



REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD
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RO/PCB/Gen/NGT-54/ 1756

Date:-06.10.2022

To,
The Registrar,
National Green Tribunal
Principal Bench
New Delhi.
Email- judicial-ngt@gov.in

**Sub :-Compliances of the directions issued by Hon'ble NGT, Principal Bench,
New Delhi vide order dated 13.07.2022 in O.A no- 424/2022 Jitender Singh &
Others vs State Of Rajasthan.**

Respected Sir,

With reference to above cited subject, please find enclosed herewith the Joint Inspection Report in compliance of the order issued by Hon'ble NGT, Principal Bench, New Delhi vide order dated 13.07.2022 in O.A no- 424/2022 Jitender Singh & Others vs State of Rajasthan.

Enclosed- As above.

Yours faithfully

(Shilpi Sharma)
E.E & Regional Officer

Copy to:-

1. Member Secretary, Rajasthan State Pollution Control Board, Jaipur.
2. District Collector, Jodhpur.
3. Shri Nishant Awana, Advocate, Hon'ble Supreme Court/NGT, New Delhi for perusal and necessary action.
4. GIC-Legal, Rajasthan State Pollution Control Board, Jaipur for information.

Regional Officer

Joint Inspection Report

Submitted in Reference to

**Hon'ble National Green Tribunal (NGT)
Principal Bench, New Delhi order dated
13/07/2022**

In the Matter of

**Original Application. No. 424/2022
Jitender Singh & Others. Vs. State of
Rajasthan**

Members of the Team

Sh. P. Jagan. Scientist, Regional Director, CPCB, Bhopal

Sh. Gopal Parihar, SDM, Luni

Sh. S.L Paliwal, GM, DIC, Jodhpur

Smt. Shilpi Sharma, Regional Officer, RSPCB, Jodhpur

**INSPECTION REPORT OF JOINT COMMITTEE IN COMPLIANCE
OF HON'BLE NATIONAL GREEN TRIBUNAL (NGT) PRINCIPAL
BENCH, NEW DELHI ORDER DATED 13/07/2022 IN
O.A NO- 424/2022 IN THE MATTER OF JITENDER SINGH &
ORS VS STATE OF RAJASTHAN**

INTRODUCTION

Hon'ble NGT Principal Bench New Delhi, vide its order dated 13/07/2022, in the matter of Original Application No. 424/2022 "Jitender Singh & Ors. Vs. State of Rajasthan" constituted a Joint Committee comprising of representative of CPCB, Principal Secretary, Department of Industries, Government of Rajasthan, State Pollution Control Board and District Collector, Jodhpur and directed the committee to undertake site visits, look into the grievances of the applicants, verify the factual position and take remedial action in accordance with law by following due process. The State PCB has been designated as the Nodal agency for coordination and compliance. (Copy of the order is enclosed at **Annexure-I / 2 Pages.**

In compliance to the aforesaid order dated 13/07/2022, following officers were nominated from their respective departments to conduct the joint inspection:-

- i. Shri P. Jagan, Regional Director, Central Pollution Control Board, Regional Directorate (Central), Bhopal (MP)
- ii. Sh. Gopal Parihar, SDM, Luni, Jodhpur (Raj)
- iii. Shri S.L Paliwal- GM, DIC, Jodhpur (Raj) and
- iv. Smt. Shilpi Sharma, Regional Officer, RSPCB, Jodhpur (Raj)

The committee of above officers carried out joint inspection of alleged textile unit of Mr. Bhawani Singh S/o Mr. Mod Singh and

Mr. Devendra Singh S/o Mr. Bhawani Singh, located at Khasra No.149/1 and Khasra No.149/2, Village Bhandu Kallan, Tehsil Luni, District - Jodhpur on 01/09/2022.

OBSERVATIONS DURING THE VISIT

- Unit is a textile processing unit having process Mercerizing, bleaching, dyeing & washing operated on agricultural land having area- 32 Bighas at Khasra No.149/1 (4.32 Hectares) and Khasra No.149/2 (0.80 Hectare) village- Bhandu Kallan, Tehsil Luni, and District Jodhpur without land conversion permission from competent authority.
- Unit was inspected in the presence of Sh. Devendra Singh (Owner as reported) on 01/09/2022.
- The latitude and longitude of the unit w.r.t the two entry gates are:- 26.1141888N, 72.90586106E and 26.11928547N, 72.90522101E.
- The photographs, video & drone videography taken during the visit are enclosed at **Annexure-II/22 Pages.**
- The mauka fard of the joint committee is enclosed as **Annexure-II/A / 3 Pages.**



Figure 1:- Aerial view of unit taken with drone.



Figure 2:- Aerial view of unit from Google Earth.

- During inspection, unit was found non-operative. The representative of the industry informed that the unit is non-operational from 2019, however, looking to the site conditions and machinery installed, the possibility of partly operating the unit cannot be ruled out.
- During inspection, 30 sheds were found established where Plant & machinery required for textile process related activities were found installed and as informed by representative, they provided above shed with machine on rent to people for operating the textile process related machineries. Details of Plant & machinery installed in different sheds is enclosed as **Annexure-III / 4 Pages.**
- No waste water treatment facility i.e., Effluent Treatment Plant (ETP) was found installed at site.
- Raw water for this industry is procured and the unit also having 2 bore wells in the premises without obtaining permission from CGWA. Records of procurement and utilization of raw water are not maintained.
- Unit has constructed overhead tank with storage facility and water supply network to supply the water to different shed for operating the textile machines.
- Unit has provided a network of waste water collection similar to sewerage network consisting of lateral drains, sub lanes & main trunk to receive the waste water from different sheds which is finally disposed in river Jojhari.
- During the visit some waste water was found in Jigger, floor of machine section, sludge deposition found on land, waste water was found in collection chamber of drains & main trunk line

after seeing this operation of textile activity in unit in past days may not be ruled out.

- The joint committee has collected following samples to ascertain the quality of effluent & sludge:

S.No.	Sample collected from	Number of samples
1.	Waste water from drain & chamber in unit premises	04
2.	Sludge deposited on land	01
3.	Color chemical	01
4.	Waste water from drain approaching to river Jojari	01

- The samples were analyzed at Regional Lab, RSPCB Jodhpur. The analysis reports dated 13/09/2022 are as mentioned below. As per the analysis reports, the water samples collected shows concentrated metals, high COD etc. The sludge collected also shows very high levels of metal concentration and other parameters.

S.No.	Parameters	Collection Chamber No. 01	Collection Chamber No. 02	Lateral Drain No. 01	Lateral Drain No. 02	Chamber of Main drain going towards the river Jojari inside the unit	Waste water flowing in river Jojari at village Bhandu after the confluence of the final outlet of unit	Sludge sample collected inside the unit near textile processing machine
1	Zinc as Zn mg/l	0.1795	1.886	4.642	0.4952	1.988	0.521	177.1
2	Ph	7.96	13.27	12.33	11.18	10.36	7.75	
3	Total Suspended Solids mg/l	228	386	624	198	1122	816	
4	Chemical Oxygen Demand (COD) mg/l	358	3242	4844	1501	1976	632	

5	Bio-Chemical Oxygen Demand (BOD) (3 days at 27° C) mg/l	88	810	1210	375	494	158	
6	Oil & Grease mg/l	4	2	3	3	4	4	
7	Copper as Cu mg/l	0.2477	0.1043	2.49	0.2902	0.1933	0.1337	30.11
8	Nickel as Ni mg/l	1.699	1.371	6.539	3.338	0.0649	1.789	610.3
9	Total Chromium as Cr mg /l	0.5216	0.0039	0.4648	0.0425	0.0209	0.0572	11.43
10	Iron as Fe as mg/l	8.861	0.7873	25.44	1.138	1.022	19.88	2364
11	Cadmium as Cd mg/l	NT	0.0235	0.0846	0.0728	0.0649	0.0021	14.22
12	Chloride as Cl mg/l	1824	1982	2212	1180	1640	1162	
13	Ammonical Nitrogen as N mg/l	19.6	3.36	4.48	7.28	16.8	7.28	
14	Fluoride as F mg/l	1.3	1.24	1.32	0.92	1.02	1.66	

- No electric connection was found in unit but infrastructure like transformer & electric line was found established in unit.
- As per the JEE and AEE of JdVVNL(Jodhpur Vidyut Vitran Nigam Limited), unit's electricity disconnection from 11 KVA line has already been done in the year 2019 and since then no electricity connection has been given by the JdVVNL in the area. Copy of letter from AEE, JdVVNL dated 12/09/2022 is enclosed as **Annexure-IV / 2 Pages**.
- The Solid waste i.e. packing material, empty bags of chemical & dyes, unused fabrics etc were found disposed in back side of industry.
- No processed or raw cloth/fabric was found during inspection at the site.

- Color chemical, Caustic & acid drums were found stored in some of sheds of textile unit, it should be ensured that these chemicals, caustic and acid etc are not utilized and strict vigil be kept on the unit.
- It is pertinent here to mention that the representative of the unit informed that he wants to regularize the industry for which unit has applied for conversion of the land titlement at Revenue Department which is under consideration. Copy of the application for land conversion is enclosed as **Annexure-V / 5 Pages**.
- The committee contacted the complainant on the contact no as per the complaint annexed with Hon'ble NGT order, but the number could not be reached.
- The matter was discussed with Patwari of Luni district to call the complainant at the site and she submitted that there are two Mr. Jitendra Singh in Village Bhandu. Letters by both Mr. Jitender are enclosed as **Annexure-VI / 4 Pages**.

ACTION TAKEN

It is also pertinent to mention here that action has also been initiated against the unit in the past, details are as follows: -

- The industry had not obtained consent to establish or consent to operate under the Water Act, 1974 from the State Board & not provided any treatment facility therefore the State Board had issued directions for closure under section 33A of the Water (prevention and Control of Pollution) Act, 1974 vide

letter dated 08/08/2016. Copy of the directions for closure is enclosed as **Annexure-VII / 2 Pages**.

- In compliance to Hon'ble NGT orders passed in the matter of Original Application No. 329/2015 Gram Panchayat Araba V/s State of Rajasthan & Others (O.A no. 358/2013), a committee was constituted by District Collector, Jodhpur on dated 04/05/2019 to conduct the survey & action against illegal units which are discharging untreated trade effluent into river/ drains etc.
- In compliance to District Collector, Jodhpur order dated 04/05/2019, joint inspection and action against aforesaid industry was carried out on 08/05/2019. During the course of inspection, notice of inspection & notice of intention to have sample analyzed were served to the representative of the industry.
- The officials of the State Board carried out survey on 08/05/2019 and observed that the industry was operating illegally and making direct discharge of untreated effluent in river Jojhari. The machinery found during inspection was sealed/dismantled by the Local administration during the action taken between 06/05/2019 to 15/05/2019. Copy of the earlier proceedings are enclosed as **Annexure-VIII / 7 Pages**.
- State Board has imposed interim environmental compensation of Rs 2.00 Crore on the unit vide letter dated 04/07/2019(copy of the directions for imposing environmental compensation is enclosed as **Annexure-IX / 3 Pages**, however, the same has not been received so far. It is also pertinent here to mention that the unit has filed an appeal before the Appellate Authority constituted under section 28 of the Water (Prevention and Control of Pollution) act, 1974 against the order of environmental compensation imposed by

RSPCB. The appeal was registered as Appeal no-01/2020 titled as Bhawani Singh v/s RSPCB & Others. The appeal is sub-judice before the Appellate Authority. Copy of the same is enclosed as **Annexure- X / 22 Pages.**

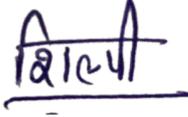
- The applicant applied for consent to establish under the provision of Water (Prevention & Control of Pollution) Act, 1974 in the name of industry M/s. Naagnechi Enterprises (Prop. Shri Devendra Singh) for textile units located at Khasra no. 149/2, Village Bhandu Kalan, Tehsil Luni, District Jodhpur, which was refused by the State Board on dated 20/02/2020 for the reasons mentioned therein. Copy of refusal letter is enclosed as **Annexure-XI / 2 Pages.**

RECOMMENDATIONS

The unit was found non-operational during inspection, however, looking to the site conditions and the machinery the possibility of operating the plant cannot be ruled out and looking into the past track record of illegal operation of the unit, the committee is of the opinion that:-

- a) District Authority needs to immediately cancel the Khatedari of the Khasra No.149/1 and Khasra No.149/2 under the provision of Rajasthan Tenancy Act and Land Revenue Act.
- b) Illegal operation period may be assessed by electricity consumption and water consumption based on the machineries etc. by the respective department's viz. Jodhpur Vidhyut Vitaran Nigam Limited (JdVVNL), CGWB & RSPCB and accordingly deterrent penalty may be imposed on the occupier.
- c) Department of Police needs to ensure strict vigilance on such illegal units and area for not to allow operation of any industrial activity.

d) Central Ground Water Board, Jodhpur may furnish the detailed list of the permitted borewells and accordingly may imposed environmental compensation on illegal borewell occupiers.



