



Regional Office
Rajasthan State Pollution Control Board
Plot No 52, Sector 9/1, Hanumangarh Junction, Hanumangarh

Through E-Mail

RO/RSPCB/HNMG/Gen/Legal-78/ 314

Date:- 19/10/22

The Registrar General,
Hon'ble NGT,
Central Zone Bench,
Bhopal.

Sub.: Joint Committee report with respect to Hon'ble NGT, Central Zone Bench, Bhopal order dated 14/09/2022 in matter of OA 68/2022 "Kailash Chandra Taak Vs Gram Panchayat Kohla, Rajasthan & Ors."

Ref.: Hon'ble NGT, Central Zone Bench, Bhopal order dated 14/09/2022 in matter of OA 68/2022 "Kailash Chandra Taak Vs Gram Panchayat Kohla, Rajasthan & Ors."

Sir,

With reference to above subject, it is submitted that Hon'ble Tribunal by order dated 14/09/2022 in matter of OA 68/2022 has directed to submit Joint Committee report by e-mail on ngtczbbho-mp@gov.in.

In compliance of direction passed by the Hon'ble Tribunal, the Joint Committee report is being submitted with this letter for kind perusal of the Hon'ble Tribunal.

Encl : As above.

Yours sincerely

(Pradeep Kumar Asnani)
Regional Officer

**Factual & Action Taken Report by
Joint Committee**

In compliance of

**Hon'ble NGT order dated 14/09/2022
in matter of OA 68/2022**

**“Kailash Chandra Taak Vs Gram Panchayat Kohla,
Rajasthan & Ors.”**

By the joint committee comprising of

1. Shri Pradeep Kumar Asnani, Regional Officer, RSPCB, Hanumangarh, Rajasthan
2. Shri Avi Garg, Sub Divisional Officer, Hanumangarh, Rajasthan

Factual and Action Taken Report by Joint Committee
In compliance to Hon'ble NGT order dated 14/09/2022 in matter of OA 68/2022
"Kailash Chandra Taak Vs Gram Panchayat Kohla, Rajasthan & Ors."

Hon'ble NGT in matter of OA 68/2022 "Kailash Chandra Taak Vs Gram Panchayat Kohla, Rajasthan & Ors." has inter-alia passed following orders on date 14/09/2022-

"10. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-

- i. Collector, Hanumangarh or his representative**
- ii. Rajasthan Pollution Control Board**

11. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.

12. Applicant is directed to supply the copy of the application and relevant documents to the Committee and Respondent(s) within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served upon the Committee and respondent(s)."

In compliance of above said directions of Hon'ble NGT, RSPCB, has nominated Shri Pradeep Kumar Asnani, Regional Officer, RSPCB, Hanumangarh vide letter dated 14/10/2022 and the copy of the same was endorsed to District Collector, Hanumangarh for necessary action. In continuation of RSPCB letter dated 14/10/2022 and in compliance of directions of the Hon'ble NGT, District Collector, Hanumangarh nominated Shri. Avi Garg, Sub Divisional Officer, Hanumangarh as member of joint committee and his representative by order dated 14/10/2022.

A piece of land measuring total 2.530 Hectare is situated at Chak 19 HMH, Pathar no. 129/284, Murba No. 49, Kila No. 11 to 14, 17 to 19, 23 to 25, Patwar Mandal- Ramsaranarayan i.e. Gram Panchayat Ramsaranarayan, Tehsil & District Hanumangarh. The said land is situated in Gram Panchayat Ramsaranarayan but was mentioned in revenue record of Gram Panchayat Kohla. A part of the said land i.e. Kila no. 25 and nearby area was already being used for disposal of dead animals by nearby villages including village Kohla. As the land (Chak 19 HMH Pathar no. 129/284, Murba No. 49, Kila No. 11 to 14, 17 to 19, 23 to 25, Total 2.530 Hectare, Patwar Mandal- Ramsaranarayan) is situated in Gram Panchayat Ramsaranarayan, Smt. Ramandeep Kaur, Sarpanch of Gram Panchayat Ramsaranaryan requested the Block Development Officer, Panchayat Samiti, Hanumangarh to transfer the said land in the name of Gram

Panchayat Ramsaranarayan from Gram Panchayat Kohla in revenue records. After verifying revenue records and following due procedure, Tehsildar, Hanumangarh sanctioned the mutation no. 732 dated 25/11/2021 of said land in the favor of Gram Panchayat Ramsaranarayan.

On an average 15 numbers of animals dies every day in city Hanumangarh so Municipal Council, Hanumangarh requested District Collector, Hanumangarh for allotment of site dedicated to disposal of dead animals vide letter dated 28/02/2022 because earlier land used for disposal of dead animals has been allotted for establishment of medical college. In response to the request, Land revenue officials sought report from Patwar Circles Ramsaranarayan, Hanumangarh Town and Kohla regarding land availability for disposal of dead animals.

Meanwhile, Smt. Ramandeep Kaur, Sarpanch of Gram Panchayat Ramsaranarayan submitted an application dated 15/03/2022 to Tehsildar, Hanumangarh to surrender a part of land measuring area 1.442 Hectare for disposal of dead animals from land situated at Pathar no. 129/284, Murba No. 49, Kila No. 11 to 14, 17 to 19, 23 to 25, total 2.530 Hectare, which was previously transferred from Gram Panchyat Kohla to Gram Panchayat Ramsaranarayan by mutation no. 732 dated 25/11/2021. After following due process as per law, District Collector, Hanumangarh allotted/reserved a piece of land situated at Chak 19 H.M.H., Gram Panchayat- Ramsaranarayan, Pathar No. 129/284, Murba No. 49, Kila No. 17/0.228, 18/0.253, 19/0.253, 23/0.253, 24/0.253, 25/0.202, Tehsil & District Hanumangarh having total area 1.442 Hectare to Municipal Council, Hanumangarh for disposal of dead animals by order dated 16/03/2022 (Copy of land reserve order is enclosed as **Annexure 1**) and Tehsildar, Hanumangarh issued surrender order of said land on dated 18/04/2022. Further, District Collector, Hanumangarh also directed Commissioner, Municipal Council, Hanumangarh to also facilitate Gram Panchayat, Ramsaranarayan and Gram Panchayat, Gurusar for disposal of dead animals at the said land vide order dated 30/03/2022.

