

**IN THE SUPREME COURT OF INDIA
INHERENT/CIVIL APPELLATE JURISDICTION**

SUO MOTO WRIT PETITION (CIVIL) NO(S). 8 OF 2025

**IN RE: 2 MILLION LIVES AT RISK,
CONTAMINATION IN JOJARI RIVER,
RAJASTHAN**

WITH

CIVIL APPEAL NO(S). 5517-5519 OF 2022

CIVIL APPEAL NO(S). 8748 OF 2022

CIVIL APPEAL NO(S). 9057-9058 OF 2022

CIVIL APPEAL NO(S). 9010-9011 OF 2022

O R D E R

1. Pursuant to the orders of this Court dated 18th March, 2026 and 29th May, 2026, the High-Level Ecosystem Oversight Committee¹ has placed before this Court its Second Status Report. The Committee has also submitted its Comments on the First Status Report filed by the Special Investigation Team (SIT) constituted pursuant to the directions issued by this

¹ Hereinafter, being referred to as “Committee”.

Court *vide* order dated 29th May, 2026. The aforesaid reports have been taken on record.

2. During the course of the hearing, this Court handed over to Mr. S.V. Raju, learned Additional Solicitor General appearing for the State of Rajasthan, copies of certain reports published in some daily newspapers highlighting matters of grave environmental concern. The reports, *inter alia*, indicate that: **(i)** the water of a pond situated near the Jojari river at Tanawada had allegedly turned pink, rendering it unfit for human consumption and even for livestock, thereby raising serious concerns of industrial contamination affecting groundwater, agricultural lands and the surrounding ecosystem; **(ii)** a report concerning the Sanganer-Dravyavati-Nevta region in Jaipur Division alleges that despite the existence of a regulatory regime completely prohibiting the discharge of untreated effluents, thousands of industrial units (2500 in number) are operating while only a limited number (143 in number) possess the requisite environmental clearances, resulting in the discharge of untreated industrial waste into water bodies and posing a serious threat to agriculture, groundwater and public

health; and **(iii)** another report alleges that industrial effluents originating from the Sanganer-Sitapura industrial belt have travelled nearly 56 kilometres to the Morel Dam, causing extensive contamination of water resources, adversely affecting several villages, damaging agricultural lands and raising serious apprehensions regarding public health, including the impact on wildlife and the environment.

3. The aforesaid newspaper reports *prima facie* disclose issues of environmental concern of a magnitude which cannot be ignored by this Court. The allegations, if found to be genuine, indicate contamination of water bodies across different regions of the State, possible discharge of untreated industrial effluents into rivers and reservoirs, adverse consequences for groundwater, agricultural lands, wildlife and public health, and a *prima facie* failure on the part of the concerned regulatory and administrative authorities to effectively enforce the statutory environmental framework and prevent such environmental degradation. The frequency of these reports, emanating from different geographical areas, raises serious concern that the issue may not be confined to isolated instances but could reflect a

larger systemic failure in ensuring compliance with environmental norms. Such allegations, therefore, warrant immediate examination by the competent authorities of the State of Rajasthan at the appropriate levels and a comprehensive response before this Court.

4. We have heard Mr. S.V. Raju, learned Additional Solicitor General appearing for the State of Rajasthan; Dr. A.M. Singhvi, learned senior counsel; Mr. Pallav Shishodia, learned senior counsel; other learned counsel appearing for the applicants; and Mr. Digvijay Singh Jasol, appearing in person.

5. It has been pleaded on behalf of certain applicants that they are operating White Category Industries with zero discharge and that notwithstanding the non-polluting nature of their industrial activity, their premises have also been sealed pursuant to the directions issued by the Rajasthan State Pollution Control Board. It is their contention that they are not engaged in any activity resulting in the discharge of industrial effluents and that their cases require separate

consideration as livelihood of hundreds of labourers has been affected owing to such arbitrary closure.

6. The Committee in its report has pointed out that during its visits to the areas surrounding Melba, Dhawa, Jhanwar and various villages situated in Luni Tehsil, it found that Dhawa and Doli constitute important wildlife habitats supporting populations of *Chinkara*, Blackbuck, Foxes, Blue Bulls (*Nilgai*) and several other wildlife species. The Committee has recorded that the local residents informed it that the wildlife population in the area has witnessed a significant decline owing to the contamination caused by effluent-laden water flowing through the Jojari River. The Committee has also placed before this Court three communications dated 7th July, 2026 issued from the Office of the Deputy Forest Conservator (Wildlife), Jodhpur. By the first communication, the District Collector, Jodhpur has been requested to transfer *Khasra* Nos. 34 and 76/19 (*Gochar*), Village Modathali, Patwar Halka Dhawa-II, Tehsil Jhanwar, District Jodhpur to the Forest Department for the protection, conservation and better management of wildlife. By the second communication, a similar request has

been made for the transfer of *Khasra* Nos. 12, 44 and 495 (*Gair Mumkin Agor*), Village Melba, Patwar Halka Dhawa-I, Tehsil Jhanwar, District Jodhpur to the Forest Department so as to ensure the safe existence of the wildlife population and to address the ecological concerns prevailing in the region. By the third communication of the same date, the Jodhpur Development Authority has been requested to grant permission for the development of approximately 25 hectares out of the total 35.1834 hectares comprised in *Khasra* Nos. 34, 36 and 76/19 (*Gochar*), Village Modathali, Patwar Halka Dhawa-II, Tehsil Jhanwar, District Jodhpur, for the purpose of development and protection of the pastureland.

