



(Regional Office)

Ph. 2491269

Rajasthan State Pollution Control Board,
F-470 MIA Madri Udaipur

No.:RPCB/RO udr// 518

Date: 12/9/15

REGISTERED POST

The Registrar NGT

New Delhi

Email:- filing.ngt@gmail.com

sub:- Regarding compliance of Hon'ble National Green Tribunal directions in OA 797/2018 in the matter of Residents of Saren phala Dhelana Applicant(s) versus State of Rajasthan Respondent(s) dated 02.05.2019

Sir,

With respect to above, status report on Compliance of Hon'ble National Green Tribunal of dated 02.05.2019 in the matter OA 797/2018 Residents of Saren phala Dhelana V/s SOR is enclosed herewith.

Yours Faithfully


Regional Officer

**Status report on Compliance of Hon'ble National Green Tribunal Dated
02.05.2019 in the matter of OA 797/2018 Residents of Saren Phala
Dhelana V/s SOR**

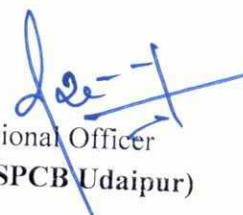
Earlier Status : In the NGT OA 797/2018 Residents of Saren Phala Dhelana Applicant (S) Rajasthan Respondent (S) dated 02.05.19, it was directed by NGT in point no.3 as below.

"We have examined the methodology adopted for assessment of environmental damages and we find that it has been erroneously adopted as such methodology pertains to industries and not mining. As regards the latter, i.e. methodology pertaining to mining, appropriate orders has already been issued to the Central Pollution Control board (CPCB) for formulating one."

After receiving the direction of Hon'ble NGT in the matter the RSPCB contacted the CPCB on dated 27.05.19 (copy enclosed). However no information could be received from the same regarding calculation of environmental compensation for the mines. In the mean time, an Environmental compensation cell has been created at HO RSPCB level, in compliance of direction of Hon'ble Supreme Court and Hon'ble NGT under the chief Environment Engineer of RSPCB for recommending imposition of environmental compensation on mine as well. Hence the matter was referred to the same on dated 05.07.2019. Based on the calculation of environmental compensation by the above further necessary action was to be taken against the mines M/s Vineet Udhyog Ltd (ML No. 226/91) which has already been closed down by RSPCB u/s 33 A of Water Act and 31 A Air Act for violation for the above Acts vide HO letter no. F12(UDPR-146)/RPCB/Gr. Mines/64 dated 09.04.2019

The above has already been mailed on filing.ngt@gmail.com on dtd 12.07.19.

Current Status: Environmental compensation has been imposed on the unit by HO Vide Letter no 1 to 115 dtd 20.08.19 of (Sr. no. 87 of the list enclosed) of Rs 300000. The unit has been directed to deposit the amount through a demand draft drawn in favour of Member Secretary, Rajasthan State Pollution Control Board Jaipur within 45 days vide letter no 487 dtd 29.08.19 (copy enclosed). Letter has also been issued to Mining Engineer Deptt. of Mines and Geology (no. 486 dtd 29.08.19) to ensure that the unit deposits the same within stipulated time.


Regional Officer
(RO RSPCB Udaipur)



Regional office
Rajasthan State Pollution Control Board
Udaipur

No.: RPCB/ROU/UDR/

486-488

Dated : 29.

The Director
M/s Vineet Udyog Pvt. Ltd.
N/v Dhelana, Tehsil : kherwara, Udaipur

Sub:- Directions for depositing of Environmental Compensation under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and section 31A of the Air (Prevention and Control of Pollution) Act, 1981 in compliance of orders of the Hon'ble Supreme Court in Writ Petition Civil No. 375/2012 Paryavaran Suraksha Samiti & Anr. Vs Union of India & Others and the Hon'ble national Green Tribunal in Original Application No. 606/2018 - Compliance of Municipal Solid Waste management Rules, 2016.

Ref :- HO letter no. F-(E-Comp-01) RPCB/ECC/1 to 115 Date : 20.08.19

Sir,

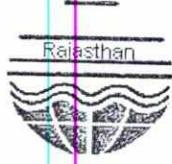
With reference to above, Environmental compensation has been imposed on your unit by HO Vide Letter no 1 to 115 dtd 20.08.19 of (Sr. no. 77 of the list enclosed) of Rs 300000. You are directed to deposit the amount through a demand draft drawn in favour of Members Secretary, Rajasthan State Pollution Control Board Jaipur within 45 days. It is to be noted that action for closure of unit will be initiated if the above is not deposited within stipulated time as mentioned in the letter.

