



REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD

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(Through Email)

No. RPCB/RO/BHL/NGT/L-56/ 2349

Dated : 24/03/2022

Urgent/Hon'ble NGT Matter

(O.A. No. 02/2022-CZ)

Date of Next Hearing-31.03.2022

To, the Registrar,
National Green Tribunal,
Central Zone Bench, Bhopal (M.P.)
(Email:-ngtczbbho-mp@gov.in)

Subject:-Regarding Compliance of directions passed by Hon'ble N.G.T., Zonal Bench, Bhopal in Original Application OA no. 02/2022, titled as Babulal Jajoo V/s State of Raj & Others.

Ref:- 1. Hon'ble N.G.T., Zonal Bench, Bhopal's order sheet dated 31.01.2022
2. RSPCB, Jaipur's letter no. F.10 (415)RPCB/legal/NGT/2022 dated 11.02.2022.

Sir,

Apropos above, in compliance of the directions passed by Hon'ble N.G.T., Zonal Bench, Bhopal in O.A. No. 02/2022, titled as Babulal Jajoo V/s State of Raj & Others. vide order sheet dated 31.01.2022, Joint Committee visited the site on dated 10.03.22 to 11.03.2022. Joint Committee Report is enclosed herewith and submitted for kind perusal.

Encl: As above.

Yours Sincerely,

(Mahaveer Mehta)

Nodal-Officer and Regional officer
RSPCB, Bhilwara

Copy to followings for information/necessary action:

1. District Collector, Bhilwara
2. P.A. to Member Secretary, RSPCB, Jaipur
3. ACEE & In charge Legal Cell, RSPCB, Jaipur.
4. Sh. Milind Nimje, Scientist-C, Regional Directorate, CPCB, Paryavaran Parisar, E-5, Arera, Colony, Pin-462016, Bhopal (M.P.)
5. Sh. Rohit Sharma, Board Advocate and Counsel, E-5/43, Arera Colony, Pin-462016, Bhopal (M.P.)

Nodal-Officer and Regional officer
RSPCB, Bhilwara

JOINT COMMITTEE REPORT

Submitted By:-

The Joint Committee, constituted by Hon'bleNGT, Central Zone Bench,Bhopal in original application bearing OA No.02/2022(CZ) title Babulal Jajoo vs State of Rajasthan & Ors.

JOINT COMMITTEE REPORT

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Order Reference:-Hon'ble National Green Tribunal (NGT) Central Zone Bench, Bhopal in the Original Application No. 02/2022(CZ) titled as Babulal Jajoo v/s State of Rajasthan and other passed an order on dated 31.01.2021, interalia reproduced as follows :-

1. *The present Original Application has been filed raising substantial question relating to degradation of environment in the district of Bhilwara, Rajasthan, where the lifeline of the city i.e. the Kothari River is being polluted and has achieved alarming levels of pollution. This imminent source of surface water for the residents of Bhilwara is becoming poisonous for them in a way that its intake could be dangerous to the health of the residents. The water quality of the river is so degraded that it is not at all suitable for drinking purpose of residents due to high level of chemicals which is being discharged on daily basis from the nearby industries and the untreated sewage from the nearby societies and colonies.*

2. *The City of Bhilwara is a critically polluted area due to presence of many industries around the district and various textile industries in the city itself. There have always been reports of increased level of pollution in and around the city due to the ever increasing number of industries and housing societies which clearly signify that development is killing the essence of the city i.e. Kothari river. One of the major sources of irrigation and potable water for the residents living nearby is this historic river which is at the verge of being completely deteriorated due to the increasing level of pollution and the ignorance from the side of local authorities.*

3. *Various encroachments are threatening the existence of the river and increasing the chances of devastating floods in the urban area as well as becoming a big cause for water scarcity. It would be proper to mention here that all type of waste of the city, be it construction waste (malba) or religious offerings or hazardous plastic waste, which is either dumped into the river directly or is being piled up near the river banks, consequentially causing nuisance, bad odour and becoming a bleeding ground for the mosquitoes and other insects exposing the residents of the area to*

diseases. Various representations were made by the Applicant to the Non-Applicant no. 1 but no heed was paid to his grievance and there is total ignorance and non-action since so many years on the part of administration.

4. Development at the cost of destruction of river and putting a price on nature becomes meaningless if we treat the ecosystems upon which we depend as mere commodities for earning profit. The industries manufacturing their products and releasing the chemicals into the river Kothari or housing societies discharging their untreated sewage or the excavation activities of river soil carried on by the land mafias or dumping of concrete debris from the various construction activities carried around the city, have a catastrophic effect on the Kothari River and the climate at large. There are extensive and indiscriminate encroachments and illegal slums constructed on the banks of river Kothari which are obstruction for its natural recharge and imbalances its capacity to maintain the water level. Further, dead bodies of cattle were found in the river along with the solid waste dumped by the Non-Applicant no. 3 into the river which clearly shows their casual attitude towards the Kothari River and environment at large.

5. There are extensive and indiscriminate encroachments and illegal Slums constructed on the banks of river Kothari which are obstruction for its natural recharge and imbalances its capacity to maintain the water level. Further, dead bodies of cattle were found in the river along with the solid waste dumped by the Non-Applicant no. 3 into the river which clearly shows their casual attitude towards the Kothari River and environment at large.

6 A substantial issue of environment has been raised.

7 Issue notice to the respondents, returnable within four weeks.

8. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.

9. Respondents are directed to submit their reply through E-filing module within four weeks.

10. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-

(i) Collector, Bhilwara, Rajasthan.

(ii) One representative from Central Pollution Control Board, (Rajasthan).

(iii) One representative from Rajasthan Pollution Control Board

11. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.

12. Applicant is directed to supply the copy of the application and relevant documents to the Committee and Respondent(s) within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served upon the Committee and respondent(s).

13. The report in the matter be filed by the Committee through email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List it on 31st March, 2022.

Copy of the order sheet is enclosed at **Annexure-A**.

Background:-The Kothari River, is a tributary of Banas, originates in the eastern slopes of the Aravali range. The river flows through Rajsamand and Bhilwara Districts for about 51 km in a hilly region, and 100 km through plains, before joining the Banas near Nandrai village in Bhilwara District. The present original application filed before Hon'ble NGT's highlights issues related to Unscientific dumping of Solid Waste, improper Plastic waste disposal, improper carcass (dead body of animals) dump, untreated sewage and liquid waste discharge, encroachment, soil excavation and many other similar issues at the bank of Kothari River Stretch in Bhilwara causing deterioration of Kothari River.

Constitution of Joint Committee:-Hon'ble NGT vide its order dated 31.01.2021 under referred original application *a report has been sought on the matter in issue related to deterioration of Kothari River stretch in present Original Application, constituting a Joint Committee consisting of following members:-*

(i) Collector, Bhilwara, Rajasthan.

(ii) One representative from Central Pollution Control Board, (Rajasthan).

(iii) One representative from Rajasthan Pollution Control Board

In compliance of the order, Central Pollution Control Board, Bhopal has nominated Sh. Milind Nimje, Scientist- C as CPCB representative vide letter dated 07.02.2022. Copy of letter is enclosed as **Annexure-B**.

Besides, *Rajasthan Pollution Control Board*, Jaipur has also nominated Regional Officer, Regional Office, RSPCB, Bhilwara as RSPCB representative vide letter dated 11.02.2022. Copy of letter is enclosed as **Annexure-C**.

Brief of Chronological steps by Nodal Agency:-

1. In compliance of Hon'ble NGT order dated 31.01.21, RSPCB has issued a letter dated 11.02.22 to concerned departments related to ensure compliance of the order. Copy of letter is enclosed as **Annexure- D**.
2. Besides, RSPCB has also issued a letter dated 11.02.22 to concerned respondents /stack holders to submit their updated details /progress in accordance with the grounds raised in original application filed by applicant. Copy of letter is enclosed as **Annexure-E**.
3. Further, a meeting has also been organised on dated 10.03.2022 at District Collectorate Office, Bhilwara under the chairmanship of District Collector, Bhilwara along with Joint Committee Members as well as concerned departmental officials to brief about the contents of the order passed by Hon'ble NGT vide order sheet dated 31.01.2021 and the grounds raised by applicant in original application. Copy of meeting notice cum meeting agendas is enclosed as **Annexure-F**.
4. During the meeting dated 10.03.2022, a detailed discussion has been held with concerned department officials related to issues pertaining to unscientific dumping of Solid waste, improper Plastic waste disposal, improper carcass (dead body of animals) dump,

untreated sewage and liquid waste discharge, encroachment, soil excavation and many other similar issues at the bank of Kothari River Stretch in Bhilwara. During the course of meeting, detailed instructions were issued by the chair. Copy of minutes of meeting is enclosed as **Annexure-G**.

Site Visit along the bank of Kothari River Stretch by Joint Committee on dated 10.03.2022& 11.03.2022:- In compliance of Hon'ble NGT order, Joint Committee members along the bank of Kothari River Stretch to verify the factual /present status of the issues raised by applicant in original application. During the visit, concerned departmental officials were also present.

Joint Team started its visit from upstream point of Kothari river stretch in Bhilwara City and visited more than 10 points along the bank of river Kothari stretch @ various distances. Findings during visit are tabulated as under:-

S.no.	Location	Coordinates	Field Observation
1.	Jodhdas Chouraha	Lat: 25.381986 Long: 74.625003	At this point, Joint Team found no water flow in the river, which reveals the seasonal river status and only stagnant water seen accumulated in small unlined pits /patches and sample of same has also been collected to assess water quality data at the entrance of Jodhdas. Further, shrubs mainly Vilayati Babool (Prosopis Juliflora) were also found existed along the river bank in bulk. Some temporary type encroachments along the bank has also been observed by the Joint Team specifically temporary tents/tamboos etc. Construction work of bridge was also found at site along the river span namely Jodhdas-Arajiya Connecting bridge, Constructed by UIT. Except above, no major activities were observed during visit at this site.
2.	Near Tanki Ke Balaji Temple	Lat: 25.370974 Long: 74.633767	During the visit of this point, Bulk quantum of solid waste , plastic waste were found dumped in open. Besides, carcus of dead animal was also visualised. In addition to this, there was plantation work protected with fencing was also observed along the bank area in small parts, developed by UIT,Bhilwara. Sample of waste water has also been collected.

3.	Pandu Ka Nallah	Lat: 25.376781 Long: 74.633684	During the visit of this point, untreated sewage carrying from city colonies alongwith bulk quantity of solid and plastic waste were observed by the team, which is ultimately meeting to the Kothari river.
4.	Tanki Ke Balaji Temple	Lat: 25.369759 Long: 74.638944	During the visit of this point, Construction and Demolition waste was also found.
5.	Beti Gaurav Udhyan	Lat: 25.366483 Long: 74.643622	During the visit, Joint Team members have also visited Beti Gaurav Udhyan Developed by UIT,Bhilwara. During the Visit, Team members saw a properly maintained green belt cum garden as well as plantation in adjoint area of udhyan, UIT covered approx. 500 mtr length passage along the bank. Joint team appreciated the initiative of the UIT and advised the UIT to develop such udhyan patches along the bank of river.
6.	Sanganeri Puliya :-	Lat: 25.358108 Long: 74.657921	During the visit of this point, bulk quantum of solid waste and plastic waste (disposal items) were found dumped in open. Localised agriculture activities were also observed by the team near river bed side.
7.	Jindal Saw Sewage Pumping Station	Lat: 25.358306 Long: 74.658199	After the Sanganeripuliya team visited the Jindal Saw Sewage Pumping Station located at SanganerDrain,KotaRoad,Bhilwara. The untreated sewage which coming from the city areas at Sanganer Drainis beingpumped

			toto Jindal STP (Presently up to approx. 5-6 MLD) and remaining untreated sewage is ultimately leading to the Kothari river. During the visit 04 nos. of pumps were installed at site. Out of which 02 pumps were operational.
8.	Jindal STP Plant (10 MLD),Kunwada	Lat: 25.360354 Long: 74.666057	During the Visit, STP Plant was found operational. This STP Plant was equipped with SBR based technology consisting primary Treatment units comprising Inlet Chamber, Coarse and Fine Screen Channels and Grit Removal Units SBR Unit, Activated Sludge (SAS) Pumps, Decanters and NaOCl dosing. During the visit, STP inlet flow was 333.0 m3/Hr and Outlet flow was 290 m3/Hr as per DCS data. The flow data and information provided by representative of Jindal STP, presently plant is being operated at 5-6 MLD capacity and thus treated sewage is being completely recycled to their iron Palletisation unit itself at Pur Village. Treated sewage is being transferred through the approx. 23 KM length dedicated pipeline.
9.	STP Plant Municipal Council (30 MLD), Shiv Nagar,Kunwada	Lat: 25.360354 Long: 74.666057	Joint Team has also visited this plant.This plant is based on SBR technology.Construction, Mechanical and Electrical components work of this unit is almost completed and plant is ready for

			commissioning stage status. Presently this newly constructed STP plant is non-operational as city sewer network work (Approx. 350 Kms. out of proposed 410 Kms) and House hold connection work with sewer network line are yet to be completed. Work Sewage Pumping station (48 MLD),Near Beti Gaurav Udhyan is almost completed and after complete connectivity of sewer network with house hold, total sewage to be received at this SPS will be pumped to this STP Plant.
10.	<p>In addition to above points, it was also found that 03 Textile Processing units having Effluent Treatment Plant up to ZLD were also existed at Mandal Area located in the downstream of Meja Dam (Up stream of River Kothari). To verify the Status of treatment system of these units as well as compliance related to zero liquid discharge in river stretch, joint team also visited following points. Findings are detailed as under:-</p> <p>Textile Process industries located at Mandal :- To verify the zero liquid discharge status and effluent treatment system , Joint team has visited 03 textile processing units namely :</p> <ul style="list-style-type: none"> a. M/s Kanchan India Limited,Mandal,Bhilwara b. M/s Sulzer Process,Mandal,Bhilwara c. M/s SaiLeela Processors,Mandal,Bhilwara <p>During the visit, it was found that above units are equipped with ETP Plant, RO Plant and MEE plant upto zero liquid discharge system and during visit, no waste water discharge were found outside the unit premises.</p>		
11.	Down Stream of Meja Dam	Lat: 25.429761 Long: 74.616103	No flow of water was found at this point however multiple pits near Raningpura at Kothari river bed were observed possibly due

			to illegal soil excavation. Joint Team also decided to advise the Mining department to take necessary action for abatement of same.
12.	Near Sagasji Temple, Village-Ranigpura	Lat: 25.430029 Long: 74.616118	A nallah is located adjointly with Kothari River Stretch near Sagasji Temple. where, 02 nos. of kachha drains out of which (1).One is passing behind the premises of textile units located at Mandal and (2)another one is passing from the nearby village-Chahti Ka Kheda are joined near temple and ultimately leading to the Kothari River Stretch through this nallah after confluence point. During the visit, no water /waste water were found in this nallah.
13.	Meja Dam	Lat: 25.383751 Long: 74.534635	Joint Team also visited the Meja Dam. During Visit, no water was found in the dam however stagnate water found accumulated in a small patch in dam area, from which a water sample has also collected.

Water Sample Collection details:- Details of water samples collected on dated 10.03.2022 and 11.03.2022, during visit are mentioned as under:-

S.No.	Sampling location	Coordinates	Remarks
1.	Kothari River Stretch near Jodhras Chouraha, Bhilwara	Lat: 25.381986 Long: 74.625003	No flowing Water. Stagnant water sample collected.
2.	Drain near Tanki Ke Balaji, Bhilwara	Lat: 25.370974 Long: 74.633767	Untreated waste water (sewage) flowing in the drain leading to Kothari river stretch
3.	Kothari River Stretch at Paldi Puliya, Bhilwara	Lat: 25.369759 Long: 74.638944	Untreated waste water (sewage) flowing in the drain leading to Kothari river stretch
4.	Jindal STP Plant (10 MLD), Kuwada- Inlet of STP	Lat: 25.360631 Long: 74.666547	Inlet of STP
5.	Jindal STP Plant (10 MLD), Kuwada- Outlet of STP	Lat: 25.360354 Long: 74.666057	Outlet of STP
6.	Meja Dam, Upstream of Kothari River Stretch.	Lat: 25.383751 Long: 74.534635	No flowing Water. Stagnant water sample collected.

Analysis of above samples are also received. Comparative of analysis results are detailed as under:-

Comparative of analysis results

Parameter	Unit of value	Sample Collection Point-10.03.22 and 11.03.22					
		Meja Dam	Kothari River, Jodhras Chouraha	Kothari River at Paldi Puliya	Drain near Tanki Ke balaji	Jindal STP Inlet	Jindal STP Outlet
pH	NA	8.22	8.16	7.81	7.41	7.57	7.72
BOD	mg/ltr	4.1	27.6	69.0	102.5	87.0	9.4
COD	mg/ltr	31.6	115.7	210.4	284.0	242.0	42.0
TSS	mg/ltr	24	88	104	194	151	18
TDS	mg/ltr	280	935	670	620	660	689
Chloride	mg/ltr	342	745	338	252	312	126
Sulphate	mg/ltr	34	138	33	37	56	37
Phosphate as PO4	mg/ltr	2.15	0.72	2.48	4.26	2.89	0.5
Ammonical Nitrogen	mg/ltr	5.7	3.5	0.7	0.9	4.2	0.3
Nitrate as NO3/N	mg/ltr	12	9.6	2.3	3.4	11	1.2
Nitrite as NO2	mg/ltr	0.02	0.06	0.03	0.07	0.07	0.01
Fe (Iron)	mg/ltr	0.619	3.32	1.683	2.587	0.05	Not Traceable
Zn(Zinc)	mg/ltr	2.991	0.425	1.88	1.174	Not Traceable	Not Traceable
Cu(Copper)	mg/ltr	Not Traceable	0.091	Not Traceable	0.063	Not Traceable	Not Traceable
T. Cr. (Total Chromium)	mg/ltr	Not Traceable	Not Traceable	Not Traceable	Not Traceable	Not Traceable	Not Traceable
Pb(Lead)	mg/ltr	Not Traceable	0.019	0.018	0.013	Not Traceable	Not Traceable
Ni (Nickel)	mg/ltr	Not Traceable	0.095	0.061	0.062	Not Traceable	Not Traceable

Copies of analysis reports are enclosed as **Annexure-H.**

Brief on analysis results of collected samples:-In light of the analysis results, Joint Team on the basis of site observation and information available, it is again mentioned that Kothari River is not **a perennial river** and it flows mostly during rainy seasons. During the rest of the year, mainly untreated sewage flows in the river.

- a. It also pertinent to mention here that samples of water collected from **Meja Dam, Jodhdas Chouraha, Paldi Puliya** as a part of Kothari River stretch are Stagnant accumulated water in patches and not pertaining to continuous flowing type sample. Therefore comparison of same could not be made with CPCB classification of designated water use based surface body. However, to assess the BOD load, Joint Team collected these samples. According to collected samples analysis results, it reveals that BOD load in Meja Dam (sample collected point) was 4.1 mg/ltr which is located in the upstream of river stretch and after then, entrance of Kothari river stretch in City, BOD load ranges between 27.6 mg/ltr and 69.0 mg/ltr, therefore it may indicates the Higher BOD load in Kothari River stretch at Bhilwara City due to significant contribution of untreated sewage discharge.
- b. Sample of water collected from drain near tanki ke Balaji, was as a part of drain passing from city areas conveying bearing city liquid waste and ultimately leads towards Kothari River stretch. To assess and verify the the BOD load input/status, Joint Team collected this sample. According to collected sample analysis result, it reveals that BOD load in sample was 102 mg/ltr and same may indicates significant contribution untreated sewage discharge in Kothari River stretch.
- c. Samples of inlet and outlet of Jindal STP were also collected. According to the STP Outlet analysis results, metal concentration was found not traceable and BOD was 9.4 mg/ltr.

Actions already taken by RSPCB:-

1. That RSPCB has also issued direction under section 33A of the Water Act, 1974 to Municipal Council, Bhilwara as well as to UIT, Bhilwara vide letter dated 04.09.2019 to ensure no discharge into water bodies . Copies of letters are collectively enclosed as **Annexure-I.**
2. That RSPCB has also issued various letters to Municipal Council, Bhilwara to ensure no untreated discharge in river/city water body and compliance of MSW Rules, 2016 and other related issues. Copies of letters are collectively enclosed as **Annexure-J.**
3. In compliance of orders issued in Original Application no. 725/2018, titled Sajjan Sodani VS SOR and others, Environmental compensation of Rs. 63.80 Lac and requirement of performance guarantee (25.0 Lac) has already been imposed on Municipal Council, Bhilwara for untreated sewage discharge to water bodies due to inadequate capacity of STP plant. Copy of EC imposition letter dated 05.04.19 is enclosed as **Annexure-K.**
4. In accordance with RSPCB Order dated 11.04.2019 ,Criminal Complaint has been filed against Commissioner .Municipal Council, Bhilwara under section 43,44 and 47 (of the Water Act,1974) for the violation of the provisions under section 24, 25 and 26 of the Water Act,1974 on 27.04.2019 bearing case regn. no. 2891/2019. Presently same is under consideration before Hon'ble Chief Judicial Magistrate Court, Bhilwara. Copy of letter is enclosed as **Annexure-L.**
5. RSPCB has also imposed EC of RS 2.4 Crore on Municipal Council, Bhilwara in OA no. 593/2017 Paryvaran Suraksha Smaiti VS UOI & others for the period from 01.07.2020 to 31.10.2021- Inadequate Sewage treatment capacity Vide RSPCB letter dated 25.11.2021. Copy of letter is enclosed as **Annexure-M.**

Key Actionable: In view of factual status observed during visit by the Joint team, deficiencies/shortcomings along with actionable key points to address and mitigate the issues raised by applicant related to deterioration Kothari River stretch are summarised as follows :-

S.No.	Particular deficiencies/ shortcomings	Key Actionable	Mitigation Measures /Action Plan by Concerned agency	Brief detailing regarding Action plan submitted by concerned department
1.	Solid Waste and Plastic Waste Dumping.	To Complete removal of Solid Waste and Plastic Waste Dumping along with River Bank and to channelize Solid Waste and Plastic Waste to MSW processing Plant for disposal of MSW in scientific manner.	Copy of letter related to measures to be adopted /plan is received from Municipal Council, Bhilwara vide letter dated 15.03.22. Copy enclosed as Annexure-N.	Municipal Council ,Bhilwara has informed about existing facility and mentioned timeline upto 30.04.22 for removal of existing dump of Solid and Plastic waste along the Kothari River ,however Municipal Council has not submit any concrete action plan related to prevention of situation.
2.	Encroachments and non-availability of enmarking of river boundary.	1. To ensure complete removal of encroachments. 2. Proper enmarking and Fencing along the river	Copy of letter related to measures to be adopted /plan is	UIT, Bhilwara has given timeline upto 30.04.2022 for removal encroachments. Besides, timeline for plantation is reported up to

		bank.	received from UIT, Bhilwara vide letter dated 15.03.22. Copy enclosed as Annexure-O.	31.12.2022, which is required to be initiated at the earliest preferably at the start of rainy season.
3.	Untreated Sewage meeting into Kothari River	1. Expeditious Completion of Sewer Network and House hold connection to channelize complete sewage to STP Plant (30 MLD) for treatment of sewage and gainful utilisation of treated sewage.	Progress Status and timelines related to completion of sewer related work (STP /SPS and sewerage line) is received from RUIDP, Bhilwara vide letter dated 07.03.22 and 12.03.22. Copy enclosed as Annexure-P.	Progress status submitted by RUIDP are approx. above 95% for STP plant(30 MLD) and sewerage pumping station (48 MLD);however work related to laying of sewer network has coverage only up to 45% of city area and 73% of population coverage.
4.	Excavation of Soil at	To ensure complete	ATR cum	Mining department has

	River Bed	abatement of unauthorised excavation of Soil at River Bed and take action against the violators.	factual report is received from Mining dept. vide letter dated 11.03.22. Copy enclosed as Annexure-Q.	submitted detailed ATR; however strict vigilance is also required in this regard.
5.	Construction and demolition Waste	<p>1. To ensure complete removal of construction and demolition waste along the river bank and take action against the violators.</p> <p>2. Develop Material Recovery Facility for processing and recovery from C&D Waste.</p>	No ATR/Plan for implementation has been received from Municipal Council.	No ATR/Plan for implementation has been received from Municipal Council.
6.	Dumping of dead carcass along the river bank area	To ensure the complete removal of dead carcass dumped along the river bank and ensure the regular proper disposal of carcass in scientific manner. To install mechanised Carcus disposal plant.	Point included in Annexure-N.	Municipal Council ,Bhilwara has informed about existing procedure adopted for disposal of carcass through contract however to ensure effective implementation of disposal of carcass in prescribed manner no action

				possibly viz. Constitution of task force , Regular Monitoring, action against contract in case of non-compliances are not reported in letter.
7.	Growth of Vilayati Babool along the River Bank.	To ensure the removal of unwanted shurbs and ensure development of green belt development /dense plantation along the river bank, this may be extended in line with Beti Gaurav Udhyan type initiatives.	Point included in Annexure-O.	Time line provided by UIT, Bhilwara for cutting of undesirous shurbs is up to 31.07.2022.
8.	Industrial Liquid Waste discharge	To ensure complete zero liquid discharge status of industrial units specifically textile units and to ensure monitoring and keep vigil in regular manner.		Presently, there are 03 Textile units are existed along the drainage pattern of Kothari River Stretch. During the visit, it was found that above units are equipped with ETP Plant, RO Plant and MEE plant up to zero liquid discharge system and during visit, no waste water discharge were found outside the unit premises. RSPCB is conducting surveillance visit in regular manner to ensure no discharge from these units.

Suggestive (s) regarding Action plan/progress report submitted by concerned department:-

1. Untreated Sewerage :- That presently estimated sewerage load of Bhilwara city ranges between 40-45 MLD and for the treatment of sewerage 01 no. of STP Plant (10) MLD is being operated by Jindal Saw Limited under contract with Municipal Council ,Bhilwara. Untreated sewage is pumped through Sewerage Pumping station installed at Sanganer Drain,Kota Road to STP Plant and STP treated is being recycled to Jindal Saw Limited Pellet Plant itself through pipeline. Further, another 30 MLD STP plant has also been installed by project agency RUIDP, Bhilwara and reportedly (vide letter dated 07.03.22) completed above 95% work. During Joint team survey, Plant was found almost installed and ready for commissioning stage. RUIDP,Bhilwara also mentioned that work for Sewerage Pumping station(SPS) is also completed (above 95%). However work related sewer network (Scope-410 Kms ; completed approx. 340 KM) is still under progress and tentatively completed by 30.06.2022.

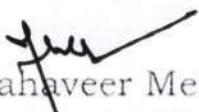
- a. RUIDP, letter dated 07.03.2022, Work related to House Hold connection with sewer network is still not initiated, therefore, laid sewer network is of no use till its connectivity with House Hold. Therefore, Municipal Council,Bhilwara is required to address this issue in immediate manner.**
- b. Municipal Council,Bhilwara is require to submit action plan related to reuse/gainful utilisation of treated sewage to be generated from after commissioning of 30 MLD STP Plant, which is under ready to commissioning stage and presently non-functional due pending work of sewer connectivity.**
- c. However as per the RUIDP, letter dated 07.03.2022, sewer network being laid down presently (Scope 410 Kms) is covering 45% of city area and 73% of population, which reveals that Gap analysis for channelization and treatment of untreated sewage being generated from remaining 55% of city area coverage and 27% population of City is required to be addressed by Municipal Council,Bhilwara in expeditious manner.**

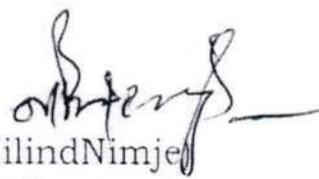
d. That till the commissioning of STP (30 MLD) along with sewer network and completion of household connection work, Municipal Council may be directed to provide in situ interim treatment arrangements for the untreated sewage viz. Bio-remediation, phyto-remediation or any suitable techniques.

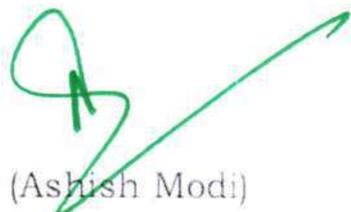
2. **Solid Waste Management:** Letter /Plan submitted by Municipal Council, Bhilwara are not concrete and required to incorporate some concrete action points viz. improvement in collection and source segregation system, enhancement of intermediate transfer points, Development of MRF facilities, Public awareness ,SOP and its execution for levy of penalties from non-complying entities etc. Action point related to improper disposal of C&D Waste is also required to address with scope under MRF facility. Issue related to dumping of carcass in open may be addressed with utmost priority to avoid unhygienic conditions. Micro level management, surveillance mechanism through technology and other innovative measures are required to be initiated.
3. **Encroachment, Fencing ,Plantation and Cutting of undesirous shrubs:-** UIT, Bhilwara is require to address the issue in phase wise manner viz. anti-encroachment drive and removal of encroachment followed by removal of undesirous shrubs, installation of fencing and plantation under consultation with expert agency /Forest Department. Concerned agency is required to consult each and every perspective related to removal of undesirous shrubs with respect to their requirement/ non requirement, effect on Soil erosion/flaura - fauna etc.
4. **Untreated Sewerage to be generated from the land allotted for Existing and proposed townships in Bhilwara City along the Bank of Kothari River:-**UIT, Bhilwara has submitted a list of 15 private townships except UIT townships which are located along the bank of the Kothari. As per the list out of these 15 townships (existing /proposed) ;04 townships are having land area more than 10 hectare and remaining 11 townships are having land area less than 10 hectare. As per the information submitted by UIT, Bhilwara as per State Township policy , installation of Captive STP Plant for township having land area more than 10 hectare is mandatory and for the

townships having land area less than 10 hectare are required to be well connected with sewer line. Therefore, UIT, Bhilwara is required to take action against the violators and to ensure the zero untreated discharge to Kothari river.

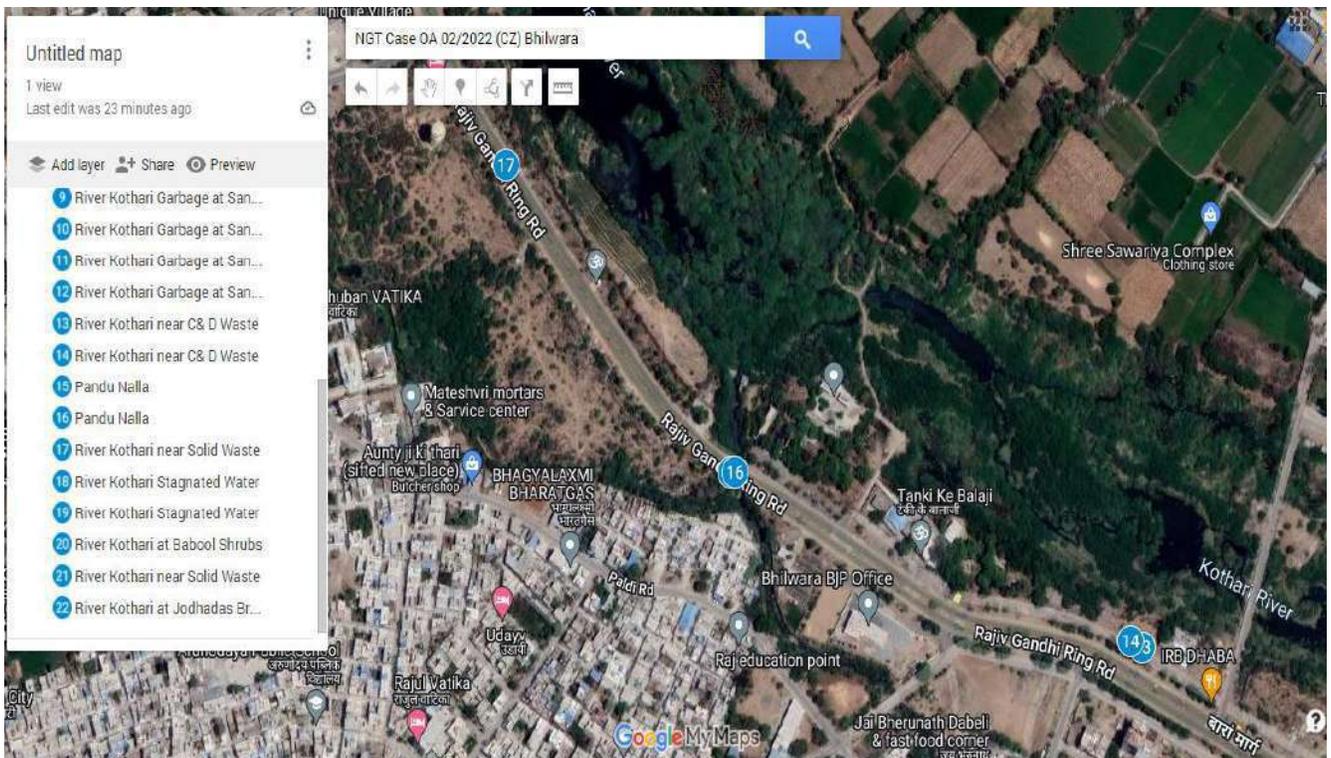
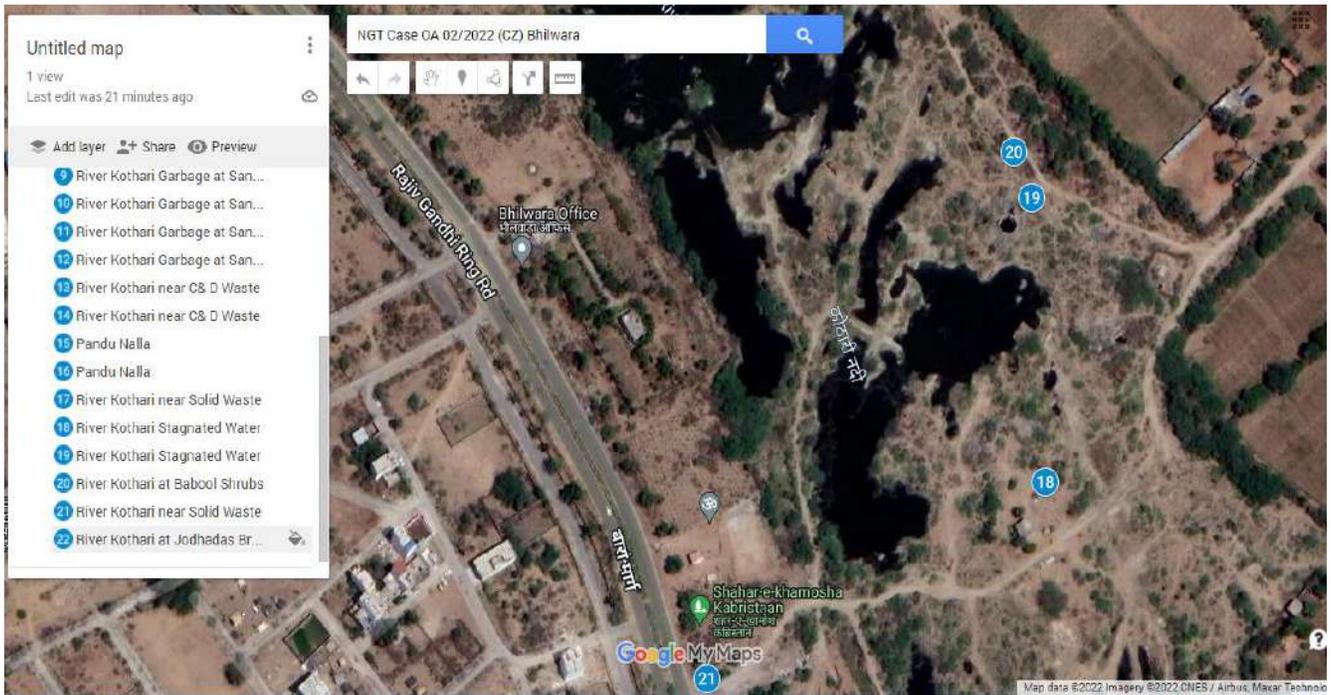
Conclusion:- In accordance with the site observations and present scenario of Kothari river stretch, dumping of solid waste, C& D waste, untreated sewage discharge, encroachments, growth of undesirous shrubs/babool and other related issues, Concerned agency viz. Municipal Council Bhilwara, UIT Bhilwara and other related agencies address the issues in expeditious manner and prepare time bound ^{concrete} action plan followed by time to time review of compliance /progress so as to protection and prevention of Kothari River Stretch.

