



Regional Office  
**Rajasthan State Pollution Control Board**

D-Block, Ambedkar Nagar, Alwar-301001,  
E mail- ro.alwar@gmail.com



No. RPCB/RO, Alwar /Gen-453/ **688**

Date: 04.08.2025

The Registrar  
Hon'ble National Green Tribunal  
Central Zone Bench  
Bhopal

Sub: Submission of Action Taken report in OA 205/ 2024 titled *Haider Ali Vs Commissioner, Nagar Nigam Alwar & Ors*

Sir,

The Hon'ble Tribunal vide its order dated 27.01.2025 in OA 205/ 2024 titled *Haider Ali Vs Commissioner, Nagar Nigam Alwar & Ors* directed the Rajasthan State Pollution Control Board to file action taken report against the commissioner, Nagar Nigam Alwar for its continuous violations of the solid waste Management rules, 2016. That in compliance of directions of this Hon'ble Tribunal, the State Pollution Control Board vide its letter dated 25.07.2025 has imposed **Environment Compensation of Rs 77 Lacs/-** against the Commissioner, Nagar Nigam, Alwar for its continuous violations of the solid waste Management rules, 2016. The copy of the letter dated 25.07.2025 is enclosed along with this letter as **Annexure - 1**

Yours Sincerely



Regional Officer



# Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, JhalanaDoongri, Jaipur-302004

Phone :0141-2711263,2716802 e-mail : [member-secretary@rpcb.nic.in](mailto:member-secretary@rpcb.nic.in)

RSPCB HelpLineNo. :0141-2716877



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Registered/Email

F.16/(234)/RSPCB/Gr-I/MSW/ 365-368

Date 25/7/25

**Annexure-1**

Commissioner,  
Municipal Council,  
Alwar

Email- [Mcalwar.lsg@rajasthan.gov.in](mailto:Mcalwar.lsg@rajasthan.gov.in); [Alwar.jaipur@gmail.com](mailto:Alwar.jaipur@gmail.com)

**Sub:-** Direction for depositing of Environmental Compensation under section 33A of the Water (Prevention and control of Pollution) Act, 1974 and section 31A of the Air (prevention and Control of Pollution) Act, 1981 in compliance of orders of the Hon'ble Supreme Court in Writ Petition Civil No. 375/2012 Paryavaran Suraksha Samiti & Anr. Vs Union of India & Others and the Hon'ble National Green Tribunal in Original Application No. 606/2018 – Compliance of Municipal Solid Waste Management Rules, 2016 & Hon'ble NGT O.A. No. 205/2024 (CZ), Haider Ali V/s Commissioner Nagar Nigam, Alwar & Ors.

- Ref:-**
- Site Verification dated 21/09/2022; 24/11/2022; 29/05/2023; 30/10/2023 & 28/05/2024.
  - Show cause notice for intended directions for depositing of Environmental Compensation dated 03/09/2024.
  - Opportunity of Being Heard (OBH) dated 07/10/2024.

- Whereas Section 24 of the Water (Prevention and Control of Pollution) Act. 1974 (hereinafter called as the Water Act) provides that no person can cause or permit any poisonous, noxious or polluting matter, determined in accordance with such standards as may be laid down by the State Board, to enter into any stream or well or sewer or on land.
- And whereas section 25/26 of the Water Act provides that no person shall without the previous consent of the State Board establish or take any steps to establish, any industry, operation or process or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land or bring into use any new or altered outlet for the discharge or sewage or trade effluent or begin to make any new discharge of sewage or trade effluent.
- And whereas section 21 of the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter called as the Air Act) provides that no person shall without previous consent of the State Board, establish or operate any industrial plant in an air pollution control area. Which is likely to cause air pollution in environment and discharge or cause or permitted to be discharged the emission of any air pollutant in excess to the standards laid down by the State Board.
- And whereas you are operating the unit/establishment/ entity (hereinafter referred to as the industry) in the name of M/s Municipal Council, Alwar, which is responsible for handling & management of **Municipal Solid waste @ Village- Agyara- Bagarmeo 8-9 kms from Alwar Municipality** and the process is such that it discharges water and/or air pollutants.
- And whereas the industry was inspected by the officials of the Board on 21.09.2022; 24.11.2022; 29.05.2023; 30.10.2023 & 28.05.2024 during inspection following non compliances were observed:
  - Site was partially operational without obtaining consent to establish/consent to operate from State Board & Environmental clearance from competent authority.



