



भारत 2023
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**GOVERNMENT OF RAJASTHAN
DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE**

F.No.DS/L/CS/Forest-6/2023

Jaipur, Date: 16.08.2023

To,
The Registrar,
Hon'ble NGT,
Central Zonal Bench,
Bhopal,

Subject : Factual and Action Taken Report in Hon'ble NGT, Principal Bench, New Delhi order dated 12.04.2023 in matter of OA No. 68/2023 (Earlier OA No.558/2022-PB) Salman Qasmi &Ors. Vs. State of Rajasthan &Ors and OA No. 69/2023 (Earlier OA No. 568/2022-PB) Agnimitra Trivedi Vs State of Rajasthan & Others.

Reference: Hon'ble NGT order dated 12.04.2023.

Sir,

With reference to above subject matter, it is submitted that the Hon'ble Tribunal by order dated 12.04.2023 directed to submit factual and action taken report by e-mail on at judicial-ngt@gov.in. However, the Principal Bench vide order dated 18.07.2023 transferred the matter to Central Zonal Bench, Bhopal, therefore, the matter is filed at ngtczbbho-mp@gov.in.

In compliance to directions passed by the Hon'ble Tribunal, Action Taken Report is being submitted for kind perusal of the Hon'ble Tribunal.

It is requested that the action taken report may kindly be taken on record.

Encl. As above.

Yours sincerely,

Nodal Officer

RAKESH MATHUR

Deputy Director

Department of Environment and Climate Change

Environment & Climate Change Department
Jaipur

**Hon'ble National Green Tribunal
Central Zonal Bench, Bhopal**

Original Application No.68/2023

In the Matter of:-

Salman Qasmi

Versus

Applicant

State of Rajasthan

Respondent

With

Original Application No.69/2023

Agnimitra Trivedi

Versus

Applicant

State of Rajasthan

Respondent

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Action taken report in the matter of O.A. No. 68/2023 (earlier OA No. 558/2022) Salman Qasmi Vs State of Rajasthan with O.A. No. 69/2023 (earlier OA No. 568/2022) Agnimitra Trivedi Vs State of Rajasthan

1. Background:

A complaint was filed before the Hon'ble National Green Tribunal regarding pollution by textile industries at Sanganer, Jaipur.

The Hon'ble National Green Tribunal, New Delhi on the basis of complaint passed order dated 29.08.2022 (**Annexure-1**) in the matter of OA No.558/2022 (PB) "Salman Qasmi & Ors. Vs. State of Rajasthan &Ors and other connected matter i.e. Original Application No. 568/2022 Agnimitra Trivedi Vs State of Rajasthan and directed as follows:-

"We find it necessary to verify the factual position about compliance status by constituting a joint committee comprising of CPCB, State PCB, and District Magistrate, Jaipur. The Committee may undertake visit to the site, interact with the stakeholders and furnish a factual and action taken report within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDE. The report may give details of industries operating in industrial and non-industrial area, present mode of disposal of industrial effluents and other associated aspects. The report may also mention whether there is an action plan for restoration of degraded encroachments, with budgetary plans. The State PCB will be the nodal agency for coordination and compliance. The Committee will also be free to interact with any other department and associate any other expert/institution. If any observations are made in the report against any industrial establishments, they may be put to notice of these proceedings and a copy of report furnished to them simultaneously with the filing of the said

report before this Tribunal to enable them to file their response, if any, before this Tribunal."

The representatives nominated are as follows:

- (1) Central Pollution Control Board (CPCB): Shri P.Jagan, Regional Director, CPCB.
- (2) Rajasthan State Pollution Control Board (RSPCB); Sh. Arvind Kumar Agarwal, Regional Officer, Jaipur (South) (Nodal officer) and
- (3) District Collector: Additional District Collector-I.

2. Report of the Joint committee:

An interim report was submitted by the Joint committee on 19.11.2022 with request to grant additional 3 months time to complete the inspection /survey/ sampling of the textile units and for preparation of restoration plan of degraded environment with budgetary provision through reputed institution/expert agency for final preparation and submission of the factual and action taken report.

Thereafter, an interim cum progress report was filed on 27.01.2023 with a request to provide one and half month time to submit final report.

The final report of the joint committee was filed on 26.02.2023.

