

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)
Original Application No. 601/2022

Sarla Soni

...Applicant

Versus

State of Rajasthan & others

...Respondents

Date of hearing: 20.09.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None.

Application is registered based on a Letter Petition received by Post.

ORDER

1. Ms. Sarla Soni has sent to this tribunal by post copy of the letter petition sent to the chairman of the Rajasthan state Pollution Control Board (RSPCB), which has been treated and registered as Original Application. The applicant has submitted that she established Gold Assaying & Hallmarking centre in the name of Kapees Hall Marking center at Byavar District Ajmer (Rajasthan) in rented premises. CTE was granted to her by RSPCB on 06.08.2021 on the basis of which she installed the pollution control systems and also took membership of UCCI, Udaipur for management and disposal of hazardous waste. Thereafter, she applied to RSPCB online for CTO on 20.09.2021 after completing all the formalities, but she was informed by letter dated 23.03.2022 that CTE granted to her had been cancelled as she had not established Gold Assaying & Hallmarking centre in the industrial area. No where in India Gold Assaying & Hallmarking centre are established in Industrial area and the same have been established in the main shopping centres. In the letter petition, the applicant has prayed for grant of CTO while mentioning that she is suffering huge losses due to denial of CTO. In

support of her claim the applicant has attached copies of documents showing grant of CTO by the Punjab State Pollution Control Board for operation of such centers in the markets/commercial areas.

2. *Prima Facie*, the averments made in the application raise questions relating to the environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010 and also as to validity of revocation of CTE granted to the applicant by RSPCB and permissibility of grant of CTO for operation of such centers in markets and commercial areas.

3. In view of the averments made in the application, we consider it appropriate to have response of (1) State of Rajasthan through Chief Secretary, Government of Rajasthan, (2) MoEF & CC, (3) CPCB, (4) State of Rajasthan through Principal Secretary, Industry, Government of Rajasthan, (5) State PCB and (6) Collector, Ajmer who stand impleaded as respondents No. 1 to 6. Notice of the application be issued to the respondents requiring them to file their response/ reply to the averments made in the application within two months at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

4. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents No. 1 to 6 accordingly.

5. List for further consideration on 17.01.2023.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

September 20, 2022
AG