

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, CENTRAL
ZONAL BENCH, BHOPAL (M.P.)

ORIGINAL APPLICATION NO. 186/2023

Gopal gurjar

....Applicant

Versus

State of Rajasthan & Ors.

...Respondents

INDEX

Sr. No.	Particular	Page No.
1.	Action Take Report (ATR)	1-11
2.	Affidavit	12
3.	Annexure R-1 Show cause notices issued for imposition of EC dated 29.04.2024	13-54



ATTESTED
13/11/2024
PHOOL CHAND BARWAR
NOTARY PUBLIC, JHUNJHUNU
RAJASTHAN (INDIA)

Counsel for the RSPCB

(Arvind Soni)
Advocate

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, CENTRAL
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COMPLIANCE/ACTION TAKEN REPORT OF THE DIRECTION
GIVEN BY THE HON'BLE TRIBUNAL VIDE ORDER DATED
24.04.2024 ON BEHALF OF RAJASTHAN STATE POLLUTION
CONTORL BOARD.

MAY IT PLEASE YOUR HONOUR:

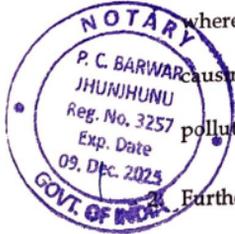
The humble respondent (Rajasthan State Pollution Control Board) is most
humbly submitted this Compliance/ Action Taken Report as per direction given by
the Hon'ble Tribunal vide Order dated 24.04.2024

CONTEXT OF SUBMISSION OF ACTION TAKEN REPORT

1. Sh. Gopal Gurjar had earlier filed a petition with Hon'ble NGT Principal Bench
of Delhi, with OA No 20/2023, which was heard for the matter relating to the
allegations that there are several industries in Industrial Area operated by RIICO
where copper scrap is being burnt during night emanating poisonous gases
causing serious health hazards and damaging environment and also causing air
pollution.

Further, Joint Committee formed by Hon'ble NGT in this matter had submitted
its report with following conclusions: -

- a. As per inspection of the joint committee, it has been concluded that there is only
one unit is operative within the RIICO Industrial Area, in the name & Style of



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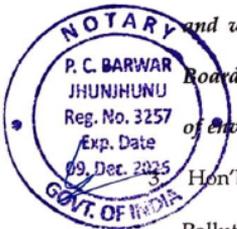
M/s DK Metals & Alloys, G-158, RIICO Bidasar, Churu, which is engaged in activities related to copper scrap processing.

- b. During the course of visit, joint committee observed that the unit has provided, adequate pollution control measures like fume collection hood, stack equipped with water scrubber and ETP for treatment of scrubbed waste water, etc.*
- c. In order to ascertain the efficiencies of installed pollution control measures, stack monitoring of the stack has also been carried out by the state board laboratory and as per the results of the stack, particulate matters were found under prescribed limit.*
- d. Further, rest of the units located in the RIICO were also inspected by the joint committee and it was observed that most of the units are of micro scale and engaged in peanut processing, which are covered under white category, and treated as non-polluting and are exempted from consent of the State Board.*
- e. Few industries which are covered under red category and orange category, which though found operative, but not obtained prior permission from the State Board, have been issued show cause notice for intended closure directions under the relevant sections of Air and Water Acts.*
- f. Furthermore, show cause notices for intended imposition of Environmental Compensation have also been issued to these units, who have not obtained prior permission from State Board*
- g. Allegations like several industries are burning copper does not hold true as there is only one unit which is processing copper scrap and that too by adopting adequate pollution control measures.*
- h. Concerned departments for regulating other units which may cause air pollution*

and water pollution and are operative without prior permission from State Board, have already initiated actions against the defaulter units like imposition of environmental compensation and initiating legal proceedings etc.