An appeal against the mutation of said land issued by Tehsildar, Hanumangarh, number 29/2021, Gram Panchayat, Kohla versus Tehsildar, Hanumangarh and Grampanchayat, Ramsaranarayan was filed before the court of Additional District Collector, Hanumangarh which was heard and dismissed on 27/06/2022. Another appeal against the Additional District Collector, Hanumangarh order, number 41/2022 and stay application by Gram Panchayat, Kohla were filed before the court of Additional Divisional Commissioner, Bikaner. Stay application was dismissed by the court of Additional Divisional

Commissioner, Bikaner on dated 25/07/2022. A revision application number 4318/2022 was also filed by Gram Panchyat, Kohla before court of Hon'ble Revenue Board, Ajmer, which was also dismissed on dated 27/09/2022.

Some residents of Village, Kohla also filed writ petition no. 6995/2022 in the nature of Public Interest Litigation before Hon'ble High Court of Judicature for Rajasthan at Jodhpur. Hon'ble High court, Jodhpur dismissed the Public Interest Litigation and has inter-alia passed following orders on date 27/08/2022 **“Apparently thus, for the purpose of larger public good, if certain set of citizens may face minor inconvenience, that cannot be a ground to undo the proposal of the authorities to set up the questioned carcass disposal plant. The establishment of such disposal plant is imperative because non-availability of such facility leads to the unscientific random disposal of animal carcass which is a greater health hazard to the society. However, We direct the respondents to ensure that the area in question is encumbered by a proper boundary wall. Extensive plantation shall be made therein so as to prevent foul odours which may cause inconvenience to the residents of the area in question.”** Copy of Hon'ble High Court, Jodhpur order dated 27/08/2022 is enclosed as **Annexure 2**.

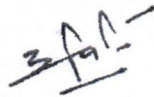
Further, it is pertinent to mention here that Municipal Council, Hanumangarh is intended to establish a carcass Processing/Utilization Plant at the said site location for disposal of dead animals. Municipal Council, Hanumangarh has floated tender on dated 04/10/2022 for consultancy services for preparation of Detailed Project Report on Animal Carcass Processing Plant (Copy of notice for inviting tender dated 04/10/2022 is enclosed as **Annexure 3**). The same has been verified by the joint committee.

In compliance of above said directions of Hon'ble NGT, the joint committee visited the said reserved site for disposal of dead animals on dated 15/10/2022 in presence of officials of Municipal Council, Hanumangarh. During site visit, officials observed that the said site is situated at a distance of approximate 1.25 km from nearby village namely Kohla, Tehsil- Hanumangarh. During site visit, no carcass utilization/processing plant was found established at site as the tender for preparation of Detailed Project Report has been floated by Municipal Council, Hanumangarh on 04/10/2022. The site is being used by Municipal Council, Hanumangarh for disposal of dead animals for decomposition in open. Few hoofs, horns and skeleton of dead animals were found at site during visit. Skelton and bones of decomposed carcass are collected and sold to bone mills by contractor authorized by Municipal Council, Hanumangarh. However, no municipal solid waste was found dumped at the site. Small foul order due to decomposition of dead animals was observed at the site. The foul order may likely to spread along wind direction maximum upto

200 m to 300 m from the said site. No nearby residential colony/habitation observed near the said site. The nearby village namely Kohla, Tehsil & District-Hanumangarh is situated at approximate 1.25 km away from the site. So, there is very less possibility of spread of foul odour upto village. Municipal Council, Hanumangarh has constructed boundary walls of height 8 feet and which shall be further constructed upto height of 12 feet around the said site. Municipal Council, Hanumangarh has recently planted approximate 300 trees in layers along the both sides of boundary wall to arrest spread of foul odour in compliance of order passed by Hon'ble High Court. No traces of dead animals were found at nearby land / beyond boundaries of said site.

Municipal Council, Hanumangarh was advised to establish and operate carcass Processing/Utilization Plant according to guidelines laid by CPCB for carcasses disposal and use deep burial method for disposal of dead animals to avoid spread of foul odour till commissioning of carcass Processing/Utilization Plant. Commissioner, Municipal Council, Hanumangarh has also submitted an affidavit for better management of disposal of dead animals.

