

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

(By Video Conferencing)

Original Application No. 197/2022

In re: News item published in Times Now dated 05.03.2022 titled  
**“Rajasthan: Over 50 crocodiles dead in a month due to  
construction and beautification activities in Kota’s Kala Talab”**

Date of hearing: 05.07.2022

**CORAM: HON’BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON’BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON’BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Nishant Awana, Advocate for RSPCB

**ORDER**

1. The matter was taken up in the light of media report<sup>1</sup> titled  
“Rajasthan: Over 50 crocodiles dead in a month due to construction and  
beautification activities in Kota’s Kala Talab”.

2. Vide order dated 23.03.2022, the matter was considered in the light  
of report submitted to this Tribunal and submissions made by the  
Member Secretary, State PCB. The Tribunal directed a joint Committee  
comprising District Magistrate, State PCB and DFO, Kota to submit a  
report to this Tribunal after taking remedial action in the manner  
stipulated in the said order. Relevant extract from the order is  
reproduced below:

“1. xxx .....xxx.....xxx

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<sup>1</sup> News Item dated 05.03.2022 published in Times Now titled “Rajasthan: Over 50 crocodiles  
dead in a month due to construction and beautification activities in Kota’s Kala Talab”:  
[https://www.timesnownews.com/mirror-now/in-focus/rajasthan-over-50-crocodiles-dead-in-a-month-due-to-  
construction-and-beautification-activities-in-kotas-kala-talab-article-90009710](https://www.timesnownews.com/mirror-now/in-focus/rajasthan-over-50-crocodiles-dead-in-a-month-due-to-construction-and-beautification-activities-in-kotas-kala-talab-article-90009710)

2. *In pursuance of advance notice dated 07.03.2022 sent by the Registry for today's hearing, Member Secretary, State PCB and Additional District Magistrate, Kota are present in person. The District Magistrate, Kota has also filed a joint Report dated 21.03.2022 on behalf of the Urban Improvement Trust (UIT), Kota, DFO, Kota and Regional Officer, State PCB, Kota. The report is that RCC drain is being constructed to prevent discharge of pollution in the pond. No work of the UIT is taking place at the pond. However, the domestic sewage is coming into the pond from the nearby residential colonies. No evidence of death of crocodile was found in the pond. The pond is not part of Chambal Crocodile Sanctuary. It is at the distance of 3.5 km from Chambal River.*

3. *During the hearing, the Member Secretary, State PCB submitted that after submission of the report it has come to light that there are certain activities of UIT which may result in narrowing the pond which will be checked.*

4. *In view of above, we direct the State PCB to take further remedial action in the light of facts found. The UIT, Kota may ensure that no part of pond land is in any manner encroached, as apprehended by the Member Secretary, State PCB. Catchment of the pond be demarcated for protection from encroachment, and prevent disposal of sewage and solid waste into pond. The District Magistrate, Kota may ensure protection of the pond in question in coordination with the concerned departments. DFO, Kota may also maintain vigilance against any damage to the wildlife habitat in question. A joint report by District Magistrate, State PCB and DFO, Kota may be filed before this Tribunal within one month by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. The State PCB will be the nodal agency for coordination and compliance."*

3. In pursuance of above, report of the joint Committee dated 28.05.2022 has been filed which merely states that there is no evidence of death of the crocodiles. However, neither water quality of the pond in question is mentioned nor it has been clarified whether constructions in the area are being undertaken after requisite Environmental Clearance. The constructions appear to be more than 1.5 lac sq. meters calling for EC as per EIA notification dated 14.9.2006.

4. In view of above, we direct a joint Committee of Member Secretary, State PCB and District Magistrate, Kota to further look into the matter after ascertaining the facts about water quality and legality of constructions in the area, it may ensure necessary remedial action so

that the water quality is maintained as per the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and constructions take place in accordance with the provisions of the EIA Notification dated 14.09.2006 and other applicable norms. The buffer zone in the periphery of pond may be kept free of constructions.

The application is disposed of.

A copy of this order be forwarded to Member Secretary, State PCB and District Magistrate, Kota by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

July 05, 2022  
Original Application No. 197/2022  
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