Hon'ble NGT vide its order dated 20.02.2024, has further instructed Rajasthan Pollution Control Board: -

"to take necessary actions and dispose the notices after giving an opportunity of hearing to the respondents, in case of violation, calculate the environment



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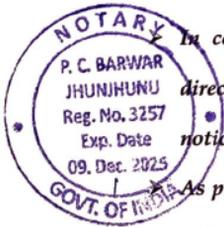
compensation and realize it according to law and to submit further action taken report within three weeks. "

4. Action taken report of the aforesaid order of the Hon'ble NGT was submitted by the State Board with following conclusions: -

- As alleged in the writ petition regarding pollution due to copper scrap burning at RIICO Bidasar, during night emanating poisonous gases causing serious health hazards and damaging environment and also causing air pollution, it has been concluded during previously submitted joint inspection report, that only one unit is operative within the RIICO Industrial Area, in the name & Style of M/s DK Metals & Alloys, G-158, RIICO Bidasar, Churu, which is engaged in activities related to copper scrap processing.
- During the course of visit, joint committee observed that the unit has provided, adequate pollution control measures like fume collection hood, stack equipped with water scrubber and ETP for treatment of scrubbed waste water etc.
- In order to ascertain the efficiencies of installed pollution control measures, stack monitoring of the stack has also been carried out by the state board laboratory and as per the results of the stack monitoring, particulate matters were found under prescribed limit.
- In previously filed joint inspection report, it was highlighted that, there are 15 units which are liable to obtain consent to operate from State Board and are in operation without prior permission from State Board, to whom show cause notices for intended closure directions were issued vide state boards letter dated 01.02.2024.

In continuation to this Hon'ble NGT, vide its order dated 20.02.2024 has directed Rajasthan State Pollution Control Board to dispose the show cause notices issued after giving an opportunity of being heard to the defaulter units.

As per directions of Hon'ble NGT, and OBH was issued to all the 15 defaulter units, directing them to apply for consent to establish/operate and to adopt pollution control measures.



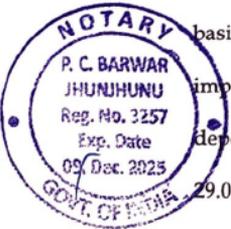
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- Out of 15 identified units 09 units have covered under consent mechanism (either applied and obtained consent from board or application is under consideration).
 - 02 units have declared that they have stopped the operation permanently and completely dismantled plant and machinery.
 - 04 units have neither applied for consent nor adopted adequate pollution control measures. State Board has issued closure directions to these 04 units and seized plant and machinery of these 04 units. Further, electric connections of these 04 units have been disconnected by Jodhpur Vidyut Vitran Nigam Limited, Bidasar, Churu in compliance of closure directions issued.
 - Also, main contention of the writ petition that several industries are burning copper does not hold true as there is only one unit which is processing copper scrap and that too by adopting adequate pollution control measures.
5. Taking into consideration to the aforesaid action taken report placed on record, Hon'ble NGT vide order dated 24.04.2024, has passed following order: -
 , "State PCB is directed to finalize the notices issued to the respondents and further to identify the violation for the past activities and to proceed for realization of environmental compensation according to rules. Further action taken report be filed within three weeks.
6. As directed by Hon'ble NGT, action taken report of aforesaid order is as under: -

2. ACTION TAKEN REPORT OF THE ORDER DATED 24.04.2024

1. That, as per directions issued by the Hon'ble NGT, past violations and period of violations of the defaulter units were identified by the State Board and on the basis of calculated period of violation, show cause notices for intended imposition of environmental compensation including the amount to be deposited were issued to the 14 defaulter units vide this office letter(s) dated 29.04.2024 (enclosed as Annexure- R-1).
2. That, out of the previously identified 15 defaulter units, one unit in the name of M/s SK Engineering Co, RIICO Bidasar has submitted that they have already

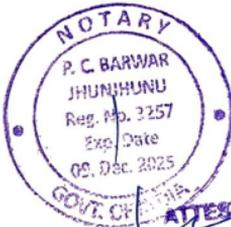


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obtained acknowledgment under green category prior to the identification, facts of the reply of the unit were scrutinized and it was observed that the contents of the reply of the units holds true, as such show cause notice for intended imposition of EC was not issued to this unit.

3. That, as per the show cause notices issued to the units total amount calculated for the past violations was calculated as Rs 21,85,400/- for 14 units as per the State Boards guidelines issued for calculation imposition of environmental compensation.
4. That, all of these 14 units to whom show cause notices were issued for imposition of EC, have admitted the past violations and deposited the amount as imposed on them vide different letters. Of the total imposed amount of Rs 21,85,400/-, complete amount has been realized by the State Board from 14 defaulter units.

