were passed. The violation of principles of natural justice, thus, is conceded. The applicant had admittedly obtained all relevant clearances in relation to obtaining consent for establishment as well as for operation of the two processing CETPs and the 8MW coal captive power

CETP. These consents are in force till the 31<sup>st</sup> May 2014. The applicant has been carrying on its business manufacturing activity for more than 10 years and according to the applicant no complaint had ever been received either from authority or other relevant quarter. That being so, the short question that requires the consideration of this Tribunal is whether the applicant was entitled to grant of hearing, whether in the facts of the case, compliance to the principles of natural justice was mandatory before the impugned communication/orders were passed by the respective respondents. We have no hesitation in answering this question in the affirmative. The impugned communication and directions have not only ancillary civil consequences for the applicant but in fact his entire business which he has been carrying on for the last more than ten years has to be shut down in all respects. It is not a mere stopping of an industrial activity but is even going to affect the families of large number of workmen who are working in these industries. The impugned communications/orders are of such serious nature that compliance to the principle of *audi alteram partem* cannot be obviated. We may refer to a recent judgment of this Tribunal in the case of *M/s. Sesa Goa vs. State of Goa and Ors.*, Application No. 49 of 2012, pronounced on 11<sup>th</sup> April, 2013 where after noticing the various judgments of the Supreme Court in relation to adherence to the rule of *audi alteram partem*, the Tribunal held as under: -

“17. It must be noticed that the aim of rules of natural justice is to secure justice, or to put it negatively, to prevent miscarriage of justice. Despite the fact that such rules do not have any statutory character, their adherence is even more important for the compliance of the statutory rules. The violation of the principles of natural justice has the effect of vitiating the action, be it administrative or quasi-judicial, in so far as it affects the rights of a third party. Flexibility in the process of natural justice is an inbuilt feature of this doctrine. Absolute rigidity may not further the cause of justice and therefore adoption of flexibility is important for applying these principles.

18. A Court or a Tribunal has to examine whether the principles of natural justice have been violated or not as a primary consideration, whenever and wherever such an argument is raised. Test of prejudice is an additional aspect. Normally, violation of principles of natural justice, like non-grant of hearing, would vitiate the action unless the theory of 'useless formality' is pressed into service and is shown to have a complete applicability to the facts of the case. We may notice that this theory, though has been accepted by the Courts, but is rarely applied.

19. In the case of *Canara Bank v. A.K. Awasthi* (2005) 6 SCC 321, the Supreme Court compared natural justice to common sense justice. It emphasized on the compliance with the principles of natural justice when a quasi-judicial body embarks upon determination of disputes between the parties or when an administrative action involving civil consequences is in issue. The Court held:

"9. The expressions "natural justice" and "legal justice" do not present a watertight classification. It is the substance of justice which is to be secured by both, and whenever legal justice fails to achieve this solemn purpose, natural justice is called in aid of legal justice. Natural justice relieves legal justice from unnecessary technicality, grammatical pedantry or logical prevarication. It supplies the omissions of a formulated law. As Lord Buckmaster said, no form or procedure should ever be permitted to exclude the presentation of a litigant's defence.

10. The adherence to principles of natural justice as recognised by all civilised States is of supreme importance when a quasi-judicial body embarks on determining disputes between the parties, or any

administrative action involving civil consequences is in issue. These principles are well settled. The first and foremost principle is what is commonly known as *audi alteram partem* rule. It says that no one should be condemned unheard. Notice is the first limb of this principle. It must be precise and unambiguous. It should apprise the party determinatively of the case he has to meet. Time given for the purpose should be adequate so as to enable him to make his representation. In the absence of a notice of the kind and such reasonable opportunity, the order passed becomes wholly vitiated. Thus, it is but essential that a party should be put on notice of the case before any adverse order is passed against him. This is one of the most important principles of natural justice. It is after all an approved rule of fair play. The concept has gained significance and shades with time. When the historic document was made at Runnymede in 1215, the first statutory recognition of this principle found its way into the "Magna Carta". The classic exposition of Sir Edward Coke of natural justice requires to "vocate, interrogate and adjudicate". In the celebrated case of *Cooper v. Wandsworth Board of Works* the principle was thus stated: (ER p. 420)

"Even God himself did not pass sentence upon Adam before he was called upon to make his defence. 'Adam' (says God), 'where art thou? Hast thou not eaten of the tree whereof I commanded thee that thou shouldest not eat?' " Since then the principle has been chiselled, honed and refined, enriching its content. Judicial treatment has added light and luminosity to the concept, like polishing of a diamond.

11. Principles of natural justice are those rules which have been laid down by the courts as being the minimum protection of the rights of the individual against the arbitrary procedure that may be adopted by a judicial, quasi-judicial and administrative authority while making an order affecting those rights. These rules are intended to prevent such authority from doing injustice.

12. What is meant by the term "principles of natural justice" is not easy to determine. Lord Sumner (then Hamilton, L.J.) in *R. v. Local Govt. Board 3* (KB at p.199) described the phrase as sadly lacking in precision. In *General Council of Medical Education & Registration of U.K. v. Spackman* Lord Wright observed that it was not desirable to attempt "to force it into any Procrustean bed" and mentioned that one essential requirement was that the Tribunal should be impartial and have no personal interest in the controversy, and further that it should give "a full and fair opportunity" to every party of being heard."

20. The above findings of the Court puts one matter beyond ambiguity, i.e., the affected party is entitled to full and fair opportunity, and such an opportunity, shall, both in fact and in substance, be granted to ensure that justice is not only done but also seems to have been done.

21. In the present case we are concerned with the application and the various facets of the maxim *audi alteram partem*. The Courts have consistently emphasized that this is a highly effective rule devised by the Courts to ensure that a statutory authority arrives at a just

decision and it is calculated to act as a healthy check on the abuse or misuse of power.

22. The doctrine of *audi alteram partem* has three basic essentials. Firstly, a person against whom an order is required to be passed or whose rights are likely to be affected adversely must be granted an opportunity of being heard. Secondly, the authority concerned should provide a fair and transparent procedure and lastly, the authority concerned must apply its mind and dispose of the matter by a reasoned or speaking order. While referring to this principle in the case of Assistant Commissioner, Commercial Tax Department, works contract and leasing, Kota vs. Shukla & Bros (2010) 4 SCC 785, the Supreme Court of India stressed upon the need for recording reasons and for the authority to act fairly. The court held as under:

“11. The Supreme Court in S.N. Mukherjee v. Union of India while referring to the practice adopted and insistence placed by the courts in United States, emphasized the importance of recording of reasons for decisions by the administrative authorities and tribunals. It said “administrative process will best be vindicated by clarity in its exercise”. To enable the courts to exercise the power of review in consonance with settled principles, the authorities are advised of the considerations underlining the action under review. This Court with approval stated:

“11. ... the orderly functioning of the process of review requires that the grounds upon which the administrative agency acted be clearly disclosed and adequately sustained’.”

12. In exercise of the power of judicial review, the concept of reasoned

orders/actions has been enforced equally by the foreign courts as by the courts in India. The administrative authority and tribunals are obliged to give reasons, absence whereof could render the order liable to judicial chastisement. Thus, it will not be far from an absolute principle of law that the courts should record reasons for their conclusions to enable the appellate or higher courts to exercise their jurisdiction appropriately and in accordance with law. It is the reasoning alone, that can enable a higher or an appellate court to appreciate the controversy in issue in its correct perspective and to hold whether the reasoning recorded by the court whose order is impugned, is sustainable in law and whether it has adopted the correct legal approach. To sub serve the purpose of justice delivery system, therefore, it is essential that the courts should record reasons for their conclusions, whether disposing of the case at admission stage or after regular hearing.

13. At the cost of repetition, we may notice, that this Court has consistently taken the view that recording of reasons is an essential feature of dispensation of justice. A litigant who approaches the court with any grievance in accordance with law is entitled to know the reasons for grant or rejection of his prayer. Reasons are the soul of orders. Non-recording of reasons could lead to dual infirmities; firstly, it may cause prejudice to the affected party and secondly, more particularly, hamper the proper administration of justice. These principles are not only applicable to administrative or executive actions, but they apply with equal force and, in fact, with a greater degree of precision to judicial pronouncements. A judgment without reasons causes prejudice to the person against whom it is pronounced, as that



litigant is unable to know the ground which weighed with the court in rejecting his claim and also causes impediments in his taking adequate and appropriate grounds before the higher court in the event of challenge to that judgment. Now, we may refer to certain judgments of this Court as well as of the High Courts which have taken this view.”

24. The recording of reasons by the administrative and quasi judicial authorities is a well-accepted norm and its compliance has stated to be mandatory. Of course, reasons recorded by such authorities may not be like judgments of courts, but they should precisely state the reasons for rejecting or accepting a claim which would reflect due application of mind. The Bombay High Court in the case of Pipe Arts India Pvt. Ltd v. Gangadhar Nathuji Golmare, 2008 (6) MLJ 280 held:

“8. The Supreme Court and different High Courts have taken the view that it is always desirable to record reasons in support of the Government actions whether administrative or quasi-judicial. Even if the statutory rules do not impose an obligation upon the authorities still it is expected of the authorities concerned to act fairly and in consonance with basic rule of law. These concepts would require that any order, particularly, the order which can be subject matter of judicial review, is reasoned one. Even in the case of Chabungbambohal Singh v. Union of India and Ors: 1995(1) SCALE 857, the Court held as under:

His assessment was, however, recorded as "very good" whereas qua the appellant it had been stated unfit. As the appellant was being superseded by one of his juniors, we do not think if it

was enough on the part of the Selection Committee to have merely stated unfit, and then to recommend the name of one of his juniors. No reason for unfitness, is reflected in the proceedings, as against what earlier Selection Committees had done to which reference has already been made.

9. The requirement of recording reasons is applicable with greater rigour to judicial proceedings. Judicial order determining the rights of the parties essentially should be an order supported by reasoning. The order must reflect what weighed with the Court in granting or declining the relief claimed by the applicants.

10. In the case of *Jawahar Lal Singh v. Naresh Singh and Ors*: 1987 CriLJ 698, accepting the plea that absence of examination of reasons by the High Court on the basis of which the trial Court discarded prosecution evidence and recorded the finding of an acquittal in favour of all the accused was not appropriate, the Supreme Court held that the order should record reasons. Recording of proper reasons would be essential, so that the Appellate Court would have advantage of considering the considered opinion of the High Court on the reasons which had weighed with the trial Court.

11. May be, while entertaining the interim applications, the orders are not expected to be like detailed judgments in final disposal of the matter, but they must contain some reasons which would provide adequate opportunity and ground to the

aggrieved party to assail that order in appeal effectively.

12. In the case of State of Punjab and Ors. v. Surinder Kumar and Ors. : [1992] 194 ITR 434(SC) , while noticing the jurisdictional distinction between Article 142 and Article 226 of the Constitution of India, the Supreme Court stated that powers of the Supreme Court under Article 142 are much wider and the Supreme Court would pass orders to do complete justice. The Supreme Court further reiterated the principle with approval that the High Court has the jurisdiction to dismiss petitions or criminal revisions in limini or grant leave asked for by the petitioner but for adequate reasons which should be recorded in the order. The High Court may not pass cryptic order in relation to regularisation of service of the respondents in view of certain directions passed by the Supreme Court under Article 142 of the Constitution of India. Absence of reasoning did not find favour with the Supreme Court. The Supreme Court also stated the principle that powers of the High Court were circumscribed by limitations discussed and declared by judicial decision and it cannot transgress the limits on the basis of whims or subjective opinion varying from Judge to Judge.

13. In the case of Hindustan Times Ltd. v. Union of India and Ors. : [1998]1SCR4 , the Supreme Court while dealing with the cases under the Labour Laws and Employees' Provident Funds and Miscellaneous Provisions Act, 1952 observed that even when the petition under Article

226 is dismissed in limini, it is expected of the High Court to pass a speaking order, may be briefly.

14. Consistent with the view expressed by the Supreme Court in the afore-referred cases, in the case of State of U.P. v. Battan and Ors. (2001)10SCC607, the Supreme Court held as under:

The High Court has not given any reasons for refusing to grant leave to file appeal against acquittal. The manner in which appeal against acquittal has been dealt with by the High Court leaves much to be desired. Reasons introduce clarity in an order. On plainest consideration of justice, the High Court ought to have set forth its reasons, howsoever brief, in its order. The absence of reasons has rendered the High Court order not sustainable.

15. Similar view was also taken by the Supreme Court in the case of Raj Kishore Jha v. State of Bihar and Ors. JT 2003 (Supp.2) SC 354.

16. In a very recent judgment, the Supreme Court in the case of State of Orissa v. Dhaniram Luhar 2004CriLJ1385 while dealing with the criminal appeal, insisted that the reasons in support of the decision was a cardinal principle and the High Court should record its reasons while disposing of the matter. The Court held as under:

8. Even in respect of administrative orders Lord Denning, M.R. In Breen v.

Amalgamated Engg. Union  
observed:

The giving of reasons is one of the fundamentals of good administration." In Alexander Machinery (Dudley) Ltd. v. Crabtree it was observed: "Failure to give reasons amounts to denial of justice." "Reasons are live links between the mind of the decision-taker to the controversy in question and the decision or conclusion arrived at." Reasons substitute subjectivity by objectivity. The emphasis on recording reasons is that if the decision reveals the "inscrutable face of the sphinx", it can, by its silence, render it virtually impossible for the Courts to perform their appellate function or exercise the power of judicial review in adjudging the validity of the decision. Right to reason is an indispensable part of a sound judicial system; reasons at least sufficient to indicate an application of mind to the matter before Court. Another rationale is that the affected party can know why the decision has gone against him. One of the salutary requirements of natural justice is spelling out reasons for the order made; in other words, a speaking-out. The "inscrutable face of the

sphinx" is ordinarily incongruous with a judicial or quasi-judicial performance.

