

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

Original Application No. 398/2017

Pratap Bhanu Singh Shekhawat Applicant(s)

Versus

Department of Mines & Geology & Ors. Respondent(s)

Date of hearing: 01.07.2019

CORAM:

**HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s) Mr. Jaideep Singh, Ms. Eysha Marysha and Mr. Kartik Dabas, Advocates

For Respondent(s) Ms. Padhmalakshmi Iyengar, AAG for State of Rajasthan
Mr. Adhiraj Singh, Advocate for RSPCB
Mr. Shashank Saxena and Ms. Ruchi Mandal, Advocates for Mr. Ardhendumauli Kr. Prasad, Advocate for Surveyor of India
Mr. Sushil Kumar Jain, Mr. Narender Pal Singh, Mr. Kunal Vajani, Mr. Sumeer Sodhi, Ms. Shreya Nair, Ms. Harshita Aggarwal and Mr. S. Lakshmi Iyer, Advocates for R-5
Mr. Amit K. Pathak and Mr. Tushar Thauja, Advocates for R-6

ORDER

Earlier on 8th March, 2019, we had passed a detailed order and issued directions to Surveyor General of India to complete the work assigned to them and submit a report as early as possible. It is relevant to mention here that the issued involved herein is a serious one which relates to

pollution of environment which is effecting the residents of the city of Chittorgarh. It is because of open cast mining that the pollution has been effecting the environment of the residents of the area which are about 14 lakhs in number. Mining is even going on within the city/municipal limits of Chittorgarh. The State Pollution Control Board had stated before us that in all there are about 587 queries which are in operation. All these issues were discussed in the presence of the Additional Survey General of India on the last date of hearing. We had directed the Director General, Civil Aviation to consider the request of Surveyor General of India for flying drones for the purpose of preparing the report. For the sake of information, we had even sent copies of the last orders passed by us to the Director General of Civil Aviation as well as Director, Archeological Survey of India to ensure that they would be cooperating with the assignment given to the Surveyor General of India.

To our surprise, the report sought for has not been filed. The Learned Counsel representing the Surveyor General of India submits that survey through drone as well as GPS is partially done. Despite of earlier orders and directions issued, we find that the matter is not been proceeded with by the Surveyor General of India as it ought to have been, looking to the serious pollution of environment to the residents of the Chittorgarh city.

Therefore, we direct the Surveyor General of India to be present before the Tribunal on the next date of hearing.

It is made clear and we expect Surveyor General of India to complete their assignment before the next date of hearing. A copy of this order be sent to him through e-mail, forthwith

The Learned Additional Advocate General for State of Rajasthan submits on instructions that no mining in the municipal limits and Bassi Sanctuary, as per the last direction issued by the Tribunal, are going on as on date.

List this matter on 22nd July, 2019.

Raghuvendra S. Rathore, JM

Dr. Satyawan Singh Garbyal, EM

July 01, 2019
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