



Regional Office
Rajasthan State Pollution Control Board
Plot No 52, Sector 9/1, Hanumangarh Junction, Hanumangarh

Reg.A.D./E-Mail

RO/RSPCB/HNMG/Gen/Legal-8/92

Date:- 09-06-2022

The Registrar General,
Hon'ble NGT,
Principal Bench,
New Delhi.

Sub.: Joint Committee report with respect to Hon'ble NGT, Principal Bench, New Delhi order dated 26/04/2022 in matter of OA 226/2022 "Chotu Ram Bijarnia Vs State of Rajasthan."

Ref.: Hon'ble NGT, Principal Bench, New Delhi order dated 26/04/2022 in matter of OA 226/2022 "Chotu Ram Bijarnia Vs State of Rajasthan."

Sir,

With reference to above subject, it is submitted that Hon'ble Tribunal by order dated order dated 26/04/2022 in matter of OA 226/2022 has directed to submit Joint Committee report by e-mail on judicial-ngt@govt.in.

In compliance of direction passed by the Hon'ble Tribunal, the Joint Committee report is being submitted with this letter for kind perusal of the Hon'ble Tribunal.

Encl : As above.

Yours sincerely


(Pradeep Kumar Asnani)
Regional Officer

**Factual & Action Taken Report by
Joint Committee**

In compliance of

**Hon'ble NGT order dated 26/04/2022
in matter of OA 226/2022**

“Chotu Ram Bijarnia Vs State of Rajasthan”

By the joint committee comprising of

1. Shri Nathmal Didel, District Collector, Hanumangarh, Rajasthan
2. Shri Pradeep Kumar Asnani, Regional Officer, RSPCB, Hanumangarh, Rajasthan

Factual and Action Taken Report by Joint Committee
In compliance to Hon'ble NGT order dated 26/04/2022 in matter of OA 226/2022
"Chotu Ram Bijarnia Vs State of Rajasthan"

Hon'ble NGT in matter of OA 226/2022 "Chotu Ram Bijarnia Vs State of Rajasthan" has inter-alia passed following orders on date 26/04/2022-

"2. In view of the grievance made in the letter petition, we are of the view that the factual position needs to be verified and remedial action is required to be taken in case of violation of environmental norms on the basis thereof. We accordingly constitute Joint Committee of State PCB and Collector, District Hanumangadh, Rajasthan and direct the same to verify the factual position, look into the grievances of the applicant and take remedial action in accordance with law by following due process within one month from the date of receipt of a copy of this order.

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, before the Ld. Registrar General, National Green Tribunal, Principal Bench, New Delhi who may, if necessary, put up the matter before the Bench for further directions."

In compliance of above said directions of Hon'ble NGT, RSPCB by order dated 11/05/2022, nominated Shri Pradeep Kumar Asnani, Regional Officer, RSPCB, Hanumangarh, Rajasthan as members of joint committee.

In compliance of above said directions of Hon'ble NGT, Sub Divisional Officer, Nohar (Representative of District Collector, Hanumangarh) and Sh. Pamul Thalia, Junior Environmental Engineer, RSPCB visited the industry on dated 24/05/2022. During inspection, officials observed that industry is closed and plant & machinery have been removed/dismantled. No finished product was found stored during inspection of industry (Copy of inspection report/fard mauka report is marked as **Annexure 1**).

Further, it is pertinent to mention here that earlier a complaint was received at RSPCB through email on dated 08/02/2022 regarding illegal operation of this tyre pyrolysis plant situated at Chak 1 JSN Phephana, Tehsil-Nohar, District Hanumangarh, Rajasthan (Copy of complaint is marked as **Annexure 2**). To verify the complaint, official of RSPCB inspected the aforesaid tyre pyrolysis plant namely M/s Shine India Trading Company

situated at Chak 1 JSN Phephana, Tehsil- Nohar, District Hanumangarh, Rajasthan on dated 10/02/2022 (Copy of complaint verification report dated 10/02/2022 is marked as **Annexure 3**). After verification of complaint by RSPCB official, closure direction has been issued to M/s Shine India Trading Company by RSPCB on dated 21/02/2022 (Copy of closure direction issued is marked as **Annexure 4**). In compliance of closure direction issued by RSPCB, unit has been closed and same has been verified by the joint committee today.

