

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WEST ZONE BENCH, PUNE  
AT PUNE**

**APPEAL NO. 15 OF 2024 (WZ)**

RSPL Ltd ... Appellant  
Versus  
State of Gujarat & others. ... Respondents

**I N D E X**

Sr. No	Annx.	Particulars	Pg. Nos.	
			From	To
1.	---	Memo of Rejoinder of the Appellant to the Affidavit-in-reply of the Respondent No. 5.	1246	1292
2.	<b>A1 (Colly)</b>	Copies of the order dated 05.02.2024 in SCA No.1706 of 2024 and order dated 27.03.2024 in SCA No.6970 of 2023	1293	1314
3.	<b>A2</b>	Copy of the memo of the Affidavit in reply in SCA No.6970 of 2023.	1315	1354
4.	<b>A3 (Colly.)</b>	Copy of the order dated 18.11.2024 in SLP (C) No.26733-34 of 2024 passed by the Hon'ble Supreme Court alongwith with the demand draft submitted with the registry of the Hon'ble Supreme Court.	1355	1359
5.	<b>A4</b>	Copy of the order dated 19.11.2024 in SCA No.6970 of 2023 passed	1360	1361

		by the Hon'ble High Court of Gujarat.		
6.	<b>A5</b>	Copy of the order dated 10.12.2024 passed by the Hon'ble High Court of Gujarat.	-	1362
7.	<b>A6</b>	Copy of the inspection report dated 14.11.2024.	1363	1367
8.	<b>A7</b>	Copy of the letter dated 05.12.2024.	-	1368
9.	<b>A8</b>	Copy of the panchnama dated 23.12.2024.	1369	1372
10.	<b>A9</b>	Copy of a chart showing the status of the land and the date of entry of the Appellant's name in the revenue records.	1373	1374
11.	<b>A10</b>	Copy of the relevant documents in respect of the work awarded to the Respondent No.5 inside the plant of the Appellant for the construction work.	1375	1442
12.	<b>A11</b>	Copy of a map.	-	1443
13.	<b>A12 (Colly.)</b>	Reply / Letter dated 02.08.2018 on behalf of the Appellant and copy of letter dated 27.08.2018	1444	1448
14.	<b>A13 (Colly.)</b>	Copy of the site visit report dated 29.12.2020 and copy of the reply / response of the Appellant.	1449	1461
15.	<b>A14</b>	Copy of the letter dated 16.03.2021.	-	1462

16.	<b>A15 (Colly.)</b>	Copy of the site visit report dated 23.06.2021 and copy of the reply / response of the Appellant dated 05.07.2021.	1463	1474
17.	<b>A16 (Colly.)</b>	Copy of site visit report dated 23.06.2021 along with notice dated 23.06.2021 of Respondent GPCB and copy of the reply dated 24.06.2021 of the Appellant to the notice of the Respondent No.5 and compliance of the Appellant dated 05.07.2021.	1475	1483
18.	<b>A17 (Colly.)</b>	Copies of the replies/ compliances dated 05.10.2017, 11.03.2019, 03.06.2019, 20.08.2019, 28.04.2021, 25.05.2021, 18.08.2021 and 11.09.2021.	1484	1511
19.	<b>A18 (Colly.)</b>	Copies of replies / compliances dated 16.10.2017, 27.04.2017, 02.08.2018, 03.12.2018, 11.01.2019 and 11.03.2019.	1512	1539
20.	<b>A19 (Colly.)</b>	Copies of the replies/ compliances dated 02.08.2018 and 03.12.2018.	1540	1544
21.	<b>A20 (Colly.)</b>	Copies of replies / compliances dated 31.12.2020, 19.07.2019, 05.09.2019, 14.03.2019, 27.04.2017, 11.01.2019 and 11.03.2019.	1545	1576

22.	<b>A21</b>	Copy of the inspection report dated 21.06.2024.	1577	1581
23.	<b>A22</b>	Copy of letter dated 25.06.2024.	-	1582
24.	<b>A23</b>	Copies of the Form 12 of the revenue records showing harvesting of crops by the Respondent No.5 in revenue survey no.540.	1583	1589
25.	<b>A24</b>	Copies of the Form 12 of the revenue records showing harvesting of crops by the Respondent No.5 in revenue survey no.606.	1590	1595
26.	<b>A25 (Colly.)</b>	Copy of the notice for inspection dated 28.11.2018 of the GPCB and copy of the reply dated 03.12.2018 of the Appellant and photographs of survey no.540 showing shops running in the parcel of land.	1596	1610
27.	<b>A26</b>	Copy of the application / letter dated 15.07.2024 addressed by the Appellant to the Respondent GPCB.	1611	1613
28.	<b>A27</b>	Copy of the letter dated 15.01.2025 addressed by the Appellant to the Respondent GPCB.	1614	1616
29.	<b>A28</b>	Copy of the letter dated 16.01.2025 addressed by the Appellant to the Respondent GPCB.	1617	1618

30.	<b>A29</b>	Copy of the memo of the SLP No. 26733 of 2024	1619	1672
-----	------------	--	------	------

PLACE: Ahmedabad  
DATE: 18.01.2025



\_\_\_\_\_  
Advocate for the Appellant

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN BENCH, PUNE**

**APPEAL NO.15 OF 2024 (WZ)**

**In the matter between:**

RSPL Ltd. ...Appellant

Versus

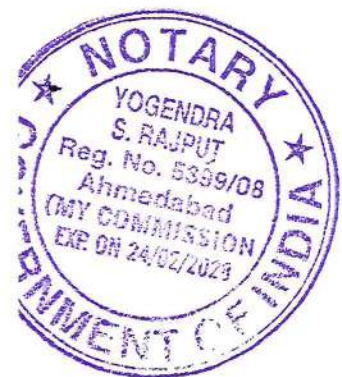
State of Gujarat and others ...Respondents

**REJOINDER AFFIDAVIT**  
**ON BEHALF OF APPELLANT - RSPL Ltd.**

I, Harish Ramchandani, son of Late Mangharam Ramchandani, do hereby solemnly affirm and state on oath as under:

1. I have read a copy of the above captioned appeal as well as its annexures as well as other relevant documents relating to the subject matter. Accordingly, I am conversant with the facts and circumstances of the present case and am also competent to make the present affidavit.

2. I am making the present rejoinder affidavit only for the limited purpose of dealing with the contents of the affidavit-in-reply filed by the Respondent No.5 Balubha Pabhubha Ker (who is also arraigned as Respondent No.8 in the subject appeal) in the



*Harish*

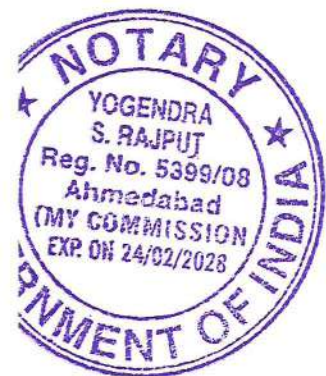
subject appeal and in view of the limited purpose of present affidavit, I would not deal with each and every averments and allegations, either in seriatim or in detail at this stage. I, however, reserve my right to make a further and detailed affidavit if and when it becomes necessary.

**3.** At the outset, I deny all the averments, allegations and submissions made in affidavit in reply under consideration which are contrary to and inconsistent with the record of the appellant and/or what is stated in present affidavit in rejoinder, as if they all are individually and specifically dealt with and traversed, save and except those which may be expressly admitted herein below. I humbly submit that none of the allegations and/or averments and/or contentions in the affidavit in rejoinder may be presumed as admitted merely because any of them is not expressly dealt with or replied.

**4.** I humbly submit that the contents and submissions of the Respondent no.5 in the affidavit in reply is misconceived, devoid of merits do not deserve to be entertained.

**5.** I say and submit that the Respondent has not disclosed the source of his information or as to how and from where the

Sign

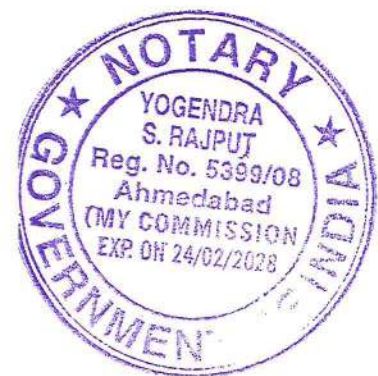


Respondent has procured the said documents. The Appellant is required to be put to strict proof thereof.

**Re: Preliminary Contentions;**

6. I say and submit that:

- (a) The respondent No.5 has not given para wise reply to the Appeal of the Appellant and the affidavit is required to be rejected and not to be considered.
- (b) The subject appeal preferred by the Appellant is in respect of the challenge to the closure order dated 12.01.2024 issued by the Respondent Gujarat Pollution Control Board ("GPCB" for short) and the same has been preferred in view of the directions of the Hon'ble Gujarat High Court in the order dated 05.02.2024 in SCA No.1760 of 2023 preferred by the present Appellant and the order dated 27.03.2024 passed in writ petition being SCA No.6970 of 2023 preferred by the present Respondent No.5 wherein, the Hon'ble Gujarat High Court in para 7 was pleased to observe that against the notice of closure issued by Respondent GPCB, it would be open for the Appellant to avail appropriate remedy before the forum as already directed in the order dated 05.02.2024 in SCA No.1706 of 2023. The present Appellant

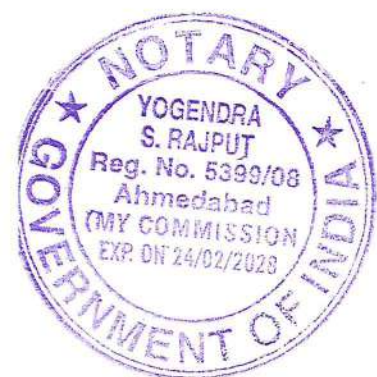


Swain

who is one of the Respondents in SCA No.6970 of 2023 has also filed its respective affidavit / replies to the contents of the said writ petition, which is pending consideration at this juncture before the Hon'ble Gujarat High Court. Annexed hereto and marked as **ANNEXURE A1 (COLLY.)** are copies of the order dated 05.02.2024 in SCA No.1706 of 2024 and order dated 27.03.2024 in SCA No.6970 of 2023 and annexed hereto and marked as **ANNEXURE-A2** is a copy of the memo of the Affidavit in reply in SCA No.6970 of 2023.

- (c) The Respondent No.5 is not before this Hon'ble Tribunal in an appeal but the respondent no.5 has raised contentions and allegations in the affidavit under reply which are in fact raised and are forming part of the petition being SCA No.6970 of 2023 pending before the Hon'ble Gujarat High Court which the present Respondent no.5 is pursuing as the Petitioner and the entire voluminous record has been made subject of the affidavit in reply filed by the Respondent No.5 is with a view to create confusion and unnecessarily create voluminous documentary burden in the present appeal.

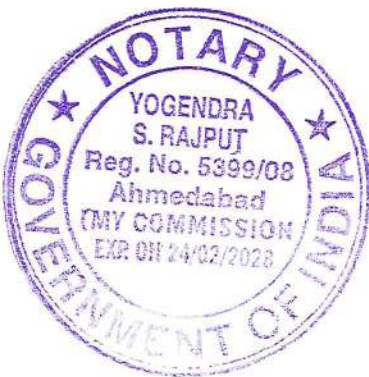
- (d) That all the communications / notices, visit reports etc. are forming part of the record of SCA No.6970 of 2023



Staris

preferred by the Respondent No.5 before the Hon'ble Gujarat High Court and the Hon'ble Gujarat High Court is seized of the said issues which are raised by the Respondent No.5 in the present affidavit under reply before this Hon'ble Tribunal.

- (e) Without prejudice, it is respectfully submitted that the issue which is subject matter of the present appeal i.e. the closure order dated 12.01.2024 is an issue which is to be decided by the Hon'ble Tribunal and the same is essentially between the Appellant and the Respondent GPCB since the closure order dated 12.01.2024 under challenge in the present appeal has been issued by the Respondent GPCB. The Respondent No.5 is pursuing his remedy before the Hon'ble Gujarat High Court and cannot be permitted to ride two horses at the same time and take contentions in the present appeal which are beyond the scope of the present appeal. The tone and tenor of the Affidavit under reply filed by the Respondent No.5 essentially indicates and conveys as if, the Respondent no.5 desires a hearing of the issues raised by the Respondent No.5 before the Hon'ble Gujarat High Court in the writ petition being SCA No.6970 of 2023, before this Hon'ble Tribunal in the appeal preferred by the



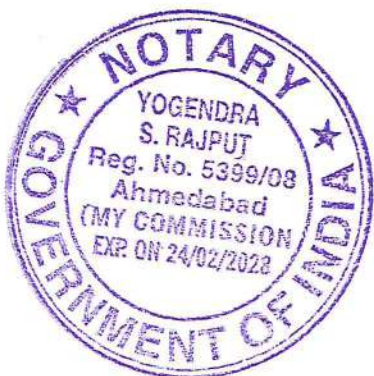
*Stain*

Appellant and therefore, in the humble submission of the Appellant, the Affidavit in reply filed by the Respondent No.5 is required to be ignored and/or rejected while deciding the limited issue in the present appeal.

- (f) In the present appeal, if the reliefs prayed for by the Appellant is considered, the same is in respect of the order dated 12.01.2024 in view of the impossibility to undertake the work as directed by the Respondent GPCB and the subsequent closure in absence of such compliance whereas, the entire affidavit in reply filed by the Respondent No.5 is based on irrelevant and extraneous considerations and without application of mind and rather meritless and deserves to be discarded.

7. Before proceeding further, it would be relevant to point out that during the pendency of the proceedings, certain developments have taken place which are as follows:

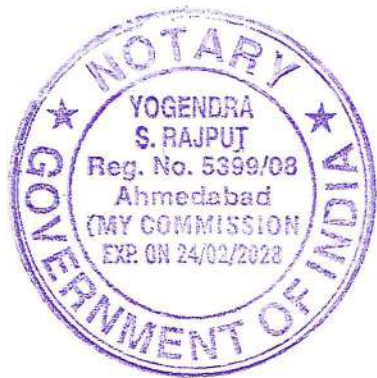
- (a) That the controversy involved in the present appeal is in respect to the so-called compliances which the present Appellant was directed to comply with as stated in the closure order dated 12.01.2024.



Stamps

(b) That on 27.03.2024, the Hon'ble Gujarat High Court was pleased to pass an order wherein, the Respondent GPCB was directed to comply with the recommendation of DDU, Nadiad to replenish the existing soil with fresh new soil and the cost of the same was required to be paid by the present Appellant who was always ready to carry out the said remediation work but could not do so since the present Respondent No.5 and other co-owners did not give consent and/or did not cooperate. The Respondent No.5 and other owners of the survey numbers were also directed to cooperate with the Respondent GPCB to carry out the replenishment. The Hon'ble Court has further observed that the said direction has been issued to ensure compliance of the Schedule-I Auditor's Report.

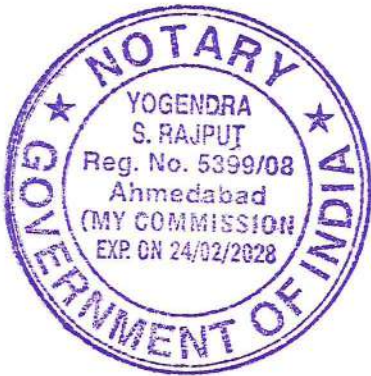
(c) The Respondent GPCB has thereafter directed the Appellant to deposit an amount of Rs.1,57,15,000/- towards the remediation work and the Appellant has deposited the same. The aforesaid facts have been noted thereafter by the Hon'ble High Court in its order dated 02.07.2024 in SCA No.6970 of 2023 and have



Stain

been brought on record in the present appeal by way of an additional affidavit in the present appeal at Page No.259.

- (d) Respondent GPCB also challenged the interim order dated 12.02.2024 passed by this Hon'ble Tribunal in the present appeal by way of Civil Appeal (S) No.6259 of 2024 which was also dismissed by the Hon'ble Supreme Court. The details of the same have been submitted in the present appeal alongwith the additional affidavit at Page No.259.
- (e) The Appellant has also thereafter undertaken the compliance of the directions in the closure notice including those in respect of coal handling guidelines and also lime grinding system and details of the same have been submitted by way of the additional affidavit at Page No.259.
- (f) The directions (a), (c) and (d) of the closure report have been complied with in view of the directions of the Hon'ble Gujarat High Court in SCA No.6970 of 2023 wherein, the work of remediation has been directed to be completed by the Respondent GCPB

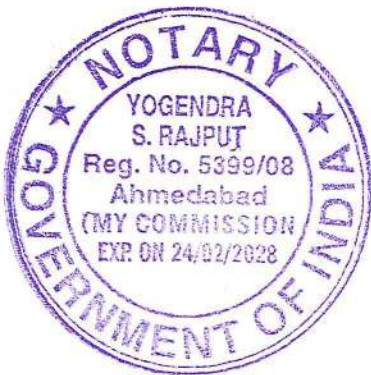


Signature

and payment in this regard has been made by the Appellant to the Respondent GPCB as directed.

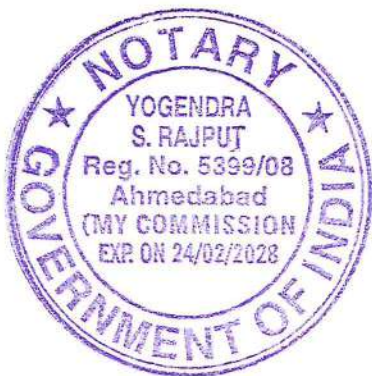
- (g) That thereafter the Hon'ble High Court was pleased to pass order dated 08.08.2024 in SCA No.6970 of 2023 wherein Respondent GPCB was directed to compute loss of crop suffered by the Respondent No.5 in view of the delay in the replenishment of soil by the Respondent GPCB. In effect, the Appellant has, as stated hereinabove, already deposited the entire amount and it was for the Respondent GPCB to undertake the remediation work but due to reasons beyond the control of Respondent GPCB, the same could not be completed due to which, the aforesaid order came to be passed. The subsequent events have been narrated and placed on record by the Respondent GPCB in the affidavit filed on behalf of Respondent GPCB in the present appeal.

- (h) That the aforesaid order dated 08.08.2024 in SCA No.6970 of 2023 was subsequently challenged by the Appellant before the Hon'ble Supreme Court by way of SLP (C) No.26733-34 of 2024 and after hearing the Appellant, the Hon'ble Supreme Court was pleased to



Slavia

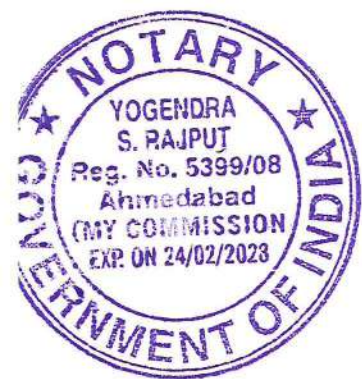
pass order dated - 18.11.2024 staying further proceedings of SCA No.6970 of 2023, subject to deposit of the amount with the registry of the Hon'ble Supreme Court. The amount was immediately deposited by the Appellant in compliance of the said direction contained in the order dated 18.11.2024 and thereafter, the same was brought to the notice of the Hon'ble High Court when the matter was listed on 19.11.2024 wherein the Hon'ble High Court was pleased to adjourn the hearing of the SCA No.6970 of 2023. Annexed hereto and marked as **ANNEXURE A3 (Colly.)** is the copy of the order dated 18.11.2024 in SLP (C) No.26733-34 of 2024 passed by the Hon'ble Supreme Court alongwith with the demand draft submitted with the registry of the Hon'ble Supreme Court and annexed hereto and marked as **ANNEXURE-A4** is a copy of the order dated 19.11.2024 in SCA No.6970 of 2023 passed by the Hon'ble High Court of Gujarat. That thereafter, the matter was listed on 10.12.2024 and the same was adjourned in view of the stay granted by the Hon'ble Supreme Court. Annexed hereto and marked as **ANNEXURE-A5** is a copy of the order dated



*Stavira*

10.12.2024 passed by the Hon'ble High Court of Gujarat.

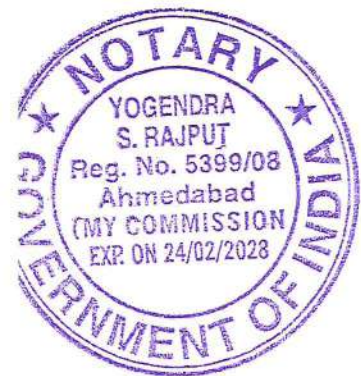
8. That in the interregnum, when the work of soil remediation was being undertaken by the Respondent GPCB, on removal of the soil for remediation, due to the proximity to the sea and the low lying area and shallow water table and the rain water having increase the level of the water where the plots in question were located, the same led to water coming out after a particular depth when the soil was removed. In this regard, panchnama / rojkam / report was made on the spot on 14.11.2024 in the presence of the Respondent No.5. Annexed hereto and marked as **ANNEXURE-A6** is a copy of the inspection report dated 14.11.2024. In view thereof, a letter dated 05.12.2024 has been addressed by Respondent GPCB to DDU, Nadiad, copy of which is marked to be Appellant wherein, the GPCB has directed parties to remain present on 18.12.2024 at 1030 hours which was thereafter changed to 23.12.2024. Annexed hereto and marked as **ANNEXURE-A7** is a copy of the letter dated 05.12.2024. That on 23.12.2024, the parties were present and in the presence of the Committee, the Respondent No.5 took an objection regarding the work being continued of soil remediation stating that the proceedings of SCA No.6970 of 2023 were stayed by the Hon'ble



Signature

Supreme Court and that therefore, no work should be carried out on the subject parcels of land. The said stand was taken by the Respondent No.5 in the presence of all Committee members including the officer of the Appellant and the concerned person of DDU, Nadiad, whereafter, the Respondent No.5 refused to sign on the report / panchnama. Annexed hereto and marked as **ANNEXURE-A8** is a copy of the panchnama dated 23.12.2024.

9. That in view of the aforesaid developments and the scope of the appeal preferred by the Appellant before this Hon'ble Tribunal, it is apparent that the affidavit in reply filed by the Respondent No.5 is merely a ruse to create confusion and adopt delaying tactics by taking averments and relying upon documents and taking up contentions which are subject matter of the petition preferred by the Respondent No.5 before the Hon'ble Gujarat High Court and do not aid or assist the Hon'ble Tribunal in adjudicating the limited issue in the subject appeal and therefore, the present Appellant would like to urge the Hon'ble Tribunal to ignore the affidavit in reply filed by the Respondent No.5 and decide as to whether the closure order in the aforesaid facts and circumstances and in view of the orders passed by the Hon'ble Gujarat High Court in SCA No.6970 of 2023 has now become infructuous and is required to be quashed and set aside.

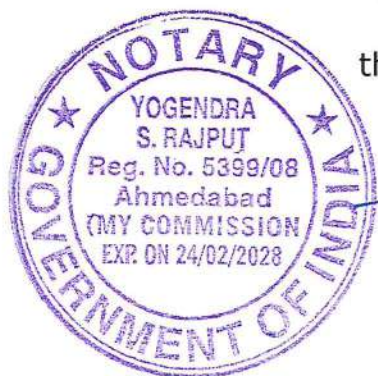


Singh

**Re: Parawise remarks to the affidavit-in-reply of the Respondent No.5 without prejudice to the aforesaid submissions;**

**10.** The below submissions in respect of the denial of the contents of the affidavit-in-reply of the Respondent No.5 by the Appellant is without prejudice to the aforesaid submissions regarding the scope of the appeal and the request of the Appellant to ignore the contents of the affidavit being irrelevant and not germane to the controversy before this Hon'ble Tribunal.

**11.** As far as the conduct of the Respondent No.5 (and Respondent No.8) is concerned, it deserves to be stated that the Respondent no. 5, in para 3 and 3.1 of the affidavit-in-reply, has claimed that the Respondent is the owner of various parcels of land bearing survey No.606, 540, 644, 643, 642, 638, 397, 395 & 629 of village Kuranga, District Devbhoomi Dwarka. According to the say of the Respondent, survey Nos.606, 629 & 540 of village Kuranga, District Devbhoomi Dwarka are located within the plant boundary of the answering respondent.

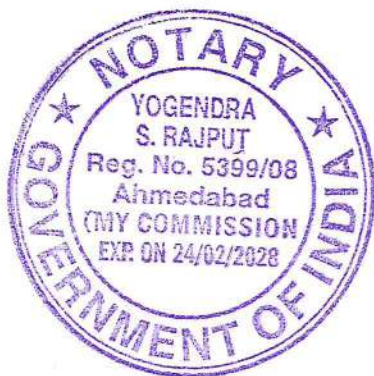


*Staring*

**Re: Creating rights in the subject land in the year 2017 and the principle of "coming to nuisance".**

**12.** It would be necessary to point out that:

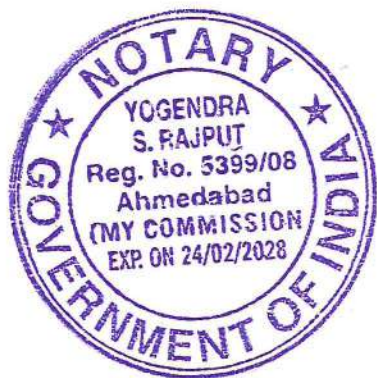
- (i) as far as survey Nos. 629 is concerned, the name of the present Respondent no. 5 is not showing in the revenue record.
- (ii) as far as survey Nos. 606 is concerned, the name of the Respondent no. 5 has been added in the year 2017 by way of entry No.2651 dated 17.03.2017 as co-owner by paying some part amount.
- (iii) as far as survey Nos. 540 is concerned, the name of the Respondent no. 5 has been added in the year 2017 by way of entry No.2647 dated 01.03.2017 as co-owner by paying some part amount.
- (iv) That as far as other survey numbers are concerned, though the same are outside the plant boundary and the answering Appellant has nothing to do with the same, however, from the revenue records, it becomes evident that the Respondent no. 5 has created his right in respect of survey No.395 in the year 2017 by way of entry No.2645 dated 09.02.2017 and survey Nos. 44 & 42 which have been



Swain

purchased by the Respondent no. 5 in the year 2020 by way of entry No.2974 and 2975 dated 31.12.2020. Survey No.723 has been purchased by the Respondent no. 5 in the year 2017 by entry No.2652 dated 17.03.2017. In survey No.397, the Respondent no. 5 name is not reflecting the revenue record and in survey Nos.644, 643, 642 & 638, the Respondent no. 5 seems to have got his name mutated in the revenue records in the year 2014 by way of heirship.

- (v) That it is evident from the preceding paragraphs that the Appellant had started purchasing lands for its project in the year 2012 and the Respondent no. 5 started creating his right in parcels of land in the vicinity of the project area of the Appellant and the 3 survey numbers referred to by the Respondent no. 5 as falling in the project area of the Appellant, only two survey numbers are showing the name of the Respondent no. 5 as co-owner that too, for the first time in the year 2017 by paying some part amount. The modus operandi of the Respondent no. 5 is evident from the afore-stated facts and reflects upon the conduct of the Respondent no. 5 in seeking to create obstructions inside the plant premises by various means including by making allegations against the Appellant regarding environment



Stain

pollution, etc. and thereafter creating motivated litigation to force the Appellant to strike a deal for the said lands for exorbitant rates in effect, literally blackmailing the Appellant to give into the illegal demand of the Respondent no. 5. For the sake convenience, a chart showing the status of the land and the date of entry of the Appellant's name in the revenue records is annexed hereto and marked as **ANNEXURE-A9.**

- (vi) That the conduct of the Respondent No.5 amounts to "coming to nuisance" meaning thereby the Respondent No.5 being aware of the project wherein the parcels of land came to be acquired over a period of time starting from the year 2014 and the construction came to be commenced in the year 2016, which was preceded by public hearing as per the requirement of the EIA Notification, the Respondent No.5 deliberately created rights in the subject parcels of land to create uncalled for litigation to negotiate undue favors by using speculative litigative practices with malafide intentions. The aforesaid aspect is relevant regarding the conduct of the Respondent No.5 who was also an erstwhile contractor of the Appellant and thereafter, tried to create rights in the lands in the year 2017 so as to create false



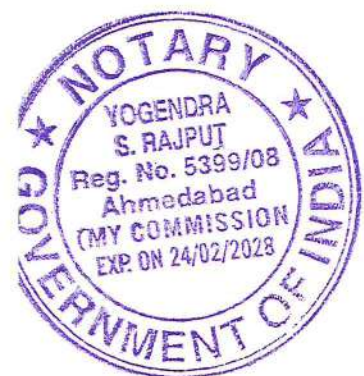
*Stavig*

litigations by making baseless allegations against the Appellant for personal gains. Annexed hereto and marked as **ANNEXURE-A10** is a copy of the relevant documents in respect of the work awarded to the Respondent No.5 inside the plant of the Appellant for the construction work.

**13.** That in the aforesaid scenario, it would be relevant to consider the baseless, unjustified and untenable allegations made by the Respondent no. 5 in respect of the discharge of effluent into the sea including the allegation regarding any discharge on the land of the Respondent no. 5 viz. survey Nos.606 and 629 leading to the said lands being made unfit for cultivation and/or hot gaseous liquid with foul odour being emitted which, according to the Respondent no. 5, being directly dumped into Arabian sea leading to pollution of water, air and soil. The said allegations are categorically denied by the Appellant.

**Re: Paras 3.2 and 3.3 of the Affidavit-in-Reply**

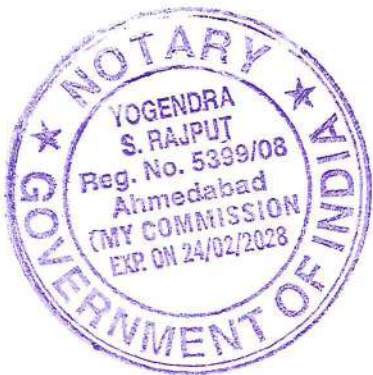
**14.** With respect to the contents of paras 3.2 and 3.3 is concerned, the same are categorically denied and not admitted. In order to support the baseless and concocted allegations regarding discharge of effluent in survey Nos.629 and 606, the Respondent no. 5 has placed on record certain photographs of the concrete canal carrying the effluent which thereafter goes into a



*Star*

pipeline which has its outlet in deep sea as per the point of discharge fixed by the authorities under the Environment Act. It is respectfully submitted that:

- (i) the two survey Nos.629 & 606 which is claimed by the Respondent no. 5 to be that of his ownership is factually incorrect inasmuch as the revenue records of survey No.629 does not reflect the name of the Respondent no. 5 as owner;
- (ii) the survey Nos.629 and 606 are, in fact, not adjacent to the open concrete canal of the answering Appellant. The same is evident from the map annexed hereto and marked as **ANNEXURE-A11** wherein, it is visible that the survey No.606 is not at all parallel or connected to the open concrete canal but is at least 56 meters approximately away from the concrete canal as far as survey No.629 is concerned. The same is not parallel to the concrete canal of the Appellant, but is approximately 15 meters away from the concrete canal. Moreover, the survey No.629 only has a tip of the survey No.629 which, as stated hereinabove, is approximately 15 meters away from the concrete canal of the Appellant between survey No.629 and survey No.606,



Stamps

the Appellant's own project land being survey Nos.617 and 603 and 605.

- (iii) the photographs placed at Annexure-R-6/D (pages 504 to 515) do not seem to showing any discharge of effluent on any of the adjacent lands including the land of the Respondent no. 5 being Survey Nos.629 and 606 and the same are apparently of different dates of 16.03.2023, 20.09.2021 and 20.11.2018.
- (iv) The photographs placed at Annexure-R-6/E (pg.510) are dated 20.11.2018 do not, in any manner, show any effluent discharge for any reason which is attributable to the answering Appellant. However, it seems that there is a trench in which some water is stagnant in survey no 540. The trench has been dug up by the Respondent no. 5 in survey No.540 which is at approximately 500 meters away from the concrete canal in opposite direction. The water in the trench seems to have been accumulated due to monsoon or accumulation of ground water which immediately comes to surface in event of digging due to shallow water table & also due to discharge of waste water from the shop run by the Respondent no. 5 which was within survey no. 540 and for which the Respondent no. 5



Stain

is trying to pin the responsibility on the answering Respondent no. 5 by creating a distorted picture by relying on the said photographs which are of the year 2018.

- (v) The photographs placed at Annexure-C (pages 511, 513, 514 & 515) do not show any effluent discharge and the same seems to have been taken on survey No.540 which is approx. 500 meters away from the concrete canal. Further, the photographs at page 511 seems to be of 16.03.2023 and the photograph at page 512 to 515 seem to have been taken on 20.09.2021. Such vague photographs do not, in any manner, show any effluent discharge or any pollution due to any action of the answering Appellant and only show a distorted version to mislead this Hon'ble Court. The concrete canal for discharge of effluent is part of the plant and has been constructed after taking due permissions and authorizations from the concerned authorities.



- (vi) It is respectfully submitted that the Respondent no. 5 has been making false and baseless allegations against the Appellant and writing letters to GPCB and other authorities due to which the said GPCB and other authorities have undertaken repeated inspections and verified the said allegations which thereafter have been concluded by GPCB.

Shri

All such letters / allegations have been made by the Respondent no. 5 behind the back of the Appellant directly to the authorities and on intimation by the Respondent GPCB, the Appellant has clarified its stand and in case any instructions are given, the same have been complied with and compliance report has been submitted thereafter to GPCB. The very same documents, which are placed by the Respondent No.5 in the affidavit-in-reply before this Hon'ble Tribunal has been pressed in service before the Hon'ble Gujarat High Court by the Respondent No.5 as Petitioner of SCA No.6970 of 2023 and the allegations made before the Hon'ble Gujarat High Court in SCA No.6970 of 2023 contained documents, wherein allegations of overflow was sought to be raised in the year 2023 after a period spanning more than 4 years. The Respondent No.5 and the allegations made therein are even otherwise untenable in law and contrary to the provisions of the National Green Tribunal Act, 2010 ('NGT Act' for short).

**Re: Various complaints of the Respondent No.5 and response of the Appellant qua inquiry by Respondent GPCB.**

**15.** That the Respondent No.5 has been addressing letters / complaints to various authorities making baseless allegations behind the back of the Appellant without the Applicant aware of

Stain

the same. Identical and repeated allegations having no basis and/or justification on facts have been made by the Respondent No.5 / others under his guidance and influence against the Appellant and most of the complaints have been verified and found to be baseless. In order to simplify and connect the facts which have been loosely placed on record by the Respondent No.5 in the Affidavit-in-Reply, a tabulated chart is produced hereinbelow showing the details of the responses made pursuant to the so-called complaints by the Respondent No.5 / other persons connected to the Respondent No.5 pursuant to the inquiry by the GPCB, which are Annexure-wise as submitted by the Respondent No.5 in its Affidavit-in-Reply.

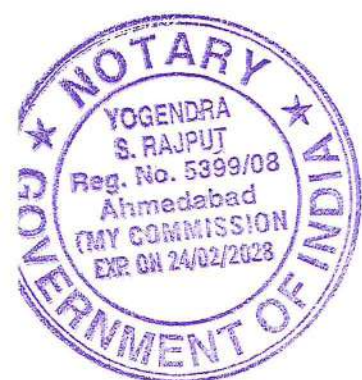
**16.** That all the allegations made by the Respondent No.5 are meritless and without any basis and repetitive in nature and despite the Respondent GPCB having verified by site inspection regarding the allegations of the Respondent No.5, the Respondent No.5 continued to write letters to various authorities behind the back of the Appellant is trying to cause prejudice and harm to the reputation of the Appellant. In order to pressurize the authorities, baseless allegations were made from time to time by the Respondent No.5 despite the Respondent No.5's grievances having been redressed or closed.

Saini



**Re: Response of the Appellant in respect of contents made in Para 3.4 of the Affidavit-in-Reply.**

Sr. No.	Date of Complaint / Letter	Inquiry of Respondent GPCB	Response of Appellant
1.	Complaint dated 23.01.2018 (Annexure R-6/F) pages 516 to 529.	Site visit by Respondent GPCB on 17.07.2018.	Reply / Letter dated 02.08.2018 on behalf of the Appellant. Copy of letter dated 27.08.2018 is annexed hereto and marked as <b>ANNEXURE-A12 (Colly.)</b> .
2.	Letters all dated 22.09.2018 addressed by the Respondent No.5 to various authorities (Annexure R-6/G) pages 530 to 541	The said letters were neither marked to the Respondent GPCB nor marked to the Appellant and were addressed behind the back of the Appellant making baseless allegations and therefore, no response to the said letters were given by the Appellant.	
3.	Copy of the Police Complaint dated 20.11.2018 (Annexure R-6/H) pages 542 to 546	The Respondent No.5, made false allegations and deliberately made the Directors of the Appellant Company as accused and filed a complaint with the Police Inspector, Dwarka.	That the statement of the authorized signatory of the Appellant was taken by the Police Inspector, Dwarka and it seems that the same has been closed since there is no criminality.
4.	Application dated	The said letter dated 26.09.2019 was neither marked to the Respondent GPCB	



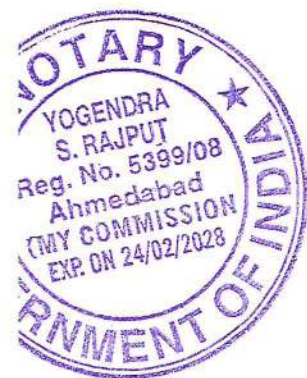
Swain

	26.07.2019 (Annexure R-6/I) pages 547 to 553.	nor marked to the Appellant and were addressed behind the back of the Appellant making baseless allegations and therefore, no response to the said letters were given by the Appellant.	
5.	Applications dated 10.12.2020 (Annexure R-6/J) pages 554 to 565.	Pursuant to the applications, the Respondent GPCB came for site visit on 29.12.2020.	The Appellant gave its reply / response on 31.12.2020. Copy of the site visit report dated 29.12.2020 and copy of the reply / response of the Appellant are annexed hereto and marked as <b>ANNEXURE A13 (Colly.)</b> .
5.	Application dated 19.03.2021 (Annexure R-6/K) pages 566 to 569/D.	The said application was addressed to the GPCB and CPCB, pursuant to which site inspection was undertaken	The Appellant had intimated regarding the shutdown of the plant by way of letter dated 16.03.2021 for 3 days Copy of the letter dated 16.03.2021 is annexed hereto and marked as <b>ANNEXURE A14 (Colly.)</b> .
6.	Application dated 19.03.2021 (Annexure R-6/L) pages 570 to 577.	The said application was addressed to various authorities, pursuant to which site inspection was also undertaken on 23.06.2021	Pursuant to the site visit and inspection, the Appellant submitted its response by way of letter dated 05.07.2021. The Appellant had



Stain

			intimated regarding the shutdown of the plant by way of letter dated 16.03.2021 for 3 days. Copy of the site visit report dated 23.06.2021 and copy of the reply / response of the Appellant dated 05.07.2021 are annexed hereto and marked as <b>ANNEXURE A15 (Colly.)</b> .
7.	Application dated 20.05.2022 (Annexure R-6/M) pages 578 to 587.	The said letter dated 20.05.2022 was neither marked to the Respondent GPCB nor marked to the Appellant and were addressed behind the back of the Appellant making baseless allegations and therefore, no response to the said letter was given by the Appellant.	



**17. Re: Para 3.5 of the Affidavit-in-Reply and the contents thereof.**

Sr. No.	Date of Complaint / Letter	Inquiry of Respondent GPCB	Response of Appellant
1.	Notice dated 08.06.2021 (Annexure R-6/N) pages 588 to 596.	Respondent GPCB prepared site visit report by visiting on 23.06.2021 and thereafter, called for explanation from the Appellant on 23.06.2021.	Appellant replied to the notice by way of reply dated 24.06.2021 and also gave compliance status to the Respondent GPCB on 05.07.2021. Copy of site visit report

*Slavia*

			dated 23.06.2021 along with notice dated 23.06.2021 of Respondent GPCB and copy of the reply dated 24.06.2021 of the Appellant to the notice of the Respondent No.5 and compliance of the Appellant dated 05.07.2021 are annexed hereto and collectively marked as <b>ANNEXURE-A16 (Colly.)</b> .
--	--	--	---

**Re: Para 3.6 of the Affidavit-in-Reply and the contents thereof.**

**18.** That in para 3.6, the Respondent No.5 seems to have referred to an application made on 02.01.2019 and having further received details from the Respondent GPCB regarding notices and inspections / site visit reports on certain dates. The same have been attached in para 3.6 in Annexure R-6/O (Colly.) and Annexure R-6/P (Colly.) and Annexure R-6/Q (Colly.). The Appellant, as and when it received the show cause notice for compliance, have duly replied and cleared its stand and complied with the instructions That as far as the aforesaid factual details



*Stavish*

are concerned, a tabulated format regarding the manner in which the events have occurred is reproduced hereinbelow:

Sr. No.	Show - Cause notice issued by Respondent GPCB	Reply / compliances by the Appellant to the Show Cause notice issued by the Respondent GPCB
1	02.08.2017	05.10.2017
2	04.03.2019	11.03.2019
3	29.05.2019	03.06.2019
4	13.08.2019	20.08.2019
5	10.02.2021	28.04.2021
6	30.04.2021	25.05.2021
7	12.08.2021	18.08.2021 & 11.09.2021

Annexed hereto and marked as **ANNEXURE A17 Colly** are copies of the replies/ compliances dated 05.10.2017, 11.03.2019, 03.06.2019, 20.08.2019, 28.04.2021, 25.05.2021, 18.08.2021 and 11.09.2021.

**19.** The Appellant has diligently replied to the routine visit reports by way of its letters / compliances, and cleared its stand and complied with the instructions. details of which are reproduced hereinbelow, by way of a tabulated format.

*S. Rajput*

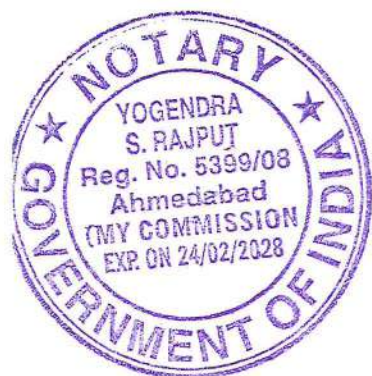


Sr. No	Routine visit reports of GPCB (Reports through GPCB XGN portal) on the answering respondent	Reply / compliances to the Show Cause notice by the answering respondent
01.	26.03.2017 (Inspection report through XGN 20.04.2017)	16.10.2017 (submitted on the GPCB portal)
02.	21.04.2017 (Inspection report through XGN 08.05.2017)	27.04.2017
03.	17.07.2018 (Inspection report through XGN 13.08.2018)	02.08.2018
04.	28.11.2018 (Inspection report through XGN 19.12.2018)	03.12.2018
05.	02.01.2019 (Inspection report through XGN 16.01.2019)	11.01.2019 & 11.03.2019

Annexed hereto and marked as **ANNEXURE-A18 (Colly.)** are copies of replies / compliances dated 16.10.2017, 27.04.2017, 02.08.2018, 03.12.2018, 11.01.2019 and 11.03.2019.

**20.** The Appellant has diligently responded to the visit reports dated 28.06.2018 and 28.11.2018 by way of its letters / compliances, and cleared its stand and complied with the instructions. details of which are reproduced hereinbelow, by way of a tabulated format.

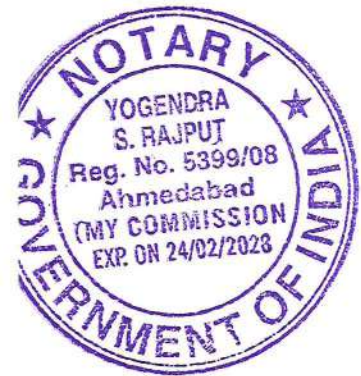
*Stain*



Sr. No	Visit reports of Respondent GPCB	Reply / compliances to the Show Cause notice by the Appellant
01.	28.06.2018	02.08.2018
02.	28.11.2018	03.12.2018

Annexed hereto and marked as **ANNEXURE-A19 (Colly.)** are copies of the replies/ compliances dated 02.08.2018 and 03.12.2018.

**21.** That from the aforesaid documents, it is evident that the random allegations made by the Respondent No.5 are without any basis or justification and the allegations levelled by the Respondent No.5, most of which are behind the back of the Appellant have been appropriately considered by the authorities and the said authorities have thereafter dealt with the same in accordance with law and taken appropriate steps as deemed fit including seeking compliance from the Appellant. It is further submitted that the entire modus operandi of the Respondent No.5 is required to be considered in light of the fact that the Respondent No.5 for the first time approached the Hon'ble Gujarat High Court in the year 2023 placing on record and trying to make out a case in respect of events which have taken place in the year 2018 to 2021. In fact, most of the allegations and correspondences have been made behind the back of the

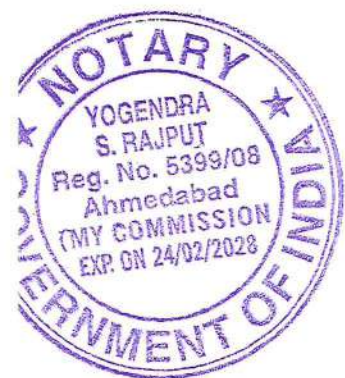


*Stain*

-Appellant pursuant to which the Appellant has tendered explanation / compliance as and when called upon by the said authority. The Respondent No.5 has made repeated random allegations only to harass the Appellant so that the Appellant is faced with multiple queries and subjected to unnecessary scrutiny by the authorities. The Appellant categorically denies all the diverse averments and allegations made by the Respondent No.5 in the Affidavit-in-Reply and states that the conduct of the Respondent No.5 is nothing but a tool to harass the Appellant to extract amounts in utmost illegal manner by creating speculative litigations. It is further denied that there is inaction on the part of the authorities. The said aspect is discernible from the record of the Appeal itself where the Respondent No.5 has submitted on record the notices issued by Respondent GPCB on the applications made by the Respondent No.5 from time to time.

**Re: Para 3.7 of the Affidavit-in-Reply and the contents thereof.**

**22.** The contents of para 3.7 are denied and not admitted. The Appellant categorically denies the report placed on record at Annexure R-6/R (pg.676 to 681) and Annexure-R-6/S (pg.682 to 683) by the Respondent No.5 and the said report is not worthy of consideration. As and when any shortcoming, if any, has been

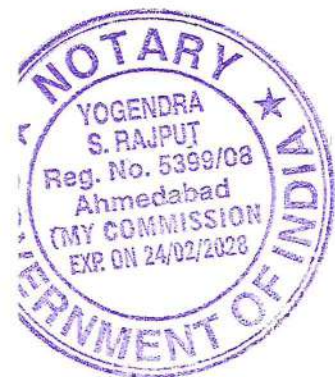


Staniq

noticed by the Respondent GPCB, on intimation, the Appellant has taken steps and rectified the same. The Respondent GPCB has been taking routine inspection and monitoring and such reports by the Respondent No.5 have no basis in law and are got up and only placed to create a bias against the Appellant.

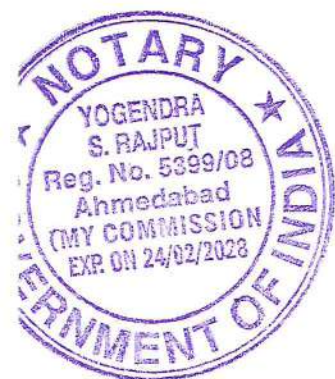
**Re: Para 3.8 of the Affidavit-in-Reply and the contents thereof.**

**23.** That the incident stated to have taken place on 17.03.2021 regarding overflow of trade effluent is now sought to be raised by the Respondent No.5, without any justification and that too belatedly after gross inordinate delay. It is further submitted that as far as the discharge of effluent by the Appellant is concerned, the same is as per the norms of the GPCB and other statutory authorities. The Appellant is not discharging any effluent / hot gaseous liquid on land but is discharging the same through a designated system comprising of a concrete channel and buried pipeline, into deep sea at a designated location recommended by the CSIR-National Institute of Oceanography, Goa. The effluent which is collected from different parts of the plant comes to a common mixing pond which is then diluted with through return cooling water which also comes to the mixing pond and also through fresh sea water and thereafter also treated further for pH



Yogendra

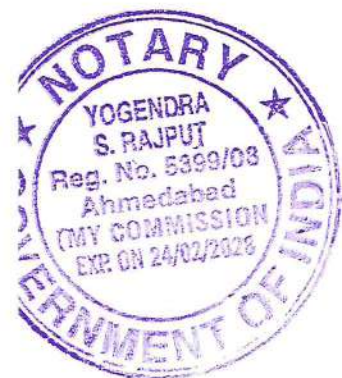
neutralization through HCl dosing and further sent to the pump house through a concrete channel for further disposal into the Arabian Sea by a closed pipeline at a location recommended by the National Institute of Oceanography, Mumbai/Goa. It is further submitted that from 16.03.2021 to 19.03.2021, the plant of the Appellant was shut down for maintenance and prior intimation in this regard was given to GPCB and hence, there was no question of any effluent generation at the relevant point of time which lead to any overflow of effluent in the channel and that too, in the survey number belonging to the petitioner and there was only sea water which was flowing through the channel for discharging in deep sea. That the Respondent No.5 is trying to create a distorted picture before this Hon'ble Tribunal regarding the said incident. In fact, subsequently, the GPCB thereafter conducted an inquiry on the complaint of the Respondent No.5, and the Appellant gave its explanation by way of letter dated 05.07.2021. It is respectfully submitted that the entire incident which is sought to be narrated is of 2021 and steps in this regard have been taken by the Appellant and nothing further survives in this regard. That the communication dated 19.03.2021 (Annexure-R-6/T) was not addressed to the appellant and therefore, the appellant was not in a position to respond to the same.



Stain

**Re: Para 3.9 of the Affidavit-in-Reply and the contents thereof.**

24. That the Respondent No.5 has stated that he has received certain documents under the RTI which are forming part of Annexure-R-6/U, Pg. No.686 to 736. It is submitted that the said documents which are in the nature of site visits have been followed up by the GPCB and thereafter, on intimation, the Appellant has also made its submissions / compliances in this regard. It would be evident that the statement made by the petitioner that he was never summoned during the site visits undertaken by the GPCB, is a false and misleading statement inasmuch as in most of the inspections, pursuant to the complaint submitted by the petitioner, the petitioner was present as he was intimated regarding the inspection to be carried out by the GPCB in the plant of the answering respondent. The same is evident from the documents on record of the present proceedings. As far as the documents submitted in the Annexure-R-6/U are concerned, the chart which is reproduced hereinbelow, will indicate the response and/or compliances on the part of the appellant:



Yogendra S. Rajput

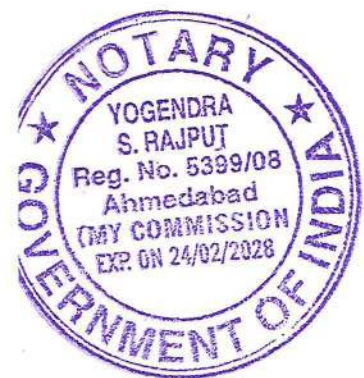
Date	Name of the complainant	Date of Inspection	Compliance report by answering respondent
14.12.2020	Bhayabhai Vershi Luna	29.12.2020	31.12.2020
10.07.2019	Jalubha Karshanbha Manek (Representative of Balubha Ker)	10.07.2019	19.07.2019 & 05.09.2019
08.03.2019	Jasuben Nathubhai Varu & Bhayabhai Vershi Luna & Nathubha Pabhabhai Varu	08.03.2019	14.03.2019
24.03.2017	Nathabhai Pabhabhai Varu	21.04.2017	27.04.2017
02.01.2019	Bhayabhai Vershi Luna	02.01.2019	11.01.2019 & 11.03.2019

Annexed hereto and marked as **ANNEXURE-A20 (Colly.)** are copies of replies / compliances dated 31.12.2020, 19.07.2019, 05.09.2019, 14.03.2019, 27.04.2017, 11.01.2019 and 11.03.2019.

**Re: Para 3.10 & 3.11 of the Affidavit-in-Reply and the contents thereof.**

**25.** That as far as the averments and submissions made by the Respondent No.5 with respect to and/or with reference to the pending writ petition being SCA No.6970 of 2023 is concerned, the same would be of no consequence at this juncture since the

Stain

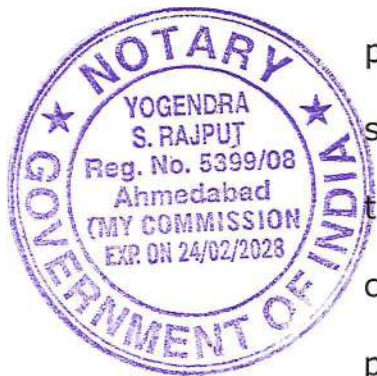


issue being considered in the present appeal is limited to the aspect of the closure order dated 12.01.2024. The allegations of compliances / non-compliances and the genuineness of the allegations of the Respondent No.5 and the stand of the parties in this regard may not be relevant as far as the present appeal is concerned. It is the Hon'ble Gujarat High Court which has directed the Appellant by way of its orders to approach this Hon'ble Tribunal against the closure order dated 12.01.2024 while keeping the matter i.e. the writ petition pending which is under consideration at this juncture before the Hon'ble Gujarat High Court and the orders passed by the Hon'ble Gujarat High Court from time to time while considering the writ petition are interim orders and the matters yet to be heard finally and therefore, the said documents relied upon by the Respondent No.5 at this juncture are inconsequential. The contents of para 3.10 is of no avail as far as the merits of the present appeal is concerned. Further, the Hon'ble High Court of Gujarat has categorically observed in the order dated 27.03.2024 regarding the soil remediation work to be now undertaken by the Respondent GPCB wherein the Respondent No.5 has been directed to co-operate to carry out the replenishment of existing soil and the present appellant to pay for the same which has been so done. All the grounds in the closure order are either complied or have become



Saij

infructuous and therefore, the closure order is required to be quashed and set-aside. Delaying in replenishment of the soil is not the responsibility of the Appellant anymore and the reasons for delay have been explained by the Respondent GPCB in its affidavits filed from time to time. As far as the order dated 08.08.2024 is concerned, the same was challenged by the Appellant before the Hon'ble Supreme Court and the Hon'ble Supreme Court by way of order dated 18.11.2024 was pleased to stay further proceedings of SCA No.6970 of 2023 subject to deposit of an amount of Rs.1,50,00,000/- with the registry of the Hon'ble Court which has been duly complied with by the Appellant, the amount has been deposited with the registry of the Hon'ble Supreme Court on 20.11.2024. That the Respondent GPCB has also preferred SLP before the Hon'ble Supreme Court challenging the part of the direction contained in the order dated 27.03.2024 in SCA No.6970 of 2023, to the extent of directing payment of Rs.20,00,000/- by the Respondent GPCB and the same has also been stayed by the Hon'ble Supreme Court and the said SLP is pending. As far as the order dated 08.08.2024 is concerned, the same is subject matter of challenge in the SLP preferred by the Appellant and the proceedings of SCA No.6970 of 2023 are stayed at this juncture.



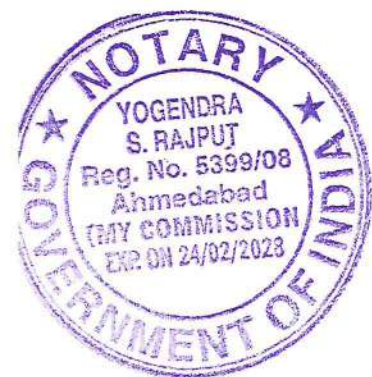
Yogendra S. Rajput

**Re: Para 3.12 of the Affidavit-in-Reply and the contents thereof.**

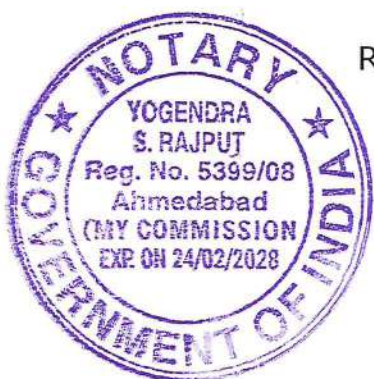
26. That as far as the contents of para 3.12 is concerned, the Respondent No.5 had again made a baseless application dated 18.06.2024 to the Respondent GPCB (Annexure-R-6/AA, Pg.1190) behind the back of the appellant. There was no release of any contaminated or foul-smelling chemical by the Appellant in the land of the Respondent No.5. In this regard, an inspection was carried out by the Respondent GPCB where it has been observed in the inspection report that in the presence of the Respondent No.5 inspection has been undertaken and in both survey nos. i.e. 540(also 540/1 forming part of 540) and 606, there is no waste water discharge is noticed. Annexed hereto and marked as **ANNEXURE-A21** is a copy of the inspection report dated 21.06.2024. The aforesaid aspect clearly shows that the Respondent No.5 is perpetually in the habit of making false and baseless allegations against the Appellant to create undue pressure for settling personal scores. That the Appellant has thereafter submitted its response by way of letter dated 25.06.2024, copy of which is annexed hereto and marked as **ANNEXURE-A22**.

**Re: Para 3.13 of the Affidavit-in-Reply and the contents thereof.**





27. That the Respondent No.5 has made a false and misleading statement regarding the Respondent No.5 having never objected to the Appellant or the GPCB from carrying out any remedial work on the survey numbers. The same is evident from the order dated 27.03.2024 of the Hon'ble Gujarat High Court in SCA No.6970 of 2023. Moreover, the Respondent No.5 has recently, on 23.12.2024 during the site visit by the Committee constituted for the purpose of remediation work, taken objection to the continuation of the remediation work in the presence of all the parties which has been noted by the Committee in its panch nama / site visit report, which is attached in the present rejoinder in the preceding paras. The Respondent No.5 is a litigating bird only interested in creating baseless litigations against the Appellant for personal gains and his conduct is clearly shows how and in what manner the Respondent No.5, with ulterior motive created his so-called rights in the parcels of land to justify his baseless and false allegations against the Appellant. The responsibility of soil remediation in view of the directions of the Hon'ble High Court in the order dated 27.03.2024 are not of the Appellant but of the Respondent GPCB.



Yogendra S. Rajput

**Re: Para 3.14 of the Affidavit-in-Reply and the contents thereof.**

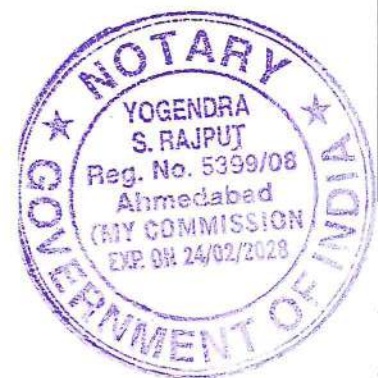
**28.** That the contents of para 3.14 are without application of mind and amounts to making contradictory statements on the part of the Respondent No.5 who on the one hand states that the land has become infertile and on the other hand, the revenue record of the subject land being Form 12 shows that the Respondent No.5 has been harvesting and cultivating the land and undertaking agricultural activity and what crops have been sown and harvested by the Respondent No.5 for the particular year. The same is reproduced hereinbelow in a tabulated format with supporting documents:

**Form 12 of Survey No.540 (including 540/1)**

<b>Sr. No.</b>	<b>Year</b>	<b>Details of the Crop</b>
1.	2019-2020	Groundnut
2.	2020-2021	Groundnut
3.	2021-2022	Juvar
4.	2022-2023	—
5.	2023-2024	—

Annexed hereto and marked as **ANNEXURE-A23** are copies of the Form 12 of the revenue records showing harvesting of crops by the Respondent No.5 in revenue survey no.540.

*S. Rajput*



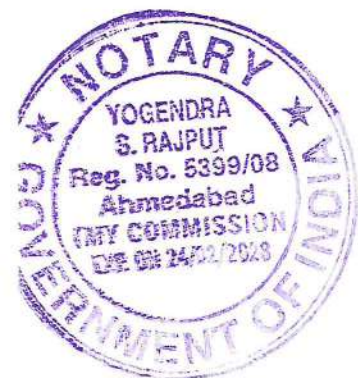
**Form 12 of Survey No.606**

Sr. No.	Year	Details of the Crop
1.	2019-2020	Groundnut
2.	2020-2021	Groundnut
3.	2021-2022	Juvar
4.	2022-2023	—
5.	2023-2024	—

Annexed hereto and marked as **ANNEXURE-A24** are copies of the Form 12 of the revenue records showing harvesting of crops by the Respondent No.5 in revenue survey no.606.

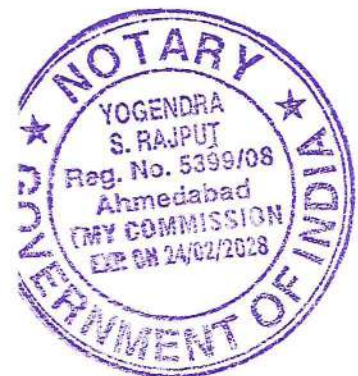
**29.** That the aforesaid fact, it is evident that the statements of the Respondent No.5 are untrustworthy and the Respondent No.5 is in a habit of making misleading statements to justify his baseless and meritless case.

**30.** It is further submitted that there was no agricultural activity going-on on the subject lands viz. survey no. 540 (including 540/1) and 606 as claimed to the contrary by the Respondent No.5 and in fact, the respondent no.5 was running a make shift T-shop and selling tea and undertaking commercial activity and throwing waste water in the trench which was dug up by the Respondent No.5 in his own so-called parcel of land. The same is



*Stanid*

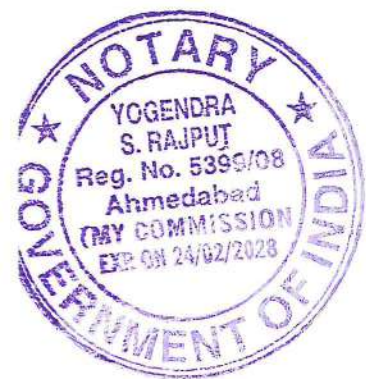
evident from the letter dated 03.12.2018 addressed by the Appellant in response to the inspection undertaken by the Respondent GPCB on 28.11.2018 pursuant to complaint submitted by the Respondent No.5 wherein, inter-alia, it has been categorically stated that the said survey No.540 is being used for commercial purpose and there are shops which are constructed thereon by the Respondent no. 5 and there is no agriculture activity going on and that water is being discharged by the shops put up by the Respondent no. 5 in Survey No.540. Annexed hereto and marked as **ANNEXURE-A25 (COLLY.)** is a copy of the notice for inspection dated 28.11.2018 of the GPCB and copy of the reply dated 03.12.2018 of the Appellant and photographs of survey no.540 showing shops running in the parcel of land. The same is also forming part of the affidavit filed by Respondent GPCB in SCA No.6970 of 2023. That the statement that the Appellant cannot be absolved from the actions to render agricultural land of the Respondent No.5 infertile is not an issue under consideration before this Hon'ble Tribunal. The remediation work is likely to be completed in due course by the Respondent GPCB and no such prayer has been made by the Respondent No.5 before the Hon'ble Gujarat High Court or by way of any application before this Hon'ble Tribunal.



Yogendra S. Rajput

**Re: Para 4, 5, 6 and 7 of the Affidavit-in-Reply and the contents thereof.**

**31.** That the contents of the aforestated paras 4 to 7 are completely absurd and denied and not admitted. There is no leakage or overflow from the concrete canal. The salinity ingress is not because of any activity of the appellant but due to the close proximity of the land to the sea coupled with the fact that the water table is much higher and on digging merely 0.50 to 1.0 mtrs., the water comes to the surface. That despite not being responsible for any harm to the soil or the so-called parcels of land of the Respondent No.5, the Appellant agreed to implement the report of DDU, Nadiad for undertaking soil remediation as the same, by the expert body i.e. DDU, Nadiad who is Schedule-I auditor and whose report has been directed to be implemented by the Hon'ble Gujarat High Court with further direction to change / undertake soil remediation, the same is a measure which would require change of the old soil and mitigate any aspect of damage to soil which has been caused due to salinity ingress and due to non-use of the parcel of land for agricultural activity since years. However, the Respondent No.5 realizing that the same would lead to the main allegation being mitigated, decided to not grant it's no objections creating uncalled for obstructions to keep the allegations alive ultimately leading to the Hon'ble Gujarat High



Stavig

Court directing the Respondent No.5 and others to co-operate with the implementation of the DDU, Nadiad report to undertake soil remediation by way of order dated 27.03.2024 in SCA No.6970 of 2023. The delaying the remediation work is not at all attributable to the present Appellant as despite all efforts, Respondent No.5 did not give its consent and nor did it give consent to the Respondent GPCB to undertake remediation work leading to the Hon'ble Gujarat High Court directing the Respondent No.5 to co-operate and permit soil remediation in the parcels of land. The crux of the matter ultimately comes down to the aspect of the closure order dated 12.01.2024 which arose due to the Respondent No.5 refusing to co-operate with soil remediation leading to non-compliance of the said condition and the impossibility to act for compliance by the Appellant which led to the Appellant approaching this Hon'ble Tribunal by way of the present appeal wherein, this Hon'ble Tribunal was pleased to stay the execution, implementation and operation of the closure order dated 12.01.2024 wherein the same is still operating and in the meanwhile, the compliances in respect of remediation of the soil stands rescinded / modified / deleted in view of the directions of the Hon'ble Gujarat High Court in its order dated 27.03.2024 in SCA No.6970 of 2023 with the rest of the compliances being fully satisfied. That the present is a case where the closure order has

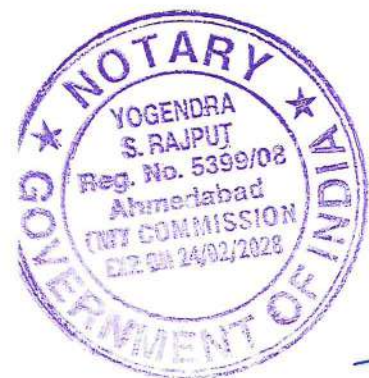


Sign

practically lived its life and is required to be either withdrawn by the Respondent GPCB or is required to be quashed by this Hon'ble Tribunal and there cannot be a permanent closure as is expected by the Respondent No.5 as the grievances of the Respondent No.5 regarding so-called alleged contamination (though not accepted by the Appellant) stand redressed in view of the report of the DDU, Nadiad, coupled with the directions of the Hon'ble Gujarat High Court in the order dated 27.03.2024 in SCA No.6970 of 2023 which have not been challenged by the Respondent No.5 and have been accepted by the Respondent No.5.

**32.** That in view of the aforesaid, the Appellant preferred an application dated 15.07.2024 pointing out the compliances and however, the same has not been acted upon by the Respondent GPCB. Annexed hereto and marked as **ANNEXURE-A26** is a copy of the application / letter dated 15.07.2024 addressed by the Appellant to the Respondent GPCB.

**33.** That the Appellant has thereafter addressed letter dated 15.01.2025 to the Respondent GPCB pointing out the compliances in respect of the requirements of the closure order and requested for revocation of the closure order dated 12.01.2024. Annexed hereto and marked as **ANNEXURE A-27** is a copy of the letter



Stavig

dated 15.01.2025 addressed by the Appellant to the Respondent GPCB.

**34.** That the Appellant has without prejudice to its rights and contentions in all the pending proceedings, further addressed letter dated 16.01.2025 to the Respondent GPCB stating that the Appellant had no objection to the continuation of the soil remediation work and to complete the same. Annexed hereto and marked as **ANNEXURE A-28** is a copy of the letter dated 16.01.2025 addressed by the Appellant to the Respondent GPCB.

**35.** That the SLP No. 26733 of 2024 preferred by the Appellant is pending consideration and in terms of the order dated 18.11.2024, the Appellant has deposited the amount of Rs. 1,50,00,000/- with the Registry of the Hon'ble Supreme Court. Annexed hereto and marked as **ANNEXURE A-29** is a copy of the memo of the SLP No. 26733 of 2024.

**36.** It is submitted that there is no pollution or any continuity of pollution being caused by the activities of the Appellant and there are repeated inspections by the Respondent GPCB regarding (i) transportation and processing of coal wherein precautions are taken including spraying of water and tarpaulin cover being put on the vehicles while transporting coal, (ii)



Stain

transportation and processing of lime stone wherein precautions are taken including spraying of water and tarpaulin cover being put on the vehicles while transporting lime stone, (iii) proper treatment as required before disposal of the effluent while discharging in deep sea which is monitored online by the Respondent GPCB 24 hours 365 days as per the requirements of the CCA and the environmental clearance, (iv) there is no discharge of saline water from the effluent outlet in any agricultural field including that of the Respondent No.5 whose so-called parcels of land were not being utilized for any agricultural activity but were lying as waste land leading to depletion of soil fertility coupled with the salinity ingress due to close proximity to the sea and the high water table which leads to the water coming on the surface on digging merely 0.50 to 1.0 mtrs.

**37.** Looking to the totality of the situation and the facts of the case, the directions of the Hon'ble Gujarat High Court to implement the report of DDU, Nadiad, Schedule-I auditor and the Respondent GPCB implementing and undertaking the soil remediation work and all other compliances being in place, the present appeal deserves to be allowed and the closure order dated 12.01.2024 deserves to be quashed and set-aside.



Stavig

What is stated hereinabove is true to the best of my knowledge, information and belief and I believe the same to be true.

Solemnly affirmed at Ahmedabad on 18<sup>th</sup> day of January, 2025.

*Signature*

DEPONENT



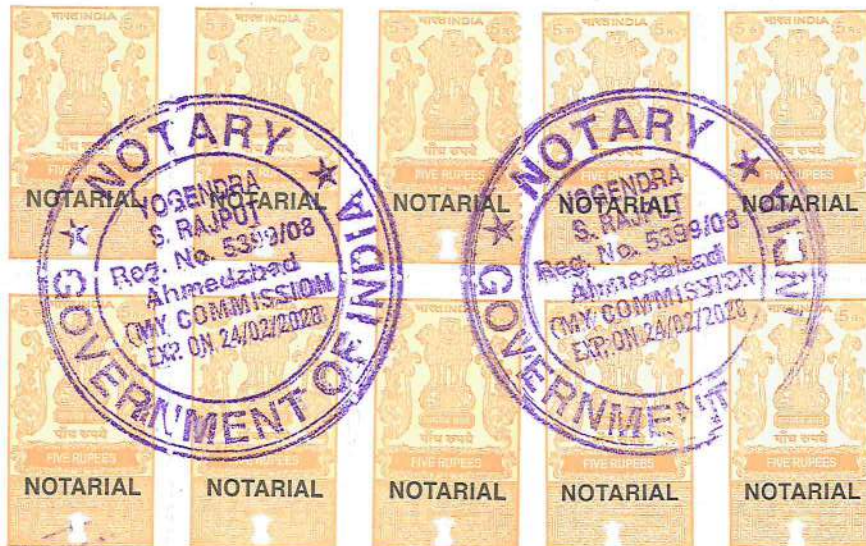
Solemnly Affirmed & Signed Before Me

*Signature*

YOGENDRAS RAJPUT  
NOTARY PUBLIC  
GOVT. OF INDIA  
(MY COMMISSION EXPIRES ON DT. 24-02-2028)  
Off. FF-10, New York Tower-B,  
Opp. Muktidham Derasar, Thaltej,  
Ahmedabad. (M)97243 08070

NOTED & REGISTERED  
Sr. No. 576/2025

18 JAN 2025



**ANNEXURE A1** -Colly**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CIVIL APPLICATION NO. 1706 of 2024****RSPL LIMITED**  
Versus  
**STATE OF GUJARAT**

Appearance:

MR SHALIN MEHTA, SENIOR COUNSEL with MR ABHISHEK M  
MEHTA(3469) for the Petitioner(s) No. 1,2  
for the Respondent(s) No. 1,2**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE**  
**SUNITA AGARWAL**  
and  
**HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE**

Date : 05/02/2024

ORAL ORDER

**(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA**  
**AGARWAL)**

1. After a brief submission, Mr. Shalin Mehta learned Senior Counsel assisted by Mr. Abhishek M. Mehta learned Counsel for the petitioners would submit that the petitioners seek to withdraw the present petition so as to avail the remedy of appeal under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and under the Air (Prevention and Control of Pollution) Act, 1974, before the competent authority, against the Closure Notice dated 12.01.2024, the subject matter of challenge here.

2. The only apprehension raised by the learned Senior Counsel for the petitioners is that since Special Civil Application No.6970 of 2023 filed by the complainant namely Balubha Pabubha Ker is pending consideration before this Court, wherein direction has been given to the Gujarat Pollution Control Board (GPCB) to carry out fresh inspection of the site in question and submit a Report, the Appellate Authority may not enter into the merits of the Appeal.
3. Noticing the order dated 30.11.2023 passed in Special Civil Application No.6970 of 2023, which has been placed before us during the course of hearing, it is provided that on the presentation of the Appeal under the above noted provisions, the Appellate Authority shall proceed on merits, without being influenced by the factum of pendency of Special Civil Application No.6970 of 2023 or any issue raised therein.
4. The Appellate Authority shall make an endeavour to decide the Appeal, as expeditiously as possible, on merits, strictly in accordance with law. It is further provided that it would be open for the petitioners to approach the GPCB after removal of the discrepancies

(non-compliance) reported in the closure notice to seek recall thereof.

5. With the above, the appeal stands disposed of, at this stage.

Sd/-  
(SUNITA AGARWAL, CJ)

Sd/-  
(ANIRUDDHA P. MAYEE, J.)

CAROLINE / # 7

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 6970 of 2023  
With  
CIVIL APPLICATION (DIRECTION) NO. 1 of 2024  
In R/SPECIAL CIVIL APPLICATION NO. 6970 of 2023

BALUBHA PABUBHA KER

Versus

STATE OF GUJARAT & ORS.

Appearance:

MR ANSHIN DESAI, SR. ADVOCATE with SHIVANGI D VYAS(10117)  
for the Petitioner(s) No. 1

MR KRUTIK PARIKH, AGP for the Respondent(s) No. 1

MR MIHIR JOSHI, SR. ADVOCATE WITH MR ABHISHEK M  
MEHTA(3469) for the Respondent(s) No. 4

MR ANKIT SHAH(6371) for the Respondent(s) No. 2

MR DEVANG VYAS, SR. ADVOCATE with MS DHARMISHTA  
RAVAL(707) for the Respondent(s) No. 3

CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA  
AGARWAL

and

HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE

Date : 27/03/2024

ORAL ORDER

(PER : HONOURABLE THE CHIEF JUSTICE  
MRS. JUSTICE SUNITA AGARWAL)

1. The present petition has been filed by the owner of the land bearing Survey Nos.540, 606 and 629 of village Karunga, Taluka Dwarka, District Devbhoomi Dwarka with the assertion that the petitioner being resident of the said village is undertaking the activity of farming and agriculture for his livelihood. The lands of the petitioner bearing Survey Nos. 606 and 629 are located adjacent to the plant of the

respondent no.4 Company, viz. RSPL Ltd., whereas land bearing Survey No. 640 is located within the production unit. The dispute raised in the writ petition relates to the discharge of trade effluents from the plant of respondent no.4 company into Arabian sea adjacent to the land of the petitioner situated at Revenue Survey Nos.606 and 629, thereby polluting the lands in question making it unfit for cultivation, resulting into depriving the petitioner of his livelihood. Further, the contention of the petitioner was also with regard to emission of hot gaseous liquid with foul odour from the unit and the same being directly dumped into the Arabian sea located within 1 km. from the company premises, thereby causing large-scale water, air and soil pollution.

2. The petitioner further raises an issue about inaction on the part of the Government authorities, especially respondent no.3 Gujarat Pollution Control Board (GPCB) and states that the GPCB has been sitting tight over the repeated complaints made by the petitioner and has failed to perform its duties, as mandated under the law.
3. It is categorically stated in the writ petition that as the GPCB is not taking any

steps against the respondent no.4 Company, inaction on the part of the GPCB is encouraging the respondent no.4 Company to perpetuate illegality and cause large-scale pollution.

4. The prayer in the writ petition is to issue direction to respondents no.1 to 3, State, Central Pollution Control Board and GPCB to adjudicate upon the complaints made by the petitioner and take immediate steps and emergency measures against manufacturing plant of respondent no.4 situated at village Karunga, Taluka Dwarka, District Devbhoomi Dwarka. Further prayers have been made to issue directions to respondents to ensure compliance of the guidelines framed under the Environment Protection Laws, including but not limited to Water Act, Air Act and Environment Protection Act, etc. with respect to the manufacturing plant of respondent no.4 and to ensure that there may not any discharge of trade effluents openly by the respondents.
5. The brief facts stated in the writ petition are that the respondent no.4 Company, viz. RSPL Ltd. had set up factory/production plant for soda ash. The GPCB has granted 'consent to establish' the respondent no.4 vide order dated 12.08.2014. It seems that at the time of

establishment of the factory, complaints were made by the petitioner with regard to the allotment of lands to the respondent Company. However, the first complaint agitating the issue of pollution was made on 23.01.2018. Repeated complaints made thereafter, as per the case of the petitioner, had not been adverted to. When the matter was taken upon on 30.11.2023, noticing the grievances raised by the petitioner, we required GPCB to carry out fresh inspection of the site in the question in presence of the petitioner and all other persons concerned having relation to the lands in question as also the representative of the respondent no.4 Company. It was directed to collect the sample of the discharge over the lands in question under the signature of the representative of the respondent no.4, the petitioner and all other concerned persons and chemical report be obtained with regard to the same. The inspection report as also the laboratory report as well as the action, if required at the ends of GPCB on the said report was directed to be placed before this Court along with the affidavit of the Chairman, GPCB.

6. Resultantly, a joint inspection report of the GPCB was filed along with the affidavit dated

15.01.2024. From a perusal of the report appended at page '741' of the paper book of the joint inspection made on 09.12.2023, we have noted that there is a reference of the recommendation of the Environmental Site Assessment (ESA) Study report of Dharamsinh Desai University (DDU), Nadiad, which has been reproduced in the Site Inspection Report. The notice of directions was issued by GPCB on 23.11.2022 after various complaints moved by the petitioner, agitating that the respondent Company which was manufacturing the soda-ash was releasing effluents containing salt in the agricultural fields of the petitioner, making the entire agricultural fields infertile. The physical inspection of the site was carried out on 09.12.2023 only after the directions were issued by this Court in the order dated 30.11.2023. Noticing that there was complete inaction on the part of GPCB, as complained by the petitioner, we required the Chairman, GPCB to file a personal affidavit explaining the action/inaction of GPCB.

7. We may note, at this juncture, that as regards the claim of the defaulter company is concerned, we have clarified that against the notice of closure issued by GPCB, it is open for the

Company to avail appropriate remedy before the proper forum as already directed in the judgment and order dated 05.02.2024 in Special Civil Application No. 1706 of 2023, filed by the respondent no.4 Company.

8. In a recent affidavit dated 24.03.2024, the Chairman, GPCB has sought to explain the working of the GPCB and would submit that the Environment Audit is a management tool comprising of a systematic, documented, periodic and objective evaluation of how well the environment management systems are performing with the aim of waste prevention and reduction, assessing compliance with regulatory requirements, facilitating control of environment practices by a company management placing environmental information in the public domain.

9. Under the Environment Audit Scheme, GPCB had constituted an expert technical committee known as Environment Audit Committee for recognition of Environmental Auditor in context with the Environment Audit Scheme. As per the scope of work, committee members periodically visit the auditor's laboratories and advice them in the matter and will suggest/implement the new parameters which are being introduced by the

Central Pollution Control Board and Gujarat Pollution Control Board.

10. As per the Environment Audit Scheme, the GPCB has constituted various cells of professionals with requisite educational/technical qualifications, under its control for carrying periodical "Environment Monitoring, Data Certification and Audit" of the industrial units as per the potential. The aforesaid cells are further classified by GPCB into; (i) Schedule- I and, (ii) Schedule-II Auditors. Schedule-I auditors are Government colleges, reputed institutes, R & D centers. It is contended that as a standard practice uniformly followed by GPCB, it directs the concerned polluters to get the required study reports carried out through any of the scheduled auditors as per the aforesaid scheme. The concerned industry at its own cost, is required to approach such scheduled auditor and get such survey conducted through the scheduled auditor. Further, the actions pursuant to such study report are to be taken by the GPCB.

11. In the present case, the respondent no.4 Company appointed DD University as an expert to conduct Environmental Site Assessment of the respondent no.4 Company. It appears that the

officers of the aforesaid university had visited Survey nos. 540 and 606 and it is stated by the deponent, viz. Chairman of GPCB that it was imperative for the University officers to involve the petitioner in the process. However, an assurance has been given that if this Court desires, the GPCB on its own would undertake the entire study through any other scheduled auditor.

