

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL  
BENCH AT NEW DELHI**

**Original Application No. 329/2015**

(M.A. No. 283/2018, 1389/2018, I.A. No. 532/2019,  
I.A. no. 660/2019, 719/2019 & 720/2019)

**In the matter of :-**

**Gram Panchayat Araba**

**Applicant**

**Vs**

**State of Rajasthan & Ors.**

**Respondent**

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Lokendra Singh Kachhawa/Adhiraj Singh Rajawat Advocates  
Counsel for the Rajasthan State Pollution Control Board

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**Original Application No. 329/2015**

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**In the matter of :-**

**Gram Panchayat Araba**

**Applicant**

**Vs**

**State of Rajasthan & Ors.**

**Respondent**

**AFFIDAVIT CUM COMPLIANCE REPORT OF THE  
HON'BLE TRIBUNAL ORDER DATED 16.03.2020 ON  
BEHALF OF THE RAJASTHAN STATE POLLUTION  
CONTROL BOARD.**

I, Dr. B. R. Panwar S/o Shri S. R. Panwar, aged about 59 years, presently working Regional Officer, Rajasthan State Pollution Control Board, Jodhpur, do hereby solemnly State and affirm as under:-

1) That I am working as Regional Officer, Rajasthan State Pollution Control Board, Jodhpur and I am well conversant with the facts and circumstances of the matter and as such competent to swear this affidavit on behalf of the State of Rajasthan.

2) That this Hon'ble Tribunal by order dated 16.03.2020, directed inter-alia as follows:-

**“...The Pollution Control Board is granted one more opportunity to fully comply with the directions given**

**NOTARY JODHPUR**  
29/07/2020

  
ब. र. पानवार  
राजस्थान प्रदूषण नियंत्रण बोर्ड  
जोधपुर

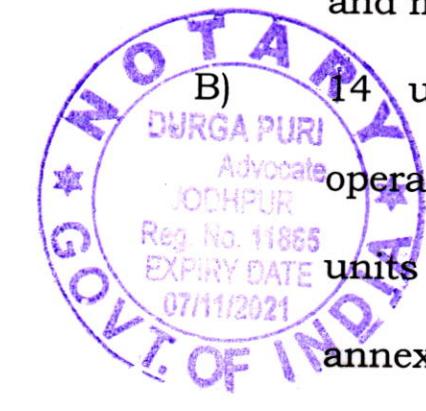
**earlier particularly in respect of the illegal extraction of ground water by 58 units, as pointed out by CGWA. The required action against such units shall be immediately taken by the authority concerned whether it is the State through Collector, Jodhpur or Pollution Control Board or Central Ground Water Authority. List of the units falling in different categories be given by the Pollution Control Board to the office of central Ground Water Authority within three days..”**

3. That in compliance of the directions passed by this Hon'ble Tribunal, the officials of the State Board has inspected all the 58 disputed units and following action has been taken against the units:-

A) List of 14 units out of the total 58 units, which are falling under white category or were engaged in non-industrial activity, has been sent to the District Collector and CGWA vide letters dated 14.03.2020 and 01.07.2020. The photo copy of the letters dated 14.03.2020 and 01.07.2020 alongwith list of 14 units is annexed herewith and marked as **Annexure-1 (Collectively)**

B) 14 units out of total 58 units were found non-operative/dismantled/closed. The photo copy of list of 14 units which are non-operative/dismantled/closed is annexed herewith and marked as **Annexure-2**.

C) Show cause notices have been issued to remaining 30 units which were found non-compliant out of the total 58 units. Out of the total 30 units 19 units have submitted their reply to the show cause notice and after verification



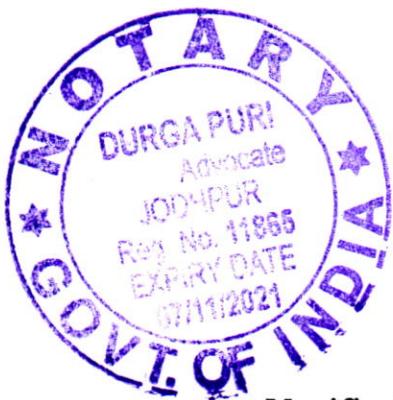
NOTARY JODHPUR

3-1  
जनय प्रधिकारी  
जनय प्रधिकारी

of reply further action will be taken accordingly. Remaining 11 units have not submitted reply to the show cause notice; therefore, further action against all such units will be taken in accordance with law. The photo copy of list of 30 units to whom show cause notices have been issued is annexed herewith and marked as **Annexure-3.**

In view of above, it is submitted that the affidavit cum compliance report may kindly be taken on record.