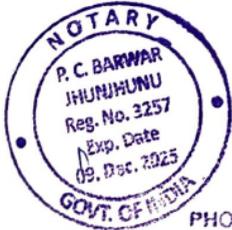


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5. A summary of these defaulter industries including details of deposition of EC is as under: -

S. No	Name of the unit	Address of the Unit	Production activity / Plot Allotted for the purpose	Details of Violation identified by the Board	Present Operational Status	Category of the unit	Amount of EC imposed (Rs)	Status of Deposition of EC (Rs)	Consent Status
1	M/s Kewatia Foods Pvt Ltd	F-1, 2, 3, RIICO Bidasar, Churu	Peanut Processing and Groundnut Oil	Unit found operating without prior permission from State Board	Operational	Orange	483000	Deposited	Valid CTO
2	M/s Karni Kripa Sand Stone	F-5, RIICO Bidasar, Churu	Stone Cutting	Unit found operating without prior permission from State Board	Operational	Orange	60000	Deposited	Valid CTO
3	M/s Kohinoor Prints (Old Name-Krishna Gopal Godara)	G1-6, RIICO Bidasar, Churu	Engaged in Textile Dyeing & Printing during operation	Unit found operating without prior permission from State Board	Non Operational due to issuance of closure directions	Red	291200	Deposited	Closure directions issued.
4	M/s Shri Mahalaxmi Steel Udyog	G-1-13 RIICO Bidasar, Churu	Fabrication Work	Unit found operating without prior permission from State Board	Operational	Green	280000	Deposited	Acknowledgment Issued



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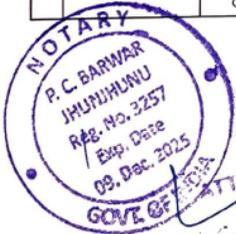
5	M/s Novatex Industries	H-19-20 RIICO Bidasar, Churu	Job Work and Fabrication activity	Unit found operating without prior permission from State Board	Operational	Green	90000	Deposited	Acknowledgment Issued
6	M/s MS Industries	H-38 RIICO Bidasar, Churu	Engaged in Textile Dyeing & Printing during	Unit found operating without prior permission from State Board	Non Operational due to issuance of closure directions	Red	291200	Deposited	Closure directions issued.
7	M/s Borawar Industries	H-39,68,69,70 RIICO Bidasar, Churu	Peanut Processing and Groundnut Oil	Unit found operating without prior permission from State Board	Operational	Orange	105000	Deposited	Valid CTO
8	M/s Bidasar Forge Ind	H-40 RIICO Bidasar, Churu	Iron Hinge and Nut Bolt	Unit found operating without prior permission from State Board	Operational	Green	55000	Deposited	Acknowledgment Issued



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9	M/s Champa Industries	H-42 RIICO Bidasar, Churu	Washing and Squeezing of Cloths	Unit found operating without prior permission from State Board	Dismantled	Red	75000	Deposited	Unit has dismantled complete plant and machinery
11	M/s Pushpa Industries (Old Name- Daga Industries)	H-54, RIICO Bidasar, Churu	Food Industries	Unit found operating without prior permission from State Board	Dismantled	Orange	115000	Deposited	Unit has dismantled complete plant and machinery
12	M/s Neil Foods	H-51, RIICO Bidasar, Churu	Roasted Peanuts	Unit found operating without prior permission from State Board	Operational	Orange	55000	Deposited	Valid CTO
13	M/s Neil Foods	H-1-56 RIICO Bidasar, Churu	Dairy Products	Unit found operating without prior permission from State Board	Dismantled	Orange	40000	Deposited	Unit has dismantled complete plant and machinery
14	M/s Shri Mahalaxmi Constructions	H-63 RIICO Bidasar, Churu	Cement Blocks	Unit found operating without prior permission from State Board	Operational	Green	190000	Deposited	Acknowledgment Issued
15	M/s Kardwal Industries	H-138, H-144-145, 146, 147 RIICO Bidasar, Churu	Biomass Briquettes		Operational	Green	85000	Deposited	Applied for consent to establish and Operate