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- ii. Improper handling and processing of Municipal waste at processing site was observed.
  - iii. During inspection on dated 24/11/2022 of Municipal waste transfer point near Hanuman Circle, **solid waste was found burning at the site during GRAP stage II period.**
  - iv. During inspection on 29/05/2023, **processing site was found non-operative & continuous burning of the waste was observed at several pockets at the site causing smoke in the ambient environment.**
  - v. During inspection on 21/09/2023, heaps of Municipal legacy waste were lying there causing odour and fly nuisance and no provisions for diversion of storm water was found and no leachate collection drains were found at site causing possibility of contaminating the ground water.
  - vi. During inspection on 30/10/2023, no improvement was observed and MSW was found lying in open and monkeys were feeding on it.
  - vii. No impervious flooring was constructed & No leachate treatment facility observed.
  - viii. During inspection on 15/01/2024 no improvements were observed.
  - ix. During joint inspection of RSPCB, Alwar & Nagar Nigam, Alwar and Fire Station, Alwar on 28/05/2024, burning of Municipal waste was observed.
6. And whereas the above observations indicate that the industry has failed to comply with the provisions of Air Act and Water Act and various directions of the Hon'ble Courts and Hon'ble National Green Tribunal (NGT) and/ or by making discharge of effluent/emissions has caused grave damage to the environment which can be categorized as significantly huge with grave consequences on the environment, public health and flora & fauna.
  7. And whereas the Hon'ble Supreme Court in Writ Petition Civil No. 375/2012 Paryavaran Suraksha Samiti & Anr. Vs Union of India & Others and the Hon'ble NGT in Original Application No. 606/2018 Compliance of Municipal Solid Waste Management Rules, 2016 and in several other cases has directed the Board to impose Environmental Compensation on all the individuals/units/industries/ mines/ institution/ entities etc, who are causing damage to the environment on the principle of POLLUTER PAYS.
  8. And whereas Hon'ble NGT has issued the directions to impose Environmental Compensation on the non complying polluting units and has directed the Board to implement the same for restoration of environmental damages caused to the environment.
  9. And whereas, Hon'ble NGT in O.A. No. 205/2024 (CZ) Haider Ali Vs Commissioner Nagar Nigam, Alwar & Ors. Inter alia passed following directions vide order dated 27/01/2025: "For Past violations State PCB is directed to take further actions in addition to realization of environmental compensation and further to calculate the environmental compensation for continuous violations and to take further actions and to submit action taken report."
  10. And whereas the industry is liable to pay damages ie. Environmental Compensation on the basis of Polluter Pays Principle as directed by the Hon'ble Supreme Court and Hon'ble NGT in various orders.
  11. And whereas the Regional office of the Board at Alwar has reported non-compliance of total 616 days (i.e. from **21.09.2022 to 28.05.2024**) for the industry.
  12. And whereas the Board has estimated the amount of environmental compensation to be levied on the industry as **Rs. 77,00,000/- (Rupees Seventy Seven lacs only)** on the basis of Polluter Pays Principle.



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13. And whereas, a Show Cause Notice for intended directions for depositing of Environmental Compensation was issued vide letter dated 03/09/2024 to which unit has failed to submit any reply.
14. And Whereas, an Opportunity of Being Heard was accorded to the officials of Municipal Council on 07/10/2024, representatives failed to submit any adequate reply during OBH.
15. And whereas the State Board in performance of its duties under the Acts, is competent to issue any directions under section 33 A of the Water Act and section 31 A of the Air Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.

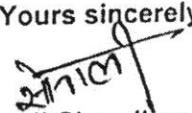
In view of the above, the State Board in exercise of the powers conferred upon it under Section 33A of the Water Act & 31A of the Air Act and for performance of functions under the Acts, hereby directs the industry to deposit the amount of Rs. 77,00,000/- (Rupees Seventy seven lacs only) as Environmental Compensation on the basis of 'Polluter Pays Principle' in Regional office of the RSPCB at Alwar within 60 days. 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. Consent to establish and/or consent to operate shall be refused/ revoked without any further notice.
- ii. Legal action including filing of Execution Application before the Hon'ble NGT may be initiated against the industry and its owners/ occupiers.
- iii. Any application for grant/ renewal of consent to establish or consent to operate shall not be entertained by the Board.
- iv. After 60 days the industry shall be liable to pay additional amount @ 1.5% of the Environmental Compensation amount per month till deposition of the Environmental Compensation.

This bears approval of the competent authority.

Yours sincerely,

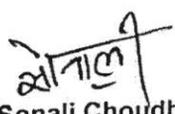
  
(Sonali Choudhary)  
GIC -MSW

Date

F.16/(234)/RSPCB/Gr-I/MSW/

Copy to following for information and necessary action:-

- I. Group In Charge Planning, RSPCB, Jaipur
- II. Financial Advisor, RSPCB, Jaipur
- III. Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Alwar. Please Forward the demand drafts received from the industry to Accounts Section of Head Office with a statement of amount deposited to Group In-charge (MSW).
- IV. Master File Environment compensation (MSW), Jaipur.

  
(Sonali Choudhary)  
GIC -MSW