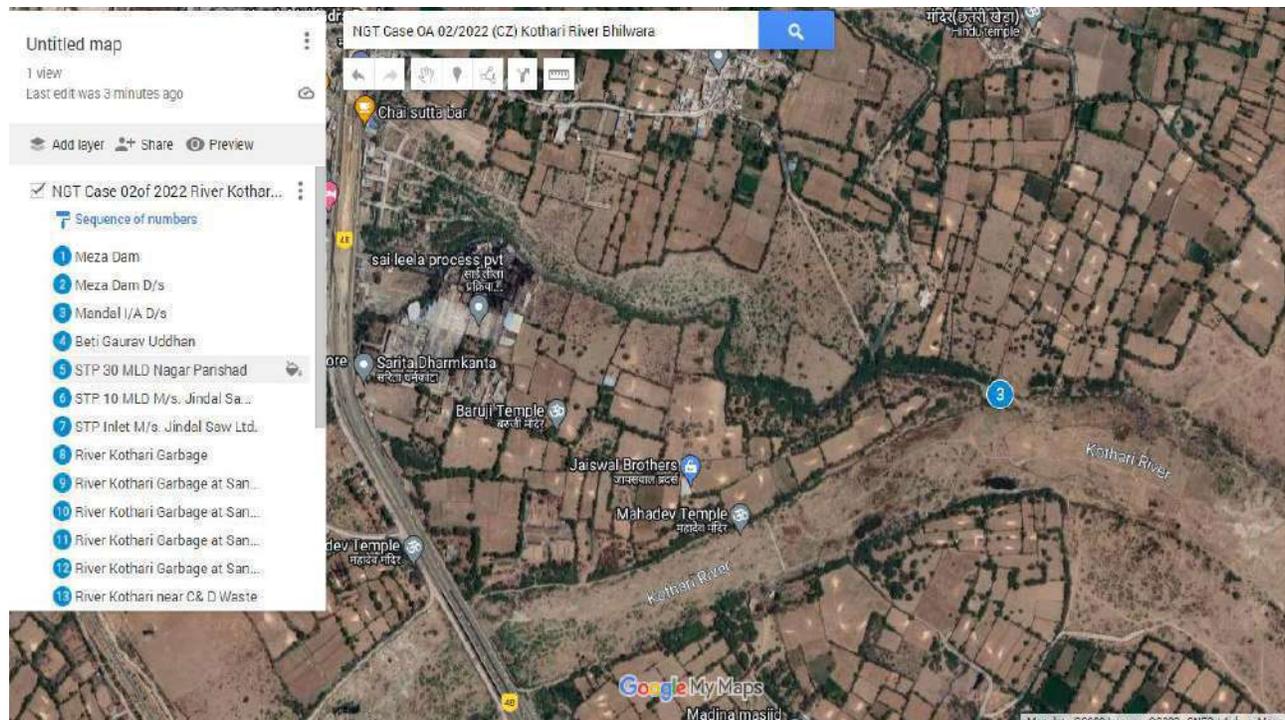
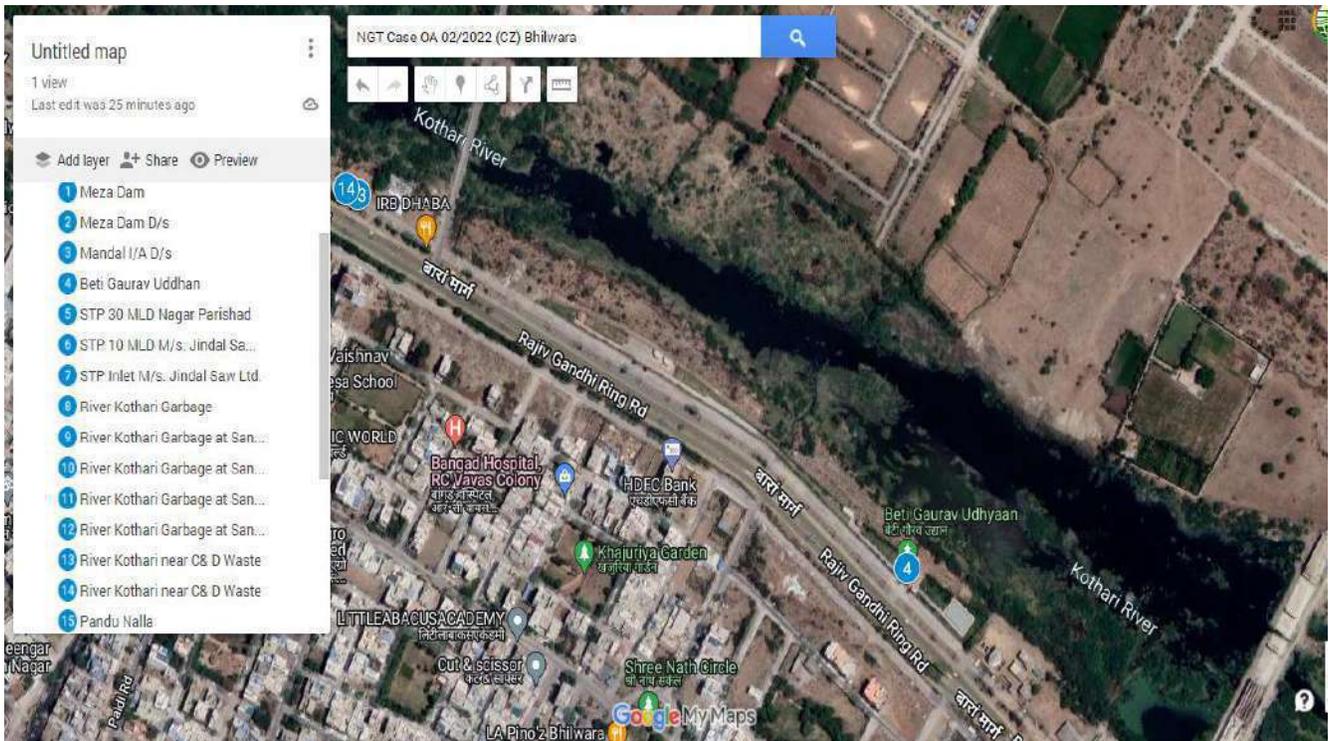

(Mahaveer Mehta)
Regional Officer,
Regional Office,
RSPCB, Bhilwara

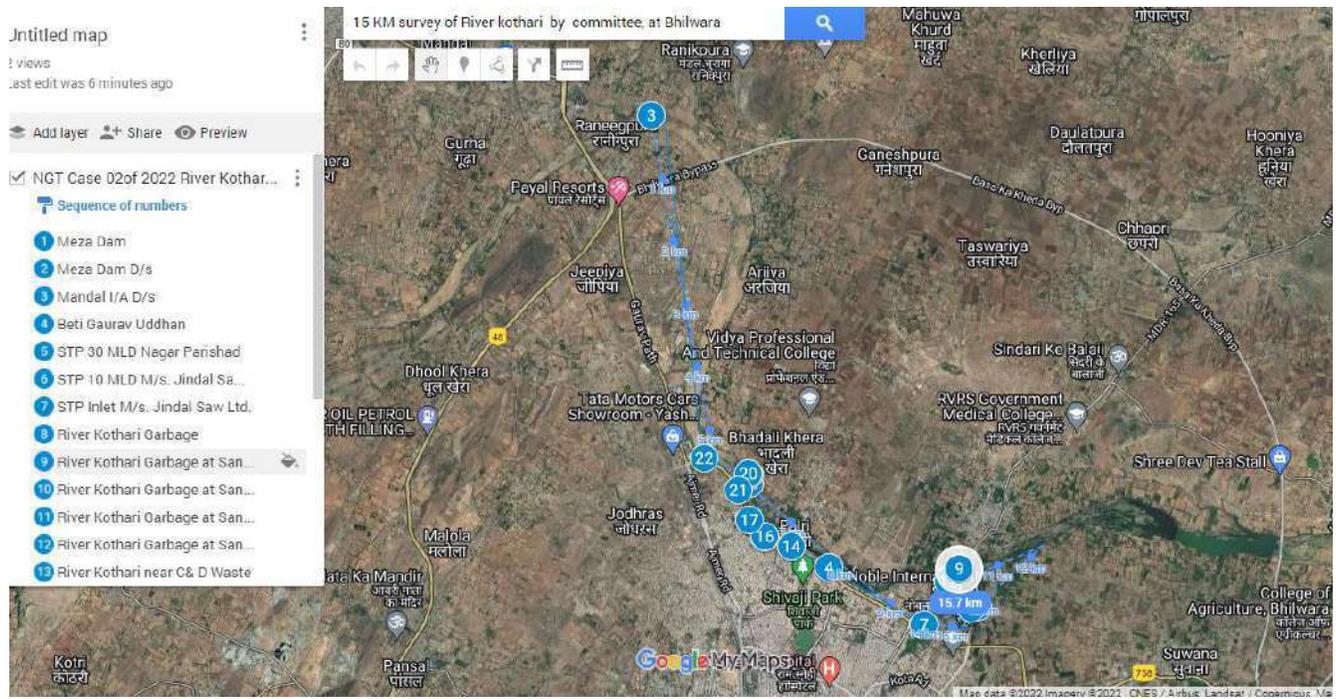

(Milind Nimje)
Scientist-C
Regional Directorate,
CPCB, Bhopal (M.P.)
Milind Nimje
Scientist-C
Regional Directorate
Central Pollution Control Board
Bhopal (M.P.)


(Ashish Modi)
District Collector
Bhilwara

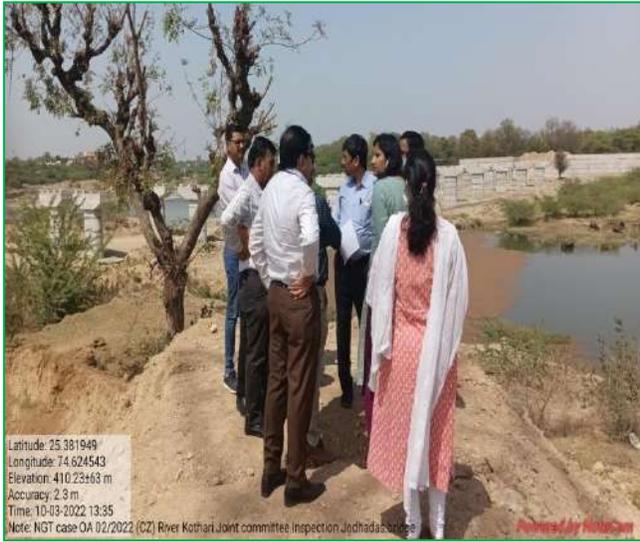
Google Maps of Points (Kothari River Strech) visited by Joint Team







Photograph taken during the inspection by team



View of Committee member visited at River Kothari Stretchs



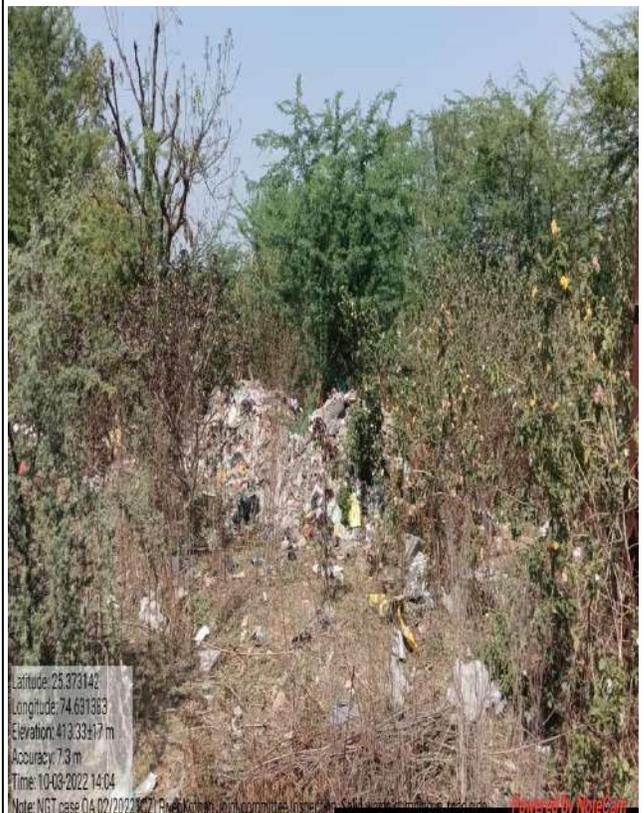
River Kothari at Jodhras Bridge



Sample Collected near Jodhras bridge , River Kothari



Solid Waste illegal dumping bank of River Kothari



C&D Waste illegal dumping bank of River Kothari



C&D Waste illegal dumping bank of River Kothari



C&D Waste illegal dumping & Construction (Jhugi) establishment of bank of River Kothari



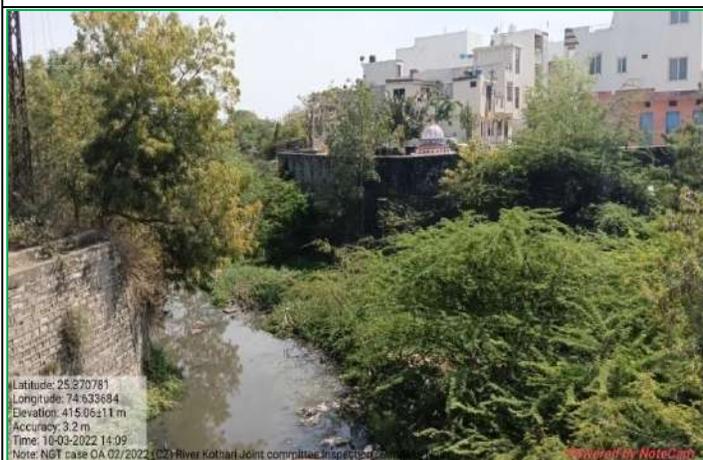
Beti Gaurav Udhyan plantation at bank of River Kothari



Beti Gaurav Udhyan at bank of River Kothari



Joint Committee member with Nagar Parishad official inspected the “Beti Gaurav Udhyan” bank of River Kothari at Bhilwara



Pandhu Nalla flowing meet at River Kothari



Pandhu Nalla meet at River Kothari” Babool shrub”



Inlet point of M/s. Jindal Saw Ltd.



Inlet point of M/s. Jindal Saw Ltd.



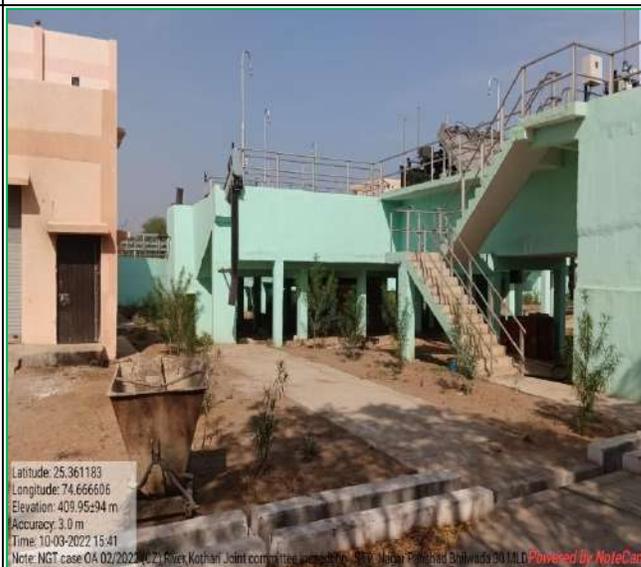
STP of 10 MLD M/s. Jindal Saw Ltd. Bhilwara



STP of 10 MLD recycle treatment plant of M/s. Jindal Saw Ltd. Bhilwara



30 MLD STP NagarParishad, Bhilwara constructed but till date not operational due to non-connectivity of sewer lines.



30 MLD STP SBR Technology NagarParishad, Bhilwara



Down stream of Meja Dam river Kothari found dry



Down stream of Meja Dam river Kothari found dry / excavation



Down stream of Meja Dam river Kothari found dry /excavation .



Meja Dam at River Kothari



Meja Dam at River Kothari stretches found dry



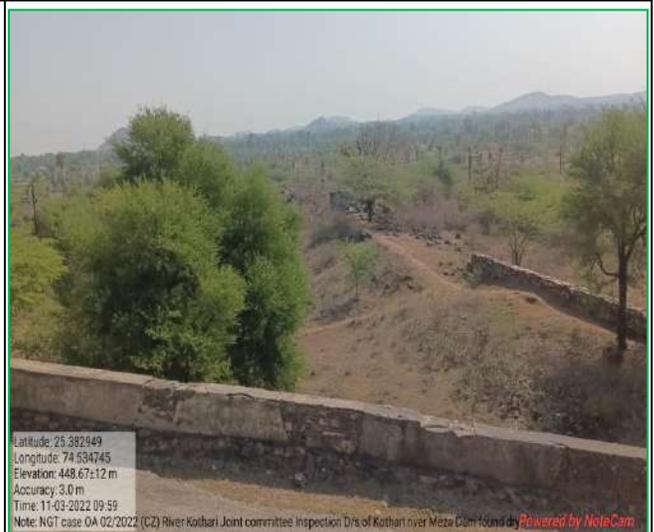
Meja Dam at River Kothari



Stagnated Water of Meja Dam



Meja Dam at River Kothari found dry stretches



Downstream of Meja Dam at River Kothari found dry stretches



Sample Collection at various point of River Stretch and STP Plants

JOINT COMMITTEE REPORT

The Joint Committee, constituted by Hon'ble NGT, Central Zone Bench, Bhopal in original application bearing OA No.02/2022(CZ) title Babulal Jajoo vs State of Rajasthan & Ors.

INDEX (List of Annexures)

S.No.	Particular of Annexure	Annexure-Name
1.	Order sheet dated 31.01.22 in OA-02/2022-CZ	Annexure-A
2.	CPCB Representative Nomination Letter	Annexure-B
3.	RSPCB Representative Nomination Letter	Annexure-C
4.	Letter issued to concern department by RSPCB to ensure compliance dated 11.02.22	Annexure-D
5.	Letter issued to concern department by RSPCB to provide updated status dated 11.02.22	Annexure-E
6.	Meeting Notice issued to concern department by RSPCB dated 07.03.22	Annexure-F
7.	Minutes of Meeting dated 11.03.22	Annexure-G
8.	Analysis reports of sample collected on 10.03.22 and 11.03.22	Annexure-H
9.	Direction Letter issued to Municipal Council and UIT by RSPCB –Collectively	Annexure-I
10.	Direction Letter issued to Municipal Council and UIT by RSPCB –related to ensure no discharge and MSW Rules and other issue compliance –Collectively	Annexure-J
11.	Environmental compensation imposed on Municipal Council, Bhilwara (Rs. 63.80 Lac)	Annexure-K
12.	Prosecution filed against commissioner, Municipal Council, Bhilwara by RSPCB	Annexure-L
13.	Environmental compensation imposed on Municipal Council, Bhilwara (Rs. 2.4 Crore)	Annexure-M
14.	Municipal Council, Bhilwara letter dated 15.03.22 related to Key actionable plan	Annexure-N
15.	UIT, Bhilwara letter dated 15.03.22 related to Action plan to address the issues	Annexure-O
16.	ATR cum progress status by Mining Dept.	Annexure-P
17.	Progress status and timeline by RUIDP, Bhilwara	Annexure-Q

Item No. 01

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(Through Video Conferencing)**

Original Application No. 02/2022(CZ)

Babulal Jajoo

Applicant(s)

Versus

State of Rajasthan & Ors.

Respondent(s)

Date of hearing: **31.01.2022**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant (s) : Mr. Naveen Ahuja, Adv.

For Respondent(s) : None.

ORDER

1. The present Original Application has been filed raising substantial question relating to degradation of environment in the district of Bhilwara, Rajasthan, where the lifeline of the city i.e. the Kothari River is being polluted and has achieved alarming levels of pollution. This imminent source of surface water for the residents of Bhilwara is becoming poisonous for them in a way that its intake could be dangerous to the health of the residents. The water quality of the river is so degraded that it is not at all suitable for drinking purpose of residents due to high level of chemicals which is being discharged on daily basis from the nearby industries and the untreated sewage from the nearby societies and colonies.
2. The City of Bhilwara is a critically polluted area due to presence of many industries around the district and various textile industries in the city itself. There have always been reports of increased level of pollution in and around the city due to the ever increasing number of industries and housing societies which clearly signify that development is killing the essence of the city i.e. Kothari river. One of the major sources of irrigation and potable water for the

residents living nearby is this historic river which is at the verge of being completely deteriorated due to the increasing level of pollution and the ignorance from the side of local authorities.

3. Various encroachments are threatening the existence of the river and increasing the chances of devastating floods in the urban area as well as becoming a big cause for water scarcity. It would be proper to mention here that all type of waste of the city, be it construction waste (malba) or religious offerings or hazardous plastic waste, which is either dumped into the river directly or is being piled up near the river banks, consequentially causing nuisance, bad odour and becoming a breeding ground for the mosquitoes and other insects exposing the residents of the area to diseases. Various representations were made by the Applicant to the Non-Applicant no. 1 but no heed was paid to his grievance and there is total ignorance and non-action since so many years on the part of administration.
4. Development at the cost of destruction of river and putting a price on nature becomes meaningless if we treat the ecosystems upon which we depend as mere commodities for earning profit. The industries manufacturing their products and releasing the chemicals into the river Kothari or housing societies discharging their untreated sewage or the excavation activities of river soil carried on by the land mafias or dumping of concrete debris from the various construction activities carried around the city, have a catastrophic effect on the Kothari River and the climate at large. There are extensive and indiscriminate encroachments and illegal slums constructed on the banks of river Kothari which are obstruction for its natural recharge and imbalances its capacity to maintain the water level. Further, dead bodies of cattle were found in the river along with the solid waste dumped by the Non-Applicant no. 3 into the river which clearly shows their casual attitude towards the Kothari River and environment at large.
5. There are extensive and indiscriminate encroachments and illegal Slums constructed on the banks of river Kothari which are obstruction for its natural recharge and imbalances its capacity to maintain the water level.

Further, dead bodies of cattle were found in the river along with the solid waste dumped by the Non-Applicant no. 3 into the river which clearly shows their casual attitude towards the Kothari River and environment at large.

6. A substantial issue of environment has been raised.
7. Issue notice to the respondents, returnable within four weeks.
8. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
9. Respondents are directed to submit their reply through E-filing module within four weeks.
10. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-
 - (i) Collector, Bhilwara, Rajasthan.
 - (ii) One representative from Central Pollution Control Board, (Rajasthan).
 - (iii) One representative from Rajasthan Pollution Control Board
11. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.
12. Applicant is directed to supply the copy of the application and relevant documents to the Committee and Respondent(s) within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served upon the Committee and respondent(s).
13. The report in the matter be filed by the Committee through email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List it on 31st March, 2022.

Sheo Kumar Singh, JM

Arun Kumar Verma, EM

31st January, 2022
O.A. No. 02/2022(CZ)
PN



क्षेत्रीय निदेशालय (मध्य), भोपाल
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)

क्षे.नि.भो./एन.जी.टी. ओ.ए.- 02/2021(CZ)/1477

दिनांक : 07 फरवरी, 2022

प्रति,

सदस्य सचिव
राजस्थान राज्य प्रदूषण नियंत्रण बोर्ड
ए-4 इंस्टीट्यूशनल एरिया
झालाना डुंगरी
जयपुर -302 004

Most urgent
NGT Case

विषय: NGT OA No. 02/2022(CZ) "Babulal Jajoo Vs. State of Rajasthan & Ors." में अधिकारी के नामांकन बाबत।

संदर्भ: माननीय एन.जी.टी. द्वारा पारित आदेश दिनांक 31.01.2022

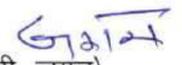
महोदय,

कृपया माननीय एन.जी.टी. द्वारा दिनांक 31.01.2022 को विषयांकित प्रकरण में पारित आदेश का अवलोकन करने का कष्ट करें (छायाप्रति संलग्न है)। विषयांकित प्रकरण में माननीय एन.जी.टी. द्वारा पारित आदेश दिनांक 31.01.2022 के संदर्भ में संयुक्त समिति का गठन किया गया है, जिसमें कलेक्टर (भीलवाड़ा), केन्द्रीय प्रदूषण नियंत्रण बोर्ड एवं राजस्थान प्रदूषण नियंत्रण बोर्ड के प्रतिनिधि शामिल हैं। माननीय एन.जी.टी. सेन्ट्रल जोन द्वारा उक्त आदेश के माध्यम से निम्नानुसार कार्य संयुक्त टीम द्वारा पूर्ण करने को कहा गया है।

उपरोक्त समिति द्वारा कार्य पूर्ण करने के पश्चात प्रतिवेदन नोडल एंजेसी (RSPCB) के माध्यम से छः सप्ताह के भीतर माननीय एन.जी.टी. के समक्ष प्रस्तुत करना होगा। प्रकरण में आगामी सुनवाई दिनांक 31.03.2022 नियत है।

उपरोक्त कार्य हेतु इस कार्यालय से श्री मिलिन्द निमजे, वैज्ञानिक 'ग' (मोबाइल नं. 9406782007), ईमेल—milindnmj07@gmail.com) एवं श्री संजय कुमार मुकाती, वरिष्ठ वैज्ञानिक सहायक को नामित किया गया है।

भवदीय,


(पी. जगन)
क्षेत्रीय निदेशक

संलग्नक: उपरोक्तानुसार।

प्रतिलिपि:

- (1) डिविजनल हेड, विधि अनुभाग, के.प्र.नि.बोर्ड, दिल्ली
(2) श्री मिलिन्द निमजे, वैज्ञानिक 'ग', के.प्र.नि.बोर्ड, क्षे.नि.,भोपाल
(3) श्री संजय कुमार मुकाती, वरिष्ठ वैज्ञानिक सहायक, के.प्र.नि.बोर्ड क्षे.नि.,भोपाल
(4) क्षेत्रीय अधिकारी, RSPCB, भीलवाड़ा
- } की ओर कृपया सूचनार्थ ।
} कृपया सूचनार्थ एवं कार्यवाही हेतु।

क्षेत्रीय निदेशक

"राजभाषा हिन्दी में पत्र व्यवहार का स्वागत है"

पता: "परिवेश भवन",
पर्यावरण परिसर, ई-5, अरेरा कालोनी, भोपाल-462016
टेलीफैक्स: 0755-2775587
ईपीएबीएक्स: 0755-2775385, 2775386
क्षेत्रीय निदेशक डायरेक्ट: 0755-2775384
ई-मेल: cpcb.bhopal@gmail.com, वेबसाइट: www.cpcb.nic.in

मुख्यालय :
परिवेश भवन
पूर्वी अर्जुन नगर, दिल्ली-110032
दूरभाष क्र: 011-43102030
फैक्स क्र: 91-11-22304948, 22307078, 22307079



राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
RAJASTHAN STATE POLLUTION CONTROL BOARD
 4, Institutional Area, Jhalana Doongri, Jaipur.
 Phone: 5101871, 5101872, EAPBX: 5159600, 5159699

Email/Speed-Post

No. F.10 (415) RPCB/Legal/NGT/2022 /187-191

Date: 11/02/2022

Regional Officer,
 Rajasthan State Pollution Control Board,
 Bhilwara.

Sub: - Hon'ble National Green Tribunal order dated 31.01.2022 in Original Application no. 02/2022 Babu Lal Jajoo Vs State of Rajasthan & Others.

Sir,

With reference to above subject matter, it is to inform that the Hon'ble NGT by order dated 31.01.2022 directed as follow:-

"10. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-

(i) Collector, Bhilwara, Rajasthan.

(ii) One representative from Central Pollution Control Board, (Rajasthan).

(iii) One representative from Rajasthan Pollution Control Board

11. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.

12. Applicant is directed to supply the copy of the application and relevant documents to the Committee and Respondent(s) within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served upon the Committee and respondent(s).

13. The report in the matter be filed by the Committee through email at ngtczbbhomp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List it on 31st March, 2022."

You are hereby nominated as member of the committee and also appointed as Nodal Officer on behalf of RSPCB with the direction to ensure compliance of Hon'ble NGT order and file the compliance report of order dated 31.01.2022. The Hon'ble NGT order dated 31.01.2022 is enclosed with this letter for ready reference.

Enclosed-As above

Yours sincerely,

(Anand Mohan)
 Member Secretary

OK

Copy to:-

1. District Collector, Bhilwara with the request to ensure compliance of Hon'ble NGT order dated 31.01.2022.
2. Member Secretary, Central Pollution Control Board, Parivesh Bhawan, New Delhi with the request to ensure compliance of Hon'ble NGT order dated 31.01.2022.
3. GIC (Liquid Waste), RSPCB, Jaipur for information and necessary action.
4. GIC (Textile), RSPCB, Jaipur for information and necessary action.

Member Secretary

OK



REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD

18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.
Phone/Fax no. 01482-241159, E-Mail ID : rorpcb.bhilwara@gmail.com

(Through Email/Post)

RPCB/RO BHL/Legal-6 /1888

Date: 11/02/2022

1. Secretary Urban Improvement Trust,
Bhilwara.
2. Municipal Commissioner,
Bhilwara
3. Incharge and Supdt. Engineer (RUIDP),
Bhilwara

Sub:- Regarding to ensure the compliance of Hon'ble NGT direction issued vide orders issued in original application no. 02/2022-CZ, titled Babulal Jajoo Vs SOR and others, order dated 31.01.2022

Ref:- Hon'ble NGT's Central Zone Bench, Bhopal's order sheet dated 31.01.2022.
Sir,

Apropos above, it is submitted that Hon'ble NGT's Central Zone Bench, Bhopal has issued directions **in original application no. 02/2022-CZ, titled Babulal Jajoo Vs SOR and others, vide order sheet dated 31.01.2022**, inter alia reproduced and detailed as under :-

Para 1 :- The present Original Application has been filed raising substantial question relating to degradation of environment in the district of Bhilwara, Rajasthan, where the lifeline of the city i.e. the Kothari River is being polluted and has achieved alarming levels of pollution. This imminent source of surface water for the residents of Bhilwara is becoming poisonous for them in a way that its intake could be dangerous to the health of the residents. The water quality of the river is so degraded that it is not at all suitable for drinking purpose of residents due to high level of chemicals which is being discharged on daily basis from the nearby industries and the untreated sewage from the nearby societies and colonies.

Para 2 :- The City of Bhilwara is a critically polluted area due to presence of many industries around the district and various textile industries in the city itself. There have always been reports of increased level of pollution in and around the city due to the ever increasing number of industries and housing societies which clearly signify that development is killing the essence of the city i.e. Kothari river. One of the major sources of irrigation and potable water for the residents living nearby is this historic river which is at the verge of being completely deteriorated due to the increasing level of pollution and the ignorance from the side of local authorities.

Para 3:- Various encroachments are threatening the existence of the river and increasing the chances of devastating floods in the urban area as well as becoming a big cause for water scarcity. It would be proper to mention here that all type of waste of the city, be it construction waste (malba) or religious offerings or hazardous plastic waste, which is either dumped into the river directly or is being piled up near the river banks, consequentially causing nuisance, bad odour and becoming a bleeding



REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD

18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.
Phone/Fax no. 01482-241159, E-Mail ID : rorpcb.bhilwara@gmail.com

ground for the mosquitoes and other insects exposing the residents of the area to diseases. Various representations were made by the Applicant to the Non-Applicant no. 1 but no heed was paid to his grievance and there is total ignorance and non-action since so many years on the part of administration.

Para 4:- Development at the cost of destruction of river and putting a price on nature becomes meaningless if we treat the ecosystems upon which we depend as mere commodities for earning profit. The industries manufacturing their products and releasing the chemicals into the river Kothari or housing societies discharging their untreated sewage or the excavation activities of river soil carried on by the land mafias or dumping of concrete debris from the various construction activities carried around the city, have a catastrophic effect on the Kothari River and the climate at large. There are extensive and indiscriminate encroachments and illegal slums constructed on the banks of river Kothari which are obstruction for its natural recharge and imbalances its capacity to maintain the water level. Further, dead bodies of cattle were found in the river along with the solid waste dumped by the Non-Applicant no. 3 into the river which clearly shows their casual attitude towards the Kothari River and environment at large.

Para 5:- There are extensive and indiscriminate encroachments and illegal Slums constructed on the banks of river Kothari which are obstruction for its natural recharge and imbalances its capacity to maintain the water level.

Further, dead bodies of cattle were found in the river along with the solid waste dumped by the Non-Applicant no. 3 into the river which clearly shows their casual attitude towards the Kothari River and environment at large.

Para 6 :- A substantial issue of environment has been raised.

Para 7:- Issue notice to the respondents, returnable within four weeks.

Para 8. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.

Para 9. Respondents are directed to submit their reply through E-filing module within four weeks.

Para 10. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-

- (i) Collector, Bhilwara, Rajasthan.
- (ii) One representative from Central Pollution Control Board, (Rajasthan).
- (iii) One representative from Rajasthan Pollution Control Board

Para 11. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.

Para 12. Applicant is directed to supply the copy of the application and relevant documents to the Committee and Respondent(s) within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served upon the Committee and respondent(s).



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Para 13. The report in the matter be filed by the Committee through email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List it on 31st March, 2022.

Therefore, in light of above matter, kindly ensure the compliance of the issues raised in the matter and submit compliance accordingly.

Encl : As above

Yours Sincerely,


Regional Officer,
RSPCB, Bhilwara

Copy to :

1. District Collector, Bhilwara with request to direct concern local Bodies department respondents viz. UIT and Municipal Council as well as RUIDP to ensure the compliance of the issues raised in the aforesaid matter specifically to initiate expeditious action to prevent and curb sheet related to pollution in Kothari River through untreated waste water/sewage discharge/ Unscientific disposal of MSW/Plastic Waste/Dead Bodies of Animals/Encroachment etc strictly as per the content of the order.
2. P.A. to Member Secretary, RSPCB, Jaipur for information .
3. ACEE& GIC(Legal), RSPCB, Jaipur for information and necessary action.
4. ACEE& GIC(Liquid Waste), RSPCB, Jaipur for information and necessary action.