Date: 9/06/2022

(Shri Pradeep Kumar Asnani)
Regional Officer
RSPCB, Hanumangarh

(Shri Nathmal Didel)
District Collector
District- Hanumangarh

फाईल नोंका
**

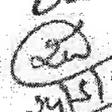
आज दिनांक 24.05.2022
को तहसील नोहर (उप तहसील-फेडाना) के
परवार मंडल फेडाना-A के चक 1 JSM में
पत्थर No. $\frac{360}{361}$ (6) किला No. $\frac{1}{0.126}$, $\frac{9}{0.126}$, $\frac{10}{0.253}$
पर पूर्व में संचालित रापर जलाने की कंपनी का
राजस्थान राज्य प्रदूषण नियंत्रण मंडल, क्षेत्रीय
कार्यालय हनुमानगढ़ के कनिष्ठ पर्यावरण अभियंता
पानुल खलिया व उपतहसीलकार फेडाना हनुमानगढ़
द्वारा संयुक्त निरीक्षण किया गया।

आज दिनांक को यह कंपनी
(Shine India trading company) बंद पड़ी है।
परिष्कार का सम्यक् अपलोकन। निरीक्षण करने पर
नोंका पर कोई मशीन। प्लांट स्थापित नहीं पाया
गया तथा न ही पूर्व में निर्मित कोई उत्पाद पाया
गया।

6
24.05/2022
उप तहसीलकार
फेडाना (हनुमानगढ़)


24/5/22
(Panel India)
JEE, RSPCB


पत्थर
फेडाना A

C.S.

