

**BEFORE THE NATIONAL GREEN TRIBUNAL****CENTRAL ZONE BENCH AT BHOPAL**

EXECUTION PETITION 2 OF 2020

IN

ORIGINAL APPLICATION NO. 88 OF 2015

**IN THE MATTER OF:**

BABU LAL JAJOO

...APPLICANT

VERSUS

STATE OF RAJASTHAN &amp; ANR.

...RESPONDENTS

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**FILED By:**

*Anurag Albi belt*

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Date: 27.11.2023

Place: Bhopal

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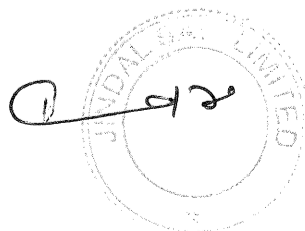
STATE OF RAJASTHAN & ANR.

RESPONDENTS

**REPLY ON BEHALF OF RESPONDENT NO. 2 / JINDAL SAW LIMITED TO THE ADDITIONAL AFFIDAVIT DATED 25.10.2023 (SERVED ON 30.10.2023) FILED ON BEHALF OF MUNICIPAL COUNCIL, BHILWARA.**

**Most Respectfully Showeth:**

1. The present Reply is being filed by the Respondent No.2 – Jindal Saw Limited against the Additional Affidavit dated 25.10.2023 (served on 30.10.2023) filed by the Municipal Council Bhilwara (Rajasthan) (“Additional Affidavit” hereinafter).
2. At the outset, the Respondent No.2 specifically, categorically, and individually denies all the allegations, averments, and contentions raised in the Additional Affidavit of Municipal Council Bhilwara (“MCB” hereinafter) except what is stated herein as a matter of record. The Respondent No.2 reiterates and reaffirms the contents of its Interim Application No. 18 of 2022 dated 22.02.2022 and its Status Reports, filed before this Hon’ble Tribunal. No part of the Additional Affidavit

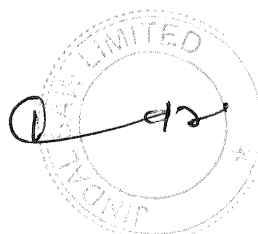
A handwritten signature in black ink is written over a circular stamp. The stamp contains the text "JINDAL SAW LIMITED" around its perimeter. The signature appears to be "D. J. J." or similar.

under reply may be deemed to have been admitted in the present Reply on account of express non-traversal or non-denial thereof.

3. The Respondent is making the following Preliminary Submissions on the grounds taken in the Additional Affidavit and submits as follows:

**The Factual Report set out in the Additional Affidavit are incomplete, vague and not supported by any documents.**

4. In the additional affidavit filed by Municipal Council Bhilwara, the authority has sought to confuse the background of the Existing STP (having capacity 10 MLD) which is in operations since 22.08.2012 for 5.5 MLD in 1<sup>st</sup> phase and 22.08.2014 for remaining 4.5 MLD in 2<sup>nd</sup> phase and the Proposed STP (having capacity 10 MLD) which will be in operations after June 2024, and alleged that M/s Jindal Saw has obtained the Land free of cost twice, and is now seeking to get water free of cost for the Proposed STP.
5. Whereas the land allotted for the existing STP was on Lease Basis and Respondent No.2 is paying the lease rent amount as agreed in the agreement dated 05.10.2011 and after completion of the tenure of this agreement in 2031, land shall be vested back to the MCB along with the STP plant in working condition without any cost. Latest Revenue Record of Khasra No. 338 clearly states that the land is owned by MCB. Copy of the Latest revenue record for Khasra No. 338 is annexed herewith as **Annexure – 1.**
6. It is submitted that the previous existing STP cannot be at par with the Proposed STP and as there is a noteworthy and essential difference in the background of setting up of the Proposed STP – as this Hon'ble Tribunal in the proceedings of OA No. 88 of 2015 had directed the Respondent No.2 to make the 2<sup>nd</sup> STP near the Existing STP – and it is

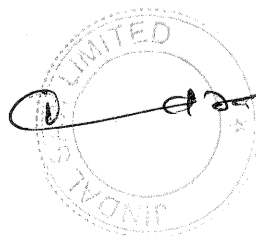


in the humble compliance of this Hon'ble Tribunal's orders that the Respondent No.2 has taken every bonafide step to set up the new STP.

7. The Respondent No.2 is setting out the brief factual background in the present case as set out below:

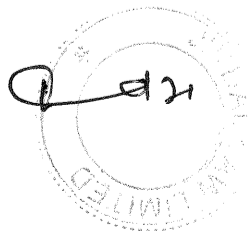
- i. The Original Application No. 88/2015 ("OA No. 88 of 2015") was preferred by the Applicant herein, making various allegations such as illegal mining and illegal blockage of catchment area of Samodi pond by Respondent No. 2.
- ii. In proceedings of OA No. 88 of 2015, vide the Order dated 23.05.2016 and 29.07.2016, the Hon'ble NGT was pleased to direct the District Collector, Bhilwara to ensure the site for the installation of new amending Sewage Treatment Plan ("STP" hereinafter) which the Respondent No.2 i.e. JSAW had undertaken to establish. However, as detailed in the subsequent paragraphs, the land for 2<sup>nd</sup> STP along with the Right of Way/access to the land, was not made available to the Respondent No.2 till the year, 2022, as detailed below. Copy of the Orders dated 23.05.2016 and 29.07.2016 passed by this Hon'ble Tribunal are attached herewith as **Annexure -2 (Colly.)**.
- iii. Whereas the issue of handover of Land for the 2<sup>nd</sup> STP and right of way remained pending in the matter.

The MCB has submitted compliance affidavit dated 28.04.2017 and issued demand notice of Rs. 22.26 Cr against the land. The Local Self Government had withdrawn earlier orders and issued a fresh order dated 08.05.2017 which clearly shows the intention of the authorities. And therefore, the imposition of additional

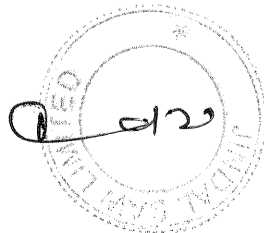


conditions by the MCB vide its order dated 19.01.2022 is not maintainable.

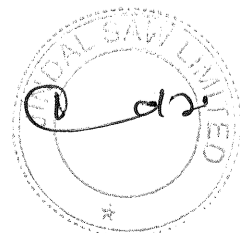
- iv. In the interregnum, after directions of the Hon'ble Tribunal, the Municipal Council Bhilwara, vide order dated 08.05.2017, passed the direction to provide 8 Bigha land out of Khasra No. 338 with "no lease amount" for 30 years for set up of 10 MLD capacity STP. In the Order dated 08.05.2017, it was clearly stated that the ownership of land will not transfer to Respondent No.1 and shall remain with Municipal Council Bhilwara only. The order further states that Respondent No.2 shall establish 10 MLD capacity STP at its own expenses and all the requisite permissions and expenses in respect of the permissions for set up of the STP shall be obtained by Respondent No.2 only. Further, that the Respondent No.2 shall bear the maintenance and other expenses towards this plant for next 30 years and can use the water after getting treated sewerage water maintaining standard level of treatment. The Order further stated that after completion of tenure of 30 years, the land along with Sewerage Treatment Plant shall vest automatically in the MCB and Respondent No.2 shall have no right over it. Thus, the land was provided to the answering Respondent No. 2 with "no lease amount condition" on the direction of the Hon'ble Tribunal only and not transferred to Respondent No.2. This land with the Sewerage Treatment Plant having investment of Rs. 50 Crore shall automatically vest in MCB after completion of the lease period. The Order itself has given permission to Respondent No.2 for use the sewerage water after getting treatment maintaining standard level of treatment. Copy of the Order dated 08.05.2017 passed by MCB is attached herewith as **Annexure – 3.**



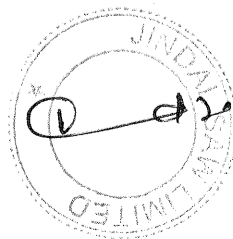
- v. Thereafter, an Order dated 20.05.2017 was passed by the Municipal Council, Bhilwara wherein the terms of handing over of the land for the proposed STP were enumerated and its was further stated that “*M/s Jindal Saw Limited in this regard will execute a written agreement with Municipal Council, Bhilwara.*” Copy of the Order dated 20.5.2017 passed by MCB is attached herewith as **Annexure – 4.**
- vi. Thereafter, an Agreement dated 04.08.2017 was executed between Nagar Parishad, Bhilwara and the Respondent vide which 8 Bighas land situated in Araji no. 338, Village – Kuwada was allotted to Jindal Saw Limited, at no cost, for establishment of STP. Copy of the Agreement dated 04.08.2017 is annexed as **Annexure A/9 @ Pages 53-58** of Respondent No.2’s IA No. 18 of 2022, for directions.
- i. The Hon’ble Tribunal, while hearing O.A. No. 88 of 2015 in its Order dated 08.08.2017 itself recorded that an agreement has already been executed between the Municipal Council and Respondent no.2 for establishment of STP of 10 MLD. Copy of the Order dated 08.08.2017 is annexed as **Annexure A/10 @ Pages 59-60** of Respondent No.2’s IA No. 18 of 2022, for directions.
- ii. Thereafter, vide its order dated 11.09.2017, this Hon’ble Tribunal was informed that though the area had been marked by Revenue Officers, however the formal possession of the land to Respondent No.2 has not been done. Copy of the Order dated 11.09.2017 passed by this Hon’ble Tribunal is attached herewith as **Annexure – 5**



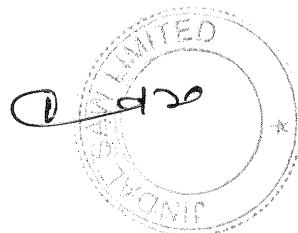
- iii. The Hon'ble Tribunal vide Order dated 22.01.2018 disposed of the proceedings of OA 88 of 2015, in view of the compliance report dated 22.11.2017 filed by the State of Rajasthan/Respondent no. 1 and the Hon'ble Tribunal recorded its satisfaction of compliance w.r.t Overburden Issue and Tree Plantation issue. Copy of the Order dated 22.01.2018 passed by this Hon'ble Tribunal is attached herewith as **Annexure – 6.**
- iv. However, it is pertinent to note that in the order dated 22.01.2018 passed by this Hon'ble Tribunal, it was also recorded that Respondent no.2 has submitted that the work of establishment of STP would be completed by June'2020.
- v. After the allotment of 8 Bigha Land in 2017, Respondent No.2 saw that there was no direct access to the land. Vide its letter dated 28.10.2017 and various follow up reminders, the Respondent No.2 repeatedly requested MCB to provide the access road to the new Land for 2<sup>nd</sup> STP. However, the MCB had paid no heed on the request of JSAW. Copy of the letter dated 28.10.2017 is annexed herewith as **Annexure – 7.**
- vi. On 01.09.2020, the Applicant filed the present Execution Application under Section 25 of the National Green Tribunal Act, 2010 wrongly alleging that Respondents have been wilfully flouting the Orders dated 11.09.2017 and 22.01.2018 passed by this Hon'ble Tribunal in the Original Application No. 88/2015 and prayed that Respondents be directed to comply with the aforesaid orders and penalize the Respondents for alleged wilful non-compliance of the aforesaid Orders under Section 26 and 28 of the National Green Tribunal Act, 2010. Notice was issued by the Hon'ble Tribunal on 12.10.2020 and since then the matter is under consideration of this Hon'ble Tribunal.



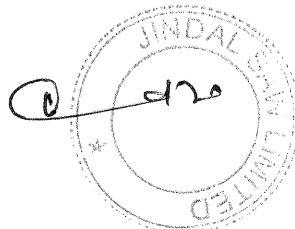
- vii. That on 02.09.2021, the Ld. Tribunal took cognizance of the earlier orders. The Ld. Tribunal recorded in its Order that compliance with directions regarding plantation of trees has been done. The land for STP has been handed over on 10.10.2017. Only the question of allotment of road/passage to the allotted land is under correspondence.
- viii. That vide order dated 02.09.2021, the Ld. Tribunal also directed the Municipal Council, Bhilwara to solve the problem of access road to the proposed STP. But the counsel for Municipal Council, Bhilwara even on 29.09.2021, on account of no instruction and information, got the matter adjourned to 30.09.2021. Copy of the Order dated 02.09.2021 is attached herewith as **Annexure – 8**.
- ix. That even on 30.09.2021, as Municipal Council, Bhilwara failed to explain properly about the problem and the matter in issue or its any reasonable solution. So, the Ld. Tribunal directed the parties to find out a reasonable solution of approach road through consultation and file a report within three weeks.
- x. That despite the above order of the Ld. Tribunal, Municipal Council, Bhilwara issued a letter dated 25.10.2021 stating that the land for additional STP of 10 MLD has been given from same land parcel in which the already functional STP is existing. So, technically road of sufficient width is present in front of the STP plant. It was further stated that the request for new access road is not justified. Copy of the Letter dated 25.10.2021 is already annexed **as Annexure – A/2 (Colly) at Pg. 19** of Respondent No.2's IA No. 18 of 2022, for directions.



- xi. In response, Respondent no.2/the project proponent issued a letter dated 26.10.2021 submitting reasons that why the land from already functional STP cannot be used, for access road. Copy of the Letter dated 26.10.2021 is already annexed **as Annexure – A/2 (Colly) at Pg. 20-23** of Respondent No.2's IA No. 18 of 2022, for directions.
- xii. Therefore, once again the site was jointly inspected by the officials of Municipal Council, Bhilwara and the officials of the Project Proponent on 03.11.2021 and 25.11.2021. Again, after detailed inspections, possibility to give access from Kota Road and Kuwada Road was negated by the Municipal Council, Bhilwara.
- xiii. Therefore, as Respondent no.2 was left with no other option and to comply with the directions of the Ld. Tribunal, Respondent no.2 issued another letter dated 26.11.2021 to Municipal Council, Bhilwara. Copy of the Letter dated 26.11.2021 is already annexed **as Annexure – A/3 at Pg. 24-26** of Respondent No.2's IA No. 18 of 2022, for directions.
- xiv. In the said letter, Respondent no.2 was constrained to propose that the possible access of 30 feet road can be created from within the premises of the existing STP even though Respondent No.2 would have to relocate some of its plants viz. sludge bed, solar power plant to construct this road. In the letter it was also requested that the availability of the proposed passage should be co-terminus with the expiry of the Agreement dated 04.08.2017. In other words, the proposed access road to be created from the existing STP should be available for use of Respondent no.2 even after the existing STP is handed over to Municipal Council, Bhilwara in 2031 until the expiry of the Agreement dated 04.08.2017.

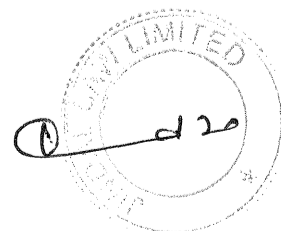


- xv. It is pertinent to note that Respondent no.2 never gave any consent beyond the proposal given under this letter, to construct the proposed access road, from within the premises of existing STP. However, this proposal made by Respondent no.2 was kept pending by the Municipal Council, Bhilwara and no further intimation regarding its acceptance or rejection was issued by Municipal Council, Bhilwara until the hearing scheduled on 06.12.2021.
- xvi. Meanwhile, matter was again taken up for hearing on 06.12.2021. On the said date, the Respondent no.2 apprised the Ld. Tribunal that meetings were held with the Authorities and Municipal Council. Accordingly, Ld. Tribunal adjourned the matter to 20.01.2022 with direction that action taken report must be submitted before the next date of hearing.
- xvii. That up to 19.01.2022, no information/intimation in respect of the proposal given by Respondent no.2 through its letter dated 26.11.2021 was received from Municipal Council, Bhilwara. So, to apprise the Ld. Tribunal of the developments, on 19.01.2022, Respondent no.2 filed Additional Documents.
- xviii. That the matter was taken up for hearing on 20.01.2022 where after hearing the submissions of the parties, the Ld. Tribunal in its order recorded that necessary passage which was required for establishment of STP was not provided to the Project Proponent by the Nagar Parishad, Bhilwara. It was further recorded that on previous date, it was argued that in order to procure an access/passage to reach to the allotted land under the letter, the respondent requested the Commissioner, Nagar Parishad, Bhilwara to demarcate the road of 30 feet length in continuation of the existing kuchha (unconstructed road) road connecting to

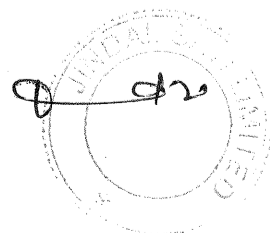


Kota bypass which is minimum distance required to prepare approach road to the newly constructed STP but still that has not been provided. It was further recorded that no sufficient explanation has been given by the Nagar Parishad, Bhilwara as to why the land in possession which is attached to the land allocated for the construction of STP is not identified and demarcated for approach road as stated above. Therefore, vide order dated 20.01.2022, the Ld. Tribunal directed Nagar Parishad, Bhilwara to provide 30 feet pathway as proposed and identify and demarcate it within 07 days from today or from the date of receipt of this order and submit personal affidavit before this Tribunal on the next date of hearing.