(Shilpi Sharma)

RO RSPCB Jodhpur



(S.L Paliwal)

G.M DIC



(Gopal Parihar)

SDM, Luni



(P. Jagan)

Regional Director, Bhopal

Item No.06

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)

Original Application No.424/2022

Jitender Singh & Ors.

...Applicants

Versus

State of Rajasthan

...Respondent

Date of hearing: 13.07.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Application is registered based on a complaint received by Post.

ORDER

1. The applicants have sent the present letter petition, which has been treated and registered as original application, complaining that Mr. Bhawani Singh son of Mr. Mohar Singh and Mr. Devender Singh son of Mr. Bhawani Singh have illegally set up dozens of textile factories in agricultural land measuring 32 Bighas comprised in Khasra No.149/1 (4.32 Hectares) and Khasra No.149/2 (0.80 Hectare) situated in village Bhandu Kallan, Tehsil Luni, District Jodhpur, Rajasthan owned by them respectively. They are illegally doing work of dyeing of cloth there. Previously on complaints by the villagers and in compliance with orders passed by National Green Tribunal and higher Authorities five Government Departments had carried out joint exercise for routing out the illegal textile factories established in the village but in collusion with concerned officers/Officials of Revenue, Police, Electricity, Administrative Departments and Jodhpur Development Authority (JDA) etc., the textile factories have been illegally set up again and are being illegally run without any obstruction from any quarter. The above said persons have also been discharging industrial effluent in River Jojari.

2. In view of the averments made in the application, we are of the view that the factual position needs to be verified and remedial action is required to be taken on the basis thereof by the concerned Statutory Authorities. Accordingly, we constitute a Joint Committee comprising of representative of CPCB, Principal Secretary, Department of Industries, Government of Rajasthan, State PCB and Collector, Jodhpur and direct the same to undertake site visits, look into the grievances of the applicants, verify the factual position and take remedial action in accordance with law by following due process . The State PCB will be the Nodal agency for coordination and compliance.

3. Factual and action taken report may be furnished 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 PDF.

List the matter for further consideration on 10.10.2022.

A copy of this order, along with a copy of the application, be forwarded to CPCB, Principal Secretary, Department of Industries, Government of Rajasthan, State PCB and Collector, Jodhpur by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

July 13, 2022
AG

Annexure-II

Photographs captured during the Joint Inspection Report of alleged Textile unit of Mr. Bhawani Singh S/o Mr. Mod Singh and Mr. Devendra Singh S/o Mr. Bhawani Singh, located at Khasra No.149/1 and Khasra No.149/2, Village Bhandu Kallan, Tehsil Luni, District - Jodhpur in the Matter of Original Application. No. 424/2022 Jitender Singh & others. Vs. State of Rajasthan Incompliance of Hon'ble National Green Tribunal (NGT) Principal Bench, New Delhi order dated 13/07/2022.



Annexure-II



Annexure-II



Annexure-II



Annexure-II



Annexure-II



Annexure-II



Annexure-II



Old entrance Gate



Annexure-II



Annexure-II



Annexure-II



Annexure-II



Annexure-II



Annexure-II



Annexure-II



Annexure-II



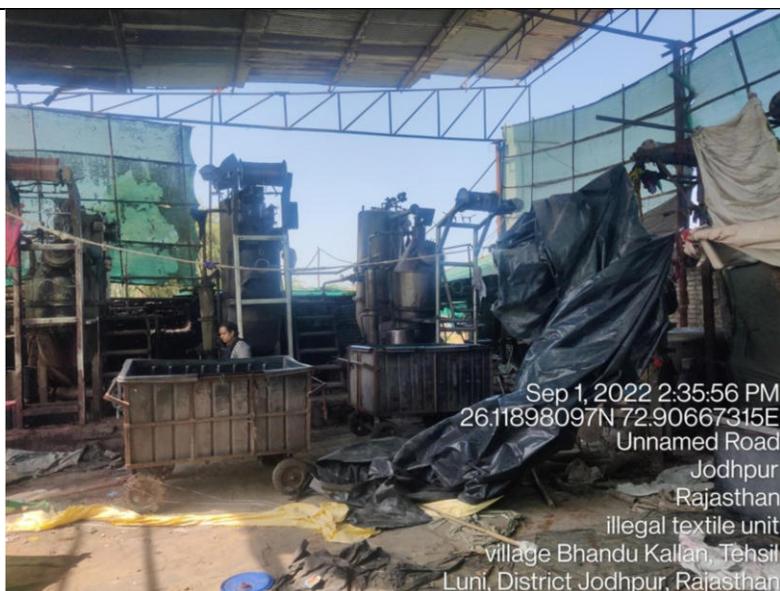
Annexure-II



Annexure-II



Annexure-II



Annexure-II



Annexure-II



Annexure-II



मौका फर्द

आज दिनांक 01/09/2022 को माननीय राष्ट्रीय हरित प्राधिकरण (प्रधान पीठ), नई दिल्ली में दायर प्राचिका संख्या - 424/2022 जितेन्द्र सिंह बनाम राज्य सरकार एवम अन्य में दिये गये आदेश दिनांक - 13/07/2022 के क्रम में श्री पी. जगन क्षेत्रीय निदेशक CPCB भोपाल, श्री गोपाल परिवार उप खण्ड अधि. भूमी, श्री एच. एल. पालीवाल महा-पुन्यक जिला उद्योग एवं वाणिज्य केन्द्र जोधपुर तथा श्रीमती शिल्पी शर्मा क्षेत्रीय अधिकारी राज. राज्य प्रदूषण नियंत्रण मॉडल जोधपुर द्वारा संयुक्त रूप से ^{मय पुलिस जाबत} खसरा नं. - 149/1, 149/2 ग्राम - भाण्डू कल्ला, तहसील - भूरी जिला - जोधपुर में अवैध रूप से स्थापित टैक्सटाइल इकाई का निरीक्षण किया गया। मौके पर निरीक्षण के दौरान श्री जेनेन्द्र सिंह ड० भवानी सिंह इकार्ट प्रतिनिधी के रूप में उपस्थित थे।

निरीक्षण के दौरान निम्न तथ्य पाये गये।

1) मौके पर निरीक्षण के दौरान 252 - जिगर, 14 - Continuous measuring padding machine, 72 - Washing tank, 03 - Continuous washer, 02 - Jumbo Jigger, 06 - Padding, 14 - Jet dyeing, 03 - Kier एव 03 - Steam boiler स्थापित पाये गये।

2) निरीक्षण के दौरान उद्योग संचालित नहीं पाया गया। तथापि उद्योग परिसर में नालियों Connecting points में औद्योगिक उच्छिष्ट का जमाव पाया गया जिसको देखकर यह प्रतीत होता है कि इकार्ट प्रतिनिधी द्वारा पूर्व में उद्योग संचालन

की संभावना से इनकार नहीं किया जा सकता है।

3) निरीक्षण के दौरान मौके पर परिसर में कुल 30 शौड स्थापित पाये गये जिनमें बिन्दु संख्या-01 में वर्णित मशीनरी स्थापित पाई गई।

4) निरीक्षण के दौरान मौके पर 02- बोरवेल पाये गये जो कि औद्योगिक औद्योगिक गतिविधि के संचालन हेतु आवश्यक भूजल दौहन किया हेतु उपयुक्त किया जाना प्रतीत होता है।

5) निरीक्षण के दौरान परिसर में कुछ शौड्स में उद्योग संचालन हेतु आवश्यक कलर केमिकल, कार्टिक के इमस पाये गये। जिसका नमूना परिक्षण हेतु लिया गया।

6) उद्योग परिसर में खुली नालियों द्वारा सनी शौड में स्थापित टेक्सटाइल मशीनरी से जनित उच्छिष्ट को जोजड़ी नदी में निस्तारण करने हेतु व्यवस्था पाई गई तथा कुछ जगह पर खुली नालियों में उच्छिष्ट का जमाव पाया गया जिससे 04- जल नमूनों को परिक्षण हेतु एकत्रित किये गये।

7) उद्योग परिसर से बड़ी खुली नाली, जिसके माध्यम से जोजड़ी नदी में पाइपलाइन का जुड़ाव पाया गया, से परीक्षण हेतु जल नमूना लिया गया।

8) मौके पर इकाई परिसर में कोई विद्युत कनेक्शन नहीं पाया गया। परन्तु विद्युत केबल एवं ट्रांसफॉर्मर स्थापित पाया गया।

9) मौके पर उद्योग परिसर से जनित औद्योगिक उच्छिष्ट के उपचार हेतु कोई भी व्यवस्था नहीं पाई गई।

10) पूर्व में राज्य मण्डल द्वारा दिनांक - 08/08/2016 को उद्योग को बंद करने के निर्देश जारी किये गये थे एवं मण्डल मुख्यालय आदेश दिनांक - 04/07/2019 के माध्यम से इकाई पर 2 करोड़ रुपये की पर्यावरणीय क्षतिपूर्ति अधिरूपित की गई थी जो

कि इकाई प्रतिनिधी द्वारा आज दिनांक तक राज्य मण्डल में जमा नहीं कखाई गई।

मौके पर उपस्थित लोगों के समक्ष फर्द पढ कर सुनाई गई एवं निरीक्षण के दौरान लिए गये फोटो, विडियो संलग्न कर मौका फर्द सही होना स्वीकार कर हस्ताक्षर करवाये गये।

शिल्पी
(Shilpi Sharma)
01/09/22

सुनील
1.9.22
(S.L. Paliwal)

सुनील
01/09/22
SDO-LUNI
(SUNIL PARIHAR)

प. जागन
11/9/22
(P. JAGAN)
CPCB, RD, Bhopal.

Annexure III

Details of Plant & machinery installed in different Shed:

Sr No	Shed No	Plant & machinery installed
1.	Shed No 01	14- Dyeing Jigger
1.	Shed No 02	17- Dyeing Jigger
2.	Shed No 03	15- Dyeing Jigger
3.	Shed No 04	28- Washing tanks {Average Size 8' x 6'x 2'6"} 02- padding
4.	Shed no 05	01- Caustic padding
5.	Shed no 06	01- Caustic padding 13- Washing Jigger
7.	Shed no 07	01- Caustic padding 16- Washing Jigger
8.	Shed no 08	9- Caustic padding 13- Washing Jigger
9.	Shed no 09	01- Caustic padding 15- Washing Jigger
10.	Shed no 10	01- Continuous mercerizing machine 01- Continuous Washer 09- Washing tanks {Average Size 6' x 6'x 2'6"}
11.	Shed no 11	01- Caustic padding 08- Washing Jigger

12.	Shed No 12	10- Dyeing jigger 02- Jumbo jigger 02- silicate Padding 01-Continuous mercerizing machine
13.	Shed No 13	Empty- No plant & machine, used for sundry of cloth after the process.
14.	Shed No 14	01- Caustic padding 12- Washing Jigger
15.	Shed No 15	01- Caustic padding 10- Washing Jigger 10 -Dyeing Jigger
16	Shed no 16	14- Jigger 01-Padding 01-Continuous mercerizing machine
17.	Shed no 17	07- Jigger 01- Continuous Washer 01-Padding 01-Continuous mercerizing machine
18.	Shed no 18	19- Jigger
19.	Shed no 19	02- Jet dyeing 01- Hydro extractor 01- Padding

20.	Shed no 20	01- Steam Boiler 03- kier 01-Continuous mercerizing machine 01- Continuous washer 05- Washing tank {Average Size 9' x 9'x 2'6"}
21.	Shed No 21	01- Padding 09- Washing tank {Average Size 5' x 5 'x 2'6"}
22.	Shed No 22	02- Jet dyeing 01- Steam Boiler
23.	Shed No 23	03- Jet dyeing (dismantled) 11- Jigger 08- Washing tanks {Average Size 5' x 5 'x 2'6"}
24.	Shed No 24	01- Caustic padding 13- Washing Jigger
25.	Shed No 25	04- Jet dyeing 04- Hydro extractor
26.	Shed no 26	03- Jet dyeing 01- Hydro extractor 01- Steam Boiler
27.	Shed No 27	09- Jigger 01- padding
28.	Shed No 28	01- Caustic padding

		06- Washing Jigger
29.	Shed No 29	01- Caustic padding 07- Washing Jigger
30.	Shed No 30	01- Caustic padding 10- Washing Jigger 06- Washing tank {Average Size 5' x 5' x 2'6"}

D.No.
1952
12/9/2022

श्रीमान शैलीय अधिकारी
राज. राज्य प्रदुक्ता निगम मंडल
जोधपुर (राज.)