24/5/22
उपसंचालिका (राजख)
नोहर कोड नं. 16296

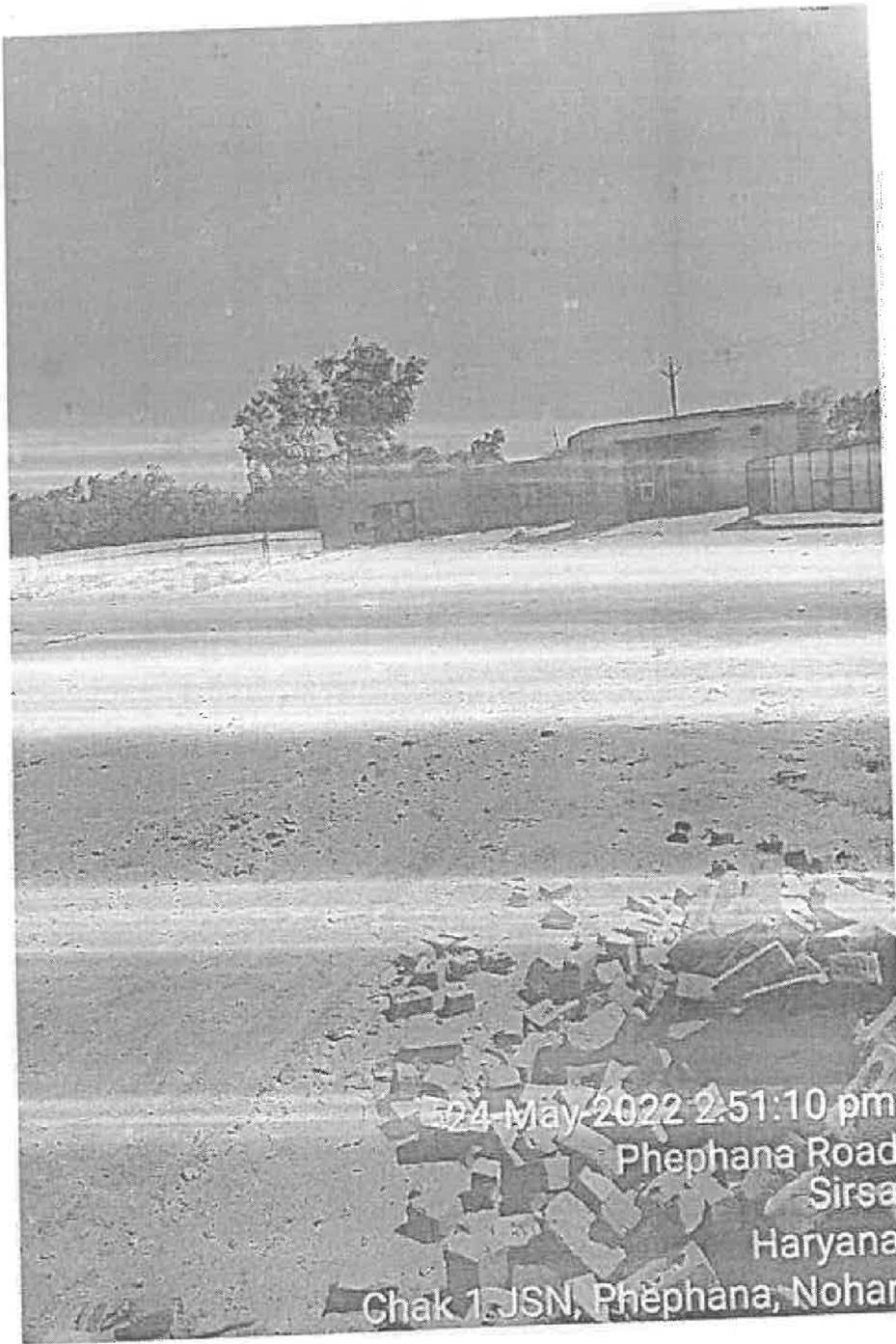




24-May-2022 2:51:04 pm
Unnamed Road
1 Knn
Hanumangarh
Rajasthan
Chak 1 JSN, Phephana, Nohar



24-May-2022 2:50:45 pm
Unnamed Road
1 Knn
Hanumangarh
Rajasthan
Chak 1 JSN, Phephana, Nohar



24-May-2022 2:51:10 pm
Phephana Road
Sirsa
Haryana
Chak 1 JSN, Phephana, Nohar



24-May-2022 2:55:40 pm
2 Jamal Road
Baruwali Doern
Sirsa
Haryana
Chak 1 JSN, Phephana, Nohar

वर्ष में ग्राम पंचायत फेफाना और तहसीलदार नोहर एवं पंचायत समिति नोहर में मौखिक एवं जरिये प्रार्थना पत्र गुहार लगा चुके हैं। जबकि इस फेक्ट्री का मालिक यासीन और रिश्तेदार राजीनीतिक प्रभावशाली व्यक्ति हैं, जो स्थानीय स्तर पर प्रशासन को आने ही नहीं देते हैं, इस जान लेवा प्रदूषण की बात होते ही स्थानीय कर्मचारियों के मुह बंद कर दिए जाते हैं, सभी बेबस नजर आते हैं। चूंकि यह फेक्ट्री राजस्थान और हरियाणा के बोर्डर के पास स्थित है इसलिए कोई भी इस पर जल्दी से कार्यवाही नहीं करना चाहता है। उक्त फेक्ट्री के प्रदूषण एवं अवैध कारोबार बाबत प्रदूषण नियन्त्रण विभाग, स्थानीय प्रशासन, ग्राम पंचायत फेफाना, जिला स्तर के अधिकारी कुछ भी कार्य करने को तैयार नहीं रहते हैं, बल्कि मुकदर्शक बने हैं।