Regional Officer

Item No. 01

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(Through Video Conferencing)**

Original Application No. 02/2022(CZ)

Babulal Jajoo

Applicant(s)

Versus

State of Rajasthan & Ors.

Respondent(s)

Date of hearing: **31.01.2022**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant (s) : Mr. Naveen Ahuja, Adv.

For Respondent(s) : None.

ORDER

1. The present Original Application has been filed raising substantial question relating to degradation of environment in the district of Bhilwara, Rajasthan, where the lifeline of the city i.e. the Kothari River is being polluted and has achieved alarming levels of pollution. This imminent source of surface water for the residents of Bhilwara is becoming poisonous for them in a way that its intake could be dangerous to the health of the residents. The water quality of the river is so degraded that it is not at all suitable for drinking purpose of residents due to high level of chemicals which is being discharged on daily basis from the nearby industries and the untreated sewage from the nearby societies and colonies.
2. The City of Bhilwara is a critically polluted area due to presence of many industries around the district and various textile industries in the city itself. There have always been reports of increased level of pollution in and around the city due to the ever increasing number of industries and housing societies which clearly signify that development is killing the essence of the city i.e. Kothari river. One of the major sources of irrigation and potable water for the

residents living nearby is this historic river which is at the verge of being completely deteriorated due to the increasing level of pollution and the ignorance from the side of local authorities.

3. Various encroachments are threatening the existence of the river and increasing the chances of devastating floods in the urban area as well as becoming a big cause for water scarcity. It would be proper to mention here that all type of waste of the city, be it construction waste (malba) or religious offerings or hazardous plastic waste, which is either dumped into the river directly or is being piled up near the river banks, consequentially causing nuisance, bad odour and becoming a breeding ground for the mosquitoes and other insects exposing the residents of the area to diseases. Various representations were made by the Applicant to the Non-Applicant no. 1 but no heed was paid to his grievance and there is total ignorance and non-action since so many years on the part of administration.
4. Development at the cost of destruction of river and putting a price on nature becomes meaningless if we treat the ecosystems upon which we depend as mere commodities for earning profit. The industries manufacturing their products and releasing the chemicals into the river Kothari or housing societies discharging their untreated sewage or the excavation activities of river soil carried on by the land mafias or dumping of concrete debris from the various construction activities carried around the city, have a catastrophic effect on the Kothari River and the climate at large. There are extensive and indiscriminate encroachments and illegal slums constructed on the banks of river Kothari which are obstruction for its natural recharge and imbalances its capacity to maintain the water level. Further, dead bodies of cattle were found in the river along with the solid waste dumped by the Non-Applicant no. 3 into the river which clearly shows their casual attitude towards the Kothari River and environment at large.
5. There are extensive and indiscriminate encroachments and illegal Slums constructed on the banks of river Kothari which are obstruction for its natural recharge and imbalances its capacity to maintain the water level.

Further, dead bodies of cattle were found in the river along with the solid waste dumped by the Non-Applicant no. 3 into the river which clearly shows their casual attitude towards the Kothari River and environment at large.

6. A substantial issue of environment has been raised.
7. Issue notice to the respondents, returnable within four weeks.
8. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
9. Respondents are directed to submit their reply through E-filing module within four weeks.
10. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-
 - (i) Collector, Bhilwara, Rajasthan.
 - (ii) One representative from Central Pollution Control Board, (Rajasthan).
 - (iii) One representative from Rajasthan Pollution Control Board
11. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.
12. Applicant is directed to supply the copy of the application and relevant documents to the Committee and Respondent(s) within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served upon the Committee and respondent(s).
13. The report in the matter be filed by the Committee through email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List it on 31st March, 2022.

Sheo Kumar Singh, JM

Arun Kumar Verma, EM

31st January, 2022
O.A. No. 02/2022(CZ)
PN



**REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD**

18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.
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(Through Email/Post)

RPCB/RO BHL/Legal-6 / 1895

Date: 11/02/2022

1. Secretary Urban Improvement Trust,
Bhilwara.
2. Municipal Commissioner,
Bhilwara
3. Incharge and Supdt. Engineer (RUIDP),
Bhilwara
4. Supdt. Mining Engineer, Mining Office,
Bhilwara
5. Supdt. Engineer, Water Resource
Bhilwara
6. Supdt. Engineer, Irrigation department
Bhilwara

Sub:- Regarding to ensure the compliance of Hon'ble NGT direction issued vide orders issued in original application no. 02/2022-CZ, titled Babulal Jajoo Vs SOR and others, order dated 31.01.2022

Ref:- Hon'ble NGT's Central Zone Bench, Bhopal's order sheet dated 31.01.2022.
Sir,

Apropos above, it is submitted that Hon'ble NGT's Central Zone Bench, Bhopal has issued directions in original application no. 02/2022-CZ, titled Babulal Jajoo Vs SOR and others, vide order sheet dated 31.01.2022 and copy of order sheet is being sent to you to ensure expeditious compliance. Further, as per the available copy of writ petition from Board's advocate, major issues raised in petition /original application is directly related to local bodies authorities for compliance, interalia detailed and reproduced as under:-

Para No.	Content of issues raised in original application	Concerned Agency for implementation and prevention
2.3	Similarly, the housing societies which are constructed in the vicinity of the Kothari River either have no Sewage Treatment Plant (STP) installed or have a non-functional Sewage Treatment plant because of which all the untreated sewage water is being discharged into the Kothari river is hampering the environment at its threshold.	UIT, Municipal Council and RUIDP



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	<p>At this juncture, it is pertinent to point out here that it is the duty of the Non-Applicant no. 3 to make sure that treatment plants are installed properly at the required places to treat the contaminated water but there is clearly a dereliction on their part of duty.</p>	
2.4	<p>That, it is relevant to mention here that the water of Kothari river is a source of potable water for the residents of district Bhilwara as well as quenching the thirst of various cattle. It also serves as an asset for the farmers and their agricultural fields as it helps in irrigating their fields and increasing the soil fertility. The Hon'ble Apex court in catena of judgments has held that it is the duty of the State to ensure access to clean drinking water but the Non-Applicants have completely failed in enforcing those laws and directions to protect the surface water and stoppage of pollutants into the Kothari River.</p>	<p><i>Municipal Council and Water Resource and irrigation</i></p>
2.5	<p>There are various <i>English Babul'tree alongside of Kothari river</i> which is one of the main reasons for pollution of the river. Also, various small and big encroachments on the river bank are hampering the water flow and its natural recourse to larger extent which are not removed by the Non-Applicants till date.</p>	<p><i>Municipal Council</i></p>



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2.6	<p>That, it is important to bring to the notice of this Hon'ble tribunal that the land mafias are carrying out illegal excavation of soil from the river Kothari and on various occasions vehicles carrying minerals from the river are seen bythe Applicant which is an alarming issue. In addition to the facts stated above, in-stream excavation of accumulated sand from the river is also taking place alongwith illegal farming onthe river side resulting to river pollution.</p>	<p>Mining Dept. and Irrigation.</p>
2.7	<p>That, further, the Applicant witnessed that there has been instances of dumping of garbage on the banks of the Kothari river and a heap of garbage is created wherein all types of household wastes, pieces of cloth, plastic, metallic pouches, thermocol pieces, flowers, religious offerings, construction debris, concretes etc. is being piled up heavily along the side of the river at various places especially from the Jodhdas Chauhrah to Sanganer route which has disastrous results to the aquatic organism and river at large.</p>	<p>Municipal Council</p>
3.5	<p>Because, various types of waste such as household waste, pharmaceutical waste, drainage water of the nearby residential colonies is being released into the river without</p>	<p>Municipal Council</p>



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	<p>treating it which results in contamination of river Kothari to a larger extent.</p>	
3.6	<p>Because, the current situation of river is such that it has been severely affected by the continuous discharge of the untreated sewage water from the housing societies exhibiting grave non-compliance on the part of the developers who have failed to set up a STP plant and ignorance on the part of Industries and officials to ensure proper set up of a CETP Plant on the river bank so that the untreated sewage water could be treated before it being discharged into the river directly. The Non-Applicant No.4 also failed in improving the existing condition in and around the river Kothari which immensely contributed in polluting the river and has further hampered the sustainable development of the planned city.</p>	<p><i>Municipal Council and RUIDP</i></p>
3.8	<p>Because, there is a heap of garbage dumped on the banks of the Kothari River which includes: plastic, metallic pouches, thermocol pieces, religious offerings, construction debris etc. especially from the Jodhdas Chauhrah to Sanganer route leaving behind disastrous effects for the aquatic</p>	<p><i>Municipal Council</i></p>



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	organism and river at large.	
3.9	Because, the holistic growth of the flora and fauna is hampered because of the continuous threat and chances of this non-biodegradable and hazardous waste floating into the river, affecting the diverse ecosystem which the river supports. Moreover, the huge trash of waste collected near the river will lead to an end of the aquatic life.	Municipal Council
3.11	Because, the accumulated garbage on the banks of the river Kothari is a breeding ground for the mosquitoes and other insects exposing the residents of the area to various diseases and has not only resulted in spreading of foul and pungent smell all around the area but has created nuisance for the people passing by, which clearly manifests that there is dereliction of duty on the part of Non-Applicants.	Municipal Council <i>Municipal Council</i>
3.12	Because, the Kothari River is swollen with dead bodies of cattle and solid waste dumped by the Non-Applicant No. 3 which was also encountered in the last inspection report submitted by the Non-Applicant No. 2 and this menace will hamper the public health and will severely contaminate the river with irreversible damages.	Municipal Council
3.13	Because, there are various encroachments being made	Municipal Council <i>Municipal Council</i>



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	along-side of the river Kothari which is threatening the existence of river and is interrupting the free natural flow of the river which will eventually result in devastating floods in near future.	
3.14	Because, it is pertinent to mention here that there were instances where illegal soil excavation from the Kothari river were encountered and to the utmost shock and surprise of the Applicant they are continuously going on by the land mafias without paying any regard to the irreversible damage to the river and environment at large. Further, it is relevant to mention here that the in-stream dredging of stream bed and removal of accumulated sand directly from stream channels of river Kothari in large quantities will affect the aquatic habitat, biodiversity and recreational potential of the river.	Mining Dept.

Therefore, in light of above matter, kindly ensure the compliance of the issues raised in the matter and submit compliance accordingly.

Encl : As above

Yours Sincerely,

Regional Officer,
RSPCB, Bhilwara



REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD

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Copy to :

1. District Collector, Bhilwara with request to direct concern local Bodies department respondents viz. UIT and Municipal Council as well as RUIDP to ensure the compliance of the issues raised in the aforesaid matter specifically to initiate expeditious action to prevent and curb sheet related to pollution in Kothari River through untreated waste water/sewage discharge/ Unscientific disposal of MSW/Plastic Waste/Dead Bodies of Animals/Encroachment etc strictly as per the content of the order.
2. P.A. to Member Secretary, RSPCB, Jaipur for information .
3. ACEE& GIC(Legal), RSPCB, Jaipur for information and necessary action.
4. ACEE& GIC(Liquid Waste), RSPCB, Jaipur for information and necessary action.

Regional Officer



क्षेत्रीय कार्यालय
REGIONAL OFFICE
 राजस्थान राज्य प्रदूषण नियंत्रण मंडल
RAJASTHAN STATE POLLUTION CONTROL BOARD
18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.
 Phone/Fax no. 01482-241159, E-Mail ID: rorpcb.bhilwara@gmail.com
 (जरिये ईमेल/डाक)

अतिमहत्वपूर्ण-मा.एन.जी.टी.प्रकरण

दिनांक- 07/03/2022

रा.प्र.नि.मं./क्षे.का. भीलवाड़ा/विधिक- / 2168
 प्रेषिति :-

1. उप वन संरक्षक, वन विभाग, जिला -भीलवाडा (राज.)
2. सचिव, नगर विकास न्यास, जिला -भीलवाडा (राज.)
3. आयुक्त, नगर परिषद, जिला -भीलवाडा (राज.)
4. अधीक्षण अभियंता/प्रभारी, खान एवम भू विज्ञान, जिला -भीलवाडा (राज.)
5. अधीक्षण अभियंता/प्रभारी, जल संसाधन/ सिंचाई, जिला -भीलवाडा (राज.)
6. अधीक्षण अभियंता/प्रभारी, कृषि, जिला -भीलवाडा (राज.)
7. अधीक्षण अभियंता/प्रभारी/भूजल वैज्ञानिक, भू जल विभाग, जिला -भीलवाडा (राज.)
8. अधीक्षण अभियंता/प्रभारी, आरयूआईडीपी, जिला -भीलवाडा (राज.)

--बैठक सूचना---

माननीय राष्ट्रीय हरित अधिकरण द्वारा प्रकरण मूल आवेदन संख्या 02/2022 शीर्षक बाबूलाल जाजू बनाम राजस्थान सरकार एवम अन्य अंतर्गत जारी निर्देशों दिनांक 31.01.2021 एवम अंतर्गत गठित समिति यथा :-

1. श्रीमान जिला कलेक्टर महोदय, भीलवाडा।
2. प्रतिनिधि केंद्रीय प्रदूषण नियंत्रण बोर्ड-श्री मिलिंद निम्जे, वैज्ञानिक -ग एवम श्री संजय मुकाती, वरिष्ठ वैज्ञानिक सहायक, केंद्रीय प्रदूषण नियंत्रण मंडल, आंचलिक निदेशालय, भोपाल, मध्य प्रदेश।
3. प्रतिनिधि राज्य प्रदूषण नियंत्रण मंडल- क्षेत्रीय अधिकारी, प्रदूषण नियंत्रण मंडल, भीलवाडा।
 को आवेदक द्वारा आवेदन में कोठारी नदी क्षेत्र (कोठारी रिवर स्ट्रेच) में ठोस अपशिष्ट डंपिंग /प्लास्टिक प्रदूषण /मल -जल निस्त्राव /द्रव अपशिष्ट /अवैज्ञानिक पशु शव दाह/ नदी पृष्ठ में मिट्टी खनन/ नदी पेटे में अवैध कृषि / जल गुणवत्ता /भू जल पर प्रतिकूल प्रभाव /नदी किनारे बसी टाउनशिप से अनुपचारित मल जल निस्त्राव एवम अन्य बिंदु (यथा आवेदन में वर्णित) पर मौका निरीक्षण कर तथ्यात्मक रिपोर्ट /कार्यवाही रिपोर्ट हेतु निर्देशित किया गया है।
1. बिंदु संख्या 3 के क्रम में गठित समिति का मौका निरीक्षण दिनांक 10.03.22 एवम 11.03.22 को किया जाना प्रस्तावित है।



क्षेत्रीय कार्यालय

REGIONAL OFFICE

राजस्थान राज्य प्रदूषण नियंत्रण मंडल

RAJASTHAN STATE POLLUTION CONTROL BOARD

18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.

Phone/Fax no. 01482-241159, E-Mail ID: rorpcb.bhilwara@gmail.com

अतः निरिक्षण पूर्व विभागवार वस्तुस्थिति /कार्यवाही /प्रगति बाबत अद्यतन रिपोर्ट /प्रस्तुतिकरण वांछनीय हैं। इस हेतु जिला कलेक्टर महोदय की अध्यक्षता में दिनांक 10.03.2022; गुरुवार समय प्रातः 11.15 बजे ,स्थान –जिला कलेक्टर कार्यालय में एक बैठक आयोजित की जावेगी। बैठक में आपके विभाग से सम्बंधित अद्यतन विवरण लेकर उपस्थित होने का श्रम करें। एजेंडा बिंदु संलग्न हैं।

(महावीर मेहता)

नोडल अधिकारी प्रकरण एवम
क्षेत्रीय अधिकारी,
रा. प्र. नि. मं., भीलवाडा

प्रतिलिपि :- सूचनार्थ प्रेषित हैं।

1. निजी सहायक ,जिला कलेक्टर महोदय, भीलवाडा।
2. निजी सहायक , सदस्य सचिव महोदय , रा. प्र. नि. मं., जयपुर को सूचनार्थ प्रेषित हैं।
3. अति. जिला कलेक्टर महो. (प्रशासन)भीलवाडा।
4. निजी सहायक , अति. जिला कलेक्टर महो. (प्रशासन)भीलवाडा को प्रेषित कर लेख हैं कि मीटिंग कक्ष प्रभारी को बैठक आयोजन व्यवस्था हेतु निर्देशित करावें।

क्षेत्रीय अधिकारी



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18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.
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संभावित एजेंडा बिंदु :-

क्रम संख्या	संभावित एजेंडा बिंदु	सम्बंधित विभाग /एजेंसी
1.	आदेशिका दिनांक 31.01.22	रा. प्र. नि. मं, भीलवाड़ा
2.	मूल आवेदन अंतर्गत बिंदु	जॉइंट टीम
3.	बिन्दुवार चर्चा	
a	अनसाइंटिफिक सॉलिड वेस्ट-गारबेज एंड प्लास्टिक वेस्ट डिस्पोजल (ठोस अपशिष्ट डंपिंग /प्लास्टिक प्रदूषण)	नगर परिषद
b	अनट्रीटेड सीवेज एंड लिक्विड वेस्ट डिस्चार्ज (मल-जल निस्त्राव /द्रव अपशिष्ट)। एसटीपी कार्य प्रगति ।	नगर परिषद एवम रुडिप
c	डेड एनिमल कारकस बर्निंग (अवैज्ञानिक पशु शव दाह)	नगर परिषद
d	साइल (soil) माइनिंग @ रिवर बेड (नदी पृष्ठ में मिट्टी खनन)	खान एवम भू विज्ञान
e	इललीगल फार्मिंग @ रिवर (नदी पेटे में अवैध कृषि)	कृषि एवम सिंचाई
f	वाटर क्वालिटी डेटोरीएशन (जल गुणवत्ता /भू जल पर प्रतिकूल प्रभाव)	भूजल /जल संसाधन
g	(टाउनशिप नियर रिवर बैंक एंड अनट्रीटेड सीवेज डिस्चार्ज)नदी किनारे बसी टाउनशिप से अनुपचारित मल जल निस्त्राव	नगर परिषद/युआइटी
h	अतिक्रमण	नगर परिषद/युआइटी/राजस्व
l	नदी किनारे इंग्लिश बबूल (विलायती बबूल) से बाधा ।	वन / नगर परिषद
l	अन्य बिंदु अध्यक्ष महोदय की अनुमति से ।	
आवेदन में वर्णित चाहे गए रिलीफ		
1.	नदी की सफाई / योजना	नगर परिषद/युआइटी
2.	नदी का सीमांकन /फेंसिंग	जल संसाधन /नगर परिषद/युआइटी
3.	अतिक्रमण बाबत कार्यवाही	जल संसाधन /नगर परिषद/युआइटी
4.	पर्याप्त मल जल उपचार	नगर परिषद
5.	नियमित मोनिटरिंग	नगर परिषद
6.	उल्लंघनकर्ताओं के विरुद्ध कार्यवाही ।	यथा लागू



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(जरिये डाक /ईमेल)

रा.प्र.नि.मं./क्षे.का. भीलवाड़ा/विधिक(L) -56/ 2269

दिनांक- 14/03/2022

प्रेषिति :-

1. मुख्य कार्यकारी अधिकारी, जिला परिषद, भीलवाड़ा (pd-bhi-rj@nic.in)
2. श्री मिलिंद निमजे, वैज्ञानिक -ग, क्षेत्रीय निदेशालय, केंद्रीय प्रदूषण नियंत्रण बोर्ड, भोपाल (मध्य प्रदेश) (milind07.cpcb@gov.in)
3. सचिव, नगर विकास न्यास, भीलवाड़ा (secyuitbhilwara@yahoo.com)
4. आयुक्त, नगर परिषद, भीलवाड़ा (npbphilwara@gmail.com)
5. उपनिदेशक कृषि, कार्यालय उपनिदेशक कृषि, भीलवाड़ा (ddagr_bhi@rediffmail.com)
6. अधीक्षण खनि अभियंता, कार्यालय खान एवम भू विज्ञान विभाग, भीलवाड़ा (sme.bhilwara@rajasthan.gov.in)
7. अधीक्षण अभियंता, जल संसाधन, भीलवाड़ा (sewrphilwara@gmail.com)
8. अधीक्षण अभियंता, भू -जल, भीलवाड़ा (SHG.GWD.UDAIPUR@rajasthan.gov.in)
9. अधीक्षण अभियंता, आरयूआईडीपी, जिला -भीलवाड़ा (राज.) (BHL.RUIDP@rajasthan.gov.in)

विषय :- माननीय राष्ट्रीय हरित अधिकरण द्वारा प्रकरण मूल आवेदन संख्या 02/2022 शीर्षक बाबूलाल जाजू बनाम राजस्थान सरकार एवम अन्य अंतर्गत जारी आदेशिका दिनांक 31.01.2021 बाबत आयोजित बैठक का कार्यवृत्त (मिनट्स ऑफ़ मीटिंग)

सन्दर्भ : जिला कलेक्टर, भीलवाड़ा में आयोजित बैठक दिनांक 10.03.2022

महोदय,

उपरोक्त विषयान्तर्गत प्रासंगिक माननीय राष्ट्रीय हरित अधिकरण द्वारा प्रकरण मूल आवेदन संख्या 02/2022 शीर्षक बाबूलाल जाजू बनाम राजस्थान सरकार एवम अन्य अंतर्गत जारी आदेशिका दिनांक 31.01.2021 द्वारा जारी निर्देशों के अनुक्रम में गठित समिति के प्रस्तावित निरीक्षण एवम याचिका कर्ता (आवेदक) द्वारा मूल आवेदन में प्रस्तुत/दर्ज बिन्दुओं (ग्राउंड्स) पर विभागवार समीक्षा/ विवरण एवम प्रगति बाबत बैठक श्रीमान जिला कलेक्टर महोदय की अध्यक्षता में दिनांक 10.03.2022 को आयोजित की गयी।



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आयोजित बैठक का कार्यवृत्त (मिनट्स ऑफ़ मीटिंग) सूचनार्थ, आवश्यक कार्यवाही, अनुपालनार्थ एवम प्रकरण में विभागवार वर्णित बिन्दुओ पर समयबद्ध कार्य योजना एवम रिपोर्ट प्रस्तुत करने हेतु (दिनांक 15.03.22 से पूर्व) संलग्न कर सादर प्रेषित हैं।

भवदीय,

(महावीरो मेहता)

क्षेत्रीय अधिकारी,

रा. प्र. नि. मं., भीलवाड़ा

प्रतिलिपि :-

1. निजी सहायक, जिला कलेक्टर महोदय, भीलवाड़ा।
2. वरिष्ठ निजी सचिव, सदस्य सचिव, रा. प्र. नि. मं., जयपुर।
3. अतिरिक्त जिला कलेक्टर, भीलवाड़ा।
4. अति. मुख्य पर्या. अभियंता(विधि), रा. प्र. नि. मं., जयपुर।

क्षेत्रीय अधिकारी



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----बैठक कार्यवृत्त (मिनट्स ऑफ़ मीटिंग)----

बैठक सूचना पत्र (जरिये ईमेल) दिनांक -07.03.2022

बैठक दिनांक -10.03.2022 (समय प्रातः 11 बजे)

स्थान -जिला कलेक्टर, भीलवाडा।

सन्दर्भ /एजेंडा:- माननीय राष्ट्रीय हरित अधिकरण द्वारा प्रकरण मूल आवेदन संख्या 02/2022 शीर्षक बाबूलाल जाजू बनाम राजस्थान सरकार एवम अन्य अंतर्गत जारी आदेशिका दिनांक 31.01.2021

उक्तानुसार संदर्भित प्रकरण में जारी आदेशिका दिनांक 31.01.2021 द्वारा जारी निर्देशों के अनुक्रम में गठित समिति के प्रस्तावित निरीक्षण एवम याचिका कर्ता (आवेदक) द्वारा मूल आवेदन में प्रस्तुत/दर्ज बिन्दुओं (ग्राउंड्स) पर विभागवार समीक्षा/ विवरण एवम प्रगति बाबत बैठक श्रीमान जिला कलेक्टर महोदय की अध्यक्षता में आयोजित की गयी। बैठक में गठित समिति के सदस्य एवम विभिन्न विभागों के निम्न अधिकारी / पदाधिकारी उपस्थित हुए (उपस्थिति पत्रक संलग्न) :-

1. डॉ. शिल्पा सिंह, मुख्य कार्यकारी अधिकारी, जिला परिषद, भीलवाडा।
2. श्री मिलिंद निमजे, वैज्ञानिक -ग, क्षेत्रीय निदेशालय, केंद्रीय प्रदूषण नियंत्रण बोर्ड, भोपाल (मध्य प्रदेश) -सी.पी.सी.बी. द्वारा नामित प्रतिनिधि।
3. श्रीमती दुर्गा कुमारी, आयुक्त, नगर परिषद, भीलवाडा।
4. श्री महावीर मेहता, क्षेत्रीय अधिकारी एवम अतिरिक्त मुख्य पर्यावरण अभियंता, क्षेत्रीय कार्यालय रा.प्र.नि.म., भीलवाडा।
5. श्री संजय माथुर, अधीक्षण अभियन्ता, नगर विकास न्यास, भीलवाडा।
6. श्री जिनेश हुमड, खनि अभियंता, कार्यालय खान एवम भू विज्ञान विभाग, भीलवाडा।
7. श्री रमेश चन्द्र नुवाल, अधिशासी अभियंता, जल संसाधन, खंड -प्रथम, भीलवाडा।
8. श्री दिनेश सोलंकी, कृषि अधिकारी, कार्यालय उपनिदेशक कृषि, भीलवाडा।
9. श्री संजय कुमार मुकाती, वरिष्ठ वैज्ञानिक सहायक, क्षेत्रीय निदेशालय, केंद्रीय प्रदूषण नियंत्रण बोर्ड, भोपाल (मध्य प्रदेश) -सी.पी.सी.बी. द्वारा नामित।
10. श्री ओम प्रकाश बैरवा, सहायक अभियंता, आरयूआईडीपी, जिला -भीलवाडा (राज.)



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- बैठक की शुरुआत में श्रीमान जिला कलेक्टर महोदय द्वारा संयुक्त समिति में सी.पी.सी.बी. द्वारा नामित प्रतिनिधियों से परिचय प्राप्त कर क्षेत्रीय अधिकारी, रा.प्र.नि.म., भीलवाडा को मा.एन.जी.टी. द्वारा प्रकरण में जारी आदेशिका अंतर्गत जारी निर्देशो बाबत बिन्दुवार विवरण प्रस्तुत करने हेतु निर्देशित किया गया।
- I. अनुक्रम में क्षेत्रीय अधिकारी, रा.प्र.नि.म., भीलवाडा द्वारा मा.एन.जी.टी. द्वारा जारी आदेशिका अंतर्गत जारी निर्देशो बाबत बताया गया कि निर्देशानुसार गठित समिति के सदस्यों द्वारा आवेदक द्वारा मूल आवेदन /याचिका में वर्णित बिंदु मूलतः भीलवाडा जिले में अवस्थित कोठारी नदी क्षेत्र में नदी के प्रदूषित होने / नदी के स्वरूप बिगड़ने तथा उसके पुनरुत्थान हेतु उपाय प्रयास करने बाबत तथ्यात्मक रिपोर्ट माननीय अधिकरण में प्रस्तुत करने हेतु निर्देशित किया गया है।
- II. तत्पश्चात श्री मेहता, क्षेत्रीय अधिकारी द्वारा अवगत कराया कि राज्य प्रदूषण नियंत्रण मंडल द्वारा इस हेतु समस्त सम्बंधित विभागों को उनसे संबन्धित निर्देशो की त्वरित अनुपालना एवम आवेदक द्वारा मूल आवेदन संख्या 02/2022 में वर्णित बिन्दुओ पर आवश्यक कार्यवाही हेतु दिनांक 11.02.22 को पत्र प्रेषित किया जा चुका है। प्रति संलग्न है।
- III. इसी क्रम में श्रीमान जिला कलेक्टर महोदय द्वारा मूल आवेदन में वर्णित बिन्दुओ को एजेंडा बिन्दुओ के रूप में बिन्दुवार विभागवार समीक्षा शुरू करने हेतु निर्देशित किया गया।
- IV. श्री मेहता द्वारा तदनुसार एक एक करके एजेंडा बिन्दुओ पर बिन्दुवार विभागवार समीक्षा हेतु बिंदु प्रस्तुत किये गए, बिन्दुवार विभागवार समीक्षा एवम श्रीमान जिला कलेक्टर महोदय द्वारा प्रदत्त निर्देशो का विवरण निम्नानुसार है :-
1. नगरीय ठोस अपशिष्ट तथा प्लास्टिक अपशिष्ट के डंपिंग :-
 - इस बिंदु पर नगर परिषद आयुक्त द्वारा भीलवाडा शहर हेतु वर्तमान में नगरीय ठोस अपशिष्ट के प्रसंस्करण एवम निस्तारण हेतु 145 टन प्रतिदिन क्षमता का संयंत्र मेसर्स रोलस इंडिया द्वारा संचालित होना बताया गया।
 - इसी क्रम में क्षेत्रीय अधिकारी द्वारा बताया गया कि नगरीय ठोस अपशिष्ट के प्रसंस्करण हेतु संयंत्र संचालित है एवम मुख्यतया इसमें 03 रूप में यथा जैव निम्नकरणीय (बायो डिग्रेडेबल) कंपोस्ट, RDF (Refused derived fuel) तथा अक्रिय (इनर्ट) ठोस अपशिष्ट का प्रसंस्करण किया जाता है, इस पर कलेक्टर महोदय द्वारा शहर के विभिन्न स्थानों पर जगह जगह सॉलिड वेस्ट के डंप होना



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बताया गया एवम इनके पूर्ण निदान हेतु नगर परिषद को ठोस कार्यवाही करने हेतु निर्देशित किया गया।

- जिला कलेक्टर महोदय द्वारा सॉलिड वेस्ट के समुचित निस्तारण हेतु सी.पी.सी.बी. प्रतिनिधियों श्री निमजे एवम श्री मुकाती से वार्ता की गयी एवम इसके निदान के उपाय एवम वेस्ट प्रैक्टिसेज बाबत पूछा गया एवम सी.पी.सी.बी. प्रतिनिधियों द्वारा सॉलिड वेस्ट के समुचित निस्तारण हेतु वार्ड कल्याण समितियों के माध्यम से जन जागरण एवम सहभागिता, स्रोत आधारित पृथक्करण (सोर्स सेग्रिगेशन), मटेरियल रिकवरी फैसिलिटी सेंटर, समुचित एवम पर्याप्त इंटरमीडिएट ट्रान्सफर एवम कलेक्शन सेंटर इत्यादि कार्यों को अपनाने हेतु अवगत कराया गया।
- तत्पश्चात नगर परिषद द्वारा प्रतिदिन सॉलिड वेस्ट के डोर टू डोर कलेक्शन नियमित रूप से होना बताया गया परन्तु श्रीमान कलेक्टर द्वारा डोर टू डोर कलेक्शन प्रचलित होने, कार्मिकों के प्रशिक्षित होने एवम कचरा संग्रहण वाहन(टिपर) में सोर्स सेग्रिगेशन के लिए कम्पार्टमेंट होने के बावजूद आम जन द्वारा गीला एवम सुखा कचरा एक साथ डाले जाने की प्रक्रिया पर नाराजगी जताई एवम आयुक्त नगर परिषद को ठोस अपशिष्ट एवम अन्य प्रबंधन नियम, 2016 एवम स्थानीय निकाय नियमों में प्राप्त शक्तियों का प्रयोग कर सोर्स सेग्रिगेशन यथा गीला एवम सुखा कचरा अलग अलग नहीं करने वाले घरों/परिवार से कचरा नहीं लेने एवम आवश्यकता पड़ने पर जुर्माना /चालान चाहे वह 10 रु ही हो जैसी प्रक्रिया को अपनाने हेतु कहा गया। साथ ही वार्ड कल्याण समितियों के गठन के माध्यम से जन जागरण एवम सहभागिता जैसे नवाचार आरम्भ कर आम जन में सोर्स सेग्रिगेशन के प्रति जागरूकता लाने, समुचित एवम पर्याप्त इंटरमीडिएट ट्रान्सफर एवम कलेक्शन सेंटर बाबत कार्यवाही करने एवम सॉलिड वेस्ट का समुचित प्रबंधन करने हेतु निर्देशित किया गया। जिले की अन्य नगर पालिकाओं के अधिकारियों की बैठक बुलाकर शहरी क्षेत्रों में मटेरियल रिकवरी फैसिलिटी सेंटर की स्थिति हेतु शीघ्र ही बैठक आयोजित करने हेतु निर्देशित किया। तत्पश्चात आयुक्त नगर परिषद द्वारा इस बाबत स्थानीय निकाय निदेशालय स्तर पर पूर्व में प्रेषित प्रस्ताव प्रक्रियाधीन होने एवम शीघ्र ही प्रभावी कार्यवाही सुनिश्चित करने हेतु आश्वस्त किया।



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2. अनट्रीटेड सीवेज एंड लिक्विड वेस्ट डिस्चार्ज(मल-जल निस्त्राव/द्रव-अपशिष्ट), एसटीपी कार्य प्रगति :- इस बिंदु पर आयुक्त नगर परिषद ने अवगत कराया कि वर्तमान में 10 एम एल डी क्षमता का एक मल जल उपचार संयंत्र नगर परिषद से अनुबंधित जिंदल सॉ लिमिटेड द्वारा संचालित किया जा रहा है। एवम साथ ही एक 30 एम. एल. डी. क्षमता का मल जल उपचार संयंत्र का निर्माण कार्य लगभग पूर्ण हो गया है। इस पर कलेक्टर महोदय द्वारा नव निर्मित एस.टी.पी. एवम सीवर नेटवर्क की प्रगति पर जानकारी चाही गयी, परन्तु बैठक में RUIDP से कोई प्रतिनिधि उपस्थित नहीं था। इसी क्रम में RUIDP के अधिकारियों के जयपुर में बैठक में होने बाबत जानकारी मिली। राज्य मंडल द्वारा अवगत कराया गया कि RUIDP द्वारा राज्य मंडल को प्रेषित प्रगति रिपोर्ट अनुसार एसटीपी - एम एल डी /सीवर पम्पिंग स्टेशन -48 एम एल डी का कार्य 95% से अधिक पूर्ण होना बताया गया है। एवम सीवर नेटवर्क का कार्य 410 किमी मे से 340 किमी यथा 83 प्रतिशत पूर्ण होना बताया गया है। एवम नवीनतम स्थिति अनुसार कार्य पूर्णता की संभावित तारीख 30.06.2022 होना अवगत कराया गया। बैठक में लगभग 1 घंटे पश्चात श्री ओमप्रकाश बैरवा, सहा. अभियंता, RUIDP उपस्थित हुए। इस पर कलेक्टर महोदय द्वारा प्रभारी, RUIDP, भीलवाडा को बैठक में उपस्थित नहीं होने एवम प्रतिनिधि के 1 घंटे विलम्ब से उपस्थित होने की लापरवाही बाबत कारण बताओ नोटिस जारी करने हेतु निर्देशित किया गया।
3. नदी के किनारों पर मृत पशु शवों का अवैज्ञानिक रूप से डंप /निपटान:- इस बिंदु पर आयुक्त नगर परिषद बताया गया की नगर परिषद द्वारा मृत पशुओं के निपटान हेतु निविदा द्वारा ठेका प्रदान कर दिया गया है। एवम वर्तमान में कोई समस्या नहीं है। फिर भी इस बाबत ठेकेदार को नदी किनारों के आस पास सर्वे कर पुनः इस बाबत कार्यवाही हेतु निर्देशित कर दिया गया है।
4. नदी पृष्ठ में मिट्टी उत्खनन (सोइल एस्केवेशन) :- बैठक में खनि अभियंता द्वारा इस बाबत कार्यालय की टीम द्वारा सर्वे की कार्यवाही कर ली गयी है। एवम अवगत कराया गया की वर्तमान में भीलवाडा शहर से गुजर रहे नदी स्ट्रेच में मिट्टी उत्खनन का कोई मामला नहीं है। एवम उनके कार्यालय की टीम द्वारा नियमित सतर्कता की कार्यवाही की जा रही है। तथापि कुछ स्थानों पर स्थानीय लोगो द्वारा घरेलु एवम सामान्य उपयोग हेतु मैनुअली मिट्टी निकाली जा सकती है, इस बाबत भी खनि अभियंता द्वारा कार्यवाही करने हेतु आश्वस्त किया गया।



