

**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:



Regional Officer
Rajasthan State Pollution Control Board
Kishangarh



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



Regional Officer
Rajasthan State Pollution Control Board
Kishangarh

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:-

- 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. It is submitted that as the encroachment has been done by the Project Proponent in the forest land, the competent


Regional Officer
Rajasthan State Pollution Control Board
Kishangarh

authorities to take action against the Project Proponent are the District Collector, Ajmer and Deputy Conservator of Forest, Forest Department, Ajmer. Accordingly, the Rajasthan State Pollution Control Board issued letter dated 21.04.2025 to the District Collector, Ajmer and Deputy Conservator of Forest, Forest Department, Ajmer to initiate action against the Project Proponent with respect to encroachment of the forest land and submit report to the State Pollution Control Board. Thereafter, the State Pollution Control Board again vide letter dated 14.05.2025 reminded the District Collector, Ajmer and Deputy Conservator of Forest, Forest Department, Ajmer to take action against the Project Proponent in compliance of the directions passed by the Hon'ble National Green Tribunal, Bhopal. However, till date no reply or report has been received by the answering Respondent.

A true copy of the RSPCB letter dated 21.04.2025 and 14.05.2025 are marked and annexed collectively as **Annexure - 1 (Colly)**



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 Environment Clearance, Conditions by the Project Proponent. That, in compliance of the directions of this Hon'ble Tribunal, the Regional Officer, Kishangarh vide its letter dated 21.04.2025 requested the Group In-charge (Building and Infra), RSPCB to issue letter to the SEIAA, Rajasthan to initiate the necessary action against the unit for violation of conditions of the EC as according to the MoEF Notification dated 28.02.2014, power to issue show cause notice to PPs in case of violation of the conditions of EC has been delegated to SEIAA. Thereafter, the Member Secretary, Rajasthan State Pollution Control Board, issued letter dated 20.05.2025 to the Member Secretary, SEIAA, Rajasthan to initiate necessary action and provide report to the answering Respondent.

A true copy of the RO, Kishangarh letter dated 21.04.2025 and Member Secretary, Rajasthan State Pollution Control Board letter dated



Regional Officer
Rajasthan State Pollution Control Board
Kishangarh

20.05.2025 are marked and annexed collectively
as **Annexure - 2 (Colly)**



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



REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD
SPL-2, 5th Phase, RIICO Ind. Area, Kishangarh
email : rpcb.kishangarh@gmail.com

Annexure - 2



RPCB/RO KSG/Legal-88/ 178

Date: 21-04-2025

(1) The District Collector
Ajmer, Rajasthan

(2) The Deputy Conservator of Forest
Forest Department, Ajmer, Rajasthan

Sub: O.A.No. 252/2024 (CZ), Daulat Ram Vs State of Rajasthan & Ors.

Ref: Hon'ble NGT order dated 09/04/2025 in O.A.No. 252/2024 (CZ), Daulat Ram Vs State of Rajasthan & Ors

Sir,

In the matter of OA No. 252/2024 (CZ), Daulat Ram Vs State of Rajasthan & Ors, Hon'ble NGT has passed an order on 09/04/2025, interalia, 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 environmental rules without permission from any authority.*
- iii. There is a diesel generator for which there is no permission by the competent authority.*

2. Rajasthan State Pollution Control Board has filed the reply, which is on record. The State PCB is directed to submit the action taken report in light of the encroachment highlighted by the joint committee mentioned above and details mentioned in the report.....”

Copy of Hon'ble NGT order dated 09/04/2025 is enclosed herewith for reference. As the matter is related with encroachment on forest land, you are requested to take necessary action in light of the Hon'ble NGT order and inform this office, so that the reply may be submitted accordingly.

Encls: As above

Yours sincerely

(Nidhi Khandelwal)
SEE & Regional Officer

Copy to GIC (Legal), Rajasthan State Pollution Control Board, Jaipur for information.

SEE & Regional Officer





REGIONAL OFFICE



RAJASTHAN STATE POLLUTION CONTROL BOARD

SPL-2, 5th Phase, RIICO Ind. Area, Kishangarh

Email: rorpcb.kishangarh@gmail.com

REMINDER

Date: 14.05.2025

RPCB/RO KSG/Legal-88/345 - 347

(1) The District Collector
Ajmer, Rajasthan(2) The Deputy Conservator of Forest
Forest Department, Ajmer, Rajasthan

Sub: O.A.No. 252/2024 (CZ), Daulat Ram Vs State of Rajasthan & Ors.

Ref.: 1. This office earlier letter no. RPCB/RO KSG/Legal-88/177-179 dated 21.04.2025.

