

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 584/2019

(With Report dated 06.11.2019)

Rahul Goyal

Applicant(s)

Versus

State of Rajasthan

Respondent(s)

Date of hearing: 04.12.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Respondent(s): Mr. Adhiraj Singh, Advocate for Rajasthan State
PCB

ORDER

1. A report was sought from the Rajasthan State PCB with reference to the allegation that New Derivative Chemicals Pvt. Ltd., Alwar, Rajasthan running cement tiles factory causing air pollution and extraction of underground water.
2. Accordingly a report has been filed on 06.11.2019 *inter-alia* stating :-

"1. The unit was found operative without obtaining prior Consent to Establish 85 Consent to Operate from the State Board.

2. The land on which unit is established has not been converted for industrial purpose.

3. There is one bore well in the unit. No water meter has been provided on it. The unit has also not obtained permission from CGWA for abstraction of ground water.

4. During inspection Noise Monitoring was also conducted in two conditions near the boundary of the unit.

(a) When unit was operational &

(b) When unit was non-operational. As per the noise monitoring report there was increase

of 7.4 db in noise level due to operation of the unit.”

3. It is further stated that the closure order has been issued. Learned counsel for the State PCB states that the unit has been closed.
4. There is nothing to show that environmental compensation has been recovered on the ‘Polluter Pays’ principle for illegal operation of the unit.
5. Let requisite steps in this regard be taken and further compliance report be filed within one month by e-mail at judicial-ngt@gov.in.

List again on 28.02.2020.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

Dr. Nagin Nanda, EM

December 04, 2019
Original Application No. 584/2019
A