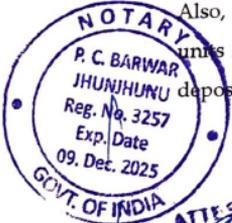
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CONCLUSIONS

1. That, as alleged in the writ petition regarding pollution due to copper scrap burning at RIICO Bidasar, during night emanating poisonous gases causing serious health hazards and damaging environment and also causing air pollution, it has been concluded during previously submitted joint inspection report, that there is only one unit is operative within the RIICO Industrial Area, in the name & Style of M/s DK Metals & Alloys, G-158, RIICO Bidasar, Churu, which is engaged in activities related to copper scrap processing.
2. That, during the course of visit, joint committee observed that the unit has provided, adequate pollution control measures like fume collection hood, stack equipped with water scrubber and ETP for treatment of scrubbed waste water etc.
3. That, in order to ascertain the efficiencies of installed pollution control measures, stack monitoring of the stack has also been carried out by the state board laboratory and as per the results of the stack monitoring, particulate matters were found under prescribed limit.
4. That, total 14 Units were identified as defaulter units and all these units have now brought under consent mechanism of the Board.

Also, environmental compensation has been imposed on these 14 units for an amount of Rs 21,85,400/-. All the defaulter units have deposited the imposed environmental compensation.



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PRAYER

In view of the above, it is submitted that the Compliance/Action Taken Report on behalf of Rajasthan State Pollution Control Board may kindly be taken on record.



Sudheer Yadav
RO, RSPCB, Jhunjhunu

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Through his Counsel:



(Arvind Soni)
Advocate



PHOOL CHAND BARWAR BEFORE ME

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Versus

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...Respondents

AFFIDAVIT

I, Sudheer Yadav, S/o J R Yadav, Aged about 41 years, Regional Officer, Rajasthan State Pollution Control Board, Jhunjhunu, Rajasthan, do hereby solemnly affirm on oath as under:

1. That I am the Regional Officer for Rajasthan State Pollution Control Board, Jhunjhunu and fully conversant with the facts of the case and hence competent to swear on this Affidavit.
2. That the contents of the Compliance/Action Taken Report has been drafted on my instructions and the same are true and correct to the best of my knowledge and belief and no material fact has been concealed or suppressed.



VERIFICATION

I, the above named Deponent do hereby verify that the contents of the Affidavit are true and correct to the best of my knowledge and belief and no material fact has been concealed.

Signed and verified on 13th July, 2024 at Jhunjhunu (Rajasthan)

WITNESSED AND SIGN BEFORE ME

ATTESTED
13/7/2024
PHOOL CHAND BARWAR
NOTARY PUBLIC, JHUNJHUNU
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RAJASTHAN STATE POLLUTION CONTROL BOARD, JHUNJHUNU
Email: rorpcb.jjn@gmail.com
www.environment.rajasthan.gov.in

No. RPCB/RO JJN/ Gen- ^{Legal-40} 1357, 364

Date: 29/04/2024

M/s Shri Mahalaxmi Steel Udhog,

G-1-13 RIICO Bidasar, Churu

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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: - Hon'ble NGT order dated 24.04.2024

1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the "Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/ emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s Shri Mahalaxmi Steel Udhog, which is engaged in operating an industrial plant /operation /process at G-1-13 RIICO Bidasar, Churu and during the process the industry discharges air &/or water pollutants.



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Email:-rorpcb.jjn@gmail.com
www.environment.rajasthan.gov.in



7. And whereas unit was inspected by the Board officials on dated 29.01.2024 &/or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 56 (i.e. from 29.01.2024 to 22.03.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 280000/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,


(Deepak Dhanetwal)
SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.


Regional Officer



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No. RPCB/RO JJN/ Gen- 1350, 363

Date: 29/04/2024

M/s Karni Kripa Sand Stone,
F-5, RIICO Bidasar , Churu

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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.

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1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the "Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s Karni Kripa Sand Stone, which is engaged in operating an industrial plant /operation /process at F-5, RIICO Bidasar , Churu and during the process the industry discharges air &/or water pollutants.

