

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 329 OF 2015
(M.A. NO. 283 OF 2018)

And

Original Application No. 521 of 2015

And

Original Application No.448 (T_{HC})/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_{HC})/2013

And

Original Application No. 20(T_{HC})/2015

And

Original Application No.446 (T_{HC})/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:

Applicant /Appellant

Mr. Jaideep Singh, Adv., Dr. Nupur Bhati and
Ms. Vaidruti Mishra, Adv.

State of Rajasthan & PCB

Mr. Shiv Mangal Sharma, AAG, Mr. Saurabh
Rajpal, Mr. Adhiraj Singh and Ms. Shikha
Snadhu, Adv.

CPCB

Mr. Rajkumar, Adv & Ms Preeti, L.A.

JPNT

Mr. Rishabh Sancheti, Ms. Padma Priya, and
Mr. Ivan, Adv.

MoEF

Mr. Krishna Kumar Singh, Adv.

CGWA

Mr. A.K. Prasad and Mr. Shashank Saxena,
Adv.

RIICO

Mr. Keshav Pareek (for Mr. Sanjeet Purohit)
and Mr. Praveen Choudhary, LO

| Date and Remarks | Orders of the Tribunal |
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| Item No. 11-16 March 16, 2018 | Heard the Learned Counsels for the parties. Much submissions have been made by the Learned Counsel for the Applicant, Mr. Ravi Bhandari, the Amicus Curiae (who was appointed by the Hon'ble High Court of Rajasthan) as well as Learned AAG, Government of Rajasthan. The Learned AAG has, in brief, informed us |

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regarding the steps taken by the State Govt. since the last date of hearing. However before proceeding further, in the facts and circumstances of the case, we deem it just and proper to have the latest Report in respect of the status of the site in question. Needless to say, that this matter includes a large area starting from District Jodhpur and upto District Barmer. The Applicant before us has raised serious grievances regarding the Municipal Solid Waste as well as industrial effluents generated in City/ District Jodhpur which admittedly is not being fully treated because of less number of STPs and ETPs. Consequently, the waste/sludge is allowed to flow towards Balotra, District Barmer through river Jojari.

Therefore, we are of the opinion that status report be called for through Commissioner of the Tribunal. For that purpose, we would request Dr. Ajit Pratap Singh, Professor and Former Dean, Birla Institute of Technology and Science, Pilani, Rajasthan to visit and inspect the sites in City/ District Jodhpur where the municipal solid waste as well as the industrial effluent is being generated and discharged in river Jojari upto Balotara District Barmer. He may also have photography done for that purpose.

Apart from recording the observations of the sites, we suggest *interalia* that the Commissioner may check the total number of STPs/CETPs working or being established; whether they are upto the standards, are being equipped with latest technology etc. The discharge of the Municipal Solid Waste as well as industrial effluent which is allowed to flow in river Jojari upto Balotara in District Barmer be also inspected by the Commissioner.

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We would request the Commissioner to give his recommendations in the matter.

Mr. Ravi Bhandari, the Amicus Curiae as well as the Member Secretary of the Rajasthan State Pollution Control Board may also accompany the Commissioner who will be informed by PCB, after the date of visit is fixed by the Commissioner. The State Government shall make all arrangements regarding conveyance, photography, boarding, lodging, secretarial staff, etc. of the Commissioner who shall intimate the date of his visit, in accordance to his convenience to the Member Secretary of Pollution Control Board. The State Government shall pay remuneration of Rs. 1 lakh to the Commissioner and the bills submitted by him of any expenditure incurred for the purpose of inspection.

It is made clear that all the payments to the Commissioner shall be made by the State Government, before submission of the status report.

We would request the Commissioner to submit his report within a period of one month. However, in case, the Learned Commissioner considers it necessary for extension of time, he may send a communication to the Registrar of the Tribunal.

List these matters on 23rd April, 2018.

The copy of this Order be sent to Dr. Ajit Pratap Singh, BITS, Pilani, Campus, Vidya Vihar, Pilani, Rajasthan, forthwith.

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

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| | Item No. 11-16 March 16, 2018 |,EM (Dr. Satyawan Singh Garbyal) |
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