

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONAL BENCH, BHOPAL (M.P.)**

**ORIGINAL APPLICATION NO. 68/2023 (CZ)
(OA No. 558/2022-PB)**

In the matter of

Salma Qasmi

Applicant

Versus

State of Rajasthan & Ors.

Respondents(s)

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Rohit

DATE: 16.08.2023
PLACE: BHOPAL (MP)

(ROHIT SHARMA)
COUNSEL FOR THE RESPONDENT
RAJASTHAN STATE POLLUTION CONTROL BOARD

**BEFORE THE NATIONAL GREEN TRIBUNAL
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(OA No. 558/2022-PB)**

In the matter of

Salma Qasmi

Applicant

Versus

State of Rajasthan & Ors.

Respondents(s)

**STATUS REPORT IN COMPLIANCE OF HON'BLE TRIBUNAL
ORDER DATED 04.08.2023 ON BEHALF OF RAJASTHAN
STATE POLLUTION CONTROL BOARD**

MAY IT PLEASE THIS HON'BLE TRIBUNAL

The humble answering-respondent most respectfully submit status report as under:-

1. That the Hon'ble Tribunal, Principal Bench by order dated 12.04.2023 directed inter-alia as follows:-

"12. Having regard to the damage to the environment in terms of (i) deterioration in water quality of Dravyavati river, Chandalai and Nevtta Dams and formation of cess pool (ii) damage to soil and agriculture by trade effluents (iii) non-functional of CETP (iv) not having adequate functional STPs (v) violation of HOWM Rules (vi) extraction of groundwater without permission, estimated rough cost of remediation on most conservative estimate and rough estimate of financial capacity of violating units (about 1000) and cost of management of sewage, we consider it appropriate to fix interim compensation of Rs. 100 crores to be paid by the State of Rajasthan by way of

*केन्द्रीय अधिकारी
ज.राज्य प्रदूषण नियंत्रण बोर्ड
केन्द्रीय कार्यालय जयपुर (दिल्ली)*

deposit in a separate account, with liberty to recover the amount from the violating units and erring officers. The deposit may be made within two months. The amount may be utilised for restoration of environment in the area as per plan which may be prepared. Data of turnover of the units may be duly compiled. The units in question be put to notice of these proceedings by the State PCB for their response, if any, before this Tribunal.”

2. That in compliance of the directions passed by the Hon'ble Tribunal, the State Board has issued 'public notice' through daily newspaper on 03.05.2023 in Dainik Bhaskar and Rajasthan Patrika newspapers, to all the textile industries in Sanganer area and other stakeholders to represent themselves before the Hon'ble Tribunal. The copy of public notices dated 03.05.2023 are annexed herewith and marked as **Annexure-R/1 (Coll.)**.

3. That the details of cases pending before the Hon'ble Rajasthan High Court is as under:-

A) DBCW No. 11153/2011 titled as *Suo Moto Vs State of Rajasthan & Others*. The matter is pending before the Hon'ble High Court. The copy of online cases status in DBCW no. 11153/2011 from the official website of the Hon'ble High Court is annexed herewith and marked as **Annexure-R/2**.

B) DBCWP (PIL) No. 9497/2007 titled as *P. N. Mandola Vs State of Rajasthan & Others*. The matter is pending before the Hon'ble High Court. The copy of online cases in DBCW No. 9497/2007 status from the official website of the Hon'ble High Court is annexed herewith and marked as **Annexure-R/3**.

C) DBCW Misc. Application No. 347/2018 titled as *Vijay Singh Punia Vs Rajasthan State Pollution Control Board*. The matter is pending before the Hon'ble High Court. The copy of online cases status in

केन्द्रीय अधिकारी
राज्य राज्य प्रदूषण नियंत्रण
केन्द्रीय कार्यालय जयपुर

DBCMA No. 347/2018 from the official website of the Hon'ble High Court is annexed herewith and marked as **Annexure-R/4**.