राज कॉम्प्लेक्स, प्रथम तल, सी.पी. 01/90 फेज-II शीको औद्योगिक क्षेत्र, झुंझुनूं, राजस्थान - 333001
CP-01/90, Raj Complex, First Floor, RIICO Phase-II, Jhunjhunu (Rajasthan)-333001



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RAJASTHAN STATE POLLUTION CONTROL BOARD, JHUNJHUNU
Email:-rorpcb,jjn@gmail.com
www.environment.rajasthan.gov.in



7. And whereas unit was inspected by the Board officials on dated 29.01.204 &/or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 12 (i.e. from 29.01.2024 to 10.02.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 60000/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/ in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,

(Deepak Dhanetwal)

SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.

Regional Officer



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RAJASTHAN STATE POLLUTION CONTROL BOARD, JHUNJHUNU
Email:-rorpcb.jjn@gmail.com
www.environment.rajasthan.gov.in



No. RPCB/ROJJN/ Gen- 1849/362 Date:
M/s Kohinoor Prints (Old Name-Krishna Gopal Godara),
G1-6, RIICO Bidasar , Churu

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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: - Hon'ble NGT order dated 24.04.2024

1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the "Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/ activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/ emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/ establishment/ entity (hereinafter referred to as the industry) in the name of M/s Kohinoor Prints (Old Name-Krishna Gopal Godara), which is engaged in operating an industrial plant / operation / process at G1-6, RIICO Bidasar , Churu and during the process the industry discharges air &/or water pollutants.

राज कॉम्प्लेक्स, प्रथम तल, सी.पी. 01/90 फेज-II रीको औद्योगिक क्षेत्र, झुंझुनू राजस्थान - 333001
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RAJASTHAN STATE POLLUTION CONTROL BOARD, JHUNJHUNU
Email:-rorpcb.jjn@gmail.com
www.environment.rajasthan.gov.in



7. And whereas unit was inspected by the Board officials on dated 29.01.204 &/or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 56 (i.e. from 29.01.2024 to 22.03.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 291200/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,

Deepak Dhanetwal)
SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.

Regional Officer



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No. RPCB/RO JJN/ Gen- 1348, 361

Date: 29/04/2024

M/s Kewatia Foods Pvt Ltd,

F-1, 2, 3 RIICO Bidasar, Churu

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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: - Hon'ble NGT order dated 24.04.2024

1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the "Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/ emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s Kewatia Foods Pvt Ltd, which is engaged in operating an industrial plant /operation / process at F-1, 2, 3 RIICO Bidasar, Churu and during the process the industry discharges air &/or water pollutants.



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www.environment.rajasthan.gov.in



7. And whereas unit was inspected by the Board officials on dated 29.01.204 &/ or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 92 (i.e. from 29.01.2024 to 29.04.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 483000/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/ in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,


(Deepak Dhanetwal)

SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.


Regional Officer



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Email:-rorpcb.jjn@gmail.com
www.environment.rajasthan.gov.in



No. RPCB/RO JIN/ Gen- 1347, 360
M/s Neil Foods,
H-51, RIICO Bidasar , Churu

Date: 29/04/2024

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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: - Hon'ble NGT order dated 24.04.2024

1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the "Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s Neil Foods, which is engaged in operating an industrial plant /operation /process at H-51, RIICO Bidasar , Churu and during the process the industry discharges air &/or water pollutants.

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CP-01/90, Raj Complex, First Floor, RIICO Phase-II, Jhunjhunu (Rajasthan)-333001



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7. And whereas unit was inspected by the Board officials on dated 29.01.204 &/or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 11 (i.e. from 30.01.2024 to 10.02.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 55000/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/ in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,



(Deepak Dhanetwal)

SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.



Regional Officer



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No. RPCB/RO JIN/ Gen- 1346, 359

Date: 29/04/2024

M/s Neil Foods,

H-1-56 RIICO Bidasar , Churu

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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: - Hon'ble NGT order dated 24.04.2024

1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the "Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s Neil Foods, which is engaged in operating an industrial plant /operation /process at H-1-56 RIICO Bidasar , Churu and during the process the industry discharges air &/or water pollutants.

