

**Factual Report in the matter of Santosh Yadav V/s State of Rajasthan & Ors.
Original Application No. 08/2024 (CZ), Hon'ble NGT, Central Zone Bench, Bhopal**

Background

In the case filed by Smt. Santosh Yadav against State of Rajasthan & Ors. before the Hon'ble National Green Tribunal, Central Zone, Bhopal the applicant has raised the issue of cutting the green trees in the premises of Government Senior Secondary School, Doomroli, Block-Neemrana, District – Kotputli-Behror, Rajasthan, without any permission/authority from the competent department/forest department.

Order

Hon'ble NGT, Central Zonal Bench in its order dated 16/01/2024 has directed as follows :

- “..... 4. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-*
- i. One representative from the Collector, Alwar, Rajasthan*
 - ii. One representative from the DFO, Alwar, Rajasthan*
 - iii. One representative from Rajasthan Pollution Control Board*
- 5. The Committee is directed to visit the place and submit the factual and action taken report within six weeks.....”*

Accordingly, District Collector, Kotputli-Behror, vide letter dated 29/01/2024 nominated Sub-Divisional Magistrate, Neemrana as representative on her behalf. Letter dated 20/10/2023 has been enclosed as **Annexure-1**.

And accordingly Regional Forest Officer, Behror was nominated on the behalf of DCF, Alwar vide letter dated 09/02/2024. Copy of letter has been enclosed as **Anneuxre-2**.

Joint Committee Visit

In accordance with the aforementioned order, following officials/persons visited the site on 07/03/2024 in connection with this case:

- i. Sh. Pankaj Badgular, Sub-Divisional Magistrate, Neemrana,
- ii. Sh. Deependra Jharwal, Regional Officer, Rajasthan State Pollution Control Board, Alwar,
- iii. Sh. Jitendra Kumar Sain, Regional Forest Officer, Behror,
- iv. Smt. Santosh Yadav, Applicant

Other school staff was also present during the joint committee visit. Attendance sheet is enclosed as **Annexure-3**. Sh. Dinesh Chand Sharma, Principal, Government Senior Secondary School, Doomroli, was not present at the time of visit due to his engagements in the training of Lok Sabha election duty. A brief discussion with the applicant and other school staff was held and during discussion it was informed that the uprooting of trees were done in accordance with the School Development and Management Committee (SDMC) meeting proposal, in which the applicant had raised her objection regarding the uprooting of the trees. As alleged by applicant, school

administration uprooted a total of 02 trees out of approx. 15 trees which were proposed to be uprooted, in the SDMC meeting, without any prior permission from District Administration. The SDMC proposal could not be collected/obtained as the same was kept in the authority of Principal and he was not present during the visit.

It is to be noted that Tehsildar is the competent authority to give permission for uprooting the trees in case the no. of trees to be uprooted are up to 05 and, in case of more than 05 trees, concerned SDM is the competent authority to give permission in accordance with the provisions of Rajasthan Tenancy Act, 1955.

Observations

During field visit, following observations were made:-

- i. 02 trees have been uprooted at the following locations:-
 - a) Near school toilet (01 tree of species *Albizia procera* (Safed siras) approx. 05-07 years) and
 - b) Near existing tube-well (01 tree of species *Ailanthus spp.* (Ardu) approx. 10-12 years)
- ii. GPS based photographs taken during site visit are enclosed as **Annexure-4**.

Conclusion

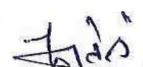
Aforementioned trees (02 Nos.) have been uprooted by the school administration without any prior permission from the competent authority i.e. Land Revenue Department.

Enclosures

- i. Copy of Letter dated 29/01/2024, issued by District Collector, Kotputli-Behror (Annexure-1),
- ii. Copy of DCF, Alwar letter dated 09/02/2024 (Annexure-2),
- iii. Attendance sheet (Annexure-3) and
- iv. GPS based photographs taken during site visit (Annexure-4).


(Pankaj Badgujar)
Sub-Divisional Magistrate,
Neemrana


(Deependra Jharwal)
SEE and Regional Officer,
RSPCB, Alwar


(Jitendra Kumar Sain)
Regional Forest Officer,
Behror

कार्यालय जिला कलक्टर एवं जिला मजिस्ट्रेट, कोटपूतली-बहरोड

Mail- dm.kotputli.behror@rajasthan.gov.in

क्रमांक -विधि/521

दिनांक :- 29-01-2024

कार्यालय आदेश

माननीय राष्ट्रीय हरिता अधिकरण केन्द्रीय जोन पीठ भोपाल के समक्ष लंबित मूल प्रार्थना पत्र संख्या 08/2024 (CZ) वउनवानी संतोष यादव बनाम राजस्थान राज्य व अन्य में माननीय अधिकरण द्वारा आदेश दिनांक 16.01.2024 के द्वारा राजकीय उच्च माध्यमिक विद्यालय डूमरौली-निमराना जिला कोटपूतली- बहरोड राजस्थान में कई पेड़ों को बिना सक्षम स्वीकृति के काटने एवं नष्ट करने एवं पर्यावरण को प्रभावित करने के आधार पर 06 सप्ताह में अप्रार्थीगण से रिपोर्ट चाही है एवं इस हेतु एक कमैटी का गठन किया गया है।

