

Item No.07

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

(Through Physical Hearing with Hybrid Option)

Original Application No.539/2022

Omaram Banjara

...Applicant

Versus

State of Rajasthan & Ors.

...Respondents

Date of hearing: 06.12.2022

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

Applicant: None.

Respondent: Mr. Tirupati Gaurav Shahi, Proxy counsel on behalf of Mr. Nishant Awana, Advocate for Rajasthan PCB.

Application is registered based on a letter petition received by Email.

ORDER

1. The grievance in the application is that Nayra Energy company is indulging in illegal mining of soil from Goucher (Pasture) land, public ponds and water bodies of nearby villages and uprooted thousands of trees in Chotila, Tehsil Rohat, District Pali (Rajasthan) and thereby damaged the environment.

2. Vide order dated 05.09.2022, this Tribunal constituted a Joint Committee comprising of the State PCB, DFO and Collector, Pali with direction to submit report within one month. In compliance thereof Mr. Rahul Sharma, Regional Officer, RSPCB, Pali has sent report of the Joint Committee vide email dated 02.12.2022.

3. In view of the averments in the application and observations in the report of the Joint Committee, we consider it appropriate to have response of

(1) State of Rajasthan through Chief Secretary, Government of Rajasthan, (2) Principal Secretary, Department of Industries, Government of Rajasthan, (3) State PCB, (4) District Collector, Pali and (5) the Project Proponent- M/s Nayra Energy Company Ltd., who stand impleaded as respondents No. 1 to 5. The Registry is directed to prepare and attach memo of parties to the application. Respondent no. 3 is already appearing before this Tribunal through counsel. Notices be issued to respondents No. 1, 2, 4 and 5 requiring them to file their reply/response within two months at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. Reply by respondent no. 3 be also filed within two month as directed above.

4. Notice be served on the Project Proponent- M/s Nayra Energy Company Ltd., through the District Collector, Pali and for this purpose notice issued to the Project Proponent be sent to the District Collector, Pali by E-mail for getting service of the same effected on it and sending his report in this regard.

5. List for further consideration on 27.03.2023.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

December 06, 2022
AG