

Factual Report

As per direction received in order dated 25/11/2025 from the National Green Tribunal Central Zone Bench Bhopal factual report submitted in English version.

In compliance with the order dated 12.08.2025 of the Hon'ble National Green Tribunal in OA No. 106/2025 (CZ) Mala Ram Gurjar & Anr vs State of Rajasthan & Others, a joint inspection of the complaint site (Khasra No. 476, 477, 479 & 698), Village- Kishorpura, Tehsil - Patan, District- Sikar was conducted on 12.09.2025 by the constituted committee. By the order dated 12.08.2025 of the Hon'ble National Green Tribunal in OA No. 106/2025 (CZ) Mala Ram Gurjar & Anr V/s State of Rajasthan & Others, a joint committee comprising representative of the District Collector, Sikar, representative of the Deputy Conservator of Forests, Sikar and representative of the Member Secretary, Rajasthan State Pollution Control Board, Rajasthan was constituted and directed to submit the current status (factual report) of the site. Under this, letters were written to the concerned departments on 29.08.2025 and 09.09.2025 (**Annexure-01**) for the formation of a committee and conducting a joint inspection. During the inspection, Sh. Bhagirath Shakh, Additional District Collector, Neem Ka Thana, Smt. Savita, Regional Officer, Rajasthan State Pollution Control Board, Sikar, Smt. Anita Kumari, Assistant Conservator of Forests, Forest Department, Neem Ka Thana, Sikar, Sh. Subhash Kulhari, Tehsildar Patan, District Sikar, Sh. Vijay Singh, Surveyor and Sh. Harpal Singh, Mining Executive Officer-I, Department of Mines and Geology, Neem Ka Thana were present. Letters were written to the Directorate General of Mines Safety, Ajmer (Region-2) on 29.08.2025 and 09.09.2025 for a joint inspection with the constituted committee, but their representatives were not present during the joint inspection. Complainants and villagers were present during the inspection.

Khata No. 476, 477 and 698 mentioned in the complaint are not recorded in the revenue record of village Kishorpura, Tehsil Patan, District Sikar, however, from the said numbers, Khasra number 476, area 0.32, Gair Mumkin Road, Khasra number 477, area 0.25, Gair Mumkin Mountain and Khasra number 698, area 0.13, Gair Mumkin Road, Khata number 86, are recorded under the Forest Department (**Jamabandi Annexure 02**).

That according to the mutation number 129 dated 06.01.1983, revenue Village – Kishorpura, Tehsil – Patan, District – Sikar of the former Khasra number 250 area 9 Biswa, 251 area 253

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Bigha 17 Biswa, 253 area 30 Bigha 12 Biswa and 358 area 3 Biswa total area 284 Bigha 16 Biswa land was allotted to the Forest Department in the year 1983, which land is currently situated in the revenue limits of village Kishorpura and newly created village Bagawala.

Administrative approval was obtained on 1 November, 2002 and financial approval of ₹2.30 lakh was obtained through GPC/SGR/02/1358-63 for the construction of a gravel road from Bhopa Ki Dhani to Tan Kishorpura Khori. The gravel road was constructed by the implementing agency, Gram Panchayat Dunga Ki Nangal. The financial approval order and the completion certificate for the construction of the gravel road from Gram Panchayat Dunga Ki Nangal are at **Annexure-3**.

During the Second Revenue Land Management Settlement, Samvat, 2065 to 2085, the above-mentioned road connecting village Bagawala, village Kishorpura, village Khori and other hamlets and fields was recorded as a Gair Mumkeen Sadak in the revenue records. This Gair Mumkeen Sadak is recorded in the Forest Department/Sivaychak/Khatedari lands, which is on the attached map trace **Annexure-04**. Through this road, there has been movement of common people, trucks, tractors etc.

That on 24.06.2025, the Tehsildar, Patan, District Sikar, received a complaint from the villagers of Revenue Village Kishorpura/Bagawala regarding the closure of the public road. According to the mauka report of Patwari Halka, Dunga of Nangal Tehsil - Patan, District - Sikar, the public road was found to have been completely closed by the Forest Department by digging a ditch. The said road was opened for public convenience on 27.06.2025 with the help of a police force. Later, the Forest Department partially closed it again, which currently remains in the same condition.

During the joint inspection, the 9 crushers and 1 mining lease mentioned in the writ case were inspected and whose detailed inspection report is attached in **Annexure 5**. The 05 crushers mentioned in the case are operated on mining lease and 04 crushers are operated on converted land. All the above -mentioned crushers and mining lease are operated with valid consent to operate. On the basis of deficiencies found during the joint inspection, show cause notices were issued to the units. (**Copy Annexure 06**). During the inspection, Ambient air quality could not be assessed at the site due to non-operational of crushers and mines. Due to the shutdown of

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operations, it was not possible to verify whether water was being sprayed or not during mining activity.

The State Government Gazette Notification No. F 2 (13) 8/85, dated 17.05.1985, has declared 107.00 hectares of land in the villages of Khori, Kishorpura and Dunga Ki Nangal of Sohanpura forest block as protected forest. The said notification does not mention any public/commercial road. The Mining Department has granted permission for the operation of mining leases and crushers to the defendants mentioned in serial numbers 8 to 17 in the case in Kishorpura, which operate outside the notified forest boundary. The respective distances of the said mining leases and crushers from the forest boundary is given in **Annexure 7**. Khasra numbers 476, 698 (recorded as Gair Mumkeen Sadak) and 477 (recorded as Gair Mumkeen Pahad) mentioned in the case are part of Sohanpura forest block, which are recorded in the revenue records. Defendants 8 to 17 are not carrying out any mining work on these Khasra numbers. The gravel road located in Khasra Nos. 476 and 698 described above is a traditional village road serving the basic needs and daily transportation of villagers, running from Khori village to Bhopa's Dhani. Upon receiving information that the road under Khasra Nos. 476 and 698 was being used by mining leaseholders for illegal mineral transportation, the Forest Department dug a slanted trench on June 19, 2025, and again on June 28, 2025, this intervention was intended to allow the road to be used for public use, but prevented the movement of cargo vehicles for commercial purposes. A diversion proposal regarding the said road was submitted online on September 11, 2025, on the MoEF&CC's web portal, Parivesh, for the diversion of 1.162 hectares of forest land. During the on-site inspection, no tree felling/cutting was observed on the forest land.

Mining leases have not been approved by the Mines and Geology Department in Khasra numbers 476, 477 and 698 mentioned in the case.

TP of minerals in vehicles by the mining leases/crushers registered in the case is issued online from the departmental site of Mines and Geology Department, which is linked from the departmental site of the Transport Department. The TP of over loaded minerals/vehicles, the Transport Department takes action as per rules, details of which are enclosed in **Annexure-08**. In the mining lease number 413/2010 of M/s Devraj Tehlan, near village Kishopura, Tehsil Patan, District Sikar, mentioned in the case, a Maouka panchnama of illegal mining was made by the Mines Department on 16.05.2016, for which a fine amount of Rs. 1144000 (eleven lakh

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forty-four thousand) was deposited through e-challan on 20.07.2014. Permission for heaving blasting in the said mining lease area has been obtained from DGMS, Ajmer (copy Annexure-09). The last rawanna of minerals from the said mining lease area was issued on 20.06.2025. Illegal mining has not occurred in the mining leases 166/2005, 410/2005, and 30/2011 mentioned in the case. Information from the Mineral Department related to the case is attached in Annexure 10.

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