

**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. 14139/2017

Khem Karan Singh Toli

----Petitioner

Versus

State Of Raj And Ors

----Respondent

D.B. Civil Writs No. 6512/2017

Lok Sampati Sanrakshan Samiti

----Petitioner

Versus

State Of Raj And Ors

----Respondent

For Petitioner(s)	:	Mr.Virendra Dangi, Sr. Adv. with Ms.Nidhi Khandelwal] Mr.Ashok Bhargava] Members of the Monitoring Committee Mr.Shreenath Sharma Mr.Saransh Saini Mr.SP Singh for Mr.Karanpal Singh Mr.PN Maindola – Petitioner (self)
For Respondent(s)	:	Mr.NM Lodha, Advocate General Mr.GS Gill, AAG with Mr.HC Kandpal Mr.Ashok Mehta, Sr.Adv. with Mr.Siddhant Jain Mr.Akhil Simlote with Mr.Bhupendra Sharma Mr.Amit Kuri Mr.Bipin Gupta Mr.Dinesh Chand Gupta

Mr.PK Singh
Mr.HV Nandwana
Mr.M.Shiromani Sharma &
Mr.Shashank Pareek for Mr.Rajendra
Prasad, AAG
Mr.Raghuveer Meena for Mrs.Naina
Saraf

HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI
HON'BLE MR. JUSTICE DINESH CHANDRA SOMANI

Order

23/07/2018

The case was heard in regard to the compliance of earlier orders of this Court.

We find failure of the State Government in carrying out the directions.

For illustration, the position of Jaipur District was taken up at the first instance.

As per learned Additional Advocate General Mr.GS Gill, there exists thirty-one dams in Jaipur District. Out of these thirty-one dams, twenty-eight are drying. Three dams are having water, namely, Nevta dam, Kanota dam and Chandlai dam. When we asked about sources of water in these dams, it could not be answered. The Officer of the Irrigation Department, present in the Court, was asked to disclose the sources of water to these dams.

We find that Nevta dam is getting water out of discharge of textile industries in Sanganer and also of "Amanishah Nala", thereby, even polluted water is coming in Nevta dam. Another dam is Kanota Dam. It is receiving water out of sewage of Jaipur city. It has not been treated thus water is giving bad smell and cannot be used for any purpose whatsoever. The same is the position of Chandlai dam.

In view of the above, none of the dams in Jaipur District is receiving fresh water and are being dried due to the orders passed by the administration causing destruction to the sources of water. They have allowed constructions in the catchment area of dam, Nala, river, pond. They have made allotments in violation of Section 16 of the Rajasthan Tenancy Act, 1955.

If that is the position of Jaipur District then what can be expected of the State Government in regard to other districts. The way, the judgment has been taken up for implementation, cannot leave ray of hope that in future the State Government would be in a position to get sufficient drinking water for its public. The things need to be taken up seriously because compliance reports have been filed by various Departments as a formality and not with positive action, as is required. The Government has not taken the issue with sanctity or seriousness, as is required thus let the Chief Secretary, State of Rajasthan should remain present in the Court on the next date of hearing to know the affairs of various Departments for the water conservation or any other matter, related to it.

As prayed by learned Additional Advocate General Mr.GS Gill, let these cases be listed on 26th July, 2018 at 2.00 PM. On the aforesaid date, the Chief Secretary, State of Rajasthan would remain present in the Court to explain entire issue and further action of the State Government.

(DINESH CHANDRA SOMANI),J

(M.N. BHANDARI),J