

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 26/ 2018 (CZ)
(M.A. NO. 124/ 2018)**

Pritam Joshi Applicant (s)

Versus

State of Rajasthan & Ors. Respondent (s)

**REPORT OF MR KUMAR KARTIKAY ADVOCATE, COURT
COMMISSIONER, APPOINTED BY THIS HON'BLE TRIBUNAL
VIDE ORDER DATED 07.11.2019**

In the Presence of:

1. Smt. Renu Saini, Dy Commissioner Municipal Corporation,
Jodhpur
2. Shri Sunil Vyas, X.E.N.
3. Shri Devendra Solanki, Khatedaar
4. Shri Kapil Solanki
5. Shri Virendra Singh, R.T.S
6. RajendraShikhval, R.I. Bagga
7. Shri Hanuman Singh Rathore, SDM Jodhpur
8. Shri Prem Sukh Solanki, Khatedaar
9. Shri Mahesh Chavariya, C.S.I
10. Shri Sushil Ghosh, S.I.
11. Shri Virendra Singh Shekhavat, R.T.S

That as per the direction of the Hon'ble NGT Principle Bench New Delhi, vide its order dated 07.11.2019, I/ the undersigned was appointed Court Commissioner to visit and inspect the site at Soor Sagar Lake in the city of Jodhpur, Rajasthan to know the progress about removal of material from the lake.

In compliance of the direction of this Hon'ble Tribunal, I visited the site at Soor Sagar Lake on 11.11.2019 alongwith the aforementioned officials and persons stated in my report. After reaching the site at Soor Sagar Lake I took videography with the help of Drone Camera and also took the photographs from 8 different directions. I say that at the time of inspection of the site, I was accompanied by the SDM, Jodhpur and the Municipal Commissioner, Jodhpur. The video recording has been saved in a pen drive and the same is annexed alongwith this report.

I say that at the time inspection at the site, I found that 20 % of the Lake is filled with the debris and the same has been done by the local inhabitants. It is also necessary to mention that one side of the lake area is covered with dwelling houses which was constructed by encroaching the Lake area. I say that from the

dwelling houses, sewage water is coming out and flowing in the Soor Sagar Lake. I have taken the photographs showing the encroachment of dwelling houses by the local inhabitants. The still photographs taken from 8 different directions of the Lake are also annexed alongwith with this report.

The local inhabitants according to me are responsible in putting debris in the lake with the intension to extent their dwelling Land at the Lake area and to build their houses in an encroach land of lake. The lake has two types of water, the rainy water and the sewage water. I have also seen that it is a continuous process to put debris in the lake by the local habitants in order to extent agriculture land area and also to build/construct dwelling houses by encroaching the Lake area.

Vide order dated 07.11.2019 this Hon'ble Tribunal has also directed to check whether removal of debris in the Lake area has been started by Municipal Corporation or not. In compliance of the said direction, I have inspected the site and have discovered that no fresh activities of removal of the debris from the Lake area by the State, Municipal Corporation, Jodhpur is visible.

I say that the report is made by me on the basis of my physical visit at the Lake area on the direction of this Hon'ble Tribunal.



(KUMAR KARTIKAY)

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Item No. 10 (Through VC-Bhopal)

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

Original Application No.26/2018(CZ)
(M.A. No. 124/2018)

Pritam Joshi

Applicant(s)

Versus

State of Rajasthan & Ors.

Respondent(s)

Date of hearing: 07.11.2019

CORAM:

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

For Applicant(s)

Ms. Zubia Sajid, Advocate

For Respondent(s)

Mr. Rohit Sharma, Advocate for
Mr. Sandeep Singh, Advocate
Ms. Arushi Gaur Chauhan,
Advocate for Mr. Arvind Soni,
Advocate

ORDER

As per the last order, Collector and Municipal Commissioner, Jodhpur were directed to remove the debris which have been dumped in Soor Sagar Lake.

Learned Counsel for the applicant submits that the only instruction which she has is that some people had come at the lake, whereas the Counsel for the Collector and Municipal Corporation, Jodhpur submits that they have started removing the material which have been dumped in the lake. This fact has been controverted by the other side.

In the circumstances material dumped in the lake, which is in the heart of the city of Jodhpur, is urgently required to be removed. Therefore, we deem it proper to appoint a Court Commissioner - Mr. Kumar Kartik,

Advocate to visit the site at Soor Sagar Lake in the city of Jodhpur to know the progress about removal of material from the lake so far. He would give us a complete report with regard to the factual position of Soor Sagar Lake, particularly about obstruction/encroachment/dumping of debris in or around the Soor Sagar Lake and whether the Municipal Council has removed it. The Municipal Corporation shall pay remuneration of Rs. 1 lakh to the Commissioner, along with other expenses regarding logistic etc. incurred by him.

The Commissioner may also have videography of the site recorded and some still coloured photographs be also taken. The Collector, Jodhpur is directed to make arrangement for stay, transport, security, safety, etc. of the Commissioner, while he is in Jodhpur.

A copy of this order be sent to the Collector, Jodhpur and Municipal Corporation, Jodhpur through email forthwith. A copy be also sent to the Court Commissioner on email - kumar.kartikay@gmail.com and mobile no. 9999999727.

List this matter on 12th December, 2019.

Justice Raghuvendra S. Rathore, JM

Dr. Satyawan Singh Garbyal, EM

SN

























