- xix. That it is pertinent to note that even during the hearing on 20.01.2022, Municipal Council Bhilwara did not even inform the Ld. Tribunal about existence or issuance of any such order dated 19.01.2022 and did not even submit any documents/order in support of its contentions.
- xx. That the matter was again taken up for hearing on 03.02.2022. During the hearing, the Counsel for Municipal Council, Bhilwara submitted that an affidavit on behalf of Municipal Council, Bhilwara has been filed. He also submitted that an official Order dated 19.01.2022 has been issued. But the existence or knowledge of any such affidavit or order dated 19.01.2022 being issued by Municipal Council, Bhilwara was denied by Respondent no.2 as it was not served with any document so far by the complainant. Upon hearing this submission, the Ld. Tribunal directed that the copy may be provided immediately by the available e-mail. Thereafter, matter was adjourned to 24.02.2022.

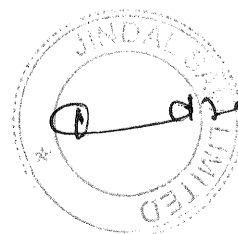


- xxi. It is further submitted that official order dated 19.01.2022 passed by the Municipal Council, Bhilwara was served upon Respondent no.2 only on 09.02.2022. Furthermore, the Affidavit stated to be filed on behalf of the Municipal Council, Bhilwara which was directed to be served upon the Respondent no.2 immediately, was never provided.
- xxii. It is submitted that from the above stated facts it is clear that prior to or on 03.02.2022, due to non-supply of Order dated 19.01.2022 and the Affidavit by Municipal Council, Bhilwara, Respondent no.2 had no opportunity at all to controvert or deal with the contents of the Order dated 19.01.2022 passed by the Municipal Council, Bhilwara or the Affidavit stated to be filed before the Ld. Tribunal.
- xxiii. That it is only after service of the official order dated 19.01.2022 on 09.02.2022, Respondent no.2 has been informed that Municipal Council, Bhilwara has unilaterally imposed additional/extraneous conditions upon Respondent no.2 regarding which no consent was given by the Respondent no.2 in its letter dated 26.11.2021 or otherwise. The said imposition is clearly in violation of the terms of the Agreement dated 04.08.2017 which has already been executed for installation of this proposed additional 10 MLD STP.
- xxiv. It is submitted that the Municipal Council after having already executed the agreement dated 04.08.2017 with the Respondent No.2 and after submitting the same before the Hon'ble Tribunal has now passed an order to execute a new agreement with the Respondent No.2 and is trying to impose additional conditions, vide its order dated 19.01.2022. The above conduct of Municipal Council, Bhilwara is not only arbitrary but is also non-est in law.



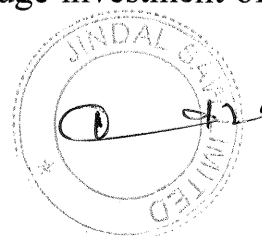
- xxv. That the Respondent no.2 never gave any consent and had no opportunity to examine the said official order dated 19.01.2022 (as the same was not served upon the Respondent No.2 prior to 09.02.2022), could not address its grievances before the Ld. Tribunal on 03.02.2022 about such unilateral Order dated 19.01.2022.
- xxvi. It is humbly submitted that the additional unilaterally imposed conditions as imposed by Municipal Council, Bhilwara are not in any case applicable to the Respondent No. 2 as the same are unilateral and without any consent of the Respondent No. 2.
- xxvii. It is humbly submitted that the Municipal Council, Bhilwara has passed the said Order dated 19.01.2022 in haste and with mala fide intention and just to overcome the Order dated 20.01.2022 passed by this Ld. Tribunal.
- xxviii. Whereas, despite the malicious conduct of the MCB, the Respondent No.2 has taken every step towards the execution of this Hon'ble Tribunal's orders and submitted periodic Status Reports before this Hon'ble Tribunal. As apprised to the Hon'ble Tribunal on the last date of hearing and as recorded in the Order dated 29.09.2023, the STP works are in progress and the entire civil works will be over by January 2024 and complete works will be done by June 2024 subject to free and uninterrupted supply of sewage water by the Municipal Corporation, Bhilwara, in terms of the agreement dated 04.08.2017.

**Submissions made in the Additional Affidavit are contrary to the records before this Hon'ble Tribunal.**



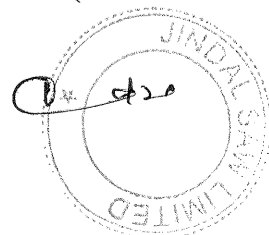
8. In the Additional Affidavit, the MCB has inter-alia made the following wrong and misleading submissions:

- i. It has been submitted that *“In the year 2017 itself, M/s Jindal Saw Limited sent a letter dated 26.11.2021 for providing 30 Feet wide road for reaching the land already allotted to them”* whereas, the same is a grossly incomplete and vague and suppresses vital events that transpired between 2017-2022 in respect of the issue of Access Road, where the Respondent No.2 was not provided the access road to the Land allotted for the 2<sup>nd</sup> STP by the MCB, despite the orders of this Hon’ble Tribunal. It was only after the subsequent interventions of this Hon'ble Tribunal vide its orders dated 02.09.2021 that the MCB took concrete steps in respect of the issue of Access Road. The Respondent seeks to rely on the detailed submissions and background set out hereinabove and the same are not being repeated herein for the sake of brevity.
- ii. In addition to above factual inaccuracy, it has been wrongly averred that Jindal Saw has obtained land free of cost from Municipal Council, Bhilwara twice. Whereas it is most pertinent to note that Land allotted to M/s Jindal Saw i.e., the Respondent No.2 for the setting up & operation of the new STP has been provided vide the Orders dated 08.05.2017 and 20.05.2017 – which clearly set out that the Land in questions is being provided for setting up of the STP of 10 MLD capacity but the ownership of land will not transfer to Respondent No.2 and shall remain with MCB only. Further the Order dated 20.05.2017 passed by the Municipal Council, Bhilwara wherein the terms of handing over of the land situated in Khasra no.338 at village Kewada, for the proposed STP were enumerated, clearly provided that after the completion of the 30year period, the land in question along with STP set up by Respondent 2 with a huge investment of approx..



Rs. 50 Cr will automatically vest in the MCB and Respondent No.2 shall have no right over the same. The Orders dated 08.05.2017 and 20.05.2017 already form part of the records before this Hon'ble Tribunal in Compliance Affidavits filed by the State of Rajasthan (Respondent No.1) on 28.04.2017 and 22.05.2017 in proceedings of OA 88 of 2015. Further, the Order dated 22.05.2017 also forms part of Respondent No.2's IA No. 18 of 2022 (Annexure – A/8 at Pg. 52 of Application)

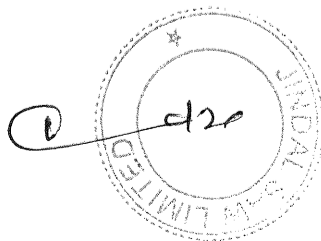
- iii. Further in the Additional Affidavit, the Municipal Council Bhilwara has averred that "*Apart from M/s Jindal Shaw Limited, many other enterprises/industries of the city are ready and agree to pay the money to Municipal Council, Bhilwara for sewerage water*" whereas, they have failed to substantiate such false claims with any documentary evidence.
- iv. Not only this, MCB has stated that "*M/s Jindal Saw Limited is reimbursing Rs. 1,58,55,308/- (Rs. One Crore Fifty-Eight Lacs, Fifty-Five Thousand, Three Hundred and Eight) quarterly as per earlier agreement dated 05.10.2011 and Minutes of Meeting proceedings dated 24.12.2014*" whereas, they have failed to clarify that the above referred Quarterly Payment being done by the Respondent No.2 is not in lieu of Sewerage Water, rather in respect of Corporate Social Responsibility obligations envisaged under the Clauses 15, 18 (A) and (B) towards maintenance of parks and drains under the Old Agreement dated 05.10.2011 (Copy is filed with Additional Documents dated 19.01.2022 @ Annexure A/1 @ Pages 1-4) and the minutes of the meeting dated 24.12.2014 held between parties. Copy of the minutes dated 24.12.2014 are attached herewith as **Annexure – 9.**
- v. Further, it is clarified that the Respondent No.2 is paying MCB the amount to the tune of Rs. 1,58,55,308/- (Rs. One Crore Fifty-



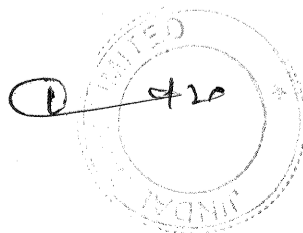
Eight Lacs, Fifty-Five Thousand, Three Hundred and Eight only) quarterly basis on account of maintenance of parks and drains under CSR activities and not on account of sewerage water. The first STP was installed by the Respondent No.2 for want of sewerage water and hence the Respondent no. 2 had undertaken maintenance of parks and drain under CSR activities. Since parks and drains maintenance is not core activities of the Respondent No.2 Company, hence it had proposed for payment in lieu of maintenance of parks and drains under CSR and has since undertaken the same every Quarter since October 2014 and Rs. 55.07 Crore had been paid to the Municipal Council Bhilwara till December 2023. Therefore, the submission of MCB that “*as per the agreement earlier executed, the sewerage water was provided to M/s Jindal Saw Limited with cost*” falls completely flat and stands negated by the documents and records filed before this Hon’ble Tribunal. It is submitted that the MCB is trying to set up a case which is completely contrary to the Agreements between the parties and in passing the Order dated 19.01.2022, it has simply sought to impose additional conditions on the Respondent No.2 unilaterally and this warrants the intervention of this Hon’ble Tribunal.

9. In view of the above detailed submissions on misleading averments made by the MCB in its Additional Affidavit, it is the prayer of the Respondent No.2 herein that the prejudicial submissions contrary to the records before this Hon’ble Tribunal be discarded at the threshold.

**The imposition of Additional Conditions under the unilateral order dated 19.01.2022 is a mere after-thought and is not sustainable against the Respondent No.2**

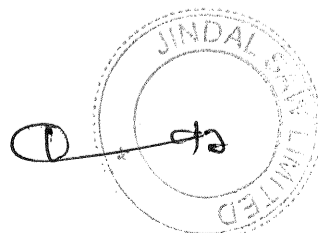


10. It is submitted that the Municipal Council, Bhilwara vide letter dated 19.01.2022 allotted the land for passage of the Proposed STP with unilaterally imposed additional conditions, for which no consent was given by Respondent no.2.
11. It is submitted that the Order dated 19.01.2022 violates the Principle of Natural Justice as Respondent no.2 had no opportunity to deal with unilateral conditions imposed by Municipal Council Bhilwara in its order dated 19.01.2022. Principle of natural justice requires that before imposition of additional conditions, Respondent No.2 should have given an opportunity to reply to additional conditions especially when an agreement dated 04.08.2017 was executed unanimously by the MCB and Respondent No. 2 is already there in existence in respect of the subject STP wherein there is no mention of any such additional conditions. It is submitted that Respondent no.2 had no opportunity to examine or reply to the official order dated 19.01.2022.
12. Further, after having executed the agreement dated 04.08.2017 with the Respondent No.2, the Municipal Council, Bhilwara has now ordered to execute a new agreement with the Respondent No.2 and is trying to impose additional conditions, vide its order dated 19.01.2022. It is submitted that the imposition of additional conditions by Municipal Council, Bhilwara vide order dated 19.01.2022 is not only arbitrary in nature and violating the terms of existing Agreement dated 04.08.2017 but also against the direction and intention of the Hon'ble Tribunal.
13. However, despite all the above, in compliance with the directions of the Ld. Tribunal Respondent no.2 has started the construction work of the STP and this shows the bonafide of the Respondent no.2.
- It is the duty of Municipal Council, Bhilwara to assist the Respondent No.2 and provide necessary assistance for establishment of STP.**



14. It is submitted that in another matter titled as Babu Lal Jajoo Vs. State of Rajasthan including Municipal Council, Bhilwara in OA No. 149/2014, the Tribunal vide Order dated 02.05.2016, had stated that *“It therefore, becomes the duty of the local authority to provide for the treatment of the sewage before its discharge into the water body so as to make the effluents free of the pollutants and hazardous substances.”*
15. Further, in the same matter, this Hon’ble Tribunal also expressly stated that *“We would, therefore, emphasise upon the State Government to initially provide the necessary assistance to the local body for establishment of the STPs / ETPs with modifications wherever necessary for treatment of industrial effluents as well to the extent they may be found to be mixing with the domestic sewage. At the same time, all measures for reducing the dependence on fresh water by industrial units must be taken and such industrial units may be provided initially for the supply of treated water from such STPs by transportation through tankers till such time as necessary arrangements by way of laying down pipelines for gray water use are made. It must also be explored wherever possible that industrial units who are large scale consumers of water can be asked to install and operate STPs to meet their requirements of treated water for their industrial use. This would not only reduce the dependence on fresh water but also at the same time ensure proper operation and maintenance of the STPs by the industries concerned to ensure desired quality of treated water that may be required for their industries and at the same time reduce pollution in the water bodies like the lakes and the rivers in which at present such polluted water is being discharged.”*

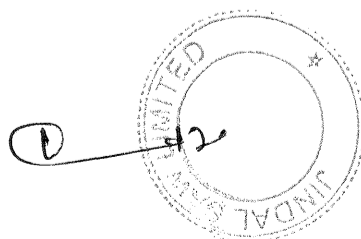
Copy of the Order dated 02.05.2016 in OA 149 of 2014 is annexed herewith as **Annexure – 10.**



16. It is submitted that the establishment of Sewerage Treatment Plant is responsibility of the Municipal Council, under the Water Act. It is an undeniable fact that it was the Respondent No.2 who has established first 10 MLD Sewerage Treatment Plant on BOOT Basis (Built-Own-Operate-Transfer) not only in Bhilwara but in the State of Rajasthan. Whereas, in the proceedings before this Hon'ble Tribunal, when the Hon'ble Tribunal expressed its concerns over water scarcity in the Bhilwara District and advised the State particularly Mining Department and the District Collector to re-examine the issue regarding the conservation of water. It was under the directions of this Hon'ble Tribunal, the Respondent No.2 has taken up initiative to use treated water in the existing plant with huge investment and operating cost and now again is setting up another 10 MLD STP on the direction of the Hon'ble Tribunal and helping MCB in keeping Kothari River from sewerage water pollution.
17. It is submitted that the Respondent no. 2 has never paid any amount to the MCB towards use of sewerage water in the existing STP rather undertaken maintenance of parks and drains under its Corporate Social Responsibility program and subsequently paying lump sum amount for maintenance work, which cannot be termed as payment towards sewerage water. Hence, both the STPs cannot be termed at par as circumstances for establishment of the additional 10 MLD Sewerage Treatment plant is totally different from the earlier one.

**The Proposed STP is being constructed by the Respondent No.2 under the directions of this Hon'ble Tribunal.**

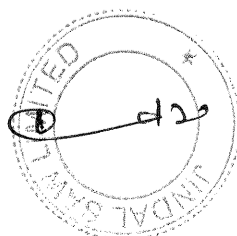
18. In the proceedings of OA 88/2015, vide its order dated 23.05.2016, this Hon'ble Tribunal has stated as below:



*“Admittedly, in this case two water bodies are included in the mining lease area of ML No. 631/05 of the Respondent No. 2, we will accordingly direct the District Collector Bhilwara to re-examine the issue and submit the response before this Tribunal in this behalf. We are given to understand that Bhilwara is a water scarce district and even to the industry of the Respondent No. 2 specific directions have been issued by the office of the Additional Chief Engineer Water Resource Zone Udaipur, that the industry should reduce its dependence on fresh water and at the same time they have requested them to use treated water in their projects / proposed extension projects instead of fresh water. Thus, we appreciate the above stand taken by the State Authorities in respect of using treated water for industrial use but at the same time, there is also need to ensure that fresh water particularly rain / storm water is allowed to flow into the water bodies which are the main source for recharging of the ground water which is a major source of water supply in the entire country.*

*The maintenance of such water bodies and also ensure that the storm / rainwater is allow to flow into the same without any obstruction. With reference to the letter issued by the office of the Additional Chief Engineer, Water Resource Zone Udaipur, Learned Counsel appearing for the Respondent No. 2 submits that before the next date of hearing they will be submitting their response and detailed plan with the timeframe for establishment of the STP and making it operational for capacity of 10 MLD. We have been informed that the said STP in all probability is likely to be installed in close proximity in village Kuhara where the existing 10 MLD plant is already located and is operational.*

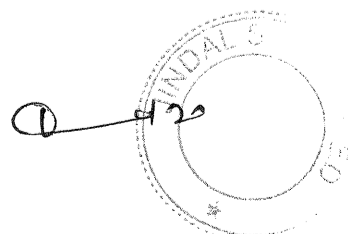
*We would expect the District Collector Bhilwara to ensure that the site for the installation of the new amending STP which the Respondent No. 2 has undertaken to establish is made available without any further delay. Steps in this behalf must be taken with immediate effect for*



*identifying and making available the land at the suitable site. At the same time, in consultation with the Water Resource Department of the Government of Rajasthan, the company Respondent 2 should take up measures for construction of garland drains at the base of the overburden dumping site for ensuring the full flow of the rainwater towards the Samodi Talab without any obstruction”.*