12. It is further stated that in any contingency where damage to environment has either occurred or alleged, it is the polluter who is required to pay right from the stage of asserting the extent of damage as also compensating for such damage, the industries are directed to do the required surveys at their own expenditure, inspite of GPCB getting such survey at its own expenditure and later on, recovering the same from the polluter. Such practice is adopted keeping in mind the urgency involved and the potential loss to the public exchequer in cases where recovery proceedings are drawn.

13. Keeping in mind all the aforesaid aspects and general policy of the GPCB, the polluter company was asked to get required survey carried out through independent/scheduled agencies which are of impeccable credibility and in whose report

neutrality is perceived as beyond doubts.

14. On the issue of inaction on the part of GPCB, the attention was invited by Mr. Devang Vyas, learned senior counsel appearing for the GPCB to the affidavit dated 15.01.2024 to assert that on the complaint made by the petitioner, GPCB had inspected the factory premises of respondent no.4 and its surroundings on various occasions from the year 2019 to 2022. On the basis of the inspection report, show-cause notices, notice of directions and other notices were issued to respondent no.4 Company for taking precautionary measures to ensure that the environmental loss are mitigated and compliance required therein. The allegation of the petitioner in the writ petition about the inaction on the part of GPCB has, thus, been denied.

15. It is submitted by learned counsel for the GPCB that pursuant to the communication dated 23.01.2018, the inspection of the site in question was made on 17.07.2018 and 28.11.2018. However, during the inspection on 28.11.2018, it was observed that the construction activities were going at the proposed location and it was noticed that unpaved channel in the industrial project area or adjacent to the petitioner's land (Survey No. 540) was filled with water,

which has the chances of spilling in the petitioner's land. The copies of the inspection reports dated 17.07.2018 and 28.11.2018 are appended with the affidavit dated 24.03.2024.

16. The second complaint of the petitioner after establishment of the industrial plant was received on 20.04.2019 with a request to remove salty layer from his land and restoration of its fertility. The said letter was addressed to the Central Pollution Control Board and the District Collector, Devbhoomi Dwarka, which was forwarded to the Regional Office, GPCB vide letter dated 30.04.2019. Based on the said complaint, inspection of the factory premises was carried out on 22.05.2019. During inspection, it was noted that kaccha drain, ditch in the industrial area adjacent to the petitioner's land (Survey No. 540) were filled with the water, which had the chances of spilling in petitioner's land and 10000 MT Industrial salt was found stored in the open land. From a perusal of the report dated 22.05.2019 at page '1059' of the paper-book, though it is sought to be stated that the plant was not found in operation due to the breakdown of their boiler, but during visit, industrial salt was found stored in open land near the farm of the petitioner, within the premises of the

unit. It is noted in the report that no dusting was observed at this area. The fabrication work of the shed was in progress and 64 water sprinklers in the coal yard for coal suppression to minimize fugitive dusting were in place. However, in absence of the plant being in operation, 'apcm' could not be verified.

17. It seems that nothing was done thereafter. On the third complaint made by the petitioner on 10.12.2020, inspection of the premises of M/s. RSPL Ltd., respondent no.4 was carried out on 08.02.2021. The inspection report dated 08.02.2021 appended as Annexure 'R7' indicates that during inspection, it was found that the industrial plant was operational, salt was spread in the premises and from where, dusting was going on towards lands at Survey Nos.540 and 606. The analysis results of the sample collected from inlet mixing of ETP, outlet of ETP and water sample collected from open well at Survey No. 606 and water sample collected from pond at Survey No. 540 were all found similar.

18. However, it is more than evident that inspite of violations found during inspection, nothing was done by GPCB for a period of two months and a show-cause notice was given only on 30.04.2021, when the inspection itself was

carried out after a period of two months of the complaint.

19. There was a lull thereafter and on the fourth complaint filed by the petitioner on 04.03.2022 to the Chief Minister of the State of Gujarat with a copy to the Chairman, GPCB regarding restoration of his land fertility, damaged by the industrial activity of the respondent no.4 company, inspection of the factory premises was carried out on 29.03.2022. During inspection, it was observed that 1,50,000 MT of solids were generated from settling of hot particles from two effluent discharge ponds of the respondent No.4 Company, which was stored near these ponds for drying purpose. The show-cause notice dated 28.04.2022 was then issued.

20. On receipt of the fifth complaint of the petitioner, vide letter dated 20.05.2022, inspection was carried out on 04.07.2022. During inspection, it was observed that at petitioner's land at Survey No.540, a contaminated water pond was developed. The coal dusting in the surrounding areas was noted and solid waste stored near settling tanks were not disposed of at secured land fill site. Another show-cause notice was issued on 14.07.2022. The affidavit further records various inspections

carried out by GPCB and Instruction Notice issued by it to the respondent Company.

21. However, the fact remains that a notice of direction was issued to the respondent company after various show-cause notices on 23.11.2022, inspite of violations found during inspections carried out on 22.05.2019, 08.02.2021, 29.03.2022 and 04.07.2022. The inaction on the part of the GPCB for more than a period of three years, permitting the respondent company to continue with the environmental pollution by releasing contaminated water in the petitioner's land, coal dusting in the surrounding area and solid waste stored undisposed, is writ large on the face of the record. In spite of repeated reports of violation of the environmental laws on the part of the respondent no.4 Company and the notice of direction issued on 23.01.2022, directing the respondent Company to remove the salty layer on Survey Nos. 540 of 606 and to carry out the study, nothing concrete has been done on the part of GPCB. The closure direction has been issued only on 12.01.2024, i.e. three days prior to the filing of the first affidavit of the Chairman, GPCB dated 15.01.2024 in the present petition, inspite of due notice of the writ petition.

22. On the question of closure directions issued to the respondent no.4 Company dated 12.01.2024 under Section 33A of the Water Act, 31A of the Air Act, relevant is to note that the said closure direction contained a statement that the respondent company was required to comply pending directions as mentioned in the Notice of Direction dated 23.11.2022 and submit a time bound action plan with estimation to carry out pending works related to the compliance of the directions and further to close-down the operations of the industrial plant within 30 days with effect from the date of the order.

23. We may further note that we are not concerned with the merits of the closure direction issued by the GPCB on 12.01.2024, as the said issue is pending before the National Green Tribunal, West Zone Bench, Pune in the Appeal filed by respondent no.4. However, the fact remains that GPCB took about 1 year and 2 months to wake up from the slumber to take action against the respondent Company from the Notice of Direction dated 23.11.2022 for violation of the environmental laws, that too when the order was passed by us on 30.11.2023 in this petition requiring the Chairman, GPCB to file his personal affidavit after carrying out fresh

inspection report of the site in question.

24. From the statement of the affidavit of the Chairman, GPCB dated 24.03.2024, it is more than evident that GPCB officials remained inactive for about a period of more than 4 years till the cognizance was taken by this Court in the month of November 2023 by calling the response of the GPCB. The Schedule-I Auditor of DD University's report was received by GPCB after it carried out the site inspection on 20.01.2023. It seems that as per the Notice for Direction issued on 23.11.2022, wherein the polluting Company was permitted to carry out Geo-Hydro Report through the expert, report was submitted by Hydro-Geo Consultant Pvt. Ltd., Jodhpur after carrying out Geo-Hydro Survey. The affidavit of the Chairman, GPCB dated 24.03.2024 is silent about the date of receipt of the report. However, it is stated in the affidavit that physical copy of the aforesaid report was provided to the petitioner on 18.02.2024 and the report of the Environmental Site Assessment Study of the site by the DDU, Nadiad was handed over on 16.02.2024.

25. In this carefully crafted affidavit of the Chairman, GPCB it is evident that the efforts have been made to defend the glaring inaction on

the part of the officials of the GPCB. The GPCB which is a body constituted by the Government of Gujarat with a view to protect the environment, prevent and control the pollution, entrusted to ensure compliance of the statutory provisions of the Act and the Rules for pollution control, notified from time to time, cannot be permitted to act like this.

26. From a perusal of the Joint Inspection Report made on 09.12.2023, under the directions issued by this Court, salty/whitish layer was observed on the top soil of land in Survey No. 606. On the land at Survey No. 540 and 540 Paiki 1, settled coal dust on the top soil (coal dust emission due to poor coal handling activities in the past) was observed. Survey Nos. 540 and 540/1 are surrounded by industrial plant and manufacturing area. The report indicates that the land parcels are under the impact of salinity ingression. The recommendation in the report of the Scheduled Auditor are relevant to be noted herein under :-

(i) To replenish existing soil with fresh new soil and excavated to be send to captive salt works for embankments.

(ii) To construct peripheral storm water drain in S.No. 540 and S.No. 606 to cater surface water runoff.

(iii) To complete the lining of remaining unlined storm water drains.

(iv) To complete the construction of remaining unpaved roads of all the site to avoid dusting.

27. Noticing the above, we require the Chairman, GPCB to initiate inquiry to fix responsibility on the erring officials, for the inaction on their part. For the predicament of the petitioner from the year 2019 onwards, the GPCB is required to compensate the petitioner, the cost for the damages caused to him for loss of his income from the lands in question, mental harassment as well as the legal expenditures incurred by the the petitioner in order to wake up GPCB from its slumber. The cost amount to the tune of Rs. 20 lakhs shall be paid to the petitioner by the GPCB, which shall be recovered proportionately from the erring officials found responsible for inaction on their part in the inquiry to be conducted by the Chairman. In addition to the recovery of cost, disciplinary inquiry shall also be conducted against such erring officials.

28. Apart from the above, the GPCB is required to comply with the recommendation of the DDU, Nadiad to replenish the existing soil with fresh

new soil. The cost of replenishment and transportation of the excavated soil as per the recommendation of the DDI, Nadiad shall have to be recovered from the defaulter Company, respondent no.4 whose stand before us is that it was always ready to carry out remediation work, but the owner of the aforesaid parcels of land, viz. the petitioner herein has not cooperated.

29. The petitioner herein is further directed to cooperate with GPCB to carry out the replenishment of the existing soil. As prayed by the learned senior counsel appearing for GPCB, 8 weeks' time is granted to comply with the above directions, i.e. to complete the inquiry and the replenishment work of the existing soil from the field of the petitioner in Survey Nos.540 and 606 as per the recommendation of DDU, Nadiad, as extracted in the inspection report of the GPCB dated 09.12.2023.

30. Before parting with this order, on the submissions of the learned counsel appearing for the defaulter Company/respondent no.4, we may only record that we are not concerned with the merit of the assertion of the respondent no.4 Company in the matter of Notice of Directions and closure directions issued by GPCB as the said issue is engaging attention of the National

Green Tribunal in the appeal filed by the respondent no.4 Company. The directions contained hereinabove are confined to ensure compliance of the Schedule-I Auditor's Report and the inspection made by the GPCB and to address the concern of the Court where the GPCB has been found to be guilty of inaction on its part. It is kept open for the respondent no.4 Company to agitate all issues on the merits of its case before the National Green Tribunal and any of the observations made hereinabove will not come in its way.

Let this matter be posted on 12.06.2024.

**(SUNITA AGARWAL, CJ )**

**(ANIRUDDHA P. MAYEE, J.)**

BIJOY B. PILLAI



**ANNEXURE A2**

IN THE HIGH COURT OF GUJARAT AT SOLA, AHMEDABAD  
Dist: Devbhumi Dwarka

**SPECIAL CIVIL APPLICATION NO.6970 OF 2023**

Balubha Pabubha Ker

... Petitioner

Versus

State of Gujarat and others

... Respondents

**AFFIDAVIT-IN-REPLY**  
**ON BEHALF OF RESPONDENT NO.4 RSPL Ltd.**

I, Harish Ramchandani, son of Late Mangharam Ramchandani,  
do hereby solemnly affirm and state on oath as under:

1. I have read a copy of the above captioned writ petition as well as its annexures as well as other relevant documents relating to the subject matter. Accordingly, I am conversant with the facts and circumstances of the present case and am also competent to make the present affidavit.
2. I am making the present affidavit only for the limited purpose of opposing granting of any relief/s, including relief, as prayed for by the petitioner or even otherwise. In view of the limited purpose of present affidavit, I would not deal with each and every averments and allegations, either in serialtm or in detail at this stage. I, however, reserve my right to make a further and detailed affidavit if and when it becomes necessary.
3. At the outset, I deny all the averments, allegations and submissions made in subject petition which are contrary to and inconsistent with the record of the respondent No.4 and/or what is stated in present reply affidavit, as if they all are individually and



*Harish Ramchandani*

specifically dealt with and traversed, save and except those which may be expressly admitted herein below. I humbly submit that none of the allegations and/or averments and/or contentions in the petition may be presumed as admitted merely because any of them is not expressly dealt with or replied.

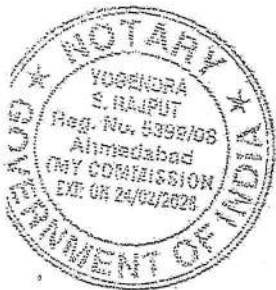
4. I humbly submit that the subject petition is misconceived, devoid of merits and therefore, is not maintainable and/or does not deserve to be entertained.

5. I say and submit that the petitioner has not disclosed the source of his information or as to how and from where the petitioner has procured the said documents. The petitioner is required to be put to strict proof thereof.

**RE: PRELIMINARY OBJECTIONS**

6. I say and submit that the present petition is not maintainable. The petition is not a bonafide and genuine litigation and has been filed at the behest and instance of the petitioner for personal gains. It is humbly submitted that there is no basis and / or merit in the allegations made by the petitioner against the Answering Respondent and the present petition deserves to be dismissed in limine.

7. I say and submit that the present petition raises several disputed questions of facts, which may not be entertained by this Hon'ble Court while exercising the extraordinary writ jurisdiction under article 226 of the constitution of India.



*[Handwritten signature]*

8. It is submitted that the present petitioner has approached this Hon'ble Court by way of a writ petition under Article 226 of the Constitution of India alleging violation of his fundamental rights, but a bare perusal of the contents of the petition will clearly justify the fact that the entire petition is misconceived, ill-legitimate, baseless, without merit, motivated, raising disputed questions of fact for which the present forum is not the appropriate forum. It is therefore submitted that the present petition is not maintainable and deserves to be rejected without grant of any relief/s whatsoever. The present petition has been preferred for personal gains/ interest and in the aforesaid circumstances, the present petition does not deserve to be entertained and deserves to be rejected in limine. In this regard the petitioner places reliance upon the judgment of the Hon'ble Supreme Court in the case of **State of Maharashtra V. Digambar** reported in **AIR 1995 SC 1991** wherein the Hon'ble Supreme Court was pleased to observe as under:-

*"The power of the High Court to be exercised under Article 226 of the Constitution, if it is discretionary, its exercise must be judicious and reasonable, admits of no controversy. Persons seeking relief against the State under Article 226 of the Constitution be the citizens or otherwise, cannot get discretionary reliefs obtainable thereunder unless they fully satisfy the High Court that the facts and circumstances of the case clearly justified the laches or undue delay on their part in approaching the Court for grant of discretionary relief. Therefore, where the High Court grants relief to a citizen or any other person under Article 226 of the Constitution of India against any person including the State without considering his blameworthy conduct, such as laches or undue delay, acquiescence or waiver, the relief so granted becomes unsustainable even if the relief was granted in respect of alleged deprivation of his legal right by the State."*



*[Handwritten signature]*

9. It is respectfully submitted that the Petition is not bona fide but has been filed with ulterior motives. I state that the present petition is not based on any acceptable or admissible data and is, in fact, based on completely baseless and vague allegations which are without particulars and having no substance. I state that the present petition is a motivated litigation which has been filed for oblique purposes and as a tool to make fishing and roving inquiry. I further state no injury or prejudice is or has been caused to the petitioner or any other person or has even alleged to have been caused to the petitioner or any other person as a result of any activity of the respondent company.

**Re: DELAY**

10. Without prejudice to the other contentions and submissions taken by the answering respondent regarding maintainability of the petition, the issues/reliefs which has been raised in the present petition even otherwise relate back to the year 2018 to 2021 for which the captioned petition is preferred in May, 2023.

**Re: PETITIONER INDULGING IN SPECULATIVE PURCHASING OF LANDS TO HARASS THE RESPONDENT COMPANY FOR PERSONAL GAINS.**

11. Before proceeding further, it would be relevant to point out the conduct of the petitioner is indulging in speculative purchasing of lands and/ or creating rights in parcels of lands inside/ near the project of the respondent company with malafide and calculated intention of subsequently creating disputes with the intention of extracting moneys for personal gains from the respondent company. The same is evident from the following facts:



*[Handwritten Signature]*

- (i) That in the year 2011, the respondent company signed an MoU with the State of Gujarat for setting up of a Soda Ash Plant along with Chemical Complex and Salt Works to be established in the State of Gujarat. Immediately thereafter, the respondent company identified the project site, which is the current site of the project at village Kuranga, District Devbhoomi Dwarka and started purchasing / acquiring lands for setting up of the plant complex in the year 2012. The construction of the project commenced in the 2016 and the plant was subsequently commissioned and put into operation in the year 2018. Total cost incurred for the project is approximately Rs.4,500 Crores, and is now successfully running and manufacturing 1500 MT of Soda Ash per day.
- (ii) In the aforesaid back ground, it becomes glaringly evident that a modus operandi was adopted by the petitioner who started creating his rights in parcels of land inside and/or near the project. That the petitioner, in the captioned petition, has claimed that the petitioner is the owner of various parcels of land bearing survey No.606, 540, 644, 643, 642, 638, 397, 395 & 629 of village Kuranga, District Devbhoomi Dwarka. According to the say of the petitioner, survey Nos.606, 629 & 540 of village Kuranga, District Devbhoomi Dwarka are located within the project boundary of the answering respondent. It would be necessary to point out that:

**SURVEY NO: 629 (inside project boundary)**

*Spencer*



- a. as far as survey Nos. 629 is concerned, the name of the present petitioner is not showing in the revenue record.

**SURVEY NO: 606 (inside project boundary)**

- b. as far as survey Nos. 606 is concerned, the name of the petitioner has been added in the year 2017 by way of entry No.2651 dated 17.03.2017 as co-owner by paying some part amount.

**SURVEY NO: 540 (inside project boundary)**

- c. as far as survey Nos. 540 is concerned, the name of the petitioner has been added in the year 2017 by way of entry No.2647 dated 01.03.2017 as co-owner by paying some part amount.

**SURVEY NO: 395, 42, 44, 723, 397, 642,643, 644, 638 (outside project boundary)**

- d. That as far as other survey numbers are concerned, though the same are outside the project boundary and the answering respondent has nothing to do with the same, however, from the revenue records, it becomes evident that the petitioner has created his right in respect of survey No.395 in the year 2017 by way of entry No.2645 dated 09.02.2017 and survey Nos. 44 & 42 which have been purchased by the petitioner in the year 2020 by way of entry No.2974 and 2975 dated 31.12.2020. Survey No.723 has been purchased by the petitioner in the year 2017 by entry No.2652 dated 17.03.2017. In survey No.397, the petitioner's name is not reflecting the revenue record and in survey Nos.644,



*[Handwritten Signature]*

643, 642 & 638, the petitioner seems to have got his name mutated in the revenue records in the year 2014 by way of heirship.

e. It would be necessary to state at this stage that when the public hearing took place before the answering respondent was granted EC & CRZ clearance and other approvals, the present petitioner was present during the public hearing dated 10.06.2014 and never objected to the setting up of the project. It is after the public hearing and NOC that the petitioner started purchasing the land within the project boundary with mala fide interest and started addressing letters and complaints against the respondent company to various authorities making baseless and false allegations.



12. That the aforesaid facts become relevant it is evident from the preceding paragraphs that the respondent company had started purchasing lands for its project in the year 2012 and the petitioner started creating his right in parcels of land in the vicinity of the project of the petitioner and the 3 survey numbers referred to by the petitioner as falling in the project area of the respondent company, only two survey numbers are showing the name of the petitioner as co-owner that too, for the first time in the year 2017 by paying some part amount. The modus operandi of the petitioner is evident from the aforesaid facts and reflects upon the conduct of the petitioner in seeking to create obstructions inside the plant premises by various means including by making allegations against the respondent company regarding environment pollution, etc. and

*[Handwritten Signature]*

thereafter creating motivated litigation to force the respondent company to strike a deal for the said lands at exorbitant rates in effect, literally blackmailing the respondent company to give into the illegal demands of the petitioner. For the sake convenience, a chart showing the status of the land and the date of entry of the petitioner's name in the revenue records along with relevant revenue records of the concerned survey numbers are annexed hereto and marked as **ANNEXURE-R1** and a copy of the map showing the location of the survey numbers and the plant of the respondent company is annexed hereto and marked as **ANNEXURE-R2**.

13. That without prejudice to the other submissions including denial of all allegations regarding pollution etc and from the facts narrated above, the conduct of the petitioner amounts to "coming to the nuisance" meaning thereby that the setup of the respondent company was established much prior to the petitioner creating his rights in the said survey nos. which the petitioner claims are being polluted due to effluent discharge. The petitioner was well aware that the respondent company had already purchased land parcels and had started construction of the plant despite which the petitioner for benefitting from speculative purchasing, started creating interest in the lands inside and / or near the project area of the respondent company. In such a situation, the petitioner cannot be permitted to benefit out of such speculative purchasing and creating litigation against the respondent company by making allegations of effluent discharge.



*[Signature]*

**Re: MULTIPLE LITIGATIONS FILED BY THE PETITIONER AGAINST THE RESPONDENT COMPANY CREATING DISPUTES PERTAINING TO LAND WITHIN THE PROJECT PREMISES OF THE RESPONDENT COMPANY**

14. That as far as the petitioner is concerned, the petitioner is the driving force for number of litigations against the respondent company for personal gains. The petitioner has deliberately created interest in certain survey numbers which interest has been created after the respondent company acquired the lands and put up the construction for its plant. The only 2 survey numbers showing the name of the petitioner are survey No.606 and survey No.540 is within the project boundary and the rest of the survey numbers mentioned by the petitioner in para 6.3 are outside the project area / company premises. The conduct of the petitioner which is stated hereinbelow further demonstrates the fact of the petitioner being interested in unscrupulous litigations in furtherance to his having created interest in the various parcels of lands.

**Re: SCA No.20083 of 2019**

(I) The petitioner-initiated proceedings under Mamlatdar Courts Act making baseless allegations against the respondent company seeking right of way after he created interests in the very said lands viz survey nos. 606, 540, 643, 642, 644, 638, 627, 397, 395 and 629 lands. This is despite the fact that the petitioner had right of way to his lands and there was no obstruction. That the mamlatdar passed an order in favour of the respondent company where after the petitioner went in revision before the Deputy Collector who passed a cryptic order rejecting the revision but at the same time granting status quo. That the respondent company was thereafter

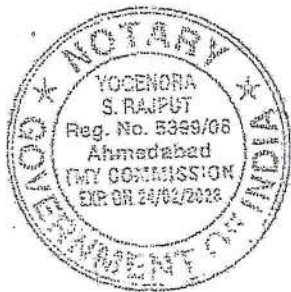


*[Handwritten Signature]*

constrained to prefer SCA No.20083 of 2019 before this Hon'ble Court and the same was heard on 13.4.2023 and the judgment is awaited and is expected in future and in due course. A copy of the record of SCA No.20083 of 2019 will be kept ready for perusal of the Hon'ble Court at the time of hearing of the present petition. Annexed hereto and marked as **ANNEXURE R3** is a copy of the memo of petition of SCA NO. 20083 of 2023 along with copy of the rejoinder.

**Re: SCA No.1788 of 2023**

- (ii) That the petitioner also preferred writ petition being SCA No.1788 of 2023 challenging the allotment of certain survey numbers in favour of respondent company as per the provisions of the Gujarat Agricultural Lands Ceiling Act, 1960 amending the Gujarat Agricultural Lands Ceiling Rules, 1961. The subject matter of the present petition is in respect of (i) Old revenue survey No. 331 (new survey No.484) (ii) Old revenue survey No.293 (new survey No.542) (iii) old revenue survey No.277 (new survey No.553) and (iv) Old revenue survey No.301 paiki-2 (new survey No.597) all of village Kuranga, Tal. Dwarka, Dist. Devbhoomi Dwarka. The said survey nos. fall within the vicinity of the project of the respondent company and were allotted in favour of the respondent company with certain terms and conditions and in lieu of exchange of equivalent quantum of land of same class in nearby vicinity. Though the petitioner is alleging issues like effluent discharge in his lands located with in the project area of the respondent company, the petitioner in order to harass



*S. Rajput*

the respondent company challenged the allotment of the lands in favour of the respondent company (which lands are located in the middle of the project area of the respondent company and are contiguous in nature) by taking a contrary stand than what is taken in the present petition. That the said SCA No. 1788 of 2023 preferred by the petitioner was heard by the Hon'ble Court on 13.4.2023 and the judgment is awaited and is expected in future in due course. A copy of the record of SCA No.1788 of 2023 will be kept ready for perusal of the Hon'ble Court at the time of hearing of the present petition. Annexed hereto and marked as **ANNEXURE R4** is a copy of the memo of petition of SCA NO. 1788 of 2023 along with copy of the affidavit in reply and sur-rejoinder.

**Re: Civil Application No CA/1/2017 in Writ Petition PIL No.178 of 2017**

- (iii) That the respondent company has been facing frivolous and speculative litigations at the hands of unscrupulous elements looking for illegal personal gain and one such private litigation has been filed in the garb of public interest by so-called public-spirited local person who, in fact, demanded gratuitous financial consideration from the answering respondent and on being refused, proceeded to file the so-called public interest litigation. It would be relevant to state that the present petitioner also preferred an application for being impleaded as party-respondent in the said pending public interest litigation which has not been disclosed in the present petition. Annexed hereto and marked as **ANNEXURE-R5** is a copy of the Civil Application No CA/1/2017 in Writ Petition PIL No.178

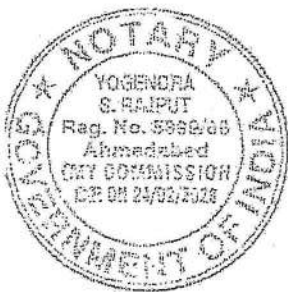


*[Signature]*

of 2017 and the copy of the affidavit filed by the answering respondent opposing the same. The said petition is pending consideration by this Hon'ble Court and will be heard in due course.

**Re: ALLEGATIONS / COMPLAINTS MADE BY THE PETITIONER  
EVEN PRIOR TO THE COMMENCEMENT OF PRODUCTION  
OF THE PLANT OF THE RESPONDENT COMPANY**

15. That the cause of action raised by the petitioner is rather delayed and also without merit. It is respectfully submitted that some of the complaints (at Annexure-F-pages 98 to 111) are dated 23.01.2018, which copies have been marked to various authorities. It would be relevant to state that the plant of the answering respondent started production only on and from October 2018 and not before that. Even on plain reading of the application dated 23.01.2018, it is apparent that the petitioner has on an apprehension and in order to create a ground for unscrupulous litigation, made tall allegations which is even prior to the commencement of the production of the plant by the answering respondent. What is most relevant is that though the petitioner was present during public hearing which was conducted for obtaining environmental clearance of the plant, the petitioner did not raise a single objection and subsequently, the petitioner has made allegations by way of the letter dated 23.01.2018 which the petitioner is now seeking to rely upon in the present petition. Annexed hereto and marked as **ANNEXURE-R6** is a copy of the letter dated 18.10.2018 addressed to the Collector, Devbhoomi Dwarka by the answering respondent intimating commencement of production.

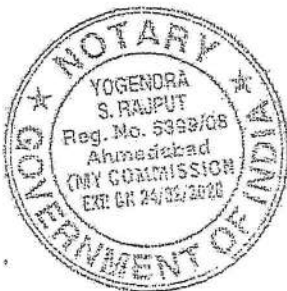


*[Signature]*

Re: **SETTING UP OF THE PLANT BY THE RESPONDENT COMPANY:**

16. It is respectfully stated:

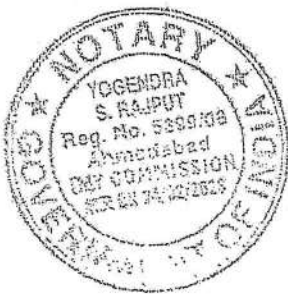
- a) That in the year 2011, the respondent company signed an MoU with the State of Gujarat for setting up of a Soda Ash Plant and mechanize Salt Works to be established in the State of Gujarat. Annexed hereto and marked as **ANNEXURE-R7** is a copy of the MoU dated 06.09.2011.
- b) Based on the aforesaid decision and the MoU between the answering respondent and the State of Gujarat, the answering respondent embarked upon the planning of the said Project and undertook technical and financial feasibility of such a Project and the site selection in this regard. Soda Ash Plants are world over site specific meaning thereby that to establish a Soda Ash Plant, certain criterions / requirements have to be fulfilled which include simultaneous availability of raw materials. The aforesaid availability of raw material is also coupled with the fact that the Soda Ash Plant requires uninterrupted and abundant supply of water which is the reason why most Soda Ash Plants are located on the sea coasts. In this regard, the answering respondent undertook site selection in the State of Gujarat and keeping in mind the logistics, due diligence, environmental related aspects and close proximity to the sea, decided on the present location as the most viable location for setting up of the plant and thereafter undertook the process of acquiring land through private negotiations with the farmers and also requesting to



*[Signature]*

the State Government to allot certain parcels of land which were forming part of the area identified by the answering respondent for setting up of the project.

- c) It is respectfully submitted that in the year 2012, the answering respondent had applied to the office of the respondent Collector for allotment of Government waste land with various survey numbers which were situated within the area earmarked by the answering respondent which was to the tune of 12-03-367 sq. mtr. (120.3367 ha.) which is over and above the land acquired directly through farmers by way of private negotiations.
- d) It is submitted that various survey numbers were subsequently allotted in favour of the answering respondent by way of order dated 30.12.2015 which was totaling to the tune of 7-70-373 sq. mtr. (77.0373 ha.) out of the 12-03-367 sq. mtr. (120.3367 ha.) and the answering respondent on its own volition, purchased approximately 500 Ha. of land directly from the farmers by private negotiations. If one has to consider the entire quantum of land on which the Project is established, in that event, 87% (approx.) of the Project is in fact established on the private land of the answering respondent and only 13% (approx.) of land is allotted by the State Government. It is further stated that the land allotted by the State is not contiguous in nature but is scattered and surrounded by private land, majority of which has been purchased by the answering respondent through direct investments. The aforesaid aspect can be appreciated in light



*[Handwritten signature]*

of the fact that any Project of the magnitude as the present one would certainly require contiguous parcels of land without there being any islands in between which may create hurdles / complications in the setting up of the Plant. Annexed hereto and marked as **ANNEXURE-R8** is a copy of the Map showing the status of the project boundary as well as process plant boundary vis-a-vis the effluent discharge channel.

- e) Coming back to the Chronology, it is submitted that the answering respondent simultaneously initiated the procedure for obtaining permissions / approvals from various authorities which included approvals / permissions from the State Government, Central Government, local authorities, Industries commissioner etc. All such approvals and permissions are in place and the Project is set up in compliance with the required permissions / approvals. It is needless to state that the petitioner, prior to the initiation of the of the project, undertook and obtained all necessary permissions, including permissions under Environment Impact Assessment (EIA) Notification as well as CRZ Notifications as well as other permissions. The copies of various permissions are not being placed on record so as to avoid making the petition bulky, but the answering respondent crave leave to refer to and rely upon the same as and when required. Even otherwise the same is not subject matter of the present petition.

- i. That the GPCB granted the respondent company "Consent to Operate" on 16.02.2019 for commencement of operations of



*Stain 9*

Soda Ash plant. Annexed hereto and marked as **ANNEXURE R9** is a copy of the letter dated 16.02.2019 for Consent to Operate issued by GPCB. Needless to state that the plant is successfully running and manufacturing of Soda Ash.

Re **ALLEGATIONS OF EFFLUENT DISCHARGE/WATER LOGGING IN RESPECT OF SURVEY NO. 629, 606 AND 540**

17. That the petitioner has repeatedly made allegations in respect of two survey nos. viz survey no. 629 and survey no. 606. In order to support the baseless and concocted contention regarding discharge of effluent in survey Nos.629 and 606, the petitioner has placed on record certain photographs of the channel carrying the effluent which thereafter goes into a pipeline which has its outlet in deep sea at a location recommended by CSIR-NIO and approval by MoEFCC. It is respectfully submitted that:

- (i) the two survey Nos.629 & 606 which is claimed by the petitioner to be that of his ownership is factually incorrect in as much as the revenue records of survey No.629 does not reflect the name of the petitioner as owner;
- (ii) the survey Nos.629 and 606 are, in fact, not adjacent to the open channel of the answering respondent. From the map on record, it is visible that the survey No.606 and 629 are not at all connected to the open channel but are at least 56 meters (approx.) and approx. 15 meters away respectively from the channel. In between survey No.629 and survey



*Yogendra S. Rajput*

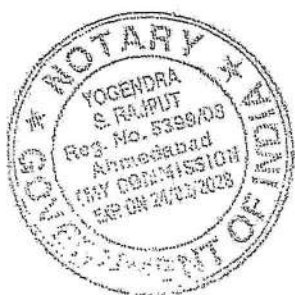
- No.606, the answering respondent's own project land being survey Nos.617 and 603 and 605 is situated.
- (iii) the photographs placed at Annexure-B (pages 40, 41 & 42) do not seem to be showing any discharge of effluent on any of the adjacent lands including the land of the petitioner being Survey Nos.629 and 606 and the same are apparently of 16<sup>th</sup> March, 2023.
- (iv) The photographs placed at Annexure-C(pg.47) are dated 20.11.2018 and do not, in any manner, show any effluent discharge for any reason which is attributable to the answering respondent. However, it seems that there is a trench in which some water is standing which has been dug up by the petitioner in survey No.540 which is at least about 500 meters away from the open channel and the said trench is within the survey No.540 in which water seems to have been accumulated due to monsoon at that time and also due to the discharge of waste water from the shops run by the petitioner within the survey No.540 for which, the petitioner is trying to pin the responsibility on the answering respondent by creating a distorted picture before this Hon'ble Court. Nevertheless, the answering respondent was, thereafter intimated for an inspection which was conducted by the GPCB on 28.11.2018 and GPCB thereafter made notings asking the answering respondent to undertake steps to remove the water



Yogendra

which had accumulated on survey No.540 of the petitioner. The steps were taken by the answering respondent in compliance with the visit instructions which the answering respondent intimated by way of its letter dated 03.12.2018, wherein it has been categorically stated that the said survey No.540 is being used for commercial purpose and there are shops which are constructed thereon by the petitioner and there is no agriculture activity going on and that water is being discharged by the shops put up by the petitioner in Survey NO.540. Annexed hereto and marked as **ANNEXURE-R10** is a copy of the site visit instruction letter dated 28.11.2018 and copy of the reply dated 03.12.2018.

- (v) The photographs placed at Annexure-C (pages 49 to 52) do not show any effluent discharge and the same seems to have been taken on survey No.540 which is at least about 500 meters away from the open channel. Further, the photographs at page 49 seems to be of 16.03.2023 and the photograph at page 49 to 52 seem to have been taken on 20.09.2021. Such vague photographs do not, in any manner, show any effluent discharge or any pollution due to any action of the answering respondent and only show a distorted version to mislead this Hon'ble Court. The open channel for discharge of effluent is part of the plant and has been constructed after taking due



Said

permissions and authorizations from the concerned authorities.

- (vi) It is respectfully submitted that the petitioner has been making false and baseless allegations against the answering respondent and writing letters to GPCB and other authorities due to which the said GPCB and other authorities have undertaken repeated inspections and verified the said allegations which thereafter have been concluded by GPCB. All such letters / allegations have been made by the petitioner behind the back of the answering respondent directly to the authorities and on intimation by GPCB, the answering respondent has clarified its stand and in case any instructions are given, the same have been complied with and compliance report has been submitted thereafter to GPCB. It is evident from the reading of the averments in the petition and as well as the prayer sought for by the petitioner that the petitioner is seeking a fishing and roving inquiry in the subject matter from this Hon'ble Court wherein all applications submitted by the petitioner have been already concluded, however, the petitioner is desirous of creating some controversy to keep the said baseless allegations alive in order to illegally pressurize the answering respondent.



Re: Details in respect of Channel:

*[Handwritten signature]*

18. One of the grievances of the petitioner is in respect of the Channel made by the respondent company for disposal of the treated effluent into the deep sea. It is respectfully submitted that:

(i) The location for intake of sea water and disposal of treated effluent in Arabian sea has been recommended by NIO based on the study conducted by NIO. The same is to ensure that there is no damage to the marine life or to the environment at large. Respondent is not discharging any effluent on land. Effluents from different units is collected in the mixing pond which is then diluted with fresh seawater and once through return cooling water and being discharged from mixing pond to pump house through a concrete open channel of approx. 581-meter length till the retention pond and pump house and thereafter through a buried pipeline of approximately 2000 meters for its further disposal into the Arabian Sea at a location recommended by NIO. The effluent prior to disposal into sea is maintained to required norms. The treated effluent is discharged in deep sea at a location 1.2 Kms from sea coast.



(ii) Dimension of the open channel:

(a) Approx. Length 581 m, Top width 8 m, Bottom width 2 m, Height 2.95. The mixing pond is designed to mix all streams from different units where it is diluted with fresh sea water and once through return cooling water. After the mixed effluent leaves the mixing pond, it is neutralized

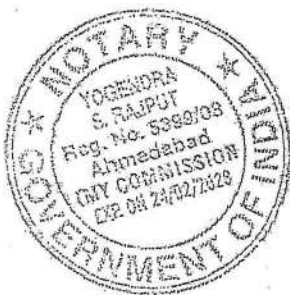
*[Signature]*

with 30% virgin Hydrochloric Acid (HCl), the pH of which is measured at a distance of approx. 100 m and automatically controlled by pH sensor. The existing channel can carry 600 Million Litre per Day (MLD) of treated effluent and with increase in pumping capacity after expansion can even carry 1200 MLD.

(b) The length of the channel is approx. 581 m which helps in natural evaporative cooling of the effluent. Hence it is kept as an open channel. The maximum level in the channel is controlled by Direct Control System (DCS) level indicator of the sump which is kept around 75%. In case of any mishap, there is enough volume gap to fill up the channel up to 95% which can take 15-20 minutes. Moreover, the open channel height has been further increased by 450 mm from the original 2.5 meter so as to ensure that under no circumstances, the channel overflows.

(c) That in addition to the aforesaid, there are two retention ponds at the end of channel. Out of two retention ponds, as an emergency option, one retention pond is kept empty to accommodate the effluent.

(iii) Permission for disposal of effluent:



*[Handwritten Signature]*

- (a) The methodology for disposal of effluent scheme is forming part of form-1 which has been submitted at the seeking permission from MoEFCC for the purpose of obtaining EC. Open channel is designed in such a way so that it helps in evaporative cooling of the effluent naturally hence decreasing the effluent temperature be about 2-4 degrees as it travels approximately 581 meters as the temperature varies with season and production rate.
- (b) As per norms the temperature of treated effluent before disposal to sea should not exceed 5° above the ambient temperature of receiving body.
- (c) Norms to be maintained for treated effluent before discharge:

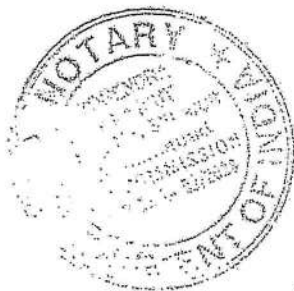


The total permitted final discharge effluent quantity is ~600 MLD (600000 KLD / 25000 cum /hr) with a pH to be kept less than 9.0, ammoniacal nitrogen 50 mg/l, Oil & grease 50 mg/l, TSS 1000 mg/l, Temperature should not exceed 5° above the ambient temperature of receiving body. It is, therefore, necessary to have an open channel along with dilution, etc. other so that cumulatively, the temperature is controlled and does not exceed 5° at the time of discharge in deep sea. Some of the copies of the sample

analysis being carried out prior disposal of treated effluent in deep sea are annexed hereto and marked as **ANNEXURE R11**.

(iv) Reason of having an open channel:

- (a) The length of the channel is 581 m which helps in natural evaporative cooling of the effluent. Further due to likely settlement to insoluble sediments in the channel periodic cleaning is required. Hence it is been designed as an open channel. If the channel is closed from the top the periodic cleaning will not be possible leading to choking of channel and effluent temperature can also exponentially increase to  $>45^{\circ}\text{C}$  which is undesirable as per statutory and regulatory norms.



**Re: Open Channel common for all Industries engaged in manufacturing of Soda Ash:**

- (v) In other Soda ash Industries also, the treated effluent is carried in open channel only and then through pipelines.

(iv) GHCL (Gujarat heavy chemicals Limited, Veraval)- *The final combined effluent is conveyed through an 810 m long open channel (width 2 m at the bottom and 5 m at the top) upto the landfall point and then released under gravity through a 280 m*

*[Signature]*

*long, 1.8 m dia pipeline with a diffuser system in Arabian Sea.*

- (v) SAUKEM (Saurashtra chemicals Limited - Porbandar) - *Treated effluent travels within plant through an open constructed channel of 1.3 km, followed by 270 mtrs submerged pipeline.*
- (vi) TATA Chemicals - Mithapur -OKHA- *The s effluent after dilution is released through an open channel to the Mithapur Bay (Gulf of Kutch).*
- (vii) NIRMA LIMITED- Bhavnagar- *The effluent is released through open channel followed by pipeline in Malcom channel (Gulf of Khambhat).*

Annexed hereto and marked as **ANNEXURE-R12 (Colly.)** are the relevant print out from the google map of the Soda Ash plant of GHCL, SAUKEM, NIRMA and TATA Chemicals, which are situated in the State of Gujarat on the same coastal line.

19. That in the aforesaid scenario, it would be relevant to consider the baseless, unjustified and untenable allegations made by the petitioner in respect of the discharge of effluent into the sea including the allegation regarding any discharge on the land of the petitioner viz. survey Nos.606 and 629 leading to the said lands

*Saini*



being made unfit for cultivation and/or hot gaseous liquid with foul odour being emitted which, according to the petitioner, being directly dumped into Arabian sea leading to pollution of water, air and soil.

20. The allegation made in para 6.2 to para 6.5 are completely baseless and without merit.

21. That the letters / correspondences annexed at Annexure-G (pgs.112 to 123) are apparently dated 22.09.2018 which seem to be addressed to various authorities wherein, the contents of the letters are identical, have been addressed much prior to the initiation of production of the plant of the answering respondent. The said letters are completely baseless and contain false allegations against the answering respondent and that too, behind the back of the answering respondent. The ground water in the area which are adjacent to sea does have high content of salt and due to shallow ground water levels if any trench / pit is excavated the saline ground water comes to surface and gets accumulated. The answering respondent has never undertaken any digging on any land except that belonging to the answering respondent. Even prior to the answering respondent undertaking acquisition of land on private basis as well as by allotment of land by the Government, there was hardly any agriculture taking place due to the ground being barren and the water containing high salt content. The said documents / letters at Annexure-G do not, in any manner, take the case of the petitioner any further or lead to any inference of any pollution having taken place due to the actions of the answering respondent.



Yogenra



GPCB had, thereafter, visited the site based on the allegations made by the petitioner and made remarks and suggested necessary action and thereafter, the answering respondent had submitted compliance by way of letter dated 31.12.2020.

25. That the letter dated 19.03.2021 (Annexure-K pg.151 to 155) is again a part of the modus operandi of the petitioner of making baseless allegations behind the back of the answering respondent. That on 16.03.2021, the answering respondent had already intimated to the GPCB regarding shutdown of the plant for 5 days. That pursuant to the aforesaid letter dated 19.03.2021, the petitioner also addressed identical letters dated 19.03.2021 to the GPCB as well as other Government authorities (Annexure-L pg.156 to 166) where after, the GPCB issued intimation and conducted a site visit on 23.06.2021 in the presence of the petitioner and the answering respondent was called upon to submit compliance with regard to the said allegations which were tendered by the answering respondent by way of letter dated 05.07.2021. Annexed hereto and marked as **ANNEXURE-R13** is a copy of the compliance dated 05.07.2021.

26. That from the record of the petition, it transpires that the petitioner was repeatedly making false and baseless allegations behind the back of the answering respondent and one such letter seems to be the letter dated 20.05.2022 (Annexure-M pg.167) which the answering respondent never received as the petitioner conveniently sent it to the CPCB and not to the present answering respondent.



Spriya

27. That the petitioner thereafter seems to have addressed another legal notice dated 08.06.2021 (Annexure-N pg.177) to the GPCB and marked to the answering respondent and the answering respondent has thereafter replied to the said legal notice by way of a reply dated 24.06.2021. Annexed hereto and marked as **ANNEXURE-R14** is a copy of reply dated 24.06.2021.

28. That the petitioner has placed on record certain show-cause notices dated 02.08.2017, 04.03.2019, 29.05.2019, 13.08.2019, 10.02.2021, 30.04.2021 and 12.08.2021 by way of Annexure-O Colly. (pgs.186 to 195C). The answering respondent, as and when it received the show cause notice for compliance, have duly replied and cleared its stand and complied with the instructions. For the sake of convenience, the chart reproduced hereinbelow provide the details of the show cause notices and the reply tendered by the answering respondent:

Sr. No.	Show - Cause notice issued by from GPCB on the answering respondent	Reply / compliances to the Show Cause notice by the answering respondent
1	02.08.2017	05.10.2017
2	04.03.2019	11.03.2019
3	29.05.2019	03.06.2019
4	13.08.2019	20.08.2019
5	10.02.2021	28.04.2021
6	30.04.2021	25.05.2021,
7	12.08.2021	18.08.2021 & 11.09.2021

Annexed hereto and marked as **ANNEXURE R15 Colly** are copies of the replies/ compliances dated 05.10.2017, 11.03.2019,



*[Signature]*

03.06.2019, 20.08.2019, 28.04.2021, 25.05.2021, 18.08.2021 and 11.09.2021.

29. That the petitioner has also placed on record routine visit reports dated 20.04.2017, 08.05.2017, 13.08.2017, 19.12.2018 and 16.01.2019 prepared by GPCB by way of Annexure-P Colly. (pg.196 to 226). The answering respondent has diligently replied to the same by way of its letters / compliances, and cleared its stand and complied with the instructions. details of which are reproduced hereinbelow, by way of a tabulated format.

Sr. No	Routine visit reports of GPCB. (Reports through GPCB XGN portal) on the answering respondent	Reply / compliances to the Show Cause notice by the answering respondent
01.	26.03.2017 (Inspection report through XGN 20.04.2017)	16.10.2017 (submitted on the GPCB portal)
02.	21.04.2017 (Inspection report through XGN 08.05.2017)	27.04.2017
03.	17.07.2018 (Inspection report through XGN 13.08.2018)	02.08.2018
04.	28.11.2018 (Inspection report through XGN 19.12.2018)	03.12.2018
05.	02.01.2019 (Inspection report through XGN 16.01.2019)	11.01.2019 & 11.03.2019



Annexed hereto and marked as **ANNEXURE-R16** are copies of replies / compliances dated 16.10.2017, 27.04.2017, 02.08.2018, 03.12.2018, 11.01.2019 and 11.03.2019.

30. That the petitioner has placed on record visit reports dated 28.06.2018 and 28.11.2018 prepared by GPCB by way of Annexure-Q Colly. (pg.227 to 230). The answering respondent has diligently

*[Handwritten signature]*

responded to the same by way of its letters / compliances, and cleared its stand and complied with the instructions. details of which are reproduced hereinbelow, by way of a tabulated format.

Sr. No	Visit reports of GPCB on the answering respondent	Reply / compliances to the Show Cause notice by the answering respondent
01.	28.06.2018	02.08.2018
02.	28.11.2018	03.12.2018

Annexed hereto and marked as **ANNEXURE-R17** are copies of the replies/ compliances dated 02.08.2018 and 03.12.2018.

31. That from the aforesaid documents, it is evident that the random allegations made by the petitioner are without any basis or justification and the allegations levelled by the petitioner, most of which are behind the back of the answering respondent have been appropriately considered by the authorities and the said authorities have thereafter dealt with the same in accordance with law and taken appropriate steps as deemed fit including seeking compliance from the answering respondent. It is further submitted that the entire modus operandi of the petitioner is required to be considered in light of the fact that the petitioner has filed the present petition in the year 2023 placing on record and trying to make out a case in respect of events which have taken place in the year 2018 to 2021. In fact, some of the allegations and correspondences have been made behind the back of the answering respondent pursuant to which the answering respondent has tendered explanation / compliance as and when called upon by the said authority. The petitioner has made repeated random allegations only to harass the answering respondent so that the answering respondent is faced

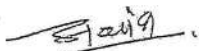


*[Handwritten signature]*

with multiple queries and subjected to unnecessary scrutiny by the authorities. The answering respondent categorically denies all the diverse averments and allegations made by the petitioner in the captioned petition and states that the petition is nothing but a tool to harass the answering respondent to extract amounts in utmost illegal manner by creating speculative litigations. It is further denied that there is inaction on the part of the authorities. The said aspect is discernible from the record of the petition itself where the petitioner has submitted on record the notices issued by GPCB on the applications made by the petitioner from time to time. In this regard, the contents of para 6.7 are categorically denied and not admitted.

32. The contents of para 6.8 are denied and not admitted. The answering respondent categorically denies the report placed on record at Annexure-R (pg.231 to 233) and Annexure-S (pg.234 to 235) by the petitioner and the said report is not worthy of consideration. As and when any shortcoming has been noticed by the GPCB, on intimation, the answering respondent has taken steps and rectified the same. The GPCB has been taking routine inspection and monitoring and such reports are only placed to create a bias against the answering respondent.

33. The contents of para 6.9 are denied and not admitted That the incident stated to have taken place on 17.03.2021 regarding overflow of trade effluent is now sought to be raised by the petitioner in the year 2023 after a period of 2 years. It is further submitted that as far as the discharge of effluent by the answering respondent is concerned, the same is as per the norms of the GPCB and other





statutory authorities. The answering respondent is not discharging any effluent / hot gaseous liquid on land but is discharging the same through a designated system comprising of a concrete channel and buried pipeline, into deep sea at a designated location recommended by the CSIR-National Institute of Oceanography, Goa. The effluent which is collected from different parts of the plant comes to a common mixing pond which is then diluted with once through return cooling water which also comes to the mixing pond and also through fresh sea water and thereafter also treated further for pH neutralization through HCl dosing and further sent to the pump house through a concrete channel for further disposal into the Arabian Sea by a closed pipeline at a location recommended by the National Institute of Oceanography, Mumbai/Goa. It is further submitted that from 16.03.2021 to 19.03.2021, the plant of the answering respondent was shutdown for maintenance and prior intimation in this regard was given to GPCB and hence, there was no question of any effluent generation at the relevant point of time which lead to any overflow of effluent in the channel and that too, in the survey number belonging to the petitioner and there was only sea water which was flowing through the channel for discharging in deep sea. That the petitioner is trying to create a distorted picture before this Hon'ble Court regarding the said incident. In fact, subsequently, the GPCB thereafter conducted an inquiry on the complaint of the petitioner, and the answering respondent gave its explanation by way of letter dated 05.07.2021, copies of which are annexed hereto and marked as **ANNEXURE-18 (Colly.)**. It is respectfully submitted that the entire incident which is sought to be



*[Signature]*

narrated is of 2021 and steps in this regard have been taken by the answering respondent and nothing further survives in this regard.

34. The contents of para 6.10 are denied and not admitted. That as far as the documents at Annexure-U (pg.236 to 271) are concerned, it is respectfully submitted that whatever documents / inspection reports of the GPCB, which have been submitted by the petitioner, have been complied with by the answering respondent by taken appropriate steps and informed the GPCB in this regard and cleared its stand and complied with the instructions. A tabulated format in this regard is reproduced hereinbelow for the sake of convenience:

Date	Name of the complainant	Date of Inspection	Compliance report by answering respondent
14.12.2020	Bhayabhai Vershi Luna	29.12.2020	31.12.2020
10.07.2019	Jalubha Karshanbha Manek (Representative of Balubha Ker)	10.07.2019	19.07.2019 & 05.09.2019
08.03.2019	Jasuben Nathubhai Varu & Bhayabhai Vershi Luna & Nathubha Pabhabhai Varu	08.03.2019	14.03.2019
24.03.2017	Nathabhai Pabhabhai Varu	21.04.2017	27.04.2017
02.01.2019	Bhayabhai Vershi Luna	02.01.2019	11.01.2019 & 11.03.2019



Annexed hereto and marked as **ANNEXURE-19** Colly are copies of replies / compliances dated 31.12.2020, 19.07.2019, 05.09.2019, 14.03.2019, 27.04.2017, 11.01.2019 and 11.03.2019.

*(Signature)*

35. That from the aforesaid and the records of the petition as well as the present affidavit-in-reply, it would be evident that the statement made by the petitioner that he was never summoned during the site visits undertaken by the GPCB, is a false and misleading statement inasmuch as in most of the inspections, pursuant to the complaint submitted by the petitioner, the petitioner was present as he was intimated regarding the inspection to be carried out by the GPCB in the plant of the answering respondent.

36. As far as the contents of grounds contained in para 7 (A) to 7 (V) in the petition are concerned, the same are categorically denied and not admitted. The submission of the petitioner that the GPCB has repeatedly instructed the answering respondent regarding waterlogging in the land of the petitioner or any salt deposit in the land of the petitioner or coal particles in the land of the petitioner, is denied and not admitted. Wherever any action was required to be taken, the answering respondent has done so with or without the instructions of the GPCB. The submission of the petitioner that no permission to discharge hot gaseous liquid with odour is permitted to be carried out through open channel as shown in the photographs, is denied and not admitted. The method of disposal of treated effluent is also mentioned in Form-1 while applying for approval to the MoEFCC, for obtaining Environmental clearance. Further, the channel carrying the treated effluent from the mixing pond to retention pond and thereafter to pump house is passing through private land of the answering respondent. The channel is a concrete channel and at a higher elevation of approximately 2.5 meters above ground level from the adjacent survey numbers. The land and parcels of land adjoining to the channel is that of the answering



*[Handwritten signature]*

respondent and the so-called survey No.629 (which does not belong to the petitioner) is also not parallel to the channel but only a point of a triangle is near the channel and that too 15 meters away and survey No.606 is 55 meters away and survey No.540 is in another part of the plant and nowhere near to the channel. The permission to discharge the effluent in deep sea is granted by MoEFCC and GPCB and therefore, there is no illegality in the said process as is claimed by the petitioner. The manner of discharge is permitted by the MoEFCC and the same comprises of the channel and thereafter, the buried pipeline which leads to deep sea for discharge of effluent.

37. That the submission of the petitioner that in routine visits, report has been made by the GPCB noting waterlogging and the answering respondent has been directed to take necessary steps but the answering respondent has not paid any heed to such directions, is denied and not admitted. There is no channel or pipeline near survey No.540 with regard to discharge of water effluent and the petitioner himself has dug a trench in survey No.540 where the shops which the petitioner has permitted others to operate for discharging their dirty water in the said trench leading to waterlogging, which the petitioner is trying to blame the answering respondent.

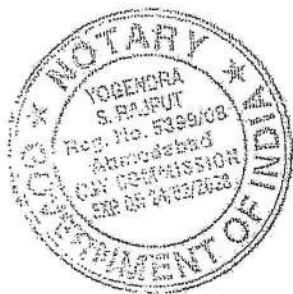
38. That the laboratory reports submitted by the petitioner are untenable and have been prepared as per the convenience and at the behest of the petitioner. The said laboratory reports and the contents thereof are denied and not admitted. That the land of the petitioner has not been used for agriculture purpose since years and no agricultural activities have taken place due to which the fertility



*[Handwritten signature]*

of the soil seems to have been compromised. In such circumstances, the petitioner cannot be permitted to make allegations against the answering respondent and hold the answering respondent responsible for any fertility issues in his parcel of land. That the petitioner has shops in his survey number is evident from the document on record of the present affidavit. Annexed hereto and marked as **ANNEXURE-20** are photographs of the shops established in survey No.540.

39. That it is denied that the answering respondent is not abiding with the pollution control standards with an intention to deprive the petitioner of his livelihood or to give away his land at throwaway price. It is denied that the water condition in borewell situated in the parcel of land of the petitioner is unfit due to pollution caused by answering respondent. The waterlogging is not because of any steps taken by the answering respondent. It is denied that there is any violation of Article 21 of the Constitution of India vis-a-vis the petitioner. It is denied that the GPCB has not taken any action or appropriate measures pursuant to multiple complaints filed by the petitioner against the answering respondent. It is further submitted that the allegations made by the petitioner have been appropriately considered by the GPCB and the answering respondent has, thereafter, whenever and wherever required, taken appropriate steps in this regard. The petitioner, as stated in the preceding para, is a litigating bird and is habituated in making false allegations against the answering respondent by distorting the facts. All such steps taken by the petitioner by making multiple complaints against the answering respondent containing frivolous allegations is a modus operandi adopted by the petitioner to pressurize the



*[Signature]*

answering respondent for personal financial gains and the said allegations are rather meritless or without any basis. The answering respondent is a responsible company which is discharging the effluent as per the norms of the GPCB and that too, as per the procedure approved / permitted by the MoEFCC and other statutory authorities. It is denied that any effluent is being thrown into the sea or there is any leakage in the outlet pipe carrying the effluent. It is denied that if the GPCB is not directed to take immediate action against the answering respondent, the same shall create perennial problem. It is denied that the livelihood of the petitioner is ruined due to hazardous waste liquid flowing from answering respondent. It is denied that because of the answering respondent, highly cultivable land of the petitioner is polluted and becomes waste land and that if the GPCB does not act swiftly, irreversible damage will be caused to the land of the petitioner. It is denied that adjacent lands of other land owners are getting damage. It is denied that the answering respondent is trying to grab land of petitioner by making it worthless or uncultivable. It is denied that the photographs in the petition show trade effluent being released into sea shore thereby resulting into polluting the tidal water and damaging the lives of aquatic animals. There is no violation by the answering respondent in adhering to the terms and conditions of the environmental clearance / consent, etc. issued by the concerned authorities. The Soda Ash plant is working well within the required environmental norms. As far as marine environmental monitoring is concerned, the CSIR- NIO is conducting periodic coastal monitoring of the marine discharge for ensuring in respect of any adverse impact on marine life. Further, periodic environmental monitoring of the plant through



*[Handwritten Signature]*

schedule-1 environmental auditors / third party and/or accredited / approved consultants is also being carried out from time to time. It is denied that there is any inaction on the part of the respondent authorities. It is categorically denied that any effluent is being dumped in the sea causing large scale contamination and pollution

40. The contents of para 8 to 11 are denied and not admitted. The interim relief sought by the petitioner in the captioned petition cannot be granted in view of the facts stated in the present Affidavit-in-Reply. As stated in the preceding para, the work of the Project was initiated in the year 2012 with the purchase of land directly from the concerned land owners and the construction work was initiated in the year 2016. The answering respondent has invested huge amount till date for the aforesaid project. At this juncture, the answering respondent is employing more than 2000 employees and with future expansion of the project like to take place soon, further about 800-1000 employees will be engaged. The entire plant will come to a standstill causing colossal loss of crores of rupees if the interim relief as prayed for by the petitioner is granted by this Hon'ble Court. That the petitioner has no prima facie case and the balance of convenience is not in favour of the petitioner. Further enormous hardship and irreparable injury will be caused to the respondent company which cannot be compensated in terms of money, if interim relief is granted as prayed for. That the petition is based on complete distortion of facts and is in the nature of a motivated petition for personal gains.



41. Further, the Project contributes additional revenue to the State and Central exchequer in the form of royalty, cess and other

*[Signature]*

taxes. Further answering respondent had successfully and substantially increased the indigenous component of plant and machinery through technical innovation and import substitution efforts. Out of total cost of plant and machinery, only 6% (approx.) has been imported. This has generated business for Indian Industries and has directly/ indirectly generated engagement and employment opportunities and continuous service, support and supplies throughout life of the plant. The answering respondent as a responsible corporate has already undertaken various CSR activities for socio-economic development of the region in terms of providing education facilities, drinking water facilities, sanitation, animal welfare, community welfare, environment, etc. and has already invested an amount of Rs.13.92 Crores for the period from 2016 till date. The CSR activities will strengthen the bond between the Project authorities and the local population in the vicinity. The answering respondent is carrying out various community welfare activities in the areas such as Education, Health, Community Welfare, Sanitation, Ecology and Environment. In such circumstances, if any directions in the nature of interim relief and / or any relief as prayed for by the petitioner is granted against the answering respondent, the same would be catastrophic and would lead to complete derailment of the Project with irreversible financial / pecuniary damage to the company which may not be compensated in terms of money. At the cost of repetition, it is submitted that the discharge of effluent is as per the permissions and in the manner as approved by the authorities. The petitioner has not been able to make out a prima facie case and the balance of convenience is also not in favour of the petitioner. The Project is in larger public interest



*[Handwritten signature]*

and the public in the surrounding areas have welcomed the Project of the answering respondent which is evident from the record of the proceedings of the public hearing wherein letters have been addressed to the answering respondent conveying their willingness and support towards the Project. Annexed hereto and marked as ANNEXURE-R21 colly are copies of the CA certificate certifying the amount spent by the answering respondent on CSR activities along with photographs. In the humble submission of the answering respondent, the petitioner has not been able to make out a case for grant of any relief much less interim relief.

42. In the premise aforesaid, I most humbly submit that the subject petition and the allegations and submissions made therein are devoid of merits and are misconceived and untenable in law as well as on facts and the petition does not deserve to be entertained and the relief/s as prayed for do not deserve to be granted. I most humbly submit and pray that the Hon'ble Court may kindly reject the petition without granting any relief as prayed for or otherwise.

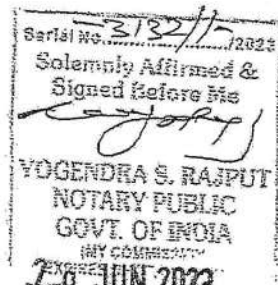
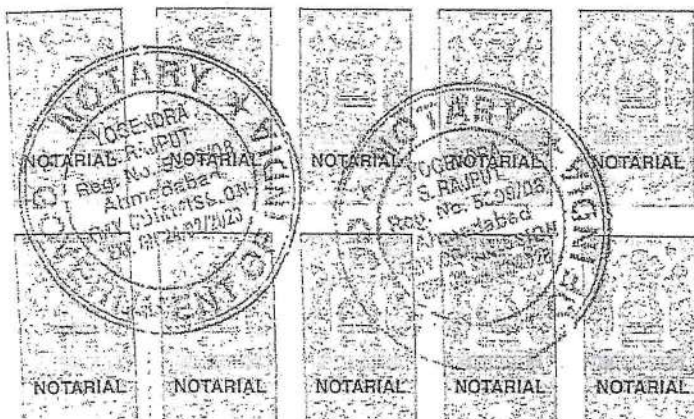
What is stated hereinabove is true to the best of my knowledge, information and belief and I believe the same to be true.

Solemnly affirmed at Ahmedabad on 29<sup>th</sup> day of June, 2023.

*S. Jain*  
DEPONENT



IDENTIFIED BY ME  
*S. Jain*  
ADVOCATE



Petition(s) for Special Leave to Appeal (C) No(s). 26733-26734/2024

[Arising out of impugned final judgment and order dated 08-08-2024 in SCA No. 6970/2023 08-08-2024 in CAD No. 1/2024 passed by the High Court of Gujarat at Ahmedabad]

RSPL LTD

Petitioner(s)

VERSUS

BALUBHA PABUBHA KER & ORS.

Respondent(s)

(FOR ADMISSION and IA No.258512/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES )

Date : 18-11-2024 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH  
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) Dr. Abhishek Manu Singhvi, Sr. Adv.  
Mr. Harin P. Raval, Sr. Adv.  
Mr. Abhishek Mehta, Adv.  
Mr. Milind Kumar, AOR  
Ms. Urmi H Raval, Adv.  
Ms. Shrestha Narayan, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Issue notice, returnable in four weeks.

There shall be a stay of further proceedings in R/Special Civil Application No. 6970 of 2023 passed by the High Court of Gujarat at Ahmedabad till the next date of listing subject to further deposit of Rs. 1.5 Crores with the Registry of this Court,

1356

The said amount deposited shall be kept in an interest bearing account in fixed deposit with any Nationalised Bank for a period of six months and thereafter renewed for the same period regularly.

(SONIA BHASIN)  
COURT MASTER (SH)

(RANJANA SHAILEY)  
COURT MASTER (NSH)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CIVIL) NO. 26733-26734 OF 2024

IN THE MATTER OF :

RSPL Ltd.

...Petitioner

Versus


Balubha Pabubha Ker &amp; Ors.

...Respondents

## LODGMET SCHEDULE

Date of order	Amount	Party on whose behalf & the purpose for which the payment is made	Remarks
18.11.2024	1.5 Cr.	Petitioner As per order dated 18.11.2024 passed by this Hon'ble Court.	

Dated: 19.11.2024

Issue Challan  
Time for payment till  
(MILIND KUMAR)  
Advocate for the Petitioner

Registrar

MILIND KUMAR  
Advocate on Record  
Supreme Court of India28, Lawyers Chamber, Supreme Court of India  
Tilak Marg, New Delhi-1 Mob.: 9868161390

भारतीय स्टेट बैंक  
State Bank of India  
Issuing Branch: INDUSTRIAL ESTATE (KANPUR)  
कोड क्र / CODE No 00219  
Tel No 0512-2221217

मांगद्राफ्ट  
**DEMAND DRAFT**

Key POKKUV  
Sr. No: 156615

1 8 1 1 2 0 2 4  
D D M M Y Y Y Y

मागे जानेपर THE REGISTRAR SUPREME COURT OF INDIA NEW DELHI.....

ON DEMAND PAY  
रुपये RUPEES One Crore Fifty Lakh Only

या उनके आदेश पर  
OR ORDER

अदा करें ₹ 15000000.00

IOI 000453646612 Key POKKUV Sr. No. 156615  
Name of Applicant RSPL LIMITED

AMOUNT BELOW 15000001(0/8) मूल्य प्राप्त / VALUE RECEIVED

भारतीय स्टेट बैंक  
STATE BANK OF INDIA

*Piyush Singh*  
PIYUSH SINGH  
AUTHORISED SIGNATORY

*Raj Kumar*  
राज कुमार  
BRANCH MANAGER

अदाकर्ता शाखा / DRAWEE BRANCH: NEW DELHI MAIN BRANCH  
कोड क्र. / CODE No 00691

केवल 3 महीने के लिए वैध  
VALID FOR 3 MONTHS ONLY

कंप्यूटर द्वारा मुद्रित होने पर ही वैध  
VALID ONLY IF COMPUTER PRINTED

₹ 1,50,00,000- एवं अधिक के लिए भी अधिकृत  
INSTRUMENTS FOR ₹ 1,50,00,000- & ABOVE ARE NOT VALID UNLESS SIGNED BY  
**RAJKUMAR**  
5K-786

⑈ 6466 1 2 ⑈ 00000 2000 ⑈ 000453 ⑈ 16

9  
8  
7  
6  
5  
4  
3  
2  
1

1358

SUPREME COURT OF INDIA  
(CASH & ACCOUNTS-II)

1359

Dated : 20/11/24

Receipt No. 30320

Matter No. :- Sep (C) No- 26733-26734 of 2024

R SPL Ltd.

...PETITIONER(S)/APPELLANT(S)

VERSUS

Balubha Padubhaker & Co. ...RESPONDENT(S)/APPELLANT(S)

Received from Shri/Ms./M/s. Milind Kumar

Advocate (s), Supreme Court of India, Advocate(s) on behalf of  
Petitioner(s)/Appellant(s)/Respondent(s) a sum of Rs. 1,50,00,000/-  
(Rupees One crore fifty lakhs only) only)

by way of Bank Draft No. 646612 dated 18/11/24

issued by the State Bank of India

on the 20/11/24

towards Hon'ble court order - dt 18/11/24

in the matter above mentioned.

Subject to realization of above mentioned DD(s)/Pay Order(s)



*[Signature]*  
20/11/24  
BRANCH OFFICER  
CASH & ACCOUNTS-II  
SUPREME COURT OF INDIA

**ANNEXURE A4****IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CIVIL APPLICATION NO. 6970 of 2023****With****CIVIL APPLICATION (DIRECTION) NO. 1 of 2024  
In R/SPECIAL CIVIL APPLICATION NO. 6970 of 2023**

=====

**BALUBHA PABUBHA KER  
Versus  
STATE OF GUJARAT & ORS.**

=====

**Appearance:**  
SHIVANGI D VYAS(10117) for the Petitioner(s) No. 1  
GOVERNMENT PLEADER for the Respondent(s) No. 1  
MR ABHISHEK M MEHTA(3469) for the Respondent(s) No. 4  
MR ANKIT SHAH(6371) for the Respondent(s) No. 2  
MS DHARMISHTA RAVAL(707) for the Respondent(s) No. 3  
=====**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE  
SUNITA AGARWAL  
and  
HONOURABLE MR. JUSTICE PRANAV TRIVEDI****Date : 19/11/2024****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)**

The personal affidavit of the Chairman, Gujarat Pollution Control Board in compliance of the order dated 08.08.2024 filed today, is taken on record.

In view of the order dated 18.11.2024 passed by the Apex Court in Special Leave to Appeal (C) No(s). 26733-26734 of 2024, the further proceedings of the present petition stands stayed.

A statement is made on behalf of the learned advocate appearing for the petitioner that the condition imposed in the order dated 18.11.2024 to deposit the amount of Rs. 1.5 crores with the Registry of the Apex Court is being complied with, inasmuch as, the demand draft dated 18.11.2024 has been prepared in the name of the Registrar, Supreme Court of India, New Delhi and the same will be deposited within the course of the day.

**(SUNITA AGARWAL, CJ)**

C.M. JOSHI

**(PRANAV TRIVEDI,J)**



**ANNEXURE AS****IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CIVIL APPLICATION NO. 6970 of 2023****With  
CIVIL APPLICATION (DIRECTION) NO. 1 of 2024  
In R/SPECIAL CIVIL APPLICATION NO. 6970 of 2023****BALUBHA PABUBHA KER  
Versus  
STATE OF GUJARAT & ORS.****Appearance:****SHIVANGI D VYAS(10117) for the Petitioner(s) No. 1  
GOVERNMENT PLEADER for the Respondent(s) No. 1  
MR ABHISHEK M MEHTA(3469) for the Respondent(s) No. 4  
MR ANKIT SHAH(6371) for the Respondent(s) No. 2  
MS DHARMISHTA RAVAL(707) for the Respondent(s) No. 3****CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE  
SUNITA AGARWAL  
and  
HONOURABLE MR. JUSTICE PRANAV TRIVEDI****Date : 10/12/2024****ORAL ORDER  
(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA  
AGARWAL)**

1. Put up on 10.02.2025.
2. The decision of the Apex Court, if any, shall be brought on record.

**(SUNITA AGARWAL, CJ )**

SUDHIR

**(PRANAV TRIVEDI,J)**

ANNEXURE A6

વ્યાજ સીજકામ

વ્યાજ સીજ તા. ૧૩/૧૧/૨૦૨૪ના રોજ ગામદાર ગુજરાત લાઇકેન્સિંગ એ. R S P L Ltd. કુલંગા ડિસ્ટ્રિક્ટ વ્યાજકામ પાલિકા કોમર્સિયલ બેંક લિમિટેડ નીચે મુજબ લાજર રહીને કમિશનીના સંબંધી લાજર રહીને. અંદર કામગીરીના તા. ૦૮/૧૦/૨૦૨૪ના રોજ મારીનું સંબંધન બંધ રહેવા માટે કોમિશનરને લેખીત રીતે જાણ કરવા તા. ૧૩/૧૦/૨૦૨૪ના રોજ વ્યાજકામ સર્વે. નં. ૫૦૫ના મારીનું સંબંધન CBR ૨.૬૬) વ્યાજકામ તથા સર્વે. નં. ૫૦૫ના મારીના સંબંધન CBR-૨.૬૪ વ્યાજકામ ઉપરોક્ત બંને સર્વે. નં. ના સંબંધન રેમીડીયેશનની કામગીરીના સર્વે. નં. ૫૦૫ના સંબંધન રીમીડીયેશનની કામગીરી તા. ૦૯/૧૧/૨૦૨૪ના રોજ શરૂ કરવામાં આવેલ. જેના સંબંધની દ્વારા ફક્ત લઈ આવી માટે ભરવા માટેની કામગીરી આજુ કવમ પર્વતુ મારીની અંદર ભરવું પ્રમાણવધુતથા CBR વ્યાજકામ સંબંધી હોવાના કારણે ફક્ત કામગીરી શરૂ થઈ રહી નથી. ત્યારબાદ સંબંધની દ્વારા મારીની કામગીરી ફેરવે દ્વારા આજુ કવમ. જેના પછી મારીના ભરવું પ્રમાણ વધુ તથા CBR વ્યાજકામ સંબંધી હોવાના કારણે ફેરવે આલવાનાં પણ મુશ્કેલી પડેલ. જેથી તા. ૦૯/૧૧/૨૦૨૪થી તા. ૧૩/૧૧/૨૦૨૪ સુધી ફેરવે SOJ Remediationની કામગીરી આજુ કવમ. જેથી આત્યંક મુશ્કેલીના કારણે ૧૦૦ ઇન્ચની જેવી કામગીરી પુર્ણ થઈ શકે જયે. જેકુલ કામગીરીના આકારે ૮.૫૦નાં કામગીરી પુર્ણ થઈ શકાયેલ છે. જેથી ઉપરોક્ત કામગીરી માટે વ્યાજ સીજ ૧૩/૧૧/૨૦૨૪ના રોજ આ કામગીરી માટે નક્કી થઈને કમિશનીના સંબંધી દ્વારા કામગીરીની પ્રગતિ વ્યાજ સીજ સંબંધી જાણના સ્થળ પર ભેગા થયેલ.

ઉપરોક્ત વ્યાજકામ ધ્યાન લેતા સંબંધનીના રીક્રેટ નિમજ સ્થળસ્થિતી કોના અંતે તા. ૧૩/૧૦/૨૦૨૪ના રોજ થયેલી તથા તા. ૧૩/૧૦/૨૦૨૪ના રોજ કુપમીત્રી દ્વારા તાલુકામાં જાહેર થયેલ. તેમજ વ્યાજકામ થઈને માગમાં નીચેથી પાણી આવેલે જણાયેલ. જેનો કમિશનીના સંબંધની લાજરીમાં મારીની નક્કી પ્રથમને અંતે લવામાં આવેલ.

આદ્ય તમામ વ્યાજની યોગ્ય SOD Remediationની કાચગીરી માટેની પ્રોપર્ટી તમેજ સ્થાપકિયાતી યોગ્ય છેકરવી થઈ શકે તેમ છે તેમજ અમદા માત્રી મેજ છે આમ યોગ્ય કમિટીના અગ્રણીયુ આયુ માત્રવુ છે કે - જે આ પ્રામતીરીના તિતંબ શાય તે - જે DDU- નકીલાદ દુનાં અગ્રણીય કાચગીરીના વાતે Bio Remediation અપરાવા અગ્રણી તિતંબ યોગ્ય આલિપ્રાય વાતે વિચારી શકાય.

- ૧. કા.ક.મ. વાલો
- ૨. જી.એન. યોરુવા
- ૩. મી.બી.પરમાર
- ૪. તિ.બી.જાવરુ
- ૫. જી.જી. પ્રજાપતિ
- ૬. વી.એચ. શરુવાલા
- ૭. આલુલા પબુલા કરે
- ૮. ગોવિંદલાલ કરંગીયા
- ૯. મનદીપ કુવાર
- ૧૦. જી.બી.ભટ્ટ

જી.એ.મી. ગુપ્તાપત્ર  
 Geology & Mining  
 જી.ટી.ઈ. મુખમ મેજાલિમ્મ  
 વ્યાજ.  
 મ.મ. વ્યાજપત્ર મેજાલિમ્મ લેબોરેટરી,  
 દિરમ

*Paul*  
 @pitara  
 [Signature]

કાર્ડેન ઓરિસર  
 દાવડા

*JL*  
*Ch*

વેલનુ પલાલી  
 ઝૂંકા

Chimera

અનજદાવડા

બેંગલોર, (સિવ અનુનીવર્સી)

*le*

આપરવાન હેડ, RSPL Ltd.

under  
 14/11/21

RO, GPCB

[Signature]

(T)

Place : S. No. 606

Village : Kuranga, Tal. Dwarka,

Dist. Devbhoomi Dwarka,

Date : 14/11/2024

**SPOT ROJKAM**

Today on 14/11/2024, pursuant to the case filed by Balubha Pabubha Ker, Petitioner V/s. M/s. RSPL Ltd. before the Hon'ble Gujarat High Court, the following Committee members remained present. In the said work, a sample of soil was taken on 09/10/2024 and sent for testing. The Laboratory gave its report on 23/10/2024, the C.B.R. of the soil of S.No. 540 was found to be (2.56) and C.B.R. of the sample of S. No. 606 was found to be 2.54. The work of soil remediation of both the S. Nos., the work of soil remediation in S.No. 606 was started on 07/11/2024 wherein the Agency had started the work of carrying the soil through truck but since the ratio of humidity in the soil was more and the CBR value was less, the work could not be started by the truck. Thereafter the work of soil was started through tractor by the Agency wherein also the humidity was more and the CBR value was less, it was difficult for the trucks to run. Therefore, the work of soil remediation was continued from 07/11/2024 to 13/11/2024 through tractors and

thereby till now, the work of about 800 cubic meter was completed, which is about 8.50% of the total work is found to have been completed. Therefore, for the aforesaid work, since the progress of the work was found to be very slow, the members of the Committee decided for this work had gathered on the spot.

Considering the aforesaid facts and looking to the result of the Laboratory and on-the-spot condition and 15 mm on 19/10/2024 and 35 mm. rains on 21/10/2024 was registered in Dwarka taluka and the water had flown from below the excavated part and the sample of the water was taken in presence of the Committee members for analysis.

Looking to all these facts and looking to the property and condition of the soil and, the work of soil remediation can be done through tractor which may take time. Thus looking to the same, it is believed by the Committee members that if there is delay in this work then instead of the work suggested by DDU, Nadiad, the bio remediation or any other alternative can be tried after obtaining the opinion.

1. R.B (illegible) Illegible

Sd/-

2. G. N. Pithiya Geology & Mining Sd/-
3. P. B. Parmar Dy.E.E. R&B sub-Divn. Sd/-  
Dwarka
4. V. B (illegible) A.E., Irrigation Divn, Dwarka Sd/-
5. J. G. Prajapati Circle Officer, Dwarka Sd/-
6. V. H. Makwana Revenue Talati, Kuranga Sd/-
7. Balubha P. Ker The petitioner Sd/-
8. Govindbhai Agency (Shiv Engineers) Sd/-  
Karangiya
9. Mandip Fuvar Operation Head, RSPL Ltd. Sd/-
10. G. B. Bhatt RO, GPOCB Sd/-



## ANNEXURE A7



## GUJARAT POLLUTION CONTROL BOARD

IS/ISO : 9001 : 2008 and IS/ISO: 14001 : 2004 Certified Organization  
REGIONAL OFFICE

Sardar Patel Bhavan, Rameshwar Nagar, JAMNAGAR - 361008.  
Ph. (0288) 2752366, E-mail : ro-gpcb-jamn@gujarat.gov.in  
website : www.gpcb.gujarat.gov.in

No. GPCB/RO-JAM/T-266/6650

**ONLY E-MAIL**

Date:- 05/12/2024

To.

The Dean (Technology)  
Dharamsinh Desai University (DDU),  
College road, Nadiyad.

[Kind Attn.: Dr. Deshmukh Sir]  
(Environmental consultancy cell)

**Subject:** Soil remediation work in M/s. RSPL Ltd., Vill. Kuranga, Ta. Dwarka, Dist. Devbhoomi Dwarka.

- Reference:**
1. Environmental Site Assessment (ESA) study report for Soda Ash Plant at M/s. RSPL Ltd., Vill. Kuranga, Ta. Dwarka, Dist. Devbhoomi Dwarka.
  2. This office letter no. No. GPCB/RO-JAM/T-266/6598 Date:- 16/11/2024
  3. Your reply letter dated. 22/11/2024.

Respected sir,

It is informed you that, with reference to your ESA study report for M/s. RSPL Ltd., a District level Soil Remediation committee formed by the Gujarat Pollution Control Board, Gandhinagar which was chaired by Executive Engineer (State), R&B Department, Government of Gujarat.

After formation of committee, work tender was issued by R&B Department and work allotted to M/s Shiv Engineers as per your suggestion made in ESA study report.