Annexure-IV

विषय:- NGA के तहत कार्य करने के कनेक्शन की सूचना
बाबत

उपरोक्त विषय में लेख है कि भांडू कला में स्थित
उदात्त क्रीक्स (प्रो. देवेन्द्र सिंह भिवानी सिंह) k.h. No. 149/01 में
NGA Team के साथ मिलकर VCR No. 5633/05 दि. 8/5/19
को उदात्त कनेक्शन के 11kW jumper कर कर कनेक्शन विच्छेद
कर दिया गया था उदात्त पेशवात भी मौका मुआयना करने पर
कनेक्शन विच्छेद ही पाया गया जिसकी मौका पर फोटोग्राफी
भी गयी थी. इस k.h. No. 149/01/02 में बाद में भी
किसी प्रकार का कनेक्शन विलुप्त विभाग द्वारा जारी नहीं किया
गया. इस सम्बन्ध में दिनांक 1/9/2022 को भी प्रदुक्ता
बोर्ड टीम के साथ मौका मुआयना करने पर विलुप्त कनेक्शन
का उदात्त ही पाया गया.

उदात्त रिपोर्ट अग्रिम कारवाई हेतु प्रेषित है.


सहायक अभियंता (प्र. व. स. D. H.)
जो. वि. वि. नि. वि. नि. स. ला. वा. स.
मु. बो. रा. ना. डा.

जोधपुर विद्युत वितरण निगम लिमिटेड

सतर्कता जांच प्रतिवेदन

(अन्तर्गत प्रावधान The Electricity Act. 2003)



पुस्तक सं. 5633 दिनांक 25-2-2019 समय 10:30 पृष्ठ सं. 05

- बस्ती का नाम साठर कला उपखण्ड साभावा
खण्ड विमान वृत्त जिला वृत्त
- उपभोक्ता का विवरण :-
(अ) नाम व पता श्री. उदावत कोवस श्री. देवकुमार एस. शर्मा
साठर कला
(ब) खाता सं. 0591-0307 (स) श्रेणी 170HP (द) स्वीकृत भार 170HP
10kV
- मौके पर उपस्थित व्यक्ति का नाम देवेंद्र कुमार
(पूर्ण विवरण) एवं उपभोक्ता से सम्बन्ध स्वामी
- स्थापित मीटर का विवरण -
(1) मीटर नं. 9966987 make-GENUS क्षमता (एम्पीयर) उत्सुकृष्णा इंस्ट्रुमेंट्स
(2) चक्र प्रति यूनिट 160kVA (3) सी.टी. अनुपात उपभोक्ता के कार्य
(4) सी.टी. गुणांक का है (5) डायल फेक्टर का है
(6) विद्युत बिल हेतु गुणांक (एम.एफ.) K No. 320321000334
(7) मीटर का स्थान एवं ऊंचाई H. T. Metering
- मीटर का पठन :
(अ) निरीक्षण के समय के डब्ल्यू.एच. 550603 के वी.एच. 635863.3 एम.डी.आई 64.8 kVA
(ब) पूर्व पठन एवं दिनांक
- सीलों का विवरण :
मीटर बॉक्स सील नं. बाँडी सील नं. 012 टरमीनल सील नं. 012
मीटर में विद्युत कनेक्शन की स्थिति एवं पाये गये दोष : OK
- सर्विस लाईन की स्थिति का विवरण : 1287 दिनांक 4-5-2019
के उपभोक्ता (श्री. देवेंद्र कुमार) के आदेश पर 215 किलो 6-5-19
- पाये गये विद्युत भार का विवरण : के उपभोक्ता के निगम नियम के अन्तर्गत शीट नं. 10 के अनुसार
प्रतिदिन विद्युत उपभोग की अनुमानित अवधि (औद्योगिक कनेक्शनों हेतु) इकाइयों को बन्द करने,
- जांच के दौरान पाये गये अन्य दोष : शास्त्री बन्द करने का कानूनी निरीक्षण दल के साथ
(पूर्ण विवरण सहित) विद्युत कनेक्शन दिनांक 08-05-2019 को विच्छेद कर
अन्य साक्ष्य दिया गया है अतः निगम नियम के अन्तर्गत कार्य ना ही कर
- जांच अधिकारी द्वारा टिप्पणी जाय
- उपभोक्ता की टिप्पणी
निरीक्षण में सामने किया गया एवं जांच प्रतिवेदन की प्रति प्राप्त की ।

उपभोक्ता या उसके प्रतिनिधि के हस्ताक्षर

गवाहों के नाम, हस्ताक्षर (पूर्ण विवरण सहित)

जाय
साहा. / कनि. अभि. (पवस)
जो.वि.वि.नि.लि. 28.11.19

Relu
अधिशोषी / सहायक अभियंता (पवस)
जो.वि.वि.नि.लि. 28.11.19

विषय :- राजस्थान भू राजस्व अधिनियम, 1956 की धारा 91-क के अधीन व राजस्थान नगरीय क्षेत्र (कृषि भूमि का गैर-कृषिक प्रयोजन के लिए उपयोग की अनुज्ञा और आवंटन) नियम, 2012 के तहत प्राप्त आवेदन के कम में।

:: ले-आउट प्लान का परीक्षण ::

प्रकरण संख्या - 23/2016
जोन - दक्षिण

1.	संबंधित जोन का पत्र क्रमांक एवं दिनांक	पत्र क्रमांक : जो.वि.प्रा./जोन- दक्षिण / 90ए/ 2016 / 783 दिनांक 01.12.16
2.	आवेदक का विवरण	श्री देवेन्द्रसिंह पुत्र भवानीसिंह निवासी 9, राजपूतों का मौहल्ला भण्डू कला, जोधपुर
3.	आवेदित भूमि का राजस्व ग्राम खरारा नं. कुल रकबा (बीघा में) क्षेत्रफल (व.ग.- व.मी.)	भाण्डूकला 149/2 05बीघा 0बिस्वा 0बिस्वान्सी
4.	प्रार्थी द्वारा प्रस्तावित प्रयोजन/भू-उपयोग	औद्योगिक
5.	भू-उपयोग आदेश का विवरण	-
6.	राजस्थान भू-राजस्व अधिनियम 1956 की धारा 90-क (6) के अधीन व राजस्थान नगरीय क्षेत्र (कृषि भूमि का गैर-कृषिक प्रयोजन के लिए उपयोग की अनुज्ञा और आवंटन) नियम, 2012 के विन्दु संख्या 6 (3) के तहत प्राधिकृत अधिकारी का प्ररूप 7 की उपलब्धता	संलग्न नहीं
7.	प्रकरण के अन्तर्गत जोन द्वारा प्रेषित ले-आउट प्लान पर खसरा सुपर इम्पोज्ड मानचित्र की उपलब्धता	संलग्न
8.	प्रस्तावित भूमि का प्रभावी मास्टर प्लान में भू-उपयोग की रिपोर्ट	
9.	ले-आउट प्लान प्रकरण में सम्बन्धित उपायुक्त की चैक-लिस्ट	
10.	ले-आउट प्लान प्रकरण पर आयोजना प्रकोष्ठ की तकनीकी परीक्षण की चैक-लिस्ट	
11.	ले-आउट प्लान प्रकरण पर सक्षम समिति के समक्ष विचारार्थ बाद निर्णयार्थ प्रस्तुत करने हेतु एजेण्डा नोट	
12.	ले-आउट प्रकरण पर सक्षम समिति के निर्णय की टिप्पणी पत्रावली में संलग्न एवं नोटशीट पर चरमा	
13.	ले-आउट प्लान प्रकरण पर, सक्षम समिति के निर्णय की अनुपालना	

उपरोक्तानुसार प्रकरण में विन्दु संख्या 8 पर वांछित कार्यवाही बावत् पत्रावली सम्बन्धित वरिष्ठ प्रारूपकार को अग्रिम कार्यवाही हेतु प्रेषित है :-

निदेशक/आयोजना

AEP/IV

(उद्देश मितास)
DR

Deaf
10/11/17
कनिष्ठ विधिक
अभिनेत लिपिक

पत्रावली में खसरा मानचित्र संलग्न नहीं है अतः उक्त कार्यवाही में पूर्व क्षेत्र विशेषाखण्ड सम्बन्धी खसरा विशेष का खसरा मानचित्र प्राप्त किया जाना है।

10.1.2017

N.P.T. 0

कार्यालय जोधपुर विकास प्राधिकरण, जोधपुर

क्र.सं. - जो.वि.प्रा/दक्षिण/90A/2017/

दिनांक:- 06-02-2017

आवेदन क्रमांक : JDA2017TS00100000743

10/2/17

श्री/श्रीमती भवानीसिंह पुत्र मोडसिंह
पता - ग्राम भाण्डूकला, तहसील लूणी, जोधपुर
तहसील लूणी, जोधपुर

विषय :- भुखण्ड/आवास गृह संख्या खसरा नम्बर 149/1 ग्राम भाण्डूकला मे क्षेत्र 26 बीचा 14 बिस्वा के क्रम मे ।

प्रसंग :- आपका प्रार्थना पत्र दिनांकआवक क्रमांक.....।

आप द्वारा प्रार्थना पत्र के साथ आवश्यक दस्तावेजो की फोटो प्रतिया पेश कर भुखण्ड/आवास गृह संख्या - खसरा नम्बर 149/1 ग्राम भाण्डूकला की लीजडीड / नामांतरण/90-क के तहत नियमन की 10 प्रतिशत शुल्क अग्रिम जमा कराने की मांग की गयी है । अतः मांग राशि निम्नानुसार जमा करवाए

क्रम संख्या	मांग राशि का विवरण	राशि
1.	भुखण्ड की 10% प्रीमियम राशि	485895
2.	बकाया राशि पर ब्याज	
3.	बकाया राशि पर शास्ति	
4.	लीज राशि दिनांक _____ से _____ तक	
5.	लीज पर ब्याज	
6.	अधिक क्षेत्रफल की राशि	
7.	भुखण्ड कोर्नर होने की दशा मे 10% अतिरिक्त राशि	
8.	हस्तांतरण राशि	
9.	बेचान अनुमति शुल्क	
10.	उपविभाजन/एकीकरण राशि	
11.	बकाया किस्तों माह _____ से _____ तक	
12.	बकाया किस्तों पर ब्याज	
13.	पुनः ग्रहण शुल्क दिनांक _____ तक	
14.	सेट बैंक मे अनधिकृत निर्माण की शास्ती	
15.	बिना अनुमति बेचान शास्ती	
16.	बिना अनुमति निर्माण शास्ती	
17.	सूचना के अधिकार के तहत सूचना	
18.	एक मुश्त लीज	
19.	साईट प्लान शुल्क	
20.	अन्य	
कुल	चार लाख पिच्चासी हजार, आठ सौ पचानवे मात्र	485895.00रुपये

उपायुक्त(दक्षिण)
जोधपुर विकास प्राधिकरण)

आवेदन क्रमांक : JDA2017TS00100000743

दिनांक:- 06-02-2017

प्रकरण संख्या वर्ष 2017

श्री/श्रीमती भवानीसिंह पुत्र मोडसिंह
तहसील लूनी, जोधपुर

संख्या खसरा नम्बर 149/1 ग्राम भाण्डूकला मे क्षेत्र 26 बीघा 14 बिस्वा जोधपुर

रकबा .26 बीघा 14 बिस्वाअर्थात. 51691 वर्गगज

आवेदक द्वारा खसरा संख्या 149/1 ग्राम भाण्डूकला जोधपुर, रकबा 51691 का 90-क के तहत औद्योगिक प्रयोजन प्रयोजनार्थ आवेदक पेश किया है। आवेदन पत्र के साथ निम्नलिखित दस्तावेज पेश किये हैं :-

1. शपथ पत्र
2. क्षतिपूर्ति बन्ध-पत्र
3. जमाबन्दी मूल/प्रमाणित प्रति
4. रजिस्टर्ड बंधान दिनांक.....
5. राजस्व नक्शा
6. ले-आउट प्लान प्रति
7. की-प्लान
8. पी.टी. सर्वे प्लान
9. प्ररूप-4 क्षेत्र संगणना रूपविधान
10. अन्य.....