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5. नदी पेटे में कृषि कार्य :- बैठक में कृषि अधिकारी विलम्ब से उपस्थित हुए। इस बाबत जिला कलेक्टर महोदय द्वारा आगामी बैठक में समय पर आने हेतु निर्देशित किया गया। उपस्थित कृषि अधिकारी द्वारा नदी पेटे में किसी विशेष समस्या/शिकायत ना होने का उल्लेख किया गया। इस पर श्रीमान कलेक्टर महोदय द्वारा नदी पेटे में कृषि कार्य बाबत सर्वे एवम रिपोर्ट प्रस्तुत करने हेतु निर्देशित किया गया।
6. जल गुणवत्ता पर प्रभाव: बैठक में भू जल विभाग से कोई प्रतिनिधि उपस्थित नहीं रहा, इसलिए बिंदु पर विस्तृत समीक्षा नहीं हो सकी। जिला कलेक्टर महोदय ने प्रभारी, भू जल विभाग, भीलवाडा को बैठक में उपस्थित नहीं होने के कारण बताओ नोटिस जारी करने हेतु निर्देशित किया गया।
7. नदी किनारे बसी /बस रही कॉलोनियो / टाउनशिप से अनुपचारित मल जल निस्त्राव(अनट्रीटेड सीवेज डिस्चार्ज) :- इस बिंदु पर चर्चा से पूर्व नगर विकास न्यास से कोई प्रतिनिधि उपस्थित नहीं होने के कारण जिला कलेक्टर महोदय ने सचिव, नगर विकास न्यास, भीलवाडा को कारण बताओ नोटिस एवम जिला कलेक्टर महोदय के मार्फत सम्बंधित विभाग के प्रभारी सचिव को पत्र प्रेषित करने हेतु निर्देशित किया गया। इसी क्रम में बैठक में लगभग 1 घण्टे की देरी से श्री संजय माथुर, अधीक्षण अभियंता, नगर विकास न्यास उपस्थित हुए। इस पर जिला कलेक्टर महोदय ने अधीक्षण अभियंता, नगर विकास न्यास से नदी किनारे बसी /बस रही कॉलोनियो / टाउनशिप एवम उनसे जनित मलजल के उपचार हेतु स्थापित व्यवस्था बाबत जानकारी चाही गयी, जिस पर अधीक्षण अभियंता ने बताया की कोठारी नदी के किनारे RC व्यास कॉलोनी और विजय सिंह पथिक नगर कॉलोनी बसी हुई हैं एवम जैसे ही सीवर नेटवर्क का कार्य पूर्ण हो जाएगा, इनसे जनित मल जल (सीवेज) सीधा उपचार हेतु एसटीपी पर जाएगा। तथापि कोठारी नदी के किनारों पर दोनों ओर बहुत सारी निजी कॉलोनिया / टाउनशिप बसी /बस रही हैं, परन्तु इनकी संख्या के सम्बन्ध में जानकारी बैठक के बाद में उपलब्ध करवा दिए जाने हेतु बताया गया। जिस पर श्रीमान कलेक्टर महोदय द्वारा नगर विकास न्यास, भीलवाडा द्वारा इन निजी कॉलोनिया / टाउनशिप के लेआउट इत्यादि नगर विकास न्यास विभाग से अनुमोदित होने के कारण इनमे एसटीपी स्थापित करने की शर्त अधिरोपित होने एवम अनुपालना की स्थिति बाबत पूछा गया, जिस पर नगर विकास न्यास प्रतिनिधि ने बताया कि पूर्व में अनुमोदित कॉलोनिया / टाउनशिप ले आउट में एसटीपी स्थापित करने की शर्त अधिरोपित नहीं की गयी थी, परन्तु भविष्य में कॉलोनिया / टाउनशिप ले आउट



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प्रस्तावों के अनुमोदन के समय एसटीपी स्थापित करने की शर्त अधिरोपित करने की कार्यवाही की जावेगी। इस बिंदु पर श्रीमान कलेक्टर महोदय द्वारा अधीक्षण अभियंता, नगर विकास न्यास को नदी किनारे बसी /बस रही कॉलोनियो / टाउनशिप की सूची मय स्थान ,पता, अनुमोदन की स्थिति, उनसे जनित सीवेज उपचार की व्यवस्था तथा जिन कॉलोनियो / टाउनशिप में सीवेज उपचार की व्यवस्था नहीं हैं उन्हें इस बाबत नोटिस जारी करने एवम इस बाबत पूर्ण सूची एवम विस्तृत विवरण ,नोटिस की प्रतिया दिनांक 15.03.2022 तक श्रीमान कलेक्टर महोदय को प्रस्तुत करने हेतु निर्देशित किया गया। साथ ही भविष्य में कॉलोनिया / टाउनशिप ले आउट प्रस्तावों के अनुमोदन के समय एसटीपी स्थापित करने की शर्त अधिरोपित करने /इस बाबत कार्य योजना प्रस्तुत करने हेतु निर्देशित किया गया।

8. अतिक्रमण :- इस पर बैठक में कोठारी नदी के किनारे किनारे नगर परिषद एवम नगर विकास न्यास की सीमा अनुसार उनके क्षेत्राधिकार में चिन्हीकरण हेतु सर्वे एवम कार्यवाही करने हेतु निर्देशित किया गया। बैठक में आयुक्त नगर परिषद एवम अधि. अभि नगर विकास न्यास द्वारा बताया गया कि कोठारी नदी के किनारे किनारे स्थायी अतिक्रमण की समस्या नहीं हैं परन्तु अस्थायी रूप से बने हुए संरचनाओ का सर्वे कर हटा दिया जाएगा।
9. नदी किनारे इंग्लिश बबूल (विलायती बबूल)-झाड़ियों से बाधा। :- इस पर आयुक्त नगर परिषद द्वारा इस हेतु समय समय पर बबूल की झाड़िया काटे जाने बाबत अवगत कराया गया। इस पर बैठक में कोठारी नदी के किनारे किनारे नगर परिषद एवम नगर विकास न्यास की सीमा अनुसार उनके क्षेत्राधिकार में प्रभावी कार्यवाही करने हेतु निर्देशित किया गया।

उक्त बिन्दुवार समीक्षा उपरान्त श्री मेहता द्वारा ,मूल आवेदन में आवेदक (याचिकाकर्ता श्री बाबूलाल जाजू) द्वारा प्रेयेर/रिलीफ अंतर्गत नदी की सफाई योजना एवम पुनरुत्थान , नदी का सीमांकन /फेंसिंग, अतिक्रमण बाबत कार्यवाही, पर्याप्त मल जल उपचार ,नियमित मोनिटरिंग ,उल्लंघनकर्ताओं के विरुद्ध कार्यवाही आदि बिंदु वर्णित होना अवगत कराया गया ,जिस पर श्रीमान जिला कलेक्टर महोदय द्वारा समबन्धित विभागों को उक्त बिन्दुओ पर त्वरित कार्यवाही एवम क्रियान्वन हेतु समयबद्ध कार्य योजना दिनांक 15.03.2022 तक अनिवार्यतः प्रस्तुत करने हेतु निर्देशित किया गया यथा :-



क्षेत्रीय कार्यालय
REGIONAL OFFICE
राजस्थान राज्य प्रदूषण नियंत्रण मंडल
RAJASTHAN STATE POLLUTION CONTROL BOARD
18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.
Phone/Fax no. 01482-241159, E-Mail ID: rorpcb.bhilwara@gmail.com

क्रम संख्या	कार्य बिंदु	सम्बंधित विभाग	की गयी कार्यवाही /वर्तमान स्थिति	कार्य योजना	समय सीमा	मोनिटरिंग एवम अनुपालना रिपोर्टिंग
1.	कोठारी नदी की सफाई (मय ठोस एवम प्लास्टिक अपशिष्ट प्रबंधन):-नगर परिषद भीलवाडा	नगर परिषद भीलवाडा			दिनांक 15.03.22 तक कार्य योजना	प्रस्तुत करना।
2.	कोठारी नदी किनारों पर वृक्षारोपण तथा फेंसिंग	नगर विकास न्यास भीलवाडा			दिनांक 15.03.22 तक कार्य योजना	प्रस्तुत करना।
3.	अतिक्रमण निरोधक कार्यवाही	नगर परिषद एवम नगर विकास न्यास भीलवाडा			दिनांक 15.03.22 तक कार्य योजना	प्रस्तुत करना।
4.	अंग्रेजी बबूल के निस्तारण कार्यवाही	नगर परिषद एवम नगर विकास न्यास भीलवाडा			दिनांक 15.03.22 तक कार्य योजना	प्रस्तुत करना।
5.	पर्याप्त मल जल उपचार	नगर परिषद एवम RUIDP			दिनांक 15.03.22 तक कार्य योजना	प्रस्तुत करना।
6.	अवैध मिट्टी उत्खनन	खान विभाग, भीलवाडा।			दिनांक 15.03.22 तक पूर्ण रिपोर्ट	प्रस्तुत करना।
7.	नदी किनारे बसी /बस रही कॉलोनियो / टाउनशिप की सूची मय	नगर विकास न्यास भीलवाडा			दिनांक 15.03.22 तक पूर्ण रिपोर्ट	प्रस्तुत करना।



क्षेत्रीय कार्यालय

REGIONAL OFFICE

राजस्थान राज्य प्रदूषण नियंत्रण मंडल

RAJASTHAN STATE POLLUTION CONTROL BOARD

18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.

Phone/Fax no. 01482-241159, E-Mail ID: rorpcb.bhilwara@gmail.com

<p>स्थान, पता, अनुमोदन की स्थिति, उनसे जनित सीवेज उपचार की व्यवस्था तथा जिन कॉलोणियो / टाउनशिप में सीवेज उपचार की व्यवस्था नहीं हैं उन्हें इस बाबत नोटिस जारी करना।</p>		
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बैठक के अंत में श्रीमान कलेक्टर महोदय द्वारा गठित टीम के सदस्यों को कोठारी रिवर स्ट्रेच के मौका निरीक्षण /सर्वे करने हेतु एवम सम्बंधित विभाग के अधिकारियों को मौके पर उपस्थित होने, अविलम्ब मौका निरीक्षण बिन्दुओ पर तथ्यात्मक रिपोर्ट तैयार कर विभागवार कार्य योजना के साथ संकलित रिपोर्ट 17.03.2022 तक तैयार कर 18.03.2022 को पुनः एक बैठक आयोजित करने हेतु निर्देशित किया गया। बैठक सधन्यवाद समाप्त हुई।

उक्त कार्यवृत्त सक्षम प्राधिकारी से अनुमोदित हैं।

(महावीर मेहता)

नोडल एजेंसी प्रकरण एवम

क्षेत्रीय अधिकारी,

रा. प्र. नि. मं, भीलवाड़ा

बैठक - उपस्थिति - पत्रक

दिनांक - 10.03.2022

समय - 11.15 बजे

स्थान : जिना

तहसील, भीलवाडा

प्रयोजन : राष्ट्रीय हरित अधिकरण द्वारा प्रकरण मूल आवेदन संख्या 02/2022 शीर्षक बाबूलाल जाजू बनाम राजस्थान सरकार एवम अन्य अंतर्गत जारी निर्देशों दिनांक 31.01.2021 एवम अंतर्गत गठित समिति के प्रस्तावित निरीक्षण एवम याचिका कर्ता (आवेदक) द्वारा आवेदन में प्रस्तुत बिन्दुओ (ग्राउंड्स) पर विभागवार विवरण/समीक्षा एवम प्रगति बाबत बैठक।

क्र. संख्या	अधिकारी का नाम एवम पदनाम	कार्यालय	मोबाइल	ई-मेल	हस्ताक्षर
1.	श्रीमान जिला कलेक्टर महोदय	भीलवाडा			
2.	रमेश चन्द गुजाल असि. अभियन्ता पर्यावरण रक्तसंचयन भीलवाडा		9414741348	rameshchandelgoyal@gmail.com	
3.	जितेंद्र कुमार असि. अभियन्ता	कार्यालय रक्तसंचयन भीलवाडा	9414856447	mc.shilwan@gmail.com junedjmes@gmail.com	
4.	राजय मुकाठ मुखर्जी	केंद्रीय प्रमुख निदेश जोड वैश्व निदेशालय गोवाड	7879458652	sanjaymukath2003@gmail.com	
5.	Mulundoj RD-Bhopal		942444	mulundoj@gmail.com	
6.	Dhyanga Kumari	N.P.	9461674880		
7.	JUNESH SOLANKI Agriculture officer	उपनिदेशक वृत्ति	9460601622		

**RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE LAB INCHARGE
Final Report**

Report No. : **172**

Report On : **15/03/2022**

I hereby certify that I **Kunj Bihari Paliwal**, Lab Incharge received on the **11/03/2022** from **Shri Vikas Singh, JSO, Bhilwara ,RSPCB Bhilwara** a sample of **Water** of **Meja Dam , Tehsil Bhilwara , Bhilwara** Collected from **Meja Dam** Collected on **11/03/2022**. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on **15/03/2022** and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	pH	8.22
2	Total Suspended Solids mg/l	24
3	Chemical Oxygen Demand (COD) mg/l	32
4	Bio-Chemical Oxygen Demand (BOD) (3days at 27° C) mg/l	4.1
5	Total Dissolved Solids mg/l	280

The condition of the seals, fastening and container on receipt was as follows : **Intact**

Signed This On **15/03/2022**


LAB INCHARGE

Rajasthan State Pollution Control Board
Regional Office Bhilwara
18, Azad Nagar, Near Pannadhai Circle,
Bhilwara -311001
Phone: 01482-241159

FORM - A
RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE STATE BOARD ANALYST

(See Rule - 24)
Final Report

Report No. : **4401**

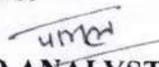
Report On : **15/03/2022**

I hereby certify that I Ms Payal Pancholi, State Board Analyst duly appointed under sub Section(3) of Section 53 of the Water (Prevention & Control of Pollution) Act, 1974 received on the 14/03/2022 from Shri Vikas Singh, JSO, Bhilwara ,RSPCB Bhilwara a sample of Water of Meja Dam , Tehsil Bhilwara , Bhilwara Collected from Meja Dam, Bhilwara Collected on 11/03/2022. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on 15/03/2022 and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	Ammonical Nitrogen as N mg/l	5.7
2	Nitrite as NO ₂ mg/l	0.02
3	Phosphate as PO ₄ mg/l	2.15
4	Copper as Cu mg/l	NT
5	Zinc as Zn mg/l	2.991
6	Nickel as Ni mg/l	NT
7	Lead as Pb mg/l	NT
8	Total Chromium as Cr mg/l	NT
9	Iron as Fe mg/l	0.619
10	Chloride as Cl mg/l	342
11	Sulphate as SO ₄ mg/l	34
12	Nitrate as NO ₃ mg/l	12

The condition of the seals, fastening and container on receipt was as follows : **Intact**
Signed This On **15/03/2022**


BOARD ANALYST

Rajasthan State Pollution Control Board
Regional Office Udaipur
F / 470, Madri Ind. Area, Udaipur
Phone: 0294-2491269

RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE LAB INCHARGE
Final Report

Report No. : 175

Report On : 15/03/2022

I hereby certify that I **Kunj Bihari Paliwal**, Lab Incharge received on the 10/03/2022 from **Shri Vikas Singh, JSO, Bhilwara ,RSPCB Bhilwara** a sample of **Water** of **Kothari River near Jodhras Chouraha** , (Lat.- 25.381986, Long.- 74.625003) , **Bhilwara, Rajasthan** Collected from **Kothari River near Jodhras Chouraha** Collected on 10/03/2022. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on 15/03/2022 and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	pH	8.16
2	Total Suspended Solids mg/l	88
3	Chemical Oxygen Demand (COD) mg/l	116
4	Bio-Chemical Oxygen Demand (BOD) (3days at 27° C) mg/l	28
5	Total Dissolved Solids mg/l	935

The condition of the seals, fastening and container on receipt was as follows : **Intact**

Signed This On 15/03/2022


LAB INCHARGE

Rajasthan State Pollution Control Board
Regional Office Bhilwara
18, Azad Nagar, Near Pannadhahi Circle,
Bhilwara -311001
Phone: 01482-241159

FORM - X
RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE STATE BOARD ANALYST

(See Rule - 24)

Final Report

Report No. : **4398**

Report On : **15/03/2022**

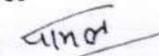
I hereby certify that I Ms **Payal Pancholi**, State Board Analyst duly appointed under sub Section(3) of Section 53 of the Water (Prevention & Control of Pollution) Act, 1974 received on the 14/03/2022 from **Shri Vikas Singh, JSO, Bhilwara ,RSPCB Bhilwara** a sample of Water of **Kothari River near Jodhras Chouraha , (Lat.- 25.381986, Long.- 74.625003) , Bhilwara, Rajasthan** Collected from **Kothari River flowing near Jodhras Chouraha** Collected on **10/03/2022**. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on **15/03/2022** and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	Ammonical Nitrogen as N mg/l	3.5
2	Nitrite as NO ₂ mg/l	0.06
3	Phosphate as PO ₄ mg/l	0.72
4	Copper as Cu mg/l	0.091
5	Zinc as Zn mg/l	0.425
6	Nickel as Ni mg/l	0.095
7	Lead as Pb mg/l	0.019
8	Total Chromium as Cr mg/l	NT
9	Iron as Fe mg/l	3.320
10	Chloride as Cl mg/l	745
11	Sulphate as SO ₄ mg/l	138
12	Nitrate as NO ₃ mg/l	9.6

The condition of the seals, fastening and container on receipt was as follows : **Intact**

Signed This On **15/03/2022**


BOARD ANALYST

Rajasthan State Pollution Control Board

Regional Office Udaipur

F / 470, Madri Ind. Area, Udaipur

Phone: 0294-2491269

**RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE LAB INCHARGE**

Final Report

Report No. : **173**

Report On : **15/03/2022**

I hereby certify that I **Kunj Bihari Paliwal**, Lab Incharge received on the **10/03/2022** from **Shri Vikas Singh, JSO, Bhilwara ,RSPCB Bhilwara** a sample of **Water** of **Kothari River at Paldi Puliya** , (Lat.- **25.369759**, Long.- **74.638944** , **Bhilwara, Rajasthan** Collected from **Kothari River at Paldi Puliya** Collected on **10/03/2022**. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on **15/03/2022** and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	pH	7.81
2	Total Suspended Solids mg/l	104
3	Chemical Oxygen Demand (COD) mg/l	210
4	Bio-Chemical Oxygen Demand (BOD) (3days at 27° C) mg/l	69
5	Total Dissolved Solids mg/l	670

The condition of the seals, fastening and container on receipt was as follows : **Intact**

Signed This On **15/03/2022**



LAB INCHARGE

Rajasthan State Pollution Control Board
Regional Office Bhilwara
18, Azad Nagar, Near Pannadhahi Circle,
Bhilwara -311001
Phone: 01482-241159

FORM - X
RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE STATE BOARD ANALYST

(See Rule - 24)

Final Report

Report No. : **4400**

Report On : **15/03/2022**

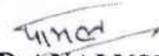
I hereby certify that I Ms **Payal Pancholi**, State Board Analyst duly appointed under sub Section(3) of Section 53 of the Water (Prevention & Control of Pollution) Act, 1974 received on the 14/03/2022 from **Shri Vikas Singh, JSO, Bhilwara ,RSPCB Bhilwara** a sample of **Water of Kothari River at Paldi Puliya** , (Lat.- 25.369759, Long.- 74.638944 , **Bhilwara, Rajasthan** Collected from **Kothari River flowing at Paldi Puliya** Collected on **10/03/2022**. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on **15/03/2022** and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	Ammonical Nitrogen as N mg/l	0.7
2	Nitrite as NO ₂ mg/l	0.03
3	Phosphate as PO ₄ mg/l	2.48
4	Copper as Cu mg/l	NT
5	Zinc as Zn mg/l	1.88
6	Nickel as Ni mg/l	0.061
7	Lead as Pb mg/l	0.018
8	Total Chromium as Cr mg/l	NT
9	Iron as Fe mg/l	1.683
10	Chloride as Cl mg/l	338
11	Sulphate as SO ₄ mg/l	33
12	Nitrate as NO ₃ mg/l	2.3

The condition of the seals, fastening and container on receipt was as follows : **Intact**

Signed This On **15/03/2022**


BOARD ANALYST

Rajasthan State Pollution Control Board

Regional Office Udaipur

F / 470, Madri Ind. Area, Udaipur

Phone: 0294-2491269

RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE LAB INCHARGE
Final Report

Report No. : **174**

Report On : **15/03/2022**

I hereby certify that I **Kunj Bihari Paliwal**, Lab Incharge received on the **10/03/2022** from **Shri Vikas Singh, JSO, Bhilwara ,RSPCB Bhilwara** a sample of **Water** of **Drain near Tanki ke Balaji** , (Lat.-**25.370974**, Long.- **74.633767**) , **Bhilwara, Rajasthan** Collected from **Drain near Tanki ke Balaji** Collected on **10/03/2022**. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on **15/03/2022** and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	pH	7.41
2	Total Suspended Solids mg/l	194
3	Chemical Oxygen Demand (COD) mg/l	284
4	Bio-Chemical Oxygen Demand (BOD) (3days at 27° C) mg/l	102
5	Total Dissolved Solids mg/l	620

The condition of the seals, fastening and container on receipt was as follows : **Intact**

Signed This On **15/03/2022**


LAB INCHARGE

Rajasthan State Pollution Control Board
Regional Office Bhilwara
18, Azad Nagar, Near Pannadhai Circle,
Bhilwara -311001
Phone: 01482-241159

FORM - X
RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE STATE BOARD ANALYST
(See Rule - 24)
Final Report

Report No. : 4399

Report On : 15/03/2022

I hereby certify that I Ms Payal Pancholi, State Board Analyst duly appointed under sub Section(3) of Section 53 of the Water (Prevention & Control of Pollution) Act, 1974 received on the 14/03/2022 from Shri Vikas Singh, JSO, Bhilwara ,RSPCB Bhilwara a sample of Water of Drain near Tanki ke Balaji , (Lat.- 25.370974, Long.- 74.633767) , Bhilwara, Rajasthan Collected from Drain flowing near Tanki ke Balaji Collected on 10/03/2022. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on 15/03/2022 and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	Ammonical Nitrogen as N mg/l	0.9
2	Nitrite as NO ₂ mg/l	0.07
3	Phosphate as PO ₄ mg/l	4.26
4	Copper as Cu mg/l	0.063
5	Zinc as Zn mg/l	1.174
6	Nickel as Ni mg/l	0.062
7	Lead as Pb mg/l	0.013
8	Total Chromium as Cr mg/l	NT
9	Iron as Fe mg/l	2.587
10	Chloride as Cl mg/l	252
11	Sulphate as SO ₄ mg/l	37
12	Nitrate as NO ₃ mg/l	3.4

The condition of the seals, fastening and container on receipt was as follows : **Intact**

Signed This On 15/03/2022

4/11/22
BOARD ANALYST

Rajasthan State Pollution Control Board

Regional Office Udaipur

F / 470, Madri Ind. Area, Udaipur

Phone: 0294-2491269

**RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE LAB INCHARGE**

Final Report

Report No. : **170**

Report On : **15/03/2022**

I hereby certify that I **Kunj Bihari Paliwal**, Lab Incharge received on the **10/03/2022** from **Shri Vikas Singh, JSO, Bhilwara ,RSPCB Bhilwara** a sample of **Waste Water** of **M/S Jindal Saw Ltd. , Plant - STP [11938] ,Khasra No. 338 Village- , City- Kewara Tehsil- Bhilwara , District- Bhilwara** Collected from **Inlet of Jindal STP** Collected on **10/03/2022**. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on **15/03/2022** and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	pH	7.57
2	Total Suspended Solids mg/l	151
3	Chemical Oxygen Demand (COD) mg/l	242
4	Bio-Chemical Oxygen Demand (BOD) (3days at 27° C) mg/l	87
5	Total Dissolved Solids mg/l	660

The condition of the seals, fastening and container on receipt was as follows : **Intact**

Signed This On **15/03/2022**


LAB INCHARGE

Rajasthan State Pollution Control Board
Regional Office Bhilwara
18, Azad Nagar, Near Pannadhai Circle,
Bhilwara -311001
Phone: 01482-241159

FORM - X
RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE STATE BOARD ANALYST
(See Rule - 24)
Final Report

Report No. : 4403

Report On : 15/03/2022

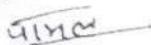
I hereby certify that I Ms Payal Pancholi, State Board Analyst duly appointed under sub Section(3) of Section 53 of the Water (Prevention & Control of Pollution) Act, 1974 received on the 14/03/2022 from Shri Vikas Singh, JSO, Bhilwara ,RSPCB Bhilwara a sample of Waste Water of M/S Jindal Saw Ltd. , Plant - , , City- Kewara Tehsil- Bhilwara , District- Bhilwara Collected from Inlet of STP Collected on 10/03/2022. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on 15/03/2022 and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	Phosphate as PO ₄ mg/l	2.89
2	Zinc as Zn mg/l	NT
3	Copper as Cu mg/l	NT
4	Nickel as Ni mg/l	NT
5	Lead as Pb mg/l	NT
6	Total Chromium as Cr mg/l	NT
7	Iron as Fe mg/l	0.05
8	Chloride as Cl mg/l	312
9	Sulphate as SO ₄ mg/l	56
10	Ammonical Nitrogen as N mg/l	4.2
11	Nitrate As NO ₃ mg/l	11
12	Nitrite Nitrogen As N mg/l	0.07

The condition of the seals, fastening and container on receipt was as follows : **Intact**

Signed This On 15/03/2022


BOARD ANALYST

Rajasthan State Pollution Control Board
Regional Office Udaipur
F / 470, Madri Ind. Area, Udaipur
Phone: 0294-2491269

FORM - X
RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE STATE BOARD ANALYST
(See Rule - 24)
Final Report

Report No. : 4402

Report On : 15/03/2022

I hereby certify that I Ms Payal Pancholi, State Board Analyst duly appointed under sub Section(3) of Section 53 of the Water (Prevention & Control of Pollution) Act, 1974 received on the 14/03/2022 from Shri Vikas Singh, JSO, Bhilwara ,RSPCB Bhilwara a sample of Waste Water of M/S Jindal Saw Ltd. , Plant - STP [11938] ,Khasra No. 338 Village- , City- Kewara Tehsil- Bhilwara , District- Bhilwara Collected from Outlet of STP Collected on 10/03/2022. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on 15/03/2022 and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	Phosphate as PO ₄ mg/l	0.5
2	Zinc as Zn mg/l	NT
3	Copper as Cu mg/l	NT
4	Nickel as Ni mg/l	NT
5	Lead as Pb mg/l	NT
6	Total Chromium as Cr mg/l	NT
7	Iron as Fe mg/l	NT
8	Chloride as Cl mg/l	126
9	Sulphate as SO ₄ mg/l	37
10	Ammonical Nitrogen as N mg/l	0.3
11	Nitrate As NO ₃ mg/l	1.2
12	Nitrite Nitrogen As N mg/l	0.01

The condition of the seals, fastening and container on receipt was as follows : **Intact**
Signed This On 15/03/2022

u/mca
BOARD ANALYST

Rajasthan State Pollution Control Board
Regional Office Udaipur
F / 470, Madri Ind. Area, Udaipur
Phone: 0294-2491269



Rajasthan State Pollution Control Board

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

Phone :0141-5159699,5159604 e-mail : member-secretary@rpcb.nic.in

TollFreeHelplineNo. : 18001806127 Ext. 7

Registered A/D

Date: 04/09/2019

F.16 (11)RPCB/BMW/ 361 to 365

Commissioner,
Municipal Council, Bhilwara

Sub: Directions under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 for seeking action taken report in the matter of Hon'ble National Green Tribunal (NGT) order dated 03.05.2019 passed under O.A. no. 725/2018 Shri Sajjan Sodani v/s State of Rajasthan & others.

Sir,

1. Whereas the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act") has come into force in whole of the country, with effect from 23.03.1974.
2. And whereas the Water Act has been enacted to provide for the prevention, control and abatement of water pollution and for maintaining and restoring the wholesomeness of water.
3. And whereas under the provisions of section 24 of the Water Act, no person shall knowingly cause or permit any poisonous, noxious or polluting matter, determined in accordance with such standards as may be laid down by the State Board, to enter into any stream or well or sewer or on land.
4. And whereas under the provisions of section 25 and 26 of the Water Act, no person shall without the previous consent of the State Board establish or take any steps to establish, any industry, operation or process of any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land or bring into use any new or altered outlet for the discharge or sewage or trade effluent or begin to make any new discharge of sewage or trade effluent.
5. And whereas, the Hon'ble NGT in the matter of O.A. no. 725/2018 Shri Sajjan Sodani v/s State of Rajasthan & others has inter-alia directed vide order dated 03.05.2019 that

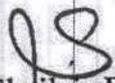
"The issue for consideration is encroachment on Kothari River near Bhilwara, Rajasthan and dumping of domestic, industrial and other waste, including bio-medical waste, Keshav Hospital, Bhilwara is also said to be involved"

"Steps taken are still not complete. Let the RSPCB take further steps for enforcement of law and furnish an updated report in the matter after three months."

"Learned counsel for the applicant states that steps have not been taken against illegal constructions. Let this aspect be also looked into by the RSPCB and if it is so, appropriate action be taken including taking up with the concerned authorities."
6. And whereas the site of Kothari River was inspected by a team of the officials of RSPCB, Jaipur on 03.09.2019 and during inspection following shortcomings have been observed :-
 - 1) A high level bridge was found under erection stage in the bed of Kothari River. As informed by Sh. Ravindra Singh Khushwaha, JEE, UIT, they have sought permission from RSPCB regarding non-applicability of E.C. in the matter.

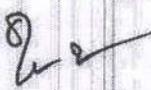
- 2) Five pillars of the high level bridge observed under erection stage and adjacent to the pillars, piles of debris of grit and cement bags were observed which were obstructing the natural flow of River Kothari.
- 3) Team along with representatives from UIT and Municipal Council Bhilwara identified following five drains ultimately culminating into River Kothari :-
 - a) Pandu ka Nallah
 - b) Drain near beti bachao Udyan
 - c) Drain flowing from R.C. Vyas Colony
 - d) Drain flowing from Patri Nagar.
 - e) Drain flowing from Chitrakoot Nagar
- 4) As informed by EE, Municipal Council, Bhilwara, directions have been issued by them to UIT for diverting above municipal drains/nallah culminating to Kothari river to the main city sewage drain where STP of 10 MLD is being operated by M/s JSW Ltd., Bhilwara.
- 5) Three number of cremation grounds were observed in the bed of Kohtari River.
- 6) EE, Municipal Council, Bhilwara informed that door to door waste collection is being practiced in the nearby colonies of River Kothari. However, heaps of Municipal Solid Waste were found lying on the bank of river.
7. And whereas the State Board, in exercise of the powers conferred upon it under the provisions of section 33A of the Water Act 1974 and in performance of its functions under the Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions which includes the power to direct:-
 - (a) The closure, prohibition or regulation of any industry, operation or process or
 - (b) Stoppage or regulation of the supply of electricity or water or any other service.

Therefore, the State Board in exercise of the powers conferred upon it under section 33A of the Water Act, 1974 and in performance of functions under the Act, hereby directs you to take necessary action for rectification of above mentioned shortcomings and ensure compliance of directions issued by the Hon'ble NGT, New Delhi in the O.A. no. 725/2018 Shri Sajjan Sodani v/s State of Rajasthan & others time to time i.e. on 12.10.2018, 16.01.2019, 21.02.2019 & 03.05.2019. You are further directed to forward action taken report in the matter to this office immediately so that compliance can be submitted before Hon'ble NGT before next date i. e. 11.09.2019.


(Shailaja Deval)
Member Secretary

Copy to following:-

1. PS to Chairperson, RSPCB, Jaipur.
2. PS to Member Secretary, RSPCB, Jaipur.
3. Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Bhilwara.
4. Master file.



Member Secretary



Rajasthan State Pollution Control Board

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

Phone :0141-5159699,5159604 e-mail : member-secretary@rpcb.nic.in

TollFreeHelpLineNo. : 18001806127 Ext. 7

Registered A/D

F.16(11)RPCB/BMW/ 371 to 375

Date: 04/09/2019

Secretary,
UIT, Bhilwara

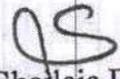
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Sir,

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5. And whereas, the Hon'ble NGT in the matter of O.A. no. 725/2018 Shri Sajjan Sodani v/s State of Rajasthan & others has inter-alia directed vide order dated 03.05.2019 that
"The issue for consideration is encroachment on Kothari River near Bhilwara, Rajasthan and dumping of domestic, industrial and other waste, including bio-medical waste, Keshav Hospital, Bhilwara is also said to be involved"
"Steps taken are still not complete. Let the RSPCB take further steps for enforcement of law and furnish an updated report in the matter after three months."
"Learned counsel for the applicant states that steps have not been taken against illegal constructions. Let this aspect be also looked into by the RSPCB and if it is so, appropriate action be taken including taking up with the concerned authorities."
6. And whereas the site of Kothari River was inspected by a team of the officials of RSPCB, Jaipur on 03.09.2019 and during inspection following shortcomings have been observed :-
 - 1) A high level bridge was found under erection stage in the bed of Kothari River. As informed by Sh. Ravindra Singh Khushwaha, JEE, UIT, they have sought permission from RSPCB regarding non-applicability of E.C. in the matter.

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 - (b) Stoppage or regulation of the supply of electricity or water or any other service.

Therefore, the State Board in exercise of the powers conferred upon it under section 33A of the Water Act, 1974 and in performance of functions under the Act, hereby directs you to take necessary action for rectification of above mentioned shortcomings and ensure compliance of directions issued by the Hon'ble NGT, New Delhi in the O.A. no. 725/2018 Shri Sajjan Sodani v/s State of Rajasthan & others time to time i.e. on 12.10.2018, 16.01.2019, 21.02.2019 & 03.05.2019. You are further directed to forward action taken report in the matter to this office immediately so that compliance can be submitted before Hon'ble NGT before next date i. e. 11.09.2019.


(Shailaja Deval)
Member Secretary

Copy to following:-

1. PS to Chairperson, RSPCB, Jaipur.
2. PS to Member Secretary, RSPCB, Jaipur.
3. Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Bhilwara.
4. Master file.