In Hon'ble High Court matter, a case is going on regarding pollution by M/s. RSPL Ltd., Kuranga against Balubha Pabubha Ker petitioner. Accordingly, in the presence of Chairman of the committee (SDM- Dwarka). A site inspection will be carried out of M/s. RSPL Ltd., Vill. Kuranga, Ta. Dwarka, Dist. Devbhoomi Dwarka, on Date: 18/12/2024, at 10:30 hrs.

As directed, you are hereby requested to attend the site inspection with necessary documentary evidence has directed your view and suggestions are required to way out for the remediation work.

Considering Hon'ble High Court matter treat this letter on TOP PRIORITY.

We look forward to your Co-operation in this matter.

With Regards,

(G. B. Bhatt)  
Regional Officer, GPCB &  
Member Secretary of  
District Level Soil Remediation Committee

**Copy to:**

- 1) Member Secretary, Gujarat Pollution Control Board, Gandhinagar.
- 2) District Collector, Dist.: Devbhumi Dwarka.
- 3) Executive Engineer, R&B (State), Dist.: Devbhumi Dwarka.
- 4) RSPL Limited.
- 5) All members of District Level Soil Remediation Committee.



આમ: સં. નં. ૫૦૫

ગામ: કુરુયા, તા. દ્વારકા

જિ. દિવલુપિ દ્વારકા

તા. રૂડા રા. ૨૦૧૪

# ANNEXURE A8

## વેબના સીટકા બ

આજ સીટ તા. ૨૩/૧૨/૨૦૧૪ના સીટ નામદર મુજબનું ડાઉનલોડ મા  
 મી. RSPL લત્. કુરુયા વિરુદ્ધ વ્યાજુલા કંપનુલા ક્ષેત્ર ક્રેમ અંતર્ગત  
 નીચે મુજબ હાજર પહોંચા કમિટીના અભ્યો તથા DPU, નડીવાદના  
 પ્રતિનિધી હાજર રહ્યાં. અગાઉ કમિટીના વેબના સીટકાનું અનુસંધાન  
 કમિટી દ્વારા સોલ્ડ Remediationમાં થતી તકનીક / problem  
 નિવારણ માટે તા. ૧૬/૧૨/૨૦૧૪ના પત્રથી DPU, નડીવાદને  
 યોગ્ય comments / suggestions આપવા વિનંતી કરેલ. જે અનુસંધાન  
 તા. ૨૨/૧૨/૨૦૧૪ પત્રથી DPU, નડીવાદ દ્વારા તપાસી જે વ્યુનાસો  
 આપવામાં આવેલ તેના અનુસંધાન આજ સીટ DPU ના પ્રતિનિધીને  
 બોલાવેલ.

કમિટીના અભ્યો અને DPU ના પ્રતિનિધી, RSPL કંપનીના  
 પ્રતિનિધીઓ અગત્ય પ્રાંત અધિકારી સી દ્વારા દ્વારા આગળની કાર્યવાહી  
 અંગે પુછવામાં આવતા અવજાવણી, વ્યાજુલા કોર દ્વારા જલાવેલિએ  
 હાલમાં મી. RSPL કંપની દ્વારા ના અપ્રિય કોરમાં જે અવજાવણી કરવામાં  
 આવેલ છે અને તા. મુખ્ય ડોર દ્વારા હાલ જે મુકવામાં આવેલ છે.  
 જેને ઘાન લઈ હાલ કાર્યવાહી અગત્ય રાખવી. આ વાતની  
 પ્રાંત અધિકારી દ્વારા કમિટીના અગત્ય અભ્યોને પણ પુછવરુક કરવા  
 અનુકરને વ્યવે મિલેલ કરેલે કે ના અપ્રિય ડોર દ્વારા આ કોરમાં  
 સવિધમાં જે કઈ હુકમ કે ગાઈડલાઈન્સ અપવામાં આવેલો તે  
 અનુસાર આગળની કાર્યવાહી કરવામાં આવશે. જે અંગેનું  
 આ સીટકાનું કરવામાં આવેલ છે.

- ૧) જી. બી. ભટ્ટ, તા. ૨૨, ગુ.પ. નિં. લે. -
- ૨) જી. બી. ભટ્ટનાર જામણ મંજીરા સિમળા આરમ

  
 ૨૩/૧૨  


- ③ S. P. Patil EE Pimpri Chinchwad T. Co. Mumbai S.P. Patil
- ④ T. R. M. Chong Bio Agri. Durban T.R.M. Chong
- ⑤ K. N. Patil Zoology & Botany K.N. Patil
- ⑥ R. A. Patel B.A. University R.A. Patel

⑦ Soil Remediation of 2000 mg/kg 210Pb in  
 दोनो नदों के तट.

Author: (Sunil M. Badhe)  
 23/12/24  
 12:00 AM  
 Post head

परिधानर. बाभुबा हेर द्वारा जारी प्रकाशनी कनाए उरुत हे.

Place : S. No. 606

Village : Kuranga, Tal. Dwarka,

Dist. Devbhoomi Dwarka,

Date : 23/12/2024

**SPOT ROJKAM**

Today on 23/12/2024, pursuant to the case filed by Balubha Pabubha Ker, Petitioner V/s. M/s. RSPL Ltd. before the Hon'ble Gujarat High Court, the following members of the Committee and representative of DDU, Nadiad remained present. Earlier, pursuant to the Spot Rojkam, on 16/11/2024 the Committee had requested DDU, Nadiad to give comments/suggestions for solving the problem in Soil Remediation. Pursuant to the same, as per the clarification given by DDU, Nadiad vide letter dated 22/11/2024, the representative of DDU was appointed.

On asking the Prant Officer, Dwarka about the further proceedings in presence of the members of the Committee and representative of DDU, the applicant Balubha Ker informed that M/s. RSPL Company has filed an application before the Hon'ble Supreme Court and Hon'ble Supreme Court has granted stay. Considering the same, the proceedings may be stayed. In this regard, on asking by the Prant Officer to the other members of the

Committee, it was unanimously decided that further proceedings will be done as per the order or guidelines issued by the Hon'ble Supreme Court. The present Rojkam is made for the same.

- (1) G. B. Bhatt, R.O., GPCB Sd/-
- (2) P. B. Parmar, Dy. Exe. Engr. R & B Dwarka Sd/-
- (3) S.P. Patel, E.E. Panchayat (illegible) Sd/-
- (4) T. R. (illegible), E.O., Agri. Swarka Sd/-
- (5) G.N. (illegible), Geology and mining Sd/-
- (6) R. A. Patel, D.D. University Sd/-
- (7) No objection from RSPL if soil remediation work gets continues.

Sunil M. Buch (Plant head)

23.12.24 12 noon

Sd/-

Petitioner Balubha Kher has refused to sign.



Sr. No.	New Survey No.	Old Survey No.	Area (Hectare)	Area (Acre)	Area (Vigha)	Name of Farmer	Entry No.	Entry Date	Entered Through	
1	395	235/P1	1-69-27	4.18	10.46	Tharya Kara Jalubha Karsanbha <b>Balubha Pabubha</b>	2645	09-02-2017	Co-Partner/ Partnership	
2	397	231	6-18-71	15.29	38.22	Karsan Abu Hitesh Naran	-	-	-	
<b>Total Part A: 07-87-98</b>							<b>19.47</b>	<b>48.68</b>		
3	644	380	3-68-97	9.12	22.79	Pabubha Lakdir Dhrakhibai Pabubha Sitaben Pabubha <b>Balubha Pabubha</b> Samrabha Pabubha Khengarbha Pabubha	2277	17-10-2014	Entitlement to survivorship झारदाई एस एतवे	
4	643	380/1	0-74-00	1.83	4.57	Pabubha Lakdir Dhrakhibai Pabubha Sitaben Pabubha <b>Balubha Pabubha</b> Samrabha Pabubha Khengarbha Pabubha	2277	17-10-2014	Entitlement to survivorship झारदाई एस एतवे	
5	642	379	0-88-37	2.18	5.46	Pabubha Lakdir Dhrakhibai Pabubha Sitaben Pabubha <b>Balubha Pabubha</b> Samrabha Pabubha Khengarbha Pabubha	2277	17-10-2014	Entitlement to survivorship झारदाई एस एतवे	
6	638	376	0-49-62	1.23	3.07	Pabubha Lakdir Dhrakhibai Pabubha Sitaben Pabubha <b>Balubha Pabubha</b> Samrabha Pabubha Khengarbha Pabubha	2277	17-10-2014	Entitlement to survivorship झारदाई एस एतवे	
7	44	34	5-10-43	12.61	31.53	Pababha Momaiya Karshna Momaiya <b>Balubha Pabubha</b> Jayeshkumar Gulabbhai Kotecha Devsji Manji	2974	31-12-2020	Registered Sale Deed	
8	42	33/P2	0-80-98	2.00	5.00	<b>Balubha Pabubha</b> Jayeshkumar Gulabbhai Kotecha Devsji Manji	2975	31-12-2020	Registered Sale Deed	

Sr. No.	New Survey No.	Old Survey No.	Area (Hectare)	Area (Acre)	Area (Vigha)	Name of Farmer	Entry No.	Entry Date	Entered Through
9	723	377/P1	2-03-30	5.02	12.56	Jalubha Karsanbha <b>Balubha Pabubha</b> Bhurabha Balubha	2652	17-03-2017	Registered Sale Deed
<b>Total Part B:</b>			<b>13-75-67</b>	<b>33.99</b>	<b>84.98</b>				
<b>Net Total (Part A+B):</b>			<b>21-63-65</b>	<b>53.46</b>	<b>133.66</b>				

Sr. No.	New Survey No.	Old Survey No.	Area (Hectare)	Area (Acre)	Area (Vigha)	Name of Farmer	Entry No.	Entry Date	Entered Through
10	540	297	1-05-22	2.60	6.50	Magha Savji <b>Balubha Pabubha</b> Ghelubha Rambha Manek	2647	01-03-2017	Co-Partner/ Partnership
11	606	328/P1	1-86-59	4.61	11.53	Jalubha Karsanbha <b>Balubha Pabubha</b> Merubha Balubha	2651	17-03-2017	Co-Partner/ Partnership
12	629	361/3	1-12-92	2.79	6.98	Karsan Abu	-	-	-
<b>Total Part C:</b>			<b>4-04-73</b>	<b>10.00</b>	<b>25.00</b>				
<b>Net Total (Part A+B+C):</b>			<b>25-68-38</b>	<b>63.46</b>	<b>158.66</b>				



गुजरात गुजरात GUJARAT

अनुक्रम नंबर १५२४ तारीख १०/०५/१८  
किंमत रु. १००/- नंग १ पैकी ३ नोडिंग  
परीक्षितारनु नाम श्री. देवसूमी देवसूमी  
सन्ने १३/०५/१८ १३/०५/१८  
परीक्षितारनी श्री. देवसूमी

BG 380804

Id. No. D.M./STP/2/2000

Shri. Devsami  
देवसूमी

वाहन लाडे मेणववा अंगेनो करार

आ वाहन लाडे मेणववा अंगेनो करार शहेर दारका मध्ये आज तारीख १३/०५/१८ माहे कुला, सने २०१८ ना दिने,

अेकतरकुवाणः :-

श्री वाजुमा पयुमा देव  
पुप्त वयना, धर्म तथा जते हिन्दू, धंधो खेती  
(PAN No. DCR PK 7899 P)  
रहेवासी १३/०५/१८  
ज. देवसूमी दारका,

For, RSPL Limited

Shri. Devsami  
(Authorised Signatory)



## Vehicle Rent Agreement

જેને હવે પછી આ કરારમાં "વાહન માલિક" કે "એકતરફવાળા" એ રીતે સંબોધવામાં આવશે. જે શબ્દોના અર્થમાં એકતરફવાળા તથા તેના એકઝીક્યુટરો, એડમીનીસ્ટ્રેટરો, એસાઇનીઓ ઇત્યાદિ તમામનો સમાવેશ થાય છે તે એકતરફવાળા અને

બીજીતરફવાળા :-

મેસર્સ આરએસપીએલ લીમીટેડ (PAN No. AADCS7820A) કે જે ભારતીય કંપની એક્ટ, ૧૯૫૬ હેઠળ નોંધાયેલ કંપની છે અને જેની પ્રોજેક્ટ ઓફીસ :- સી-૧ અને સી-૨, ૩જો માળ, સફલ પ્રોફીટાયર, કોર્પોરેટ રોડ, પ્રહલાદનગર ગાર્ડન પાસે, સેટેલાઈટ, અમદાવાદ-૧૫, ગુજરાત અને સોડા-એશ પ્રોજેક્ટ સાઇટ :- સર્વે નંબર ૪૭૧, ગામ:- કુરંગા, તાલુકો:- દ્રારકા, જી:- દેવભૂમિ દ્રારકા ખાતે આવેલ છે તેના વતી અને તરફથી તેના ઔથોરાઇઝડ સિગ્નેટરી શ્રી દેવીશ કુંદલાશાજી કાજી વંદાબાઈ - પુખ્ત વયના, ધર્મે તથા જાતે હિંદુ, ધંધો- નોકરી રહેવાસી :- ગામ :- કુરંગા, તાલુકો :- દ્રારકા, જી. દેવભૂમિ દ્રારકા, ગુજરાત,

જેને હવે પછી આ કરારમાં "બીજીતરફવાળા" અગર "સદરહુ કંપની" એ રીતે સંબોધવામાં આવશે, જે શબ્દોના અર્થમાં બીજીતરફવાળા તથા તેના એકઝીક્યુટરો, એડમીનીસ્ટ્રેટરો, એસાઇનીઓ ઇત્યાદિ તમામનો સમાવેશ થાય છે તે બીજીતરફવાળા ની વચ્ચે કરવામાં આવે છે.

For, RSPL Limited

  
(Authorized Signatory)



એકતરફવાળા અને બીજીતરફવાળા વચ્ચે વાહન ભાડે મેળવવા અંગેનો કરાર નીચે મુજબ કરવામાં આવે છે :-

1. એકતરફવાળા નીચે મુજબ વાહનનો કબજો ધરાવે છે.

અનુ. નંબર	વાહન નો પ્રકાર	વાહન કંપની નું નામ	રજીસ્ટ્રેશન નં.	મોડલ નં.
૧	જેસીબી એસ્કેવેટર	જેસીબી	GJ-10-CE-8088	૨૦૦૭

જેને એકતરફવાળાએ બીજીતરફવાળાનો ઉપર મુજબ જણાવેલ વાહનો માસિક ધોરણે ભાડા પર આપવા માટે સંપર્ક સાધ્યો હતો અને આ અંગેની વિગતવાર ચર્ચા પછી બીજીતરફવાળા માસિક ધોરણે વાહન ભાડા પર લેવા માટે તૈયાર છે. જેની શરતો નીચેની મુજબ રહેશે.

- ભાડે આપેલ વાહન ઉપર દર્શાવેલ કંપનીની પ્રોજેક્ટ સાઇટ પર પ્રતિ દિવસ ૧૦ કલાક (સવારના ૦૮ વાગ્યા થી સાંજના ૦૬ વાગ્યા સુધી) મહીનાના ૨૮ દિવસ ડ્રાઇવર સાથે હાજર રહેશે અને જો કોઈ અનિવાર્ય સંજોગોમાં વાહનની જરૂરીયાત ઉભી થાય તો વાહન પુરૂ પાડવાનું રહેશે અને જે અંગે કોઈ વધારાની રકમ મળી શકશે નહીં. આ વાહનનો ઉપયોગ બીજીતરફવાળા દ્વારા મહીનાના લઘુત્તમ ૨૮૦ કલાક/જરૂરીયાત મુજબ કરવામાં આવશે.
- કંપની દ્વારા માસિક રૂ. ૮૦,૦૦૦/- (રૂપીયા એસી હજાર પુરા) ભાડા તરીકે ચૂકવવામાં આવશે. જેમાં વીમો, ડ્રાઇવરો પગાર, રોડ ટેક્સ, ટોલ ટેક્સ (જો કોઈ હોય તો), જાળવણી અને મરામત ખર્ચ વગેરે તમામનો સમાવેશ થાય છે. વાહનનો બળતણ ખર્ચ(ડીઝલ) કંપની દ્વારા ચૂકવવામાં આવશે. માસિક ભાડા અને બળતણ ખર્ચ સિવાય કંપની દ્વારા કોઈ અન્ય રકમ ચૂકવવામાં આવશે નહીં.
- વાહન માલિક દ્વારા વાહનની યોગ્ય જાળવણી માટે મહીના ૦૨ દિવસ વાહન માલિક દ્વારા વાહનની સર્વિસ/મેન્ટેનન્સ કરાશે કે જેથી વાહન કોઈ ખલેલ વગર પ્રતિ દિવસના ૧૦ કલાક મહીનાના ૨૮ દિવસ ઉપલબ્ધ રહી શકે. કોઈ પણ ખલેલ/બ્રેક ડાઉન/અન્ય કોઈ પણ મુશ્કેલીના સમયે એકતરફવાળા દ્વારા ૩૦ મિનિટ અંદર તરત જ વાહન બદલી દેવાનું રહેશે. જો આમ કરવામાં એકતરફવાળા નિષ્ફળ જશે તો બીજીતરફવાળા દ્વારા વૈકલ્પિક વ્યવસ્થા કરવામાં આવશે અને જેનો ખર્ચ એકતરફવાળાના બીલમાંથી વસૂલવામાં આવશે. જે બાબત એકતરફવાળાને મંજૂર રહેશે અને કોઈ રજૂઆત/તકરાર કરશે નહીં.
- પ્રવર્તમાન નિયમોનુસાર બીજીતરફવાળા દ્વારા એકતરફવાળાના માસિક ભાડાની રકમમાંથી ૧ (એક) ટકા ટીડીએસ કાપવામાં આવશે.

For, RSPL Limited

(Authorised Signatory) પરસ્પર ચર્ચા બાદ ફરી કરારની નિયમો અને શરતોથી યોગ્ય સમયગાળા માટે કરવામાં આવશે.

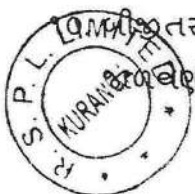


7. આ કરારના સમય દરમિયાન વાહનમાલિક દ્વારા નીચેની બાબતોનું પાલન કરવાનું રહેશે:-

૧. વાહન અથવા તેનો કોઈ ભાગને વેચવું/કબજો બીજા કોઈને સોંપી દેવો/ગીરો મુકવું વગેરે કરશે નહીં અને વાહન બીજા કોઈ દ્વારા ઉપયોગ કરવા માટે અથવા રાખવામાં અથવા અટકાયતમાં રાખવા માટે આપવામાં આવશે નહીં. જો આવું કોઈ કાર્ય કરવું હોય તો એકતરફવાળાએ બીજીતરફવાળાની ૧૫ દિવસ અગાઉથી લેખિત સંમતિ મેળવી લેવાની રહેશે.
૨. બધા જ જરૂરી લાયસન્સ, ફી, નોંધણી અને પ્રાદેશિક વાહન-વ્યવહાર કચેરીમાં જરૂરી અન્ય ખર્ચ/કર ચૂકવેલા હોવા જોઈએ અને વાહનની યોગ્ય જાળવણી કરવામાં આવશે કે જેથી વાહનની સારી હાલત જળવાઈ રહે.
૩. એકતરફવાળા દ્વારા વાહનનો જરૂરી વીમો લેવામાં આવશે અને લાંબાગાળાનો વીમો લેવામાં આવશે કે જેથી વાહન તમામ જોખમો સામે રક્ષિત રહે અને તમામ ચુકવવાપાત્ર પ્રિમીયમ વીમા કંપનીને ચુકવીને આ પહોંચની નકલ બીજીતરફવાળાને આપશે.
૪. કરારના સમય દરમિયાન વાહનને કારણે થતા અકસ્માતોના અન્ય પક્ષો તરફથી કરવામાં આવેલ દાવાઓની જવાબદારી એકતરફવાળાની રહેશે.
૫. વાહનનો વપરાશ વખતોવખત અમલમાં રહેલ જરૂરી કાયદાનું ઉલ્લંઘન થતું હોય તેવા કોઈ પણ કાર્યમાં ઉપયોગ કરી શકાશે નહીં.
૬. યોગ્ય ગણવેશધારી અને યોગ્ય રીતે પોશાક પહેરેલ અને સારી રીતે અનુભવી ડ્રાઈવર (માન્ય ડ્રાઈવિંગ લાયસન્સ સાથે) વાહનની સેવા પૂરી પાડવામાં આવશે. વધુમાં ડ્રાઈવર કોઈ પણ ફોજદારી અથવા અન્ય કોઈ પણ ગુનામાં સામેલ ન હોય તેની ખાત્રી અને ચાલ-ચલન અંગેની બાંહેધરી આપવાની રહેશે તથા જરૂરી પોલીસ વેરીફિકેશન કરાવી તેની નકલ બીજીતરફવાળાને આપવાની રહેશે.
૭. પ્રાદેશિક વાહન-વ્યવહાર કચેરીમાં જરૂરી રજીસ્ટ્રેશન ધરાવતા વાહન પૂરા પાડવાના રહેશે તથા વાહન યોગ્ય રીતે યોખ્મા તથા સાફ હોવા જોઈએ.
૮. વાહન માલિક દ્વારા ઓછામાં ઓછા ૩ (ત્રણ) વર્ષનો અનુભવ ધરાવતા હોય તેવા એક ડ્રાઈવર એક વાહન પર મુકવાનો રહેશે કે જે ફીટનેશ અંગેનું મેડીકલ સર્ટીફિકેટ (એમબીબીએસ ડોક્ટર દ્વારા) મેળવેલ હોય. બીજીતરફવાળા દ્વારા ડ્રાઈવરનો કસોટી/પરીક્ષા કરવામાં આવશે અને ઇન્ટરવ્યૂ પણ લેવામાં આવશે. જો બીજીતરફવાળાને ડ્રાઈવર યોગ્ય ના લાગે તો એકતરફવાળા તેવા ડ્રાઈવરને વાહન પર રાખશે નહીં. એકતરફવાળા તથા ભાડાનું વાહન બીજીતરફવાળાના વહીવટી અધીકારી, કુંરગા સાઇટ ના વહીવટી નિયંત્રણ હેઠળ રહેશે.
૯. બીજીતરફવાળા દ્વારા સૂચવવામાં આવેલ લોગબુક અને આવા અન્ય રેકોર્ડની જાળવણી એકતરફવાળા દ્વારા કરવામાં આવશે.

For, RSPL Limited

(Authorised Signat<sup>e</sup>.



૧૧. ડ્રાઈવર માટે લાગુ મજૂર કાયદાઓનું કડક પાલન કરવાનું રહેશે.
૧૨. સારી સેવા પૂરી પાડવા માટે, એકતરફવાળા દ્વારા જવાબદાર વ્યક્તિ / સુપરવાઇઝર ની નિમણૂક કરાશે-કે જે સમયસર રીતે વાહન કામના સ્થળે સુધી પહોંચે તથા યોગ્ય રીતે કામ કરે તેની ખાત્રી કરશે.
૧૩. એકતરફવાળા જાળવણી અને સર્વિસના નિયમોનું પાલન કરશે અને કરાર સમય દરમિયાન વાહન જાળવણી અને સર્વિસ માટે મહીનાદીઠ ૦૨ દિવસથી વધારે સમય માટે મોકલવામાં આવે ત્યારે એકતરફવાળા દ્વારા બીજાં વાહનની સુવિધા કરવાની રહેશે. જો આમ કરવામાં એકતરફવાળા નિષ્ફળ જશે તો બીજીતરફવાળા દ્વારા વૈકલ્પિક વ્યવસ્થા કરવામાં આવશે અને જેનો ખર્ચ એકતરફવાળાના બીલમાંથી વસૂલવામાં આવશે. જે બાબત એકતરફવાળાને મંજૂર રહેશે અને કોઈ રજૂઆત/તકરાર કરશે નહીં.
૧૪. એકતરફવાળાએ માસિક બીલ લોગબુક સાથે વહીવટી અધીકારીને મહીના ના અંતે આપવાનું રહેશે અને તે બીલ ૧૫ (પંદર) દિવસની અંદર બીજીતરફવાળાએ ચૂકવવાનું રહેશે.
૧૫. ફરજના સમય દરમિયાન ડ્રાઈવર દ્વારા કોઈપણ નશીલા પદાર્થોનું સેવન કરશે નહીં અથવા સાથે રાખી શકશે નહીં. જો ડ્રાઈવર નશીલા પદાર્થોનું સેવન કરેલા પકડાશે અથવા સાથે રાખેલા મળશે તો રૂ. ૧૦૦૦/- (એક હજાર) ની પેનલ્ટી એકતરફવાળા બીજીતરફવાળાને ચૂકવશે અથવા માસિક બીલમાંથી રકમ કાપી લેવામાં આવશે.
૧૬. એકતરફવાળાના વાહન અથવા વાહનચાલકને કારણે બીજીતરફવાળાને કે કોઈ અન્ય ત્રીજાપક્ષને કોઈપણ પ્રકારનું નુકસાન/ઘજા થશે તો તેને ભરપાઈ કરવાની સંપૂર્ણ જવાબદારી એકતરફવાળાની રહેશે.
૮. બીજીતરફવાળા ને એકતરફવાળાની સેવાઓ સંતોષકારક ન લાગે તો કોઈપણ સમયે કોઈપણ નોટિસ વિના બીજીતરફવાળા કરારનો અંત લાવી શકે છે.
૯. બીજીતરફવાળા દ્વારા કામ અંગેની સલામતી તથા સુરક્ષા અંગેની જરૂરી તાલીમ આપવામાં આવશે.
૧૦. બીજીતરફવાળાની પરવાનગી સિવાય કોઈ પણ કારણોસર/સંજોગોમાં એકતરફવાળા દ્વારા વાહન પૂરૂ પાડવામાં નહીં આવે તો તથા એકતરફવાળા અથવા તેમના ડ્રાઈવર દ્વારા બીજીતરફવાળાની કંપનીની મિલકતો/માણસો ને કોઈપણ નુકસાન થશે તો બીજીતરફવાળા એકતરફવાળાને રૂ. ૫૦૦૦/- નો દંડ કરશે જે એકતરફવાળાને મંજૂર રહેશે અને કોઈ રજૂઆત/તકરાર કરશે નહીં.
૧૧. આ કરારમાં ઉત્પન્ન થતા બધા વિવાદો, મતભેદો અને દાવાઓ કંપનીના મેનેજર શ્રી દીપકાં મેઘશામળ શામ સોફાવોલ ને મોકલી આપવાના રહેશે અને તેમનું અર્થઘટન અંતિમ રહેશે જે કરારના બન્ને પક્ષો માટે બંધનકર્તા રહેશે.

For, RSPL Limited  
(Authorised Signatory)



12. ભારતીય કાયદા અનુસાર કોઈ પણ દાવો માલિક દ્વારા કરવામાં આવે તેને દ્રારકા ન્યાયાલયના અધિકારક્ષેત્રમાં કરવાનો રહેશે.

બંને પક્ષોએ આથી સ્વીકાર્યું છે કે આ કરાર સંપૂર્ણપણે તેમને સમજાવવામાં આવ્યો છે અને તેઓ આ કરારની તમામ કલમો/અર્થ સમજ્યા છે અને તેઓની જવાબદારીની સંપૂર્ણ સમજ સાથે આ કરાર પર હસ્તાક્ષર કર્યા છે.

એ રીતેનો આ વાહન ભાડે આપવાનો કરાર બંને પક્ષકારોએ રાજીખુશીથી તેમજ અક્કલ હોંશીયારીથી વાંચી, વંચાવી, સમજી અને વિચારીને કોઈના કોઈપણ જાતના દાબદબાણ સિવાય સ્વસ્થચિતે લખી આપ્યો છે, જેને બંને પક્ષકારોના વંશ, વાલી, વારસો, એકઝીક્યુટરો, એડમીનીસ્ટ્રેટરો ઇત્યાદિ તમામને કબૂલ, મંજૂર અને બંધનકર્તા છે અને રહેશે અને ગણાશે.

એકતરફવાળા

સહી

શ્રી વાલુમા પપ્પુમા કોર

[Signature]

બીજીતરફવાળા

For, RSPL Limited

મેસર્સ આરએસપીએલ લીમીટેડ કંપની વતી

[Signature]  
(Authorised Signatory)

શ્રી દીપક મેન્ટાલિટી કામચંદાણી

બંને પક્ષકારોએ તેઓના સહી-સિક્કા નીચે જણાવેલા બે સાક્ષીઓ રૂબરૂ કરેલા છે.

સાક્ષીઓ

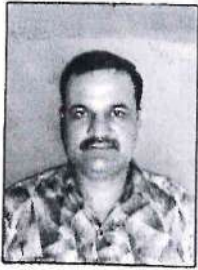

નામ

૧) પવરાજ ગણુમા

સહી  
[Signature]

૨) વિનય વિરમણમાઈ  
એકતરફવાળાની સહી, ફોટો તથા અંગુઠાની છાપ

[Signature]


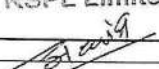


સહી	ફોટો	અંગુઠાની છાપ
<u>[Signature]</u>		

For, RSPL Limited

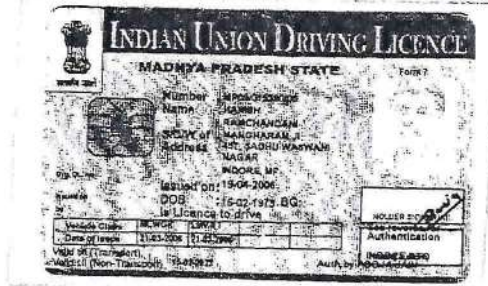
[Signature]  
(Authorised Signatory)



બીજી તરફવાળાની સહી, ફોટો તથા અંગુઠાની છાપ

સહી  For, RSPL Limited 	ફોટો 	અંગુઠાની છાપ 
--	---	---

(Authorised Signatory)



*Handwritten signature*

1382

**STAMP PAPER OF**

**RS. 100**

**INDIA NON JUDICIAL**

GUJARAT

BG 380804

Sr. No. 1524, dated 10/7/18

Name of Purchaser : R.S.P.L.Ltd.

Signature of Purchaser : Sd/-

**CONTRACT FOR GETTING VEHICLE ON RENT**

This Agreement for getting the vehicle on rent is made on  
this date - date 19/09/18 in month September, 2018

PARTY OF FIRST PART :

Shri Balubha Pabubha Ker

Aged adult, Religion : Hindu,

Occupation : Agriculture

(PAN No. DCRPK7899S),

Res. Kuranga, Dist. Devbhoomi Dwarka

For RSPL Ltd.

Sd –

Authorized Signatory

Sd/- Balubha Pabubha

hereinafter in this agreement shall be referred to as "Owner of vehicle" or "Party of First Part", which expression shall include party of first part, and his executors, administrators, assignees, etc. – Party of First Part.

**AND**

**PARTY OF SECOND PART**

M/s. RSPL Limited (PAN No. AADCS7820A) which is a Company registered under the Indian Companies Act, 1956, the Project Office of which is at C-1 and C-2, 3<sup>rd</sup> Floor, Safal Profiteer, Corporate Road, Near Prahladnagar Garden, Satellite, Ahmedabad-15, Gujarat and Soda Ash Project Site is situated at Survey No. 471, Village : Kuranga, Tal. Dwarka, Dist. Devbhoomi Dwarka through its Authorized Signatory Shri Harish Megharam Ramchandani, aged adult, Religion : Hindu, Occupation

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

Service, Res. Kuranga, -Tal. Dwarka,  
Dist. Devbhoomi Dwarka, Gujarat

hereinafter in this agreement shall be referred to as "Party of Second Part" or "said Company" which expression shall include party of second part, and its executors, administrators, assignees, etc. – Party of Second Part.

**The Agreement for getting the vehicle on rent between the Party of the First Part and Party of the Second Part is made as under :**

1. The party of the first part is in possession of the vehicle as under :

Sr. No.	Type of vehicle	Name of Vehicle Company	Registration No.	Model No.
1.	JCB Excavator	JCB	GJ-10-CE-8088	2007

The Party of the first part had contacted the party of the second part to give the above mentioned vehicle on rent on monthly basis and after detailed discussion in this regard, the party of the second party is ready to take the

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

vehicle on monthly basis, the conditions of which will be as under :

2. The vehicle given on rent will remain present on the project site of the aforesaid Company every day for 10 hours (08.00 hours in the morning to 06.00 hours in the evening) for 28 days a month alongwith driver and in case in unavoidable circumstances, if the requirement of vehicle arises, the vehicle will have to be provided and no additional amount for the same will be admissible. The use of the said vehicle shall be made maximum for 280 hours in a month / as per requirement.
3. The Company shall pay Rs. 80,000/- (Rupees Eighty Thousand only) as a rent which includes the insurance, salary of driver, road tax, toll tax (if any), maintenance and repair expenses etc. The fuel cost (diesel) of the vehicle shall be paid by the Company. Except the monthly rent and fuel cost, no other amount shall be paid by the Company.
4. For proper maintenance of the vehicle by the owner of the vehicle, the owner of the vehicle shall carry out service/ maintenance of the vehicle for two days in a month so that the vehicle can be made available without any disturbance for 28 days of a month for 10 hours per day. In case of any disturbance / breakdown / or any other difficulty, the party of the first part shall have to replace the vehicle within 30 minutes. If the party of the first part fails to do so, the alternative arrangement shall be made

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

by the party of the second part and the expenses for the same shall be recovered from the bill of the party of the first part and the same will be agreeable to the party of the first part and shall not make any submission or raise any dispute.

5. As per the prevailing rules, 1 (one) percent TDS shall be deducted by the party of the second part from the amount of monthly rent of the party of the first part.
6. This agreement shall be in force from 01/07/2018 to 30/09/2018 and after mutual discussion the same shall be renewed afresh by rules and conditions of the agreement for appropriate period.
7. During the period of this agreement, the owner of the vehicle shall have to take care of the following facts :
  - (1) The vehicle or any part thereof shall not be sold/ hand over the possession to any other person/ mortgaged and the vehicle shall not be given for use by any other person or to be ceased. If any such thing is to be done, the party of the first part shall have to obtain the written consent of the party of the second part before 15 days.
  - (2) All the necessary license, fee, registration and all the necessary expenses/taxes should be duly paid in the office of the Transport and the maintenance of the vehicle shall be made properly so that the vehicle can be maintained in good condition.

- (3) Necessary insurance of the vehicle shall be taken by the party of the first part and the insurance for long period should be taken so that the vehicle can be protected against all risks and after paying all the amount of premium payable to the Insurance Company, the copy of the receipt shall be given to the party of the second part.
- (4) During the period of agreement, the liability of the claims made by the other parties for the accidents due to the said vehicle shall be of the party of the first part.
- (5) The vehicle shall not be used for any such work which may result into breach of law in force from time to time.
- (6) The vehicle service shall be provided with a well-dressed and an experienced driver in uniform (alongwith valid driving license). Moreover, an undertaking about the behaviour and the assurance that the driver is not involved in any criminal or any other offence shall be given and after getting the due police verification, the copy thereof shall be given to the party of the second part.
- (7) The vehicles bearing necessary registration in the office of the Regional Transport shall be provided and the same must be clean and proper.

- (8) The owner of the vehicle shall have to employ a driver with minimum 3 (three) years' experience on one vehicle who has obtained the medical certificate (by a MBBS Doctor) about fitness. The Party of the Second part shall take test of the driver and shall also take interview. If the party of the second party does not find the driver proper, the party of the first part shall not place such driver on the vehicle.
- (9) The Party of the first part and the vehicle on rent shall be under the administrative control of the Administrative Officer, Kuranga site.
- (10) The maintenance of the logbook and such other record shall be made by the party of the first part as may be suggested by the party of the second part.
- (11) The labour laws applicable to the driver shall be strictly followed.
- (12) For providing better services, the party of the first part shall appoint a responsible person/supervisor who will assure that the vehicle reaches at the place of work and works properly.
- (13) The party of the first shall be follow the rules for maintenance and service and if the vehicle is sent for maintenance and service for more than two days during the period of agreement, the party of the first part shall have to make arrangement of other vehicle. If the party of the first part fails to do so the

party of the second party shall make alternate arrangement and the expenses for the same shall be recovered from the bill of the party of the first part and the same will be agreeable to the party of the first part and shall not make any submission or raise any dispute.

- (14) The party of the first part shall have to submit the monthly bill alongwith log book to the Administrative Officer and the said bill shall have to be paid by the party of the second party with 15 (fifteen) days.
- (15) During the period of duty, the driver shall not consume or keep with him any intoxicants. If the driver is found intoxicated or possessing the same, the party of the first shall pay penalty of Rs. 1,000/- (Rs. one thousand) to the party of the second part or the said amount shall be deducted from the monthly bill.
- (16) If the party of the second part or any third party suffers any loss or injury due to vehicle or driver of the party of the first part, the party of the first part shall be completely responsible to compensate the same.
8. If the party of the second part does not find the services of the party of the first part satisfactory, the party of the second part can terminate the contract any time without any notice.

9. The party of the second party shall give the necessary training for safety and security.
10. For any reason or in any circumstance, if the party of the first part shall not provide the vehicle without permission of the party of the second part or the property/personnel of the second party Company suffers any loss by the party of the first part or their driver, the party of the second part shall impose a fine of Rs. 5,000/- to the party of the first part which will be agreeable to the party of the first part and shall not make any submission or raise any dispute.
11. All the controversies, difference of opinion and claims arising out of the present contract shall be sent to the manager of the Company Mr. Harish Megharam Ramchandani and his decision will be final and the same shall be binding to both the parties.
12. Any suit that may be filed by the owner as per the Indian law, shall be made within the jurisdiction of Dwarka Court.

Both the parties have accepted that this agreement is clearly explained to them and they have understood all the conditions/ meaning of the agreement and they have signed this agreement with complete responsibility and understanding.

That the contract for giving the vehicle on rent is made by both the parties with pleasure and in full state of mind, after reading and understanding, without any coercion, with a healthy mind and the same is/will be acknowledged, approved

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

and binding to the heirs, successors, executors, administrators, etc. of both the parties.

Party of the first part  
Shri Balubha Pabubha Ker

Sign.  
Sd/ -

Party of the second part  
Shri Harish Megharam Ramchandani on  
Behalf of M/s. RSPL Ltd. Company

For RSPL Ltd.  
Sd/-  
Authorized Signatory

Both the parties have made their seal-sign in presence of the following two witnesses.

Witnesses

Sign.

- (1) Vanraj Gagubha  
(2) Vijay Virpalbhai

Sd/-  
Sd/-

Signature, Photo & Thumb impression of party of first Part

Sign	Photo	Thumb Impression
Sd/-	PHOTO	L.H.T.

Signature, Photo & Thumb impression of party of Second Part

Sign	Photo	Thumb Impression
For RSPL Ltd. Sd/- Authorized Signatory	PHOTO	L.H.T.

For RSPL Ltd.  
Sd -  
Authorized Signatory

Sd/- Balubha Pabubha



ગુજરાત ગુજરાત GUJARAT

અનુક્રમ નંબર: ૨૬૯૯ તારીખ: ૧૫/૦૫/૨૦૧૮ BG 579233  
કિંમત રૂ. ૧૦૦ નંગ: ૧ પૈકી ૩ નો નંગ  
પરીદનારનું નામ: શ્રી. વિકાસ કાંઠે ના. કોલ  
સ્થાન: વાલજી ના. કોલ  
પરીદનારની સહી: [Signature]

Lic. No. D.M./STP/2/2000

[Signature]  
દેવભૂમિ વારકા

વાહન ભાડે મેળવવા અંગેનો કરાર

આ વાહન ભાડે મેળવવા અંગેનો કરાર શહેર .....કુંડગા..... મધ્યે આજ તારીખ  
૧૧/૧૧/૧૬ માહે ૨૦૧૬, સને ૨૦૧૮ ના દિને,

એકતરફવાળા :-

શ્રી. વાલુમા વાલુમા કેર  
પુખ્ત વયના, ધર્મે તથા જાતે હિન્દુ, ધંધો-ખેતી  
PAN.NO. D.C.P.K 7899P  
રહેવાસી કુંડગા  
જી. દેવભૂમિ વારકા

For RSPL LTD.  
[Signature]  
Authorised Signatory

જેને હવે પછી આ કરારમાં "વાહન માલિક" કે "એકતરફવાળા" એ રીતે સંબોધવામાં આવશે. જે શબ્દોના અર્થમાં એકતરફવાળા તથા તેના એકઝીક્યુટરો, એડમીનીસ્ટ્રેટરો, એસાઇનીઓ ઇત્યાદિ તમામનો સમાવેશ થાય છે તે એકતરફવાળા અને

બીજીતરફવાળા :-

મેસર્સ આરએસપીએલ લીમીટેડ (PAN No. AADCS7820A) કે જે ભારતીય કંપની એક્ટ, ૧૯૫૬ હેઠળ નોંધાયેલ કંપની છે અને જેની પ્રોજેક્ટ ઓફીસ :- સી-૧ અને સી-૨, ૩જો માળ, સફલ પ્રોફીટાયર, કોર્પોરેટ રોડ, પ્રહલાદનગર ગાર્ડન પાસે, સેટેલાઈટ, અમદાવાદ-૧૫, ગુજરાત અને સોડા-એશ પ્રોજેક્ટ સાઇટ :- સર્વે નંબર ૪૭૧, ગામ:- કુરંગા, તાલુકો:- દ્રારકા, જી:- દેવભૂમિ દ્રારકા ખાતે આવેલ છે તેના વતી અને તરફથી તેના ઔથોરાઇઝડ સિગ્નેટરી શ્રી દેવીશી મેઘાશામ રામ મોદવાલ પુખ્ત વયના, ધર્મે તથા જાતે હિંદુ, ધંધો- નોકરી, રહેવાસી :- ગામ :- કુરંગા, તાલુકો :- દ્રારકા, જી. દેવભૂમિ દ્રારકા, ગુજરાત,

જેને હવે પછી આ કરારમાં "બીજીતરફવાળા" અગર "સદરફ કંપની" એ રીતે સંબોધવામાં આવશે, જે શબ્દોના અર્થમાં બીજીતરફવાળા તથા તેના એકઝીક્યુટરો, એડમીનીસ્ટ્રેટરો, એસાઇનીઓ ઇત્યાદિ તમામનો સમાવેશ થાય છે તે બીજીતરફવાળા

ની વચ્ચે કરવામાં આવે છે.

For ASPL Ltd.  
  
 Authorised Signatory

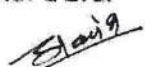
એકતરફવાળા અને બીજીતરફવાળા વચ્ચે વાહન ભાડે મેળવવા અંગેનો કરાર નીચે મુજબ કરવામાં આવે છે :-

1. એકતરફવાળા નીચે મુજબ વાહનનો કબજો ધરાવે છે.

અનુ. નંબર	વાહન નો પ્રકાર	વાહન કંપની નું નામ	રજીસ્ટ્રેશન નં.	મોડલ નં.
૧	જેસીબી એસ્કેવેટર	જેસીબી	GJ-10-CE-8088	૨૦૦૭

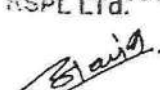
જેને એકતરફવાળાએ બીજીતરફવાળાનો ઉપર મુજબ જણાવેલ વાહનો માસિક ધોરણે ભાડા પર આપવા માટે સંપર્ક સાધ્યો હતો અને આ અંગેની વિગતવાર ચર્ચા પછી બીજીતરફવાળા માસિક ધોરણે વાહન ભાડા પર લેવા માટે તૈયાર છે. જેની શરતો નીચેની મુજબ રહેશે.

- ભાડે આપેલ વાહન ઉપર દર્શાવેલ કંપનીની પ્રોજેક્ટ સાઇટ પર પ્રતિ દિવસ ૧૦ કલાક (સવારના ૦૮ વાગ્યા થી સાંજના ૦૬ વાગ્યા સુધી) મહીનાના ૨૮ દિવસ ડ્રાઇવર સાથે હાજર રહેશે અને જો કોઈ અનિવાર્ય સંજોગોમાં વાહનની જરૂરીયાત ઉભી થાય તો વાહન પુરૂ પાડવાનું રહેશે અને જે અંગે કોઈ વધારાની રકમ મળી શકશે નહીં. આ વાહનનો ઉપયોગ બીજીતરફવાળા દ્વારા મહીનાના લઘુત્તમ ૨૮૦ કલાક/જરૂરીયાત મુજબ કરવામાં આવશે.
- કંપની દ્વારા માસિક રૂ. ૮૦,૦૦૦/- (રૂપીયા એસી હજાર પુરા) ભાડા તરીકે ચૂકવવામાં આવશે. જેમાં વીમો, ડ્રાઇવરો પગાર, રોડ ટેક્સ, ટોલ ટેક્સ (જો કોઈ હોય તો), જાળવણી અને મરામત ખર્ચ વગેરે તમામનો સમાવેશ થાય છે. વાહનનો બળતણ ખર્ચ(ડીઝલ) કંપની દ્વારા ચૂકવવામાં આવશે. માસિક ભાડા અને બળતણ ખર્ચ સિવાય કંપની દ્વારા કોઈ અન્ય રકમ ચૂકવવામાં આવશે નહીં.
- વાહન માલિક દ્વારા વાહનની યોગ્ય જાળવણી માટે મહીના ૦૨ દિવસ વાહન માલિક દ્વારા વાહનની સર્વિસ/મેન્ટેનન્સ કરાશે કે જેથી વાહન કોઈ ખલેલ વગર પ્રતિ દિવસના ૧૦ કલાક મહીનાના ૨૮ દિવસ ઉપલબ્ધ રહી શકે. કોઈ પણ ખલેલ/બ્રેક ડાઉન/અન્ય કોઈ પણ મુશ્કેલીના સમયે એકતરફવાળા દ્વારા ૩૦ મિનિટ અંદર તરત જ વાહન બદલી દેવાનું રહેશે. જો આમ કરવામાં એકતરફવાળા નિષ્ફળ જશે તો બીજીતરફવાળા દ્વારા વૈકલ્પિક વ્યવસ્થા કરવામાં આવશે અને જેનો ખર્ચ એકતરફવાળાના બીલમાંથી વસૂલવામાં આવશે. જે બાબત એકતરફવાળાને મંજૂર રહેશે અને કોઈ રજૂઆત/તકરાર કરશે નહીં.
- પ્રવર્તમાન નિયમોનુસાર બીજીતરફવાળા દ્વારા એકતરફવાળાના માસિક ભાડાની રકમમાંથી ૧ (એક) ટકા ટીડીએસ કાપવામાં આવશે.
- આ કરાર તારીખ ૦૧/૧૦/૨૦૧૮ થી ૩૧/૧૨/૨૦૧૮ માટે અમલમાં રહેશે અને તે પરસ્પર ચર્ચા બાદ ફરી કરારની નિયમો અને શરતોથી યોગ્ય સમયગાળા માટે નવેસરથી/રીન્યુ કરવામાં આવશે.

For RSPL LTD.  
  
 Authorised Signatory

7. આ કરારના સમય દરમિયાન વાહનમાલિક દ્વારા નીચેની બાબતોનું પાલન કરવાનું રહેશે:-

૧. વાહન અથવા તેનો કોઈ ભાગને વેચવું/કબજો બીજા કોઈને સોંપી દેવો/ગીરો મુકવું વગેરે કરશે નહીં અને વાહન બીજા કોઈ દ્વારા ઉપયોગ કરવા માટે અથવા રાખવામાં અથવા અટકાયતમાં રાખવા માટે આપવામાં આવશે નહીં. જો આવું કોઈ કાર્ય કરવું હોય તો એકતરફવાળાએ બીજીતરફવાળાની ૧૫ દિવસ અગાઉથી લેખિત સંમતિ મેળવી લેવાની રહેશે.
૨. બધા જ જરૂરી લાયસન્સ, ફી, નોંધણી અને પ્રાદેશિક વાહન-વ્યવહાર કચેરીમાં જરૂરી અન્ય ખર્ચ/કર ચૂકવેલા હોવા જોઈએ અને વાહનની યોગ્ય જાળવણી કરવામાં આવશે કે જેથી વાહનની સારી હાલત જાળવાઈ રહે.
૩. એકતરફવાળા દ્વારા વાહનનો જરૂરી વીમો લેવામાં આવશે અને લાંબાગાળાનો વીમો લેવામાં આવશે કે જેથી વાહન તમામ જોખમો સામે રક્ષિત રહે અને તમામ ચુકવવાપાત્ર પ્રિમીયમ વીમા કંપનીને ચુકવીને આ પહોંચની નકલ બીજીતરફવાળાને આપશે.
૪. કરારના સમય દરમિયાન વાહનને કારણે થતા અકસ્માતોના અન્ય પક્ષો તરફથી કરવામાં આવેલ દાવાઓની જવાબદારી એકતરફવાળાની રહેશે.
૫. વાહનનો વપરાશ વખતોવખત અમલમાં રહેલ જરૂરી કાયદાનું ઉલ્લંઘન થતું હોય તેવા કોઈ પણ કાર્યમાં ઉપયોગ કરી શકાશે નહીં.
૬. યોગ્ય ગણવેશધારી અને યોગ્ય રીતે પોશાક પહેરેલ અને સારી રીતે અનુભવી ડ્રાઈવર (માન્ય ડ્રાઈવિંગ લાયસન્સ સાથે) વાહનની સેવા પૂરી પાડવામાં આવશે. વધુમાં ડ્રાઈવર કોઈ પણ ફોજદારી અથવા અન્ય કોઈ પણ ગુનામાં સામેલ ન હોય તેની ખાત્રી અને ચાલ-ચલન અંગેની બાંહેધરી આપવાની રહેશે તથા જરૂરી પોલીસ વેરીફિકેશન કરાવી તેની નકલ બીજીતરફવાળાને આપવાની રહેશે.
૭. પ્રાદેશિક વાહન-વ્યવહાર કચેરીમાં જરૂરી રજીસ્ટ્રેશન ધરાવતા વાહન પૂરા પાડવાના રહેશે તથા વાહન યોગ્ય રીતે ચોખ્ખા તથા સાફ હોવા જોઈએ.
૮. વાહન માલિક દ્વારા ઓછામાં ઓછા ૩ (ત્રણ) વર્ષનો અનુભવ ધરાવતા હોય તેવા એક ડ્રાઈવર એક વાહન પર મુકવાનો રહેશે કે જે ફીટનેશ અંગેનું મેડીકલ સર્ટીફિકેટ (એમબીબીએસ ડોક્ટર દ્વારા) મેળવેલ હોય. બીજીતરફવાળા દ્વારા ડ્રાઈવરનો કસોટી/પરીક્ષા કરવામાં આવશે અને ઇન્ટરવ્યૂ પણ લેવામાં આવશે. જો બીજીતરફવાળાને ડ્રાઈવર યોગ્ય ના લાગે તો એકતરફવાળા તેવા ડ્રાઈવરને વાહન પર રાખશે નહીં.
૯. એકતરફવાળા તથા ભાડાનું વાહન બીજીતરફવાળાના વહીવટી અધીકારી, કુંરગા સાઇટ ના વહીવટી નિયંત્રણ હેઠળ રહેશે

FOR RSPL LTD.  
  
 Authorised Signatory

૧૦. બીજીતરફવાળા દ્વારા સૂચવવામાં આવેલ લોગબુક અને આવા અન્ય રેકોર્ડની જાળવણી એકતરફવાળા દ્વારા કરવામાં આવશે.

૧૧. ડ્રાઈવર માટે લાગુ મંજૂર કાયદાઓનું કડક પાલન કરવાનું રહેશે.
૧૨. સારી સેવા પૂરી પાડવા માટે, એકતરફવાળા દ્વારા જવાબદાર વ્યક્તિ / સુપરવાઇઝર ની નિમણૂક કરાશે કે જે સમયસર રીતે વાહન કામના સ્થળે સુધી પહોંચે તથા યોગ્ય રીતે કામ કરે તેની ખાત્રી કરશે.
૧૩. એકતરફવાળા જાળવણી અને સર્વિસના નિયમોનું પાલન કરશે અને કરાર સમય દરમિયાન વાહન જાળવણી અને સર્વિસ માટે મહીનાદીઠ ૦૨ દિવસથી વધારે સમય માટે મોકલવામાં આવે ત્યારે એકતરફવાળા દ્વારા બીજા વાહનની સુવિધા કરવાની રહેશે. જો આમ કરવામાં એકતરફવાળા નિષ્ફળ જશે તો બીજીતરફવાળા દ્વારા વૈકલ્પિક વ્યવસ્થા કરવામાં આવશે અને જેનો ખર્ચ એકતરફવાળાના બીલમાંથી વસૂલવામાં આવશે. જે બાબત એકતરફવાળાને મંજૂર રહેશે અને કોઈ રજૂઆત/તકરાર કરશે નહીં.
૧૪. એકતરફવાળાએ માસિક બીલ લોગબૂક સાથે વહીવટી અધિકારીને મહીના ના અંતે આપવાનું રહેશે અને તે બીલ ૧૫ (પંદર) દિવસની અંદર બીજીતરફવાળાએ ચૂકવવાનું રહેશે.
૧૫. ફરજના સમય દરમિયાન ડ્રાઈવર દ્વારા કોઈપણ નશીલા પદાર્થોનું સેવન કરશે નહીં અથવા સાથે રાખી શકશે નહીં. જો ડ્રાઈવર નશીલા પદાર્થોનું સેવન કરેલા પકડાશે અથવા સાથે રાખેલા મળશે તો રૂ. ૧૦૦૦/- (એક હજાર) ની પેનલ્ટી એકતરફવાળા બીજીતરફવાળાને ચૂકવશે અથવા માસિક બીલમાંથી રકમ કાપી લેવામાં આવશે.
૧૬. એકતરફવાળાના વાહન અથવા વાહનચાલકને કારણે બીજીતરફવાળાને કે કોઈ અન્ય ત્રીજાપક્ષને કોઈપણ પ્રકારનું નુકસાન/ઘજા થશે તો તેને ભરપાઈ કરવાની સંપૂર્ણ જવાબદારી એકતરફવાળાની રહેશે.
૮. બીજીતરફવાળા ને એકતરફવાળાની સેવાઓ સંતોષકારક ન લાગે તો કોઈપણ સમયે કોઈપણ નોટિસ વિના બીજીતરફવાળા કરારનો અંત લાવી શકે છે.
૯. બીજીતરફવાળા દ્વારા કામ અંગેની સલામતી તથા સુરક્ષા અંગેની જરૂરી તાલીમ આપવામાં આવશે.
૧૦. બીજીતરફવાળાની પરવાનગી સિવાય કોઈ પણ કારણોસર/સંજોગોમાં એકતરફવાળા દ્વારા વાહન પૂરૂ પાડવામાં નહીં આવે તો તથા એકતરફવાળા અથવા તેમના ડ્રાઈવર દ્વારા બીજીતરફવાળાની કંપનીની મિલકતો/માણસો ને કોઈપણ નુકસાન થશે તો બીજીતરફવાળા એકતરફવાળાને રૂ. ૫૦૦૦/- નો દંડ કરશે જે એકતરફવાળાને મંજૂર રહેશે અને કોઈ રજૂઆત/તકરાર કરશે નહીં.
૧૧. આ કરારમાં ઉત્પન્ન થતા બધા વિવાદો, મતભેદો અને દાવાઓ કંપનીના મેનેજર શ્રી દશીશી જોધાકામ શામ શાંદેગી ને મોકલી આપવાના રહેશે અને તેમનું અર્થઘટન અંતિમ રહેશે જે કરારના બન્ને પક્ષો માટે બંધનકર્તા રહેશે.

For RSPL LTD.  
  
 Authorised Signatory

## Vehicle Rent Agreement

12. ભારતીય કાયદા અનુસાર કોઇ પણ દાવો માલિક દ્વારા કરવામાં આવે તેને પ્રારકા ન્યાયાલયના અધિકારક્ષેત્રમાં કરવાનો રહેશે.

બન્ને પક્ષોએ આથી સ્વીકાર્યું છે કે આ કરાર સંપૂર્ણપણે તેમને સમજાવવામાં આવ્યો છે અને તેઓ આ કરારની તમામ કલમો/અર્થ સમજ્યા છે અને તેઓની જવાબદારીની સંપૂર્ણ સમજ સાથે આ કરાર પર હસ્તાક્ષર કર્યા છે.

એ રીતેનો આ વાહન ભાડે આપવાનો કરાર બન્ને પક્ષકારોએ રાજીખુશીથી તેમજ અક્કલ હોંશીયારીથી વાંચી, વંચાવી, સમજી અને વિચારીને કોઇના કોઇપણ જાતના દાબદબાણ સિવાય સ્વસ્થચિતે લખી આપ્યો છે, જેને બંને પક્ષકારોના વંશવાલી, વારસો, એકઝીક્યુટરો, એડમીનીસ્ટ્રેટરો ઇત્યાદિ તમામને કબૂલ, મંજૂર અને બંધનકર્તા છે અને રહેશે અને ગણાશે.

એકતરફવાળા

સહી

શ્રી શ્યામુમા પલ્લુમા ફેર

શ્યામુમા પલ્લુમા

બીજીતરફવાલા

મેસર્સ આરએસપીએલ લીમીટેડ કંપની વતી

શ્રી દરોશ મહેદાલાલ શામ એદાવલ

For RSPL Ltd.  
દરોશ  
Authorised Signatory

દરોશ

બંને પક્ષકારોએ તેઓના સહી-સિક્કા નીચે જણાવેલા બે સાક્ષીઓ રૂબરૂ કરેલા છે.

સાક્ષીઓ

નામ

૧) અમરાજ ગગુમા



૨) પિયુષ ચિત્રપાલુમા

એકતરફવાળાની સહી, ફોટો તથા અંગુઠાની છાપ

સહી




અમરાજ ગગુમા

પિયુષ ચિત્રપાલુમા

સહી	ફોટો	અંગુઠાની છાપ
<u>અમરાજ ગગુમા</u>		

Vehicle Rent Agreement

बीजतरङ्गवाणानी सही, फोटो तथा अंगुठानी छाप


सही	फोटो	अंगुठानी छाप
<p>For RSPL LTD.</p>  <p>Authorised Signatory</p>		

**INDIAN UNION DRIVING LICENCE**  
MADHYA PRADESH STATE Form 7

Number: MP0801928006  
 Name: SHARDA RANCHARAN JI  
 B/D/W of: 1437, SADHU WADWANI  
 Address: NAGAR, INDORE, MP

Issued on: 19-04-2006  
 DOB: 16-03-1973 BG:  
 Is Licence to drive:

Vehicle Class: TRUCK (M/T)  
 Date of Issue: 21-03-2006

Auth by: 

सही वाचन

1399

STAMP PAPER OF

RS. 100

INDIA NON JUDICIAL

GUJARAT

BG 579233

Sr. No. 2699, dated 5/9/18

Name of Purchaser : R.S.P.L.Ltd.

Signature of Purchaser : Sd/-

**CONTRACT FOR GETTING VEHICLE ON RENT**

This Agreement for getting the vehicle on rent is made on  
this date - date 19/09/18 in month September, 2018

PARTY OF FIRST PART :

Shri Balubha Pabubha Ker

Aged adult, Religion : Hindu,

Occupation : Agriculture

(PAN No. DCRPK7899S),

Res. Kuranga, Dist. Devbhoomi Dwarka

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

hereinafter in this agreement shall be referred to as "Owner of vehicle" or "Party of First Part", which expression shall include party of first part, and his executors, administrators, assignees, etc. – Party of First Part.

**AND**

**PARTY OF SECOND PART**

M/s. RSPL Limited (PAN No. AADCS7820A) which is a Company registered under the Indian Companies Act, 1956, the Project Office of which is at C-1 and C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahladnagar Garden, Satellite, Ahmedabad-15, Gujarat and Soda Ash Project Site is situated at Survey No. 471, Village : Kuranga, Tal. Dwarka, Dist. Devbhoomi Dwarka through its Authorized Signatory Shri Harish Megharam Ramchandani, aged adult, Religion : Hindu, Occupation Service,

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

Res. Kuranga, Tal. Dwarka, Dist.  
Devbhoomi Dwarka, Gujarat

hereinafter in this agreement shall be referred to as "Party of Second Part" or "said Company" which expression shall include party of second part, and its executors, administrators, assignees, etc. – Party of Second Part.

**The Agreement for getting the vehicle on rent between the Party of the First Part and Party of the Second Part is made as under :**

1. The party of the first part is in possession of the vehicle as under :

Sr. No.	Type of vehicle	Name of Vehicle Company	Registration No.	Model No.
1.	JCB Excavator	JCB	GJ-10-CE-8088	2007

The Party of the first part had contacted the party of the second part to give the above mentioned vehicle on rent on monthly basis and after detailed discussion in this regard, the party of the second party is ready to take the

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

vehicle on monthly basis, the conditions of which will be as under :

2. The vehicle given on rent will remain present on the project site of the aforesaid Company every day for 10 hours (08.00 hours in the morning to 06.00 hours in the evening) for 28 days a month alongwith driver and in case in unavoidable circumstances, if the requirement of vehicle arises, the vehicle will have to be provided and no additional amount for the same will be admissible. The use of the said vehicle shall be made maximum for 280 hours in a month / as per requirement.
3. The Company shall pay Rs. 80,000/- (Rupees Eighty Thousand only) as a rent which includes the insurance, salary of driver, road tax, toll tax (if any), maintenance and repair expenses etc. The fuel cost (diesel) of the vehicle shall be paid by the Company. Except the monthly rent and fuel cost, no other amount shall be paid by the Company.
4. For proper maintenance of the vehicle by the owner of the vehicle, the owner of the vehicle shall carry out service/ maintenance of the vehicle for two days in a month so that the vehicle can be made available without any disturbance for 28 days of a month for 10 hours per day. In case of any disturbance / breakdown / or any other difficulty, the party of the first part shall have to replace the vehicle within 30 minutes. If the party of the first part fails to do so, the alternative arrangement shall be made

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

by the party of the second part and the expenses for the same shall be recovered from the bill of the party of the first part and the same will be agreeable to the party of the first part and shall not make any submission or raise any dispute.

5. As per the prevailing rules, 1 (one) percent TDS shall be deducted by the party of the second part from the amount of monthly rent of the party of the first part.
6. This agreement shall be in force from 01/10/2018 to 31/12/2018 and after mutual discussion the same shall be renewed afresh by rules and conditions of the agreement for appropriate period.
7. During the period of this agreement, the owner of the vehicle shall have to take care of the following facts :
  - (1) The vehicle or any part thereof shall not be sold/ hand over the possession to any other person/ mortgaged and the vehicle shall not be given for use by any other person or to be ceased. If any such thing is to be done, the party of the first part shall have to obtain the written consent of the party of the second part before 15 days.
  - (2) All the necessary license, fee, registration and all the necessary expenses/taxes should be duly paid in the office of the Transport and the maintenance of the vehicle shall be made properly so that the vehicle can be maintained in good condition.

- (3) Necessary insurance of the vehicle shall be taken by the party of the first part and the insurance for long period should be taken so that the vehicle can be protected against all risks and after paying all the amount of premium payable to the Insurance Company, the copy of the receipt shall be given to the party of the second part.
- (4) During the period of agreement, the liability of the claims made by the other parties for the accidents due to the said vehicle shall be of the party of the first part.
- (5) The vehicle shall not be used for any such work which may result into breach of law in force from time to time.
- (6) The vehicle service shall be provided with a well-dressed and an experienced driver in uniform (alongwith valid driving license). Moreover, an undertaking about the behaviour and the assurance that the driver is not involved in any criminal or any other offence shall be given and after getting the due police verification, the copy thereof shall be given to the party of the second part.
- (7) The vehicles bearing necessary registration in the office of the Regional Transport shall be provided and the same must be clean and proper.

- (8) -The owner of the vehicle shall have to employ a driver with minimum 3 (three) years' experience on one vehicle who has obtained the medical certificate (by a MBBS Doctor) about fitness. The Party of the Second part shall take test of the driver and shall also take interview. If the party of the second party does not find the driver proper, the party of the first part shall not place such driver on the vehicle.
- (9) The Party of the first part and the vehicle on rent shall be under the administrative control of the Administrative Officer, Kuranga site.
- (10) The maintenance of the logbook and such other record shall be made by the party of the first part as may be suggested by the party of the second part.
- (11) The labour laws applicable to the driver shall be strictly followed.
- (12) For providing better services, the party of the first part shall appoint a responsible person/supervisor who will assure that the vehicle reaches at the place of work and works properly.
- (13) The party of the first shall be follow the rules for maintenance and service and if the vehicle is sent for maintenance and service for more than two days during the period of agreement, the party of the first part shall have to make arrangement of other vehicle. If the party of the first part fails to do so the

party of the second party shall make alternate arrangement and the expenses for the same shall be recovered from the bill of the party of the first part and the same will be agreeable to the party of the first part and shall not make any submission or raise any dispute.

- (14) The party of the first part shall have to submit the monthly bill alongwith log book to the Administrative Officer and the said bill shall have to be paid by the party of the second party with 15 (fifteen) days.
- (15) During the period of duty, the driver shall not consume or keep with him any intoxicants. If the driver is found intoxicated or possessing the same, the party of the first shall pay penalty of Rs. 1,000/- (Rs. one thousand) to the party of the second part or the said amount shall be deducted from the monthly bill.
- (16) If the party of the second part or any third party suffers any loss or injury due to vehicle or driver of the party of the first part, the party of the first part shall be completely responsible to compensate the same.
8. If the party of the second part does not find the services of the party of the first part satisfactory, the party of the second part can terminate the contract any time without any notice.

9. The party of the second party shall give the necessary training for safety and security.
10. For any reason or in any circumstance, if the party of the first part shall not provide the vehicle without permission of the party of the second part or the property/personnel of the second party Company suffers any loss by the party of the first part or their driver, the party of the second part shall impose a fine of Rs. 5,000/- to the party of the first part which will be agreeable to the party of the first part and shall not make any submission or raise any dispute.
11. All the controversies, difference of opinion and claims arising out of the present contract shall be sent to the manager of the Company Mr. Harish Megharam Ramchandani and his decision will be final and the same shall be binding to both the parties.
12. Any suit that may be filed by the owner as per the Indian law, shall be made within the jurisdiction of Dwarka Court.

Both the parties have accepted that this agreement is clearly explained to them and they have understood all the conditions/ meaning of the agreement and they have signed this agreement with complete responsibility and understanding.

That the contract for giving the vehicle on rent is made by both the parties with pleasure and in full state of mind, after reading and understanding, without any coercion, with a healthy mind and the same is/will be acknowledged, approved

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

and binding to the heirs, successors, executors, administrators, etc. of both the parties.

Party of the first part  
Shri Balubha Pabubha Ker

Sign.  
Sd/ -

Party of the second part  
Shri Harish Megharam Ramchandani on  
Behalf of M/s. RSPL Ltd. Company

For RSPL Ltd.  
Sd/-  
Authorized Signatory

Both the parties have made their seal-sign in presence of the following two witnesses.

Witnesses

Sign.

- (1) Vanraj Gagubha  
(2) Vijay Virpalbhai

Sd/-  
Sd/-

Signature, Photo & Thumb impression of party of first Part

Sign	Photo	Thumb Impression
Sd/-	PHOTO	L.H.T.

Signature, Photo & Thumb impression of party of Second Part

Sign	Photo	Thumb Impression
For RSPL Ltd. Sd/- Authorized Signatory	PHOTO	L.H.T.

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha



જેને હવે પછી આ કરારમાં "વાહન માલિક" કે "એકતરફવાળા" એ રીતે સંબોધવામાં આવશે. જે શબ્દોના અર્થમાં એકતરફવાળા તથા - તેના એકઝીક્યુટરો, એડમીનીસ્ટ્રેટરો, એસાઇનીઓ ઇત્યાદિ તમામનો સમાવેશ થાય છે તે એકતરફવાળા

અને

બીજીતરફવાળા :-

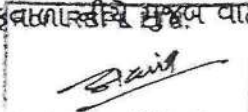
મેસર્સ આરએસપીએલ લીમીટેડ (PAN No. AADCS7820A) કે જે ભારતીય કંપની એક્ટ, ૧૯૫૬ હેઠળ નોંધાયેલ કંપની છે અને જેની પ્રોજેક્ટ ઓફીસ :- સી-૧ અને સી-૨, ૩જો માળ, સફલ પ્રોફીટાયર, કોર્પોરેટ રોડ, પ્રહલાદનગર ગાર્ડન પાસે, સેટેલાઈટ, અમદાવાદ-૧૫, ગુજરાત અને સોડા-એશ પ્રોજેક્ટ સાઇટ :- સર્વે નંબર ૪૭૧, ગામ:- કુરંગા, તાલુકો:- દ્રારકા, જી:- દેવભૂમિ દ્રારકા ખાતે આવેલ છે તેના વતી અને તરફથી તેના ઔથોરાઇઝડ સિગ્નેટરી શ્રી દિગ્ગજી અંબાલાલ રામ અંબાલાલ - પુખ્ત વયના, ધર્મે તથા જાતે હિંદુ, ધંધો- નોકરી, રહેવાસી :- ગામ :- કુરંગા, તાલુકો :- દ્રારકા, જી. દેવભૂમિ દ્રારકા, ગુજરાત,

જેને હવે પછી આ કરારમાં "બીજીતરફવાળા" અગર "સદરહુ કંપની" એ રીતે સંબોધવામાં આવશે, જે શબ્દોના અર્થમાં બીજીતરફવાળા તથા તેના એકઝીક્યુટરો, એડમીનીસ્ટ્રેટરો, એસાઇનીઓ ઇત્યાદિ તમામનો સમાવેશ થાય છે તે બીજીતરફવાળા

ની વચ્ચે કરવામાં આવે છે.

એકતરફવાળા અને બીજીતરફવાળા વચ્ચે વાહન ભાડે મેળવવા અંગેનો કરાર નીચે મુજબ કરવામાં આવે છે :-

1. એકતરફવાળાએ બીજીતરફવાળાને કબજો ધરાવે છે.



## Vehicle Rent Agreement

અનુ. નંબર	વાહન નો પ્રકાર	વાહન કંપની નું નામ	રજીસ્ટ્રેશન નં.	મોડલ નં.
૧	જેસીબી એસ્કેવેટર	જેસીબી	GJ-10-CE-8088	૨૦૦૭

જેને એકતરફવાળાએ બીજીતરફવાળાનો ઉપર મુજબ જણાવેલ વાહનો માસિક ધોરણે ભાડા પર આપવા માટે સંપર્ક સાધ્યો હતો અને આ અંગેની વિગતવાર ચર્ચા પછી બીજીતરફવાળા માસિક ધોરણે વાહન ભાડા પર લેવા માટે તૈયાર છે. જેની શરતો નીચેની મુજબ રહેશે.

- ભાડે આપેલ વાહન ઉપર દર્શાવેલ કંપનીની પ્રોજેક્ટ સાઇટ પર પ્રતિ દિવસ ૧૦ કલાક (સવારના ૦૮ વાગ્યા થી સાંજના ૦૬ વાગ્યા સુધી) મહીનાના ૨૮ દિવસ ડ્રાઇવર સાથે હાજર રહેશે અને જો કોઈ અનિવાર્ય સંજોગોમાં વાહનની જરૂરીયાત ઉભી થાય તો વાહન પુરૂ પાડવાનું રહેશે અને જે અંગે કોઈ વધારાની રકમ મળી શકશે નહીં. આ વાહનનો ઉપયોગ બીજીતરફવાળા દ્વારા મહીનાના લઘુત્તમ ૨૮૦ કલાક/જરૂરીયાત મુજબ કરવામાં આવશે.
- કંપની દ્વારા માસિક રૂ. ૮૦,૦૦૦/- (રૂપીયા એસી હજાર પુરા) ભાડા તરીકે ચૂકવવામાં આવશે. જેમાં વીમો, ડ્રાઇવરો પગાર, રોડ ટેક્સ, ટોલ ટેક્સ (જો કોઈ હોય તો), જાળવણી અને મરામત ખર્ચ વગેરે તમામનો સમાવેશ થાય છે. વાહનનો બળતણ ખર્ચ (ડીઝલ) કંપની દ્વારા ચૂકવવામાં આવશે. માસિક ભાડા અને બળતણ ખર્ચ સિવાય કંપની દ્વારા કોઈ અન્ય રકમ ચૂકવવામાં આવશે નહીં.
- વાહન માલિક દ્વારા વાહનની યોગ્ય જાળવણી માટે મહીના ૦૨ દિવસ વાહન માલિક દ્વારા વાહનની સર્વિસ/મેન્ટેનન્સ કરાશે કે જેથી વાહન કોઈ ખલેલ વગર પ્રતિ દિવસના ૧૦ કલાક મહીનાના ૨૮ દિવસ ઉપલબ્ધ રહી શકે. કોઈ પણ ખલેલ/બ્રેક ડાઉન/અન્ય કોઈ પણ મુશ્કેલીના સમયે એકતરફવાળા દ્વારા ૩૦ મિનિટ અંદર તરત જ વાહન બદલી દેવાનું રહેશે. જો આમ કરવામાં એકતરફવાળા નિષ્ફળ જશે તો બીજીતરફવાળા દ્વારા વૈકલ્પિક વ્યવસ્થા કરવામાં આવશે અને જેનો ખર્ચ એકતરફવાળાના બીલમાંથી વસૂલવામાં આવશે. જે બાબત એકતરફવાળાને મંજૂર રહેશે અને કોઈ રજૂઆત/તકરાર કરશે નહીં.
- પ્રવર્તમાન નિયમોનુસાર બીજીતરફવાળા દ્વારા એકતરફવાળાના માસિક ભાડાની રકમમાંથી ૧ (એક) ટકા ટીડીએસ કાપવામાં આવશે.
- આ કરાર તારીખ ૦૧/૦૧/૨૦૧૯ થી ૩૧/૦૩/૨૦૧૯ માટે અમલમાં રહેશે અને તે પરસ્પર ચર્ચા બાદ ફરી કરારની નિયમો અને શરતોથી યોગ્ય સમયગાળા માટે નવેસરથી/રીન્યુ કરવામાં આવશે.
- આ કરારના સમય દરમિયાન વાહનમાલિક દ્વારા નીચેની બાબતોનું પાલન કરવાનું રહેશે:-

૧. વાહન અથવા તેનો કોઈ ભાગને વેચવું/કબજો બીજા કોઈને સોંપી દેવો/ગીરો

મુકવું વગેરે કરશે નહીં અને વાહન બીજા કોઈ દ્વારા ઉપયોગ કરવા માટે

For RSPL LTD.  
  
 Authorised Signatory

- અથવા રાખવામાં અથવા અટકાયતમાં રાખવા માટે આપવામાં આવશે નહીં. જો આવું કોઈ કાર્ય કરવું હોય તો એકતરફવાળાએ બીજીતરફવાળાની ૧૫ દિવસ અગાઉથી લેખિત સંમતિ મેળવી લેવાની રહેશે.
૨. બધા જ જરૂરી લાયસન્સ, ફી, નોંધણી અને પ્રાદેશિક વાહન-વ્યવહાર કચેરીમાં જરૂરી અન્ય ખર્ચ/કર ચૂકવેલા હોવા જોઈએ અને વાહનની યોગ્ય જાળવણી કરવામાં આવશે કે જેથી વાહનની સારી હાલત જાળવાઈ રહે.
૩. એકતરફવાળા દ્વારા વાહનનો જરૂરી વીમો લેવામાં આવશે અને લાંબાગાળાનો વીમો લેવામાં આવશે કે જેથી વાહન તમામ જોખમો સામે રક્ષિત રહે અને તમામ ચુકવવાપાત્ર પ્રિમીયમ વીમા કંપનીને ચુકવીને આ પહોંચની નકલ બીજીતરફવાળાને આપશે.
૪. કરારના સમય દરમિયાન વાહનને કારણે થતા અકસ્માતોના અન્ય પક્ષો તરફથી કરવામાં આવેલ દાવાઓની જવાબદારી એકતરફવાળાની રહેશે.
૫. વાહનનો વપરાશ વખતોવખત અમલમાં રહેલ જરૂરી કાયદાનું ઉલ્લંઘન થતું હોય તેવા કોઈ પણ કાર્યમાં ઉપયોગ કરી શકાશે નહીં.
૬. યોગ્ય ગણવેશધારી અને યોગ્ય રીતે પોશાક પહેરેલ અને સારી રીતે અનુભવી ડ્રાઈવર (માન્ય ડ્રાઈવિંગ લાયસન્સ સાથે) વાહનની સેવા પૂરી પાડવામાં આવશે. વધુમાં ડ્રાઈવર કોઈ પણ ફોજદારી અથવા અન્ય કોઈ પણ ગુનામાં સામેલ ન હોય તેની ખાત્રી અને ચાલ-ચલન અંગેની બાંહેધરી આપવાની રહેશે તથા જરૂરી પોલીસ વેરીફિકેશન કરાવી તેની નકલ બીજીતરફવાળાને આપવાની રહેશે.
૭. પ્રાદેશિક વાહન-વ્યવહાર કચેરીમાં જરૂરી રજીસ્ટ્રેશન ધરાવતા વાહન પૂરા પાડવાના રહેશે તથા વાહન યોગ્ય રીતે યોખમા તથા સાફ હોવા જોઈએ.
૮. વાહન માલિક દ્વારા ઓછામાં ઓછા ૩ (ત્રણ) વર્ષનો અનુભવ ધરાવતા હોય તેવા એક ડ્રાઈવર એક વાહન પર મુકવાનો રહેશે કે જે ફીટનેશ અંગેનું મેડીકલ સર્ટીફિકેટ (એમબીબીએસ ડોક્ટર દ્વારા) મેળવેલ હોય. બીજીતરફવાળા દ્વારા ડ્રાઈવરનો કસોટી/પરીક્ષા કરવામાં આવશે અને ઇન્ટરવ્યૂ પણ લેવામાં આવશે. જો બીજીતરફવાળાને ડ્રાઈવર યોગ્ય ના લાગે તો એકતરફવાળા તેવા ડ્રાઈવરને વાહન પર રાખશે નહીં.
૯. એકતરફવાળા તથા ભાડાનું વાહન બીજીતરફવાળાના વહીવટી અધીકારી, કુરંગા સાઇટ ના વહીવટી નિયંત્રણ હેઠળ રહેશે
૧૦. બીજીતરફવાળા દ્વારા સૂચવવામાં આવેલ લોગબુક અને આવા અન્ય રેકોર્ડની જાળવણી એકતરફવાળા દ્વારા કરવામાં આવશે.
૧૧. ડ્રાઈવર માટે લાગુ મજૂર કાયદાઓનું કડક પાલન કરવાનું રહેશે.
૧૨. સારી સેવા પૂરી પાડવા માટે, એકતરફવાળા દ્વારા જવાબદાર વ્યક્તિ / સુપરવાઇઝર ની નિમણુંક કરાશે કે જે સમયસર રીતે વાહન કામના સ્થળે આવી સુધારેલા વાહન યોગ્ય રીતે કામ કરે તેની ખાત્રી કરશે.

