

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

IN

ORIGINAL APPLICATION NO. 244 OF 2025

IN THE MATTER OF:

Mahendra Singh Gurjar

.... Applicant

Versus

State of Rajasthan & Ors.

..... Respondent

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RESPONDENT NO. 4

(RAJASTHAN STATE POLLUTION CONTROL BOARD)

Through its Counsel

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राजस्थान राज्य प्रदूषण नियंत्रण बोर्ड  
जयपुर (जिले)

Date: 01.09.2025  
Place: New Delhi



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JAIPUR (INDIA)

SEP 2025

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PRINCIPAL BENCH, NEW DELHI

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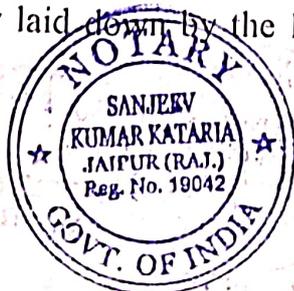
State of Rajasthan &Ors.

.....Respondent

REPLY ON BEHALF OF RESPONDENT NO. 4 – RAJASTHAN  
STATE POLLUTION CONTROL BOARD

MOST RESPECTFULLY SHOWETH:

1. The instant Reply is being filed on behalf of Respondent No. 4, i.e., the Rajasthan State Pollution Control Board (“the answering Respondent”), through its Member Secretary in the above-captioned Original Application (“Subject OA”) which has been registered before this Hon’ble Tribunal pursuant to and in furtherance of the directions contained in the order dated 09.05.2024 passed by the Hon’ble High Court of Rajasthan at Jaipur in D.B. Civil Writ Petition No. 5617 of 2020, whereby the proceedings pending before the Hon’ble High Court were transferred to this Hon’ble Tribunal in view of the law laid down by the Hon’ble Supreme Court in *Bhopal Gas*



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Handwritten signature and text in Hindi: "राजस्थान प्रदूषण नियंत्रण बोर्ड" (Rajasthan State Pollution Control Board) and "जयपुर (जिला)" (Jaipur (District)).

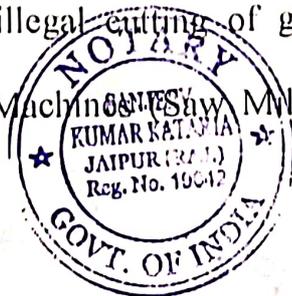
Handwritten text in Hindi: "राजस्थान प्रदूषण नियंत्रण बोर्ड" (Rajasthan State Pollution Control Board) and "जयपुर (जिला)" (Jaipur (District)).

*Peedith Mahila Udyog Sangathan & Ors. v. Union of India & Ors.* (W.P. (C) No. 50 of 1998).

2. The present Reply is being filed to place on record the factual position as per the records of the answering Respondent, to delineate its statutory role and jurisdiction under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, and to apprise this Hon'ble Tribunal of the steps already taken within the scope of its authority in relation to the issues raised in the Subject OA.

3. At the outset, the answering Respondent respectfully submits that it is a statutory authority constituted under the provisions of the Water (Prevention and Control of Pollution) Act, 1974, and is also vested with the powers and responsibilities under the Air (Prevention and Control of Pollution) Act, 1981, and the Environment (Protection) Act, 1986, inter alia, for regulating and monitoring activities that may cause pollution and for ensuring compliance with environmental norms.

4. The Applicant, in the subject OA has raised concerns regarding alleged large-scale illegal cutting of green trees and operation of unauthorized Aara Machinery (Saw Mills) in Taleda village, Tehsil



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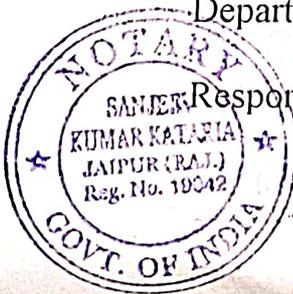
*Rajiv*  
राजस्थान राज्य प्रदूषण नियंत्रण मंडल  
जयपुर (जिले)

Lalsot, District Dausa, Rajasthan. In this context, it is submitted that the primary subject matter of the subject OA, i.e., illegal felling of trees and unauthorized operation of saw mills, is governed under a distinct statutory framework which falls outside the direct regulatory jurisdiction of the Answering Respondent.