19. It is humbly submitted that the 10 MLD STP is being constructed by Respondent No.2 in the compliance of the direction of the Hon’ble Tribunal. Therefore, the Tribunal had on various occasions take up the matter seriously and directed the State Authorities to provide land to the answering respondent without any charges for set up of 10 MLD STP so that untreated sewerage water will not allowed to flow in the Kothari River and not pollute it. In such circumstances, the act of MCB through its unilaterally order dated 19.01.2022 for imposing additional conditions and for enter into new agreement is arbitral and non-est and totally against the direction of the Hon’ble Tribunal.
20. In its order dated 28.04.2017, this Hon’ble Tribunal on previous occasions has also reprimanded the MCB for the delay in provision of land to the Respondent No.2 for the setting up of the 10 MLD STP. The relevant portions of the order are set out, as below:

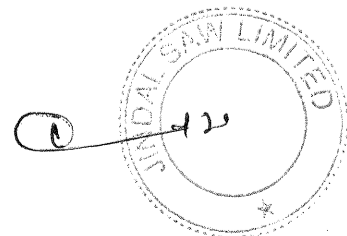
*We fail to understand how such a demand can be raised by the Municipal Authority particularly when the Respondent No. 2 is performing the duty under the Water Act which was required to have been performed by the local body that is the Municipal Corporation Bhilwara. As a matter of fact the PCB should have long back initiated prosecution under the Water Act and in terms of the provisions of the Environment Protection Act against the Municipal Authority for failure to adhere to the provisions of the Water Act and particularly Section 26 thereof.*



*...It is surprising that instead of appreciating the steps taken by the Respondent No. 2 the State authority have firstly delayed the allotment of the land for nearly one year and now they have given a demand note of Rs. 22 crore which will not only aggravate and escalate the cost for the establishment of the STP but also the running of the STP of the steel plant. The State like Rajasthan where there is already scarcity of water and in particularly districts like Bhilwara where water in the past was been supplied through the well and from Chambal river at Kota can hardly afford to allow industries to use raw / fresh water and in case the industries are coming forward for utilising waste water after treatment this should be commended by the State and all necessary assistance must be provided by the State. The action of the state authorities and the Municipal authorities in charging lease rents at the rate of 22 crore for establishment of the STP in our view will only act as deterrent for such industries to come forward”.*

Copy of the Order dated 28.04.2017 is annexed herewith and attached as **Annexure – 11.**

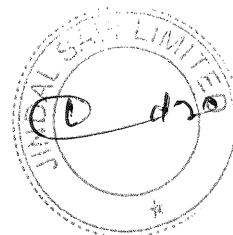
21. It is humbly submitted that Despite of above orders of the Tribunal, MCB is trying to impose additional terms and conditions on the answering Respondent no. 2 by submitting that the terms and conditions of existing STP shall be applicable to the new STP also.
22. That the request of the Respondent No.2 for uninterrupted sewerage water on free of charge basis for the new STP is that this STP is being constructed by Respondent No.2 in the compliance of this Hon'ble Tribunal's order. It is submitted that no questions arise for payment towards sewerage water – to be supplied by MCB. It is reiterated that this Hon'ble Tribunal had directed JSAW to establish STP of 10 MLD capacity and to operate and treat sewerage water towards the



compensation for damage to environment. Further the State order dated 08.05.2017 clearly stated that Respondent No.2 can use water after getting treatment and no condition was imposed in the order except to that land shall not transferred to Respondent No.2 and the land along with the STP shall automatically vest in MCB after completion of 30 years period. In such circumstances, now, the MCB cannot impose any other conditions on the Respondent No.2.

**The actions of the Respondent No.2 in setting up the 10 MLD STP is in the public interest as it prevents the pollution of the Kothari River.**

23. It is submitted that the Respondent No.2 had proposed vide letter dated 24.12.2009 to provide sewerage water for its Iron Ore mining project and had sought land for STP plant thus agreed to undertake some CSR activities. It is pertinent to mention here that the initiation taken for set up of STP by the Respondent Company is totally in the public interest at large and for the sake of save environment as the Respondent No. 2 had already obtained principal approval from the Department of Water Resources, State of Rajasthan vide their order dated 19.04.2008 to draw water from the Kothari Dam. However, considering scarcity of drinking and fresh water in Bhilwara District, Respondent No. 2 had proposed the MCB to provide sewerage water and land to set up of first STP in Bhilwara. Copy of the letter dated 19.04.2008 and 24.12.2009 is attached herewith as **Annexure – 12 (Colly.)**
24. Whereafter, when this Hon'ble Tribunal directed that more STPs should be setup in public interest and in view of the water scarcity in Bhilwara, the Respondent No.2 took the initiative to setup an additional STP for 10 MLD capacity, and this Hon'ble Tribunal directed that the State Authorities give necessary assistance towards the same. Despite the said admitted position, the MCB is making baseless demands for payment in



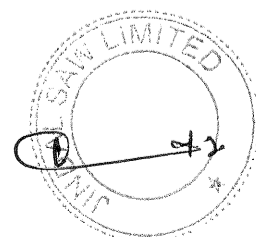
lieu of Sewerage Water, treatment of which, even otherwise, falls under their duties within the Water Act.

25. It is clear from various orders of the Hon'ble Tribunal that it was the duty of Local Bodies i.e. MCB to set up STP and not to allow untreated sewerage water in the Kothari river to damage and pollution the river, which is being undertaken by the Respondent no. 2.
26. It is reiterated that the Respondent No.2 had installed STP in 2012 which is functional since then. When the Respondent No.2 started construction of 10 MLD STP in compliance of NGT Order, with an investment of more than Rs. 50 Cr, which is itself a CSR working for the citizen of Bhilwara, rather than appreciating and supporting the Respondent No.2, MCB is bent on creating hurdles and obstruction in this noble cause and trying to increase financial burden on the Respondent No.2, which ought not to be allowed by this Hon'ble Tribunal.

**The Municipal Council, Bhilwara has filed its objections to IA 18 of 2022, whereas vide the Last Order dated 29.09.2023 – leave was granted for filing objections to the Status Report filed by R.2.**

27. It is submitted that in the proceedings dated 29.09.2023, this Hon'ble Tribunal had given the liberty to the Municipal Corporation, Bhilwara to file objections to the Status report within ten days. The relevant portion of the Order dated 29.09.2023, is produced as below:

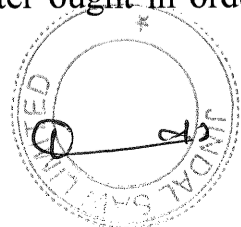
*3. Learned counsel appearing for the Municipal Corporation, Bhilwara submits that he is filing objections to status report within ten days. Let the fresh status report showing further progress of construction of the STP be filed within 8 weeks by email at [ngtczbbho-mp@gov.in](mailto:ngtczbbho-mp@gov.in) preferably in the form of searchable PDF/OCR support PDF and not in the form of image PDF.*



28. Whereas, despite the above undertaking, the Municipal Corporation, Bhilwara has filed a purported Additional Affidavit, which attempts to give their reply to the IA 18 of 2022 filed by the Respondent No.2.
29. It is submitted that for the reasons detailed above, and the reason that the MCB has belatedly sought to reply to the Interim Application filed by Respondent No.2, the Additional Affidavit as filed, fraught with baseless allegations, devoid of any documentary evidence, and attempting to impose additional unilateral conditions on the Respondent No.2 beyond the Agreement dated 04.08.2017 and the orders of this Hon'ble Tribunal, ought to be disregarded at the threshold.

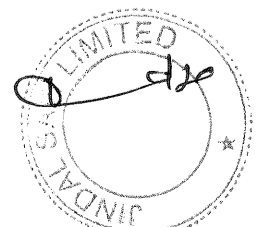
**PARA-WISE REPLY ON MERITS**

30. The contents of Para 1 of the Additional Affidavit do not require any response from the Respondent No.2 except to state that the contents of the Additional Affidavit ought to be disregarded for the reasons set forth in in the Preliminary submissions made herein, by the Respondent No.2, which are not being repeated herein for the sake of brevity.
31. The contents of Para 2 (i) to (vi) of the Additional Affidavit are being dealt with as below:
- i. The contents of Para 2 (i) are denied as wrong and misleading. It is denied that the 8 Beegha land out of Khasra No. 338 was allotted to M/s Jindal Saw Limited free of cost. It is denied that the after the allotment of land in 2017, Respondent No.2 vide its letter dated 26.11.2021 sought for the access road, whereas the Respondent No.2 actively made efforts to get the access road from the date of allotment of the Land in 2017 itself. Further, the Respondent No.2 is contesting the unilateral and illegal order dated 19.01.2022 passed by the MCB. It is denied that M/s Jindal Saw also wants to obtain water free of cost for this STP, and its submitted that the supply of Sewerage Water ought in order to

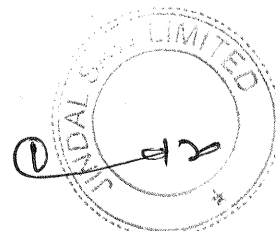


prevent pollution of Kothari River, should anyways not have any cost to it, and the same is being treated in Public Interest. It is denied that apart from Jindal Saw many other enterprises are ready and agree to pay money to MCB, the Council may be put to strict proof in this regard. It is not denied that MCB is an autonomous body, however the insinuation that the MCB depends on income from Respondent No.2 for its existence and responsibilities is false. MCB is getting various subsidies and aid from the State and Central Government. Even the STP of 30 MLD capacity was also constructed by RUIDP with the funding of the Government. Further is denied that JSAW is reimbursing Rs 1,58,55,308/- for sewerage water. It is submitted that Respondent No.2 is not being reimbursing the 1,58,55, 308/- quarterly on account of sewerage water charges, the said amount is being paid toward maintenance cost of the parks, roads, canals and draining system of the entire Bhilwara under CSR activities. It is vehemently denied that the Land in question has been obtained free of cost, it is clarified that the Land has merely been provided to the Respondent with 'no lease amount' for the period of 30 years, for setting up of 10 MLD capacity STP but the ownership of land will not transfer to Respondent No.2 and shall remain with MCB only. In fact, it is most pertinent to mention that the Land for Proposed 10 MLD STP has been provided under the directions of this Hon'ble Tribunal as detailed in the preceding paragraphs. The Leave of this Hon'ble Tribunal is sought to rely on the Preliminary submissions made hereinabove by the Respondent No.2, which are not being repeated herein for the sake of brevity.

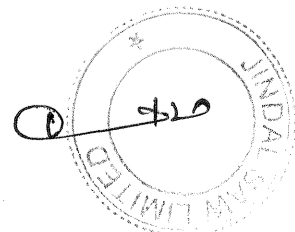
- ii. The contents of Para 2(ii) are denied as wrong, incorrect and misleading to the extent that they are contrary to the facts before this Hon'ble Tribunal. It is denied that the agreement was executed between the parties on 04.02.2017, indeed the same was executed on 04.08.2017. Under the Agreement dated 04.08.2018,



8 Bigha Land from Khasra Number 338 has been given to M/s. Jindal Saw Limited on 30 years lease without charging the lease amount basis. It is provided that the ownership of the land shall remain with MCB only. Land shall not be transferred to M/s. Jindal Saw Limited. Further, that M/s. Jindal Saw Limited shall establish 10 MLD capacity sewerage treatment plant on this land at their own expenses and all required permissions in respect of establishment of the plant shall be obtained by M/s. Jindal Saw Limited. All charges in respect of this shall be paid by M/s. Jindal Saw Limited. It is also provided that M/s. Jindal Saw Limited shall bear maintenance cost and all other expenses in relation to this plant for next 30 years. M/s. Jindal Saw Limited can use this water by maintaining the standard level of treatment of this water and lastly it is provided that the land along with the plant shall vest in the Municipal Council Bhilwara after period of 30 years and M/s. Jindal Saw Limited shall have no right over it. It is submitted that thus, the Agreement clearly express that the ownership of land is not transferred to the answering Respondent No. 2, no lease charges to be paid by M/s. Jindal Saw towards this land, STP shall be established, and all permissions related to establishment shall be obtained by M/s Jindal Saw Limited only. All charges related to it shall also be borne by M/s. Jindal Saw Limited. Maintenance and other expenses shall also be borne by M/s. Jindal Saw Limited. After completion of 30 years period, land along with STP shall be vest in MCB and M/s. Jindal Saw have no right over there on the STP. However, the Agreement dated 04.08.2017 does not provide that for any charges for supply of Sewerage Water. The Leave of this Hon'ble Tribunal is sought to rely on the Preliminary submissions made hereinabove by the Respondent No.2, which are not being repeated herein for the sake of brevity.

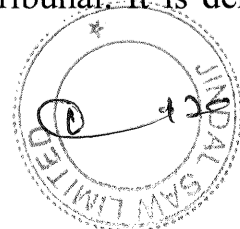


- iii. The contents of Para 2 (iii) of the Additional Affidavit are wrong and incorrect. MCB has stated that “M/s Jindal Saw Limited is reimbursing Rs. 1,58,55,308/- (Rs. One Crore Fifty-Eight Lacs, Fifty-Five Thousand, Three Hundred and Eight) quarterly as per earlier agreement dated 05.10.2011 and Minutes of Meeting proceedings dated 24.12.2014” whereas, they have failed to clarify that the above referred Quarterly Payment being done by the Respondent No.2 is not in lieu of Sewerage Water, rather in respect of Corporate Social Responsibility obligations envisaged under the Clauses 15, 18 (A) and (B) under the Old Agreement dated 05.10.2011 (Copy is filed with Additional Documents dated 19.01.2022 @ Annexure A/1 @ Pages 1-4) and the minutes of the meeting dated 24.12.2014 held between parties. Further, it is clarified that the Respondent No.2 is paying MCB the amount to the tune of Rs. 1,58,55,308/- (Rs. One Crore Fifty-Eight Lacs, Fifty-Five Thousand, Three Hundred and Eight only) quarterly basis on account of maintenance of parks and drains under CSR activities and not on account of sewerage water. The first STP was installed by the Respondent No.2 for want of sewerage water and hence the Respondent no. 2 had undertaken maintenance of parks and drain under CSR activities. Since parks and drains maintenance is not core activities of the Respondent No.2 Company, hence it had proposed for payment in lieu of maintenance of parks and drains under CSR and has since undertaken the same every Quarter since October 2014. Therefore, the submission of MCB that “as per the agreement earlier executed, the sewerage water was provided to M/s Jindal Saw Limited with cost” falls completely flat and stands negated by the documents and records filed before this Hon’ble Tribunal. It is submitted that the MCB is trying to set up a case which is completely contrary to the Agreements between the parties and in passing the Order dated 19.01.2022, it has simply sought to



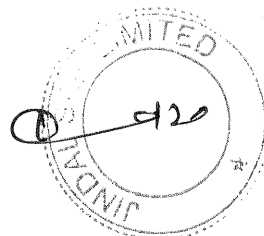
impose additional conditions on the Respondent No.2 unilaterally and this warrants the intervention of this Hon'ble Tribunal. The Leave of this Hon'ble Tribunal is sought to rely on the Preliminary submissions made hereinabove by the Respondent No.2, which are not being repeated herein for the sake of brevity.

- iv. The contents of Para 2 (iv) of the Additional Affidavit are denied as wrong and misleading. That the official order dated 19.01.2022 passed by the Municipal Council, Bhilwara was served upon Respondent no.2 only on 09.02.2022. It is submitted that from the above stated facts it is clear that prior to or on 03.02.2022, due to non-supply of Order dated 19.01.2022 and the Affidavit by Municipal Council, Bhilwara, Respondent no.2 had no opportunity at all to controvert or deal with the contents of the Order dated 19.01.2022 passed by the Municipal Council, Bhilwara or the Affidavit stated to be filed before the Ld. Tribunal. That it is only after service of the official order dated 19.01.2022 on 09.02.2022, Respondent no.2 has been informed that Municipal Council, Bhilwara has unilaterally imposed additional/extraneous conditions upon Respondent no.2 regarding which no consent was given by the Respondent no.2 in its letter dated 26.11.2021 or otherwise. The said imposition is clearly in violation of the terms of the Agreement dated 04.08.2017 which has already been executed for installation of this proposed additional 10 MLD STP. That the Respondent no.2 never gave any consent and had no opportunity to examine the said official order dated 19.01.2022 (as the same was not served upon the Respondent No.2 prior to 09.02.2022), could not address its grievances before the Ld. Tribunal on 03.02.2022 about such unilateral Order dated 19.01.2022. It is clear that the Municipal Council, Bhilwara has passed the said Order dated 19.01.2022 in haste and with mala fide intention and just to overcome the Order dated 20.01.2022 passed by this Ld. Tribunal. It is denied that



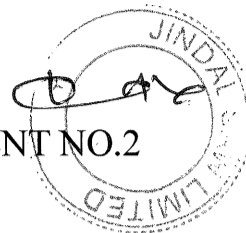
there is no abnormality in the order dated 19.01.2022, it is also denied that the filing of Application by the Respondent No.2 is a misuse of process of established law. The Leave of this Hon'ble Tribunal is sought to rely on the Preliminary submissions made hereinabove by the Respondent No.2, which are not being repeated herein for the sake of brevity.