  
DEPONENT  
जोधपुर



**VERIFICATION**

Verified at Jodhpur, on this ..... July, 2020, I the above mentioned deponent do hereby verify that the contents of the above affidavit are true and correct, no part of it is false and nothing material has been concealed therefrom.

**IDENTIFIED BY**

Identified by me

  
C/O जस्टिस (सोशल) विधि डा. जोधपुर राज. प्रखण्ड/जुजो/हिसल, जोधपुर

  
DEPONENT  
जोधपुर

**ATTESTED**  
On 29/07/2020  
NOTARY, JODHPUR



(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

No.: RPCB / RO Jodh./ 2934, 3004 to 3008

Dated: 12/3/2020

1. The District Collector,  
Jodhpur2. Regional Director,  
Central Ground Water Authority,  
6-A, Jhalana Doongari, Jaipur

Sub.: Compliance of Hon'ble NGT order dated 24/02/2020 in O.A. no. 329 of 2015, Gram Panchayat ARABA Vs. State of Rajasthan &amp; Others

Ref.: 1. Hon'ble NGT Court, New Delhi order dated 24/02/2020 (copy attached)  
2. Verification report of all 58 sealed tube wells has been carried out by this office officials.

Sir,

With respect to above, it is submitted that Hon'ble NGT had inter-alia passed following directions in the matter of Gram Panchayat ARABA V/s. State of Rajasthan & Others in original application no. 329 of 2015 on dated 24/02/2020 :-

"The Central Ground Water Authority (CGWA) had earlier submitted that underground water was being extracted by the 58 units and the same has been sealed by them. However, the Pollution Control Board was directed to initiate action against such units but we have been informed by the Learned Counsel for Pollution Control Board that it is still under process. It is high time that since January, 2020 when these borewells were found operating illegally and sealed by CGWA but the Pollution Control Board is, as usual, still sleeping over it and no action against any of those 58 units have been taken so far. In the affidavit to be filed by Secretary, Pollution Control Board it should also be given out about the status in respect of action taken against these 58 units found by CGWA to be illegally extracting ground water. In case any of the units amongst 58 units fall under white category then Collector and CGWA shall take against them, in accordance with law before the next date of hearing."

In the compliance of above order, the inspection of all 58 sealed tube wells has been carried out by this office officials and Show cause notice to 28 units has been issued to Red/Orange/Green Category units the other 14 units (Non industry & white category) detailed verification report is being attached herewith to request kindly initiate necessary action as per the order dated 24/02/2020 passed by Hon'ble NGT. Also requested to kindly submit the action taken report to the Hon'ble NGT Court, New Delhi.

Enclosed : As above.

Your's Sincerely,

  
Regional Officer

Copy to following for information and further necessary action please :-

1. Member Secretary, Rajasthan State Pollution Control Board, Jaipur
2. CEE & Group Incharge (Plg.), Rajasthan State Pollution Control Board, Jaipur
3. SEE & Group Incharge (Textile), Rajasthan State Pollution Control Board, Jaipur
4. SEE & Group Incharge (Legal Cell), Rajasthan State Pollution Control Board, Jaipur

  
Regional Officer





(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

No.: RPCB / RO Jodh. / 223 to 229

Dated : 01-07-2020

Reminder-I

1. The District Collector,  
Jodhpur2. Regional Director,  
Central Ground Water Authority,  
6-A, Jhalana Doongari, JaipurSub. : Compliance of Hon'ble NGT order dated 24/02/2020 in O.A. no. 329 of  
2015, Gram Panchayat ARABA Vs. State of Rajasthan & OthersRef. : 1. This office letter dated 14/03/2020  
2. Hon'ble NGT Court, New Delhi order dated 24/02/2020 (copy attached)  
3. Verification report of all 58 sealed tube wells has been carried out by this  
office officials.