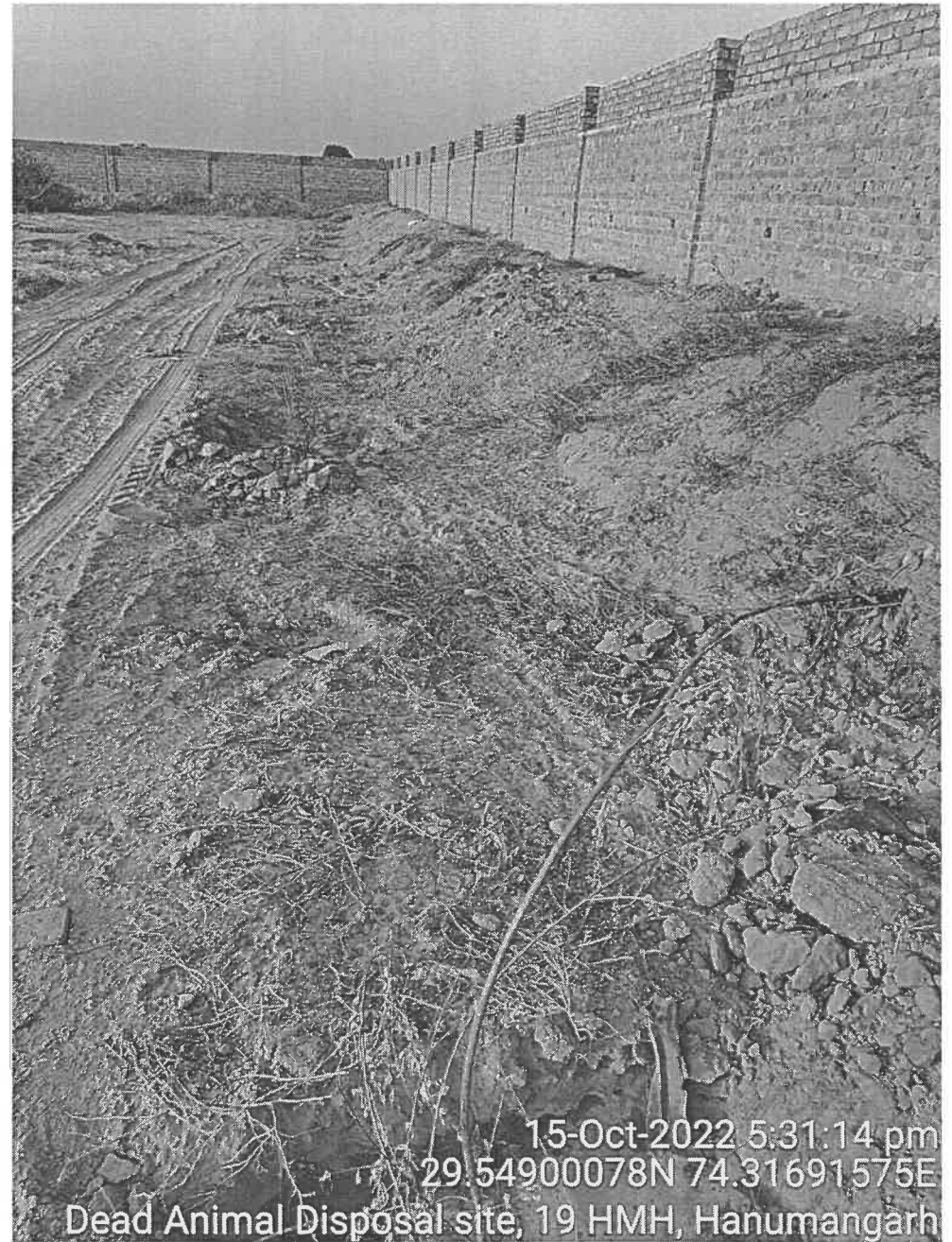
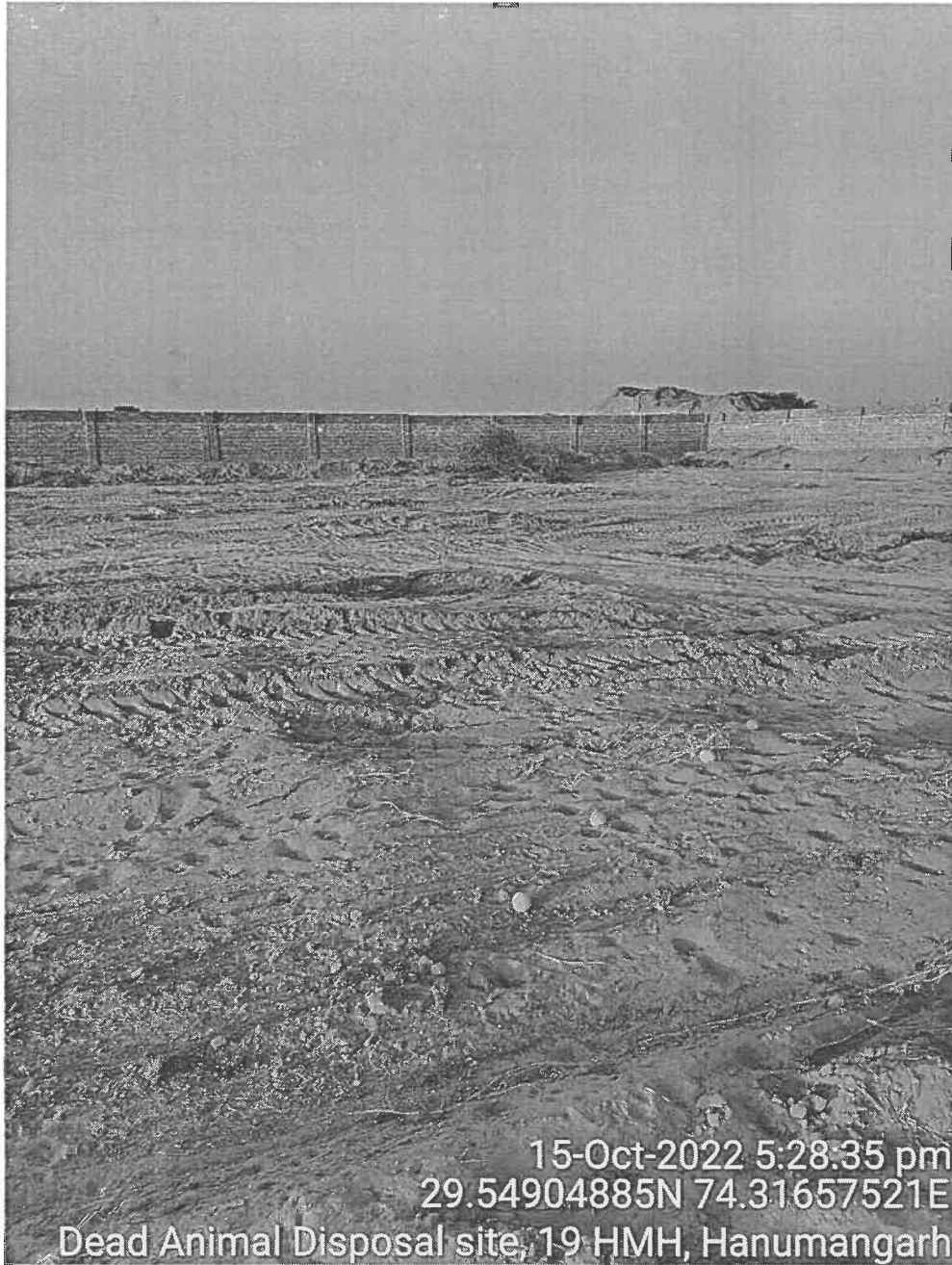
Date: -19/10/22