17. Following this very view, the Supreme Court in another very recent judgment delivered on February, 22, 2008, in the case of State of Rajasthan v. Rajendra Prasad Jain Criminal Appeal No. 360/2008 (Arising out of SLP (Cri.) No. 904/2007) stated that "reason is the heartbeat of every conclusion, and without the same it becomes lifeless."

18. Providing of reasons in orders is of essence in judicial proceedings. Every litigant who approaches the Court with a prayer is entitled to know the reasons for acceptance or rejection of such request. Either of the parties to the Us has a right of appeal and, therefore, it is essential for them to know the considered; opinion of the Court to make the remedy of appeal meaningful. It is the reasoning which ultimately culminates into final decision which may be subject to examination of the appellate or other higher Courts. It is not only desirable; but, in view of the consistent position of law, mandatory for the Court to pass orders while recording reasons in support thereof, however, brief they may be. Brevity in reasoning cannot be understood in legal parlance as absence of; reasons. While no reasoning in support of judicial orders is impermissible, the brief reasoning would suffice to meet the ends of justice at least at the interlocutory stages and would render the remedy of appeal purposeful and meaningful. It

is a settled canon of legal jurisprudence that the Courts are vested with discretionary powers but such powers are to be exercised judiciously, equitably and in consonance with the settled principles of law. Whether or not, such judicial discretion has been exercised in accordance with the accepted norms, can only be reflected by the reasons recorded in the order impugned before the higher Court. Often it is said that absence of reasoning may ipso facto indicate whimsical exercise of judicial discretion. Patricia Wald, Chief Justice of the D.C. Circuit Court of Appeals in the Article, Black robed Bureaucracy or Collegiality under Challenge, (42 MD.L. REV. 766, 782 (1983), observed as under:

My own guiding principle is that virtually every appellate decision requires some statement of reasons. The discipline of writing even a few sentences or paragraphs explaining the basis for the judgment insures a level of thought and scrutiny by the Court that a bare signal of affirmance, dismissal, or reversal does not.

19. The Court cannot lose sight of the fact that a losing litigant has a cause to plead and a right to challenge the order if it is adverse to him. Opinion of the Court alone can explain the cause which led to passing of the final order. Whether an argument was rejected validly or otherwise, reasoning of the order alone can show. To evaluate the submissions is obligation of the Court and to know the reasons for rejection of its contention is a legitimate

expectation on the part of the litigant. Another facet of providing reasoning is to give it a value of precedent which can help in reduction of frivolous litigation. Paul D. Carrington, Daniel J Meador and Maurice Rosenberg, Justice on Appeal 10 (West 1976), observed as under:

When reasons are announced and can be weighed, the public can have assurance that the correcting process is working. Announcing reasons can also provide public understanding of how the numerous decisions of the system are integrated. In a busy Court, the reasons are an essential demonstration that the Court did in fact fix its mind on the case at hand. An unreasoned decision has very little claim to acceptance by the defeated party, and is difficult or impossible to accept as an act reflecting systematic application of legal principles. Moreover, the necessity of stating reasons not infrequently changes the results by forcing the judges to come to grips with nettlesome facts or issues which their normal instincts would otherwise cause them to avoid.

20. The reasoning in the opinion of the Court, thus, can effectively be analysed or scrutinized by the Appellate Court. The reasons indicated by the Court could be accepted by the Appellate Court without presuming what weighed with the Court while coming to the impugned decision. The cause of expeditious and effective disposal would be furthered by such



an approach. A right of appeal could be created by a special statute or under the provisions of the Code governing the procedure. In either of them, absence of reasoning may have the effect of negating the purpose or right of appeal and, thus, may not achieve the ends of justice.

21. It will be useful to refer words of Justice Roslyn Atkinson, Supreme Court of Queensland, at ALJA Conference at Brisbane on September 13, 2002 in relation to Judgment Writing. Describing that some judgment could be complex, in distinction to routine judgments, where one requires deeper thoughts, and the other could be disposed of easily but in either cases, reasons they must have. While speaking about purpose of the judgment, he said,

The first matter to consider is the purpose of the judgment. To my mind there are four purposes for any judgment that is written:

- (1) to clarify your own thoughts;
- (2) to explain your decision to the parties;
- (3) to communicate the reasons for the decision to the public; and
- (4) to provide reasons for an appeal Court to consider.

22. Clarity of thought leads to proper reasoning and proper reasoning is the foundation of a just and fair decision. In *Alexander Machinery (Dudley) Ltd. v. Crabtree* 1974 ICR 120, the Court went to the extent of observing that "Failure to give reasons amounts to denial of justice". Reasons are really linchpin to administration of justice. They are link between the mind of the

decision taker and the controversy in question. To justify our conclusion, reasons are essential. Absence of reasoning would render the judicial order liable to interference by the higher Court. Reasons is the soul of the decision and its absence would render the order open to judicial chastism."

49. Another Constitution Bench of the Supreme Court, in the case of S.N. Mukherjee vs. Union of India (1990) 4 SCC 594, after referring to the English law and the judgments of the Supreme Court, stated that the failure to give reasons amounts to denial of justice. The Court held that even if it is not the requirement of rules, but at least, the record should disclose reasons. The Court noticed that omnipresence and omniscience of the principles of natural justice act as deterrence to arrive at arbitrary decisions in flagrant infraction of fair play. Further, the Court held that the importance of the doctrine of natural justice is evident from the fact that with the development of law it has been treated as an ingredient of Article 14 of the Constitution of India. 'Natural Justice' means a fair process. A fair process essentially must exclude arbitrariness and exclusion of arbitrariness would ensure equality and equal treatment before law.

50. The above-stated principles clearly show that adherence to the principles of natural justice is mandatory unless application of such principles is excluded by specific language.

Rule 34 of the Water Rules makes application of the principles of natural justice mandatory for invocation of powers conferred under Section 33A of the Water Act. Rule 34 is not absolute in its application and it carves out an exception under the proviso to sub-rule (4) of Rule 34. The violation of the principles of natural justice, more so where it is specifically provided under the statute, would result in vitiation of the impugned actions. Prejudice is one of the aspects which the Tribunal would consider while dealing with the plea of violation of natural justice.

51. It is also contended, on behalf of the Board, that if no consent has been granted by the Board to a unit to operate or if granted but withdrawn and the unit is operating without its consent and even if it has moved an application for obtaining a fresh consent of the Board, then it cannot be heard to complain that the procedure prescribed under Rule 34 of the Water Rules has been violated while passing any direction under Section 33A of the Water Act. There appears to be some substance in this contention. The provisions of Section 33A of the Water Act are to operate despite anything contained in any other law but subject to the provisions of the Act.

52. It is not only the requirement of the powers and functions of the Board under the Water Act but also its statutory and the Constitutional obligations to ensure that pollution is controlled as well as prevented. They must ensure

that the industries which are unauthorisedly and illegally existing and causing pollution, must be stopped in the interest of the environment and the issuance of such direction for closure of the unit would squarely fall within the ambit of Section 33A of the Water Act.

53. The directions contemplated under this Section are to be issued by the Board in exercise of its powers and performance of its functions under the Water Act. Under both these conditions, the emphasis is upon the provisions of the Water Act. Section 25 of the Act puts a complete prohibition on any person to establish or operate any unit, treatment or disposal system without the previous consent of the Board. No person has the right to carry on any industrial or business activity without first obtaining the consent of the Board. The consent of the Board is a condition precedent and not subsequent to operation of the industry unless in the case of those which are specifically saved under the proviso to Section 25(1) of the Water Act, that too for a period of three months from the date of commencement of the Act i.e. from 23<sup>rd</sup> March, 1974. The industry which commences its operations and causes pollution for years together, cannot be heard to complain that the provisions of Rule 34 of the Water Rules were not complied with *stricto sensu* before passing a direction under Section 33A of the Water Act. As already noticed, we still find that there is substantial compliance to the spirit of Rule 34 of the Water

Rules inasmuch as some of the units were inspected, some were even issued show cause notices and the directions for closure had been passed in terms of the provisions under Section 33A supra.

54. Where the Board proposes to issue any direction for stoppage or regulation of supply of electricity or water or any other service to the industry, it is required to endorse to the occupier of industry, operation or process, and objections, if any, filed by the occupier, with an officer designated, shall be dealt with in accordance with the procedure prescribed.

55. At the relevant time, when the impugned directions were issued, they suffered from the defect of non-compliance and violation of the principle of *audi alteram partem*, as specifically built in Rule 34 of the Water Rules. The directions issued by the Board under Section 33A of the Act were never given effect to. They remained unimplemented. When the applicants approached the High Court, the effect of these directions was stayed. At that time, all the applicants were running their units and they were not closed in furtherance to the impugned directions. In that sense, the applicants have not suffered any prejudice.

56. Certainly, the applicants, while taking advantage of such non-compliance, cannot be permitted to continue to pollute the environment indiscriminately. They are expected to carry on their industrial and commercial activities subject to the law

in force. They are required to discharge the trade effluents strictly in accordance with the specified parameters. Admittedly, all these units had started their operations without obtaining the consent of the Board, which was the statutory obligation of the applicants. The unit owners cannot be permitted to take advantage of their own wrong and violation of their statutory obligations to comply with the provisions of Section 25 of the Water Act.

57. In any case, their grievance of not having been provided with an opportunity of being heard by the Board loses its significance now because we have heard every applicant at length. Upon hearing them, it becomes evident that all these applicants had started their operations without obtaining consent of the Board and were polluting the environment; some of them did not even apply for the consent and their operations are environmentally prejudicial. They did not have the consent even from the Trust for discharging their effluents into the CETP. Post-action is not uncommon in law, particularly when non-compliance with the principles of natural justice, has not caused any prejudice to the affected party. Having heard the applicants at length and perused the records, we are of the considered view that even as of today, no prejudice has been caused to the applicants, much less an irretrievable injury or prejudice.

58. Keeping in view the principle of sustainable development, the peculiar facts and circumstances of the case and the time for which these industries have been in operation, we do not propose to direct their closure forthwith but would issue appropriate directions to enable them to operate while ensuring that there is no pollution. It would be necessary for us to examine the effect and impact of the impugned directions with reference to the violation of the principles of natural justice.

59. In the present case, some of the applicants have been served with a notice before passing of the directions under Section 33A of the Water Act.

60. In the case of O.A. No.367 of 2013, the notice to show cause as to why a direction for closure be not issued, was served by the Board on 27<sup>th</sup> September, 2010. The order directing closure of the unit under Section 33A of the Water Act was made on 27<sup>th</sup> August, 2012. The applicant had made an application for obtaining consent of the Board in the meanwhile which was also declined and the consent to operate was refused vide order dated 13<sup>th</sup> August, 2012. In other words, this unit was given a reasonable opportunity before the direction under Section 33A of the Water Act was issued. This unit was even inspected by a team of the officers of the Board on 27<sup>th</sup> September, 2011 and was found to be a polluting industry, which ultimately led to refusal of the consent.

Further, this unit claims that it had established its own pollution treatment CETP as well as reverse osmosis system and is no longer a polluting industry. It is the claim of the unit that after installation of the said anti-pollution devices, it had applied for obtaining the consent of the Board, which application is pending and has not been finally disposed of by the Board. Still, in some other cases, notices have been issued to the applicants before passing of the direction for closure under Section 33A of the Water Act. Indisputably, there are cases where the Board has issued directions under Section 33A of the Water Act without strictly complying with the procedure prescribed under Rule 34 of the Water Rules.

61. In those cases, there is violation of the principles of natural justice as well as the prescribed procedure. To that extent, the orders issued against the applicants would be liable to be set aside. But this aspect need not be deliberated upon by us at any greater length for the reason that the High Court, vide its order dated 9<sup>th</sup> September, 2010, had passed an interim stay of the orders passed by the Board under Section 33A of the Water Act. In other words, all these units have been carrying on their activities under the protection of the order of the Court. The Board had filed an application under Article 226 of the Constitution of India, praying for vacation of the stay order, which remained pending and has been listed before the Tribunal along with these applications.



62. Thus, the impugned orders would, in fact, be liable to be set aside for want of compliance with the mandatory principles of natural justice, as contemplated under Rule 34 of the Water Rules wherever a reasonable opportunity has not been granted including the cases where such opportunity has been granted and show cause notices were served upon the applicants and still there has been some non-compliance with other procedural aspects. Even if the orders passed by the Board under Section 33A of the Act are set aside, still the consequences as of today would remain unchanged, as the applicants have no right to pollute the environment indiscriminately to the disadvantage of the public at large. Its proper regulation in accordance with law thus becomes the most significant aspect of these cases, which we shall shortly deal with.

63. Commonly raised by the applicants in most of these applications is to the order passed by the Trust declining membership/permission to the applicants to discharge their trade effluents into the drain of the Trust, leading to its CETP in that industrial area. The challenge is that the order is entirely arbitrary and without any proper reasons. The impugned orders of the Trust are somewhat similarly worded.

It is stated that:

“Your discharge quantity of effluent shown in the application is not justified therefore membership is not granted.”