5. In particular, the issue of illegal tree felling is squarely governed by Section 52 of the Rajasthan Forest Act, 1953, where under the Forest Department and the Police Department are empowered to take penal action. Similarly, tree felling in non-forest areas is regulated under Section 94 of the Rajasthan Land Revenue Act, 1956, which is enforceable by the Revenue Department. Further, the establishment and regulation of saw mills is specifically governed by the Rajasthan Forest Produce (Establishment and Regulation of Saw Mills) Rules, 1983. Rule 3 of the said Rules mandates that saw mills may only be established or operated with the permission of the competent authority within the Forest Department.

6. Therefore, the question of authorization, licensing, and control of saw mills, including matters related to their legality and compliance with forest laws, lies predominantly within the domain of the Forest

Department, Police Department, and Revenue authorities. The Respondent Board has no authority under law to determine the



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जायपुर (राज.)

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legality of tree felling or establishment of saw mills from the standpoint of forest governance or land use compliance.

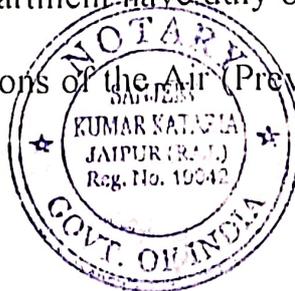
7. However, in accordance with its mandate under the Air and Water Acts, the Respondent Board regulates industrial operations, including saw mills, with respect to their potential to cause air and water pollution. Saw mills are categorized as "Green Category" industries as per the classification system of the Respondent Board, indicating relatively low pollution potential, yet they are still required to obtain Consent to Establish and Consent to Operate under the applicable environmental laws.

8. It is respectfully submitted that no Consent to Establish or Consent to Operate has been granted by the answering Respondent to any illegal or unregistered Aara Machine (Saw Mill) alleged to be operating in contravention of the applicable statutes. Upon receiving a list of 64 saw mills from the District Forest Officer, Dausa vide communication dated 28.03.2024, the Respondent Board undertook a review of its records.

9. Based on this review, it was found that 54 out of the 64 saw mills identified by the Forest Department have duly obtained valid Consent to Operate under the provisions of the Air (Prevention and Control of

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संज्ञा-सूची  
प्रमुख निम्न सूचक  
अनुसू (जापु)



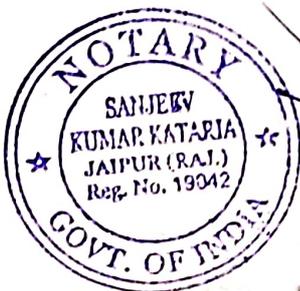
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Pollution) Act, 1981. The remaining 10 saw mills were found to be operating without valid consents from the Board. Accordingly, the answering Respondent has taken appropriate enforcement action and issued closure directions against these 10 non-compliant units under Section 31A of the Air Act, 1981. A consolidated list of saw mills with valid Consent to Operate and the list of saw mills against whom closure directions have been issued is enclosed herewith and marked as **Annexure-1**.

10. The answering Respondent further submits that it remains committed to enforcing the environmental laws within its statutory jurisdiction. As and when any specific complaint or information is received regarding environmental non-compliance or illegal operations, the answering Respondent undertakes appropriate verification and initiates enforcement proceedings in accordance with the law.

11. The answering Respondent has acted with promptness and diligence upon receiving information pertaining to unlicensed or non-compliant saw mills in the Dausa district. It shall continue to monitor the compliance status of units in the region and take necessary action in coordination with the concerned departments, wherever required.



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जयपुर (राज.)

12. The present Reply is thus filed to place the factual and legal position of the answering Respondent before this Hon'ble Tribunal, to assist in the proper adjudication of the matter, and to demonstrate that within the scope of its jurisdiction, the answering Respondent has acted diligently and in accordance with law.