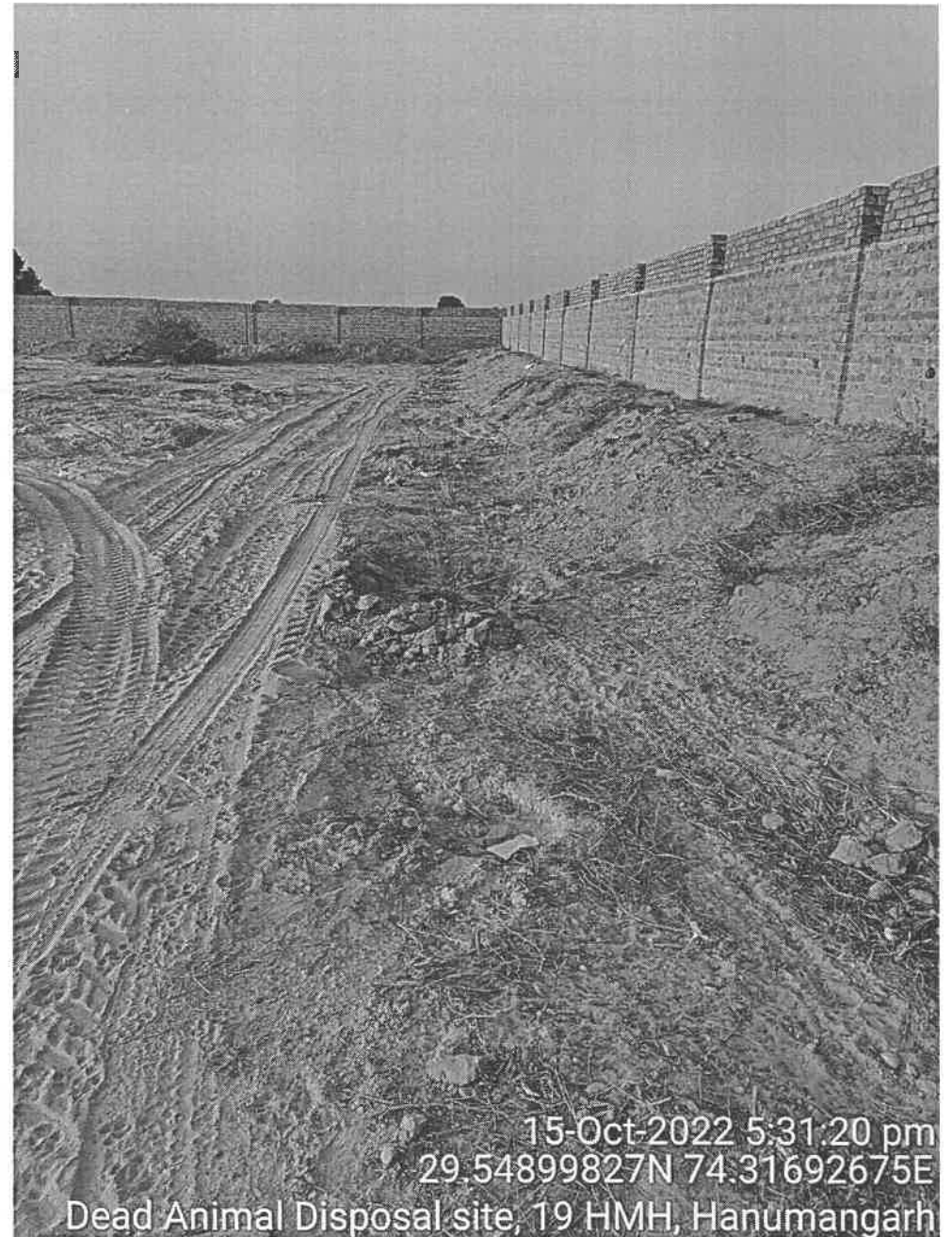
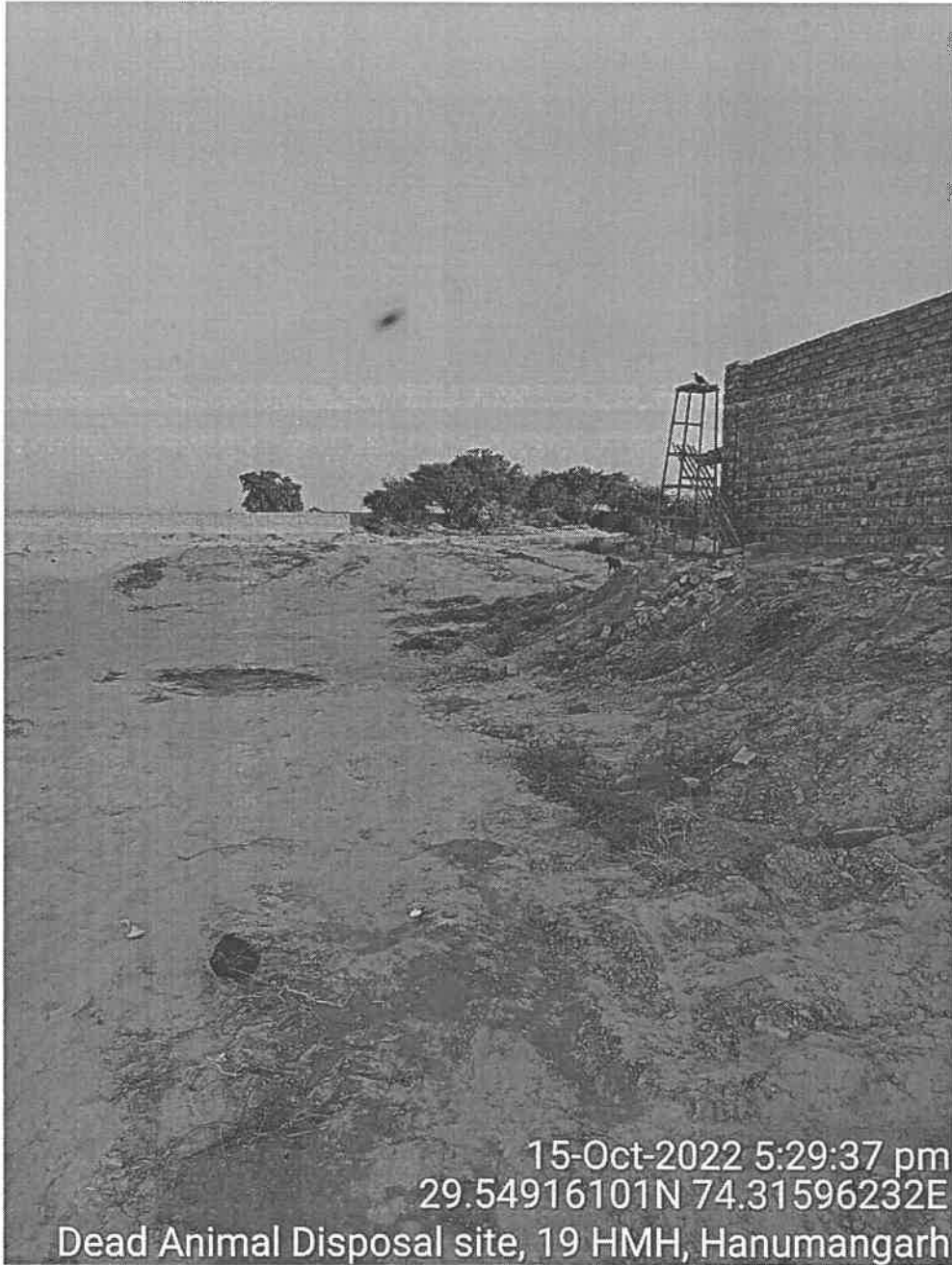


