

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

**Original Application No. 21/2017 (CZ)**  
**Noratmal Sharma vs. State of Rajasthan & 4 Ors.**

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

**PRESENT : Applicant : Ms. Zubia Sajid, Adv. for  
Shri Rohit Sohgaura, Adv  
RSPCB : Shri Sandeep Singh, Adv.  
Shri Dharmendra Dandwani, ALR  
Intervener: Municipal Council Bhilwara  
Shri M S Kachhawa, Adv**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Order No. 8 11<sup>th</sup> September, 2017</b>	<p>We would direct that the Collector to re-examine the issue, to ensure smooth flow of traffic proper management of the under-passes is required to be worked out and to deal with the flooding of underpasses we are of the view that solution for the same should be worked out by constructing proper drains with pumping sets and also by preventing the storm water from entering the underpasses and / or minimising the storm water flow into the under passes. We are of the view that proper arrangement for the movement of heavy vehicles is also required to be made which are unable to pass through the under passes. In fact movement and entry of heavy vehicle should not be allowed in the congested urban area which would only cause more pollution as a result of such vehicular traffic apart from the fact that several accidents occur as a result of the same.</p> <p>In so far as the liability under the agreement of the Respondent company is concerned the amount which they are liable to pay can be better utilised for improvement of environment of the city. The proper project to this effect including improvement of the existing under passes and for pumping out or draining out of the storm water on permanent basis in consultation with the Railway Authority and technical experts should be worked out.</p>

Let the Project Report shall be submitted with the aforesaid options before this Tribunal on the next date of hearing.

M.A No. 333/17 pertaining to deposit of money has been disposed of in view of our previous order.

Put up on **16<sup>th</sup> October, 2017.**

.....,JM  
**(DALIP SINGH)**

.....,EM  
**(Dr. S.S. GARBYAL)**

