

Item No. 01 (Bhopal Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

Original Application No. 90/2020(CZ)

Oran Development Institute & Anr.

Applicant(s)

Versus

State of Rajasthan & Ors.

Respondent(s)

Date of hearing: 14.10.2020

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

For Applicant(s): Mr. Rahul Choudhary, Advocate

ORDER

1. By way of filing the present application under Section 14 and 15 of the National Green Tribunal Act, 2010, the applicant has raised the issue of illegal non-forest use of deemed forest land the scared grove Oran Shree Degray Mata Ji at Rasla, Sawanta and Bhimsar Villagae, Jaisalmer, Rajasthan. It is alleged that two new transmission lines and grid substation are being set up in this land in violation of the provisions of the Forest (Conservation) Act, 1980 and the Biological Diversity Act, 2002 and in violation of the law laid down by the Hon'ble Supreme Court in Re: *T. N. Godavarman Thirumulpad v. Union of India & Ors., (W.P.(Civil) No.202/1995)* vide order dated 03.07.2018.

2. Issue notice to the respondents. Returnable within four weeks.
3. Applicant is directed to provide copy of the application and relevant documents to the respondents within three days.
4. Applicant is also directed to take necessary steps for service to the respondents by both ways and also on available email within a week.
5. Respondents are directed to submit their reply within four weeks by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
6. We deem it just and proper to call a report on the matter in issue in present application, from a Joint Committee consisting of:-
 - (i) Divisional Forest Officer
 - (ii) Rajasthan State Pollution Control Board
7. The Committee is directed to visit the place and submit a factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.
8. It is further directed that the guidelines issued from the MoEF & CC with regard to Environmental Clearance and the provisions as contained in Forest (Conservation) Act, 1980 should be strictly followed.
9. The report in the matter be filed by the Committee by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

10. Applicant is directed to supply the required documents and copy of the application to the members of the Committee within a week.
11. List it on 07.01.2021.

Sheo Kumar Singh, JM

Dr. S.S.Garbyal, EM

JG
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