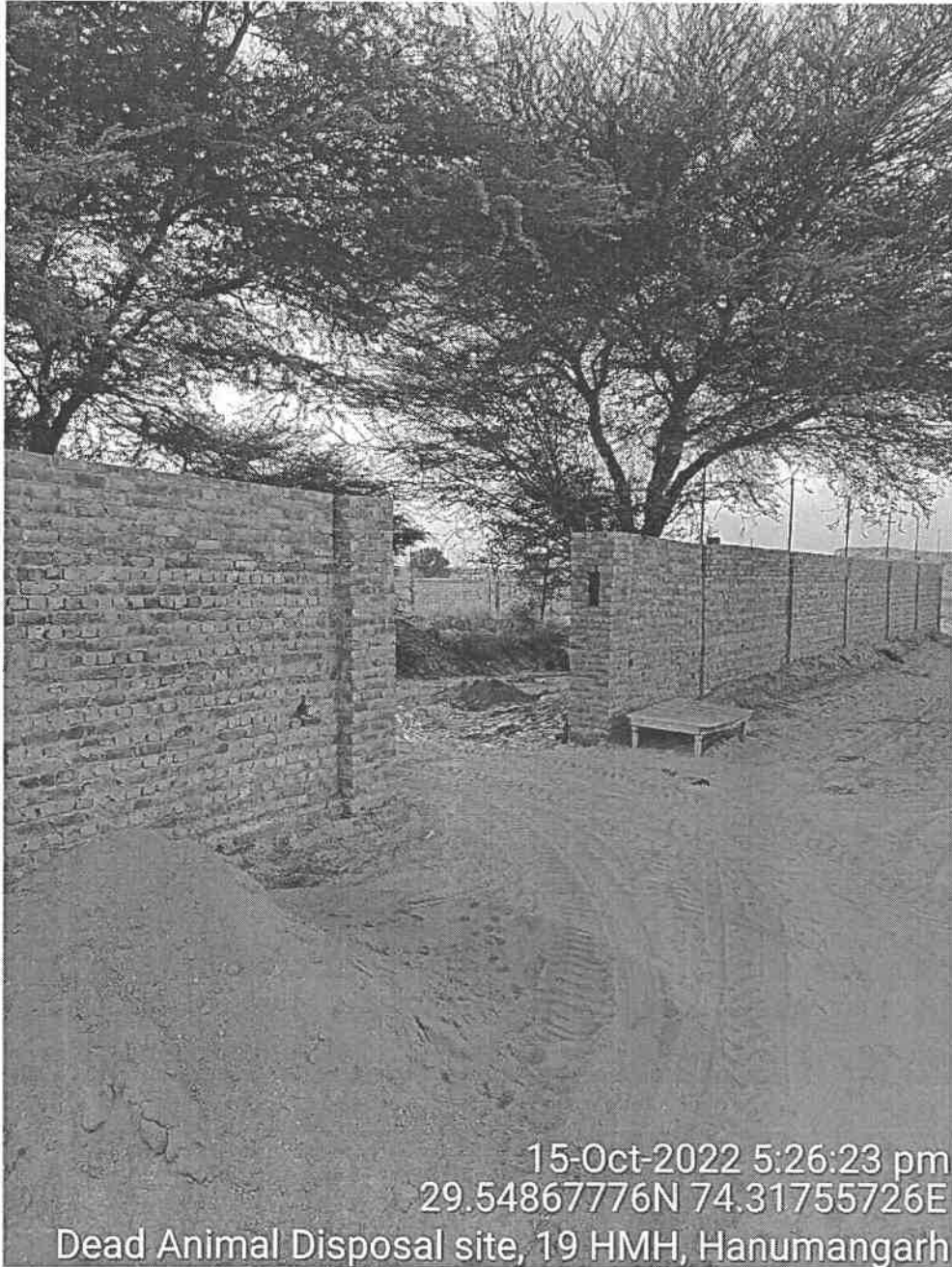
(Avi Garg)
Sub Divisional Officer,
Hanumangrah



