



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004

Phone : 0141-5159699, 5159600 e-mail : member-secretary@rpcb.nic.in

Registered Post

No. F16 (CM-537)/RPCB/HAZ/Jaipur/ 1083

Date: 05/11/2019

M/s R.K. Enterprises,
Plot No. H-220 (A), Sarna Doongar,
RIICO Industrial Area, Jhotwara (Ext.)
Jaipur
Email: anilyadav4236@gmail.com

Sub: Directions of closure under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and 31A of the Air (Prevention and Control of Pollution) Act, 1981.

1. Whereas the Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as the "Acts") have come into force in whole of the country, with effect from 23.03.1974 & 16.05.1981, respectively.
2. And whereas the Acts have been enacted to provide for the prevention, control and abatement of water & air pollution and for maintaining and restoring the wholesomeness of water & air.
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 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 under the provisions of section 21 of the Air Act, no person shall without previous consent of the State Board, establish or operate any industrial plant in an air pollution control area, which is likely to cause air pollution in environment.
6. And whereas under the provisions of section 22 of the Air Act, no person discharge or cause or permit to be discharged the emission of any air pollutant in excess to the standards laid down by the State Board.
7. And whereas the industry is being operated in the name and style of M/s R.K. Enterprises, Plot No. H-220 (A), Sarna Doongar, RIICO Industrial Area, Jhotwara (Ext.) Jaipur and engaged in processing of secondary lead Battery recycling.
8. And whereas various complaints have been received against your industry through Sampark Portal.
9. And whereas, in reference to the said complaints, inspection of the unit was carried out by the officials of Regional Office, Jaipur (North) on 18/04/2018.
10. And whereas, during inspection, industry was found operative and slag generated during the process was not stored as per Rules, 2016 and thrown outside the unit premises in haphazard and unscientific manner.
11. And whereas, on basis of observation during inspection show cause notice for intended revocation of consent to operate and intended closure direction under Water Act, 1974 and Air Act, 1981 was issued on 31/05/2018 by Regional Office, Jaipur (North).
12. And whereas, you have not submitted reply of show cause notice dated 31/05/2018.
13. And whereas, opportunity of being heard was given you on 23/09/2019 vide letter dated 09/09/2019 for the consequence of proposed action against the unit but you have fail to avail OBH.
14. And whereas you have not submitted point wise evidence based compliance report of consent to operate under Water Act, 1974 and Air Act, 1981 granted on 25/01/2018.
15. And whereas, you have not submitted point wise evidence based compliance report of authorisation under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 granted on 25/01/2018.

16. And whereas the consent to operate granted to your industry was revoked under the Air (Prevention and Control of Pollution) Act-1981 and under the Water (Prevention and Control of Pollution) Act-1974 vide letter no. F16 (CM-537)/RPCB/Haz/Jaipur/1925/1977 Dated 5/11/19

17. And whereas, you are operating the industrial plant without obtaining prior consent to establish & operate under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

18. And whereas, show cause notice for intended directions under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and 31A of the Air (Prevention and Control of Pollution) Act, 1981 was issued vide office letter dated 16/6/2017 for the reason mentioned therein and also you have failed to reply.

19. And whereas the State Board may, in exercise of the powers conferred upon it under the provisions of section 33A of the Water (Prevention and Control of Pollution) Act, 1974 & 31A of the Air (Prevention and Control of Pollution) Act, 1981 and in performance of its functions under the Acts, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions which includes the power to direct:-

a) The closure, prohibition or regulation of any industry, operation or process.

b) Stoppage or regulation of the supply of electricity or water or any other service.

The State Board further in exercise of the powers conferred upon it under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 & 31A of the Air (Prevention and Control of Pollution) Act, 1981 and in performance of functions under the Acts and to prevent pollution, hereby directs you to, forthwith, close down your industry M/s R.K. Enterprises, Plot No. H-220 (A), Sarna Doongar, RIICO Industrial Area, Jhotwara (Ext.) Jaipur. It may be noted that failure of compliance of these directions, is a criminal offence, punishable with imprisonment for a term which shall not be less than one year and six month but which may extend to six years and with fine under section 41(2) of the Water Act & 39 of the Air Act.

This bears the approval of the competent authority.

Yours sincerely

sd

(Shailja Daval)
Member Secretary

Copy to following for information and/or necessary action:-

1. P.S. to Chairperson, RSPCB, Jaipur for information.
2. The Collector, Jaipur to, forthwith, secure closure of industrial plant of M/s R.K. Enterprises, Plot No. H-220 (A), Sarna Doongar, RIICO Industrial Area, Jhotwara (Ext.) Jaipur and submit report of compliance to the State Board by 20.11.2019.
3. Executive Engineer, Vidhyut Vitaran Nigam Limited, Vishwakarma Industrial Area, Sikar Road, Jaipur to forthwith, disconnect the supply of electricity to M/s R.K. Enterprises, Plot No. H-220 (A), Sarna Doongar, RIICO Industrial Area, Jhotwara (Ext.) Jaipur and submit report of compliance to the State Board by 20.11.2019.
4. Senior Manager, RIICO Ltd., Road No. 5, Vishwakarma Industrial Area, Jaipur - 302013 to forthwith, disconnect the supply of water to M/s R.K. Enterprises, Plot No. H-220 (A), Sarna Doongar, RIICO Industrial Area, Jhotwara (Ext.) Jaipur and submit report of compliance to the State Board by 20.11.2019.
5. Regional Officer, Rajasthan State Pollution Control Board, Jaipur (North) to seal the D.G. set and other plant & machinery of secondary lead Battery recycling/ processing unit and to ensure compliance of the directions passed by the State Board and submit compliance report on or before 20.11.2019.
6. Group In-charge (IT), with request to display on website.
7. Master file, HSW cell, RSPCB, Jaipur.


Member Secretary