Member Secretary



REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD

18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.
Phone/Fax no. 01482-241159, E-Mail ID : rorpcb.bhilwara@gmail.com

(Through Email/Post)

RPCB/RO BHL/Legal-6 / 1475-1479

Date: 17/12/2024

1. Municipal Commisioner,
Bhilwara
2. Incharge and Supdt. Enginner (RUIDP),
Bhilwara

Sub:- Regarding to ensure the compliance of Hon'ble NGT direction issued vide orders viz :-

1. In original application no. 488/2019, titled Babulal Jajoo Vs SOR and others, order dated 22.02.2021.
2. In original application no. 725/2018, titled Sajjan Sodani Vs SOR and others, order dated 24.10.2019.
3. In execution application no.EA-03/2020, original application no. 149/2014, titled Babulal Jajoo Vs SOR and others, order dated 02.09.2021.

Ref:- 1. RSPCB letters dated 05.04.19/04.09.19/12.12.19/13.07.20/25.02.21
Sir,

Apropos above, it is submitted that various directions had been issued vide Hon'ble NGT in following cases are detailed as under :-

1. There were 03 different cases filed by petiitoners before Hon'ble NGT related to untreated sewage discharge in City Water Bodies /ultimately into Kothari River, Unscientific disposal of Municipal Solid Waste and inadequate capacity of STPs and delay in commissioning of STP plant. Details of these cases are as under:-

S.No.	Case no.	Title	Status	Last Order /Directions
1.	E.A. 03/2020 in earlier disposed O.A. No. 149/2014	Babulal Jajoo Vs SOR & others	Disposed on 02.09.21	<i>Accordingly, the perusal of the report reveals that proper action has been taken by the authorities and an additional STP which was under construction is likely to be completed before 31.12.2021. We direct that the time frame for completion of the STP must be observed and ensured that the STP should be completed before time as aforesaid. For the discharge of water, it has been submitted that</i>



REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD

18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.
Phone/Fax no. 01482-241159, E-Mail ID : rorpcb.bhilwara@gmail.com

				<p><i>presently approximately 45 MLD city domestic sewage is being generated from Bhilwara city and apart of which is being treated by Sewage Treatment Plant (STP) of phase-I by the STP located at Khasra No. 338 village Kuwada Tehsil and District Bhilwara, which is being operated by M/s Zindal Saw Ltd. on BOT basis and treated sewage is being pumped through 23 kilometres pipeline for reusing in their beneficiation plant.6. Accordingly, we finally dispose of this Execution Application with direction to authorities concerned/respondent to complete the STP work within time frame and ensure that no untreated water is discharged into the open land or in the water bodies."</i></p>
2.	O.A. NO.725/2018	Sajjan Sodani Vs SOR and others	Disposed on 24.10.19	<p>Para 5:- "In view of above, no further order appears to be necessary at this stage."</p> <p>Para 6:- "However, further action may be continued and vigil may be maintained for enforcement of environmental norms in accordance with law."</p> <p>The application is disposed of</p>
3.	O.A. No.488/2019	Babulal Jajoo Vs SOR & others	Disposed on 22.02.21	<p>The Hon'ble NGT has directed the State PCB for recovery of Environment Compensation and filling of prosecution against Municipal Council Bhilwara.</p> <p>Let further action be ensured for enforcement of rule of law by the concerned higher authorities,</p>



REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD

18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.
Phone/Fax no. 01482-241159, E-Mail ID : rorpcb.bhilwara@gmail.com

				<i>fixing responsibility of the erring officers and initiating necessary coercive measures.</i>
--	--	--	--	--

In light of above , it is submitted that for ensuring the compliance in aforesaid matters,

Municipal Council, Bhilwara & RUIDP, Bhilwara is required to ensure that the time frame for completion of the STP must be observed and ensured that the STP should be completed before time. authorities concerned/respondent to complete the STP work within time frame and ensure that no untreated water is discharged into the open land or in the water bodies."

Therefore, in light of above matter, kindly ensure the followings and submit compliance accordingly specifically on following points :-

- No untreated water discharged into the open land/or in Water Bodies.
- Completion of STP Plant and System within prescribed time frame.
- Gainful utilization of Treated sewage.
- Apply for consent to operate for the STP-30 MLD as the plant is almost @ commissioning stage as per information sought from RUIDP.

Encl : As above

Yours Sincerely,

a
Regional Officer,
RSPCB, Bhilwara

Copy to :

- District Collector, Bhilwara.
- P.A. to Member Secretary, RSPCB, Jaipur.
- ACEE& GIC(Liquid Waste), RSPCB, Jaipur.

a
Regional Officer

RSPCB, Bhilwara



क्षेत्रीय कार्यालय
REGIONAL OFFICE
राजस्थान राज्य प्रदूषण नियंत्रण मंडल
RAJASTHAN STATE POLLUTION CONTROL BOARD
18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.
Phone/Fax no. 01482-241159, E-Mail ID: rorpcb.bhilwara@gmail.com

Annexure - 9



रा.प्र.नि.मं./क्षे.का. भीलवाड़ा /विधिक -48/1786-1791

दिनांक - 25/02/2021

(अति महत्वपूर्ण/ मा.एन.जी .टी. प्रकरण संख्या EA-03/2020)

आगामी तिथि -08.03.2021

आयुक्त, नगर परिषद,
कार्यालय नगर परिषद,
राजेंद्र मार्ग, भीलवाड़ा (राज.)
पिन कोड -311001
ईमेल -npbphilwara@gmail.com

विषय :- मा.एन.जी .टी. में दर्ज प्रकरण एक्सिकुयशन आवेदन संख्या EA-03/2020 शीर्षक बाबूलाल जाजू बनाम राज्य सरकार एवम अन्य में पारित आदेशिका दिनांक 12.10.2020 की अनुपालना बाबत ।

सन्दर्भ :- 1. मा.एन.जी .टी. में दर्ज प्रकरण एक्सिकुयशन आवेदन संख्या EA-03/2020 में पारित आदेशिका दिनांक 12.10.2020.

2. मा.एन.जी .टी. , केंद्रीय आंचलिक न्यायपीठ ,भोपाल द्वारा प्रकरण मूल आवेदन संख्या OA-149/2014 अंतर्गत विविध आवेदन संख्या 787/2015 में पारित आदेशिका दिनांक 02.05.2016.

3. कार्यालय जिला कलेक्टर ,भीलवाड़ा पत्रांक क्रमशः 46102 एवम 46197 ,दिनांक 05.11.2020 एवम 24.11.2020

महोदया,

उपरोक्त संदर्भित विषयान्तर्गत बिन्दुवार लेख हैं कि :-

1. मा.एन.जी .टी. , केंद्रीय आंचलिक न्यायपीठ ,भोपाल द्वारा प्रकरण मूल आवेदन संख्या OA-149/2014 अंतर्गत विविध आवेदन संख्या 787/2015 शीर्षक बाबूलाल जाजू बनाम राज्य सरकार एवम अन्य में पारित आदेशिका दिनांक 02.05.2016, जैसा की निर्दिष्ट था :-

The need therefore, for the local authority that is Municipal Corporation of Bhilwara, the Government as well as the PCB and the State Environment Impact Assessment Authority is to ensure that there is no untreated sewage or effluents in Bhilwara which is drought prone area with scarce water resources and at the same time, needs substantially large quantities of fresh water not only for domestic use but for industrial use as well and some of the units are drawing water from far of distances as well.

The need therefore, is to ensure that re-use of treated water wherever possible by industrial units should be made to be optimum so that fresh water can be made available for domestic use and industries can be provided with the treated water as far as possible so as to save precious fresh water and ground water.

We would therefore, emphasise upon the State Government to initially provide the necessary assistance to the local body for establishment of the STPs / ETPs with modifications wherever necessary for treatment of industrial effluents as well to the extent they may be found to be mixing with the domestic sewage. At the same time, all measures for reducing the dependence on fresh water by industrial units must be taken and such industrial units may be provided initially for the supply of treated water from such STPs either by transportation



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through tankers till such time as necessary arrangements by way of laying down pipelines for gray water use are made.

उक्तानुसार पालना आपके विभाग से की जानी थी। (संलग्नक -I)

1. तदुपरांत, नदी एवम जल निकायों के बहाव / किनारों / आस पास के क्षेत्रों में ठोस अपशिष्ट / नगरिय अपशिष्ट एवम अनुपचारित मल जल (SEWAGE) आदि के कारण जल प्रदूषण की समस्या के नियंत्रण एवम रोकथाम हेतु समकक्ष प्रकरणों यथा :- मा.एन.जी.टी., प्रधान न्याय न्यायपीठ, नई दिल्ली के मूल आवेदन संख्या OA-725/2018 अंतर्गत विविध आवेदन संख्या 1490/2018 एवम 1491/2018 शीर्षक श्री सज्जन सोडानी बनाम राजस्थान सरकार एवम अन्य में पारित आदेशिका दिनांक 21.02.2019 की अनुपालना में पर्याप्त क्षमता के मल जल उपचार संयंत्र की समयबद्ध स्थापना हेतु 25 लाख रुपये की परफॉर्मेंस गारंटी एवम राशी 63.80 लाख अंतरिम पर्यावरण क्षतिपूर्ति के रूप में अधिरोपित करते हुए CPCB, नई दिल्ली को जमा करवाने हेतु इस कार्यालय के पत्र दिनांक 05.04.19 द्वारा निर्देशित किया गया था। (संलग्नक II)
2. उत्तरोत्तर, राज्य मंडल, जयपुर के निर्देशानुसार, नदी एवम जल निकायों के बहाव / किनारों / आस पास के क्षेत्रों में ठोस अपशिष्ट / नगरिय अपशिष्ट एवम अनुपचारित मल जल (SEWAGE) आदि के कारण जल प्रदूषण की समस्या के नियंत्रण एवम रोकथाम हेतु समान प्रकरणों / परिस्थितियों में जल अधिनियम, 1974 की धारा 24, 25 एवम 26 के प्रावधानों अवहेलना करने के कारण धारा 43 एवम 44 के अंतर्गत सक्षम न्यायालय में दांडिक परिवाद भी दर्ज किया गया है। (संलग्नक III)
3. इसी क्रम में, राज्य मंडल मुख्यालय के पत्र दिनांक 04.09.19 द्वारा नदी एवम जल निकायों के बहाव / किनारों / आस पास के क्षेत्रों में ठोस अपशिष्ट / नगरिय अपशिष्ट एवम अनुपचारित मल जल (SEWAGE) आदि के कारण जल प्रदूषण की समस्या के नियंत्रण एवम रोकथाम हेतु समकक्ष प्रकरणों यथा :- मा.एन.जी.टी., प्रधान न्याय न्यायपीठ, नई दिल्ली के मूल आवेदन संख्या OA-725/2018 अंतर्गत विविध आवेदन संख्या 787/2015 में पारित आदेशिका आदेशों द्वारा प्रकरण मूल आवेदन संख्या OA-149/2014 शीर्षक श्री सज्जन सोडानी बनाम राजस्थान सरकार एवम अन्य में पारित आदेशिका दिनांक 03.05.2019 की अनुपालना में जल अधिनियम, 1974 की धारा 33 अ के प्रावधानों के अंतर्गत आवश्यक निर्देश जारी किये गए थे। (संलग्नक IV)
4. तत्पश्चात, इस कार्यालय के पत्र दिनांक 12.12.19 द्वारा भीलवाडा शहर में अवस्थित जल निकायों यथा गाँधी सागर तालाब, नेहरु तलाई, मानसरोवर झील इत्यादि में अनुपचारित मल जल (SEWAGE) को प्रवाहित होने से रोकने एवम जल प्रदूषण की समस्या के नियंत्रण एवम रोकथाम हेतु समकक्ष प्रकरण यथा :- मा.एन.जी.टी., प्रधान न्याय न्यायपीठ, नई दिल्ली के मूल आवेदन संख्या OA-488/2019 में पारित आदेशिका दिनांक 05.08.19 शीर्षक शीर्षक बाबूलाल जाजू बनाम राज्य सरकार एवम अन्य अंतर्गत इन शहरी जल निकायों में अनुपचारित मल जल (SEWAGE) को प्रवाहित होने से रोकने एवम कार्यवाही रिपोर्ट प्रस्तुत करने बाबत पत्र प्रेषित किया गया था। (संलग्नक V)
5. इसी क्रम में आपके पत्र दिनांक 13.12.19 द्वारा यह अवगत करवाया गया की गाँधी सागर में जाने वाले घरेलु गंदे पानी की निकासी हेतु 300mm व्यास की सीवरेज लाइन डाली हुई है जिसके माध्यम से पानी को तालाब के आगे जाकर गंदे नाले में छोड़ा जाता है। (संलग्नक VI)
6. इसी क्रम में राज्य मंडल द्वारा दिनांक 13.12.19 को भीलवाडा शहर में अवस्थित जल निकायों यथा गाँधी सागर तालाब इत्यादि में अनुपचारित मल जल (SEWAGE) के प्रवाह की स्थिति बाबत किये गए सर्वे एवम सैंपलिंग के दौरान पाया गया कि :-
अ. गाँधी सागर तालाब में considerable मात्रा में आस पास की आवासीय बस्तियों से शहरी मल जल (SEWAGE) का प्रवाह आना पाया गया एवम
ब. तालाब में घुलित ऑक्सीजन की मात्रा बनाए रखने हेतु स्थापित 05 मे से 04 सतही areators बंद पाए गए। (संलग्नक VII)



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7. राज्य मंडल द्वारा दिनांक 13.12.19 को भीलवाडा शहर में अवस्थित जल निकायों यथा गाँधी सागर तालाब में अनुपचारित मल जल (SEWAGE) के प्रवाह की स्थिति बाबत किये गए सर्वे एवम सैंपलिंग से पाया गया कि गाँधी सागर तालाब के जल नमूनों के विश्लेषण में COD(रासायनिक ऑक्सीजन मांग)-186 मिलीग्राम /लीटर, BOD(जैव रासायनिक ऑक्सीजन मांग)-53 मिलीग्राम /लीटर पायी गयी , जिससे यह प्रतिपादित होता है कि गाँधी सागर तालाब में आस पास की आवासीय बस्तियों से अनुपचारित शहरी मल जल (SEWAGE) के प्रवाह से इस सतही जल निकाय में जलीय जीवन हेतु वांछित घुलित ऑक्सीजन की मात्रा का क्षरण /नगण्य हो रही है एवम इसको रोकने हेतु आपके विभाग के स्तर से कोई ठोस कार्यवाही नहीं की जा रही है। (संलग्नक VIII)
8. क्षेत्रीय कार्यालय ,राज्य मंडल,भीलवाडा के पत्रांक दिनांक 13.07.2020 को नगर परिषद्, RUIDP एवम नगर सुधार न्यास को भीलवाडा शहर में अवस्थित जल निकायों यथा गाँधी सागर तालाब एवम अन्य निकायों में अनुपचारित मल जल (SEWAGE) के प्रवाह को रोकने , मल जल के उपचार संयंत्र /सीवर लाइन इत्यादि की प्रगति एवम इन शहरी सतही जल निकायों की जल गुणवत्ता में सुधार हेतु की गयी कार्यवाही की रिपोर्ट एवम ठोस कार्ययोजना प्रस्तुत करने हेतु निर्देशित किया गया था। (संलग्नक IX)
9. राज्य मंडल द्वारा भीलवाडा शहर में अवस्थित जल निकायों यथा गाँधी सागर तालाब में अनुपचारित मल जल (SEWAGE) के प्रवाह की स्थिति बाबत किये गए सतत सर्वे एवम सैंपलिंग दिनांक 23.09.2020 के दौरान पाया गया कि :-
अ. शास्त्री नगर की ओर से बह रहे नाले लगे स्लुइस गेट के खुले होकर घरेलु मल जल गाँधी सागर तालाब में जाते हुए पाया गया।
ब. सर्वे के दौरान यह भी पाया गया कि गाँधी सागर तालाब में घुलित ऑक्सीजन की मात्रा बनाए रखने हेतु स्थापित 05 मे से 05 सतही areators बंद पाए गए।(संलग्नक X)
स. गाँधी सागर तालाब के जल नमूनों के विश्लेषण में COD(रासायनिक ऑक्सीजन मांग)-34.6 मिलीग्राम /लीटर, BOD(जैव रासायनिक ऑक्सीजन मांग)-4.5 मिलीग्राम /लीटर पायी गयी , जिससे यह प्रतिपादित होता है कि गाँधी सागर तालाब में आस पास की आवासीय बस्तियों से अनुपचारित शहरी मल जल (SEWAGE) के प्रवाह से इस सतही जल निकाय में जलीय जीवन हेतु वांछित घुलित ऑक्सीजन की मात्रा को बनाए रखने हेतु आपके विभाग के स्तर से ठोस कार्यवाही नहीं की जा रही है। (संलग्नक XI)
10. क्षेत्रीय कार्यालय ,राज्य मंडल,भीलवाडा के पत्रांक दिनांक 13.07.2020 के क्रम में आपके विभाग के पत्र दिनांक 04.11.20 द्वारा यह अवगत करवाया गया कि गाँधी सागर में जाने वाले घरेलु गंदे पानी की निकासी हेतु 450 mm व्यास की सीवरेज लाइन डाली हुई है जो कि चम्बल परियोजना के तहत पाइप लाइन विस्तार के दौरान क्षतिग्रस्त हो गयी है एवम सिवरेज नेटवर्क के चालु होने के पश्चात गंदे पानी के तालाब में जाना बंद हो जाने बाबत बताया गया परन्तु सिवरेज नेटवर्क के चालु होने तक तालाब के जल गुणवत्ता बनाये रखने हेतु किसी ठोस वैकल्पिक कार्ययोजना / उपाय एवम क्षतिग्रस्त निकासी लाइन के दुरुस्त करने बाबत कोई रिपोर्ट आदिनांक तक इस कार्यालय को प्रेषित नहीं की गयी है।(संलग्नक XII)
11. यह भी उल्लेखनीय है कि आपके विभाग एवम RUIDP द्वारा सीवर नेटवर्क बिछाने एवम निर्माणाधीन शहरी मल जल उपचार संयंत्र (30 MLD) की कार्य पूर्ण होने के लक्ष्य हेतु निर्धारित तिथि /समय सीमा बार बार आगे बढ़ाये जाने बाबत अवगत करवाया गया(संलग्नक XIII) :-

क्रमांक	कार्य का विवरण	कार्य क्षमता	RUIDP पत्रांक द्वारा अवगत करायी गयी कार्य पूर्ण होने के लक्ष्य हेतु निर्धारित तिथि /समय सीमा			
			18.01.19	13.12.19	15.07.20	24.09.20
1.	सीवर नेटवर्क	416.61 किलोमीटर	20.08.20	प्रगतिरत	31.12.21	31.12.21



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2.	शहरी मल जल उपचार संयंत्र निर्माण	30 MLD-01	31.10.19	सूचित नहीं की गयी।	30.06.21	30.06.21
3.	शहरी मल जल पम्पिंग स्थानक निर्माण	48 MLD-01	सूचित नहीं की गयी।	सूचित नहीं की गयी।	30.06.21	30.06.21

12. इसी क्रम में आवेदक श्री बाबूलाल जाजू द्वारा मा.एन.जी.टी., केंद्रीय आंचलिक न्यायपीठ, भोपाल में पूर्व प्रकरण मूल आवेदन संख्या OA-149/2014 अंतर्गत विविध आवेदन संख्या 787/2015 शीर्षक बाबूलाल जाजू बनाम राज्य सरकार एवम अन्य में पारित आदेशिका दिनांक 02.05.2016 की अनुपालना नहीं होने बाबत एक्सिक्युशन आवेदन संख्या EA-03/2020 दर्ज किया गया है एवम प्रकरण में मा.एन.जी.टी., प्रधान न्यायपीठ, नई दिल्ली द्वारा दिनांक 12.10.19 में पारित आदेशिका द्वारा जवाबदाताओं को रिप्लाई /प्रत्युत्तर प्रस्तुत करने हेतु निर्देशित किया गया है जैसा की :-

Respondents are directed to submit their reply within six weeks by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

एवम प्रकरण में आगामी सुनवाई दिनांक 08.03.2021 को नियत है। (संलग्नक XIV)

उक्तानुसार नगर परिषद एवम अन्य संबन्धित एजेंसी द्वारा भीलवाडा शहर में अवस्थित जल निकायों यथा गाँधी सागर तालाब एवम अन्य में अनुपचारित मल-जल (SEWAGE) के प्रवाह को रोकने, गांधीसागर तालाब में वांछित जल गुणवत्ता बनाये रखने, अनुपचारित शहरी मल-जल के शहरी मल-जल उपचार संयंत्र तक channelisation करने एवम निर्माणाधीन मल-जल उपचार संयंत्र एवम सीवर नेटवर्क के कार्य के पूर्ण होने में विलम्ब होने से स्पष्ट होता है कि आप द्वारा जल अधिनियम, 1974 के प्रावधानों के अंतर्गत जल निकायों की जल गुणवत्ता बनाये रखने हेतु राज्य मंडल द्वारा आपको समय समय पर जारी निर्देशों की पालना नहीं की जारी है एवम उपचारात्मक उपायों के क्रियान्वयन की गति भी धीमी है।

अतः आपको एतद द्वारा पुनः निर्देशित किया जाता है कि उपरोक्त निर्देशों एवम पूर्व प्रकरण मूल आवेदन संख्या OA-149/2014 अंतर्गत विविध आवेदन संख्या 787/2015 शीर्षक बाबूलाल जाजू बनाम राज्य सरकार एवम अन्य में पारित आदेशिका दिनांक 02.05.2016 की अनुपालना सुनिश्चित कर कार्यवाही रिपोर्ट दिनांक 01.03.2021 से पूर्व प्रस्तुत करे।

क्षेत्रीय अधिकारी,
क्षेत्रीय कार्यालय,
रा. प्र.नि.मं, भीलवाडा

प्रतिलिपि :-

1. श्रीमान जिला कलेक्टर महोदय, भीलवाडा को जिला कलेक्टर कार्यालय पत्रांक 46102 दिनांक 05.11.2020 के क्रम में सादर निवेदन है कि सम्बंधित विभाग (नगर परिषद् /नगर सुधार न्यास /RUIDP) को भीलवाडा शहर में अवस्थित जल निकायों यथा गाँधी सागर तालाब एवम अन्य में अनुपचारित मल-जल (SEWAGE) के प्रवाह को रोकने, गांधीसागर तालाब में वांछित जल गुणवत्ता बनाये रखने, अनुपचारित शहरी मल-जल के शहरी मल-जल उपचार संयंत्र तक channelisation करने एवम निर्माणाधीन मल-जल उपचार संयंत्र एवम सीवर नेटवर्क के कार्य के त्वरित रूप से पूर्ण करने हेतु निर्देशित करने की कृपा करावें।



क्षेत्रीय कार्यालय

REGIONAL OFFICE

राजस्थान राज्य प्रदूषण नियंत्रण मंडल

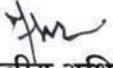
RAJASTHAN STATE POLLUTION CONTROL BOARD

18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.

Phone/Fax no. 01482-241159, E-Mail ID: rorpcb.bhilwara@gmail.com



2. सचिव, नगर सुधार न्यास, भीलवाडा को आवश्यक कार्यवाही हेतु प्रेषित हैं ।
3. वरिष्ठ पर्यावरण अभियंता एवम शाखा प्रभारी (LiquidWaste), रा. प्र.नि.मं, जयपुर को अग्रिम आवश्यक कार्यवाही हेतु प्रेषित हैं ।
4. शाखा प्रभारी (विधिक शाखा), रा. प्र.नि.मं, जयपुर को अग्रिम आवश्यक कार्यवाही हेतु प्रेषित हैं ।
5. अधीक्षण अभियंता, RUIDP, फेज-III, 6/1026, शिव नगर, कुवाडा रोड, भीलवाडा को प्रेषित कर लेख हैं कि निर्माणाधीन मल -जल उपचार संयंत्र एवम सीवर नेटवर्क के कार्य के त्वरित रूप से पूर्ण करने की कार्यवाही करावें तथा आपके कार्यालय पत्र दिनांक 24.09.20 द्वारा निर्माणाधीन मल -जल उपचार संयंत्र/पम्पिंग स्थानक एवम सीवर नेटवर्क की प्रस्तुत प्रगति रिपोर्ट की अपडेट /अद्यतन रिपोर्ट दिनांक 28.02.2021 तक कार्यालय के ईमेल rorpcb.bhilwara@gmail.com पर प्रेषित करवाने का श्रम करावें ।


क्षेत्रीय अधिकारी,
क्षेत्रीय कार्यालय,
रा. प्र.नि.मं, भीलवाडा



REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD

18, Near Pannadhaya Circle, Azad Nagar, Bhilwara
Phone : 01482-241159; Email ID: rjpcb.bhilwara@gmail.com

No. RPCB/RO/BHL/NGT(2019)(L-1)/179-84 Dated: 5/4/19

Urgent/NGT Matter

(Through Registered Post/Email)

To,

The Commissioner,
Municipal Council,
Bhilwara,
District Bhilwara.

Subject: Regarding Compliance of directions passed by Hon'ble N.G.T.,
Principal Bench, New Delhi in M.A. No. 1490/2018 & M.A. No.
1491/2018 under O.A. No.725/2018 and O.A. No.725/2018, titled
as Shri Sajjan Sodani V/s State of Raj & Others.

Reference: Hon'ble N.G.T., Principal Bench, New Delhi's order sheet dated
21.02.19.

Sir,

Apropos Above, it is submitted that Hon'ble N.G.T., Principal Bench,
New Delhi has passed directions in M.A. No. 1490/2018 & M.A. No. 1491/2018 under O.A.
No.725/2018 and O.A. No.725/2018, titled as Shri Sajjan Sodani V/s State of Raj &
Others Vide order sheet dated 21.02.19, inter-alia reproduced herein under:-

*"We also find that notice has been issued to the Municipal Council, Bhilwara
alleging that untreated domestic sewage was being discharged in the municipal
drain which was meeting the river and Construction and Demolition (C&D) waste
was also being dumped in the river. On this aspect also, the SPCB must give final
report of the action taken, including taking of Performance Guarantee from the
concerned local body for complying with the defects within specified time and
recovery of compensation for damage to the environment."*

To ensure the compliance of above stated directions, RSPCB Head Office, Jaipur has
directed this office to intimate your good self related to submission of Performance
Guarantee as well as recovery of compensation for damage to the environment on the basis
of prevailing Hon'ble N.G.T.'s order for calculation of compensation.

Therefore, as being RSPCB appointed OIC of the case and in compliance of RSPCB Head
Office, Jaipur order dt. 13.03.19, you are hereby directed to submit the following to ensure
the compliance of Hon'ble NGT's order dated 21.02.19:-

- a. Deposition of Performance Guarantee bearing an amount of Rs. 25.00 Lac to CPCB,
New Delhi for setting up adequate capacity based Sewage Treatment Plant in time
bound manner.



REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD

18, Near Pannadhaya Circle, Azad Nagar, Bhilwara
Phone : 01482-241159; Email ID: rorpcb.bhilwara@gmail.com

b. Deposition of Environmental Compensation amount of Rs. 63.80 Lac for the damage to the environment to CPCB, New Delhi.

Further, decision related to adequacy of amount to be deposited as Performance Guarantee / or to be deposited on account of recovery as Environmental Compensation, as conveyed through this letter shall be subject to the final confirmation / approval of Hon'ble NGT, Principal Bench, New Delhi if any given during subsequent hearings and in such case, Municipal council shall be responsible for deposition of difference amount if any.

It is also pertinent to mention here that after deposition of aforesaid Performance Guarantee / Environmental Compensation, receipt of same shall be produced to this office as well as to RSPCB Head office, Jaipur to enable this office for timely submission of final report cum compliance report in time and before the next date of hearing as scheduled on 03.05.2019. Besides, it is also to be noted that responsibility regarding any non-compliance in this regard / failure to make compliance of aforesaid direction (s) solely lies with concerned local body.

(Rajeev Pareek)

Regional Officer

Copy to followings:

1. Deputy Registrar (Legal), Hon'ble NGT Principal Bench, New Delhi.
2. P.A. to District Collector, Bhilwara with request to direct the concern to ensure compliance.
3. Sr. P.A. to MS, RSPCB, Jaipur for information.
4. Chief Environmental Engineer, RSPCB, Jaipur w.r.t. to directions received in this regard and for guidance.
5. Legal Advisor, RSPCB, Jaipur

Regional Officer



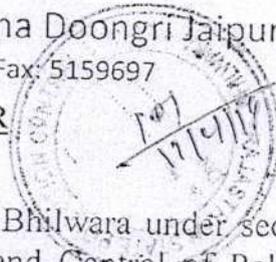
Rajasthan State Pollution Control Board

ANNEXURE-L

4, Institutional Area, Jhalana Doongri Jaipur-302 004

Ph: 5159600 Fax: 5159697

OFFICE ORDER

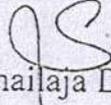


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4
17/4

Subject: Prosecution of Municipal Council, Bhilwara under section 24, 25 and 26 of the Water (Prevention and Control of Pollution) Act, 1974.

In pursuance to the decision taken by the Board Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Bhilwara is hereby authorized :-

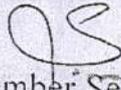
1. To file a criminal complaint on behalf of the State Board under the provision of section 43, 44 for the violation of the provisions of section 24, 25 and 26 of the Water (Prevention and Control of Pollution) Act, 1974, in competent court of law against Municipal Council, Bhilwara and all other responsible persons as contemplated under section 47 of the Act.
2. To engage counsel to prepare the criminal complaint, act, appear and plead for and on behalf of the State Board and do such other acts as are necessary for the successful culmination of the complaint. The Advocate will be paid fee of Rs. 1100/- for whole of the case besides the actual expenses incurred by him in conducting the aforesaid criminal complaint.


(Shailaja Deval)
Member Secretary
o/c

No. F-14/Tech_Bhilwara (36)RSPCB/Plg/STP-52/82-83 Date : 11/4/2019

Copy to :

1. Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Bhilwara, Rajasthan with the direction to file the criminal complaint with immediate effect.
2. Law Officer, Rajasthan State Pollution Control Board, Jaipur.


Member Secretary
o/c

CJM ACJM JM - Bhilwara District HQ

CIN Number : RJBW020040092019

CIN Number : Cr. Reg. Case/4178/2019

Date of Filing : 27-04-2019

Case RegNo. : Cr. Reg. Case/2891/2019

Date of Registration : 27-04-2019



Prosecution : RAJ. POLUTION CONTROL BOARD
C/O RAJEEV PARIK

NAGAR PRISHAD
: C/O NASEEM SHEKH

Petitioner Advocate : SATYANARAYAN CHANDAK

Advocate :

Back

CJM ACJM JM Bhilwara District HQ

Case Details

Case Type	CR. REG. CASE - CR. REGULAR		
Filing Number	4178/2019	Filing Date	27-04-2019
Registration Number	2891/2019	Registration Date	27-04-2019
CNR Number	RJBW020040092019 (Note the CNR number for future reference)		View QR Code / Cause Title

Case Status

First Hearing Date	01st June 2019
Next Hearing Date	02nd November 2019
Stage of Case	Service of Summons/bailable warrant
Court Number and Judge	11-Sr.Civil Judge, Chief Judicial Magistrate, Bhilwara

Petitioner and Advocate

1) RAJ. POLUTION CONTROL BOARD C/O RAJEEV PARIK
Advocate- SATYANARAYAN CHANDAK

Respondent and Advocate

1) NAGAR PRISHAD C/O NASEEM SHEKH

Acts

Under Act(s)	Under Section(s)
Water (Prevention and Control of Pollution) Act	24,25,16,

History of Case Hearing

Judge	Business On Date	Hearing Date	Purpose of hearing

Judge	Business On Date	Hearing Date	Purpose of hearing
Sr.Civil Judge,Chief Judicial Magistrate, Bhilwara	01-06-2019	29-06-2019	Service of Summons/bailable warrant
Sr.Civil Judge,Chief Judicial Magistrate, Bhilwara	29-06-2019	02-11-2019	Service of Summons/bailable warrant

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REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD

18, Near Pannadhaya Circle, Azad Nagar, Bhilwara.
Phone/Fax no. 01482 241159, E-Mail ID : rorpcb.bhilwara@gmail.com

(Through Email/Post)

RPCB/RO BHL./Legal-6 / 1632

Date: 28/12/2024

Urgent ✖

Commisioner,
Municipal Council,
Bhilwara.

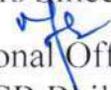
Sub:- Regarding to ensure the expeditious compliance of RSPCB,HQ,Jaipur office order related to imposition of Enviornmental Compensation.

Ref:- RSPCB,HQ,Jaipur letter no. F14(Gen-106)RPCB/LW Bhilwara/1983-1991
Dated 25.11.2021

Sir,

Apropos above, Kindly find enclosed a copy of RSPCB,HQ,Jaipur office order dated 25.11.2021 related to imposition of Enviornmental Compensation in compliance of orders of the Hon'ble National Green Tribunal in original application no. 593/2017 Paryavaran Suraksha Samiti & Anr. Vs Union of India & Ors upon Municipal Council,Bhilwara to ensure the expeditious compliance (within 60 days from the issuance of the order).

Encl : As above

Yours Sincerely,

Regional Officer,
RSPCB,Bhilwara

Copy to :

1. District Collector,Bhilwara.
2. P.A. to Member Secretary,RSPCB,Jaipur.
3. ACEE& GIC(Liquid Waste), RSPCB,Jaipur.


Regional Officer,
RSPCB,Bhilwara



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004

Phone : 0141-2711263,2716802 e-mail : member-secretary@rpcb.nic.in

RSPCB HelpLine No. : 0141-2716877

Registered A/D.

No. F14(Gen-106) RPCB/L.W/Bhilwara 183-1991

Date 25/11.2021

Office order

Sub: Imposition of Environmental Compensation in compliance of orders of the Hon'ble National Green Tribunal in Original Application No 593/2017 Paryavaran Suraksha Samiti &Anr.V/s Union of India &Ors upon Municipal Council, Bhilwara.

1. Whereas section 24 of the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter called as the Water Act) provides that no person can cause or permit any poisonous, noxious or polluting matter, determined in accordance with such standards as may be laid down by the State Board, to enter into any stream or well or sewer or on land.
2. And whereas section 25/26 of the Water Act provides that no person shall without the previous consent of the State Board establish or take any steps to establish, any industry, operation or process or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land or bring into use any new or altered outlet for the discharge of sewage or trade effluent or begin to make any new discharge of sewage or trade effluent.
3. And whereas Municipal Council, Bhilwara is responsible for setting up STP and ensure 100 % treatment of sewage generated in Bhilwara.
4. And whereas the Hon'ble NGT in its order dated 28.08.2019 in the matter of O.A. no. 593/2017 – Paryavaran Suraksha Samiti &Anr. V/s Union of India &Ors., had directed as under: -
“All the Local Bodies and or the concerned departments of the State Government have to ensure 100% treatment of the generated sewage and in default to pay Compensation which is to be recovered by the States/UTs, with effect from 01.04.2020. In default of such collection, the States/UTs are liable to pay such Compensation. The CPCB is to collect the same and utilize for restoration of the Environment.”
5. Subsequently, in order dated 20.05.2020 the Hon'ble NGT, in the matter of O.A. no. 593/2017 – Paryavaran Suraksha Samiti &Anr.V/s Union of India &Ors., directed that “PCBs/PCCs are free to realise compensation for violations but from 1.7.2020, such compensation must be realised as per direction of this Tribunal failing which the erring State PCBs/ PCCs will be accountable.”