2. Hon'ble NGT order dated 09/04/2025 in O.A.No. 252/2024 (CZ), Daulat Ram Vs State of Rajasthan & Ors

Sir,

In the matter of OA No. 252/2024 (CZ), Daulat Ram Vs State of Rajasthan & Ors, Hon'ble NGT has passed an order on 09/04/2025, interalia, 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 environmental rules without permission from any authority.*
 - iii. There is a diesel generator for which there is no permission by the competent authority.*
- 2. Rajasthan State Pollution Control Board has filed the reply, which is on record. The State PCB is directed to submit the action taken report in light of the encroachment highlighted by the joint committee mentioned above and details mentioned in the report..... "*

Copy of Hon'ble NGT Order dated 09/04/2025 was forwarded vide letter under reference with request to take action in the matter and inform this office, as the matter is related to encroachment on forest land. However, action taken report has not been received till date. The matter is listed on 22.05.2025, therefore, you are once again requested to take necessary action and inform this office.

Yours sincerely,

(Nidhi Khandelwal)

SEE & Regional Officer

Copy to:- GIC (Legal Cell), Rajasthan State Pollution Control Board, Jhalana Doongari, Jaipur for information.

SEE & Regional Officer



REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD
SPL-2, 5th Phase, RIICO Ind. Area, Kishangarh
email : rorpcb.kishangarh@gmail.com



RPCB/RO KSG/Legal-88/ 177-179

Date: 21-04-2025

- (1) The District Collector
Ajmer, Rajasthan
- (2) The Deputy Conservator of Forest
Forest Department, Ajmer, Rajasthan

Sub: O.A.No. 252/2024 (CZ), Daulat Ram Vs State of Rajasthan & Ors.
Ref: Hon'ble NGT order dated 09/04/2025 in O.A.No. 252/2024 (CZ), Daulat Ram Vs
State of Rajasthan & Ors

Sir,

In the matter of OA No. 252/2024 (CZ), Daulat Ram Vs State of Rajasthan & Ors, Hon'ble NGT has passed an order on 09/04/2025, interalia, 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 environmental rules without permission from any authority.*
- iii. *There is a diesel generator for which there is no permission by the competent authority.*

2. Rajasthan State Pollution Control Board has filed the reply, which is on record. The State PCB is directed to submit the action taken report in light of the encroachment highlighted by the joint committee mentioned above and details mentioned in the report.....”

Copy of Hon'ble NGT order dated 09/04/2025 is enclosed herewith for reference. As the matter is related with encroachment on forest land, you are requested to take necessary action in light of the Hon'ble NGT order and inform this office, so that the reply may be submitted accordingly.

Encls: As above

Yours sincerely


(Nidhi Khandelwal)
SEE & Regional Officer

Copy to GIC (Legal), Rajasthan State Pollution Control Board, Jaipur for information.


SEE & Regional Officer

07

Item No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(Through Video Conferencing)**

Original Application No. 252/2024(CZ)

Daulat Ram

Applicant (s)

Vs.

Respondent(s)

State of Rajasthan & Ors.

Date of Hearing: 09.04.2025

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. A SENTHIL VEL, EXPERT MEMBER**

For Applicant (s):

Mr. Yadvendra Yadav, Adv.

For Respondent(s):

Mr. Vaibhav Thakuria, Adv.

Mr. Deepesh Shukla, Adv.

Mr. Sayani Rawat, Adv.

Mr. Rajat Sharma, Adv.

Mr. Rachit Soni, Adv. on behalf of

Mr. Shoeb H. Khan, Adv.

ORDER

1. The issues raised in this application is construction of Aerial rope way system connecting the base of Savitri Mandir hill by respondent no.5 M/s Damodar Ropeway & Infra Ltd. and encroachment on the forest land by the agency. A report was called by a committee constituted by this Tribunal and the committee has submitted that :

- 11
- 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 environmental rules without permission from any authority.
 - iii. There is a diesel generator for which there is no permission by the competent authority.

2. Rajasthan State Pollution Control Board has filed the reply, which is on record. The State PCB is directed to submit the action taken report in light of the encroachment highlighted by the joint committee mentioned above and details mentioned in the report. Rest of the respondents are directed to submit the reply within two weeks. State PCB is directed to serve the copy of the application and relevant document to the respondent specially 1,4 and 5 to submit the reply positively within two weeks.

3. Learned Counsel for the respondent no. 5/Project Proponent put in appearance and submitted that copy of the report has not been provided to him. In response thereof Learned Counsel for the applicant has submitted that the copy of the report is uploaded and available on the website of NGT and the applicant/respondent may download from the website. However, the report may also be sent on the available e-mail of Learned Counsel for the Respondent no. 5. Reply may be filed within two weeks. Learned Counsel for the applicant has further argued that the activities of the Project Proponent are in contravention to the application submitted or EC granted and in violation of environmental rules. State PCB is

directed to submit the report on that point. Learned Counsel for the State sought a short time to submit the reply. The same may be filed within two weeks.