64. According to the applicants, this order, besides being vague, is arbitrary and states no reasons. The reason stated in the impugned order does not show that the authorities have applied their mind and passed the order in accordance with law. Further, it is contended that a large number of industries have been shut in the meanwhile. The calculations made by the Trust are not proper and, in fact, are contrary to the contents of their own website and the information received by the applicants through the process of RTI Act from the Trust itself. The CETP is functioning much below its optimum capacity, which is 20 MLD, as afore-noticed. On the one hand, the Trust is declining membership/consent to discharge the trade effluents of the applicants, while on the other, it has increased the capacity of the existing CETP by three folds. The submission on behalf of the Trust, on the contrary, is that the order might not have been worded rightly but what the Trust intended to inform the applicants was that their applications did not give true disclosure of the effluents that they were going to discharge into the drain and the same was misleading. The permission was declined not on the basis of the capacity of the CETP primarily, but for the misleading statements made by the applicants. However, it was also contended that the Trust would be willing and ready to do the needful to provide membership/permission to the units to discharge their trade effluents into the drain of the CETP once

the pipeline is completed and with the aid of the other respondents, the capacity of the existing CETP is increased or an additional CETP is established.

65. To demonstrate arbitrariness in the action of the respondents in different cases that form part of the present bunch, it is stated on behalf of the applicants that they had written to the Board, that for the existing 12 tables, consent had been granted by the Trust. However, 4 tables out of the said 12 were purchased by the applicants who then applied for the consent. However, the consent for such 12 tables was declined for running their textile industries.

66. To eliminate or repel the ground of arbitrariness from an administrative order, it is necessary that it should be shown that the order in question was the result of a fair play. Fair play in action requires that the procedure adopted must be just and reasonable and that the power has not been exercised other than the ones contemplated under law. The other cases of arbitrariness are where a particular mode is prescribed for doing an act and there is no impediment in adopting the procedure, the deviation to act in a different manner which does not disclose any discernible reasonable principle, shall be labeled as arbitrary. It has also been held by the courts that while the discretion to change the policy in exercise of the executive power, when not trammelled by any statute or rule is wide enough, what is imperative and implicit in terms of

Article 14 is that a change in policy must be made fairly and should not give an impression that it was so done arbitrarily or by any ulterior criteria. (Ref. *Union of India & Anr. v. International Trading Company & Anr.* [(2003) 5 SCC 437].

67. During the course of arguments, it was stated on behalf of the Trust that the CETP was not working to its optimum capacity. This is a matter of serious concern. The inefficient working of the CETP, which has the capacity of 20 MLD and there being so much of pressure for discharge of trade effluents leading to the CETP, would necessarily require the Trust and even for the State Government to ensure that the CETP works to its optimum capacity and not by 5 MLD short. The CETP has the capacity to deal with more trade effluents than what it is presently treating. As of now, 50% of the trade effluents are being put into the river untreated. This is a matter of serious concern for all the authorities and the State Government. This is leading to polluting the river continuously and indiscriminately.

68. If the forms submitted by the applicants were found to be not providing correct information or misleading information, the order should have been passed in a more specific manner. From the affidavits filed before the Tribunal as to what the impugned orders passed by the Trust really mean, it is difficult for the Tribunal to hold that these orders are arbitrary or are without any substance.

69. It is a matter of some satisfaction that the Trust is prepared to take corrective and remedial measures on the one hand and expansion of its plant to ensure prevention and control of pollution by the industries on the other. It appears that the impugned orders were passed by the Trust without proper application of mind and objectivity. Thus, it may not be possible to sustain these orders but at the same time, as the Trust has agreed to take corrective and proper steps, we do not consider it necessary to leave the matter at that stage in the interest of the environment and would pass specific directions in this behalf.

INDUSTRIES WHICH ARE OPERATING OUTSIDE THE INDUSTRIAL AREA

70. It may also be noticed that in Original Applications No. 400(THC)/2013, and 405(THC)/2013, it has been alleged that the textile industries are working outside the industrial area and an order for closure of these industries has been passed by the Board in exercise of its powers under Section 33A of the Water Act. The applicants have also applied to the competent authority for conversion of user of the land from 'agricultural' to 'industrial'. This issue for conversion is stated to be pending before the competent authority. Similarly, there are other cases where the industry is being run adjacent to the industrial area established by RIICO and the Board has issued orders for disconnection of electricity to these industrial units in exercise of its powers under Section 33A of the Water Act.

These industries have also applied for conversion of land use from agricultural to industrial or residential to industrial, as the case may be. The applications are stated to be pending before the authorities concerned. The reason stated, on behalf of the respondents, for not dealing with the applications for conversion effectively is said to be the interim order of the High Court in the case of *Gulab Kothari v. State of Rajasthan* (WP No.1554 of 2004 in the High Court of Rajasthan) whereby the High Court has restrained the authority from converting the user of the land. In that petition, the High Court was concerned that 151 changes had been sanctioned in the Master Plan under Section 25(1), resulting in 25 changes every month. The Court also took note of the fact that changes were also being made in the ecological zone and periphery belt including green belt. Thus, the Court directed the authorities not to effect any change without prior permission of the Court in the ecological zone and periphery belt area including green belt.

**RIGHT TO WHOLESOME AND DECENT ENVIRONMENT AND OBLIGATIONS OF THE GOVERNMENT AND OTHER STAKEHOLDERS:**

71. While examining the rights and obligations of the various stakeholders, the necessity for due performance of such obligations is one of the most important aspects of environmental jurisprudence. At the very threshold of the discussion on the subject, we may usefully refer to the

judgments of this Tribunal in this regard, viz. *Application No.237(THC)/2013* (Court on its own Motion v. State of Himachal Pradesh & Ors.), *Application No.238(THC)/2013* (Durga Dutt & Ors. v. State of Himachal Pradesh & Ors.) and *Application No.239(THC)/2013* (Sher Singh v. State of Himachal Pradesh & Ors.), (All India NGT Reporter 2014(1) Part 3), known as the Rohtang Pass case. The extracts of this judgment are reproduced below:

“11. The citizens of the country have a fundamental right to a wholesome, clean and decent environment. The Constitution of India, in terms of Article 48A, mandates that the State is under a Constitutional obligation to protect and improve the environment and to safeguard the forest and wild life in the country. By 42<sup>nd</sup> Amendment to the Constitution, the Parliament, with an object of sensitizing the citizens of their duty, incorporated Article 51A in the Constitution, inter alia, requiring a citizen to protect and improve the natural environment including the forests, lakes, rivers and wild life and to have a compassion for living creatures. The legislative intent and spirit under Articles 48A and 51A(g) of the Constitution find their place in the definition of ‘environment’ under the Environment (Protection) Act, 1986 (for short the ‘Act of 1986’). The legislature enacted various laws like the Air (Prevention and Control of Pollution) Act, 1981, Water (Prevention and Control of Pollution) Act, 1974 and the Wildlife (Protection) Act, 1972, the Forest (Conservation) Act, 1980, the Indian Forest Act, 1927 and the Biological Diversity Act, 2002 and other legislations with the primary object of giving wide dimensions to the laws relating to protection and improvement of environment. It is true that Part III of the Constitution relating to Fundamental Rights does not specifically devote any Article to the Environment or protection thereof *per se*. However, with the development of law and pronouncement of judgments by the Supreme Court of India, Article 21 of the Constitution has been expanded to take within its ambit the right to a clean and decent environment.

12. The risk of potential harm to the environment and human health resulting from development should be considered by somewhat tilting the balance in favour of

the environment and in the larger public interest. According to "a reasonable person's test", life, public health and ecology have priority over unemployment and loss of revenue. Development and protection of environment are not enemies. Right to a clean and decent environment has been held to be a fundamental right, coupled with an obligation on the part of the State and the citizens.

13. The legal history of our country shows that Supreme Court entered into one of its most creative periods during 1980 onwards. It specifically expanded the fundamental right enshrined in Part III of the Constitution. In the process, the boundaries of fundamental right to life and personal liberty guaranteed under Article 21 were expanded to include environmental protection. The Supreme Court strengthened Article 21 in two ways. First it required laws affecting personal liberty to also pass the tests of Article 14 and Article 19 of the Constitution, thereby ensuring that the procedure depriving a person of his or her personal liberty be reasonable, fair and just. Second, the court recognized several unarticulated liberties that were implied by Article 21. It is by this second method that the Supreme Court interpreted the right to life and personal liberty to include the right to a wholesome environment. (*Environmental Law and Policy in India* 2<sup>nd</sup> Edition, by Shyam Divan & Armin Rosencranz, Oxford University Press). This principle was initially explained by the Supreme Court in *Rural Litigation and Entitlement Kendra, Dehradun v. State of Uttar Pradesh* (AIR 1988 SC 2187). Even at the stage of interim order, the Supreme Court articulated the fundamental right to a healthful environment. In *Virender Gaur v. State of Haryana* [1995 (2) SCC 577], explaining upon this concept, the Supreme Court observed as under:

"Article 21 protects the right to life as a fundamental right. Enjoyment of life... including [the right to live] with human dignity encompasses within its ambit, the protection and preservation of environment, ecological balance free from pollution of air and water, sanitation, without which life cannot be enjoyed. Any contra acts or actions would cause environmental pollution. Environmental, ecological, air, water pollution, etc. should be regarded as amounting to violation of Article 21. Therefore, hygienic environment is an integral facet of right to healthy life and it would be impossible to live with



human dignity without a human and healthy environment. ... [T]here is a constitutional imperative on the State Government and the municipalities, not only to ensure and safeguard proper environment but also an imperative duty to take adequate measures to promote, protect and improve both the man-made and the natural environment.”

14. The Supreme Court then took the view that the factors governing the quality of life have been included in the expression “life” contained in Article 21 by reason of creative interpretation of the said provision by the Court. It said that Article 21 does not only refer to the necessity to comply with procedural requirements, but also substantive rights of a citizen. It aims at preventive measures as well as payment of compensation in case human rights of a citizen are violated. The provisions of law were to be susceptible or vulnerable to challenge even on the ground of unreasonableness. To examine the legislative impact of environmental laws, it would be necessary to ascertain the object which the legislature seeks to achieve and the intent of the legislature. Where the statute *ex facie* points out degradation of the environment and change of user envisaged by the Constitution, e.g. existing open space to be used for commercial purposes, it may be necessary to invoke the ‘precautionary principle’ and ensure protection of environment. (“*Environmental and Pollution Laws in India*”, 2<sup>nd</sup> Edition, 2010 by Justice T.S. Doabia, Volume I, LexisNexis Butterworths Wadhwa Nagpur).

15. The Courts have consistently taken the view that right to life includes the right to a decent environment. The right to a clean environment is a guaranteed fundamental right. The Courts could even impose exemplary damages against the polluter. Proper and healthy environment enables people to enjoy a quality of life which is the essence of the right guaranteed under Article 21. The right to have congenial environment for human existence is the right to life. The State has a duty in that behalf and to shed its extravagant unbridled sovereign power and to forge in its policy to maintain ecological balance and hygienic environment. Though Government has power to give directions, that power should be used only to effectuate and further the goals of the approved scheme, zonal plans, etc. If without degrading the environment or minimizing adverse effects thereupon by applying stringent safeguards, it is not possible to carry on development activity applying the principle of sustainable development, in that eventuality,

development has to go on because one cannot lose sight of the need for development of industries, irrigation resources, power projects, etc. including the need to improve the employment opportunities and the generation of revenue. So a balance has to be struck. (*Durga Das Basu's "Shorter Constitution of India"*, 14<sup>th</sup> edition, LexisNexis Butterworths Wadhwa Nagpur)."

We may also refer to another judgment of the Tribunal in the case of *Kehar Singh v. State of Haryana* [All India NGT Reporter 2013 (1) Part 7] where, after referring to various judgments of the Supreme Court of India, the Tribunal held as under:

"27. The word 'environment' is an expression of broad spectrum which inculcates in its sweep both hygienic atmosphere and ecological balance. The right to life with human dignity encompasses within its ambit the preservation of environment, ecological balance free from air and water pollution. It also includes maintaining proper sanitation without which it may not be possible to enjoy life. The conduct or actions, which would cause environmental pollution and disturb the ecological balance should be regarded as violation of Article 21 of the Constitution of India. Therefore, promoting environmental protection implies maintenance of environment as a whole comprising the man-made and the natural environment. It is, therefore, not only the duty of the State but also the duty of every citizen to maintain hygienic environment. Thus, there is a constitutional imperative on the State Governments and the municipalities to take adequate measures to promote, protect and improve both the man-made and the natural environment (Refer: *Virender Gaur vs. State of Haryana* (1995) 2 SCC 577)."

"32. While dealing with a social welfare legislation, the provisions and the words therein are to be given a liberal and expanded meaning. Of course, liberal construction does not mean that the words shall be forced out of their natural meaning but they should receive a fair and reasonable interpretation so as to attain the object for which the instrument is designed and the purpose for which it is applied. Both the object and purpose in relation to its application are thus, relevant

considerations for interpretation. The Courts have also permitted departure from the rule of literal construction so as to avoid the statute becoming meaningless or futile. In the case of *Surjit Singh v. Union of India* (1991) 2 SCC 87 and *Sarajul Sunni Board v. Union of India* AIR 1959 SC 198, the Supreme Court has also held that it is not allowable to read words in a statute which are not there, but where the alternative allows, either by supplying words which appear to have been accidentally omitted or by adopting a construction which deprives certain existing words of all meaning, it is permissible to supply the words. It is also a settled canon that in case of a social or beneficial legislation, the Courts or Tribunals are to adopt a liberal or purposive construction as opposed to the rule of literal construction."

72. The Constitutional and statutory obligations of the stakeholders including the public at large have been clearly mandated where Article 51A(g) of the Constitution places upon every citizen an obligation to protect and improve the natural environment, including forests, lakes, rivers and wild life and to have compassion for the living creatures. Under its Directive Principles, Article 48-A require the State to endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country. On the clear understanding of these Constitutional and statutory provisions, it cannot be doubted that every industry, every individual and particularly the State and its instrumentalities are expected to maintain and endeavour for a cleaner, wholesome and decent environment. 'Environment' is a term of wide connotation and takes in its ambit everything relating to nature. The definition of environment in the Environmental (Protection) Act of 1986 has been very widely defined and substantiates such approach.

