

Item No.04

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONAL BENCH, BHOPAL**

(By Virtual Mode)

Original Application No.90/2023(CZ)
(I.A.No.80/2023)

Naresh Choudhary

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 25.08.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

For Applicant(s) : Mr. Gaurav Kumar Bansal, Adv. for Applicant

ORDER

1. This Original Application (hereinafter referred to as '**OA**') under Section 14 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**') has been filed stating that circular dated 09.06.2023 issued by Forest Environment and Climate Change, Department of Rajasthan is in violation of Forest (Conservation) Act, 1980 (hereinafter referred to as '**FC Act, 1980**') which requires approval of Central Government for non-forest activities on a forest land, but in the present case, State of Rajasthan has constituted a committee which is in the teeth of the provisions of FC Act, 1980.

2. In our view a substantial question relating to environment due to implementation of scheduled enactments under NGT Act, 2010 has arisen, hence we issue notice to all respondents who may file their responses within 3 weeks after receipt of notice.

3. In the meantime, we direct State of Rajasthan not to allow any non-forest activities on the forest land unless provisions of Section 2 of FC Act, 1980 are complied with strictly.

4. List this matter on 04.10.2023.

5. Let notices be issued to the concerned parties informing them about the next date of hearing.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

August 25, 2023
Original Application No.90/2023(CZ)
(I.A.No.80/2023)