Sir,

With respect to above, it is submitted that Hon'ble NGT had inter-alia passed following directions in the matter of Gram Panchayat ARABA V/s. State of Rajasthan & Others in original application no. 329 of 2015 on dated 24/02/2020 :-

"The Central Ground Water Authority (CGWA) had earlier submitted that underground water was being extracted by the 58 units and the same has been sealed by them. However, the Pollution Control Board was directed to initiate action against such units but we have been informed by the Learned Counsel for Pollution Control Board that it is still under process. It is high time that since January, 2020 when these borewells were found operating illegally and sealed by CGWA but the Pollution Control Board is, as usual, still sleeping over it and no action against any of those 58 units have been taken so far. In the affidavit to be filed by Secretary, Pollution Control Board it should also be given out about the status in respect of action taken against these 58 units found by CGWA to be illegally extracting ground water. In case any of the units amongst 58 units fall under white category then Collector and CGWA shall take against them, in accordance with law before the next date of hearing."

In the compliance of above order, the inspection of all 58 sealed tube wells has been carried out by this office officials and Show cause notice to 28 units has been issued to Red/Orange/Green Category units, while the 14 units falls under non industrial and white category sector (list enclosed). Since the matter is listed in the Hon'ble NGT Court on dated 16/07/2020, so it is again requested to kindly initiate the necessary action as per the order dated 24/02/2020 passed by Hon'ble NGT so the action taken report may be submitted within time to the court.

Enclosed : As above.

Your's Sincerely,

  
Regional Officer

Copy to following for information and further necessary action please :-

1. Member Secretary Rajasthan State Pollution Control Board, Jaipur
2. CEE & Group Incharge (Plg.), Rajasthan State Pollution Control Board, Jaipur
3. SEE & Group Incharge (Textile), Rajasthan State Pollution Control Board, Jaipur
4. SEE & Group Incharge (Legal Cell), Rajasthan State Pollution Control Board, Jaipur

Secretary, CGWA, 61, 61 E, Rajeev Nagar, Kudu Bhogtusi,  
Jodhpur

  
Regional Officer

## Annexure 1

**List of 14 units covered under non industrial and white category and which tube wells were sealed by CGWA**

Sr. No.	name of industry	Plot no.	Address of industry	Date of inspection	Industry or Non Industry	Category	Activity / sector cover under unit	Status of unit
1	Swaraj Diamond	A-42 (A)	MIA Phase II, Basni, Jodhpur	05/03/2020	Non Industry	N.A.	No plant & m/c were observed	Non operative
2	Raj Kamal Fabrics	H-686, Road no. 1	MIA Phase II, Basni, Jodhpur	07/03/2020	Non Industry	N.A.	Godown	Operative
3	Mohammed Farooque Aladin (On Rent)	F-143 A	MIA Phase II, Basni, Jodhpur	05/03/2020	Non Industry	N.A.	Scrab Godown (Plastic & Paper)	Non operative
4	Khokhar Udhog	G-614 A	MIA Phase II, Basni, Jodhpur	06/03/2020	Industry	White	Engineering Fabrication	Operative
5	Super Job	Plot no. 7	MIA Phase II, Basni, Jodhpur	07/03/2020	Industry	White	Cutting & Welding of Iron Pipe	Operative
6	Mohammed Rafique Factory	F-143 A	MIA Phase II, Basni, Jodhpur	05/03/2020	Non Industry	N.A.	No plant & m/c for any industrial activity was observed	Non operative
7	Kuchaman Agri Co.	B-3	MIA Phase I, Basni, Jodhpur	06/03/2020	Non Industry	N.A.	Whare House (Guar Gum)	Non operative
8	Deepa Enterprises	Plot no. 25	Industrial Area, BNPH, Jodhpur	06/03/2020	Industry	White	Stitching / Packing of Mattresses / Pillows	Operative
9	Shiv Lal & Sons	H-139	New Jodhpur Industrial Area, Jodhpur	06/03/2020	Non Industry	N.A.	No industrial activity found in premises	Non operative
10	Mahajan Textile	E-281 A	MIA Phase II, Basni, Jodhpur	07/03/2020	Non Industry	N.A.	No any plant & m/c found installed in premises	Non Operative
11	Rajat Engineers Works	H2-461	Sangaria, Jodhpur	04/03/2020	Industry	White	Fabrication unit	Non Operative
12	K.R. Creations	H2-521	2nd Phase Sangaria, Jodhpur	04/03/2020	Industry	White	Handicraft / Furniture Items without paint / varnish / polishing of items	Operative
13	Zargar Handicraft	Opp. Cross County	MIA Phase II, Basni, Jodhpur	04/03/2020	Industry	White	Furniture making unit	Operative
14	Vishal Mart Timber	Nr. Ashok Leyland	MIA Phase II, Basni, Jodhpur	04/03/2020	Non Industry	N.A.	Timber Godown	Operative