7. On the basis of the aforesaid material, the Committee has recommended that the land comprised in *Khasra* Nos. 12, 44 and 495, situated at Patwar Halka Dhawa-I, Village Melba, Tehsil Jhanwar, District Jodhpur, and *Khasra* Nos. 34 and 76/19, situated at Patwar Halka Dhawa-II, Village Modathali, Tehsil Jhanwar, District Jodhpur, be transferred to the Forest Department for being developed and maintained as a forest/grassland ecosystem, so as to facilitate ecological restoration

and provide long-term protection to the wildlife inhabiting the region.

8. The Committee has, in its Second Status Report has highlighted several issues of considerable significance requiring immediate attention. The Committee has, *inter alia*, expressed concern over the absence of proper identification and demarcation of the High Flood Line (HFL) and corresponding buffer zones along the river systems, resulting in encroachments, industrial development and other activities within riverbeds, floodplains and environmentally sensitive areas. The Committee has also raised serious concerns regarding the proposed RIICO Industrial Area at Kakani, observing that substantial portions thereof fall within the High Flood Area of the Luni River and that the proposed textile zone is situated in close proximity to the riverine area without adherence to an appropriate buffer zone. Similar concerns have been recorded in respect of the Ambey Valley Industrial Park, where the Committee has noticed *prima facie* irregularities relating to change of land use, development of an industrial park in close proximity to the river, and apparent deviations from the Master Plan and other statutory

requirements. The Committee has also emphasized the need for preservation of riverbeds, floodplains and riverine ecosystems by preventing further industrial or developmental activities in ecologically sensitive areas pending scientific and uniform determination of the High Flood Line and buffer zones.

9. The Committee has further underscored the necessity of strengthening the institutional framework governing river protection by pointing out the absence of a dedicated and empowered regulatory mechanism for integrated management of river basins, floodplains and allied ecosystems. In this regard, the Committee has recommended that the existing statutory framework governing the Rajasthan River Basin and Water Resources Planning Authority be revisited so as to enable the Authority to function as an effective and autonomous regulatory body for integrated river basin management, environmental protection and inter-departmental coordination.

10. The Committee has further brought to the notice of this Court certain developments concerning the Common Effluent Treatment Plant (CETP),

Sangariya. It has been pointed out that, despite the undertaking recorded by this Court in its order dated 29th May, 2026, whereby the State of Rajasthan had undertaken that no industrial operation connected with the concerned CETP or its member industries would be permitted to resume without complete verification, technical satisfaction and express approval of the competent authorities, and despite the further direction of this Court that no industrial unit closed pursuant to the action of the State or the Rajasthan State Pollution Control Board would recommence operations without the prior leave and express permission of this Court, the Office of the Additional Deputy Commissioner of Police, Jodhpur West, by communication dated 1st July, 2026, addressed the issue of accumulation of tertiary and untreated wastewater at the CETP and sought directions from the Rajasthan State Pollution Control Board for its disposal. Pursuant thereto, the Rajasthan State Pollution Control Board, by communication dated 3rd July, 2026, directed the CETP Trust to coordinate with the Special Investigation Team for treatment and disposal of the accumulated wastewater.

11. Upon taking note of the aforesaid exchanges, the Committee addressed a communication dated 3rd July, 2026 to the Member Secretary, Rajasthan State Pollution Control Board, expressing its apprehension that treatment of the accumulated wastewater would necessarily require operation of the CETP, which could not be permitted in view of the undertaking recorded by the State, the Rajasthan State Pollution Control Board, and the specific directions of this Court. The Committee further observed that if any exigency had arisen on account of the accumulation of wastewater, the same ought to be addressed by the Rajasthan State Pollution Control Board by formulating a foolproof technical plan to be executed under its direct supervision, and only after placing such plan before this Court and obtaining specific and express permission. The Committee, accordingly, called upon the Rajasthan State Pollution Control Board to issue appropriate directions to ensure strict compliance with the orders of this Court and to ensure that the communication dated 3rd July, 2026 was not acted upon in contravention to the directions issued by this Court. It has further been placed on record that the Rajasthan State Pollution Control

Board, by communication dated 6th July, 2026, clarified that its earlier communication dated 3rd July, 2026 should not be construed as permission to operate the CETP or any of its member units without the prior permission of this Court and further required the concerned CETP Trust to submit an appropriate action plan for undertaking remedial measures to prevent pollution and contamination arising from the stored tertiary and untreated wastewater.

