

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

(By Video Conferencing)

Original Application No. 154/2020

In Re: News item published on 27.07.2020 in “Times of India” titled  
**“Forest guard mowed down by ‘mining mafia’ in Sariska”**

Date of hearing: 10.08.2020

**CORAM: HON’BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON’BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON’BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent(s): Mr. Rajesh Kumar Singh, Advocate for MoEF&CC

**ORDER**

1. Proceedings in this matter have been initiated based on media report<sup>1</sup> dated 27.07.2020 under the heading “Forest guard mowed down by ‘mining mafia’ in Sariska” to the effect that “a forest home guard was mowed down by a tractor belonging to suspected mining mafia inside Sariska Tiger Reserve (STR) on Sunday after he attempted to stop them along with his colleague. The guard was rushed to a hospital where he succumbed to injuries. Cops are yet to arrest the accused, but have seized the tractor. This is not the first time that forest officials have been attacked inside the STR. The deceased has been identified as Keval Singh. He was in his mid – 40s. STR, DFO Seduram Yadav said, “On Sunday, the guard along with his colleague went for patrol in Baldevgarh checkpoint area of the tiger reserve where they saw certain individuals

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<sup>1</sup> News item published in Times of India

illegally transporting *bajri* from the forest area. When the guards tried to stop them, they mowed him down with a tractor. This is not the first time that villagers have attacked forest officials. On January 25, a forest ranger of STR Jitendra Chaudhary had to run for his life after being attacked by villagers. The villagers attacked him after he and his 10 member team confiscated 18 sheep and 30 goats for illegal grazing in the tiger reserve. On December 15, 2019, senior forest officials were allegedly manhandled by villagers in the tiger reserve. Following this, a case against 20 identified accused was registered at the Bansur police station. The reserve is spread across 1,281 sq. km. area and is divided into six ranges. There are just 108 forest guards, which is far less than its sanctioned strength of 132. Moreover, with the menace of frequent attacks in Sariska, unarmed forest guards often struggle to protect the area.”

2. Before taking up the matter today, the Registry issued notice to the MoEF&CC and PCCF (HoFF), Rajasthan on 30.07.2020 for today’s hearing. Appearance has been on behalf of the MoEF&CC but there is no appearance for the State of Rajasthan. Learned counsel for MoEF&CC does not dispute that such incident has taken place. He states that FIR has been registered but the Rajasthan Police has not been able to apprehend the accused so far.

3. It is patent that mining is taking place inside the Tiger Reserve in violation of the Wildlife (Protection) Act, 1972 and mining norms laid down under the Sustainable Sand Mining Management Guidelines 2016 by CPCB under the provisions of the Environment (Protection) Act, 1986 (‘EP Act’). There appears to be a failure of the oversight regulatory mechanism in enforcement of the provision of the Wildlife Act as well as

Sustainable Mining Guidelines, supra. While this Tribunal is not directly concerned with the enforcement of criminal law, the same being incidental to the enforcement of environmental norms, we cannot refrain from expressing our concern at such incidents in eco sensitive areas and the defiance of environmental laws remaining unchecked. We do hope the State of Rajasthan will monitor the enforcement of law in this direction at appropriate higher level and the MoEF&CC will coordinate with the concerned State Authorities. To maintain morale of the guards and other enforcement officials and to uphold rule of law, family of the deceased ought to be suitably rehabilitated and police machinery must ensure that guilty is apprehended expeditiously and brought to justice. Further, illegal mining in Tiger Reserve must be strictly dealt with.

4. Let a joint Committee comprising State PCB, District Magistrate, Alwar and PCCF (HoFF), Rajasthan take further action and furnish a report to the Tribunal. The report may also mention estimate of illegal mining, number mines sanctioned in the area and regulatory mechanism to check the illegal mining in the said eco sensitive area. The report may be furnished within two months 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.

List for further consideration on 27.10.2020.

A copy of this order be forwarded to the State PCB, District Magistrate, Alwar, S.P., Alwar and PCCF (HoFF), Rajasthan by e-mail.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

August 10, 2020  
Original Application No. 154/2020  
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