

BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH, BHOPAL

Original Application No. 57/2013 (CZ)

Shree 1008 Kunwar Raj Rajeswari v. Sunil Sharma & Ors.

CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE MR. P.S.RAO, EXPERT MEMBER

PRESENT : Applicant : None appeared
Respondent No. 2 : Shri Sachin K.Verma, Advocate
Shri Satya Prakash Saxena,
T.I. University Thana
Respondent No. 3 : Shri Shivendu Joshi, Advocate for
Shri Purushindra Kaurav,Advocate
Respondent No. 4 : Shri Suman Mandal, Advocate
Intervener : Shri Ajay Gupta, Advocate

Date and Remarks	Order of the Tribunal
Item no. 9 14th February, 2014	<p>Shri Ajay Gupta, Learned Counsel appearing on behalf of the Association of the Crushing Units at Bilowa has filed an affidavit of Shri Uttam Singh Yadav, Joint Secretary of the Association in compliance of our order dtd. 11.02.2014. The same is ordered to be taken on record. Shri Sachin K. Verma, Learned Counsel appearing for the State and its functionaries, informed us that the District Collector, Gwalior on 13.02.2014 has constituted a 5 member committee lead by SDO, Dabra District Gwalior for inspection of the proposed alternate site where the school, as been proposed by the Association, may be constructed near Natho Ki Basti in Villlage Naka Pata. Shri Sachin K. Verma submits that he would be in a position to apprise the Tribunal about the decision of the committee within a week.</p> <p>Shri Ajay Gupta, Learned Counsel submits that in the meanwhile the District Collector may be directed to forward the blue print of the school building as was constructed at Villlage Naka Pata so that the Association may take up estimation of the cost and they may be permitted if allowed to raise the construction at the site at Natho Ki Basti without waste of time as per the blue print and design approved by the District</p>

Collector under the 'Sarva Shiksha Abhiyan' under the supervision of an Officer to be appointed by the District Collector. Shri Sachin K. Verma, Learned Counsel is directed to convey to the District Collector the aforesaid proposal and consider the same for seeking the views and obtaining the approval of the District Collector on the aforesaid proposal by the next date of hearing.

The SHO, Police Station, Vishwavidyalaya, Gwalior is present. Shri Sachin K. Verma, Learned Counsel appearing for the State has submitted that in view of the ensuing Lok Sabha elections a drive is being carried out for obtaining information of persons against whom several cases are already registered and it was only by way of routine exercise the Applicant was summoned at Police Station, Vishwavidyalaya. It is further been stated that the Crushers are not located within the jurisdiction of Police Station, Vishwavidyalaya and are concentrated in the jurisdiction of Police Station Bilowa and as such the SHO, Police Station, Vishwavidyalaya is not connected to the present matter.

We have noted the aforesaid explanation. We emphasise that the District Administration should be sensitive towards the safety of those citizens who self-lessly bring matters to the notice of the Courts / Tribunals on issues relating to environment and public interest. Once the matter has been brought to our notice it shall be dealt with in accordance with law and followed to its logical conclusion notwithstanding the fact that in such matters the Applicant wishes to peruse the matter personally or not.

Stand over to **24.02.2014**.

.....JM
(DALIP SINGH)

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