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7. And whereas unit was inspected by the Board officials on dated 29.01.204 &/or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 8 (i.e. from 30.01.2024 to 07.03.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 40000/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/ in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,


(Deepak Dhanetwal)
SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.


Regional Officer



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No. RPCB/RO JIN/ Gen- 1345, 358
M/s Shri Mahalaxmi Constructions,
H-63 RIICO Bidasar, Churu

Date: 29/04/2024

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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: - Hon'ble NGT order dated 24.04.2024

1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the "Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/ activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s Shri Mahalaxmi Constructions, which is engaged in operating an industrial plant / operation / process at H-63 RIICO Bidasar, Churu and during the process the industry discharges air &/or water pollutants.



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RAJASTHAN STATE POLLUTION CONTROL BOARD, JHUNJHUNU
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7. And whereas unit was inspected by the Board officials on dated 29.01.204 &/or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 32 (i.e. from 30.01.2024 to 02.03.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 160000/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,



(Deepak Dhanelwal)

SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.



Regional Officer



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www.environment.rajasthan.gov.in



No. RPCB/RO JJN/ Gen- 1344, 357.

Date:

M/s Kardwal Industries,

H-138, H-144-145, 146,147 RIICO Bidasar , Churu

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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: - Hon'ble NGT order dated 24.04.2024

1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the "Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s Kardwal Industries, which is engaged in operating an industrial plant /operation /process at H-138, H-144-145, 146,147 RIICO Bidasar , Churu and during the process the industry discharges air &/or water pollutants.



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7. And whereas unit was inspected by the Board officials on dated 29.01.204 &/or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.^o
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 17 (i.e. from 30.01.2024 to 16.02.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 85000/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,


(Deepak Dhanetwal)
SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.


Regional Officer



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No. RPCB/RO JJN/ Gen- 1342-343

Date: 29/04/2024

M/s Pushpa Industries (Old Name- Daga Industries),
H-54, RIICO Bidasar, Churu

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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: - Hon'ble NGT order dated 24.04.2024

1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the "Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s Pushpa Industries (Old Name- Daga Industries), which is engaged in operating an industrial plant / operation / process at H-54, RIICO Bidasar, Churu and during the process the industry discharges air &/or water pollutants.



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7. And whereas unit was inspected by the Board officials on dated 29.01.204 &/or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 23 (i.e. from 30.01.2024 to 22.03.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 115000/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,

(Deepak Dhanetwal)
SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.

Regional Officer



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No. RPCB/RO JJN/ Gen- 1340-341

Date: 29/04/2024

M/s Chimpa Industries,
H-42 RIICO Bidasar, Churu

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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: - Hon'ble NGT order dated 24.04.2024

1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the "Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s Chimpa Industries, which is engaged in operating an industrial plant /operation /process at H-42 RIICO Bidasar, Churu and during the process the industry discharges air &/or water pollutants.



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7. And whereas unit was inspected by the Board officials on dated 29.01.204 &/ or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 15 (i.e. from 29.01.2024 to 13.03.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 75000/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,

(Deepak Dhanetwal)

SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.

Regional Officer



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No. RPCB/RO JJN/ Gen- / 338-339
M/s Bidasar Forge Ind,
H-40 RIICO Bidasar , Churu

Date: 29/04/2024

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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: - Hon'ble NGT order dated 24.04.2024

1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the " Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/ emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s Bidasar Forge Ind, which is engaged in operating an industrial plant /operation /process at H-40 RIICO Bidasar , Churu and during the process the industry discharges air &/or water pollutants.

राज कॉम्प्लेक्स, प्रथम तल, सी.पी. 01/90 फेज-II रीको औद्योगिक क्षेत्र, झुंझुनूं, राजस्थान - 333001
CP-01/90, Raj Complex, First Floor, RIICO Phase-II, Jhunjhunu(Rajasthan)-333001



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RAJASTHAN STATE POLLUTION CONTROL BOARD, JHUNJHUNU
Email:-rorpcb.jjn@gmail.com
www.environment.rajasthan.gov.in



7. And whereas unit was inspected by the Board officials on dated 29.01.204 &/or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 8 (i.e. from 29.01.2024 to 09.02.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 40000/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/ in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,


(Deepak Dhanetwal)
SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.