Your Faithfully

29.8.19
(Dr. B.R. Panwar)
Regional Officer

e/c

Regional Office, RSPCB, Udaipur
Address : F-470, Near UCCI Building, M.I.A, Udaipur.
Email : ro.udaipur@gmail.com
Phone no : 0294-2491269



Regional office
Rajasthan State Pollution Control Board
Udaipur

No.: RPCB/ROU/UDR/

486 - 488

Dated : 27/

The Mining Engineer (Goverhan Vilas)
Department of Mines & Geology
Udaipur 17/08-19

Sub:- Regarding environmental compensation imposed on M/s Vineet Udyog in the matter
NGT case no. 797/2018.

Ref:- HO letter no. F-(E-Comp-01) RPCB/ECC/1 to 115 Date : 20.08.19

Sir,

With reference to above, Environmental compensation of Rs 300000 has been imposed by
RPCB Jaipur on the above unit (Copy enclosed units name at Sr. 87 of list) which has to be deposited
within 45 days. You are therefore advised to ensure that the unit deposits the same through a demand
draft drawn in favour of Member Secretary, Rajasthan State Pollution Control Board Jaipur.
I am informed that direction for closure has already been issued to the above mines with copy to DM
to ensure closure of the mines and further action may be taken accordingly looking to the fact
that direction for recovery of environmental compensation has been given by NGT and the same have
been informed about the compliance in this regard.

Your Faithfully

29.8.19
(Dr. B.R. Panwar)
Regional Officer

e/c

Regional Office, RSPCB, Udaipur
Address : F-470, Near UCCI Building, M.I.A, Udaipur.
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Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004

Phone :0141-5159699,5159604 e-mail : member-secretary@rpeb.nic.in

Toll Free Help Line No. : 18001806127 Ext. 7

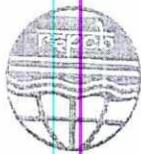
Office Order

F-(E-Comp-01) RPCB/ECC/ 140/15

Date: 20.08.2019

Sub: Directions for depositing of Environmental Compensation under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and section 31A of the Air (Prevention and Control of Pollution) Act, 1981 in compliance of orders of the Hon'ble Supreme Court in Writ Petition Civil No. 375/2012 Paryavaran Suraksha Samiti & Anr. Vs Union of India & Others and the Hon'ble National Green Tribunal in Original Application No. 606/2018 - Compliance of Municipal Solid Waste Management Rules, 2016.

1. Whereas section 24 of the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter called as the Water Act) provides that no person can cause or permit any poisonous, noxious or polluting matter, determined in accordance with such standards as may be laid down by the State Board, to enter into any stream or well or sewer or on land.
2. And whereas section 25/26 of the Water Act provides that no person shall without the previous consent of the State Board 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 or bring into use any new or altered outlet for the discharge or sewage or trade effluent or begin to make any new discharge of sewage or trade effluent.
3. And whereas section 21 of the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter called as the Air Act) provides no person shall without previous consent of the State Board, establish or operate any industrial plant in an air pollution control area, which is likely to cause air pollution in environment and discharge or cause or permitted to be discharged the emission of any air pollutant in excess to the standards laid down by the State Board.
4. And whereas the establishment/ entity (hereinafter referred to as the industry), whose name appears under column 2 in the list enclosed at Annexure-1 is engaged in operating an industrial plant / operation / process at the place mentioned under column 3 against its name in the list enclosed at Annexure-1 and during the process the industry discharges water and/ or air pollutants.
5. And whereas the industry has been reported to have violated the provisions of the Air Act and/ or Water Act in the manner stated under column 4 against its name in the enclosed list at Annexure-1.



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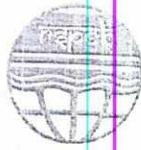
Phone :0141-5159699,5159604 e-mail : member-secretary@rpeb.nic.in

Toll Free Help Line No. : 18001806127 Ext. 7

6. And whereas the above observations indicate that the industry has failed to comply with the provisions of Air Act and Water Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of effluent/ emissions has caused grave damage to the environment which can be categorized as significantly huge with grave consequences on the environment, public health and flora & fauna.
7. And whereas the Hon'ble Supreme Court in Writ Petition Civil No. 375/2012 Paryavaran Suraksha Samiti & Anr. Vs Union of India & Others and the Hon'ble NGT in Original Application No. 606/2018 Compliance of Municipal Solid Waste Management Rules, 2016 and in several other cases has directed the Board to impose Environmental Compensation on 'all the individuals/ units /industries/ mines/ institution/ entities etc. who are causing damage to the environment on the principle of 'POLLUTER PAYS'.
8. And whereas Hon'ble NGT has issued the directions to impose Environmental Compensation on the non complying polluting units and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
9. And whereas the industry is liable to pay damages i.e. Environmental Compensation on the basis of 'Polluter Pays Principle' as directed by the Hon'ble Supreme Court in various orders and Hon'ble NGT.
10. And whereas the Board has estimated the amount of interim environmental compensation to be levied on the industry as mentioned under column 5 against its name in the list enclosed at Annexure-1 on the basis of Polluter Pays Principle.
11. And whereas the State Board in performance of its duties under the Acts, is competent to issue any directions under section 33 A of the Water Act and section 31 A of the Air Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.