4. List it on **22nd May, 2025**.

Sheo Kumar Singh, JM

Dr. A Senthil Vel, EM

April 2025
No. 252/2024(CZ)



REGIONAL OFFICE
RAJASTHAN STATE POLLUTION CONTROL BOARD

SPL-2, 5th Phase, RIICO Ind. Area, Kishangarh
email : rpcb.kishangarh@gmail.com



RPCB/RO KSG/Legal-88/ 181

Date: 21.04.2025

Group Incharge (Building & Infra)
Rajasthan State Pollution Control Board
Jhalana Doongari, Jaipur

Sub: O.A.No. 252/2024 (CZ), Daulat Ram Vs State of Rajasthan & Ors.

Ref: 1. Hon'ble NGT order dated 09/04/2025 in O.A.No. 252/2024 (CZ), Daulat Ram Vs State of Rajasthan & Ors.

2. Notification dated 28th February, 2014 issued by the Ministry of Environment and Forests.
3. Environmental Clearance issued to M/s Damodar Ropeways & Infra Ltd., Kolkata by SEIAA, Rajasthan vide letter dated 31.01.2014.

Sir,

In the matter of OA No. 252/2024 (CZ), Daulat Ram Vs State of Rajasthan & Ors, Hon'ble NGT has passed an order on 09/04/2025, interalia, that –

“.....Learned Counsel for the applicant has further argued that the activities of the Project Proponent are in contravention to the application submitted or EC granted and in violation of environmental rules...”

Hon'ble NGT order dated 09/04/2025, copy of Environmental Clearance issued to the unit by SEIAA, Rajasthan vide letter dated 31.01.2014, copy of report of the Joint Committee and copy of OA are enclosed herewith for ready reference. As per MoEF Notification dated 28.02.2014, power to issue show cause notice to PPs in case of violation of the conditions of EC has been delegated to SEIAA. Therefore, you are requested to write to SEIAA to initiate necessary action against the unit for violation of conditions of the EC.

Encls: As above

Yours sincerely


(Nidhi Khandelwal)
SEE & Regional Officer

Copy to GIC (Legal) / Rajasthan State Pollution Control Board, Jaipur for information.

SEE & Regional Officer



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, मंगलवार, मार्च 4, 2014/फाल्गुन 13, 1935

No. 545]

NEW DELHI, TUESDAY, MARCH 4, 2014/PHALGUNA 13, 1935

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

क्र.आ. 637(अ).—केंद्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 23 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम की धारा 5 के अधीन इसमें निहित शक्तियों को पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (3) के अधीन केंद्रीय सरकार द्वारा गठित किए गए सभी राज्य और संघराज्यक्षेत्र पर्यावरण समाप्तात प्राधिकरणों (जिन्हें इसमें इसके पश्चात् उक्त प्राधिकरण कहा गया है) को उक्त प्राधिकरणों द्वारा अपनी अधिकारिता के भीतर परियोजनाओं या क्रिया कलापों को जारी पर्यावरण अनापत्तियों की शर्तों के अतिक्रमण की दशा में परियोजना प्रस्तावकों को कारण बताओ नोटिस जारी करने तथा इस शर्त के अधीन कि केंद्रीय सरकार शक्तियों के ऐसे प्रत्यायोजन का प्रतिसंहरण कर सकेगी या उक्त अधिनियम की धारा 5 के उपबंधों को स्वयं अवलंब ले सकेगी, यदि केंद्रीय सरकार की राय में लोक हित में ऐसी कार्यवाही आवश्यक है, यदि अपेक्षित हो तो अतिक्रमणों के लिए उक्त परियोजना प्रस्तावकों को ऐसी पर्यावरण अनापत्तियों को उन्हें प्रास्थगित रखने या वापस लिए जाने हेतु निदेश जारी करने की शक्तियों का प्रत्यायोजन करती है।

[सं. जे-11013/2/2013-आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 28th February, 2014

S.O. 637(E).—In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the powers vested in it under section 5 of the said Act to all the State and Union Territory Environment Impact Assessment Authorities (Hereinafter referred to as the said Authorities) constituted by the Central Government under sub-section (3) of section 3 of Environment (Protection) Act, 1986, to issue show cause notice to project proponents in case of violation of the conditions of the environment clearances issued by the said Authorities to projects or activities within their jurisdiction and to issue directions to the said project proponents for keeping such environment clearances in abeyance or withdrawing them, if required, for violations, subject to the condition that the Central Government may revoke such delegations of powers or may itself invoke the provisions of section 5 of the said Act, if in the opinion of the Central Government such a Course of action is necessary in the public interest.