Regional Officer



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Email: rorpcb.jjn@gmail.com
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No. RPCB/RO JJN/ Gen- 1336-337

Date: 29/04/2024

M/s Borawar Industries,

H-39,68,69,70 RIICO Bidasar , Churu

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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: - Hon'ble NGT order dated 24.04.2024

1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the "Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s Borawar Industries, which is engaged in operating an industrial plant /operation /process at H-39,68,69,70 RIICO Bidasar , Churu and during the process the industry discharges air &/or water pollutants.

राज कॉम्प्लेक्स, प्रथम तल, सी.पी. 01/90 फेज-II, रीको औद्योगिक क्षेत्र, झुंझुनू, राजस्थान - 333001
CP-01/90, Raj Complex, First Floor, RIICO Phase-II, Jhunjhunu (Rajasthan)-333001



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RAJASTHAN STATE POLLUTION CONTROL BOARD, JHUNJHUNU
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7. And whereas unit was inspected by the Board officials on dated 29.01.204 &/or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 21 (i.e. from 29.01.2024 to 19.02.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 105000/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/ in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,


(Deepak Dhanotwal)

SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.


Regional Officer



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Email:-rorpcb.jjn@gmail.com
www.environment.rajasthan.gov.in



No. RPCB/RO JN/ Gen- 1334-335

Date: 29/04/2024

M/s M.S. Industries,

H-38 RIICO Bidasar, Churu

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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: - Hon'ble NGT order dated 24.04.2024

1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the "Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s M.S. Industries, which is engaged in operating an industrial plant /operation /process at H-38 RIICO Bidasar, Churu and during the process the industry discharges air &/or water pollutants.



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7. And whereas unit was inspected by the Board officials on dated 29.01.204 &/ or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 56 (i.e. from 29.01.2024 to 22.03.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 291200/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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www.environment.rajasthan.gov.in



Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,


(Deepak Dhabertwal)
SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.


Regional Officer



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RAJASTHAN STATE POLLUTION CONTROL BOARD, JHUNJHUNU
Email: rorpcb.jjn@gmail.com
www.environment.rajasthan.gov.in



No. RPCB/RO JJN/ Gen- / 332-333

Date: 28/04/2024

M/s Novatex Industries,

H-19-20 RIICO Bidasar , Churu

Sub: Show cause notice for intended directions for depositing of Environmental Compensation under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 & Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 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: - Hon'ble NGT order dated 24.04.2024

1. And where the Air (Prevention and Control of Pollution) Act, 1981 & Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, w.e.f. 16/05/1981 & 23/06/1974.
2. And where the Air & Water Acts have been enacted to provide for the prevention, control and abatement of air & water pollution and for maintaining and restoring the wholesomeness of air & water.
3. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereinafter called as the "Board") has been conferred power to take such steps as are deemed necessary for the prevention control & abatement of air & water pollution.
4. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person shall without previous consent of the State Board, establish or operate any industrial plant/activity which is likely to cause air & water pollution in environment.
5. And whereas, under the provision of Section 21 of the Air Act & 23 of the water act, no person discharge or cause or permit to be discharge/ emission of any air and/or water pollutant in excess to the standards laid down by the State Board.
6. And whereas, you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s Novatex Industries, which is engaged in operating an industrial plant / operation / process at H-19-20 RIICO Bidasar , Churu and during the process the industry discharges air &/or water pollutants.



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7. And whereas unit was inspected by the Board officials on dated 29.01.204 &/or 30.01.2024.
8. And whereas, Show Cause Notice of intended closure directions under provision of Section 31(A) of Air Act and/or section 33A of the water act was issued vide this office letter(s) dated 01.02.2024 for the reasons mentioned therein.
9. And whereas, the above observations indicate that the industry has failed to comply with the provisions of Air Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of 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.
10. 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'.
11. And whereas, Hon'ble NGT in matter of OA NO 186/2023, Gopal Gurjar Vs State of Rajasthan & Ors vide order dtd 24.04.2024 has issued the directions to impose Environmental Compensation on the defaulter units for their past violations and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
12. 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 and Hon'ble NGT in various orders.
13. And whereas, the environment compensation is issued for reported non-compliance of total 18 (i.e. from 01.02.2024 to 16.02.2024) for the unit.
14. And whereas, the Board has estimated the amount of environmental compensation to be levied on the industry as Rs. 90000/- on the basis of "POLLUTER PAYS PRINCIPLE".
15. And whereas, the State Board in performance of its duties under the Acts, is competent to issue any directions under section 31 A of the Air Act and/or 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.