**RESPONDENT NO. 4**  
**(RAJASTHAN STATE POLLUTION CONTROL BOARD)**

Through its Counsel



**Nishant Awana/Ekta Kundu**

Advocates

A-320, First Floor, Defence Colony, New Delhi-110024

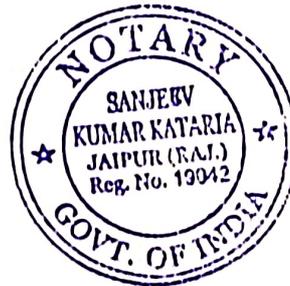
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[mail@mmalawchambers.in/nishantawana@outlook.com](mailto:mail@mmalawchambers.in/nishantawana@outlook.com)

Date: 01.09.2025

Place: New Delhi

  
 क्षेत्रीय कार्यालय  
 राजस्थान राज्य प्रदूषण नियंत्रण मण्डल  
 जयपुर (जि.रा.)



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**NOTARY PUBLIC  
JAIPUR (INDIA)**

1 SEP 2025

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

IN

**ORIGINAL APPLICATION NO. 244 OF 2025**

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.... Applicant

Versus

State of Rajasthan &Ors.

.....Respondent

**AFFIDAVIT**

I, Pooja, aged about 35 years, working as Regional Officer, Jaipur (North) with the Respondent No. 4- Rajasthan State Pollution Control Board having its office at Opp. Road No. 5 , VKIA, Sikar Road , Jaipur (Rajasthan), do hereby solemnly affirm and declare as under:

1. That I am the Officer in Charge for the above noted matter and have been duly authorized by Respondent No. 4 in this regard. I am well conversant with the facts and circumstances of the case on the basis of official records, and, hence, competent to affirm this affidavit.
2. That the contents of the accompanying Reply have been drafted by my counsel under my instructions. Facts stated therein are true to my knowledge on the basis of official records and the legal submissions



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made therein are based on the advice received and believed to be correct. Nothing material has been concealed therefrom.

*Jaipur*

DEPONENT

क्षेत्रीय अधिकारी

राजस्थान राज्य प्रदूषण नियंत्रण मण्डल  
जयपुर (उत्तर)

**VERIFICATION:**

I, the above named deponent, do hereby verify that the contents of the above affidavit are true and correct to my knowledge and belief and as per the official records available. I say that no part of it is false and nothing material has been concealed therefrom.

Verified at Jaipur on this 1<sup>st</sup> day of September, 2025.

*Jaipur*

DEPONENT

क्षेत्रीय अधिकारी  
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल  
जयपुर (उत्तर)