प्रार्थी द्वारा प्रस्तुत ले-आउट प्लान के अनुसार औद्योगिक प्रयोजन भूखंड का 10 प्रतिशत अग्रिम प्रीमियम राशि निम्न प्रकार बनती है

प्रयोजनार्थ	क्षेत्रफल	दर प्रति वर्ग गज	कुल रुपये	10 प्रतिशत राशि
आवासीय 60 प्रतिशत विक्रय योग्य/एकल पट्टा	...			
व्यवसायिक				
औद्योगिक	51691	94	4858954	485895
अन्य				
कुल				485895

का डिमाण्ड पत्र व रिपोर्ट हेतु नोटिस तैयार किया जाकर वास्ते अवलोकनार्थ पेश है

उपायुक्त(दक्षिण)
जोधपुर विकास प्राधिकरण

(Handwritten signature)

(Handwritten signature)
शाखा टिपिक
06/02/17

महोदय

10 प्राधिकार जीमिशन शुल्क 211 रु 485895/- ख
जाति शरीद सं. JRN No - 1143/ दिनांक 20/02/2017 का
जमा हो चुकी है नोटिस तैयार कर वास्ते अवलोकनार्थ
बाद इतिहास पेश है *(Handwritten signature)*

E-CHALLAN



Jodhpur Development Authority, Jodhpur

(Jodhpur Development Authority under Section 51 of the Ordinance -2008)

Valid Upto : Office Copy

JRN No. : 11431 . Date : 20-02-2017

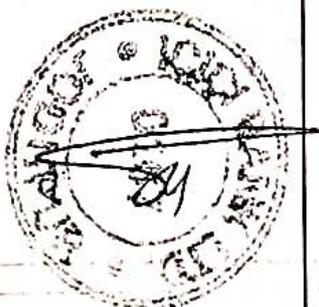
Name : BHAWANI SINGH S/O MOD SINGH
Jt Name :
Address : KH.NO. 149/1 GRAM BHANDU KALLAN,
JODHPUR

Transaction Link No.:

Zone : South A Plot No. :

Account Head Name Amount (Rs.)

1 LAND STRIP/ MORE LAND /10% HIGHER PRICE
OF CORNER-PLOT (6001->4->1)
(RTGS NO. UCBAR52017021600014721 (10
PERCENT PRI.)) 485895.00



Total Net Amount 485895.00

In Words : Four Lac Eighty Five Thousand Eight Hundred Ninety
Five Only



कार्यालय जोधपुर विकास प्राधिकरण, जोधपुर

आवक क्रमांक : 220653

आवक दिनांक : 17-01-2017

जोन : दक्षिण क्षेत्र

प्रेषक का नाम : भवानी सिंह / मोडसिंह

पता : ग्राम भाण्डू कला तह लूणी जिला जोधपुर, जोधपुर

फोन नम्बर : 9680864608

विषय : 90 ए नियमन के तहत पट्टा जारी (45 दिन)

क्षेत्र से सम्बन्धित : खसरा संख्या 149/1 ग्राम भाण्डू कला, जोधपुर-दक्षिण

निस्तारण की दिनांक : 22-03-2017

90A

3803
18.1.17
15/1/17

सेवामें

राज्यीय अधिकारी
राज, राज्य प्रदुषण मंत्रालय
जोधपुर.

महोदया,

मुझे यह ज्ञात हुआ है कि मेरे नाम से
फिली के N.G.T. में श्री अवाजी सिंह जी निवाली भाणु
के खिलाफ एक कम्प्लेन है।

इस विषय में मैं जितेन्द्र सिंह उदावत S/o गोरधन
सिंह उदावत निवाली भाणु यह निवेदन करना चाहता
हूँ कि मेरे द्वारा यह कम्प्लेन नहीं है कि गई है खबर
मुझे बार बार कोन करके परेशान ना किया जावे

Date
12-9-2022.

निवेदक
जितेन्द्र सिंह उदावत
Jodhpur

सेवा में,

Date: 12/09/22

श्री श्री य. अधिकारी

राजस्थान प्रदूषण नियंत्रण मंडल,
जोधपुर (राज.)

विषय : ग्राम भाबू कलां तह. खोनी, जिला जोधपुर पर चल रही
कपड़ा धुलाई की इकाई पर शिकायत की अनभिज्ञता के
सम्बन्ध में ।

महोदयजी,

उक्त विषय अन्तर्गत विवेकन है कि राजस्थान प्रदूषण
नियंत्रण मंडल जोधपुर, राजस्थान विभाग एवं पुलिस विभाग द्वारा दिनांक 1.9.22 को
भाबू कलां, खोनी में कपड़ा धुलाई उद्योग के सम्बन्ध में सर्वे किया गया तथा
मौके पर शहवासिय ग्रामीणों व भाबू कलां में भवानी सिंह जी. मोड़ सिंह जी द्वारा
संचालित रेक्सटाईल उद्योग के सम्बन्ध में जानकारी चाही गई तथा
मौके पर मुझे परिवार मानकर सुमाया गया। तथा ये भी बताया गया कि
मैं द्वारा उक्त शिकायत नका में की गई है जिससे मैं अनभिज्ञ एवं उक्त
शिकायत को मेरे एवं मेरे परिवार द्वारा लेने से नकारता हूँ तथा
आपके ध्यान में ये भी लाया जाता है कि ये उद्योग 2, 3 वर्ष पूर्व
संचालित था जिसपर जिला प्रसाशन द्वारा वर्ष 2019 में कार्यवाही
कर उद्योग के कुछ हिस्से को ध्वस्त किया गया तथा वर्तमान में
यह उद्योग लम्बे समय से बन्द है ।

उक्त रेक्सटाईल उद्योग लम्बे समय से बन्द है इसलिए हम ग्रामवासियों
को शिकायत नहीं है ।

पूनाराम
(6567003951)
MO. NO.

मो. नं. 582807
MO. NO.

 भारत सरकार
GOVERNMENT OF INDIA

 पुना राम
Puna Ram
जन्म तिथि / DOB: 01/01/
पुरुष / MALE

मेरा आधार, मेरी पहचान

पुनाराम

 भारतीय विशिष्ट पहचान प्राधिकरण
UNIQUE IDENTIFICATION AUTHORITY OF INDIA

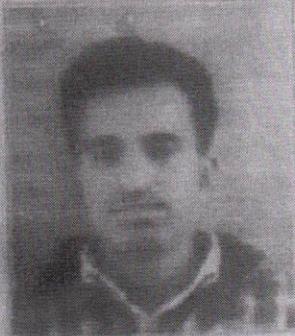
पता: Address:

1947
1800 300 1947

help@uidai.gov.in www.uidai.gov.in

P.O. Box No. 1947,
Bengaluru-560 001

**CENTRAL MOTOR VEHICLES
RULES 1989
FORM 7 (See Rule 16(2))
DRIVING LICENCE**



D/L NO : RJ-19/DLC/11/388721 Date : 04/01/2011
Name : JITENDRA SINGH ...
Son of : CHAIN DAN
Address : [REDACTED]

is licenced to drive throughout India a vehicle
of the following description.
MCY WITH GEAR, LIGHT MOTOR VEH.

The licence to drive other than transport
vehicle is valid
From : 04/01/2011 To : 03/01/2031

[Handwritten Signature]
Holder's Sign/Thumb Impression

[Handwritten Signature]
Licencing Authority, Jodhpur

DL of first issue of DL/Class of vehicle :
Name/Designation of the testing authority : SUMAN BHATI / D.T.O

Badge No. and Authorisation Date to drive transport vehicle.
Badge Detail :
DOB : 01/02/1987 Blood Group : Tel. No. : 9571613084
Citizenship :



DON'T DRINK & DRIVE

DRIVING OFFENCES: ① ② ③ ④ ⑤

Pinnacle Software, Jaipur 2358624



Rajasthan State Pollution Control Board
-1, Paryavaran Marg, Institutional Area, Jhalana Doongari,
Jaipur-302004
Text

Registered A/D

No F 5 (JD-13)RPCB/TCD/ 2105 - 2110

Date: 08/08/2016

M/s Bhawan Singh S/o Modsingh Rajput,
Khasra No. 149/01, Gram Panchayat-
Bhandu Kalan, Luni Jodhpur, Jodhpur

Sub:- Directions for closure under section 33A of the Water (Prevention and Control of Pollution) Act, 1974.

Ref:- R.O., RPCB, Jodhpur letter no. RPCB/RO-Jodh/CETP/Gen-26 dated 18.07.15/
19.07.15

1. Whereas, the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") has come into force in whole of the country, with effect from 23.03.1974.
2. And whereas, the Water Act has been enacted to provide for the prevention, control and abatement of water pollution and for maintaining and restoring the wholesomeness of water.
3. And whereas, under the provisions of section 24 of the Water Act, no person shall knowingly cause or permit any poisonous, noxious or polluting matter, determined in accordance with such standards as may be laid down by the State Board, to enter into any stream or well or sewer or on land.
4. And whereas, under the provisions of section 25/26 of the Water Act, no person shall without the previous consent of the State Board establish or take any steps to establish, any industry, operation or process of any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land or bring into use any new or altered outlet for the discharge of sewage or trade effluent or begin to make any new discharge of sewage or trade effluent.
5. And whereas, the industry is operating its plant in the name and style of M/s Bhawan Singh S/o Modsingh Rajput, Khasra No. 149/01, Gram Panchayat- Ehandu Kalan, Luni, Jodhpur, Jodhpur and is engaged in processing of cloth which generates polluted trade effluent.
6. And whereas, the industry is in operation at non conforming area and without obtaining Consent to Establish and Consent to Operate under Water Act from the State Board, thus, operating in violation of the Water Act.
7. And whereas, the Hon'ble National Green Tribunal in the matter of M/s Laxmi Suinting Original Application No. 358(THC)/2013 (DBCWP No. 8074/2010) vide order dated 01/05/2014 has inter-alia directed as under:-
"If any industry/unit-whether a member of the trust or otherwise fails to make an application for consent within three weeks from the date of this order or if such application is submitted to the Board and the consent applied for is declined/refused, such industry/unit shall be closed untill it complies with the condition/requirement stated by the Board",.
8. And whereas, the industry has failed to apply for consent under Water Act to the Board within stipulated time as prescribed by the Hon'ble National Green Tribunal in the aforesaid order dated 01/05/2014.
9. And whereas, the industry has also failed to comply with Hon'ble NGT direction dated 01.05.2014 regarding installation of tamper proof electronic meter, deposition of Rs. 5.00 lacs and installation of adequate treatment facilities for treatment of waste water to achieve zero discharge.

10. And whereas, the industry is failed to provide effluent treatment plant with R.O. system or connected the common effluent treatment plant to treat the waste water discharge.
11. And whereas, the site was inspected by the Board Officials and it was found that untreated trade effluent was found discharged outside the industrial premises.
12. And whereas, the State Board may, in exercise of the powers conferred upon it under the provisions of section 33A of Water Act and in performance of its functions under the Water Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions which includes the power to direct:-

- (a) The closure, prohibition or regulation of any industry, operation or process or
- (b) Stoppage or regulation of the supply of electricity or water or any other service.

Therefore, the State Board in exercise of the powers conferred upon it under section 33A and in performance of its functions under the Water Act, hereby directs you to, forthwith, close down your industrial plant M/s Bhawan Singh S/o Modsingh Rajput, Khasra No. 149/01, Gram Panchayat- Bhandu Kalan, Luni, Jodhpur, Jodhpur and further puts you to notice that failure of making compliance of these directions issued by the State Board under section 33A is a criminal offence, punishable with imprisonment for a term which shall not be less than one year and six month but which may extend to six years and with fine under section 41(2) of the Act.

This bears the approval of competent authority


(K. C. A. Arun Prasad)
Member Secretary

9/5/23

Copy to:-

1. The District Collector, Jodhpur with the request under section 33A of the Water Act to close down plant of M/s Bhawan Singh S/o Modsingh Rajput, Khasra No. 149/01, Gram Panchayat- Bhandu Kalan, Luni, Jodhpur, Jodhpur and ensure compliance of these direction.
2. The Executive Engineer, Jodhpur Vidhyut Vitran Nigam Limited, Jodhpur to, with the direction under section 33A of the Water Act to forthwith, disconnect the electric supply of M/s Bhawan Singh S/o Modsingh Rajput, Khasra No. 149/01, Gram Panchayat- Bhandu Kalan, Luni, Jodhpur, Jodhpur and confirm compliance of these directions as accomplishment thereof is binding upon you under the said Act.
3. The Executive Engineer, Public Health Engineering Department, District- Jodhpur with the direction, under section 33A of the Water Act to forthwith, disconnect the water supply of M/s Bhawan Singh S/o Modsingh Rajput, Khasra No. 149/01, Gram Panchayat- Bhandu Kalan, Luni, Jodhpur, Jodhpur and confirm compliance of these directions as accomplishment thereof is binding upon you under the said Act.
4. Regional Officer, Regional Officer, Rajasthan State Pollution Control Board, Jodhpur to seal D.G. sets and such other equipments so as to affect complete closure of the industrial plant and send compliance report to the Head Office.
5. Master file, Group Textile, Rajasthan State Pollution Control Board, Jaipur.


