

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL, CENTRAL ZONAL BENCH, BHOPAL**

IN THE MATTER OF
ORIGINAL APPLICATION NO. 252/2024 (CZ)

IN THE MATTER OF:

DAULAT RAM

....APPLICANT

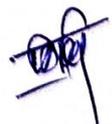
VERSUS

STATE OF RAJASTHAN & ORS.

....RESPONDENTS

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Regional Officer
Rajasthan State Pollution Control Board
Kishangarh

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Regional Officer, Kishangarh
Rajasthan State Pollution Control Board
Regional Officer
Rajasthan State Pollution Control Board
Kishangarh

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL, CENTRAL ZONAL BENCH, BHOPAL**

IN THE MATTER OF
ORIGINAL APPLICATION NO. 252/2024 (CZ)

DAULAT RAM

....APPLICANT

VERSUS

STATE OF RAJASTHAN & ORS.

....RESPONDENTS

**REPORT IN COMPLIANCE OF THE ORDER DATED
09.04.2025 PASSED BY THE NATIONAL GREEN
TRIBUNAL, CENTRAL ZONE, BHOPAL ON BEHALF
OF REGIONAL OFFICER, KISHANGRAH, RSPCB**

It is humbly submitted by the Regional Officer,
Kishangarh, RSPCB as under:

1. That the applicant has filed the present Original Application alleging that a License Agreement was


Regional Officer
Rajasthan State Pollution Control Board
Kishangarh

executed on 02.03.2015 between the Governor of the State of Rajasthan acting on behalf of the State Government and the Respondent No.5 M/s. Damodar Ropeways & Infra Ltd. to construct, operate and maintain an Aerial Ropeway system connecting the base of Savitri Mandir Hill to its summit in Pushkar Rajasthan. It is further alleged that under the garb of construction and operation of the Ropeway, the Respondent No.5 started impacting the temple by encroaching upon the land that was specifically allocated to the Savitri Devi Mandir; the encroachment is said to the extent of 5 - 7 feet onto the temple land causing disruption in the temple surrounding is also causing damage to the environment. It is also alleged that the Respondent No.5 has also encroached the additional forest land and Temple Trust Property causing significant environmental damage

2. That the Hon'ble National Green Tribunal, Central Zone, Bhopal vide its order dated 27.11.2024 issued notice and constituted Fact Finding Committee comprising of the following members:-


Regional Officer
Rajasthan State Pollution Control Board
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- i. The District Conservator of Forest, Ajmer, Rajasthan or his representative not below the rank of Deputy Conservator of Forest;
- ii. Sub-Divisional Officer, District – Ajmer, Rajasthan; and
- iii. Senior Scientist, Rajasthan State Pollution Control Board.

3. It is submitted that in compliance of the direction of this Hon'ble Tribunal, the joint committee visited the site on 20.12.2024 to verify the contents of the original Application and the report of the Joint Committee is already on record.

4. That this Hon'ble Tribunal vide its order dated 09.04.2025 directed the Rajasthan State Pollution Control Board to submit the action taken report in light of the encroachment highlighted by the Joint Committee. In this regard, it is pertinent to mention here that report regarding action taken against encroachment is still awaited from the District Collector, Ajmer and Deputy Conservator of Forest, Forest Department, Ajmer.


Regional Officer
Rajasthan State Pollution Control Board
Kishangarh

5. It is submitted that the Hon'ble Tribunal also directed the answering Respondent to submit the report with respect to violations of the Environmental Clearance conditions by the Project Proponent. In this regard, a letter was written to the Member Secretary, SEIAA, Rajasthan by the RSPCB to initiate necessary action and provide report to the answering Respondent.

6. In its reply, SEIAA, vide letter dated 17.06.2025 has informed the RSPCB that Environmental Clearance granted to Respondent no. 5 vide letter dated 31.01.2014 is not valid as on date. Further, Aerial Ropeway is not required to obtain Environmental Clearance as per MoEF Notification No. S.O. 1953(E) dated 27.04.2022. Accordingly action against Respondent No. 5 may be taken as per the provisions of the Act Act, 1981, the Water Act, 1974 and the EP Act, 1986.

A true copy of the SEIAA letter dated 17.06.2025 is marked and annexed as **Annexure - 1**.

7. As no violation of the conditions of Consent to Establish and/ or Consent to operate has been


Regional Officer
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reported by the Committee in its Fact Finding Report, therefore, no action against Respondent No. 5 is pending on part of the RSPCB.