73. In the present case, applicant-industries are causing serious pollution in the stream and/or ground water. Undisputedly, textile industry is a serious polluter. These industrial units do not have their own treatment plants they are discharging their effluents in the stream and or the ground thus, polluting both. The trade effluent discharged by industries in and around the industrial area goes into the river as untreated. It has come on record that nearly 50% of the trade effluent and waste generated by these industries goes untreated into the river.

74. Textile industries transform fibers into yarn and yarn into fabrics or related products. In processing of textiles, the industry uses a number of dyes chemicals, auxiliary chemicals and sizing materials. As a result, contaminated waste water is generated which can cause environmental problems unless treated and disposed of adequately. Rajasthan is also famous for printing & dyeing of low cost, low weight fabric. Jodhpur, Pali, Balotra, Jasol and Bituja are the major clusters of small scale industries engaged in printing and dyeing of low cost fabric.

75. The major operations performed in a typical textile processing industry are desizing, scouring, mercerizing, bleaching, neutralizing, dyeing, printing and finishing. Textile industries generate all three kinds of waste i.e liquid effluents, air emissions and solid wastes. However, liquid effluents are of

utmost concern because of their high volume and pollution potential. Quantity and nature of waste generated depend on the fabric being processed, chemicals being used, technology being employed, operating practices etc. The important pollutants present in a typical textile waste effluent are colour, bio-chemical oxygen demand (BOD), chemical oxygen demand (COD), toxic heavy metals, residual chlorine, dissolved solids and non-biodegradable organics termed as refractory materials.

76. The textile units may have utilities such as raw water treatment system, cooling towers, laboratory, workshop(s), fuel storage facilities, residential colony, administrative block, canteen etc. which generate utility waste water and domestic waste water.

77. Main sources of air pollution are boilers(s), thermo pack and diesel generator(s) which generate gaseous pollutants such as suspended particulate matter (SPM), sulphur di oxide gas, oxide of nitrogen gas etc. Textile industry is also a major source of hazardous waste generation.

78. The sources of hazardous waste generation are effluent treatment plant, sludge, used oil, empty containers of dyes and other chemicals etc.

79. From the factual matrix of the case and the records before the Tribunal, the Textile Industries which are operating

in Jodhpur and particularly the applicants before the Tribunal, can be categorized as follows:

- A. Operating in industrial areas (conforming area) and discharging the waste water into the common drain of RIICO carrying waste water to the Common Effluent Treatment Plant operated by the Trust. They are members of the Trust and consent granted by Board.
  - B. Industries located in the same conforming area, discharge waste water into drain, but not members of the Trust nor have consent of Board.
  - C. Industries located within the boundary areas of defined industrial area and discharging their waste water into the drain but not members of the Trust nor have consent of the Board.
  - D. Industries spread over agricultural land, some have their own ETP and others do not have, discharge treated/untreated waste water on land. No consent from the Board. Some have even not applied for consent.
  - E. It may be noticed that all the industries are operating by an Interim Order passed against the closure order issued by the Board under Section 33A to disconnect electricity.
1. Now, we may also notice some technical details and performance of the CEPT managed by the Trust and its effect.

2. As the CETP is around 10 years old, the capacity is claimed to be reduced to 80%. Thus the present capacity has been reduced to 12.5 MLD for alkaline waste water and 4 for acidic wastewater.
3. The CETP includes screen chamber, oil & grease trap, equalization and coagulation in primary treatment systems and activated sludge treatment followed by clarifier in secondary treatment system. Although COD/BOD reductions are achieved through this conventional treatment system, objectionable colour, high TDS levels of effluents remain and effluents are not fit to be discharged to surface water or on land. Hence, tertiary treatment systems are becoming essential for achieving quality fit for its reuse. Hence, advanced treatment is essential.
4. As per the admission of the Trust, out of some 30 MLD waste water coming through the common drain, almost 50% is going without treatment. Larger volume than the treatment capacity in the drain is due to:
  - (i) Increase in number of member-industries and/or increase in volume of waste water from the member-industries.
  - (ii) Discharge by other industries who are not members of Trust.
5. Only 15 MLD of acidic waste comes through conduits pipes and treated in the CETP.

80. The above detailed data and other details clearly show the extent and area of water pollution resulting from the working of these industrial units without obtaining the consent of the Board. The CETP of the Trust is performing much below its optimum capacity. This reflects malfunctioning of the CETP. There is a dire need for providing and/or expanding the industrial area to accommodate a large number of industries in existence as well as the ones which are likely to come up in the near future and, thus, will cause further environmental pollution. During the course of inspection, it has come on record that nearly 37.2 MLD is the trade and other effluent-discharge into the drain, leading to the CETP. The CETP is incapable of treating this load of trade effluent even if it was operating at its optimum capacity, which is stated to be 20 MLD. As the situation exists presently, pollution is inevitable. This current extent of pollution will increase with the passage of time and would become an unsolvable issue by the authorities concerned including the State Government. Neither the State Government of Rajasthan nor the RIICO can sit back and see the level of water pollution increasing day by day. However, the ground reality is that there has been planning alone without any action for years now. Thus, the authorities concerned have failed in preventing and controlling the pollution. With the passage of time, the pollution level has increased manifold. It is undisputed that even the underground water in these years



has become red and unfit for human consumption. The availability of water is scarce. Whatever water is available, needs to be protected from pollution, whether in streams or ground water. Unless all the stakeholders i.e. the Government, the Industrial Corporation (RIICO), the Trust, the industrial units and even the public at large work in tandem and co-operate with one another in order to achieve the object of pollution-free environment in this industrial area and the surrounding areas, it will never be an achievable object.

81. At this stage, we may appropriately notice a fact that has come on record that lastly, the industrial area that was declared or established by the Government was in the year 1984 whereafter there has been no material expansion or development of any industrial area. The CETP of the Trust is located on 9 acres of land. It has 212 members from the textile industry who are discharging 11.851 MLD effluents while the steel industries 3.15 MLD of effluents. This shows that there is ample scope for expansion of the CETP as well as establishment of a new CETP. The Trust needs to upgrade its CETP, the management of which is vested in the Trust itself though the CETP belongs to RIICO, who is the owner of the industrial estate. Thus, it is important that all these bodies including the State Government take planned actions and within a specified time limit to ensure control of the aggressively increasing trend of the pollution.

82. It has also come on record and was admitted during the course of the hearing that the Trust has already started laying down a separate pipeline for the purpose of collecting the trade effluents discharged by its members. This pipeline is expected to be completed positively by April, 2014. Upon completion of this pipeline, the Trust would be able to collect and treat a higher quantity of trade effluents. Some of the members of the Trust are not just violating the prescribed parameters while discharging their trade effluents but are discharging the effluents three times in excess of the limit prescribed for them. This is due to the poor management and failure of the Trust and the RIICO to provide appropriate checks and balances for control of pollution.

83. A concerted effort by all the stakeholders has to be taken in order to ensure effective control and prevention of pollution while permitting development without irretrievably damaging the environment. The principle of sustainable development and the precautionary principle have to be applied by the Tribunal to the facts and circumstances of the present case. The Tribunal has to adopt an approach which will resolve the serious problem of water and environmental pollution caused by these industries, which has been persisting now for years in this industrial estate. Each stakeholder needs to act in a specific direction and provide financial and other aid so as to

ensure that there is no adverse effect on the common objective of a pollution-free environment in the areas in question.

84. In the light of the above, we hereby issue the following directions to the respective stakeholders involved in the present case:

**DIRECTIONS:**

**Directions to RIICO, State Government and State Pollution Control Board**

- (i) In line with the order dated 9<sup>th</sup> December, 2010 passed by the High Court of Judicature for Rajasthan at Jodhpur, we hereby direct the State Government to identify and establish a separate industrial area and also to consider expansion of the existing industrial area at Sangaria Industrial Estate thereby shifting the industries existing around the industrial area as of today to the newly established or expanded, demarcated industrial area.
- (ii) The above authorities should ensure that the industries operating in non-conforming areas are gradually shifted to the conforming areas upon establishment of the new industrial estate and/or to the existing industrial estate upon its expansion.
- (iii) These authorities shall ensure that the Trust operates its CETP to the optimum capacity of 20 MLD and there is no malfunctioning of the said CETP. They shall also

ensure establishment of an additional CETP either near the already existing CETP or at any other place as the authorities concerned may define; positively ensuring that no untreated trade effluent or waste is discharged into the stream/river directly. The RIICO, Trust and RSPCB together should formulate a time targeted action plan for complete wastewater collection, treatment and reuse within one month from the date of this order to achieve zero discharge. This action plan should be implemented as per the schedule. The implementation should be monitored by the Committee constituted under this order to ensure its timely implementation. The Board may give consent to the Trust to operate the CETP to its optimum capacity, provided that collection and disposal of trade-effluent is in conformity with the prescribed standards.

- (iv) The State Board shall monitor the quantum of waste water generated periodically for which consent has been granted or will be granted to the industries which are connected to the CETP.
- (v) The State Board shall conduct inspection of the CETP of the Trust as well as the industrial units in and around the industrial estate at regular intervals and ensure that they are discharging trade effluents in

accordance with the specified limits and prescribed standards.

- (vi) The State Board shall also monitor the functioning of captive ETP of those industries which are operating outside the conforming areas after grant of consent.
- (vii) If any industry/unit – whether a member of the Trust or otherwise – fails to make an application for consent within three weeks from the date of this order or if such application is submitted to the Board and the consent applied for is declined/refused, such industry/unit shall be closed until it complies with the conditions/requirements stated by the Board.
- (viii) All the industrial units operating in and around the industrial estate and even those operating in the non-conforming areas without consent of the Board shall be liable to pay a sum of Rs.5.00 lakhs each to the State Government/Board for causing pollution during all these years for their having failed to take appropriate measures and establish anti-pollution devices, as required under the law. This shall be a one-time payment on the basis of the 'polluter pays' principle. The amount so collected from all the units shall be utilised exclusively for upgradation/expansion of the existing CETP and for establishment and development of a new industrial estate and CETP to be established in future. The remaining amount, if

required, shall be borne by the RIICO and State Government.

- (ix) We hereby direct all the respondents, particularly mentioned under the above head to formulate a well-considered scheme for removal of sludge contributed by the industries into the Jojri river within six months from the pronouncement of this judgment positively.
- (x) We hereby constitute a committee of Secretary Environment, State Government of Rajasthan as its Chairman; Member Secretary, Rajasthan Pollution Control Board as its Member Convenor; Senior Environmental Engineer, Central Pollution Control Board; Director of Industries; Senior Representative of Trust and RIICO, who shall supervise and submit a quarterly report to this Tribunal on the progress and implementation of these directions.

**Directions to the Trust:**

- (i) The Trust shall enhance its present capacity to accommodate the entire effluent generated in the industrial area. The treatment should be based on achieving zero discharge which includes the tertiary treatment. The Trust may propose a detailed plan for such augmentation and reuse of wastewater after treatment to achieve zero discharge including the system for charging the units based on volume of

waste water and pollution load. Operating the CETP at 80% capacity is not sustainable. There should be proper collection system for the effluent through underground sewerage in order to prevent ground water pollution during transportation of waste water.

- (ii) The Trust shall ensure installation of good quality, temper-proof electronic flow meter at the outlet point of each of the industries for regulating the flow allowing the volume of discharge for which consent has been granted. Any additional generation by the Industry shall not be allowed by Board unless they have their own captive treatment plant.
- (iii) Other industries located in the industrial area may be allowed by Trust to discharge their waste water after ensuring that the CETP has adequate capacity to treat the additional waste water and the industries have primary treatment facility including RO facilities and consent of the Board and they have paid their share in the cost of the CETP.
- (iv) Power back-up arrangement in the form of duly certified D.G. sets should be installed for continuous operation of CETPs even during power failure.
- (v) The raw effluents from all the member units should be conveyed to the CETP through closed conduit pipelines only. No raw effluent should be transported through open unlined drains.

- (vi) The discharge allowed by the Trust to each member-unit should be on scientific/rational basis, preferably based on likely effluent quantity generated from the member-units depending on their manufacturing processes/machinery installed and quantity of cloth processed.
- (vii) A surveillance mechanism should be created to investigate every instance of non-compliance reported to the RSPCB using fast and modern communication. The RSPCB should have adequate arrangements to immediately respond to the complaint.
- (viii) Management of CETP: A manual of standardised procedures for operation and maintenance should be prepared for all the activities of the staff for monitoring the performance of the CETP on regular basis with a surveillance mechanism. These procedures should be mandatory and penalties must be imposed for each default.
- (ix) Sludge Disposal: The sludge generated at the CETP should be stored in covered sheds as per the prescribed guidelines and should be preferably co-incinerated in cement kilns or disposed of as per the Hazardous Wastes (Handling and Management) Rules 1989.



- (x) In view of dry condition in the receiving river, it is important that no effluent is discharged into the river. It should be reused after proper treatment up to tertiary level. Treated effluent quality of the CETP has to be fit for its reuse. The entire waste water after treatment should be reused.

**Directions to Industries operating outside conforming area without consent:**

- (i) All other textile industries operating outside the conforming area shall be allowed by the Board to operate after they have their captive ETP and the treated waste water should be completely reused. No wastewater should be discharged into any drain or on land. However, as and when an industrial area is established by RIICO, they should be shifted to the new industrial area.
- (ii) The reject stream of reverse osmosis process is to be treated along with spent dye bath effluent.
- (iii) No discharge of highly polluting effluent, stream or R.O-rejects shall be allowed in any river, drain or on land.
- (iv) An electronic, tamper-proof good quality water meter should be installed at the outlet of each of the industries.
- (v) All such units should strive for adopting process/CETP modifications which result in waste

minimization and conservation of chemicals, energy and water.