- v. The contents of Para 2 (v) of the Additional Affidavit are correct to the extent that that they admit that the ownership of the land 8 Bighas will remain with MCB. It is denied that the 19.01.2022 was passed prior to the order of the Hon'ble Tribunal on 20.01.2022. In fact, as detailed above, the Order dated 19.01.2022 has been passed merely to circumvent this Hon'ble Tribunal's order dated 20.01.2022. For the reasons described above, the Order dated 19.01.2022 is illegal and not maintainable against the Respondent No.2 to the extent it seeks to impose additional unilateral conditions on the Respondent No.2. It is submitted that the there was no need for renewal for agreement as the earlier Agreement dated 04.08.2017 still stands valid and the requirement sought by MCB for execution of new agreement is merely to impose new conditions not envisaged previously by them, which ought not to be allowed by this Hon'ble Tribunal.
- vi. The contents of Para 2 (vi) are denied as incorrect and wrong.
32. The contents of Para 3 of the Additional Affidavit do not require any response from the Respondent No.2.
33. In view of the above detailed reply and submissions, it is humbly prayed before this Hon'ble Tribunal that the submissions in the Additional



Affidavit filed by Municipal Council maybe rejected, and the prayers of the Respondent No.2 Company in IA 18 of 2022, be allowed.

ON BEHALF OF RESPONDENT NO.2



*Anurag Abhishek*

**Filed by:**

**Counsel for the Respondent no.2 / Jindal Saw Limited**

S&A Law Offices.

E-337, East of Kailash,

New Delhi - 110065

Date:

Place:

## BEFORE THE NATIONAL GREEN TRIBUNAL

## CENTRAL ZONE BENCH AT BHOPAL

EXECUTION PETITION 2 OF 2020

IN

ORIGINAL APPLICATION NO. 88 OF 2015

**IN THE MATTER OF:**

BABU LAL JAJOO

...APPLICANT

VERSUS

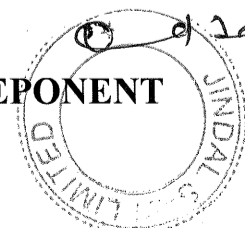
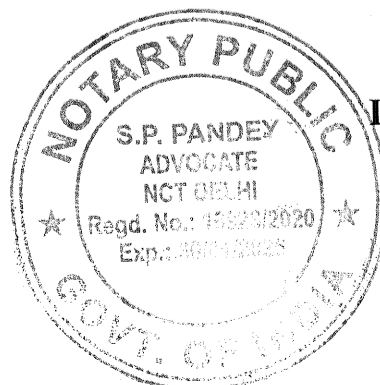
STATE OF RAJASTHAN &amp; ANR.

...RESPONDENTS

**AFFIDAVIT**

I, Ramesh Chandra, Son of Late Shiv Dutt Naudiyal aged about 52 years, R/0 House No. B619, Sector-17, Vasundhara, Ghaziabad – 201012, am the duly authorized representative of the Respondent No.2 Company, having its office at 12, Jindal Centre, Bhikaji Kama Place, New Delhi – 110066, do hereby affirm and stated as under:

1. That I am the Authorized Representative of the Respondent No.2 Company as stated above and I am aware of the circumstance of the instant matter, therefore, competent to depose this Affidavit.
2. That I have read the accompanying reply to the Additional Affidavit filed by MCB and understood the contents thereof. That the averments made in the accompanying reply are true to the best of my knowledge, information and as per the records maintained by the Respondent No.2 Company in their usual course of business.




DEPONENT

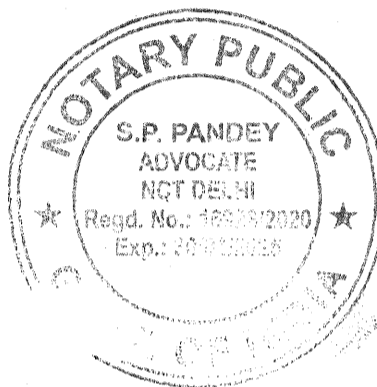
**VERIFICATION**

27 NOV 2023

Verified at New Delhi on this \_\_\_ day of November 2023, that the contents of above affidavit are true and correct within the best of my knowledge derived from the records maintained by the Respondent No.2 Company in their usual course of business and nothing material has been concealed therefrom.

  
DEPONENT

ATTESTED  
NOTARY PUBLIC  
GOVT. OF INDIA

  
NOTARY PUBLIC  
S.P. PANDEY  
ADVOCATE  
NCT DELHI  
★ Regd. No.: 16239/2020 ★  
Exp.: 20/01/2028

27 NOV 2023



# जमाबन्दी (खेवट/खेती) (प्रतिलिपि)

Annexure 1

प्रपत्र पी-26 (सी)  
देखिये नियम 169 एच)  
पृष्ठ संख्या :- 1 of 2

ग्राम का नाम :- केवाड़ा

अंतिम चौसला आधार संवत् :- 2073 - 2076

पटवार हल्का :- भीलवाड़ा II

भूमि धारक का नाम :- राज. सरकार

जमाबंदी 2077 ( वर्ष 2021 ) से स्थायी

भू-अभि.नि.क्षेत्र :- भीलवाड़ा

क्षेत्रफल की इकाई :- हैक्टेयर

तहसील :- भीलवाड़ा

खाता संख्या नया :- 258

जिला :- भीलवाड़ा

खाता संख्या पुराना :- 1

काश्तकार का नाम :-

1. नगर परिषद भीलवाड़ा हिस्सा- पूर्ण संस्था के लिए,

खसरा संख्या	क्षेत्रफल	भूमि वर्गीकरण	कृषक द्वारा संदत्त लगान	सिंचाई के साधन	अन्तरण के क्रम में प्रमाणित नामान्तरकरण संख्या व दिनांक	टिप्पणी
108	0.0632	गेमु.रास्ता	0.0632			
129	0.0126	गेमु.मकान	0.0126			
13	0.0506	गेमु.रास्ता	0.0506			
179	2.9589	गेमु.नाला	2.9589			
192	0.0379	गेमु.रास्ता	0.0379			
20	0.1138	गेमु.रास्ता	0.1138			
224	0.2655	गेमु.नाली	0.2655			
238	0.2150	गेमु.नाली	0.2150			
254	0.0885	गेमु.रास्ता	0.0885			
272	0.0379	गेमु.रास्ता	0.0379			
293	0.7081	गेमु.रास्ता	0.7081			
338	2.5290	गेमु.मगरी	2.5290			
338/2	33.1046	गेमु.मगरी	33.1046			
338/3	1.6439	गेमु.कब्रिस्तान	1.6439			
342	1.3151	गेमु.आबादी	1.3151			
343	0.2529	गेमु.रास्ता	0.2529			
345	8.5227	गेमु.मगरी	8.5227			
347	22.0655	गेमु.नदी	22.0655			
349	0.1138	गेमु.नाली	0.1138			
369	0.6323	गेमु.रास्ता	0.6323			
371	0.0253	गेमु.कुँआ	0.0253			
383	2.3646	बंजड़	2.3646	4.21		
392	0.3288	गेमु.नाली	0.3288			
427	0.4426	गेमु.नाली	0.4426			
48	0.0379	गेमु.रास्ता	0.0379			

यू.एस.एन - 620946097258013

<https://apnakhata.rajasthan.gov.in/qr.aspx?usn=620946097258013>

ई-हस्ताक्षर की सूचना :-

हस्ताक्षरकर्ता - LALA RAM YADAV

पद - तहसीलदार

हस्ताक्षर दिनांक व समय - 04/Mar/2021 09:35:00 PM



NIC



# जमाबन्दी (खेवट/खेती) (प्रतिलिपि) <sup>584</sup>

प्रपत्र पी-26 (सी)  
(देखिये नियम 169 एच)  
पृष्ठ संख्या :- 2 of 2

ग्राम का नाम :- केवाड़ा

अंतिम चौसला आधार संवत् :- 2073 - 2076

पटवार हल्का :- भीलवाड़ा II

भूमि धारक का नाम :- राज. सरकार

जमाबंदी 2077 ( वर्ष 2021 ) से स्थायी

भू.अभि.नि.क्षेत्र :- भीलवाड़ा

क्षेत्रफल की इकाई :- हैक्टेयर

तहसील :- भीलवाड़ा

खाता संख्या नया :- 258

जिला :- भीलवाड़ा

खाता संख्या पुराना :- 1

508	0.4299	गेमु.रास्ता	0.4299
543	0.0126	गेमु.डोरी	0.0126
567	0.0253	गेमु.नाली	0.0253
57	0.0253	गेमु.रास्ता	0.0253
646	0.0759	गेमु.रास्ता	0.0759
656	0.0885	गेमु.रास्ता	0.0885
668	0.0759	गेमु.नाली	0.0759
678	0.1012	गेमु.नाली	0.1012
712	0.2655	गेमु.नाडी	0.2655
713	0.0759	गेमु.पाल	0.0759
733	0.1265	गेमु.रास्ता	0.1265
740	1.4289	गेमु.मगरी	1.4289
742	0.7840	गेमु.मगरी	0.7840
760	0.3794	गेमु.रास्ता	0.3794
77	0.2782	गेमु.आबादी	0.2782
79	0.0379	गेमु.रास्ता	0.0379
80	0.4552	गेमु.आबादी	0.4552
81	0.3035	गेमु.आबादी	0.3035
97	0.0379	गेमु.रास्ता	0.0379

कुल खसरे -44

82.9385

4.2100

## आवेदक की सूचना :-

आवेदक का नाम - Shanti Lal Jat

पता - Jindal Saw Limited, Flat No. 305-306,  
Shreenath Residency, Shreenath enclaye, Near  
Raghuvansh Vihar, (Opp. Ahinsha Banglos),  
Bhilwara (Rajasthan)- 311001,  
आई.पी. - 10.70.244.252

प्रतिलिपि सं. - 69493

दिनांक व समय -04/Nov/2023 08:40:00 AM

नक़ल जारी करने का स्थान - भीलवाड़ा

यू.एस.एन - 620946097258013

<https://apnakhata.rajasthan.gov.in/qr.aspx?usn=620946097258013>

## ई-हस्ताक्षर की सूचना :-

हस्ताक्षरकर्ता - LALA RAM YADAV

पद - तहसीलदार

हस्ताक्षर दिनांक व समय - 04/Mar/2021 09:35:00 PM



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BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,  
BHOPAL

Original Application No. 88/2015 (CZ)  
Babulal Jajoo Vs. State of Rajasthan & Ors.

CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER  
HON'BLE Dr. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

PRESENT : Applicant: Dr. M.S. Kachhawa, Advocate  
Shri Gyanendra, Advocate  
Respondent / Raj. State : Shri Sandeep Singh, Advocate  
Respondent No. 2 : Shri Nilava Bandyopadhyay, Adv.with  
Shri Rajendra Gaur, AR.

Date and Remarks	Order of the Tribunal
<p>Order No. 8 23<sup>rd</sup> May, 2016</p>	<p>Pursuant to our order the State of Rajasthan has filed a brief compliance report with a copy of the GT sheet of the area on which the ML 631/05 granted to Respondent No. 2 has been super imposed. The area showing the mining working areas, the OB dump site as well as the water bodies has been indicated in the same. We find that within the mining lease area itself at two points, two separate canals the right lane canal from the irrigation dam and one of its branches are passing through the said mining lease of the Respondent No. 2. At one point the right lane canal is passing through two mining working areas which visually appear to be very close to the canal. The dispute which was raised in the Application is also in respect of the Samodi Talab with particular reference to the overburden being dumped in close proximity to the same and also obstructing the natural flow into the Samodi Talab as a result of the dumping of the overburden.</p> <p>During the course of hearing it was submitted before us that at one point of time in 2014 notices were given to the Respondent No. 2 for clearing the overburden which was obstructing the natural flow of water into the Samodi Talab at these overburden sites and as per the Learned Counsel for the State as well as the Learned Counsel for Respondent No. 2 same was cleared as a result of that show cause notice.</p> <p>In today's context when so much is being talked about conservation of water bodies and every drop of water to be stored and conserved, we feel that the State particularly the Mining Department and</p>

the District Collector of Bhilwara need to re-examine the issue with regard to the conservation of the water in the water bodies and to remove obstruction if any that may be there or obstructing the water from the catchment area into the said water bodies.

Having said so, we reiterate what has already been directed by the Hon'ble Supreme Court in the case of *Jagpal Singh V/s State of Punjab* regarding which the reference has also been made in the circular issued by the Government Revenue Department Group 6 dated 25.04.2011 and filed as Annexure 6 to the Application drawing the attention of all the Collectors in the States on the issue that while granting the mining leases and allotment due care must be taken for identifying *Charagah* and catchment of ponds and water reservoirs so as not to affect them adversely. Admittedly, in this case two water bodies are included in the mining lease area of ML No. 631/05 of the Respondent No. 2, we will accordingly direct the District Collector Bhilwara to re-examine the issue and submit the response before this Tribunal in this behalf. We are given to understand that Bhilwara is a water scarce district and even to the industry of the Respondent No. 2 specific directions have been issued by the office of the Additional Chief Engineer Water Resource Zone Udaipur, that the industry should reduce its dependence on fresh water and at the same time they have requested them to use treated water in their projects / proposed extension projects instead of fresh water. Thus, we appreciate the above stand taken by the State Authorities in respect of using treated water for industrial use but at the same time, there is also need to ensure that fresh water particularly rain / storm water is allowed to flow into the water bodies which are the main source for recharging of the ground water which is a major source of water supply in the entire country. Conservation of water tanks and water bodies is of utmost importance and that every care must be taken to ensure the maintenance of such water bodies and also ensure that the storm / rain water is allow to flow into the same without any obstruction.

With reference to the letter issued by the office of the Additional

Chief Engineer, Water Resource Zone Udaipur, Learned Counsel appearing for the Respondent No. 2 submits that before the next date of hearing they will be submitting their response and detailed plan with the timeframe for establishment of the STP and making it operational for capacity of 10 MLD. We have been informed that the said STP in all probability is likely to be installed in close proximity in village Kuhara where the existing 10 MLD plant is already located and is operational. We would expect the District Collector Bhilwara to ensure that the site for the installation of the new amending STP which the Respondent No. 2 has undertaken to establish is made available without any further delay. Steps in this behalf must be taken with immediate effect for identifying and making available the land at the suitable site. At the same time, in consultation with the Water Resource Department of the Government of Rajasthan, the company Respondent 2 should take up measures for construction of garland drains at the base of the overburden dumping site for ensuring the full flow of the rain water towards the Samodi Talab without any obstruction.

Let this matter be listed on 29<sup>th</sup> July, 2016.

.....JM  
(DALIP SINGH)

.....EM  
(Dr. S.S.GARBYAL)

BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,  
BHOPAL

Original Application No. 88/2015 (CZ)  
Babulal Jajoo Vs. State of Rajasthan & Ors.

CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER  
HON'BLE Dr. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

PRESENT : Applicant: Dr. M.S. Kachhawa, Advocate  
Ms. Shikha Gupta, Advocate  
Respondent / Raj. State : Shri Sandeep Singh, Advocate  
Respondent No. 2 : Shri Nilava Bandyopadhyay, Adv. with

Date and Remarks	Order of the Tribunal
<p>Order No. 9 29<sup>th</sup> July, 2016</p>	<p>On the previous date one of the issue that was recorded in our order pertained to an additional Sewage Treatment Plant (STP) to be set up along with the existing plant of 10 MLD set up by the Respondent No. 2. The Respondent No. 2 has undertaken to establish and operate the STP for another 10 MLD along with the site of the existing STP at village Kuhara. It has been submitted on behalf of the Respondent No. 2 that for the expansion of additional 10 MLD plant they would require 2 hectares of land which is available at the site.</p> <p>In view of the above, we would direct the District Collector, Bhilwara to examine the issue with regard to the allotment of the adjacent land sought by the Respondent No. 2 for setting up the STP for additional capacity of 10 MLD to be established and operated by them. Copy of this order shall be served by the Learned Counsel for the State to the District Collector as well as the State Government in the Revenue Department for the aforesaid purpose. We would expect that early decision would be taken by the State for allotment of the land. We have been informed that roughly 20 MLD sewage is being generated and out of that the existing plant at Kuhara 10 MLD is being treated and the balance is allowed to be discharged into the Kothari river, that is creating environmental issue which needs to be dealt with expeditiously. The response of the State and the District should be placed before the Tribunal on or before 06.09.2016.</p> <p>Let the matter be listed on 6<sup>th</sup> September, 2016.</p> <p style="text-align: right;">.....JM (DALIP SINGH)</p> <p style="text-align: right;">.....EM (Dr. S.S.GARBYAL)</p>

राजस्थान सरकार

स्वायत्त शासन विभाग

क्रमांक: भूमि/एफ.7(ड)(435)/डीएलबी/16/ 4951

जयपुर, दिनांक: 08/5/2017

आदेश

नेशनल ग्रीन टिब्यूनल भोपाल में लम्बित Original Application No.88/2015 बाबू लाल जाजू बनाम स्टेट ऑफ राजस्थान व अन्य में माननीय अधिकरण द्वारा जिन्दल शॉ लिमिटेड के पक्ष में Sewage Treatment Plant (STP) लागाये जाने हेतु भीलवाडा में जमीन आवंटन हेतु प्रदत्त निर्देशों की अनुपालना में राज्य सरकार द्वारा आदेश क्रमांक भूमि/एफ.7(ड)(435)डीएलबी/16/भीलवाडा/ 1338-42 दिनांक 06.04.2017 द्वारा मैसर्स जिन्दल शॉ.लि. को ग्राम कुवाडा की आराजी खसरा नम्बर 338 में से 8 बीघा (20164 वर्गमीटर) भूमि सीवरेज ट्रीटमेन्ट प्लान्ट स्थापित करने हेतु नगर परिषद भीलवाडा को भू-आवंटन नीति 2015 के तहत 30 वर्षीय लीज पर आवंटन करने हेतु दिये गये आदेश की अनुपालना में नगर परिषद भीलवाडा द्वारा आदेश क्रमांक 1375 दिनांक 21.04.2017 के द्वारा फर्म को 22,26,40,000/- रुपये का डिमान्ड नोट जारी किया गया है।

