

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
Original Application No. 329 OF 2015  
(M. A. NO. 283 of 2018,& M. A. No. 1389 of 2018)**

**And**

**Original Application No. 521 of 2015**

**And**

**Original Application No.448 (T<sub>HC</sub>)/2013**

**(CW 4050/12)**

**(M.A. No. 1228/2015& M. A. NO. 513/2017)**

**And**

**M.A No. 832/2014**

**In**

**Original Application No. 358(T<sub>HC</sub>)/2013**

**And**

**Original Application No. 20(T<sub>HC</sub>)/2015**

**And**

**Original Application No.446 (T<sub>HC</sub>)/2013**

**(CW 7932/11)**

**(M.A No. 811/2015)**

**IN THE MATTER OF :-**

**Gram Panchayat ARABA Vs. State of Rajasthan & Ors.**

**and**

**M.M. Charitable Trust Vs. State of Rajasthan & Ors.**

**And**

**U.R. Beniwal Vs. State of Rajasthan & Ors.**

**And**

**Laxmi Suiting Vs. State of Rajasthan & Ors.**

**And**

**Ramesh Vs. State of Rajasthan & Ors.**

**And**

**Multan Singh Vs. State of Rajasthan & Ors.**

**CORAM :** HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

**Present:**

<b>Applicant:</b>	Mr. Jaideep Singh, Ms. Nupur Bhati, Ms. Eysha Marysha and Mr. kartik Dabas, Advocates
<b>Respondents</b>	Mr. A.K. Prasad Ms. Diksha Gaera, and Mr. Shashank Saxena, Advocates for CGWA
<b>Respondent</b>	Mr. Shiv Mangal Sharma, AAG, Mr. Saurabh Rajpal, Ms. Sikha Sandhu, and Mr. Adhiraj Singh Rajawat, Advocates for State of Rajasthan and PCB
	Mr. Krishna Kumar Singh, and Ms. Suman, Advocates, with Shri H. Kharakwal Scientist of MoEF
<b>JPNT</b>	Mr. Raj Kumar, Advocate for CPCB
	Mr. Rishabh Sancheti, Ms. Padma Priya, Mr. Ivan, and Mr. Arpit Agrawal, Advocates.
<b>RIICO</b>	Mr. Keshav Pareek Advocate for Mr. Sanjeet Purohit, Advocate and Mr. Amitabh Joshi ,RIICO Officer Regional Manager
	Mr. Ajay Jain, Mr. Ajay Singh and Mr. Pranay Jain, Advocates

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<b>Item No. 09 to 14 November 16, 2018</b>	Earlier on 23 <sup>rd</sup> October, 2018, after considering all the earlier proceedings as well as the scientific material which was placed before us by CPCB and others and on failure on the part of MoEF as well as CPCB to prescribe PETP standards for Jodhpur region, we considered it

	<p><b>Item No. 09 to 14</b></p> <p><b>November 16, 2018</b></p>	<p>appropriate to constitute a special High Powered Committee for submitting a report to the Tribunal after proceeding on the directions given by it. The said Committee has submitted a detail report. Apart from examining the units, CETP etc., the Committee has made observations with regard to the deficiencies and the fact that the prescribed norms/parameters are not being followed. Therefore, the Committee has made recommendations for the purpose of making the operations of the units in accordance to the law as well as the prescribed standards.</p> <p>Therefore, after considering the gravity of the situation and the findings given by the Committee, we issue following directions:</p> <ol style="list-style-type: none"><li>1. That the two industries namely M/s Universal Dye Stuff and M/s Dauxil Product shall remain closed till they set up the primary effluent treatment plant/ and also comply with the other directions issued by CPCB.</li><li>2. All the Steel and Textiles Industries operating in RIICO industrial area as well as other areas shall operate upto 31<sup>st</sup> December, 2018 and in the meanwhile set up primary effluent treatment plant to meet with PETP standards as provided in Para 7.3 of the report. If the industry wishes to more time for setting up treatment plant and to take steps for making it operating/running condition, shall be liable to pay environmental compensation at the rate of Rs. 25,000/- per day but in no case a period exceeding 90 days.</li><li>3. Rajasthan State PCB, shall adopt the standards</li></ol>
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suggested by the Committee under para 7.3. The CETP being operated by Jodhpur Pradushan Nivaran Trust (JPNT) shall comply with the CETP outlet standards to meet with the surface water quality standards as the effluent is to be discharged into the river, as per the consent granted by RSPCB. We, however, direct that, CETP shall ensure that at least 75% of the treated effluent should be utilized by the member industries or alternatively, may be utilized for irrigation but with proper irrigation plan. In case of shutdown of CETP because of any reason, all the Members of industries will also shut down their operation till the CETP commence the functioning.

4. We impose a fine of Rs. 1 crore on RIICO and Rajasthan State PCB which is to be deposited with CPCB as environmental compensation for not paying due attention on up-keep of RIICO industrial area as well as failing to regulate industrial operation for not having proper treatment and spillages of effluents on the roads. We further direct RIICO and RSPCB to take action as indicated in para 7.5 of the report. Both the agencies namely Rajasthan State PCB and RIICO shall recover the environmental compensation from the water polluting industries generating effluents and discharging it into pipeline/drain.

5. The sewage treatment plants (three) shall comply with the standards notified by MoEF & CC and treated effluents shall be utilized for irrigation. Only the unutilized treated sewage may be disposed into

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the river subject to compliance with the standards.

6. As per the recommendation made by the High Powered Committee, we direct the Irrigation and Flood Control Department of State of Rajasthan to provide potable water to the Gram Panchayat and village ARABA by covering the facilities through appropriate water sources.

7. The Irrigation and Flood Control Department of State of Rajasthan shall also prepare a plan for releasing fresh water at the upper stretches of river Jojri through Kaylana lake or through lift canal of IGC for revival of the river so as to maintain its minimum e-flow. A proposal in this regard shall be submitted before this Tribunal within three months.

8. The execution of the directions shall be monitored under the Chairmanship of District Magistrate, Jodhpur with Regional Officer of Rajasthan State PCB as convener, on weekly basis.

9. We also direct the Secretary, Environment Department of the State to monitor the progress of action plan on monthly basis with Member Secretary, Rajasthan State PCB and the concerned Departments. He shall file a report to the Tribunal on bi-monthly basis. If considered necessary, the Tribunal shall send a Commissioner on surprise visit.

List this matter on 15<sup>th</sup> March, 2019.

Any of the industries who wishes to file any document, may do so in the meanwhile.

.....,JM  
(Raghuvendra S. Rathore)

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