

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

**ORIGINAL APPLICATION NO. 616 OF 2019**

**IN THE MATTER OF:**

**Ramdevbhai Samatbhai Sanjva**

**...Petitioner**

**Versus**

**State of Gujarat**

**..Respondent**

**REPLY ON BEHALF OF GUJARAT POLLUTION CONTROL  
BOARD /RESPONDENT NO.2**

I Smt.S.V Bhargava aged adult serving as Unit Head-Jetpur with Gujarat Pollution Control Board do hereby swear and solemnly affirm as follows:

1. That this Hon'ble Tribunal had disposed of the issue in the captioned O.A. 616/2019 by way of order dated 14/12/2020 wherein the following was held,

*9. From the above, it is seen that the association while making a grievance of lack of opportunity of being heard is not responding on merits nor complying with the norms. It*



*Ramdevbhai Sanjva*

*has relied upon order of stay against prosecution and recovery of penalty but as observed on last hearing order quoted in para 6 above, there is no stay against compliance of norms. Thus, even if prosecution and penalty are not enforced, the right to clean environment has to be enforced which is part of right to life. We are unable to see any injunction against such compliance. Non-compliance is thus abuse of stay order which is only against prosecution and penalty.*

*10. Accordingly, we direct the State PCB that while complying with the order of stay granted by the Hon'ble Supreme Court against prosecution and penalty, the State PCB may take all further appropriate measures for compliance of environmental norms under the relevant statutory provisions, in exercise of the statutory powers of the PCB, as per law. With regard to extraction of ground water, this Tribunal has already held vide order dated 20.07.2020 in OA 176/2015, Shailesh Singh v. Hotel Holiday Regency, Moradabad & Ors., that there should be assessment of availability of groundwater and compliance of regulatory norms without which extraction of groundwater may not be allowed and if illegal extraction of groundwater takes place, compensation on "Polluter Pays" principle may be assessed and recovered.*

- 2.** In terms of the report produced by the Answering Respondent/GPCB on 05.11.2020 before this Hon'ble Tribunal, the Joint Committee had made certain

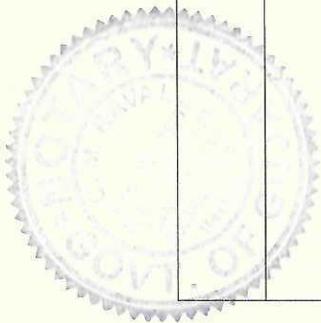


recommendations, at para 7 of the order dated 04/12/2020 and the Respondent is constantly monitoring compliance of such measures so recommended. The compliance status is given para-wise with every recommendation for better ease of this Hon'ble Tribunal.

Sr.	Recommendation of Joint Committee	Compliance Status
1	The construction work of 23.5 MLD STP by Jetpur-Navagadh Nagarpalika should be completed at the earliest and made operational so that the sewage from the entire Jetpur area is treated in this STP and thereby discharge of sewage in the C-channel should be stopped completely.	<ul style="list-style-type: none"> <li>● Jetpur Navagadh Nagarpalika has started the operation of 23.5 MLD Sewage Treatment Plant (STP).</li> <li>● Jetpur Navagadh Nagarpalika has obtained CTE and CCA of the Gujarat Pollution Control Board.               <ol style="list-style-type: none"> <li>1) In First phase, Nagarpalika has covered about 70% area of Jetpur city and 100% underground drainage system is established and is operational for household connection.</li> <li>2) In phase two, Nagarpalika will cover remaining 30% area of Jetpur city and for this work order has been accorded to M/s. Maruti Enterprise, Rajkot for household connection.</li> </ol> </li> <li>● Disposal of industrial effluent through C channel has been stopped since the entire 'C' channel system is demolished.</li> </ul>
2	GPCB and JDPA to ensure that industrial unit dispose their	<ul style="list-style-type: none"> <li>● Jetpur Dyeing and Printing Association (JDPA) has provided</li> </ul>