Member Secretary

9/3

राजस्थान सरकार
कार्यालय जिला मजिस्ट्रेट, जोधपुर

क्रमांक: न्यायिक/2019/1887

दिनांक: 04.05.2019

आदेश

सदस्य सचिव, राजस्थान राज्य प्रदूषण नियंत्रण मण्डल जयपुर से प्राप्त पत्रांक 474- 90, दिनांक 03.05.2019, 491-503 दिनांक 03.05.2019, 520-532 दिनांक 03.05.2019, के द्वारा माननीय राष्ट्रीय हरित प्राधिकरण नई दिल्ली के मूल आवेदन नम्बर 329/2015 ग्राम पंचायत अराबा बनाम राजस्थान राज्य व अन्य एवं लक्ष्मी सूटिंग बनाम राजस्थान राज्य व अन्य के मूल आवेदन नंबर 358/2013 में जोधपुर जिला में रीकों, कृषि, आवासीय भू-खण्डों में नियम विरुद्ध संचालित औद्योगिक यूनिट को बन्द करने, शास्ती वसूल करने बाबत निरीक्षण दल का गठन किया गया है। जिसमें सर्वेक्षण के पश्चात ऐसी औद्योगिक ईकाईयां वास्तविक गतिविधियां/व्यवसायिक भवन या अन्य परिसरों जिनके द्वारा विधि विरुद्ध तरीके से अनुपचारित/आंशिक अनुपचारित निष्कासन नालियों/नदियों/नालों में प्रदूषित जल छोड़ा जा रहा है के विरुद्ध कार्यवाही हेतु निम्नानुसार समिति का गठन किया जाता है:-

क्र.सं.	पद एवं विभाग	मनोनीत
01.	आयुक्त जोधपुर विकास प्राधिकरण जोधपुर	प्रतिनिधि
02.	पुलिस उपायुक्त जोधपुर (पश्चिम)	प्रतिनिधि
03.	अधिक्षण अभियन्ता जोधपुर विद्युत वितरण निगम लि. जोधपुर नगरवृत्त, जोधपुर	प्रतिनिधि
04.	क्षेत्रीय प्रबन्धक, रीको बासनी/बोरानाड़ा	प्रतिनिधि
04.	उपखण्ड अधिकारी लूणी	अध्यक्ष
05.	क्षेत्रीय अधिकारी, राजस्थान राज्य प्रदूषण नियंत्रण मण्डल, जोधपुर	सदस्य सचिव
06.	तहसीलदार लूणी	सदस्य

उक्त समिति जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम 1974 व अन्य विभागीय विधियों/निर्देशानुसार कार्यवाही करेगी व यह सुनिश्चित करेगी कि ऐसी ईकाई अग्रिम सक्षम आदेश पर्यन्त संचालित नहीं हो। उक्त कमेटी दिनांक 06.05.2019 से 08.05.2019 तक सर्वेक्षण कर रिपोर्ट प्रस्तुत करेगी।

(प्रकाश राजपुरोहित)

जिला कलक्टर, जोधपुर

दिनांक:- 04.05.2019

क्रमांक:- सम/2019/1888-95

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

01. आयुक्त जोधपुर विकास प्राधिकरण जोधपुर
02. पुलिस उपायुक्त जोधपुर (पश्चिम) को प्रेषित कर लेख है कि आप प्रतिनिधि नियुक्त करावे तथा इसके साथ ही सर्वेक्षण दल के साथ पर्याप्त मात्रा में पुलिस बल तैनात करने की व्यवस्था सुनिश्चित करावे।
03. अधिक्षण अभियन्ता जोधपुर विद्युत वितरण निगम लि. जोधपुर नगरवृत्त, जोधपुर
04. उपखण्ड अधिकारी लूणी
05. क्षेत्रीय अधिकारी, राजस्थान राज्य प्रदूषण नियंत्रण मण्डल, जोधपुर
06. तहसीलदार लूणी
07. क्षेत्रीय प्रबन्ध, रीको बासनी/बोरानाड़ा
08. गोपनीय शाखा जिला कलक्टर, जोधपुर

अतिरिक्त जिला कलक्टर

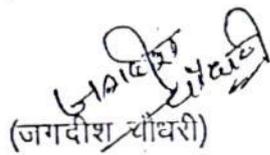
(द्वितीय), जोधपुर

माननीय राष्ट्रीय हरित प्राधिकरण (NGT) में पारित निर्देशों की अनुपालना में एवं श्रीमान् जिला कलेक्टर महोदय, जोधपुर के पत्रांक न्यायिक/2019/887 दिनांक 04.05.2019 द्वारा दिये गये आदेश की अनुपालना में आज दिनांक 08/05/2019 को ग्राम-भाण्डू, तहसील-लूणी के खसरा नं. 149/01 में स्थित धुपाई एवम् रंगाई-छपाई की अवैध इकाई का आकस्मिक निरीक्षण (मैसर्स भवानी सिंह पुत्र श्री मोड सिंह) किया गया। निरीक्षण के दौरान इकाई में मशीनरी जिगर-436 एवम् जम्बो जिगर-46, सतत् मर्सराइज पैडिंग मशीन-13, continuous washer-09, Jet Dying Machine-07, Hydro Dryer-02, kier-04, Boiler-04 (1.5T/H), धुपाई हौदी - 33, सिलिकेट वॉशर-06, सिलिकेट पैडिंग-08, D.G.Set (15 KVA) - 02, कास्टिक पैडिंग-18 अवैध रूप से स्थापित पाये गये। इसके अतिरिक्त प्रोसेस करने हेतु कपड़े के थान लगभग 16 हजार भी पाये गये। मौके पर इकाई का विद्युत सम्बन्ध विच्छेद किया गया एवम् इकाई में स्थित गेह अडाणों को ध्वस्त किया गया। मौके पर ही इकाई संचालक को पांच दिवस के अन्दर समस्त मशीनरी परिसर से हटाने हेतु पांबद किया गया एवं प्रोसेस करने हेतु लाये गये कपड़े के थानों की जब्ती की गई।



(देवेन्द्र बिकुंदिया)

कनिष्ठ वैज्ञानिक अधिकारी



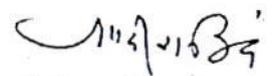
(जगदीश चौधरी)

कनिष्ठ पर्यावरण अभियंता



(पवन चौहान)

कनिष्ठ पर्यावरण अभियंता



क्षेत्रीय अधिकारी
जोधपुर

Joint action taken by Vigilance Committee in compliance of O.A. no. 329/2015, Gram Panchayat Araba Vs. State of Rajasthan and Ors. order dated 22.07.2016....., passed by Hon'ble National Green Tribunal (N.G.T.)

Sr. No.	Particulars	Observations
1	Date	08/05/2019
2	Name & address of the units	Bhawani Singh & Co Mod Singh, Kh. No. 148/1, Village - Bhandu, Tehsil - Luni, Jodhpur.
3	Connected to CETP/JPNT (Yes/No)	— NO —
4	Details of machineries	Jiggers - 436 Jiggers. Jumbo Jigger - 46, Constrictor Padding - 18 Cont. Washer - 09, Jet Dying - 07, Hydra Dyer - 02, Kier - 04, Boiler - 04 (1.5T/H), Washing Hoddies - 33, Silicate Washer - 06, Silicate Padding - 08, D.G. Set - 10 (4xVA 02)
5	Status of units (operative / non-operative)	— Non/operative —
6	Earlier notice issued to the unit (Yes/No)	—
7	Action taken during inspection of the unit	Gieh Adans are dismantled and Haudies Approx. 16.000 Tons & Plant & Machinery were seized at the site declaring these as Govt. assets.

3/11

Handwritten signature and notes in Hindi, including "A.T. 0704".

Handwritten initials "TDZ".

Handwritten signature and notes.

Handwritten signature and notes, including "N.T. Jhanwar".

Handwritten signature and notes, including "RSPD SDO, Luni".



(Regional office)

Rajasthan State Pollution Control Board

SPL-2, M.I.A., I Phase, Basni, Jodhpur-342005
Phone/Fax no. 0291-2723225, E-Mail ID : rorpcb.jodhpur@gmail.com

Seizure memo

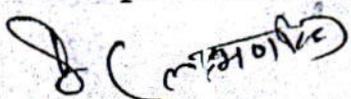
In compliance to closure direction issued by RSPCB vide letter no. ...O.A. 329/2015..... dated ... 22/07/2016 to M/s. भवानी सिंह S/O मोड़ सिंह ... Village, Bhardu ... kh. No. - 149/01, तेलसील - लूणी, District Jodhpur.

Undersigned officials visited the site on dated ... 08/05/2019

Following machineries/ ^{कपडे के धान} sealed in presence of unit's representative Shri ... पप्पु सिंह S/O मोड़ सिंह, राजपुर, गांव - भांडू.

1. ... Sh. Rajendra Kumar Danga, ... SDM, Luni.
2. ... Sh. Om Prakash Bishnoi, ... Deputy Commissioner, JDA
3. ... Sh. Ravishanker Choudhry, ... Nayab Tehsildar, Thawan
4. ... Sh. Jagdish Singh, ... Regional officer, RSPCB, Jodhpur
5. ... Sh. Ugra Ram, ... AEn, RSEB
6. ... Sh. Praveen Gehlot, ... Enforcement officer, JDA 3iv
7. ... Sh. Narayanlal Suthar, ... Tehsildar, Luni

(Unit's representative)

 (भवानी सिंह)


पप्पु सिंह S/O भवानी सिंह

संपूर्णनामा

माननीय राष्ट्रीय हरित अधिकरण (एन.जी.टी.) के निर्णय एवं सीमान्त जिला कलेक्टर महोदय, जोधपुर के आदेश की पालना में आज दिनांक 08/05/2019 को रंगाई-दुपाई की अवैध इकाई मैसर्स भवानी सिंह & मोडसिंह, खसरा नं. 149/01, गांव-भांडू, तहसील-लूणी जिला-जोधपुर को बंद करवाया एवं विद्युत-संबंध विच्छेद / मालिक को पाबंद किया गया कि भविष्य में इस इकाई को बिना वैध अनुमति के पुनः प्रारंभ न करने हेतु निर्देशित किया।

अधोग परिषद में निम्नलिखित वस्त्र उद्योग संबंधित संयंत्र पाये गये + जिगर - 436, जम्बो जिगर - 46, निरन्तर मशीन पेडिंग मशीन - 13, निरन्तर वॉशर - 09, जेट गेटिंग मशीन - 07, हाइड्रो होपर - 02, क्रियर - 04, बॉथर - 04 (1.5 टन प्रति घंटा), धुपाई डोदी - 33, सिलिकेट वॉशर - 06, सिलिकेट पेडिंग - 08, डी.जी. सेट (15 KVA) - 02, कॉस्मिक पेडिंग - 18 व कपडे के थान लगभग 16 हजार उद्योग परिषद में पाये गये, जिन्हें राजकीय सम्पत्ति घोषित करते हुए सीज किया गया एवं उद्योग प्रतिनिधि श्री स्वप्नासिंह & मोडसिंह को संपूर्ण इष्ट शर्त पर दी गयी कि जब भी न्यायालय द्वारा उसे पेश करने के लिये आदेश दिया जायेगा तो आप स्वयं न्यायालय में प्रस्तुत करेंगे एवं इसकी सुरक्षा की पूर्ण जिम्मेदारी उद्योग प्रतिनिधि की रहेगी। अब यह राज्य सम्पत्ति है।

६

(सुप्रभासिंह) पक्षविद

RAJASTHAN STATE POLLUTION CONTROL BOARD

Regional Office : SPL-2, M.I.A., Ist Phase Basni, Jodhpur-342 005

NOTICE OF INSPECTION

{See Rule 30 (2)}

Chairman

Shri Sudarshan Sethi, I.A.S.

R.P.C.B. Jaipur

Member Secretary

Shri Shailja Deval, I.F.S.

R.P.C.B. Jaipur

No. Date 08/05/2019

To,

Bhawani Singh s/o Mod Singh
Kb. No. 149/01, Village - Bhandu
Tehsil - Luri, Distt. - Jodhpur

Take Notice that for the purpose of enquiry under section 25/26 following officers of the State

Board namely :

- (i) Shri Devendra Singh Birkundia, J.S.O
(ii) Shri Jagdish Choudhary, JEE
(iii) Shri Pawan Chouhan, JEE

And the persons authorised by the Board to assist them shall inspect the :

- (a) Water Works.
(b) Sewage Works.
(c) Waste Treatment Plant.
(d) Factory
(e) Disposal System.
(f) Any other parts there off or pertaining to under management/control on date(s) 08/05/2019
between 6 Hrs. When all facilities requested by them for such inspection should
be available to them on site. Take notice that refusal or Denial to above stated demand made under
the functions of the State Board shall amount to obstruction punishable under section 4, of the Act.

By Order of the Board

Signature Name & Designation of

Regional Officer

Regional Office

Rajasthan State Pollution Control Board

Regional Office : SPL-2, M.I.A., 1st Phase Basni, Jodhpur-342 005

NOTICE OF INTENTION TO HAVE SAMPLE ANALYSED

(See Rule 28)

To,
 M/S Sh. Bhawani Singh S/o Mod Singh
KI. NO. 149/01, Village - Bhandu
Tehsil-Luni, Distt. - Jodhpur

TAKE NOTICE that it is intended to have analysed the sample of water / Sewage effluent / trade effluent which is being taken today the Wednesday day of 8th May 2019 from.

