

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

Original Application No. 37/2015 (CZ)

Rameshwar Singh Shekhawat & Anr. vs. State of Rajasthan & Ors.

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

PRESENT : Applicant : Shri Ayush Dev Bajpai, Adv.
State of Raj. & RSPCB: Shri Sandeep Singh, Adv.
Intervener : Shri Shantanoo Saxena, Adv.
DGMS (Mines & Safety) Shri Om S. Shrivastav, Adv.

Date and Remarks	Orders of the Tribunal
Order No. 4 14th September, 2015	<p>We have heard the Learned Counsel for the parties. Mr. Shantanoo Saxena, Learned Counsel submits that he may be heard as his client who are in possession of ML No. 70, 71, 72/96, 88/98 are directly affected. We have heard Shri Shantanoo Saxena also along with his client.</p> <p>Learned Counsel for the State has submitted the reply on behalf of the Respondent No. 1 to 5 and we have perused the same.</p> <p>Annexure R1 to the reply is the Mauka report prepared during the inspection on 09.07.2015 by the Additional Collector Kotputli, District Jaipur. While dealing with similar cases to the adjoining areas of District Sikar, Tehsil Neem ka Thana we had occasion to deal with the impact of extensive mining in the hilly regions of this area as also the establishment of stone crushers in the said area.</p> <p>We would direct the RSPCB to incorporate the conditions which have been imposed in our order pertaining to the Neem Ka Thana area with regard to mining as well as the establishment of stone crushers and with regard to all precautionary measures that are required to be taken including water harvesting, establishment of dust breakers green belt as required in the said directions and as per the norms of the PCB be ensured in the mining leases in question in the present area. For the sake of repeating we are not giving detailed directions in this order as the same have been given in case of villagers of village Patanwati O.A. No</p>

125/13 . The RSPCB shall issue detailed instructions within two weeks and four weeks' time is granted to the lease-holders for their representation by the owners of the mining lease and carrying out activities therein to comply. This is in addition to whatever showcase notice etc. has been already issued by the PCB to the mining lease-holders.

Since from the evidence that has been placed before us we find that some amount of damage to the properties is visible from the photographs which have been filed at pages 34, 35 to the mining lease owners are directed to get the said buildings repaired including dam which we can see in the photographs at page no. 35. For this purpose the ADM will provide necessary assistance by deputing the local Tehsildar to identify the damaged properties and direct the Respondent/leaseholders to get the properties.

In addition we find that around stone crushers which have been established no wind breakers can be seen, nor proper arrangement for sprinklers have been established. The roads and the area within the mining lease and the stone crusher is also not paved/metalled as required under the consent to operate. We would accordingly direct the RSPCB to take into account all these issues and issue fresh notice wherever necessary for ensuring compliance.

.....JM
(DALIP SINGH)

.....EM
(BIKRAM SINGH SAJWAN)