૧૩. એકતરફવાળા જાળવણી અને સર્વિસના નિયમોનું પાલન કરશે અને કરાર સમય દરમિયાન વાહન જાળવણી અને સર્વિસ માટે મહીનાદીઠ ૦૨ દિવસથી વધારે સમય માટે મોકલવામાં આવે ત્યારે એકતરફવાળા દ્વારા બીજા વાહનની સુવિધા કરવાની રહેશે, જો આમ કરવામાં એકતરફવાળા નિષ્ફળ જશે તો બીજીતરફવાળા દ્વારા વૈકલ્પિક વ્યવસ્થા કરવામાં આવશે અને જેનો ખર્ચ એકતરફવાળાના બીલમાંથી વસૂલવામાં આવશે. જે બાબત એકતરફવાળાને મંજૂર રહેશે અને કોઈ રજૂઆત/તકરાર કરશે નહીં.
૧૪. એકતરફવાળાએ માસિક બીલ લોગબુક સાથે વહીવટી અધીકારીને મહીના ના અંતે આપવાનું રહેશે અને તે બીલ ૧૫ (પંદર) દિવસની અંદર બીજીતરફવાળાએ ચૂકવવાનું રહેશે.
૧૫. ફરજના સમય દરમિયાન ડ્રાઈવર દ્વારા કોઈપણ નશીલા પદાર્થોનું સેવન કરશે નહીં અથવા સાથે રાખી શકશે નહીં. જો ડ્રાઈવર નશીલા પદાર્થોનું સેવન કરેલા પકડાશે અથવા સાથે રાખેલા મળશે તો રૂ. ૧૦૦૦/- (એક હજાર) ની પેનલ્ટી એકતરફવાળા બીજીતરફવાળાને ચૂકવશે અથવા માસિક બીલમાંથી રકમ કાપી લેવામાં આવશે.
૧૬. એકતરફવાળાના વાહન અથવા વાહનચાલકને કારણે બીજીતરફવાળાને કે કોઈ અન્ય ત્રીજાપક્ષને કોઈપણ પ્રકારનું નુકસાન/ઘજા થશે તો તેને ભરપાઈ કરવાની સંપૂર્ણ જવાબદારી એકતરફવાળાની રહેશે.
૮. બીજીતરફવાળા ને એકતરફવાળાની સેવાઓ સંતોષકારક ન લાગે તો કોઈપણ સમયે કોઈપણ નોટિસ વિના બીજીતરફવાળા કરારનો અંત લાવી શકે છે.
૯. બીજીતરફવાળા દ્વારા કામ અંગેની સલામતી તથા સુરક્ષા અંગેની જરૂરી તાલીમ આપવામાં આવશે.
૧૦. બીજીતરફવાળાની પરવાનગી સિવાય કોઈ પણ કારણોસર/સંજોગોમાં એકતરફવાળા દ્વારા વાહન પૂરૂ પાડવામાં નહીં આવે તો તથા એકતરફવાળા અથવા તેમના ડ્રાઈવર દ્વારા બીજીતરફવાળાની કંપનીની મિલકતો/માણસો ને કોઈપણ નુકસાન થશે તો બીજીતરફવાળા એકતરફવાળાને રૂ. ૫૦૦૦/- નો દંડ કરશે જે એકતરફવાળાને મંજૂર રહેશે અને કોઈ રજૂઆત/તકરાર કરશે નહીં.
૧૧. આ કરારમાં ઉત્પન્ન થતા બધા વિવાદો, મતભેદો અને દાવાઓ કંપનીના મેનેજર શ્રી કે.કે. મહેતા ને મોકલી આપવાના રહેશે અને તેમનું અર્થઘટન અંતિમ રહેશે જે કરારના બન્ને પક્ષો માટે બંધનકર્તા રહેશે.
૧૨. ભારતીય કાયદા અનુસાર કોઈ પણ દાવો માલિક દ્વારા કરવામાં આવે તેને દ્વારકા ન્યાયાલયના અધિકારક્ષેત્રમાં કરવાનો રહેશે.

For RSPL LTD.  
  
 Authorized Signatory

બંને પક્ષોએ આથી સ્વીકાર્યું છે કે આ કરાર સંપૂર્ણપણે તેમને સમજાવવામાં આવ્યો છે અને તેઓ આ કરારની તમામ કલમો/અર્થ સમજ્યા છે અને તેઓની જવાબદારીની સંપૂર્ણ સમજ સાથે આ કરાર પર હસ્તાક્ષર કર્યા છે.

એ રીતેનો આ વાહન ભાડે આપવાનો કરાર બંને પક્ષકારોએ રાજીખુશીથી તેમજ અક્કલ હોંશીયારીથી વાંચી, વંચાવી, સમજી અને વિચારીને કોઈના કોઈપણ જાતના દાબદબાણ સિવાય સ્વસ્થચિતે લખી આપ્યો છે, જેને બંને પક્ષકારોના વંશ,વાલી, વારસો, એકઝીક્યુટરો, એડમીનીસ્ટ્રેટરો ઇત્યાદિ તમામને કબૂલ,મંજૂર અને બંધનકર્તા છે અને રહેશે અને ગણાશે.

એકતરફવાળા

સહી

શ્રી લાલુભા પલુભા કોરે

લાલુભા પલુભા

બીજીતરફવાળા

મેસર્સ આરએસપીએલ લીમિટેડ કંપની વતી

શ્રી દેવેશ મહેશ્વર રામ મેદાણ

For RSPL LTD.  
મહેશ્વર  
Authorised Signatory

બંને પક્ષકારોએ તેઓના સહી-સિક્કા નીચે જણાવેલા બે સાક્ષીઓ રૂબરૂ કરેલા છે.

સાક્ષીઓ

નામ

૧) લાલુભા વાપદીભા



૨) બાપાભા ગાગરીભા

સહી

લાલુભા વાપદીભા



બાપાભા ગાગરીભા

એકતરફવાળાની સહી, ફોટો તથા અંગુઠાની છાપ

સહી	ફોટો	અંગુઠાની છાપ
<u>લાલુભા પલુભા</u>		

Vehicle Rent Agreement

बीजतरकवाणानी सही, डोटो तथा अंगुठानी छाप

<p>सही</p> <p>For RSPL Ltd. <i>[Signature]</i> Authorised Signatory <i>[Signature]</i></p>	<p>डोटो</p> 	<p>अंगुठानी छाप</p> 
--	---	---

**INDIAN UNION DRIVING LICENCE**  
MADHYA-PRADESH STATE

Number: MP04C1330000  
Name: RANJAN  
S/D/O of: MANGHARAJ  
Address: 157, SADHU WASWANI NAGAR, INDORE, MP

Issued on: 19-04-2006  
DOB: 12-02-1973 BC  
is Licence to drive

Vehicle Class	NEWER	DRIVER
Date of Issue	11/02/2006	11/02/2006

Valid for (Non-Transport): 15/06/2011

Auth. by: [Signature]

1416

STAMP PAPER OF

RS. 100

INDIA NON JUDICIAL

GUJARAT

BP 129110

Sr. No. 5521, dated 19/12/18

Name of Purchaser : R.S.P.L.Ltd.

Signature of Purchaser : Sd/-

**CONTRACT FOR GETTING VEHICLE ON RENT**

This Agreement for getting the vehicle on rent is made on  
this date - date 26/12/18 in month December, 2019

PARTY OF FIRST PART :

Shri Balubha Pabubha Ker

Aged adult, Religion : Hindu,

Occupation : Agriculture

(PAN No. DCRPK7899S),

Res. Kuranga, Dist. Devbhoomi Dwarka

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

hereinafter in this agreement shall be referred to as "Owner of vehicle" or "Party of First Part", which expression shall include party of first part, and his executors, administrators, assignees, etc. – Party of First Part.

**AND**

**PARTY OF SECOND PART**

M/s. RSPL Limited (PAN No. AADCS7820A) which is a Company registered under the Indian Companies Act, 1956, the Project Office of which is at C-1 and C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahladnagar Garden, Satellite, Ahmedabad-15, Gujarat and Soda Ash Project Site is situated at Survey No. 471, Village : Kuranga, Tal. Dwarka, Dist. Devbhoomi Dwarka through its Authorized Signatory Shri Harish Megharam Ramchandani, aged adult, Religion : Hindu, Occupation Service,

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

Res. Kuranga, Tal. Dwarka, Dist.  
Devbhoomi Dwarka, Gujarat

hereinafter in this agreement shall be referred to as "Party of Second Part" or "said Company" which expression shall include party of second part, and its executors, administrators, assignees, etc. – Party of Second Part.

**The Agreement for getting the vehicle on rent between the Party of the First Part and Party of the Second Part is made as under :**

1. The party of the first part is in possession of the vehicle as under :

Sr. No.	Type of vehicle	Name of Vehicle Company	Registration No.	Model No.
1.	JCB Excavator	JCB	GJ-10-CE-8088	2007

The Party of the first part had contacted the party of the second part to give the above mentioned vehicle on rent on monthly basis and after detailed discussion in this regard, the party of the second party is ready to take the

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

vehicle on monthly basis, the conditions of which will be as under :

2. The vehicle given on rent will remain present on the project site of the aforesaid Company every day for 10 hours (08.00 hours in the morning to 06.00 hours in the evening) for 28 days a month alongwith driver and in case in unavoidable circumstances, if the requirement of vehicle arises, the vehicle will have to be provided and no additional amount for the same will be admissible. The use of the said vehicle shall be made maximum for 280 hours in a month / as per requirement.
3. The Company shall pay Rs. 80,000/- (Rupees Eighty Thousand only) as a rent which includes the insurance, salary of driver, road tax, toll tax (if any), maintenance and repair expenses etc. The fuel cost (diesel) of the vehicle shall be paid by the Company. Except the monthly rent and fuel cost, no other amount shall be paid by the Company.
4. For proper maintenance of the vehicle by the owner of the vehicle, the owner of the vehicle shall carry out service/ maintenance of the vehicle for two days in a month so that the vehicle can be made available without any disturbance for 28 days of a month for 10 hours per day. In case of any disturbance / breakdown / or any other difficulty, the party of the first part shall have to replace the vehicle within 30 minutes. If the party of the first part fails to do so, the alternative arrangement shall be made

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

by the party of the second part and the expenses for the same shall be recovered from the bill of the party of the first part and the same will be agreeable to the party of the first part and shall not make any submission or raise any dispute.

5. As per the prevailing rules, 1 (one) percent TDS shall be deducted by the party of the second part from the amount of monthly rent of the party of the first part.
6. This agreement shall be in force from 01/01/2019 to 31/03/2019 and after mutual discussion the same shall be renewed afresh by rules and conditions of the agreement for appropriate period.
7. During the period of this agreement, the owner of the vehicle shall have to take care of the following facts :
  - (1) The vehicle or any part thereof shall not be sold/ hand over the possession to any other person/ mortgaged and the vehicle shall not be given for use by any other person or to be ceased. If any such thing is to be done, the party of the first part shall have to obtain the written consent of the party of the second part before 15 days.
  - (2) All the necessary license, fee, registration and all the necessary expenses/taxes should be duly paid in the office of the Transport and the maintenance of the vehicle shall be made properly so that the vehicle can be maintained in good condition.

- (3) Necessary insurance of the vehicle shall be taken by the party of the first part and the insurance for long period should be taken so that the vehicle can be protected against all risks and after paying all the amount of premium payable to the Insurance Company, the copy of the receipt shall be given to the party of the second part.
- (4) During the period of agreement, the liability of the claims made by the other parties for the accidents due to the said vehicle shall be of the party of the first part.
- (5) The vehicle shall not be used for any such work which may result into breach of law in force from time to time.
- (6) The vehicle service shall be provided with a well-dressed and an experienced driver in uniform (alongwith valid driving license). Moreover, an undertaking about the behaviour and the assurance that the driver is not involved in any criminal or any other offence shall be given and after getting the due police verification, the copy thereof shall be given to the party of the second part.
- (7) The vehicles bearing necessary registration in the office of the Regional Transport shall be provided and the same must be clean and proper.

- (8) The owner of the vehicle shall have to employ a driver with minimum 3 (three) years' experience on one vehicle who has obtained the medical certificate (by a MBBS Doctor) about fitness. The Party of the Second part shall take test of the driver and shall also take interview. If the party of the second party does not find the driver proper, the party of the first part shall not place such driver on the vehicle.
- (9) The Party of the first part and the vehicle on rent shall be under the administrative control of the Administrative Officer, Kuranga site.
- (10) The maintenance of the logbook and such other record shall be made by the party of the first part as may be suggested by the party of the second part.
- (11) The labour laws applicable to the driver shall be strictly followed.
- (12) For providing better services, the party of the first part shall appoint a responsible person/supervisor who will assure that the vehicle reaches at the place of work and works properly.
- (13) The party of the first shall be follow the rules for maintenance and service and if the vehicle is sent for maintenance and service for more than two days during the period of agreement, the party of the first part shall have to make arrangement of other vehicle. If the party of the first part fails to do so the

party of the second party shall make alternate arrangement and the expenses for the same shall be recovered from the bill of the party of the first part and the same will be agreeable to the party of the first part and shall not make any submission or raise any dispute.

- (14) The party of the first part shall have to submit the monthly bill alongwith log book to the Administrative Officer and the said bill shall have to be paid by the party of the second party with 15 (fifteen) days.
  - (15) During the period of duty, the driver shall not consume or keep with him any intoxicants. If the driver is found intoxicated or possessing the same, the party of the first shall pay penalty of Rs. 1,000/- (Rs. one thousand) to the party of the second part or the said amount shall be deducted from the monthly bill.
  - (16) If the party of the second part or any third party suffers any loss or injury due to vehicle or driver of the party of the first part, the party of the first part shall be completely responsible to compensate the same.
8. If the party of the second part does not find the services of the party of the first part satisfactory, the party of the second part can terminate the contract any time without any notice.

9. The party of the second party shall give the necessary training for safety and security.
10. For any reason or in any circumstance, if the party of the first part shall not provide the vehicle without permission of the party of the second part or the property/personnel of the second party Company suffers any loss by the party of the first part or their driver, the party of the second part shall impose a fine of Rs. 5,000/- to the party of the first part which will be agreeable to the party of the first part and shall not make any submission or raise any dispute.
11. All the controversies, difference of opinion and claims arising out of the present contract shall be sent to the manager of the Company Mr. Harish Megharam Ramchandani and his decision will be final and the same shall be binding to both the parties.
12. Any suit that may be filed by the owner as per the Indian law, shall be made within the jurisdiction of Dwarka Court.

Both the parties have accepted that this agreement is clearly explained to them and they have understood all the conditions/ meaning of the agreement and they have signed this agreement with complete responsibility and understanding.

That the contract for giving the vehicle on rent is made by both the parties with pleasure and in full state of mind, after reading and understanding, without any coercion, with a healthy mind and the same is/will be acknowledged, approved

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

and binding to the heirs, successors, executors, administrators, etc. of both the parties.

Party of the first part  
Shri Balubha Pabubha Ker

Sign.  
Sd/ -

Party of the second part  
Shri Harish Megharam Ramchandani on  
Behalf of M/s. RSPL Ltd. Company

For RSPL Ltd.  
Sd/-  
Authorized Signatory

Both the parties have made their seal-sign in presence of the following two witnesses.

Witnesses

Sign.

- (1) Balubha Tharyabha  
(2) Aapabha Nagshibha

Sd/-  
Sd/-

Signature, Photo & Thumb impression of party of first Part

Sign	Photo	Thumb Impression
Sd/-	PHOTO	L.H.T.

Signature, Photo & Thumb impression of party of Second Part

Sign	Photo	Thumb Impression
For RSPL Ltd. Sd/- Authorized Signatory	PHOTO	L.H.T.

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha



गुजरात गुजरात GUJARAT

संक्रम नं. २४६५  
 वि. नं. ३२... नं. ३...  
 परीक्षारतु नाम २०१९...  
 मूल्य ३२०/-  
 परीक्षारतु रानी

BP 131023

Lic. No. D.M./STP/2/2000

*V. D. D. D.*  
 देवभूमि प्रारका

वाहन लाडे मेणववा अंगेनो करार

आ वाहन लाडे मेणववा अंगेनो करार शहर कुंरगा मध्ये आज तारीख  
२३/३/१९ माहे मार्च, सने २०१८ ना दिने,

अकतरइवाला :-

श्री आलुमा पळुमा डे २  
 पुप्त वयना. धर्म तथा जाते हिन्दू, धंधो- जत  
 PAN.NO. D.C.R.P.K. ७४९९.P  
 रहेवासी कुंरगा  
 अ. देवभूमि प्रारका

For RSPL LTD.  
*Signature*  
 Authorised Signatory

*आलुमा पळुमा*

## Vehicle Rent Agreement

જેને હવે પછી આ કરારમાં "વાહન માલિક" કે "એકતરફવાળા" એ રીતે સંબોધવામાં આવશે. જે શબ્દોના અર્થમાં એકતરફવાળા તથા તેના એક્ઝીક્યુટરો, એડમીનીસ્ટ્રેટરો, એસાઇનીઓ ઇત્યાદિ તમામનો સમાવેશ થાય છે તે એકતરફવાળા

અને

બીજીતરફવાળા :-

મેસર્સ આરએસપીએલ લીમીટેડ (PAN No. AADCS7820A) કે જે ભારતીય કંપની એક્ટ, ૧૯૫૬ હેઠળ નોંધાયેલ કંપની છે અને જેની પ્રોજેક્ટ ઓફીસ :- સી-૧ અને સી-૨, ૩જો માળ, સફલ પ્રોફીટાયર, કોર્પોરેટ રોડ, પ્રહલાદનગર ગાર્ડન પાસે, સેટેલાઈટ, અમદાવાદ-૧૫, ગુજરાત અને સોડા-એશ પ્રોજેક્ટ સાઇટ :- સર્વે નંબર ૪૭૧, ગામ:- કુરંગા, તાલુકો:- દ્રારકા, જી:- દેવભૂમિ દ્રારકા ખાતે આવેલ છે તેના વતી અને તરફથી તેના ઔથોરાઇઝડ સિગ્નેટરી શ્રી

કરોશી મહાશયી કામ કરવાળી  
પુખ્ત વયના, ધર્મ તથા જાતે હિંદુ, ધંધો- નોકરી, રહેવાસી :- ગામ :- કુરંગા, તાલુકો :- દ્રારકા, જી. દેવભૂમિ દ્રારકા, ગુજરાત,

જેને હવે પછી આ કરારમાં "બીજીતરફવાળા" અગર "સદરહુ કંપની" એ રીતે સંબોધવામાં આવશે, જે શબ્દોના અર્થમાં બીજીતરફવાળા તથા તેના એક્ઝીક્યુટરો, એડમીનીસ્ટ્રેટરો, એસાઇનીઓ ઇત્યાદિ તમામનો સમાવેશ થાય છે તે બીજીતરફવાળા

ની વચ્ચે કરવામાં આવે છે.

એકતરફવાળા અને બીજીતરફવાળા વચ્ચે વાહન ભાડે મેળવવા અંગેનો કરાર નીચે મુજબ કરવામાં આવે છે :-

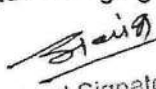
For RSPL LTD.  
1. એકતરફવાળા નીચે મુજબ વાહનનો કબજો ધરાવે છે.  
કરોશી  
Authorised Signatory

અનુ. નંબર	વાહન નો પ્રકાર	વાહન કંપની નું નામ	રજીસ્ટ્રેશન નં.	મોડલ નં.
૧	જેસીબી એસ્કેવેટર	જેસીબી	GJ-10-CE-8088	૨૦૦૭

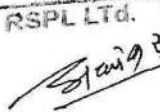
જેને એકતરફવાળાએ બીજીતરફવાળાનો ઉપર મુજબ જણાવેલ વાહનો માસિક ધોરણે ભાડા પર આપવા માટે સંપર્ક સાધ્યો હતો અને આ અંગેની વિગતવાર ચર્ચા પછી બીજીતરફવાળા માસિક ધોરણે વાહન ભાડા પર લેવા માટે તૈયાર છે. જેની શરતો નીચેની મુજબ રહેશે.

- ભાડે આપેલ વાહન ઉપર દર્શાવેલ કંપનીની પ્રોજેક્ટ સાઇટ પર પ્રતિ દિવસ ૧૦ કલાક (સવારના ૦૮ વાગ્યા થી સાંજના ૦૬ વાગ્યા સુધી) મહીનાના ૨૮ દિવસ ડ્રાઇવર સાથે હાજર રહેશે અને જો કોઈ અનિવાર્ય સંજોગોમાં વાહનની જરૂરીયાત ઉભી થાય તો વાહન પુરૂ પાડવાનું રહેશે અને જે અંગે કોઈ વધારાની રકમ મળી શકશે નહીં. આ વાહનનો ઉપયોગ બીજીતરફવાળા દ્વારા મહીનાના લઘુત્તમ ૨૮૦ કલાક/જરૂરીયાત મુજબ કરવામાં આવશે.
- કંપની દ્વારા માસિક રૂ. ૮૦,૦૦૦/- (રૂપીયા એસી હજાર પુરા) ભાડા તરીકે ચૂકવવામાં આવશે. જેમાં વીમો, ડ્રાઇવરો પગાર, રોડ ટેક્સ, ટોલ ટેક્સ (જો કોઈ હોય તો), જાળવણી અને મરામત ખર્ચ વગેરે તમામનો સમાવેશ થાય છે. વાહનનો બળતણ ખર્ચ(ડીઝલ) કંપની દ્વારા ચૂકવવામાં આવશે. માસિક ભાડા અને બળતણ ખર્ચ સિવાય કંપની દ્વારા કોઈ અન્ય રકમ ચૂકવવામાં આવશે નહીં.
- વાહન માલિક દ્વારા વાહનની યોગ્ય જાળવણી માટે મહીના ૦૨ દિવસ વાહન માલિક દ્વારા વાહનની સર્વિસ/મેન્ટેનન્સ કરાશે કે જેથી વાહન કોઈ ખલેલ વગર પ્રતિ દિવસના ૧૦ કલાક મહીનાના ૨૮ દિવસ ઉપલબ્ધ રહી શકે. કોઈ પણ ખલેલ/બ્રેક ડાઉન/અન્ય કોઈ પણ મુશ્કેલીના સમયે એકતરફવાળા દ્વારા ૩૦ મિનિટ અંદર તરત જ વાહન બદલી દેવાનું રહેશે. જો આમ કરવામાં એકતરફવાળા નિષ્ફળ જશે તો બીજીતરફવાળા દ્વારા વૈકલ્પિક વ્યવસ્થા કરવામાં આવશે અને જેનો ખર્ચ એકતરફવાળાના બીલમાંથી વસૂલવામાં આવશે. જે બાબત એકતરફવાળાને મંજૂર રહેશે અને કોઈ રજૂઆત/તકરાર કરશે નહીં.
- પ્રવર્તમાન નિયમોનુસાર બીજીતરફવાળા દ્વારા એકતરફવાળાના માસિક ભાડાની રકમમાંથી ૧ (એક) ટકા ટીડીએસ કાપવામાં આવશે.
- આ કરાર તારીખ ૦૧/૦૪/૨૦૧૯ થી ૩૦/૦૬/૨૦૧૯ માટે અમલમાં રહેશે અને તે પરસ્પર ચર્ચા બાદ ફરી કરારની નિયમો અને શરતોથી યોગ્ય સમયગાળા માટે નવેસરથી/રીન્યુ કરવામાં આવશે.
- આ કરારના સમય દરમિયાન વાહનમાલિક દ્વારા નીચેની બાબતોનું પાલન કરવાનું રહેશે:-

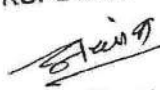
૧. વાહન અથવા તેનો કોઈ ભાગને વેચવું/કબજો બીજા કોઈને સોંપી દેવો/ગીરો

For RSPLLT મુકવું વગેરે કરશે નહીં અને વાહન બીજા કોઈ દ્વારા ઉપયોગ કરવા માટે  
  
 Authorised Signatory

- અથવા રાખવામાં અથવા અટકાયતમાં રાખવા માટે આપવામાં આવશે નહીં. જો આવું કોઈ કાર્ય કરવું હોય તો એકતરફવાળાએ બીજીતરફવાળાની ૧૫ દિવસ અગાઉથી લેખિત સંમતિ મેળવી લેવાની રહેશે.
૨. બધા જ જરૂરી લાયસન્સ, ફી, નોંધણી અને પ્રાદેશિક વાહન-વ્યવહાર કચેરીમાં જરૂરી અન્ય ખર્ચ/કર ચૂકવેલા હોવા જોઈએ અને વાહનની યોગ્ય જાળવણી કરવામાં આવશે કે જેથી વાહનની સારી હાલત જાળવાઈ રહે.
૩. એકતરફવાળા દ્વારા વાહનનો જરૂરી વીમો લેવામાં આવશે અને લાંબાગાળાનો વીમો લેવામાં આવશે કે જેથી વાહન તમામ જોખમો સામે રક્ષિત રહે અને તમામ યુકવવાપાત્ર પ્રિમીયમ વીમા કંપનીને ચુકવીને આ પહોંચની નકલ બીજીતરફવાળાને આપશે.
૪. કરારના સમય દરમિયાન વાહનને કારણે થતા અકસ્માતોના અન્ય પક્ષો તરફથી કરવામાં આવેલ દાવાઓની જવાબદારી એકતરફવાળાની રહેશે.
૫. વાહનનો વપરાશ વખતોવખત અમલમાં રહેલ જરૂરી કાયદાનું ઉલ્લંઘન થતું હોય તેવા કોઈ પણ કાર્યમાં ઉપયોગ કરી શકાશે નહીં.
૬. યોગ્ય ગણવેશધારી અને યોગ્ય રીતે પોશાક પહેરેલ અને સારી રીતે અનુભવી ડ્રાઈવર (માન્ય ડ્રાઈવિંગ લાયસન્સ સાથે) વાહનની સેવા પૂરી પાડવામાં આવશે. વધુમાં ડ્રાઈવર કોઈ પણ ફોજદારી અથવા અન્ય કોઈ પણ ગુનામાં સામેલ ન હોય તેની ખાત્રી અને ચાલ-ચલન અંગેની બાંહેધરી આપવાની રહેશે તથા જરૂરી પોલીસ વેરીફિકેશન કરાવી તેની નકલ બીજીતરફવાળાને આપવાની રહેશે.
૭. પ્રાદેશિક વાહન-વ્યવહાર કચેરીમાં જરૂરી રજીસ્ટ્રેશન ધરાવતા વાહન પૂરા પાડવાના રહેશે તથા વાહન યોગ્ય રીતે ચોખ્ખા તથા સાફ હોવા જોઈએ.
૮. વાહન માલિક દ્વારા ઓછામાં ઓછા ૩ (ત્રણ) વર્ષનો અનુભવ ધરાવતા હોય તેવા એક ડ્રાઈવર એક વાહન પર મુકવાનો રહેશે કે જે ફીટનેશ અંગેનું મેડીકલ સર્ટીફિકેટ (એમબીબીએસ ડોક્ટર દ્વારા) મેળવેલ હોય. બીજીતરફવાળા દ્વારા ડ્રાઈવરનો કસોટી/પરીક્ષા કરવામાં આવશે અને ઇન્ટરવ્યૂ પણ લેવામાં આવશે. જો બીજીતરફવાળાને ડ્રાઈવર યોગ્ય ના લાગે તો એકતરફવાળા તેવા ડ્રાઈવરને વાહન પર રાખશે નહીં.
૯. એકતરફવાળા તથા ભાડાનું વાહન બીજીતરફવાળાના વહીવટી અધીકારી, કુંરગા સાઈટ ના વહીવટી નિયંત્રણ હેઠળ રહેશે
૧૦. બીજીતરફવાળા દ્વારા સૂચવવામાં આવેલ લોગબુક અને આવા અન્ય રેકોર્ડની જાળવણી એકતરફવાળા દ્વારા કરવામાં આવશે.
૧૧. ડ્રાઈવર માટે લાગુ મજૂર કાયદાઓનું કડક પાલન કરવાનું રહેશે.
૧૨. સારી સેવા પૂરી પાડવા માટે, એકતરફવાળા દ્વારા જવાબદાર વ્યક્તિ / સુપરવાઇઝર ની નિમણુંક કરાશે કે જે સમયસર રીતે વાહન કામના સ્થળે પહોંચે તથા યોગ્ય રીતે કામ કરે તેની ખાત્રી કરશે.

For RSPL LTD.  
  
 Authorized Signatory

૧૩. એકતરફવાળા જાળવણી અને સર્વિસના નિયમોનું પાલન કરશે અને કરાર સમય દરમિયાન વાહન જાળવણી અને સર્વિસ માટે મહીનાદીઠ ૦૨ દિવસથી વધારે સમય માટે મોકલવામાં આવે ત્યારે એકતરફવાળા દ્વારા બીજા વાહનની સુવિધા કરવાની રહેશે. જો આમ કરવામાં એકતરફવાળા નિષ્ફળ જશે તો બીજીતરફવાળા દ્વારા વૈકલ્પિક વ્યવસ્થા કરવામાં આવશે અને જેનો ખર્ચ એકતરફવાળાના બીલમાંથી વસૂલવામાં આવશે. જે બાબત એકતરફવાળાને મંજૂર રહેશે અને કોઈ રજૂઆત/તકરાર કરશે નહીં.
૧૪. એકતરફવાળાએ માસિક બીલ લોગબુક સાથે વહીવટી અધિકારીને મહીના ના અંતે આપવાનું રહેશે અને તે બીલ ૧૫ (પંદર) દિવસની અંદર બીજીતરફવાળાએ ચૂકવવાનું રહેશે.
૧૫. ફરજના સમય દરમિયાન ડ્રાઈવર દ્વારા કોઈપણ નશીલા પદાર્થોનું સેવન કરશે નહીં અથવા સાથે રાખી શકશે નહીં. જો ડ્રાઈવર નશીલા પદાર્થોનું સેવન કરેલા પકડાશે અથવા સાથે રાખેલા મળશે તો રૂ. ૧૦૦૦/- (એક હજાર) ની પેનલ્ટી એકતરફવાળા બીજીતરફવાળાને ચૂકવશે અથવા માસિક બીલમાંથી રકમ કાપી લેવામાં આવશે.
૧૬. એકતરફવાળાના વાહન અથવા વાહનચાલકને કારણે બીજીતરફવાળાને કે કોઈ અન્ય ત્રીજાપક્ષને કોઈપણ પ્રકારનું નુકસાન/હજા થશે તો તેને ભરપાઈ કરવાની સંપૂર્ણ જવાબદારી એકતરફવાળાની રહેશે.
૮. બીજીતરફવાળા ને એકતરફવાળાની સેવાઓ સંતોષકારક ન લાગે તો કોઈપણ સમયે કોઈપણ નોટિસ વિના બીજીતરફવાળા કરારનો અંત લાવી શકે છે.
૯. બીજીતરફવાળા દ્વારા કામ અંગેની સલામતી તથા સુરક્ષા અંગેની જરૂરી તાલીમ આપવામાં આવશે.
૧૦. બીજીતરફવાળાની પરવાનગી સિવાય કોઈ પણ કારણોસર/સંજોગોમાં એકતરફવાળા દ્વારા વાહન પૂરું પાડવામાં નહીં આવે તો તથા એકતરફવાળા અથવા તેમના ડ્રાઈવર દ્વારા બીજીતરફવાળાની કંપનીની મિલકતો/માણસો ને કોઈપણ નુકસાન થશે તો બીજીતરફવાળા એકતરફવાળાને રૂ. ૫૦૦૦/- નો દંડ કરશે જે એકતરફવાળાને મંજૂર રહેશે અને કોઈ રજૂઆત/તકરાર કરશે નહીં.
૧૧. આ કરારમાં ઉત્પન્ન થતા બધા વિવાદો, મતભેદો અને દાવાઓ ઔથોરિટાઇઝડ સિગ્નેટરી શ્રી રાજીવ મહેતા ને મોકલી આપવાના રહેશે અને તેમનું અર્થઘટન અંતિમ રહેશે જે કરારના બન્ને પક્ષો માટે બંધનકર્તા રહેશે.
૧૨. ભારતીય કાયદા અનુસાર કોઈ પણ દાવો માલિક દ્વારા કરવામાં આવે તેને દ્વારકા ન્યાયાલયના અધિકારક્ષેત્રમાં કરવાનો રહેશે.

For RSPL LTD.  
  
 Authorised Signatory

બંને પક્ષોએ આથી સ્વીકાર્યું છે કે આ કરાર સંપૂર્ણપણે તેમને સમજાવવામાં આવ્યો છે અને તેઓ આ કરારની તમામ કલમો/અર્થ સમજ્યા છે અને તેઓની જવાબદારીની સંપૂર્ણ સમજ સાથે આ કરાર પર હસ્તાક્ષર કર્યા છે.

એ રીતેનો આ વાહન ભાડે આપવાનો કરાર બંને પક્ષકારોએ રાજીખુશીથી તેમજ અક્કલ હોંશીયારીથી વાંચી, વંચાવી, સમજી અને વિચારીને કોઈના કોઈપણ જાતના દાબદબાણ સિવાય સ્વસ્થચિતે લખી આપ્યો છે, જેને બંને પક્ષકારોના વંશ,વાલી, વારસો, એકઝીક્યુટરો, એડમીનીસ્ટ્રેટરો ઇત્યાદિ તમામને કબૂલ,મંજૂર અને બંધનકર્તા છે અને રહેશે અને ગણાશે.

એકતરફવાળા

સહી

શ્રી વ્યાજ્ઞા વ્યાજ્ઞા રૂ૨

સાહુજા વ્યાજ્ઞા

બીજીતરફવાલા

મેસર્સ આરએસપીએલ લીમીટેડ કંપની વતી

શ્રી વ્યાજ્ઞા વ્યાજ્ઞા રૂ૨



બંને પક્ષકારોએ તેઓના સહી-સિક્કા નીચે જણાવેલા બે સાક્ષીઓ રૂબરૂ કરેલા છે.

સાક્ષીઓ

નામ

સહી

૧) વ્યાજ્ઞા વ્યાજ્ઞા રૂ૨

સાહુજા વ્યાજ્ઞા

૨) વ્યાજ્ઞા વ્યાજ્ઞા રૂ૨




૫ બા ક૨૨૨૧૭

એકતરફવાળાની સહી, ફોટો તથા અંગુઠાની છાપ

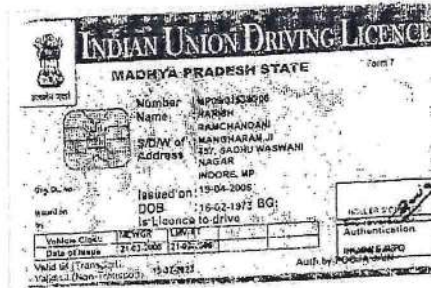
સહી	ફોટો	અંગુઠાની છાપ
<u>સાહુજા વ્યાજ્ઞા</u>		

Vehicle Rent Agreement

બીજીતરફવાળાની સહી, ફોટો તથા અંગુઠાની છાપ

સહી 	ફોટો 	અંગુઠાની છાપ 
--	---	---

Girish Kumar



1433

**STAMP PAPER OF**

**RS. 100**

**INDIA NON JUDICIAL**

GUJARAT

BP 131023

Sr. No. 7465, dated 16/3/19

Name of Purchaser : R.S.P.L.Ltd.

Signature of Purchaser : Sd/-

**CONTRACT FOR GETTING VEHICLE ON RENT**

This Agreement for getting the vehicle on rent is made on  
this date - date 27/03/19 in month March, 2019

PARTY OF FIRST PART :

Shri Balubha Pabubha Ker

Aged adult, Religion : Hindu,

Occupation : Agriculture

(PAN No. DCRPK7899S),

Res. Kuranga, Dist. Devbhoomi Dwarka

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

hereinafter in this agreement shall be referred to as "Owner of vehicle" or "Party of First Part", which expression shall include party of first part, and his executors, administrators, assignees, etc. – Party of First Part.

**AND**

**PARTY OF SECOND PART**

M/s. RSPL Limited (PAN No. AADCS7820A) which is a Company registered under the Indian Companies Act, 1956, the Project Office of which is at C-1 and C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahladnagar Garden, Satellite, Ahmedabad-15, Gujarat and Soda Ash Project Site is situated at Survey No. 471, Village : Kuranga, Tal. Dwarka, Dist. Devbhoomi Dwarka through its Authorized Signatory Shri Harish Megharam Ramchandani, aged adult, Religion : Hindu, Occupation Service,

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

Res. Kuranga, Tal. Dwarka, Dist.  
Devbhoomi Dwarka, Gujarat

hereinafter in this agreement shall be referred to as "Party of Second Part" or "said Company" which expression shall include party of second part, and its executors, administrators, assignees, etc. – Party of Second Part.

**The Agreement for getting the vehicle on rent between the Party of the First Part and Party of the Second Part is made as under :**

1. The party of the first part is in possession of the vehicle as under :

Sr. No.	Type of vehicle	Name of Vehicle Company	Registration No.	Model No.
1.	JCB Excavator	JCB	GJ-10-CE-8088	2007

The Party of the first part had contacted the party of the second part to give the above mentioned vehicle on rent on monthly basis and after detailed discussion in this regard, the party of the second party is ready to take the

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

vehicle on monthly basis, the conditions of which will be as under :

2. The vehicle given on rent will remain present on the project site of the aforesaid Company every day for 10 hours (08.00 hours in the morning to 06.00 hours in the evening) for 28 days a month alongwith driver and in case in unavoidable circumstances, if the requirement of vehicle arises, the vehicle will have to be provided and no additional amount for the same will be admissible. The use of the said vehicle shall be made maximum for 280 hours in a month / as per requirement.
3. The Company shall pay Rs. 80,000/- (Rupees Eighty Thousand only) as a rent which includes the insurance, salary of driver, road tax, toll tax (if any), maintenance and repair expenses etc. The fuel cost (diesel) of the vehicle shall be paid by the Company. Except the monthly rent and fuel cost, no other amount shall be paid by the Company.
4. For proper maintenance of the vehicle by the owner of the vehicle, the owner of the vehicle shall carry out service/ maintenance of the vehicle for two days in a month so that the vehicle can be made available without any disturbance for 28 days of a month for 10 hours per day. In case of any disturbance / breakdown / or any other difficulty, the party of the first part shall have to replace the vehicle within 30 minutes. If the party of the first part fails to do so, the alternative arrangement shall be made

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

by the party of the second part and the expenses for the same shall be recovered from the bill of the party of the first part and the same will be agreeable to the party of the first part and shall not make any submission or raise any dispute.

5. As per the prevailing rules, 1 (one) percent TDS shall be deducted by the party of the second part from the amount of monthly rent of the party of the first part.
6. This agreement shall be in force from 01/04/2019 to 30/06/2019 and after mutual discussion the same shall be renewed afresh by rules and conditions of the agreement for appropriate period.
7. During the period of this agreement, the owner of the vehicle shall have to take care of the following facts :
  - (1) The vehicle or any part thereof shall not be sold/ hand over the possession to any other person/ mortgaged and the vehicle shall not be given for use by any other person or to be ceased. If any such thing is to be done, the party of the first part shall have to obtain the written consent of the party of the second part before 15 days.
  - (2) All the necessary license, fee, registration and all the necessary expenses/taxes should be duly paid in the office of the Transport and the maintenance of the vehicle shall be made properly so that the vehicle can be maintained in good condition.

- (3) Necessary insurance of the vehicle shall be taken by the party of the first part and the insurance for long period should be taken so that the vehicle can be protected against all risks and after paying all the amount of premium payable to the Insurance Company, the copy of the receipt shall be given to the party of the second part.
- (4) During the period of agreement, the liability of the claims made by the other parties for the accidents due to the said vehicle shall be of the party of the first part.
- (5) The vehicle shall not be used for any such work which may result into breach of law in force from time to time.
- (6) The vehicle service shall be provided with a well-dressed and an experienced driver in uniform (alongwith valid driving license). Moreover, an undertaking about the behaviour and the assurance that the driver is not involved in any criminal or any other offence shall be given and after getting the due police verification, the copy thereof shall be given to the party of the second part.
- (7) The vehicles bearing necessary registration in the office of the Regional Transport shall be provided and the same must be clean and proper.

- (8) The owner of the vehicle shall have to employ a driver with minimum 3 (three) years' experience on one vehicle who has obtained the medical certificate (by a MBBS Doctor) about fitness. The Party of the Second part shall take test of the driver and shall also take interview. If the party of the second party does not find the driver proper, the party of the first part shall not place such driver on the vehicle.
- (9) The Party of the first part and the vehicle on rent shall be under the administrative control of the Administrative Officer, Kuranga site.
- (10) The maintenance of the logbook and such other record shall be made by the party of the first part as may be suggested by the party of the second part.
- (11) The labour laws applicable to the driver shall be strictly followed.
- (12) For providing better services, the party of the first part shall appoint a responsible person/supervisor who will assure that the vehicle reaches at the place of work and works properly.
- (13) The party of the first shall be follow the rules for maintenance and service and if the vehicle is sent for maintenance and service for more than two days during the period of agreement, the party of the first part shall have to make arrangement of other vehicle. If the party of the first part fails to do so the

party of the second party shall make alternate arrangement and the expenses for the same shall be recovered from the bill of the party of the first part and the same will be agreeable to the party of the first part and shall not make any submission or raise any dispute.

- (14) The party of the first part shall have to submit the monthly bill alongwith log book to the Administrative Officer and the said bill shall have to be paid by the party of the second party with 15 (fifteen) days.
  - (15) During the period of duty, the driver shall not consume or keep with him any intoxicants. If the driver is found intoxicated or possessing the same, the party of the first shall pay penalty of Rs. 1,000/- (Rs. one thousand) to the party of the second part or the said amount shall be deducted from the monthly bill.
  - (16) If the party of the second part or any third party suffers any loss or injury due to vehicle or driver of the party of the first part, the party of the first part shall be completely responsible to compensate the same.
8. If the party of the second part does not find the services of the party of the first part satisfactory, the party of the second part can terminate the contract any time without any notice.

9. The party of the second party shall give the necessary training for safety and security.
10. For any reason or in any circumstance, if the party of the first part shall not provide the vehicle without permission of the party of the second part or the property/personnel of the second party Company suffers any loss by the party of the first part or their driver, the party of the second part shall impose a fine of Rs. 5,000/- to the party of the first part which will be agreeable to the party of the first part and shall not make any submission or raise any dispute.
11. All the controversies, difference of opinion and claims arising out of the present contract shall be sent to the manager of the Company Mr. Harish Megharam Ramchandani and his decision will be final and the same shall be binding to both the parties.
12. Any suit that may be filed by the owner as per the Indian law, shall be made within the jurisdiction of Dwarka Court.

Both the parties have accepted that this agreement is clearly explained to them and they have understood all the conditions/ meaning of the agreement and they have signed this agreement with complete responsibility and understanding.

That the contract for giving the vehicle on rent is made by both the parties with pleasure and in full state of mind, after reading and understanding, without any coercion, with a healthy mind and the same is/will be acknowledged, approved

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha

and binding to the heirs, successors, executors, administrators, etc. of both the parties.

Party of the first part  
Shri Balubha Pabubha Ker

Sign.  
Sd/ -

Party of the second part  
Shri Harish Megharam Ramchandani on  
Behalf of M/s. RSPL Ltd. Company

For RSPL Ltd.  
Sd/-  
Authorized Signatory

Both the parties have made their seal-sign in presence of the following two witnesses.

Witnesses

Sign.

- (1) Vanraj Gagubha  
(2) Pababhai Karshanbhai

Sd/-  
Sd/-

Signature, Photo & Thumb impression of party of first Part

Sign	Photo	Thumb Impression
Sd/-	PHOTO	L.H.T.

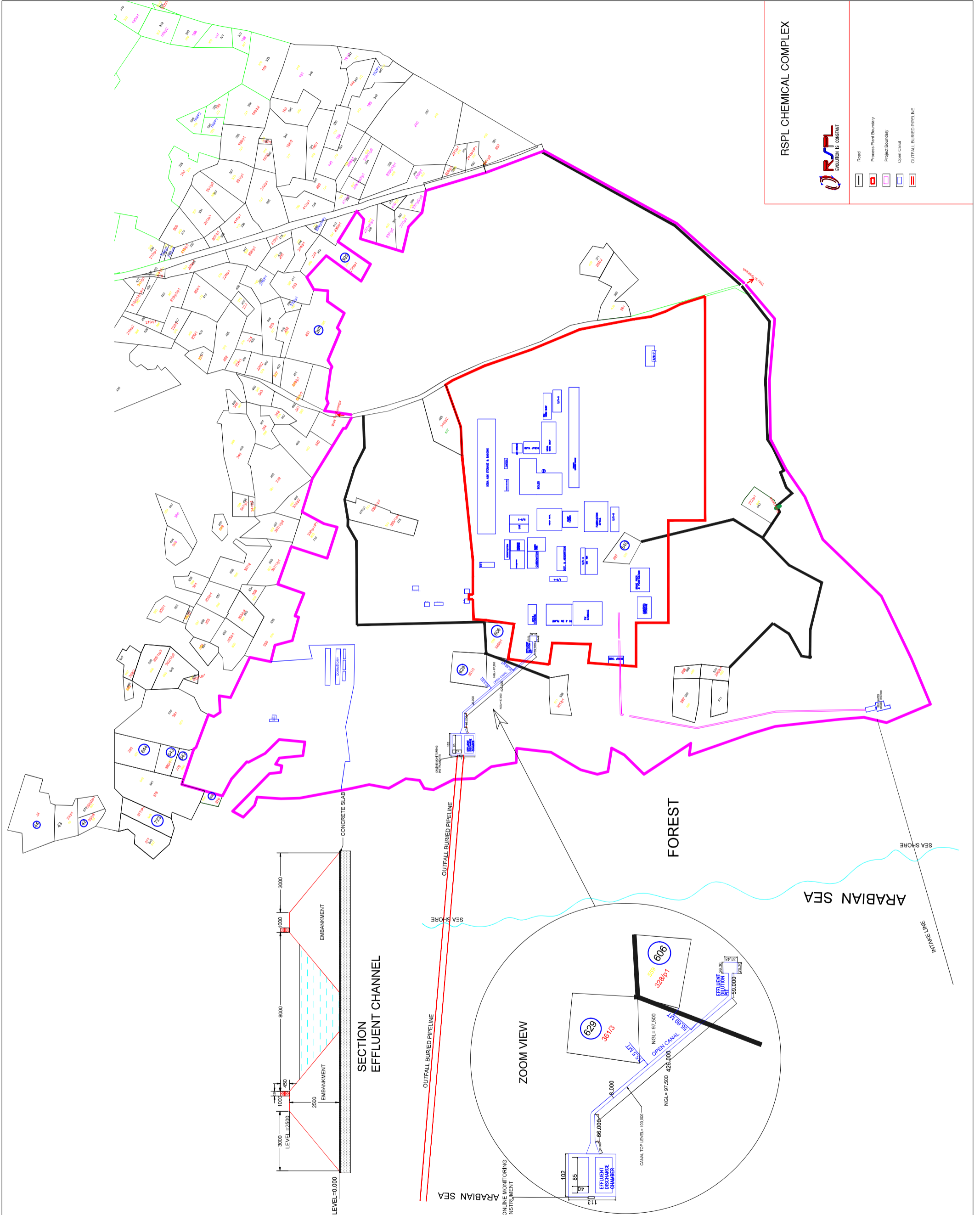
Signature, Photo & Thumb impression of party of Second Part

Sign	Photo	Thumb Impression
For RSPL Ltd. Sd/- Authorized Signatory	PHOTO	L.H.T.

For RSPL Ltd.  
Sd –  
Authorized Signatory

Sd/- Balubha Pabubha





RSPL CHEMICAL COMPLEX



- Road
- Process Plant Boundary
- Project Boundary
- Open Canal
- OUTFALL BURIED PIPELINE

SECTION EFFLUENT CHANNEL

ZOOM VIEW

FOREST

ARABIAN SEA

SEA SHORE

INTAKE LINE

OUTFALL BURIED PIPELINE

OUTFALL BURIED PIPELINE

ARABIAN SEA

ONLINE MONITORING INSTRUMENT





## GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN

Sector-10-A, Gandhinagar 382 010

Phone : (079) 23222425

(079) 23232152

Fax : (079) 23232156

Website : www.gpcb.gov.in

ક્રમાંક:ગુ.પ્ર.નિ.બોર્ડ/જે.એમ.એન./સીસીએ-૧૦૭૧/ID- ૪૩૮૫૧/

તા.

પ્રતિ,

શ્રી બાલુભા પબુભા કેર,

ગામ-કુરંગા

તા: દારકા, જી: દેવભુમિ દારકા.

વિષય:- કુરંગા સ્થીત મે. આર.એસ.પી.એલ. કંપની દ્વારા ફેલાવાતા ખારા પાણીના પ્રદૂષણ ને રોકી જમીનને ફળદ્રુપતા બચાવવા અંગે.

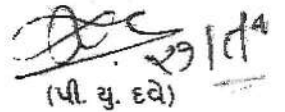
સંદર્ભ:-૧) વન અને પર્યાવરણ વિભાગ, ગાંધીનગરનો પત્રનં: ઇએનવી/૧૦/૨૦૧૫/૧૩૭/ટી-સેલ/પાર્ટ-૫-૧૮ તા:૧૭/૦૫/૨૦૧૮થી મળેલ આપની રજુઆત.

૨) આપની રજુઆતના અનુસંધાને પ્રાદેશિક કચેરી જામનગર દ્વારા તા. ૧૭/૦૭/૨૦૧૮ના રોજ કરેલ સ્થળતપાસ અને તેનો નિરીક્ષણ અહેવાલ.

શ્રીમાન,

ઉપરોક્ત વિષય અને સંદર્ભના અનુસંધાને જણાવવાનું કે, આપના દ્વારા કુરંગા સ્થીત મે. આર.એસ.પી.એલ. કંપની દ્વારા ફેલાવાતા ખારા પાણીના પ્રદૂષણ ને રોકી જમીનને ફળદ્રુપતા બચાવવા અંગે રજુઆત કરેલ. જેના અનુસંધાને બોર્ડની પ્રાદેશિક કચેરી જામનગર દ્વારા તા.૧૭/૦૭/૨૦૧૮ના રોજ સ્થળની રૂબરૂ મુલાકાત લીધેલ અને અહેવાલ અત્રેની કચેરીને રજુ કરેલ. સ્થળતપાસ અહેવાલના અવલોકનો જોતા અવલોકનો બરાબર જોવા મળેલ. જે આપશ્રીની જાણ સારું.

ગુ.પ્ર.નિ.બોર્ડના નામે અને વતી,

  
(પી. યુ. દવે)

પર્યાવરણ ઇજનેર

Outward No: 466811, 27/08/2018

Clean Gujarat Green Gujarat

ISO-9001-2008 &amp; ISO-14001 - 2004 Certified Organisation

**GUJARAT POLLUTION CONTROL BOARD**

PARYAVARAN BHAVAN

Sector 10-A, Gandhinagar – 382010

Phone : (079) 23222425

(079) 23232152

Fax : (079) 23232156

Website: [www.gpcb.gov.in](http://www.gpcb.gov.in)

-----  
--  
No. GPCB/JMN/CCA-1071/ID-43851/

Date :

**To,**

Shri Balubha Pabubha Ker,

Village : Kuranga,

Tal. Dwarka, Dist. Devbhumi Dwarka

Sub : For preserving the fertility of the land by preventing the salt water pollution made by the RSPL Company at Kuranga

Ref(1): Your representation received vide Forest & Environment Deptt., Gandhinagar's letter No. ENV/10/2015/137/T-Cell/Part-5-18, dt. 17/05/2018

(2) With reference to your representation, spot inspection carried out by Regional Office, Jamnagar on 17/07/2018 and its inspection report.

Sir,

With reference to the above subject and reference, it is informed that you had made a representation for preservation of the fertility of the land by preventing the salt water pollution made by the RSPL Company at Kuranga. Pursuant to the same, the Regional Office, Jamnagar of the Board had personally visited the place on 17/07/2018 and has submitted a report to this office. Looking at the observations made in the report of the spot inspection, it was found in order. This is for your information.

In the name & on  
behalf  
G. P. C. Board  
Sd/-  
(P. U.Dave)  
Environment  
Engineer

RSPL/CCG/VKG/ENV-004/075/2018-19

Date: 02.08.2018

The Regional Officer,  
Gujarat Pollution Control Board,  
Sardar Patel Commercial Complex,  
Rameshwar Nagar,  
Kasturba Gandhi Vikas Gruh Marg,  
Bedi Bandar Road,  
Jamnagar-361008

Sub.: GPCB officials' site visit dated 17.07.2017

Dear Sir,

This has reference to the site visit carried out by officials of Gujarat Pollution Control Board, Jamnagar at our Soda Ash Project site located at Village Kuranga, Taluka Dwarka, District Devbhumi Dwarka.

In this connection, as desired during the site visit, we are submitting herewith the details as Enclosure I.

Hope you will find this in order.

Thanking you,

Yours faithfully,  
For **RSPL LIMITED**



Authorized Signatory

Encl.: As above

02/08/18  
GUJARAT POLLUTION CONTROL BOARD  
Sardar Patel Bhavan, Rameshwar Nagar  
Jamnagar-361008

## Enclosure I

Sr. No.	Particulars	Details
01.	Present status of Soda Ash Project	<p>The Project is at advanced stage of completion and start-up activities will be taken up in phased manner after mechanical completion.</p> <ul style="list-style-type: none"> <li>• Engineering completion – 98 %</li> <li>• Overall Construction Completion – 85 – 90 %</li> <li>• Raw Materials – Major Raw materials necessary for plant start up i.e. Limestone (Imported), Salt and Coal (Imported) received at site.</li> </ul> <p>Pre-commissioning trial run activities are in progress.</p>
02.	To comply EC conditions during construction phase	Noted and agreed.
03.	EC Compliance Report	EC Compliance Report has already submitted to your office vide our letter No. RSPL/CCG/KG/ENV-002/042/2018-19 dated 15.06.2018. Copy of the same is reproduced herewith for your ready reference please.





# ગુજરાત પ્રધાન નિયંત્રણ બોર્ડ

## ANNEXURE A-3 કેદારી શાખા, ગાંધીનગર

Colly

"પર્યાવરણ ભવન", સેક્ટર-૧૦-એ, ગાંધીનગર-૩૮૨૦૧૦

TYPED COPY SUPPLIED

### તપાસ માટે દાખલ થવાની સૂચના (નોટીસ)

પ્રાણી અધિનિયમ ૧૯૭૪ ની કલમ-૨૩, હવા અધિનિયમ ૧૯૮૧ની કલમ-૨૪ અને પર્યાવરણ (સુરક્ષા) અધિનિયમ ૧૯૮૬ની કલમ-૧૦ હેઠળ આપોલે સવાની રૂણે આપોલે જરૂરી લાગે તેની સહાય તાબે તપાસ સમયે નીચેના હેતુઓ માટે આપની જગ્યામાં દાખલ થવાનો અને તપાસ કરવાનો અધિકાર ધરાવીએ છીએ.

- (૧) આપોલે સોષેલા રાજ્ય બોર્ડ / કેન્દ્ર સરકારના કાર્ય બજાવવા હેતુ માટે.
- (૨) આવા કોઈ કાર્યો બજાવવાના છે કે કેમ અને તેમ હોય તો કોઈ રીતે તે બજાવવાના છે અથવા આ અધિનિયમ અથવા તે હેઠળ કરેલા નિયમોની અથવા આ અધિનિયમ હેઠળ બજાવેલી કોઈ નોટીસની કરેલા કોઈ મનાઈ દુરુમની, આદેશની અથવા આપેલા કોઈ અધિકાર પત્રની કોઈ જોગવાઈનું પાલન કરવામાં આવી રહ્યું છે કે કેમ તે નક્કી કરવાનો હેતુ માટે.
- (૩) કોઈ સાધન સામગ્રી, સીલોગિડ પ્લાન્ટ, રેડક્ટ સ્ટ્રક્ચર, દસ્તાવેજ અથવા અન્ય કોઈ મહત્વની વસ્તુની તપાસ કરવા અને તેની કસોટી કરવાના હેતુ અથવા જે જગ્યામાં તેનો એમ માનવાલે કારણ હોય કે આ કારણ કે તે હેઠળ કરેલા નિયમો મુજબ કોઈ ગુનો કરવામાં આવ્યો છે અથવા ચલાવી લેવામાં છે તેવી કોઈ જગ્યાની તપાસી તેવા માટે અને તેને એમ માનવાલે કારણે હોય કે આ કારણ કે તે હેઠળ કરેલ નિયમો હેઠળ શિક્ષણ કોઈ ગુનો કર્યાનો મુશ્કો, તેવા સાધન સામગ્રી, સીલોગિડ પ્લાન્ટ, રેડક્ટ સ્ટ્રક્ચર, દસ્તાવેજ અથવા અન્ય મહત્વની વસ્તુ કબજે લેવા માટે અને નીચે જણાવેલા તારીખ અને સમયે દાખલ થાઉએ છીએ.

તારીખ / કારણનામાં દાખલ થવાનો સમય : ૧૦ ૩૦ તા. ૨૬/૧૩/૨૦૨૩

આમોલે સહાય માટે નીચેની વ્યક્તિઓ પણ છે.

- ૧. ડી. સી. પટેલ (જા. પ. ડેપુટી)
- ૨.
- ૩.
- પતિ.

M/S RSPL HA (ID 43351)  
 Near NH-8E, Survey No. 471,  
 Kharajpur,  
 Tal. Bhuj,  
 Dist. Dev Bhumi Dwarka

સહી:   
 અધિકારીનું નામ: ડી. સી. પટેલ  
 સેલ: (જા. પ. ડેપુટી)

વહીવટ મોલ છે. શ્રી ભાલુકુમાર  
 આ સૂચના (નોટીસ) મેળવવારની સહી: (સાન ૯૩)



# ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ

તકેદારી શાખા, ગાંધીનગર

"પર્યાવરણ ભવન", સેક્ટર-૧૦-એ, ગાંધીનગર-૩૮૨૦૧૦

ખાતે,

મ/૨ RSTL ૬૩

**TYPED COPY SUPPLIED**

તારીખ : ૨૫/૧૧/૨૦૨૦

Karnaraj

D/E Des/Shaikh Desai

**વિષય :** એકમની પર્યાવરણીય કાર્યવાહીને લેવામાં આવેલા સ્થળ તપાસમાં એવા મળેલ વિસ્તારના/અવકાશનો માટે સુધારાત્મક પગલાઓ લેવા બાબતે.

**સંદર્ભ :** ખાલી અધિકાર્ય-૧૯૩૨ / હાલ અધિકાર્ય-૧૯૨૧ / આલેખન અધિકાર્ય-૧૯૨૬ હેઠળ આવતા એકમની સ્થળ તપાસ.

**મહત્વના :** ઉપરોક્ત વિષય અને તેમાં આવેલ જાણવાના કે સીધા ઉપરોક્ત બોર્ડના પ્રતિનિધિઓ દ્વારા આપતા એકમની મુલાકાતના સ્થળ તપાસ કરવા જે દરમિયાન પર્યાવરણીય કાર્યવાહી સંબંધી નીચે જણાવેલ મુદ્દાઓ / સ્થિતિઓ એવા / જાણવા મળેલ છે:

- ૧) આપણા અધિકારમાં આવેલ એવા જમીનો (કોર્ટ નંબર, પલ્લ ૨૩૫) પર આપણા અધિકારથી કોઈ વિસ્તાર / કોઈપણ નિર્મિત વસ્તુની બાંધકામ કામ ચાલુ રહેતી હોવાથી અગત્ય.
- ૨) મુલાકાત દરમિયાન કોઈ કોર્ટ સાઈટ નીચે કોઈક પ્રકારના કોર્ટ સાઈટ સામે મળેલા કન્ટ્રીફોર્મ એમીશન કન્ટ્રીફોર્મ મોડેલ નક્કર આપવામાં મુલતી જમીન આલેખન સંબંધી પર કોર્ટ સાઈટ, પુસ્તકી જમીન પર કોર્ટ સાઈટ રાખવાથી કન્ટ્રીફોર્મ મોડેલ નો કન્ટ્રીફોર્મ એમીશન નિયંત્રણ માટે તમામ જમીન તપાસ લખ કરવા.
- ૩) લેખકે TPAની યોજાણી પર મુલતી કોર્ટ સાઈટ મોડેલના સીટના ના રીજીસ્ટ્રેશન મુલતી PM-103-૨૧ ના/સાઈટ 1502 નો ના/સાઈટ, NR-4-૧ ના/સાઈટ (૯-૩૧ PM) એવું મોડેલ નો PMને જાણ આપવા બાબતે ESPની કાર્યવાહી મુદ્દાવલ.
- ૪) હવેના ૩ જાણના વિષયમાં, ખાલી વપરાયે, લેન્ડવોર્ક રીજીસ્ટ્રેશન, એમીશન કોર્ટ સાઈટના કાર્યવાહી તથા નક્કર પાલન, સ્થળ તપાસના તથા હાલના કોર્ટ સાઈટના વિષયો વિષ-૯૩ના રજૂ કરવા.

ઉપરોક્ત મુદ્દાઓ / સ્થિતિઓના અભાવે પગલાં લેવા પહેલાં કુદરતી સ્થિતિના સિદ્ધાંત મુજબ આપને સામગ્રીની તસવીર પુરી પાડવાના દેવુંથી મુદ્દાઓ / સ્થિતિઓ પરત્વે લેખિત મુલાકાત / રજૂઆત / પુલતી અહેવાલ કાર્યવાહી નંબર-૦૩ માં બોર્ડની તકેદારી શાખા, ગાંધીનગર તેમજ વડી કચેરી, ગાંધીનગરને બોર્ડની આગળ તેમજ XCN માં અપરેલ કરવા બાબતે સચવા આપવામાં આવે છે.

નક્કર મળેલ છે.  
એકમના પ્રતિનિધિથી જાણી શકાય  
(કોર્ટ ૯૩)

*Mulraj*  
જે એમ સહી  
બા ૫. કોર્ટ

**GUJARAT POLLUTION CONTROL BOARD  
VIGILANCE BRANCH**

-----  
---  
"Paryavaran Bhavan", Sector - 10-A, Gandhinagar-  
382010  
-----  
---

**INSTRUCTIONS FOR ENTERING FOR INSPECTION  
(NOTICE)**

Under the powers vested in me under Section-23 of Water Act, 1974, Section -24 of Air Act, 1981 and Section-10 of Environment (Protection) Act, 1986, the undersigned has the powers to enter into your premises and carry out inspection for the following purposes -

- (1) For implementation of the functions of the State Board/Central Government entrusted to us;
- (2) For the purpose of deciding as to how the functions are to be performed, if any or whether the compliance of any notice, order under this Act or the provisions of the authority letters are followed or not.

- (3) For the purpose of inspection of any equipment, industrial plant, record, register, document or any other important things and its testing or to carry out search of any place where or there is any reason to believe that any offence is committed or is likely to be committed as per the rules framed under this Act and the undersigned shall enter to take possession of such equipment, industrial plant, record, register, document or any other important things when there is reason to believe that there is evidence of any such punishable offence under the rules under this Act at the time mentioned below:

Time for entering the Industry/Factory : 10.30 Hrs. on 29/12/2020.

The following persons are with the undersigned for assistance :

1. T. C. Patel,
- 2.
- 3.

Copy received

Signature : Sd/-

Name : Mr. Bhola Kumar

Design. : Plant Head

Name of Officer visited

Signature : Sd/-

Name : J. M. Mahida

Design.: DEE

**GUJARAT POLLUTION CONTROL BOARD  
VIGILANCE BRANCH**

-----  
---  
"Paryavaran Bhavan", Sector - 10-A, Gandhinagar-  
382010  
-----  
---

Date : : 29/12/2020

To,  
M/s. RSPL Ltd.,  
Kuranga,  
Dist. Devbhumi Dwarka

Sub : For taking corrective measures for the discrepancies/ shortcomings noticed during the inspection of the Unit under the provisions of Environmental laws.

Ref : Inspection of your unit under the Water Act, 1974 / Air Act, 1981 /Environment Act, 1986.

Sir,

With reference to the above subject and reference, it is informed that the following officers of the Board had visited your unit and carried out the spot inspection during which the below mentioned errors/omissions were observed :

- (1) Care should be taken to seen that the waste water/ contaminated rain water from your unit does not go the other lands (S. No. 540, 598, 475) situated within your complex.
- (2) During the visit, heavy fugitive emission from the coal thresher shed and coal conveyor transfer points and black layer of coal particles was seen on the internal roads as also on S. No. 540 land, so all necessary steps may be taken for preventing fugitive emission.
- (3) As per the reading of online monitoring system on the \_\_\_ TPP Chimney, PM -103.09,  $\text{Mg/Nm}^3$  SO<sub>2</sub>- 67 Pg/Nme, NO<sub>x</sub>-4.9  $\text{Mg/Nm}^3$ , CO-39 ppm

was noticed and therefore, the efficiency of CSP may be corrected for bringing the PM within the prescribed marking.

(4) The details of production, use of water, waste water discharge, ammonia, ammonia carbonate and HCL \_\_\_\_\_, \_\_\_\_\_ generation during last three months and the present stock may be produced within 3 days.

Before taking the action against the aforesaid errors / omissions, as per the principle of natural justice with a view to provide opportunity of hearing to you, you are directed to submit necessary explanation / clarification to the Vigilance Branch of the Board, Gandhinagar as also to the head office, Gandhinagar within 3 working days as also the same may be uploaded on XGN.

Copy received

Signature : Sd/-

Name : Mr. Bhola Kumar

Name of Officer visited

Signature : Sd/-

Name : J. M. Mahida

1457

Design. : Plant Head

Design.: DEE



o/c

1458

**RSPL LIMITED**

Ahmedabad Office : C-1/C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608; Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

RSPL/CCG/VKG/ENV-004/124/2020-21

Date: 31/12/2020

To,  
The Vigilance Officer,  
Paryavaran Bhavan, Sec. 10 A,  
Gujarat Pollution Control Board,  
Gandhinagar

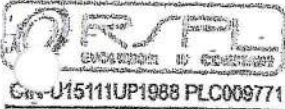
Sub.: Compliance status report w.r.t. GPCB site visit dated 29.12.2020 for Soda Ash Plant of RSPL LIMITED at Village Kuranga, District Devbhumi Dwarka (ID:43851)

Dear Sir,

Please find below our reply in respect of actions taken to the inspection remarks pointed out during the site visit of GPCB officials vide dated 29.12.2020.

S. No.	Inspection Remarks	Compliance Status
1	A care to be taken that any wastewater/contaminated rainwater runoff from your plant do not go to other lands (Survey No. 540, 598, 475) within your plant premises.	We are not discharging any effluent on land. Effluents from different units is collected in the mixing pond which is then diluted with seawater and once through return cooling water and being discharged as per norms into the Arabian Sea at a location recommended by NIO.  Further, the water quality of runoff/storm water during monsoon season is also monitored at various significant points leading to natural drains.  All due care is being taken & will be ensured further that no runoff rainwater goes to other land within our plant premises.
2	During visit heavy fugitive emission has been observed from coal crusher shed and coal conveyor transfer points and coal particles has been observed on nearby open land, internal roads and in the land of Survey No. 540. All necessary steps to be taken to mitigate fugitive emissions.	Dust extraction and dust suppression system has been provided to minimize and control the suspended particles in surrounding. Water sprinkling system has also been provided to reduce fugitive emission.  The high wind velocity during this season also sometimes leads to get the dust particles air borne.  However, the necessary steps have been taken immediately to make the system more effective to mitigate the fugitive emissions.

*D*  
02/12/2021  
Gujarat Pollution Control Board  
Head Office  
Sector No. 10-A,  
Gandhinagar-382010



G.P. U15111UP1988 PLC009771

**RSPL LIMITED**

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
 Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 • E-mail : projectamd@rspl.net.in

3	As per the reading of Online Monitoring System installed at Captive TPP stack values recorded are PM - 103.09 mg/nm <sup>3</sup> , SO <sub>2</sub> - 67 mg/nm <sup>3</sup> , NO <sub>x</sub> - 4.9 mg/nm <sup>3</sup> . To control PM in permissible limits, efficiency of ESPs to be increased.	<p>ESPs along with adequate stack height (122.0 m) have been provided for coal/lignite fired-boiler to control particulate emissions and for dispersion of emissions.</p> <p>The air load test being conducted may have led to increase in PM emission.</p> <p>The necessary steps have already been taken to increase the efficiency of ESPs.</p>
4	Details related to Production, Water Usage, Wastewater Discharge, Ammonia, Ammonium Carbonate and HCl purchase, Sludge Generation and stock for last 3 months to be furnished within 3 days.	<p>Details related to Production, Water Usage and Wastewater Discharge, Sludge Generation for last 3 months are attached herewith as an Annexure-1(a).</p> <p>Details related to Ammonia, Ammonium Carbonate and HCl are attached herewith as an Annexure-1(b).</p>

Thanking You.

Yours Faithfully,  
 For RSPL LIMITED



Authorized Signatory

Encl.: As above

Copy to: The Sr. Environmental Engineer  
 Gujarat Pollution Control Board  
 Gandhinagar-382010

## Annexure-1(a)

Details related to Soda Ash Production, Water Consumption, Wastewater Generation and sludge for last 3 months

Month	Soda Ash Production (MT)	Water Consumption (M <sup>3</sup> /Month) Intake (Drawl)	Wastewater Generation (M <sup>3</sup> /Month) Outfall (Discharge)
September, 2020	32055	10075302	10066089
October 2020	39199	10831379	10815024
November 2020	37147	11643339	11625758
<b>Total</b>	<b>108401</b>	<b>32550020</b>	<b>32500871</b>

- The sludge generated after cleaning of pump house is approximately 32000 cum till date.

Annexure-1(b)

Details related to Ammonia, Ammonium Carbonate and HCl for last 3 months

Month	Ammonia (MT)	Ammonium Carbonate (MT)	HCl (MT)
September, 2020	137.15	341.315	918.4
October 2020	121.32	344.710	939.78
November 2020	166.86	293.175	986.94
<b>Total</b>	<b>425.2</b>	<b>979.2</b>	<b>2845.12</b>



RSPL/CCG/VKG/ENV-004/152/2020-2021

Date: 16.03.2021

To,  
The Regional Officer,  
Gujarat Pollution Control Board,  
Jamnagar

**ANNEXURE A14**

Sub.: Regarding Intimation for Shut-down of Soda Ash Plant located at Village Kuranga, District Devbhumi Dwarka by RSPL LIMITED

Dear Sir,

RSPL LIMITED has set-up a Soda Ash Plant (1500 TPD) alongwith Captive Power Plant (50 MW) at Village Kuranga, District Devbhumi Dwarka.

We would like to intimate your kind authority that we are taking shut-down of our Soda Ash Plant for maintenance purpose from 16.03.2021 (4 to 5 days estimated). Soda Ash production will be resumed after maintenance activities are completed and actual date of commencement of production post completion of maintenance activities shall be intimated to your good office.

This is for your information and record please.

Thanking You,

Yours Faithfully,  
For RSPL LIMITED

  
Authorized Signatory

9/12/2021  
GUJARAT POLLUTION CONTROL BOARD  
Sardar Patel Bhavan, Rameshwar Nagar  
Jamnagar-361008





ગુજરાત સરકારના અધિકારીઓનો સંઘ

ANNEXURE A IS COLLY

સરકાર પત્રોલ ક્રમ નં., અધિકારીઓના સંઘ, ગુજરાત, ૩૮૧૦૦૮  
 ટેલ : (૦૭૯૮૮) ૭૭૫૨૩૭૭ E-મેલ : tc@gsu-jamni@gujarat.gov.in

TYPED COPY SUPPLIED

## તપાસ માટે દાખલ થવાની સૂચના (નોટીસ)

ખાણી અધિનિયમ ૧૯૭૪ની કલમ-૨૩, હવા અધિનિયમ ૧૯૮૧ ની કલમ-૨૪ અને પર્યાવરણ (સુરક્ષા) અધિનિયમ-૧૯૮૬ની કલમ-૧૦ હેઠળ અમોને મળેલ સત્તાની રૂએ અમો નીચે સહી કરનાર અમોને જરૂરી લાગે તેની સહાય લઈને તમામ સમયે નીચેના હેતુઓ માટે આપની જગ્યામાં દાખલ થવાનો અને તપાસ કરવાનો અધિકાર ધરાવીએ છીએ.

- (૧) અમોને સોપેલા રાજ્ય બોર્ડ / કેન્દ્ર સરકારનાં કાર્ય બજાવવાનાં હેતુ માટે,
- (૨) આવા કોઈ કાર્યો બજાવવાના છે કે કેમ અને તેમ હોય તો કઈ રીતે બજાવવાના છે અથવા આ અધિનિયમ અથવા તે હેઠળ કરેલા નિયમોની અથવા આ અધિનિયમ હેઠળ બજાવેલી કોઈ નોટીસની, કરેલા કોઈ હુકમની, આદેશની અથવા આપેલા કોઈ અધિકારપત્રની કોઈ જોગવાઈનું પાલન કરવામાં આવી રહ્યું છે કે પાલન કરવામાં આવ્યું છે, કે કેમ તે નક્કી કરવાના હેતુ માટે,
- (૩) કોઈ સાધન સામગ્રી, ઔદ્યોગિક પ્લાન્ટ, રેકર્ડ, રજીસ્ટર, દસ્તાવેજ અથવા અન્ય કોઈ મહત્વની વસ્તુની તપાસ કરવા અને તેની કસોટી કરવાના હેતુ માટે અથવા જે જગ્યામાં તેને એમ માનવાને કારણ હોય કે આ કાયદા કે તે હેઠળ કરેલા નિયમો મુજબ કોઈ ગુનો કરવામાં આવ્યો છે, અથવા થવાની તૈયારીમાં છે, તેવી કોઈ જગ્યાની ઝડપી લેવા માટે અને તેને એમ માનવાને કારણ હોય કે આ કાયદા કે તે હેઠળ કરેલા નિયમો હેઠળ શિક્ષાપાત્ર કોઈ ગુનો કર્યાનો પુરાવો, તેવા સાધન સામગ્રી ઔદ્યોગિક પ્લાન્ટ, રેકર્ડ, રજીસ્ટર, દસ્તાવેજ અથવા અન્ય મહત્વની વસ્તુ કબજે લેવા માટે અમે નીચે જણાવેલ સમયે દાખલ થઈએ છીએ.

ઉદ્યોગ/કારખાનામાં દાખલ થવાનો સમય: સવારના/સાંજના 12:00 <sup>7/2</sup> તા. 23/06/2021

અમારી સાથે સહાય માટે નીચેની વ્યક્તિઓ પ્રાણ છે-

૧. ડ્ર. M. M. Page - SO
૨. K. H. Tanna - AEE
૩. C. H. Chauhan - AEE

પ્રતિ, ID - 43851  
 RSPL Limited  
 S.No 287 P/243/P/243  
 245 24th P, etc

સહી :-  
 અધિકારીનું નામ :-  
 હોદ્દો :-

*K. N. Parmar*  
 K. N. Parmar  
 DEE

જા. વિ. નં. : Kuvon 94 Ta : Deon K 9

DEE : Deubhumi Deon K 9


ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડના અધિકારીઓ દ્વારા આપનાં એકમની આજ રોજ રાજ્યના જુદાં જુદાં પર્યાવરણીય નિયમોને આધિન સ્થળ મુલાકાત લેવામાં આવેલ. આપનાં એકમની સ્થળ મુલાકાત દરમિયાન કરેલ અવલોકનો, આપે આપેલ માહિતી / દસ્તાવેજો અને પર્યાવરણીય નિયમોની જોગવાઈઓને આધીન; આપને નીચે મુજબ સુચના-આપવામાં આવે છે. જેની પુર્તતા અંગેનો અહેવાલ (કોમ્પ્લાયન્સ રીપોર્ટ) આ સુચના મળ્યાની તારીખથી એક (૧) સપ્તાહની અંદર આ કચેરીની જાણ હેઠળ અને બોર્ડની ષડી કચેરી - ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ, પર્યાવરણ ભવન, સેક્ટર - ૧૦ (એ), ગાંધીનગર ખાતે અચૂક મોકલી આપવો, તેમજ આ બોર્ડની વેબસાઇટ [www.gpcb.org.gujarat.gov.in](http://www.gpcb.org.gujarat.gov.in) પર આપના PCB-ID માં અપલોડ પણ કરવો. તેમ જ થતાં આપની આ બાબતે કોઈ સજુઆત નથી તેમ માની, આપનાં એકમ સામે કાયદા/નિયમોની જોગવાઈઓ ને ધ્યાને લઈ આગળની કાર્યવાહી કરવામાં આવશે.


(૧) આપના યુનિટ માં અધિક સ્ટોરેજ ટેન્ક અટકી રાખ્યા છે જેને કોઈ પણ કારણોસર ટેન્ક પુરી કરી તેને અધિક માત્રા સુધી ભરી લેવાની જાણ આપવા પર ટેન્ક ધીરે ધીરે સ્વચ્છ કરી તેને જરૂરના ખર્ચમાં જ સરભર કરી તકેદારી ના પાલન કરવા.

(૨) આપના યુનિટમાં બાઈબર સાથે લગાડેલ EOP નું સચાંપન કરેલ સ્થેશન કરવું.

(૩) આપના એરમિશન ટેસ્ટમાંથી નિરૂપણ નક્કર કરી સૂકવવા અથવા કોલેર કોલેર ના ટેસ્ટ કરાવવા.

(૪)

આદેશો મળ્યા છે.  
સહી :   
નામ : પ્ર. Ghola Kumar  
હોદ્દો : Plant Head  
તારીખ : 23/06/2021

મુલાકાત લેનાર અધિકારીનું નામ :  
સહી :   
નામ : M. H. Panchanand  
હોદ્દો : PEE  
તારીખ : 23/06/2021

**GUJARAT POLLUTION CONTROL BOARD  
REGIONAL OFFICE,**

Sardar Patel Bhavan, Rameshwarnagar, Jamnagar-  
361008

Phone : (0288) 2752366

**INSTRUCTIONS FOR ENTERING FOR INSPECTION  
(NOTICE)**

Under the powers vested in me under Section-23 of Water Act, 1974, Section -24 of Air Act, 1981 and Section-10 of Environment (Protection) Act, 1986, the undersigned has the powers to enter into your premises and examine by taking help of any person as may be found necessary for the following purposes -

- (1) For implementation of the functions of the State Board/Central Government entrusted to us;
- (2) For the purpose of deciding as to how the functions are to be performed, if any or whether the compliance of any notice, order under this Act

or the provisions of the authority letters are followed or not

(3) For the purpose of inspection of any equipment, industrial plant, record, register, document or any other important things and its testing or to carry out search of any place where or there is any reason to believe that any offence is committed or is likely to be committed as per the rules framed under this Act and the undersigned shall enter to take possession of such equipment, industrial plant, record, register, document or any other important things when there is reason to believe that there is evidence of any such punishable offence under the rules under this Act at the time mentioned below:

Time for entering the Industry/Factory : Morning 12.00

Hrs. on 23/06/2021. The following persons are with the undersigned for assistance :

2. Dr. M. M. Poge - S.O.,
3. K. H. Tanna - AEE
4. C. H. Chauhan - AEE

Signature :Sd/- Illegible  
Name of Officer : K. N.

Parmar

Designation : S.O.

**To, ID - 43851**

M/s. RSPL Ltd.,

Plot No. 237/P3, , 242/P1, 243, 245, 247/P1, etc.

At Village Kuranga, Tal. Dwarka,

Dist. Dev-bhumi Dwarka

**GUJARAT POLLUTION CONTROL BOARD  
REGIONAL OFFICE,**

Sardar Patel Bhavan, Rameshwarnagar, Jamnagar-361008  
Phone : (0288) 2752366

---

The officers of the Gujarat Pollution Control Board had visited your Unit today under the different environmental rules of the State. Pursuant to the observations made, information/documents provided by you during the visit of your unit, as per the provisions of the environmental rules, you are hereby given the following instructions and you should submit the compliance report of the same within one (1) week from the date of receipt of these instructions to the Head Office of Gujarat Pollution Control Board, Paryavaran Bhavan, Sector 10-A, Gandhinagar under intimation to this office, failing which presuming that you have nothing to submit in this regard, further action against your Unit under the provisions of this Act/Rules, will be taken:

- (1) Necessary precautionary steps may be taken to see that the waste water from the open pakka channel from Mixing Tank to Settling Tank for effluent in your Unit does not overflow in the nearby fields.

(3) Cement Concrete SD-Beds for drying the sludge from the Settling Tank may be prepared.

Orders received

Signature : Sd/-

Name : Mr. Bholu Kumar

Design. : Plant Head

Date : 23/06/2021

Name of Officer visited

Signature : Sd/-

Name : H. N. Parmar

Design.: DEE

Date : 23/06/2021



CIN-U15111UP1988 PLC009771

**RSPL LIMITED**

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 • E-mail : projectamd@rspl.net.in

RSPL/CCG/VKG/ENV-004/034/2021-22

Date: 05.07.2021

✓ The Regional Officer,  
Gujarat-Pollution Control Board,  
Jamnagar

Sub.: GPCB site visit dated 23.06.2021 for RSPL Soda Ash Plant at Village Kuranga, Dist. Devbhumi Dwarka (ID: 43851)

Dear Sir,

Please find below our point-wise reply in respect of action taken to the inspection remarks pointed out during the site visit of GPCB dated 23.06.2021

S. No.	Inspection Remarks	Compliance Status
1.	There exists a concrete open channel from mixing tank to settling tank for transfer of effluent in your plant unit. Mention the control/corrective measures taken to ensure no overflow of wastewater from channel to nearby fields.	There exists concrete channel (RCC) of length of about 584.1 m for transfer of treated/ diluted effluent from mixing pond to outfall discharge chamber for its further disposal into the deep Arabian Sea at a location recommended by NIO.  Slope of about 2 m has been provided between mixing pond and outfall discharge chambers.  Effluent level is always maintained below 85% of outfall discharge pump house depth 10 m to ensure no overflow through automated DCS control system.  Additionally, we have also constructed a parapet wall of height 450 mm (1.5 feet) and 230 mm thickness (0.75 foot) covering mixing pond and 584.1 m canal length thereby no overflow of effluent in any case. (Photograph of parapet wall attached herewith as Annexure-I).
2.	Ensure timely maintenance of ESP connected with boiler.	During the visit, ESP cladding sheet rectification work for Boiler-2 was going on which was damaged during the cyclone <i>Tauktae</i> in the last month i.e. May.  Due to erection of scaffolding, we have restricted the manpower movement engaged for housekeeping work below ESP.  Now the scaffolding has been dismantled and the cladding sheet has been re-fixed. Maintenance work has been completed. (Photograph of ESP area is attached herewith as an Annexure-II)
3.	SD-beds to be made for drying of Sludge from your settling tank	While cleaning discharge sump, the collected sludge has been stored near the sump temporarily for drying purpose. After site grading & compaction, ground cover of storage area has been provided with membrane sheet of size 30m x 20 m with 250 microns thickness to ensure no land contamination (Photograph is attached herewith as an Annexure-III).