श्रीमान यह प्रार्थना पत्र प्रस्तुत कर निवेदन है की आप इस प्रार्थना पत्र पर स्वतः सजान ले एवं हमें इस अवैध फेक्ट्री जो की 1 जे एस एन, ग्राम फेफाना, तहसील नोहर जिला हनुमानगढ़, राजस्थान में अवैध रूप से संचालित हो रही है, से उगलने वाले जानलेवा प्रदूषण से बचाए, जिससे बूढ़े, नोजवान और छोटे बच्चों के जीवन बचाए, अन्यथा प्रशासन इस लापरवाही से कारित होने वाले स्वास्थ्य के प्रति भयंकर नुकसान का जिम्मेदार होगा। तिल- तिल भरने से तो अच्छा है की प्रशासन स्वयम ही एक साथ जहर देकर हमें मार दे।

दिनांक 8-2-2022

प्रार्थी

बिजारनिया निवासी
तहसील-नोहर, जिला

छोटू राम पुत्र ओम प्रकाश

1 जे एस एन, फेफाना,

हनुमानगढ़ राजस्थान

मोबाईल -9462003131



Regional Office
Rajasthan State Pollution Control Board
Plot No. 52, Sector no. 9/1, Hanumangarh Junction,
Hanumangarh- 335512
rorspcb.hnmg@gmail.com

Complaint Verification Report Of M/S Shine India
Trading Company At Chak 1 Jsn Phephana, Tehsil
Nohar, Dist. Hanumangarh

A Complaint was received in this office from CP Cell through Whatsapp on dated 09/02/2022. In reference to complaint unit was inspected on dated 10/02/2022 by undersigned official to verify the contents of complaint. During inspection, a person was present at site. He reported is name as Sh. Yasin (Partner). He reported that the name of unit is " M/s Shine India Trading Company" and submitted the electricity bill (copy enclosed) of the unit in the name of "Shine India Trading Company" with K Number 310222064346. At the time of inspection following observations were made :

1. That unit was engaged in tyre pyrolysis as raw material like tyres, plant and machinery for tyre pyrolysis installed and final products, i.e. Oil from tyres, Steel wires and tyre ash were observed at site(Photos encl.).
2. Unit was operating without obtaining Consent to Establish & Operate.
3. Unit has not installed any Pollution Control Measures with the Plant & Machinery.
4. Any kind of proof for land conversion for industrial purpose was not presented at the time of inspection.
5. Unit is not following guidelines for Tyre Pyrolysis Plant.
6. Near by available persons reported that the unit is mainly operated in late night hours which creates foul odour and pollution problem.

Mukesh Kumar
Mukesh Kumar
(JEE RSPCB)

Recommendation: In view of above observations and looking to the nature of unit i.e. tyre pyrolysis plant, if deemed fit, closure directions may be issued to the unit, forthwith.

Amit Soni
Amit Soni
(Regional Officer)



Rajasthan State Pollution Control Board

Annexure-4

Headquarter, 4, Institutional Area, JhalanaDoongri, Jaipur-302004
Phone :0141-2716804,2716835 e-mail : member-secretary@rpcb.nic.in

Registered

No. F.16 (Gen-47)/RPCB/HAZ/SWMC/ 1591

Date:- 21/2/22

**M/s Shine India Trading Company,
Chak 1 JSN, Phephana,
Tehsil: Nohar, District: Hanumangarh**

Sub: Directions under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and 31A of the Air (Prevention and Control of Pollution) Act, 1981.

Ref: Inspection report of your industry dated 10/02/2022.