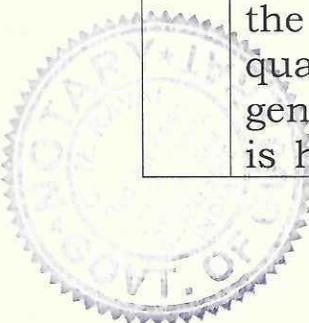
*R. Mangave*

	<p>effluent only through tankers to the CETP of JDPA and no effluent is discharged in C-channel. CCA of individual textile units should be amended for disposal of primary treated effluent only through tankers in place of discharge through C-channel on priority. The tankers carrying effluent from member industries to CETP should be enabled with GPS tracking system and the tracking history should be submitted to on regular basis.</p>	<p>4 No. of Effluent Collection Sumps and started its operation where industrial effluents from industrial units is received through GPS mounted tankers.</p> <ul style="list-style-type: none"> <li>• JDPA has provided total 164 tankers out of which GPS installation is done in 65 tankers and remaining in 99 tankers is ongoing.</li> <li>• Disposal of industrial effluent through C channel has been stopped since the entire 'C' channel system is demolished.</li> </ul>
3	<p>The tanker disposal record of individual unit should also be maintained at the respective collection sump by the CETP operators and the record should be submitted to GPCB on regular basis. These records may be cross verified from time to time with records maintained by individual units.</p>	<ul style="list-style-type: none"> <li>• Record for collection of wastewater from member industries at collection sumps is found to be maintained manually on daily basis with unit's name, approximate quantity and pH by JDPA.</li> <li>• Representatives of the CETP-JDPA at the collection sumps maintain records and submit same to CETP-JDPA at Narsang Tekri, Jetpur on daily basis.</li> <li>• During monitoring of individual industrial unit as well as the CETP of JDPA, GPCB - Jetpur office verifies the number of tankers sent to the CETP of JDPA by the industries and receipt of tankers by CETP of JDPA.</li> </ul>



*Shrivastava*

4	JDPA should dismantle the existing C-channel, collection sump & pumping station located in the bed of River Bhadar and GPCB should monitor and ensure the same.	<ul style="list-style-type: none"> <li>• CETP JDPA has dismantled existing C-channel, collection sump &amp; pumping station located in the bed of River Bhadar for collection of industrial wastewater and verified by Regional Office, GPCB Jetpur on 28/02/2022.</li> </ul>																								
5	STP of JDPA which is presently treating the mix of sewage and effluent, should be converted to CETP for treating only the industrial effluent, once the STP being constructed by Jetpur-Navagadh Nagarpalika become operational and all sewage is diverted to this STP.	<ul style="list-style-type: none"> <li>• STP of JDPA is presently collecting &amp; treating the sewage generated from Bhadar Samakantha area as household connection of remaining 30% area of Jetpur city is still under process by Nagarpalika.</li> </ul>																								
6	The analysis reports of the samples from all the operational CETPs (3 Nos.) and the STP shows that the concentration of one or the other monitored parameters are not meeting the prescribed outlet standards. Hence, it is recommended CETPs and STP should meet the prescribed discharge standards through proper operation and maintenance.	<table border="1" data-bbox="894 1300 1562 1849"> <thead> <tr> <th colspan="4"><b>Average Result (Jan-2024 to Dec-2024) in mg/lit</b></th> </tr> <tr> <th><b>S</b></th> <th><b>r</b></th> <th><b>Name of CETP</b></th> <th><b>COD Limit= 250</b></th> <th><b>BOD Limit= 100</b></th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>CETP of JDPA</td> <td>284.60</td> <td>91.66</td> </tr> <tr> <td>2</td> <td></td> <td>CETP of Bhatgam</td> <td>201</td> <td>62</td> </tr> <tr> <td>3</td> <td></td> <td>STP of JDPA</td> <td>166.5</td> <td>53.8</td> </tr> </tbody> </table> <p>CETP of Dhareshwar is merged with CETP of JDPA</p>	<b>Average Result (Jan-2024 to Dec-2024) in mg/lit</b>				<b>S</b>	<b>r</b>	<b>Name of CETP</b>	<b>COD Limit= 250</b>	<b>BOD Limit= 100</b>	1		CETP of JDPA	284.60	91.66	2		CETP of Bhatgam	201	62	3		STP of JDPA	166.5	53.8
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7	JDPA may be asked to explore the possibility of recycle/ reuse of the treated wastewater in the industrial process as the quantity of wastewater generated from CETPs and STP is huge compared to the land	<ul style="list-style-type: none"> <li>• M/S. Common Industrial Facilities for Jetpur Dyeing and Printing Association has obtained CTE and CCA for Recovered Caustic lye (35%) (from w/w containing caustic of</li> </ul>																								



