

Item No. 2

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

Original Application No.151/2023(CZ)

Rajendra Tiwari

Applicant(s)

Vs.

Union of India & Ors.

Respondent(s)

Date of Hearing: **18.10.2023**

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

For Applicant(s):

Mr. Vaibhav Panholly, Adv.

For Respondent(s):

ORDER

1. The grievance of the applicant/petitioner is that Respondent No.13 and 14 are operating a commercial establishment in form of Hotel/Marriage Garden cum Resort without any authority and same is located at the distance of 50 meters from boundary of Nahargarh Wildlife Sanctuary and same is being operated without any authority of forest department and without obtaining Wildlife Clearance from National Wildlife Board.
2. A report was called from the Assistant Conservator of Forest Nahargarh and in reply it was submitted that the built up area of the establishment is 2919.79 sq. mtr, below 20000 sq. mtr. and after that a detailed report was prepared by the Forest Department where it was found that the area is more than 77062.97 sq. mtr thus, wildlife clearance is mandatory. It is contended that the rules and regulation have not been followed and there are illegal non forest activities in violation of environmental norms.

3. A substantial issue of environment has been raised. Issue notice to the respondents. Returnable within four weeks.
4. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
5. 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. We further constitute a committee consisting of :
 - i. One representative from the Additional Chief Secretary, Forest & Wildlife, Govt. of Rajasthan, Rajasthan
 - ii. One representative from Collector, Jaipur ,Rajasthan.
 - iii. One representative from Central Pollution Control Board,Rajasthan
 - iv. One representative from Rajasthan State Pollution Control Board.
7. 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.
8. 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 **5th January, 2024.**

Sheo Kumar Singh, JM

Dr. Afroz Ahmad, EM

18th October, 2023
O.A. No. 151/2023 (CZ)
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