In view of above, the State Board in exercise of the powers conferred upon it under section 33A of the Water Act and 31A of the Air Act and for performance of functions under the Acts, hereby directs the industry to deposit the amount mentioned under column 5 against its name in the list enclosed at Annexure-1 as Environmental Compensation on the basis of 'Polluter Pays Principle' within 45 days of receipt of this notice. The Environmental Compensation may be deposited through a demand draft drawn in favour of the Member Secretary, Rajasthan State Pollution Control Board, Jaipur.

Please be informed that in case of failure to deposit the Environmental Compensation the industry will be liable for following actions:-



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- i. Consent to establish and/ or consent to operate shall be refused/ revoked without any further notice.
- ii. Legal action including filing of Execution Application before the Hon'ble NGT may be initiated against the industry and its owners/ occupiers.
- iii. Any application for grant/ renewal of consent to establish or consent to operate shall not be entertained by the Board.
- iv. After 45 days the industry shall be liable to pay additional amount @ 10% of the total amount of Environmental Compensation for each month or part thereof till deposition of the Environmental Compensation.

It may be further noted that failure to comply with these directions is a criminal offence, punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine under section 41(2) of the Water Act and section 39 of the Air Act and the industry shall be closed immediately without any prior notice.

Encls - Annexure-1.

Yours Sincerely,

(Shailaja Deval)

Member Secretary

Date: 20.08.2019

P- (E-Comp- 01) RPCB/ECC/ 14-8/15

Copy to following:-

1. M/s (Name and Address as per column no. 2 and 3 of the enclosed Annexure-1).
2. Chief Accounts Officer, Rajasthan State Pollution Control Board, Jaipur.
3. Group In Charge (Textiles/ HSW/ CD & Project/ BMW) ..
Rajasthan State Pollution Control Board, Jaipur.
4. Regional Officer, Regional Officer, Rajasthan State Pollution Control Board, Balotra/
Chittorgarh/ Udaipur/ Jaipur (North)/ Pali to ensure compliance of the directions passed
by the Board and ensure closure of the industry in case of failure to deposit the
Environment Compensation within the stipulated time.
5. Master File, Environment Compensation Cell, Rajasthan State Pollution Control Board,
Jaipur.
6. Guard File.

Member Secretary

Agenda item	Name of the industry	Address	Violations	Amount of interim Environmental Compensation recommended (in Rs.)	
				In figures	In words
1	2	3	4	5	
84.	M/s Maha Dhan Laxmi Textile Mills	G-154, 2 nd Phase, RIA, Balotra, Pachpadra, Barmer	Effluent does not conform to the prescribed standards	10000	Ten Thousand
85.	M/s Manish Ratan Fabrics	G-1-194, 3 rd Phase, RIA, Balotra, Pachpadra, Barmer	Effluent does not conform to the prescribed standards	40000	Forty Thousand
86.	M/s Hari Om Industries	H-118, RIICO Industrial Area, Kishangarh Renwal, Phulera, Jaipur	i. Operating without consent ii. Authorization not obtained iii. Operating in violation of closure directions	1800000	Eighteen Lakh
87.	M/s Vineet Udyog Pvt. Ltd	N/v Dhelana, Tehsil Khelwara, Udaipur	i. Operating without consent for last one year (Mine < 5 ha) ii. Dumping of mining waste haphazardly.	300000	Three Lakh
88.	M/S Balaji Process	F-275-276, Punayata Ind. Area, Pali	Effluent does not conform to the prescribed standards	30000	Thirty Thousand
89.	M/s Rupali Hand Process	F-273, PIA, Punayata, Pali	Effluent does not conform to the prescribed standards	20000	Twenty Thousand
90.	M/s Shri Keshriya Ji Dyeing Works	F-196, Punayata Industrial Area, Pali	Effluent does not conform to the prescribed standards	20000	Twenty Thousand
91.	M/s Ganesh Textiles,	F-195, Punayata Industrial Area, Pali	Effluent does not conform to the prescribed standards	20000	Twenty Thousand
92.	M/s Sangam Process,	E-33, MRIA, Pali	Effluent does not conform to the prescribed standards	30000	Thirty Thousand
93.	M/s Maharaja Textile Mills	E-17, MRIA, Pali	Effluent does not conform to the prescribed standards	20000	Twenty Thousand

