

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 1020/2019

(With report dated 21.01.2021)

News item Published in "Hindustan Times" Authored by Rakesh Goswami
Titled
Sambhar's ecology among worst: Report

Date of hearing: 18.03.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

ORDER

1. The issue for consideration is the remedial action to deal with the deterioration of ecology at and around Sambhar Lake in District Jaipur, Rajasthan. The deterioration is manifested by incident of death of 18000 migratory birds, as reported in newspapers on 20.11.2019. The newspapers report mentioned that the incident was result of violation of environmental norms in maintaining the eco-system of the wetland in question. The wetland is of international importance.

2. The matter was considered on 17.03.2020 in light of report dated 13.03.2020 filed by the State Wetland Authority, proposing remedial steps. The Tribunal observed:

*“5. We find that even though the problem surfaced five months ago, there is any hardly any tangible action so far. During interaction, it was submitted that **demarcation of the area into Core Zone and Buffer Zone is necessary**. If it is so, there is no reason why it has not been done in the last five months. At least a tentative and interim delineation could have been done. **It is also stated that some steps have been taken for removing encroachments and the remaining encroachments will be removed within next three months. This may require tangible***

monitoring and fixing of accountability with the seriousness required to deal with the situation. No effective action has been taken against the industrial pollution in spite of sufficient authority being available under the Statutes, including the Air (Prevention and Control of Pollution) Act, 1981, the Water (Prevention and Control of Pollution) Act, 1974 and the Environment Protection Act, 1986. We are informed that there are 500 illegal bore-wells out of which only 137 have been closed. We do not see any reason why all the illegal bore-wells have not been closed. We are further informed that sewage is also being discharged into the water bodies by the Local Bodies. This being a criminal offence has to be stopped forthwith and emergent measures be taken to prevent any discharge of sewage into the water body. For the illegal discharge of sewage and industrial pollution, prosecution must be initiated and compensation recovered on ‘Polluter Pays’ principle. This is the responsibility of the State PCB. Report of effective action taken in this regard be placed on record before the next date failing which coercive measures may have to be taken against the officer bearers of the State PCB. The State PCB must ensure that local bodies stop discharge of sewage. Action may also be taken for disposal of sludge and Sodium Sulphate waste. The sealing of the illegal bore-wells be ensured by the Collectors of the concerned areas viz. Nagaur, Jaipur and Ajmer.

6. A comprehensive Environment Management Plan may be prepared for preventing and remedying the damage to the environment. The concerned industries may be advised to adopt cleaner production approaches and encourage minimizing waste and waste exchange efforts. The Secretary, Environment, Rajasthan may oversee and coordinate action with all the concerned authorities at least once in a week.

7. Let a further action taken report be filed jointly by the Rajasthan State PCB, Collector, Jaipur, State Wetland Authority and the National Wetland Authority before the next date by email at judicial-ngt@gov.in. The nodal agency for coordination and compliance will be the State Wetland Authority.”

3. The matter was last considered on 27.08.2020 in the light of the further report of the State Wetland Authority dated 23.06.2020 about the steps taken in the matter. The Tribunal further directed further action in the light of the observations in the said order. The relevant extract from the order are as follows:-

“1&2..xxx.....xxx.....xxx

3. Accordingly, further report has been filed by the State Wetland Authority on 23.06.2020. The steps claim to have been taken are mentioned as follows:

“

1. Preparation of a Comprehensive Environment Management Plan: A draft of Comprehensive Environment Management Plan for Sambhar Lake has been prepared by the Environment Department. The draft is required to be approved by the State Wetland Authority. **Due to COVID Emergency, meeting of the Wetland Authority could not be held which will be held shortly and the Plan will be submitted thereafter.**

2. Delineation of Core and Buffer Area or Sambhar Lake Wetland Area: The issue of delineation of core and buffer area has been included in the Comprehensive Management Plan and **compliance will be submitted along with the Management Plan.**

3. Collection of Water Samples:

Rajasthan State Pollution Control Board will collect the water samples from the Lake bed area pre and post monsoon every year. 13 Sampling location have been identified in the lake and surrounding area by RSPCB. Samples for the pre monsoon season have been collected already and sent for analysis.

4. Disposal of Sodium sulphate waste /sludge generated from Salt Refining Units:

The areas of Sludge and Sodium sulphate waste disposal in the Lake area generated from Salt Refining Units have been identified. **These refining units have been directed and cautioned not to dispose waste in the lake bed area by the District Collector's. A landfill site will be identified shortly by the Revenue Department for this purpose near the lake area.**

Sewage Disposal: SDM, Sambhar Lake has informed that no sewage disposal is being done in the lake area in Panchayat Samiti Sambhar in village Kajipura, Narangpura, 'Tyod and Village Panchayat Bardoti, Korsina and Habaspura of Panchayat Samiti Dudu. Executive Engineer, Nagar Palika, Sambhar Lake has informed that waste disposal is being done in land which is far from the Sambhar Lake Area. RSPCB has written to Executive Engineer, Nagar Palika, Sambhar Lake

As informed by LSG Department, **Sewage Treatment Plan for the area is under process.** Sambhar lake Municipality has already been declared ODF (Open Defecation Free) under Swachh Bharat Mission (Urban). All household & Community/ Public Toilets (CT/PT) in Sambhar Lake has connected with twin pits and

septic tanks; For treatment of faecal sludge of twin pit/septic tank of all toilets, a **Common FSTP (20 KLD capacity) for Sambhar Lake and Phulera FSTP is under trial run and to be handed over by RUIDP to ULB.** Faecal sludge from pits and Septic tanks is being collected by sewer suction machine and disposed at FSTP for the treatment. Therefore, after running of FSTP sewage water is not being discharged in Sambhar Lake from Municipal Area (likely date of running of FSTP within one month).