माननीय न्यायालय प्रदत्त निर्देशों के कम में प्रकरण में पैरवी कर रहे राजस्थान सरकार के स्थायी अधिवक्ता द्वारा दिनांक 06.05.2017 को दी गई लिखित राय के अनुरूप उक्त दोनों आदेश प्रत्याहारित किये जाकर नगरपरिषद भीलवाडा को राज्य सरकार एतद्द्वारा निम्न निर्देश प्रदान करती है:-

1. मैसर्स जिन्दल शॉ.लि. को ग्राम कुवाडा की आराजी खसरा नम्बर 338 में से 8 बीघा (20164 वर्गमीटर) भूमि सीवरेज ट्रीटमेन्ट प्लान्ट स्थापित करने हेतु नगर परिषद भीलवाडा द्वारा 30 वर्षीय लीज पर निःशुल्क उपलब्ध करायेगी परन्तु यह भूमि जिन्दल शॉ.लि. को हस्तान्तरित नहीं की जावेगी तथा जमीन पर स्वामित्व नगर परिषद का ही रहेगा।
2. जिन्दल शॉ.लि. उक्त भूमि पर 10 एम.एल.डी. क्षमता का Sewage Treatment Plant (STP) अपने स्वयं के खर्च पर स्थापित करेगी। एवं प्लान्ट स्थापित करने हेतु सभी प्रकार की वांछित स्वीकृतियां कम्पनी द्वारा प्राप्त की जायेगी तथा इस संबंध में सभी प्रकार के शुल्क इत्यादि भी कम्पनी द्वारा भुगतान किये जावेगे। आगामी 30 वर्षों तक उक्त प्लान्ट का समस्त रख-रखाव एवं अन्य सभी खर्च कम्पनी द्वारा वहन किये जावेगे तथा कम्पनी पानी के ट्रीटमेन्ट में मानक स्तर को मेन्टेन करते हुये इस पानी को प्रयोग में ला सकेगी।
3. 30 वर्ष की अवधि के पश्चात् उक्त भूमि मय प्लान्ट नगर परिषद में स्वतः निहित हो जावेगी तथा कम्पनी का इस पर कोई आधिपत्य नहीं होगा। नगर परिषद भीलवाडा उपरोक्तानुसार कम्पनी से लिखित अनुबंध निष्पादित करेगी।

राज्यपाल की आज्ञा से,

(पवन अरोड़ा)

निदेशक एवं संयुक्त शासन सचिव

क्रमांक: भूमि/एफ.7(ड)(435)/डीएलबी/16/ 4952-55 जयपुर, दिनांक: 08/5/2017

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. विशिष्ट सचिव, माननीय मंत्री महोदय, नगरीय विकास विभाग जयपुर।
2. प्रमुख शासन सचिव, स्वायत्त शासन विभाग जयपुर।
3. आयुक्त नगर परिषद भीलवाडा।
4. मैसर्स जिन्दल शॉ. लि. तिरंगा पहाडी के पास पुर, भीलवाडा राजस्थान।

(अशोक कुमार सिंह)

वरिष्ठ संयुक्त विधि परामर्शी

## कार्यालय नगर परिषद, भीलवाड़ा(राज)

क्रमांक:- न.प.भी/राजस्व/2017/ 4424

दिनांक 20.5.17

-:: आदेश ::-

मै० जिन्दल शॉ लि० तिरंगा पहाड़ी के पास, भीलवाड़ा को स्वायत्त शासन विभाग राज.सरकार के पत्र क्रमांक भूमि/एफ/7(क)(435)डीएलबी/16/4951 जयपुर दिनांक 0805.2017 से आदेश जारी कर नेशनल ग्रीन ट्रिब्यूनल बैंच भोपाल में लम्बित O.A.88/2015 बाबूलाल जाजू बनाम स्टेट ऑफ राज० व अन्य में माननीय अधिकरण द्वारा जिन्दल शॉ लि. के पक्ष में सिवरेज ट्रीटमेन्ट प्लान्ट लगाये जाने हेतु भीलवाड़ा में जमीन आवंटन हेतु प्रदत्त निर्देशों की अनुपालना में मै० जिन्दल शॉ लि० को ग्राम कुवाड़ा की आराजी सं० खसरा नं. 338 में से 8 बीघा (20164 वर्गमीटर) भूमि सिवरेज ट्रीटमेन्ट प्लान्ट स्थापित करने हेतु नगर परिषद, भीलवाड़ा द्वारा 30 वर्षीय लीज पर निशुल्क उपलब्ध करायी जानी है। राज्य सरकार के उक्त आदेश दिनांक 08.05.2017 एवं माननीय नेशनल ग्रीन ट्रिब्यूनल बैंच भोपाल के आदेश क्रमांक 22 दिनांक 09.05.2017 (OA 88/2015 बाबूलाल जाजू बनाम स्टेट ऑफ राज. व अन्य) के क्रम में मै० जिन्दल शॉ लि० को निम्नलिखित शर्तों पर भूमि उपलब्ध करायी जाती है :-

1. मै० जिन्दल शॉ लि० खसरा सं. 338 में से 8 बीघा भूमि 30 वर्षीय लीज पर निशुल्क दी जाती है।
2. भूमि का स्वामित्व नगर परिषद भीलवाड़ा का ही रहेगा। भूमि जिन्दल शॉ लि० को हस्तान्तरित नहीं की जायेगी। जिन्दल शॉ लि० उक्त भूमि पर 10 एमएलडी क्षमता का सिवरेज ट्रीटमेन्ट प्लान्ट अपने स्वयं के खर्च पर स्थापित करेगी एवं प्लान्ट स्थापित करने हेतु सभी प्रकार की वांछित स्वीकृतियाँ जिन्दल शॉ लि० द्वारा प्राप्त की जायेगी। इस संबंध में सभी प्रकार के शुल्क इत्यादि भी मै० जिन्दल शॉ लि० द्वारा भुगतान किये जायेगे।
3. आगामी 30 वर्षों तक उक्त प्लान्ट का रख-रखाव एवं अन्य सभी खर्च मै० जिन्दल शॉ लि० द्वारा वहन किये जायेगें, तथा मै० जिन्दल शॉ लि० पानी के ट्रीटमेन्ट में मानक स्तर को मेन्टेन करते हुए इस पानी को प्रयोग में ला सकेगी।
4. 30 वर्ष की अवधि के पश्चात उक्त भूमि मय प्लान्ट नगर परिषद, भीलवाड़ा में स्वतः निहित हो जायेगी तथा मै० जिन्दल शॉ लि० का कोई आधिपत्य नहीं होगा।
5. मै० जिन्दल शॉ लि० भूमि पर एसटीपी लगाने से पूर्व सक्षम प्राधिकारी से भू-उपयोग परिवर्तन करायेगी।
6. मै० जिन्दल शॉ लि० इस बाबत नगर परिषद, भीलवाड़ा से लिखित अनुबन्ध निष्पादित करेगी।

आयुक्त

नगर परिषद, भीलवाड़ा

दिनांक 20.5.17

क्रमांक:- न.प.भी/राजस्व/2017/ 4425-4430

1. श्रीमान प्रमुख शासन सचिव स्वायत्त शासन विभाग राज० जयपुर।
2. श्रीमान निदेशक एवं संयुक्त शासन सचिव, स्वायत्त शासन विभाग राज. जयपुर।
3. श्रीमान जिला कलक्टर, भीलवाड़ा।
4. सभापति महो० नगर परिषद, भीलवाड़ा।
5. प्रभारी (राजस्व) नगर परिषद को भेजकर लेख है कि मै० जिन्दल शॉ लि. को मौके पर भूमि चिह्नित कर उपलब्ध करावे।
6. मै० जिन्दल शॉ लि० तिरंगा पहाड़ी के पास, पुर भीलवाड़ा को भेजकर लेख है कि नगर परिषद, भीलवाड़ा में प्रभारी (राजस्व) से सम्पर्क कर मौके पर कब्जा प्राप्त करें।

आयुक्त

नगर परिषद, भीलवाड़ा

BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,  
BHOPAL

Original Application No. 88/2015 (CZ)  
Babulal Jajoo Vs. State of Rajasthan & Ors.

CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

PRESENT : Applicant: In person  
Mr. M.S. Kachchwa, Adv  
Ms. Zubia Sajid, Adv.  
Raj. State& RSPCB: Shri Sandeep Singh, Adv.  
Shri Dharmendra Dandwani,  
Municipal Council, Bhilwara,

Date and Remarks	Order of the Tribunal
<p>Order No. 25 11<sup>th</sup> September, 2017</p>	<p>In our order dtd. 29.05.2017 a direction was given to the Respondent Company for carrying out plantation of trees 10000 in number. It is submitted that till date this work has not been completed and only about 300 trees have been planted. Learned Counsel for the State submitted that the Collector had identified certain areas where illegal mining had been done which was ordered to be backfilled with soil and over there these 300 trees have been planted.</p> <p>Learned Counsel for the Applicant and the Applicant who are present submitted that this land on which the plantation had been carried out may be allotted for setting up of industrial estate by RIICO, the catalyst agency of the State of Rajasthan and in that view of the matter these trees that have been planted are liable to be cut and therefore, the purpose of green belt would not be served.</p> <p>It was suggested by the Learned Counsel for the Applicant that the Collector may be directed in consultation with the Forest Department as well as with the Applicant to identify the areas where such plantation can be safely carried out and where the possibility of these trees being cut in future would not be there. In the event of such land being either allotted or which are capable of being allotted it was suggested that the river front of</p>

the River Kothari be taken up for tree plantation. We would direct that the copy of this order shall be given to the Collector by the Learned Counsel for the State and the Collector in consultation with the Forest Department and the Applicant would identify such area which would always remain as the green belt and not liable to be allotted for any such purposes where the trees are required to be cut.

We may also add that variety of the trees to be planted would be such which can easily survive as the area is saline with scanty rain fall and advice of the Forest Department officials be taken to identify appropriate varieties of trees to be planted in the area.

Another issue that has been dealt with by us earlier is with regard to the establishment of the STP. Learned Counsel for the State pointed out that area has been marked on the ground and the Respondent No. 2 Company can safely now proceed with the work of setting up of the STP.

Learned Counsel for the Respondent No. 2 submitted that though the area have been marked by Revenue Officer however formal possession of the land to the Respondent No. 2 has not been handed over. We direct that the Collector shall depute the Tehsildar for carrying out the aforesaid task and the land be handed over within next two weeks. It would be thereafter responsibility of the Respondent No. 2 to protect the area by way of fencing or wall and start their work immediately.

We have seen in the news paper today that in Kotra Sultanabad at Bhopal a Sewage System has been established where the treated water is of drinking water quality. We would direct that the representative of the Respondent No. 2 Company who are present in court today would visit the aforesaid site and discuss with the person who has set up plant and see whether similar system could be set up in the case the same is found appropriate.

The Learned Counsel for the Applicant and the Applicant raised the issue before us by showing the photographs of the area near the

overburden site of the Respondent No. 2 Company which they allege that the same has become sludge as a result of the run off from the overburden site and some cattle etc. which are entering in the area get struck and some of them even had died. It is submitted that an area of 400 beghas which was originally a *Charagah* (grazing land) for the cattle and out of which a small portion was earmarked for the establishment of *Gowshala* has been adversely affected because of run-off from overburden dump.

So far as this issue is concerned, we would direct that the Collector along with the officials of the Respondents Company to depute a team to inspect the area along with the Applicant and whatever steps are required to be taken for the improvement of the same including the proper maintenance of the overburden site and to prevent the storm water to come down from the dump. For this purpose the PCB authorities shall insist upon the compliance of the EC conditions with regard to overburden dump including construction of the garland drain. We direct here that the garland drain should be *pakka* not a *kachha* garland drain and all efforts should be made to ensure that the storm water does not over flow the garland drain, and, therefore, it should be of adequate capacity.

As far as the *Gowshala* is concerned we direct the District Collector and the Municipal Authority, Bhilwara to consider the same to be taken up for the purpose of management by the Municipal Authorities. Order to that effect be issued by the Collector to the Municipal Authorities and same be notified for that purpose. We have seen in the Media that the Central Government has come out with the scheme for proper maintenance of the *Gowshala* and making them self sufficient by utilising the *gobar* and other material for the purpose of *gobar* gas and / or compost for self sustaining of the *Gowshala* on that pattern and looking to the scheme of the Govt. of India the *Gowshala* should be properly administered and maintained. Stray cattle within the city should be taken to the *Gowshala* and city should made free from such cattle. The stray

cattle are not only a problem for the traffic on the road but also at the same time are reason for the congestion on the roads and air pollution is also being caused by the same. Therefore the said measures should be taken up on priority, Administration and maintenance of *Gowshala* could be taken up under the CSR activity of the Respondent NO. 2 company. We may also add that the 400 *beghas* which have been identified and handed over to the Respondent NO. 2 and sufficient plantation can also be carried out in the same as well as in the *Gowshala* which can act as shady trees and fodder for the benefit of stray cattle. The parties are directed to submit proof of execution and compliance of the aforesaid order.

The Municipal Authority shall also take immediate steps as we have been informed that in Bhilwara the Municipal body had acquired and installed a decomposition plant and for preparation of compost. We have been informed that contractor who was engaged for running the same had left the work and thereafter for a long time the same is lying without being used. The Municipal Authority shall take up the issue immediately as under the MSW Rules, 2016 there is a specific provision for preparation of the compost out of the MSW and also marketing and utilisation of the said compost along with chemical fertilizers. We would direct that the Collector and the Municipal Commissioner looking into the said issue shall make every effort for operationalising the said plant at the earliest. The efforts that are made in that behalf shall be submitted before us on the next date of hearing.

Let the matter be listed on 16<sup>th</sup> October, 2017.

.....JM  
(DALIP SINGH)

.....EM  
(Dr. S.S.GARBYAL)

BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,  
BHOPAL

Original Application No. 88/2015 (CZ)  
Babulal Jajoo Vs. State of Rajasthan & Ors.

CORAM : HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

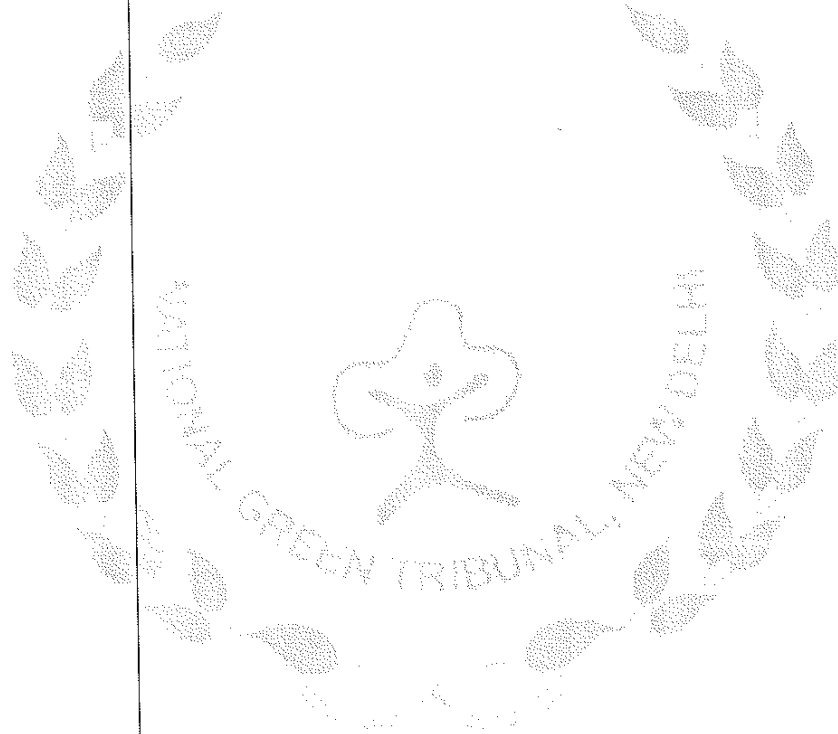
PRESENT :Applicant: Dr. M.S. Kachchwa, Adv  
Raj. State& RSPCB: Shri Sandeep Singh, Adv.  
Respondent No. 2 : Ms. Tanuka De, Adv  
Shri Rajendra Gaur

Date and Remarks	Order of the Tribunal
22 <sup>nd</sup> January, 2018	<p>Compliance affidavit on behalf of the respondent no. 2 /Jindal Saw Ltd. has been filed on 29.05.2017 wherein Action Plan for setting up of 10 MLD, STP was given. It has been stated that the work of establishment of the STB would be completed within a period of 30 months i.e. by June, 2020.</p> <p>The Learned Counsel for the State of Rajasthan / respondent no. 1 had filed the compliance report on 22.11.2017 and it has been stated therein that there is no overburden left in the Samodi pond area and about that there is no obstruction in the catchment of the Samodi pond. It has also been stated that plantation of fruit bearing trees has been raised over 100 bighas land which is adjacent to the plant area and necessary steps have also been taken for protection and maintenance of the trees that has been planted. The Learned Counsel appearing for the applicant does not wish to file any</p>

response to the compliance filed by the State.