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004

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Registered A/D.

6. And whereas Hon'ble NGT in its order dated 21.09.2021 in the matter of O.A. no. 972/2019 Bhanwar Lal Bhargava V/s State of Rajasthan has made following observations: -
"..... We note that the Chief Secretary of Rajasthan appeared in person twice before this Tribunal in O.A. No. 606/2018 dealing with the issue of Solid Waste Management and other environmental issues. On directions of the Hon'ble Supreme Court in Paryavaran Suraksha case, supra, the Tribunal has been monitoring the directions to ensure that all pollution control devices to prevent water pollution are in place within the outer limit of 31.03.2018 and for failure to do so, accountability under the Civil and Criminal Law is fixed. The Tribunal has also laid down the scale of compensation @ Rs. 10 lakhs per month for delay in setting of STP and Rs. 5 lakhs per month for delay in providing interim remediation measures in the manner mentioned in the orders quoted above, without prejudice to the statutory liability...."
7. And whereas Hon'ble NGT, in its order dated 21.09.2020 in O.A. no. 593/2017 – Paryavaran Suraksha Samiti &Anr.V/s Union of India &Ors passed following directions: -
"The timeline for commissioning of all STPs fixed by the Hon'ble Supreme Court, i.e, 31.03.2018, has long passed. The Hon'ble Supreme Court directed that the State PCB must initiate prosecution of erring Secretaries to the Governments, which has also not happened. This Tribunal was directed to monitor compliance and, in the course, thereof, we direct that compensation may be recovered in the manner already directed in earlier orders, which may be deposited with the CPCB for restoration of the environment."
8. And whereas, it has been observed that out of total 45 MLD(approx.) of sewage generated from Bhilwara city approximately 30 MLD is being discharged without any treatment into water bodies (Gandhi Sagar and Nehru Talai) and Kothari River.
9. And whereas, Construction of Sewage Treatment Plant at Village-Kuwada and sewerage system for conveying sewage up to the STP is yet not complete.
10. And whereas. the Municipal Council has failed to make arrangement for interim treatment of sewage by onsite Bio-remediation or Phyto-remediation.
11. And whereas it is, thus evident that the Municipal Council has failed to put in place adequate arrangements for collection, conveyance and treatment of sewage of Bhilwara and untreated sewage continues to be discharged in violation of the Water Act and directions of the Hon'ble NGT in various matters.
12. And whereas in compliance of the above cited orders of the Hon'ble NGT, the Municipal Council is liable to pay environmental compensation.



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004

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RSPCB HelpLine No. : 0141-2716877

Registered A/D.

13. And whereas the Board has accordingly assessed the amount of environmental compensation to be levied on the Municipal Council, Bhilwara on the basis of Polluter Pays Principle and the scale of compensation laid down by the Hon'ble NGT.
14. And whereas, the amount of Environmental Compensation for period from 01.07.2020 to 31.10.2021 works out to be Rs. 2.40 crores on the scale set by the Hon'ble NGT in aforesaid orders.
15. And whereas the State Board in performance of its duties under the Water Act, is competent to issue any directions under section 33 A of the Water Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.
16. And whereas Rule 30(A) of the Rajasthan Water (Prevention and Control of Pollution) Rules, 1975 (as amended) provide that where the Board is of the opinion that in view of the likelihood of a grave injury to the environment, it is not expedient to provide an opportunity of being heard, it may for reasons to be recorded in writing, issue directions without providing such an opportunity.
17. And whereas the State Board is of the opinion that in view of the grave injury likely to be caused by discharge of untreated sewage into water bodies(Gandhi Sagar and Nehru Talai) and Kothari River and failure to comply with orders of the Hon'ble NGT, there is no reason or ground to give an opportunity of being heard to the Municipal Council before issuing directions under section 33A of the Water Act.

In view of above, the State Board in exercise of powers conferred upon it under section 33 A of the Water Act and performance of functions under the Water Act, hereby directs Commissioner, Municipal Council, Bhilwara to deposit the amount of Rs. 2.40 Crore (Rupees Two Crores Forty Lacs Only) as Environmental Compensation on the basis of 'Polluter Pays Principle' with the Government of Rajasthan under intimation to this office. The amount of environmental compensation should be deposited within 60 days of issue of this order.

It may be noted that failure to comply with these directions is a criminal offence, punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine under section 41(2) of the Water Act.

—/—
Member Secretary

No. F14 (Gen-106) RPCB/ L.W/Bhilwara 1983-1991 Date: 25/11/2021

Copy to the following for information /necessary action please: -

1. Principal Secretary, Department of Environment, Government of Rajasthan, Secretariat, Jaipur.



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004

Phone : 0141-2711263,2716802 e-mail : member-secretary@rpcb.nic.in

RSPCB HelpLine No. : 0141-2716877

Registered A/D.

2. Member Secretary, CPCB, Parivesh Bhawan, East Arjun Nagar, Delhi-110032.
3. Secretary, LSG Department, Government of Rajasthan, Secretariat, Jaipur - The Hon'ble NGT has directed that in case of default by the local body, the State is liable to pay such compensation to CPCB.
4. Director, DLB, Government of Rajasthan, G-3, Rajmahal Residential Area, C-Scheme Near Civil Line Phatak, Jaipur.
5. Commissioner, Municipal Council, Bhilwara.
6. Regional Officer, Regional Office, RSPCB, Bhilwara.
7. GIC (ECC), RSPCB, Jaipur.
8. File no. F14(Gen-58)RPCB/L.W
- ✓ 9. Master file (Directions/ EC) of Group (L.W).


Member Secretary
सदस्य सचिव

MUNICIPAL COUNCIL BHILWARA, (RAJ)

SR:-NPB./HO/22/ 22144

Dated 5/3/2022

Nodal Officer case and
Field Officer,
Rajasthan Pollution Control Board,
Bhilwara Rajasthan.

Subject :- By Honorable National Green Tribunal original Application
Number 02 / 2022 Applicant Regarding Babu Lal Jajoo Versues
Rajasthan Government And Others

Context :- R.P.C.B / F.o.Bhilwara / Legal / 2168 Dated 7/03/2022

Sr no	Point Wise Agenda	Concern Department	Action Taken/Current Status	Work Plan	Time Limit	monitoring and Complaiance Report
1-	Unscienitific Solid Waste Garbage and Plastic Disposal solid waste dumping/plastic pollution	Municipal Council Bhilwara	Under Solid Waste Management System, M/s Rolls Material And Suppliers, New Delhi has been contract a solid waste processing plant of capacity 45 TPD Amounting to Rs. 15 Crore In Approx. 29000 sq-meter Area in Tranching Ground KeerKheda Sanganer. For These solid waste management system agreement has been done between M/s Rolls Material And Suppliers, New Delhi And Municipal Council Bhilwara Amounting to Rs. 1,00,65,500 For 30 Years. As Per Contract condition Municipal Council Bhilwara will pay royalty Rs. 401/per ton for the work of Inert Waste Scientific Landfill's Disposal. Solid Waste Management Plant KeerKheda works form 09Nov.2019 and Apporx. 120 ton per day disposal of solid waste as per scientific methods and the wastage which situated around river also has been removed till 30/01/2022. Sign board also has been fixed by Municipal Council Bhilwara. Dead line 31 March, 2022			
2-	Untreated Sewage and Liquid Waste Discharge (Sewage Efullent/ Liquid Waste)	Municipal Council Bhilwara	Under the Municipal Council Jurisdiction for the management of contaminated water 10MLD capacity STP plant currently working of Jindal Saw Limited. Use of this Contaminated water by Jindal Saw Limited. In Industrial Plant which situated 25 km. from city area. RUIDP bhilwara also has constructing 30MLD STP Plant In Council area.			
3-	Anti Encroachment Action	Municipal Council Bhilwara	Not Related To Municipal council Bhilwara.			
4-	English Acabia Disposal Proceeding	Municipal Council Bhilwara	Not Related To Municipal council Bhilwara			



5-	Adequate Sewage Treatment	Municipal Council Bhilwara	Under the Municipal Council Jurisdiction for the management of contaminated water 10MLD capacity STP plant currently working of Jindal Saw Limited. Use of this Contaminated water by Jindal Saw LTD. In Industrial Plant which situated 25 km, from city area. RUDIP Bhilwara also has constructing 30MLD STP Plant In Council area. RUIDP Bhilwara has inform that trial run of SPS and STP has been done and around 80% works of laying sewer line completed. House sewer connection works till not completed.
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SR:-NPB./HO/22/ 22145-47

Copy To :-

1. District Magistrate, Bhilwara Rajasthan.
2. PA Chairman/ Commissioner, Municipal council, Bhilwara Raj.
3. Order File.


Commissioner,
Municipal Council Bhilwara
Dated/5/3/2022


Commissioner,
Municipal Council Bhilwara



कार्यालय नगर विकास न्यास, भीलवाड़ा

क्रमांक :- तकनीकी / 2021-22 / 6472

दिनांक : 15/03/2022

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण बोर्ड
भीलवाड़ा।

विषय :- माननीय राष्ट्रीय हरित अधिकरण द्वारा प्रकरण मूल आवेदन संख्या 02/2022 शीर्षक बाबूलाल जाजू बनाम राजस्थान सरकार एवम् अन्य अन्तर्गत जारी आदेशिका दिनांक 31/01/2021 बाबत् आयोजित बैठक में दिये गये निर्देशों के क्रम में।

प्रसंग :- आपके पत्र क्रमांक रा.प्र.नि.मं/क्षे.का.भीलवाड़ा/विधिक(L)-56/2269 दिनांक 14/03/2022 के क्रम में।

उपरोक्त विषयान्तर्गत लेख है कि श्रीमान् जिला कलक्टर महोदय द्वारा ली गई बैठक दिनांक 10/03/2022 में दिये गये निर्देशों के क्रम में न्यास से संबंधित कार्य बिंदु पर कार्ययोजना तैयार कर प्रस्तुत है।

क्र. सं.	कार्य बिन्दु	कार्य योजना
1	अंग्रेजी बबूल के निस्तारण की कार्यवाही	जोधड़ास चौराये से सांगानेर पुलिया तक नदी किनारे स्थित बिलायती बबूल को हटाये जाने के लिये निविदा प्रक्रिया अपनाई जाकर कार्य किया जाना प्रस्तावित है। इसमें 4 माह का समय लगना सम्भावित है, संदर्भित कार्य दिनांक 31/07/2022 तक करवा दिया जावेगा।
2	कोठारी नदी किनारों पर वृक्षारोपण तथा फेंसिंग का कार्य	अंग्रेजी बबूल हटवाये जाने के उपरान्त फेंसिंग कार्य करवाया जाकर वृक्षारोपण कार्य में 5 माह का समय संभावित है। अतः कार्य 31/12/2022 तक पूर्ण किया जावेगा।
3	अतिक्रमण निरोधक कार्यवाही	नदी किनारे हो रहे अतिक्रमण को चिन्हित/सर्वे किया जाकर, पुलिस जाप्ता लिया जाकर अतिक्रमण दिनांक 30/04/22 तक हटवाया जावेगा।
4	नदी किनारे बसी/बस रही कॉलोनियों/टाउनशिप की सूची मय स्थान, पता, अनुमोदन की स्थिती, उनसे जनित सीवरेज उपचार की व्यवस्था तथा जिन कॉलोनियों/टाउनशिप में सीवेज उपचार की व्यवस्था नहीं है उन्हें इस बाबत् नोटिस जारी करना।	सूची संलग्न कर दी गई है।

सचिव

नगर विकास न्यास, भीलवाड़ा

भीलवाड़ा नगरीय क्षेत्र में कोठारी नदी के समीप नगर विकास न्यास भीलवाड़ा द्वारा स्वीकृत की गई आवासीय कॉलोनियों का विवरण

क.सं.	राजस्व ग्राम का नाम	आराजी नं./कॉलोनी का नाम	क्षेत्रफल	किस प्रयोजनार्थ रूपान्तरण किया गया है	स्वीकृति दिनांक	मौके पर विद्यमान स्थिति
1	आराजिया	32, 41, 42, 43, 45, 46	5 बीघा 09 बिस्वा	आवासीय	05.04.2018	मौके पर कॉलोनी में केवल सड़कें निर्मित है व कोई आवास निर्मित नहीं है।
2	आराजिया	85, 86, 93, 105	3 बीघा 04 बिस्वा	आवासीय		मौके पर कॉलोनी में केवल सड़कें निर्मित है व कोई आवास निर्मित नहीं है।
3	आराजिया	110, 111	2 बीघा 11 बिस्वा	आवासीय	06.02.2018	मौके पर कॉलोनी में केवल सड़कें निर्मित है व कोई आवास निर्मित नहीं है।
4	आराजिया	113/2, 115/1, 121/2	1 बीघा 09 बिस्वा	आवासीय	31.07.2019	मौके पर कॉलोनी में केवल सड़कें निर्मित है व कोई आवास निर्मित नहीं है।
5	आराजिया	अंसल कॉलोनी 177, 178, 180 से 195 व अन्य	91.93 हेक्टेयर	आवासीय	06.07.2008	कॉलोनी में एसटीपी प्लान बना हुआ है।

6	आरजिया	315 से 318, 321 से 325, 634 से 636, 638 से 644, 292 से 294, 312 से 314, 603, 290, 291	48 बीघा 04 बिस्वा	आवासीय	30.04.2010	कॉलोनी में एस्टीपी प्लान बना हुआ है।
7	आरजिया	245, 246, 248, 249, 252, 253, 254 / 1, 255, 256, 262, 2296 / 245, 197, 198, 199, 250, 251, 363, 2296 / 245, 2407 / 245, 2410 / 199, 2417 / 196, 2420 / 362	72 बीघा 10 बिस्वा	आवासीय व व्यावसायिक	19.11.10	कॉलोनी में एस्टीपी प्लान बना हुआ है।
8	पालड़ी	1880, 1882 / 1 व 1882 मीन.	2 बीघा 08 बिस्वा	आवासीय एकल पट्टा	10.07.2013	मौके पर बाउन्ड्री वाल निर्मित है तथा कोई आवास निर्मित नहीं है।
9	पालड़ी	1883	3 बीघा 05 बिस्वा	आवासीय	10.07.2013	मौके पर बाउन्ड्री वाल निर्मित है तथा कोई आवास निर्मित नहीं है।
10	पालड़ी	2211 / 2050	5 बीघा 10 बिस्वा	आवासीय	08.10.2014	मौके पर बाउन्ड्री वाल निर्मित है तथा कोई आवास निर्मित नहीं है।
11	पालड़ी	2210 / 2063	5 बीघा 02 बिस्वा	आवासीय	08.10.2014	मौके पर बाउन्ड्री वाल निर्मित है तथा कोई आवास निर्मित नहीं है।
12	पालड़ी	2212 / 2050	4 बीघा	आवासीय	10.10.2014	मौके पर बाउन्ड्री वाल निर्मित है तथा कोई आवास निर्मित नहीं है।
13	पालड़ी	2213 / 2050	1 बीघा 14 बिस्वा	आवासीय एकल पट्टा	24.12.2012	मौके पर बाउन्ड्री वाल निर्मित है तथा कोई आवास

						निर्मित नहीं है ।
14	पालड़ी	2297 / 2050	2 बीघा	आवासीय	07.01.2015	मौके पर एक भवन निर्माणाधीन है ।
15	पालड़ी	1818 से 1826, 1831 से 1836, 1829, 1830	14 बीघा 01 बिस्वा	आवासीय	07.07.2010	मौके पर कॉलोनी में केवल सड़कें निर्मित है व कोई आवास निर्मित नहीं है ।

कोठारी नदी के समीप स्थित 200 फीट रिंग रोड के सहारे न्यास की आवासयी योजनाएं, आर.सी.व्यास कॉलोनी, विजयसिंह पथिक नगर एवं मोहनलाल सुखाड़िया नगर स्थित है। उक्त योजनाओं में RUIDP द्वारा सीवरेज लाईन बिछाने का कार्य पूर्ण कर लिया गया है तथा कनेक्शन का कार्य RUIDP द्वारा करने की कार्यवाही की जा रही है।

उपरोक्त आवासीय कॉलोनी के ले-आउट प्लान टाउनशिप पॉलिसी 2010 के प्रावधानों के अनुसार स्वीकृत किये गये है। टाउनशिप पॉलिसी 2010 में 10 हेक्टेयर से बड़ी कॉलोनी में सीवरेज लाईन व STP के प्रावधान का उल्लेख है तथा 10 हेक्टेयर से कम क्षेत्रफल की कॉलोनी में सीवरेज लाईन के प्रावधान का उल्लेख है। उपरोक्त कॉलोनी में जिन कॉलोनी में STP की व्यवस्था नहीं है उन्हें STP बनवाये जाने हेतु नोटिस जारी किये जाने की कार्यवाही न्यास द्वारा की जा रही है।


15.7.21

खेम सिंह श्रिवास्तव
उप नगर निगम अधिकारी
खेम सिंह श्रेखावत
उप नगर नियोजक

(b) Power Supply and Street Lighting

- FOR SCHEMES
ABOVE 10 Hectare
Area.*
- (i) In the Township / Mini Township scheme the developer should provide for a plot of land (approx. 1000 to 1500 sq. mtrs. per 20 hectares) at a suitable location to the electricity authorities at no cost so that the electric sub-station for the township can be set up. The plot area will be considered in facilities area of the layout plan.
 - (ii) The development of electrification, power network and power load requirement in any township/ mini township area shall be in accordance with the norms, rules & regulations of State electricity agency. After the completion of the electrification work, the developer shall handover the complete system to the concerned State electricity agency.
 - (iii) Street Lights – All the roads having width above 24 meters shall have a divider as well as the street poles fixed on the divider having provisions of underground cabling. Other roads will have single light poles erected on either side of the road. The distance between poles should not be more than 30 meters. The illumination levels of the roads shall be as per the standard of local electricity company / National Building Code. After the completion of the street light work, the developer may handover the complete system to the ULB / Local Electricity Company or to any other maintenance company.

(c) Water Supply

- (i) All the water lines should be underground having a provision of providing connections to the plot-holder. The sizes of water pipe should be as per norms laid down by competent authority (PHED norms).
- (ii) The township should have underground water tank as well as over head water tank as per PHED norms. The township should also have provision for Telephones, Gas pipeline etc.
- (iii) The complete water supply shall be in accordance with the technical guidelines of the PHED.
- (iv) After the completion of the water supply scheme, the developer may handover the laid distribution and storage system to the PHED/ULB/private operator.

(d) Sewerage & Drainage

- (i) All the plots in the Township / Mini Township scheme should be well connected with the underground sewerage line with proper slope, with a permission of sewerage treatment plant (STP) in the Township / Mini Township scheme. It is mandatory for the developer to establish and operate STP in the township. Recycling of treated waste water for gardening and flushing (as per norms of Environment) should also be provided for.
- (ii) The sewerage line should normally be located close to the boundary wall of the plots (within about 10 ft.) with a provision for connection from plots.

The scheme should have underground water tank as well as over head water tank as per PHED norms

The complete water supply shall be in accordance with the technical guidelines of the PHED.

After the completion of the water supply scheme, the developer may handover the laid distribution and storage system to the PHED/ULB/private operator.

FOR SCHEMES
UP TO 10 Hectare
AREA

5.07 Sewerage & Drainage

All the plots in the scheme should be well connected with the underground sewerage line with proper slope, The sewerage line should normally be located close to the boundary wall of the plots (within about 10 ft.) with a provision for connection of plots.

5.08 Horticulture & Plantation

All roads should have plantation tree guards on both sides having minimum of 30 trees per acre of the gross area. Trees of 5 feet or more height should be planted. All the parks should be developed by the developer and maintained by the developer till the scheme is completed and handed over to ULB or to the Resident Welfare Society.

5.09 Rain Water Harvesting and Water Recycling

Community rain water harvesting structures shall be constructed by developer. Similarly water recycling shall be provided as per Building Regulations and water from all water outlets and drainages should be collected for recycling for gardening, washing etc.. This should be strictly enforced by the ULB.

6.00 FARMHOUSE SCHEME

- (i) The farm house scheme can be approved on any road.
- (ii) The land area parameters for farm house schemes shall be kept as 25:75, which means 25% of the gross land area shall be kept reserved for facilities and road area network. Out of the 25% area, 5% area shall be used for facilities and 20% area shall be used for road network inside the scheme.
- (iii) On the remaining 75% of the land, Farm House scheme with each farm house having minimum area of 2500 sq. m. can be planned.
- (iv) In a Farm house built up area shall be 10% of the plot area or 500 sqm whichever is less. Other Parameters shall be as per the prevailing Building Regulations.

Note—

Construction of internal roads and other development works for such schemes shall be done by the developer at his own cost. No external development shall be done by ULB for such schemes.

राजस्थान सरकार

कार्यालय खनि अभियन्ता, खान एवं भू-विज्ञान विभाग, खनिज भवन, भीलवाड़ा (राज.)
e-mail ID : me.bhilwara@rajasthan.gov.in Phone No. 01482-240262

क्रमांक : खअभी/सप्रअ/NGT OA 02/2022/2021-22/204 दिनांक: 14/03/2022

निमित्त,

क्षेत्रीय अधिकारी
रा0रा0प्र0निय0 बोर्ड
भीलवाड़ा (राज0)

विषय :-श्री बाबु लाल जाजू बनाम राज्य सरकार एवं अन्य NGT OA
02/2022 (CZ) में आदेश दिनांक 31.01.2022 की पालना में
आवश्यक रिपोर्ट के सम्बन्ध में ।

प्रसंग :-आपका पत्रांक 1895 दिनांक 11.02.2022 ।

महोदय,

उपरोक्त विषयान्तर्गत आपके पृष्ठांकित पत्रांक के साथ प्राप्त ओ.ए. में
उल्लेखित विभाग से सम्बन्धित पैरा का जवाब, तथ्यात्मक प्रतिवेदन, मौका रिपोर्ट एवं
आवश्यक दस्तावेज पत्र के साथ संलग्न कर प्रेषित किए जा रहे हैं ।

सलग्न :- उक्तानुसार ।



Handwritten signature and date: 14/3
501(Hy)

भवदीय

Handwritten signature
(जिनेश हुमड़)
खनि अभियन्ता
भीलवाड़ा

**श्री बाबु लाल जाजू बनाम राज्य सरकार एवं अन्य NGT केस क्रमांक
02/2022 (CZ) में आदेश दिनांक 31.01.2022 की पालना में
तथ्यात्मक प्रतिवेदन**

कार्यालय क्षेत्राधिकार में अवस्थित कोठारी नदी जो कि शहरी क्षेत्र में से गुजरती है के सम्बन्ध में आने वाले गाँव यथा भदाली खेड़ा, साँगानेर, सुवाणा तथा आरजिया आदि गाँवों का मौका निरीक्षण कार्यालय तकनीकी कर्मचारियों के द्वारा दिनांक 08.03.2022 एवं अधेहस्ताक्षरकर्ता द्वारा दिनांक 10.03.2022 को पुनः सहायक खनि अभियन्ता एवं तकनीकी कर्मचारियों के साथ किया गया। रिपोर्ट के अनुसार तहसील भीलवाड़ा में प्रवाहित होने वाली कोठारी नदी के ग्राम आरजिया, पालड़ी, साँगानेर, जोधड़ास, भदालीखेड़ा, सुवाणा आदि क्षेत्रों का मौका निरीक्षण किया गया, जिसके अनुसार उक्त स्थलो पर बने बड़े एनिकट तथा नदी में पुराने गढ्ढों में पानी भरा हुआ पाया गया तथा कुछ स्थानों पर नदी पेटा क्षेत्र में किसानों के द्वारा फसल काश्त की जा रही है, साथ ही इन स्थानों पर वक्त निरीक्षण किसी भी प्रकार का मिट्टी एवं बजरी का अवैध खनन या निर्गमन होना नहीं पाया गया। नदी क्षेत्र में मिट्टी एवं बजरी खनन बन्द पाया गया एवं पुराने खड्डों में ताजा बजरी खनन के निशानात नहीं पाये गये। उक्त क्षेत्रों में पूर्व में माननीय सर्वोच्च न्यायालय के खनिज बजरी खनन पर प्रतिबन्ध के पश्चात कुछ प्रकरण पाये जाने पर विभाग द्वारा समय-समय पर कार्यवाही की गई है। मौका रिपोर्ट दिनांक 08.03.2022 एवं 10.03.2022 की प्रतियाँ संलग्न हैं।

तहसील भीलवाड़ा में कोठारी नदी में खनिज बजरी दोहन हेतु आवेदित खनन पट्टा संख्या 113/2012 जिला भीलवाड़ा की तहसील भीलवाड़ा की वर्तमान वस्तुस्थिति निम्नानुसार है :-

श्री संजय कुमार गर्ग पुत्र श्री भगवती लाल गर्ग निवासी 225, मोहन नगर, हिण्डोन सिटी जिला करोली (राज.) के पक्ष में जिला भीलवाड़ा की तहसील भीलवाड़ा में स्थित नदी, नालों, बालों (खसरों के अनुसार) में खनिज बजरी का खनन पट्टा स्वीकृत करने हेतु भासन के पत्र दिनांक 05.03.2013 द्वारा मंशा पत्र जारी किया गया था। उक्त मंशा पत्र जारी होने के पश्चात माननीय सर्वोच्च न्यायालय द्वारा सिविल अपील संख्या 9703-9706/2013, एस.एल.पी. (सिविल) संख्या 34134/2013 एवं एस.एल.पी. (सिविल) संख्या 34811/2013 में पारित आदेश दिनांक 25.11.2013 के अनुसरण में शासन के आदेश क्रमांक प.10(5)खान/ ग्रुप-2/2013 जयपुर दिनांक 19.12.2013 द्वारा मंशा पत्र धारक के पक्ष में अस्थाई कार्यानुमति दिनांक 28.02.2014 तक के लिये जारी की गई थी। अस्थाई कार्यानुमति की पालना में संविदा का निष्पादन दिनांक 23.12.2013 को किया जाकर नोटेरी पब्लिक से दिनांक 23.12.2013 को प्रमाणित कराया गया, तत्पश्चात माननीय सर्वोच्च न्यायालय द्वारा समय-समय पर जारी आदेश की पालना में अस्थाई कार्यानुमति की अवधि अग्रिम आदेश तक के लिये बढ़ाई गई।

Amul

प्रकरण में अस्थाई कार्यानुमति के अन्तर्गत क्षेत्र में खनन कार्य किया जा रहा था। तत्पश्चात माननीय सर्वोच्च न्यायालय के निर्णय दिनांक 16.11.2017 द्वारा नदी क्षेत्र में खनिज बजरी के खनन पर तुरन्त प्रभाव से रोक लगा दी गई एवं वन, पर्यावरण एवं जलवायु परिवर्तन मंत्रालय भारत सरकार के समक्ष क्षेत्र की रिप्लेनिशमेन्ट स्टडी प्रस्तुत करने हेतु निर्देशित किया गया। मंशा पत्र धारक द्वारा वन, पर्यावरण एवं जलवायु परिवर्तन मंत्रालय भारत सरकार के पत्र दिनांक 03.02.2022 से 1947.12 हैक्टर क्षेत्र की एन्वायरमेन्ट क्लीयरेंस प्राप्त प्रस्तुत की गई।

माननीय उच्चतम न्यायालय के निर्णय दिनांक 16.11.2017 की पालना में दिनांक 17.11.2017 से खनन कार्य बन्द रहा है। ऐसी स्थिति में डाईज-नॉन पीरियड की अवधि दिनांक 17.11.2017 से दिनांक 22.12.2018 (13 माह 06 दिवस) बनती है। उक्त अवधि के लिये खनन पट्टा स्वीकृत किये जाने हेतु कार्यालय पत्र दिनांक: 24.02.2022 से निदेशालय, उदयपुर को प्रस्तावित किया गया।


(जिनेश हुमड़)
खनि अभियन्ता
भीलवाड़ा

NGT OA No.02/2002 (CZ) Babu Lal Jajoo V/s SOR and others Order Dated 31.01.2022 Parawise Reply

Para No.	Content Of Issues raised in original application	Concered agency for implementation and prevention
2.6	<p>That It is important to bring to the notice of this hon'ble tribunal that the land mafias are carrying out illegal excavation of Soil from the river Kothari and on various occasions vehicles carrying minerals from the river are seen by the Applicant which is an alarming issue. In addition to the facts stated above in stream excavation of accumulated sand from the river is also taking place alongwith illegal farming on the river side resulting to river pollution.</p>	<p>At present no illegal excavation of soil/sand is being carried out from area of Kothari river situated near vicinity of city of Bhilwara as mentioned in O.A.No. 02/2002 Detail Report enclosed at Anx. 1</p> <p>Few Incident of illegal excavation of sand were reported in past in area mentioned abovesaid after closer order of sand mining by hon'ble Supreme court. Proper action has been taken on such incidents. Details of which Anxed on Anx. 2.</p> <p>Apart from this letter Of Intent (LOI) was issued in a stretch of Kothari river in favour of Sh. Sanjay Kumar Garg s/o Bhagwati Lal Garg R/o 255, Mohan Nagar, Hindon City Dist. Karoli (Raj.) for area of 1947.12 Hectare on 05-03-2013. Copy of said LOI alongwith khasra details are enclosed at Anx. 3 .</p> <p>Temporary working permission (TWP) was given in the area in compliance of hon'ble Supreme court order in civil appeal 9703-9706/2013, SLP (civil) No. 34134/2013 and SLP (civil) No. 34811/2013 dated 25.11.2013.</p> <p>Fresh E.C. in favour of LOI holder has been issued by MOEF & CC Of Govt. Of India on dated 03.02.2022 in compliance of hon'ble Supreme Court order Dated 11.11.2021. Copy of EC & order of supreme court are enclosed at anx. 4&5 respectively.</p>
3.14	<p>Because it is pertinent to mention here that there were instances where Illegal Soil excavation from the Kothari river were encountered and to the Utmost shock and</p>	<p>At present no illegal excavation of soil/sand is being carried out from area of Kothari river situated near vicinity of city of Bhilwara as mentioned in O.A.No. 02/2002 Detail Report enclosed at Anx. 1</p>

Amulya

<p>surprise of the Applicant they are continuously going on by the landmafias without paying any regard to the irreversible damage to the river and environment at large. Further It is relevant to mention here that the in-stream dredging of streambed and removal of accumulated sand directly from streamchannels of river Kothari the aquatic habitat, biodiversity and recreational potential of the river.</p>	<p>Few Incident of illegal excavation of sand were reported in past in area mentioned abovesaid after closer order of sand mining by hon'ble Supreme court. Proper action has been taken on such incidents. Details of which Anxed on Anx. 2.</p> <p>Apart from this letter Of Intent (LOI) was issued in a stretch of Kothari river in favour of Sh. Sanjay Kumar Garg s/o Bhagwati Lal Garg R/o 255, Mohan Nagar, Hindon City Dist. Karoli (Raj.) for area of 1947.12 Hectare on 05-03-2013. Copy of said LOI alongwith khasra details are enclosed at Anx. 3 .</p> <p>Temporary working permission (TWP) was given in the area in compliance of hon'ble Supreme court order in civil appeal 9703-9706/2013, SLP (civil) No. 34134/2013 and SLP (civil) No. 34811/2013 dated 25.11.2013.</p> <p>Fresh E.C. in favour of LOI holder has been issued by MOEF & CC Of Govt. Of India on dated 03.02.2022 in compliance of hon'ble Supreme Court order Dated 11.11.2021. Copy of EC & order of supreme court are enclosed at anx. 4&5 respectively.</p>
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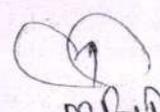

(Jinesh Humad)
Mining Engineer
Bhilwara

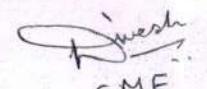
राजस्थान सरकार

कामीलम रानी धारिपन्ना मीलवाडा
मौका रिपोर्ट

माल दिनांक 8/3/2022 को श्री मान रानी धारिपन्ना मीलवाडा के आदेश की पालना में कामीलम रानी धारिपन्ना में प्रवाहित होने वाली कोठारी नदी एवं इसके निकट स्थित गाँव भदाली खेडा, आरजीभा, लांगानेट, सुवाणा सुवाणा आदि गाँव का मौका देखा गया तबत जिरि इन गाँवों के पास में स्थित कोठारी नदी में कोई चानैत। मशीनरी सर्वेक्ष स्वन्न करते नहीं पाया गया। तबत जिरि जंग नदी में निकट ग्राम सुवाणा के ऊपर की ओर मीलवाडा वाइ पास के पास कोठारी नदी में बने बड़े एनिकट तथा इसके अवरिक्त नदी में पुराने जहों में पानी भरा हुआ पाया गया एवं ग्राम पालडी लांगानेट भादी के पास कोठारी नदी में कुछ स्थानों पर विभिन्न कसलों की खेवी की जा रही हैं।

वहलील मीलवाडा के गाँव भदाली खेडा आरजीभा जोधसिंग पालडी सुवाणा आदि के पास कोठारी नदी में लंपरी स्वन्न हेतु अरुमाई कामिनुमारे सजय कुमार गज की टी गई श्री जो के माननीय स्वोच्य आगलय के आदेश दिनांक 16/11/19 से प्रभाव में नहीं है। उक्त खेड में सर्वेक्ष स्वन्न। परी वहन की रोकथाभ हेतु चेकिंग करते हुये लगभग-लगभग पर प्रमावी कामवाही की गयी है। मौका रिपोर्ट तैयार कर हस्ताखत किया।


मनि


Dinesh
SMF

कार्यालय खनि अभियन्ता, भीलवाड़ा (राज.)