D) SBCW No. 5965/2022 titled as *Sanganer Kapda Rangai Chapai Association Vs Rajasthan State Pollution Control Board & Others*. The matter is pending before the Hon'ble High Court. The copy of online cases status in SBCW No. 5965/2022 from the official website of the Hon'ble High Court is annexed herewith and marked as **Annexure-R/5**.

E) That the State of Rajasthan has also filed an Civil Appeal no. 4562/2023 titled as *State of Rajasthan Vs Salman Qasmi*, before the Hon'ble Supreme Court, against the order dated 12.04.2023. The Hon'ble Supreme Court vide order dated 28.07.2023 has directed inter-alia as follows:-

"Issue notice returnable on 8th September, 2023.

In the meanwhile, there will be stay of operation of the direction against the appellant-State to pay interim compensation of Rs.100,00,00,000/- (Rupees hundred crores).

We direct the appellant to place on record the steps taken by the State Government to remedy the situation and to comply with the directions contained in paragraph 13 of the impugned judgment.

A detailed affidavit shall be filed by the appellant about the steps taken on or before 4th September, 2023. When we say that compliance with paragraph 13 of the impugned judgment should be reported, we mean that details of the action taken by the Committee shall be placed on record."

The copy of Hon'ble Supreme Court order dated 28.07.2023 is annexed herewith and marked as **Annexure-R/6**.

क्षेत्रीय अधिकारी
राज.राज्य प्रदूषण नियंत्रण मण्डल
क्षेत्रीय कार्यालय जयपुर (दिल्ली)

Prayer

It is, therefore, most humbly prayed that the status report may kindly be taken on record.

DATE: 16.08.2023
PLACE: BHOPAL (MP)


क्षेत्रीय अधिकारी
नियंत्रण मण्डल
क्षेत्रीय कार्यालय
HUMBLE ANSWERING -RESPONDENT
THROUGH HIS COUNSELS


(Rohit Sharma)
ADVOCATE

**दैनिक
भास्कर**

जयपुर 03-05-2023



RAJASTHAN STATE POLLUTION CONTROL BOARD

REGIONAL OFFICE (JAIPUR-SOUTH) B/263, Makhya Nagar, Near Jaipur Circle, Jaipur,
Website - www.environment.rajasthan.gov.in/rpcb Email Id - rs.jaipurpcb@gmail.com
Phone No. 9151-4968911

आम सूचना

माननीय राष्ट्रीय हरित प्राधिकरण द्वारा प्रकरण संख्या 558/2022(PB) "Salman Qasmi & Ors. Vs. State of Rajasthan & Ors." में पारित आदेश दिनांक 12.04.2023 के क्रम में सांगानेर के क्षेत्र में स्थापित रंगार्ई--छपाई के समस्त औद्योगिक प्रतिष्ठानों एवं अन्य हित धारकों को सूचित किया जाता है कि उक्त आदेश राजस्थान राज्य प्रदूषण नियंत्रण मण्डल की वेबसाईट www.environment.rajasthan.gov.in/rpcb पर उपलब्ध है। इस सूचना के माध्यम से सूचित किया जाता है कि यदि कोई उद्योग / हितधारक चाहे तो इस आदेश के संबंध में अपना पक्ष माननीय राष्ट्रीय हरित प्राधिकरण मुख्य बेंच, नई दिल्ली के सम्मो प्रस्तुत कर सकता है।

क्षेत्रीय अधिकारी
रा. प्र. लि. अ.
जयपुर (दक्षिण)

