

**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

D.B. Civil Contempt Petition No. 1364/2012
Ramesh Meena And Another
-----Petitioner
Versus
C K Mathew And Others
-----Respondent

D.B. Civil Writs No. 6512/2017
Lok Sampati Sanrakshan Samiti
-----Petitioner
Versus
State Of Raj And Ors
-----Respondent

D.B. Civil Writs No. 14139/2017
Khem Karan Singh Toli
-----Petitioner
Versus
State Of Raj And Ors
-----Respondent

For Petitioner(s) : Mr. V. Dangi, Sr. Advocate with
Mr. Nidhi Khandelwal.]
Mr. A. K. Bhargava.] Members of
the Monitoring Committee.
Mr. Saransh Saini.
Ms. Ashish Joshi.
Mr. Karan Pal Singh.
Mr. P. N. Maindola, petitioner present
in person.

For Respondent(s) : Mr. N. M. Lodha, Advocate General
assisted by Mr. Sheetanshu Sharma
Mr. G. S. Gill, AAG.
Mr. Amit Kuri.
Mr. Atul Singh for
Mr. Rajendra Prasad, AAG.

Mr. Naresh Kr. Sharma, Collector,
Dausa.
Mr. M. C. Sharma, Regional Office,
RSPCB, Jaipur (North).
Mr. Vivek Goel, Regional Office,
RSPCB, Jaipur (South).
Mr. Abhishek Sharm, JSO, Regional
Office, RSPCB, Jaipur (South).
Mr. T. C. Verma, C.F., Wildlife, Jaipur.
Mr. Yogendra Singh, DCF.
Mr. Rajkumar Sing, DC-12, JDA.
Mr. Birdhichand Gangwal, DC-13, JDA.
Mr. Pramod Sharma, EO-13, JDA.

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

Order

03/05/2018

Learned Additional Advocate General submits that affidavits have been filed pursuant to the directions of this Court leaving affidavit of the Additional Chief Secretary of UDH and Revenue Department. It is due to their transfer. The members of the Monitoring Committee submit that copy of the affidavits has not been served on them.

In view of the above, Mr. G. S. Gill, Additional Advocate General is directed to serve copy of the affidavits to the members of the Monitoring Committee and would further submits the affidavit of Revenue and UDH Department within a week.

The issue in reference to each department and affidavit filed by them would be considered on the next date of hearing.

An application has been filed by Shrinath Sharma in regard to Bharatpur where the UIT is regularising and making allotment of the land of the Irrigation Department. The learned Additional Advocate General Mr. G. S. Gill prays for and is granted one week's time to seek instructions and file an affidavit. It is further

directed to keep District Collector, Bharatpur and Secretary, UIT, Bharatpur present in the Court on the next date of hearing.

A writ petition has been filed by Mr. P. L. Maindola. Reply to it has not been filed in absence of factual report.

We cannot accept the aforesaid excuse. Accordingly, while granting a week's time to file reply, a cost of Rs.25,000/- is imposed and to be recovered from the OIC for not preparing factual report. The cost to be deposited by the next date of hearing with Rajasthan State Legal Services Authority, Jaipur.

Out of many issues, the issue pertaining to the default in implementation of pollution laws in the District Pali & Balotra in District Barmer has also been taken where large number of processing houses exist, we request the learned Advocate General to look into the affairs of District Pali & Balotra (District Barmer). It is to see capacity of treatment plants and the discharge of water by the Industries therein. It is also to see who is controlling the affairs of treatment plant apart from all other related affairs in the hands of Officers of Pollution Control Board and RIICO. For the aforesaid, learned Advocate General prays for and is granted 15 days time and he would give suggestion.

The District Collector, Dausa is present in person. He is directed to submit a report in respect of Banganga river after obtaining it from Tehsildar of each area to the effect that no encroachment exists in the land belonging to catchment area, reserviour, nala etc.

Let these matters be listed on 17.5.2018.

(DINESH CHANDRA SOMANI),J

(M.N. BHANDARI),J