

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Civil Writs No. 11153/2011

Suo Motu

-----Petitioner

Versus

State Of Raj

-----Respondent

Connected With

1. D.B. Civil Contempt Petition No. 1364/2012
 2. D.B. Civil Writs No. 6512/2017
 3. D.B. Civil Writs No. 14139/2017
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For Petitioner(s) : Mr. Virendra Dangi, Senior Advocate
with Mr. A.K. Bhargava, members of
the Monitoring Committee.
Mr. Karan Pal Singh
Mr. B.L. Sharma
Ms. Ashish Joshi,
Ms. Neerja Khanna
Mr. Rakesh Sharma &
Mr. P.C. Bhandari

For Respondent(s) : Mr. G.S. Gill, AAG with Mr. Harish
Kandpal, Addl. Govt. Counsel
Mr. R.D. Rastogi, Addl. Solicitor
General assisted by Mr. Ashish Kumar
& Mr. C.S. Sinha
Mr. Akhil Simlote,
Mr. Amit Kuri,
Mr. K.S. Rawat on behalf of Mrs.
Naina Saraf

**HON'BLE MR. JUSTICE M.N. BHANDARI
HON'BLE MR. JUSTICE DINESH CHANDRA SOMANI**

Order

09/04/2018

As prayed by Mr. G.S. Gill, learned Additional Advocate
General and Counsel appearing for Municipal Corporation, Jaipur,
so as the Pollution Control Board and even the JDA, let these
petitions be listed on 10.04.2018, to be taken up at 2.00 PM.

The respective Counsel appearing for the various departments are directed to keep their Officers present in Court to find out as to why compliance of the orders passed by this Court has not been made. It is whether to remove encroachments on the catchment areas of the reservoir or not to take steps for putting Sewerage Treatment Plants(STP) or Trade Effluent Plants with the required capacity i.e. taking into consideration the discharge of water. It has been brought to the notice of the Court that undercapacity Sewerage Treatment Plant was installed at Ramgarh Mod. It was not even properly maintained. Due to inflow of water more than the capacity to treat, the water was flowing untreated spreading foul smell in the area and otherwise destroying the catchment of reservoir as well as ground water.

In similar manner, *Kanota* Dam in Jaipur District is also receiving sewerage water, thus even the water, which can be used for irrigation or drinking is made useless due to inaction on the part of the Jaipur Municipal Corporation and Pollution Control Board apart from Water Resources Department.

It is merely an illustration, otherwise the members of the Monitoring Committee and other Advocates appearing for the cause submitted that no action has been taken by the Government for compliance of the order. As a consequence of which in the State of Rajasthan there is acute problem of drinking water.

Taking into consideration the seriousness of the issues, let all the Officers of the various departments as also the Collector, Dausa remain present in Court so as to secure their affidavits for compliance of all the orders passed by this Court from time to time and if any affidavit is found to be false, then to take measures even to prosecute them.

An application for impleadment has been filed by Ms. Ashish Joshi, Advocate. She submits that the applicants want to refer certain issues with regard to reservoirs where encroachments have been made or even residential scheme is likely to be carved out.

It is made clear that an application for impleadment would not be necessary as the Bar can support the cause by putting an application to bring the relevant material on record to show defiance of the orders passed by this Court from time to time.

Accordingly, let all the petitions be listed on 10.04.2018 at 2.00 PM. The presence of the Officers would be ensured by the respective Counsel appearing for the various departments. Collector, Dausa shall also remain present in the Court.

(DINESH CHANDRA SOMANI),J

(M.N. BHANDARI),J

KKC/20-23

