

NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH, BHOPAL

M.A. Nos. 704/2014, 707/2014 to 710/2014,
M.A. Nos. 43/2015, 44/2015, 56/2015 to 61/2015

and

Original Application No. 125/2013 (THC) (CZ)
Villagers of the Village Patanwati Vs. State of Rajasthan & Ors.

CORAM : HON'BLE MR. JUSTICE PRATAP KUMAR RAY, JUDICIAL MEMBER
HON'BLE MR. P.S.RAO, EXPERT MEMBER

PRESENT : Applicant : Ms. Sadhna Pathak, Advocate
Respondents : Mr. Sachin K. Verma, Advocate
for State of Rajasthan
Mr. P.S.Meena, Mining Engineer, Sikar
Mr. Sandeep Singh, Adv. for RSPCB
Mr. Arvind Soni, Advocate for R/5 to R/8
Interveners : Mr. Yogesh Bhatnagar, Adv.
Mr. M.K.Meena, Advocate
Mr. Vikram Singh Shekhawat, Advocate
Mr. Rohit Sharma, Advocate
Dr. M.S. Kachhawa, Advocate
Mr. Kedar Solanki, Advocate
Mr. Rohit Sharma, Advocate

Date and Remarks	Orders of the Tribunal
Item No. 4 3rd February, 2015	Respondent interveners appearing through their Learned Advocates submit that the Order of suspension of their respective units dtd. 22.09.2014 may be revoked having regard to the report of the RSPCB as filed wherein it is mentioned that they have rectified the deficiencies and are maintaining all the prescribed standards and norms. However, having regard to the order dated 19.12.2014 passed by the Bench presided over by Hon'ble Mr. Justice Dalip Singh, Judicial Member sitting with Hon'ble Expert Member Mr. P.S.Rao, it appears that different issues were framed regarding scarcity of water, removal of <i>bajri</i> (sand) from the river bed of river Kasavati and stream beds of Sabi & Sotanala in the Patanwati area of Neem-Ka-Thana Block and directed the State Government to express their views by discussing the issues with experts and others on this day fixed.

Copy of the Order was sent to the Chief Secretary, State of Rajasthan for compliance and to the Member Secretary, RSPCB for coordinating the meeting.

Learned Counsel appearing for the State of Rajasthan submits that as yet they have not been able to take decision on the issue by contacting the Experts and seeks time to submit the reply of the issues as was framed and discussed by this Bench on 19.12.2014.

Learned Advocate for RSPCB submits that in compliance of the order dated 19.12.2014, a meeting has been convened by the Addl. Chief Secretary, Government of Rajasthan with the RSPCB Member and with all the concerned officers which is scheduled to be held on 11.02.2015 for taking appropriate decision with regard to the issues framed and considered by this Tribunal in its order dated 19.12.2014. Considering this approach, we are of the view that at this present moment we cannot decide the prayer made by the Respondent interveners so long as the answers of the Respondent/State and RSPCB are not available dealing with the issues as was framed earlier.

Misc. Application No. 710/2014

Misc. Application No. 710/2014 filed by Shri Jairam Singh for impleadment as party Respondent in support of the Original Application as filed, is taken up today for hearing. The respective interveners who are operating the respective units have raised objection to this application. They are at liberty to file objection, if any, within two weeks. Rejoinder, if any, be filed one week thereafter.

Taking documents on record

- 2 M.A.No. 707/2014 / M/s New Balaji Stone Crusher for Filing Additional Documents
- 3 M.A.No. 708/2014 / M/s Omkara Stone Crushers for Filing Additional Documents
- 4 M.A.No. 709/2014 / M/s Jai Shreeshyam Stone Crushers for Filing Additional Documents
- 5 M.A.No. 43/2015 / M/s Choudhary Associates for Impleadment
- 6 M.A.No. 44/2015 / M/s Ultra Cements for Impleadment
- 7 M.A.No. 56/2015 / M/s Ma Bhagwati Stone Crushers for Impleadment
- 8 M.A.No. 57/2015 / M/s Ma Karni for Impleadment
- 9 M.A.No.58/2015 / M/s Shree Jagdamba Stone for Impleadment
- 10 M.A.No. 59/2015 / M/s A.K.Mineral for Impleadment
- 11 M.A.No. 60/2015 / M/s A.K.Mineral for Modification of Order
- 12 M.A.No. 61/2015 / M/s Sherawali Stone Crushers for Modification of Order

Heard the Learned Counsels appearing in the aforesaid respective Misc. Applications seeking modification of order of suspension of unit operation and necessary order allowing operation of their respective units.

Ms. Sadhna Pathak, Learned Counsel appearing for the Original Applicant prays leave of the Court to file specific objections with regard to the prayer for operation of the units having regard to the scarcity of water and other factors regarding the policy on utilisation of water source and other eco-factors. Considering her prayer, she is allowed to file specific objection to the Misc. Applications filed by the respective Misc. Applicants by two weeks. Rejoinder, if any, be filed one week thereafter.

Misc. Application Nos. 43/2015, 44/2015, 56/2015, 57/2015, 58/2015 & 59/2015 seeking leave of this court for being added as party Respondents stands allowed and the other respective applications seeking prayer for submission of the

relevant documents on record stand allowed.

Let the matter be listed on **23rd February, 2015.**

.....,JM
(JUSTICE PRATAP KUMAR RAY)

.....,EM
(P.S.RAO)