मौका रिपोर्ट

आज दिनांक 10/3/2022 को अधोहस्ताक्षरकर्ता मय सहायक खनि अभियन्ता व तकनीकी कर्मचारी द्वारा राजस्थान राज्य प्रदूषण नियंत्रण मंडल, भीलवाड़ा के पत्र क्रमांक 1895 दिनांक 11/2/2022 विषय 'एन.जी.टी. OA संख्या 2/2022 श्री बाबूलाल जाजू बनाम राजस्थान सरकार व अन्य में दिनांक 31/1/2022 को पारित आदेश में माननीय राष्ट्रीय हरित प्राधिकरण भोपाल के निर्देशों के क्रम में तहसील भीलवाड़ा में बहने वाली कोठारी नदी में अर्बेध मिट्टी तथा बजरी खनन की जाँच हेतु ग्राम आरजिया, पालड़ी, सांगानेर, जोधड़ास, भदालीखेड़ा, सुवाणा, सांगानेर आदि के क्षेत्र का मौका निरीक्षण किया गया।

ग्राम जोधड़ास के पास कोठारी नदी क्षेत्र में बजरी अथवा मिट्टी का अर्बेध खनन होता हुआ नहीं पाया गया। नदी क्षेत्र में पेड़ वीचे ओं हुए पाये गये। नदी में रिंग रोड के पास के किनारे पर नदी में पानी भरा हुआ पाया गया।

ग्राम पालड़ी के पास कोठारी नदी क्षेत्र में बजरी, मिट्टी का अर्बेध - खनन होता हुआ नहीं पाया गया। नदी क्षेत्र में छोटे बड़े पेड़, वीचे तथा झाड़ियाँ हुई पाई गई। साथ ही आंशिक भाग में पानी भरा हुआ पाया गया।

ग्राम सांगानेर के पास कोठारी नदी क्षेत्र में कुछ भाग में खेती की हुई फसल खड़ी पाई गई। नदी क्षेत्र में अर्बेध खनन होता हुआ नहीं पाया गया।

ग्राम सुवाणा के पास बहने वाली कोठारी नदी के क्षेत्र में स्थित बड़े एनीकर में पानी भरा हुआ पाया गया। एनीकर के आगे नदी क्षेत्र में खेती होता पाया गया। नदी क्षेत्र में अर्बेध बजरी - मिट्टी खनन होता हुआ नहीं पाया गया।

ग्राम भदालीखडा के पास कोठारी नदी क्षेत्र में कुछ भाग में पानी भरा हुआ पाया गया तथा कुछ भाग में पुराने बजरी खनन के खड्डे पाये गये जिन्हें खनन काफी समय से बन्द है।

ग्राम आरजिया के निकट कोठारी नदी क्षेत्र में बजरी खनन बन्द पाया गया। क्षेत्र में पुराने खड्डों में ताजा बजरी खनन के निशानात नहीं पाये गये। नदी क्षेत्र में कई स्थानों पर पानी भरा पाया गया। निरीक्षण के दौरान क्षेत्र में फोटोग्राफ लिये गये। (संलग्न)

उक्त क्षेत्र भीलवाड़ा के नगरीय क्षेत्र के पास स्थित है जिससे क्षेत्र के लोगों द्वारा यदा कदा आवश्यकता होने पर बजरी खनन कर ले जाने की संभावना है। क्षेत्र में कहीं भी मैकेनाइज्ड तरीके से बजरी खनन के कोई भी निशानात नहीं मिले।

दिनांक 16/11/17 के पूर्व नदी क्षेत्र में खनिज बजरी के अवैध खनन हेतु विभाग द्वारा संबंधित ठेकेदारों को अनुमति दी हुई थी। माननीय सर्वोच्च न्यायालय के आदेश दिनांक 16/11/17 के उपरान्त नदी क्षेत्र में बजरी खनन पर पूर्णतया रोक लगा दी गई। श्रीमान जिला कलेक्टर द्वारा गठित टास्क फोर्स जो कि अवैध खनन/निगमित रोकने हेतु गठित की गई, जिसमें पुलिस, सशस्त्र, खास एवं भूविज्ञान विभाग, वन विभाग द्वारा संयुक्त रूप से कार्यवाही समय-समय पर की गई। कार्यवाही के दौरान अवैध खनन कर्ताओं से नियमानुसार जुर्माना वसूली की कार्यवाही की गई व प्रथम सूचना रिपोर्ट भी दर्ज कराई गई। मौका निरीक्षण रिपोर्ट तैयार कर हस्ताक्षर किये गये।

1
अधिकारी
AMR
16/03/2022

Director
SME

Chief
10/03/22
ME, BHW

सुवाणा



GPS Map
Camera Lite

Basa Ka Kheda Byp, Rajasthan 311011, India

Latitude
25.36910983°

Longitude
74.71413653°

Local 03:13:50 PM
GMT 09:43:50 AM

Altitude 362.21 meters
Thursday, 10-03-2022

सुवाणा



GPS Map
Camera Lite

Basa Ka Kheda Byp, Rajasthan 311011, India

Latitude
25.36910853°

Longitude
74.71413688°

Local 03:13:46 PM
GMT 09:43:46 AM

Altitude 361.71 meters
Thursday, 10-03-2022

सुवाडा



GPS Map
Camera Lite

Basa Ka Kheda Byp, Rajasthan 311011, India

Latitude
25.36908749°

Longitude
74.71401814°

Local 03:13:21 PM
GMT 09:43:21 AM

Altitude 369.45 meters
Thursday, 10-03-2022

सुवाजा



GPS Map
Camera Lite

Basa Ka Kheda Byp, Rajasthan 311011, India

Latitude
25.36909977°

Longitude
74.71402187°

Local 03:13:24 PM
GMT 09:43:24 AM

Altitude 367.64 meters
Thursday, 10-03-2022



Camera Lite
GPS Map

9M87+XR8, Sanganeer, Bhilwara, Rajasthan 311011, India

Latitude

25.3665221°

Longitude

74.66399767°

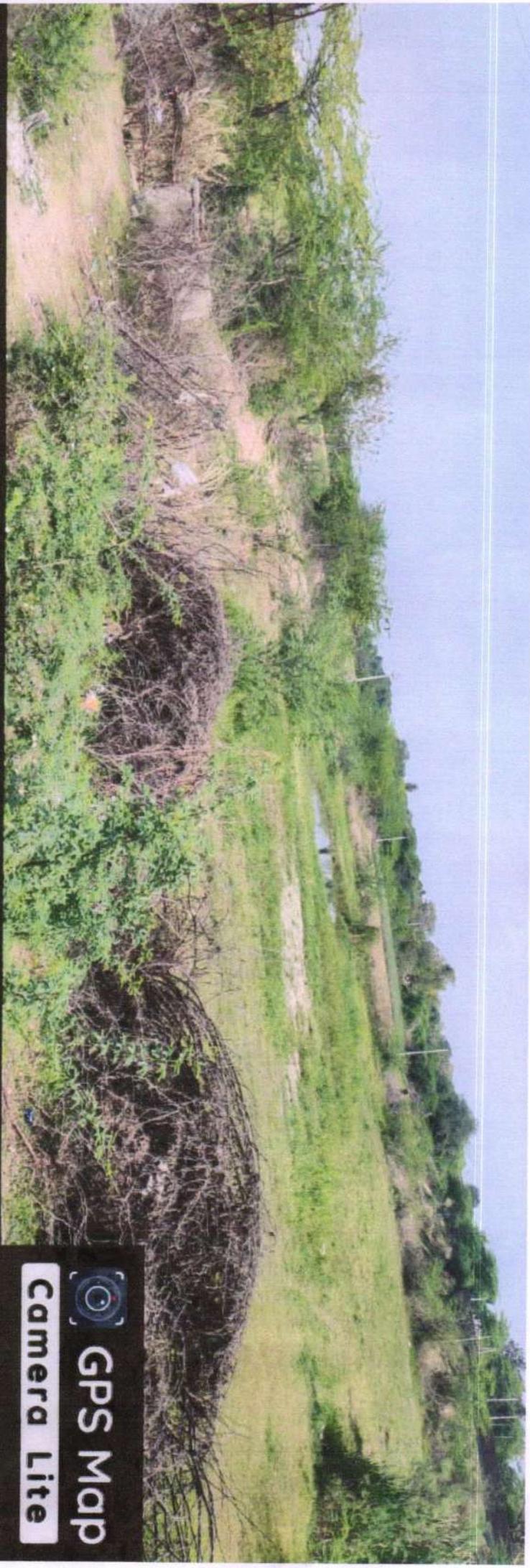
Altitude 318.94 meters

Thursday, 10-03-2022

Local 02:41:42 PM

GMT 09:11:42 AM

शिंगोलेर



GPS Map

Camera Lite

9M76+FPH, Bhilwara, Rajasthan 311001, India

Latitude

25.36454171°

Longitude

74.66221824°

Local 02:33:59 PM

GMT 09:03:59 AM

Altitude 347.77 meters

Thursday, 10-03-2022



GPS Map
Camera Lite

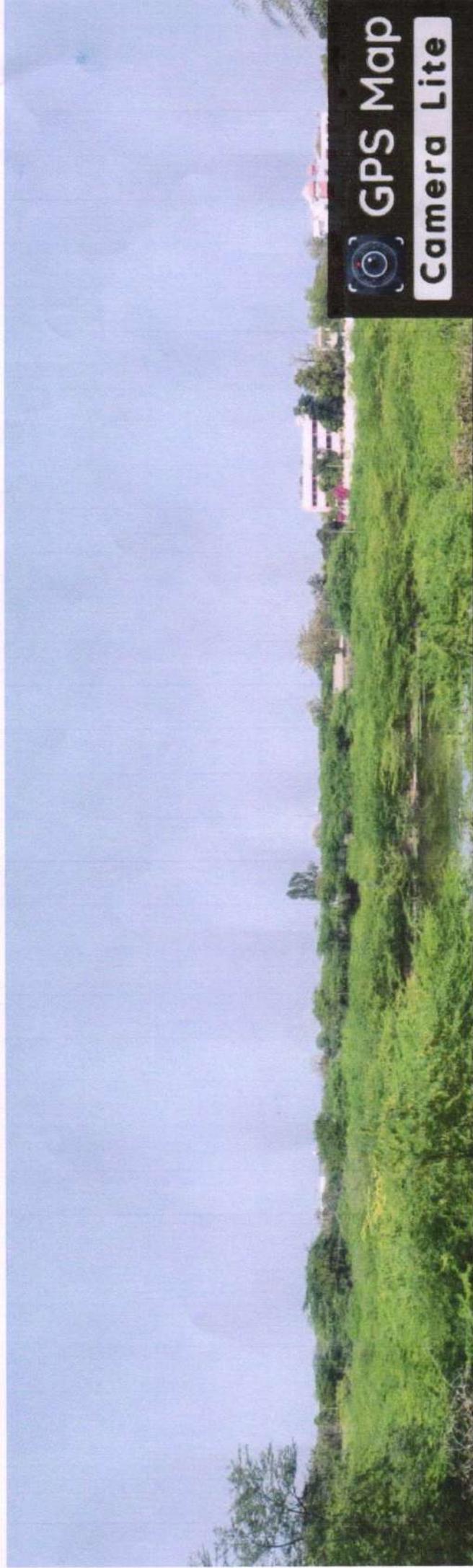
Vasta Villa, 29/7, Paldi Rd, Sector 7, R C Vyas Colony, Bhilwara, Rajasthan
311001, India

Latitude
25.36960061°

Longitude
74.63782741°

Local 02:19:13 PM
GMT 08:49:13 AM

Altitude 361.54 meters
Thursday, 10-03-2022



GPS Map
Camera Lite

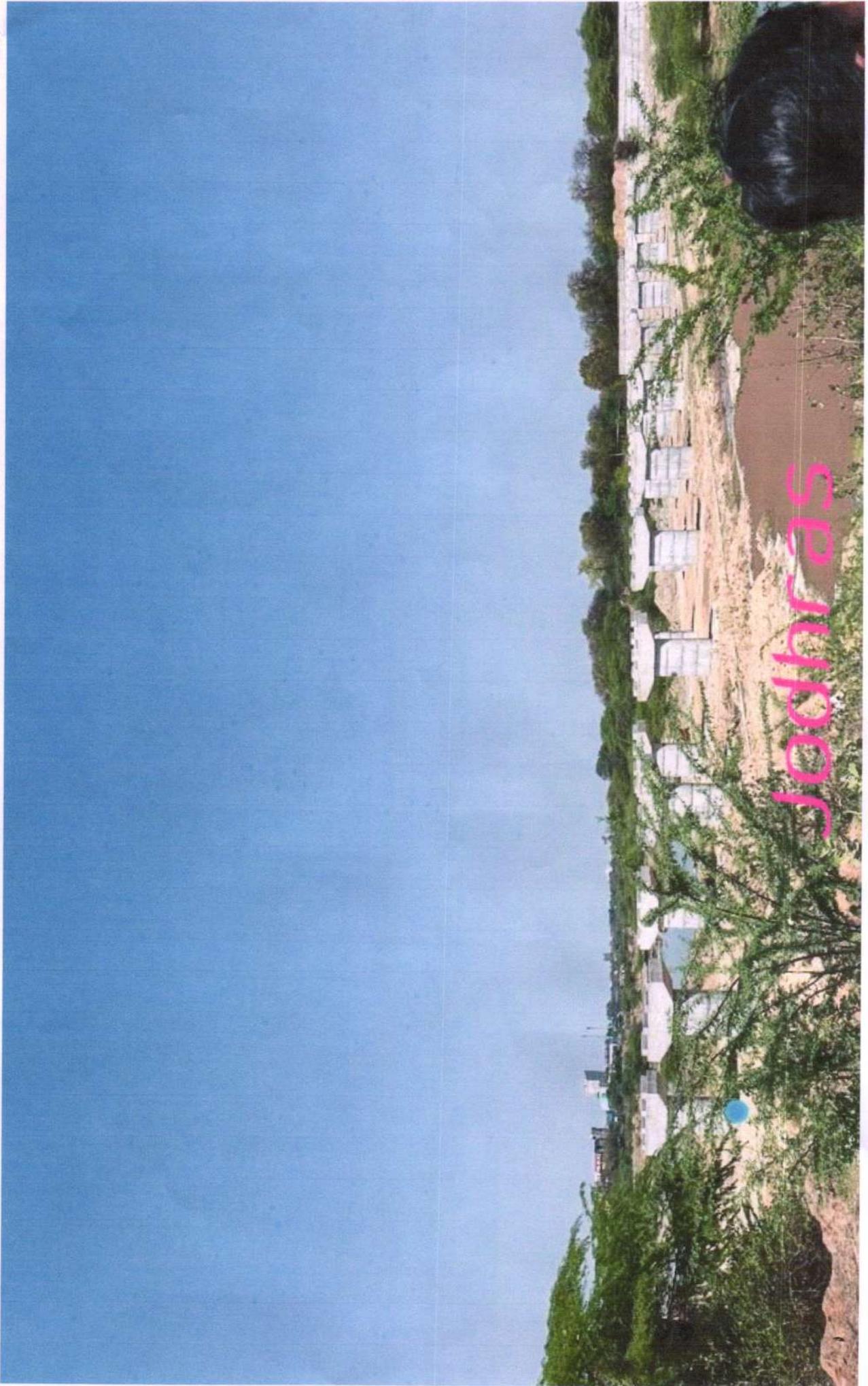
Vasta Villa, 29/7, Paldi Rd, Sector 7, R C Vyas Colony, Bhilwara, Rajasthan
311001, India

Latitude
25.36960289°

Longitude
74.6378372°

Local 02:19:06 PM
GMT 08:49:06 AM

Altitude 359.52 meters
Thursday, 10-03-2022



Sodhrās

Jodhpur





 GPS Map
Camera Lite

Unnamed Road, Arjiya, Rajasthan 311401, India

Latitude
25.39735623°

Longitude
74.62449808°

Local 03:43:31 PM
GMT 10:13:31 AM

Altitude 359.46 meters
Thursday, 10-03-2022



GPS Map
Camera Lite

Unnamed Road, Arjiya, Rajasthan 311401, India

Latitude
25.39735621°

Longitude
74.62449777°

Local 03:43:33 PM
GMT 10:13:33 AM

Altitude 359.43 meters
Thursday, 10-03-2022

भदालीखेड़ा



GPS Map
Camera Lite

Green Bridge, Kothari River, Raneegpura, Rajasthan 311401,
India

Latitude
25.42360947°

Longitude
74.62676163°

Local 03:34:42 PM
GMT 10:04:42 AM

Altitude 377.34 meters
Thursday, 10-03-2022

List of cases of Illegal Mining/Transportation/Stock in Kothari river near vicinity of Bhilwara city for period 16.11.17 to 28.02.22

S.N	Panchnama No.	Panchnama Date	Illegal Accused	Panchnama type	Location	tehsil	Quantity (in MT.)	Penalty imposed			Penalty recovered			REMARKS
								Cost Of Mineral (in Rs.)	Compound Fee (in Rs.)	Env. Comp	Recovery Mineral Cost(in Rs.)	Recovery Compound Fee(in Rs.)	Env. Comp	
1	128/2017/ME,Bhilwara	29-Nov-2017	kalulal/badri	Transport	Suwana	Bhilwara	4	1400	25000	0	1400	25000	0	
2	195/2017/ME,Bhilwara	19-Dec-2017	laxman/narayan	Transport	Aarjiya	Bhilwara	1	350	25000	0	350	25000	0	
3	196/2017/ME,Bhilwara	19-Dec-2017	suresh/shiv	Transport	Aarjiya	Bhilwara	4	1400	25000	0	1400	25000	0	
4	262/2017-18/ME,Bhilwara	16-Jan-2018	bheru/ladu	Transport	Palri	Bhilwara	4	1400	25000	0	1400	25000	0	
5	271/2017-18/ME,Bhilwara	17-Jan-2018	ramkaran/jawahar	Transport	Aarjiya	Bhilwara	4	1400	25000	0	1400	25000	0	
6	272/2017-18/ME,Bhilwara	17-Jan-2018	hajari/bheru	Transport	Aarjiya	Bhilwara	4	1400	25000	0	1400	25000	0	
7	355/2017-18/ME,Bhilwara	22-Feb-2018	shyamsundar/ramswarup	Transport	Aarjiya	Bhilwara	4	1400	25000	0	1400	25000	0	
8	61/2018-19/ME,Bhilwara	18-May-2018	nainusingh/moolsingh	Transport	Badakheda	Bhilwara	4	1400	25000	0	1400	25000	0	
9	62/2018-19/ME,Bhilwara	18-May-2018	omprakash/khumansingh	Transport	Badakheda	Bhilwara	4	1400	25000	0	1400	25000	0	
10	123/2018/ME,Bhilwara	08-Jun-2018	Agyat	Transport	Suwana	Bhilwara	4	1400	25000	0	1400	25000	0	
11	18/2019-20/ME,Bhilwara	08-Apr-2019	DELIPSINGH/HUKUMSINGH	Transport	Suwana	Bhilwara	60	21000	40000	0	21000	40000	0	
12	21/2019-20/ME,Bhilwara	10-Apr-2019	SURESH/JAGDISH	Transport	Suwana	Bhilwara	4	1400	25000	0	1400	25000	0	
13	88/2019-20/ME,Bhilwara	29-May-2019	NARAYAN / DEV BAKS JAT	Transport	Suwana	Bhilwara	4	1400	25000	0	1400	25000	0	
14	235/2019-20/ME,Bhilwara	12-Jul-2019	KALLU MALI / RAMPAL MALI	Transport	Aarjiya Chouraha	Bhilwara	4	1400	25000	0	1400	25000	0	
15	456/2019-20/ME,Bhilwara	07-Dec-2019	rajubhil/ladu	Transport	Palri	Bhilwara	6	2100	25000	100000	2100	25000	100000	
16	533/2019-20/ME,Bhilwara	14-Jan-2020	RANJEET KEER	Transport	Suwana	Bhilwara	6	2100	25000	100000	2100	25000	100000	
17	534/2019-20/ME,Bhilwara	14-Jan-2020	RAJU BAIRWA	Transport	Suwana	Bhilwara	6	2100	25000	100000	2100	25000	100000	
18	535/2019-20/ME,Bhilwara	14-Jan-2020	SHIVRAJ BALAI	Transport	Suwana	Bhilwara	6	2100	25000	100000	2100	25000	100000	
19	558/2019-20/ME,Bhilwara	21-Jan-2020	Bheru Lal Jat	Transport	Suwana	Bhilwara	4	1400	25000	100000	1400	25000	100000	
20	593/2019-20/ME,Bhilwara	13-Feb-2020	GISHALAL593	Transport	Suwana	Bhilwara	4	1400	25000	100000	1400	25000	100000	
21	590/2020-21/ME,Bhilwara	04-Nov-2020	Jagdish Jat	Transport	Sanganer Medical College	Bhilwara	30	10500	100000	100000	10500	100000	100000	
22	758/2020-21/ME,Bhilwara	17-Feb-2021	Bhainru Lal 758 Raju Lal 758	Illegal Mining	Bhdalekhara	Bhilwara	8	2800	70000	200000	2800	70000	200000	
23	602/2021-22/ME,Bhilwara	19-Jan-2022	Agyat 21-22	Illegal Mining	Badhalikheda	Bhilwara	4	2000	45000	100000	2000	45000	100000	
24	523/2018-19/ME,Bhilwara	27-Oct-2018	Agyat	Stock	Palri	Bhilwara	100	35000	20000	0	35000	20000	0	
25	287/2020-21/ME,Bhilwara	22-Jul-2020	Shirajudin	Stock	Sanganer	Bhilwara	4	1400	20000	0	0	0	0	Recovery under LR Act
26	65/17/ME(V),Bhilwara	18-Dec-2017	CHHOTU/ALI MOHAMMAD ANU/RAJU CHEETA NAASIR/AHMED CHEETA	Mining	Bhadali Kheda	Bhilwara	12	4200	75000	0	4200	75000	0	
27	50/2017/SME(V),Bhilwara	21-Nov-2017	UDAY LAL/MATHURA LAL	Transport	Suwana	Bhilwara	10	3500	75000	0	3500	75000	0	
28	47/17/ME(V),Bhilwara	28-Nov-2017	KALYAN/SHANKER GUJAR	Transport	Suwana	Bhilwara	4	1400	25000	0	1400	25000	0	
29	77/2017/SME(V),Bhilwara	12-Dec-2017	MANGI LAL/DOLARAM JAT	Transport	Suwana	Bhilwara	4	1400	25000	0	1400	25000	0	
30	89/2017/SME(V),Bhilwara	04-Jan-2018	DURGA LAL/AMBA LAL JAT	Transport	Suwana	Bhilwara	4	1400	25000	0	1400	25000	0	
31	80/17/ME(V),Bhilwara	20-Jan-2018	SURESH/JAGDISH JAT	Transport	Suwana	Bhilwara	4	1400	25000	0	1400	25000	0	
32	55/2018/ME(V),Bhilwara	12-Jul-2018	SUKH LAL BHEEL	Transport	Suwana	Bhilwara	4	1400	25000	0	1400	25000	0	
33	56/2018/ME(V),Bhilwara	12-Jul-2018	HARI RAM NAYAK	Transport	Suwana	Bhilwara	4	1400	25000	0	1400	25000	0	
34	29/2019-20/SME(V),Bhilwara	09-Jul-2019	RADHEYSHYAM GUJAR	Transport	Jodhras	Bhilwara	4	1400	25000	0	1400	25000	0	
35	95/2019/SME(V),Bhilwara	22-Dec-2019	narayan gadri suaana	Transport	Suaana	Bhilwara	4	1400	25000	100000	1400	25000	100000	
36	5/2020/SME(V),Bhilwara	26-Jun-2020	arjiya	Transport	Aarjiya	Bhilwara	4	1400	25000	100000	1400	25000	100000	
37	6/2020/SME(V),Bhilwara	26-Jun-2020	arjiya 1	Transport	Aarjiya	Bhilwara	4	1400	25000	100000	1400	25000	100000	
38	7/2020/SME(V),Bhilwara	26-Jun-2020	arjiya 1	Transport	Aarjiya	Bhilwara	4	1400	25000	100000	1400	25000	100000	
39	17/2021/ME(V),Bhilwara	03-Dec-2021	Sanjay Pushalal Phauru	Transport	Suwana	Bhilwara	4	1400	25000	100000	0	0	0	FIR 247/21 Sadar Thana
40	10/2019/ME(V),Bhilwara	06-Mar-2020	ASHOK SOMANI	Stock	Aarjiya	Bhilwara	15	5250	20000	0	5250	20000	0	
							372	130800	1240000	1500000	128000	1195000	1400000	

Amal
MG, Bhilwara

जयपुर, दिनांक:- 5 MAR 2013

क्रमांक प.10(12)खान/ग्रुप-2/2013

श्री संजय कुमार गर्ग
पुत्र श्री भगवती लाल गर्ग,
निवासी 225, मोहन नगर,
हिण्डोन सिटी, जिला करौली,
(राजस्थान)।

विषय:- खनन पट्टा क्षेत्र 1947.12 है0 क्षेत्र जिला भीलवाडा की तहसील भीलवाडा की राजस्व गांवों में गैर मुमकिन नदी, नालो, बालों से (खसरे के अनुसार) निकलने वाला खनिज बजरी का श्री संजय कुमार गर्ग पुत्र श्री भगवती लाल गर्ग, निवासी 225, मोहन नगर, हिण्डोन सिटी, जिला करौली, (राजस्थान)।

महोदय,

उपरोक्त विषय में राजस्थान खनिज रियायत नियमावली, 1986 के अन्तर्गत राज्य सरकार आपको 1947.12 हैक्टेयर क्षेत्र के लिये खनिज बजरी का खनन पट्टा 5 वर्ष के लिये जारी की जाने की मंशा रखती है। अतः निम्न पूर्तियां एक वर्ष में पूर्ण करे:-

1. माईनिंग प्लान तैयार करा एवं सक्षम अधिकारी से अनुमोदित करा प्रस्तुत करे।
2. पर्यावरण क्लीयेंरेंस भारत सरकार के वन एवं पर्यावरण मंत्रालय से प्राप्त कर प्रस्तुत करे।
3. नियम 37(जे) अनुसार वित्तीय आश्वासन प्रस्तुत किये जाने का शपथ पत्र प्रस्तुत करे।

भवदीय

६०

संयुक्त शासन सचिव

प्रतिलिपि:- निदेशक, खान एवं भू-विज्ञान विभाग, उदयपुर को उनके पत्र क्रमांक निदे/
प-2(ए.4)भील/बजरी/2012/128 दिनांक 04.02.2013 के क्रम में आवश्यक
कार्यवाही हेतु प्रेषित है।

सहायक शासन सचिव

भीलवाड़ा तहसील जिला भीलवाड़ा में नदी के खसरों का विवरण

कं.सं.	ग्राम	खसरा	क्षेत्रफल(बिघा-बिस्वा)
1	धुलखेड़ा	1	38.01
		662 / 1	26.05
2	जीपीया	1	62.08
		2	31.15
3	भदालीखेड़ा	1	17.03
		355	54.09
		865 / 355	24.12
		243	120.16
4	आरजिया	645	56.14
		646	349.13
5	जोधडास	448	154.08
6	पालडी	1672	29.17
		1673	20.10
		1868	80.13
7	गोविन्दपुरा	1	55.14
8	मलाण	64	28.13
		567	70.10
9	भीलवाड़ा	318	89.10
10	सांगानेर	771	80.16
		815 / 1	0.10
		815	9.11
		1013	76.14
		2076	261.00
		2883	0.16
		772 / 1	0.07
		772	9.09
11	कुंवाड़ा	347	87.05
12	सुवाना	1	0.03
		131	0.12
		270	78.15
		980	48.06
		981	0.07
		1565	1.05
		1513	0.09
		1677	409.11
		1858	3.15
13	अगरपुरा	1304 / 1	60.02
14	घुमडास	1	87.00
15	पोण्डरास	1	141.13
16	छापरी	1	81.12

कं.सं.	ग्राम	खसरा	क्षेत्रफल(बिघा-बिस्वा)
17	दूडिया	663	125.05
		845 / 666	12.12
18	जवासिया	1	171.05
		386	137.00
19	सायला	604	157.16
20	भैंसाकुंडल	1027	360.13
21	बरडोद	39	41.04
		177	103.07
22	कान्याखेडी	1	148.18
		253	110.10
		541 / 1	40.00
23	बिलियां कला	602	219.17
24	स्वरूपगंज	825	482.08
25	गुवारडी	732	431.15
26	कल्याणपुरा	1	74.15
		202	92.15
27	पातलियास	1441	66.02
		1292	53.15
28	मंगरोप	2261	98.18
		3975 / 2261	38.08
		3985 / 2261	104.18
29	फागणों का खेड़ा	3094	80.00
		3242	40.00
		3275	39.01
30	खैराबाद	1443	165.13
		1594	93.15
31	सियार	1	73.00
32	दरी	1	212.11
33	मंडपिया	1179	119.12
34	दांता जति	234	104.18
35	कचौलिया	110	38.00
36	कुम्हारिया	761	99.00
37	पीपली	380	99.17
38	कलुडिया	1	111.02
		812	171.07
39	महेशपुरा	1	81.16
40	हांसियास	506	90.08
41	धोगडास	382	188.00
42	आरोला	796 / 1	60.01

कुल योग

7691.11

7691.11

1947.1164 Hect.

Non-Reportable

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Interlocutory Application No.29984 of 2021

In

Special Leave Petition (Civil) No. 10587 of 2019

**Bajri Lease Lol Holders Welfare Society
Through its President Petitioner(s)
*Versus***

The State of Rajasthan & Ors.Respondent(s)

WITH

Special Leave Petition (Civil) No. 10670 of 2019

J U D G M E N T

L. NAGESWARA RAO, J.

1. Realising the damage caused to lakes, riverbeds and groundwater on account of quarry/ mining leases, the Ministry of Environment, Forest and Climate Change ("**MoEFCC**") constituted a Core Group by its order dated 24.03.2009, to look into the following points:

"(i) To consider the environmental aspects of mining of minor minerals (quarrying as well as riverbed mining) for their integration into the mining process.

(ii) Specific safeguard measures required to minimise the likely adverse impacts of mining on environment with specific reference to impact on water bodies as well as groundwater so as to ensure sustainable mining.

(iii) To evolve model guidelines so as to address mining as well as environmental concerns in a balanced manner for their adoption and implementation by all the mineral-producing States."

2. A report was submitted by the Core Group on the basis of which several recommendations were made by the MoEFCC relating to sand mining in March, 2010. Later, Model Guidelines on "Environmental Aspects of Quarrying of Minor Minerals" were formulated in 2010 for sustainable mining of minor minerals, along with draft rules titled Minor Minerals Conservation and Development Rules, 2010. In **Deepak Kumar v. State of Haryana**¹, this Court directed the State Governments and Union Territories to implement the recommendations made by the MoEFCC in its report of March, 2010 and the Model Guidelines framed by the Ministry of Mines within a period of six weeks from the date of the judgment. The State Governments and Union Territories were also directed to frame necessary rules under Section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 ("**MMDR Act**"). The above directions were issued by this

1 (2012) 4 SCC 629

Court after recording the deleterious effects of sand mining on biodiversity, such as destabilization of the soil structure of river banks and loss of habitat, to name a few.

3. Pursuant to the directions issued by this Court in *Deepak Kumar* (supra), the Rajasthan Minor Mineral Concession Rules, 1986 ("**1986 Rules**") were amended by notifications dated 23.05.2012, 19.06.2012 and 21.06.2012. By the said notifications, mining leases for sand were to be given by tender / auction for a period of five years. Letters of Intent ("**Lols**") were to be issued to the eligible applicants by the competent authority and the eligible applicants were required to submit the requisite No Objection Certificates, Environmental Clearance ("**EC**") and approved mining plan. As the grant of EC was likely to be delayed, the State of Rajasthan incorporated a provision in the 1986 Rules by way of the amendment dated 21.06.2012, permitting sand mining through the then existing system of Royalty Collection Contract and issue of Temporary Work Permit, till EC is granted.

4. A total of 130 mining plots were identified for conduct of auction for sand mining. Tenders were received for 105 plots. Lols were issued to each of the successful bidders with respect to the 105 plots, who were further directed to submit a mining application and obtain EC under the notification dated

14.09.2006 issued by the MoEFCC ("**EIA Notification, 2006**") and submit the same within a period of 12 months. Between November, 2013 and March, 2016, 65 out of the 82 Lol holders presented final Environment Management Plant (EMP) after Environment Impact Assessment (EIA) study and public hearing. The Expert Appraisal Committee (EAC) constituted under the EIA Notification, 2006 by the MoEFCC recommended grant of EC to these 65 Lol holders. As EC was not granted by the MoEFCC to most of the Lol holders within a period of six months, the State of Rajasthan sought for extension of time for continuing the then existing system of sand mining by way of Royalty Collection Contract. The High Court refused the request made by the State Government by an order dated 21.10.2013. Aggrieved thereby, the State Government filed SLP (C) No. 34134 of 2013 before this Court. This Court passed an interim order dated 25.11.2013 permitting the 82 Lol holders, who had submitted their applications for obtaining EC to the MoEFCC, to carry on mining operations in accordance with the notification dated 21.06.2012 amending the 1986 Rules. Temporary Work Permits were issued to 80 out of the 82 Lol holders to carry on mining operations pursuant to the said interim order. The interim order dated 25.11.2013 was extended by this Court on 24.02.2014 and 27.03.2014. Ultimately, by an order dated 16.11.2017, this Court

restrained all the 82 mining lease / quarry holders from carrying on mining of sand and *bajri*, unless a scientific replenishment study is completed and EC is granted by the MoEFCC. This Court was concerned about the continuation of mining without EC. The State Government stopped the mining activities pursuant to the order passed by this Court on 16.11.2017.

5. Shortly after, a notification was issued by the State of Rajasthan on 28.12.2017 with respect to Rule 51 of the Rajasthan Minor Mineral Concession Rules, 2017 ("**2017 Rules**"), permitting grant of short-term permits for excavation of sand in *Khatedari* lands only for Government-related works or organisations aided by the Government. The 2017 Rules were amended on 25.06.2018 by which Rule 17A was inserted, enabling the Government to grant mining lease in *Khatedari* lands to *Khatedars*.

6. On 28.02.2018, sub-rule (4) of Rule 5 of the 2017 Rules was amended. By the said amendment, the time period of one year for fulfilment of the conditions of the Lols, including execution and registration of mining lease, was extended to 13 months from the date of commencement of the 2017 Rules, failing which the rights of the applicants would stand forfeited. According to the State Government, the Lols of 74 members of the Bajri Lease Lol Holders Welfare Society had

lapsed owing to non-fulfilment of conditions within the period of 13 months. The remaining 8 Lol holders, who had been issued EC and subsequently granted mining leases, could not continue with mining operations without the requisite replenishment study reports.

7. The Bajri Lease Lol Holders Welfare Society challenged the *vires* of sub-rule (4) of Rule 5 of the 2017 Rules in the High Court of Rajasthan. On 09.04.2019, the High Court dismissed the writ petitions. Thereafter, the Petitioner-Society filed SLP (C) No.10587 of 2019 assailing the judgment of the High Court. Notice was issued in the matter and an interim order was passed on 10.05.2019 restraining cancellation of the Lols of the members of the Petitioner-Society. On 19.02.2020, this Court, taking note of the scale of the issue of illegal sand mining in the State of Rajasthan, directed the Central Empowered Committee ("**CEC**") to submit a report on the problems relating to sand mining that are faced by traders, consumers, transporters, the State and other stakeholders and also on measures to stop illegal sand mining.

8. The CEC submitted its report to this Court dated 23.12.2020, in which the following recommendations have been made:

"A. All the Khatadari leases located within 5 kms from the river bank as well as leases where violation of the

lease conditions including misuse of e-ravannas are detected are terminated forthwith and the State Government shall not issue fresh Khatedari leases except for Palaeo deposits in the District of Binaker without the approval of this Hon'ble Court.

B. The State Government shall dispense with the Excess Royalty Collection Contract system in respect of any kind of sand mining leases forthwith and the royalty shall be paid on line by the lessee to the State Government and generate royalty paid e-ravanna before transporting of sand from the mining site;

C. The MoEF&CC will issue EC in respect of all the valid Lol holders recommended by the EAC in its meeting held during 2014-2016 without insisting on submission of scientific study report as a precondition for grant of EC within a period of three months. MoEF&CC shall also prescribe detailed methodology in consultation with CMPDI for undertaking replenishment study during the course of mining as discussed in para 11 (iii) of this Report.

D. River sand mining in Rajasthan is permitted to be conducted after obtaining all statutory clearances and payment of dues and applicable taxes following the procedure listed in para 11 (iii) of this report.

E. The MoEF&CC shall arrange for scrutiny of the DSR prepared as provided in MoEF&CC Guidelines of 2016 and 2020 and the production figures approved in the

DSR are scrupulously followed by the authorities under the EP Act 1986 while issuing the EC.

