

**IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION**

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

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

O R D E R

1. This *suo moto* writ petition was registered pursuant to this Court's order dated 16th September, 2025. By the said order, this Court took *suo moto* cognizance of a documentary named **"2 Million Lives at Risk | India's Deadliest River | Marudhara | Jojari | Rajasthan"** uploaded on the YouTube by a channel named "News Pinch" on 12th September, 2025.

2. We have holistically examined the materials provided to us and have also researched for the orders which may have been passed in relation to the

same issue. We have found that for the very same environmental issue, numerous writ petitions were filed in the High Court of Judicature for Rajasthan, Principal Seat at Jodhpur, including Civil Writ Petition Nos. 2844 of 2011 and 9503 of 2012. These writ petitions were ultimately transferred to the National Green Tribunal, Principal Bench, New Delhi where they were registered as Original Application Nos. 34(THC) of 2014 and 32(THC) of 2014.

3. The Gram Panchayat, Araba filed Original Application No. 329 of 2015 before the National Green Tribunal, Principal Bench, New Delhi in respect of pollution in Jojari river which is the subject matter of the *suo moto* writ petition.

4. We may note that as per the topography of the area concerned, there are three rivers involved in this environmental disaster. River Luni originates in the Aravali range at Ajmer and flows through districts

Pali, Jodhpur, Barmer and then dissipates into the Rann of Kutch. River Bandi is a tributary to river Luni and runs through districts Pali, Jodhpur and Barmer and ultimately joins river Luni. River Jojari flows within the boundaries of district Jodhpur.

5. The Principal Bench of National Green Tribunal, New Delhi, in order to resolve the serious issues of pollution in these rivers constituted a Special Task Force in an endeavour to control the industrial pollution created by the textile and steel industries in Jodhpur and the textile industries of Balotra and Pali districts, which are adjoining the Jodhpur District.

6. *Vide* orders dated 23rd November, 2020 and 7th December, 2020, the Special Task Force was abolished, and 3 separate monitoring committees were created to monitor the pollution created by the industries running in Jodhpur, Pali and Balotra districts. Justice Prakash Chandra Tatia, (former

Judge of the High Court of Judicature for Rajasthan and former Chief Justice of High Court of Jharkhand at Ranchi) was appointed as the Chairperson of these three Committees. The monitoring Committees, identified the following common issues in all the matters: -

- The effluents generated by the textile industries of Jodhpur, Pali, Balotra, Jasol, and Bithuja;
- The effluents generated by the steel Industries at Jodhpur;
- Sewage from Jodhpur, Pali, Balotra;
- Industries are of similar type, i.e., textile industries exist at all three places along with steel industries at Jodhpur. Also, CETP, Jodhpur is common for these industries;
- Industrial and sewage waste, is being discharged in rivers/tributaries Jojari, Bandi and Luni and ultimately effluents are being discharged directly or indirectly into river Luni;
- Affecting three adjacent areas, i.e., Jodhpur, Pali and Barmer District;

- Common preventive measures for all polluters of these three districts.

7. The monitoring committees, in its common interim report dated 20th April, 2021, gave the following suggestions for dealing with the pollution disaster: -

- Relocation of Gandhipura, Balotra industries may be considered by NGT.
- Underutilised CETPs should be fully utilised immediately.
- Effluents at factory outlets must stay within prescribed limits (in terms of both quantity and quality) and SCADA meters with auto-cut to be installed in all CETP member units in Jodhpur, Pali and Balotra to be ensured within next three months.
- Effluents at CETP outlets must also be maintained within prescribed limits, with strict checking by Trusts and Rajasthan State Pollution Control Board (RPSCB).

- No mixing of CETP treated water with untreated sewage or storm drains; responsibility lies with CETP Trust and municipal bodies.
- Municipal bodies should have strict supervision of all of their respective drains and manholes and must ensure that no effluents/sewage enter drains or manholes. Violations to attract action under Section 133 Code of Criminal Procedure and before RPSCB.
- If municipal bodies mix sewage/stormwater with CETP effluents, CETP Trust must complain to RSPCB for action against erring officer.
- Point Nos. 1-7 shall apply *mutatis mutandis* to Sewage Treatment Plants (STPs) and in STPs where chlorination is not provided, municipal corporations must install chlorination plants immediately.
- SPCB has ultimate responsibility to check all defaults referred above, regardless of who is primarily responsible.
- Zero Liquid Discharge Policy (ZLD Policy) applies to all and all the stakeholders, including municipal bodies should be asked to furnish written undertaking by what time they will fully

obey this policy and they be directed not to discharge untreated, chemical or dyes or any effluents mixed water in any river so as to take other effluents to hundreds of kilometres.