In view of the above, this Original Application No. 88/2015 stands **disposed** of. Liberty is however, granted to applicant to approach this Tribunal in case he finds that certain compliances are formed not to have been made as directed by this Tribunal.

.....,EM  
(Dr. S.S.GARBYAL)





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Annexure 7  
JINDAL SAW LTD.

o/c

JSL/BHL/2017/ 1687  
Date:- 28-10-2017सेवामे,  
श्रीमान् आयुक्त महोदय,  
नगर परिषद भीलवाड़ा-राज0

**विषय:-** माननीयराष्ट्रीय हरित प्राधिकरण, (N.G.T.) भोपाल के आदेशानुसार ग्राम कुवाड़ा तहसील व जिला भीलवाड़ा की आराजी नं. 338 मे से मैसर्स जिन्दल सॉ लि0 को 08 बीघा आवंटित भूमि तथा उक्त आवंटित भूमि मे कोटा बाईपास रोड से जाने के लिये 30 फिट रास्ते का सीमांकन (DEMARCATION) करवाने के सम्बन्ध में।

महोदय,

उपरोक्त सन्दर्भित विषय मे लेख है कि राष्ट्रीय हरित प्राधिकरण, (N.G.T.) भोपाल के निर्देशानुसार स्वायत्त शासन विभाग, राजस्थान सरकार दिनांक 08.05.2017 द्वारा मैसर्स जिन्दल सॉ लि0 को ग्राम कुवाड़ा पटवार हल्का भीलवाड़ा के आराजी नं. 338 मे 08 बीघा भूमि (20164 वर्गमीटर) निःशुल्क आवंटित की गई है। जिसका आप श्रीमान् द्वारा कब्जा पत्र दिनांक 10.10.2017 को प्रदान किया गया है। उक्त भूमि में कम्पनी द्वारा अतिरिक्त 10 एम. एल.डी. की क्षमता का एस.टी.पी. प्लान्ट स्थापित किया जाना प्रस्तावित है।

अतः आप श्रीमान् से निवेदन है कि उक्त आवंटित भूमि का सीमांकन तथा उक्त भूमि में कोटा बाईपास रोड से पहुंचने हेतु 30 फिट के रास्ते का सीमांकन (DEMARCATION) करा नक्शा ट्रेस उपलब्ध करवाने की कृपा करावें ताकि मौके पर भूमि की सही स्थिति का ज्ञान हो सके और उसके पश्चात् कम्पनी द्वारा तारबंदी या बाउण्ड्री वॉल का कार्य किया जा सके। उक्त प्रकरण की आगामी पेशी दिनांक 06.11.2017 को नियत है।

सधन्यवाद!  
कृते जिन्दल सॉ लि0

*K. Gaur*  
राजेन्द्र गौड़  
हैड-लॉइजन



cc: District collector



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JINDAL SAW LTD.

o/c

JSL/BHL/2017/ 1687  
Date:- 28-10-2017सेवामे,  
श्रीमान् आयुक्त महोदय,  
नगर परिषद भीलवाड़ा-राज0

**विषय:-** माननीयराष्ट्रीय हरित प्राधिकरण, (N.G.T.) भोपाल के आदेशानुसार ग्राम कुवाड़ा तहसील व जिला भीलवाड़ा की आराजी नं. 338 मे से मैसर्स जिन्दल सॉ लि0 को 08 बीघा आवंटित भूमि तथा उक्त आवंटित भूमि मे कोटा बाईपास रोड़ से जाने के लिये 30 फिट रास्ते का सीमांकन (DEMARCATION) करवाने के सम्बन्ध में।

महोदय,

उपरोक्त सन्दर्भित विषय मे लेख है कि राष्ट्रीय हरित प्राधिकरण, (N.G.T.) भोपाल के निर्देशानुसार स्वायत्त शासन विभाग, राजस्थान सरकार दिनांक 08.05.2017 द्वारा मैसर्स जिन्दल सॉ लि0 को ग्राम कुवाड़ा पटवार हल्का भीलवाड़ा के आराजी नं. 338 मे 08 बीघा भूमि (20164 वर्गमीटर) निःशुल्क आवंटित की गई है। जिसका आप श्रीमान् द्वारा कब्जा पत्र दिनांक 10.10.2017 को प्रदान किया गया है। उक्त भूमि में कम्पनी द्वारा अतिरिक्त 10 एम. एल.डी. की क्षमता का एस.टी.पी. प्लान्ट स्थापित किया जाना प्रस्तावित है।

अतः आप श्रीमान् से निवेदन है कि उक्त आवंटित भूमि का सीमांकन तथा उक्त भूमि में कोटा बाईपास रोड़ से पहुंचने हेतु 30 फिट के रास्ते का सीमांकन (DEMARCATION) करा नक्शा ट्रेस उपलब्ध करवाने की कृपा करावें ताकि मौके पर भूमि की सही स्थिति का ज्ञान हो सके और उसके पश्चात् कम्पनी द्वारा तारबंदी या बाउण्ड्री वॉल का कार्य किया जा सके। उक्त प्रकरण की आगामी पेशी दिनांक 06.11.2017 को नियत है।

सधन्यवाद!  
कृते जिन्दल सॉ लि0

*Rajendra Gaud*  
राजेन्द्र गौड़  
हैड-लॉर्डजन

*राजेश*  
उक्त पत्र प्राप्त  
(B)  
डॉ. 10/11/17

cc. District Collector

Item No. 02

**BEFORE THE NATIONAL GREEN TRIBUNAL  
CENTRAL ZONE BENCH, BHOPAL  
(Through Video Conferencing)**

Execution Application No. 02/2020 (CZ)

IN

Original Application No. 88/2015 (CZ)

Babulal Jajoo

Applicant(s)

Versus

State of Rajasthan &amp; Ors.

Respondent(s)

Date of hearing: **02.09.2021**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s):

Mr. Akshay Rathore, Adv. and  
Mr. Naveen Ahuja, Adv

For Respondent(s):

Mr. Nilava Bandyopadhyay, Adv.  
Mr. Anurag Abhishek, Adv.  
Mr. Om Shanker Shrivastava Adv.  
Mr. Shoeb Hasan Khan, Adv.

**ORDER**

1. This is an Execution Application of order passed in Original Application No. 88/2015. The issue raised in Original Application pertains to illegal dumping of overburden and waste in the mines by the Respondent No. 2 in the catchment area and or lake area of Samodhi Talab, Mandal, District Bhilwara. This resulted in obstruction of the natural flow from the catchment area into the lake, i.e. water body and thereby adversely effecting the water flow and the environment as well as the eco system of the said water body of the lake.
2. The matter was taken up by this Tribunal and notices were issued to the Respondents to show cause as to why they may not be held be liable for compensation for damage to environment and further for

the assessment of the quantity of material that was dumped by the Respondent no. 2 in the catchment area, which adversely affected the flow into the Samodhi Lake in District Bhilwara. A report was called from the Water Resources Department. After calling the report from concerned, the matter was finally disposed of, later on this Execution Application. It is to be noted that this Tribunal on various dates considered the compliance of the order and passed an order which is quoted below for reference :

**“Order dated 11.04.2017**

Today a reply to the M.A. No. 80/2017 has been filed by the State of Rajasthan. According to which the allotment of the land for the construction of the 10 MLD STP to M/s Zindal Saw Ltd. by the Government of Rajasthan has been sanctioned and now the actual possession of the land is required to be provided by the Municipal Authorities and the agreement between the Municipal Authorities and the M/s Zindal Saw Ltd. has to be executed for the construction and operation of the STP at Bhilwara. Looking to the aforesaid we find no reason to pass any further order on this M.A. 80/2017 and accordingly, the same stands disposed of and the notice issued under Section 26 of the NGT Act is ordered to be discharged.

For reporting further progress 15 days time was sought by the Respondent for taking necessary action of handing over possession of the construction of the 10 MLD STP to M/s Zindal Ltd. for the execution of the agreement for the aforesaid purpose.

In the meanwhile, we would also direct that M/s Zindal make all necessary preparations with regard to the technical specifications and carrying out the work of setting up of the STP which is the primarily responsibility of the aforesaid company.

For reporting compliance and progress in the matter let this matter be listed on **28<sup>th</sup> April, 2017**.

We have also received a letter addressed to this Tribunal with regard to the sewage being discharged into the nallahs at Bhilwara in Village Nathun as also in the Guardi dam which provides water for drinking as well as the irrigation and into the Banas river. The Registry is directed to give photocopies of the letter and the newspaper cuttings to the Learned Counsel for the State who shall submit the response with regard to the averments on the next date of hearing.

**Order dated 28.04.2017**

An M.A. No. 229/2017 has been submitted before us today on behalf of the Respondent No. 8 to 28. It has also been brought to our notice that the demand note for an amount of Rs. 22 crores for the 8 *beegha* land which has been ordered to be allotted to the Respondent No. 2 for setting up 10 MLD STP at Bhilwara has been raised. We fail to understand how such a demand can be raised by the Municipal Authority particularly when the Respondent No. 2 is performing the duty under the Water Act which was required to have been performed by the local body that is the Municipal Corporation Bhilwara. As a matter of fact the PCB should have long back initiated prosecution under the Water Act and in terms of the provisions of the Environment Protection Act against the Municipal Authority for failure to adhere to the provisions of the Water Act and particularly Section 26 thereof. The Respondent No. 2 though an industrial unit which has been set up by way of a steel plant along with a mining lease of iron ore in district Bhilwara has come forward for setting up the STP and operating it for treating the waste water from the city of Bhilwara and utilising the treated water at its steel plant. It is surprising that instead of appreciating the steps taken by the Respondent No. 2 the State authority have firstly delayed the allotment of the land

for nearly one year and now they have given a demand note of Rs. 22 crore which will not only aggravate and escalate the cost for the establishment of the STP but also the running of the STP of the steel plant. The State like Rajasthan where there is already scarcity of water and in particularly districts like Bhilwara where water in the past was been supplied through the well and from Chambal river at Kota can hardly afford to allow industries to use raw / fresh water and in case the industries are coming forward for utilising waste water after treatment this should be commended by the State and all necessary assistance must be provided by the State. The action of the state authorities and the Municipal authorities in charging lease rents at the rate of 22 crore for establishment of the STP in our view will only act as deterrent for such industries to come forward. We direct that for explaining their point of view the Joint Secretary Local Self Government of Rajasthan, Commissioner and Mayor, the Municipal Corporation Bhilwara, along with the Revenue Officer who has assessed this amount shall remain personally present on the next date of hearing. It may be noted that no exemption shall be granted to any of these on the next date of hearing.

We also direct the State to show cause why the State should not be dealt with under the provisions of the NGT Act and the Water Act 1974 for delay in compliance of the aforesaid provisions and not be prosecuted for non-compliance of the provisions of the Act.

M.A. No. 229/2017 stands disposed of.

Let this matter be listed on **9<sup>th</sup> May, 2017**.

**Order dated 09.05.2017**

By way of compliance the report has been submitted before us along with the copy of the order dtd. 08.05.2017 bearing no.

4951 by DLB according to which as stated in the covering note the Government has withdrawn the order passed by the Municipal Corporation whereby a demand note for Rs. 22.26 cores for allotment of land to Zindal Saw Ltd. had been raised. The land having 8 *beeghas* is now being provided free of cost for a period of 30 years for the purposes of establishment of 10 MLD STP at Bhilwara. It is submitted before us that the STP will be constructed / established by Zindal Saw Ltd. at their own cost and will be operated by them to their satisfaction for utilisation of treated water in their plant. It is submitted that the ownership of the land will remain with the Municipal Council Bhilwara.

In view of the above, it is directed that all the possible efforts should now be made by Zindal Saw Ltd. for establishment of the STP of the required capacity so that the same can be operated at their own cost by them for taking treated water for utilisation at their own plant. It has further been stated that under RUIDP project the work of laying down the sewage line and household connection would be undertaken by the municipal authority and for which the separate fund of Rs. 400 Crores has already been earmarked by the State Government.

Learned Counsel for the State, in view of the above has moved an M.A. No. 246/2017 for seeking exemption from personal appearance of Secretary Local Self Government of Rajasthan, as it is stated that there is a meeting fixed for tomorrow for the campaign of the *Mukhyamantri Jan Kalyan Shivir* at Jaipur in which his presence is necessary.

In view of the compliance that has been made by the State Government we are of the view that the personal appearance of Secretary, Local Self Government of Rajasthan is exempted. Accordingly, the M.A. No. 246/2017 stands disposed of.

Today the Chairperson of the Municipal Corporation accompanied by the Municipal Commissioner and Chief Engineer, Local Self Government, State of Rajasthan are present. The industry / Zindal Saw Ltd. shall submit their work plan as well as the time schedule for setting up of the 10 MLD STP. The possession of the land which has been allotted vide order dtd. 08.05.2017 (yesterday) shall be handed over to Zindal Saw Ltd. as soon as possible to facilitate the construction and operation of STP

Let these matters be listed on **23<sup>rd</sup> May, 2017.**

**Order dated 29.05.2017**

An affidavit of the Respondent No. 2 has been filed today in para no. 3, the time bound action plan has also been given. However, Learned Counsel for the State submits that the matter may be taken up after vacation. In the meanwhile the agreement and the handing over of possession of the land also been accomplished.

Learned Counsel for the State further submits that in so far as Samodi Pond is concerned in the area along the NH-79 there was land on which some illegal mining was being carried out under the directions of the Collector as the Respondent company has refilled and restore the same. We further submits that the Respondent No. 2 may be directed to carry out plantation work on the land measuring about 30 *beegas* which is about 10,000 plants. In so far as that is concerned we direct that Respondent No. 2 shall carry out the aforesaid task under CSR and also take steps for protection of the area and survival for 5 years period. The plantation should be of trees of local species and / or also fruit bearing trees which are at least 5 feet in height. The Respondent company shall bear the cost of plantation protection and survival which shall also include watering, fencing and guarding the area

against trespass. We expect that the plantation work shall be carried out by them. The District Administration shall provide also necessary assistance.

As prayed let this matter be listed on **8<sup>th</sup> August, 2017**.

**Order dated 11.09.2017**

In our order dtd. 29.05.2017 a direction was given to the Respondent Company for carrying out plantation of trees 10000 in number. It is submitted that till date this work has not been completed and only about 300 trees have been planted. Learned Counsel for the State submitted that the Collector had identified certain areas where illegal mining had been done which was ordered to be backfilled with soil and over there these 300 trees have been planted.

Learned Counsel for the Applicant and the Applicant who are present submitted that this land on which the plantation had been carried out may be allotted for setting up of industrial estate by RIICO, the catalyst agency of the State of Rajasthan and in that view of the matter these trees that have been planted are liable to be cut and therefore, the purpose of green belt would not be served.

It was suggested by the Learned Counsel for the Applicant that the Collector may be directed in consultation with the Forest Department as well as with the Applicant to identify the areas where such plantation can be safely carried out and where the possibility of these trees being cut in future would not be there. In the event of such land being either allotted or which are capable of being allotted it was suggested that the river front of the River Kothari be taken up for tree plantation. We would direct that the copy of this order shall be given to the Collector by the Learned Counsel for the State and the Collector in consultation with the Forest Department and the Applicant would identify such area

which would always remain as the green belt and not liable to be allotted for any such purposes where the trees are required to be cut.

We may also add that variety of the trees to be planted would be such which can easily survive as the area is saline with scanty rain fall and advice of the Forest Department officials be taken to identify appropriate varieties of trees to be planted in the area.

Another issue that has been dealt with by us earlier is with regard to the establishment of the STP. Learned Counsel for the State pointed out that area has been marked on the ground and the Respondent No. 2 Company can safely now proceed with the work of setting up of the STP.

Learned Counsel for the Respondent No. 2 submitted that though the area have been marked by Revenue Officer however formal possession of the land to the Respondent No. 2 has not been handed over. We direct that the Collector shall depute the Tehsildar for carrying out the aforesaid task and the land be handed over within next two weeks. It would be thereafter responsibility of the Respondent No. 2 to protect the area by way of fencing or wall and start their work immediately.

We have seen in the news paper today that in Kotra Sultanabad at Bhopal a Sewage System has been established where the treated water is of drinking water quality. We would direct that the representative of the Respondent No. 2 Company who are present in court today would visit the aforesaid site and discuss with the person who has set up plant and see whether similar system could be set up in the case the same is found appropriate.

The Learned Counsel for the Applicant and the Applicant raised the issue before us by showing the photographs of the area

near the overburden site of the Respondent No. 2 Company which they allege that the same has become sludge as a result of the run off from the overburden site and some cattle etc. which are entering in the area get struck and some of them even had died. It is submitted that an area of 400 beghas which was originally a *Charagah* (grazing land) for the cattle and out of which a small portion was earmarked for the establishment of *Gowshala* has been adversely affected because of run-off from overburden dump.

So far as this issue is concerned, we would direct that the Collector along with the officials of the Respondents Company to depute a team to inspect the area along with the Applicant and whatever steps are required to be taken for the improvement of the same including the proper maintenance of the overburden site and to prevent the storm water to come down from the dump. For this purpose the PCB authorities shall insist upon the compliance of the EC conditions with regard to overburden dump including construction of the garland drain. We direct here that the garland drain should be *pakka* not a *kachha* garland drain and all efforts should be made to ensure that the storm water does not overflow the garland drain, and, therefore, it should be of adequate capacity.