5. Removal of Encroachment:

District Nagour: District Collector, Nagour has informed that during 2019-20, Encroachment in 29.44 Ha land was removed along with removal of 137 illegal bore wells and 10 Submersible Pumps. From 01.04.2020, till date 254 illegal bore wells have been removed along with 27 Submersible Pumps. **The work of removal of encroachment is being carried out continuously and action under Rajasthan Land Revenue Act, 1956 is being taken up. Action against encroachment in 14 Ha land is under legal process and will be removed within 10 days. (Report at Annexure 1)**

Jaipur District: District Collector, Jaipur has informed that there are no mining activities in the Phulera tehsil of Jaipur District. As per the report, there are no encroachments in Jaipur District. It has been informed that JVVNL has not issued any new electrical connection in the Lake area and at present there are no Illegal bore wells in the area. (Report at Annexure 2)”

4. From the above, it is clear that the problem of management of waste and sewage, removal of encroachment and disposal of Sodium sulphate waste/sludge generated from Salt Refining Units still remain to be fully tackled.

5. Since Sambhar Lake is said to be a Ramsar site of international significance, and remedial action taken is not adequate even after sufficiently long time, we direct the Chief Secretary, Rajasthan to monitor further remedial steps in the matter, at least once every month and furnish a report of such monitoring to this Tribunal before the next date of hearing by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.”

4. Accordingly further report has been filed by the Government of Rajasthan on 21.01.2021 giving the status of progress as follows:-

“1. Preparation of a Comprehensive Environment Management Plan: A Comprehensive Environment Management Plan for Sambhar Lake has been prepared by the Environment Department. The plan has been approved by the Standing Committee for Management of

Sambhar Lake constituted under Chairmanship of the Chief Secretary, Rajasthan during meeting held on 06.08.2020 and State Wetland Authority in its meeting dated 15.09.2020. A copy is given at Annex.1

2. Delineation of Core and Buffer Area or Sambhar Lake Wetland Area: A digital revenue map is being prepared by the Environment Department in consultation with Sambhar Salts Limited and Land Settlement Department with help of Satellite imagaries. Delineation of Core and Buffer area would be done and a detailed map would be submitted with details of Core & Buffer areas on map.

3. Collection of Water Samples: Rajasthan State Pollution Control Board has collected the water samples from the Lake bed area pre and post monsoon this year. 13 Sampling location a have been identified in the lake and surrounding area by RSPCB. Samples for the pre and post monsoon season have been collected.

4. Disposal of Sodium sulphate waste /sludge generated from Salt Refining Units: The areas of Sludge and Sodium sulphate waste disposal in the Lake area generated from Salt Refining Units have been identified. These refining units have been directed and cautioned not to dispose waste in the lake bed area by the District Collector's. A landfill site will be identified shortly by the Revenue Department for this purpose near the lake area.

Sewage Disposal: SDM, Sambhar Lake has informed that no sewage disposal is being done in the lake area in Panchayat Samiti Sambhar in village Kajipura, Korsina and Habaspura Engineer, Nagar Palika, Sambhar Lake has informed that waste disposal is being done inland which is far from the Sambahr Lake Area. RSPCB has written to Executive Engineer, Nagar Palika, Sambhar Lake As informed by LSG Department, Sewage Treatment Plan for the area is under process. Sambhar lake Municipality has already been declared ODF (Open Defecation Free) under Swachh Bharat Mission (Urban). All household & Community/ Public Toilets (CT/PT) in Sambhar Lake has connected with twin pits and septic tanks; For treatment of fecal sludge of twin pit/septic tank of all toilets, a Common FSTP (20 KLD capacity) for Sambhar Lake and Phulera FSTP is under trial run and to be handed over by RUIDP to ULB. Fecal sludge from pits and Septic tanks is being collected by sewer suction machine and disposed at FSTP for the treatment. Therefore, after running of FSTP sewage water is not being discharged in Sambhar Lake from Municipal Area.

5. Removal of Encroachment: Narangpura, Tyod and Village Panchayat Bardoti, of Panchayat Samiti Dudu. Executive District Collector Nagaur regularly removing encroachments in the Sambhar lake area. There are no encroachments at present in Jaipur and Ajmer Districts.”

5. In view of above, further remedial action may be taken in the matter. The plan approved by the Standing Committee for Management

of Sambhar Lake, constituted under Chairmanship of the Chief Secretary, Rajasthan during meeting held on 06.08.2020 and State Wetland Authority in its meeting dated 15.09.2020, be sent to the National Wetland Authority for approval, in view of the fact that the lake in question is a Ramsar site of National significance. The National Wetland Authority may finalize the matter within one month from the date of receipt of the plan. Based on decision of the National Wetland Authority, the State Authorities may take further action. However, planned activities may be continued, pending and subject to approval of the National Wetland Authority.

The application is disposed of.

A copy of this order be forwarded to the National Wetland Authority, State Wetland Authority, Chief Secretary, Rajasthan and Rajasthan State PCB by e-mail for compliance.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

March 18, 2021
Original Application No. 1020/2019
A