(Pradeep Kumar Asnani)
Regional Officer
RSPCB, Hanumangarh







15-Oct-2022 5:26:23 pm
29.54867776N 74.31755726E

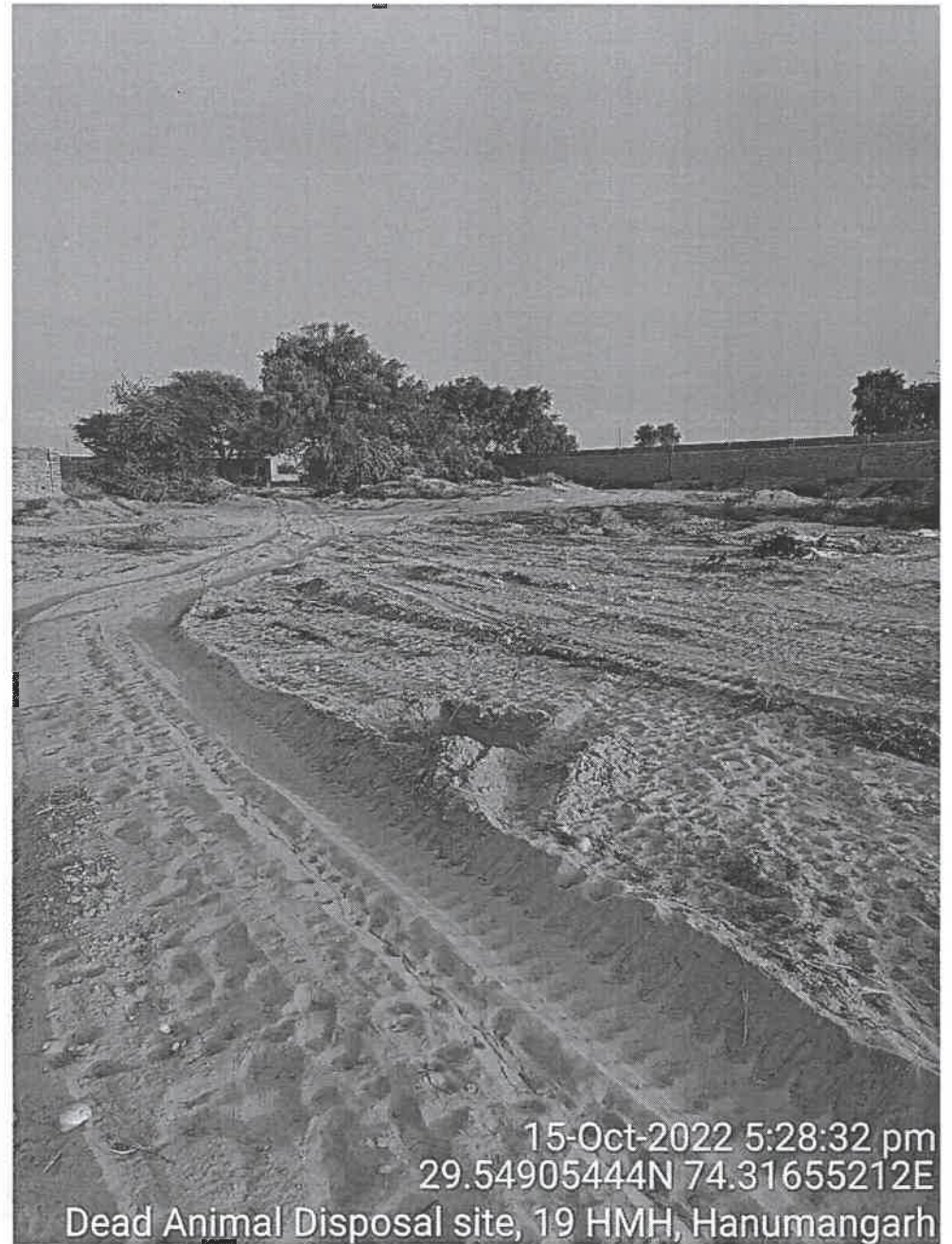
Dead Animal Disposal site, 19 HMH, Hanumangarh