- * 1. From drain within unit premises.
2. From final outlet of the unit.
3. _____

Devedra Singh
Devedra Singh, Bikaner, R.S.O
 Name & Designation of the person
 who take the samples

* Here specify the stream, well plant vessel or place from where the sample is taken.

To,
 (i) _____

The sample has been collected,
 preserved marked and sealed in
 my presence

Signature..... (4/5/19)

Name.....

Designation.....

(Name & Designation of the person
 of the industries in whose presence
 sample was collected)

(4/5/19)



Rajasthan State Pollution Control Board

Annexure 'A'
Annexure-IX

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

Phone :01-41-5159699,5159604 e-mail : member-secretary@rspcb.nic.in

Toll Free Help Line No. : 18001806127 Ext. 7

By Email/ Speed Post

F-(E-Comp-02)RPCB/EC/754-757

Date: 04/07/2019

M/s Bhawani Singh S/o Mod Singh,
Khasara No.149/1, Village Bhandu,
Tehsil Luni,
District Jodhpur

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

1. Whereas the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Act") has come into force in whole of the country, with effect from 23.03.1974.
2. And whereas the Act has been enacted to provide for the prevention, control and abatement of water pollution and for maintaining and restoring the wholesomeness of water.
3. And whereas under the provisions of section 24 of the Water Act, no person shall knowingly cause or permit any poisonous, noxious or polluting matter, determined in accordance with such standards as may be laid down by the State Board, to enter into any stream or well or sewer or on land.
4. And whereas under the provisions of section 25/26 of the Act, no person shall without the previous Consent of the State Board establish or take any steps to establish, any industry, operation or process or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land or bring into use any new or altered outlet for the discharge of sewage or trade effluent or begin to make any new discharge of sewage or trade effluent.
5. And whereas M/s Bhawani Singh S/o Mod Singh, (herein after referred to as the "Industry") is engaged in operating an industrial plant at Khasara No. 149/1, Village Bhandu, Tehsil Luni, District- Jodhpur.
6. And whereas, the industry has not obtained consent to establish or consent to operate, under the Water Act.
7. And whereas in view of the non-compliances of the provisions of the Act and to prevent water pollution caused by the industry the Board had directed the industry to close down the industrial plant vide letter dated 08.08.2016.
8. And whereas officials of the Board carried out survey on 08.05.2019 and observed that the industry was still operating illegally and making direct discharge of untreated effluent in river Jojari. It was also observed that machinery/processing plant consisting of Jiggers (436), Jumbo jiggers (46), continuous mercerising padding machine (13), continuous washer (9), Jet Dyeing machine (7), Hydro Dryer (02), Kier (4), Bioler (4), 1.5 HP (1), washing tanks (33), silicate washer (6) silicate padding (8), D.G. set (2 Nos, each - 15 KVA) and caustic padding (18) was found in the premises, which was subsequently sealed/ dismantled by the Local administration during the campaign run between 06.05.2019 to 15.05.2019.
9. And whereas it has been further observed that even after so many years, the illegal industry continued operation and making direct discharge of untreated industrial effluent into river Jojari and on agriculture fields. The act of the industry has caused pollution of water resulting into severe damage to the land, water resources and flora & fauna of the region.



Rajasthan State Pollution Control Board

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

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

Toll Free Help Line No. : 18001806127 Ext. 7

10. And whereas the Hon'ble NGT in its order passed on 22.07.2016 in Original Application No. 329/2011 Gram Panchayat ARABA V/s State of Rajasthan & Ors. made following observations:
- "..... one thing is very clear from the affidavit that there are industrial units which are being run illegally and they are releasing industrial effluents without any proper treatment, since quite sometime. As pointed out by the officer before us, for a period of 4 years.*
- We are also informed by the Regional Officer of the Rajasthan Pollution Control Board that units operating in Jodhpur Sector are on the agricultural land in Jodhpur and none of them are connected to CETP.*
- It is further informed by the Regional Officer of the Rajasthan Pollution Control Board that in consequence of the action taken by them in furtherance of the order passed by the Tribunal, 83 + 38 units have been ordered to be closed. But we are told that no steps with regard to penalising of such units, in accordance with environmental law, have been taken. In such view the matter, we direct the State Pollution Control Board to issue notice for awarding adequate compensation amount on the owner of such units, on the Principles of Polluter's Pay. Similarly, those units which have been closed or would be closed down by the District Administration hereafter should also be saddled with environmental compensation on the same Principle for illegal activities carried out by them till now."*
11. And whereas it is thus explicitly clear that in spite of repeated directions of the Hon'ble NGT and the Board, the illegal industry continued its operations for so many years leading to grave injury to the environment and damaging land, water resources and flora & fauna of the region. These facts are enough to declare the industry as chronic defaulters and warrant stringent action against it.
12. And whereas the industry has failed to comply with the directions issued by the Board from time to time and is willfully non-complying with the provisions of the Act.
13. And whereas your above acts have caused damage to the environment which can be categorized as significantly huge with grave consequences on the environment, public health and flora & fauna.
14. And whereas the above observations indicate that the industry has failed to comply with the provisions of the Act and various directions given by the Hon'ble Courts and Hon'ble National Green Tribunal and by making discharge of untreated effluent/ emissions has caused grave damage to the environment.
15. And whereas the Hon'ble Supreme Court in Writ Petition Civil No. 375/2012 Paryavaran Suraksha Samiti & Anr. Vs Union of India & Others and the Hon'ble National Green Tribunal in Original Application No. 606/2018 Compliance of Municipal Solid Waste Management Rules, 2016 and in several other cases has issued directions to impose Environmental Compensation on all the individuals/ units /industries/mines/ institution entities etc who are causing damage to the environment on the principle of 'POLLUTER PAYS'.
16. And whereas Hon'ble National Green Tribunal (NGT) has issued the direction to impose Environmental Compensation on the non complying polluting units and has directed the Board to implement the same for restoration of environmental damages caused to the public.
17. And whereas the industry is liable to pay damages i.e. Environmental Compensation on the basis of 'Polluter Pays Principle' as directed by the Hon'ble Supreme Court in various orders and Hon'ble National Green Tribunal.
18. And whereas the Board has assessed the amount of interim environmental compensation to be levied on the industry as Rs. 2.00 crore (In word Rupees two crore only) on the basis of Polluter Pays' principle.
19. And whereas the State Board in performance of its duties under the Water Act, is competent to issue any directions under section 33 A of the Act in writing to any person.



Rajasthan State Pollution Control Board

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

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Toll Free Help Line No. : 18001806127 Ext. 7

officer or authority and such person, officer or authority shall be bound to comply with such directions

Therefore, in view of above, the State Board in exercise of the powers conferred upon it under section 33A of the the Act and for performance of functions under the Act, hereby directs the industry to deposit Rs. 2.00 crore (In word Rupees two crore only) as interim Environmental Compensation on the basis of 'Polluter Pays Principle' within 45 days of receipt of this notice. The Environmental Compensation may be deposited through a demand draft drawn in favour of the Member Secretary, Rajasthan State Pollution Control Board, Jaipur.

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

- i. Legal action including filing of Execution Application before the Hon'ble National Green Tribunal may be initiated against the industry and its owners, occupiers.
- ii. Any application for grant/ renewal of consent to establish or consent to operate shall not be entertained by the Board.
- iii. After 45 days the industry shall be liable to pay additional amount @ 10% of the total amount of Environmental Compensation for each month or part thereof till deposition of the Environmental Compensation.

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

Yours Sincerely,


(Shailaja Deval)
Member Secretary

F-(E-Comp-03)RPCB/EC/

Date

Copy to following:-

1. Regional Officer Regional Officer, Rajasthan State Pollution Control Board, Jodhpur to ensure compliance of the directions passed by the Board and ensure closure of the industry in case of failure to deposit the Environment Compensation within the stipulated time.
2. Chief Accounts Officer, Rajasthan State Pollution Control Board, Jaipur.
3. Group In Charge (Textile), Rajasthan State Pollution Control Board, Jaipur
4. Master File, Environment Compensation Cell, Rajasthan State Pollution Control Board, Jaipur.
5. Guard File.


Member Secretary

**BEFORE THE APPELLATE AUTHORITY
CONSTITUTED UNDER SECTION 28 OF THE WATER
(PREVENTION AND CONTROL OF POLLUTION) ACT, 1974**

IN

APPEAL NO. 01 /2020

In the matter of:-

SHRI. BHAWANI SINGH

...APPELLANT

Versus

MEMBER SECRETARY - RSPCB

..RESPONDENT

INDEX

Sr. No	PARTICULARS	PAGE NO.
1.	Appeal under section 28 of the Act	1-14
2.	Affidavit in support of Documents	15-16
3.	Application under section 5 of the Limitation Act, 1963	17-30
4.	Affidavit in support of application	31-32
5.	<u>ANNEXURE A/1</u> The copy of the impugned order dated 04.07.2019	33-35
6.	<u>ANNEXURE A/2</u> The copy of Power of attorney dated 04.02.2020	36-38
7.	<u>ANNEXURE A/3</u> The copy of gift deed dated 25.08.2015	39-106
8.	<u>ANNEXURE A/4</u> The copy of application dated 16.04.2018 for abstraction of ground water for industrial purpose before the Regional Director, Central Ground Water Authority, Jaipur	107-124
9.	<u>ANNEXURE A/5</u>	

(D)

	The copy of consent to establish vide letter dated 17.04.2018 under section 25(1)(a) of the Act of 1974	125-164
10.	<u>ANNEXURE A/6</u> The copy of seizure memo issued by the respondent	165-168
11.	<u>ANNEXURE A/7</u> A copy of representation issued by the respondent	169-171
12.	<u>ANNEXURE A/8</u> A copy of order dated 23.10.2018 Gram Panchayat ARABA Vs. State of Rajasthan [O.A. 329 of 2015]	172-176
13.	<u>ANNEXURE A/9</u> A copy of High-Powered Committee report	177-189
14.	<u>ANNEXURE A/10</u> A Copy of the list of the CETP's and the penalty imposed upon them	190-194
15.	<u>ANNEXURE A/11</u> A copy of order passed by Hon'ble High Court of Delhi at New Delhi in W.P.(C) 12288/2019	195-196
16.	Vakalatnama	197

HUMBLE APPELLANT

THROUGH COUNSEL

Ajish

AJATSHATRU MINA

Suveer Gaur/ Apeksha Tiwari/ Anish Sharma

Aishwarya Sharma/ Ashish Sharma

(D)

1

BEFORE THE APPELLATE AUTHORITY
CONSTITUTED UNDER SECTION 28 OF THE WATER
(PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

IN

APPEAL NO. 01 /2020

In the matter of:-

SHRI. BHAWANI SINGH

S/O Shri. Mod Singh,

R/O- Khasra No. 149/1, Age- 60 years

Village Bhandu Kalan,

Tehsil Luni, Jodhpur, Rajasthan

THROUGH POWER OF ATTORNEY

Shri. Devendra Singh,

S/O Shri. Bhawani Singh, Age- 28 Yrs

R/O- Khasra No. 149/1,

Village Bhandu Kalan,

Tehsil Luni, Jodhpur, Rajasthan

....Appellant

Versus

MEMBER SECRETARY - RSPCB

Headquarter, 4, Institutional Area,

Jhalana Doongri,

Jaipur-302004

...Respondent

APPEAL UNDER SECTION 28 OF THE WATER (PREVENTION AND
CONTROL OF POLLUTION) ACT, 1974 AGAINST THE IMPUGNED
ORDER DATED 04.07.2019 PASSED BY THE RESPONDENT UNDER
SECTION 33 A OF THE WATER (PREVENTION AND CONTROL OF
POLLUTION ACT), 1974 FOR IMPOSING PENALTY UPON THE
APPELLANT TO THE TUNE OF INR 2,00,00,000 IN THE MOST
ARBITRARY AND WHIMSICAL MANNER AND IN CONTRAVENTION TO
RULES LAID DOWN BY HON'BLE SUPREME COURT AND HON'BLE NGT
FOR ASSESSMENT OF COMPENSATION FROM THE DEFAULTERS

0,

(15)

The Respected members of the Appellate Authority of Rajasthan State
Pollution Control Board

THE HUMBLE APPELLANT IN THE ABOVE-MENTIONED APPEAL
MOST RESPECTFULLY SHEWETH:-

1. That the Appellant has preferred the instant appeal against the impugned order dated 04.07.2019 passed by the Member Secretary, Rajasthan Pollution Control Board (herein after referred as "Respondent") wherein the respondent has imposed penalty to the tune of INR 2,00,00,000/- on Appellant in the most arbitrary and whimsical manner and in contravention to rules laid down by Hon'ble Supreme Court and Hon'ble NGT for assessment of compensation from the defaulters. A copy of the impugned order dated 04.07.2019 has been annexed herein and marked as **ANNEXURE A/1.**
2. That the instant appeal is filed by the power of attorney holder whereby the power of attorney holder is authorized to submit the instant appeal before the appellate authority. A copy of Power of attorney dated 04.02.2020 has been annexed herein and marked as **ANNEXURE A/2.**
3. That the appellant transferred his share in the agricultural land situated at village Bhandu Kalan, Tehsil Luni, District of Jodhpur by way of a gift deed in favour of his son Devendra Singh. Consequently, the revenue authority allotted the transferred portion of the land in favour of Devendra Singh namely Khasra No. 149/2. It is relevant to submit herein that the entire industrial unit was operating on the portion of Devendra Singh at Khasra no. 149/2 after obtaining due permission from competent authority. However, despite the same the



respondent while conducting inspection the industrial unit situated on khasra no. 149/2 illegally and arbitrarily imposed the environmental compensation on basis polluter pays principal to the tune of 2 crores on appellant.

