

Item No. 03

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL**

(Through Video Conferencing)

**Original Application No. 64/2020 (CZ)
(I.A. No. 82/2020)**

Aadhyatmik Kshetra Paryavaran Sansthan

Applicant(s)

Versus

State of Rajasthan & Ors.

Respondent(s)

Date of hearing: **07.09.2022**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant (s):

None

For Respondent(s):

Mr. Sandeep Singh Baghel, Adv

Md. Iquraam, Adv

ORDER

1. The issue raised in this application is encroachment on the forest land and developing farm houses and the State authorities were directed to submit the Factual and Action Taken Report. In light of the order, a report was filed that there are encroachments on the forest land. This Tribunal vide order dated 21.07.2022 directed as follows:

“The factual report by the Deputy Conservator of Forest has been filed today. The facts as narrated in the Joint Committee Report consisting Collector, Jodhpur and Deputy Conservator of Forest with representative of Rajasthan Pollution Control Board dated 21.11.2020 which was communicated by the District Magistrate, Jodhpur and the information/correspondence/letter sent by the Deputy Conservator of Forest by its communication no. F/DCF/Legal/2022/11126 dated 01.02.2022 has not been complied till date. The respondents are directed that the information contained in the letter dated 01.02.2022 must be dealt with in letter and spirit. The objections and request as communicated by the Forest Officers must be taken into account for compliance of the provisions of The Forest (Conservation) Act of 1980”.

2. In compliance thereof, the Deputy Conservator of Forest, Jodhpur has submitted the report that there are encroachments, for removal of which he has addressed the letter to the collector concerned, but nothing has been done by the authorities to remove the encroachment. No satisfactory reply has been submitted by the learned counsel for respondent as to why the forest land was violated to be subject matter of encroachment by the public authorities.
3. Since no action has been taken by the authorities, we deem it just and proper to call a report from Secretary, Urban Development, State of Rajasthan. Secretary, Forest is directed to see the matter personally and ensure that there shall not be any encroachment on the forest land. In case of any encroachment, immediate steps be taken to remove the encroachment. The forest area must be restored to forest department and revenue records must also be corrected according to rules. We further direct that the both the secretaries shall file their personal affidavit and in case of non compliance, they have to appear before this Tribunal through Video Conference on the next date of hearing with present status of action taken by the authorities. Copy of the order should also be sent to the authorities.

List it on 11th October, 2022

Sheo Kumar Singh, JM

Dr. Arun Kumar Verma, EM

09th September, 2022
O.A. No. 64/2020(CZ)
PU