05/07/2021  
**GUJARAT POLLUTION CONTROL BOARD**  
Sardar Patel Bhavan, Rameshwar Nagar  
Jamnagar-361008

Regd. Office : 119-121(Part), Block P & T, Fazal Ganj, Kalpi Road, Kanpur - 208 012 (U.P.)  
Phone : 0512-2221201, 202-203, 204-205 • Fax No. : 0512-2221229-30 • E-mail : info@gharidetergent.com



GJN-U15111UP1988 PLC009771

**RSPL LIMITED**

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
 - Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

		<p>After drying, it will be transferred to landfill site at a designated area within plant premises.</p> <p>We have tested sludge from NABL approved laboratory and it is non-hazardous in nature. An application has already been submitted to GPCB for landfill within plant premises vide our letter dated 06.04.2021.</p>
--	--	---

We hope our above actions are satisfactory as per your directions.

Thanking You.

Yours faithfully,  
 For RSPL LIMITED.

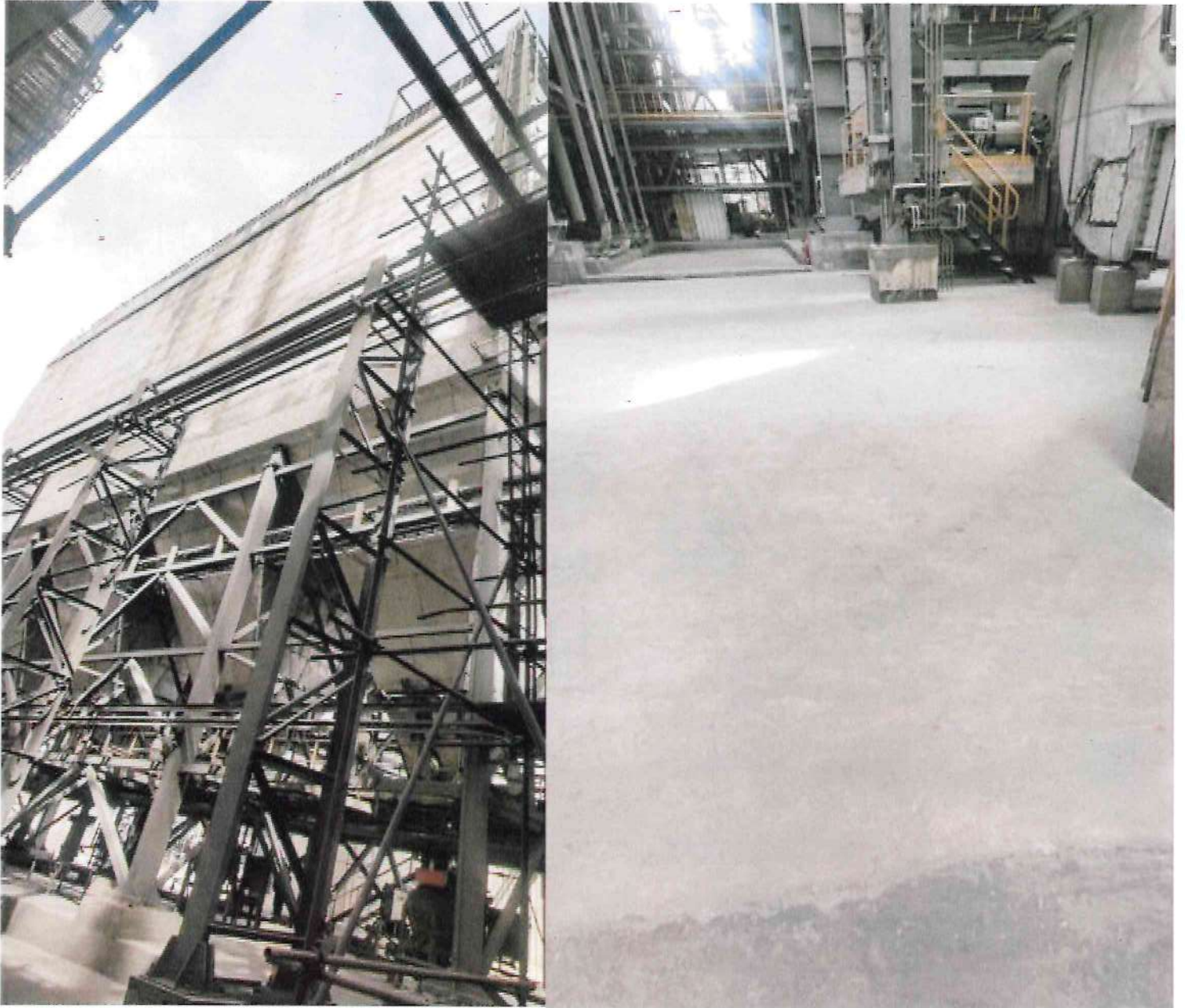
Authorized Signatory

Encl.: as above

Copy to: Unit Head (Sr. Environmental Engineer)  
 Gujarat Pollution Control Board  
 Gandhinagar - 382 010



**Construction of Parapet wall (1.5 feet height) covering mixing pond and channel length between mixing pond and outfall discharge chambers**



**Housekeeping in Boiler ESP area after completion of maintenance work**



Settled sludge storage near outfall discharge chamber



## ANNEXURE A16 COLLY

RSPL/CCG/HR/ENV-004/030/2021-22

Date: 24.06.2021

To,  
The Regional officer,  
Gujarat Control Pollution Board,  
Jamnagar, Gujarat

Sub: Regarding complaint dated 08.06.2021 by one Shri Balubha Pabubha Ker against RSPL.

Respected Sir,

In Reference to the above cited subject it is to inform that the notice send by the Counsel on behalf of Bhalubha Pabubha Ker is based on incorrect and wrong facts. Our submissions to RSPL related points are as below for your kind perusal:

- 1) The allegation regarding the loss of agriculture from revenue S.No. 606, 629 is baseless and wrong. Shri Balubha Pabubha Ker's land (Revenue S No. 606,629) is a barren and unirrigated land and no agricultural activities are being carried out on these lands. The question of doing agriculture by the complainant is far from the truth and therefore no credence can be available in favor of the complaint.
- 2) So far as Soda Ash production by us in our premises is concerned, the same is being done with proper consent from the authorities concerned and we are abiding by the terms of the clearances and conditions of consent. There is no violation by us in complying with the afforested conditions or the terms of the clearance and our unit is working well within the framework of the consent and clearances. Here it is also pertinent to mention that RSPL has obtained permission to discharge the treated effluent on the basis of recommendation by the NIO and competent authority and accordingly the

24/6/2021  
GUJARAT POLLUTION CONTROL BOARD

Sardar Patel Bhawan, Rameshwar Nagar

Jamnagar-361008

Page 1 of 4



CIN-U15111UP1988 PLC009771

**RSPL LIMITED**

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 • E-mail : projectamd@rspl.net.in

consent to discharge was allowed in favor of our unit by your esteemed office. RSPL is not discharging any effluent on land. Effluents from different units is collected in the mixing pond which is then diluted with fresh seawater and once through return cooling water and being discharged from mixing pond to pump house through a concrete canal for its further disposal into the Arabian Sea at a location recommended by NIO. The effluent prior disposal into sea is maintained to required norms and hence there is no bad smell ever noticed and no impact on the nearby trees /vegetation as mentioned in the complaint.

- 3) So far as the allegation regarding bringing chemical substance to the unit from outside for the purpose of production as well as storing the same in unorganized manner is concerned, it is submitted that the Limestone and salt are the major raw materials for production of Soda Ash and are being stored at designated place within RSPL premises i.e. Raw Material Handling (RMH) area almost 700 meters away from the land of the Complainant. Thus, it cannot be assumed by the Complainant that the storage could deteriorate the land of the Complainant. Further proper Dust Extraction systems and Dust suppression system i.e. water sprinkling systems have been provided to control fugitive emissions. Besides this, daily sprinkling of water on the approach roads is being done for suppression of dust additionally, and it is also to inform that we have planted several species of trees within the unit and abutting the periphery wall so that no adverse impact to the nearby areas is caused. The coal brought by RSPL is used in boilers for steam and power generation. Coal is being stored under the dedicated shed of 420 m x 120 m to control any airborne dusting and water sprinkling is also in place to control the fugitive emissions. All the raw material handling is being done through mechanized and closed conveyor systems.

- 4) The Complainant also alleged in this complaint that villagers from Kurānga and Gojiness have migrated is not true and the same can be verified by local inspection. In fact, the villagers of nearby villages are benefitted by getting employment directly or indirectly. RSPL has carried out various activities under corporate social responsibilities for the benefit of the nearby villagers and the services in terms of health, education, drinking water, infrastructures, welfare schemes etc. are being undertaken. By such initiatives living standards of the villagers have significantly improved as compared to earlier.
- 5) Salt is one of the major raw material for production of Soda Ash. The previously mentioned land is barren land, un-irrigated and never been used for agriculture purpose. There is no possibility of salt run-off water going in the survey no 606 & 629 as the salt stack yard is approx. 900 meters away from the land survey nos 606 and 629 and in fact in other direction. The salt is stacked at designated place of RMH area and handled for its further use through closed conveyor systems.
- 6) Lastly, the complainant has alleged that our unit is discharging contaminated water which is also not true. RSPL is not discharging any effluent on land. Effluents from different units is collected in the mixing pond which is then diluted with seawater and once through return cooling water and being discharged as per norms into the Arabian Sea at a location recommended by NIO.

It is further to bring it to your kind notice that our plant was under scheduled shut down from 16.03.2021 to 19.03.2021 and that too after giving prior intimation to your good office. Since the plant was under shut down. Hence there was no production and thus the question of effluent, generation of discharged does not arise. It is further to inform you that only fresh sea water was flowing through the channel during that period. It is significant to mention that the over flowing of the

water from the channel took place due to sudden breakdown in the pump house and we have taken prompt steps to rectify the same and water did not follow to the field of complainant as alleged by him. It may be pertinent to mention that the land adjoining to the channel is part of our land and the complainant's land is away from the channel.

- 7) It is reiterated at the cost of repetition that there is no agricultural activity in survey No. 606 and 629. This land is a barren and unirrigated land and no agricultural activities are being carried out on these lands. Since no agricultural activity is being carried out and thus the question of alleged damage to the crop standing on the land is far from truth.

Therefore, in the circumstances narrated herein before there is no truth in the allegations leveled against us.

Thanking You.

For RSPL Limited



Authorized Signatory



CIN-U1511UP1988 PLC09771

**RSPL LIMITED**

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Satal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 \* E-mail : projectamd@rspl.net.in

RSPL/CCG/VKG/ENV-004/034/2021-22

Date: 05.07.2021

✓ The Regional Officer,  
Gujarat-Pollution Control Board,  
Jamnagar

Sub.: GPCB site visit dated 23.06.2021 for RSPL Soda Ash Plant at Village Kuranga, Dist.  
Devbhumi Dwarka (ID: 43851)

Dear-Sir,

Please find below our point-wise reply in respect of action taken to the inspection remarks pointed out during the site visit of GPCB dated 23.06.2021

S. No.	Inspection Remarks	Compliance Status
1.	There exists a concrete open channel from mixing tank to settling tank for transfer of effluent in your plant unit. Mention the control/corrective measures taken to ensure no overflow of wastewater from channel to nearby fields.	<p>There exists concrete channel (RCC) of length of about 584.1 m for transfer of treated/ diluted effluent from mixing pond to outfall discharge chamber for its further disposal into the deep Arabian Sea at a location recommended by NIO.</p> <p>Slope of about 2 m has been provided between mixing pond and outfall discharge chambers.</p> <p>Effluent level is always maintained below 85% of outfall discharge pump house depth 10 m to ensure no overflow through automated DCS control system.</p> <p>Additionally, we have also constructed a parapet wall of height 450 mm (1.5 feet) and 230 mm thickness (0.75 foot) covering mixing pond and 584.1 m canal length thereby no overflow of effluent in any case. (Photograph of parapet wall attached herewith as Annexure-I).</p>
2.	Ensure timely maintenance of ESP connected with boiler.	<p>During the visit, ESP cladding sheet rectification work for Boiler-2 was going on which was damaged during the cyclone <i>Tauktae</i> in the last month i.e. May.</p> <p>Due to erection of scaffolding, we have restricted the manpower movement engaged for housekeeping work below ESP.</p> <p>Now the scaffolding has been dismantled and the cladding sheet has been re-fixed. Maintenance work has been completed. (Photograph of ESP area is attached herewith as an Annexure-II)</p>
3.	SD-beds to be made for drying of Sludge from your settling tank	<p>While cleaning discharge sump, the collected sludge has been stored near the sump temporarily for drying purpose. After site grading &amp; compaction, ground cover of storage area has been provided with membrane sheet of size 30m x 20 m with 250 microns thickness to ensure no land contamination (Photograph is attached herewith as an Annexure-III).</p>

05/07/2021  
**GUJARAT POLLUTION CONTROL BOARD**  
Sardar Patel Bhavan, Rameshwar Nagar  
Jamnagar-361008

Regd. Office : 119-121(Part), Block P & T, Fazal Ganj, Kalpi Road, Kanpur - 208 012 (U.P.)  
Phone : 0512-2221201, 202-203, 204-205 \* Fax No. : 0512-2221229-30 \* E-mail : info@gharidetergent.com



CIN-U1511UP1988 PLC009771

**RSPL LIMITED**

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
 Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

		<p>After drying, it will be transferred to landfill site at a designated area within plant premises.</p> <p>We have tested sludge from NABL approved laboratory and it is non-hazardous in nature. An application has already been submitted to GPCB for landfill within plant premises vide our letter dated 06.04.2021.</p>
--	--	---

We hope our above actions are satisfactory as per your directions.

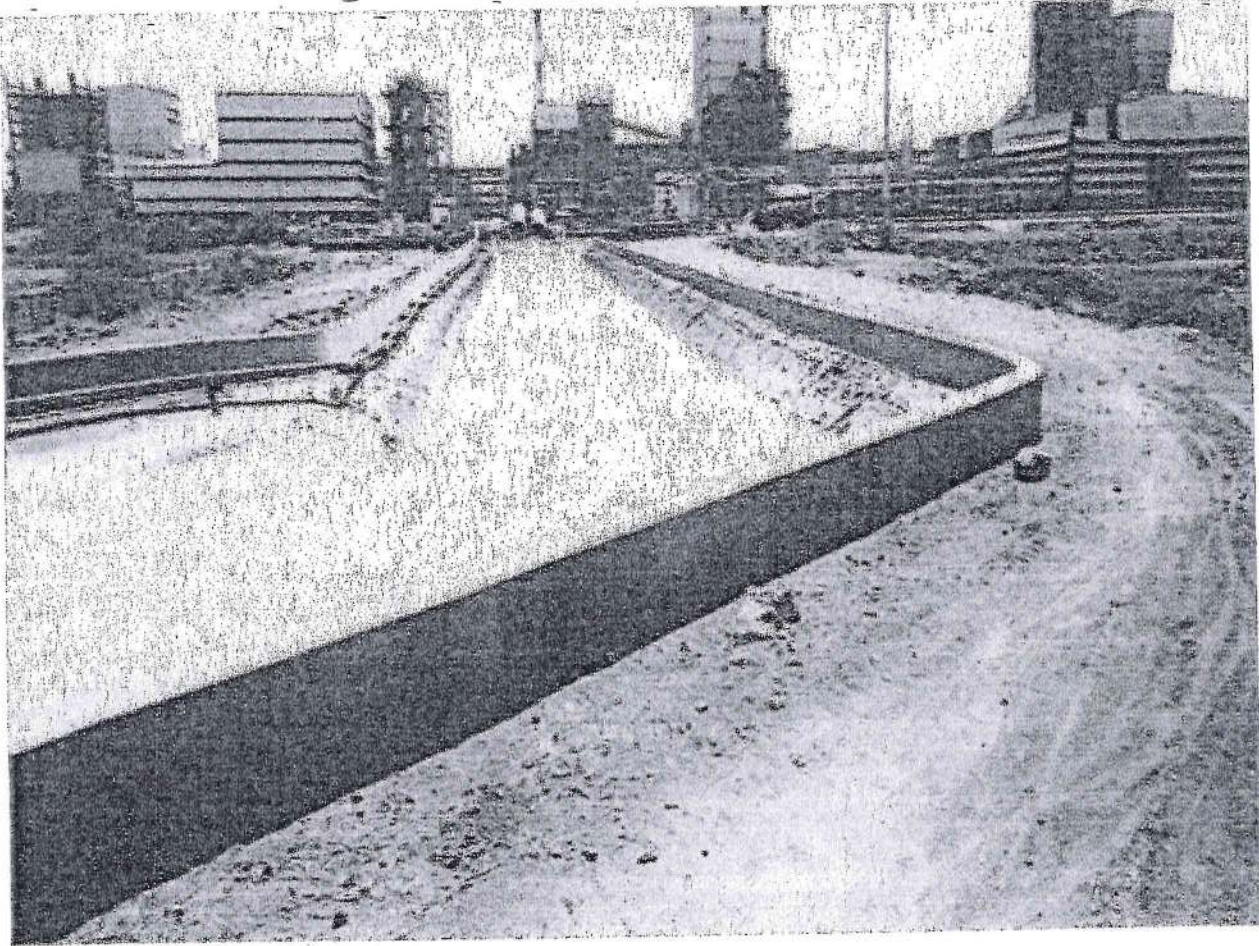
Thanking You.

Yours faithfully,  
 For RSPL LIMITED.

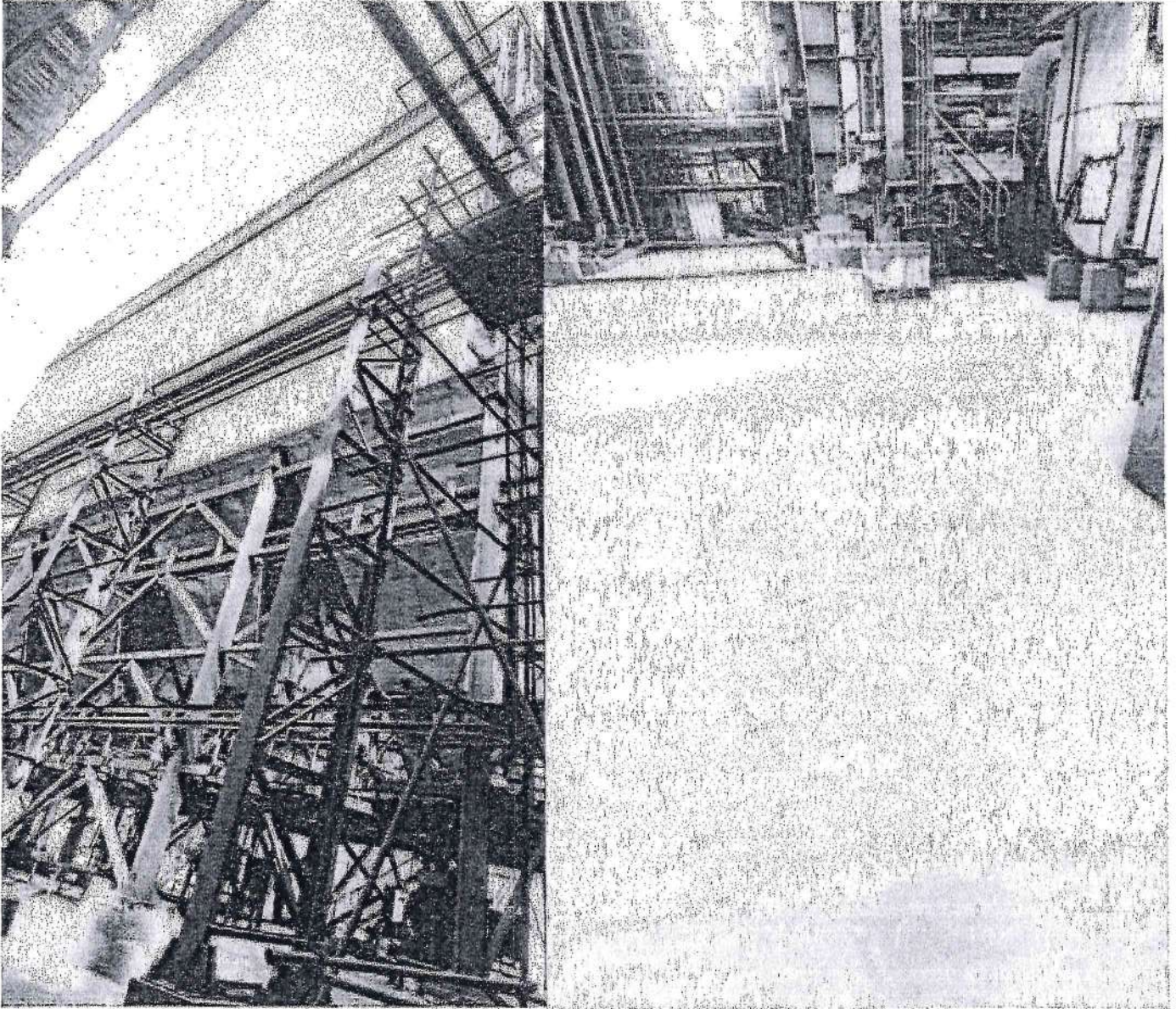
Authorized Signatory

Encl.: as above

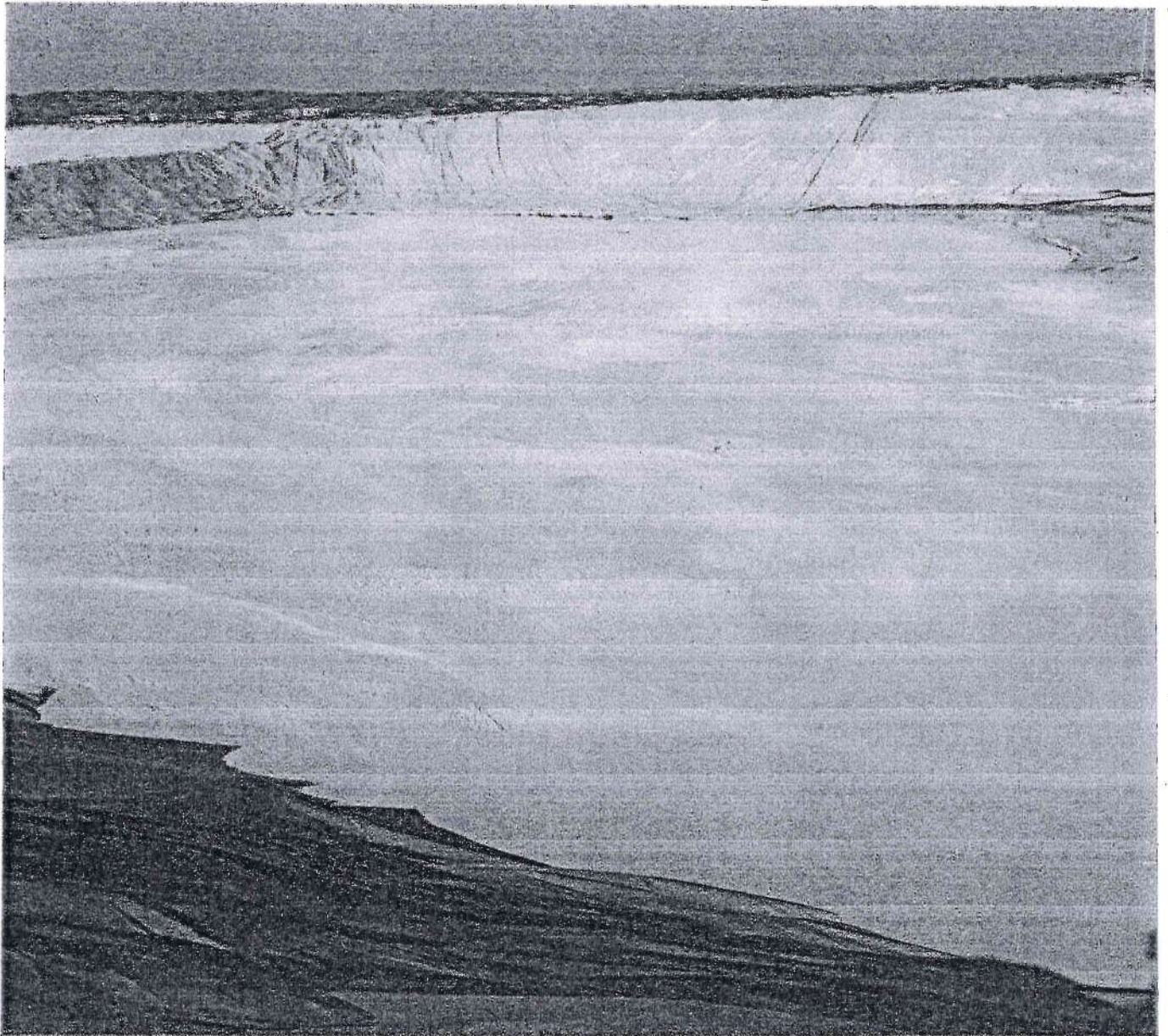
Copy to: Unit Head (Sr. Environmental Engineer)  
 Gujarat Pollution Control Board  
 Gandhinagar - 382 010



**Construction of Parapet wall (1.5 feet height) covering mixing pond and channel length between mixing pond and outfall discharge chambers**

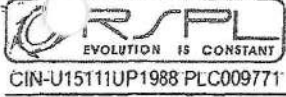


**Housekeeping in Boiler ESP area after completion of maintenance work**



Settled sludge storage near outfall discharge chamber





O/C

RSPL LIMITED

Ahmedabad Office : C-1/C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

## ANNEXURE A 17 COLLY

આરએસપીએલ/સીસીજી/ઈએનવી-003/0૬૬/૨૦૧૭-૧૮

તારીખ :- ૦૫/૧૦/૨૦૧૭

પ્રતિ,

વરિષ્ઠ પર્યાવરણ ઇજનેરશ્રી,  
ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડ,  
પર્યાવરણ ભવન, સેક્ટર ૧૦-એ,  
ગાંધીનગર.

TYPED COPY SUPPLIED

Kind Attention :- Shri R. V. Patel


વિષય :- પાણી પ્રદુષણ (નિવારણ અને નિયંત્રણ) અધિનિયમ-૧૯૭૪ ની કલમ-૩૩એ હેઠળ ઉદ્યોગ  
(આરએસપીએલ) ને મળેલ સૂચના સંદર્ભે રજૂઆત

સંદર્ભ :- જીપીસીબી ઓનલાઈન નોટીસ નંબર :- ગુ. પ્ર. નિ. બો./જએમએન-સી.સી.એ.-૧૦૭૧/આઈડી-  
૪૩૮૫૧, તારીખ :- ૦૮/૦૮/૨૦૧૭

માનનીય સાહેબશ્રી,

જયભારત સાથે ઉપરોક્ત વિષય પરત્વે આપની સંદર્ભિત ઓનલાઈન નોટીસ અન્વયે અમારો  
મુદાસર જવાબ નીચે મુજબ છે.

1. મુદા નંબર ૧ અન્વયે અમોએ અમારા પત્ર ક્રમાંક નંબર :- આરએસપીએલ/સીસીજી/ઈએનવી-  
૦૦૩/૧૬/૨૦૧૭-૧૮ તારીખ :- ૨૭/૦૪/૨૦૧૭ દ્વારા વિગતવાર રજૂઆત ફોટોગ્રાફ સાથે કરી  
દીધેલ છે. જે પત્રની નકલ આ સાથે સામેલ છે(Refer Annexure I). સ્લરીનો સંગ્રહ અમારી  
પ્રિમાઈસીસમાં કામચલાઉ રીતે કરેલ હતો. જેનું કામ પૂરું થઈ ગયેલ છે અને સંગ્રહની જગ્યાને  
પુનઃસ્થાપિત(રી-કલેમ) કરી દીધેલ છે. તેના ફોટોગ્રાફ આ પત્ર સાથે બીડેલ છે(Refer Annexure  
II). હાલમાં સ્લરીનો ઉદભવ થઈ રહેલ નથી.
2. મુદા નંબર ૨ અન્વયે જણાવવાનું કે એન્વાયરમેન્ટ કંટ્રોલ અનુસાર અમારે પાઇપલાઇન જમીનના  
અંદરના ભાગમાં નાખવાની હતી તે સંદર્ભમાં જ્યાં આગળ કઠણ પથ્થરાળ ભાગ હતો જે મશીનથી  
તોડવો અશક્ય હતો અને તે ભાગને બ્લાસ્ટીંગ દ્વારા નરમ કરી ખોદીને કાઢી શકાય તેટલા પૂરતું  
કંટ્રોલ બ્લાસ્ટીંગ કરવામાં આવેલ હતું. આ અંગે અમોએ અરજીમાં નિર્દેશિત ફોર્મ ૧ માં આની  
આંશિક અસરો અંગે ઉલ્લેખ કરેલ છે. જેના જરૂરી પેજની નકલ આ સાથે સામેલ છે(Refer  
Annexure III).

  
Gujarat Pollution Control Board  
Sector No. 10-A,  
Gandhinagar - 382 010.



CIN-U15111UP1988 PLC009771

**RSPL LIMITED**

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 • E-mail : projectamd@rspl.net.in

વિશેષમાં જણાવવાનું કે અમો હાલમાં એકમની સ્થાપના(બાંધકામ)ની પ્રક્રિયામાં છીએ. અમારા ઉપરોક્ત ખુલાસાથી અમોને આશા છે કે અમારા દ્વારા કોઈપણ નિયમ વિરુદ્ધનું કામ કરવામાં આવેલ નથી. અમો આ સાથે આપને વિશ્વાસપૂર્વક જણાવીએ છીએ કે અમો કોઈપણ પ્રકારના નિયમભંગ વગર બાંધકામની પ્રક્રિયા કરીશું.

આ સાથે અમારી નમ્ર અરજ છે કે આપક્રી આપની તારીખ :- ૦૯/૦૮/૨૦૧૭ ની નોટીસ અંગે આગળની કોઈ કાયદેસરની કાર્યવાહી ન કરતાં નોટીસ દફતરે કરી આભારી કરશોજી.

આભાર સહ,

આપનો વિશ્વાસુ,

આરએસપીએલ લીમીટેડ વતી,

*કામીન*  
5.10.17

ઓથોરાઈઝડ સિગ્નેટરી

બીડાણ :- ઉપર મુજબ

DynamicPDF

**RSPL LIMITED**

-----  
Ahmedabad Office : C-1/C02, 3<sup>rd</sup> Floor, Safal Profitaire,  
Corporate Road, Near Parhlad Nagar Garden, Satellite,  
Ahmedabad – 380015  
Tel. 079-29701607, 29701608, Fax No. 079-29701606 –  
Email : [projectamd@rspl.net.in](mailto:projectamd@rspl.net.in)  
-----

RSPL/CCG/ENV-003/066/2017-18      Date : 05/10/17

To,  
Chief Environment Engineer,  
Gujarat Pollution Control Board,  
Paryavaran Bhavan, Sector 10-A,  
Gandhinagar

Kind Attention : Shri R. V. Patel

Sub :Submission in respect of the instructions  
received by the Industry (RSLP) under Sec. 33A of  
the Water Pollution (Prevention & Control) Act, 1974

Ref.: GPCB Online Notice No. GPCB/JMN-CCA-  
1071/ID-43851, Dated 09/08/2017

Resected Sir,

With due respects, with reference to the  
abovementioned subject, our pointwise reply to your  
online notice under reference, is as under :

1. In respect of point No. 1, we have already submitted our detailed submission alongwith photographs vide our letter No. RSPL/CCG/ENV-003/16/2016-17, dated 27/04/2017, the copy of which is enclosed herewith (Refer Annex.-I). The collection of slurry was made in our premises temporarily and its job is now and the place of slurry is reclaimed. Its photographs are enclosed herewith (Refer Annexure-II). Now the slurry is not being collected.

2. In respect of point No. 2, it is submitted that as per the environment condition, we had to lay the pipelines underground and in that regard, there was hard rock which was not possible to be broken through machine and for that purpose in that portion controlled blasting was done so that the said area could be dug by making it soft. In this regard, we had mentioned about the partial effects in the Form

No. 1 in the application, the extract copy of the said form is enclosed herewith. (Refer Annexure-III).

It is further informed that at present we are in the process of establishing (construction) stage of the Unit. We hope that you will be satisfied with our above clarification that we are not doing any work contrary to the rules. At this stage, we faithfully submit that we shall do the construction without breach of any conditions.

We humbly request you not to take any further action pursuant to the notice dated 09/08/2017 issued by you and same may please be filed and oblige.

Thanking you,

Yours faithfully,  
For RSPL Limited,

Sd/-  
Authorized Signatory

Encl : As above.

RSPL/CCG/VKG/ENV-004/160 /2018-19

- Date: 11.03.2019

The Sr. Environmental Engineer,  
Gujarat Pollution Control Board,  
Gandhinagar

Sub.: Reply to the show-cause notice issued to us vide dated **05.03.2019** regarding the observations pointed out during the site visit by GPCB officials on **02.01.2019**.

Dear Sir,

Please find below our point wise reply with respect to the subject matter.

S. No.	Inspection Remark	Reply
01.	It was found during the site visit that, regular de-dusting has not been done from transfer point.	<p><b>Coal Crushing / Screening System (Transfer Towers) :</b></p> <ul style="list-style-type: none"> <li>De-dusting systems (Dust extraction equipment's) have been already installed at the coal crushing /screening units. However the de-dusting system was not operational during the inspection of GPCB officials on 02.01.2019. The same was being pointed out by the inspecting authority vide letter dated 02.01.2019 and replied vide our letter dated 11.01.2019. The action was immediately taken on war footing basis to make de-dusting system operational at the earliest.</li> <li>There are two crushing / screening stations. The de-dusting system at the secondary crusher has been made operational. While de-dusting system at primary crusher is partly completed and will be operational by last week of March 2019. (Photographs showing the progress is attached as Annexure-1)</li> <li>Further action has also been taken to prevent dust formation by providing the water sprinkler system for moistening / wetting the coal. The water sprinkling system has been installed along the coal stock pile with two row system of 16 nozzles in each row as per design covering the stock pile.(Photograph of water sprinklers is attached herewith as Annexure-2)</li> </ul>
02.	Coal was not covered in the coal storage area by unit.	<p><b>Coal stock yard shed</b></p> <ul style="list-style-type: none"> <li>The coal stockyard shed has been designed to cover the coal stockyard and yard equipment – Stacker / reclaimr. At present the shed is under construction stage. Since we have commissioned only one stream and our inventory of coal at this stage is being kept at minimal level. Till shed is covered with roof and side cladding, It is being ensured that coal stock remains temporarily covered with tarpaulin.</li> </ul>

*D*  
*11/3/19*  
Gujarat Pollution Control Board  
Sector No. 10 A,  
Gandhinagar - 382 010

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015.  
Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

- Further you would appreciate that we have chosen the world's best available technology for design, engineering, erection and commissioning of our Soda Ash Plant. The basic engineering of our plant is from NIOCHIIM, Ukraine and detailed engineering has been done by JACOBS. The structures, installations and all other statutory compliance related equipment's specifically environment /de-dusting/dust suppression etc. have been installed and being commissioned under the supervision of JACOBS Engineering.

We are in constant procedure of making the control measures fully functional and operational and hence we would now request your good office to give us 4 -6 weeks' time to achieve the desired norms/standards.

Thanking You.

Yours faithfully,  
For RSPL LIMITED

*B. Singh*  
*11-3-19*

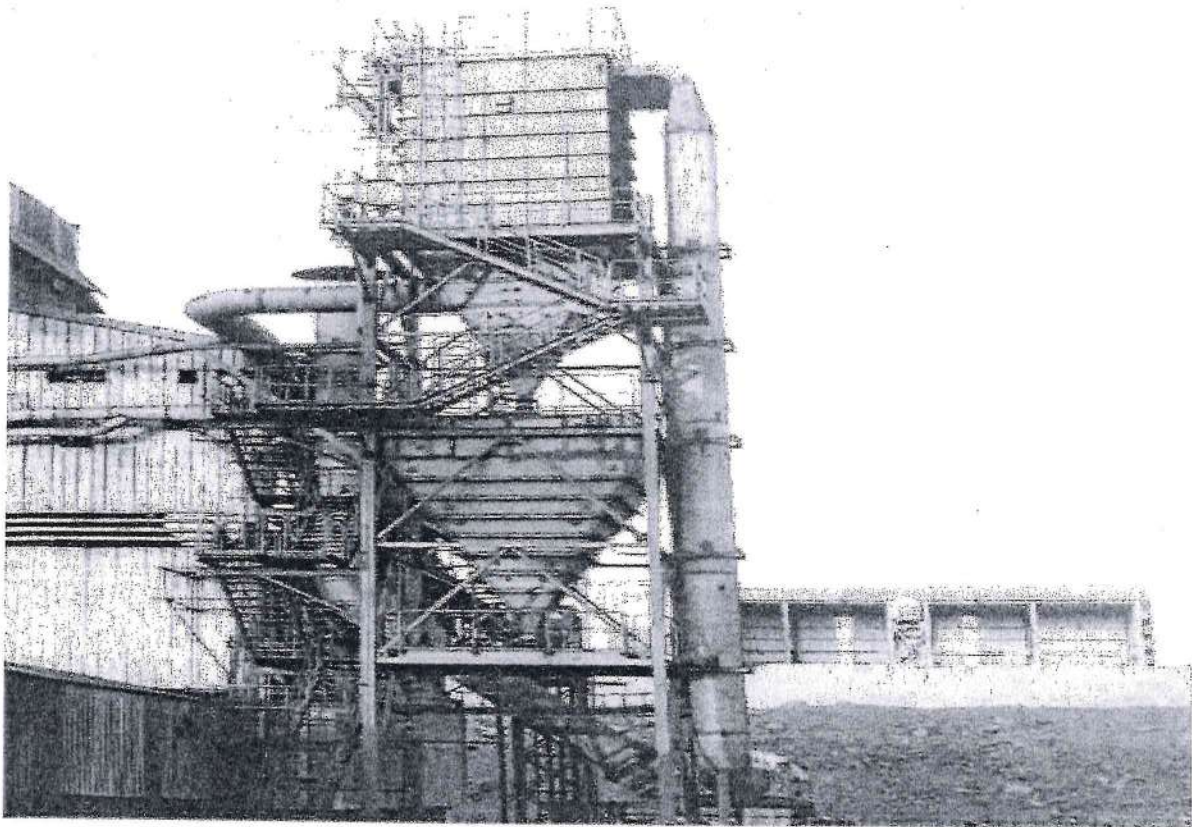


Authorized Signatory

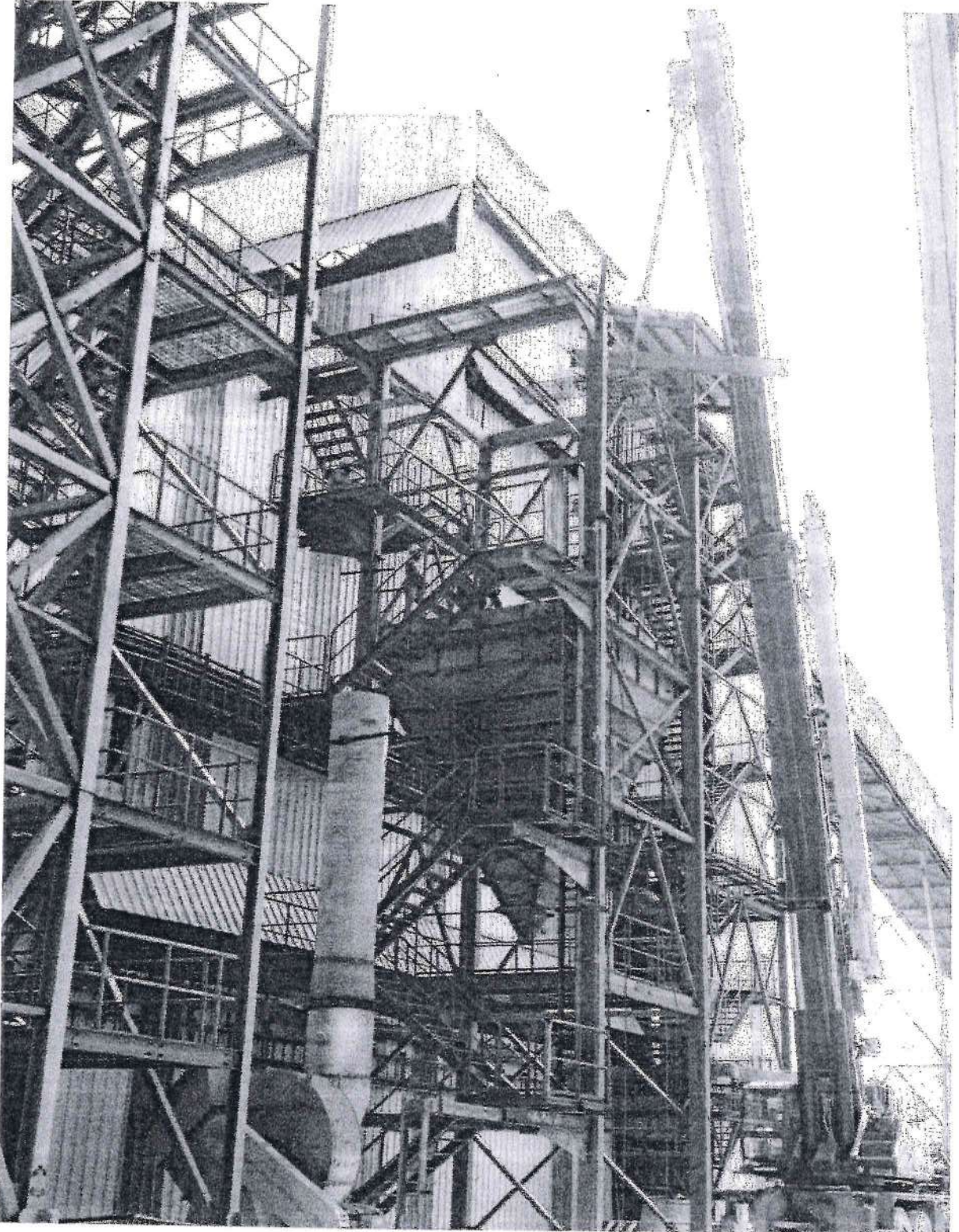
Encl.: as above

**Annexure-1**

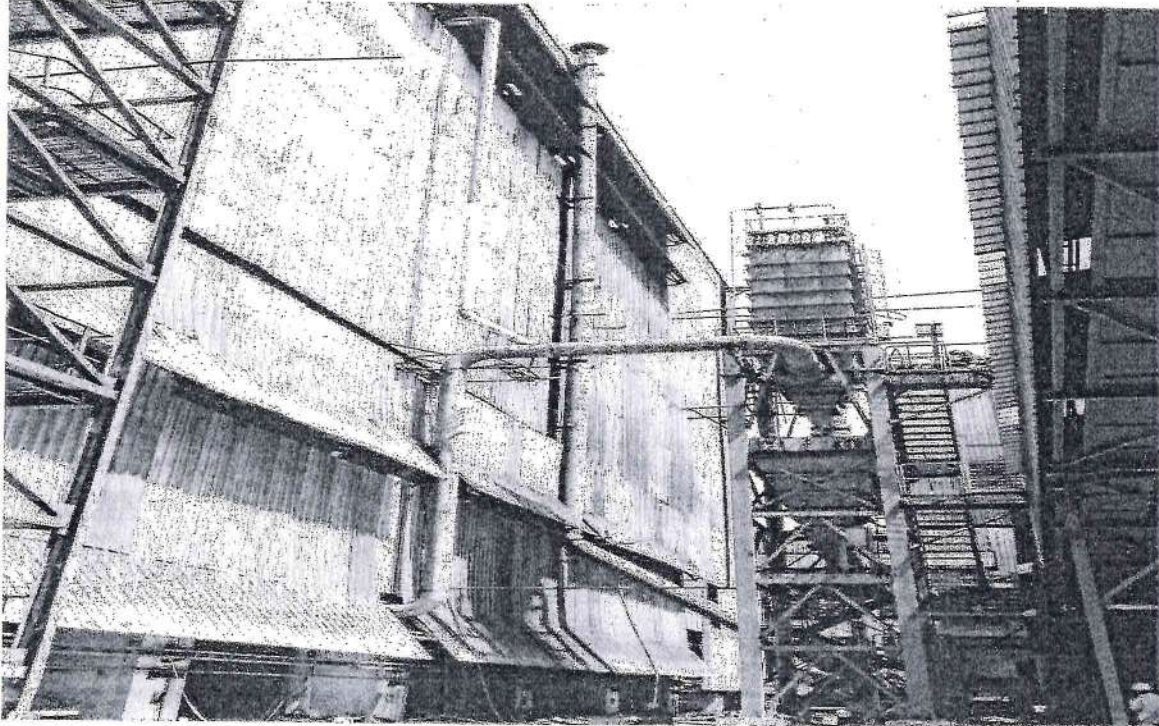
**Dust extraction system installed and operational in Secondary Crusher area:**



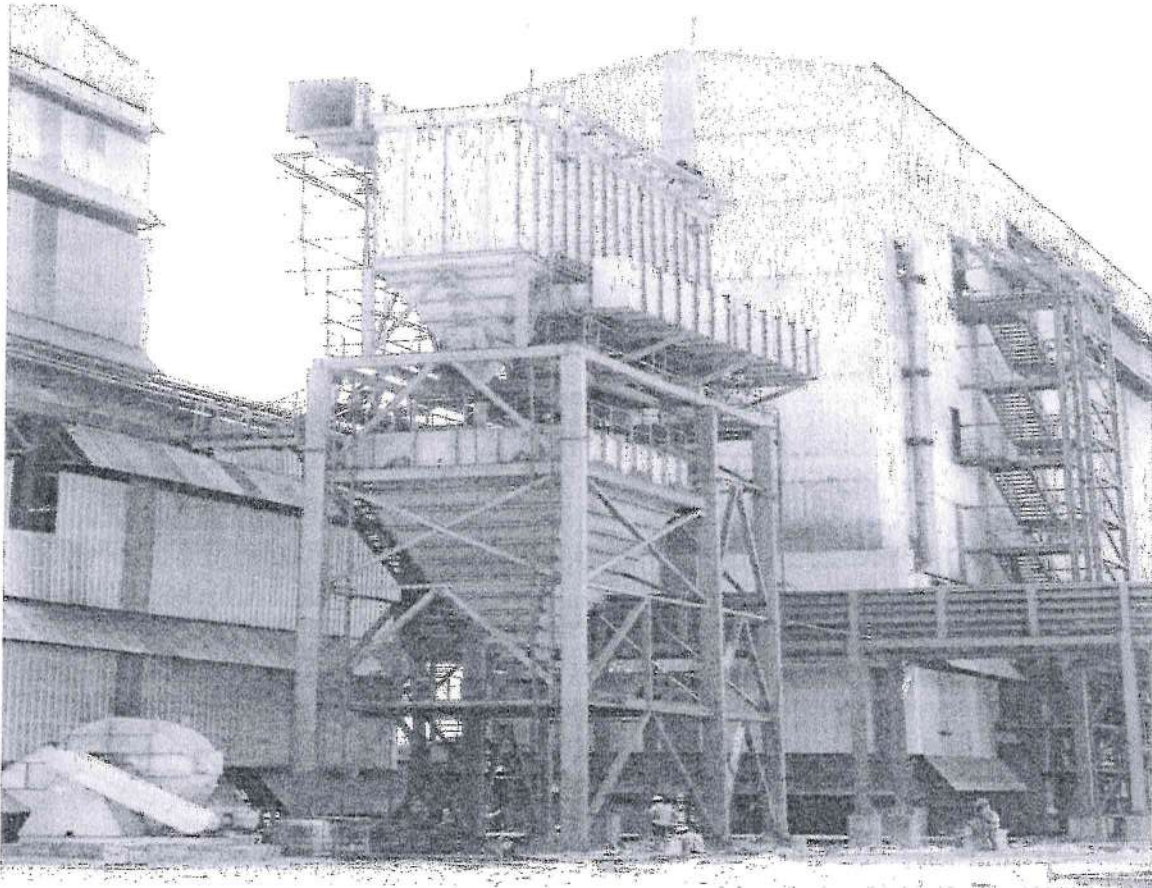
**Photograph showing progress of dust extraction system in primary screen crusher house**



**Photographs showing progress of dust extraction system in coal day bin secondary and tertiary screen house**



Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 • E-mail : projectamd@rspl.net.in



Annexure - 2

**Water sprinkling activity in coal yard:**



8/3/19. Reply  
GPCB

RSPL/CCGM/KG/ENV-004/027/2019-20

Date: 03.06.2019

The Sr. Environmental Engineer,  
Gujarat Pollution Control Board,  
Gandhinagar

Sub.: Reply to the Show Cause Notice dated 29.05.2019 issued to Soda Ash Plant of M/s RSPL Limited, Village Kuranga, Taluka Dwarka, District Devbhumi Dwarka

Ref. : Visit of GPCB Jamnagar officials on 08.03.2019 at plant site.

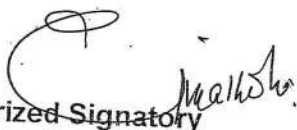
Dear Sir,

Please find below our point-wise reply with respect to the subject matter.

S. N	Points	Reply
01.	Sample taken during the inspection at site is found to have TDS of 90404 mg/L which is exceeding the fixed limits and seems to be sea water, so instead of disposing the effluent through pipelines, it is discharged on land.	<p>The land owner of Survey No. 540 (from where the sample was taken) has excavated a trench within his plot area which is low lying area compared to surrounding area. The aforesaid agriculture land is being used for commercial purpose. Some shops (unauthorized) are being operated within his plot area. Wastewater and solid waste generated by the shops is also getting collected in the trench.</p> <p>As the water collected in the trench was stagnant for long time which might have increased the TDS concentration due to evaporation.</p> <p>We are not discharging any plant effluent on land. Effluents from different units is collected in the mixing pond/dilution pond/settling pond which is then diluted with seawater and once through return cooling water and being discharged as per norms into the Arabian sea through multipoint diffusers at a location recommended by NIO.</p> <p>Further, we would like to bring in your kind notice that aforesaid land lies near plant area and since long we have been trying to purchase/acquire the land through negotiations. However, due to personal vested interests, land owner never agreed mutually on the terms for selling this piece of land for the benefit of surrounding area. He is always creating nuisance for our project by one or another way.</p>
02.	ONLINE monitoring systems installed by the unit are not calibrated and were not linked with CPCB and Board's website.	Online monitoring systems have been installed, calibrated and operational. Our plant was not in operation due to frequent interruptions for last few days. Online monitoring systems will be linked soon with servers once plant gets stabilized.

Thanking You.

Yours faithfully,  
For **RSPL LIMITED**

  
Authorized Signatory

RSPL/CCG/VKG/ENV-004/ 065 /2019-20

Site visit - 10/9/19  
Notice - 13.08.19

Date: 20.08.2019

The Sr. Environmental Engineer,  
Gujarat Pollution Control Board,  
Gandhinagar

Sub.: Reply to the show-cause notice issued to us vide dated 13.08.2019 regarding the observations pointed out during the site visit by GPCB officials on 10.07.2019. (RSPL Limited, Village Kuranga, Dist. Devbhumi Dwarka; ID 43851)

Dear Sir,

Please find below our point-wise reply with respect to the subject matter.


S. No:	Observations	Reply
01.	Dust emissions have been observed from the Inspection valves of a Conveyor belt of your unit.	During the site visit of GPCB officials, junction boxes of conveyor belt were inadvertently open which were immediately closed. All conveyor covers are closed and there is no fugitive dust emission.
02.	Gland leakage has been found from Soda Ash Cooler (B) unit thereby alkaline water has been found on the floor	Gland leakage from Soda Ash Cooler (B) has already been arrested by providing a pipe to collect in the Soda Ash Solution pit.

We hope our above actions are satisfactory as per your directions.

Thanking You.

Yours faithfully,  
For RSPL LIMITED

  
Authorized Signatory

  
Gujarat Pollution Control Board  
Head Office  
Sector No. 10-A,  
Gandhinagar-380017

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
 Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 • E-mail : projectamd@rspl.net.in

RSPL/CCG/VKG/ENV/004/016/2021-2022

Date: 28.04.2021

To,  
 The Dy. Chief Environment Engineer,  
 Paryavaran Bhawan, Sec 10 A,  
 Gujarat Pollution Control Board,  
 Gandhinagar-382010

Kind Attn.: Shri G. H Trivedi

Sub.: Reply to Notice issued to us w.r.t. GPCB site visit dated 29.12.2020 for Soda Ash Plant of  
 RSPL LIMITED at Village Kuranga, District Devbhumi Dwarka (ID:43851)

Dear Sir,

Please find below our point-wise reply with respect to subject matter.

Scndd - 10/2/21

S. No.	Observations	Reply																														
1	During Site visit water ponding was observed on western side of the land in survey no. 540/P-1 which is contaminated by the salt and rainfall in past seems to be collected in low lying area.	<p>As informed earlier, the land owner of Survey No. 540/P-1, where the water ponding observed, has excavated a trench within his plot area which is low lying area compared to surrounding area.</p> <p>We are not discharging any effluent on land. Effluents from different units is collected in the mixing pond which is then diluted with seawater and once through return cooling water and being discharged as per norms into the Arabian Sea at a location recommended by NIO.</p> <p>Further, we would like to bring in your kind notice that aforesaid land is not being used for agricultural purpose and is being used for commercial purpose. Some shops (unauthorized) are being operated within his plot area. Wastewater and solid waste generated from the shops is also getting collected in the trench. (Photograph attached as Annexure-A)</p>																														
2	Heavy Fugitive Emissions was observed from your coal crusher shed and from coal conveyor transfer points and because of that black layer of coal particles was observed in nearby open land, internal roads and in survey no 540/p-1	<p>Dust extraction and de-dusting bag filters have been provided at coal crusher/screen units for the control of dust emissions.</p> <p>Bag filter details are as follows:</p> <table border="1" data-bbox="654 1411 1388 1982"> <thead> <tr> <th colspan="5">BAG FILTER DETAILS FOR COAL HANDLING</th> </tr> <tr> <th>SR. No.</th> <th>Name/ Tag No.</th> <th>LOCATION</th> <th>Quantity of Bags &amp; Cages</th> <th>Size of Bags &amp; Cages</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>BF-1 11S008</td> <td>COAL- PRIMARY SCREEN HOUSE</td> <td>268</td> <td>Ø149mm x 4265mm</td> </tr> <tr> <td>2</td> <td>BF-2 11S009</td> <td>COAL-DAYBIN</td> <td>680</td> <td>Ø149mm x 4265mm</td> </tr> <tr> <td>3</td> <td>BF-3 11S0010</td> <td>COAL- SECONDARY CRUSHER HOUSE</td> <td>238</td> <td>Ø149mm x 4265mm</td> </tr> <tr> <td>4</td> <td>BF-4 11S011</td> <td>COAL- SECONDARY SCREEN HOUSE</td> <td>92</td> <td>Ø149mm x 4265mm</td> </tr> </tbody> </table>	BAG FILTER DETAILS FOR COAL HANDLING					SR. No.	Name/ Tag No.	LOCATION	Quantity of Bags & Cages	Size of Bags & Cages	1	BF-1 11S008	COAL- PRIMARY SCREEN HOUSE	268	Ø149mm x 4265mm	2	BF-2 11S009	COAL-DAYBIN	680	Ø149mm x 4265mm	3	BF-3 11S0010	COAL- SECONDARY CRUSHER HOUSE	238	Ø149mm x 4265mm	4	BF-4 11S011	COAL- SECONDARY SCREEN HOUSE	92	Ø149mm x 4265mm
BAG FILTER DETAILS FOR COAL HANDLING																																
SR. No.	Name/ Tag No.	LOCATION	Quantity of Bags & Cages	Size of Bags & Cages																												
1	BF-1 11S008	COAL- PRIMARY SCREEN HOUSE	268	Ø149mm x 4265mm																												
2	BF-2 11S009	COAL-DAYBIN	680	Ø149mm x 4265mm																												
3	BF-3 11S0010	COAL- SECONDARY CRUSHER HOUSE	238	Ø149mm x 4265mm																												
4	BF-4 11S011	COAL- SECONDARY SCREEN HOUSE	92	Ø149mm x 4265mm																												

*Dmg*  
 30/4/21  
 Gujarat Pollution Control Board  
 Head Office  
 Sector No.-10-A,  
 Gandhinagar-382010.



N-U15111UP1988 PLC009771


**RSPL LIMITED**

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
 Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

		<p>Water sprinkling system has also been provided to reduce fugitive emission.</p> <p>The high wind velocity during that winter season lead to get the dust particles air borne.</p> <p>However, the necessary steps had been taken immediately to make the system more effective to mitigate the fugitive emissions.</p>
3	Hazardous Waste Authorization has not been taken for ETP sludge and sludge is being collected in Pits.	<p>In the outfall discharge sump, some suspended solids get settled over a period of time. While cleaning discharge sump once in year, settled sludge stored near the sump needs to be properly landfilled.</p> <p>We have tested sludge from NABL approved laboratory and it is non-hazardous in nature. Copy of the analysis report is attached herewith as Annexure-2.</p> <p>Since it is non-hazardous, as per industrial practice, this will be used for filling in low lying areas, making bunds &amp; making internal roads.</p> <p>Further, an application has already been submitted to GPCB for disposal within plant premises vide our letter dated 06.04.2021.</p>

Thanking You.

Yours Faithfully,  
 For RSPL LIMITED

  
 Authorized Signatory

Encl.: As above



Photograph of Survey No. 540/p-1 (No agriculture activities is being carried out)



Some shops (unauthorized) are being operated in Survey No. 540/p-1 for commercial purpose

## KADAM ENVIRONMENTAL CONSULTANTS

AN ISO 9001:2015 Certified Company

(MOEF Approved)

871/B/3 Near Himalaya Machinery, GIDC Makarpura, Vadodara-10  
Phone : (O) 0265 - 6131000, 6131001

## ENVIRONMENTAL MONITORING REPORT

DOC-I.D.: ISO-KEC-SOL. WAT. ANA. R.

REV.: 00

## HAZARDOUS WASTE CHARACTERISATION REPORT

Name of Client	: M/s. RSPL-Ltd.
Sampling Date	: 19.12.2019
Sample Collected by	: Waste Sample (Rejected Sand) (Dwarka Gujarat)
	: M/s. Kadam Environmental Consultant -

a) Physical Analysis

Physical Form	: Semi Solid
Colour	: Greyish white

b) Characterisation of Solid waste:

The analysis of the Solid Waste is carried out in accordance with the Hazardous Waste Management, Handling and Trans-boundary Movement) Rules, 2016.

This includes following parameters :-1. Flammability/Ignitibility :-

- The given sample is not capable under standard pressure & temperature, causes fire through friction, absorption of moisture, or spontaneous chemical changes.
- When ignited it does not burn vigorously & persistently create hazard.
- The solid waste is not flammable & not an oxidizer.

2. Corrosivity :-

- The sample does not show  $pH \leq 2$  or  $\geq 12.5$ .
- So, solid waste is not corrosive in nature.

3. Explosivity/Reactivity :-

- It is stable and does not Undergoes Violent Change.
- It does not react Violently with water or forms potentially explosive mixture with Water.
- When mixed with water, does not generate toxic gases, Vapours or Fumes.

4. Toxicity :-

The toxicity test was carried out for the following parameters, considered relevant to the case:

Sr. No.	Parameters Analysed	Units	Results	Concentration Limits (Hazardous Waste Rules, 2016)	Instrument Used
1.	pH	-	9.15	< 2 or > 12	pH meter
2.	Cadmium	mg/L	<0.01	1 mg/L	AAS
3.	Copper	mg/L	0.16	25 mg/L	AAS
4.	Lead	mg/L	<0.02	5 mg/L	AAS
5.	Nickel	mg/L	<0.02	20 mg/L	AAS
6.	Zinc	mg/L	0.08	250 mg/L	AAS
7.	Arsenic	mg/L	<0.01	5 mg/L	Spectrophotometer
8.	Mercury	mg/L	<0.001	0.2 mg/L	AAS
9.	Hexa Chromium	mg/L	<0.02	5 mg/L	Spectrophotometer
10.	H2S	mg/L	<1	5 mg/L	Colorimetric Method
11.	HCN	mg/L	<0.001	20 mg/L	Colorimetric Method
12.	Solubility in water	%	Soluble in water (92%)		
13.	Total Alkalinity	mg/l	36	N.A.	Titrimetric Method
14.	Oil & Grease	mg/l	<1	N.A.	Gravimetric

**KADAM ENVIRONMENTAL CONSULTANTS**

An ISO 9001:2015 Certified Company

ISO 14001 Approved

871/B/3, Near Himalaya Machinery, GIDC Makarpura, Vadodara-10.

Phone : (O) 0265 - 6131000, 6131001

**ENVIRONMENTAL MONITORING REPORT**

15.	Calcium	mg/L	:	52	N.A.	Titrimetric Method
16.	Magnesium	mg/L	:	45	N.A.	Titrimetric Method
17.	Sulphate	mg/L	:	246	N.A.	Colorimetric Method
18.	Sodium	mg/L	:	587	N.A.	Flame Photometer
19.	Reactive Silica	mg/L	:	N.D.	N.A.	Colorimetric Method
20.	Chloride	mg/L	:	734	N.A.	Titrimetric Method
21.	Moisture	%	:	49.44	N.A.	Loss on Drying

5 % leachate solution prepared in DM Water.

**Carbonate Taste:**

Sr. No.	Parameters Analysed	Units	Results	Concentration Limits (Hazardous Waste Rules, 2016)	Instrument Used
1.	Calcium Carbonate	%	43	N.A.	EDTA Method

**Note:**

0.5 gm Dried solid sample was dissolved in 2 ml HCL and make upto 100 ml with distilled water and titrated against EDTA (0.01 M) for carbonate taste.

The results for the above given parameters for the toxicity test are within prescribed limit. So, it is concluded that the waste does not exhibit any characteristic of toxicity.

**CONCLUSION:**

Hazardous Waste (Management, Handling and Trans-Boundary) Rules, 2016 has declared that a solid waste is hazardous if it exhibits any of the following characteristics.

- 1) Flammability
- 2) Corrosivity
- 3) Explosivity
- 4) Toxicity

Since the sample does not exhibit any of the above mentioned characteristics, it is concluded that it is not hazardous in nature.

**For KADAM ENVIRONMENTAL CONSULTANTS**

(Report of M/s. RSPL Ltd.) (Rejected Sand) (Dwarka Gujarat Site)

Limits are given as per the Hazardous Waste (Management, Handling and Trans-boundary Movement) Rules, 2016.

Analysed By-

(Darshit Mehta)

**\*References:**

- Hazardous Waste (Management, Handling and Trans-Boundary Movement) Rules, 2016.
- Analysis Method: reference – STANDARD METHODS for the Examination of Water and Waste water- Prepared and jointly published by: American Public Health Association, American Water Works Association, and Water Pollution Control Federation.



CIN-U15111UP1988 PLC009771

**RSPL LIMITED**

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

RSPL/CCGN/KG/ENV-0047021/2021-22

Date: 25.05.2021

To,  
The Dy Chief Environment Engineer,  
Paryavaran Bhawan, Sec 10 A,  
Gujarat Pollution Control Board,  
Gandhinagar-382010

V.N.P.  
25/05/2021  
Gujarat Pollution Control Board  
Head Office  
Sector No.-10-A,  
Gandhinagar-382010.

Kind Attn.: Shri G. H Trivedi

Sub.: Reply to Show Cause Notice issued to us under Air Act 1981 w.r.t. GPCB site visit dated 08.02.2021 for Soda Ash Plant of RSPL LIMITED at Village Kuranga, District Devbhumi Dwarka (ID:43851)

Dear Sir,

Please find below our point-wise reply with respect to subject matter.

S. No.	Observations	Reply
1	During the visit salt was spread in your unit.	<p>During the visit, salt deposition observed on Survey No. 606 which was due to coastal atmospheric conditions during winter season (high fog) which might have resulted deposition of salt on the land.</p> <p>We are not discharging any effluent on land. Effluents from different units is collected in the mixing pond which is then diluted with seawater and once through return cooling water and being discharged as per norms into the Arabian Sea at a location recommended by NIO.</p>
2	During the visit dusting was noticed on the land of plot no-540 and survey no. 606.	<p>Various air pollution control measures have been provided in process units and process units are operated within intact profile sheets. Capital cost incurred towards major air pollution control equipments/ systems is about Rs. 60 Crores.</p> <p>The dusting observation is due to the area is in high coastal wind velocity.</p> <p>ESPs along with adequate stack height (122.0 m) have been provided for coal/lignite fired boiler to control particulate emissions and for dispersion of emissions. Individual ESP with each boiler has been provided.</p>



CIN-U15111UP1988 PLC009771

**RSPL LIMITED**

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
 Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

	<p>Four kilns are installed for production which have been provided with ESP's and Scrubbers as per design specifications.</p> <p>Bag filters as a part of Lime Grinding system as well as a common de-dusting (dust extraction system consisting of bag house, ID Fan, exhaust duct) has been provided for the Lime Grinding area.</p> <p>As a part of Ammonia recovery system, the Tower Gas Scrubbers located on the top of two stage Ammonia Gas Absorbers and has been installed. Both Ammonia Gas Absorber are operating. Further, chilled water consideration for absorption process has ensured good absorption efficiency.</p> <p>Two stage scrubbing of CO<sub>2</sub> gas and Filter Air Washer (scrubber) has been installed for Ammonia Absorption in Filtration/Calcination area and operating. Both Filter Air Washers (Scrubber) are operating.</p> <p>Furthermore adequate Air Pollution Control measures have also been provided to control fugitive emissions.</p> <ul style="list-style-type: none"> <li>• Dust suppression system i.e. water sprinkling system and/or Dust Extraction system is being provided to control fugitive emissions from all the vulnerable sources.</li> <li>• Closed storage shed for Coal has been provided.</li> <li>• Closed Gantry/Hood covering has been considered for conveying systems.</li> <li>• Ensuring covered transport vehicles for raw material and finished product.</li> </ul> <p>Additionally, daily sprinkling of water on the approach roads is being done for dust suppression. All emissions are within limits as per the norms laid down by GPCB.</p> <p>We are regularly monitoring our Ambient Air quality through a recognized NABL Approved lab (M/s Kadam Environment Consultants, Vadodara) and air quality results were within the norms. Copy of Monitoring report during that period i.e. February report is attached herewith as an Annexure-I.</p>
--	---



CIN-U15111UP1988 PLC009771

**RSPL LIMITED**

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

		Plantation have also been undertaken along the periphery of plant so as to avoid any adverse impact to nearby areas.
3	During the visit results of sample taken from ETP inlet mixing of ETP 2. Outlet of ETP and 3.w/w sample collected from open well at S.No.606 and 4. Water sample collected from pond at S.No.540 from your unit were found to be similar.	<p>No effluent discharge is taking place in Survey No. 540 and 606 from plant. Effluents from different process units is collected in the mixing pond which is then diluted with seawater and once through return cooling water and being discharged as per norms into the Arabian Sea at a location recommended by NIO.</p> <p>The plant is in proximity to seashore. Seawater effect seems in these survey nos.</p> <p>As informed earlier, the private land of Survey No. 540 and 606 are barren land and not being used for agriculture purpose. The land owner of Survey No. 540, where the water ponding observed, has excavated a trench within his plot area which is low lying area compared to surrounding area. The land is being used for commercial purpose. Some shops (unauthorized) are being operated within his plot area. Wastewater and solid waste generated from the shops is also getting collected in the trench.</p>

In view of above, we request your kind authority to withdraw show cause notice under Air Act 1981 as we are complying unit and please do not initiate any action.

Thanking You.

Yours Faithfully,  
For RSPL LIMITED

Authorized Signatory

Encl.: As above

RSPL/CCG/VKG/ENV-004/061/2021-22

Date:18.08.2021

✓ To,  
The Unit Head,  
Gujarat Pollution Control Board,  
Sector-10-A, Paryavaran Bhawan,  
Gandhinagar-382010

*N. N. N. P.*  
*21/08/2021*  
Gujarat Pollution Control Board  
Head Office  
Sector No.-10-A,  
Gandhinagar-382010

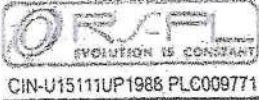
Kind Attn.: Smt. S.V. Bhargav

Sub.: Reply to the Notice issued under the Air Act 1981 w.r.t. GPCB site visit dated 23.06.2021 for Soda Ash Plant of RSPL LIMITED at Village Kuranga, District Devbhumi Dwarka (ID:43851)

Respected Madam,

Please find below our point-wise reply with respect to the subject matter.

S. No.	Inspection remarks	Reply
1.	During the visit, the heaps of limestone were not covered.	Limestone heaps stacked in the stockyard contain lumps which does not get airborne and does not required to be covered.
2.	During the visit, there was observed a white layer on the complainer's agricultural land.	White layer on the complainer's land may be due to coastal storms and weather conditions. There is no possibility of discharge from our plant.
3.	Cement concrete sludge drying beds are not constructed for the sludge generated from settling ponds from your unit.	While cleaning guard pond, the collected sludge has been stored near the sump temporarily for drying purpose. After site grading and compaction, ground cover of storage area has been provided with a standard impermeable membrane sheets to ensure no contamination of the land.  After drying, it will be transferred to landfill site at a designated area within plant premises.



Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

		<p>Further, we are in the process of getting approval from GPCB for secured landfill site within our plant premises for which an application has already been made on 06.04.2021. After getting the CTE, we will start construction of landfill site as per guidelines.</p> <p>We have tested sludge from NABL approved laboratory and it is non-hazardous in nature (copy attached herewith as Annexure-I)</p>
--	--	---

In view of above, we request your kind authority to withdraw notice under Air Act 1981 as we are always ready and willing to comply with all your directions given for control of pollution.

We request you not to initiate any action against our unit.

Thanking You.

Yours Faithfully,  
For RSPL LIMITED

Authorized Signatory

Encl.: As above

Copy to: The Regional Officer,  
Gujarat Pollution Control Board,  
Jamnagar

## KADAM ENVIRONMENTAL CONSULTANTS

An ISO 9001:2015 Certified Company

(NICE Approved)

87/1B/3, Near Himalaya Machinery, GIDC Makarpura, Vadodara-10.

Phone : (O) 0265 - 6131000, 6131001

## ENVIRONMENTAL MONITORING REPORT



DOC. I. D. : ISO-KEG-SOL. WAT. ANA. R.

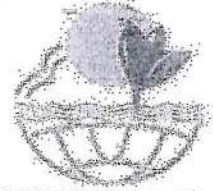
REV. : 00

## HAZARDOUS WASTE CHARACTERISATION REPORT

Name of Client	:	M/s. RSPL Ltd.			
Sampling Date	:	30.06.2021			
Sample	:	Solid Waste Sample			
Collected by	:	M/s. RSPL Ltd.			
<b>a) Physical Analysis</b>					
Physical Form	:	Solid			
Colour	:	Greyish White			
<b>b) Characterisation of Solid waste:</b>					
The analysis of the Solid Waste is carried out in accordance with the Hazardous Waste Management, Handling and Trans-boundary Movement) Rules, 2016.					
<b>This includes following parameters :-</b>					
<b>1. Flammability/Ignitibility :-</b>					
a) The given sample is not capable under standard pressure & temperature, causes fire through friction, absorption of moisture, or spontaneous chemical changes.					
b) When ignited it does not burn vigorously & persistently create hazard.					
c) The solid waste is not flammable & not an oxidizer.					
<b>2. Corrosivity :-</b>					
a) The sample does not show pH $\leq 2$ or $\geq 12.5$ .					
b) So, solid waste is not corrosive in nature.					
<b>3. Explosivity/Reactivity :-</b>					
a) It is stable and does not Undergoes Violent Change.					
b) It does not take Violently with water or forms potentially explosive mixture with Water.					
c) When mixed with water, does not generate toxic gases, Vapours or Fumes.					
<b>4. Toxicity :-</b>					
The toxicity test was carried out for the following parameters, considered relevant to the case:					
Sl. No.	Parameters Analysed	Units	Results	Concentration Limits (Hazardous Waste Rules, 2016)	Instrument Used
1.	pH	:	9.27	< 2 or > 12	pH meter
2.	Cadmium	mg/L	<0.01	1 mg/L	AAS
3.	Copper	mg/L	0.19	25 mg/L	AAS
4.	Lead	mg/L	<0.02	5 mg/L	AAS
5.	Nickel	mg/L	<0.02	20 mg/L	AAS
6.	Zinc	mg/L	<0.03	250 mg/L	AAS
7.	Arsenic	mg/L	<0.01	5 mg/L	Spectrophotometer
8.	Mercury	mg/L	<0.001	0.2 mg/L	AAS
9.	Hexa Chromium	mg/L	<0.02	5 mg/L	Spectrophotometer
10.	H2S	mg/L	N.D.	5 mg/L	Colorimetric Method
11.	HCN	mg/L	N.D.	20 mg/L	Colorimetric Method
12.	Solubility in water	%	Insoluble in Water(93%)		
13.	Total Alkalinity	mg/L	28	N.A.	Titrimetric Method

**KADAM ENVIRONMENTAL CONSULTANTS**  
An ISO 9001:2015 Certified Company (MoEF Approved)

871/B/3, Near Himalaya Machinery, GIDC Makarpura, Vadodara-10.  
Phone : (O) 0265 - 6131000, 6131001



**ENVIRONMENTAL MONITORING REPORT**

14.	Oil & Grease	mg/L	:	N.D.	N.A.	Gravimetric
15.	Calcium	mg/L	:	49	N.A.	Titrimetric Method
16.	Magnesium	mg/L	:	42	N.A.	Titrimetric Method
17.	Sulphate	mg/L	:	251	N.A.	Colorimetric Method
18.	Sodium	mg/L	:	593	N.A.	Flame Photometer
19.	Reactive Silica	mg/L	:	8.83	N.A.	Colorimetric Method
20.	Chloride	mg/L	:	794	N.A.	Titrimetric Method
21.	Moisture	%	:	34.18	N.A.	Loss on Drying

5 % leachate solution prepared in DM Water.

**Carbonate Test:**

Sr. No.	Parameters Analysed	Units	Results	Concentration Limits (Hazardous Waste Rules, 2016)	Instrument Used
1.	Calcium Carbonate	%	40	N.A.	EDTA Method

The results for the above given parameters for the toxicity test are within prescribed limit. So, it is concluded that the waste does not exhibit any characteristic of toxicity.

**CONCLUSION:**

Hazardous Waste (Management, Handling and Trans-Boundary) Rules, 2016 has declared that a solid waste is hazardous if it exhibits any of the following characteristics.

- 1) Flammability
- 2) Corrosivity
- 3) Explosivity
- 4) Toxicity

Since the sample does not exhibit any of the above mentioned characteristics, it is concluded that it is not hazardous in nature.

**For KADAM ENVIRONMENTAL CONSULTANTS**

(Report for RSPL Ltd - Dwarka - Solid Waste Sample - June 2021)

Limits are given as per the Hazardous Waste (Management, Handling and Trans-Boundary Movement) Rules, 2016.

Approved By-

(Sapana Amin)

**\*References:**

- Hazardous Waste (Management, Handling and Trans-Boundary Movement) Rules, 2016.
- Analysis Method: reference -- STANDARD METHODS for the Examination of Water and Waste water- Prepared and jointly published by: American Public Health Association, American Water Works Association, and Water Pollution Control Federation.



CIN-U15111UP1988 PLC009771

**RSPL LIMITED**

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 • E-mail : projectamd@rspl.net.in

RSPL/CCG/KG/ENV-004/067/2021-22

Date:11.09.2021

To,  
The Unit Head,  
Gujarat Pollution Control Board,  
Sector-10-A, Paryavaran Bhawan,  
Gandhinagar-382010

Kind Attn.: Smt. S.V. Bhargav

Sub.: Reply to the Notice issued under the Air Act 1981 w.r.t. GPCB site visit dated 23.06.2021 for Soda Ash Plant of RSPL LIMITED at Village Kuranga, District Devbhumi Dwarka (ID:43851)

Ref. : Your Notice dated 12.08.2021

Respected Madam,

Please find below our point-wise reply with respect to the subject matter.

S. No.	Inspection remarks	Reply
1.	During the visit, the heaps of limestone were not covered.	Since our Soda Ash plant was put in operation, we have been importing the limestone (60-120mm) to feed the lime kilns. The limestone heaps stacked in the stockyard contain lumps which do not get airborne and do not require to be covered.
2.	During the visit, there was observed a white layer on the complainer's agricultural land.	White layer on the complainer's land may be due to coastal storms and weather conditions. There is no possibility of discharge from our plant.
3.	Cement concrete sludge drying beds are not constructed for the sludge generated from settling ponds from your unit.	While cleaning guard pond, the collected sludge has been stored near the sump temporarily for drying purpose. After site grading and compaction, ground cover of storage area has been provided with a standard impermeable membrane sheets to ensure no contamination of the land.

*Smt*  
13/09/21  
Gujarat Pollution Control Board  
Head Office  
Sector No.-10-A,  
Gandhinagar-382010.

Regd. Office : 119-121(Part), Block P & T, Fazal Ganj, Kalpi Road, Kanpur - 208 012 (U.P.)  
Phone : 0512-2221201, 202-203, 204-205 • Fax No. : 0512-222-228-30 • E-mail : info@gharidetergent.com

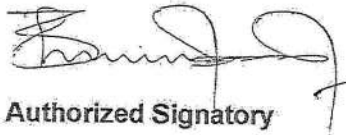
	<p>After drying, it will be transferred to landfill site at a designated area within plant premises.</p> <p>Further, we are in the process of getting approval from GPCB for secured landfill site within our plant premises for which an application has already been made on 06.04.2021.</p> <p>We have tested sludge from NABL approved laboratory and it is non-hazardous in nature (copy attached herewith as Annexure-I)</p>
--	--

In view of above, we request your kind authority to withdraw notice under Air Act 1981 as we are always ready and willing to comply with all your directions given for control of pollution.

We request you not to initiate any action against our unit.

Thanking You.

Yours Faithfully,  
For RSPL LIMITED



Authorized Signatory

Encl.: As above

Copy to: The Regional Officer,  
Gujarat Pollution Control Board,  
Jamnagar



Hindi news हिंदी ख़बरें Hindi Sam... x Mail - VINAY KUMAR GUPTA-EN... x # Pollution Control Board : x +

← → ↻ gpcbgn.gujarat.gov.in/IND/Query\_Reply.aspx

RspL Limited [Login:  
24/06/2023 02:48:26 PM]

### Gujarat Pollution Control Board

MPW!!! PCB ID Logout Menu

432469-1-1 Print Inspection Compliance

Pls take Cursor on ID to see your Reply and Click on ID to enter Reply !!!

Id	Insp Id	Visit Instruction	Reply Dt	Status
456862	432469	L. EC due CRZ clearance at 3004 2100g abud 11044 433.	16/10/2017	Partial Compliance

Six monthly Compliance report of EC as well as CRZ Clearance conditions are being submitted regularly to MoEFCC,Bhopal,DoEF and GPCB. Last compliance report has been submitted to GPCB vide RSPL letter no. RSPL/CCG/VKG/ENV-002/026/2017-18 dated 19.05.2017.

Reply by industry towards Point to Point Compliance of the Instructions given during Inspection visit.

