

Item No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL**
(Through Video Conferencing)

Original Application No.14/2023(CZ)

Jheel Sanrakhan Samiti

Applicant(s)

Versus

State of Rajasthan & Ors.

Respondent(s)

Date of hearing: **16.02.2023**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

For Applicant (s):

Mr. Rahul Choudhary, Adv.

For Respondent(s):

None

ORDER

1. Issue raised in this application is concretization of the flood plains and river bed of the Ayad River between Bridge New Pulla to Sevashram Bridge located in Udaipur, Rajasthan, causing impact on the environment as follows:

- (i) *reduction in carrying capacity of water during peak monsoon;*
- (ii) *increase in the chances of flash floods in the city of Udaipur due to reduction in the carrying capacity of the river; and*
- (iii) *the concretization will incre as e the run off which will cause flooding in the area; and*
- (iv) *the concretization will not give the river to spread which is a natural phen omen a for the rivers durin g monsoon; and*
- (v) *reduction in the ground water rechargeable capacity.*

2. It is further contended that the flood plain must be demarcated, kept free from any permanent developments and wherever it is possible, it should be restored to its original position.
3. A substantial issue of environment has been raised.
4. Issue notice to the respondents, returnable within four weeks. Respondents are directed to submit their reply within Six weeks through E-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
5. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
6. 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. District Collector, Udaipur
 - ii. One representative from Water Resource Department, Government of Rajasthan.
 - iii. One representative from Rajasthan State Pollution Control Board
7. 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.
8. 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).

9. The report in the matter be filed by the Committee through email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List it on 18th April, 2023.

Sheo Kumar Singh, JM

Dr. A. Senthil Vel, EM

16th February, 2023
O.A. No. 14/2023 (CZ)
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