As far as the *Gowshala* is concerned we direct the District Collector and the Municipal Authority, Bhilwara to consider the same to be taken up for the purpose of management by the Municipal Authorities. Order to that effect be issued by the Collector to the Municipal Authorities and same be notified for that purpose. We have seen in the Media that the Central Government has come out with the scheme for proper maintenance of the *Gowshala* and making them self sufficient by utilising the *gobar* and other material for the purpose of *gobar* gas and / or compost for self sustaining of the *Gowshala* on that pattern and looking to

the scheme of the Govt. ~~of~~ <sup>in</sup> ~~the~~ *Gowshala* should be properly administered and maintained. Stray cattle within the city should be taken to the *Gowshala* and city should be made free from such cattle. The stray cattle are not only a problem for the traffic on the road but also at the same time are reason for the congestion on the roads and air pollution is also being caused by the same. Therefore the said measures should be taken up on priority, Administration and maintenance of *Gowshala* could be taken up under the CSR activity of the Respondent NO. 2 company. We may also add that the 400 *beghas* which have been identified and handed over to the Respondent NO. 2 and sufficient plantation can also be carried out in the same as well as in the *Gowshala* which can act as shady trees and fodder for the benefit of stray cattle. The parties are directed to submit proof of execution and compliance of the aforesaid order.

The Municipal Authority shall also take immediate steps as we have been informed that in Bhilwara the Municipal body had acquired and installed a decomposition plant and for preparation of compost. We have been informed that contractor who was engaged for running the same had left the work and thereafter for a long time the same is lying without being used. The Municipal Authority shall take up the issue immediately as under the MSW Rules, 2016 there is a specific provision for preparation of the compost out of the MSW and also marketing and utilisation of the said compost along with chemical fertilizers. We would direct that the Collector and the Municipal Commissioner looking into the said issue shall make every effort for operationalising the said plant at the earliest. The efforts that are made in that behalf shall be submitted before us on the next date of hearing.

Let the matter be listed on **16<sup>th</sup> October, 2017**.

**Order dated 22.01.2018**

Compliance affidavit on behalf of the respondent no. 2 /Jindal Saw Ltd. has been filed on 29.05.2017 wherein Action Plan for setting up of 10 MLD, STP was given. It has been stated that the work of establishment of the STB would be completed within a period of 30 months i.e. by June, 2020.

The Learned Counsel for the State of Rajasthan / respondent no. 1 had filed the compliance report on 22.11.2017 and it has been stated therein that there is no overburden left in the Samodi pond area and that there is no obstruction in the catchment of the Samodi pond. It has also been stated that plantation of fruit bearing trees has been raised over 100 bighas land which is adjacent to the plant area and necessary steps have also been taken for protection and maintenance of the trees that has been planted. The Learned Counsel appearing for the applicant does not wish to file any response to the compliance filed by the State.

In view of the above, this Original Application No. 88/2015 stands **disposed** of. Liberty is however, granted to applicant to approach this Tribunal in case he finds that certain compliances are found not to have been made as directed by this Tribunal.”

3. Respondent no. 2 i.e. Zindal Saw Ltd. has filed the reply against the Execution Application and argued that vide order dated 11.09.2017 a suggestion was placed before the Tribunal that Collector may be directed in consultation with the Forest Department as well as with the applicant to identify the areas, where such plantation can be safely carried out and where the possibility of these trees being cut in future would not be there. In the event of such land being either allotted or which are capable/allotted, it was suggested that the river front of river Kothari be taken up for tree plantation.

4. It is further argued that after issuance of the order dated 11.09.2017 by the Tribunal, the Respondent entered into an agreement dated 26.09.2017 for carrying out the plantation of 10,000 trees. The area of the land taken under lease was 100 *Bighas*. The land parcel was also inspected and visited the officials of the Forest Department and was found to be appropriate. The office of the Assistant Conservator of Forests issued a letter reference No.134 dated 13.10.2017 affirmed that land selected by Respondent No. 2 for taking up the plantation work was appropriate for the reason that it was only at a distance of 500 meters from the plant and there was a very negligible possibility of any road construction, acquisition or any other Government programs to be executed on the said piece of land, so there existed less possibility of trees being cut in any near future. 5100 plants out of 10,000 plants had been planted on the abovementioned area and rest of the plantation were completed later on. It is further submitted that more than 10,000 plants have been planted and compliance has been made. So far as the *Gaushala* is concerned the Respondent no.2 is regularly distributing fodder at different location to the cattle of local villagers falling in the mining lease area. An affidavit has been filed before this Tribunal for compliance of the order quoted above. It is further submitted that for the establishment of the STP Nagar Parishad Bhilwara handed over the possession of allotted land admeasuring 8 bighas and pursuant to physical handing over the land, the respondent addressed a letter to the Commissioner Nagar Parishad Bhilwara for providing same for setting up STP plant. The agreement has been executed between Respondent and Nagar Parishad Bhilwara and physical possession of the said land was handed over on 10.10.2017. In order to procure and access/passage to reach to the allotted land, under the letter, the answering respondent requested the Commissioner, Nagar Parishad, Bhilwara to demarcate the road of 30 ft. width from Kota Bypass. The answering

respondent also requested the addressee to provide a trace map so that the exact position of land can be evaluated and the wire fencing or boundary wall can be done.

5. Now the question for the allotment of road/passage to the allotted land is under correspondence with Nagar Parishad Bhilwara by taking necessary steps for demarcation of 30 ft. road from Kota bypass road to the allotted land for STP. The report submitted by Forest Department Bhilwara and the agreement between the parties for planting of tree has also been annexed with the report.
  
6. Learned Counsel for the Applicant has submitted that some short time may be provided to file reply. Learned Counsel for the Respondent no. 2 has submitted that the passage which has been requested to be provided by the competent authority, Nagar Palik Parishad has not been provided till date and reply by the Nagar Palik Parishad has not been filed till date. Nagar Palik Parishad, Bhilwara is directed to submit the reply and also directed to solve the problem as raised by the Respondent no. 2 in reply at subpara- D & E of para 17 within fortnight and action taken report be filed on or before **29<sup>th</sup> September, 2021.**

List it on **29<sup>th</sup> September, 2021.**

Sheo Kumar Singh, JM

Arun Kumar Verma, EM

September 02<sup>nd</sup> 2021  
E.A. 02/2020(CZ)  
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## Annexure 9

राजस्थान सरकार

स्वायत्त शासन विभाग

क्रमांक : एफ. 55 ( )अभि./सीई/डीएलबी/2014/JSL/भीलवाड़ा/16171 दिनांक : 24.12.2014

बैठक कार्यवाही विवरण

भीलवाड़ा शहर में PPP/DBOOT बेसिस पर सीवरेज ट्रीटमेंट प्लान्ट का निर्माण व संचालन करने हेतु नगर परिषद, भीलवाड़ा एवं मै. जिन्दल शॉ लिमिटेड के मध्य हुये अनुबन्ध की क्रियान्विति के सम्बन्ध में चर्चा हेतु प्रमुख शासनप सचिव, स्वायत्त शासन विभाग की अध्यक्षता में दिनांक 23.12.2014 को बैठक आयोजित हुई, जिसमें निम्नलिखित अधिकारी/प्रतिनिधि उपस्थित हुये :-

1. श्री पुरुषोत्तम बियाणी, निदेशक एवं संयुक्त सचिव, स्थानीय निकाय।
2. श्री अनिल बल्दवा, सभापति, नगर परिषद, भीलवाड़ा।
3. श्री प्रदीप सांगावत, सचिव, नगर विकास न्यास, भीलवाड़ा।
4. श्री संजय माथुर, आयुक्त एवं अधिशाषी अभियन्ता, नगर परिषद, भीलवाड़ा।
5. श्री एस. के. सक्सेना, अधिशाषी अभियन्ता, निदेशालय।
6. श्री राजेन्द्र गौड़, प्रतिनिधि, मै. जिन्दल शॉ लिमिटेड।
7. श्री सुनील बक्शी, प्रतिनिधि, मै. जिन्दल शॉ लिमिटेड।

बैठक के प्रारम्भ में आयुक्त, नगर परिषद, भीलवाड़ा ने अवगत कराया कि जिन्दल शॉ लिमिटेड एवं नगर परिषद, भीलवाड़ा के मध्य शहर के गंदे पानी के उपयोग के एवज में दिनांक 05.10.2011 को अनुबन्ध सम्पादित हुआ, जिसके अनुसार मै. जिन्दल शॉ लिमिटेड को 10 एम.एल.डी. क्षमता का सीवरेज ट्रीटमेंट प्लांट DBOOT बेसिस पर लगाने के लिये नगर परिषद की 19,924 वर्गमीटर भूमि 19 वर्ष 11 माह 29 दिन के लिये एक रुपये प्रति वर्गमीटर की दर से लीज पर आवंटित की गई है। अनुबन्ध की शर्त संख्या 15, 16, 17, 18, 18 (ए) एवं 18 (बी) की अनुपालना जिन्दल शॉ लि. द्वारा नहीं करने के कारण नगर परिषद, भीलवाड़ा एवं जिन्दल शॉ लि. के मध्य विवाद उत्पन्न हुआ। अनुबन्ध की शर्त सं. 22 के अनुसार किसी भी विवाद की स्थिति में राज्य सरकार का निर्णय अंतिम होगा। जिसके क्रम में प्रमुख शासन सचिव महोदय के स्तर पर यह मीटिंग आयोजित की गई है।

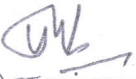
बैठक में उपस्थित अधिकारीगण/प्रतिनिधियों से विचार-विमर्श उपरांत आपसी सहमति से निम्नलिखित निर्णय लिये गये :-

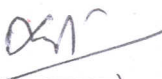
1. अनुबन्ध के बिन्दु सं. 15, 18, 18 (ए) व 18 (बी) के तहत जिन्दल शॉ लि. द्वारा की जाने वाली समस्त कार्यवाही के पेटे जिन्दल शॉ लि. द्वारा राशि रुपये 46.01 लाख (राशि रुपये छियालीस लाख एक हजार मात्र) प्रतिमाह नगर परिषद, भीलवाड़ा को भुगतान किया जावेगा। उपरोक्त राशि में दिनांक 11.04.2014 की बैठक में लिये गये निर्णय के अनुसार नगर परिषद व नगर विकास न्यास के कुल 167 पार्क भी सम्मिलित हैं।
2. जिन्दल शॉ लि. द्वारा राशि रुपये 46.01 प्रतिमाह के हिसाब राशि रुपये 1,38,03,000/- (राशि रुपये एक करोड़, अड़तीस लाख व तीन हजार मात्र) दिनांक 1.10.2014 से अग्रिम त्रैमासिक (जनवरी/अप्रैल/जुलाई/अक्टूबर के प्रथम सप्ताह) भुगतान किया जावेगा। इस क्रम में जिन्दल शॉ लि. द्वारा 01.10.2014 से 31.12.2014 तक पार्कों के रखरखाव एवं नाले नालियों के साफ-सफाई एवं रखरखाव पेटे राशि रुपये 1,38,03,000/- देय है, उक्त राशि की गणना में

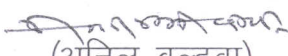
माननीय उच्च न्यायालय के आदेश दिनांक 1.10.2014 की पालना में जमा कराये गये राशि रूपये 30,00,000/- न.प. भीलवाड़ा को छोटी नालियों की सफाई के पेटे राशि रूपये 7,50,000/- प्रतिमाह जमा कराये गये कुल राशि रूपये 22,50,000/- का भी समायोजन किया जावेगा।

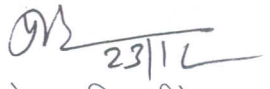
3. जिन्दल शॉ लि. उक्तानुसार भुगतान नहीं किया जाता है, तो प्रथम माह के लिये 12% की दर से एवं द्वितीय माह के लिये 18% की दर से ब्याज देय होगा। यदि फिर भी भुगतान नहीं किया जाता है, तो अनुबन्ध की पालना के पेटे नगर परिषद में डिमाण्ड ड्राफ्ट के रूप में जमा राशि रूपये 50.00 लाख को जब्त कर लिया जावेगा।
4. उपरोक्त राशि का अग्रिम भुगतान जिन्दल शॉ लि. द्वारा त्रैमासिक (Quarterly) रूप से किया जायेगा एवं माह अक्टूबर 2015 से प्रतिवर्ष 2 प्रतिशत राशि की बढ़ोतरी करते हुये बढ़ी हुई राशि पर प्रतिवर्ष भुगतान किया जायेगा।
5. त्रैमासिक (Quarterly) रूप से भुगतान की गई राशि के सम्बन्ध में नगर परिषद द्वारा वर्ष के अंत में जिन्दल शॉ लि. को लिखित में अवगत करायेंगे कि उक्त राशि का उपयोग पार्को के रखरखाव एवं नाले नालियों की साफ सफाई, मरम्मत एवं रखरखाव कार्य हेतु किया गया है।
6. रेल्वे ओवर ब्रिज (आर.ओ.बी.) के निर्माण के सम्बन्ध में अनुबन्ध दिनांक 05.10.2011 की शर्त सं. 16 यथावत रहेगी। जिन्दल शॉ लि. द्वारा आर.ओ.बी. निर्माण के लिये 3 माह में विस्तृत परियोजना रिपोर्ट (DPR) तैयार की जावेगी। जिला कलेक्टर, भीलवाड़ा के स्तर पर मीटिंग आयोजित करते हुये रेल्वे के अधिकारियों से समन्वय स्थापित कर भूमि अवाप्ति व अन्य प्रकरणों का निस्तारण किया जावेगा। राज्य स्तर पर उक्त कार्य की समय-समय पर मोनेटरिंग की जावेगी। इस सम्बन्ध में राज्य सरकार निर्णय अंतिम होगा व दोनों पक्षों को मान्य होगा।
7. भविष्य में नगर परिषद द्वारा बिना राज्य सरकार की पूर्वानुमति के सीवरेज ट्रीटमेंट प्लांट में उपलब्ध करवाये जा रहे गंदे पानी को अपने स्तर पर नहीं रोका जावेगा। अगर कोई विवाद उत्पन्न होता है, तो राज्य सरकार निर्णय लेने में संक्षम होगी।
8. अनुबन्ध की अन्य सभी शर्तें यथावत रहेगी।


अंत में बैठक सधन्यवाद समाप्त हुई।

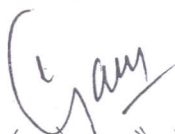
  
(मन्दीप सांगावत)  
सचिव, नगर विकास  
न्यास, भीलवाड़ा

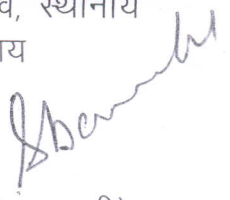
  
(संजय माथुर)  
आयुक्त एवं  
अधिशायी अभियन्ता,  
नगर परिषद,  
भीलवाड़ा।

  
(अनिल बल्दवा)  
सभापति, नगर  
परिषद, भीलवाड़ा

  
(पुरुषोत्तम बियाणी)  
निदेशक एवं संयुक्त  
सचिव, स्थानीय  
निकाय

  
(एस. क. सक्सेना)  
अधिशायी अभियन्ता,  
निदेशालय

  
(राजन्द्र गौड)  
प्रतिनिधि, मै.  
जिन्दल शॉ लि.

  
(सुनील बक्शी)  
प्रतिनिधि, मै.  
जिन्दल शॉ लि.

क्रमांक : एफ. 55 ( )अभि./सीई/डीएलबी/2014/JSL/भीलवाड़ा/16172-77 दिनांक : 24.12.2014

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु:-

1. निजी सचिव, प्रमुख शासन सचिव, स्वायत्त शासन विभाग, राज. जयपुर।
2. निजी सचिव, निदेशक एवं पदेन संयुक्त सचिव, स्थानीय निकाय, राज. जयपुर।
3. सभापति, नगर परिषद, भीलवाड़ा।
4. सचिव, नगर विकास न्यास, भीलवाड़ा।
5. आयुक्त, नगर परिषद, भीलवाड़ा।
6. प्रतिनिधि/हेड कोर्डिनेटर, जिन्दल शॉ लिमिटेड, भीलवाड़ा।



(पुरुषोत्तम बियाणी)

निदेशक एवं पदेन संयुक्त सचिव

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,  
BHOPAL**

**Original Application No. 149/2014 (CZ)  
Babu Lal Jajoo Vs. State of Rajasthan & 5 Ors.**

**&**

**M.A. No. 787/2015**

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER  
HON'BLE Dr. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

**PRESENT : Applicant : Dr. M.S. Kachhawa, Adv  
RSPCB & State of Rajasthan: Shri Sandeep Singh, Adv. &**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<p><b>Order No. 17</b> <b>2<sup>nd</sup> May,</b> <b>2016</b></p>	<p align="center"><b><u>M.A. No. 787/2015</u></b></p> <p>This M.A. filed for the exemption of the personal appearance of the Respondent stands disposed of.</p> <p>This Application was filed by the Applicant alleging that sewage water and also storm water was being drained into the Gandhi Sagar Lake, Bhilwara which has made the lake highly polluted. It was also prayed that dredging for removal of the deposits, garbage and solid waste from the pond be directed so as to improve the water quality in the same. We have been informed that at present on a rough estimate about 22 MLD sewage is being discharged towards the Gandhi Sagar Lake whereas the remaining sewage which is being generated is discharged in different directions.</p> <p>We are also informed that out of the 22 MLD sewage which is generated and discharged towards the Gandhi Sagar Lake, Bhilwara sewage treatment plant (STP) is functional with a capacity of 10 MLD only and then discharged the remaining 12 + MLD of sewage is allowed to flow without treatment for want of the required capacity in the STP.</p> <p>Under the Water Act no water body or river course can be</p>

subjected to contamination by pollutants by any agency or person which is the mandate under the Water Act and punishable under Section 26 of the same. It therefore, becomes the duty of the local authority to provide for the treatment of the sewage before its discharge into the water body so as to make the effluents free of the pollutants and hazardous substances.

