

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

D.B. Civil Writ Petition No. 14825/2020

Gramotthan Sanstha

-----Petitioner

Versus

The State Of Rajasthan & Ors.

-----Respondents

For Petitioner(s)	:	Mr. Rajendra Prasad, Sr. Advocate assisted by Ms. Harshita Thakral Mr. Deepak Sharma, Advocate
For Respondent(s)	:	Mr. M.S. Singhvi, A.G. with Ms. Sheetal Mirdha, AAG with Mr. Prateek Singh, Advocate

**HON'BLE MR. JUSTICE MANINDRA MOHAN SHRIVASTAVA
HON'BLE MRS. JUSTICE SHUBHA MEHTA**

Order

08/07/2022

We heard learned counsel for both the parties particularly learned Advocate General and perused the material on record.

We find that even though a system of irrigation has been developed for flow of water from Panchna Dam to cater to the needs of the command area which comprises of more than 40 villages, there are certain demands of residents of villages which are outside the command area that unless they are also included in the scheme for supply of water for irrigation facilities in that area, the proposed facility should not be made operational through canals and lift canals under the present system.

The concern with regard to unrest and likelihood of creation of law and order situation was also expressed which was taken note of by this Court as reflected in our previous order dated 14.03.2022.

Further, we find that in compliance of the direction given by this Court, an endeavor was made to bring about amicable settlement. Minutes of meetings held on 28.04.2022 have been placed on record.

A perusal of minutes of meetings held on 28.04.2022, as also earlier minutes of meeting placed before this Court, reveals that in some sections of the residents of the area, there is an objection to operationalization of the developed irrigation system through Panchna Dam on the ground that the same benefit has not been extended to the area where the objectors are residing.

The feasibility report which was obtained under earlier order also reflects that the facility of irrigation can be provided in accordance with the recommendation as contained in the feasibility report dated 14.03.2022 marked as annexure AA-6 prepared by committee of Engineers.

An irrigation facility having been developed, it would be in public interest that the irrigation facility is provided to the area where it can be made operational on the basis of the feasibility report.

At the same time, the grievance of those who are still waiting for extension of irrigation facilities in the area also needs to be addressed.

This require preparation of an appropriate plan for extension of irrigation facilities in the area wherefrom objections are emerging, raised by the residents of that area. However, even the residents of those areas cannot raise such objections that unless the facility is extended to them, irrigation facility in other areas should not be made operational. The state authorities may invite the objectors to discuss regarding development of irrigation

project to those areas which have not so far been included and prepare an appropriate plan in future. However, that should not be made a basis to delay supply of water under the existing system which has already been developed but only because agitation and protest has not been made operational.

The Collector of the district shall cause appropriate public notice to be issued in the concerned Panchayat area comprising of villages wherefrom objections are emerging to inform that an order has been passed by this Court with regard to supply of water for irrigation facilities through operationalisation of the existing scheme and if there is any objection to the same, the same may be submitted before the Collector.

We make it clear that if any attempt is made by any person to take law and order in his hands, he will required to be appropriately dealt with. The objections if any received by the Collector of Districts Karauli and Sawai Madhopur shall be forwarded for being placed before this Court on the next date of hearing.

List the case on 17.08.2022.

(SHUBHA MEHTA),J

(MANINDRA MOHAN SHRIVASTAVA),J