  
 क्षेत्रीय प्रविधिकी  
 गणसंघ प्रदूषण नियंत्रण बोर्ड  
 जयपुर

## Annexure 2

## List of unit which were found non operative/dismantled/closed

Sr. No.	MIS Unit ID	name of industry	Plot no.	Address of industry	Date of inspection	Industry or Non industry	Category	Activity / sector cover under unit	Status of unit
1	37487	Shree Lakshmi Textiles	12	MIA Phase II, Basni, Jodhpur	05/03/2020	Industry	Red	Textile	Non operative
2	4987	Mohnot Stainless Steel	1 A	Heavy Industrial Area, Jodhpur	06/03/2020	Industry	Red	S.S. Patta Patti	Under shut down condition (Non operative)
3	4828	Chemical and Mineral Industries	29/1.	Light Industrial Area, Jodhpur	06/03/2020	Industry	Orange	Hydrated & Quick Lime	Non operative
4		Vineet & Co.	11 (A)	MIA Phase I, Basni, Jodhpur	07/03/2020	Industry	Orange	Guar Gum	Non operative
5	4812	Adarsh Textile	8 B	Light Industrial Area, Jodhpur	06/03/2020	Industry	Red	Textile	Non operative (under dismantled stage)
6	57299	Modi Industries	8 - B	BNPH, Opp. Diesel Shed, Jodhpur	05/03/2020	Industry	Red	Textile	Non operative (under dismantled stage)
7	31379	Grinding Minerals	2,	HIA, BNPH, Jodhpur	07/03/2020	Industry	Red	Textile	Non operative
8	63080	Dhariwal Prints	542	MIA Phase II, Basni, Jodhpur	06/03/2020	Industry	Red	Packing of finished textile cloth	Non Operative
9	24131	C.K. Textile	320/321	MIA Phase II, Basni, Jodhpur	05/03/2020	Industry	Red	Dismantled the plant and machinery	Non Operative
10	19924	Sorabh Textile	4 A	Light Industrial Area, Jodhpur	06/03/2020	Industry	Red	Closed / demolished the plant and machinery	Non Operative
11		S.K. Chauhan	Plot no. 426	SKD, Jodhpur	07/03/2020	Industry	Red	Textile	Non Operative / Dismantled
12	64812 / 73073	P.S. Industries	247/2	Salawas, Luni, Jodhpur	04/03/2020	Industry	Red	Printing & Washing of cloth	Non Operative
13	31054	Hemant Prints	Plot no. 41	Tanawada, Luni, Jodhpur	04/03/2020	Industry	Red	Printing of Cloth	Non Operative
14	29172	Universal Dye Stuff	F-251, Foad no. 7	MIA Phase II, Basni, Jodhpur	05/03/2020	Industry	Red	Dye & Dye Intermediate	Non Operative