1. Whereas the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") have come into force in whole of the country, with effect from 23.03.1974.
2. Whereas the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as the "Air Act") have come into force in whole of the country, with effect from 16.05.1981.
3. And whereas the Water Act and Air Act have been enacted to provide for the prevention, control and abatement of water & air pollution and for maintaining and restoring the wholesomeness of water & air.
4. 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.
5. 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 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.
6. And whereas under the provisions of section 21 of the Air Act, 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.
4. And whereas under the provisions of section 21 of the Air Act, no person discharge or cause or permit to be discharged the emission of any air pollutant in excess to the standards laid down by the State Board.
5. And whereas keeping this in view the Rajasthan State Pollution Control Board (hereafter called as Board) has been conferred power to take such steps as are deemed necessary for the prevention, control and abatement of air and water pollution.
6. And whereas the industry is being operated in the name and style of M/s Shine India Trading Company, (herein after called as 'industry') at Chak 1 JSN, Phephana, Tehsil: Nohar, District: Hanumangarh and engaged in operating of tyre pyrolysis plant.
7. And whereas, a complaint of your industry regarding air pollution was received to State Board.
8. And whereas, your industry was inspected by State Board official on 10/02/2022 and found that:-
 - a) You are operating the industrial plant without obtaining prior consent to establish & consent to operate under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.
 - b) You are not installed any pollution control equipment with tyre pyrolysis plant to control of air/water pollution during operation.

R-18
16/3

31/2/22
16/03/2022
JEE (MB)



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, JhalanaDoongri, Jaipur-302004
Phone :0141-2716804,2716835 e-mail : member-secretary@rpcb.nic.in

c) **You are not following the guideline for tyre pyrolysis plant issued by State Board and Standard Operating Procedure (SOP) issued by Central Pollution Control Board.**

9. And whereas the industry has failed to comply with the provisions of Water Act & Air Act.
10. And whereas, the State Board may, in exercise of the powers conferred upon it under the provisions of section 33A of the Water (Prevention and Control of Pollution) Act, 1974 & 31A of the Air (Prevention and Control of Pollution) Act, 1981 and for performance of its functions under the Acts, 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.**
b) **Stoppage or regulation of the supply of electricity or water or any other service.**

Therefore, in order to stop non-compliance of Air & Water Acts and in the interest of perpetual offence being committed by the industry, and in exercise of the powers conferred upon it under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 & 31A of the Air (Prevention and Control of Pollution) Act, 1981 and for performance of functions under the Acts, **hereby directs you to, forthwith, close down your industry M/s Shine India Trading Company, Chak 1 JSN, Phephana, Tehsil: Nohar, District: Hanumangarh.**

It may be noted that failure of compliance of these directions, 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 Water Act and section 37 & 39 of the Air Act.

This bears the approval of the competent authority.

- ed -
(V.S. Brijwasi)
Group Incharge (HSW)

No. F.16 (Gen-47)/RPCB/HAZ/SWMC/

Date:-

Copy to following for information and necessary actions for compliance of the directions: -

1. District Collector, Hanumangarh to, forthwith, secures closure of industrial plant of **M/s Shine India Trading Company, Chak 1 JSN, Phephana, Tehsil: Nohar, District: Hanumangarh.**
2. Executive Engineer (O&M), Jodhpur Vidhyut Vitaran Nigam Limited, Nohar, District: Hanumangarh (email- xennhr@gmail.com) with the directions under section 33(A) of the Water Act, 1974 & under section 31(A) of the Air Act, 1981 to, forthwith, disconnect the supply of electricity to **M/s Shine India Trading Company, Chak 1 JSN, Phephana, Tehsil: Nohar, District: Hanumangarh** confirm compliance of these directions as accomplishment thereof is binding upon you under the said Act.
3. Regional Officer, Rajasthan State Pollution Control Board, Hanumangarh to ensure compliance of the directions passed by the State Board, seal the Diesel Generator sets (if any) and such other equipment's so as to affect complete closure of the industrial plant and send compliance report to the Head Office, immediately.
4. Master file, HSW cell, RSPCB, Jaipur.

[Signature]
21/2/2022
Group Incharge (HSW)