

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

Original Application No. 329/2015  
(M.A. Nos. 283/2018, 1389/2018& I.A. No. 532/2019)  
With  
Original Application No. 521/2015  
With  
Original Application No. 448/2013 (THC)  
(CW 4050/12)  
(M.A. Nos. 1228/2015&513/2017)  
with  
Original Application No. 446/2013 (THC)  
(CW 7932/11)

Gram Panchayat ARABA Applicant(s)  
Versus  
State of Rajasthan &Ors. Respondent(s)  
And  
M.M. Charitable Trust Applicant(s)  
Versus  
State of Rajasthan &Ors. Respondent(s)  
And  
U.R. Beniwal Applicant(s)  
Versus  
State of Rajasthan &Ors. Respondent(s)  
And  
Multan Singh Applicant(s)  
Versus  
State of Rajasthan &Ors. Respondent(s)

Date of hearing: 20.09.2019

**CORAM:**

**HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s)

Mr. Siddharth Tatiya, Advocarte  
Ms. EyshaMarysha, Advocate

For Respondent(s)

Ms. Padhmalakshmiyengar, AAG

Mr. Shashank Saxena, Advocate  
for Ardhendumauli Kr. Prasad,  
Advocate

Mr. Raj Kumar, Advocate

Mr. Ranjesh Kr. Sinha, Advocate

Mr. Keshav Pareek, Advocate for

Mr. Sanjeet Purhoit, Advocate,

Mr. Amit Joshi, RIICO R.M.

Mr. Pinaki Misra, Sr. Advocate

with Mr. Lokendra Singh

Kachhawa and Mr. Adhiraj

Singh, Advocates

Mr. Krishan Kumar Singh,

Advocate

Mr. Rishabh Sancheti, Advocate

with Ms. Padma Priya and Mr.

Nishit Shah, Advocates

Mr. Sunil K. Panwar, Addl. S.P.

STF, JDR

### **ORDER**

#### **Original Application No. 329/2015**

The Central Ground Water Authority has filed a status report dated 05.09.2019. It is to be noted, earlier on 30.08.2019, directions were given to Central Ground Water Authority to immediately identify points of illegal extraction of ground water and seal them immediately, if not done so far. Further, a report in this regard was to be filed within one week from 30.08.2019.

The report specifically mentions as below:-

The Industries which are withdrawing groundwater illegally are being identified based on the records of CTO denied by RSPCB, local enquires & input by any source.

In other words the CGWA is basing their report on the records maintain by others. In fact, the CGWA should be inspecting the borewell and see whether these were

installed after NOC received from the CGWA authority and then take action.

Secondly, it has also been mentioned in the report that 87 NOCs have been issued by CGWA in safe block of Luni till date. It is not clear that how Luni has been categorized as a safe Block.

In the circumstance, we deem it proper to direct the Regional Director, CGWA stationed at Jaipur to appear before the Tribunal on the next date of hearing so as to explain the aforesaid issues and also be equipped with relevant records.

The Bills raised by the Special Task Force shall be immediately cleared and reimbursed by the State Pollution Control Board from the fund of environmental compensation which has been got deposited with them.

List these matters on 16<sup>th</sup> October, 2019.

Justice Raghuvendra S. Rathore, JM

Dr. Satyawan Singh Garbyal, EM

JG