3. Hon'ble NGT vide order dated 12.04.2023 (Annexure-II) directed the following:

At para no. 12 "we consider it appropriate to fix interim compensation of Rs. 100 crores to be paid by the State of Rajasthan by way of deposit in a separate account, with liberty to recover the amount from the violating units and erring officers. The deposit may be made within two months. The amount may be utilized for restoration of environment in the area as per plan which may be prepared."

At para no. 13 "To plan and oversee remedial action in the interest of protection of environment and upholding of rule of law, we constitute ten member joint Committee to be headed by Chief Secretary, Rajasthan. Other Members will be Additional Chief Secretaries/Principal Secretaries, Agriculture, Irrigation, Environment & Forest, Revenue, Govt. of Rajasthan, nominee of Central Ground Water Authority (CGWA), Central Pollution Control Board (CPCB), Integrated Regional Office of MoEF&CC, Jaipur, District Magistrate and State PCB.

The nodal agency will be the ACS/PS Environment, Rajasthan for coordination and compliance. The Committee may meet within two weeks and prepare an action plan in the light of above observations and such action plan be executed within shortest possible defined timeframe to prevent further degradation of environment by closing all non-compliant units and evolving mechanism for assessment and recovering compensation preferably within three months"

Earlier the above cases OA No.558/2022 (PB) "Salman Qasmi & Ors. V/s State of Rajasthan & Ors and other connected matter i.e. Original Application No. 568/2022 Agnimitra Trivedi V/s State of Rajasthan were being dealt by the Hon'ble Tribunal at Principal Bench, New Delhi. However, the matter was transferred to Central Zonal Bench at Bhopal with new Original Application No. 68/2023 Salman Qasmi V/s State of Rajasthan & Others and Original Application No. 69/2023 Agnimitra Trivedi V/s State of Rajasthan & Others and is being heard at Bhopal. Next date of hearing is 17.08.2023.

4. Action Taken

- a. Meetings of the committee constituted under the Chairpersonship of Chief Secretary, Rajasthan were held on 03.05.2023, 25.05.2023 & 10.08.2023. In addition, a review meeting was held under

chairmanship of Additional Chief Secretary, Department of Environment, Government of Rajasthan on 10/05/2023.

- b. Major decisions and action taken by the committee:
- 1) The Common Effluent Treatment Plant (CETP) at Sanganer, Jaipur has been repaired & commissioned. CETP at present is receiving wastewater in the range of 1 to 1.2 MLD, which is being treated.
 - 2) Due to incomplete work of pumping stations and pipeline, the total generated waste water from the member units is not reaching CETP. The State Government has taken a decision to take over the construction of the pumping stations & laying of pipeline for which Jaipur Development Authority (JDA) has been entrusted. The work is to be completed by March, 2024.
 - 3) The Rajasthan State Pollution Control Board (RSPCB) and JDA will initially provide funds for the construction of one pumping station & associated pipeline, which will subsequently be realized from the member units @ Rs. 30,000/- per month till complete realization. The amount for construction of second pumping station and associated pipelines, the trust will transfer the funds available with them to JDA.
 - 4) The work of repairing of CETP and removal of structural defects will be done by Sanganer Enviro Project Development (SEPD) through its own funds at the earliest and SEPD will ensure the connectivity of member units to the main line.
 - 5) JDA has organized camps and around 450 applications for land conversion have been received at JDA. Further camps are also proposed, so that all units can apply for conversion.

- 6) JDA has also identified the land for intermittent storage of hazardous waste. The finalization of allotment rate and transfer of land to SEPD is under process.
- 7) The Central Ground Water Authority (CGWA) has served notice to all defaulter units regarding ground water abstraction. CGWA has been asked to participate in the camps being organized by JDA to facilitate the submission of application by the units.
- 8) Work for preparation of 'Study report and assessment of damage to environment (i.e. Soil & Water) of surrounding area of textile printing and dyeing units of Sanganer and action plan for remediation along with budgetary provisions' has been awarded to PDCOR Limited. The report is to be submitted by 20.09.2023.
- 9) The State of Rajasthan filed appeal (Civil Appeal No. 4562/2023) against the NGT order dated 12.04.2023 in the matter of State of Rajasthan V/s Salman Qasmi before the Hon'ble Supreme Court. The Hon'ble Supreme Court vide order dated 28.07.2023 stayed the operation of order dated 12.04.2023 to the extent of deposition of Rs. 100 crore as environmental compensation by the State Government.


Rakesh Mathur
RAKESH MATHUR
Deputy Director
Environment & Climate Change Department
Nodal Officer

Department of Environment and Climate Change