

Item No. 01

**BEFORE THE NATIONAL GREEN TRIBUNAL  
CENTRAL ZONE BENCH, BHOPAL  
(Through Video Conferencing)**

**Original Application No. 05/2024(CZ)**

Arun Sharma

Applicant(s)

Verses

State of Rajasthan & Ors.

Respondent(s)

Date of Hearing: **15.01.2024**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

For Applicant(s):

Mr. Naveen Ahuja, Adv.

For Respondent(s):

None

**ORDER**

1. Issue raised in this application are the violation of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and The Noise Pollution (Regulation and Control) Rules, 2000 and illegal mining being carried out within the notified area of Band Baretha Wildlife Sanctuary and the other parts of Tehsil- Bayana in the District of Bharatpur, Rajasthan which is giving rise to the inhalable dust resulting in breathing problems to the villagers living in the abadi area which is just adjacent to the illegal mining area. Moreover, the illegal mining and its transportation going on in the area has created troublesome situation for the people residing in the nearby area and the travellers passing by from that area.

2. Certain area of Bandh Baretha Wildlife Sanctuary was de-notified for the mining purposes and generation of revenue by the State Government and under the garb of which certain illegal miners started the sandstone mining activities without the permission of the concerned authorities within the protected area of Bandh Baretha Wildlife Sanctuary and in the nearby areas of Tehsil-Bayana, District Bharatpur.
3. A substantial issue of environment has been raised.
4. Issue notice to the respondents, returnable within four weeks. Respondents are directed to submit their reply within six weeks through E-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
5. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
6. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-
  - i. One representative from the Collector, Bharatpur Rajasthan.
  - ii. One representative from the DFO, Bharatpur Rajasthan.
  - iii. One representative from Rajasthan Pollution Control Board.
7. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.
8. Applicant is directed to supply the copy of the application and relevant documents to the Committee and Respondent(s) within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served upon the Committee and respondent(s).

9. The report in the matter be filed by the Committee through email at [ngtczbbho-mp@gov.in](mailto:ngtczbbho-mp@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List it on **04<sup>th</sup> March, 2024.**

**Sheo Kumar Singh, JM**

**Dr. A. Senthil Vel, EM**

15<sup>th</sup> January, 2024  
O.A. No. 05/2024 (CZ)  
PN