F. The period of actual mining of sand under TWP should be adjusted against the five-year lease period.

G. Government of Rajasthan will constitute an Empowered Committee headed by the Chief Secretary to consider and settle claims of excess payments collected from the Lol holders during the period of working under TWP. The Committee shall examine each of the cases and take a decision in this regard within a period of six months from the date of orders. Monthly progress reports in this regard may be sent to CEC.

H. The State Government will auction the sand mining leases after proper ground demarcation and after assessing the extractable sand resources as given in the approved DSR and after obtaining no objection certificates from all concerned authorities. The sale of mining blocks objected to by any of the government departments shall not be put up for tender/auction.

I. State Government to review the amendments to Rule 5(4) of RMMCR, 2017 so that it will not be an impediment for execution of sand mining lease.

J. For brazen violation of this Hon'ble Court order dated 16.11.2017 exemplary penalty of Rs.10 lakhs per vehicle and Rs.5 lakhs per cu.m of sand seized

may be imposed as a deterrent. This will be in addition to what has already been ordered/collected by the State agencies as penalty/compensation.

K. State Government of Rajasthan is directed to conduct drone survey in respect of all the remaining Khatedari leases and complete the same within the next four months to assess the irregularities if any committed by them. A copy of this Report may also be made available to CEC."

9. The State of Rajasthan has filed Interlocutory Application No. 29984 of 2021 requesting this Court to accept the recommendations made by the CEC in respect of all points, except recommendations 'A' and 'J'. Recommendation 'A' relates to termination of *Khatedari* leases within 5 km of the river bank and restriction on the State Government to grant fresh *Khatedari* leases without the approval of this Court. Recommendation 'J' pertains to exemplary penalty of Rs.10 lakh per vehicle and Rs.5 lakh per cubic metre of sand seized for violation of the order passed by this Court on 16.11.2017.

10. The reasons given by the State of Rajasthan for its objection to the recommendation made by the CEC for cancellation of *Khatedari* leases is that mineral wealth lying in agricultural land should also be utilized. The State Government has brought to the notice of this Court that a request was made to the MoEFCC to revisit the Enforcement &

Monitoring Guidelines for Sand Mining, 2020 ("**2020 Sand Mining Guidelines**") regarding excavation of sand within the periphery of 5 km from the river bed. In view of scanty rain fall patterns in the State, the submission of the State is that mining leases in agricultural fields should be permitted. Insofar as additional penalty recommended by the CEC for the illegal sand mining and transportation is concerned, the State is of the opinion that the penalties recommended are excessive and their recovery would be difficult.

11. Interlocutory Application No. 54981 of 2021 seeking intervention has been filed on behalf of 10 *Khatedars* who asserted that no illegal sand mining is being carried on by them. It was argued on their behalf that these *Khatedars* have been acting in accordance with the conditions of their lease. It was contended that the CEC committed an error in recommending cancellation of their mining leases. The said *Khatedars* found fault with recommendation 'C' of the CEC in favour of the Lol holders.

12. The CEC, in its report, has highlighted the delay in the grant of EC by the MoEFCC to the Lol holders as the cause for widening the gap in demand and supply of sand, which has resulted in proliferation of illegal sand mining activities to meet the shortfall in supply. The recommendation made by the CEC is that the MoEFCC will issue EC in respect of all the

valid Lol holders recommended by the EAC, within a period of three months, without insisting on submission of the scientific replenishment study report as a pre-condition for the grant of EC, with the replenishment study due to be undertaken during the course of mining.

13. In spite of the order passed by this Court on 16.11.2017 that no river sand shall be permitted unless a scientific replenishment study is completed and EC is granted, 194 mining leases of *Khatedari* lands have been granted in the State of Rajasthan, with most of these lands being in close proximity of the river banks of the State. 114 *Khatedari* leases are within a distance of 100 metres or less from the river bank and only 23 *Khatedari* leases have been granted beyond a distance of 5 km from the river bank. The CEC has stated in its report that the agricultural lands do not have deposits of quality sand suitable for construction, being a mixture of sand, silt and clay. The *Khatedars* have been exploiting the locational proximity to the river banks by excavating sand from the river bed, instead of restricting the mining to their leasehold areas, completely in violation of the mining plan. The quantity of sand is in excess of the permissible limit which is transported by being shown as having been mined in the *Khatedari* lands. The CEC has commented upon the involvement of sand *mafia* in the trade of sand illegally mined

by the *Khatedars* as well as the involvement of authorities in the State of Rajasthan. Therefore, the CEC has recommended the cancellation of all *Khatedari* leases located within 5 km from the river banks as well as those leases where violation of lease conditions including misuse of e-ravannas are detected. The CEC further recommended that no fresh *Khatedari* leases shall be granted, except for Palaeo deposits, without the approval of this Court.

14. Section 23C of the MMDR Act empowers the State Governments to make rules for preventing illegal mining, transportation and storage of minerals. This Court in ***Deepak Kumar*** (supra) directed the State Governments / Union Territories to formulate rules in accordance with the Model Guidelines. Pursuant to the directions issued by this Court and the National Green Tribunal ("**NGT**"), the Sustainable Sand Mining Management Guidelines, 2016 were issued ("**2016 Sand Mining Guidelines**"). The responsibility for implementation of the said Guidelines was placed on the State Governments which had to create a mechanism to measure the mined-out mineral and its transportation and also to ensure that the amount of mineral mined does not exceed the quantity permitted in the EC. The 2016 Sand Mining Guidelines recommended use of Transport Permits with bar codes, for generation of reports showing the daily lifting of

sand and user performance reports. Transport Permits with bar codes would also enable vehicles carrying sand to be tracked from source to destination. Dissatisfied with the ineffective monitoring mechanism, failure of the Mines Surveillance System as well as lack of an effective institutional monitoring mechanism not only at the stage of the grant of EC but at subsequent stages with respect to illegal sand mining, the NGT, in an order dated 05.04.2019 in **National Green Tribunal Bar Association v. Virender Singh** in OA No. 360 of 2015 and connected matters, directed the MoEFCC and the State Governments to review extant monitoring mechanisms and consider revision of the 2016 Sand Mining Guidelines. Consequently, the MoEFCC issued the 2020 Sand Mining Guidelines.

15. The damage caused to the environment due to rampant unscientific illegal mining needs no reiteration. Unabated illegal mining has resulted in the emergence of sand *mafia* who have been conducting illegal mining in the manner of organized criminal activities and have been involved in brutal attacks against members of local communities, enforcement officials, reporters and social activists for objecting to unlawful sand excavation. The statistics provided by the State Government highlights the magnitude of the problem as about 2411 FIRs have been registered in relation to illegal mining in

the State of Rajasthan, between 16.11.2017 and 30.01.2020. When this Court has restrained 82 mining lease / quarry holders from carrying on mining of sand and *bajri* unless a scientific replenishment study is completed and EC is issued by the MoEFCC, the State of Rajasthan ought not to have issued mining leases in favour of the *Khatedars*. It is clear from the report of the CEC that the majority of the *Khatedari* leases are within 100 metres from the river bed. The 2020 Sand Mining Guidelines prescribe that mining plan for mining leases on *Khatedari* lands shall only be approved if there is a possibility of replenishment of the mineral or when there is no possibility of river bed mining within 5 km of the patta land / *Khatedari* land. Agreeing with the CEC's conclusions on the issue of mining leases in *Khatedari* lands facilitating legalisation of transportation and sale of illegally extracted sand, we approve the recommendation of the CEC that all *Khatedari* leases which are located within 5 km from the river bed and those leases where lease conditions have been violated have to be terminated forthwith and that *Khatedari* leases shall be granted only with the permission of this Court.

16. The CEC has recommended imposition of exemplary penalty of Rs.10 lakh per vehicle and Rs.5 lakh per cubic metre of sand seized, which would be in addition to what has already been ordered / collected by the State agencies as

compensation. Compensation / penalty to be paid by those indulging in illegal sand mining cannot be restricted to the value of illegally-mined minerals. The cost of restoration of environment as well as the cost of ecological services should be part of the compensation. The "Polluter Pays" principle as interpreted by this Court means that the absolute liability for harm to the environment extends not only to compensate the victims of pollution but also the cost of restoring the environmental degradation. Remediation of the damaged environment is part of the process of "Sustainable Development" and as such the polluter is liable to pay the cost to the individual sufferers as well as the cost of reversing the damaged ecology.²

17. The scale of compensation by those who are involved in illegal mining has been dealt with by the NGT in ***National Green Tribunal Bar Association v. Virender Singh*** (supra). In its order dated 26.02.2021, the NGT considered and approved the Report submitted by the Central Pollution Control Board dated 30.01.2020, in pursuance of its earlier orders, on scale of compensation to be recovered for violation of norms for mining on "Polluter Pays" principle. Additionally, para 9.2 of the 2020 Sand Mining Guidelines provides as follows:

² *Vellore Citizens' Welfare Forum v. Union of India & Ors.* (1996) 5 SCC 647

"The environmental damages incurred or resulting due to illegal mining shall be assessed by a committee constituted by District Administration having expertise from relevant fields, and also having independent representation of locals and State Pollution Control Board. Guidelines for assessment of ecological damages prescribed by the State Government or Concerned Pollution Control Boards or any other authority shall be applicable and compensation as fixed shall be paid by the project proponent, in light of Hon'ble National Green Tribunal orders."

18. Section 21(5) of the MMDR Act empowers the State Government to recover the price of the illegally-mined mineral, in addition to recovery of rent, royalty or tax. The penalty recommended by the CEC for illegal sand mining is in addition to the penalty that can be imposed by the State Government in terms of Section 21(5) of the Act. However, the basis for imposition of exemplary penalty of Rs. 10 lakh per vehicle and Rs. 5 lakh per cubic metre of sand has not been stated by the CEC in its report. The CEC is directed to follow the directions given by the NGT in respect of imposition of penalty / determining scale of compensation for illegal mining and the provisions of the 2020 Sand Mining Guidelines and determine the penalty / compensation afresh and submit a report to this Court within a period of eight weeks from today.

period during October 2013 to December 2013. All the parameters for water and air quality were within permissible limits. The Committee deliberated the baseline data collected by the Project Proponent. Project Proponent reported that there is no R&R plan is applicable for this project as the mine lease area lies entirely on the River bed and there is no establishment on the site.

8. The Public Hearing for the proposed Project was conducted on 23.12.2014 at 11.00 AM at Tehsil Office, Bhilwara, Rajasthan. The Public Hearing was presided over by Shri Suresh Kumar, Additional District Magistrate, Bhilwara. The representative from the Rajasthan State Pollution Control Board was also present. The issues raised during the Public Hearing were also considered and discussed during the meeting, which inter-alia, included regarding safety, health, road and environmental pollution, roads getting damaged, illegal mining, employment, plantation etc. effective implementation of measures will be adopted. Project Proponent has made the action plan with budgetary provisions. The Committee deliberated and was of the view that PP needs to implement the action plan and the Implementation Report has to be submitted to the Regional Office of the MoEFCC every six months.

9. The cost of the Project is Rs. 16,91,00,000/-. The Project Proponent has earmarked Rs. 1.80 lakhs towards Environmental Protection Measures per annum towards recurring expenses. Proponent informed that Rs. 1,11,20,000/- as capital cost have been earmarked towards CSR activities for next five years of mining operation. Project Proponent has also made a submission that in accordance to Hon'ble Supreme Court of India's orders dated 25.11.2013, 24.02.2014 and 27.03.2014 (In Civil Appeal No. 9703-9706 of 2013) production of 97,0020 MT of Bajri has been made during December 2013 to March 2014 and 22,16,289 MT of Bajri has been made during April 2014 to March 2015.

10. The Committee deliberated at length the information submitted by PP and recommended the Proposal during 25-27 August, 2015 for Environmental Clearance for Mining of Mineral Bajri with proposed production capacity of 2.24 Million TPA (ROM).

11. Hon'ble Supreme Court vide order dated 11.11.2021 in the Interlocutory Application No.29984 of 2021 in Special Leave Petition (Civil) No. 10587 of 2019 Bajri Lease Lol Holders Welfare Society Vs Ors considered the report submitted by CEC in which the relevant recommendations are as follows:

"The MoEF&CC will issue EC in respect of all the valid Lol holders recommended by the EAC in its meeting held during 2014-2016 without insisting on submission of scientific study report as a precondition for grant of EC within a period of three months. MoEF&CC shall also prescribe detailed methodology in consultation with CMPDI for undertaking replenishment study during the course of mining as discussed in para 11 (iii) of this Report"

Hon'ble Supreme Court has approved the recommendations made by the CEC for implementation forthwith.

12. Central Mine Planning and Design Institute (CMPDI) has prescribed the detailed methodology for undertaking replenishment study. A copy of report is enclosed. Project proponent is directed to carry out replenishment studies as per the methodology prescribed by CMPDI and under the overall supervision, monitoring and control of the State Mining Department. The State Mining Department shall ensure strict adherence to the procedure and methodology prescribed by CMPDI for conducting replenishment study and ensure that such replenishment study report is submitted at the prescribed time as mentioned in the report of CMPDI and that appropriate necessary action is taken based on such replenishment study report.

13. In compliance to Hon'ble Supreme Court order dated 11.11.2021, the Ministry of Environment, forest and Climate Change has examined the proposal in accordance with the Environmental Impact Assessment Notification, 2006 and further amendments thereto; and after accepting the recommendation of EAC meeting held during 25 August, 2015, here by decided to accord the Environmental Clearance (EC) under the provisions thereof to the above mentioned proposal of M/s Sanjay Kumar Garg for production of 2.24 Million TPA (ROM) of Sand/Bajri from 1947.12ha at Revenue Village(s) of Tehsil - Bhilwara, District - Bhilwara, Rajasthan

A. Specific Conditions

(i) Project Proponent shall appoint an Occupational Health Specialist for Regular and Periodical medical checkup and once in six months and necessary medical care/preventive measures under taken accordingly. Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted; (ii) Project Proponent shall appoint a Monitoring Committee to monitor the replenishment study, traffic management, levels of production, River Bank erosion and maintenance of Road etc.; (iii) Transport of minerals shall be done either by dedicated road or it should be ensured that the trucks/dumpers carrying the mineral should not be allowed to pass through the villages; (iv) Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density; (v) Implementation of Action Plan on the issues raised during the Public Hearing. The Proponent shall complete all the tasks as per the Action Plan submitted with the budgetary provisions during the Public Hearing; (vi) The pollution due to transportation load on the environment will be effectively controlled & water sprinkling will also be done regularly. Vehicles with PUC only will be allowed to ply. The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Project should obtain 'PUC' certificate for all the vehicles from authorized pollution testing centre; Washing of all transport vehicle should be done inside the mining lease; and (vii) Permanent pillars has to be constructed to demarcate width of extraction of ROM leaving 25% of River width from the bank with depth of 1.5m below the ground and 1.2 m above the ground to observe its stability. (viii) PP shall implement the conditions prescribed in Enforcement & Monitoring Guidelines for Sand Mining 2020, as applicable for PP and also SoP issued by the Rajasthan State Government for prevention of illegal river sand mining in the state and (ix) Replenishment study report- Central Mine Planning and Design Institute (CMPDI) has prescribed the detailed methodology for undertaking replenishment study. A copy of report is enclosed. Project proponent is requested to submit the replenishment study report in one year, as per methodology prescribed by CMPDI. (x) Permissible Mining of River Bed Material (Sand/Bajri) shall be limited to 2.24 Million

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TPA (ROM) from an effective mineable area of 1947 12ha with a maximum minable depth of 1 meter. The permissible minable material of 2.24 Million TPA (ROM) will be valid till one year from the day of issuance of the EC. (xi) For subsequent period, PP shall submit fresh annual replenishment study to MoEF&CC for amendment in EC for mineable quantity and maximum permission depth for mining based on the scientific findings of replenishment study. Such study shall be placed before EAC for appraisal for next three years to assess rate of deposition and accordingly, minable production capacity and depth can be prescribed based on trends analysis, provided it is found scientifically satisfactory by the EAC. The placing of the study report before EAC is mandatory for initial three years.

B. Special Conditions:

Impact Category	S.No. Environmental Conditions
Stakeholder Engagement	<ol style="list-style-type: none"> 1 in the case of private land not owned by the lease holder an Engagement affidavit should be obtained regarding consent of the concerned land owner (s) for carrying out the mining operation 2 Stakeholder awareness and ability to raise concerns and getting it to be addressed 3 Implementation of Action Plan on the issues raised during the Public Hearing. The Proponent shall complete all the tasks as per the Action Plan submitted with the budgetary provisions during the Public Hearing 4 Having valid lease and all the permits is essential 5 To establish a Monitoring Committee including Local Panchayat, to check on traffic due to transportation and submit an annual report on the same 6 The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos. 19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No. 171/2013 may be strictly followed 7 All the provisions made and restrictions imposed as covered in the Minor Mineral Rule, shall be complied with, particularly regarding Environment Management Practices and its fund management and Payment of compensation to the land owners
Sustainable Practices	<p style="text-align: center;">Mining</p> <ol style="list-style-type: none"> 8 No River sand mining be allowed in rainy season 9 To submit annual replenishment report certified by an authorized agency. In case the

		replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
	10.	Mining shall be done in layers to avoid ponding effect and after first layer is excavated, the process will be repeated for the next layers.
	11.	To maintain safety and stability of Riverbanks i.e. 3 meter or 10% of the width of the River whichever is more will be left intact as no mining zone.
	12.	No stream should be diverted for the purpose of sand mining. No natural water course and/ or water resources are obstructed due to mining operations.
	13.	No blasting shall be resorted to in River mining and without permission at any other place.
	14.	Depending upon the location, thickness of sand, deposition, agricultural land/Riverbed, the method of mining may be manual, semi-mechanized or mechanized; however, manual method of mining shall be preferred over any other method.
Monitoring the Mining of Mineral and its Transportation	15.	The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers n of Central Government and State for inspection
	16.	For each mining lease site the access should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for.
	17.	Use of technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the lease area and the number of trucks moving out with the mineral shall be made.
Noise Management	18.	Noise arising out of mining and processing shall be abated and controlled at source to keep within permissible limit.
	19.	Restricted working hours. Sand mining operation has to be carried out between 6 am to 7 pm.
Air Pollution and Dust Management	20.	The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly.
	21.	Air Pollution due to dust, exhaust emission or fumes during mining and processing phase should be controlled and kept in permissible

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		limits specified under environmental laws
	22	The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used.
Management of Visual Impact	23	The mining operations are to be done in a systematic manner so that the operations shall create a major visual impact on the site.
Bio-Diversity Protection	24	Restoration of flora affected by mining should be done immediately. Twice the number of trees destroyed by mining to be planted preferably of indigenous species.
	25	No mining lease shall be granted in the forest area without forest clearance in accordance with the provisions of the Forest Conservation Act, 1980 and the rules made thereunder.
	26	Protection of turtle and bird habitats shall be ensured.
	27	Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
Management of Instability and Erosion	28	The EC should stipulate conditions for adequate steps to check soil erosion and control debris flow etc. by constructing engineering structures.
	29	Use of oversize material to control erosion and movement of sediments.
	30	No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope.
	31	No extraction of stone/ boulder/ sand in landslide prone areas.
	32	Controlled clearance of riparian vegetation to be undertaken.
Waste Management	33	Site clearance and tidiness is very much needed to have less visual impact of mining.
	34	Rubbish burial shall not be done in the Rivers.
Pollution Prevention	35	Effluent discharge should be kept to the minimum and it should meet the standards prescribed.
Protection of Infrastructure	36	Mining shall not be undertaken in a mining lease located in 200-500 meter of bridge, 200 meter upstream and downstream of water supply / irrigation scheme, 100 meters from the edge of National Highway and railway line, 50 meters from a reservoir, canal or building, 25 meter from the edge of State Highway and 10 meters from the edge of other roads except or special exemption by the Sub-Divisional level Joint

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	<p>Inspection Committee.</p> <p>37. Mining activities shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archaeological importance.</p>
Enhancement of Road Safety	<p>38. Vehicles used for transportation of sand are to be permitted only with fitness and PUC Certificates.</p> <p>39. Junction at take-off point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.</p> <p>40. Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.</p> <p>41. No stacking allowed on road side and also along National Highways.</p>
Closure and Reclamation of Mined Out Area	<p>42. The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.</p> <p>43. Site specific plan with eco-restoration should be in place and implemented.</p> <p>44. Health and safety of workers should be taken care of.</p>
Health and Safety	<p>45. Transport of mineral will not be done through villages / habitations.</p> <p>46. The Project Proponent shall make arrangement for drinking water, first aid facility (along with species specific anti-venom provisioning) in case of emergency for the workers.</p> <p>47. Project Proponent shall implement the Disaster Management Plan if the mine lease area is located in Seismic Zone-IV. Project Proponent shall appoint a Committee to have a check over any disaster to warn workers well before for the safety of the workers. Emergency helpline number will be displayed at all levels.</p> <p>48. Project Proponent shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project and records maintained; also, Occupational health check-ups for workers having some ailments like BP, diabetes, habitual smokers, etc. shall be undertaken once in six months and necessary remedial/preventive measures taken accordingly. Recommendations of National Institute for Labour for ensuring good</p>

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Monitoring the Impact of Mining	<p>occupational environment for mine workers would also be adopted</p> <p>49. The Project Proponent shall report monitoring data on replenishment, traffic management, levels of production, River Bank erosion and maintenance of Road etc.</p>
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C. Standard conditions

I. Statutory compliance

- 1) The EC granted to the project/ activity is strictly under the provisions of the EIA Notification, 2006 and its amendments issued from time to time. It does not tantamount/ construe to approvals/ consent/ permissions etc. required to be obtained or standards / conditions to be followed under any other Acts/ Rules/ Subordinate legislations, etc., as may be applicable to the project.
- 2) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law. Common Cause Conditions as may be applicable.
- 3) The Project proponent complies with all the statutory requirements and judgment of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India & Ors before commencing the mining operations.
- 4) The State Government concerned shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgment of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India & Ors.
- 5) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IA II (M), dated 29th October, 2014, regarding "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".
- 6) The Project Proponent shall obtain necessary prior permission of the competent authorities for draw of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- 7) A copy of EC letter will be provided to concerned Panchayat / local NGO etc. by PP, if any, from whom suggestion / representation has been received while processing the proposal.
- 8) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area. The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant

project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/Committee and web site of the Ministry of Environment, Forest and Climate Change (www.parivesh.nic.in) A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.

II. Air quality monitoring and preservation

- 9) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM2.5, NO₂, CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PC/II, dated 18 11 2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site
- 10) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment/ machineries and preventive maintenance. Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

III. Water quality monitoring and preservation

- 11) Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug wall located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- 12) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be

submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.

- 13) The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The project proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.
- 14) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area in consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.
- 15) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.
- 16) The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/Committee.

IV. Noise and vibration monitoring and prevention

- 17) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed, by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.
- 18) The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc

should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

V. Mining plan

- 19) The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal wherein year-wise plan was mentioned for total excavation i.e. quantum of mineral, waste, over burden, inter burden and top soil etc.. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management, O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form to Short Term Permit (STP), Query license or any other name

VI. Land reclamation

- 20) The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.

VII. Transportation

- 21) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated. All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.
- 22) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression.

arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

VIII. Green Belt

- 23) The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.

IX. Public hearing and human health issues

- 24) Project Proponent shall make provision for the housing for workers/labors or shall construct labor camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.
- 25) The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

X. Miscellaneous

- 26) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area once in five years purpose of monitoring land use pattern and submit a report to concerned Regional Office of the MoEF&CC.
- 27) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- 28) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
- 29) A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.

- 30) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports
- 31) The mining lease holders shall, after ceasing mining operations, undertake re-grossing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.
14. The Ministry or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
15. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attracts action under the provisions of Environment (Protection) Act, 1986
16. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter
17. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010
18. This issues with the approval of Competent Authority.

Encl:As above

Yours faithfully,

Pankaj Verma
(Pankaj Verma)
Scientist 'E'

Copy to

1. The Secretary, Ministry of Mines, Government of India, Shastri Bhawan, New Delhi-110 001
2. The Secretary, Department of Mines & Geology, Government of Rajasthan, Secretariat, Jaipur
3. The Secretary, Department of Environment, Government of Rajasthan, Secretariat, Jaipur
4. The Secretary, Department of Forests, Government of Rajasthan, Secretariat, Jaipur
5. The Chief Wildlife Warden, Government of Rajasthan, Jaipur.

- 6 The Dy. Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Jaipur, A-209 & 218 AranyaBhawan, Mahatma Gandhi Road, Jhalana Institutional Area, Jaipur - 304002, Rajasthan.
- 7 The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032
- 8 The Member Secretary, Central Ground Water Authority, 18/11, Jam Nagar House, Man Singh Road, New Delhi-110011.
- 9 The Chairman, Rajasthan State Pollution Control Board, Jaipur, Rajasthan
- 10 The Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur-440 001
- 11 The District Collector, Bhilwara District, Government of Rajasthan
- 12 Guard File
- 13 MoEF&CC Website

Pankaj Verma
(Pankaj Verma)
Scientist E



Government Of Rajasthan
Office of The Superintending Engineer,
RUIDP, Phase-III,
6/1026, Shiv Nagar, Kuwada Road,
Bhilwara

E-mail - BHL.RUIDP@RAJASTHAN.GOV.IN

No. RUIDP PH-III/BHL/2021-22/ 4972

Date: 12.03.2022

Regional Officer,
Rajasthan Pollution Control Board,
Bhilwara

Subject: Design and Construction of Work of Providing Sewer Network with house sewer connections, Design and construction of Sewage Treatment Plant, Sewage pumping station, Power Generation Unit at STP & allied works and Operation & maintenance services of the entire system for 10 years in Part of Zone A & B of Bhilwara.(Contract Package No : RUSDP/BHL/01).

Regarding to ensure the compliance of Hon'ble NGT direction issued vide orders issued in original application no.02/2022-CZ, titled Babulal Jajoo Vs SOR and others, order dated 31.01.2022.

Reference: i) Your letter No. RPCB/RO BHL/Legal-6/1888, dtd.11.02.2022.
ii) Your letter No. RPCB/RO BHL/Legal-6/1895, dtd.11.02.2022.
iii) This office letter No. RUIDP PH-III/BHL/2021-22/4946, dtd.07.03.2022.

Sir,

Kindly refer our above cited letter under reference (iii) vide which the compliance of Hon'ble NGT direction issued **in original application no.02/2022-CZ, titled Babulal Jajoo Vs SOR and others on dated 31.01.2022** were submitted to your good office.

In the submitted compliance, the likely date of completion of Project was mentioned **28.02.2022** in the table of current status of Sewerage Project. This is an error in the submitted compliance report. **Kindly omit this date of completion of Project and it is ammended as 30.06.2022 .The amended date 30.06.2022 will be likely date of completion of Project scope in the original contract.**

The work of House Sewer Connection work is not in the scope of original running contract and will be taken up after floating the seperate tender of House Sewer Connection to connect properties.

This is for your information and further necessary action please.


(Ulhas Deshmukh) 12/03/22
Assistant Construction Manager,
PMDSC, Bhilwara


(Anil Kumar Vijayvargia)
Superintending Engineer
RUIDP Phase III
Bhilwara

No. RUIDP PH-III/BHL/2021-22/ 4973-4976

Date: 12.03.2022

Copy to the following for information & further necessary action please:

1. PA to Project Director, RUIDP Jaipur.
2. District Collector, Bhilwara
3. Secretary, UIT, Bhilwara.
4. Commissioner Municipal Council Bhiwara line agency for further action please.


Superintending Engineer
RUIDP Phase III
Bhilwara



Government Of Rajasthan
Office of The Superintending Engineer,
RUIDP, Phase-III,
6/1026, Shiv Nagar, Kuwada Road,
Bhilwara

E-mail -BHL.RUIDP@RAJASTHAN.GOV.IN

No. RUIDP PH-III/BHL/2021-22/4946

Date: 07.03.2022

Regional Officer,
Rajasthan Pollution Control Board,
Bhilwara

Subject: Design and Construction of Work of Providing Sewer Network with house sewer connections, Design and construction of Sewage Treatment Plant, Sewage pumping station, Power Generation Unit at STP & allied works and Operation & maintenance services of the entire system for 10 years in Part of Zone A & B of Bhilwara.(Contract Package No : RUSDP/BHL/01).

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2) Your letter No. RPCB/RO BHL/Legal-6/1895, dtd.11.02.2022

Sir,

In reference to above cited subject, it is to inform that the Sewerage Project is under execution in Bhilwara city. **The City Bhilwara is divided in Four Sewerage Zone i.e. Zone A, B, C and D. Under this Project only Zone A and Zone B was partially covered (Mostly main area of city). The area covered under this Project is 45% of Bhilwara city. The Sewerage Network proposed under RUIDP includes the surrounding area of lake namely Nehru Talab (Love Garden) and Gandhisagar Talab.**

Disposal of waste water is the responsibility of respective local body of town. Rajasthan Urban Infrastructure Development Project (RUIDP) institution has been created by GoR (Govt. of Rajasthan) for ADB funded Project(Asian Development Bank) to create various infrastructure in state, especially in Environment Sector i.e. Sewerage and Water Supply as Special Purpose Vehicle for loan from Asian Development Bank. The City Bhilwara is being selected by Government of Rajasthan and work selection in any city/town is being done by city level committee (CLC) under chairmanship of District Collector with all stake holders (i.e. line agency for which assets is being created). After approval of any particular project by City level committee of town, proposal is discussed in work finalisation committee meeting headed by Principle secretary GoR, and after approval, tender is floated and work is being taken up. As soon as work is awarded to agency (Contractor), Tri-party agreement was done with RUIDP, Contractor & Municipal Council Bhilwara. During Design Build period, RUIDP is Employer and after completion of Design Build, the scheme is handed over to Municipal Council Bhilwara for Operation & maintenance. Municipal Council is Employer for O&M period and O&M charges shall be paid by Municipal Council.

The DPR of this of Sewerage Project covers around 45% area of City & 73% population of City and having 410 km sewer line along with 01No. Sewage Pumping Station of 48 MLD capacity and 01No. Sewage Treatment Plant of 30 MLD capacity. DPR scope consists of work up to Precast Inspection Chamber outside of houses and does not have property connection. RUIDP is an executing agency for the Project and after completion of the Project, these created assets shall be handed over to line agency i.e. Municipal Council Bhilwara. The reuse of treated effluent has to be decided by Municipal Council Bhilwara. Municipal Council Bhilwara has been made agreement for giving 10MLD waste water through nallah to Jindal SPS and STP.

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The current status of Sewerage Project is given as below.

Sr. No.	Activity	Total Scope	Progress till date	Progress in %	Likely date of completion	Remark
1	Sewer Network	410.0 Km	340.429 Km	83.03%	28.02.2022	The Sewerage House Connection Re-tender is yet to be floated.
2	Sewerage Treatment Plant (STP) 30MLD Cap.	1No	95.69%	95.70%	28.02.2022	
3	Sewerage Pumping Station (SPS) 48MLD Cap.	1 No	98.61%	98.62%	28.02.2022	

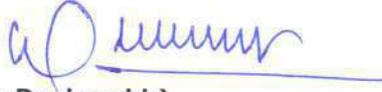
The compliance of Hon'ble NGT directions issued in original application no. 02/2022-CZ, titled Babulal Jajoo V/s SOR and others, orders dated 31.01.2022.

Para. No.	Content of issues raised in original application	Concerned Agency for implementation and prevention
2.3	Similarly, the housing societies which are constructed in the vicinity of the Kothari River either have no Sewage Treatment Plant (STP) installed or have a non-functional /Sewage Treatment Plant , because of which all the untreated sewage water is being discharged into the Kothari river is hampering the environment at its threshold. At this juncture, it is pertinent to point out here that it is the duty of the Non-Applicant no.3 to make sure that treatment plants are installed properly at the required places to treat the contaminated water but there is clearly a dereliction on their part of duty.	<ol style="list-style-type: none"> 1. This is a responsibility of Local body to ensure the proper disposal of effluent as per the norms of RPCB and amendments time to time. 2. The Municipal Council made agreement with Jindal Saw Limited for 10MLD waste water flowing through Nallah of city. At present flow available in nallah is less than 10MLD. Also there are another Nallah flowing through city where sewerage is not in scope of running contract. So it is duty of local body to take care of 3. Applicant No.3 is the agency to create assets and to support local bodies as per scope and availability of funds. The scope which include laying of Sewer pipe line, construction of one SPS & one STP for which covers only 45% area of city. But unless and until RUIDP works are not completed, it is sole responsibility of local body to take all precautionary measures before disposal of waste water in river or lake as per the norms, guidelines of RPCB amended up to date. 4. The STP is installed at required place i.e. Village Kuwada and substantially completed. 5. The disposal of waste water of balance area of city (Not in scope of RUIDP) to be taken up by Municipal Council Bhilwara. Therefore Applicant no. 3 (RUIDP) is not responsible for untreated sewage water discharged in Kothari river/Pond/Lake. But for part area which is in scope of RUIDP, RUIDP is an executing agency for sewerage work and Municipal Council will be Nodal Agency.
3.6	Because, the current situation of river is such that it has been severely affected by the continuous discharge of the untreated sewage water from the housing societies exhibiting grave non-compliance on the part of the developers who have failed to set up a STP plant and ignorance on the part of industries and officials to ensure proper set up of a CETP Plant on the river bank so that the untreated sewage water could be treated before it being discharged into the river directly. The Non-Applicant No.4 also failed in improving to exiting condition in and around the river Kothari which immensely	<ol style="list-style-type: none"> 1) Not applicable to Non-Applicant no.3 as RUIDP is executing agency. The Project stipulated date of commencement is 22.08.2017 & stipulated date of commencement 21.08.2020 as per contract. The waste water is flowing through Nallah since long decade before part Sewerage Project sanctioned in city Bhilwara. Hence it is sole responsibility of local body to discharge water in water bodies i.e. River, Lake etc.

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	contributed in polluting the river and has further hampered the sustainable development of the planned city.	2) The RUIDP work couldn't be completed in stipulated time period on account of Covid 19 pandemic effect, Non availability of labour due to fear of Covid 19, Shallow underground water table hampered progress of work, In most of the area of city, hard rock encountered delayed desired progress of work. On bank of river CETP has to be taken up by RIICO. The Nodal Agency for treatment of untreated sewage water is prime responsibility of Municipal Council Bhilwara.
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In lieu of above, it is to mention that the disposal of untreated water is a prime responsibility of Municipal Council, Bhilwara and in any way RUIDP is not responsible because RUIDP is an executing agency for part area of city taken up under the running contract. It is also requested that the compliances in this matter should be taken from Municipal Council and status of progress of work will be provided by RUIDP to Municipal Council.



(Ulhas Deshmukh)
Assistant Construction Manager,
PMDSC, Bhilwara



(Anil Kumar Vijayvargia)
Superintending Engineer
RUIDP Phase III
Bhilwara

No. RUIDP PH-III/BHL/2021-22/4947-4950

Date: 07.03.2022

Copy to the following for information & further necessary action please:

1. PA to Project Director, RUIDP Jaipur.
2. District Collector, Bhilwara
3. Secretary, UIT Bhilwara.
4. Commissioner Municipal Council Bhilwara line agency for further action please.



Superintending Engineer
RUIDP Phase III
Bhilwara

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