4. That it is relevant to submit herein that the impugned order date 04.07.19 is passed against the appellant without affording any opportunity of hearing to comply with principles of Natural Justice. Furthermore, impugned order has been passed on basis of incorrect factual position that the entire industrial unit was established on agricultural land of appellant. Accordingly, the impugned order is not only unlawful and illegal but also suffers from arbitrariness and capriciousness the said order is passed under section 33A of the Act and accordingly the appellant has no other remedy other than to appeal before the instant appellant authority under section 28 of the Act.

5. BRIEF FACTS INVOLVING THE APPEAL:-

5.1 That the appellant transferred his share in the agricultural land situated at village Bhandu Kalan, Tehsil Luni, District of Jodhpur by way of a gift deed in favour of his son Devendra Singh. Consequently, the revenue authority allotted the transferred portion of the land in favour of Devendra Singh and his name was recorded in revenue records and subsequently new khasra was allotted to him namely, 149/2. A copy of gift deed dated 25.08.2015 has been annexed herein and marked as **ANNEXURE A/3.**

5.2. That pursuant to transfer of 5 Bigha land, the appellant applied for conversion of **Khasra 149/1** from agricultural land to non-



agricultural land under Section 90-A of Rajasthan Land Revenue Act, 1956 before Jodhpur Development Authority in year 2017. It is relevant to submit herein that the said application is pending before Jodhpur Development Authority.

- 5.3 That it is relevant to submit herein that with respect to the land bearing khasra no. 149/2 recorded in the name of son of the appellant Devendra Singh, an application of establishing an industrial unit on khasra no. 149/2 was submitted by Devendra Singh before the competent authority. During the pendency of the said application Devendra Singh took permission from the appellant to store non operative machinery of his industrial unit. The appellant simply granted the permission to store non operative machinery on his land without any industrial activity. Thus, it is humbly submitted that the industrial unit was operated on Khasra 149/2 which is in possession of Devendra Singh.

- 5.4 That it is also relevant to bring to knowledge of this appellate authority that Devendra Singh established the industrial unit in the name of sole proprietor namely Nagneechi Enterprises (hereinafter referred as "Enterprise") on his land bearing khasra no. 149/2 situated at Bhandu Kalan, Tehsil Luni, District of Jodhpur.

- 5.5 That subsequently, the Enterprise applied for abstraction of ground water for industrial purpose before the Regional Director, Central Ground Water Authority, Jaipur vide application dated 16.04.2018. A copy of application dated 16.04.2018 has been annexed herein and marked as ANNEXURE A/4.



6 That subsequently, the Enterprise applied for Consent to establish before the Rajasthan State Pollution Control Board vide letter dated 17.04.2018 under section 25(1)(a) of the Act of 1974. A copy of letter dated 17.04.2018 has been annexed herein and marked as ANNEXURE A/5.

7 That it is relevant to submit herein that the above-mentioned applications i.e application to abstract ground water and application for consent to establish were kept pending by the Respondent Department and no action was taken within a period of 120 days.

8 That it is pertinent to mention herein that as per the mandate of section 25(7) of the Act of 1974, the application made under section 25(1) shall be deemed to have been given unconditional consent after expiry of a period of four months. The relevant provision reads as:

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

That it is admitted fact that the respondent did not take any decision on application filed by one Devendra Singh and therefore in light of mandate of section 25(7) the said application of the appellant was deemed to be allowed. Accordingly, it would be safe to submit that Devendra Singh established an operated the industrial unit by virtue of deemed approval under the Act of 1975.

(D.V)

- 5.9 That due to paucity of area to install the machinery, the enterprise requested appellant to store non-operative machinery on Khasra No. 149/1.
- 5.10 That since, the procedure to convert the agriculture land into non-agricultural land was already under process, the appellant acceded to the request of the enterprise and allowed the enterprise to place its machinery on Khasra No. 149/1. It is relevant to mention herein that the machinery was not in the operating state.
- 5.11 That its relevant to clarify herein that the textile unit was situated on Khasra No. 149/2 and the appellant was not running any industrial unit on his land.
- 5.12 That to utter shock of the appellant, on 08.05.2019, a joint committee of officials of various departments including Regional Officer, Rajasthan Pollution Control Board, Jodhpur visited the land of the appellant situated at Khasra No. 149/1 for inspection. It is relevant to mention that no prior notice was given to the appellant regarding the inspection.
- 5.13 That further, the committee after inspection of the textile unit of the appellant in the most illegal manner dismantled the complete unit and seized the machinery of the enterprise stating non-compliance of the mandate of the act. However, it is relevant to submit herein that the Application to establish for Khasra No. 149/2 was deemed to be confirmed under Section 25(7) of the Act. A copy of seizure memo dated has been annexed herein and marked as ANNEXURE A 7.

(D.S.)

- 5.14 That thereafter, the respondent passed an impugned order dated 04.07.2019 and imposed a penalty to the tune of INR 2,00,00,000/- as Interim Environmental Compensation. It is relevant to submit herein that the appellant did not establish any industrial unit on his land. Further, the machineries kept on the land of appellant were not operative at the time of inspection and furthermore, they were part of textile unit established on Khasra No. 149/2 which was established under provisions of the Act.
- 5.15 That subsequent to the impugned order, the appellant submitted a representation for reconsideration of Environmental Compensation imposed upon him by apprising the respondent about the facts of the instant matter. However, the respondent paid no heed to the same. A copy of representation has been annexed herein and marked as **ANNEXURE A/8.**
6. That it is relevant to submit herein that, the Hon'ble National Green Tribunal in the matter of **Gram Panchayat ARABA Vs. State of Rajasthan [O.A. 329 of 2015]** vide order dated 23.10.2018 constituted a Special High Powered Committee of Prof. A.B. Gupta, NIT, Jaipur; Prof. Ajit Pratap Singh, BITS, Pilani and Mr. A. B. Akolkar, Former Member Secretary, CPCB to visit Jodhpur to inspect the industries operating in urban/ industrial areas and submit their report. A copy of order dated 23.10.2018 is annexed herein and marked as **ANNEXURE A/9.**
7. That in pursuance of order dated 23.10.2018, the High-Powered committee was constituted. It is pertinent to mention herein that the committee inspected all the industries working in the region of Jodhpur however, the committee vide its report did not mention name of the industry working in the name of M/S Naagneechi Enterprises on 

Khasra No. 149/1. Hence, it is evident from the report submitted by the High-Powered Committee that in year 2018, i.e at the time of inspection mentioned in the impugned order, no industry was working or was set up on Khasra No. 149/1 and therefore, the observation made in the impugned order dated 04.07.2019 with respect to the inspection is bad in law. A copy of High-Powered Committee report has been annexed herein and marked as **ANNEXURE A/10.**

. That it is humbly submitted that the respondent has imposed an exorbitant penalty upon the appellant despite the fact that the appellant was not running any textile unit on his land whereas, the penalty imposed on actual Common Effluent Treatment Plants (CETP's) in the Jodhpur is between 50,000/- to 2,00,000/-. The said act of the respondent makes it abundantly clear that the respondent is acting discriminatory while imposing penalty upon the appellant, which is nothing but a gross violation of the thread of equality enshrined under the constitution of India. A Copy of the list of the CETP's and the penalty imposed upon them is annexed herein and marked as **Annexure No. A/11.**

. That it is humbly submitted that the bare reading of the impugned order makes it abundantly clear that the said order is not only arbitrary but also factually incorrect. The bare reading of the said order has been passed on two grounds **A) Failure to obtain consent from the State Pollution Control Board under section 25/26 of the Act** - It is humbly submitted that the appellant herein was not running any industrial unit on his land. The appellant merely allowed the Enterprise to unload their machinery on his land. Further, the appellant cannot be treated as a defaulter only on the ground that the machines, which were not in a functioning state were kept on his land.

(D.S.)

Thus, imposing penalty on the appellant on the ground of the section 25/26 is wholly arbitrary and illegal. **B) Polluter pays Principle** - It is humbly submitted that the observation of the respondent vide impugned order dated 04.07.2019 is prima-facie incorrect as the industrial unit was functioning on Khasra No. 149/2. Further, the industrial waste from other industrial units are also discharged in the river Jojari. Therefore, the act of the appellant in only keeping non-working machinery on his land does not fall under the act of "Polluter".

10. That in a similar matter, wherein the show-cause notices were not served to the petitioner, the Hon'ble High Court of New Delhi in the matter of **Guru Kripa Vs. Government of NCT of Delhi and Ors.** [W.P.(C) 12288/2019] held that in a case where the show-cause notice were not issued by the Respondent Department, the compensation shall be stayed and the petition of the petitioner shall be treated as representation before the Respondent Department. The relevant paragraph reads as:

"2. Learned counsel for the petitioner submits that the Impugned Order has been passed without issuing any show-cause notice to the petitioner or granting an opportunity of hearing to the petitioner. This is not disputed by the learned counsel for the respondent no. 1 and 2.

3. In view of the submissions, the impugned order, insofar as it levies Environmental Compensation of INR 12,40,000/- on the petitioner, is set aside. The respondent shall consider the contents of the present petition as a representation to the respondent no.2 against levy of Environmental compensation and decide the same after granting an opportunity of hearing the petitioner and pass a speaking order thereon. Such order, if adverse to the petitioner, shall not be

(T.D.)

implemented for a period of two weeks for the petitioner to avail his legal remedy against the same. "

A copy of order passed by Hon'ble High Court of Delhi at New Delhi in W.P.(C) 12288/2019 has been annexed herein and marked as **ANNEXURE A/12.**

11. That assuming arguendo that the appellant has defaulted in keeping the machinery on his land, in that scenario also, the penalty of INR 2 Crore is exorbitant and the same is evident from the penalty imposed upon other (CETP's)/Individuals in Jodhpur. The aforesaid act of the respondent is gross abuse of power and classically violates the right to equality of the appellant and hence violates the fundamental rights enshrined under Article 14 of the constitution of India.
12. That amount of INR 500/- (Rupees Five Hundred Only) as fee for this appeal has been paid vide receipt no.____ date____ and authenticated copy of which is attached in proof of payment.

3. GROUNDS IN SUPPORT OF THE APPEAL

Being aggrieved by an illegal, arbitrary and whimsical act of the respondent manager, the appellant has preferred this appeal on the following grounds:

- A. **BECAUSE** the respondent failed to issue any show-cause notice before visiting the premises of the appellant and seizing the machines kept on the land. It is humbly submitted that the respondent has imposed Environment Compensation on CETP/Individuals at Jodhpur after giving them due opportunity of

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being heard. Further, the notice dated 08.08.2016 mentioned in the impugned order dated 04.07.2019 was never received by the appellant.

B. BECAUSE the machinery found on the premises of the appellant was non-operational and was merely kept for the purpose of storage. It is humbly submitted that the machines mentioned in the impugned order dated 04.07.2019 namely Jiggers (436), Jumbo Jiggers (46), Continuous mercerising, Padding machines (13), continuous washer (9), Jet Dyeing Machine (7), Hydro-Dryer (20), Kier (4), Boiler (4-1.5 tph), Washing tanks (33), Silicate Washer (6), Silicate Padding (8), DG set (2 numbers each- 15kva) and caustic padding (18) are incorrect.

C. BECAUSE the respondent vide order dated 04.07.2019 has erred to observe that the industrial unit was operating illegally and making direct discharge in river Jojari. It is relevant to mention herein that the observation of the respondent is prima-facie incorrect as the industrial unit was functioning on Khasra No. 149/2. Further, the industrial waste from other industrial units are also discharged in the river Jojari. Therefore, the observation is erroneous and arbitrary.

D. BECAUSE the consent to establish or take any steps to establish, any industry, operation or process or any treatment and disposal treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluents into a stream or well or sewer or on land or bring into use any new or altered outlet for discharge of sewage or trade effluents or begin to make any new discharge of sewage or trade effluents under section

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25/26 of the Act are to be taken into consideration in a scenario where the industrial unit is operating. However, in the instant case, the machinery was kept on Khasra of the appellant for merely storage purpose.