- (vi) The sludge generated from these units should be utilized for co-incineration in cement CETPs. The units should make such arrangement within three months from today.

**Directions for Members of the Trust**

- (i) The industry should have proper consent from RSPCB.
- (ii) Industry should obtain membership of the CETP Trust with allowed quantity of effluent discharge. They need to monitor through electronic tamper-proof meter the quantity of the effluent as permitted. They should not let more effluent into CETP than permitted.
- (iii) All the individual industries should have adequate primary treatment facility so as to achieve standards prescribed for inlet of CETP. Such facilities should be effectively operated continuously.
- (iv) All the member-industries should install electronic, tamper-proof and good quality water meter at the outlet of their primary treatment CETP. Industry should have only one single outlet for discharge of effluent to drain leading to CETP.

**Directions for the industries along the drain:**

- (i) All those industries located along the drain and not in the organized industrial area should immediately apply for the membership of CETP.
- (ii) The Trust should consider the applications expeditiously and plan for augmenting the treatment capacity based on the total additional volume required to be treated in view of the additional applications.
- (iii) These industries should also apply for consent from RSPCB after getting membership from the CETP Trust.
- (iv) The industry should install adequate primary treatment facility so as to achieve standards prescribed for inlet of CETP.
- (v) The industry should install electronic, tamper-proof and good quality water meter at the outlet of their primary treatment CETP. Industry should have only one single outlet for discharge of effluent into the drain leading to CETP.

84. The directions issued in this judgment shall be complied with within six months from the date of pronouncement of this

judgment wherever no specific time limit has been prescribed. If any party needs any clarification or extension of time for complying with the above directions, it shall be at liberty to approach the Tribunal.

85. The above directions shall be complied with by all the stakeholders – the State Government, the RIICO, the Trust, any other public authority or industry – in true spirit and substance and without demur or protest. We make it clear that in the event of any person, authority or Government does not carry out the directions aforesaid, shall render them liable for appropriate action in accordance with law, including under Section 28 of the NGT Act.

86. All these applications/writ petitions are disposed of in the above terms while leaving the parties to bear their respective costs.

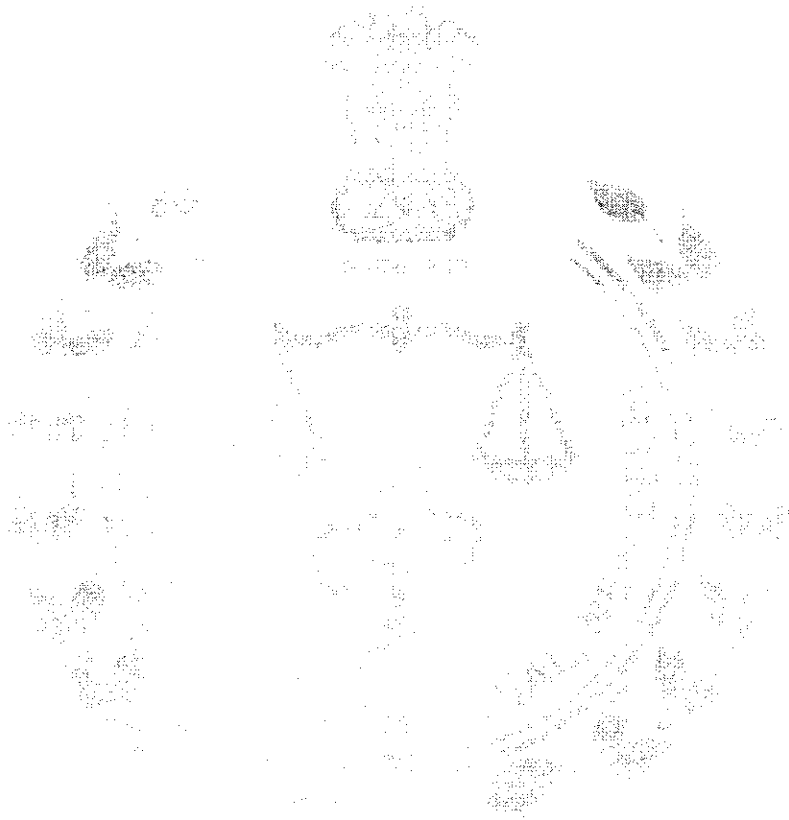
**Hon'ble Mr. Justice Swatanter Kumar  
Chairperson**

**Hon'ble Mr. Justice M.S. Nambiar  
Judicial Member**

**Hon'ble Prof. (Dr.) P.C. Mishra  
Expert Member**

**Hon'ble Dr. R.C. Trivedi  
Expert Member**

Dated:  
May 1, 2014



**NOT**

**Minutes of the meeting convened in the chamber of Distt.**

**Collector at 11.30 A.M. on 12-01-2015**

A meeting was convened to review the progress of implementation of orders of Hon'ble NGT passed on dt. 01-05-2014, 27-11-2014 and 04-12-2014 in the matters related to original application no. 446(THC)/2013 (C.W. No. 7932/2011 Multan Singh & Anr. V/s State of Raj. & Ors.), Original Application no. 447(THC)/2013 (C.W. no. 11533/2011 Shatrudhan Rajpurohit & Ors. V/s State of Raj. & Ors.), Original Application no. 448(THC)/2013 (C.W. no. 4050/2012 U.R. Beniwal V/s State of Raj. & Ors.). The list of officers / executives participated in the meeting is appended at annexure-'A'.

At the outset, Dr. D.N. Pandey, Member Secretary, Raj. State Pollution Control Board, Jaipur welcomed all the participants and conveyed thanks to the Distt. Collector for regular pursuance and action being exercised at his level with the concerned departments / agencies for effective implementation of the orders of the Hon'ble NGT. He further emphasized that we are running short of time in implementation and therefore, we have to either ensure the complete compliance of the orders in time or we have to approach the Hon'ble Tribunal for extension in time limit or for modification in the orders in view of the constraints being faced in implementation. There are three consecutive orders in the said matters passed on dt. 01-05-2014, 27-11-2014 and 04-12-2014 and to begin with, with we shall go about by the order dt. 01-05-2014. It has come to our notice that RIICO Ltd. has submitted an applicaion to Hon'ble NGT for extension in time for development of new industrial area and the same is likely to be heard by the circuit bench on 22<sup>nd</sup> January 2015.

Member Secretary, RSPCB, further pointed out that Chairperson, RSPCB has been seriously taking up the issues related to the said orders and desired to have thorough discussions giving special emphasis on certain major issues.

Thereafter, Distt. Collector, Jodhpur also impressed upon these major issues according to the telephonic talk with Chairperson, RSPCB, Jaipur for review of status of compliance of NGT directions for various stake holders.

The details of out come of the discussions and status of compliance are as follows :-

**(a) and (b) CETP'S rationalization of discharge by member industries and New membership to be given to industries who are otherwise compliant & have deposited Rs. 5 Lac as per NGT directions:-**

Sh. Umesh Lila, Managing Trustee told that JPNT has submitted the details of permissible rational discharge fixed for different machinery / activity and accordingly issued membership to 189 textile processing units till date (out of existing 210 member units) and the work of issuance of membership documents to remaining units is in progress, which is likely to be completed in 4-5 days. He further mentioned that 63 additional units (40 in industrial areas, 7 on converted land and 16 along the main RIICO drain in non confirming areas are also being considered for membership subject to their commitment with affidavit to lay down the pipe line at their own cost. He, however, stressed that membership shall be considered within the spare capacity of CETP after issuing membership to existing member units in accordance with rational discharge. Sh. G.K. Garg, Executive Trustee also clarified that JPNT shall be able to treat waste water of textile processing units up to 17 MLD. He explained that one new equalization tank has been constructed which is under testing and additional measures (costing about 4 crore) have already been taken to improve upon the treatment. He also clarified that the units located at distant places cannot be connected. Sh. Y.S. Dubey, GM, DIC pointed out that according to joint

survey being carried out by the team of officials of RSPCB, DIC, JDA etc. for textile processing units functioning in non-conforming areas, 134 units have been identified till date. Sh. Dubey requested to provide help of officials of JDA, Nagar Nigam and land revenue for identification of units functioning in their jurisdiction. Distt. Collector categorically emphasized that JPNT should keep watch upon its members units strictly to adhere to permitted machinery and discharge and in case of any discrepancy observed during random inspection, the State Pollution Control Board shall take action against such units, which are answerable. Sh. G.K. Garg, executive Trustee, JPNT assured to maintain proper daily & monthly records of discharge from each unit.

While discussing the issue regarding otherwise compliant units (i.e. applied for CTO, deposited an amount of Rs. 5 lacs as per the NGT directions) being considered for new membership, Member Secretary RSPCB, revealed that many textile processing units have submitted the documents related to allotment and registration with DIC for purposes other than textile and he clarified that Board shall consider the applications for CTO only if the land allotment and acknowledgement with DIC are for textile processing. He mentioned that RSPCB has issued letters to MD, RIICO Ltd. and Commissioner, Industries for necessary action to be taken in the matter in reference to the discussions, which took place during meeting held on 15-12-2014 with commissioner, Industries Department at Udyog Bhawan, Jaipur. Sh. Umesh Lila, Managing Trustee pointed out that hardly 60-65 units are having registration for textile out of 210 units. Sh. Y.S. Dubey explained that registration of printing units was stopped after imposition of ban by state Government and the provisions contained in MSME Act do not



and EM-2 may be issued after grant of consent to operate by the State Board. Sh. Vinit Gupta, Regional Manager, RIICO Ltd. told that purpose of land allotment may be changed after the EM-1 is issued by DIC. Sh. G.K. Garg also submitted that Garment manufacturing should be considered at par with the textile because the ultimate product of a few units is garment, which was denied by the Member Secretary, RSPCB giving reference of existing categorization of the units by GPCB. Concluding this point, Distt. Collector put forth his view that this matter shall be separately resolved with the Commissioner, Industries and Chairperson RSPCB and accordingly further action may be taken. However, JPNT may also submit request to industries deptt. to drop the order related to issue EM-1. Sh. Vinit Gupta, RM, RIICO Ltd. told that 240 textile processing units have deposited the amount Rs. 5 lakhs each with RIICO till date.

**(c) Augmentation of existing CETP & action plan for achieving ZLD:-**

Sh. G.K. Garg, Executive Trustee, JPNT initiated that JPNT has taken adequate steps to operate the existing CETP at its optimum capacity of 20 MLD and he assured to achieve the same within 2 months. Besides, he told that two alternatives have been taken into consideration for achieving ZLD i.e. one for development of HRTS and another to install RO plant. Sh. Garg also pointed out about visit of ADM Jodhpur to find out suitable land for HRTS near existing CETP. Member Secretary, RSPCB told that existing CETP has never achieved the parameters of treated effluent upto the norms and hence opined that HRTS should not be adopted for achieving ZLD because it has not been observed as foolproof and sustainable, owing to its inherent practical difficulties and limitations related to quality and quantity of treated effluent subjected

to HRTS. He also mentioned that complete recycling of treated

effluent by the industrial units individually or jointly should be adopted to achieve ZLD. In this context, Sh. G.K. Garg submitted that DPR has been prepared for recycling of 20 MLD of treated waste water cost of Rs. 127 crores and JPNT has already moved the matter to Central Govt. for financial assistance because the total project cost of Rs. 127 Crore can not be borne by the JPNT and / or its member units. Distt. Collector and Member Secretary further opined the JPNT to approach the Hon'ble NGT for further extension of time limit and for providing financial assistance through central govt. as explained by Sh. G.K. Garg. Member Secretary, RSPCB asked the trustees from JPNT that the draft action plan already prepared for critically polluted area of Jodhpur covers almost all the issues mentioned in the orders passed by Hon'ble NGT and hence progress of that action plan should also be updated by JPNT at the earliest. Besides, he also desired that time targeted action as required to be prepared jointly by RIICO Ltd., RSPCB and JPNT according to the orders of Hon'ble NGT dated 01.05.14 should be prepared immediately.

**(d) Progress of laying down of close conduit lines:-**

Sh. G.K. Garg told that closed conduit lines of approximately 26 km length are being laid down to connect existing 210 textile processing units and connectivity shall be provided by Mid of February 2015. He told that flow meters of electromagnetic type have been installed in these 210 units. Sh. Mahesh Sharma, RO RSPCB told that multiple outlets have been observed during inspections being carried out by the officials of RSPCB. Member Secretary, RSPCB expressed that in such cases, the State Board shall have no option except to issue closure directions. It was also clarified by him that new member units being considered by JPNT must also provide flow meter with single outlet.

(e) Installation of GPRS based flow meter:-

Sh. G.K. Garg, Executive Trustee, JPNT submitted that new electromagnetic flow meters have been installed and their performance may be watched for six months. Further, the GPRS based flow meters may be installed only after commissioning of closed conduit lines. In this context, Member Secretary, RSPCB asked about the progress of on line monitoring system to be installed in compliance of directions of CPCB. Sh. G.K. Garg revealed that quotations have been invited and the system shall be installed by March-2015.

(f) Board's preparedness in moving forward for granting consent for complying industries. Progress of inspection being carried out:-

Board's RO, RSPCB told that inspections of 147 textile processing units have been carried out and reports are being prepared. Member Secretary, RSPCB, directed to send the reports to head office without delay.