Reply Dt

SAVE

Show all

0\_230623\_Draft E....docx

14:56 24-06-2023

RSPL LIMITED

CIN-U15111UP1988PLC009771

Ahmedabad Office : C-1 / C-7, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 \* E-mail : projectamd@rspl.net.in

આરએસપીએલ/સીસીજી/ઈનવી-003/16/2019-૧૮

તા. 27/04/17

પ્રતિ,

TYPED COPY SUPPLIED

શ્રીજીયોનલ ઓફિસરશ્રી,  
ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડ,  
સરદાર પટેલ કોમર્શીયલ કોમ્પ્લેક્સ,  
રામેશ્વરનગર, કસ્તુરબા ગાંધી વિકાસગૃહ માર્ગ,  
બેડી બંદર રોડ, જામનગર-૩૬૧૦૦૮

વિષય:- શ્રી. પી. સી. બી. જામનગરના અધિકારીશ્રીની તા. ૨૧/૦૪/૨૦૧૭ની અમારા સોડા એશ પ્રોજેક્ટ પરની સાઈટ વીઝીટ બાબત

મહેરબાન સાહેબશ્રી,

ઉપરોક્ત વિષય પરત્વે જ્યભારત સાથે જણાવવાનું કે, શ્રી. પી. સી. બી. જામનગરના અધિકારીશ્રી ધ્વારા તા. ૨૧/૦૪/૨૦૧૭  
ના રોજ અમારા પ્રસ્તાવિત સોડા એશ પ્રોજેક્ટની સાઈટ વીઝીટ કરવામાં આવેલ હતી.


સાઈટ વીઝીટ દરમ્યાન શ્રી. પી. સી. બી. ના અધિકારીશ્રી ધ્વારા આપવામાં આવેલ સુચનાઓ પર અમારી નીચે મુજબની  
રજૂઆતો ધ્યાને લેવા આપ સાહેબશ્રીને નમ્ર અરજ છે.

- (૧) અમો ધ્વારા સી-વોટર ઈન્ટેક માટેની માર્શીકો ટનલનું કામ પ્રગતિમાં છે. માર્શીકો ટનલીંગના કામ દરમ્યાન તેમાંથી નીકળતી  
સ્વરી / ગંદા પાણીને અમો ધ્વારા અમારી પ્રીમાઈસીસમાં જ સંગ્રહ કરવામાં આવે છે. અમો ધ્વારા સ્વરી આસપાસના ખેતરોમાં  
જાય નહી તેની પુરતી તકેદારી રાખીને યોગ્ય સંગ્રહ કરી રહ્યા છીએ. જેનું બાષ્પીભવન થયા બાદ અમારી પ્રીમાઈસીસમાં જ  
પુરણકામમાં ઉપયોગમાં લેવાશે.
- (૨) વધુમાં અમોને આપેલ સૂચના મુજબ અમો ધ્વારા સ્વરીના યોગ્ય સંગ્રહ બાબતે જણાવવાનું કે, અમો ધ્વારા પાળાની ઉચાઈ અને  
જરૂરી મજબુતાઈ બાબતેની કામગીરી કરવામાં આવેલ છે. જે દર્શાવતા ફોટા આપ સાહેબશ્રીની જાણ સારૂ આ સાથે સામેલ  
કરીએ છીએ.
- (૩) બાષ્પીભવન થયા બાદ ઘટ થયેલી સ્વરીનો અમારી પ્રીમાઈસીસમાં જ પૂરણ કામમાં ઉપયોગમાં લેવાનો હોવાથી આસપાસના  
વિસ્તાર પર કોઈ આડ-અસર થવાની સંભાવના નથી.

અમો આશા રાખીએ છીએ કે, અમો ધ્વારા લેવામાં આવતી / આવનાર તકેદારીઓને લીધે આસપાસના ખેતરમાં સ્વરી જવાનો  
કોઈ પ્રશ્ન નથી.

અમાર સહ..

આપનો વિશ્વાસુ,  
આરએસપીએલ લી. વતી

  
ચીફ એક્ઝિક્યુટીવ ઓફિસર

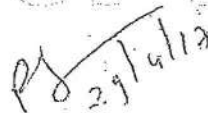
બિડાણ:- ફોટોગ્રાફસ

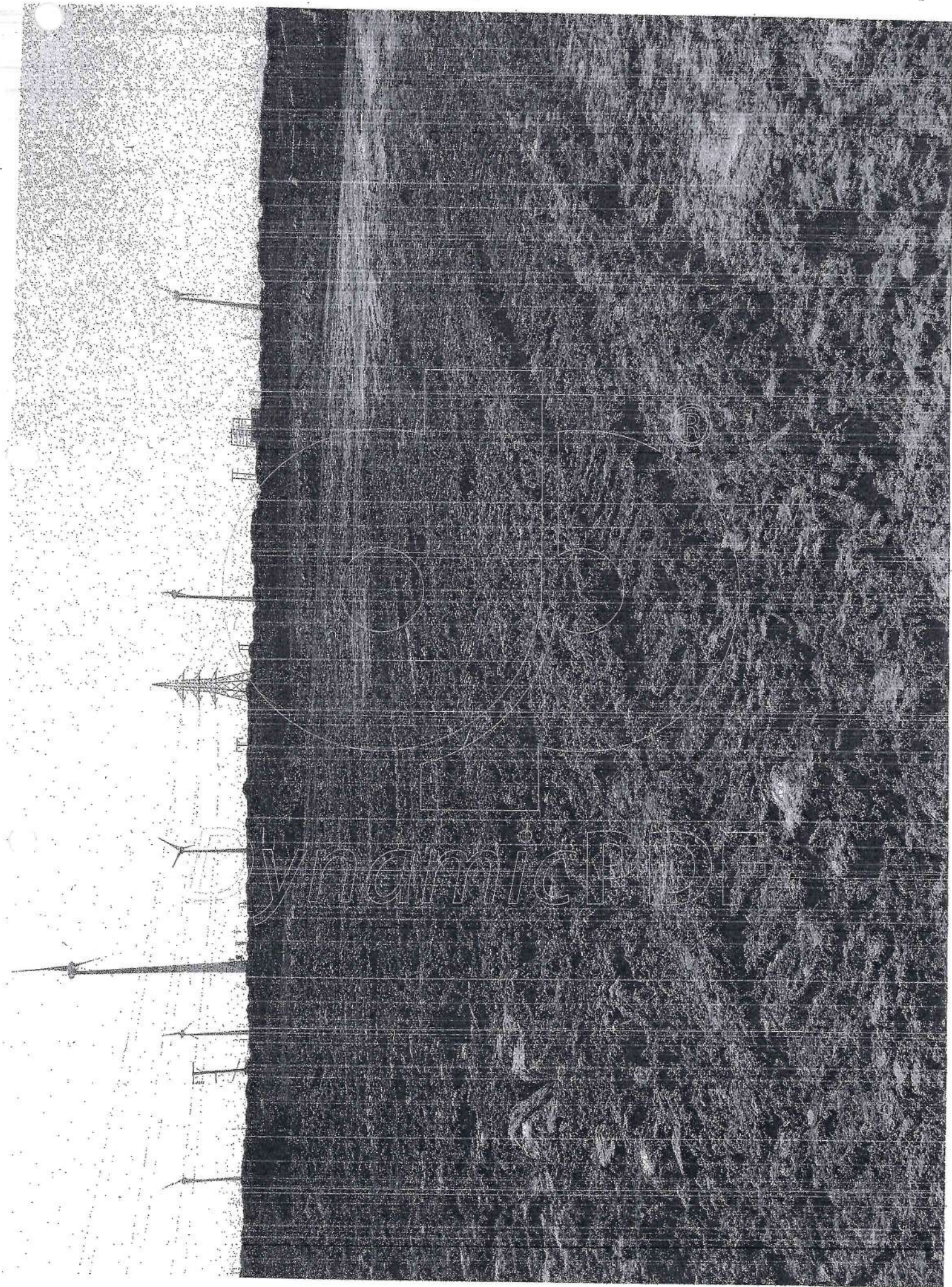
નકલ રવાના :-

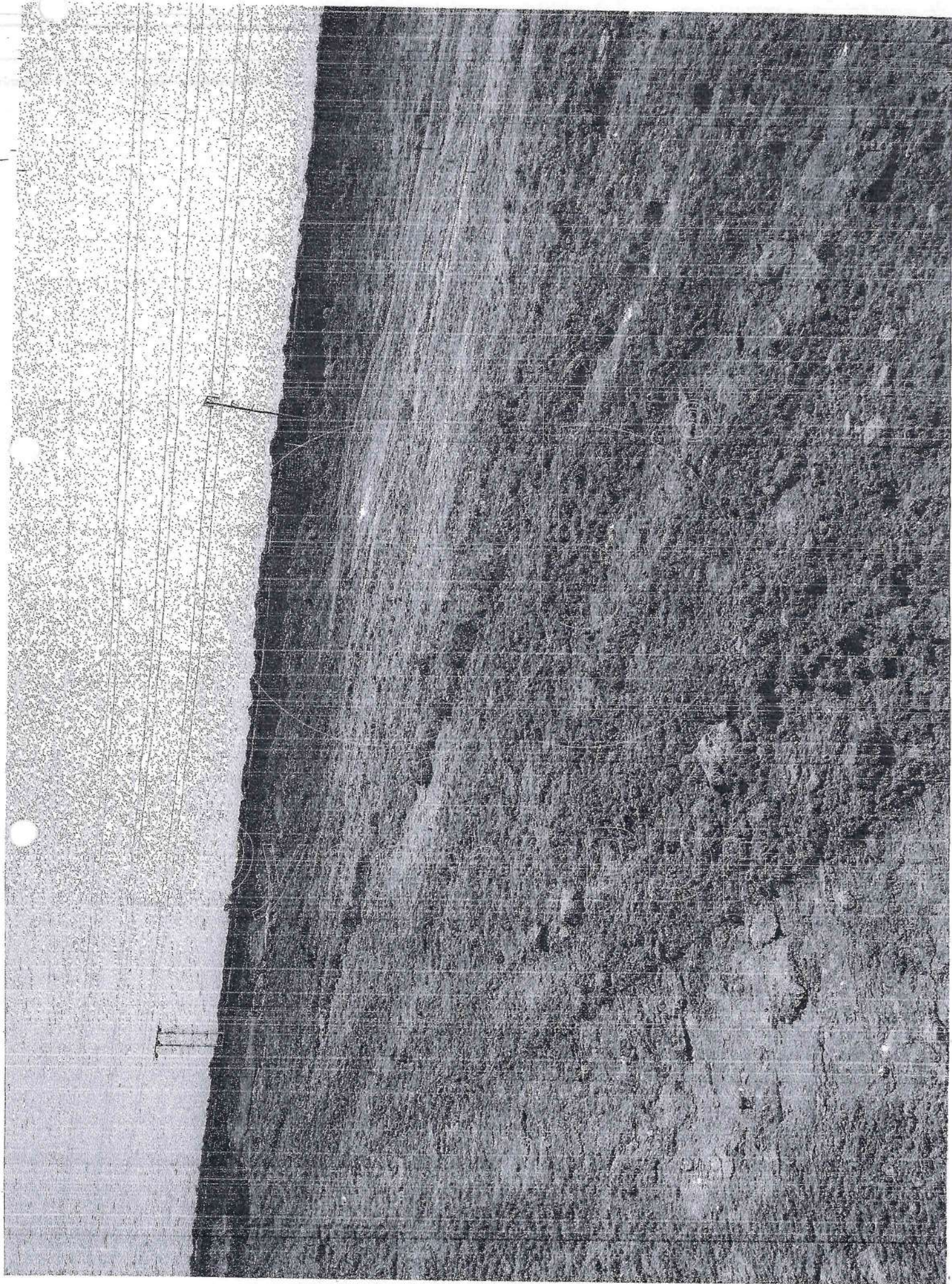
શ્રી આર. વી. પટેલ

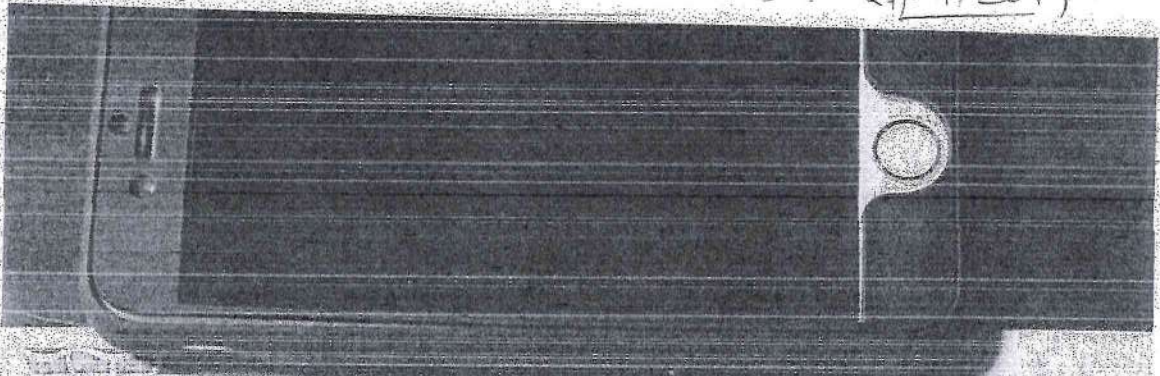
સીનીયર એન્વાયરમેન્ટલ એન્જીનીયર શ્રી,

ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડ, પર્યાવરણ ભવન, સેક્ટર-૧૦-એ, ગાંધીનગર.

  
Gujarat Pollution Control Board  
Sector No. 10 A,  
Gandhinagar-382 010



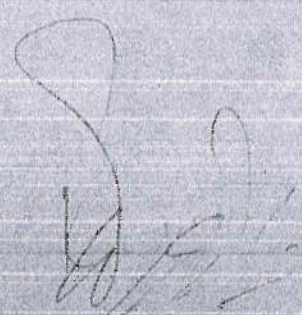
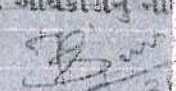




સરકાર પ્રટેલ હાલન, રામેશ્વરનગર, ખામનગર ૩૬૧ ૦૦૮  
ફોન : (૦૨૮૮) ૨૭૫૨૩૬૬

આવાન મરણ નિયમણ બોડના અધિકારીઓ દ્વારા આપનાં એકમની આજ રોજ રાજ્યના બુદ્ધિ બુદ્ધિ પર્યાવરણીય નિયમણ બોડના મુલાકાત લેવામાં આવેલ. આપનાં એકમની સ્થળ મુલાકાત દરમિયાન કરેલ માવલતોનો, આપે આપેલ માવલતો, સરકારી અને પર્યાવરણીય નિયમણોની જોગવાઈઓને આધીન, આપને નીચે મુજબ સુચના આપવામાં આવે છે. જેની પુર્તી કરવાની અહેવાલ (કોમ્પ્લાયન્સ રીપોર્ટ) આ સુચના મળ્યાની તારીખથી નેચર બોડની અંદર આ બોડની માન્ય હોદ્દા અને બોડની સ્તરી સ્તરી - ગુજરાત પ્રકૃષ્ણ નિયમણ બોડ, પર્યાવરણ ભવન, સેક્ટર - ૧૦ (સી), સરકારી માર્ગ અમદાવાદ આવશે. તેમ જ ઘટાં આપની આ બાબતે કોઈ સજાલ નથી તેમ જાણી, આપનાં એકમ આવી મરણ નિયમણોની જોગવાઈઓ ને ધ્યાને લઈ આગળની કાર્યવાહી કરવામાં આવશે. (૭ દિવસના)

- (૧) ડેન બચ્ચન પ્રત્યક્ષ માટે માધકો સમલ સંસ્થા/ડાંગોના માધી નીકલતી સેલરી જે ગાંધી બાગીચાં હાલમાં ડાંગો પોન્ડ નધા જમાન પર ભરી શાખીલ છે જેને પિમાઈશીક મા ધીરજ સોગંદ નધા નિડાલ નો કોડેસન સમલ સમલની કોડા કોડિન સગોની ઉસોરીમા સજી કરેલા, નધા આ સેલરી/મા ધ્યાં કોડેસન પાસ ના પોતરી માં જલ નધી નોની. નકીલરી લાખ પી.
- (૨)

આહેરો નરયા છે. મુલાકાત લેનાર અધિકારીનું નામ  
 સહી :  સહી :   
 નામ : Mr. K. V. Doshi નામ : V. S. Sora

**RSPL LIMITED**

-----  
Ahmedabad Office : C-1/C02, 3<sup>rd</sup> Floor, Safal Profitaire,  
Corporate Road, Near Parhlad Nagar Garden, Satellite,  
Ahmedabad – 380015  
Tel. 079-29701607, 29701608, Fax No. 079-29701606 –  
Email : [projectamd@rspl.net.in](mailto:projectamd@rspl.net.in)  
-----

RSPL/CCG/ENV-003/16/2017-18

Date : 27/04/17

To,  
The Regional Officer  
Gujarat Pollution Control Board,  
Sardar Patel Commercial Complex,  
Rameshwarnagar, Kasturba Gandhi Vikasgruh Marg,  
Bedi Bandar Road, Jamnagar – 361008

Sub : Regarding the visit of GPCB, Jamnagar dated  
21/04/2017 to our Soda Ash Project site

Resected Sir,

With due respects with reference to the  
abovementioned subject, it is submitted that the officer of  
GPCB, Jamnagar had visited our proposed Soda Ash  
Project site on 21/04/2017.

You are humbly requested to consider our following  
submissions pursuant to the instructions issued by the  
Officer of GPCB during the site visit.

(1) The work of micro tunnel for the sea-water intake is in progress. The slurry found during the work of micro-tunneling is collected by us in our premises only. We are collecting the same taking sufficient precautions to see that the slurry does not go the agricultural fields in the surrounding area. The same shall be utilized for filling up the pits in the premises after the water evaporation.

(2) Further, as regards collection of slurry by us as per your instructions it is submitted that we have maintained the height of the walls with necessary strength. We enclose herewith the photographs showing the said fact.

(3) After evaporation, the remaining thick slurry is to be utilized for filling up the pits and therefore, there is no likelihood of any side effects.

We hope that because of the precautions being taken by us, there is no question of flowing the slurry in the surrounding area.

Thanking you,

Yours faithfully,  
For RSPL Limited,

Sd/-  
Authorized Signatory

Encl : Photographs

Copy to  
Shri R. V. Patel,  
Senior Environmental Engineer,  
Gujarat Pollution Control Board,  
Paryavaran Bhavan, Sector-10-A,  
Gandhinagar

21/04/2017

**GUJARAT POLLUTION CONTROL BOARD  
REGIONAL OFFICE,**

Sardar Patel Bhavan, Rameshwarnagar, Jamnagar-361008  
Phone : (0288) 2752366

-----  
The officers of the Gujarat Pollution Control Board had visited your Unit today under the different environmental rules of the State. Pursuant to the observations made, information/documents provided by you during the visit of your unit, as per the provisions of the environmental rules, you are hereby given the following instructions and you should submit the compliance report of the same within 7 days from the date of receipt of these instructions to the Head Office of Gujarat Pollution Control Board, Paryavaran Bhavan, Sector 10-A, Gandhinagar under intimation to this office, failing which presuming that you have nothing to submit in this regard, further action against your Unit under the provisions of this Act/Rules, will be taken:

(1) An action plan for proper collection and disposal of the slurry coming out during the dredging/drilling of micro tunnel for sea water intake which is collected in the Kachcha pond and on the land, may be prepared and sent to this office alongwith photographs and be implemented as also to take precaution to see that the same does not go in the agricultural lands in the surrounding area.

Orders received  
Signature : Sd/-  
Name : H. V. Joshi

Name of Officer visited  
Signature : Sd/-  
Name : V. S. Soni

RSPL/CCG/VKG/ENV-004/075/2018-19

Date: 02.08.2018

The Regional Officer,  
Gujarat Pollution Control Board,  
Sardar Patel Commercial Complex,  
Rameshwar Nagar,  
Kasturba Gandhi Vikas Gruh Marg,  
Bedi Bandar Road,  
Jamnagar-361008

Sub.: GPCB officials' site visit dated 17.07.2017

Dear Sir,

This has reference to the site visit carried out by officials of Gujarat Pollution Control Board, Jamnagar at our Soda Ash Project site located at Village Kuranga, Taluka Dwarka, District Devbhumi Dwarka.

In this connection, as desired during the site visit, we are submitting herewith the details as Enclosure I.

Hope you will find this in order.

Thanking you,

Yours faithfully,  
For RSPL LIMITED



Authorized Signatory

Encl.: As above

02/08/18  
GUJARAT POLLUTION CONTROL BOARD  
Sardar Patel Bhavan, Rameshwar Nagar,  
Jamnagar-361008

Enclosure I

Sr. No.	Particulars	Details
01.	Present status of Soda Ash Project	<p>The Project is at advanced stage of completion and start-up activities will be taken up in phased manner after mechanical completion.</p> <ul style="list-style-type: none"><li>• Engineering completion – 98 %</li><li>• Overall Construction Completion – 85 – 90 %</li><li>• Raw Materials – Major Raw materials necessary for plant start up i.e. Limestone (Imported), Salt and Coal (Imported) received at site.</li></ul> <p>Pre-commissioning trial run activities are in progress.</p>
02.	To comply EC conditions during construction phase	Noted and agreed.
03.	EC Compliance Report	EC Compliance Report has already submitted to your office vide our letter No. RSPL/CCG/VKG/ENV-002/042/2018-19 dated 15.06.2018. Copy of the same is reproduced herewith for your ready reference please.

-----

RSPL/CCG/VKG/ENV-004/114/2018-19

Date: 03.12.2018

The Regional Officer,  
Gujarat Pollution Control Board,  
Jamnagar

Sub.: GPCB site visit dated 28.11.2018

Dear Sir,

This refers to the site visit carried out by officials of GPCB, Jamnagar dated 28.11.2018 for Survey No. 540 and area near Survey No. 606 at RSPL Project site located at Village Kuranga, District Devbhumi Dwarka.

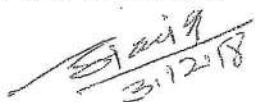
In this context we wish to inform you as under:

1. The land owner of Survey No. 540 has excavated a trench within his plot area may be to collect rain water, as a result of which the run-off rain water got collected in the excavated trench. Further we also like to inform you that the aforesaid agriculture land is being used for commercial purpose. Some shops are being operated within the plot area. Wastewater and solid waste generated by the shops is also getting collected in the trench.  
However, we have deployed our pumps for dewatering the trench. (Photographs attached as Annexure-I).
2. The land near Survey No. 606 belongs to RSPL Limited. We have dewatered our plot area as per directives. (Photographs attached herewith as Annexure-II).

Hope our above actions are satisfactory as per your direction.

Thanking you,

Yours faithfully,  
For RSPL LIMITED

  
3.12.18  
Authorized Signatory

Encl.: As above

Annexure - I



[Dewatering from the trench of Plot No.540]



[After dewatering from the trench]



[Shop nr. trench and solid waste in trench]



[No agricultural activity in plot no. 540]



[Shops in plot no.540]



[Area near Plot No. 606 is dewatered]

RSPL/CCG/VKG/ENV-004/142/2018-19

Date: 11.01.2019

The Regional Officer,  
Gujarat Pollution Control Board,  
Jamnagar

Sub.: Reply to the letter issued to us vide dated 02.01.2019 regarding the observations pointed out during the site visit by GPCB – Vigilance, Rajkot.

Dear Sir,

Please find below our point wise reply in respect of action taken to the inspection remarks pointed out during the site visit of GPCB on dated 02.01.2019.

Sl. No.	Inspection Remark	Reply
01.	Dusting was observed from Coal Crusher during the visit.	Dedusting systems (Dust extraction equipment's) have been already installed at the crushing units. Action has been taken to speed up the work to make dedusting system operational at the earliest. Photograph showing the work going on for making the system operational is attached as <b>Annexure – 1</b> . Further action has also been taken to prevent any dust formation by providing the water sprinkler system. The sprinkling system has been immediately installed along the coal stock pile and made operational for misting the coal. Photograph of water sprinklers is attached here with as <b>Annexure – 2</b> .
02.	Complete the work of Coal Storage Yard speedily.	The shed development of coal storage yard is under progress. Maximum portion of infrastructure installation for covered shed of coal storage yard is already completed. The area where the inventory of coal at present is restricted to be stored will be completed with covered shed by April 2019. Action has also been taken to cover the coal stock temporarily with tarpaulin and shall ensure coal remains covered.
03.	Speedily install the online monitoring system (Power Plant).	Online monitoring system for the stack emissions of power plant has been installed.
04.	Calibrate the probe (Ammonia and SS) of online monitoring for effluent.	Calibration of online monitoring for effluent in respect of Ammonia and SS has been done.
05.	Make Pukka roads for all RMH area.	Pukka roads have been made in most of the plant area and other operational areas. Pukka road development in RMH area is also under progress, however action has been taken to speed up the pukka road development in RMH area. The

		motorable GSB roads in RMH area will be completed by January end 2019. Photograph showing the progress of pukka road development is attached here with as Annexure - 3.
06.	Carry-out dewatering from the farm of Bhayabhai.	As stated earlier also vide our letter dated 03.12.2018 that the land owner of Survey No. 540 has excavated a trench within his plot area may be to collect rain water, as a result of which the run-off rain water got collected in the excavated trench. Further we also like to inform you that the aforesaid agriculture land is being used for commercial purpose. Some shops are being operated within the plot area. Wastewater and solid waste generated by the shops is also getting collected in the trench. However, we have again deployed our pumps as per your directives and the trench has been dewatered. (Photographs attached as Annexure-4)

We hope our above actions are satisfactory as per your directions.

Thanking You.

Yours faithfully,  
For RSPL LIMITED



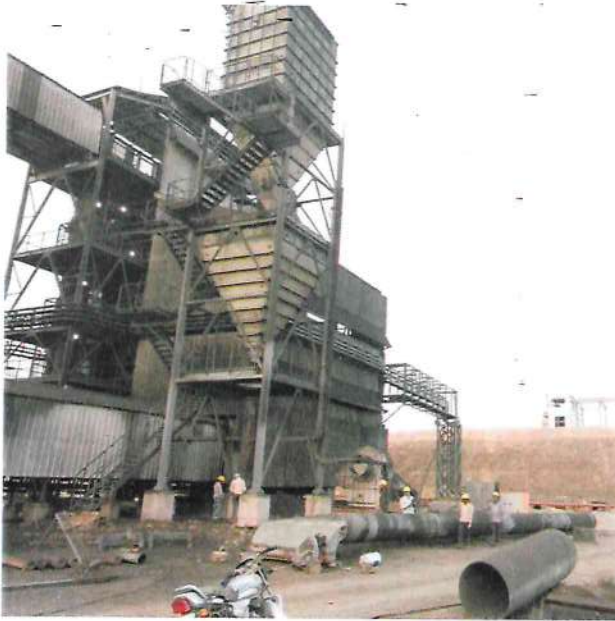
Authorized Signatory

Encl.: As above

Copy to:

1. The Member Secretary,  
Gujarat Pollution Control Board  
Gandhinagar -382 010
2. Gujarat Pollution Control Board – Vigilance  
Race Course Ring Road, Near Union Bank of India, Rajkot – 360001.

**Work going on for making the dust extraction system operational:**



Water sprinkling activity in coal yard:



Photograph showing the progress of pukka road development:



Dewatering activity from the plot of survey No. 540:



RSPL/CCG/VKG/ENV-004/160 /2018-19

Date: 11.03.2019

The Sr. Environmental Engineer,  
Gujarat Pollution Control Board,  
Gandhinagar

(04/3/19)

Sub.: Reply to the show-cause notice issued to us vide dated 05.03.2019 regarding the observations pointed out during the site visit by GPCB officials on 02.01.2019.

Dear Sir,

Please find below our point wise reply with respect to the subject matter.

S. No.	Inspection Remark	Reply
01.	It was found during the site visit that, regular de-dusting has not been done from transfer point.	<p><b>Coal Crushing / Screening System (Transfer Towers) :</b></p> <ul style="list-style-type: none"> <li>De-dusting systems (Dust extraction equipment's) have been already installed at the coal crushing /screening units. However the de-dusting system was not operational during the inspection of GPCB officials on 02.01.2019. The same was being pointed out by the inspecting authority vide letter dated 02.01.2019 and replied vide our letter dated 11.01.2019. The action was immediately taken on war footing basis to make de-dusting system operational at the earliest.</li> <li>There are two crushing / screening stations. The de-dusting system at the secondary crusher has been made operational. While de-dusting system at primary crusher is partly completed and will be operational by last week of March 2019. (Photographs showing the progress is attached as Annexure-1)</li> <li>Further action has also been taken to prevent dust formation by providing the water sprinkler system for moistening / wetting the coal. The water sprinkling system has been installed along the coal stock pile with two row system of 16 nozzles in each row as per design covering the stock pile.(Photograph of water sprinklers is attached herewith as Annexure-2)</li> </ul>
02.	Coal was not covered in the coal storage area by unit.	<p><b>Coal stock yard shed</b></p> <ul style="list-style-type: none"> <li>The coal stockyard shed has been designed to cover the coal stockyard and yard equipment – Stacker / reclaimers. At present the shed is under construction stage. Since we have commissioned only one stream and our inventory of coal at this stage is being kept at minimal level. Till shed is covered with roof and side cladding, It is being ensured that coal stock remains temporarily covered with tarpaulin.</li> </ul>

11/3/19  
Gujarat Pollution Control Board  
Sector No. 10 A,  
Gandhinagar - 382 010

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015.  
Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

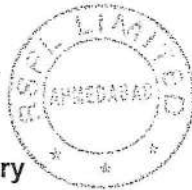
Further you would appreciate that we have chosen the world's best available technology for design, engineering, erection and commissioning of our Soda Ash Plant. The basic engineering of our plant is from NIOCHIIM, Ukraine and detailed engineering has been done by JACOBS. The structures, installations and all other statutory compliance related equipment's specifically environment /de-dusting/dust suppression etc. have been installed and being commissioned under the supervision of JACOBS Engineering.

We are in constant procedure of making the control measures fully functional and operational and hence we would now request your good office to give us 4 -6 weeks' time to achieve the desired norms/standards.

Thanking You.

Yours faithfully,  
For RSPL LIMITED

*Signature*  
11.3.19

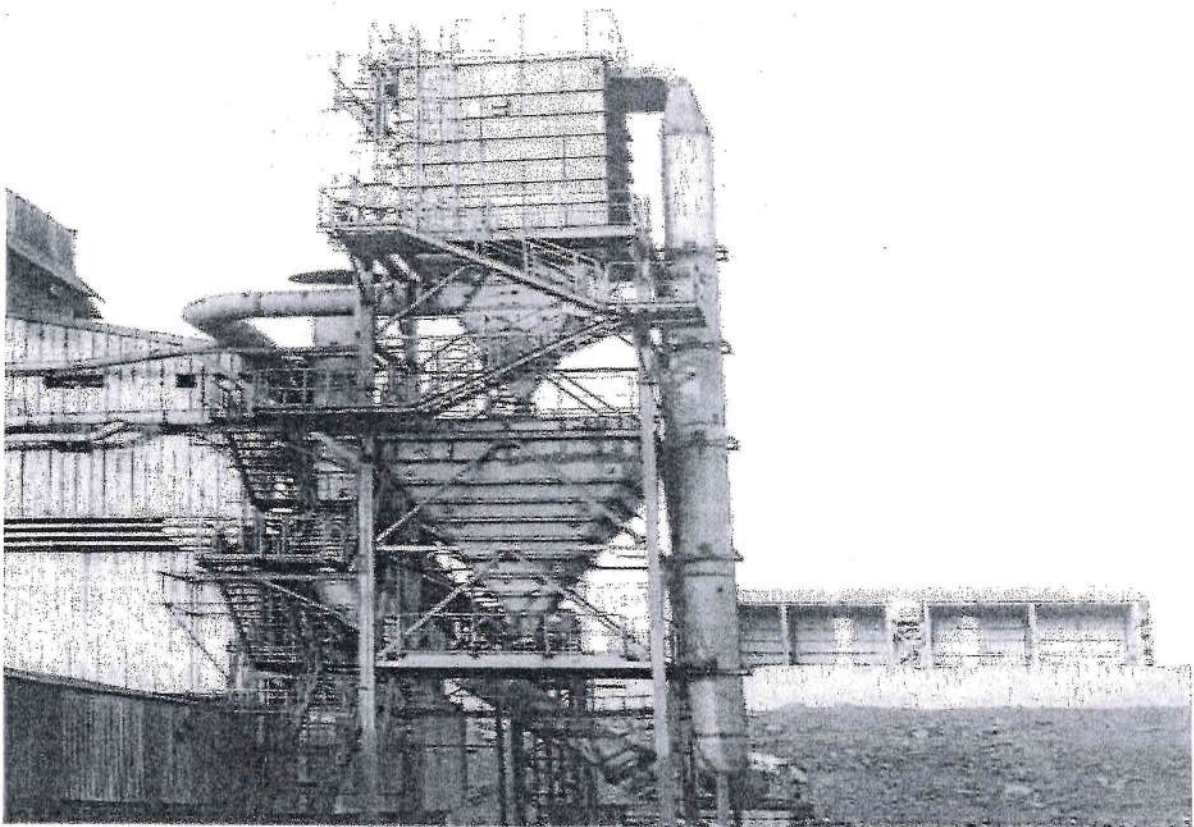


Authorized Signatory

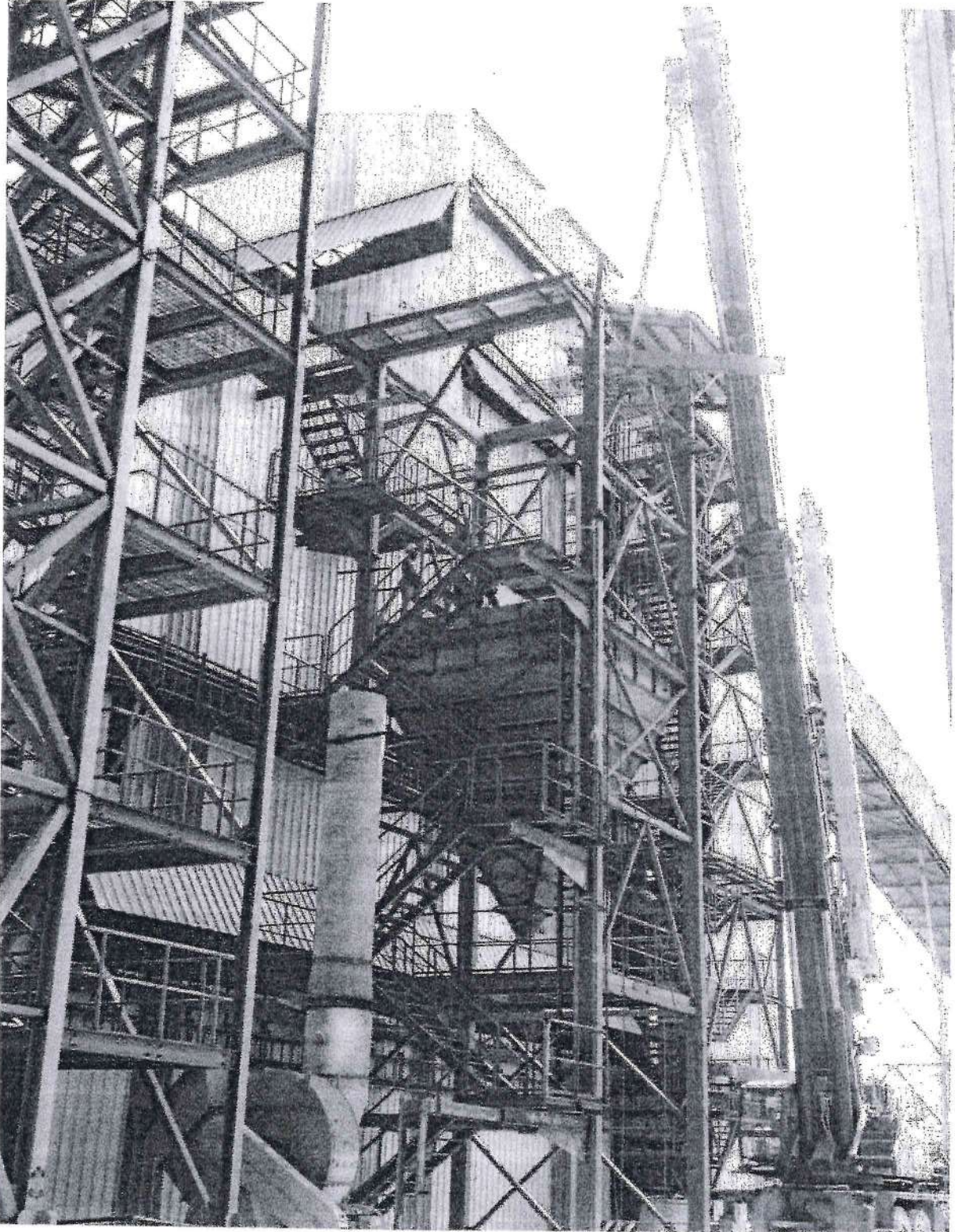
Encl.: as above

**Annexure-1**

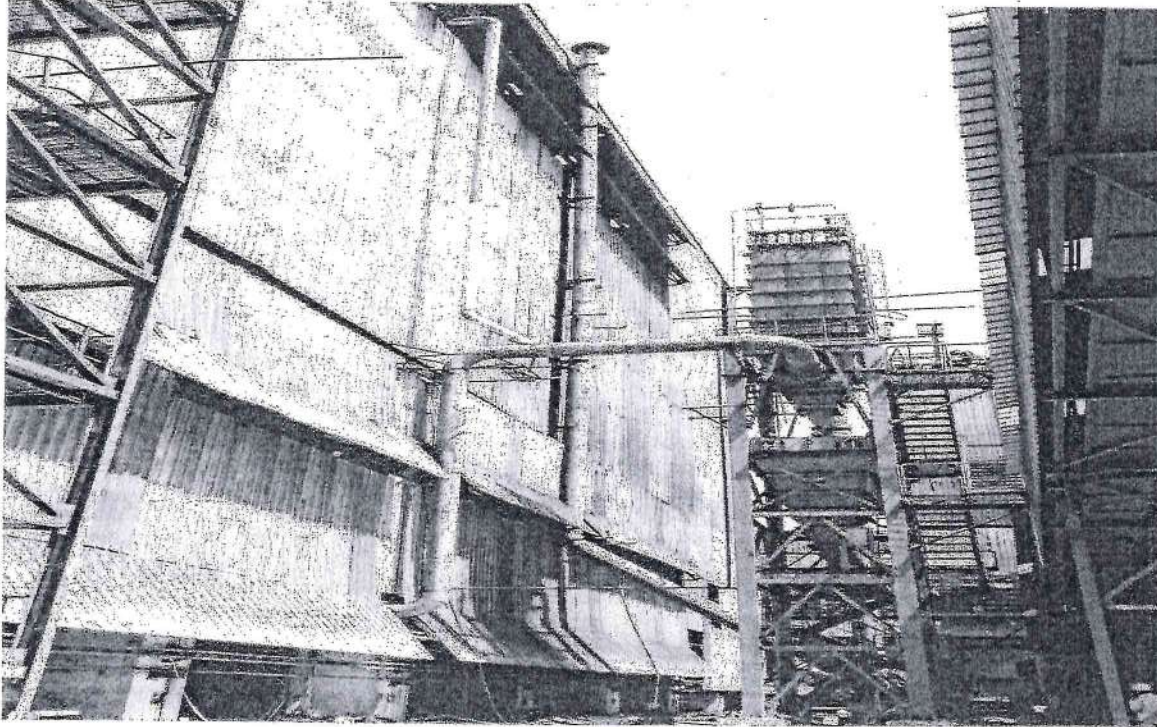
**Dust extraction system installed and operational in Secondary Crusher area:**



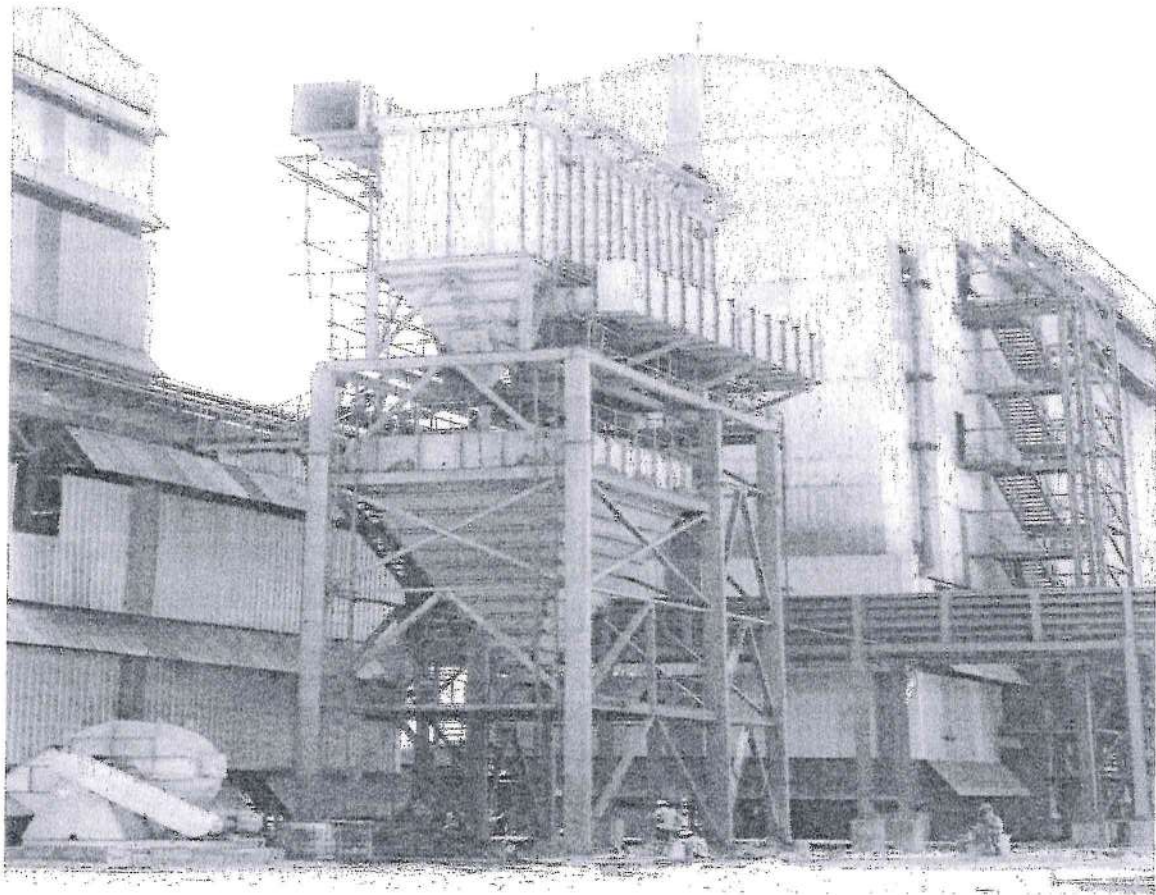
- Photograph showing progress of dust extraction system in primary screen crusher house



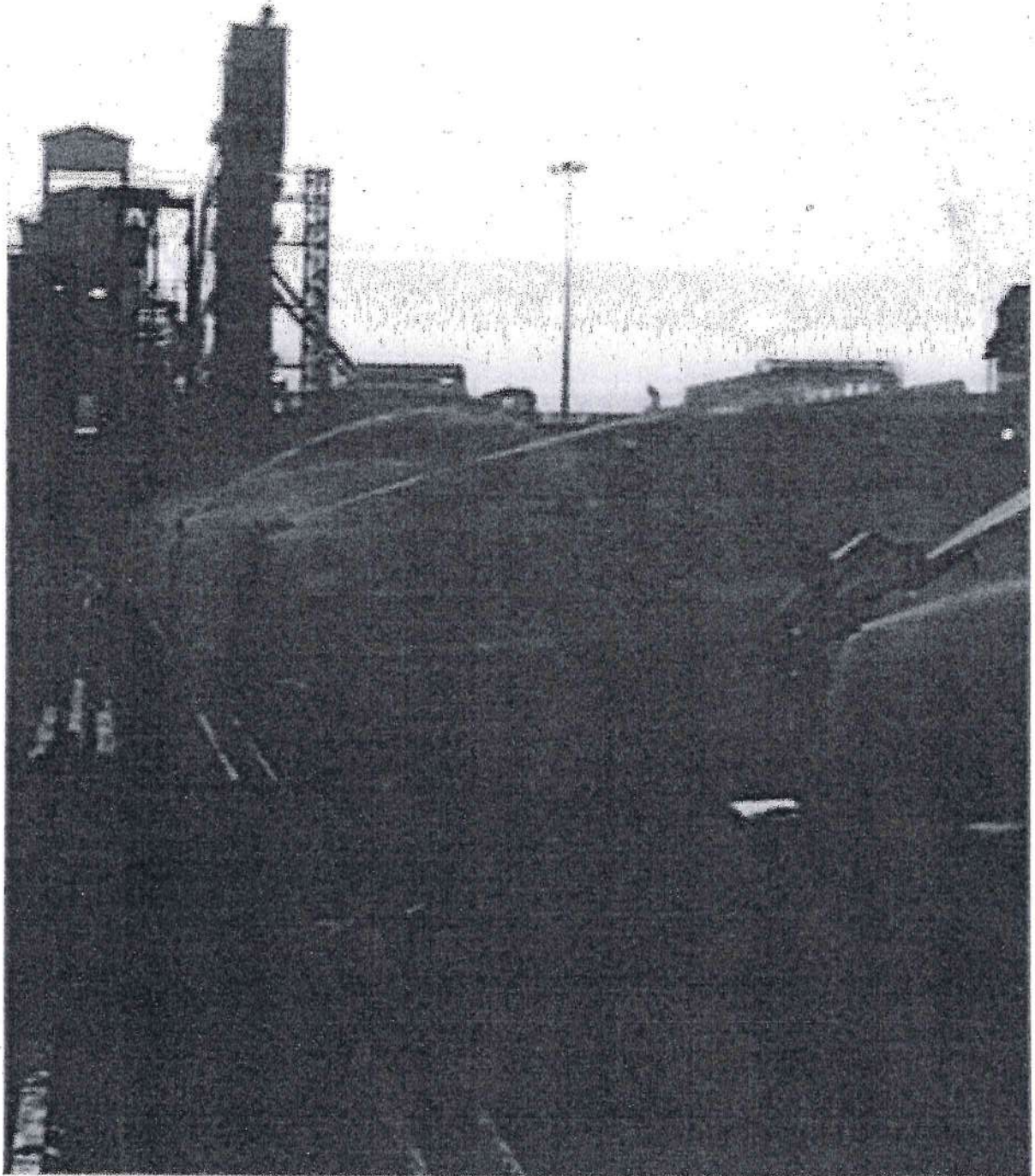
**Photographs showing progress of dust extraction system in coal day bin secondary and tertiary screen house**



Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in



**Water sprinkling activity in coal yard:**



Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 • E-mail : projectamd@rspl.net.in

**ANNEXURE A19 copy**

RSPL/CCG/VKG/ENV-004/075/2018-19

Date: 02.08.2018

The Regional Officer,  
Gujarat Pollution Control Board,  
Sardar Patel Commercial Complex,  
Rameshwar Nagar,  
Kasturba Gandhi Vikas Gruh Marg,  
Bedi Bandar Road,  
Jamnagar-361008

Sub.: GPCB officials' site visit dated 17.07.2017

Dear Sir,

This has reference to the site visit carried out by officials of Gujarat Pollution Control Board, Jamnagar at our Soda Ash Project site located at Village Kuranga, Taluka Dwarka, District Devbhumi Dwarka.

In this connection, as desired during the site visit, we are submitting herewith the details as Enclosure I.

Hope you will find this in order.

Thanking you,

Yours faithfully,  
For RSPL LIMITED



Authorized Signatory

Encl.: As above

02/08/18  
GUJARAT POLLUTION CONTROL BOARD  
Sardar Patel Bhawan, Rameshwar Nagar,  
Jamnagar-361008

## Enclosure I

Sr. No.	Particulars	Details
01.	Present status of Soda Ash Project	<p>The Project is at advanced stage of completion and start-up activities will be taken up in phased manner after mechanical completion.</p> <ul style="list-style-type: none"><li>• Engineering completion – 98 %</li><li>• Overall Construction Completion – 85 – 90 %</li><li>• Raw Materials – Major Raw materials necessary for plant start up i.e. Limestone (Imported), Salt and Coal (Imported) received at site.</li></ul> <p>Pre-commissioning trial run activities are in progress.</p>
02.	To comply EC conditions during construction phase	Noted and agreed.
03.	EC Compliance Report	EC Compliance Report has already submitted to your office vide our letter No. RSPL/CCG/VKG/ENV-002/042/2018-19 dated 15.06.2018. Copy of the same is reproduced herewith for your ready reference please.

-----

RSPL/CCG/VKG/ENV-004/114/2018-19

-Date: 03-12-2018

The Regional Officer,  
Gujarat Pollution Control Board,  
Jamnagar

Sub.: GPCB site visit dated 28.11.2018

Dear Sir,

This refers to the site visit carried out by officials of GPCB, Jamnagar dated 28.11.2018 for Survey No. 540 and area near Survey No. 606 at RSPL Project site located at Village Kuranga, District Devbhumi Dwarka.

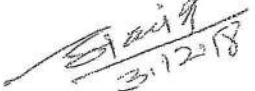
In this context we wish to inform you as under:

1. The land owner of Survey No. 540 has excavated a trench within his plot area may be to collect rain water, as a result of which the run-off rain water got collected in the excavated trench. Further we also like to inform you that the aforesaid agriculture land is being used for commercial purpose. Some shops are being operated within the plot area. Wastewater and solid waste generated by the shops is also getting collected in the trench.  
However, we have deployed our pumps for dewatering the trench. (Photographs attached as Annexure-I).
2. The land near Survey No. 606 belongs to RSPL Limited. We have dewatered our plot area as per directives. (Photographs attached herewith as Annexure-II).

Hope our above actions are satisfactory as per your direction.

Thanking you,

Yours faithfully,  
For RSPL LIMITED

  
3.12.18  
Authorized Signatory

Encl.: As above



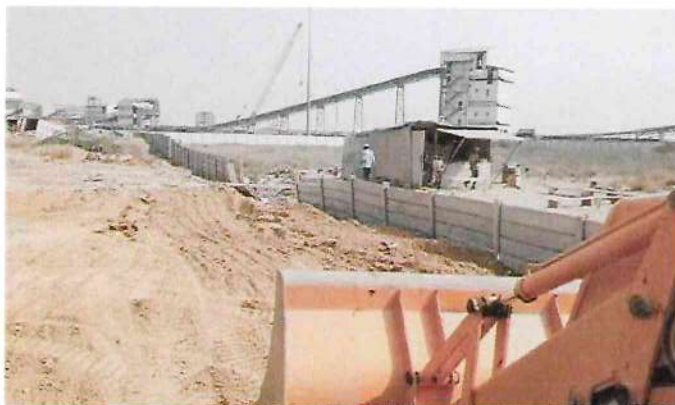
[Dewatering from the trench of Plot No.540]



[After dewatering from the trench]



[Shop nr. trench and solid waste in trench]



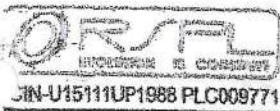
[No agricultural activity in plot no. 540]



[Shops in plot no.540]



[Area near Plot No. 606 is dewatered]



o/c 1545

**RSPL LIMITED**

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608; Fax No. - 079 - 29701606 \* E-mail : projectamd@rspl.net.in

**ANNEXURE A 20 COLLY**

RSPL/CCG/VKG/ENV-004/124/2020-21

Date: 31/12/2020

To,  
The Vigilance Officer,  
Paryavaran Bhavan, Sec. 10 A,  
Gujarat Pollution Control Board,  
Gandhinagar

Sub.: Compliance status report w.r.t. GPCB site visit dated 29.12.2020 for Soda Ash Plant of RSPL LIMITED at Village Kuranga, District Devbhumi Dwarka (ID:43851)

Dear Sir,

Please find below our reply in respect of actions taken to the inspection remarks pointed out during the site visit of GPCB officials vide dated 29.12.2020.

S. No.	Inspection Remarks	Compliance Status
1	A care to be taken that any wastewater/contaminated rainwater runoff from your plant do not go to other lands (Survey No. 540, 598, 475) within your plant premises.	We are not discharging any effluent on land. Effluents from different units is collected in the mixing pond which is then diluted with seawater and once through return cooling water and being discharged as per norms into the Arabian Sea at a location recommended by NIO.  Further, the water quality of runoff/storm water during monsoon season is also monitored at various significant points leading to natural drains.  All due care is being taken & will be ensured further that no runoff rainwater goes to other land within our plant premises.
2	During visit heavy fugitive emission has been observed from coal crusher shed and coal conveyor transfer points and coal particles has been observed on nearby open land, internal roads and in the land of Survey No. 540. All necessary steps to be taken to mitigate fugitive emissions.	Dust extraction and dust suppression system has been provided to minimize and control the suspended particles in surrounding. Water sprinkling system has also been provided to reduce fugitive emission.  The high wind velocity during this season also sometimes leads to get the dust particles air borne.  However, the necessary steps have been taken immediately to make the system more effective to mitigate the fugitive emissions.

*D*  
02/12/2021  
Gujarat Pollution Control Board  
Head Office  
Sector No. 10-A,  
Gandhinagar-382010

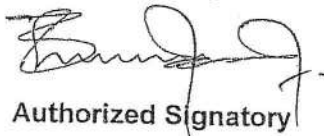


Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 • E-mail : projectamd@rspl.net.in

3	As per the reading of Online Monitoring System installed at Captive TPP stack values recorded are PM - 103.09 mg/nm <sup>3</sup> , SO <sub>2</sub> - 67 mg/nm <sup>3</sup> , NO <sub>x</sub> - 4.9 mg/nm <sup>3</sup> . To control PM in permissible limits, efficiency of ESPs to be increased.	<p>ESPs along with adequate stack height (122.0 m) have been provided for coal/lignite fired-boiler to control particulate emissions and for dispersion of emissions.</p> <p>The air load test being conducted may have led to increase in PM emission.</p> <p>The necessary steps have already been taken to increase the efficiency of ESPs.</p>
4	Details related to Production, Water Usage, Wastewater Discharge, Ammonia, Ammonium Carbonate and HCl purchase, Sludge Generation and stock for last 3 months to be furnished within 3 days.	<p>Details related to Production, Water Usage and Wastewater Discharge, Sludge Generation for last 3 months are attached herewith as an <b>Annexure-1(a)</b>.</p> <p>Details related to Ammonia, Ammonium Carbonate and HCl are attached herewith as an <b>Annexure-1(b)</b>.</p>

Thanking You.

Yours Faithfully,  
For RSPL LIMITED



Authorized Signatory

Encl.: As above

Copy to: The Sr. Environmental Engineer  
Gujarat Pollution Control Board  
Gandhinagar-382010

## Annexure-1(a)

Details related to Soda Ash Production, Water Consumption, Wastewater Generation and sludge for last 3 months

Month	Soda Ash Production (MT)	Water Consumption (M <sup>3</sup> /Month) Intake (Drawl)	Wastewater Generation (M <sup>3</sup> /Month) Outfall (Discharge)
September, 2020	32055	10075302	10060089
October 2020	39199	10831379	10815024
November 2020	37147	11643339	11625758
<b>Total</b>	<b>108401</b>	<b>32550020</b>	<b>32500871</b>

- > The sludge generated after cleaning of pump house is approximately 32000 cum till date.

Annexure-1(b)

Details related to Ammonia, Ammonium Carbonate and HCl for last 3 months

Month	Ammonia (MT)	Ammonium Carbonate (MT)	HCl (MT)
September, 2020	137.15	341.315	918.4
October 2020	121.32	344.710	939.78
November 2020	166.86	293.175	986.94
<b>Total</b>	<b>425.2</b>	<b>979.2</b>	<b>2845.12</b>


RSPL/CCG/VKG/ENV-004/047/2019-20

Date:-

17.07.2019

19

The Regional Officer,  
Gujarat Pollution Control Board,  
Jamnagar

  
26-7-2019  
GUJARAT POLLUTION CONTROL BOARD  
Sardar Patel Bhavan, Rameshwar Nagar  
Jamnagar-361008

Sub.: GPCB site visit dated 10.07.2019 for RSPL Soda Ash Plant at Village Kuranga,  
Dist. Devbhumi Dwarka

Dear Sir,

Please find below our point-wise reply in respect of action taken to the inspection remarks pointed out during the site visit of GPCB dated 10.07.2019.

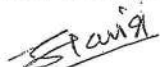
S. No.	Inspection Remark	Reply
01.	Alkaline water has been found in kachcha open drain near Calciner unit, Arrangement should be made to take drain water into mixing pond of ETP & make a parallel wall around calciner unit to avoid water discharge outside.	We would like to inform you that we have dewatered the drain as suggested by GPCB Officials, we have already started construction of parapet wall to avoid water discharge outside the plant.  The Parapet wall will be ready before 30 <sup>th</sup> July which will completely take care of effluent entering into storm water drain.
02.	Make all the storm water drains for disposal of rain water pakka (proper drainage system) around all the plant units.	We have already started the work of storm water drainage all around the plant units. All these drainage will be pucca in nature. This work is expected to be completed within 2 to 3 months.
03.	Due to leakage in Gland of Soda Ash Cooler (B) water has been found on the floor it should be immediately closed/stopped. pH of the same has been found alkaline.	We have already taken the action on this point and stopped the leakage in Gland of Soda Ash Cooler (B). Now no water can be observed on the floor.
04.	Heavy fugitive emissions have been observed in calcination plant (Unit: 5). It should be immediately closed/stopped.	During the visit the fugitive emissions were due to calciner tripping, which is now being addressed and work will be completed by 30 <sup>th</sup> July.
05.	Dust emissions have been observed from inspection valves of total 16 conveyer belts in calciner unit. It	As you must have observed during the visit that our conveyer belts are covered, however during the visit the emissions were observed from inspection valves of the conveyer belt. We have immediately taken the action and now emissions are

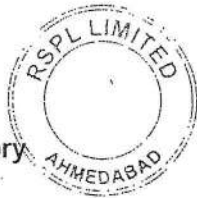
	should be immediately controlled/ stopped. Improve Housekeeping.	under control. We are herewith submitting the recent pictures of the plant as Annexure-I, depicting the present housekeeping of the plant.
06.	Complete the work of Coal shed.	Covering of the coal yard shed is nearly 60% complete. It is expected to complete the shed covering work within 2 months time. Photographs showing the progress is enclosed herewith as Annexure-II.
07.	Cover the fly-ash area from four sides.	We have started the covering the fly ash, so that it does not get air borne .Water sprinkling has also been started and the work will be completed by 30th July.
08.	OEEMS for air and water monitoring shaall be installed and it should be informed to GPCB	We have already Installed online air and effluent monitoring systems which are operational.

We hope our above actions are satisfactory as per your directions.

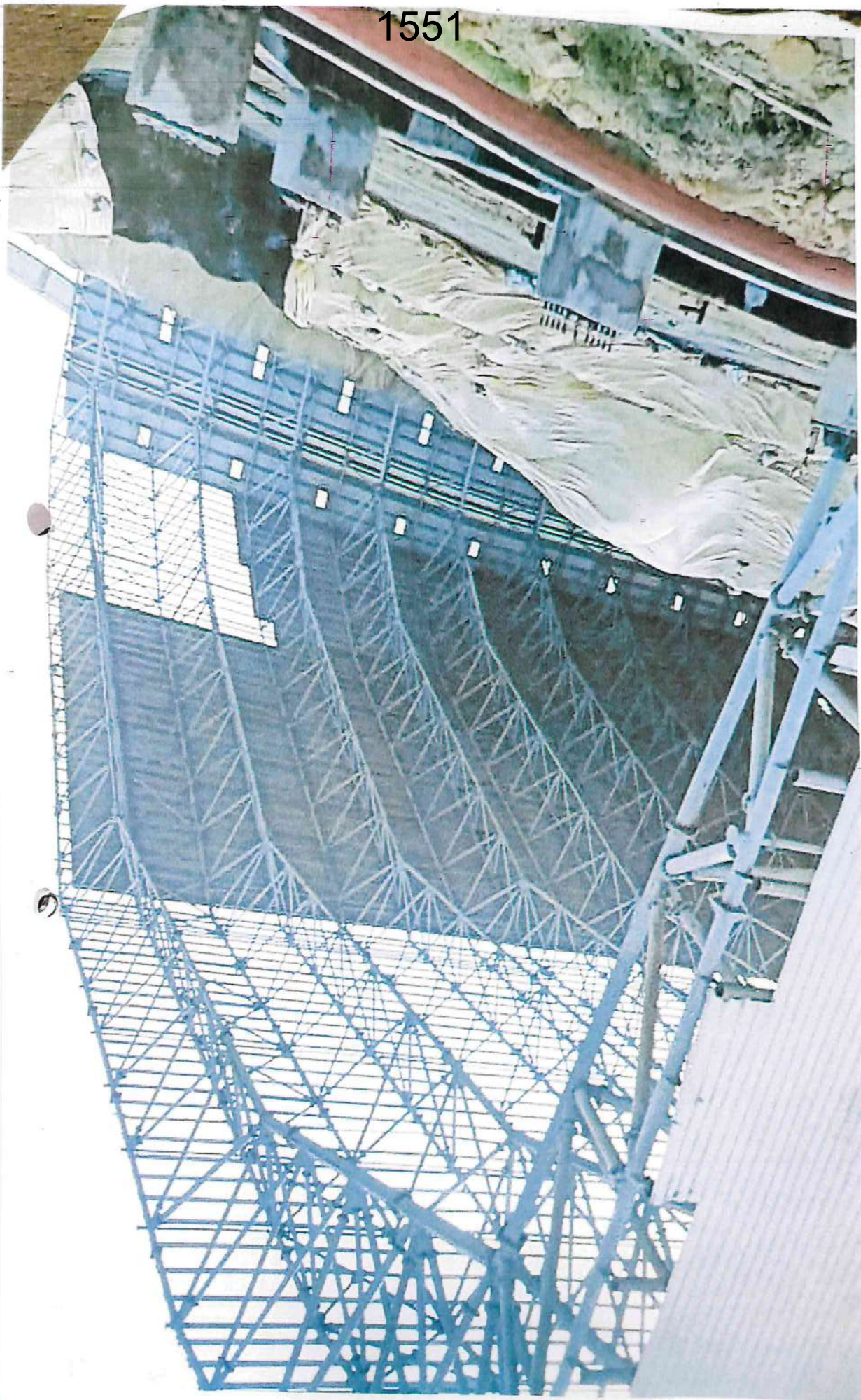
Thanking You.

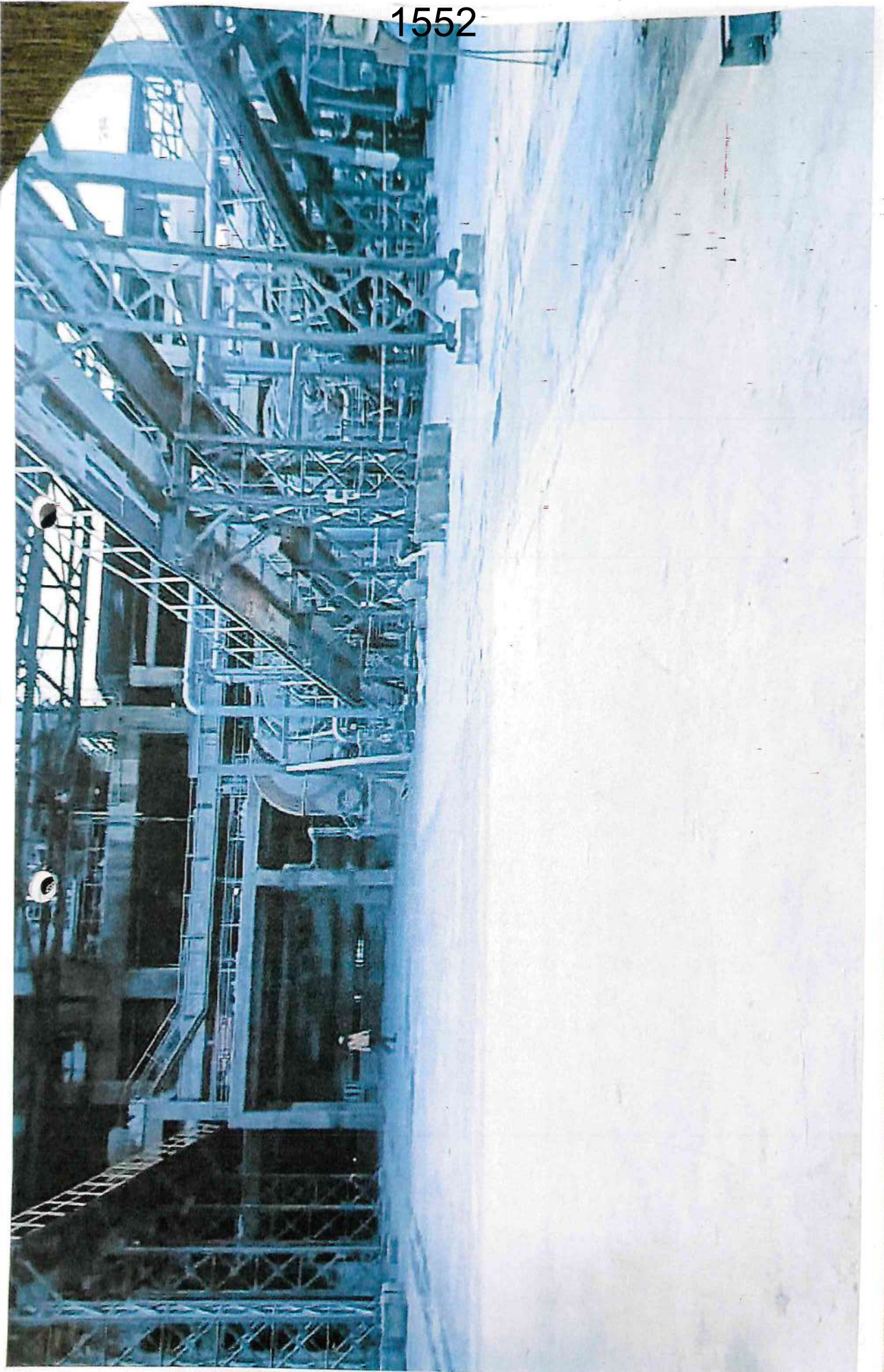
Yours faithfully,  
For RSPL LIMITED

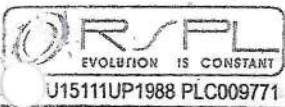
  
Authorized Signatory



Copy to: Unit Head (Sr. Environmental Engineer)  
Gujarat Pollution Control Board  
Gandhinagar -382 010







Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

RSPL/CCG/VKG/ENV-004/ 072/2019-20

Date: 05.09.2019

The Regional Officer,  
Gujarat Pollution Control Board,  
Jamnagar

Sub.: Compliance status report w.r.t. GPCB site visit dated 10.07.2019 for Soda Ash Plant of RSPL Limited at Village Kuranga, District Devbhumi Dwarka (ID: 43851)

Dear Sir,

Kindly refer to our earlier submitted action taken report vide our letter dated 17.07.2019 w.r.t. GPCB site visit dated 10.07.2019.

In continuation to same, we are hereby submitting point-wise compliance status report against inspection remarks pointed out during the site visit of GPCB dated 10.07.2019.

S. No.	Inspection Remark	Compliance status
01.	Alkaline water has been found in kachcha open drain near Calciner unit, Arrangement should be made to take drain water into mixing pond of ETP & make a parallel wall around calciner unit to avoid water discharge outside.	We would like to inform you that we have dewatered the drain and arrangement has been made to take drain water into mixing pond of ETP.  As suggested by GPCB Officials, we have completed construction of parapet wall surrounding the calciner unit to avoid water discharge outside.
02.	Make all the storm water drains for disposal of rain water pakka (proper drainage system) around all the plant units.	There is already storm water drainage around all the plant units and now these drains are being converted into pukka drains. Progress work of same is attached as Annexure-I.
03.	Due to leakage in Gland of Soda Ash Cooler (B) water has been found on the floor it should be immediately closed/stopped. pH of the same has been found alkaline.	Gland leakage from Soda Ash Cooler (B) has already been arrested by providing a pipe to collect in the Soda Ash Solution pit.
04.	Heavy fugitive emissions have been observed in calcination plant (Unit: 5). It should be immediately closed/stopped.	The fugitive emissions observed were attended then and there. It will be ensured to avoid such re-occurrence.

GUJARAT POLLUTION CONTROL BOARD

Sardar Patel Bhavan, Rameshwar Nagar  
Jamnagar-361008

05.	Dust emissions have been observed from inspection valves of total 16 conveyer belts in calciner unit. It should be immediately controlled/ stopped. Improve Housekeeping.	During the site-visit of GPCB officials, some lids of conveyer boxes wherever not properly closed were attended.
06.	Complete the work of Coal shed.	Maximum portion of infrastructure installation for covered shed of coal storage yard is already completed. Side claddings of coal shed are also completed. Roof shed of 100 m is already completed and remaining work is in progress on urgent basis.  The entire coal stock is being temporarily covered with tarpaulin and shall ensure coal remains covered. Progress work of coal shed is attached as <b>Annexure-II</b> .
07.	Cover the fly-ash area from four sides.	Fly ash area has been covered, so that it does not get air borne. Photographs showing covered fly ash area are attached as <b>Annexure-III</b> .
08.	Connect the OEEMS for air and water parameters with servers and inform to the Board	We have connected online emissions and effluent monitoring systems for air and water parameters with server.

The above observations have been addressed and request your kind authority to process our consent to operate proposal.



Thanking You.

Yours faithfully,  
For **RSPL LIMITED**

  
Authorized Signatory

Copy to: Sr. Environmental Engineer  
Gujarat Pollution Control Board  
Gandhinagar -382 010

Progress work of pakka storm water drain

<p>01.</p>	 A close-up photograph showing a long, narrow, U-shaped concrete storm water drain channel. The channel is set within a shallow trench that has been excavated into the ground. The surrounding area is a construction site with dirt, gravel, and some structural steel beams visible in the background.
<p>02.</p>	 A wide-angle photograph of a concrete storm water drain channel. The channel runs horizontally across the frame, set in a trench. In the background, there are several large industrial buildings under construction, with visible steel frameworks and cranes. The ground is mostly dirt and gravel, indicating an active construction site.

Progress of coal-shed work



Covered Fly Ash area

01.



RSPL/CCG/VKG/ENV-004/161/2018-19

Date: 14.03.2019

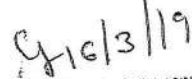
The Regional Officer,  
 Gujarat Pollution Control Board,  
 Jamnagar

Sub.: Reply to the letter issued to us vide dated 08.03.2019 regarding the observations pointed out by you during the site visit of our Soda Ash plant at Kuranga, District Devbhumi Dwarka

Dear Sir,

Please find below our point wise reply in respect of action taken to the inspection remarks pointed out during the site visit of GPCB on dated 08.03.2019.

S. No.	Inspection Remark	Reply
01.	Work of making shed in the coal yard work is in under progress. Complete the job immediately	The coal stockyard shed has been designed to cover the coal stockyard and yard equipment- Stacker / Reclaimer. At present the shed is under construction stage. The work for shed completion is going on war footing basis and shall be completed soon. Since we have commissioned only one stream and our inventory of coal at this stage is being kept at minimal level. Till shed is covered with roof and side cladding, it is being ensured that coal stock remains temporarily covered with tarpaulin. Further action has also been taken to prevent dust formation by providing the water sprinkler system for moistening / wetting the coal. The water sprinkling system has been installed along the coal stock pile with two row system of 16 nozzles in each row as per design covering the stock pile.
02.	Follow all the conditions of CCA.	Noted. The conditions of CCA shall be strictly followed with.
03.	Online monitoring system in the Boiler that has been installed needs to be calibrated on immediate basis and make it functional.	Online monitoring system has been calibrated.

  
**GUJARAT POLLUTION CONTROL BOARD**  
 Sardar P. B. Bhavsar, Panchsheel Nagar  
 Jamnagar

04.	Water table in survey number 540 is 3 feet. Please clarify.	Since the said survey No.540 is near sea shore and due to its proximity to sea, the water table may be shallow at some places. However as stated earlier also vide our letter dated 03.12.2018 that the land owner of Survey No. 540 has excavated a trench within his plot area may be to collect rain water, as a result of which the run-off rain water got collected in the excavated trench. Further we also like to inform you that the aforesaid agriculture land is being used for commercial purpose. Some shops are being operated within the plot area. Wastewater and solid waste generated by the shops is also getting collected in the trench.
-----	---	--

We hope our above actions are satisfactory as per your directions.

Thanking You.

Yours faithfully,

For RSPL LIMITED

  
14.3.19

Authorized Signatory

Copy to : Gujarat Pollution Control Board (HO), Gandhinagar -382 010

RSPL LIMITED

CIN-U15111UP1988 PLC009771

Ahmedabad Office : C-1/C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Pradhaf Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 • E-mail : projectamd@rspl.net.in

આરએસપીએલ/સીસીજી/ઈનવી-003/16/2019-૧૮

તા. 27/04/17

પ્રતિ,  
શીજીયોનલ ઓફિસરશ્રી,  
ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડ,  
સરદાર પટેલ કોમર્શીયલ કોમ્પ્લેક્સ,  
રામેશ્વરનગર, કસ્તુરબા ગાંધી વિકાસગૃહ માર્ગ,  
બેડી બંદર રોડ, જામનગર-૩૬૧૦૦૮

વિષય:- શ્રી. પી. સી. બી. જામનગરના અધિકારીશ્રીની તા. ૨૧/૦૪/૨૦૧૭ની અમારા સોડા એશ પ્રોજેક્ટ પરની સાઈટ વીઝીટ બાબત

મહેરબાન સાહેબશ્રી,

ઉપરોક્ત વિષય પરત્વે જ્યભારત સાથે જણાવવાનું કે, શ્રી. પી. સી. બી. જામનગરના અધિકારીશ્રી ધ્વારા તા. ૨૧/૦૪/૨૦૧૭ નાં રોજ અમારા પ્રસ્તાપિત સોડા એશ પ્રોજેક્ટની સાઈટ વીઝીટ કરવામાં આવેલ હતી.

સાઈટ વીઝીટ દરમ્યાન શ્રી. પી. સી. બી. ના અધિકારીશ્રી ધ્વારા આપવામાં આવેલ સુચનાઓ પર અમારી નીચે મુજબની રજૂઆતો ધ્યાને લેવા આપ સાહેબશ્રીને નમ્ર અરજ છે.

- (૧) અમો ધ્વારા સી-પોટર ઈન્ટેક માટેની માર્કીટો ટનલનું કામ પ્રગતિમાં છે. માર્કીટોનલીંગના કામ દરમ્યાન તેમાંથી નીકળતી સ્વરી / ગંદા પાણીને અમો ધ્વારા અમારી પ્રીમાઈસીસમાં જ સંગ્રહ કરવામાં આવે છે. અમો ધ્વારા સ્વરી આસપાસના ખેતરોમાં જાય નહી તેની પુરતી તકેદારી રાખીને યોગ્ય સંગ્રહ કરી રહ્યા છીએ. જેનું બાષ્પીભવન થયા બાદ અમારી પ્રીમાઈસીસમાં જ પુરણકામમાં ઉપયોગમાં લેવાશે.
- (૨) વધુમાં અમોને આપેલ સૂચના મુજબ અમો ધ્વારા સ્વરીના યોગ્ય સંગ્રહ બાબતે જણાવવાનું કે, અમો ધ્વારા પાળાની ઉંચાઈ અને જરૂરી મજબુતાઈ બાબતેની કામગીરી કરવામાં આવેલ છે. જે દર્શાવેલા ફોટા આપ સાહેબશ્રીની જાણ સારૂ આ સાથે સામેલ કરીએ છીએ.
- (૩) બાષ્પીભવન થયા બાદ ઘટ થયેલી સ્વરીનો અમારી પ્રીમાઈસીસમાં જ પુરણ કામમાં ઉપયોગમાં લેવાનો હોવાથી આસપાસના વિસ્તાર પર કોઈ આડ-અસર થવાની સંભાવના નથી.

અમો આશા રાખીએ છીએ કે, અમો ધ્વારા લેવામાં આવતી / આવનાર તકેદારીઓને લીધે આસપાસના ખેતરમાં સ્વરી જવાનો કોઈ પ્રશ્ન નથી.

આભાર સહ..