- Regional Officer, RSPCB must identify all critical discharge points into rivers by 7th May, 2021, collect samples monthly and at any time *via* surprise checks, and shall keep record readily available for inspections of RSPCB's higher authorities. Regional Officer, RSPCB shall produce monthly inspection reports before this or any Committee as per direction of NGT. Also, the respective Regional Officer, RSPCB should develop a mechanism to upload the test results of the samples which are collected at these critical points on regular basis at the RSPCB website without any delay so that they are available to public. The monitoring and sharing of test results shall continue till this direction is modified.
- Regional Officer, RSPCB shall take strict action against any industry discharging effluents into public/RIICO drains, rivers, or public places.

- Municipal bodies must submit better sewage management plans, uninfluenced by finances.
- Rajasthan Government should take a policy decision to demarcate separate areas for “non-polluting industries” and “polluting industries” for better effluent management.
- Local administration should use Section 133 Code of Criminal Procedure, 1973 against continuous public nuisance from effluents in congested areas.
- National Green Tribunal may consider whether CETP should be treated as an extension of industry premises since it handles unavoidable external processing.
- All government departments (Industries Department, Revenue Department, PHED, Electricity, SPCB, local bodies, administration) must discharge their legal duties independently during all times uninfluenced by the monitoring done by the Committee; committee only supplements, not supersedes, their functions.

8. The monitoring committees gave its common final report on 22nd July, 2021 stating that its interim

report dated 20th April, 2021 shall be read as part and parcel of the final report. In the said final report, the following recommendations were given: -

- SPCB and State must increase cadre strength of SPCB and immediately fill all vacancies.
- Review laws and enforcement, collect data on resumed agricultural lands, cancelled leases/*Pattas*. If such actions were not taken, State Government may be asked, why authorities failed in enforcing laws and terms of conditions of the leases and *Khatedari* Rights?
- All Regional Officers must report details of illegally established industries on agricultural land to Tehsildar, Jodhpur Development Authority, Jodhpur Municipal Corporation, and Municipal Bodies of Pali and Balotra.
- For future, Regional Officers must promptly report any illegally established industry on agricultural land to Tehsildar, Jodhpur Development Authority, Jodhpur Municipal Corporation, and Municipal Bodies of Pali and Balotra for appropriate legal action.

- All Tehsildars must register cases against persons who are illegally using agricultural land for industries and send case details to Regional Officer, RSPCB without any delay.
- Tehsildars must provide Regional Officer with a copy of the final order passed in such cases immediately.
- In cases where *Khatedari* rights not cancelled or land in question has not been resumed, Regional Officer must send Tehsildar's order to Member Secretary, RSPCB, who must examine reasons and, if necessary, advise Collector to challenge within 15 days.
- A Monitoring Committee must oversee the progress of CETP projects, construction of new STPs, sewage lines/nallahs, and storm drainage works to avoid delays, cost escalation, and financial burden.
- Gram Panchayats, along with Revenue Officers and Tehsildars, must prevent pollution and act against industries on agricultural land within their jurisdiction, with accountability fixed for failures.

- Municipal Corporations (Jodhpur, Pali, Balotra), RIICO, and State must prioritize sewage management, maximize water reuse after treatment, and ensure proper disposal of non-reusable water for villages like Araba and surrounding areas of about 40 km areas.