15-Oct-2022 5:31:16 pm
29.54899275N 74.31692113E

Dead Animal Disposal site, 19 HMH, Hanumangarh





कार्यालय जिला कलक्टर, हनुमानगढ़

Annexure-1

एफ.12(3)(14)आवंटन-आरक्षण/राज/22/

दिनांक :- मार्च-2022

- :: आरक्षण आदेश :: -

उपखण्डाधिकारी (राजस्व) हनुमानगढ़ के पत्रांक राजस्व/आवंटन-आरक्षण/22/199 दिनांक 15.03.2022 द्वारा नगरपरिषद हनुमानगढ़ को पूर्व में मेडिकल कॉलेज के पास स्थापित हड़्डारोड़ी को पूर्ण रूप से हटाये जाकर अन्य जगह प्रतिस्थापित करने हेतु कुल 6 बीघा राजकीय/अन्य/आराजीराज भूमि उपलब्ध करवाये जाने हेतु तहसील हनुमानगढ़ की ग्राम पंचायत रामसरानारायण ने प्रस्ताव दिनांक 25.11.2021 के द्वारा अपनी ग्राम पंचायत के आस पास स्थित हड़्डारोड़ी को अपनी गैरखातेदारी भूमि अन्य भूमि चक 19 एच.एम.एच. के प.नं. 129/284 मु.न. 49 के किला नं 11 ता 14, 17 ता 19, 23 ता 25 कुल 2.530 है० में से कि.न. 17 ता 19, 23 ता 25 कुल 1.518 है. रकबा को आराजीराज दर्ज रिकॉर्ड किया जाकर रास्ते की भूमि को छोड़कर (पं.न. 129/284 मु.न. 49 कि.न. 17/0.025 है., 25/0.051 कुल 0.076 है०) कुल 1.442 है० भूमि नगरपरिषद हनुमानगढ़ हड़्डारोड़ी को स्थानांतरित करने बाबत प्रस्ताव इस कार्यालय को प्राप्त हुए है।

प्रकरण में संरपच ग्राम पंचायत रामसरानारायण ने स्वयं अपनी ईच्छा से उक्त भूमि में से चक 19 एच.एम.एच. के प.नं. 129/284 मु.न. 49 के किला नं 17/0.253, 18/0.253, 19/0.253, 23/0.253, 24/0.253, 25/0.253 कुल 1.518 है० रकबा सर्व सम्मति से प्रस्ताव दिनांक 25.11.2021 के द्वारा राज्य सरकार के पक्ष में रास्ते की भूमि को छोड़ते हुए हड़्डारोड़ी बाबत समर्पित करने हेतु मय प्रा०प० हलफनामा प्रस्तुत किया है।

अतः उपखण्डाधिकारी (राजस्व) हनुमानगढ़ के प्रस्तावानुसार राज. उपनिवेशन अधिनियम 1955 की धारा 10 व राज० भू-राजस्व अधिनियम 1956 की धारा 92 के तहत तहसील हनुमानगढ़ के ग्राम पंचायत रामसरानारायण के चक 19 एच. एम. एच. के पं.न. 129/284 मु.न. 49 के किला नं 17/0.253, 18/0.253, 19/0.253, 23/0.253, 24/0.253, 25/0.253 कुल 1.518 है० भूमि में से 17/0.228, 18/0.253, 19/0.253, 23/0.253, 24/0.253, 25/0.202 की कुल 1.442 है. भूमि नगरपरिषद हनुमानगढ़ को सार्वजनिक प्रयोजनार्थ " हड़्डारोड़ी " हेतु आरक्षित किया जाता है।

उक्त भूमि का उपयोग अन्य किसी प्रयोजन हेतु नहीं किया जाकर केवल " हड़्डारोड़ी " हेतु ही उपयोग किया जावेगा। इसी अनुसार राजस्व रिकार्ड में अमलदरामद किया जावे।



(नथमल डिडेल)
जिला कलक्टर,
हनुमानगढ़

दिनांक :- 16 - मार्च - 2022

क्रमांक :- सम/22/799-803

प्रतिलिपि :- निम्न को पालनार्थ एवम् सूचनार्थ :-

1. उपखण्डाधिकारी (राजस्व) हनुमानगढ़ ।
2. तहसीलदार (राजस्व) हनुमानगढ़ को भेज कर निर्देशित किया जाता है, कि उक्तानुसार राजस्व अभिलेख में अंकन कर इत्तकाल की प्रति व नवीनतम जमाबन्ती इस कार्यालय को भिजवानी सुनिश्चित करें।
3. आयुक्त, नगरपरिषद हनुमानगढ़ को भेजकर निर्देशित किया जाता है कि वर्तमान में बन रहे मास्टर प्लान/जोनल प्लान में भी इस भूमि को हड़्डारोड़ी के रूप में समायोजित करना सुनिश्चित करें। साथ ही हड़्डारोड़ी पर मृत पशुओं का निस्तारण अच्छे ढंग से करे ताकि किसी को कोई समस्या ना हो।
4. ग्राम सेवक एवम् पदेन सचिव ग्राम पंचायत रामसरानारायण पंचायत समिति हनुमानगढ़।
5. गार्ड पत्रावली।

अति. जिला कलक्टर,
हनुमानगढ़



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

D.B. Civil Writ Petition No. 6995/2022

1. Hari Ram S/o Shri Sahi Ram, Aged About 75 Years, By Caste Suthar, Resident Of Ward No. 1, Kohla, Tehsil And District Hanumangarh.
2. Bimla Devi W/o Shri Net Ram, Aged About 48 Years, Resident Of Ward No. 2, Kohla, Tehsil And District Hanumangarh.
3. Surendra Kumar S/o Shri Mani Ram, Aged About 35 Years, Resident Of Ward No. 2, Kohla, Tehsil And District Hanumangarh.
4. Keval Krishan S/o Shri Bhim Singh, Aged About 38 Years, Resident Of Ward No. 4, Kohla, Tehsil And District Hanumangarh.

-----Petitioners

Versus

State Of Rajasthan, Through The Secretary, Department Of Revenue, Government Of Rajasthan, Secretariat, Jaipur.

2. The District Collector, Hanumangarh.
3. The Commissioner, Municipal Council, Hanumangarh.
4. Sub Divisional Officer (Revenue), Hanumangarh.
5. Tehsildar (Revenue), Hanumangarh.
6. Sarpanch Gram Panchayat Ramsara Narayan, Panchayat Samiti Hanumangarh.

