

Item No. 6

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

Original Application No. 132/2023(CZ)

Bhagirath Meena

Applicant(s)

Vs

State of Rajasthan & Ors.

Respondent(s)

Date of Hearing: **10.10.2023**

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

For Applicant(s):

None.

For Respondent(s):

Mr. Nishant Kesharwani, Adv.
(for Mr. Shoeb Hasan Khan, Adv.)

ORDER

1. The District Collector, Alwar, Respondent no. 3 has issued a general order on 19.01.2022 to the effect that keeping in view the interest of the general public it is ordered that in reference to rule 4(3) of the Rajasthan land Revenue (Conversion of Land of Agriculture to Non-Agriculture purpose in Rural Areas) Rules, 2007 those stone crusher units, which are running within 1500 meters of the outer boundary of residential area be immediately stopped and closed. In compliance of this order of the district collector, Alwar, the Tehsildar, Rajgarh wrote a letter to the Patwari of the area on 11.04.2022 and in compliance of this letter the Patwari of Nathalwada (Rajgarh) submitted a report to the Tehsildar, Rajgarh dated 28.04.2022 pointing out that one stone crusher unit in the name of M/s Laxmi Stone Crusher is being run illegally in village Joneta. The Patwari reported that the stone crusher unit is on the main road and located near the school and abadi within 550/600 meters of the main locality of the village. On

08.04.2022 the applicant and villagers of village Joneta submitted a representation to the District Collector, Alwar pointing out their grievances.

2. The matter was further inquired by Sub-Divisional Magistrate, Rajgarh who also reported that the stone crusher was being run in the area more than allotted and that there is no compliance of the environmental rules and the orders of the District Magistrate.
3. In spite of these reports no action has been taken by the District authorities, thus, this petition.
4. A substantial issue of environment has been raised.
5. 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.
6. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
7. 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. One representative of the District Collector, Alwar, Rajasthan.
- ii. One representative from the Dy. Conservator of Forest, Forest Department, Rajasthan.
- iii. One representative from State Pollution Control Board, Rajasthan.

4. 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.
5. 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).

6. 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 **06th December, 2023.**

Sheo Kumar Singh, JM

Dr. Afroz Ahmad, EM

10th October, 2023
O.A. No. 132/2023 (CZ)
PN