(g) Ensuring closure of washing units:-

When Distt. Collector asked the trustees from JPNT about the units involved in activity of washing of cloth being transported from Pali and Balotra, Sh. Umesh Lila apprised that many units in industrial areas have been doing the work of washing and water is being procured from their own bore-wells or through tankers. District Collector further added that the activity of washing of cloth is also going in outskirts of Jodhpur city and nearby towns/villages. **The Distt. Collector directed the Managing Trustee that the units involved in washing of cloths coming from Pali & Balotra should be found out at the level of textile industries associations and JPNT and action for cancellation of membership with JPNT should be taken by JPNT immediately with information to RSPCB for further action under the provisions of Water Act-1974.** The issue regarding

requirement of permission from CGWA was raised by Sh. Umesh Lila and he requested that NOC of CGWA should be waived because ground water level has been rising in the city of Jodhpur and continuous pumping of ground water is being done in a few pockets of the city. Distt. Collector opined the JPNT to approach the CGWA through Water Resources Deptt. / Ground Water Deptt. regarding NOC of CGWA, specifically giving reference of possibility of utilization of ground water with treated sewage for farming, because ground water from a few pockets in the city having conditions rising water table is being wasted.

**(h) Sludge removal from Jojari river-any action plan is prepared?:-**

As already decided in the meeting held on 11-12-2015, a letter has been sent to MBM Engineering College for carrying out study for assessment of quality and quantity of sludge deposited in the river and action to be taken for removal of sludge along with details of probable time & money required to dispose off at TSDF at Balotra and Udaipur. JPNT should approach the NGT on the basis of outcome of the study and evidence in support of desired action.

After discussions on above major issues, Member Secretary again requested the District Collector to take up the matters related to registration with DIC, land allotment by RIICO Ltd. for textiles and requirement of permissions from CGWA with the authorities concerned at his level at the earliest and District Collector agreed to act upon the same.

**Further, remaining issues for compliance of the orders were also discussed and the outcome was as follows :-**

- (i) Requirement of primary treatment plant by individual unit connected to JPNT:-

Sh. G.K. Garg submitted that primary treatment at the level of individual unit is not required because facility of combined primary treatment exist at CETP. Member Secretary, RSPCB clarified that primary treatment is required at unit level in order to comply with the limits of parameters prescribed at inlet to CETP and so as to ensure better efficiency of CETP.

**(ii) Allotment of land to JPNT for additional CETP(NGT order dtd. 27-11-2014) :-**

Sh. Bhuraram, Commissioner, JDA told that issue of amount to be deposited by RIICO has been resolved in recent meeting held at Jaipur. Then, Distt. Collector asked the Regional Manager, RIICO Ltd. to deposit the amount to JDA and take possession of land for making it available to JPNT at the earliest.

**(iii) Allotment of land for STP at Basni-Benda:-**

District Collector ask the Commissioner JDA to resolve the issue of land allotment and take immediate action to handover the land to Nagar Nigam Jodhpur so that work of construction STP may be started without delay according to the demand raised and then to allot the land to JPNT at token amount.

**(iv) Requirement of land conversion:-**

Sh. G.K. Garg, Executive Trustee, JPNT pointed out that applications of many units have been pending with JDA & Nagar Nigam for land conversion. He requested to consider the land conversion in cluster or land use change in Master Plan. Distt. Collector asked the officers of JDA & Jodhpur Nagar Nigam to

look into the matters and expedite action for land conversion or change in land use in Master Plan, if possible.

- (v) Action to be taken for remaining units in non-conforming areas located at distant places and not connected to JPNT(NGT order dtd. 27-11-2014) :-**

The issue was discussed in light of the NGT directions and views were expressed by officers concerned and trustees from JPNT. After discussion at length following conclusions could be drawn -

- (a) JPNT may find out possibility of connectivity according to spare capacity of CETP.

Or

- (b) Individual unit or group of units may provide treatment and recycling system so as to maintain ZLD.

- (vi) Grievance about ground water pollution caused due to leakages from pipe lines carrying industrial effluent and domestic waste water (NGT order dtd. 27-11-2014):-**

Sh. G.K. Garg told that after receiving a letter from RO, RSPCB Jodhpur, JPNT has engaged an expert to get thorough inspection of the closed conduit line for acidic effluent and submit report within a week. Distt. Collector asked the officer from Nagar Nigam, Jodhpur to get the sewerages system checked for any leakages and submit report immediately to RO, RSPCB, Jodhpur.

- (vii) Grievance regarding operation of illegal borewells and tubewells in the city (NGT order dtd. 27-11-2014):-**

Distt. Collector asked the SE, Ground Water Department and SE, PHED to take action in the matter and send report to RO, RSPCB, Jodhpur immediately. Sh. Narendra Singh Choudhary, EE, Water Resources Department told that the matter is not being dealt by their Department.

**(viii) Grievance regarding disposal of industrial sludge and Municipal Solid Waste contributing to the pollution of river Jodhri(NGT order dtd. 27-11-2014):-**

Sh. G.K. Garg told that hazardous waste sludge generated at CETP is being sent to TSDF at Balotra and industrial sludge is not being disposed in to the river. However, deposition of sludge in the river due to discharge of untreated waste water is there. Regarding municipal solid waste, distt. Collector asked the Nagar Nigam, Jodhpur to get the issue examined / verified and report of factual status should be provided to RO, RSPCB, Jodhpur immediately.

**(ix) Proper lime dosing is not being done for effecting neutralizing the effluent as such acidic effluent is being discharged in the river(NGT order dtd. 27-11-2014): -**

Sh. G.K. Garg told that detailed affidavit as desired by Hon'ble NGT shall be submitted by the JPNT regarding working of CETP, particularly with reference to the lime dosing and sludge generation.

Concluding the discussions, District Collector and Member Secretary, RSPCB, advised all the concerned to take action as per NGT directions and send report of action taken to RO, RSPCB, Jodhpur immediately.

The meeting ended with vote of thanks to District  
Collector.

sd—  
(Dr. D.N. Pandey)  
Member Secretary

E.No: F5 (Gen-138)RPCB/Textile / 3778

Date: 20-1-15

Copy to following for information & necessary action/compliance :-

1. PS to Chairperson, RSPCB, Jaipur.
2. Sr. PA to Member Secretary, RSPCB, Jaipur.
3. PA to Distt. Collector, Jodhpur.
4. Commissioner, JDA, Jodhpur.
5. ✓ Commissioner, Nagar Nigam, Jodhpur
6. SDM, Jodhpur
7. Additional Chief engineer, Water Resources Department, Jodhpur
8. SE (District Circle) Discom, Jodhpur
9. SE (City Circle), Discom, Jodhpur
10. SE (City Circle), PHED, Jodhpur
11. SE (Ground Water Department), Jodhpur
12. GM, DIC, Jodhpur.
13. Sr. R.M., RIICO, Boranada, Jodhpur.
14. R.M., RIICO, Jodhpur
15. RO, RSPCB, Jodhpur.
16. Executive Engineer, Water Resources Department, Jodhpur.
17. Managing Trustee, JPNT, Jodhpur.
18. Executive Trustees, JPNT, Jodhpur.

  
Member Secretary



# PALI

*Comprehensive Environmental Pollution Abatement Action Plan  
for Critically Polluted Industrial Cluster, Pali*

**Final Action Plan of Pali Industrial Cluster:**

The following Final Action Plan inclusive of Progress Report (Status of Action Plan) of Pali is being submitted to update CPCB on the progress made on each of the Action Points as on December 31, 2014. The Progress Report was also discussed during the Steering Committee meeting held on October 29, 2012.

Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/Agency involved	Time limit	Cost (INR)	Remarks	Status of Action Plan (latest)
<b>Short Term Action Plan- Air</b>						
1	Performance monitoring of major air polluting industry for assessment of compliance of the notified air emission standards	RSPCB, RIICO, Industrial Association	Ongoing continuous activity	Expenditure is being borne by the RSPCB	The work of stack emission monitoring of the identified major air polluting industries in the industrial cluster would be taken up by RSPCB in association with recognized laboratory of the State Board/CPCB/MoEF for assessing compliance of the emission standards notified under EP Rules '86	In Pali, M/s Maharaja Shree Umaid Mill is the only major Air polluting textile industry. Stack monitoring was conducted by Board in May 2012. Particulate matter was found beyond prescribed norms. Notice was issued to industry to upgrade air pollution control equipment. A necessary corrective measure for up gradation of air pollution control measures has been taken by M/s Maharaja Shree Umaid Mill. <b>Now, the management has also dismantled 03 nos. of Old Lankashire Boilers and 01 Boiler of 20.0 TPH is under installation with the upgraded PCMs i.e. Bag Filter, Dust Collector with Heat Recovery Unit , EFFIMAX unit and Automized Fuel Feeding System.</b> The other textile industries are in small scale category having source of air emission from boilers (1.0 TPH to 3 TPH) and Thermo packs. These sources have been provided with required APCM (Dust Collector/cyclone / Multi cyclone).

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Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/Agency involved	Time limit	Cost (INR)	Remarks	Status of Action Plan (latest)
						Stack. Ambient Air Monitoring and stack monitoring was also conducted by the Central Laboratory, Jaipur in 12 Air polluting industries located in RIICO Industrial Area Phase-I&II,Pali for the period from 21st July 2014 to 24th July 2014 and Analysis results are within the prescribed standards. To strengthen the Regional office /Regional laboratory Three Junior Scientific officer have been placed by the Board. The work of Establishment of the Regional laboratory, Procurement of Equipments and other laboratory related infra structure facility is under progress.
2	Up-gradation of the air pollution control measures e.g., dust collector, multi cyclone etc. with the non compliant industries.	RSPCB, RIICO Industrial Association	Ongoing continuous activity	Expenditure is being borne by the related unit	The State Board will issue directions under the provision of Air Act' 81 to the non complying industry for up gradation for the air pollution control measures before end of Oct- 2012	Necessary corrective measures for up gradation of air pollution control measures have been taken by M/s Maharaja Shree Umaid Mill. Now, the management has also dismantled 03 nos. of Old Lankashire Boiler and 01 Boiler of 20.0 TPH is under installation with the upgraded PCMs i.e. Bag Filter, Dust Collector with Heat Recovery Unit , EFFIMAX unit and Automized Fuel Feeding System. Stack monitoring shall be conducted by the State Board shortly.

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Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/Agency involved	Time limit	Cost (INR)	Remarks	Status of Action Plan (latest)
3	Installation of ambient air quality monitoring station	RSPCB/RIICO/Industries Department	December-2013	Expenditure to be borne by the RSPCB	At least three ambient air quality monitoring stations to monitor the ambient air quality as per the NAAQMS are under consideration in Pali with analytical facilities (lab facilities) for monitoring of the air quality of the Pali industrial clusters.	<p>Four locations have been identified for establishment of three (3) ambient air quality monitoring stations under NAMP: RPCB Regional Office Building, Circuit House, RIICO office, JVVNL office.</p> <p><b>Ambient Monitoring was also conducted by the Central Laboratory, Jaipur for 02 identified locations (i.e. JVVNL Guest &amp; RPCB Office building) for the period from 21st July 2014 to 24th July 2014 and Analysis results are within the prescribed standards.</b></p> <p>Action for procurement of monitoring equipments is under progress with Board. After the procurement of equipments and supporting laboratory set-up, ambient air quality monitoring work will be commenced with prior approval of locations by CPCB under NAMP. Scheduled Monitoring of the industries may be expedited accordingly.</p> <p><b>Remark: Time limit may be extended up to March 2015.</b></p>
4	Discontinuation of the use of wood and high sulphur based	RSPCB, Industry	Ongoing activity	Expenditure is being borne by the related unit for	The State Board has already issued direction to ban use of wood as fuel in February 2011.	With the efforts of the District Administration on persuasion of State Board, the use of wood in industries as fuel has been discontinued. Besides the State Board is pursuing the industries not to

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Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/Agency involved	Time limit	Cost (INR)	Remarks	Status of Action Plan (latest)
	coal in Industries			modification in boiler	The industries are also being advised to discontinue use of high Sulphur content coal.	use high sulphur containing PET coke as a fuel in boiler/Thermopack. Further as per the information sought from the industrial association units are also mixing lime in PETCoke to dilute the sulphur effect. Notices have also been issued to the industry to submit the detailed report related to adopt ECO friendly fuel and Mechanised and Automized fuel feeding system.
5	Adoption of measure to curb vehicular pollution	District administration, RSPCB, Transport Department and RIICO	Ongoing activity	Expenditure is being borne by the responsible agencies	<ul style="list-style-type: none"> <li>a. To augment cleaner fuel availability in Pali.</li> <li>b. To repair, widen and maintain the existing roads in the industrial cluster.</li> </ul>	It is a ongoing activity.
<b>Long Term Action Plan-Air</b>						
1	Installation of Real Time Ambient Air Quality Monitoring Station	RSPCB & CPCB	April-2013	Expenditure to be borne by the RSPCB & the CPCB	The Station will provide real time Ambient Air Quality for PM 2.5, PM10, SO2, NOx, CO, O3 and BTX. The real time data shall be available with Board's	For installation of Real Time Ambient Air Quality Monitoring Station proposal has been submitted to CPCB vide Board's letter dated 29.8.2010 and letter dated 24.1.2012 for financial assistance.