12. Having perused the Second Status Report as well as the Comments on the First Status Report of the Special Investigation Team, we find that the Committee has highlighted several grave circumstances concerning environmental degradation, industrial pollution, ecological restoration and regulatory enforcement, besides making a number of recommendations requiring immediate attention. In our considered view, before any further directions are issued on those aspects, an adequate opportunity must be afforded to the State of Rajasthan to respond to the findings recorded by the Committee in its report as well as to the recommendations made therein.

13. Upon a careful consideration of the submissions advanced by the learned counsel appearing for the respective parties, the reports placed before this Court by the Committee and the issues arising therefrom, we are of the considered view that the following directions are immediately necessary in the facts and circumstances presented before this Court:-

- A.** Any person, entity or industrial unit claiming to be operating a White Category Industry shall be at liberty to submit detailed representation/s before the Committee. Upon receipt of such representation/s, the Committee shall cause a physical inspection of the concerned industrial premises to be undertaken and satisfy itself as to the nature of the industrial activity being carried on. If, upon such inspection, the Committee is satisfied that the industrial unit is not discharging any industrial effluent or otherwise not contributing to environmental pollution and that its continued closure is not warranted, it shall be at liberty to pass appropriate orders for de-sealing of the premises and permit the recommencing of the

industrial operations, subject to such terms and conditions as it may deem fit and proper in the interest of environmental protection.

- B.** The State of Rajasthan and all concerned authorities shall take expeditious steps for issuance of all necessary notifications and consequential orders for transferring the lands referred to in the communications dated 7th July, 2026 issued by the Office of the Deputy Forest Conservator (Wildlife), Jodhpur to the Forest Department as well as any further communication which may have been issued in this regard, so as to facilitate their development and preservation as forest/grassland ecosystems.
- C.** The Rajasthan State Pollution Control Board shall forthwith take all necessary steps for the treatment and safe disposal of the accumulated tertiary and untreated effluent-laden water lying at the Common Effluent Treatment Plant (CETP), Sangariya, strictly in accordance with the applicable environmental norms and the directions given by this Court as modified by this order. The Rajasthan State Pollution

Control Board shall prepare an appropriate technical action plan for the said purpose, execute the same while ensuring that no industrial operation of the CETP or any of its member industries is recommenced in the process without obtaining the prior leave and express permission of this Court. The Rajasthan State Pollution Control Board shall make every possible endeavour to ensure that the accumulated effluent-laden water is appropriately treated and disposed of before the next date of hearing, so as to avert any environmental catastrophe or further contamination that may arise on account of the ensuing monsoon and heavy rainfall. However, we make it clear that such treatment and disposal shall be undertaken only under direct supervision of the Committee and shall be preceded, as well as followed, by proper scientific testing of the accumulated effluents to ascertain the removal of the toxic constituents. It shall further be ensured that the permission granted for such treatment and disposal is not used as a subterfuge for the resumption of

industrial activities which have been stopped previously.

- D.** The State of Rajasthan shall file a comprehensive affidavit dealing specifically with the grave issues emerging from the newspaper reports handed over to the learned Additional Solicitor General during the course of the proceedings. The affidavit shall disclose the factual position after due verification; the role of the concerned authorities, the action already taken; the responsibility fixed, if any; and the short-term as well as long-term measures proposed to effectively address the environmental concerns highlighted therein and prevent recurrence of such incidents.
- E.** The State of Rajasthan shall also file a comprehensive affidavit responding to each of the circumstances highlighted and the recommendations made by the Committee in its Second Status Report as well as in its Comments on the First Status Report submitted by the Special Investigation Team.
- F.** Considering the fact that the illegal discharge of untreated effluents causes damage to water

bodies as well as government lands, and so also the loss of livelihoods, habitats, and has other wide-ranging deleterious consequences on safety of human lives, the State Government shall explain its failure in not invoking graver offences in all prosecutions, particularly those under Sections 272, 326(a), and 326(c) of the Bhartiya Nyaya Sanhita, 2023, and for offences punishable under the Prevention of Damage to Public Property Act, 1984.

Having taken note of the overall facts as available on record, we are of the firm opinion that the acts alleged are undoubtedly covered by the offences described above. Therefore, the State Government shall immediately initiate the process for invoking these offences in all pending as well as proposed prosecutions.

- G.** The Chief Secretary, State of Rajasthan, shall be personally responsible for ensuring due, timely, and effective compliance with all the directions issued by this Court in the present order as well as the previous orders passed by this Court.

H. The Chief Secretary, State of Rajasthan, shall remain present before this Court through the virtual mode on the next date of hearing.

14. List the matter on 4th August, 2026 for further consideration.

.....**J.**
(VIKRAM NATH)

.....**J.**
(SANDEEP MEHTA)

NEW DELHI;
JULY 21, 2026.