



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

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Registered

No.F12 (BHIL-157)/RPCB/Gr.Mines/ 6047
M/s Bhanwar Kanwar W/o Shri Man Singh,
E-320, Shekhat Marg, Ram Nagar Extension,
Sodala, Tehsil & District Jaipur.

Date: 18/11/15

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 Granite mine ML No. 260/06 near Village-Jhalara, Tehsil Asind, District Bhilwara.

Ref: Board's letters no. RPCB/RO-BHL/BMO-2362/016 dated 24/09/2018.

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') and 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 plant operation or process and discharge of pollutants without obtaining previous consent of the State Board.
7. And whereas M/s Bhanwar Kanwar (herein after referred to as "the Mine") is engaged in mining of granite at mine ML No. 260/06 near Village-Jhalara, Tehsil Asind, District Bhilwara. During process the mine discharges air and water pollutants.
8. And whereas consent to operate under Air Act and Water Act valid upto 30/06/2021, was issued vide Board's letter dated 02/08/2016, which has been revoked vide Board's letter dated 24/09/2018 for the reasons mentioned therein.
9. And whereas the mine was inspected on 17/09/2018 by the officials of Board. During inspection, it was observed that :
 - a. Retaining wall around overburden dump has not been provided.
 - b. Siltation pond and garland drains around the mining pit and overburden dump have not been provided.
 - c. Adequate plantation in mining lease area has not been developed.
 - d. Height of stack attached to DG set is not as per prescribed norms.
 - e. Specific condition no. 16 (regarding garland drains & siltation pond), 18 (regarding plantation), 33 (regarding storage of top-soil) & 43 (regarding retaining wall around overburden dump) of Environmental Clearance letter dated 31/05/2016 have not been complied with.
10. And whereas show cause notice for intended directions under section 31A of the Air Act & section 33A of the Water Act was issued vide letters under reference for the reasons mentioned therein.
11. And whereas the mine has failed to reply within stipulated time.

12. And whereas the above observations show that the mine has failed to provide adequate air pollution control measures and water pollution control measures in spite of repeated directions of the Board.
13. And whereas it is, thus substantially evident that the mine has failed to comply conditions of consent and environmental clearance letters and thus violating various provisions of the Air Act and the Water Act.
14. 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 and water 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 recommission the mine till Consent to operate is obtained from the Board.
- b. The Director, Department of Mines & Geology, Government of Rajasthan shall ensure closure of the mining operations of the said unit & forfeit all the Ravanna issued to the lessee.
- c. Mining Engineer, Department of Mines & Geology, Government of Rajasthan, Bhilwara 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. Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Bhilwara is directed to seal the Diesel Generator Sets, if any and report that the direction as above have been complied.

It may be noted that the section 37 (1) of the Air Act and 41 (2) of the Water Act provide that whoever fails to comply with the directions issued under section 31A, 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,

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(K.C.A. Arun Prasad)
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, Bhilwara.
3. Mining Engineer, Department of Mines & Geology, Government of Rajasthan, Bhilwara.
4. Master file.

lp
Member Secretary