E. BECAUSE in a similar matter, wherein the show-cause notices were not served to the petitioner, the Hon'ble High Court of New Delhi in the matter of Guru Kripa Vs. Government of NCT of Delhi and Ors. [W.P.(C) 12288/2019] held that in a case where the show-cause notice were not issued by the Respondent Department, the compensation shall be stayed and the petition of the petitioner shall be treated as representation before the Respondent Department.

F. BECAUSE the appellant applied for conversion of agricultural land to non- agricultural land under Section 90-A of Rajasthan Land Revenue Act, 1956 before Jodhpur Development Authority on 20.02.2017. Therefore, the act of the appellant in storing the non-operative machinery is not illegal.

G. BECAUSE It is humbly submitted that the appellant herein was not running any industrial unit on his land. The appellant merely allowed the Enterprise to unload their machinery on his land. Further, the appellant cannot be treated as a defaulter only on the ground that the machines, which were not in a functioning state were kept on his land. Thus, imposing penalty on the appellant on the ground of the section 25/26 is wholly arbitrary and illegal.

H. BECAUSE It is humbly submitted that it is evident from the above-mentioned facts that the appellant did not establish any industrial



unit on his land. Further, the appellant had also applied for conversion of his land under section 90A of the Land Revenue Act, therefore, the act of the appellant in keeping non-working machinery on his land does not fall under the act of "Polluter".

I. BECAUSE the respondent herein erred to record that the industrial unit was running on the premises of appellant when in the contrary, only the spare machinery was kept in the premises of the appellant which were not in a working condition. Further, the respondent failed to serve any notice prior to passing the impugned order and imposing exorbitant liability upon the appellant.

J. BECAUSE the committee after inspection of the textile unit of the appellant in the most illegal manner dismantled the complete unit and seized the machinery of the enterprise stating non-compliance of the mandate of the act. However, it is relevant to submit herein that the Application to establish was deemed to be confirmed under Section 25(7) of the Act.

K. BECAUSE *assuming arguendo* that the appellant has defaulted in keeping the machinery on his land, in that scenario also, the penalty of INR 2 Crore is exorbitant and the same is evident from the penalty imposed upon other CETP's/Individuals. The aforesaid act of the respondent is gross abuse of power and classically violates the right to equality of the appellant and hence violates the fundamental rights enshrined under Article 14 of the constitution of India.

L. BECAUSE the appellant reserves its right to submit additional grounds at the time of the oral submissions

14. PRAYER CLAUSE

In the facts and circumstances as mentioned above, the appellant most respectfully prays your good office to be pleased:

- 1) To allow the instant appeal and quash and set aside the impugned order dated 04.07.2019 (**Annexure No. A/1**);
- 2) To quash and set aside all the proceedings arising from the impugned order dated 04.07.2019
- 3) To grant compensation to the appellant for illegal demolition of the appellant's property and machinery situated on his Khasra No. 149/1.
- 4) To pass any other orders which your good office deem it proper.

HUMBLE APPELLANT

THROUGH COUNSEL



AJATSHATRU MINA

Suveer Gaur/ Apeksha Tiwari/ Anish Sharma

Aishwarya Sharma/ Ashish Sharma

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17

BEFORE THE APPELLATE AUTHORITY
CONSTITUTED UNDER SECTION 28 OF THE WATER
(PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

MISC. APPLICATION NO. _____ /2020

IN

APPEAL NO. 01 /2020

In the matter of:-

SHRI. BHAWANI SINGH

S/O Shri. Mod Singh,

R/O- Khasra No. 149/1, Age- 60 years

Village Bhandu Kalan,

Tehsil Luni, Jodhpur, Rajasthan

THROUGH POWER OF ATTORNEY

Shri. Devendra Singh,

S/O Shri. Bhawani Singh, Age- 28 Yrs

R/O- Khasra No. 149/1,

Village Bhandu Kalan,

Tehsil Luni, Jodhpur, Rajasthan

....Applicant

Versus

MEMBER SECRETARY - RSPCB

Headquarter, 4, Institutional Area,

Jhalana Doongri,

Jaipur-302004

...Respondent

CIVIL MISCELLANEOUS APPLICATION UNDER SECTION 5 OF
THE LIMITATION ACT, 1963 FOR CONDONATION OF DELAY IN
FILING THE INSTANT APPEAL

To,

The Hon'ble First Appellate Authority,

The applicant herein

(D.S)

MOST RESPECTFULLY SHEWETH,

The humble appellant above named, most respectfully begs to submit as under: -

1. That the applicant has preferred the instant appeal under section 28 of the Act against the impugned order dated 04.07.2019 passed by the Member Secretary, Rajasthan Pollution Control Board wherein the respondent has imposed penalty to the tune of INR 2,00,00,000/- on Appellant in the most arbitrary and whimsical manner and in contravention to rules laid down by Hon'ble Supreme Court and Hon'ble NGT for assessment of compensation from the defaulters.
2. That the said impugned order dated 04.07.2019 was communicated to him after a period of 15 days i.e on 20.07.2019. However, at the time of passing of impugned order, the applicant was admitted in Aryan Hospital situated at Main Chaupasani Road, Jodhpur, Rajasthan due to severe cold and body pain. Therefore, the applicant was unaware of the impugned order passed by the respondent. A copy of medical report evidencing the illness of the applicant from 28.06.2019 to 30.07.2019 has been annexed herein and marked as **ANNEXURE NO. C /1.**
3. That as per the mandate of section 28(1) of the Act of 1974, the applicant was required to file an appeal within a period of 30 days from which the order was communicated to him i.e till 20.08.2019.



4. That however, due to severe ailment of the applicant due to him being an HIV positive patient, the applicant was again admitted at the Aryan Hospital on 14.08.2019. The applicant was strictly directed by the Doctor to take complete rest till 06.09.2019. A copy of medical report evidencing the illness of the applicant has been annexed herein and marked as **ANNEXURE NO. C/2**.
5. That thereafter, while the applicant was battling his ailment, the Hon'ble Upper District and Sessions No. 4, Jodhpur Metropolitan, Jodhpur passed an adverse order dated 20.09.2019 against the applicant under section 148, 323, 149, 326, 353, 333 of Indian Penal Code, 1862. In the said order the Hon'ble Court found applicant guilty of the offences and punished him with imprisonment of 10 years. It is relevant to mention herein that the appeal against the order dated 20.09.2019 still pending at Hon'ble High Court of Rajasthan, Jodhpur Bench. A copy of order dated 20.09.2019 has been annexed herein and marked as **ANNEXURE NO. C/3**.
6. That subsequently, during visit of Power of Attorney to the Central Jail, the Power of Attorney informed the applicant about the impugned order dated 04.07.2019 passed by the respondent. Resultantly, Mr. Devendra Singh visited the Jaipur Central Jail on 04.02.2020 and obtained applicant's consent to file the instant appeal on his behalf vide Power of attorney dated 04.02.2020.
7. That the instant matter falls within the four corners of "sufficient cause" to condone the delay. The term sufficient cause was explained by the Hon'ble Supreme Court in the matter of



Collector, Land Acquisition, Anantnag & Anr. vs. Katiji & Ors., 1987(2) SCC 107 wherein it was held as hereunder:

"3. The legislature has conferred the power to condone delay by enacting Section 5 [Any appeal or any application, other than an application under any of the provisions of Order XXI of the Code of Civil Procedure, 1908, may be admitted after the prescribed period if the appellant or the applicant satisfies the court that he had sufficient cause for not preferring the appeal or making the application within such period.] of the Indian Limitation Act of 1963 in order to enable the courts to do substantial justice to parties by disposing of matters on "merits". The expression "sufficient cause" employed by the legislature is adequately elastic to enable the courts to apply the law in a meaningful manner which subserves the ends of justice — that being the life-purpose for the existence of the institution of courts. It is common knowledge that this Court has been making a justifiably liberal approach in matters instituted in this Court. But the message does not appear to have percolated down to all the other courts in the hierarchy. And such a liberal approach is adopted on principle as it is realized that:

"1. Ordinarily a litigant does not stand to benefit by lodging an appeal late.

2. Refusing to condone delay can result in a meritorious matter being thrown out at the very threshold and cause of justice being defeated. As against this when delay is condoned the highest that can happen is that a cause would be decided on merits after hearing the parties.

3. "Every day's delay must be explained" does not mean that a pedantic approach should be Why not every hour's delay, every second's delay? The doctrine must be applied in a rational common-sense pragmatic manner.

4. When substantial justice and technical considerations are pitted against each other, cause of substantial justice deserves to be preferred for the other side cannot claim to have vested right in injustice being done because of a non-deliberate delay.

5. There is no presumption that delay is occasioned deliberately, or on account of culpable negligence, or on account of mala fides. A litigant does not stand to benefit by resorting to delay. In fact he runs a serious risk.

6. It must be grasped that judiciary is respected not on account of its power to legalize injustice on technical grounds but because it is capable of removing injustice and is expected to do so.

That it is evident from the above-mentioned facts that the applicant had no reason or ulterior motive to delay the instant

T.S.

appeal and only due to unavoidable circumstances the appeal has been delayed and thus deserves be condoned by the Ld. Authority.

8. Therefore, in the light of facts and circumstances of the instant case and owing to fact of the applicant keeping extremely ill health along with judicial custody, a delay of about 195 days occurred due to unavoidable circumstances and the same is bona fide in nature.

9. PRAYER CLAUSE

That in the light of the abovementioned facts the applicant most respectfully prayed the Hon'ble Authority to: -

1. To allow the instant application and condone the delay in filing the appeal;
2. To hear the appeal on merits;
3. To pass any other order which the Hon'ble Authority deems proper in the facts and circumstances of the case.

Humble Applicant

Through Counsel

AJATSHATRU MINA

Suveer Gaur/Apeksha Tiwari

/ Anish Sharma/ Aishwarya / Ashish

Sharma

(D. 13)

NOTES

1. That P.F. Notices and extra sets of this application shall be filed within 3 days after admission.
2. That no such application has been filed prior to this before this Hon'ble Authority.
3. That it has been typed by my private steno.

Humble Applicant

Through Counsel

AJATSHATRU MINA

Suveer Gaur/Apeksha Tiwari

/ Anish Sharma/ Aishwarya/Ashish

(T) 10



Registered

Annexure-XI

File No : F(Tech)/Jodhpur(Luni)/6465(1)/2019-2020/5176-5179

Order No : 2019-2020/TCD/6643 Dated 20/02/2020

Date: 20/02/2020

Unit Id : 93740

M/s NAAGNECHI ENTERPRISES

WARD NO-9, RAJPUTO KA MOHALLA , BHANDUKALAN

Sub: Refusal of Consent to Establish application under provisions of Water (Prevention & Control of Pollution) Act. 1974.

Ref: Your application No. **213623** dated 17/04/2018 for Consent to Establish received on dated 17/04/2018.

Sir,

Apropos above, it is to inform you that applications for Consent to Establish for **TEXTILE UNIT** situated at **KHASRA NO-149/2 BHANDU KALAN Tehsil:Luni District:Jodhpur** under reference is hereby refused under the provisions of Section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 for the reasons that:

- 1 After examining the application for consent to establish a show cause notice for intended refusal of consent to establish was issued by the Board vide letter dated 16.01.2020 for the following deficiencies:-
 - (a) Land conversion letter and land ownership documents have not been submitted.
 - (b) Water balance details have not been submitted.
 - (c) Detailed proposal for treatment of the effluent to achieve the zero liquid discharge (ZLD) has not been submitted.
 - (d) NOC from CGWA for abstraction of ground water has not been submitted.
 - (e) Environmental compensation has not been deposited in compliance to directions issued vide letter dated 04.07.2019.
 - (f) Total deposited fee is Rs. 21000/-, which is inadequate, as applicable fee is Rs. 31500/-.
- 2 The industry has failed to submit reply of the show cause notice dated 16.01.2020.

It may be noted that the industry's fresh application for grant of Consent to Establish, submitted soon after the refusal, shall not be treated as complete application unless it is supported with evidence-based proof for addressal of the issues/ reasons for the refusal of earlier consent or application, and thus may again be refused without any further notice.

It is further to inform you that after refusal of Consent to Establish legally you can not Establish the plant.



RAJASTHAN STATE POLLUTION CONTROL BOARD
4, Institutional Area, Jhalana Doongari, Jaipur-302 004
Phone: 0141-5159600,5159695 Fax: 0141-5159697

Registered

File No : F(Tech)/Jodhpur(Luni)/6465(1)/2019-2020/5176-5179

Order No : 2019-2020/TCD/6643 Dated 20/02/2020

Unit Id : 93740

Date: 20/02/2020

Yours sincerely

Member Secretary

Copy To:-

- 1 P.S. to Chairperson, RSPCB, Jaipur..
- 2 Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Jodhpur.
- 3 Master File.

Group Incharge