Bhilwara, a growing industrial township having several industries particularly textile industries with surrounding areas rich in mineral is subjected to fast industrialisation and large scale mining. With the industrial units we have been informed that there is already provision for setting up of the effluents treatment plants for taking care of any industrial and chemicals effluents being generated. However, it is also common knowledge that domestic sewage is more often that not mixed with industrial discharge and is also being polluted by means of discharge from automobile, service stations and workshops which contain hazardous substances as well. Such substances are not only harmful for human-beings but also for aquatic life in the water bodies.

The need therefore, for the local authority that is Municipal Corporation of Bhilwara, the Government as well as the PCB and the State Environment Impact Assessment Authority is to ensure that there is no untreated sewage or effluents in Bhilwara which is drought prone area with scarce water resources and at the same time, needs substantially large quantities of fresh water not only for domestic use but for industrial use as well and some of the units are drawing water from far of distances as well. The need therefore, is to ensure that re-use of treated water wherever possible by industrial units should be made to be optimum so that fresh water can be made available for domestic use and industries can be provided with

treated water as far as possible so as to save precious fresh water and ground water.

We would therefore, emphasise upon the State Government to initially provide the necessary assistance to the local body for establishment of the STPs / ETPs with modifications wherever necessary for treatment of industrial effluents as well to the extent they may be found to be mixing with the domestic sewage. At the same time, all measures for reducing the dependence on fresh water by industrial units must be taken and such industrial units may be provided initially for the supply of treated water from such STPs either by transportation through tankers till such time as necessary arrangements by way of laying down pipelines for gray water use are made. It must also be explored wherever possible that industrial units who are large scale consumers of water can be asked to install and operate STPs to meet their requirements of treated water for their industrial use. This would not only reduce the dependence on fresh water but also at the same time ensure proper operation and maintenance of the STPs by the industries concerned to ensure desired quality of treated water that may be required for their industries and at the same time reduce pollution in the water bodies like the lakes and the rivers in which at present such polluted water is being discharged.

We would like the response of the State on the above issues.

Let this matter be listed on **25<sup>th</sup> July, 2016.**

.....,JM  
(DALIP SINGH)

.....,EM  
(Dr. S.S.GARBYAL)

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**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,  
BHOPAL**

**Original Application No. 88/2015 (CZ)  
Babulal Jajoo Vs. State of Rajasthan & Ors.  
and  
Original Application No. 111/2016 (CZ)  
Prakash Upadhyaya Vs. State of Rajasthan & 2 Ors.  
and  
M.A. No. 229/2017**

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

**PRESENT : Applicant:** Ms. Zubia Sajid, Adv. for  
Mr. M.S. Kachchwa, Adv.  
Applicant in (O.A. 111/2016) Ms. Arushi Chouhan, Adv.  
Raj. State & RSPCB: Shri Sandeep Singh, Adv.  
Shri Sanjay Mathur, M.C Bhilwara  
Shri Dharmendra Dandwani, ACR  
Shri N.C. Ajmera, WRD

**Respondent No. 32 & 33:** Shri Dharmvir Sharma, Adv.  
**Respondent No. 30, 31:** Shri Shrey Raj Saxena, Adv.  
**Respondent No. 2:** Shri Vishal Gera, Adv.  
**CGWB:** Shri Munanshu Kosthi, Adv. for  
Shri Yadvendra Yadav, Adv.  
Shri S.C Pranjpai, Adv.

Date and Remarks	Order of the Tribunal
<p><b>Order No. 21</b> <b>28<sup>th</sup> April, 2017.</b></p>	<p>An M.A. No. 229/2017 has been submitted before us today on behalf of the Respondent No. 8 to 28. It has also been brought to our notice that the demand note for an amount of Rs. 22 crores for the 8 <i>beegha</i> land which has been ordered to be allotted to the Respondent No. 2 for setting up 10 MLD STP at Bhilwara has been raised. We fail to understand how such a demand can be raised by the Municipal Authority particularly when the Respondent No. 2 is performing the duty under the Water Act which was required to have been performed by the local body that is the Municipal Corporation Bhilwara. As a matter of fact the PCB should have long back initiated prosecution under the Water Act and in terms of the provisions of the Environment Protection Act against the Municipal Authority for failure to adhere to the provisions of the Water Act and particularly Section 26 thereof. The Respondent No. 2 though an industrial unit which has been set up by</p>

way of a steel plant along with a mining lease of iron ore in district Bhilwara has come forward for setting up the STP and operating it for treating the waste water from the city of Bhilwara and utilising the treated water at its steel plant. It is surprising that instead of appreciating the steps taken by the Respondent No. 2 the State authority have firstly delayed the allotment of the land for nearly one year and now they have given a demand note of Rs. 22 crore which will not only aggravate and escalate the cost for the establishment of the STP but also the running of the STP of the steel plant. The State like Rajasthan where there is already scarcity of water and in particularly districts like Bhilwara where water in the past was been supplied through the well and from Chambal river at Kota can hardly afford to allow industries to use raw / fresh water and in case the industries are coming forward for utilising waste water after treatment this should be commended by the State and all necessary assistance must be provided by the State. The action of the state authorities and the Municipal authorities in charging lease rents at the rate of 22 crore for establishment of the STP in our view will only act as deterrent for such industries to come forward. We direct that for explaining their point of view the Joint Secretary Local Self Government of Rajasthan, Commissioner and Mayor, the Municipal Corporation Bhilwara, along with the Revenue Officer who has assessed this amount shall remain personally present on the next date of hearing. It may be noted that no exemption shall be granted to any of these on the next date of hearing.

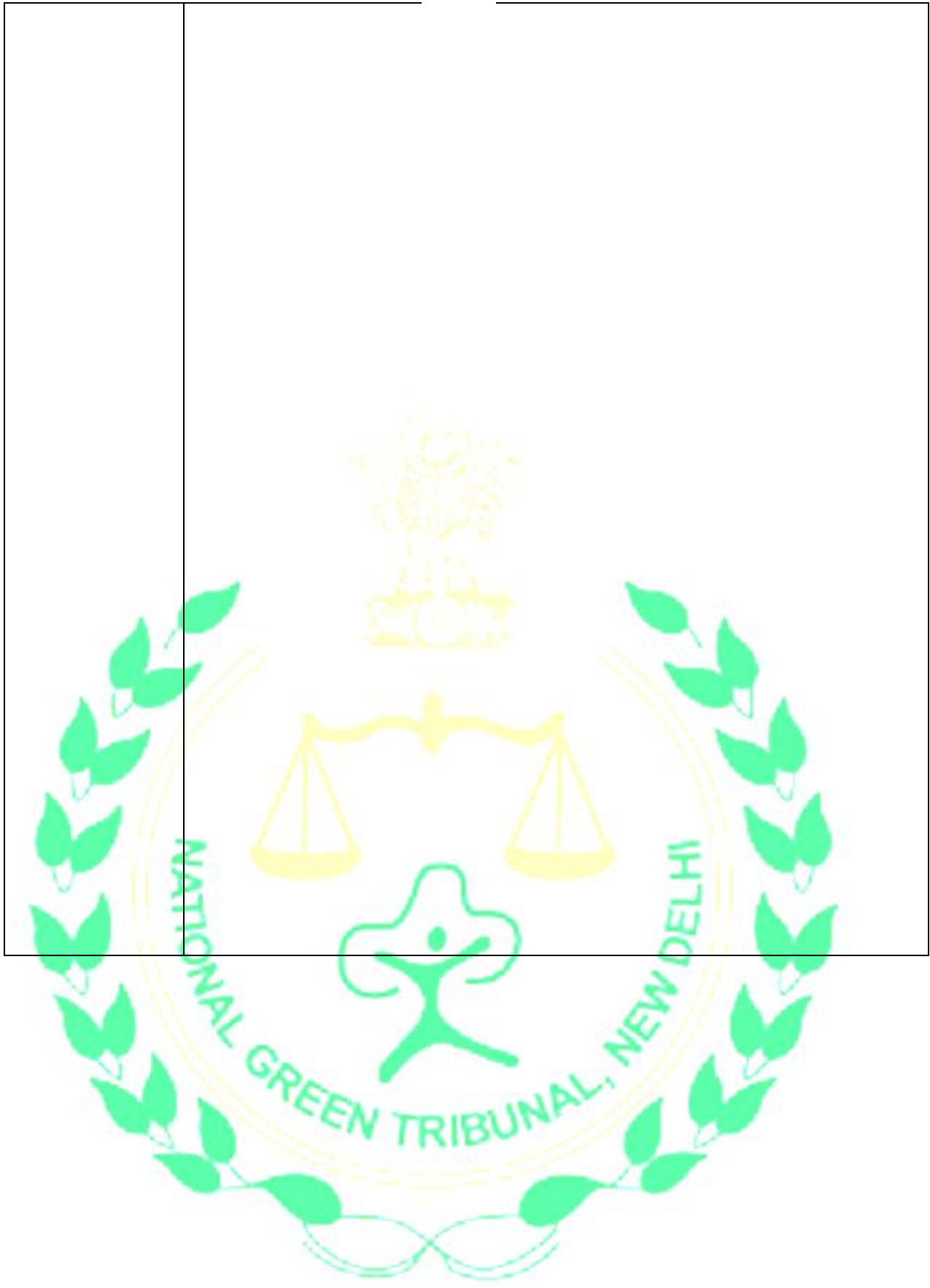
We also direct the State to show cause why the State should not be dealt with under the provisions of the NGT Act and the Water Act 1974 for delay in compliance of the aforesaid provisions and not be prosecuted for non-compliance of the provisions of the Act.

M.A. No. 229/2017 stands disposed of.

Let this matter be listed on **9<sup>th</sup> May, 2017**.

.....JM  
(DALIP SINGH)

.....EM  
(Dr. S.S.GARBYAL)



F-19

राजस्थान सरकार  
जल संसाधन विभाग

क्रमांक : 107

दिनांक : 19.04.08

निदेशक,  
जिंदल सॉ लिमिटेड,  
जिंदल सेन्टर,  
12, भीकाजी कामा पेलेस,  
नई दिल्ली - 110 066

विषय : लौह अयस्क के संयंत्र हेतु जल उपलब्ध करवाने के काम में  
संदर्भ : आपका पत्र क्रमांक जेएसएल/जेपी/2007/143 दिनांक 12.12.07  
महोदय,

उपरोक्त विषयान्तर्गत निर्देशानुसार लेख है कि आपके आवेदन पत्र के सम्बन्ध में राज्य सरकार ने सैद्धान्तिक रूप से यह निर्णय लिया है कि कोठारी बांध के डैड स्टोरेज से पानी उपलब्ध कराया जा सकेगा। कोठारी बांध भीलवाडा जिले के कोटडी तहसील के ग्राम नंदराय ग्राम में स्थित है, जो भीलवाडा मुख्यालय से 42 कि०मी० दूर है। डैड स्टोरेज से जल की उपलब्धता सिंचाई के लिए आवश्यक पूर्ति करने के उपरान्त ही की जा सकेगी। इसके लिए कोठारी बांध के समीप एक इंटेक संरचना के निर्माण की भी आवश्यकता होगी, जिस पर होने वाला व्यय भी कम्पनी को ही वहन करना होगा।

भवदीय,

Sd/-

शासन उप सचिव (परियोजना)

प्रतिलिपि मुख्य अभियन्ता, जल संसाधन विभाग, राजस्थान, जयपुर को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

-fiv-

शासन उप सचिव (परियोजना)

काञ्चिलिपि मुख्य अभियन्ता, जल संसाधन विभाग, राजस्थान, जयपुर

क्रमांक - मुअजस/जस (कार्य)/रज-19/499 दिनांक 12/5/08

प्रतिलिपि आर० मुख्य अभियन्ता, जल संसाधन विभाग, जयपुर को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

प्रधीकरण अभियन्ता (प्र.स. (कार्य))  
वास्ते मुख. अभियन्ता जल संसाधन विभाग  
राजस्थान, जयपुर

JSL/BHL/12/2/09

24<sup>th</sup>, December, 2009

1. The Collector, Bhilwara  
Distt. Bhilwara, Rajasthan.
- ✓ 2. The Chairman  
Municipal Council Bhilwara,  
Distt. Bhilwara, Rajasthan.

Kind Attn: Municipal Council - Bhilwara

Sub: Allotment of domestic sewage / storm water generated from Bhilwara Town for recycling as process water in our Iron Ore Mining Project at Bhilwara.

Respected Sir,

Jindal Saw Ltd., ("JSL") an O.P. Jindal Group Company is setting-up an Iron Ore Mining Project in outskirts of Bhilwara city. The project is currently under implementation stage. Water is used in various stages of the mining process. Our group company M/s. Jindal Water Infrastructure Limited ("JWIL") did a detailed survey on identifying the alternate sources of water available near Bhilwara City to be used in the mining process after suitable treatment.

Domestic sewage / storm water generated from Bhilwara city is the one of sources of water available in Bhilwara City, which is currently being disposed off untreated in Kothari River in the absence of a sewage treatment.

Recycling this domestic sewage / storm water generated from Bhilwara Town and its reuse as process water in iron ore mining plant is a feasible option and useful to Bhilwara Municipal Council as stated hereunder. :

- It will prevent the ground water pollution. Currently sewage / storm water is being disposed in Kothari River without any treatment, which ultimately pollutes the ground water through seepage.
- It will conserve ground water resources in the region.
- JSL will make the capital investment for the Treatment plant thereby saving the expenditure to be incurred by the Municipal Council
- JSL will also undertake Operation and Maintenance of the plant free of cost.
- The treated sludge is suitable for use as manure.

Contd...../ Page 2

*Ru*  
*63*  
*24.12.09*

--: 2 :-

In return, JSL request that MCB

- Allot 3.5 to 5 acres of land for setting up the sewage treatment plant.

Sanction for withdrawal of domestic sewage / storm water on following points :

- MCB would provide right of way and right of access to sewerage / storm water for a total capacity of 6-8 MLD for 30 years.
- Suitable land area for putting intake structure and sewage treatment systems i.e. approx 3.5 to 5 acres near to the access point i.e. near Mokchh Dham.

JSL can take following undertaking as our social responsibility:

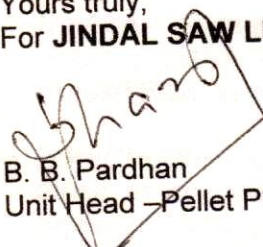
- JSL can invest up to Rs. One Crore for converting the present earthen drainage system in concrete bottom system up to Kothari River.
- After completion of our Iron Ore Mining Process, JSL will hand-over STP to MCB in running condition.

We look forward to receiving your early confirmation for the allotment of land and sewage.

Assuring you of our best attention and continued association.

Thanking you,

Yours truly,  
For **JINDAL SAW LIMITED**

  
B. B. Pardhan  
Unit Head - Pellet Plant

B-34, Chitarkoot Nagar, Sangner Road,  
Opp. Ashok Vatika, Bhilwara, Rajasthan.

# PROOF OF SERVICE

Ankita Sinha

---

**From:** Ankita Sinha  
**Sent:** 28 November 2023 09:33  
**To:** nluadvrohitsharma; npbhilwara; rorpcb.bhilwara; akshay19rathore96@gmail.com  
**Cc:** Nilava Bandyopadhyay; Anurag Abhishek; Saima Mahmood  
**Subject:** In the matter EA 02/2020 " Babulal Jajoo v. State of Rajasthan : Service of Status Report on behalf of Respondent No.2  
**Attachments:** Reply to Addl. Affidavit (27.11.2023).pdf

Dear Sir/Ma'am,

We are serving a copy of the reply on behalf Respondent no.2 to the Additional Affidavit filed by MCB. Please find the same as attachment to this mail.

You are requested to kindly issue your respective acknowledgments upon receipt of this mail. This mail shall be treated as sufficient advance service of the **"Reply to Addl. Affidavit"** being filed by Respondent no.2.

In case of any further clarification or assistance, please feel free to reach us.

Regards,  
Ankita Sinha.



**S&A Law Offices LLP**

E-337, East of Kailash  
New Delhi-110065, India. [www.sandalawoffices.com](http://www.sandalawoffices.com)  
Tel: +91-11-46667000 Fax: +91-11-46667001  
Other Offices: Gurugram | Mumbai

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<b>Legal 500</b>	<b>BW Legal 2021</b>	<b>Asia Law</b>	<b>Chambers Global</b>	<b>IFLR 2020</b>
<b>Asia Pacific 2021</b>	<b>Dispute</b>	<b>2021 Rankings</b>	<b>2021</b>	<b>Recommended</b>
<b>Top Tier Firm</b>	<b>Resolution Firm</b>	<b>Recognized Firm</b>	<b>Ranked Firm</b>	

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