

**BEFORE THE PRINCIPAL BENCH
NATIONAL GREEN TRIBUNAL
NEW DELHI**

Original Application No. 329/2015

Gram Panchayat Araba V/s State of Rajasthan & Ors.

**CORAM : HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

Present: Applicant	Appearance not marked.
Respondent	Mr. Shiv Mangal Sharma,
No. 2	Saurabh Rajpal, Mr. Adl
	Singh Rajawat Adv.
Respondent	Mr. Rohit Sachaw
No. 7	

Date and Remarks	Orders of the Tribunal
Item No. 1, April 26, 2016	<p>None appears on behalf of the applicant.</p> <p>By a detail order dated 07.04.2016, after considering the previous orders, we had directed the District Collector, Jodhpur and Barmar to file an affidavit giving details of steps taken in respect of unauthorized district units and those causing pollution in agricultural fields. Further it was directed that all the revenue records be kept available before the Tribunal.</p> <p>The Member Secretary, Rajasthan State Pollution Control Board was also to file an affidavit giving the details, as mentioned above.</p> <p>In so far as District Collector, Jodhpur is concerned, neither he has filed any affidavit nor he is present today. The Sub-Divisional Officer, Luni is present before us. He has not complied with our earlier orders passed at the Circuit Bench, Jodhpur and the</p>

previous orders/ directions given by the Tribunal.

The manner in which the District Administration, Jodhpur and Badmer has been responding in this case for complying with the directions given from time and again, is really shocking. The District Collector, Jodhpur has not even cared to file an affidavit as per the last order dated 07.04.2016. As a matter of fact, a perusal of earlier orders passed by different Benches, observing about the violation of the orders by the two District Administrations, stands fortified by today's inaction. Rather it is a case of disobedience of the directions issued by the Tribunal. It was made clear on the earlier occasion and the District Administration was warned that if action is not taken then the Tribunal shall be constrained to direct the Collector to appear in person.

Therefore, in the present circumstances this Tribunal has no option, so as to have expeditious redressal of the public grievance, but to direct the Collector, Jodhpur to appear before us on the next date of hearing.

In the normal course Bail-able Warrants ought to have been issued when the Collector did not appear today however, his Counsel undertakes that the Collector shall present before the Tribunal on the next date of hearing. Further we make it clear that an affidavit giving the details of the steps taken by the Administration for redressal of grievance made by the applicant so far be filed before the next date of hearing.

The Member Secretary for Rajasthan State Pollution Control Board shall also remain present on the

next date of hearing and file an affidavit in respect of compliance of the orders dated 07.04.2016, with an advance copy to the Counsel for applicant.

The ADM, District Barmar is directed to come on the next date of hearing, along with the relevant revenue record. The respective Counsels present are inform the concerning officers with regard to the passing of today's order.

Matter be listed before the Circuit Bench at Jodhpur on 30th May, 2016

.....,JM

(Raghuvendra S. Rathore)

.....,EM

(Ranjan Chatterjee)

