



**RAJASTHAN STATE POLLUTION CONTROL BOARD**  
**4, Jhalana institutional Area, Jaipur-302004**

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**Registered**

No.F12 (UDPR-146)/RPCB/Gr.Mines/ 67  
M/s Vineet Udyog Pvt. Ltd.,  
N/v Dhelana, Tehsil Kherwara,  
District Udaipur.

Date: 9/4/19

Sub:- Directions under the provisions of Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 and section 33A of the Water (Prevention and Control of Pollution) Act, 1974 in respect of mine ML No. 226/91 near Village-Dhelana, Tehsil Kherwara, District Udaipur.  
Ref: Board's letters no. RPCB/ROU udr/753 dated 07/02/2019.

Sir,

This is without prejudice to the right of the Rajasthan State Pollution Control Board (hereinafter called as 'the Board') to initiate proceeding under the provisions of the Air (Prevention & Control of Pollution) Act, 1981 (hereinafter called as 'the Air Act') section 33A of the Water (Prevention and Control of Pollution) Act, 1974 for violation of various provisions of the Act here-in-after shown:-

1. Whereas the Air Act came into force in the whole of the State of Rajasthan with effect from 16.05.1981.
2. Whereas the Water Act came into force in the whole of the State of Rajasthan with effect from 23.03.1974.
3. And whereas the Air Act has been enacted to provide for the prevention, control and abatement of air pollution.
4. And whereas the Water Act has been enacted to provide for the prevention and control of water pollution and for maintaining and restoring the wholesomeness of water.
5. And whereas keeping this in view the Board has been conferred power to take such steps as are deemed necessary for the prevention, control and abatement of air & Water pollution.
6. And whereas section 21 of the Air Act and section 25/26 of the Water Act prohibits establishing or operating an industrial plant and discharge of pollutants without obtaining previous consent of the State Board.
7. And whereas M/s Vineet Udyog Pvt. Ltd. (herein after referred to as "the Mine") is engaged in mining of marble at mine (M.L. No. 226/91) at near Village-Dhelana, Tehsil Kherwara, District Udaipur. During process the mine discharges air and water pollutants.
8. And whereas consent to operate was granted vide Board's letter dated 06/10/2015 which was valid upto 30/09/2018.
9. **And whereas the mine has not applied for renewal of consent to operate and has been operating without valid consent to operate.**
10. And whereas the mine was inspected on 05/02/2019 by the officials of Board. During inspection it was observed that mining waste was dumping haphazard manner near the bank of the Som River by your mine.
11. And whereas dumping of mine waste in a haphazard manner on bank of a river results in siltation of river bed, adversely affects flow of water in the river and causes pollution of river.
12. And whereas show cause notice for intended directions under section 31A of the Air Act & section 33A of the Water Act has been issued vide letter under reference for the reasons mentioned therein.
13. And whereas the mine has failed to submit any reply within stipulated time.
14. And whereas the above observations show that the mine has failed to provide adequate air and water pollution control measures in spite of repeated directions of the Board..

15. And whereas above stated violations of the provisions of the Air Act & the Water Act have been viewed seriously by the Board.

And whereas the Board in order to prevent and control air pollution being caused by an industry, operation or process is competent to issue any direction under section 31 (A) of the Air Act and section 33A of the Water Act 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 air and water pollution being caused by your mining activity and for the purpose of prevention of perpetual offence being committed by you, the Board, in exercise of the powers conferred upon it under section 31 (A) of the Air Act and 33A of Water Act issues following directions :-

- a. The occupier shall close down the mining activities forthwith and not re-commission the mine till Consent to operate is obtained from the Board.
- b. The Director, Department of Mines & Geology, Government of Rajasthan, Udaipur shall ensure closure of the mining operations of the said unit & forfeit all the Ravanna issued to the lessee.
- c. Superintending Mining Engineer, Department of Mines & Geology, Government of Rajasthan, Udaipur shall ensure closure of the mine, forfeit all the Ravannas issued to the lessee and not issue any Ravanna till consent to operate is granted under the Air Act and Water Act.
- d. Mining Engineer, Department of Mines & Geology, Government of Rajasthan, Udaipur shall ensure closure of the mine, forfeit all the Ravannas issued to the lessee and not issue any Ravanna till consent to operate is granted under the Air Act and Water Act.

It may be noted that the section 37 (1) of the Air Act and section 41 (2) of the Water Act provide that whoever fails to comply with the directions issued under section 31A/33A of the Air/Water Act, shall, in respect of each such failure, be punishable 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, and in case the failure continues, with an additional fine which may extend to five thousand rupees for every day during which such failure continues after the conviction for the first such failure.

Yours sincerely,

  
(Shailaja Deval)  
Member Secretary

Copy to following for information and necessary action:

1. Director, Department of Mines & Geology, Government of Rajasthan, Shastri Circle, Udaipur.
2. Regional Officer, Regional Office, RSPCB, Udaipur.
3. Supd. Mining Engineer, Department of Mines & Geology, Government of Rajasthan, Udaipur
4. Mining Engineer, Department of Mines & Geology, Government of Rajasthan, Udaipur.
5. Master file.

  
Member Secretary