આપનો વિશ્વાસુ,  
આરએસપીએલ લી. વતી

ચેતીવેરાઈઝડ સીગ્નેટરી

બિડાણ:- ફોટોગ્રાફસ

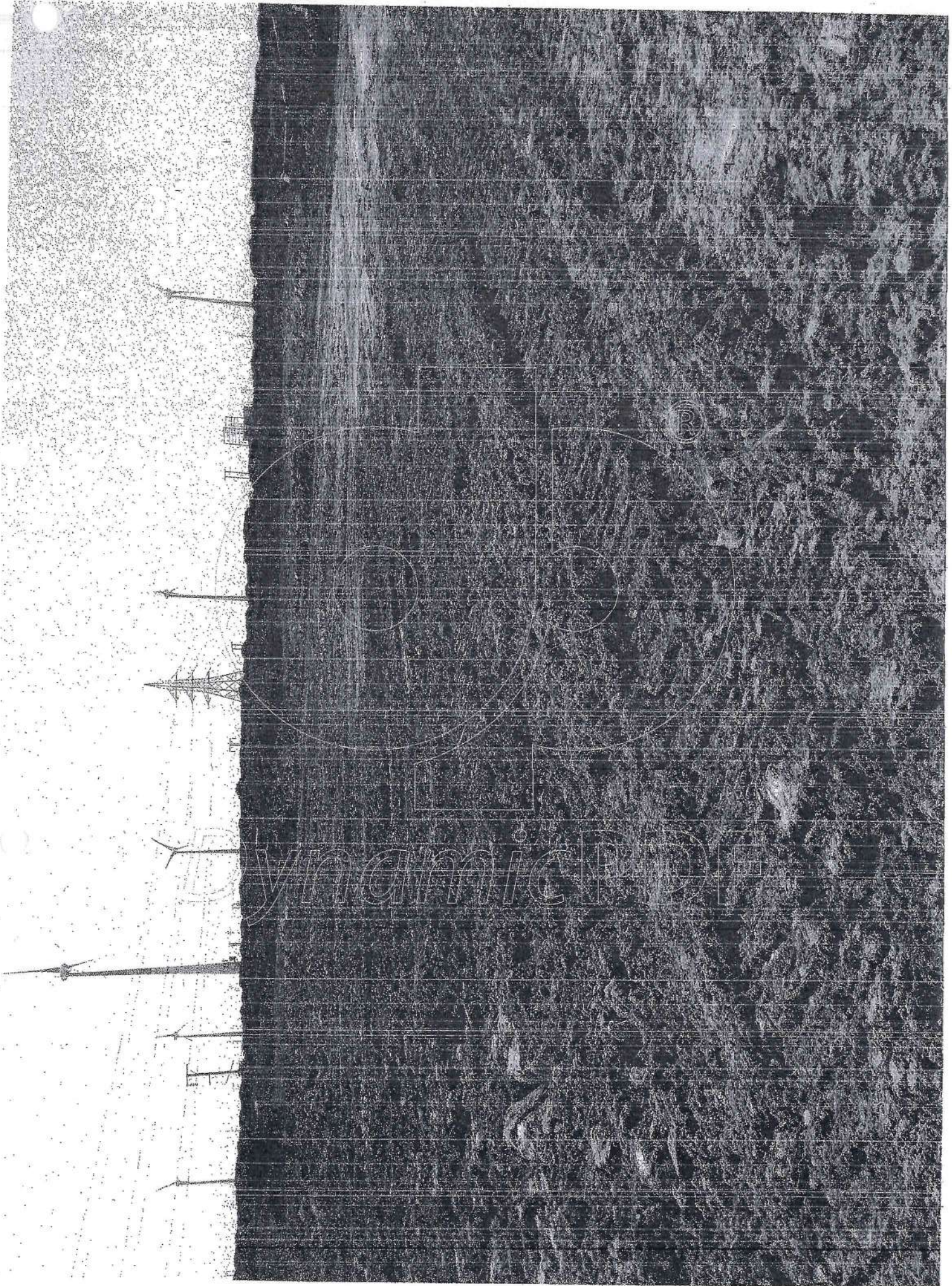
નકલ રવાના :-

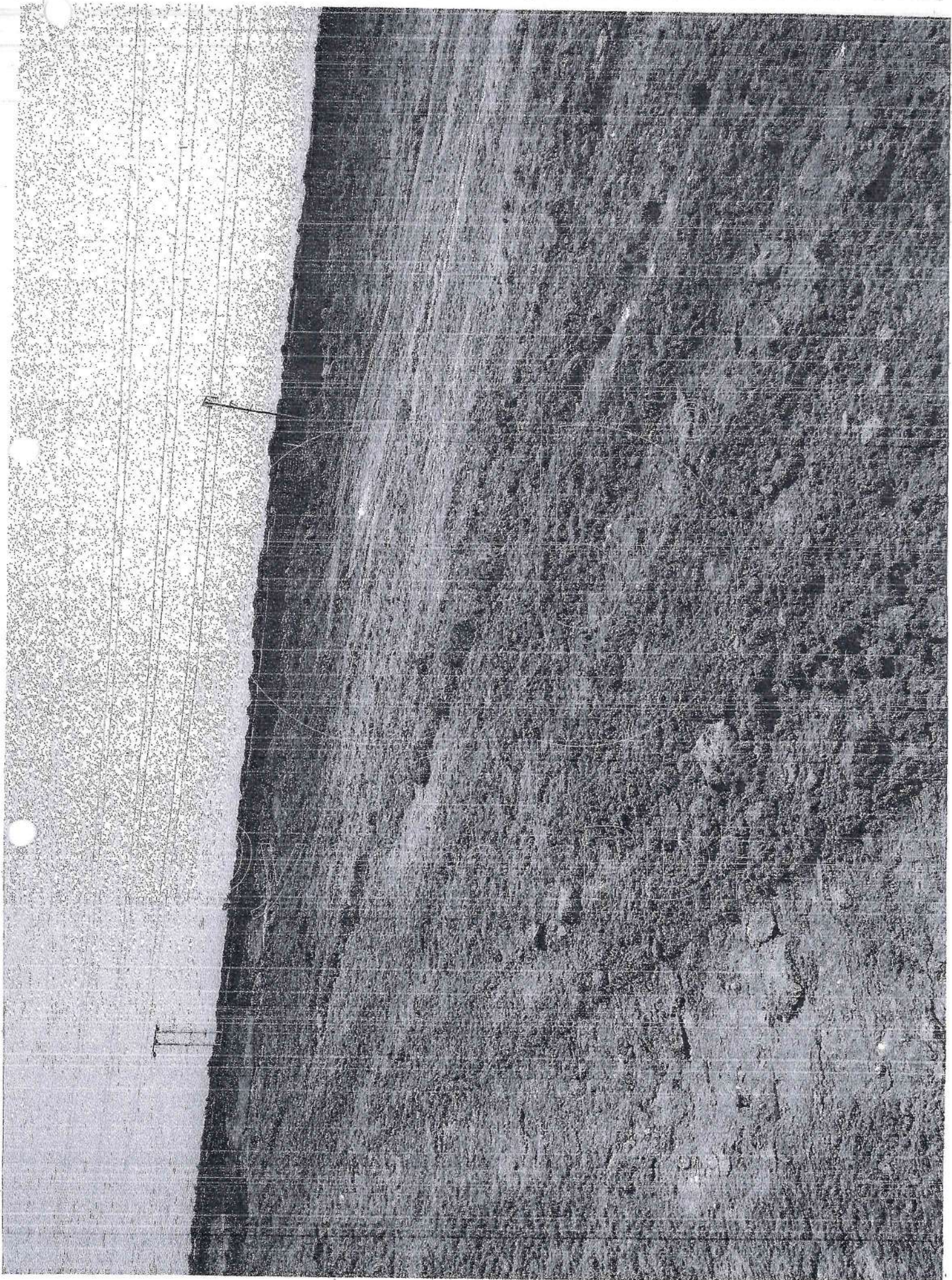
શ્રી આર. વી. પટેલ

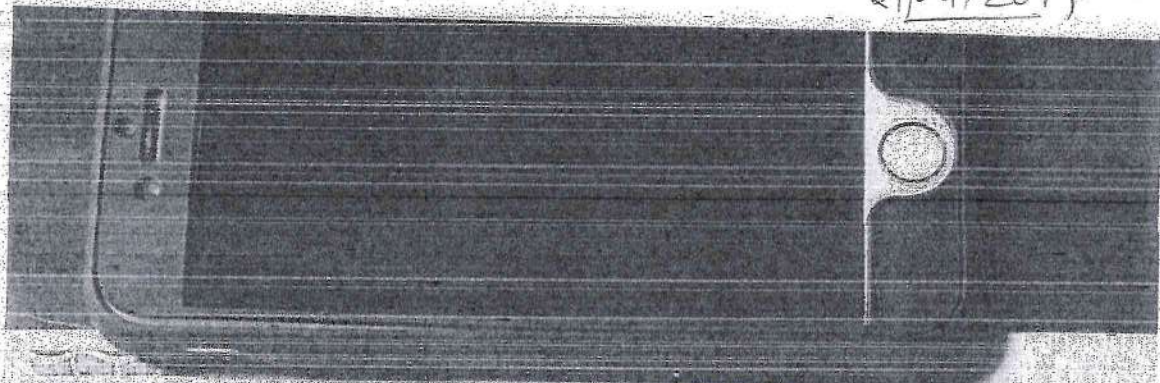
સીનીયર એન્વાયરમેન્ટલ એન્જીનીયર શ્રી,

ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડ, પર્યાવરણ ભવન, સેક્ટર-૧૦-એ, ગાંધીનગર.

Gujarat Pollution Control Board  
Sector No. 10 A,  
Gandhinagar-382 010







સુભાષ ટ્રેડિંગ કંપની, માણગાર ૩૬૧ ૦૦૧  
ફોન : (૦૨૮૮) ૨૭૫૨૩૬૬

આપના કમ્પ્યુટર સિસ્ટમના અધિકારીઓ દ્વારા આપનાં કોમ્પની આજ રોજ રાખેલા બુકાં બુકાં પર્યાવરણીય નિયમોનું આગમન મુલાકાત લેવામાં આવેલ. આપનાં કોમ્પની મુજબ મુલાકાત કરાવવામાં કરેલ અવલોકનની, આપે આપેલ માહિતી, ઉત્પાદનો અને પર્યાવરણીય નિયમોની જોગવાઈઓને આધીન, આપને નીચે મુજબ સુચના આપવામાં આવી છે. જેની પૂર્ણતા અંગેની અહેવાલ (કોમ્પ્લાયન્સ રીપોર્ટ) આ સુચના મળ્યાની તારીખથી તેના અંગેની અંતર આ પત્રિકાની માર્ગ દ્વારા અને સીડીની સહી કરેલી - મુજરાલ પ્રદૂષણ નિયંત્રણ બોર્ડ, પર્યાવરણ મંત્રાલય, સેક્ટર - ૧૦ (સી), મહેતીનગર ખાતે અમુક મોકલી આપવી. તેમ જ જ્યાં આપની આ બાબતે કોઈ સંજ્ઞાલ નથી તેમ જ્યાં, આપનાં કોમ્પ કમ્પાઈન્સ નિયમોની જોગવાઈઓ ને લ્યાને લઈ આગળની કાર્યવાહી કરવામાં આવશે.

(૭ દિવસનાં)

- (૧) કમ્પાઈન્સ રીપોર્ટમાં માટે માલિકી રાખેલાં રૂબરૂ / કોલોની માંથી નીકળતી કચરાની જાંતિ માલિકી વાળાં કાંચા પોલ્ડ નધા જમીન પર ભરી શાખીલ થઈ જઈ પિમાઈશીલ માં થીજ્ય કોંગ્રેટ નધા કાકાલ નો કોન્ટ્રીન રાખ લખાવી કોટા કોટી કાગોની ઉસોવીશાં રીજું ઉસેલા, તથા કોન્ટ્રીન/પ ત્યાં કોન્ટ્રીન માસ ના ખોતરી માં જીથ નહી તોળી. નકીલથી લખાવી.

(૨)

આહેલી મળ્યા છે.

સહી :

નામ : Mr. K. V. Doshi

મુલાકાત લેનાર અધિકારીનું નામ

સહી :

નામ : V. S. Soli

https://m.ai.google.com/mail/u/0/#search/gpb/15b9039fcca18707?projector=1

4/24/2017

DSC\_0361.JPG

RSPL/CCG/KKG/ENV-004/142/2018-19

Date: 11.01.2019

The Regional Officer,  
Gujarat Pollution Control Board,  
Jamnagar

**Sub.:** Reply to the letter issued to us vide dated 02.01.2019 regarding the observations pointed out during the site visit by GPCB – Vigilance, Rajkot.

Dear Sir,

Please find below our point wise reply in respect of action taken to the inspection remarks pointed out during the site visit of GPCB on dated 02.01.2019.

Sl. No.	Inspection Remark	Reply
01.	Dusting was observed from Coal Crusher during the visit.	Dedusting systems (Dust extraction equipment's) have been already installed at the crushing units. Action has been taken to speed up the work to make dedusting system operational at the earliest. Photograph showing the work going on for making the system operational is attached as <b>Annexure – 1</b> . Further action has also been taken to prevent any dust formation by providing the water sprinkler system. The sprinkling system has been immediately installed along the coal stock pile and made operational for misting the coal. Photograph of water sprinklers is attached here with as <b>Annexure – 2</b> .
02.	Complete the work of Coal Storage Yard speedily.	The shed development of coal storage yard is under progress. Maximum portion of infrastructure installation for covered shed of coal storage yard is already completed. The area where the inventory of coal at present is restricted to be stored will be completed with covered shed by April 2019. Action has also been taken to cover the coal stock temporarily with tarpaulin and shall ensure coal remains covered.
03.	Speedily install the online monitoring system (Power Plant).	Online monitoring system for the stack emissions of power plant has been installed.
04.	Calibrate the probe (Ammonia and SS) of online monitoring for effluent.	Calibration of online monitoring for effluent in respect of Ammonia and SS has been done.
05.	Make Pukka roads for all RMH area.	Pukka roads have been made in most of the plant area and other operational areas. Pukka road development in RMH area is also under progress, however action has been taken to speed up the pukka road development in RMH area. The

		motorable GSB roads-in RMH area will be completed by January end 2019. Photograph showing the progress of pukka road development is attached here with as Annexure - 3.
06.	Carry-out dewatering from the farm of Bhayabhai.	As stated earlier also vide our letter dated 03.12.2018 that the land owner of Survey No. 540 has excavated a trench within his plot area may be to collect rain water, as a result of which the run-off rain water got collected in the excavated trench. Further we also like to inform you that the aforesaid agriculture land is being used for commercial purpose. Some shops are being operated within the plot area. Wastewater and solid waste generated by the shops is also getting collected in the trench. However, we have again deployed our pumps as per your directives and the trench has been dewatered. (Photographs attached as Annexure-4)

We hope our above actions are satisfactory as per your directions.

Thanking You.

Yours faithfully,  
For **RSPL LIMITED**



**Authorized Signatory**

**Encl.: As above**

**Copy to:**

- The Member Secretary,**  
Gujarat Pollution Control Board  
Gandhinagar -382 010
- Gujarat Pollution Control Board – Vigilance**  
Race Course Ring Road, Near Union Bank of India, Rajkot – 360001.

**Work going on for making the dust extraction system operational:**



**Water sprinkling activity in coal yard:**



Annexure – 3

Photograph showing the progress of pukka road development:



Dewatering activity from the plot of survey No. 540:



RSPL/CCG/VKG/ENV-004/160 /2018-19

Date: 11.03.2019

The Sr. Environmental Engineer,  
Gujarat Pollution Control Board,  
Gandhinagar

(04/3/19)

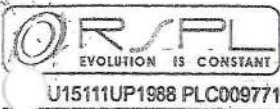
Sub.: Reply to the show-cause notice issued to us vide dated 05.03.2019 regarding the observations pointed out during the site visit by GPCB officials on 02.01.2019.

Dear Sir,

Please find below our point wise reply with respect to the subject matter.

S. No.	Inspection Remark	Reply
01.	It was found during the site visit that, regular de-dusting has not been done from transfer point.	<p><b>Coal Crushing / Screening System (Transfer Towers) :</b></p> <ul style="list-style-type: none"> <li>De-dusting systems (Dust extraction equipment's) have been already installed at the coal crushing /screening units. However the de-dusting system was not operational during the inspection of GPCB officials on 02.01.2019. The same was being pointed out by the inspecting authority vide letter dated 02.01.2019 and replied vide our letter dated 11.01.2019. The action was immediately taken on war footing basis to make de-dusting system operational at the earliest.</li> <li>There are two crushing / screening stations. The de-dusting system at the secondary crusher has been made operational. While de-dusting system at primary crusher is partly completed and will be operational by last week of March 2019. (Photographs showing the progress is attached as Annexure-1)</li> <li>Further action has also been taken to prevent dust formation by providing the water sprinkler system for moistening / wetting the coal. The water sprinkling system has been installed along the coal stock pile with two row system of 16 nozzles in each row as per design covering the stock pile.(Photograph of water sprinklers is attached herewith as Annexure-2)</li> </ul>
02.	Coal was not covered in the coal storage area by unit.	<p><b>Coal stack yard shed</b></p> <ul style="list-style-type: none"> <li>The coal stockyard shed has been designed to cover the coal stockyard and yard equipment – Stacker / reclaimer. At present the shed is under construction stage. Since we have commissioned only one stream and our inventory of coal at this stage is being kept at minimal level. Till shed is covered with roof and side cladding, It is being ensured that coal stock remains temporarily covered with tarpaulin.</li> </ul>

11/3/19  
Gujarat Pollution Control Board  
Sector No. 19 A,  
Gandhinagar - 382 010



Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
 Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

Further you would appreciate that we have chosen the world's best available technology for design, engineering, erection and commissioning of our Soda Ash Plant. The basic engineering of our plant is from NIOCHIIM, Ukraine and detailed engineering has been done by JACOBS. The structures, installations and all other statutory compliance related equipment's specifically environment /de-dusting/dust suppression etc.have been installed and being commissioned under the supervision of JACOBS Engineering.

We are in constant procedure of making the control measures fully functional and operational and hence we would now request your good office to give us 4 -6 weeks' time to achieve the desired norms/standards.

Thanking You.

Yours faithfully,  
 For RSPL LIMITED

*[Handwritten Signature]*  
 11.3.19

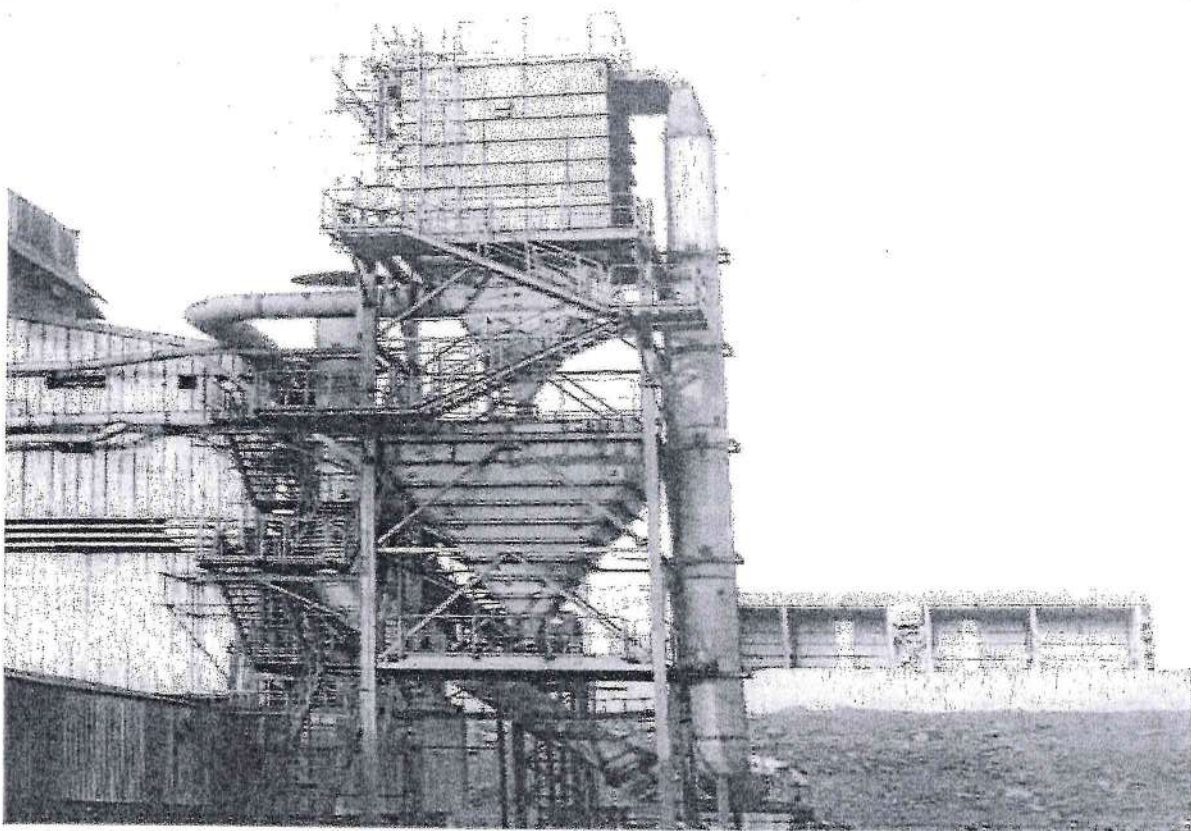


Authorized Signatory

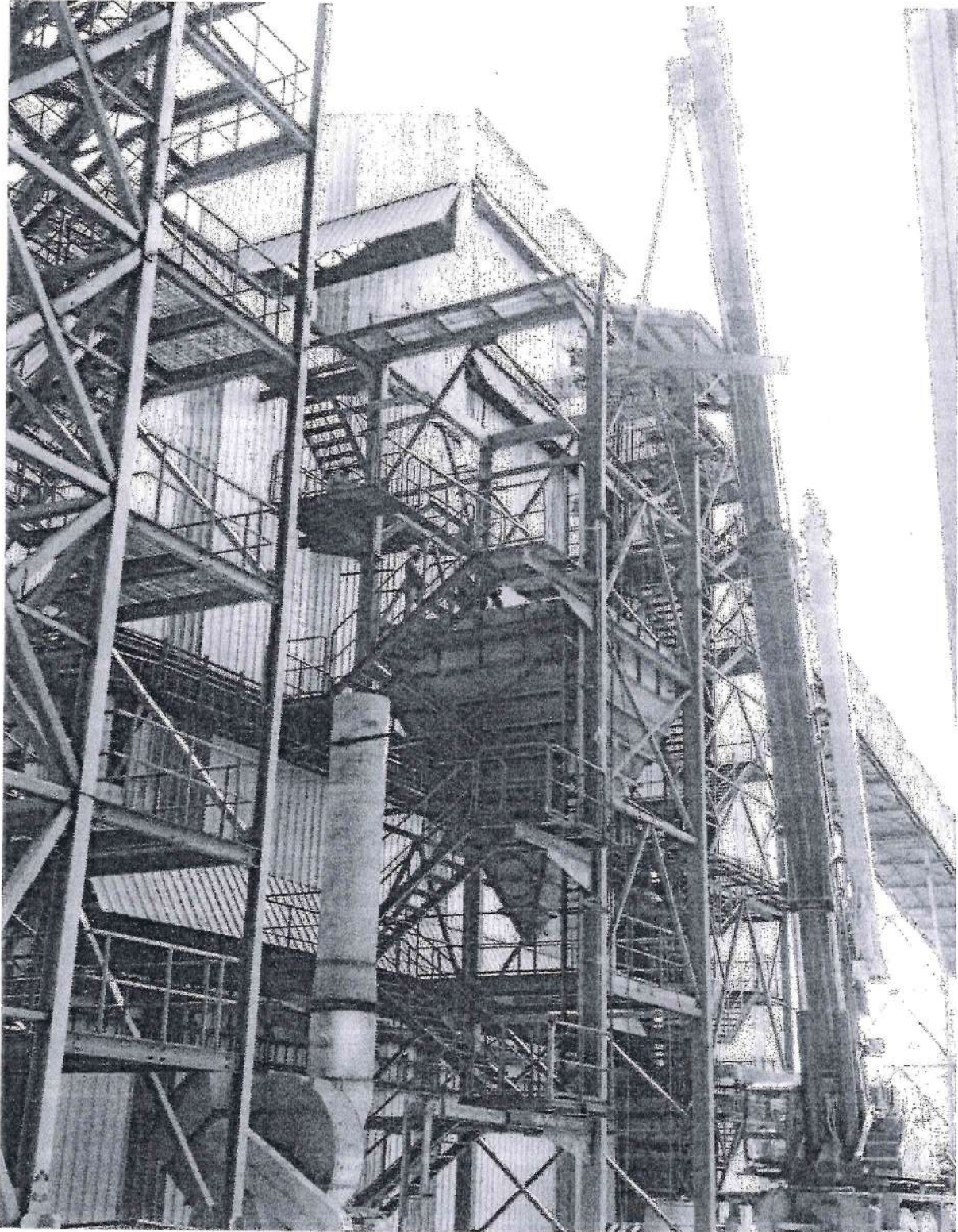
Encl.: as above

**Annexure-1**

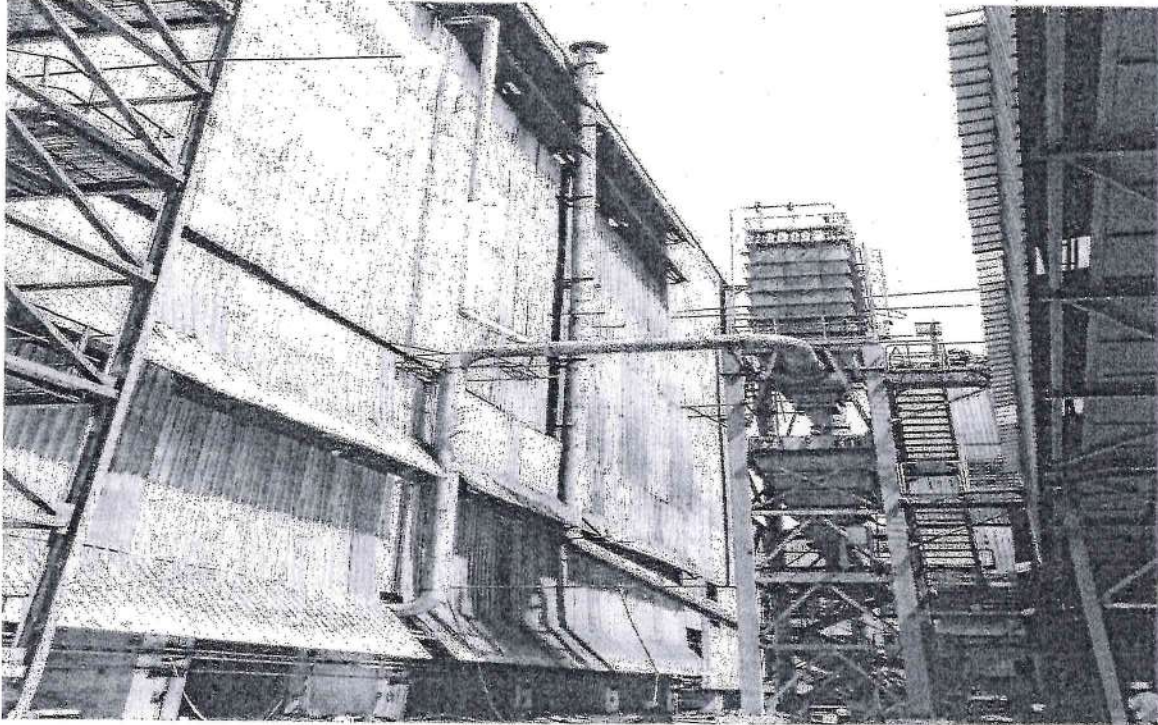
**Dust extraction system installed and operational in Secondary Crusher area:**



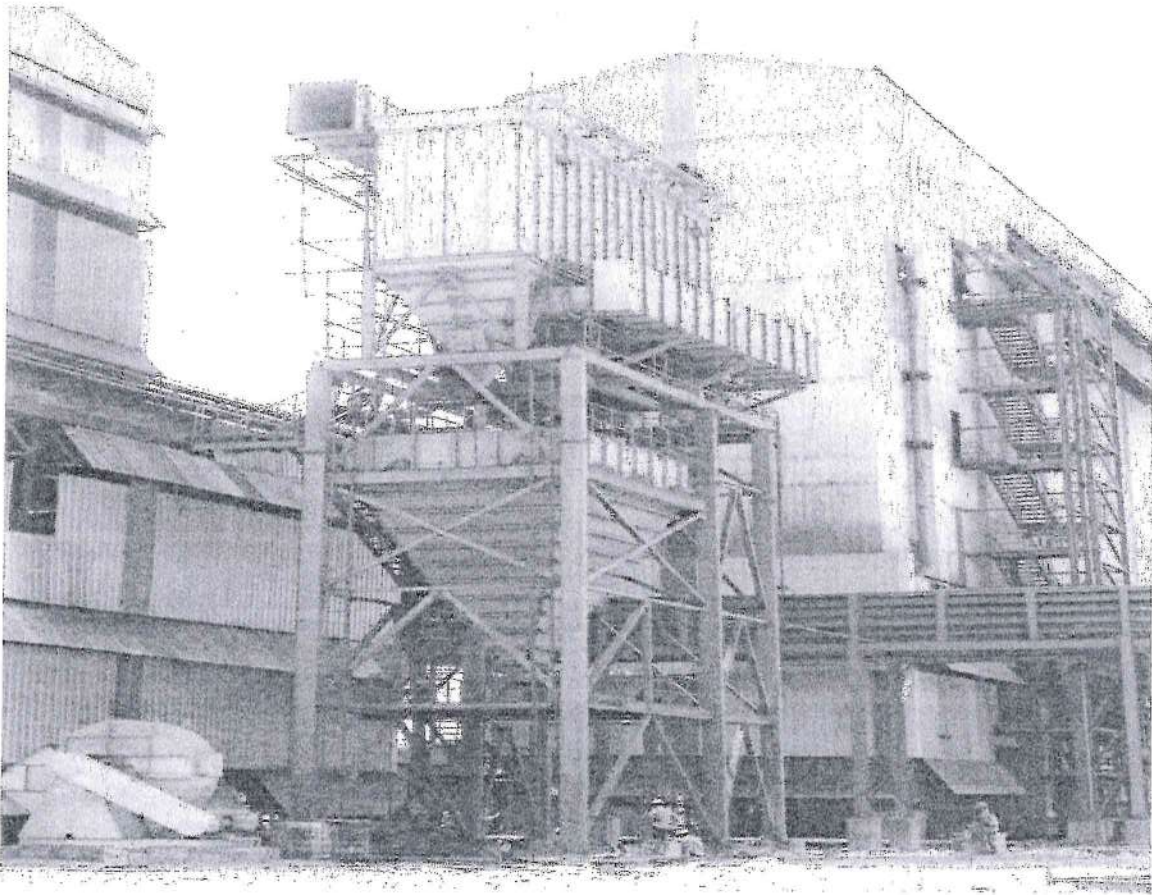
**Photograph showing progress of dust extraction system in primary screen crusher house**



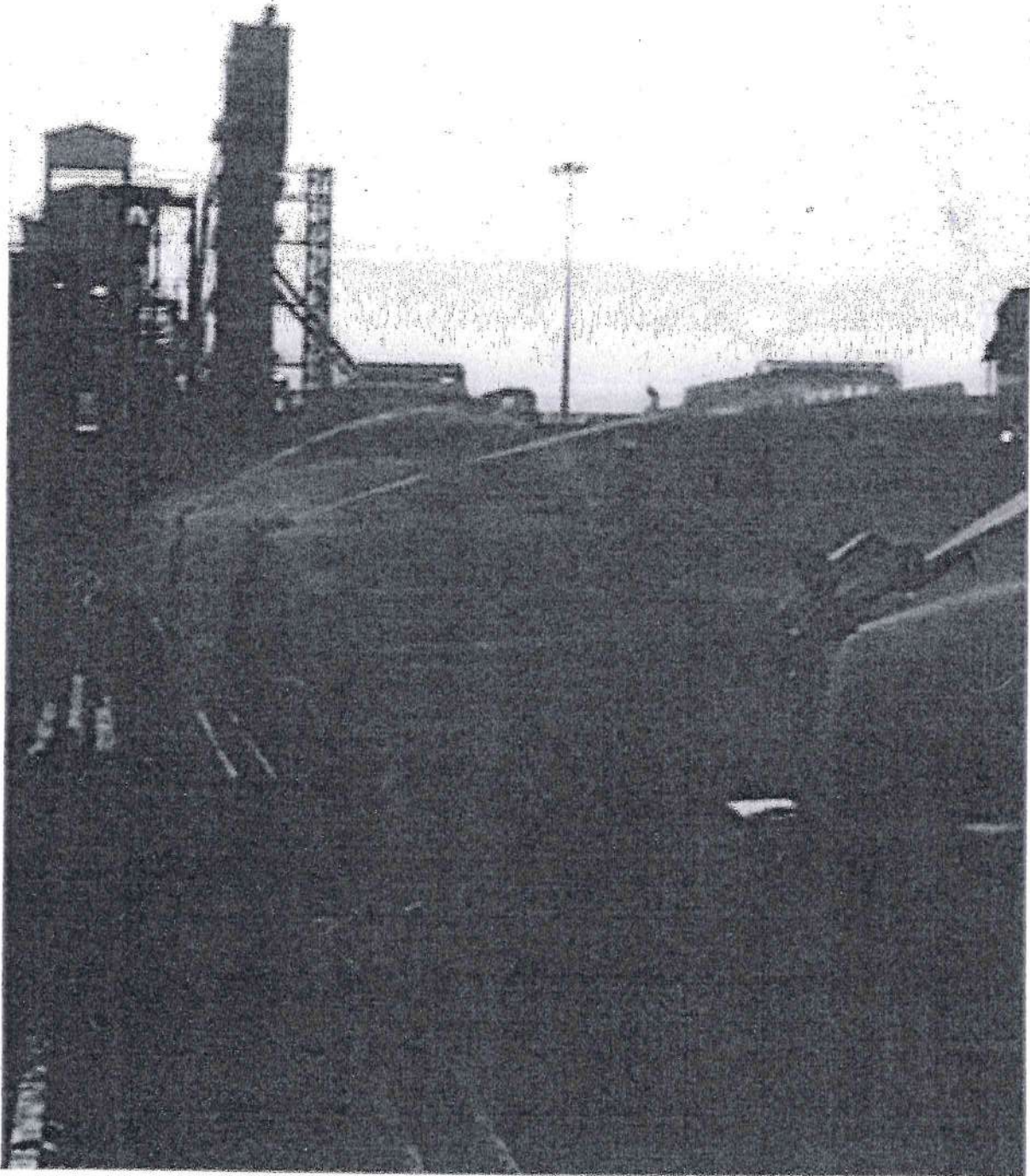
**Photographs showing progress of dust extraction system in coal bin secondary and tertiary screen house**



Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : [projectamd@rspl.net.in](mailto:projectamd@rspl.net.in)



**Water sprinkling activity in coal yard:**



**Gujarat Pollution Control Board**  
**Regional Office-Jamnagar**  
**Inspection Report**



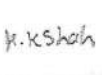
**ANNEXURE A 21**

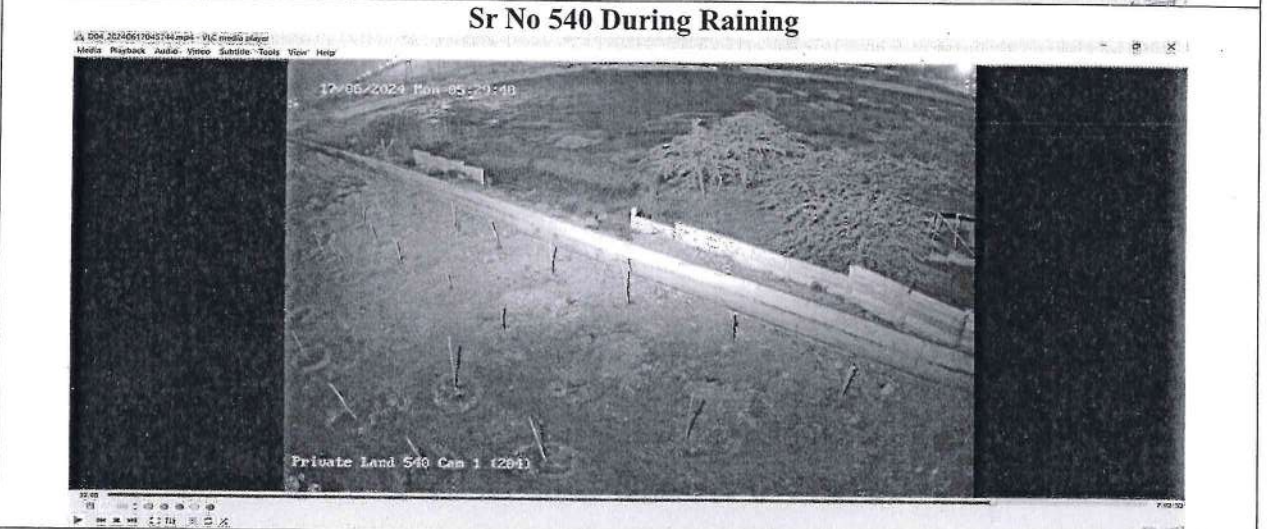
<b>Place Visited:-</b>	RSPL limited (ID-43851), 237/p3, 242/p1, 243, 245, 247/p1, 251/p3, 256 etc. Near NH-8E, Kurunga – 361335 Ta and Dist: Devbhumi Dwarka.
<b>Reference:-</b>	Chemical and foul odor containing wastewater discharged on land of complainer by M/s. RSPL between 22:00 Hrs 16/06/2024 to 06:00 Hrs 17/06/2024 (Complaint letter is attached herewith which is received on 20/06/2024)
<b>Date and time of Visit:-</b>	Date: 21/06/2024, 11:00 hrs & onwards.
<b>Person Contacted:-</b>	1) Shree Balubha Pabubha Ker (Complainer) 2) Mr. Sunil Buddh (Plant Head)
<b>Observation:-</b>	<p style="text-align: center;">With reference to above mentioned complaint we, the under sign visited the above mentioned places and the observation are as follow:-</p> <ul style="list-style-type: none"> <li>➤ First of all, Complainer Shree Balubha Pabubha Ker is contacted on his mobile number 9898542841 and met him near his land located at sr. no. 540, 606 and 629 at Kurunga, Devbhumi Dwarka. He informed that Chemical and foul odor containing wastewater discharged on his land by M/s. RSPL between 22:00 Hrs 16/06/2024 to 06:00 Hrs 17/06/2024. He also added that wastewater coming from open wastewater conveying canal of industry and from other internal plants of industry to his land.</li> <li>➤ First of all, Sr. NO. 540 is visited with Shree Balubha Pabubha Ker. During visit no any wastewater discharge is observed on land of Mr Balubha Pabubha Ker. During visit blackish and salty wet layer of soil is observed on sr. no. 540 and soil sample is collected for analysis purpose. Details are as per data sheet. During visit following water samples are collected from Sr. No. 540 for analysis purpose and details are as per datasheet (1) water sample collected from open kachha pit of s.no. 540 nr. open well (2) open well water sample collected from s.no.540.</li> <li>➤ Then after Sr. No. 606 is visited with Mr Balubha Pabubha Ker. During visit no any wastewater discharge is observed on land of Mr Balubha Pabubha Ker. During visit whitish salty wet layer of soil is observed on sr. no. 606 and soil sample is collected for analysis purpose. Details are as per data sheet. During visit following water sample is collected from Sr. No. 606 for analysis purpose and details are as per datasheet (1) open well water sample collected from s.no.606.</li> <li>➤ Then after Sr. No. 629 is visited with Mr Balubha Pabubha Ker. The said land is observed without any agricultural activity, however naturally grown dry grasses have covered its major part and at remaining portion of the land top soil has developed salty/whitish layer and soil sample is collected for analysis purpose. Details are as per data sheet.</li> <li>➤ Unit has provided CCTV to capture footage of Sr. No. 540 &amp; 606. For the verification of the complaint, regarding wastewater discharge in land of complainer sr. no. 540, 606. Monitoring team has verified data of CCTV installed from available CCTV Footage. As per data, rain is observed on date 17/06/2024 @05:30 AM morning and no any wastewater discharge is observed from industry to complainer's land. Unit has constructed water retaining and storm water drain in periphery of sr.no. 540 &amp; 606. Photographs attached of before raining, during raining and after raining.</li> <li>➤ As per earlier reports black and salty layer observed on sr no 540 and whitish salty layer observed on sr no 606 which is under remediation procedure as per high court order in matter SCA 6970 of 2023.</li> </ul>

This layer is mixed with rain water which might results into blackish and salty wet layer of soil in sr no 540 and salty whitish wet layer of soil on sr no 606. As only wet soil observed on land of complainer and no any water logging is observed, no any water sample collected from sr no 540 & 606 and 629 other than water and soil samples mentioned above.

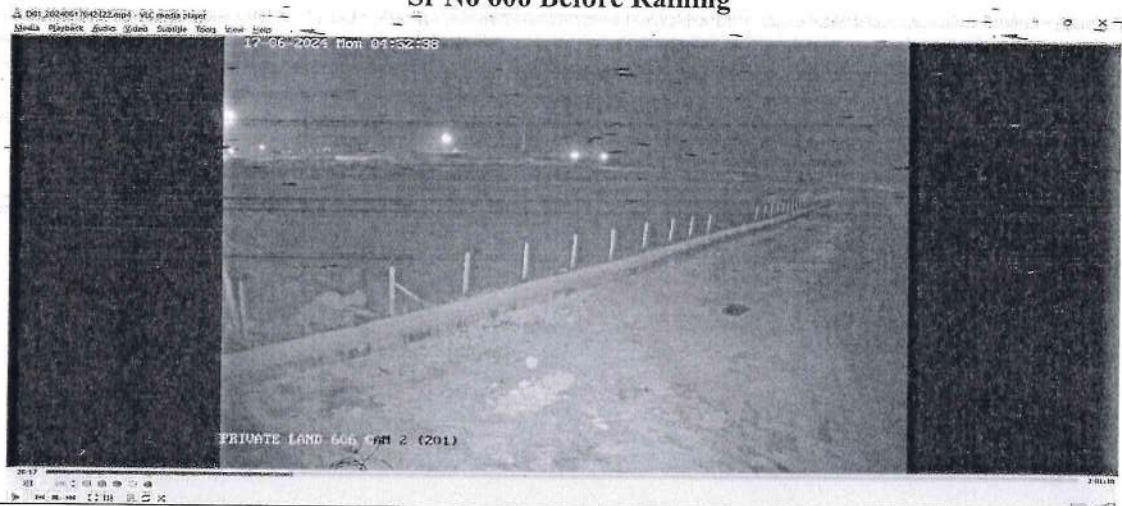
- Then after unit is visited. This unit is engaged in production of (1) Soda Ash (Light Soda Ash) = 46550 MT/M, (2) Steam (3 no of CFBC Boiler) = 450 TPH, (3) Power = 50 MW (4) Power generation by Emergency D.G. Set = 6 MW. Unit has applied for CCA which is under process. Effluent generated from Soda Ash Plant is mixed with cooled water and treated with diluted sea water along with acid dosing system for neutralization at mixing pond. One water sample collected from open channel after mixing pond in presence of complainer and industry representatives for analysis purpose and details are as per datasheet. After neutralization, treated/Diluted effluent is transferred through a concrete open canal to the retention pond. During visit discharge of effluent into sea is observed going on and one water sample collected from final discharge line of unit and details are as per data sheet. During visit OCEMS reading are as follows: pH – 7.85, TSS- 329.1 mg/l, NH<sub>3</sub>N – 0.00 mg/l, Flow-23498 m<sup>3</sup>/hr.
- As per complain, complainer mentioned wastewater discharge from open canal to his land. At the time of inspection no any discharge traces are observed from open canal to complainer's land and also not verified as per CCTV footage installed at sr no 540 & 606. However during visit unit is instructed that unit shall have to provide 24x7 CCTV surveillance (with atleast 15 day recording storage) system at open channel starting from mixing pond to effluent guard pond.
- This unit is engaged in production of Soda ash which required following main raw materials such as Salt, Lime stone, ammonia etc. and fuel like Coal, coke, lignite etc. For this raw material and fuel unit has provided different storage facilities hence unit is instructed to provide raw material, product, and fuel storage quantity in premises and also submit details of storage facility with necessary specification.
- Point wise verification observations are as follows of instructions given to unit on during visit dated: 22/04/2024.
  - (1) During visit it is observed that unit has stopped sea water dilution in final discharge line before OCEMS and also remove connection of pipeline and provide blind on both sides of the pipeline. (Photographs attached)
  - (2) Unit has provided industrial wastewater generation and fresh sea water dilution details to the board which is also uploaded in online XGN in extra document tag.
  - (3) Unit has submitted calibration certificate of installed OCEMS with stack and outlet to the board, which is also uploaded in online XGN in extra document tag.
- Necessary following written instructions are issued at the time of visit.
  - (1) Unit shall have to provide 24x7 CCTV surveillance (with atleast 15 day recording storage) system at open channel starting from mixing pond to effluent guard pond.
  - (2) Provide raw material, product, and fuel storage quantity in premises and also submit details of storage facility with necessary specification.

As per complain, There are three survey numbers mentioned on which pollution occurred i.e. Sr. No. 540, 606 and 629 out of which High court matter SCA 6970 of 2023 is going on for survey no 540 & 606 hence if you agree we may put this case into compensation committee of district Devbhoomi Dwarka for sr no 629 as during visit it is observed that naturally grown dry grasses have covered its major part and at remaining portion of the land top soil has developed salty/whitish layer.

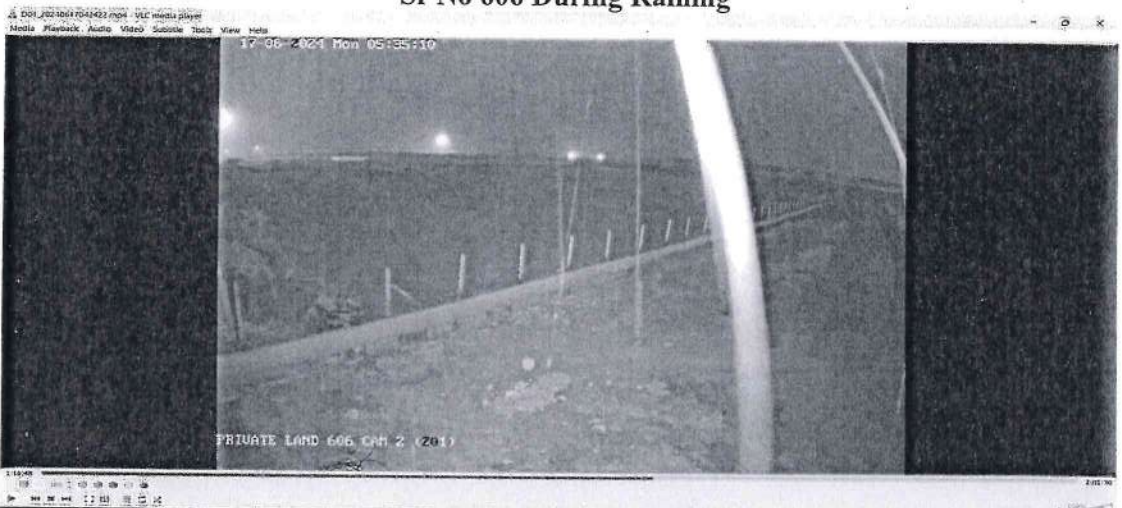
Visited by:-			
	(C H Chauhan)	(J M Jadav)	(H K Shah)
	AEE	AEE	SO



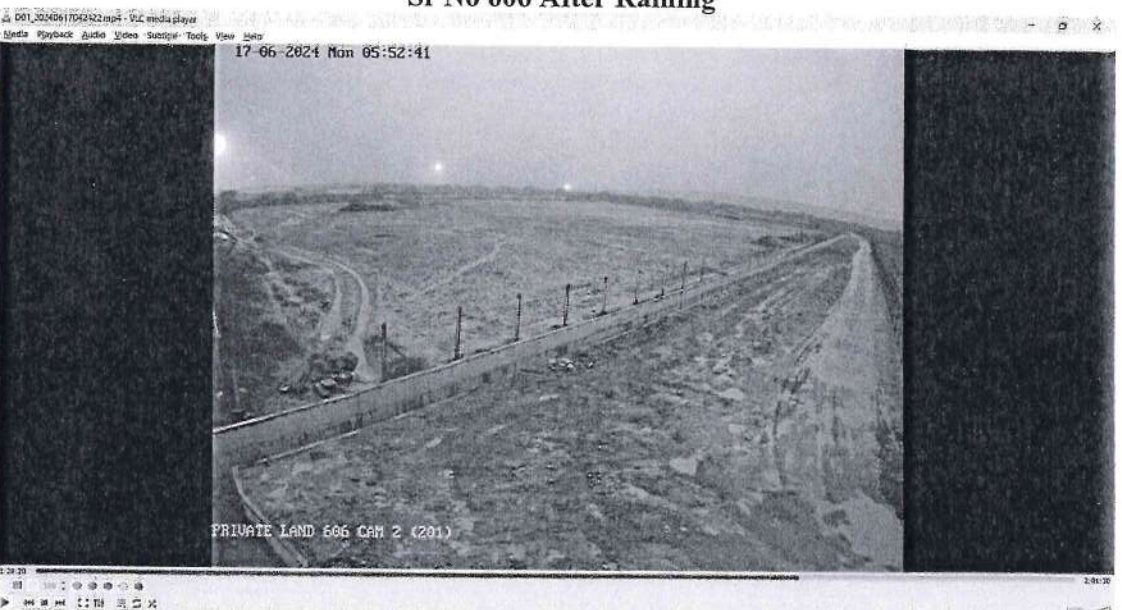
Sr No 606 Before Raining



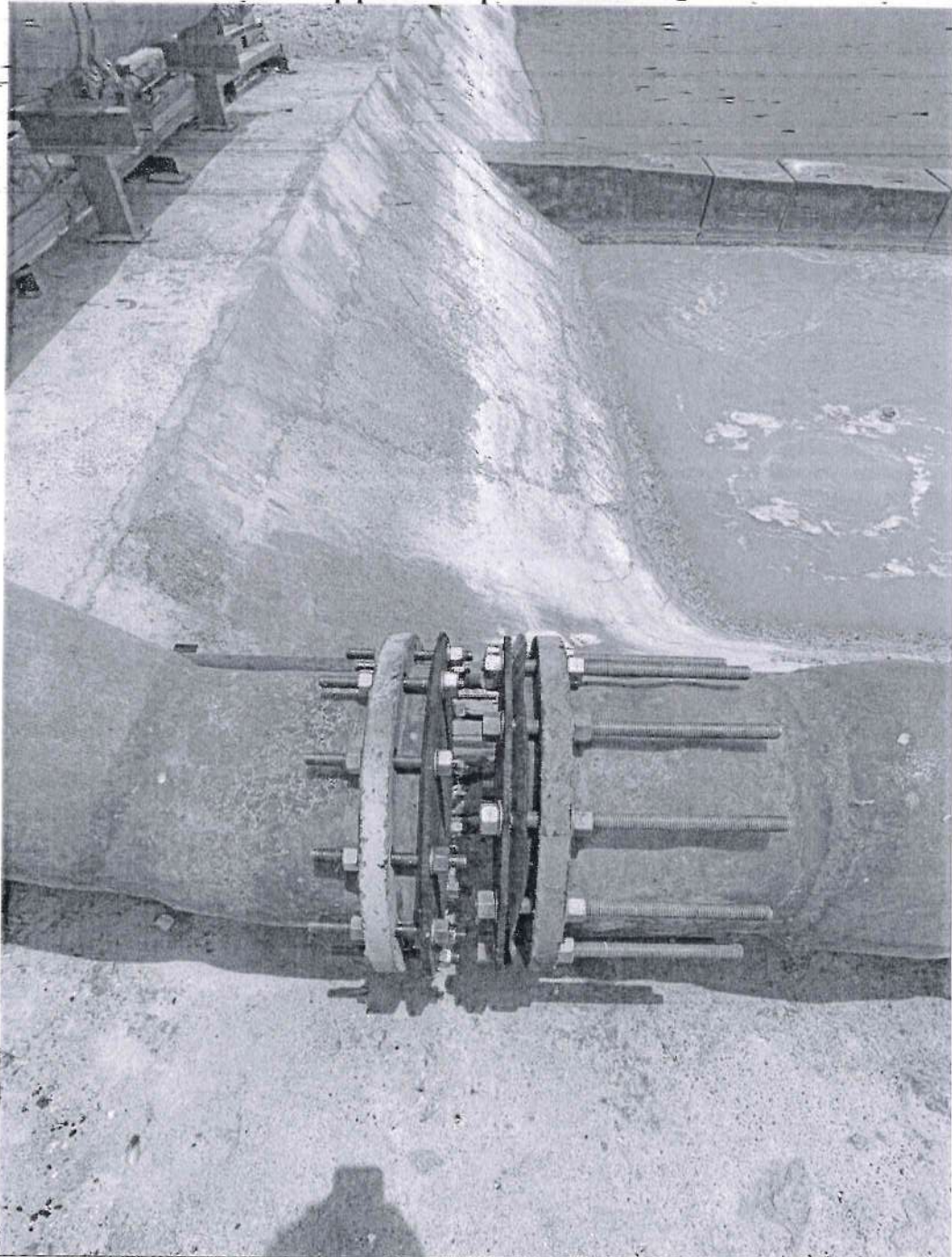
Sr No 606 During Raining



Sr No 606 After Raining



Stopped sea water dilution in final discharge line before OCEMS and also remove connection of pipeline and provide blind



RSPL/CCG/VKG/ENV-004/022/2024-25

**ANNEXURE A22**

Date: 25.06.2024

The Regional Officer,  
Gujarat Pollution Control Board,  
Jamnagar

Sub.: GPCB site visit dated 21.06.2024 at RSPL Soda Ash Plant near Village Kuranga, Dist. Devbhumi Dwarka (GPCB XGN ID:43851)

Respected Sir,

Please find below our reply/compliance status w.r.t. the inspection remarks pointed out by GPCB Officials on 21.06.2024.

S. No.	Site visit observations dated 21.06.2024	Reply / Compliance status
1.	Unit shall have to provide 24x7 CCTV surveillance (with atleast 15 days recording storage) system at open channel starting from mixing pond to effluent guard pond.	Noted. As directed, CCTV surveillance system will be installed and we will inform after completion of the same.
2.	Provide details of raw material, product and fuel storage quantity in premises and also submit details of storage facility with necessary specification.	The details are attached herewith as Annexure-1.

Thanking You,

Yours faithfully,

For RSPL LIMITED

Authorized Signatory

Encl.: as above

✓ Copy to: The Unit Head  
Gujarat Pollution Control Board  
Gandhinagar - 382 010By  
26/06/24Gujarat Pollution Control Board  
Head Office  
Sector No.-10-A,  
Gandhinagar 382010

1583

## ANNEXURE A23

Data as per Gam Namuno No. 12, Dt. 29-03-2023, 15-05-2023, 26-06-2024, 10-09-2024 & 10-01-2025			
		<b>Balubha Pabubha Ker</b>	
<b>Sr. No.</b>	<b>Survey No./ Year</b>	<b>540</b>	<b>606</b>
1	<b>2019-2020</b>	Groundnut	Groundnut
2	<b>2020-2021</b>	Groundnut	Groundnut
3	<b>2021-2022</b>	Juvar	Juvar
4	<b>2022-2023</b>	---	---
5	<b>2023-2024</b>	---	---
6	<b>2024-2025</b>	---	---

1584

ગામ નમૂનો નંબર ૧૨

બ્લોક/ સરવે નંબર: ૫૪૦	ગામ/ મોજે: કુરંગા
કુલ ક્ષેત્રફળ (હે. આરે. ચો.મી.): ૧-૦૫-૨૨	તાલુકો: દ્વારકા
જુનો બ્લોક/ સરવે નંબર: ૨૯૭	જિલ્લો: દેવભુમિ દ્વારકા
	(પ્રમોલગેશન નોંધ નં.૨૪૦૬ તા.૧૬/૦૭/૨૦૧૫)

હાલના ખાતેદારોના નામ (ખાતા નંબર):

માધા સવજી (૮૯૦)

બાલુભા પબુભા (૮૯૦)

ઘેલુભા રામભા માણેક (૮૯૦)

પાકની વિગતો:

TYPED COPY SUPPLIED

વર્ષ	મોસમ	પાકનું નામ	પાકનો વિસ્તાર હે. આરે. ચો.મી.	સિંચાઈનો સ્ત્રોત અને સિંચાઈનું સાધન	વૃક્ષો પોતાના અને સરકારી	શેરો
૨૦૧૯-૨૦૨૦	ખરીફ	મગફળી	૧-૫૩-૭૮	કુવો પોતાનો/અન્ય રીત		
૨૦૨૦-૨૦૨૧	ખરીફ	મગફળી	૧-૦૫-૨૨	---/અન્ય રીત		
૨૦૨૧-૨૦૨૨	---	---	માહિતી નથી.	---	---	



5270123030327543



Digitally signed by:

DS REVENUE DEPARTMENT

GOVERNMENT OF GUJARAT

Date: 29-03-2023 16:30:46 IST

MAMLATDAR OFFICE, OKHAMANDAL



## VILLAGE FORM NO. 12

Block / Survey No	540	Mouje :	Kurunga
Total Area ;	1-05-22	Taluka :	Dwarka
		District :	Devbhumi Dwarka
Old Block/S.No.	297	Promulgation Note No. 2406, dt. 16/07/2015)	

Name (Account No. ) of present Khatedar –

Madha Savji (890)

Balubha Pabubha (890)

Ghelubha Rambha Manek (890)

## Details of Crop

Year	Season	Name of Crop	Area of crop Ha.-are-sq. m.	Source of irrigation & object of irrigation	Trees Own/ Govt.	Remarks.
2019-2020	Kharif	Groundnut	1-53-78	Own Well / other mode	-	
2020-2021	Kharif	Groundnut	1-05-22	-- / other mode	-	
2021-2022	-	-	No information available			

Digitally signed by  
DS, REVENUE DEPARTMENT,  
GOVERNMENT OF GUJARAT  
Date : 29-03-2023 16:30:46 IST  
MAMLATDAR OFFICE, OKHAMANDAL

1586

ગામ નમૂનો નંબર ૧૨

બ્લોક/ સરવે નંબર: ૫૪૦	ગ્રામ/ મોજે: કુરંગા
કુલ ક્ષેત્રફળ (હે. આરે. ચો.મી.): ૧-૦૫-૨૨	તાલુકો: દ્વારકા
જુનો બ્લોક/ સરવે નંબર: ૨૯૭	જિલ્લો: દેવભુમિ દ્વારકા
(પ્રમોલગેશન નોંધ નં.૨૪૦૬ તા.૧૬/૦૭/૨૦૧૫)	

TYPED COPY SUPPLIED

હાલના ખાતેદારોના નામ (ખાતા નંબર):

માધા સવજી (૮૯૦)

બાલુભા પબુભા (૮૯૦)

ઘેલુભા રામભા માણેક (૮૯૦)

પાકની વિગતો:

વર્ષ	મોસમ	પાકનું નામ	પાકનો વિસ્તાર હે. આરે. ચો.મી.	સિંચાઈનો સ્ત્રોત અને સિંચાઈનું સાધન	વૃક્ષો પોતાના અને સરકારી	શેરો
૨૦૨૧-૨૦૨૨	ખરીફ	જુવાર	૧-૦૫-૨૨	અન્ય/અન્ય રીત		
૨૦૨૨-૨૦૨૩	---	---	માહિતી નથી.	---	---	
૨૦૨૩-૨૦૨૪	---	---	માહિતી નથી.	---	---	



5270124091040416



Digitally signed by:

DS REVENUE DEPARTMENT 9

GOVERNMENT OF GUJARAT

Date: 10-09-2024 11:42:16 IST

MAMLATDAR OFFICE, OKHAMANDAL



## VILLAGE FORM NO. 12

Block / Survey No	540	Mouje :	Kurunga
Total Area ;	1-05-22	Taluka :	Dwarka
		District :	Devbhumi Dwarka
Old Block/S.No.	297	Promulgation Note No. 2406, dt. 16/07/2015)	

Name (Account No. ) of present Khatedar –

Madha Savji (890)

Balubha Pabubha (890)

Ghelubha Rambha Manek (890)

## Details of Crop

Year	Season	Name of Crop	Area of crop Ha.-are-sq. m.	Source of irrigation & object of irrigation	Trees Own/ Govt.	Remarks.
2021-2022	Kharif	Groundnut	1-05-22	-- / other mode	-	
2022-2023	-	-	No information available			
2023-2024	-	-	No information available			

Digitally signed by  
DS, REVENUE DEPARTMENT,  
GOVERNMENT OF GUJARAT  
Date : 10-09-2024 11:42:16 IST  
MAMLATDAR OFFICE, OKHAMANDAL

1588

ગામ નમૂનો નંબર ૧૨

બ્લોક/ સરવે નંબર: ૫૪૦	ગામ/ મોજે: કુરંગા
કુલ ક્ષેત્રફળ (હે. આરે. ચો.મી.): ૧-૦૫-૨૨	તાલુકો: દ્વારકા
જુનો બ્લોક/ સરવે નંબર: ૨૯૭	જિલ્લો: દેવભૂમિ દ્વારકા
(પ્રમોલગેશન નોંધ નં.૨૪૦૬ તા.૧૬/૦૭/૨૦૧૫)	

હાલના ખાતેદારોના નામ (ખાતા નંબર):

માધા સવજી (૮૯૦)

બાલુભા પબુભા (૮૯૦)

ઘેલુભા રામભા માણેક (૮૯૦)

પાકની વિગતો:

વર્ષ	મોસમ	પાકનું નામ	પાકનો વિસ્તાર હે. આરે. ચો.મી.	સિંચાઈનો સ્ત્રોત અને સિંચાઈનું સાધન	વૃક્ષો પોતાના અને સરકારી	શેરો
૨૦૨૧-૨૦૨૨	ખરીફ	જુવાર	૧-૦૫-૨૨	અન્ય/અન્ય રીત		
૨૦૨૨-૨૦૨૩	---	---	માહિતી નથી.	---	---	
૨૦૨૩-૨૦૨૪	---	---	માહિતી નથી.	---	---	



5270125010050319



Digitally signed by:

DS REVENUE DEPARTMENT 9

GOVERNMENT OF GUJARAT

Date: 10-01-2025 11:34:41 IST

MAMLATDAR OFFICE, OKHAMANDAL



## VILLAGE FORM NO. 12

Block / Survey No	540	Mouje :	Kurunga
Total Area ;	1-05-22	Taluka :	Dwarka
		District :	Devbhumi Dwarka
Old Block/S.No.	297	Promulgation Note No. 2406, dt. 16/07/2015)	

Name (Account No. ) of present Khatedar –

Madha Savji (890)

Balubha Pabubha (890)

Ghelubha Rambha Manek (890)

## Details of Crop

Year	Season	Name of Crop	Area of crop Ha.-are-sq. m.	Source of irrigation & object of irrigation	Trees Own/ Govt.	Remarks.
2021-2022	Kharif	Juwar	1-05-22	-- / other mode	-	
2022-2023	-	-	No information available			
2023-2024	-	-	No information available			



Digitally signed by  
DS, REVENUE DEPARTMENT,  
GOVERNMENT OF GUJARAT  
Date : 10-01-2025 11:34:41IST  
MAMLATDAR OFFICE, OKHAMANDAL

Courtesy : National Information Science Centre, Gujarat State

**Chargeable Copy Rs. 5/- (Rs. five only)**

1590

ગામ નમૂનો નંબર ૧૨

બ્લોક/ સરવે નંબર: 509	<b>ANNEXURE</b>	ગામ/ મોજે: કુરંગા
કુલ ક્ષેત્રફળ (હે. આરે. ચો.મી.): ૧-૮૬-૫૯	<b>A 24</b>	તાલુકો: દ્વારકા
જુનો બ્લોક/ સરવે નંબર: ૩૨૮/ પૈકી ૧		જિલ્લો: દેવભુમિ દ્વારકા
		(પ્રમોલગેશન નોંધ નં.૨૪૦૬ તા.૧૬/૦૭/૨૦૧૫)

હાલના ખાતેદારોના નામ (ખાતા નંબર):

**TYPED COPY SUPPLIED**

જાલુભા કરશનભા (૮૯૨)

બાલુભા પબુભા (૮૯૨)

મેરુભા બાલુભા (૮૯૨)

પાકની વિગતો:

વર્ષ	મોસમ	પાકનું નામ	પાકનો વિસ્તાર હે. આરે. ચો.મી.	સિંચાઈનો સ્ત્રોત અને સિંચાઈનું સાધન	વૃક્ષો પોતાના અને સરકારી	શેરો
૨૦૧૯-૨૦૨૦	ખરીફ	મગફળી	૧-૮૬-૫૯	સાધન નથી/અન્ય રીત		
૨૦૨૦-૨૦૨૧	ખરીફ	મગફળી	૧-૮૬-૫૯	---/અન્ય રીત		
૨૦૨૧-૨૦૨૨	---	---	માહિતી નથી.	---	---	



5270123030327544



Digitally signed by:

DS REVENUE DEPARTMENT

GOVERNMENT OF GUJARAT

Date: 29-03-2023 16:30:33 IST

MAMLATDAR OFFICE, OKHAMANDAL



## VILLAGE FORM NO. 12

Block / Survey No	606	Mouje :	Kurunga
Total Area ;	1-86-59	Taluka :	Dwarka
		District :	Devbhumi Dwarka
Old Block/S.No.	328/Paiki 1	Promulgation Note No. 2406, dt. 16/07/2015)	

Name (Account No. ) of present Khatedar –

Jalubha Karshanbha (892)

Balubha Pabubha (892)

Merubha Balubha (892)

## Details of Crop

Year	Season	Name of Crop	Area of crop Ha.-are-sq. m.	Source of irrigation & object of irrigation	Trees Own/ Govt.	Remarks.
2019-2020	Kharif	Groundnut	1-86-59	No source / other mode	-	
2020-2021	Kharif	Groundnut	1-86-59	-- / other mode	-	
2021-2022	-	-	No information available			

Digitally signed by  
DS, REVENUE DEPARTMENT,  
GOVERNMENT OF GUJARAT  
Date : 29-03-2023 16:30:33 IST  
MAMLATDAR OFFICE, OKHAMANDAL

Courtesy : National Information Science Centre, Gujarat State

**Chargeable Copy Rs. 5/- (Rs. five only)**

1592

ગામ નમૂનો નંબર ૧૨

બ્લોક/ સરવે નંબર: 505	ગામ/ મોજે: કુરંગા
કુલ ક્ષેત્રફળ (હે. આરે. ચો.મી.): ૧-૮૬-૫૯	તાલુકો: દ્વારકા
	જિલ્લો: દેવભુમિ દ્વારકા
જુનો બ્લોક/ સરવે નંબર: ૩૨૮/ પૈકી ૧	(પ્રમોલગેશન નોંધ નં.૨૪૦૬ તા.૧૬/૦૭/૨૦૧૫)

હાલના ખાતેદારોના નામ (ખાતા નંબર):

જાલુભા કરશનભા (૮૯૨)

બાલુભા પબુભા (૮૯૨)

મેરુભા બાલુભા (૮૯૨)

પાકની વિગતો:

વર્ષ	મોસમ	પાકનું નામ	પાકનો વિસ્તાર હે. આરે. ચો.મી.	સિંચાઈનો સ્ત્રોત અને સિંચાઈનું સાધન	વૃક્ષી પોતાના અને સરકારી	શેરો
૨૦૨૧-૨૦૨૨	ખરીફ	જુવાર	૧-૮૬-૫૯	અન્ય/અન્ય રીત		
૨૦૨૨-૨૦૨૩	---	---	માહિતી નથી.	---	---	
૨૦૨૩-૨૦૨૪	---	---	માહિતી નથી.	---	---	



5270124091040419



Digitally signed by:

DS REVENUE DEPARTMENT 9

GOVERNMENT OF GUJARAT

Date: 10-09-2024 11:42:47 IST

MAMLATDAR OFFICE, OKHAMANDAL



## VILLAGE FORM NO. 12

Block / Survey No	606	Mouje :	Kurunga
Total Area ;	1-86-59	Taluka :	Dwarka
		District :	Devbhumi Dwarka
Old Block/S.No.	328/Paiki 1	Promulgation Note No. 2406, dt. 16/07/2015)	

Name (Account No. ) of present Khatedar –

Jalubha Karshanbha (892)

Balubha Pabubha (892)

Merubha Balubha (892)

## Details of Crop

Year	Season	Name of Crop	Area of crop Ha.-are-sq. m.	Source of irrigation & object of irrigation	Trees Own/ Govt.	Remarks.
2021-2022	Kharif	Juwar	1-86-59	No source / other mode	-	
2022-2023	-	-	No information available			
2023-2024	-	-	No information available			

Digitally signed by  
DS, REVENUE DEPARTMENT,  
GOVERNMENT OF GUJARAT  
Date : 10-09-2024 11:42:47 IST  
MAMLATDAR OFFICE, OKHAMANDAL

Courtesy : National Information Science Centre, Gujarat State

**Chargeable Copy Rs. 5/- (Rs. five only)**

1594

ગામ નમૂનો નંબર ૧૨

બ્લોક/ સરવે નંબર: ૬૦૬	ગામ/ મોજે: કુરંગા
કુલ ક્ષેત્રફળ (હે. આરે. ચો.મી.): ૧-૮૬-૫૯	તાલુકો: દ્વારકા
	જિલ્લો: દેવભુમિ દ્વારકા
જુનો બ્લોક/ સરવે નંબર: ૩૨૮/ પૈકી ૧	(પ્રમોલગેશન નોંધ નં.૨૪૦૬ તા.૧૬/૦૭/૨૦૧૫)

હાલના ખાતેદારોના નામ (ખાતા નંબર):

જાલુભા કરશનભા (૮૯૨)

બાલુભા પબુભા (૮૯૨)

મેરુભા બાલુભા (૮૯૨)

પાકની વિગતો:

વર્ષ	મોસમ	પાકનું નામ	પાકનો વિસ્તાર હે. આરે. ચો.મી.	સિંચાઈનો સ્ત્રોત અને સિંચાઈનું સાધન	વૃક્ષો પોતાના અને સરકારી	શેરો
૨૦૨૧-૨૦૨૨	ખરીફ	જુવાર	૧-૮૬-૫૯	અન્ય/અન્ય રીત		
૨૦૨૨-૨૦૨૩	---	---	માહિતી નથી.	---	---	
૨૦૨૩-૨૦૨૪	---	---	માહિતી નથી.	---	---	



5270125010050323



Digitally signed by:

DS REVENUE DEPARTMENT 9

GOVERNMENT OF GUJARAT

Date: 10-01-2025 11:35:06 IST

MAMLATDAR OFFICE, OKHAMANDAL



## VILLAGE FORM NO. 12

Block / Survey No	606	Mouje :	Kurunga
Total Area ;	1-86-59	Taluka :	Dwarka
		District :	Devbhumi Dwarka
Old Block/S.No.	328/Paiki 1	Promulgation Note No. 2406, dt. 16/07/2015)	

Name (Account No. ) of present Khatedar –

Jalubha Karshanbha (892)

Balubha Pabubha (892)

Merubha Balubha (892)

## Details of Crop

Year	Season	Name of Crop	Area of crop Ha.-are-sq. m.	Source of irrigation & object of irrigation	Trees Own/ Govt.	Remarks.
2021-2022	Kharif	Juwar	1-86-59	No source / other mode	-	
2022-2023	-	-	No information available			
2023-2024	-	-	No information available			



Digitally signed by  
DS, REVENUE DEPARTMENT,  
GOVERNMENT OF GUJARAT  
Date : 10-01-2025 11:35:06 IST  
MAMLATDAR OFFICE, OKHAMANDAL

Courtesy : National Information Science Centre, Gujarat State

**Chargeable Copy Rs. 5/- (Rs. five only)**



# ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ

પ્રાદેશિક કચેરી

સરદાર પટેલ ભવન, રામેશ્વરનગર, જામનગર - ૩૬૧ ૦૦૮

ફોન : (૦૨૮૮) ૨૭૫૨૩૬૬

TYPED COPY SUPPLIED

## તપાસ માટે દાખલ થવાની સૂચના (નોટીસ)

પાણી અધિનિયમ ૧૯૭૪ની કલમ-૨૩, હવા અધિનિયમ ૧૯૮૧ની કલમ-૨૪ અને પર્યાવરણ (સુરક્ષા) અધિનિયમ-૧૯૮૬ની કલમ-૧૦ હેઠળ અમોને મળેલ સત્તાની રૂએ અમો નીચે સહી કરનાર અમોને જરૂરી લાગે તેની સહાય લઈને તમામ સમયે નીચેના હેતુઓ માટે આપની જગ્યામાં દાખલ થવાનો અને તપાસ કરવાનો અધિકાર ધરાવીએ છીએ.

- (૧) અમોને સોપેલા રાજ્ય બોર્ડ / કેન્દ્ર સરકારનાં કાર્ય બજાવવાનાં હેતુ માટે,
- (૨) આવા કોઈ કાર્યો બજાવવાના છે કે કેમ અને તેમ હોય તો કઈ રીતે બજાવવાના છે અથવા આ અધિનિયમ અથવા તે હેઠળ કરેલા નિયમોની અથવા આ અધિનિયમ હેઠળ બજાવેલી કોઈ નોટીસની, કરેલા કોઈ હુકમની, આદેશની અથવા આપેલા કોઈ અધિકારપત્રની કોઈ જોગવાઈનું પાલન કરવામાં આવી રહ્યું છે કે પાલન કરવામાં આવ્યું છે, કે કેમ તે નક્કી કરવાના હેતુ માટે,
- (૩) કોઈ સાધન સામગ્રી, ઔદ્યોગિક પ્લાન્ટ, રેકર્ડ, રજીસ્ટર, દસ્તાવેજ અથવા અન્ય કોઈ મહત્વની વસ્તુની તપાસ કરવા અને તેની કસોટી કરવાના હેતુ માટે અથવા જે જગ્યામાં તેને એમ માનવાને કારણ હોય કે આ કાયદા કે તે હેઠળ કરેલા નિયમો મુજબ કોઈ ગુનો કરવામાં આવ્યો છે, અથવા થવાની તૈયારીમાં છે. તેવી કોઈ જગ્યાની ઝડતી લેવા માટે અને તેને એમ માનવાને કારણ હોય કે આ કાયદા કે તે હેઠળ કરેલા નિયમો હેઠળ શિક્ષાપાત્ર કોઈ ગુનો કર્યાનો પુરાવો, તેવા સાધન સામગ્રી ઔદ્યોગિક પ્લાન્ટ, રેકર્ડ, રજીસ્ટર, દસ્તાવેજ અથવા અન્ય મહત્વની વસ્તુ કબજે લેવા માટે અમે નીચે જણાવેલ સમયે દાખલ થઈએ છીએ.

ઉદ્યોગ/કારખાનામાં દાખલ થવાનો સમય : સવારના/સાંજના 12 : 30 તા. 28 / 11 / 18

અમારી સાથે સહાય માટે નીચેની વ્યક્તિઓ પણ છે-

૧. B. B. Vasava - AEE

૨.

૩.

પ્રતિ,

M/s. Rsp. Ltd.

at. Kuranga

Tal. Dwaraka

Dist. Dev-Bhumi Dwaraka

બે નકલ મળેલ છે.

આ સૂચના (નોટીસ) મેળવનારની સહી

સહી :-

અધિકારીનું નામ :- P. S. Dane

હોદ્દો :- S.O.

(P. S. Dane)  
P. S. Dane

ASS. Mgr. Env.



# ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ

## પ્રાદેશિક કચેરી

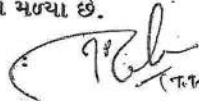
સરદાર પટેલ ભવન, રામેશ્વરનગર, જામનગર - ૩૬૧ ૦૦૮

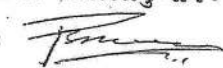
ફોન : (૦૨૮૮) ૨૭૫૨૩૬૬

ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડના અધિકારીઓ દ્વારા આપનાં એકમની આજ રોજ રાજ્યના જુદાં જુદાં પર્યાવરણીય નિયમોને આધિન સ્થળ મુલાકાત લેવામાં આવેલ. આપનાં એકમની સ્થળ મુલાકાત દરમિયાન કરેલ અવલોકનો, આપે આપેલ માહિતી / દસ્તાવેજો અને પર્યાવરણીય નિયમોની જોગવાઈઓને આધીન; આપને નીચે મુજબ સુચના આપવામાં આવે છે. જેની પુર્તતા અંગેનો અહેવાલ (કોમ્પ્લાયન્સ રીપોર્ટ) આ સુચના મળ્યાની તારીખથી એક (૧) સપ્તાહની અંદર આ કચેરીની જાણ હેઠળ અને બોર્ડની વડી કચેરી - ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ, પર્યાવરણ ભવન, સેક્ટર - ૧૦ (એ), ગાંધીનગર ખાતે અચૂક મોકલી આપવો, તેમજ આ બોર્ડની વેબસાઇટ [www.gpcb.xgn.gujarat.gov.in](http://www.gpcb.xgn.gujarat.gov.in) પર આપના PCB-ID માં અપલોડ પણ કરવો. તેમ ન થતાં આપની આ બાબતે કોઈ રજુઆત નથી તેમ માની, આપનાં એકમ સામે કાયદા/નિયમોની જોગવાઈઓ ને ધ્યાને લઈ આગળની કાર્યવાહી કરવામાં આવશે.

- (૧) રાજીવગંજી પુનાઈગામ માં ૮મ્મે આપેલ સર્વે નંબર ૬૫૦ (ખાસગી મામલો) માં તમા તેની આજુબાજુમાં ભરાયેલ પાણીને ક તાલપાકિ ફર તરફ.
- (૨) રાજીવગંજી આપેલ (ખાસગી માલકી) નં. ૬૦૬ ની નજીક રાજીવ પુનાઈગામ માં પાણી ભરેલ છે તે તાલપાકિ ફર તરફ.
- (૩)
- (૪)

To: M/S R.S.P.L. Ltd.  
at Dewaranga  
Ta: Dewaranga  
Dist: Dev-Bhumi Dewaranga

આદેશો મળ્યા છે.  
સહી   
નામ : Tausheer Tainvali  
હોદ્દો : Ass.-Manager, Env.  
તારીખ : 28/11/18

મુલાકાત લેનાર અધિકારીનું નામ :  
સહી :   
નામ : P.S. Dama  
હોદ્દો : S.O.  
તારીખ : 28/11/18

**GUJARAT POLLUTION CONTROL BOARD  
REGIONAL OFFICE,**

Sardar Patel Bhavan, Rameshwarnagar, Jamnagar-361008  
Phone : (0288) 2752366 Email: ro-gpcb-  
jmn@gujarat.gov.in

**INSTRUCTIONS FOR ENTERING FOR INSPECTION  
(NOTICE)**

Under the powers vested in me under Section-23 of Water Act, 1974, Section -24 of Air Act, 1981 and Section-10 of Environment (Protection) Act, 1986, the undersigned has the powers to enter into your premises and examine by taking help of any person as may be found necessary for the following purposes –

- (1) For implementation of the functions of the State Board/Central Government entrusted to us;
- (2) For the purpose of deciding as to how the functions are to be performed, if any or whether the compliance of any notice, order under this Act or the provisions of the authority letters is made or not.

(3) For the purpose of inspection of any equipment, industrial plant, record, register, document or any other important things and its testing or to carry out search of any place where or there is any reason to believe that any offence is committed or is likely to be committed as per the rules framed under this Act and the undersigned shall enter to take possession of such equipment, industrial plant, record, register, document or any other important things when there is reason to believe that there is evidence of any such punishable offence under the rules under this Act at the time mentioned below:

Time for entering the Industry/Factory : **In the morning at 12:30** on 28/12/18. The following persons are with the undersigned for assistance :

1. B. B. Vasara, - AEE

Signature :Sd/- Illegible  
Name of Officer : P. S. Dave  
Designation : S.O.

**To,**  
M/s. RSPL Ltd.,  
At Kuranga, Tal. Dwarka,  
Dist. Dev-bhumi Dwarka

Two copies received.

Sign. of Receiver of this Notice

Sd/-  
(T. Trivedi)  
Trushar Trivedi  
Ass. Manager

**GUJARAT POLLUTION CONTROL BOARD  
REGIONAL OFFICE,**

Sardar Patel Bhavan, Rameshwarnagar, Jamnagar-361008  
Phone : (0288) 2752366 Email: ro-gpcb-  
jmn@gujarat.gov.in

---

The officers of the Gujarat Pollution Control Board had visited your Unit today under the different environmental rules of the State. Pursuant to the observations made, information/documents provided by you during the visit of your unit, as per the provisions of the environmental rules, you are hereby given the following instructions and you should submit the compliance report of the same within one (1) week from the date of receipt of these instructions to the Head Office of Gujarat Pollution Control Board, Paryavaran Bhavan, Sector 10-A, Gandhinagar under intimation to this office, as also be uploaded in your PCB-ID on the website of the Board [www.gpcbqgn.gujarat.gov.in](http://www.gpcbqgn.gujarat.gov.in)., failing which presuming that you have nothing to submit in this regard, further

action against your Unit under the provisions of this Act/Rules, will be taken:

(1) The water logging in and around S. No. 540 (private ownership) situated in the middle of the premises of the Plant should be immediately removed.

(2) The water logging in the plant premises near S. No. 606 (private ownership) besides the Plant should be immediately removed.

To,  
RSPL Ltd.,  
At : Kuranga, Tal. Dwarka  
Dist. Devbhumi Dwarka

Orders received

Signature : Sd/-

Name : Trushar Trivedi

Design. : Asstt. Manager

Date : 28/11/18

Name of Officer visited

Signature : Sd/-

Name : P.S. Dave

Design. : SO

Date : 28/11/18

RSPL/CCG/VKG/ENV=004/114/2018-19

Date: 03-12-2018

The Regional Officer,  
Gujarat Pollution Control Board,  
Jamnagar

Sub.: GPCB site visit dated 28.11.2018

Dear Sir,

This refers to the site visit carried out by officials of GPCB, Jamnagar dated 28.11.2018 for Survey No. 540 and area near Survey No. 606 at RSPL Project site located at Village Kuranga, District Devbhumi Dwarka.


In this context we wish to inform you as under:

1. The land owner of Survey No. 540 has excavated a trench within his plot area may be to collect rain water, as a result of which the run-off rain water got collected in the excavated trench. Further we also like to inform you that the aforesaid agriculture land is being used for commercial purpose. Some shops are being operated within the plot area. Wastewater and solid waste generated by the shops is also getting collected in the trench.  
However, we have deployed our pumps for dewatering the trench. (Photographs attached as Annexure-I).
2. The land near Survey No. 606 belongs to RSPL Limited. We have dewatered our plot area as per directives. (Photographs attached herewith as Annexure-II).

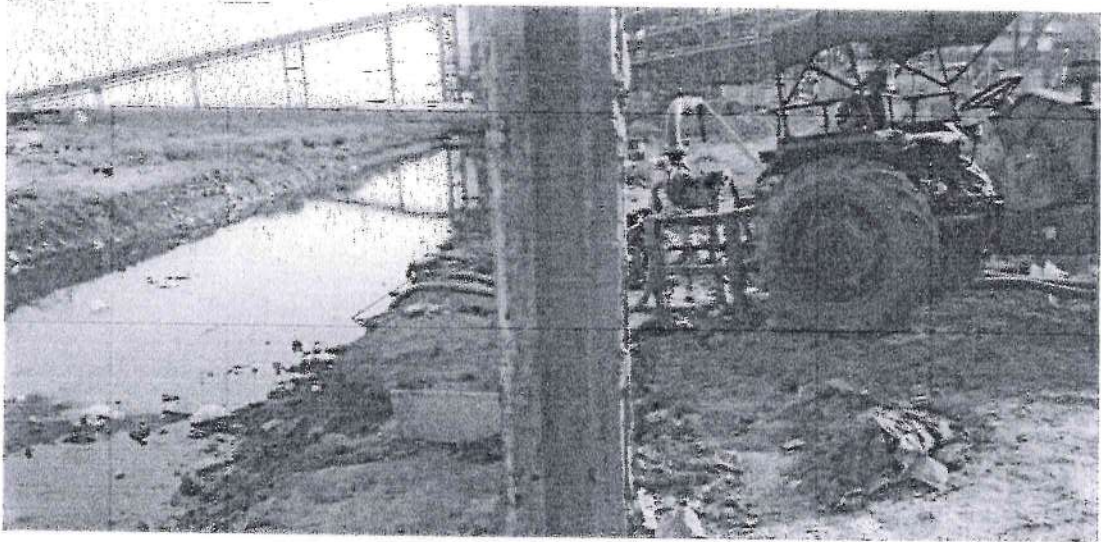
Hope our above actions are satisfactory as per your direction.