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Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/Agency involved	Time limit	Cost (INR)	Remarks	Status of Action Plan (latest)
					Head office Jaipur and Regional Office, Pali for future plans/ strategy for prevention and control of ambient air quality of the Industrial Cluster. The station will also provide necessary meteorological data including wind speed, wind direction, temperature, pressure and humidity.	Issue is under consideration with CPCB & RSPCB Head Office.
2	Cleaner fuel availability for industry	Industries Department, GAIL & RIICO	Since the infrastructure for supply of cleaner fuel i.e. CNG/LPG through pipe is yet to developed thus specifying the time limit is not feasible	Since the infrastructure for supply of cleaner fuel i.e. CNG/LPG through pipe is yet to developed thus specifying the cost is not feasible	A GAIL pipe line is passing through Pali District at a distance of about 50 kms from Pali Town. The Industrial Association has taken up the matter with the Industries Department of the State Government to tap the available gas through a link pipeline for the commercial and industrial use. The plan	Issue shall be taken-up by the Industrial Association in consultation with RIICO and District Administration. The matter needs expeditious follow up.

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Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/Agency involved	Time limit	Cost (INR)	Remarks	Status of Action Plan (latest)
					is in the initial phase, therefore, a clear time schedule and estimated cost on the use of gas as fuel by the Industries is not submitted at this stage.	
3	Promotion of Clean Fuel and the latest technology (boiler/thermopack by the industry)	RSPCB, Industry and Industrial Association/ RIICO	Ongoing activity for establishment of efficient boiler/thermo pack	Expenditure to be borne by the unit.	The State Board may take a view to advise the major air polluting industries for promotion of cleaner fuel and replacement of existing boiler/thermo pack which are 10 year old.	In Pali, M/s Maharaja Shree Umaid Mill is the only major air polluting textile industry. In the industry Indian coal/pet coke is used as a fuel. Pet coke is first treated with lime to control sulphur emissions and pollutants are emitted through 54 m high stack. Now, the management has also dismantled 03 nos. of Old Lankashire Boiler and 01 Boiler of 20.0 TPH is under installation with the upgraded PCMs i.e. Bag Filter, Dust Collector with Heat Recovery Unit, EFFIMAX unit and Automized Fuel Feeding System.
<b>Short Term Action Plan- Water</b>						
1.	Assessment of the compliance of the effluent quality standards	RSPCB, RIICO Industrial Association, CETP Trust	Ongoing activity	The expenditure for the sample	The work of effluent quality assessment of the identified major water polluting industries in the	There is only one major water polluting industry i.e., Maharaja Shree Umaid Mills at Pali which has provided its own separate ETP with RO plant with UF & NF Technology for

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Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/Agency involved	Time limit	Cost (INR)	Remarks	Status of Action Plan (latest)
	of the water polluting industries with the prescribed standards of effluent quality for inlet to CETP as specified under EP Rules			collection & analysis is borne by the RSPCB	industrial cluster would be taken up by RSPCB in association with recognized laboratory of the State Board/ CPCB/MoEF for assessing compliance of the inlet to CETP standards notified under EP Rules'86.	<b>recycling of treated effluent in process and other utilities. Now the management has also commissioned MEE Plant for ZLD purpose.</b> Other small scale operational textile units <b>about 602 nos.</b> connected with the CETPs, have provided primary treatment facilities for pH correction and removal of O&G, <b>and settling of sludge at individual level.</b>
2	Up-gradation of the primary treatment facilities e.g., physicochemical treatment etc. with the non compliance industries.	RSPCB, RIICO Industrial Association, CETP Trust	Ongoing activity	The expenditure for up gradation of primary treatment facilities borne by the Industry	The State Board will issue directions under the provision of Water Act' 74 to the non complying industry for up gradation of the primary treatment facilities before end of Oct- 2012	Textile units at Pali have provided primary treatment facilities for pH correction and removal of O&G <b>and settling of sludge.</b>
3	Installation of Flow meter / Water meter with each member unit of CETP trust for monitoring of compliance of the	RSPCB, RIICO Industrial Association, CETP Trust	Ongoing activity	Expenditure for installation of flow meter is being borne by the unit	RIICO will ensure that each industry sets up water meter/flow meter within the given timeframe.	Flow meters (mechanical/ electronic type) have been provided by all the member units of CETP trust for monitoring of compliance of the permitted discharge quantity by CETP Trust. <b>Now, the GPRS technique based Flow Meters have been installed in small scale operational textile units with PLC Panel for</b>



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Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/Agency involved	Time limit	Cost (INR)	Remarks	Status of Action Plan (latest)
	permitted discharge quantity by CETP Trust.					online monitoring of flow discharge by the individual unit in reference to the allowed limit by CETP Trust. The SCADA server has been installed in the premises of the CETP unit (1/2) however Node and Server connectivity work is under progress.
4	Development of Sewerage System	RSPCB, RUIDP, Municipal Corporation	December 2013 for phase I  Time limit not available for phase II	Approx. Rs. 33.29 crores under Phase I.  Approx. Rs. 180 crores under phase II.	Under UIDSSMT scheme project for development of 100 km sewer pipeline under Phase I was sanctioned. The development work of 24 km of sewer line has been completed. The remaining work is under progress Subsequent to completion of the work; the city sewage shall be segregated from the industrial waste water & shall be taken to STP for required treatment.  Under UIDSSMT scheme project for development of 235 km sewer pipeline under	Work of laying of 40 km sewer line has been completed. The remaining work is under progress. The remaining work of sewer line is under progress.  <b>Remark:</b> Time limit may extend up to December 2013 for phase I.

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Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/Agency involved	Time limit	Cost (INR)	Remarks	Status of Action Plan (latest)
					Phase II for remaining area of the Pali city is under planning stage. Approval from State/Central Govt. not received.	
5	Commissioning of Sewage Treatment Plant (STP)	RSPCB, RUIDP and Municipal Corporation	March 2013  Time limit for 30 MLD STP not available.	Approx cost Rs. 8.22 crores for 7.5 MLD STP  Approx. cost Rs. 40.00 crores for 30	Under UIDSSMT scheme project of construction of 7.5 MLD STP was sanctioned. The construction work of STP was completed and shall be commissioned once the work of laying down the sewerage line is completed. The commissioning of STP will prevent discharge of untreated sewage to River Bandi which will result in prevention of contamination of groundwater. Another STP of 30 MLD capacity for remaining area of the city is under	Work of 7.5 MLD STP completed. It is likely to be commissioned by March 2013. <b>Work of 7.5 MLD STP completed and same has been commissioned. However, presently sewage from the Gandhi Nagar Nallah is being taken in the plant but to utilize full operational capacity of plant work of sewer line needs to be completed soon.</b>

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Sr. no	Action points (Including source and mitigation measures)	Responsible stakeholders/Agency involved	Time limit	Cost (INR)	Remarks	Status of Action Plan (latest)
				MLD STP	planning stage. Sanction of State/ Central Govt. not received.	
6	Up-gradation of the ETP of large scale polluting Industry of Pali	RSPCB, Industry	Activity has been completed	Expenditure borne by the Industry	The only large scale textile processing industry of Pali viz M/s Maharaja Shree Umed Mill has up-graded the existing ETP having capacity of 900 KLD by installation of RO Plant of 1.1. MLD capacity for reuse of treated effluent.	There is the only one major water polluting industry i.e., Maharaja Shree Umaid Mills at Pali which has provided its own separate ETP with RO plant with UF & NF technology for recycling of treated effluent in process and other utilities. Now the management has also commissioned NF for pretreatment for Reject and MEE Plant for ZLD purpose. Notices has also been issued to the member units of CETP's having waste water generation greater than the 100 KLD to submit time bound action plan for installation of ETP at individual level.
7	Cleaning, Desilting & repairs of the open drains for transportation of untreated industrial effluent to CETP in the industrial area	RIICO CETP Trust, Pali RSPCB	Ongoing periodic activity by RIICO	Expenditure is being borne by the RIICO Ltd.	The cleaning of the drains will prevent overflow and spread of effluent on the road land. This will also help in smooth conveyance of effluent to the CETP.	The work of regular Cleaning, Desilting & repairs of open drains is being done by RIICO. However presently transportation of waste water from member units to CETP is made through Tankers supply system. An ongoing activity

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for Critically Polluted Industrial Cluster, Pali*

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8	Performance monitoring of CETPs and STPs	RSPCB, CETP Trust and Municipal Corporations	Ongoing Activity	Expenditure for sampling & monitoring is being borne by RSPCB	RSPCB is monitoring the performance of CETP on monthly basis which includes the quality of treated effluent and disposal of ETP sludge. The performance monitoring of STP shall be taken up after its regular commissioning.	RSPCB is regularly monitoring the performance of CETPs. Prescribed standards mainly TSS, BOD & COD are exceeding the limit in CETP outlet samples which are mainly due to inadequacy of treatment capacities, laking of upgradation, old set up of CETP. To enhance the treatment capacity and efficiency of the reaction tanks and aeration, all the four CETPs were also cleaned in scientific manner in March 2014. The State Board has issued notices to the CETP Trust for improvement in operation of the CETPs by upgrading and installing Filter Press and Tertiary treatment arrangements so as to conform the prescribed standards. Besides in compliance to CPCBs directions notice has also been issued to the CETPs for submission of time bound action plan for installation of online emission/effluent monitoring system by the end of March 2015..
9	Construction of a CETP of 12 MLD capacity	CETP Trust, Industrial Associations and RSPCB	June 2013	Expenditure is born by State and Centre subsidy (50%)	Construction work of CETP Unit V at Mandia Road Industrial Area has been started. Foundation stone has been laid on 4	Approximately, 75% civil work of CETP (Unit V) has been completed. As the matter related to the construction of CETP has been challenged by a petitioner and the same was under consideration with Hon'ble High

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				and the rest contribution of 50% by CETP Trust	Sept 2011. Environmental Clearance has been issued.	Court and now with the Hon'ble N.G.T., therefore tentative completion is subject to the decision of Hon'ble N.G.T. Court.
10	Monitoring of groundwater quality	RSPCB, CETP Trust, RIICO	Ongoing Activity	Expenditure for sampling & analysis is being borne by the RSPCB	The State Board has increased groundwater quality monitoring points from earlier two points to six points around Pali under NWMP having frequency of monitoring one sample in six month. The frequency of the sampling of all the six points shall be increased to once in three months for upgrading the monitoring of groundwater.	Presently groundwater quality monitoring is being carried out by RSPCB at six points twice in a year under NWMP.  The analytical results reveal that normally all the parameters, except DO are well within limits of the prescribed norms of the CPCB.
<b>Long Term Action Plan- Water</b>						
1	Construction of an additional CETP of 12 MLD capacity	CETP Trust, Industrial Associations and RSPCB	Work will be completed by August 2014	Approx. Rs. 13.40 crores Expenditure is to be met by State and	Environmental Clearance has been issued. Construction of CETP Unit VI at Punayata Road Industrial Area is	<b>Approximately, 95% civil work of CETP (Unit VI) has been completed. Mechanical and Electrical drives installation work is under progress. Construction work of tertiary treatment (i.e. SBR technology ) is under</b>

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				Centre Govt. subsidy (50% and contribution of rest 50% by CETP Trust	proposed in the same premises of CETP III.	<b>progress.</b> <b>Work of this CETP is likely to be completed within time limit before March 2015.</b>
2	Construction of closed conduit conveyance system for carrying industrial effluent to CETP	RIICO, CETP Trust and Industrial Association	December 2013	Expenditure to be borne by the CETP Trust	Presently, the industries are connected with CETPs I, II and III by open channel to carry their effluent in Mandia Road Industrial Area and Industrial Area Phase I & II. The existing open conveyance system is to be replaced by closed conduits. The proposals shall be considered by the CETP Trust and RIICO in December 2012. Further action shall be taken on their decision.	The issue is under consideration with the RIICO. <b>Direction related to this has also been issued by RSPCB Head Office.</b>
3	Recycling of Treated Effluent	CETP Trust, RSPCB, RIICO	December 2015	Expenditure to be borne	The CETP Trust is to consider the feasibility	Consent to establish to CETP unit V and VI has been issued with the condition that the CETP

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	of CETP			by the CETP Trust	for establishment of RO plant with existing and proposed CETP no. V & VI for reuse of the treated effluent. The permeate from the RO plant will be sold to the member units so as to meet with the operating costs of the RO plant. The recycling of the treated effluent will also save the natural resources.	Trust will provide ZLD plant with these plants.  The CETP Trust has received letter of interest from <b>various firms</b> for establishment of recycling system under BOT basis. The matter is under consideration with CETP Trust.
4	Installation of rain water harvesting system in the buildings and institutions	RIICO, Municipal Corporation, RSPCB	Ongoing activity	Expenditure is being borne by Industry	The RIICO Limited is making allocation of new plots with the condition for installation of proper rain water harvesting structures for the proposed industrial unit. This will improve the level of groundwater in the industrial cluster as well as quality of groundwater.	The RIICO is persuading the new units for installation of RWH. <b>The RIICO has also issued notices to the units for establishment of the same under RIICO lease rules, 1979.</b>

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<b>Action Plan Land</b>						
1	Development of Municipal Solid Waste (MSW) treatment and disposal facility	Municipal Corporation, RIICO and RSPCB	December 2014	Expenditure is to be borne by Municipal Council	To secure proper collection, transportation and disposal of municipal solid waste in accordance with the provisions of Municipal Solid Waste (Management & Handling) Rules 2000, Proper Secure Landfill Facility is to be developed. The proper disposal of MSW will prevent polluted runoff of rain water from the disposal site during rainy days as well as percolation of leachate to groundwater. The Pali Municipal Corporation has already identified a land area of 220 bigha near village Khetawas for development of MSW treatment and disposal	<b>The work of Compost plant near Khetawas, Pali has been completed however matter related to the operation of same is under consideration with MCP, Pali.</b>