दृ.सं.सं.सं./सी/23/1709



RAJASTHAN STATE POLLUTION CONTROL BOARD

REGIONAL OFFICE (JAIPUR-SOUTH) B/269, Mahya Nagar, Near Jawahar Circle, Jaipur,

Website - www.environment.rajasthan.gov.in/rpcb Email Id - rajipurouth@gmail.com

Phone No. 0141-4068311

आज सूचना

माननीय राष्ट्रीय हरित प्राधिकरण द्वारा प्रकरण संख्या 558/2022(PB) "Salman Qasmi & Ors. Vs. State of Rajasthan & Ors." में पारित आदेश दिनांक 12.04.2023 के क्रम में सांगानेर के क्षेत्र में स्थापित रॉबर्ट-लुपार्ड के समस्त औद्योगिक प्रतिष्ठानों एवं अन्य हित धारकों को सूचित किया जाता है कि सतत आदेश राजस्थान राज्य प्रदूषण नियंत्रण नज़्दल की वेबसाइट www.environment.rajasthan.gov.in/rpcb पर उपलब्ध है। इस सूचना के माध्यम से सूचित किया जाता है कि यदि कोई उद्योग / हितधारक चाहे तो इस आदेश के संबंध में अपना पक्ष माननीय राष्ट्रीय हरित प्राधिकरण मुख्य बंच. नई दिल्ली के समक्ष प्रस्तुत कर सकता है।

देशीय अधिकारी

श. प्र. मि. न.

जयपुर (दक्षिण)

सं.संगठ/सी/23/1109

Date: 03/05/2023, Edition: Jaipur City, Page: 16

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Rajasthan High Court Bench Jaipur (राजस्थान उच्च न्यायालय पीठ, जयपुर)

Case Status / Pagination Status

Q Case Detail

← Back

PENDING

CNR: RJHC020181072011

Date of query: 11/08/2023 04:17:04 PM

Reg. Details: CW/11153/2011 ✓

Filing Details: CW/24651/2011

Petitioner: SUO MOTU

Respondent: STATE OF RAJ

Petitioner Advocate: BY HONBLE COURT

Respondent Advocate: H.V. NANDWANA

Court Fees : 0

Filed on : 19/08/2011

Registration Type: Regular

Registered on: 19/08/2011

Bench: Single Bench

Stage : FOR ADMISSION- FRESH (WITHOUT STAY)

Date of Listing: 24/08/2023

Listed in Court No. 6 (Daily) on 04/08/2023

Last Pagination No. : Not Applicable

Next Pagination No. : Not Applicable

Department Details

Department Type

Department Code

Department Name

State

73

Government Secretariat-State



**Rajasthan High Court Bench Jaipur (राजस्थान उच्च
न्यायालय पीठ, जयपुर)**

Case Status / Pagination Status

Q Case Detail

← Back

PENDING

CNR: RJHC020232772007

Date of query: 11/08/2023 03:59:10 PM

Reg. Details: CW/9497/2007

Filing Details: CW/11279/2007

Petitioner: P N MAINDOLA

Respondent: STATE OF RAJ AND ORS

Petitioner Advocate: RAKESH CHANDEL

Respondent Advocate: AKHIL SIMLOTE

Court Fees : 0

Filed on : 06/11/2007

Registration Type: Regular

Registered on: 13/11/2007

Bench: Division Bench

Stage : FOR HEARING

Date of Listing: 18/04/2023

Listed in Court No. 2 (Daily) on 06/01/2023

Last Pagination No. : Not Applicable

Next Pagination No. : Not Applicable



Case Status / Pagination Status

Q Case Detail

[← Back](#)

PENDING

CNR: RJHC020816082018	Date of query: 11/08/2023 04:03:33 PM
Reg. Details: WMAP/347/2018	Filing Details: WMAP/42454/2018
Petitioner: VIJAY SINGH PUNIA S/O SHRI HEMRA J PUNIA	Respondent: RAJASTHAN STATE BOARD FOR THE PREVENTION AND CONTROL OF WATER POLLUTION
Petitioner Advocate: S. N. KUMAWAT	Respondent Advocate: PALLAVI MEHTA
Court Fees : 0	Filed on : 21/08/2018
Registration Type: Regular	Registered on: 30/08/2018
Bench: Division Bench	Stage : INCOMPLETE
Date of Listing: 05/09/2023	Listed in Court No.
Last Pagination No. : Not Applicable	Next Pagination No. : Not Applicable