Thanking you,

Yours faithfully,  
For RSPL LIMITED

  
3.12.18  
Authorized Signatory

Encl.: As above



[Dewatering from the trench of Plot No.540]



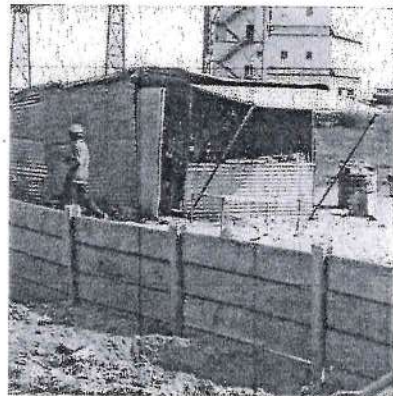
[After dewatering from the trench]



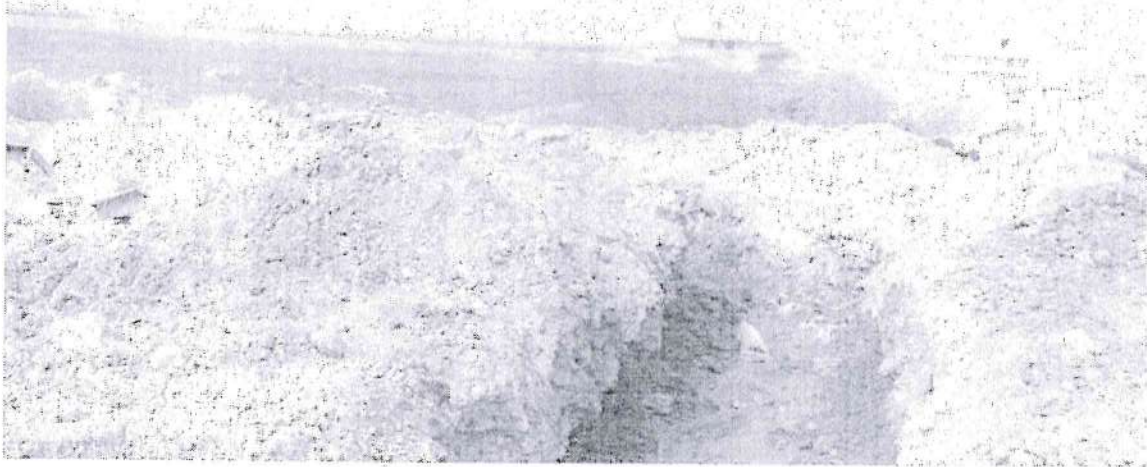
[Shop nr. trench and solid waste in trench]



[No agricultural activity in plot no. 540]



[Shops in plot no.540]



[Area near Plot No. 606 is dewatered]











R

Shot on realme 1





1611c

**RSPL LIMITED**

CIN-U16111UP1988 PLC009771

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 • E-mail : projectamd@rspl.net.in

RSPL/CCG/IK/ENV-004/027/2024-25

**ANNEXURE A26**

Date: 15.07.2024

The Unit Head  
Gujarat Pollution Control Board,  
Gandhinagar, Gujarat

Sub.: Status of work w.r.t NOD dated 23.11.2022 & implementation of recommendations of Schedule-1 Auditor (DDU, Nadiad) w.r.t Soda Ash Plant of RSPL Limited located at Village Kuranga, District Devbhumi Dwarka, Gujarat (GPCB ID: 43851).

- Ref.: 1. Notice issued by the GPCB vide outward no.781155 dated 12.01.2024.  
2. Our letter RSPL/CCG/VKG/ENV-004/2023-24, dated 15.01.2024 regarding status of work.  
3. Our reply vide letter RSPL/CCG/IK/ENV-004/085/2023-24, dated 24.01.2024  
4. Our letter RSPL/CCG/IK/ENV-004/098/2023-24, dated 16.02.2024 regarding status of work.  
5. Our letter RSPL/CCG/IK/ENV-004/109/2023-24, dated 12.03.2024 regarding status of work.

Respected Madam,

With reference to above, please find below the Current status of compliance regarding the Notice of Direction (NOD) 23.11.2022 issued by the Board & implementation of recommendations of Schedule-1 Auditor (DDU, Nadiad)

S. No.	Directions	Current Status of Compliance / Remarks
A	To provide 24*7 CCTV surveillance systems with at least 15 day recording storage at the common boundary of industry and survey no.540 & 606 to avail evidences for any release of contamination / pollutant from the industry in future.	Complied.  As directed 24*7 CCTV surveillance system with at least 15 days recording storage have been installed at the common boundary survey no.540 & 606 within the plant premises CCTV has been installed. The same was intimated to GPCB vide our letter dated 07.12.2022 & also verified during the visit of GPCB team on 09.12.2023.
B	To remove salt containing top soil layer from the survey no.540 & 606 under the supervision of District Agricultural Department or its authorised expert institute/ officer or Schedule-I auditor.	Under progress as per directions of Hon'ble Gujarat High Court.
C	To construct water retaining wall at the common boundary of industry and survey no.540 & 606 to prevent water seepages/ leakages/overflow from the industry even during unforeseen situation under the supervision of authorised expert institute/ officer in Civil Engineering field.	Complied.  Peripheral drain with retaining wall of required surface gradient surrounding the Survey No 540 & 606 at the common boundary has been completed. The completion status along with drawings was submitted to the Board vide our letter dated 12.03.2024. The completion certificate by Schedule -1 Auditor is attached as Annexure-1.
D	If required surface gradient towards survey no.540 & 606 to be changed at appropriate location or a trench at the boundary of the premises within premises to be provided in order to divert surface runoff required precautionary measures for future release of water/ waste water from the industry leading to survey no.540 & 606 etc.	Complied.  Peripheral drain with retaining wall of required surface gradient surrounding the Survey No 540 & 606 at the common boundary has been completed. The completion status along with drawings was submitted to the Board vide our letter dated 12.03.2024. The completion certificate by Schedule -1 Auditor is attached as Annexure-1.

GUJARAT POLLUTION CONTROL BOARD  
Sardar Patel Bhavan Rameshwar Nagar  
Jamnagar-361008

18/7/24



CIN-U15111UP1988 PLC009771

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No. - 079 - 29701606 • E-mail : projectamd@rspl.net.in

E	To submit study, report geo-hydrology report including drainage pattern above/ below soil, with actual reason of high salinity in the wells at survey no.540 & 606 & conform the salinity is inherent due to their location nearby seacoast and not due to activities of your plant.	Complied.  Hydrogeological study report conducted by M/s Hydro-Geo Survey Consultants, Jodhpur with reasons of salinity in survey. no 540 & 606 has been already annexed with the submitted ESA study report, report submitted vide our letter dated. 15.04.2023.
F	To submit short term and long-term action plan with reasonable timeline for the above.	Complied.  The short term and long-term action with time line has been submitted to the Board vide our letter dated 28.12.2022.

In addition to above, Coal handling guidelines are being followed with and coal is stored in a covered shed (dimensions: 420 m X120 m X 32 m). Further system like ESP & stack design is done in a scientific manner. To prevent any dust formation the industry has installed water sprinkler system along the coal stock pile and for misting the coal. Dry fogs system has been provided at truck tippler(unloading) point. Water sprinkling on roads and regular cleaning is being carried out to minimize dust pollution.

Further, after the recommendation of Phase-I study construction of internal pucca road (6.09 km) has already been completed and the lining of storm water drains (2.609 km) has already been completed and status of the same was also submitted vide letter dated 12.03.2024.

Aforesaid is without prejudice to our rights as available in law.

This is for your information and record please.

Thanking You.

Yours faithfully,  
For RSPL LIMITED

  
15/12/24  
Authorized Signatory

Encl.: as above

✓ Copy to: The Regional officer  
Gujarat Pollution Control Board  
Jamnagar – Gujarat

**TO WHOMSOEVER IT MAY CONCERN**

This is to certify that RSPL Ltd., Soda Ash Plant, Kuranga Village, Devbhumi Dwarka District, Gujarat has successfully completed the construction of Peripheral drain with retaining wall of required surface gradient surrounding Survey No. 540 & 606.

**Project Name:** Environmental Site Assessment Phase II study at RSPL Ltd.  
**Location:** RSPL Ltd., Soda Ash Plant, Kuranga Village, Devbhumi Dwarka District.  
**Completion Date:** 29th February, 2024

Thanking you,

Yours Sincerely,

Coordinator,

Environmental Consultancy Cell

Date: 02-07-2024

**Dharmsinh Desai University**



CIN-U15111UP1988 PLC009771

Ahmedabad Office : C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No.-079 - 29701606 • E-mail : projectamd@rspl.net.in

1614  
ANNEXURE - A 27

RSPL LIMITED

WITHOUT PREJUDICE

RSPL/CCG/IK/ENV-004/082/2024-25

Date: 15.01.2025

The Unit Head -  
Gujarat Pollution Control Board,  
Gandhinagar, Gujarat

*DP 16/01/25*  
Gujarat Pollution Control Board  
Head Office  
Sector No.-10-A,  
Gandhinagar-382010

Sub.: Request for Revocation against the Closure Direction under Section 33-A of the Water (Prevention and Control of Pollution) Act-1974 and Section 31-A of the Air (Prevention and Control of Pollution) Act -1981 as amended from time to time to Soda Ash Plant of RSPL Limited located at Village Kuranga, District Devbhumi Dwarka, Gujarat (GPCB ID: 43851).

- Ref.: 1. Closure direction issued by the GPCB vide outward no.781155 dated 12.01.2024.  
2. Our reply vide letter RSPL/CCG/IK/ENV-004/085/2023-24, dated 24.01.2024  
3. Our letter RSPL/CCG/IK/ENV-004/098/2023-24, dated 16.02.2024 regarding status of work.  
4. Our letter RSPL/CCG/IK/ENV-004/109/2023-24, dated 12.03.2024 regarding status of work.  
5. Our letter RSPL/CCG/IK/ENV-004/27/2024-25, dated 15.07.2024 regarding status of work.

Respected Madam,

With reference to above, please find below the Current status of compliance regarding the Notice of Direction (NOD) 23.11.2022 issued by the Board & implementation of recommendations of Schedule-1 Auditor (DDU, Nadiad).

S. No.	Directions	Current Status of Compliance / Remarks
A	To provide 24*7 CCTV surveillance systems with at least 15 day recording storage at the common boundary of industry and survey no.540 & 606 to avail evidences for any release of contamination / pollutant from the industry in future.	Complied. As directed 24*7 CCTV surveillance system with at least 15 days recording storage have been installed at the common boundary survey no.540 & 606 within the plant premises CCTV has been installed. The same was intimated to GPCB vide our letter dated 07.12.2022 & also verified during the visit of GPCB team on 09.12.2023.
B	To remove salt containing top soil layer from the survey no.540 & 606 under the supervision of District Agricultural Department or its authorised expert institute/ officer or Schedule-I auditor.	Under progress as per directions of Hon'ble Gujarat High Court.
C	To construct water retaining wall at the common boundary of industry and survey no.540 & 606 to prevent water seepages/ leakages/overflow from the industry even during unforeseen situation under the supervision of authorised expert institute/ officer in Civil Engineering field.	Complied. Peripheral drain with retaining wall of required surface gradient surrounding the Survey No 540 & 606 at the common boundary has been completed. The completion status along with drawings was submitted to the Board vide our letter dated 12.03.2024. The completion certificate by Schedule -1 Auditor is attached as <b>Annexure-1</b> .
D	If required surface gradient towards survey no.540 & 606 to be changed at appropriate location or a trench at the boundary of the premises within premises to be provided in order to divert surface runoff required precautionary measures for future release of water/ waste water from the industry leading to survey no.540 & 606 etc.	Complied. Peripheral drain with retaining wall of required surface gradient surrounding the Survey No 540 & 606 at the common boundary has been completed. The completion status along with drawings was submitted to the Board vide our letter dated 12.03.2024. The completion certificate by Schedule -1 Auditor is attached as <b>Annexure-1</b> .



CIN-U15111UP:1988 PLC009771

**RSPL LIMITED**

**Ahmedabad Office :** C-1 / C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 - 29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

S. No.	Directions	Current Status of Compliance / Remarks
E	To submit study, report geo-hydrology report including drainage pattern above/below soil, with actual reason of high salinity in the wells at survey no.540 & 606 & conform the salinity is inherent due to their location nearby seacoast and not due to activities of your plant.	Complied.  Hydrogeological study report conducted by M/s Hydro Geo Survey Consultants, Jodhpur with reasons of salinity in survey no 540 & 606 has been already annexed with the submitted ESA study report, report submitted vide our letter dated. 15.04.2023.
F	To submit short term and long-term action plan with reasonable timeline for the above.	Complied.  The short term and long-term action with time line has been submitted to the Board vide our letter dated 28.12.2022.

In addition to above, Coal handling guidelines are being followed with and coal is stored in a covered shed (dimensions: 420 m X 120 m X 32 m). Further system like ESP & stack design is done in a scientific manner. To prevent any dust formation the industry has installed water sprinkler system along the coal stock pile and for misting the coal. Dry fog system has been provided at truck tippler(unloading) point. Water sprinkling on roads and regular cleaning is being carried out to minimize dust pollution.

Further, after the recommendation of Phase-I study construction of internal pucca road (6.09 km) has already been completed and the lining of storm water drains (2.609 km) has already been completed and status of the same was also submitted vide letter dated 12.03.2024.

As directed vide closure notice dated 12.01.2024, the Bank guarantee (Guarantee Number: 0534624BG0000008 dated 24.01.2024) of amount of Rs 61,84,720/- {Rs. Sixty-One Lac Eighty-Four Thousand Seven Hundred Twenty only} (10 % of the estimated cost) had already been submitted along with time bound action plan.

The directions given in NOD dated 22.11.2022 are all complied with, except the soil replenishment job in Survey No 540, 540/p1 & 606, which is being now undertaken by GPCB as per directions of Hon'ble High Court Order dated 27.03.2024 in SCA no. 6970 of 2023. The estimated amount of Rs 1,57,15,000/- towards the job of soil replenishment work to be carried out has also been deposited as directed by GPCB vide our letter dated 04.06.2024.

In view of above, we request your kind authority to withdraw closure direction under Section 33-A of the Water (Prevention and Control of Pollution) Act-1974 and under Section 31- A of Air (Prevention and Control of Pollution) Act 1981 as amended from time to time as we are always committed to abide by the rules and regulations & comply with directions given by the GPCB.

The online application for closure revocation has also already been submitted on GPCB XGN portal 09.02.2024.

Aforesaid is without prejudice to our rights as available in law.

Thanking You.

Yours faithfully,  
For RSPL LIMITED

*Shah*  
15.1.25  
Authorized Signatory



Encl.: as above

Copy to: The Regional officer  
Gujarat Pollution Control Board  
Jamnagar – Gujarat

**TO WHOMSOEVER IT MAY CONCERN**

This is to certify that RSPL Ltd., Soda Ash Plant, Kuranga Village, Devbhumi Dwarka District, Gujarat has successfully completed the construction of Peripheral drain with retaining wall of required surface gradient surrounding Survey No. 540 & 606.

**Project Name:** Environmental Site Assessment Phase II study at RSPL Ltd.  
**Location:** RSPL Ltd., Soda Ash Plant, Kuranga Village, Devbhumi Dwarka District.  
**Completion Date:** 29th February, 2024

Thanking you,

Yours Sincerely,

Coordinator,

Environmental Consultancy Cell

Date: 02-07-2024



**Dharmsinh Desai University**



## WITHOUT PREJUDICE

RSPL/CCG/IK/ENV-004/083 /2024-25

Date: 16.01.2025

The Unit Head  
 Gujarat Pollution Control Board,  
 Gandhinagar, Gujarat

Sub.: In regard to soil remediation work as directed by Hon'ble High court in its order dated 27.03.2024 in SCA No.6970 of 2023 filed by Balubha Pabubha Ker vs. State of Gujarat and Others and panchnama 23.12.2024 during the site visit by committee members.

Respected Madam,

1. The work of soil remediation was to be undertaken by the GPCB as per the directions given by Hon'ble High Court of Gujarat in Special Civil Application No. 6970 of 2023 by its order dt. 27.03.2024 and pursuant thereto, the amount of Rs.1,57,15,000 /- towards the remediation of the soil has been deposited with the GPCB (State Bank of India, Gandhinagar) as per the directions of GPCB by its letter dated 29.05.2024.
2. That thereafter another order dt. 08.08.2024 was passed by Hon'ble High Court of Gujarat which was challenged by way of SLP No. 26733 of 2024 wherein the Hon'ble Supreme Court was pleased to grant stay of further proceedings of SCA No.6970 of 2023 on 18.11.2024 subject to deposit of an amount of Rs.1,50,00,000/- with the registry of the Hon'ble Court which has been duly complied with by RSPL limited.
3. That on 23.12.2024 during the site visit by committee members all the parties were present and in the presence of the Committee, the Petitioner



CIN-U15111UP1988 PLC009771

**RSPL LIMITED**

Ahmedabad Office : C-1/ C-2, 3<sup>rd</sup> Floor, Safal Profitaire, Corporate Road, Near Prahlad Nagar Garden, Satellite, Ahmedabad - 380015  
Tel - 079 -29701607, 29701608, Fax No.- 079 - 29701606 • E-mail : projectamd@rspl.net.in

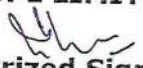
(i.e Balubha Pabubha Ker) of the said SCA No.6970 of 2023 took an objection regarding the work being continued of soil remediation stating that the proceedings of SCA No.6970 of 2023 were stayed by the Hon'ble Supreme Court and that therefore, no work should be carried out on the subject parcels of land as directed. The said stand was taken by the Petitioner in the presence of all Committee members including the officer of the GPCB and the concerned person of DDU, Nadiad, where after, the Petitioner refused to sign on the report / panchnama.

4. That during the panchnama dated 23.12.2024, RSPL Ltd. has infact suggested that the soil remediation may continue and be completed and RSPL has no objection to continue the soil remediation work. The same has been recorded in the panchnama dated 23.12.2024.
5. In view of above it is requested to continue the soil remediation work and the same be completed.
6. The aforesaid submission is without prejudice to our rights and contentions and without prejudice to our stand in the writ petition being SCA No.6970 of 2023 as well as the Appeal pending before the Hon'ble National Green Tribunal as well as the SLP pending before the Hon'ble Supreme Court and other proceedings in this regard.

Thanking You.

Yours faithfully,

For **RSPL LIMITED**

  
Authorized Signatory

Copy to: The Regional officer  
Gujarat Pollution Control Board  
Jamnagar – Gujarat



1619

ANNEXURE - A 29

THE COURT OF INDIA

IN THE SUPREME COURT OF INDIA

APPELLATE JURISDICTION

CIVIL APPELLATE JURISDICTION

[Under Article 136 of the Constitution of India]

SPECIAL LEAVE PETITION (CIVIL) No. OF 2024

[From the impugned Interim judgment and order dated 08.08.2024 passed by the Hon'ble High Court of Gujarat at Ahmedabad in R/Special Civil Application No. 6970 of 2023 with Civil Application (Direction) No. 1 of 2024 in R/Special Civil Application No. 6970 of 2023]

WITH PRAYER FOR INTERIM RELIEF

IN THE MATTER OF: -

RSPL Limited

...PETITIONER

VERSUS

Balubha Pabubha Ker & Ors.

...RESPONDENTS

I.A. NO. OF 2024

Application for Permission to file Additional Documents

VOLUME-I

PAPER - BOOK

(FOR INDEX KINDLY SEE INSIDE)

ADVOCATE FOR THE PETITIONER: MR. MILIND KUMAR

## RECORD OF PROCEEDINGS

S.NO.	PARTICULARS	PAGES
-------	-------------	-------

1.		
----	--	--

2.		
----	--	--

3.		
----	--	--

4.		
----	--	--

5.		
----	--	--

6.		
----	--	--

7.		
----	--	--

8.		
----	--	--

9.		
----	--	--

10.		
-----	--	--

11.		
-----	--	--

12.		
-----	--	--

13.		
-----	--	--

14.		
-----	--	--

15.		
-----	--	--

16.		
-----	--	--

MASTER INDEX

S.No	Particulars of document	Page no. of part to which it belongs		Remarks
		Part I (Contents of paper Book)	Part II Contents of file alone	
(i)	(ii)	(iii)	(iv)	(v)
	Court Fee			
1.	O/R on Limitation	A	A	
2.	Listing Proforma	A1-A2	A1-A2	
3.	Cover page of paper Book		A3	
4.	Index of Record of Proceedings		A4	
5.	Limitation Report prepared by the Registry		A5	
6.	Defect List		A6	
7.	Note Sheet		NS1 to.....	
8.	Synopsis & List of Dates	B - Q		
9.	Impugned Interim judgment and order dated 08.08.2024 passed by the Hon'ble High Court of Gujarat at Ahmedabad in R/Special Civil Application No. 6970 of 2023 with Civil Application (Direction) No. 1 of 2024 in R/Special Civil Application No. 6970 of 2023.	I - 5		
10.	SLP with affidavit	6 - 22		
11.	<b>ANNEXURE P-1:</b> Copy of inspection report dated 29.03.22.	23 - 24		
12.	<b>ANNEXURE P-2:</b> Copy of Notice of direction dated 23.11.22.	25 - 27		

13.	<b>ANNEXURE P-3:</b> Copy of R/Special Civil Application No. 6970 of 2023 dated 20.03.23.	28 - 61		
14.	<b>ANNEXURE P-4:</b> Copy of letter dated 11.05.23.	62 -		
15.	<b>ANNEXURE P-5:</b> Copy of letter dated 21.06.23.	63 - 65		
16.	<b>ANNEXURE P-6:</b> Copy of reply filed by the petitioners dated 29.06.23.	66 - 96		
17.	<b>ANNEXURE P-7:</b> Copy of show cause notice dated 15.07.23.	97		
18.	<b>ANNEXURE P-8:</b> Copy of reply to show cause notice dated 29.07.23.	98-108		
19.	<b>ANNEXURE P-9:</b> Copy of letter dated 10.08.23.	109-110		
20.	<b>ANNEXURE P-10:</b> Copy of order dated 30.11.23 passed by the High Court in R/Special Civil Application No. 6970 of 2023.	111-115		
21.	<b>ANNEXURE P-11:</b> Copy of site inspection dated 09.12.23.	116-138		
22.	<b>ANNEXURE P-12:</b> Copy of reply by petitioner dated 12.12.23.	139-140		
23.	<b>ANNEXURE P-13:</b> Copy of letter dated 10.01.24.	141-151		

24-15	<b>ANNEXURE P-14:</b> Copy of order dated 12.01.24 of the respondent.	152-156		
25-17	<b>ANNEXURE P-15:</b> Copy of Affidavit in reply filed by respondent GPCB dated 15.01.24 filed before the High Court.	157-172		
26.	<b>ANNEXURE P-16:</b> Copy of letter dated 24.01.24.	173-175		
27.	<b>ANNEXURE P-17:</b> Copy of Civil Application No.1 of 2024 in R/Special Civil Application No. 6970 of 2023 dated 25.01.24 filed before the High Court.	176-189		
28.	<b>ANNEXURE P-18:</b> Copy of order dated 05.02.24 passed by the High Court in R/Special Civil Application No. 1706 of 2024.	190-192		
29.	<b>ANNEXURE P-19:</b> Copy of rejoinder affidavit dated 08.02.24 filed by respondent No. 1 filed before the High Court.	193-195		
30.	<b>ANNEXURE P-20:</b> Copy of Appeal No. 15 of 2024 dated 09.02.24 filed before the NGT Western Zone Bench Pune.	196-244		
31.	<b>ANNEXURE P-21:</b> Copy of order dated 09.02.24 passed by the High Court in R/Special Civil Application No. 6970 of 2023.	245-250		
32.	<b>ANNEXURE P-22:</b> Copy of order dated 12.02.24 passed by NGT Western Zone Bench Pune in Appeal No. 15 of 2024.	251-257		

33.	<b>ANNEXURE P-23:</b> Copy of order dated 05.03.24 passed by Hon'ble High Court R/Special Civil Application No. 6970 of 2023.	258		
34.	<b>ANNEXURE P-24:</b> Copy of additional affidavit dated 16.03.24 filed by the petitioner before the High Court.	259-274		
35.	<b>ANNEXURE P-25:</b> Copy of affidavit dated 24.03.24 filed by the respondent before the High Court.	275-294		
36.	<b>ANNEXURE P-26:</b> Copy of order dated 27.03.24 passed by Hon'ble High Court R/Special Civil Application No. 6970 of 2023.	295-311		
37.	<b>ANNEXURE P-27:</b> Copy of SLP (C) No.11219-11220/2024 dated 03.05.24 filed before this Hon'ble Court.	312-364		
38.	<b>ANNEXURE P-28:</b> Copy of order dated 14.05.24 passed by this Hon'ble Court in SLP (C) No.11219-11220/2024.	365		
39.	<b>ANNEXURE P-29:</b> Copy of order dated 29.05.24 of the respondent.	366-367		
40.	<b>ANNEXURE P-30:</b> Copy of affidavit dated 11.06.24 filed by the respondent before the High Court.	368-377		
41.	<b>ANNEXURE P-31:</b> Copy of affidavit dated 11.06.24 filed by the petitioner before the High Court.	378-403		

42.	<b>ANNEXURE P-32:</b> Copy of inspection report dated 21.06.24.	404-408		
43.	<b>ANNEXURE P-33:</b> Copy of order dated 02.07.24 passed by Hon'ble High Court R/Special Civil Application No. 6970 of 2023.	409-412		
44.	<b>ANNEXURE P-34:</b> Copy of affidavit filed on 08.08.24 by the respondent before the High Court.	413-420		
45.	Application for Permission to file Additional Documents	421-423		
46.	<b>ANNEXURE P-35:</b> Copy of notice/order dated 30.09.2024	424-425		
47.	<b>ANNEXURE P-36:</b> Copy of order dated 03.10.2024 passed by the High Court in R/Special Civil Application No: 6970 of 2023	426		
48.	<b>ANNEXURE P-37:</b> Copy of reply dated 24.10.2024 of the petitioner.	427		
49.	F/M		428	
50.	V/M		429	

**INDEX**  
**VOLUME-I**

S.No	Particulars of document	Page no. of part to which it belongs		Remarks
		Part I (Contents of paper Book)	Part II Contents of file alone	
(i)	(ii)	(iii)	(iv)	(v)
	Court Fee			
1.	O/R on Limitation	A	A	
2.	Listing Proforma	A1-A2	A1-A2	
3.	Cover page of paper Book		A3	
4.	Index of Record of Proceedings		A4	
5.	Limitation Report prepared by the Registry		A5	
6.	Defect List		A6	
7.	Note Sheet		NS1 to.....	
8.	Synopsis & List of Dates	B – Q		
9.	Impugned Interim judgment and order dated 08.08.2024 passed by the Hon'ble High Court of Gujarat at Ahmedabad in R/Special Civil Application No. 6970 of 2023 with Civil Application (Direction) No. 1 of 2024 in R/Special Civil Application No. 6970 of 2023.	1 – 5		
10.	SLP with affidavit	6 – 22		
11.	<b>ANNEXURE P-1:</b> Copy of inspection report dated 29.03.22.	23 – 24		
12.	<b>ANNEXURE P-2:</b> Copy of Notice of direction dated 23.11.22.	25 – 27		

13.	<b>ANNEXURE P-3:</b> Copy of R/Special Civil Application No. 6970 of 2023 dated 20.03.23.	28 - 61		
14.	<b>ANNEXURE P-4:</b> Copy of letter dated 11.05.23.	62 -		
15.	<b>ANNEXURE P-5:</b> Copy of letter dated 21.06.23.	63 - 65		
16.	<b>ANNEXURE P-6:</b> Copy of reply filed by the petitioners dated 29.06.23.	66 - 96		
17.	<b>ANNEXURE P-7:</b> Copy of show cause notice dated 15.07.23.	97		
18.	<b>ANNEXURE P-8:</b> Copy of reply to show cause notice dated 29.07.23.	98-108		
19.	<b>ANNEXURE P-9:</b> Copy of letter dated 10.08.23.	109-110		
20.	<b>ANNEXURE P-10:</b> Copy of order dated 30.11.23 passed by the High Court in R/Special Civil Application No. 6970 of 2023.	111-115		
21.	<b>ANNEXURE P-11:</b> Copy of site inspection dated 09.12.23.	116-138		
22.	<b>ANNEXURE P-12:</b> Copy of reply by petitioner dated 12.12.23.	139-140		
23.	<b>ANNEXURE P-13:</b> Copy of letter dated 10.01.24.	141-151		

11.24.24	24.	<b>ANNEXURE P-14:</b> Copy of order dated 12.01.24 of the respondent.	152-156		
15.01.24	25.	<b>ANNEXURE P-15:</b> Copy of Affidavit in reply filed by respondent GPCB dated 15.01.24 filed before the High Court.	157-172		
	26.	<b>ANNEXURE P-16:</b> Copy of letter dated 24.01.24.	173-175		
	27.	<b>ANNEXURE P-17:</b> Copy of Civil Application No.1 of 2024 in R/Special Civil Application No. 6970 of 2023 dated 25.01.24 filed before the High Court.	176-189		
	28.	<b>ANNEXURE P-18:</b> Copy of order dated 05.02.24 passed by the High Court in R/Special Civil Application No. 1706 of 2024.	190-192		
	29.	<b>ANNEXURE P-19:</b> Copy of rejoinder affidavit dated 08.02.24 filed by respondent No. 1 filed before the High Court.	193-195		
	30.	<b>ANNEXURE P-20:</b> Copy of Appeal No. 15 of 2024 dated 09.02.24 filed before the NGT Western Zone Bench Pune.	196-244		
	31.	<b>ANNEXURE P-21:</b> Copy of order dated 09.02.24 passed by the High Court in R/Special Civil Application No. 6970 of 2023.	245-250		
	32.	<b>ANNEXURE P-22:</b> Copy of order dated 12.02.24 passed by NGT Western Zone Bench Pune in Appeal No. 15 of 2024.	251-257		

33.	<b>ANNEXURE P-23:</b> Copy of order dated 05.03.24 passed by Hon'ble High Court R/Special Civil Application No. 6970 of 2023.	258		
34.	<b>ANNEXURE P-24:</b> Copy of additional affidavit dated 16.03.24 filed by the petitioner before the High Court.	259-274		


(For Annexure P-25 to Annexure P-37 please see Volume-II)

Diary No.51042/2024

## DECLARATION

All defects have been duly cured. Whatever has been added/deleted/modified in the petition is the result of curing of defects and nothing else. Except curing the defects, nothing has been done. Paper books are complete in all respects.

Dated: 08.10.2024



(MILIND KUMAR)  
Advocate for the Petitioner

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

District Devbhoomi Dwarka

District Devbhoomi Dwarka

CIVIL APPLICATION (DIRECTION) NO. 1 OF 2024

IN

SPECIAL CIVIL APPLICATION NO. 6970 OF 2023

MEMO OF PARTIES

RSPL Limited

Having registered office at:  
C-1/C-2, 3<sup>rd</sup> Floor, Safal Profitaire,  
Near Prahladnagar Garden, Satellite,  
Ahmedabad-380015.

...Applicant  
(Orl. Respondent No.4)

Versus

1. The State of Gujarat  
Notice to be served through  
Forests and Environment Department  
Having office at: Block 14, 8<sup>th</sup> Floor,  
Sachivalay, Gandhinagar-382010.

2. Central Pollution Control Board  
Notice to be served through Regional Directorate,  
Having office at: Parivesh Bhavan,  
Opposite Ward No.10 VMC Office,  
Subhanpura, Vadodara-390023.

3. Gujarat Pollution Control Board  
Notice to be served through Chairman,  
Having office at: Paryavaran Bhavan,  
Sector 10-A, Gandhinagar-382010.

...Opponent No.1 to 3  
(Orl.-Respondent No. 1 to 3)

4. Balubha Pabubha Ker  
Male, Aged: Adult,  
Residing at: Village Kuranga,  
Taluka: Dwarka,  
District: Devbhoomi Dwarka.

...Opponent No.4  
(Orl. Petitioner)

Filed by:



(MILIND KUMAR)

Advocate for the petitioner

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
SPECIAL LEAVE PETITION (CIVIL) NO. OF 2024

IN THE MATTER OF :

RSPL Limited ...PETITIONER

VERSUS

Balubha Pabubha Ker & Ors. ...RESPONDENTS

OFFICE REPORT ON LIMITATION

1. The Petition is/are within time.
2. The petition is barred by time and there is delay of \_\_\_\_\_ days in filing the same against order dated 08.08.2024 and petition for condonation of \_\_\_\_\_ days delay has been filed.
3. The petition is barred by time and there is delay of \_\_\_\_\_ days in re-filing the same and petition for condonation of \_\_\_\_\_ days delay has been filed.

New Delhi  
Dated : 04.11.2024

BRANCH OFFICER

## PROFORMA FOR FIRST LISTING

SECTION:IX

The case pertains to (Please tick/check the correct box):

- Central Act: (Title) Under Article 136 of the Constitution of India
- Section: \_\_\_\_\_ Under Article 136
- Central Rule: (Title) \_\_\_\_\_ NA \_\_\_\_\_
- Rule No(s): \_\_\_\_\_ NA \_\_\_\_\_
- State Act: (Title) \_\_\_\_\_ NA \_\_\_\_\_
- Section: \_\_\_\_\_ NA \_\_\_\_\_
- State Rule: (Title) \_\_\_\_\_ NA \_\_\_\_\_
- Rule No(s): \_\_\_\_\_ NA \_\_\_\_\_
- Impugned Interim order : (Date) \_\_\_\_\_ NA \_\_\_\_\_
- Impugned Final Order/Decree : (Date) 08.08.2024
- High Court: (Name) High Court of Gujarat at Ahmedabad
- Names of Judges- THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL and HONOURABLE MR. JUSTICE PRANAV TRIVEDI
- Tribunal / Authority : (Name) \_\_\_\_\_ N/A \_\_\_\_\_

1. Nature of Matter:  Civil  Criminal
2. (a) Petitioner/Appellant No.1: RSPL Ltd  
(b) e-mail ID: \_\_\_\_\_ NA \_\_\_\_\_  
(c) Mobile phone No. \_\_\_\_\_ NA \_\_\_\_\_
3. (a) Respondent N.1: BALUBHA PABUBHA KER & Ors.  
(b) e-mail ID: \_\_\_\_\_ NA \_\_\_\_\_  
(c) Mobile phone No. \_\_\_\_\_ NA \_\_\_\_\_
4. (a) Main category classification: \_\_\_\_\_ 06 \_\_\_\_\_  
(b) Sub classification: \_\_\_\_\_ 605 \_\_\_\_\_
5. Not to be listed before: \_\_\_\_\_ NA \_\_\_\_\_
6. (a) Similar disposed of matter with citation, if any, & case details:  
No similar matter  
(b) Similar Pending matter with case details:  
No similar matter
7. Criminal Matters:  
(a) Whether accused/convict has surrendered:  Yes  No  
(b) FIR No. \_\_\_\_\_ NA \_\_\_\_\_  
(c) Police Station: \_\_\_\_\_ NA \_\_\_\_\_

- (d) Sentence Awarded: \_\_\_\_\_ NA \_\_\_\_\_  
(e) Period of Sentence undergone including period of  
Detention/Custody undergone: \_\_\_\_\_ NA \_\_\_\_\_

8. **Land Acquisition Matters:**

(a) Date of Section 4 notification: \_\_\_\_\_ NA \_\_\_\_\_

(b) Date of Section 6 notification: \_\_\_\_\_ NA \_\_\_\_\_

(c) Date of Section 17 notification: \_\_\_\_\_ NA \_\_\_\_\_

9. **Tax Matters:** State the tax effect: \_\_\_\_\_ NA \_\_\_\_\_

10. **Special Category** (First petitioner/appellant only):

Senior Citizen > 65 years  SC/ST  Woman/ Child  Disabled

Legal Aid case  In custody

11. **Vehicle Number** (in case of Motor Accident Claim matters):

\_\_\_\_\_ N/A \_\_\_\_\_

Date: 04.11.2024



[MR. MILIND KUMAR]

AOR for petitioner(s)/Appellant(s)

Chamber No. 639, D Block

Supreme Court of India Additional Building Complex

Registration No:1566

9868161390

[milindkraor@gmail.com](mailto:milindkraor@gmail.com)

## SYNOPSIS AND LIST OF DATES

The Petitioner State prefers the instant Special Leave Petition being aggrieved by the impugned interim order and judgment passed by the Hon'ble High Court. The petitioner is aggrieved by the Hon'ble High Court's directions, which permit a Committee constituted by the Gujarat Pollution Control Board (GPCB) to compute damages allegedly caused by the petitioner's industrial activities. These damages, according to the Hon'ble High Court, include not only loss of crop but also mental harassment suffered by the respondent, Balubha Pabubha Ker (Respondent No. 1). It has been left open to the Committee to recover these damages from the petitioner company or other erring officials/persons of GPCB.

The petitioner made several attempts to comply with GPCB directives regarding soil remediation, subject to obtaining the necessary consent from co-owners of the land. Despite these efforts, the co-owners either refused consent or did not respond, creating an insurmountable obstacle to compliance. Despite this, the impugned directions have been passed without fully considering the impediments faced by the petitioner in executing the remedial work.

That the orders dated 27.03.2024 and 08.08.2024 are overlapping in as much as the directions in the order dated 27.03.2024, inter-alia, require Respondent no. 2 GPCB to pay an amount of Rs.20,00,000/- as compensation to the Respondent no. 1 (Petitioner of SCA No.6970 of 2023) towards damages caused to him for loss of his income from the lands in question, mental harassment and legal expenditure for the period 2019 onwards and to recover the same from the erring officials and to conduct Departmental

Inquiry. The said order dated 27.03.2024 to the extent that the same directed the Respondent no. 2 GPCB to pay the amount of Rs.20,00,000/- to the Petitioner of SCA No.6970 of 2023, which came to be stayed by this Hon'ble Court by way of order dated 14.05.24 in SLP (C) 11219-11220/2024 which is pending consideration before this Hon'ble Court. Thereafter, the impugned order has been passed which inter-alia is based on the same consideration wherein the Hon'ble High Court has observed at the interim stage without due consideration of the relevant aspects that on account of the inaction on the part of the Respondent no. 2 GPCB and for the activity of the Petitioner RSPL Ltd., the petitioner of SCA No.6970 of 2023 is suffering recurring losses and is required to be compensated and in this regard, has again directed Respondent no. 2 GPCB to place the matter before the Committee constituted by Respondent no. 2 GPCB for the purposes of computation of damages caused to the Respondent no. 1 due to the delay in replenishment of soil and for which, all factors pertaining to the damages including the loss of crop, mental harassment etc. shall be included in the damages to be computed by the said Committee and that it would be open for the Committee to provide for realization of the damages computed from the defaulting company or any other erring officials/persons of the Respondent no. 2 GPCB.

All these aspects in respect of computation of damages or whether the respondent no. 1 in fact suffered any damage or that whether he was in fact undertaking any agricultural activity or not or that he is entitled to any such amount are disputed questions of fact and the Hon'ble High Court under 226 of the Constitution of India ought not to have undertaken a fact finding exercise by examining disputed

questions of fact which were best adjudicated by the competent Tribunal established under the provisions of National Green Tribunal Act which has jurisdiction to entertain matters pertaining to environment etc.

That though the issue of the maintainability and the locus of the respondent no. 1 to maintain the petition have been taken in the affidavit in reply and also during the course of hearing of the captioned petition, the Hon'ble High Court has brushed aside the same by further observing that the issue raised by therein is an environment issue which is required to be taken care of on the submissions made therein and that the respondent no. 1 is the Sarpanch of the Village and can raise environment issue. The Hon'ble High Court has not considered the fact that the respondent no. 1 was agitating the said issue in his personal capacity and not as a Public Interest Litigation as Sarpanch of the Village.

Further, the allegations made by the respondent no. 1 have been categorically denied by the petitioner RSPL in its Affidavit in Reply filed from time to time and further contradicted in the affidavits filed by the Respondent no. 2 GPCB from time to time, however, the Hon'ble High Court has chosen to enter into highly disputed questions of fact which, in the submission of petitioner RSPL Ltd. is uncalled for as the same being an environmental issue, the respondent no. 1 ought to have been relegated to the remedy provided under the provisions of the NGT Act.

That during proceedings before the Hon'ble High Court, the petitioner RSPL Ltd. was directed to avail the remedy against the closure order issued by the Respondent no. 2 GPCB which was subsequently stayed by the Hon'ble NGT in view of the proceedings taken by petitioner RSPL Ltd. in this regard. There are proceedings which are pending before the NGT as well as before the Hon'ble High Court as well as

before the Committee appointed by Respondent no. 2 GPCB in view of the directions of the Hon'ble High Court as well as before this Hon'ble Court for issues which are directly connected / inter-connected and all pertain to environmental issues which are best adjudicated by the Tribunal established under the provisions of the National Green Tribunal Act wherein all the parties who are before the Hon'ble High Court as well as before this Hon'ble Court are also party before the Tribunal.

The Hon'ble High Court failed to consider the fact that the petitioner, RSPL Limited, had already deposited the sum of ₹1,57,15,000/- with the Gujarat Pollution Control Board (GPCB) for the purposes of soil remediation as directed by the GPCB.

The petitioner, in full compliance with the orders and directives issued, took necessary steps to address the environmental concerns.

That the remediation work for which, petitioner RSPL has paid an amount of Rs.1,57,15,000/- was not carried out by the authority due to the onslaught of monsoon and thereafter the same is likely to be further delayed due to unexpected torrential rains in most of the parts of Gujarat and specially Dist: Dev Bhoomi Dwarka around October, 2024 which has led to water logging not only on the Survey Numbers of the respondent no. 1 but also on the land from where the soil is required to be taken and brought by the contractor for the purpose of remediation. In this situation, the petitioner RSPL has been placed in a prejudicial situation and that too on the basis of facts which are highly disputed between the parties.

It is submitted that the record reflects that petitioner RSPL consistently communicated with the Gujarat Pollution Control Board (GPCB), complied with its directives, and even sought to

undertake soil remediation subject to the consent of the landowners, which was beyond the control of the Petitioner.

That the impugned order may create an unintended precedent, where entities like petitioner, which have made sincere efforts to comply with regulatory instructions and address environmental concerns, are still held liable for matters beyond their control. Such an approach could potentially discourage other corporations from engaging in proactive compliance, as it creates uncertainty despite following established regulatory processes. It is important to ensure that industries working in good faith, and in alignment with regulatory guidance, are not unduly penalized, which could otherwise impact overall industrial development and environmental responsibility.

That the impugned order was passed without providing the Petitioner with a full opportunity to present detailed evidence and arguments regarding its compliance with GPCB directives and the steps taken to mitigate environmental impacts. In the interest of fairness and the principles of natural justice, it is crucial that Petitioner be given a chance to address these allegations before any adverse directions are issued.

Because it is essential that a proper fact-finding process be conducted before making assumptions about the respondent no. 1's losses and the petitioner's liability. It is submitted that the Hon'ble High Court erred in permitting the Committee to recover damages either from the petitioner company (RSPL) or the erring officials/persons of GPCB, without sufficient factual examination or conclusive evidence to substantiate the respondent no. 1 's claims.

Also that the respondent no. 1 has never conducted agricultural activities on his land and which the respondent no.1 has purchased around 2017 during the fag end of the setting up of the plant whereafter, the plant went into trial production end in the of 2018 which makes it glaringly apparent that the respondent no.1 has with malafide intentions and for the purpose of harassing and creating litigations, preplanned and purchased the parcels of lands. As is evident from multiple site inspection reports the respondent no. 1 is using his land for commercial purposes by constructing small shops and is not growing crops. The impugned order fails to differentiate between any potential environmental damage and losses that could be attributed to the petitioner versus those caused by natural factors or those attributable to respondent no. 1.

#### LIST OF DATES

- 12.08.14 Consent to Establish (CTE) was granted to petitioner RSPL Limited under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 by the Gujarat Pollution Control Board (GPCB) for setting up an industrial plant in Kuranga, Taluka Dwarka, Gujarat.
- 16.02.19 Petitioner RSPL Limited was granted Consent to Operate (CTO) by GPCB under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981, allowing the operation of its industrial plant.

- 2019-22 Inspections were carried out from time to time in premises of petitioner RSPL.
- 29.03.22 An inspection was carried out by the GPCB on the premises of RSPL Limited in the presence of representative of respondent no. 1, where it was observed that there was no water logging or improper discharge from the factory into the surrounding land.  
Copy of inspection report dated 29.03.22 is annexed herewith as **Annexure P-1 (Pages**
- 23.11.22 Notice of direction was sent to the petitioner. One of the directions was to remove salt containing top soil layer from the survey no.540 & 606 under the supervision of District Agricultural Department or its authorised expert institute/ officer or Schedule-I auditor.  
Copy of Notice of direction dated 23.11.22 is annexed herewith as **Annexure P-2 (Pages**
- 20.03.23 Respondent no. 1 Balubha Pabubha Ker, filed R/Special Civil Application No. 6970 of 2023 before the High Court of Gujarat, alleging that petitioners operations were causing damage to his land making it unfit for cultivation and depriving him of his livelihood.  
Copy of R/SPECIAL CIVIL APPLICATION NO. 6970 of 2023 dated 20.03.23 is annexed herewith as **Annexure P-3 (Pages**

- 11.05.23 Petitioner informed GPCB that the petitioner would undertake the work of soil remediation. However, the same would be possible only on consent being given by the multiple land owners of Survey Nos. 540 and 606 and therefore, a request was made to Respondent GPCB to advise the land owners to provide consent.  
Copy of letter dated 11.05.23 is annexed herewith as **Annexure P-4 (Pages**
- 21.06.23 Respondent GPCB directed petitioner to obtain the consent from land owners of Survey Nos. 540 and 606 from their own.  
Copy of letter dated 21.06.23 is annexed herewith as **Annexure P-5 (Pages**
- 29.06.23 Petitioners filed detailed reply stating therein that the petition had been filed for personal gains and that no injury or prejudice has been caused to the respondent no. 1.  
Copy of reply filed by the petitioners dated 29.06.23 is annexed herewith as **Annexure P-6 (Pages**
- 15.07.23 GPCB issued show cause notice as to why the work of remediation was not undertaken.  
Copy of show cause notice dated 15.07.23 is annexed herewith as **Annexure P-7 (Pages**
- 29.07.23 Petitioner in reply to show cause notice provided the copies of the letters addressed to the co-owners of

Survey Nos.540 and 606 and also stated that work orders related to the work to be undertaken as per directions of GPCB in respect of Survey Nos.540 and 606 have been issued.

Copy of reply to show cause notice dated 29.07.23 is annexed herewith as **Annexure P-8 (Pages**

10.08.23 Petitioner RSPL addressed a letter to the Respondent GPCB informing them about the fact of the co-owners have either refused consent or impliedly have not given their consent by not responding to the request of the petitioner.

Copy of letter dated 10.08.23 is annexed herewith as **Annexure P-9 (Pages**

30.11.23 Hon'ble High Court observed that "the issue raised by the respondent no. 1 herein was environment issue which is required to be taken care of on the submissions made herein." Hon'ble High Court directed GPCB to carry out a fresh inspection of the site in question and further directed the inspection report as also the laboratory report as well as the action, if required at the ends of GPCB on the said report to be placed before the Court with the personal affidavit of the Chairman, GPCB.

Copy of order dated 30.11.23 in R/SPECIAL CIVIL APPLICATION NO. 6970 of 2023 is annexed herewith as **Annexure P-10 (Pages**

## K

- 09.12.23 Accordingly site inspection was carried out on 09.12.23. Petitioner replied to the inspection notice on 12.12.23.  
Copy of site inspection dated 09.12.23 is annexed herewith as **Annexure P-11 (Pages**  
Copy of reply by petitioner dated 12.12.23 is annexed herewith as **Annexure P-12 (Pages**
- 10.01.24 Petitioner again addressed letter to respondent GPCB to procure consent from landowners and in the alternative to provide police protection so that the contractor appointed by petitioner can enter the survey numbers and start the work.  
Copy of letter dated 10.01.24 is annexed herewith as **Annexure P-13 (Pages**
- 12.01.24 Order was issued to the Petitioner by GPCB alleging non-compliance of certain directions. The said closure order was under Section 33A of the Water Act and Section 31 A of the Air Act.  
Copy of order dated 12.01.24 is annexed herewith as **Annexure P-14 (Pages**
- 15.01.24 Affidavit in reply was filed by respondent GPCB  
Copy of Affidavit in reply filed by respondent GPCB dated 15.01.24 is annexed herewith as **Annexure P-15 (Pages**
- 24.01.24 That on receipt of the notice dated 12.01.2024, the petitioner submitted the time bound action plan by

way of letter dated 24.01.2024 highlighting the progress, the cost of the work and the time required to complete the work and has also submitted the bank guarantee as required.

Copy of letter dated 24.01.24 is annexed herewith as **Annexure P-16 (Pages**

25.01.24 Petitioner preferred Civil Application No.1 of 2024 in R/Special Civil Application No. 6970 of 2023 seeking relief that Court may direct Respondent No.1 to give his consent and to procure consent of his land's co-owners so that the soil remediation work can be complied with.

It was pointed out that the entire work of change of soil and/or soil remediation and connected work would take at least 3 to 4 months and would be at the cost of Rs.6,18,47,188/- (approximately) which the petitioner RSPL is willing to undertake. However the same could not be undertaken due to reasons beyond the control of RSPL.

Copy of Civil Application No.1 of 2024 in R/Special Civil Application No. 6970 of 2023 dated 25.01.24 is annexed herewith as **Annexure P-17 (Pages**

05.02.24 In R/SPECIAL CIVIL APPLICATION NO. 1706 of 2024 preferred by the petitioner challenging the closure order dated 12.01.24 the petitioner appeal was disposed of. The petitioner sought withdrawal of the petition so as to avail the remedy of appeal under the provisions of Water (Prevention and

Control of Pollution) Act, 1974 and under the Air (Prevention and Control of Pollution) Act, 1974, before the competent authority.

Copy of order dated 05.02.24 passed in R/Special Civil Application No. 1706 of 2024 is annexed herewith as **Annexure P-18 (Pages**

08.02.24 Rejoinder affidavit was filed by respondent No. 1. Copy of rejoinder affidavit dated 08.02.24 filed by respondent no. 1 is annexed herewith as **Annexure P-19 (Pages**

09.02.24 Petitioner accordingly challenged the aforesaid closure order dated 12.01.24 in Appeal No. 15 of 2024 before the Ld. NGT (Western Zone Bench) Pune. Copy of Appeal No. 15 of 2024 dated 09.02.24 is annexed herewith as **Annexure P-20 (Pages**

09.02.24 Hon'ble High Court passed an order directing personal affidavit of Chairman of GPCB to be filed. Copy of order dated 09.02.24 is annexed herewith as **Annexure P-21 (Pages**

12.02.24 The Ld. NGT passed a detailed order keeping the closure notice/direction in abeyance till next date of hearing. Copy of order dated 12.02.24 passed in Appeal No. 15 of 2024 is annexed herewith as **Annexure P-22 (Pages**

- 20.02.24 Personal affidavit of Chairman of GPCB was filed before Hon'ble High Court.
- 05.03.24 Hon'ble High Court was pleased to grant permission to GPCB to withdraw the affidavit dated 20.02.24 with a liberty to file a better affidavit.  
Copy of order dated 05.03.24 passed by Hon'ble High Court is annexed herewith as **Annexure P-23 (Pages**
- 16.03.24 Petitioner filed additional affidavit pointing out that the issue under consideration substantially involves and/or is related to environment and can be effectively adjudicated before the National Green Tribunal.  
Copy of additional affidavit dated 16.03.24 is annexed herewith as **Annexure P-24 (Pages**
- 24.03.24 The affidavit of Chairman GPCB was filed.  
Copy of affidavit dated 24.03.24 is annexed herewith as **Annexure P-25 (Pages**
- 27.03.24 The Hon'ble High Court of Gujarat passed an interim order, directing the GPCB to initiate an inquiry into the conduct of its officers regarding inaction on pollution control and to hold them responsible. The court further directed the GPCB to compensate the petitioner for damages incurred, amounting to Rs. 20 lakhs.

Copy of order dated 27.03.24 is annexed herewith as  
**Annexure P-26 (Pages**

03.05.24 Respondent GPCB preferred SLP (C) 11219-11220/2024 against the order dated 27.03.24 passed by the Hon'ble High Court.

Copy of SLP (C) No.11219-11220/2024 dated 03.05.24 is annexed herewith as **Annexure P-27 (Pages**

14.05.24 This Hon'ble Court was pleased to pass the following order-

- "1. Issue notice, returnable in ten weeks.
2. Dasti service, in addition, is granted
3. Until further orders, there shall be stay only insofar as the directions contained in paragraph 27 in the impugned order, with regard to payment of an amount of Rs.20,00,000/- by the petitioner herein, is concerned."

Copy of order dated 14.05.24 passed in SLP (C) No.11219-11220/2024 is annexed herewith as **Annexure P-28 (Pages**

29.05.24 Respondent GPCB passed order directing petitioner to deposit sum of Rs. 1,57,15,000/- towards the estimated cost of soil redemption work to be undertaken by GPCB.

Copy of order dated 29.05.24 is annexed herewith as **Annexure P-29 (Pages**

11.06.24 The Chairman of the respondent GPCB filed an affidavit of compliance before the Hon'ble High Court of Gujarat, stating that the measurement of the land was conducted. The royalty payable and the identity of the land for extraction of soil for the purpose of soil remediation had been completed, and the estimated cost of compensation had been deposited with the Executive Engineer, Roads and Building Department.

Copy of affidavit dated 11.06.24 is annexed herewith as **Annexure P-30 (Pages**

11.06.24 Petitioner filed affidavit stating that they have in compliance of order dated 29.05.24 of GPCB deposited the amount of Rs. 1,57,15,000/-

Copy of affidavit dated 11.06.24 is annexed herewith as **Annexure P-31 (Pages**

21.06.24 An inspection was carried out over the land in question by officers of the GPCB. The report stated that there was waterlogging due to heavy rainfall, but no discharge of effluents from the factory of RSPL Limited was observed.

Copy of inspection report dated 21.06.24 is annexed herewith as **Annexure P-32 (Pages**

02.07.24 The Hon'ble High Court was pleased to post the matter on 08.08.2024 to enable the GPCB to place the progress report of the compliance of the directions contained in the order dated 27.03.2024.

Copy of order dated 02.07.24 is annexed herewith as  
**Annexure P-33 (Pages**

08.08.24 Personal affidavit was filed by the Chairman, GPCB  
in the Court, which was taken on record.

Copy of affidavit filed on 08.08.24 is annexed  
herewith as **Annexure P-34 (Pages**

08.08.24 The Hon'ble High Court passed the impugned order,  
directing as under-

"It has been informed to us that the Committee has  
been constituted by the GPCB for the purposes of  
computation of damages caused by the defaulting  
company. We, therefore, direct the Chairman, GPCB  
to place the matter before the competent Committee  
for computation of loss being caused to the  
petitioner for the delay in replenishment of soil. All  
factors pertaining to the damages including the loss  
of crop, mental harassment etc. shall be included in  
the damages to be computed by the said Committee.  
It would be open for the Committee to provide for  
realization of the damages computed from the  
defaulting company or any other erring  
officials/persons of the GPCB."

That it may be mentioned herein that on the date  
fixed i.e. 03.10.24 the matter was directed to be  
posted on 19.11.24 to enable the counsel for GPCB  
to file personal affidavit of the Chairman of GPCB  
in compliance of the order dated 08.08.2024

04.11.24 Hence the present Special Leave Petition

1651

1

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 6970 of 2023

With

CIVIL APPLICATION (DIRECTION) NO. 1 of 2024

In R/SPECIAL CIVIL APPLICATION NO. 6970 of 2023

---

---

BALUBHA PABUBHA KER

Versus

STATE OF GUJARAT & ORS.

---

---

Appearance:

MR ANSHIN DESAI, SR. ADV. with SHIVANGI D  
VYAS(10117) for the Petitioner(s) No. 1

MS HETAL PATEL, ASST.GOVERNMENT PLEADER for the  
Respondent(s) No. 1

MR MR ABHISHEK M MEHTA(3469) for the Respondent(s)  
No. 4

MR ANKIT SHAH(6371) for the Respondent(s) No. 2

MS DHARMISHTA RAVAL(707) for the Respondent(s) No. 3

---

---

CORAM:

HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE  
SUNITA AGARWAL

and

HONOURABLE MR. JUSTICE PRANAV TRIVEDI

Date : 08/08/2024

ORAL ORDER

(PER : HONOURABLE THE CHIEF JUSTICE MRS.  
JUSTICE SUNITA AGARWAL)

1. A personal affidavit has been filed by the Chairman, Gujarat Pollution Control Board (in short as "the GPCB") today in the Court, which is taken on record.
2. It is stated therein that for the purpose of carrying out the remediation of the soil of the petitioner's land, the answering respondent has appointed a Committee under the guidance of the Collector, Devbhoomi Dwarka and the work of remediation has commenced, but due to heavy rainfall and water logging, it is not possible to complete the same and the answering respondent undertakes to continue with the remediation work to ensure that it is completed in an expeditious manner. There is a reference of an inspection carried out over the land in question by the officers of the GPCB on 21.06.2024, wherein it was noted that there was water logging on the premises of the petitioner and that waste water discharge from the factory of private respondent No.1 was not observed therein. For the slackness on the part of the officers of the GPCB, on conclusion of preliminary inquiry the show cause notice dated 03.06.2024 has been issued to 17 erring officers and their response have been sought on the charge-sheet. The inquiry would be concluded in accordance with the provisions of the Gujarat Civil Services (Pension) Rules, 2002.
3. Taking note of the above, we may note that by order dated 27.03.2024, we have issued two directions to the GPCB. Firstly that the Chairman, GPCB shall initiate inquiry to fix responsibility on the erring officers for the inaction on their part and further that for the predicament of the petitioner

from the year 2019 onwards, the GPCB is required to compensate for the damages caused to the petitioner for the loss of his income from the land in question including other factors therein. The cost computed by us has been stayed by the Apex Court in the order dated 14.05.2024 while issuing notices on the Special Leave to Appeal(C) No.11219-11220/2024 filed against the order dated 27.03.2024.

4. As to the second part of the directions wherein the GPCB was required to comply with the recommendation of the DDU, Nadiad to replenish the existing soil with fresh new soil and that the cost of replenishment and transportation of the excavated soil as per the recommendation of the DDU, Nadiad, the same shall have to be recovered from the defaulter company, namely respondent No.4, there is no stay by the Apex Court. We may note Paragraph No.'29" of the order dated 27.03.2024, wherein on the undertaking given by the Chairman, GPCB, on the prayer made by learned counsel appearing for the GPCB eight weeks time was granted to complete the replenishment work of the existing soil from the fields of the petitioner in Survey Nos.540 and 606 as per the recommendation of the DDU, Nadiad as extracted in the Inspection Report of the GPCB dated 09.12.2023. On 02.07.2024, on an affidavit of compliance dated 11.06.2024 filed by the Chairman, GPCB, we have posted the matter today to enable the learned counsel for the GPCB to place the progress report in the matter of replenishment of soil. It was stated before us in the affidavit of the Chairman, GPCB dated 11.06.2024, as noted in the order dated 02.07.2024, that the measurement of the land of the petitioner had been carried

out by the DILR. The royalty payable and the identity of the land for extraction of soil for the purpose of soil remediation had been completed, samples had been taken and the estimated cost of compensation had been deposited by the private respondent with the Executive Engineer, Roads and Building Department. The tender notice had been published on 21.05.2024. Bids were received, contractor identified and short-listed. It was submitted that on the deposit of security amount by the tenderer, the work of remediation of soil will commence and is expected to be completed within two months.

5. It is evident that the two months period for remediation of soil has been completed and the progress made, if any, has not been brought on record. The only problem placed before us is about the heavy rainfall and water logging, which being because of the weather condition was well within the knowledge of the GPCB. It is, thus, clear that the assurance given by the Chairman, GPCB in compliance affidavit dated 11.06.2024 that the work of remediation of soil will be completed within a period of two months was not meant to be adhered to. There is a long delay on the part of the GPCB in carrying out the work of remediation of soil. As noted hereinbefore, that the recommendations of DDU, Nadiad was extracted in the Inspection report of GPCB dated 09.12.2023, but the GPCB had sprung into action only after intervention by this Court. On account of the inaction on the part of the GPCB and for the illegal activity by the private respondent No.1, the petitioner is suffering recurring losses, which in our considered opinion has to be compensated. We, therefore,

direct the GPCB to compute the loss of crop being suffered by the petitioner for the delay caused in the matter of replenishment of soil, which is recurring everyday.

6. It has been informed to us that the Committee has been constituted by the GPCB for the purposes of computation of damages caused by the defaulting company. We, therefore, direct the Chairman, GPCB to place the matter before the competent Committee for computation of loss being caused to the petitioner for the delay in replenishment of soil. All factors pertaining to the damages including the loss of crop, mental harassment etc. shall be included in the damages to be computed by the said Committee. It would be open for the Committee to provide for realization of the damages computed from the defaulting company or any other erring officials/persons of the GPCB.
7. These directions shall be carried out within the period of four weeks from today. The matter shall be placed before this Court on 03.10.2024. In the meantime, the work of remediation of soil shall be completed by the GPCB. The compliance affidavit shall be filed on the next date fixed i.e. 03.10.2024.

(SUNITA AGARWAL, CJ)

(PRANAV TRIVEDI, J)

  
TRUE COPY

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

[S.C.R. Order XXII Rule 2(1) SCR, 2013]

(Under Article 136 of the Constitution of India)

SPECIAL LEAVE PETITION (C) NO. OF 2024

BETWEEN

POSITION OF PARTIES

In the High  
Court

Before this  
Hon'ble Court

IN R/SPECIAL CIVIL APPLICATION NO. 6970 OF 2023

RSPL Limited

Through its Director

Block P and T Fazalganj Kalpi

Road, Kanpur, U.P.- 208012

Also at

C-1/C-2 3rd Floor Safal

Profitaire, Near Prahladnagar

Garden, Satelite, Ahmedabad,

Gujarat

No.1

Respondent No.4

Petitioner

Versus

1. Balubha Pabubha Ker

At Village Kuranga, Tal:

Dwarka, Dist. Devbhoomi,

Dwarka, Gujarat-361335

Petitioner

Contesting

Respondent No. 1

2. Gujarat Pollution Control

Board

Through its Environment

Engineer

Off:-Paryavaran Bhavan,

Sector-10-A, Gandhinagar,

Gujarat-382010

Respondent

Contesting

No. 3

Respondent No. 2

3. State of Gujarat

Forest and Environment

Department,

Off:- Block-14, 8th Floor,  
Sachivalaya, Gandhinagar,  
Gujarat-382010

Through its Secretary

Respondent  
No. 1

Contesting  
Respondent No. 3

4. Central Pollution Control  
Board, Through its Regional  
Director,

Off:- Parivesh Bhavan, Opp.  
Ward No. 10 VMC Office,  
Subhanpura, Vadodara,  
Gujarat.

Respondent  
No. 2

Contesting  
Respondent No. 4

IN CIVIL APPLICATION (DIRECTION) NO. 1 OF 2024 IN  
R/SPECIAL CIVIL APPLICATION NO. 6970 OF 2023

RSPL Limited

Through its Director

Block P and T Fazalganj Kalpi  
Road, Kanpur, U.P.- 208012

Also at

C-1/C-2 3rd Floor Safal  
Profitaire, Near Prahladnagar  
Garden, Satelite, Ahmedabad,  
Gujarat

No.1

Respondent No.4 Petitioner

Versus

1. Balubha Pabubha Ker  
At Village Kuranga, Tal:  
Dwarka, Dist. Devbhoomi,  
Dwarka, Gujarat-361335

Petitioner

Contesting  
Respondent No. 1

2. Gujarat Pollution Control  
Board  
Through its Environment  
Engineer

Off:-Paryavaran Bhavan,  
Sector-10-A, Gandhinagar,  
Gujarat-382010

Respondent

Contesting

No. 3

Respondent No. 2

3. State of Gujarat  
Forest and Environment  
Department,  
Off:- Block-14, 8th Floor,  
Sachivalaya, Gandhinagar,  
Gujarat-382010

Through its Secretary

Respondent  
No. 1Contesting  
Respondent No. 3

4. Central Pollution Control  
Board, Through its Regional  
Director,  
Off:- Parivesh Bhavan, Opp.  
Ward No. 10 VMC Office,  
Subhanpura, Vadodara,  
Gujarat.

Respondent  
No. 2Contesting  
Respondent No. 4

TO,

THE HON'BLE THE CHIEF JUSTICE OF INDIA AND HIS  
COMPANION JUDGES OF THE HON'BLE SUPREME  
COURT OF INDIA;

THE HUMBLE PETITION OF THE ABOVE-NAMED  
PETITIONER;

MOST RESPECTFULLY SHOWETH:

1. The petitioners herein are filing the present special leave petition against the Interim judgment and order dated 08.08.2024 passed by the Hon'ble High Court of Gujarat at Ahmedabad in R/Special Civil Application No. 6970 of 2023 with Civil Application (Direction) No. 1 of 2024 in R/Special Civil Application No. 6970 of 2023, whereby the Hon'ble High Court was pleased to direct the Chairman, GPCB to place the matter

before the competent Committee for computation of loss being caused to the respondent no. 1 for the delay in replenishment of soil. It was further directed that all factors pertaining to the damages including the loss of crop, mental harassment etc. shall be included in the damages to be computed by the said Committee and that it would be open for the Committee to provide for realization of the damages computed from the defaulting company or any other erring officials/persons of the GPCB.

2. QUESTION OF LAW:

- A. Whether the Hon'ble High Court erred in permitting the Committee to recover damages either from the petitioner company (RSPL) or the erring officials/persons of GPCB, without sufficient factual examination or conclusive evidence to substantiate the respondent's claims?
- B. Whether the Hon'ble High Court failed to consider that the petitioner's inability to carry out soil remediation was due to the refusal or non-response from multiple co-owners of the land, thereby preventing the petitioner from fulfilling the directions of the Gujarat Pollution Control Board (GPCB)?
- C. Whether the Hon'ble High Court's impugned order violated the principles of natural justice by not affording the petitioner an adequate opportunity to present detailed evidence and arguments regarding its compliance with GPCB directives and the steps taken to mitigate environmental impacts?
- D. Whether the Hon'ble High Court incorrectly presumed the respondent no. 1's use of the land for agricultural purposes,

despite evidence indicating the land was used for commercial activities?

3. DECLARATION IN TERMS OF RULE 2(2):

The Petitioners state that no other petition seeking Leave to appeal has been filed by him against the Interim judgment and order dated 08.08.2024 passed by the Hon'ble High Court of Gujarat at Ahmedabad in R/Special Civil Application No. 6970 of 2023 with Civil Application (Direction) No. 1 of 2024 in R/Special Civil Application No. 6970 of 2023.

4. DECLARATION IN TERMS OF RULE 3:

The Annexure P-1 to P- 34 produced along with the Special Leave Petition are the copies of the pleading/documents, which formed part of the records in the High Court against whose order the leave is sought for in this petition.

5. GROUND:

The leave to appeal is sought on following grounds:

- I. Because The Hon'ble High Court erred in concluding that the respondent no. 1 suffered recurring losses for the illegal activity by the private respondent and further directing that would be open for the Committee to provide for realization of the damages computed from the defaulting company. It is submitted that the record reflects that petitioner RSPL consistently communicated with the Gujarat Pollution Control Board (GPCB), complied with its directives, and even sought to undertake soil remediation subject to the consent of the landowners, which was beyond the control of the Petitioner.

- II. Because the impugned order fails to appreciate the fact that the Petitioner was unable to initiate soil remediation because several co-owners of the land in question either refused consent or failed to respond to requests. Despite repeated communications, petitioner RSPL was impeded from proceeding with the remediation work. The Hon'ble High Court overlooked this critical obstacle, which was duly brought to the attention of the authorities.
- III. That the orders dated 27.03.2024 and 08.08.2024 are overlapping in as much as the directions in the order dated 27.03.2024, inter-alia, require Respondent no. 2 GPCB to pay an amount of Rs.20,00,000/- as compensation to the Respondent no. 1 (Petitioner of SCA No.6970 of 2023) towards damages caused to him for loss of his income from the lands in question, mental harassment and legal expenditure for the period 2019 onwards and to recover the same from the erring officials and to conduct Departmental Inquiry. The said order dated 27.03.2024 to the extent that the same directed the GPCB to pay the amount of Rs.20,00,000/- to the Petitioner of SCA No.6970 of 2023 came to be stayed by this Hon'ble Court by way of order dated 14.05.24 in SLP (C) 11219-11220/2024 which is pending consideration before this Hon'ble Court. Thereafter, the impugned order has been passed which inter-alia is based on the same consideration wherein the Hon'ble High Court has observed at the interim stage without due consideration of the relevant aspects that on account of the inaction on the part of the Respondent no. 2 GPCB and for the activity of the RSPL Ltd., the

petitioner of SCA No.6970 of 2023 is suffering recurring losses and is required to be compensated and in this regard, has again directed GPCB to place the matter before the Committee constituted by GPCB for the purposes of computation of damages caused to the respondent no. 1 due to the delay in replenishment of soil and for which, all factors pertaining to the damages including the loss of crop, mental harassment etc. shall be included in the damages to be computed by the said Committee and that it would be open for the Committee to provide for realization of the damages computed from the defaulting company or any other erring officials/persons of the GPCB.

IV. That all the aspects in respect of computation of damages or whether the respondent no. 1 in fact suffered any damage or that whether he was in fact undertaking any agricultural activity or not or that he is entitled to any such amount are disputed questions of fact and the Hon'ble High Court under 226 of the Constitution of India ought not to have undertaken a fact finding exercise by examining disputed questions of fact which were best adjudicated by the competent Tribunal established under the provisions of National Green Tribunal Act which has jurisdiction to entertain matters pertaining to environment etc.

V. That though the issue of the maintainability and the locus of the respondent no. 1 to maintain the petition have been taken in the affidavit in reply and also during the course of hearing of the captioned petition, the Hon'ble High Court has brushed aside the same by further observing that the issue raised by therein is an

environment issue which is required to be taken care of on the submissions made therein and that the respondent no. 1 is the Sarpanch of the Village and can raise environment issue. The Hon'ble High Court has not considered the fact that the respondent no. 1 was agitating the said issue in his personal capacity and not as a Public Interest Litigation as Sarpanch of the Village.

VI. Further, the allegations made by the respondent no. 1 have been categorically denied by the petitioner RSPL in its Affidavit in Reply filed from time to time and further contradicted in the affidavits filed by the Respondent no. 2 GPCB from time to time, however, the Hon'ble High Court has chosen to enter into highly disputed questions of fact which, in the submission of petitioner RSPL is uncalled for as the same being an environmental issue, the respondent no. 1 ought to have been relegated to the remedy provided under the provisions of the NGT Act.

VII. That during proceedings before the Hon'ble High Court, the petitioner RSPL was directed to avail the remedy against the closure order issued by the Respondent no. 2 GPCB which was subsequently stayed by the Hon'ble NGT in view of the proceedings taken by petitioner RSPL in this regard. There are proceedings which are pending before the NGT as well as before the Hon'ble High Court as well as before the Committee appointed by GPCB in view of the directions of the Hon'ble High Court as well as before this Hon'ble Court for issues which are directly connected / inter-connected and all pertain to environmental issues which are best adjudicated by

the Tribunal established under the provisions of the National Green Tribunal Act wherein all the parties who are before the Hon'ble High Court as well as before this Hon'ble Court are also party before the Tribunal.

VIII. Because the impugned order may create an unintended precedent, where entities like petitioner, which have made sincere efforts to comply with regulatory instructions and address environmental concerns, are still held liable for matters beyond their control. Such an approach could potentially discourage other corporations from engaging in proactive compliance, as it creates uncertainty despite following established regulatory processes. It is important to ensure that industries working in good faith, and in alignment with regulatory guidance, are not unduly penalized, which could otherwise impact overall industrial development and environmental responsibility.

IX. Because the impugned order was passed without providing the Petitioner with a full opportunity to present detailed evidence and arguments regarding its compliance with GPCB directives and the steps taken to mitigate environmental impacts. In the interest of fairness and the principles of natural justice, it is crucial that RSPL be given a chance to address these allegations before any adverse directions are issued.

X. Because it is essential that a proper fact-finding process be conducted before making assumptions about the respondent no. 1's losses and the petitioner's liability. It is submitted that the Hon'ble High Court erred in permitting the Committee to recover damages either from the

petitioner company (RSPL) or the erring officials/persons of GPCB, without sufficient factual examination or conclusive evidence to substantiate the respondent no. 1's claims.

XI. Because The Hon'ble High Court failed to consider the fact that the petitioner, RSPL Limited, had already deposited the sum of ₹1,57,15,000/- with the Gujarat Pollution Control Board (GPCB) for the purposes of soil remediation as directed by the GPCB. The petitioner, in full compliance with the orders and directives issued, took necessary steps to address the environmental concerns.

XII. Without prejudice, the conduct of the respondent No.1 amounts to "coming to the nuisance" meaning thereby that the setup of the petitioner RSPL was established much prior to the respondent No.1 creating his rights in the said survey nos. which the respondent No.1 claims are being polluted due to effluent discharge. The respondent No.1 was well aware that the petitioner RSPL had already purchased land parcels and had started construction of the plant despite which the respondent No.1 for benefitting from speculative purchasing, started creating interest in the lands inside and / or near the project area of the respondent company. In such a situation, the respondent No.1 cannot be permitted to benefit out of such speculative purchasing and creating litigation against the petitioner RSPL by making allegations of effluent discharge.

XIII. That the remediation work for which, petitioner RSPL has paid an amount of Rs.1,57,15,000/- was not

carried out by the authority due to the onslaught of monsoon and thereafter the same is likely to be further delayed due to unexpected torrential rains in most of the parts of Gujarat and specially Dist: Dev Bhoomi Dwarka around October, 2024 which has led to water logging not only on the Survey Numbers of the respondent no. 1 but also on the land from where the soil is required to be taken and brought by the contractor for the purpose of remediation. In this situation, the petitioner RSPL has been placed in a prejudicial situation and that too on the basis of facts which are highly disputed between the parties.

XIV. Because the respondent no. 1 has never conducted agricultural activities on his land. As is evident from multiple site inspection reports the respondent no. 1 is using his land for commercial purposes by constructing small shops and is not growing crops. The impugned order fails to differentiate between any potential environmental damage and losses that could be attributed to the petitioner versus those caused by natural factors or those attributable to respondent no. 1.

XV. Because the impugned order proceeds on the assumption that the alleged crop losses and claims of mental harassment by the Respondent are established facts. However, these allegations are strongly contested by the Petitioner. There is no conclusive evidence on record to substantiate the claims of actual losses or mental harassment attributable to the Petitioner's actions. These are disputed questions of fact that require thorough examination through appropriate proceedings, and it would

be premature to issue any adverse directions without resolving these factual discrepancies.

- XVI. Because the allegations of crop losses and environmental damage raised by the Respondent No. 1 fall squarely within the scope of the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981. These statutes specifically govern matters concerning pollution control and environmental compliance. As such, the issues raised in the present case are within the jurisdiction of the National Green Tribunal (NGT), which is the appropriate forum to adjudicate environmental disputes. The Petitioner, through its affidavit, has requested the transfer of the present case to the NGT.

6. GROUND FOR INTERIM RELIEF:

- a. Because in view of the facts stated in the synopsis and list of dates and the grounds of challenge as set out the Petitioners have got a prima facie case in their favour.
- b. Because the impugned order proceeds on the assumption that the alleged crop losses and claims of mental harassment by the Respondent are established facts. However, these allegations are strongly contested by the Petitioner. There is no conclusive evidence on record to substantiate the claims of actual losses or mental harassment attributable to the Petitioner's actions. These are disputed questions of fact that require thorough examination through appropriate proceedings, and it would

be premature to issue any adverse directions without resolving these factual discrepancies.

c. Because the allegations of crop losses and environmental damage raised by the Respondent No. 1 fall squarely within the scope of the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981.

d. Because the Petitioners have a prima facie good case on merits and the balance of convenience lies in their favour against the Respondent and if the operation of the impugned order is not stayed, the Petitioners will suffer irreparable loss and injury.

7. MAIN PRAYER:

It is most respectfully prayed that this Hon'ble Court may graciously be pleased to:-

- a) Grant Special Leave to Appeal against the impugned Interim judgment and order dated 08.08.2024 passed by the Hon'ble High Court of Gujarat at Ahmedabad in R/Special Civil Application No. 6970 of 2023 with Civil Application (Direction) No. 1 of 2024 in R/Special Civil Application No. 6970 of 2023; and
- b) pass any such further orders, as it may deem fit and proper in the peculiar facts and the circumstances hereof.

8. PRAYER FOR INTERIM RELIEF:

- a) Grant ad-interim ex-parte stay of the operation of Interim judgment and order dated 08.08.2024 passed by the Hon'ble High Court of Gujarat at Ahmedabad in R/Special Civil Application No. 6970 of 2023 with Civil Application

(Direction) No. 1 of 2024 in R/Special Civil Application No. 6970 of 2023;

b) stay further proceedings of R/Special Civil Application No. 6970 of 2023 pending before the Hon'ble High Court of Gujarat at Ahmedabad;

b) pass any such further orders, as it may deem fit and proper in the peculiar facts and the circumstances hereof.

Filed by:



(MILIND KUMAR)  
Advocate for the petitioner

Drawn on: 29.10.2024

Filed on: 04.11.2024

1670

20

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CIVIL) NO. \_\_\_\_\_ OF 2024

IN THE MATTER OF:

RSPL Limited

...PETITIONER

VERSUS


Balubha Pabubha Ker & Ors.

...RESPONDENTS

*CERTIFICATE*

Certified that the Special Leave Petition is confined only to the pleadings before the Court/Tribunal whose order is challenged and the other documents relied upon in those proceedings. No additional facts, documents or grounds have been taken therein or relied upon in the Special Leave Petition. It is further certified that the copies of the documents/annexures attached to the Special Leave Petition are necessary to answer the question of law raised in the petition or to make out grounds urged in the Special Leave Petition for consideration of this Hon'ble Court. This Certificate is given on the basis of the instructions given by the Petitioner/Persons authorized by the Petitioner whose affidavit is filed in support of the S.L.P.

FILED BY:

  
(MILIND KUMAR)  
Advocate for the Petitioner

Filed on: 04.11.2024

21

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CIVIL) NO. OF 2024

IN THE MATTER OF :

RSPL Ltd.

...Petitioner

Versus

Balubha Pabubha Ker &amp; Ors.

...Respondents

## AFFIDAVIT

I, Harish Ramchandani, S/o Mangaram Ramchandani, aged about 52 years, Vice President (Legal, Corporate Affairs and CSR) RSPL Ltd. C-1/C-2 3<sup>rd</sup> Floor Safal Profitaire, Near Prahladnagar Garden, Satelite, Ahmedabad Gujarat do hereby solemnly affirm and declare as under :-

1. That I am the Vice President/authorized signatory of the petitioner and have been authorized on behalf of the petitioner's in the above mentioned special leave petition and hence I am competent to swear this affidavit on behalf of the Petitioner based on the record of the case.
2. That the accompanying List of Dates (B - Q), Special Leave Petition (Paras 1 - 8, Pages 6-22) and IAs. have been drawn



*Harish*



by my advocate under my instructions. I have read and understood the contents of the above and I say that the same are true and correct to my knowledge and belief and I believe the same to be true.

3. That the annexures annexed with the petition are also true and correct to their respective originals.

4. That the facts stated in the above mentioned paragraphs of this affidavit are true and correct to the best of my knowledge, information and belief.

For, RSPL LIMITED  
*[Signature]*  
(Authorised Signatory)  
DEPONENT



VERIFICATION

I, the above named deponent do hereby verify that the contents of my above affidavit are true and correct to the best of knowledge and belief.

Verified at *Abd* on this the **29 OCT 2024** day of October, 2024.  
For, RSPL LIMITED



*[Signature]*  
(Authorised Signatory)  
DEPONENT



Solemnly Affirmed & Signed Before Me

*[Signature]*

YOGENDRA S. RAJPUT  
NOTARY PUBLIC  
GOVT OF INDIA  
(MY COMMISSION EXPIRES ON DT 24/02/2028)  
Off. FF-10, New York Tower-B,  
Opp. Muktidham Charisar, Thaltej,  
Ahmedabad (8497243 08070)

NOTED & REGISTERED  
Sr. No. **5862/1/2024**  
**29 OCT 2024**