[No. J-11013/2/2013-IA. (I)]

AJAY TYAGI, Jt. Secy.

(1)

अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

क्र.आ. 638(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 19 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त की धारा के प्रयोजन के लिए इससे उपबद्ध उस सारणी के स्तंभ (3) में उनसे प्रत्येक के सामने उल्लिखित अधिकारिता के साथ उस सारणी के स्तंभ (2) में उल्लिखित प्राधिकरण या अधिकारी को प्रातिकृत करती है:

सारणी

क्रम संख्यांक	प्राधिकरण/अधिकारी	अधिकारिता
(1)	(2)	(3)
1.	पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन केन्द्रीय सरकार द्वारा गठित राज्य या संघ राज्यक्षेत्र स्तर पर्यावरण समाघात प्राधिकरण (एस.ई.आई.ए.ए.)	संपूर्ण राज्य या संघ राज्यक्षेत्र
2.	पर्यावरण और वन मंत्रालय (एम.ओ.ई.एफ.) के किन्हीं प्रादेशिक कार्यालयों में तैनात कोई निदेशक, वन संरक्षक या अपर प्रधान मुख्य वन संरक्षक	पर्यावरण और वन मंत्रालय द्वारा यथा-विनिश्चित प्रादेशिक कार्यालय की अधिकारिता

[सं. जे-11013/2/2013-आई ए (आई)]
अजय त्यागी, संयुक्त सचिव

NOTIFICATION

New Delhi, the 28th February, 2014

S.O. 638(E).—In exercise of the powers conferred by clause (a) of section 19 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby authorises the Authority or officer mentioned in column (2) of the Table hereto for the purpose of the said section with the jurisdiction mentioned against each of them in column (3) of that Table:

TABLE

S. No.	Authority/Officer	Jurisdiction
(1)	(2)	(3)
1.	State or Union Territory level Environment Impact Assessment Authority (SEIAA) constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.	Whole of State or Union Territory
2.	Any Director, Conservator of Forests or Additional Principal Chief Conservator of Forests Posted in any of the Regional Offices of the Ministry of Environment and Forests (MoEF).	Jurisdiction of the Regional Office as decided by the Ministry of Environment and Forests

[No. J-11013/2/2013-IA. (I)]

AJAY TYAGI, Jt. Secy.



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004
Phone : 0141- 2716804, 2716800 e-mail : member-secretary@rpsb.nls.in
Helpline No. : 0141-2716877



Registered/ Email

F14.Tech(Gen-189)/RSPCB/B&I/ 126-127

Date: 20/05/25

Member Secretary,
State Environment Impact Assessment Authority,
10, Bhawani Singh Lane,
Sahkar Marg, Jaipur
Email: seiaams2021@gmail.com

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

- Ref.: 1. Hon'ble NGT order dated 09.04.2025 in O.A No. 252/2024 (CZ), Daulat Ram V/s State of Rajasthan & Ors.
2. Report of the Joint Committee constituted by Hon'ble NGT in the matter of O.A. No. 252/2024 (CZ), Daulat Ram V/s State of Rajasthan & Ors. (copy enclosed)
3. Notification dated 28.02.2014 issued by the Ministry of Environment and Forests. (copy enclosed)
4. Environmental Clearance issued to M/s Damodar Ropeways & Infra Ltd., Kolkata by SEIAA, Rajasthan vide letter dated 31.01.2014. (copy enclosed)

Sir/ Madam,

With reference to above subject, in the matter of O.A. No. 252/2024 (CZ), Daulat Ram V/s State of Rajasthan & Ors., Hon'ble NGT has passed an order on 09.04.2025, interalia states that-

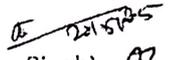
'.....Learned Counsel for the applicant has further argued that the activities of the Project Proponent are in contravention to the application submitted or EC granted and in violation of Environmental Rules.....'

It is also to be noted that, as per MoEF&CC notification dated 28.02.2014, power to issue show cause notice to PPs in case of violation of the conditions of Environmental Clearance has been delegated to SEIAA.

Enclosing a copy of Hon'ble NGT order dated 09.04.2025, you are hereby requested to take appropriate action in the matter of violation of Environmental Clearance issued to the unit vide SEIAA, Rajasthan letter dated 31.01.2014 as per the provisions of the relevant acts and rules in compliance of Hon'ble NGT order dated 09.04.2025 and submit action taken report, so that the same may be apprised before Hon'ble NGT.

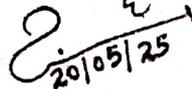
Encl: As above.

Yours sincerely


(Sharda Pratap Singh) 
Member Secretary

Copy to:

- i. Regional Officer, Regional Office, RSPCB, Kishangarh for information.

Member Secretary 

20/05/25