

In the High Court of Judicature for Rajasthan
Jaipur Bench

D.B. Civil Writ Petition No.11153/2011

22.7.2016.

HON'BLE MR.JUSTICE AJAY RASTOGI
HON'BLE MR.JUSTICE M.N. BHANDARI

Mr. Virendra Dangi, Sr. Adv. with
Mr. Ashok Bhargava, Members of the Monitoring Committee.
Mr. Mahehdra Goyal, for JDA.
Mr. RD Rastogi, Assistant Solicitor General with
Mr. Ashish Kumar for Pollution Control Board.
Mr. GS Gill, AAG with
Mr. Harish C. Kandpal for State.
Mr. Mahendra Gaur
Mr. Lokesh Sharma
Mr. SS Hora
Mr. TC Sharma
Mr. Dilip Sharma,
Mr. Naveen Dhuwan for the applicants.

Suo motu cognizance was taken by this Court on a news item published in daily newspaper indicating encroachments, obstructions & unauthorized construction made in the catchment area of Ramgarh Dam, Jaipur and thereby obstructing natural flow of water towards the dam.

Initially, a detailed order was passed on 12.8.2011. Thereafter, various orders have been passed from time to time. It manifest that the State agencies are directed from time to time to take action against the persons who have made illegal obstructions/encroachments in the catchment area but the Ram Garh Dam could not be restored to its original shape as back in 1982 Asiad.

When the matter further processed, cognizance was taken by this Court in regard to other reservoirs/water bodies/Dams also and we appreciate that both the Sr. members of the Bar Mr. Virendra Dangi, Sr. Advocate & Mr. AK Bhargava are providing their valuable

services pro bono.

We find that some steps have been taken by the state authorities but still more is required to be done and it is the need of the hour.

After we have heard counsel for the parties and deliberation made before us, we are of the view that let the State Govt. prepare a road map to restore the reservoirs/water bodies/Dams which were at one stage, a major drinking water source in State of Rajasthan and as to what active steps are being taken for restoration of those water reservoirs/water bodies/dams. The status report in compliance of orders of the court shall be furnished with advance copy to the counsel appearing for the respective parties in the matter. A copy of this order may be made available to the counsel for State for compliance.

An application has been filed by Mr. Dalip Sharma, Adv. in regard to Ana Sagar Dam, Ajmer. Let copy of the same be made available to Mr. GS Gill, AAG and other counsel as well and response be filed on or before the next date of hearing.

Mr. Mahendra Goyal appearing for the JDA and Mr. R.D. Rastogi, Senior Advocate appearing for the Rajasthan Pollution Control Board, are also directed to submit compliance report.

Learned counsel for JDA would furnish details of the land on which encroachment exists or has been removed and, at the same time, an additional affidavit be filed that no decision has been taken for allotment of land in the catchment area of a reservoir.

The Municipal Council, Jaipur is also directed to submit an additional affidavit that Sewage Treatment Plant ("**STP**") for treatment of sewage of Jaipur City is being maintained properly and,

if not, then to specify the reason.

Learned counsel for the Rajasthan Pollution Control Board would also submit the report indicating the action taken against the industrial units or against the agency of State, if they have failed to comply the mandate of Water Pollution Laws.

List on 9.9.2016 along with DBCCP-1364/2012, as prayed.

(M.N. BHANDARI), J.

(AJAY RASTOGI), J.

dsr/-



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