9. After receiving the aforesaid final report and hearing the parties, the National Green Tribunal, Principal Bench, New Delhi *vide* final order dated 25th February, 2022 issued the following directions: -

- **The recommendations of Monitoring Committee as contained in reports dated 20th April, 2021 and 22nd July, 2021, which is already quoted shall be complied with by the concerned authorities within 6 months.**
- **RSPCB shall ensure that no untreated, or partly treated pollutant is discharged in water or water bodies or land including rivers in question, which do not comply with the environmental laws and norms and any industry including operators of ETP, STP or CETP shall be closed/sealed, if violation is**

found to have continued. For the period of non-compliance including post violations, **environmental compensation shall be determined by Competent Statutory Regulators, against violators, on the principle of 'Polluter's Pay', after giving show cause notice and opportunity and the said amount of compensation shall also be recovered. This entire exercise shall be completed within 6 months.**

- **RIICO shall pay environmental compensation of Rs. 2 Crores by depositing the same with the Central Pollution Control Board.**
- **The local bodies/authorities of District Barmer and Jodhpur each shall pay compensation of Rs. 2 Crores within 15 days with RSPCB and in case steps required to be taken by them for stopping pollution for complying with the directions mentioned above within 6 months are failed, they shall pay further compensation of above amount.**
- **The Statutory Regulators, in coordination with the concerned District Magistrates shall make a**

survey of respective areas of districts Jodhpur and Barmer, prepare detailed exhaustive lists of Industrial Proponents who are causing pollution, air and/or water pollution. **A regular monitoring shall be observed by a Committee comprising RSPCB, concerned District Magistrates and Central Ground Water Authority (CGWA) and appropriate remedial action including assessment of compensation as well prosecution shall be taken against the violators.**

- Amount of compensation deposited/recovered as directed above, shall be utilised for remediation and restoration of environmental damage. For this purpose, a joint Committee comprising CPCB, RSPCB, CGWA and District Magistrates Barmer and Jodhpur shall finalize plan within two months and execute the same within six months.
- Compliance report by respective bodies/authorities in respect of directions as above, shall be submitted by 30th September, 2022 with Registrar General, NGT. If any further direction is required/needed or found necessary

the Registrar General, NGT shall place the matter before the Tribunal.

10. Statutory appeals under Section 22 of National Green Tribunal Act, 2010, as per details mentioned below have been filed in this Court against the aforesaid order of National Green Tribunal, Principal Bench, New Delhi wherein different orders have been passed which are quoted hereinbelow for the sake of ready reference: -

I. Civil Appeal Nos. 5517-5519 of 2022: RIICO v. Digvijay Singh & Ors. [**Order dated 29th August, 2022**]

“Issue Notice. To be heard along with Civil Appeal No.2901/2022. There shall be interim stay. List after six weeks.”

II. Civil Appeal No. 8748 of 2022: Municipal Council, Pali v. Kisan Paryavaran Sangharsh Samiti, Jaipur & Ors. and **Civil Appeal Nos. 9057-9058 of 2022:** Nagar Nigam, Jodhpur v. Gram Panchayat, Araba & Ors. [**Order dated 21st November, 2022**]

“Delay condoned. Issue notice. There shall be interim stay in terms of the order passed in Civil Appeal Nos. 5517-5519 of 2022 on 29.08.2022. Tag with Civil Appeal Nos. 5517-5519 of 2022.”

III. Civil Appeal Nos. 9010-9011 of 2022:

Municipal Council, Balotra v. Digvijay Singh & Ors.

[Order dated 28th November, 2022]

“Delay condoned. Issue notice. Tag with Civil Appeal No. 8748 of 2022.”

11. It is pertinent to note that Civil Appeal Nos. 5517-5519 of 2022 were directed to be heard along with Civil Appeal No. 2901 of 2022 *vide* order dated 29th August, 2022. However, on perusal of records, it is evident that the issues involved in Civil Appeal Nos. 5517-5519 of 2022 and the *suo moto* writ petition are completely different from the issues involved in Civil Appeal No. 2901 of 2022. Hence, Civil Appeal No. 2901 of 2022 shall be de-tagged and heard separately.

12. Having considered the commonalities of issues which we propose to deal in the *suo moto* writ petition and the pending appeals, it would be expedient in the interest of justice, to direct that these pending appeals, i.e., Civil Appeal Nos. 5517-5519 of 2022; Civil Appeal No. 8748 of 2022; Civil Appeal Nos. 9057-9058 of 2022; and Civil Appeal Nos. 9010-9011 of 2022 should be clubbed and heard together with the *suo moto* writ petition.

13. Accordingly, the Registry is directed to place the papers before Hon'ble the Chief Justice of India for seeking direction of analogous hearing for all the above referred matters with the *suo moto* writ petition.

.....J.
(VIKRAM NATH)

.....J.
(SANDEEP MEHTA)

**NEW DELHI;
OCTOBER 09, 2025.**