

Item No.3

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

**Original Application No.260/2024(CZ)
(I.A.No.146/2024)**

Hemraj Meena

Applicant (s)

Vs.

Union of India & Ors.

Respondent(s)

Date of Hearing: 13.01.2025

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

For Applicant (s):

Mr. Vaibhav Pancholy, Adv.

For Respondent(s):

Mr. Shoeb H. Khan, Adv.
Mr. Swadeep Singh Hora, Adv.
Mr. Rohit Sharma, Adv.
Mr. Sagar Jindal, Adv.

ORDER

1. The issue relates to violation of notification issued by MoEF&CC dated 08.03.2019 relating to Nahargarh Wildlife Sanctuary range at (Arawali ranges at Amer Hills) Jaipur District of Rajasthan and contention of the Learned Counsel for the applicant are that respondents are violating the notification and raising construction in violation of environmental rules. Learned Counsel for the respondent no. 14 put in appearance and submitted that the matter with regard to this particular site is under consideration before the Revenue Court and vide order of the Revenue Court some interim order has been passed. The contention of the Learned Counsel for the applicant are that the order passed by this Tribunal in O.A No. 97/2022 dated 16.12.2024 has not been fully complied by the authorities concerned. The order is quoted below :

“24. Accordingly, we direct the registry and the member Secretary, State Pollution Control Board, Rajasthan as follows :-

- i. Copy of the report with the recommendation of the committee with the details of names, constitution of the committee and the matter in issue may be sent to Chief Secretary, Rajasthan to first take action against the officers who are responsible for not identifying and demarcating the land of eco-sensitive or Nahargarh Wildlife Sanctuary/forest land.
- ii. The Chief Secretary is directed and requested to please ensure the identification and demarcation of the Nahargarh Wildlife Sanctuary within a reasonable time, say within two months and to report to this Tribunal. The Chief Secretary, Rajasthan is further directed and requested to ensure that there should not be any further construction without the permission of competent authority within the Nahargarh Wildlife Sanctuary without identification and demarcation of the Nahargarh Wildlife Sanctuary
- iii. It is further directed that any construction within the Nahargarh Wildlife Sanctuary in violation of environmental rules and the rules made therein should be removed immediately in due process of law. A show-cause notice be issued to the officers of forest department and wildlife constituting the committee to explain as to whether they are the officers of the forest department or not and how they failed to protect the Nahargarh Wildlife Sanctuary/Forest Land which is within their jurisdiction. Further action taken report be filed within two months.

25. *A copy of the order with pages discussed above be forwarded to the Chief Secretary and the Member Secretary, State of Rajasthan, State Pollution Control Board for proper and necessary action and to ensure the finalization of boundaries of Nahargarh Wildlife according to the notifications.”*

2. Learned Counsel for the respondent has further submitted that identification and demarcation of the land in question is under consideration and unless and until the identification is finalized by the State it would not be appropriate to further consider the matter. This Tribunal is concerned with the compliance of the environmental rules and in light of the para 5 of the order dated 09.12.2024 we direct the Chairman/Ex-officio/District Collector, Jaipur as contained in Section 5 of the notification for monitoring the Eco Sensitive Zone and compliance of the notification to comply it and to ensure that there should not be any constructions in violation of the environmental rules.

3. Time as prayed by the Learned Counsel for the Respondent no. 14 is allowed. Objections, if any, may be filed within two weeks.

List it on **19th February, 2025.**

Sheo Kumar Singh, JM

Dr. Afroz Ahmad, EM

15th January, 2025
O. A No.260/2024(CZ)
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