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					<p>facility. The identified land has been allotted and approved by the District Administration for the development of MSW Facility. The detail project report, estimated costs and time schedule is to be received from Pali Municipal Council.</p>	
2	<p>Augmentation of treatment and disposal facility for Bio-medical Waste</p>	<p>Medical and Health Department, RSPCB and Municipal Corporation</p>	<p>Ongoing Activity</p>	<p>Health Care Facilities (HCF) are paying charges for collection, transportation and disposal of their biomedical waste to the authorized Common Disposal Facility</p>	<p>The Biomedical waste from the health care facilities of Pali is being collected, transported and disposed with the authorized Common Bio Medical Waste Treatment and Disposal Facility located in Jodhpur i.e., at distance of approx. 85 km. The RSPCB is monitoring the disposal of Biomedical Waste in accordance with the provision of Bio</p>	<p>The Biomedical waste from identified health care facilities of Pali city is being collected, transported and disposed with the authorized Common Bio Medical Waste Treatment and Disposal Facility located in Jodhpur.</p>

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				Operator	Medical Waste (Handling & Management) Rules 1998. The disposal facility requires augmentation for the compliance of CPCB guidelines for treatment and disposal facility of BMW.	
3	Disposal of Hazardous Waste	CETP Trust, Industries, RIICO, RSPCB, Rajasthan Waste Management System and UCCI	Ongoing Activity	CETP Trust is paying charges for collection, transportation and disposal of their hazardous waste to the authorized Common Disposal Facility Operator	The CETP sludge from physico chemical treatment comes under the definition of hazardous waste. This sludge is presently collected, dried and transported to common treatment storage and disposal facility developed by Rajasthan Waste Management System near village Gudli in accordance with the provisions of Hazardous Waste (Management, Handling & Trans-	<b>Presently CETP sludge is being sent to common treatment and disposal facility at Udaipur &amp; Shri Cement. About 1277.58 MT CETP sludge was sent to Udaipur during July 2014 to December 2014 &amp; About 1617.013 MT CETP sludge was sent to Shree Cement during July 2014 to December 2014. The State Board has issued permission to CETP Trust vide letter dated 18.9.2012 for co-processing of sludge in the kiln of M/s Shree Cement Ltd., Beawar. CETP Trust has intimated that from December 2012, sludge will be sent to M/s Shree Cement Ltd. Beawar for co-processing of sludge in the kiln.</b>

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					boundary Movement) Rules 2008. The RSPCB has advised the CETP Trust to encourage co-incineration of the ETP sludge in Kiln of Cement Plants with prior approval under the Rules for co-incineration. This will result in reduction of disposal cost as well recovery of the energy.	
<b>Action Point-Others</b>						
1	Development of green belt and tree plantation in industrial area	Forest Department, Industry, RIICO, RSPCB	Ongoing activity	Expenditure is being borne by the industries, industrial Association and RIICO Ltd.	The RIICO Limited and CETP Trust is to develop & encourage road side plantation in the industrial cluster as well as to develop green spot in cluster for maintenance of ambient air quality. RIICO has proposed annual budget of Rupees 30-50 lakhs	Ongoing Activity

**Comprehensive Environmental Pollution Abatement Action Plan  
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					for the plantation of tree.	
2	Capacity Building for prevention & control of Pollution	RIICO , CETP Trust & RSPCB	Ongoing Activity	Expenditure are borne by the RSPCB, RIICO Ltd and CETP Trust	<p><b>1. Following actions shall be taken up by the RSPCB:</b></p> <p>a. Strengthening of technical and scientific manpower of Regional Office, Pali (RO , Pali)</p> <p>b. Strengthening of regional laboratory of RO, Pali for regular assessment of PCM with the industries, CETP, water quality and air quality of the area</p> <p>c. Education and training of</p>	<p>Following actions have been taken by RSPCB:</p> <p>i. 2 JEEs and 3 JSO have already been posted at Regional Office, Pali.</p> <p>ii. <b>The Construction work of building for Regional Laboratory in Pali is to be taken up by the RSRDC. Preliminary visit for the same has also been done in this regard .However, since the present RO, Building is located in Mandia Road industrial Area,Pali which seems to be a resident office particularly for an industrial area ,whereas this is a Regional office, having Pali &amp; Sirohi districts under its jurisdiction .The matter was discussed with Shri. Mahendra Bohra,President,MCP,Pali &amp; Shri R.S.Palawat,Commissioner,MCP,Pali who have given positive response in this regard and assured for allotment of sufficient land for the purpose on Beawar - Sirohi Highway probably</b></p>

**Comprehensive Environmental Pollution Abatement Action Plan  
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					<p>technical and scientific staff of familiarization with the latest technology for pollution control and analytical techniques</p> <p>d. Strengthening of online connectivity of RO, Pali with HO-Jaipur and CPCB Delhi for upgrading the data transfer mechanism</p> <p>e. Seminar and workshop for education and awareness of the project proponents for adoption of cleaner fuel and advanced process techniques for</p>	<p><b>near Manpura Bhakhari, Pali if proposal is received from the Rajasthan State Pollution Control Board.</b></p> <p>iii. Procurement of monitoring equipments is under progress at Board level for Regional Laboratory, Pali.</p> <p>iv. After strengthening of Regional Lab Pali, it will be connected HO-Jaipur and CPCB Delhi for upgrading the data transfer mechanism.</p>

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					<p>reduction of air emission and effluent discharge as well as to reduce the consumption of chemicals and dyes.</p> <p><b>2 Following action shall be taken up by RIICO &amp; CETP Trust:</b></p> <p>i. Development of Regional Research Centre for development of new technology for reduction of dyes &amp; chemicals in textile processing as well as reduction of water</p>	

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					<p>requirement.</p> <p>ii. To encourage use of cleaner fuel by providing soft loan for replacement / conversion of the existing boiler / thermo pack to cleaner fuel.</p> <p>iii. To develop non polluting industries like weaving units / readymade garment manufacturing units for diversion of industrial activities.</p> <p>iv. To encourage &amp; provide soft loan to major</p>	<p>Following actions have been taken by RIICO:</p> <p>i. A dedicated Environment Management Cell headed by GM level officer has been set up in RIICO Head Office having Senior Regional Manager and three Assistant Regional Managers.</p> <p>ii. There are dedicated unit offices in Bhiwadi, Pali and Jodhpur consisting of technical qualified officers to look after environment pollution &amp; industrial development issue.</p> <p>iii. The strength of the technical officers varies from 3-7. Industrial Association has been formed for all the industrial areas.</p> <p>iv. The unit head conduct regular meeting with them. Meetings are also held regularly at the level of District Collector</p>

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					polluting industrial unit which intends to install RO plant at their own for recycling of their effluent.	

Note: While reporting the interventions to reduce CEPI, various studies, reports, Master Plans, RSPCB and RIICO data was referred to and wherever the information was available, the costs of interventions have already been included in the Final Action Plans. These interventions will be implemented by different agencies, including RIICO as identified in the Report.

**\*List of Small Scale Textile units of Pali Directions have been issued under section 33 A of the Water Act during 22.07.10 to 29.07.10 is attached in Annexure-1**

**\*\*Action against the defaulting units of Pali attached in Annexure-2**



## **Status of Implementation of Final Action Plan formulated for Critically Polluted industrial Clusters of Pali**

- MoEF, GoI, on the basis of assessment of Comprehensive Environmental Pollution Index (CEPI) had imposed moratorium on 13/01/2010 on various industrial areas of Pali.
- The RIICO Ltd., agency responsible for development of industrial areas and related infrastructure in the State, prepared Draft Action Plan for Environmental Pollution Abatement through PDCOR Ltd., as subsidiary of IL&FS Ltd., in consultation with the State Pollution Control Board and other stakeholders viz: Industries Department, Local Bodies, District Administration and Industrial Associations.
- The Draft Action Plan was presented before the steering committee of Central Pollution Control Board (CPCB) in July' 2010. Subsequently, on advise of the steering committee the Draft Action Plan was further modified and discussed in CPCB on 30<sup>th</sup> Aug., 2011 and 6<sup>th</sup> Sept., 2011.
- The Final Action Plan approved by the Working Group constituted by the Government of Rajasthan with the view that the extra cost that shall be incurred for implementation of pollution control measures shall be borne by the Industries Association, was submitted to CPCB vide letter dated 06 Aug.,2012 followed by reminder dated 17<sup>th</sup> Oct.,2012.
- The Action Plan was reviewed by the in-house committee of CPCB in the meeting held on 20<sup>th</sup> Sept., 2012 and further modifications were suggested by CPCB vide letter dated 15<sup>th</sup> Aug.,2012.
- The revised Final Action Plan was submitted to CPCB by the State Board vide letter dated 12<sup>th</sup> April, 2013 followed by reminder letter dated 10<sup>th</sup> June, 2013 and 06<sup>th</sup> Aug., 2013.
- The revised final action plan is yet to be approved by the CPCB/MoEF.
- Existing Compliance Status:
  - Pali Industrial Clusters includes; Mandia Road, Punayata Road and Sumerpur Road Industrial Areas.
  - The updated implementation status of Final Action Plan is enclosed. Major improvements are as under:
    - Around 545 small scale water polluting textile units
    - Presently 4 CETPs are operative having combined capacity of 34.68 MLD.
    - Additional 2 CETPs of 12 MLD each are under construction, one is likely to be commissioned by March'2015.
    - Environmental Clearance and CTE to both the additional two CETPs have been given with condition to maintain ZLD.
    - Units provided GPRS based flow meter, connected with CETP by SCADA for monitoring discharge.
    - Presently effluent from the units to CETP is through tankers to regulate quantity of the combined effluent within the capacity of CETPs

- Sludge generated from the CETP is mainly deposited through the TSDF and partly by co-incineration in Cement industries.
- Unit discharging effluent more than 100 KLD to submit action plan for installation of ETP and RO at their level for ZLD.
- Three units have already installed R.O plants including the existing large scale textile unit (Maharaja Ummed Mills), CTE to 5 other units for installation of ETP with R.O have been given by the State Board.
- Development of textile park with zero liquid discharge.
- Segregation of industrial and domestic effluent so as to reduce the load upon the CETPs
- STP of 4.0 MLD installed and connectivity with for the entire sewer system is under progress
- Ban on burning of wood as fuel and efforts for supply of LPG/ natural gas for industrial use.

➤ Directions of hon'ble NGT:

- Hon'ble NGT has issued the directions "that the industries which are operating without obtaining the consent of the State Board as the case may be shall not be permitted to operate henceforth", vide its order dated 05<sup>th</sup> March, 2014 in the matter of M/s Kishan Paraywaran Sangarsh Samiti V/s State of Rajasthan & others, original application no.32 (THC)/2014 copy of referred direction are enclosed.
- In compliance with the directions of hon'ble NGT, the State Board has granted Consent to Operate under Water Act/ Air Act to 403 units which are connected with CETPs.
- Besides, the State Board has also issued direction for closure against 89 defaulting units which failed to confirm adoption of adequate water pollution control measures, subsequently directions against 72 units have been withdrawn after confirmation of compliance.

**BEFORE THE PRINCIPAL BENCH  
NATIONAL GREEN TRIBUNAL  
NEW DELHI  
CIRCUIT BENCH AT JODHPUR**

**Original Application No. 32(T<sub>HC</sub>)/2014  
(CWP No. 9503 of 2012)  
and  
Original Application No. 33(T<sub>HC</sub>)/2014  
(CWP No. 8923 of 2012)**

**Kishan Paryavaran Sangharsh Samiti, Jaipur Vs. State of Rajasthan  
& Ors.**

**And**

Gautam Chand Chopra Vs. State of Rajasthan & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR,  
CHAIRPERSON**

**HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER  
HON'BLE PROF. (DR.) P.C. MISHRA, EXPERT MEMBER  
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER**

**Present:** Applicant (s) : Appearance sheet not signed  
Respondent No. 4 : Mr. V.K. Mathur, Adv.  
Pollution Control Board : Mr. Manish Shishodia and Mr.  
Shreyansh Mehta, Advs.

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item Nos. 4 &amp; 5 March 5, 2014</b>	<p>Learned Counsel appearing for the Respondents No. 2 to 4 submit that the reply filed in original application no. 32(T<sub>HC</sub>)/2014 be treated as their reply in original application no. 31(T<sub>HC</sub>)/2014. We so direct.</p> <p>Let copy of the reply filed in that writ petition be furnished to all the Counsel appearing in this case within one week from today.</p> <p>Learned Counsel appearing for the Respondent No. 5 prays for further time to file reply. Let reply be filed within three weeks from today with advance copy to all the Counsel appearing in these cases. Liberty to file rejoinder thereto, if any, is granted within one week thereafter.</p>

Learned Counsel appearing for the Applicant is also directed to inform the Counsel appearing for the Respondent No. 8 of the next date of hearing and the present order.

We must notice that the learned Counsel appearing for the State Pollution Control Board (SPCB) has fairly stated that there are number of industries who are working without consent of the Board and action is being taken against such industries.

The industries which are operating without obtaining consent of the State Board under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 as the case may be shall not be permitted to operate henceforth. The statutory duty of the Board under these statutes and even the constitutional duty of the Board and the State is to ensure that pollution is prevented as well as controlled. Their industries are operating and are carrying on business of dyeing and printing in the industrial estate of district Pali.

We see no reason why effective steps be not taken by the Board to ensure that the industries which are causing pollution and are operating in violation of the specific provisions and without obtaining consent of the Board should be permitted to continue to cause pollution. The Board shall file its reply-cum-report by the next date of hearing. The District Magistrate of the concerned area and the Rajasthan SPCB shall be responsible for the compliance of the this order forthwith.

List these matters for hearing on 2<sup>nd</sup> May, 2014.

	.....,C.P. (Swatanter Kumar)
	.....,JM (M.S. Nambiar)
	.....,EM (Prof. (Dr.) P.C. Mishra)
	.....,EM (Dr. R.C. Trivedi)