Regional Officer, Kishangarh
Rajasthan State Pollution Control Board
Regional Officer
Rajasthan State Pollution Control Board
Kishangarh

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State Level Environment Impact Assessment Authority, Rajasthan
10 Bhawani Singh Lane, Near Sahkar Marg (Room No.05), Jaipur -302001
Email: seiaams2021@gmail.com

Dated: 17 JUN 2025

No. F8 (Court Case)/SEIAA/Env./2024/584

Member Secretary,
Rajasthan State Pollution Control Board,
Jhalana Institutional Area,
Jaipur.

Handwritten:
26/06/25
J.E.E (S.G.)
Vijai N.

Sub: - O.A. No. 252/2024 (CZ), Daulat Ram V's State of Rajasthan & Ors. -reg.

Ref: - 1. Your letter No. F14.Tech(Gen-189)/RSPCB/B&I/126-127 dated 20.05.2025

2. SEAC-2 meeting no. 96 dated 09.06.2025

This is in reference to the above-mentioned letter, wherein requested that appropriate action be taken concerning the alleged violation of the Environmental Clearance granted to the M/s Damodar Ropeways & Infra Ltd.

After detailed deliberation, the Committee noted that EC granted to the M/S Damodar Ropeway & infra Ltd. at Savitri Mandir Hills, Pushkar, Ajmer Rajasthan by SEIAA vide letter dated 31/01/2014 is not valid as on date. Further the Aerial Ropeway is not required prior Environment Clearance as per MOEF notification no S.O. 1953(E) dated 27th April, 2022. Therefore, the committee recommended to SEIAA to return the proposal to RSPCB with the advice to take action against the Project Proponent in accordance with Water Act-1974, Air Act, 1981 and EP Act-1986

In view of the above, the letter is returned with the advice to take action against the Project Proponent in accordance with Water Act-1974, Air Act, 1981 and EP Act-1986.

26/06/2025
Encl: - as above.

HBC
3807
26/06/2025

Handwritten Signature:
(Vijai N.)
Member Secretary,
SEIAA, Rajasthan

State Level Expert Appraisal Committee Rajasthan

[Constituted under provisions of the Environment (Protection) Act, 1986]
4, Jhalana, Institutional Area, Jaipur-302004

F1(330)/compliant/2025/ 1077

Date: 11-06-2025

Member-Secretary, SEIAA,
10-Bhawani Singh Lane, Near Sahkar Marg,
Jaipur

Subject:- O.A No. 252/2024(CZ),Daulat Ram V/s State of Rajasthan &Ors reg.

Ref:- Your Letter No F.8(Gen)/SEIAA/Env/2024/532 dated 02/06/2025

20. Sir,

Apropos above, it is submitted the matter related to O.A No. 252/2024(CZ),Daulat Ram V/s State of Rajasthan &Ors has been examined by the SEAC-2 Committee in the committee meeting number 96th Meeting dated 09/06/2025(Table Agenda No 1). The minutes of meeting is hereby enclosed for necessary action please

With regards.

Yours Sincerely,



(Pradheep Kr. Asnani)
Member Secretary
SEAC-2, Rajasthan

Agenda No -1 in meeting number 96 dated 09/06/2025:-

SEIAA vide letter dated 02/06/2025 has forwarded RSPCB letter dated 29/05/2025, vide which RSPCB has forwarded the joint committee inspection report of Rope way project namely M/S Damodar Ropeway & infra Ltd at Savitri Mandir Hills, Pushkar, Ajmer Rajasthan. The said Joint committee was constituted by the Hon'ble NGT (CZ) Bhopal, in OA no 252/2024(CZ), Daulat Ram V/s State of Rajasthan and Ors. The Joint committee visited the Ropeway Site on dated 20/12/2024. RSPCB has requested SEIAA to take action for violation of the conditions of Environment Clearance accorded by SEIAA vide letter dated 31/01/2014 to M/S Damodar Ropeway & infra Ltd at Savitri Mandir Hills, Pushkar, Ajmer Rajasthan

The issue was placed before the committee meeting number 96 dated 09/06/2025 (Tabel Agenda No -1). The matter was discussed in detail, relevant documents, notifications etc were referred to. The committee noted following observations: -