  
**जनकपुर प्रमुख विकास अधिकारी**  
**जोधपुर**

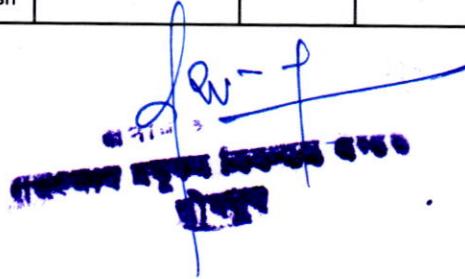
## Annexure 3

## List of units to whom SCN were issued

Sr. No.	Name of industry	Plot no.	Address of industry	Category	Date of inspection	Date of SCN issued
1	G.K. Tobacco Industries	E-5/6	MIA Phase II, Basni, Jodhpur	Orange	06/03/2020	12.03.2020
2	Rajasthan Celluloid Industries	F-149	MIA Phase II, Basni, Jodhpur	Orange	05/03/2020	12.03.2020
3	Mayur Exports	G1/85, New	heavy Industrial Area Jodhpur	Orange	06/03/2020	12.03.2020
4	Dinesh Fouches Pvt. Ltd.	31	Heavy Industrial Area, Jodhpur	Orange	06/03/2020	12.03.2020
5	Amber Enterprises	C-35/1	Heavy Industrial Area, Jodhpur	Green	06/03/2020	12.03.2020
6	Lalji Handicraft	C-84	MIA Phase II, Basni, Jodhpur	Green	05/03/2020	12.03.2020
7	Creative Art & Craft	33/76-77	Ganpati Vihar, Tanawara Phanta, Jodhpur	Green	04/03/2020	12.03.2020
8	Bhargav Industries	E-106 B-1	MIA Phase II, Basni, Jodhpur	Orange	05/03/2020	12.03.2020
9	Dhoot Dal Mills	E-287	MIA Phase II, Basni, Jodhpur	Orange	05/03/2020	12.03.2020
10	Bharat Cottage Industries	H1-412	Sangaria, Jodhpur	Green	04/03/2020	12.03.2020
11	Apex Tubes Pvt. Ltd.	7,	Light Industrial Area, Jodhpur	Orange	06/03/2020	12.03.2020
12	Qualitech Metal Industries	C-11/E	MIA Phase II, Basni, Jodhpur	Orange	06/03/2020	12.03.2020
13	Janta Naswar Factory	Plot no. 3	Industrial Area, BNPH, Jodhpur	Orange	06/03/2020	12.03.2020
14	Usha Processing	E-132(A), Road No.6	MIA Phase II, Basni, Jodhpur	Green	05/03/2020	12.03.2020
15	Muse Khan	Khasra No.118/5	Tanawada Salawas, Jodhpur	Red	08/03/2020	12.03.2020
16	Sunder Marbles & Mineral	A-7-A	Industrial Estate, Jodhpur	Orange	06/03/2020	12.03.2020
17	New Mahesh Tennis	33-34	Heavy Industrial Area, Jodhpur	Orange	06/03/2020	12.03.2020
18	Arawali Engineers	F-669	MIA Phase II, Basni, Jodhpur	Green	05/03/2020	12.03.2020
19	Suncity Steels	F-68-70	Basni, Jodhpur	Orange	06/03/2020	12.03.2020
20	Khemchand Handicraft	74,	Tanawada, Luni, Jodhpur	Orange	04/03/2020	12.03.2020
21	Chopra Chemicals	A-41 (A)	MIA Phase II, Basni, Jodhpur	Red	05/03/2020	12.03.2020
22	Sharma Industries	F-436-437	MIA Phase II, Basni, Jodhpur	Orange	07/03/2020	12.03.2020
23	Somiflex Belting (Somi Conveyor Belting Ltd.)	H2-464	Sangaria, Jodhpur	Orange	04/03/2020	12.03.2020
24	Raj Tex Prints	Khasra no. 458, 459	Gram Dhundhara, Luni, Jodhpur	Red	07/03/2020	12.03.2020
25	M.R. Industries	F-249	MIA Phase II, Basni, Jodhpur	Red	05/03/2020	12.03.2020
26	Diamond Job works	57,	HIA, BNPH, Jodhpur	Red	05/03/2020	12.03.2020

अधीन प्रविष्टि  
 गणेश्वर प्रदूषण नियंत्रण बोर्ड  
 जयपुर

Sr. No.	Name of industry	Plot no.	Address of industry	Category	Date of inspection	Date of SCN issued
27	Sara Textile	E-528	HIA, BNPH, Jodhpur	Red	06/03/2020	12.03.2020
28	S.B. Textile	41-42, Gali no. 3	Heavy Industrial Area, Jodhpur	Red	06/03/2020	12.03.2020
29	U.S. Agency Pvt. Ltd.	C-33	MIA, Phase I, Basni, Jodhpur	Orange	07/03/2020	08/03/2020
30	Cross Country	Khasra No.1765/1087,1087/740/4, Near Krishna Dharmkanta, Opp. Rajesh	Phase-II, Basni, Jodhpur	Orange	04/03/2020	08/03/2020


  
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