1. जिला कलक्टर अलवर द्वारा नामित प्रतिनिधि।
2. जिला वन अधिकारी अलवर द्वारा नामित प्रतिनिधि।
3. राजस्थान प्रदूषण नियंत्रण बोर्ड द्वारा नामित प्रतिनिधि।

उक्त कमैटी में राजस्थान प्रदूषण नियंत्रण बोर्ड नोडल ऐजेन्सी होगी एवं वह संबधित से जांच रिपोर्ट एवं एक्शन टेकन रिपोर्ट प्राप्त कर माननीय अधिकरण को अवगत करायेगी। वूकी प्रकरण जिला कोटपूतली-बहरोड से संबधित है। इस कारण उक्त कमैटी में जिला कलक्टर कोटपूतली-बहरोड की ओर से नामित प्रतिनिधि के रूप में उपखण्ड अधिकारी नीमराणा को नियुक्त किया जाता है।

AAO
M email to Ro, Alwar

20/01/2024

20/01/2024

Legal



क्रमांक-विधि/522-525

प्रतिलिपि निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु

1. जिला कलक्टर, अलवर।
2. जिला वन अधिकारी (DFO), अलवर।
3. राजस्थान प्रदूषण नियंत्रण बोर्ड। जयपुर
4. उपखण्ड अधिकारी नीमराणा को माननीय अधिकरण द्वारा पारित आदेश दिनांक 16.01.2024 की प्रति प्रेषित कर लेख है कि माननीय अधिकरण द्वारा गठित कमैटी के सदस्यों से समन्वय स्थापित करें।
5. रक्षित पत्रावली।।

जिला-कलक्टर
कोटपूतली-बहरोड
दिनांक 29-01-2024

जिला कलक्टर
कोटपूतली-बहरोड



राजस्थान सरकार
वन विभाग

कार्यालय उप वन संरक्षक, अलवर

ज्योतिरावफुले सर्किल के पास, नयावास, अलवर (राज0) - 301001

75
आजादी का
अमृत महोत्सव

क्रमांक:—एफ 10()2023 / विधि / उवस / 611
निमित्त:—

दिनांक : 8/2/24

✓ Rajasthan State Pollution
Control Board Jaipur

SUBJECT:— Compliance of order in Original Application No.08/2024(CZ) Santosh
Yadav Vs State of Rajasthan & Ors.

महोदय,

उपरोक्त विषयान्तर्गत संदर्भित पत्र निवेदन है कि माननीय राष्ट्रीय हरितपाधिकरण Original
Application No.08/2024(CZ) संतोष यादव बनाम राज0 सरकार एवं अन्य में दिये आदेश दिनांक 19.
02.2024 की पालना में सयुक्त कमेटी में उप वन संरक्षक अलवर के प्रतिनिधि के रूप में क्षेत्रीय वन
अधिकारी बहरोड (9875781350,8875757957) नामित किया जाता है।

अतः उक्त प्रकरण में आवश्यक कार्यवाही हेतु क्षेत्रीय वन अधिकारी बहरोड से सम्पर्क करने का
कष्ट करें।

भवदीय

(राजेन्द्र कुमार हुड्डा)
उप वन संरक्षक,
अलवर

क्रमांक:—एफ 10()2023 / विधि / उवस /

दिनांक :

प्रतिलिपि:— निम्नलिखित सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:—

- 1 जिला कलक्टर, अलवर।
- 2 Rajasthan State Pollution Control Board अलवर।
- 3 क्षेत्रीय वन अधिकारी बहरोड।

उप वन संरक्षक,
अलवर



M. email to No. Alwar

AC
20/02/2024

20/02/2024

07/03/2024

**Attendance sheet for joint visit regarding Santosh Yadav V/s State of Rajasthan &
Ors. Original Application No. 08/2024 (CZ).**

S. No.	Name of official	Designation and department	Contact No.	Signature
1.				
2.	पंकज बड़वजर	S DM	9414993084	[Signature] 07-03-2024
3.				
4.	जितेन्द्र कुमार सेन	अधीनस्थ अधिकारी	9875781350	[Signature] 07-03-2024
5.				
6.	सन्तोष यादव	टयालर/टी	9416868446	सन्तोष यादव
7.	मुकेश दास	रजिस्ट्रार	9306099018	[Signature]
8.	Surender Kumar	Reporter D. Baskara	7073147418	[Signature]
9.	Deependra Jaiswal	RIo. RSPCB Atwar	9461773878	[Signature]
10.	रवि तिवारी	IO RSPCB, A/war	9718537173	[Signature] 07/03/2024
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Fig 01: Officials visited the site and applicant along-with other school staff was present.



Fig 02: Uprooted tree no. 01, near school toilet (01 tree of species *Albizia procera* (Safed siras) approx. 05-07 years).



Fig 03: Uprooted tree no. 02, near existing tube-well (01 tree of species *Ailanthus spp.* (Ardu approx. 10-12 years).



Fig 04: Some of other trees proposed to be uprooted, as informed by the applicant, near school building (class room no. 01 and 02).