-----Respondents

For Petitioner(s) : Mr. Jaidev Singh Bhati
For Respondent(s) : Mr. Sunil Beniwal, AAG

**HON'BLE MR. JUSTICE SANDEEP MEHTA
HON'BLE MR. JUSTICE CHANDRA KUMAR SONGARA**

Order

27/08/2022

The petitioners have filed the instant writ petition in the nature of Public Interest Litigation seeking a direction against the respondents from reserving the land of Chak 19 HMH Stone No.129/284 Square No.49, Killa Nos. 17, 18, 19, 23, 24 & 25



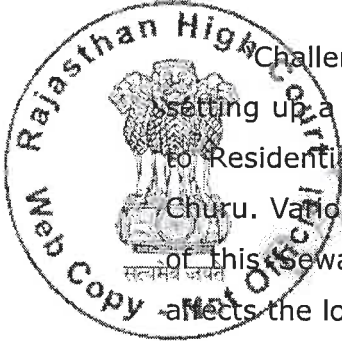
admeasuring 1.518 hectares for the purpose of Hadda Rodi (carcass disposal plant).

Learned counsel Shri Bhati vehemently and fervently urged that the location of the carcass disposal plant at the aforesated location is totally unjustified and arbitrary. The abadi of the Gram Panchayat Kohla is located at a distance of just around 1 Km from the proposed site and if the disposal of animal carcass is carried out at such a short distance from the abadi area, it will cause great inconvenience to the residents of the area. The disintegrating of carcasses may create health hazard to the citizens. He thus, submits that the impugned order dated 16.03.2022 whereby land admeasuring 1.518 hectares has been reserved for the carcass disposal plant deserves to be quashed.

Shri Sunil Beniwal, AAG has filed reply to the writ petition. In the pleadings made on behalf of the respondents, the averments made by the petitioners are emphatically denied. It is stated that the land in question is entered in the name of Gram Panchayat Ramsara Narayan who gave NOC whereafter, the order for reserving land for the purpose of carcass disposal plant was issued. Boundary wall has already been constructed around the land in question and a big pit has also been dug up. The abadi area is at a distance of more than 1 Km from the carcass disposal plant and thus, no inconvenience or health hazard would be caused to the citizens of the village Kohla by the carcass disposal plant. In support of these contentions, relevant documents/orders passed by the revenue authority/courts and a google map have been placed on record. A bare perusal of the google map filed at page No.60 of the reply would clearly indicate that the carcass disposal plant is at a significant distance from any abadi area.



Identical controversy was considered in the case of **Kaniram Thalor & Ors. vs Union of India & Ors. (D.B. Civil Writ Petition No.13565/2019, decided on 02.07.2021)** wherein challenge was laid to setting up of a Sewage Treatment Plant adjacent to the residential colonies of Churu. This Court elaborated upon the controversy and held as below:-



Challenge in the present writ petition has been made for setting up a Sewage Treatment Plant at Forest Land and Adjacent to Residential Colonies, District Stadium and Krishi Upaj Mandi, Churu. Various objections have been raised as to why the location of this Sewage Treatment Plant is inappropriate and otherwise affects the local sanitary of that area.

Having heard the learned counsel for the petitioner as well as Mr. Shah for the State, we are of the considered view that certain public may have to suffer minor difficulties for the purpose of larger public good.

Consequently, we are not inclined to entertain the present PIL and dispose of the same directing the State and its authorities to set up the Sewage Treatment Plant at the earliest putting in place all safety requirements for the operation of the said Sewage Treatment Plant.

With the aforesaid observations, the writ petition stands disposed of. A certified copy of this order be provided to learned counsel for the respondents for necessary compliance."

Apparently thus, for the purpose of larger public good, if certain set of citizens may face minor inconvenience, that cannot be a ground to undo the proposal of the authorities to set up the questioned carcass disposal plant. The establishment of such disposal plant is imperative because non-availability of such facility leads to the unscientific random disposal of animal carcass



which is a greater health hazard to the society. However, we direct the respondents to ensure that the area in question is encumbered by a proper boundary wall. Extensive plantation shall be made therein so as to prevent foul odours which may cause inconvenience to the residents of the area in question.

With the above observations, the instant writ petition is

dismissed.



(CHANDRA KUMAR SONGARA),J

(SANDEEP MEHTA),J



सत्यमेव जयते

OFFICE OF MUNICIPAL COUNCIL HANUMANGARH-RAJASTHAN

Ref. 15645

Date :- 4/10/22

Notice Inviting Tender (NIT)

Municipal Council Hanumangarh invites two-part bid offline i.e. technical and Financial Bids from the prospective bidders for Consultancy services for Preparation of Detailed Project Report on Animal Carcass Processing Plant of Municipal Council Hanumangarh.


S. N	Name of Work	Estimated Project Cost (Rs.)	Earnest Money (Rs.) (2% of estimated project cost)	Cost of tender Document (Rs.)	Duration of Work
1	Consultancy services for Preparation of Detailed Project Report on Animal Carcass Processing Plant of Municipal Council Hanumangarh	4.99 lacs/-	9,980/-	500/-	2 Moths


The bidder, who meets the eligibility criteria mentioned in BID document and evaluated as the most preferred bidder as per the BID document for respective package, shall be considered for award of contract.

Key Dates: -

Sr. No.	Event Description	Date
1	Issue of tender document	Date 20/10/22.. Time ..10.A.M. to 12.P.M
2	Last date for offline Submission of E-tender document	Date 20/10/22.. Time ..1.P.M....
4	Opening of Technical Bids	Date 20/10/22 Time ..3.P.M....
5	Opening of Financial Bids	Will be intimated to the bidder ^{20/10/22} Time 5.P.M

- BID Documents can be downloaded from the e-tendering portal <https://www.e-tendering.com.in>. bid will be accepted offline at the office of Commissioner, Municipal Council Hanumangarh.
- In case of the any bidder fails to submit tender document fee & Bid Security (EMD); the bid of the respective bidder shall not be accepted.
- Municipal Council Hanumangarh reserves the right to accept any bid, or reject any or all bids, without assigning any reason thereof and without incurring any liability, whatsoever in favour of the Bidder(s).


Commissioner
Municipal Council
Hanumangarh


President
Municipal Council
Hanumangarh