

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Civil Writ Petition No. 1095/2022

1. Bhagwati Prasad S/o Shri Bakshi Ram Ji, Aged About 54 Years, Caste- Prajapat, R/o Village- Kotadi, Tehsil- Railmagra, District- Rajsamand, Rajasthan.
2. Veni Ram Kumhar S/o Shri Mangi Lal Ji, Aged About 62 Years, Caste- Prajapat, R/o Village- Sumeriya-Kheda, Tehsil- Railmagra, District- Rajsamand, Rajasthan.
3. Banshi Lal Prajapat S/o Shri Daya Ram Ji, Aged About 46 Years, Caste- Prajapat, R/o Village- Kotadi, Tehsil- Railmagra, District- Rajsamand, Rajasthan.

-----Petitioners

Versus

1. The Principal Secretary, Department Of Mines And Geology, Government Of Rajasthan, Jaipur.
2. The Chief Engineer, Water Resources Deptt., Government Of Rajasthan, Jaipur, Rajasthan.
3. The Rajasthan State Pollution Control Board, 4, Jhalana Institutional Area, Jhalana Doongri, Jaipur, Rajasthan-302004, Through Its Secretary
4. The Director (Mines), Department Of Geology And Mines, Udaipur (Raj.)
5. The Mining Engineer, Rajsamand, Rajasthan.
6. The District Collector, Rajsamand, Rajasthan.
7. The Sub Divisional Officer Railmagra, District- Rajsamand.
8. The Krishi Vigyan Kendra, Rajsamand, (A Unit Of India Council Of Agriculture Research), Near Rk Hospital, Bhilwara Bypass Road, Dhoenda, Rajsamand, Through Its Director.
9. The Sarpanch, Gram Panchayat Suneriya-Kheda, Tehsil- Railmagra, District- Rajsamand.
10. M/s Hindustan Zinc Limited, Partner Vedanta, Company Sindesri, Rajpura Dariba Mines, Rajsamand (Raj.), Through Its Project And Unit Head.
11. M/s Hindustan Zinc Limited, Yashad Bhawan Corporate Communication Department, Yashadgarh, Udaipur, Rajasthan, Through Its Company Secretary And Nodal Officer.

----Respondents

For Petitioner(s) : Mr. Satya Prakash Sharma through VC.
For Respondent(s) : -

HON'BLE MR. JUSTICE SANDEEP MEHTA
HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI

Order

21/01/2022

The petitioners have approached by way of this writ petition raising a grievance that owing to the industrial activities being undertaken by the respondent No.11, liquid effluents are being discharged into the *Railmagra Dam*. As per the petitioners, the toxic quality of the effluent so discharged is adversely affecting the ground water resources as well as the quality of water of the dam which is being used by the public at large. The petitioners got the water samples tested scientifically and their worst fears of chemical contamination in water bodies because of the effluents being discharged by the respondent No.11 were confirmed. Thereafter, they submitted representations to numerous authorities for ventilating the grievance of water pollution being caused by the industrial discharge of the respondent Company but no response has been given so far to the genuine issue of public health being adversely effected by such activities.

We have considered the submissions advanced by the petitioners' counsel and, have gone through the material placed on record.

Before approaching this Court, the petitioners claim to have sent notices/ representation to various authorities on 08.11.2021.

Having heard and considered the submissions advanced at bar and, after going through the material available on record, we hereby direct that a copy of this writ petition may be presented in form of a representation to the Chief Engineer, Water Resources Department, Government of Rajasthan, Jaipur; the Rajasthan State Pollution Control Board, Jaipur and the Krishi Vigyan Kendra, Rajsamand alongwith a copy of this order within next two weeks. Upon receiving the same, these authorities shall objectively examine the petitioners' grievances and pass a reasoned order/ take appropriate action thereupon, within a period of two months from the date of submission thereof. In case, grievance of the petitioners still survives thereafter, they shall be at liberty to take recourse of the suitable remedy for ventilating the same.

With the above observations, the instant writ petition is disposed of.

(VINOD KUMAR BHARWANI),J

(SANDEEP MEHTA),J

33-Tikam/-

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