

# Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, JhalanaDoongri, Jaipur-302004

Phone :0141-27168049,2716800 e-mail : member secretary@rspcb.raj.ernet.in

HelplineNo. : 0141-2716877

F.14.(5) Admn/RSPCB/ Project 2202-2210

Date: 25/2/25

## Order

The State Board issued an Order on dated 02.01.2024 to streamline the procedure of charging Back Period Fee and also to clarify the Back Period mentioned in Board's order dated 12.01.2017 which was earlier not been clearly defined.

The Order was challenged before Hon'ble National Green Tribunal, Central Zone Bench, Bhopal in Appeal No. 02/2024 (I.A. No.13/2024), Tahir Hussain v/s State of Rajasthan & Ors. The Hon'ble NGT passed an Order dated 15.01.2025 and directed inter alia as:

*"26. In view of the above discussion, we are of the view that the order passed by the State Pollution Control Board under challenge is beyond the jurisdiction of the State PCB and against the provision of law and settled principle laid down by Hon'ble Supreme Court with regard to principle of polluters to pay and public trust doctrine. The order passed by the State Pollution Control Board, Rajasthan, dated 02.01.2024 is not in consonance with the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 and in contravention of the order of Hon'ble Supreme Court of India in Vellore Citizen Welfare Forum case and against the CPCB guidelines. Accordingly, appeal deserves to be allowed, and accordingly allowed and the order dated 02.01.2024 passed by the Respondent No. 3, deserves to be modified and corrected according to the settled provisions of law and guidelines issued by the CPCB.*

*27. Accordingly, the expert reports submitted by the CPCB be forwarded to the State PCB, Rajasthan, with the direction to modify and correct and amend the notification according to the guidelines quoted above. The same may be done as early as possible within a period of 60 days and compliance reports be submitted to the Registrar, National Green Tribunal Central Zone Bench, Bhopal. We further direct that the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974, in light of the CPCB guidelines and the pronouncement of the Hon'ble Supreme Court quoted above must be strictly complied by the State Authorities and State Pollution Control Board. The Appeal No. 02/2024 along with I.A. No. 13/2024 stand disposed of accordingly.*

In compliance of the Hon'ble NGT Order dated 15.01.2025, the State Board withdraws its Order dated 02.01.2024 with immediate effect.

(Sharda Pratap Singh)

Member Secretary

Signature valid

F.14.(5)Admn/RSPCB/ Project

Copy to following for information and necessary action please  
1. P.S. to Chairperson, RSPCB, Jaipur.

Digitally signed by Sharda Pratap Singh

Designation : Member Secretary

Date: 2025.02.24 23:44:34 IST

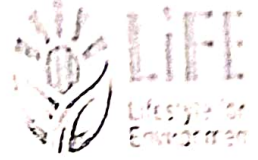
Reason: Approved

# Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, JhalanaDoongri, Jaipur-302004

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- PS to Member Secretary, RSPCB, Jaipur.
- The CEE/CSO/FA/HOO, RSPCB, Jaipur.
- All Group In-charges, RSPCB, Jaipur.
- All Regional Officers, Regional Offices, RSPCB.

Member Secretary

Signature valid

Digitally signed by Sharda Pratap Singh

Designation : Member Secretary

Date: 2025.02.24 13:44:34 IST

Reason: Approved



# Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, JhalanaDoongri, Jaipur-302004  
Phone :0141-27168049,2716800 e-mail : [member-secretary@rpcb.nic.in](mailto:member-secretary@rpcb.nic.in)  
HelpLineNo. : 0141-2716877



F.14.(5) Admn/RSPCB/ Project 2227-2234

Date: 27/2/25

## Corrigendum

In the office order No. F.14.(5) Admn/RSPCB/Project/2202-2210 dated 25.02.2025. in the first line the date of issuance of earlier issued order shall be read as 02.01.2024 instead of 02.02.2024.

Rest of the contents of the order dated 25.02.2025 remain unchanged.

(Sharda Pratap Singh)  
Member Secretary

F.14.(5)Admn/RSPCB/ Project 2227-2234

Date: 27/2/25

Copy to following for information and necessary action please:

1. P.S. to Chairperson, RSPCB, Jaipur.
2. PS to Member Secretary, RSPCB, Jaipur.
3. The CEE/CSO/FA/HOO, RSPCB, Jaipur.
4. All Group In-charges, RSPCB, Jaipur.
5. All Regional Officers, Regional Offices, RSPCB.

Member Secretary

## Signature valid



Digitally signed by Sharda Pratap Singh  
Designation : Member Secretary  
Date: 2025.02.25 20:08:39 IST  
Reason: Approved