1. M/S Damodar Ropeway & infra Ltd (Project Proponent) has obtained EC vide letter no F1(4)/SEIAA/SEAC/-Raj/Sectt/Project/Cat(7g)B1(486)/13-14 dated 31/01/2014 for monocable Pulsated fixed Grip Passanger Ropeway at Savitiri Mata Temple, Savitri Hillis at Khasra no 552, 555, & 556 Pushkar, Tehsil Pisangan District Ajmer, Rajasthan.
2. Thereafter, The RSPCB vide letter dated 08/03/2016 has accorded Consent to Establish under Water Act-1974 and Air Act-1981 for establishment of project. RSPCB vide letter dated 11/09/2024 has renewed the Consent to Operate under Water Act-1974 and Air Act-1981 for operation of project.
3. The Joint Committee constituted by Hon'ble NGT inspected the Site 20/12/2024 and reported that the project proponent has encroached the forest land area without seeking permission from the concerned department, which is violation of Forest Conservation Act 1980 and Rajasthan Forest Act, 1953.

The Joint Committee also noted that PP has obtained EC with project details different from those which were approved/allotted project area by Forest Department.

4. The Hon'ble NGT vide order dated 09/04/2025 has noted inter-alia that:-

" A report was called by a committee constituted by this Tribunal and the committee has submitted that :

- i. **Some permanent constructions and structures including ticket counter, washrooms, cafeteria and septic tank are on forest land.**
- ii. **Additional land of 1280.06 sq. mtr. has been encroached from the forest land in violation of**

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environmental rules without permission from any authority.

iii. *There is a diesel generator for which there is no permission by the competent authority."*

5. The SEAC committee referred the EIA notification 2006 and its amendment and noted that Validity of Environment Clearance is as under

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9.12 Validity of Environmental Clearance (EC):

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(i) The "Validity of Environmental Clearance" is meant the period from which a prior Environmental Clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub-paragraph (iii) of paragraph 8, to the start of production operations by the project or activity; or completion of all construction. operations in case of construction projects relating to item 8 of the Schedule, to which the application for prior environmental clearance refers:

Provided that In the case of mining projects or activities, the validity shall be counted from the date of execution of the mining lease.

(ii) The prior environmental clearance granted for an existing or new project or activity shall be valid for a period of,-

(a) thirteen years in the case of River Valley projects or activities [item 1(c) of the Schedule];

(b) fifteen years in the case of Nuclear power projects or activities and processing of nuclear fuel [item 1(e) of the Schedule];

(c) ten years in the case of all other projects and activities other than the Mining projects and River Valley Projects and Nuclear power projects referred to in clauses (a) and (b).

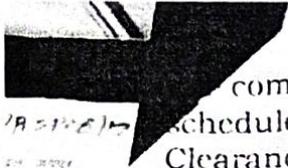
(iii) In the case of Area Development projects and Townships [item 8(b)], the validity period of ten years shall be limited only to such activities as may be the responsibility of the applicant as a developer:

Provided that the period of validity of Environmental Clearance with respect to the Projects and Activities listed in this sub- paragraph and sub-paragraphs (ii) may be extended in respect of valid Environmental Clearance, by the regulatory authority concerned by a maximum period of two years in the case of River Valley projects, five years in the case of Nuclear power projects and processing of nuclear fuel and one year in the case of all other projects, if an application is made in the laid down proforma to the regulatory authority by the applicant within the validity period of the existing Environment Clearance:

Provided further that the regulatory authority may also consult the concerned Expert Appraisal Committee before grant of such extension.

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committee has also noted that earlier the Aerial Ropeway listed in Schedule 7(g) of EIA notification 2006 and required prior Environment Clearance under EIA notification. Further MOEF&CC Omitted the Aerial Ropeway in the EIA notification vide notification no S.O. 1953(E) dated 27th April,2022.

After detailed deliberation, the Committee noted that EC granted to the M/S Damodar Ropeway & infra Ltd at Savitri Mandir Hills, Pushkar,Ajmer Rajasthan by SEIAA vide letter dated 31/01/2014 is not valid as on date. Further the Aerial Ropeway is not required prior Environment Clearance as per MOEF notification no S.O. 1953(E) dated 27th April,2022. Therefore, the committee recommends to SEIAA to return the proposal to RSPCB with the advice to take action against the Project Proponent in accordance with Water Act-1974, Air Act, 1981 and EP Act-1986

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