

Item No.02

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONAL BENCH, BHOPAL
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.257/2024(CZ)

Satyam Shekhar

Applicant(s)

Versus

District Conservator
Forest (Alwar) & Ors.

Respondent(s)

Date of hearing: 05.12.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

For Applicant(s) : Mr. Gaurav Kumar Verma, Adv. (in Virtual Mode)

ORDER

1. Heard Mr. Gaurav Kumar Verma, learned Counsel present (in Virtual Mode) for the Applicant.
2. The Applicant, Satyam Shekhar has filed the present Original Application alleging that the Respondents are not taking appropriate steps against the illegal construction of concrete road on land dedicated for drainage of rainwater on Khasra no.36 located at Village-Kesarpur, Alwar.
3. It is stated that an article was published in the local newspaper 'Patrika' dated 24.02.2024 stating therein that the land in Khasra no.36 measuring about 4.15 hectares is owned by the forest department and the Canal/Nala passing through this Khasra is dedicated for drainage of Rainwater. It is further stated that an illegal road is being used by the landowners having their plot in the said area. Construction of illegal concrete road over the said Khasra is being done which is a forest land without obtaining any permission or sanction from the forest department.
4. It is stated that on 01.05.2024 a letter was sent from the Office of the Deputy Conservator of Forest, Alwar to the Deputy Director

informing about the illegal construction of concrete road on the drainage area passing through Khasra no.36 and the Forest Conservator had also requested for removal of encroachments made upon the said drainage area.

5. It is stated that one Mr. Ved Prakash Yadav submitted an application before the competent authority alleging that the owner of Khasra no.36, Village-Kesarpur, Alwar had illegally constructed a concrete road on forest land without any prior approval from the Government authorities.
6. It is also stated that an RTI application was filed by the said Mr. Ved Prakash in which it was informed that the Khasra no.36, Village-Kesarpur, Alwar was transferred 25 to 30 years ago from the forest department to the Horticulture Department, Rajasthan and that the land in question falls under the Irrigation Department (Rajasthan).
7. Matter requires consideration.
8. Issue notice to the Respondents, returnable within four weeks.
9. All the Respondents shall file their counter-affidavits within four weeks.
10. The Counsel for the Applicant shall serve e-copy/soft copy of the Original Application along with all its annexures upon the Counsel for the Respondents, within 48 hours.
11. **List on 06.02.2025.**

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B. Amit Sthalekar, JM

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Dr. A. Senthil Vel, EM

December 05, 2024,
Original Application No.257/2024(CZ)
OM