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Further, the State Board in exercise of the powers conferred upon it under 31A of the Air Act and 33 A of the Water Act and for performance of functions under the Acts intends to impose environmental compensation against your industry as mentioned herein above.

In view of the above, this show cause notice is being issued as to why the environmental compensation as above may not be imposed against your industry. In case, if you wish to submit any objection/clarification to the above intended imposition of environmental compensation, you may submit your reply along with the evidence based supporting documents in writing/in person by 15.05.2024, failing which the environmental compensation as mentioned herein above shall be imposed without any further notice to you in the matter.

Sincerely,


(Deepak Dhawan)
SEE & Regional Officer

Copy to :-

1. Master File, RSPCB, Jhunjhunu.


Regional Officer

VAKALATNAMA

In the Before Hon'ble NGT at Bhopal
Case O.A.No. 186/2023 No. 200

GOPAL GURJAR
VERSUS

STATE OF RAJASTHAN & Ors.

KNOW ALL MEN by these presents that I/we the undersigned Sudhakar Yadav S/o
J R YADAV, aged about 41 years resident of A-158,
Manglam Vaishali Estate, Gandhi Path (West), Jaipur (Raj.) at
Present working as Regional Officer, Jhunjhunu in the above case do hereby make, constitute and appoint

Shri Arvind Soni (Advocate)

My/our true and lawful attorneys, for me/us in my/our name, and on my/our behalf to appear plead and act in the said case, and more particularly to draw, make, present, withdraw, amend, represent and verify petition, complaints or written statements and to make, present applications or petitions in the court, to present, withdraw and receive documents and any money from the Court or from the opposite party either in execution of the decree or otherwise, and on receipt of payment thereof to sign and deliver for me/ us proper receipts and discharges for the same, to compromise or to refer the case to arbitration, to seek execution of the decree or any orders in the case, to draw, make present, withdraw, amend and represent any memorandum of appeal or cross objections in any appeal arising or to seek reviews or revision of any Judgement, decree or order in the case, to appear, conduct and plead in all such writ / appeals / revisions and reviews, and to do all other lawful acts and things as effectually as I/we could do the same whether being personally present or otherwise, My/our said counsel is/are also hereby authorised and empowered to instruct, engage or appoint any other counsel or counsels to appear, plead and act with or for him/them in his/their absence or otherwise as my/our said counsel may think proper to do so, all acts of such counsel or counsels shall be equally and similarly binding on me/us as if done by my/our said counsel and as if done by me/us personally.

I / we hereby agree that if any part of the said counsel's fee remains unpaid before the first hearing of the case, or if any hearing of the case be fixed on tour or at any other place except the usual court premises, then my / our said counsel will not be bound to appear before the court. The counsel's fee now settled and agreed to is in respect of this Court and for the pending proceedings only. Any fresh action hereafter taken will entitle the counsel to fresh fees. I / We also agree that if the case be dismissed in default or if it be proceeded ex-parte under any circumstances whatsoever the said counsel shall not be held responsible for the same and all whatsoever my/our said counsel shall do in connection with the said case, I / we do hereby agree to ratify and confirm. Any costs awarded in the case at any time in my/our favour shall form part of the counsel's claim and shall be payable to him/them in addition to his/their fees in the case.

IN WITNESS WHEREOF I/we have hereto set my/our hand (s) at _____

this 13-07-24 days of _____

and delivered to the said counsel (s)

Accepted

Arvind Soni

(Arvind Soni)

ADVOCATE

1. [Signature]

2. [Signature]

3. [Signature]

4. _____

क्षेत्रीय अधिकारी
राजस्थान प्रदूषण नियंत्रण मण्डल
मुंबई