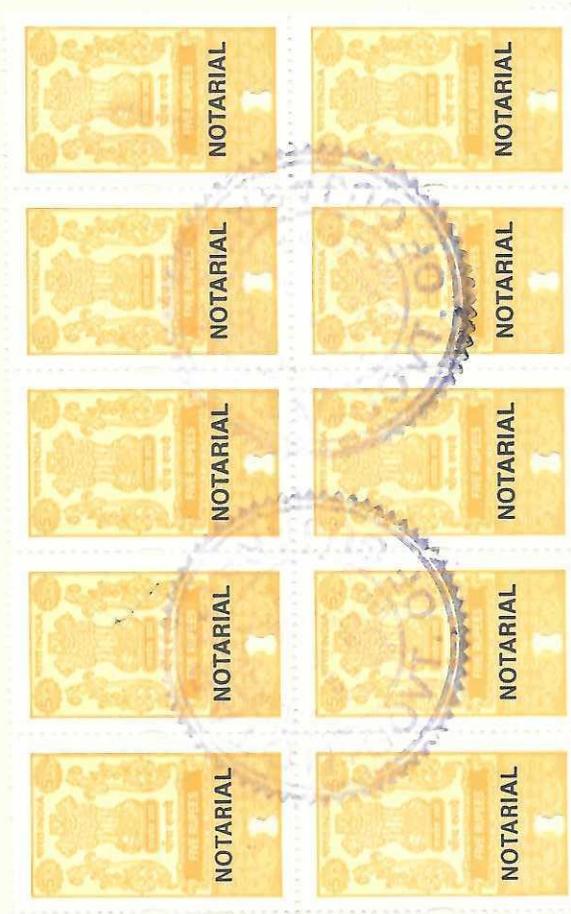
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	available for irrigation. This will reduce the consumption of fresh water resource and disposal load in the environment. This issue needs to be addressed jointly by GPCB and JDPA on priority.	<p>mercerizing units) and hence, there is a reduction in the hydraulic load as well as pollution load on CETP-JDPA.</p> <ul style="list-style-type: none"> <li>● As per record CETP JDPA has carried out Nilgiri plantation in 269 Vigha (4,34,725 m<sup>2</sup>) land for utilization of treated wastewater for irrigation purpose.</li> <li>● Fatal Talav at present is storage cum holding tank of CETP – JDPA for treated effluent.</li> </ul>
8	Industrial units to ensure that the primary treated effluent meets the CETP inlet norms and also ensure timely disposal of ETP sludge and GPCB will continue the compliance verification of the same.	<ul style="list-style-type: none"> <li>● Board is monitoring industrial units on regular interval and taking action based on non-compliance observed.</li> </ul>
9	GPCB will continue the monitoring of natural drains, river stretches and industrial units to identify illegal discharges and polluters.	<ul style="list-style-type: none"> <li>● The Gujarat Pollution Control Board is monitoring natural drains, river stretches and industrial units on regular interval and taking action based on non-compliance observed.</li> <li>● Result of PRS sampling point located at Dublipat on River Bhadar is shows improvement.</li> </ul>

3. That vide order dated 04.03.2024, the Hon'ble Supreme Court in Civil Appeal no. 1807 of 2020 had set aside the order dated 06.12.2019 passed by this Hon'ble Tribunal only to the extent that the affected party, namely Respondent No.7 Jetpur



*Signature*



Dyeing and Printing Association was not heard before passing the order. There was no examination on the merits of the matter, and hence this Hon'ble Tribunal may take an independent view on the said issue. That the said Association is now represented and has filed a detailed Affidavit in Reply highlighting the remedial measures and steps undertaken to ensure that pollution is not caused in Bhadar river.

I reserve the right to submit further evidence and testimony in support of this affidavit, as may be required during the course of these proceedings.

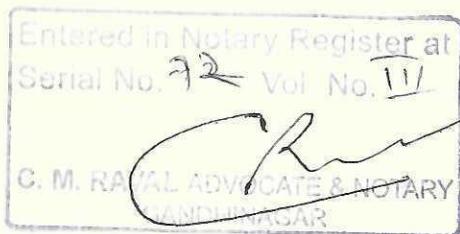
Solemnly affirmed at Gandhinagar on 10<sup>th</sup> March 2025.

  
**DEPONENT**

**VERIFICATION**

Verified at Gandhinagar on 10/3/25 that the contents of the present Affidavit are correct to the best of information knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

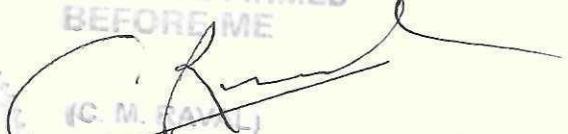
  
**DEPONENT**



10 MAR 2025



SOLEMNLY AFFIRMED  
 BEFORE ME

  
 (C. M. RAVAL)  
 NOTARY  
 GOVT. OF GUJARAT  
 10 MAR 2025