Advocate Details

Adv For	Adv Name
P	VIMAL CHAUDHARY
P	YOGESH TAILOR
R	AKHIL SIMLOTE
R	ANITA AGGARWAL
R	ANUBHAV AGGARWAL
R	RAJESH MAHARSHI
R	RAJESH MAHARSHI AAG
R	SIDDHARTH BAPNA

Connected Matters

TYPE	No.
WMAP	347 / 2018
CCP	564 / 2020

Main case in which this case is a Connected Case

TYPE	No.
WMAP	347 / 2018

Filing Details

Number	Court Fees	Filing Date	Main case
42454 / 2018	0.00	21/08/2018	CW-2075 / 1994



Case Status / Pagination Status

Q Case Detail

← Back

PENDING

CNR: RJHC020307152022

Date of query: 11/08/2023 04:05:52 PM

Reg. Details: CW/5965/2022

Filing Details: CW/15564/2022

Petitioner: SANGANER KAPADA RANGAI CHAPAI
ASSOCIATION (SKRCA)Respondent: RAJASTHAN STATE POLLUTION C
ONTROL BOARD

Petitioner Advocate: PUNIT SINGHVI

Respondent Advocate: AKHIL SIMLOTE

Court Fees : 47.00

Filed on : 13/04/2022

Registration Type: Regular

Registered on: 18/04/2022

Bench: Single Bench

Stage : FOR ADMISSION- NOTICE SERVED

Date of Listing: 13/07/2023

Listed in Court No.

Last Pagination No. : 281

Next Pagination No. : 282

Department Details

Department Type	Department Code	Department Name
State	174	Pollution-State

Advocate Details

Adv For	Adv Name
R	AKHIL SIMLOTE
R	KALU RAM SHARMA

Cases in which this is Main Case

Filing Number	Reg. No.	Filing Date
CMS - 15565 / 2022	5896 / 2022	13/04/2022

Filing Details

Number	Court Fees	Filing Date	Main case
15564 / 2022	0.00	13/04/2022	- /

IA Details

IA Detail	Applied By	Date of Filing	Court Fee
APPLW / 2 / 2022	AKHIL SIMLOTE	16/07/2022	2
APPLW / 1 / 2022	PUNIT SINGHVI	21/04/2022	2

ITEM NO.31

COURT NO.11

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 4562/2023

STATE OF RAJASTHAN

Appellant(s)

VERSUS

SALMAN QASMI

Respondent(s)

(IA No.137469/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.137467/2023-EX-PARTE STAY)

WITH C.A. No. 4593/2023

(IA No.138819/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.138818/2023-EX-PARTE STAY)

Date : 28-07-2023 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE SANJAY KAROL

For Appellant(s)

Dr. Manish Singhvi, Sr. Adv.
Mr. Arpit Parkash, Adv.
Ms. Shubhangi Agarwal, Adv.
Mr. Apurv S., Adv.
Mr. D. K. Devesh, AOR

For Respondent(s)

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

Applications for exemption from filing a certified copy of the impugned judgments are allowed.

Issue notice returnable on 8th September, 2023.

In the meanwhile, there will be stay of operation of the direction against the appellant-State to pay interim compensation of Rs.100,00,00,000/- (Rupees hundred crores).

Signature Not Verified

Digitally signed by
Anita Malhotra
Date: 2023.07.31
15:57:48 IST
Reason:

We direct the appellant to place on record the steps taken by the State Government to remedy the situation and to comply with the directions contained in paragraph 13 of the impugned judgment.

A detailed affidavit shall be filed by the appellant about the steps taken on or before 4th September, 2023. When we say that compliance with paragraph 13 of the impugned judgment should be reported, we mean that details of the action taken by the Committee shall be placed on record.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER