



राजस्थान राज्य प्रदूषण नियन्त्रण मण्डल

4, संस्थानिक क्षेत्र, झालाना डूंगरी, जयपुर

फोन नं.: 5101871,5101872, ईपीबीएक्स: 5159600,5159699 फैक्स: 5159694-97

Registered A/D

No.: SCMG&DS/ (Marble-1)RPCB/

DATE:

M/s. Harsh Stones,

Plot No. 30, Ganesh Vihar, Laxminarayanpura,

Road No. 17, VKIA, Jaipur,

District: Jaipur (Raj.).

Sub: Directions for closure of the industry, under section 33 A of the Water (Prevention and Control of Pollution) Act, 1974 for your industry at Plot No. 30, Ganesh Vihar, Laxminarayanpura, Road No. 17, VKIA, Jaipur, District: Jaipur(Raj).

Ref: (i) Regional Office, Jaipur (N) letter dated 24/08/2018 for confirmation of Closure Directions.

(ii) Show Cause notice for intended directions issued by the State Board vide letter no. RPCB/ROJP(N)/Comp.- 37/267 dated 25/05/2018.

(iii) Inspection of the industry by the officials of the Board dated 25/01/2018.

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 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 25/26 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 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 or sewage or trade effluent or begin to make any new discharge of sewage or trade effluent.
5. And whereas, the State Board, in performance of its functions, has power to issue directions under section 33 A of the Water Act, in writing to any person, officer or any authority and such person, officer or authority is bound to comply with such directions.



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6. And whereas, non-compliance or contravention of the aforesaid provisions of the Water Act is punishable under the provisions of section 41, 43 and 44 of the Act, with imprisonment for a term which shall not be less than one year and six months and with fine.
7. And whereas, **M/s. Harsh Stones** (hereinafter referred to as the 'Industry') is engaged in Stone cutting and polishing activities **Plot No. 30, Ganesh Vihar, Laxminarayanpura, Road No. 17, VKIA, Jaipur, District: Jaipur(Raj)** and during its operations cause discharge of water pollutants.
8. And whereas, various complaints were received against the unit through Sampark Portal regarding pollution from establishment and operation of industries in non-confirming / residential areas(i.e. Badharna , Laxminaryanpura, Akera Doongar, Krishna Vihar etc.)
9. And whereas, the industry was inspected by the officials of the Board on **25/01/2018** and following observation were made:-
 - a. Unit was inspected and observed operating stone cutting unit in non-confirming / residential areas.
 - b. Unit was observed operating without providing adequate pollution control measures.
 - c. Unit was observed operating without obtaining prior Consent to Establish and Consent to Operate from the State Board.
 - d. Unit has not maintained and provided the record for disposal of slurry generated during the process.
 - e. Unit has not submitted evidence regarding safe disposal of slurry.
10. And whereas, a show cause notice for intended direction of closure was issued by the Board vide letter no. **RPCB/ROJP(N)/Comp-37/267** dated **25/05/2018** for the reasons mentioned therein the notice and, the industry has failed to submit any reply to the show cause notice dated **25/05/2018** to the State Board, so far.
11. And whereas, National Green Tribunal (NGT) delivered a decision on May 08, 2013 in the application no. 37 of 2012; **Wassan Singh V/s. State of Punjab** – regarding , and it was enjoined upon all the industrial operations and process to close down their production activity which are operating without proper consent of the State Board. State Pollution Control Board has also been directed to seal such defaulter units.
12. And whereas, the industry is at present operating without valid consent to operate as required under the provisions of the Water Act, 1974. And whereas, thus it is clearly evident that industry has failed to comply with the provisions of the Water Act, 1974.
13. And whereas, above stated violations of the provisions of the Water Act, 1974 have been viewed seriously by the State Board.
14. And whereas, the State Board in order to prevent and control of Air pollution being caused by the industry, is competent to issue any direction under section 33 A of the



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Water Act, 1974 in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.

Therefore, in order to prevent and control pollution being caused by the industry, to stop non-compliance of the provisions of the Water Act and in the interest of prevention of perpetual offence being committed by the industry, the Board in exercise of the powers conferred upon it under section 33 A of the Water Act, issues following directions:-

- a) You are directed to close down your industrial plant forthwith.
- b) District Collector, Jaipur to ensure closure of the industry.
- c) Executive Engineer, JVVNL, Jaipur shall disconnect the electricity supply to the industry.
- d) Executive Engineer, PHED, Jaipur shall disconnect the water supply to the industry.
- e) Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Jaipur (N) is directed to seal the Diesel Generator Sets, if any and report that the direction as above have been complied.

Please note that the non-compliance of the above directions is punishable under section 41 of the Water Act 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.

This bears the approval of competent authority.

Yours sincerely,

- sd -
(K.C.A. Arun Prasad)
Member Secretary

No.: SCMG&DS/ (Marble-1)RPCB/ 1003

DATE: 2/1/19

Copy to following for information & necessary action:-

1. The District Collector, Jaipur.
2. Executive Engineer, Jaipur Vidhyut Vitaran Nigam Limited, Jaipur, for immediate compliance of the direction.
3. Executive Engineer, PHED, Jaipur shall disconnect the water supply to the industry.
4. Regional Officer, Rajasthan State Pollution Control Board, Jaipur (N) for immediate compliance of the direction.
5. ✓ Master file.

lp
Member Secretary