

Item No. 3

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

Original Application No.148/2023(CZ)

Bhanwar Lal Gurjar

Applicant(s)

Vs.

State of Rajasthan & Ors.

Respondent(s)

Date of Hearing: **17.10.2023**

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

For Applicant(s):

Mr. Dharamvir Sharma, Adv.

For Respondent(s):

None

ORDER

1. The present application is filed for the preservation and conservation of Rivers Khari and Mansi, which originated in District Pali and is lifeline of Bhilwada, Shahpura and Kekdi Districts of Rajasthan. The place Daneshwar is Sangam Sthal, falls in Fuliakalan Tehsil, where more than 40 temples and many festivals, numerous Marriage Ceremonies takes place every year. The applicant approached this Hon'ble Tribunal because of illegal excavation of Bazri sand in violation of norms, conditions of Environmental Rules by the Respondent No. 6/PP who has not only demolished Farmers Open wells, irrigation pipelines, standing crops, full grown trees causing huge financial losses to the villagers and residents of Shahpura but made huge adverse impact on river Khari & Mansi no n perennial river of Rajasthan. The respondents is in violation of installing and excavating by using Heavy JCB & Poclain Machines which is not permissible for bajri mining. Upon Complaint the a Spot Mauka Parcha was prepared in presence of concerned Tehsildar on 27.09.2023

regarding destruction of pipe lines and full grown trees due to rampant and illegal mining activities of the PP.

2. A substantial issue of environment has been raised. Issue notice to the respondents. Returnable within four weeks.
3. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
4. 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. We further constitute a committee consisting of :
 - i. One representative from Collector, District Shahpura (Rajasthan)
 - ii. One representative from State Pollution Control Board, Rajasthan
6. The Committee is directed to visit the place, examine the facts, take remedial measures and submit the factual and action taken report within four weeks. The State PCB will be the nodal agency for coordination and logistic support.
7. 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 **4th January, 2024.**

Sheo Kumar Singh, JM

Dr. Afroz Ahmad, EM

17th October, 2023
O.A. No. 148/2023 (CZ)
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