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Details of 64 Saw Mill Valid Registration From Department of Forest and Their Consent Status						
Sr. No.	Name of Owner	Village	Tehsil	District	Forest Deptt.Registration no. & Date	Consent Status
1	Nathudas Swami S/o Sh. Kalyan Swami	Taleda Jamat	Lalsot	Dausa	143/09.01.2001	Vaild
2	Smt. Mamta Swami W/o Sh. Dinesh Swami	Taleda Jamat	Lalsot	Dausa	248/11.09.2002	Vaild
3	Sh. Ramvilas Sharma S/o Sh. Ramkishore	Taleda Jamat	Lalsot	Dausa	144/09.11.2001	Vaild
4	Sh. Mahesh Kumar Jangid S/o Sh. Govind Narayan Swami	Taleda Jamat	Lalsot	Dausa	141/09.11.2001	Vaild
5	Rakesh Sharma S/o Sh. Babu Lal Sharma	Taleda Jamat	Lalsot	Dausa	201/26.03.2002	Vaild
6	Mukesh Kumar S/o Sh. Ramrai	Taleda Jamat	Lalsot	Dausa	245/11.09.2002	Vaild
7	Sh. Usman Khan S/o Roshan Khan	Taleda Jamat	Lalsot	Dausa	204/26.03.2002	Vaild
8	Sh. Arun Kumar S/o Babulal	Taleda Jamat	Lalsot	Dausa	200/26.03.2002	Vaild
9	Sh. Prabhu Lal Sharma S/o Sh. Bheru Lal Sharma	Taleda Jamat	Lalsot	Dausa	207/26.03.2002	Vaild
10	Sh. Ramotar Sharma S/o Sh. Prabhu Lal Sharma	Taleda Jamat	Lalsot	Dausa	208/26.03.2002	Vaild
11	Sh. Om Prakash Soni S/o Sh. Rameshwar Prasad Soni	Taleda Jamat	Lalsot	Dausa	209/26.03.2002	Vaild
12	Sh. Rajendra Swami S/o Devadas Swami	Taleda Jamat	Lalsot	Dausa	230/22.07.2002	Vaild
13	Sh. Keshari Lal Jangid S/o Moti Lal Jangid	Taleda Jamat	Lalsot	Dausa	221/26.03.2002	Vaild
14	Sh. Badri Lal Saini S/o Sh. Chanda Lal Saini,	Taleda Jamat	Lalsot	Dausa	140/09.11.2001	Vaild
15	Sh. Gokul Chand Jangid S/o Keshri Lal Jangid	Taleda Jamat	Lalsot	Dausa	228/22.07.2002	Vaild
16	Mahesh Kumar Sharma S/o Sh. Rameshwar Sharma	Taleda Jamat	Lalsot	Dausa	246/11.02.2002	Vaild
17	Sh. Hanuman Prasad Sharma S/o Sh. Rambilas	Taleda Jamat	Lalsot	Dausa	251/11.09.2002	Vaild
18	Sh. Ramjilal S/o Narayan Jangid	Taleda Jamat	Lalsot	Dausa	03/20.08.1999	Vaild
19	Sh. Munna Ansari S/o Sh. Abdullah	Taleda Jamat	Lalsot	Dausa	212/26.0.2002	Vaild
20	Sh. Chanda Lal Gurjar S/o Sh. Teepu Lal Gurjar	Taleda Jamat	Lalsot	Dausa	253/11.09.2002	Vaild

21	Sh.Satynarayan Jangid S/o Sh. Jagnnath	Taleda Jamat	Lalsot	Dausa	213/26.03.2002	Vaild
22	Smt. Sita devi W/o Sh. Rajendra Jangid	Taleda Jamat	Lalsot	Dausa	229/22.07.2002	Vaild
23	Sh. Rajendra Kumar S/o Sh. Shyogi Jangid	Taleda Jamat	Lalsot	Dausa	232/22.07.2002	Vaild
24	Sh. Jagdish Prasad S/o Sh. Prahlad Jangid	Taleda Jamat	Lalsot	Dausa	220/26.03.2002	Vaild
25	Sh. Rajendra Kumar S/o Sh. Shyogi Jangid	Taleda Jamat	Lalsot	Dausa	215/22.07.2002	Vaild
26	Sh. Chote Lal S/o Sh. Chatru Lal Sain	Taleda Jamat	Lalsot	Dausa	142/09.11.2001	Vaild
27	Sh. Kanji S/o Sh. Shankar Sharma	Taleda Jamat	Lalsot	Dausa	205/26.03.2002	Vaild
28	Sh. Bhoori Lal Jangid S/o Sh. Chotu Ram Jangid	Taleda Jamat	Lalsot	Dausa	196/26.03.2002	Vaild
29	Sh. Murari Lal S/o Sh. Nandkishor Sharma	Taleda Jamat	Lalsot	Dausa	250/11.09.2002	Vaild
30	Sh. Ramjilal Jangid S/o Sh. Moolchand Jangid	Taleda Jamat	Lalsot	Dausa	262/09.10.2002	Vaild
31	Sh. Rajendra Sharma S/o Sh. Shankar Lal Sharma	Kothun Road, Taleda Jamat	Lalsot	Dausa	227/22.07.2002	Vaild
32	Sh. Dinesh Swami S/o Sh. Gopaldas Swami	Taleda Jamat	Lalsot	Dausa	249/11.09.2002	Vaild
33	Sh. Khemraj Gurjar S/o Sh. Teepulal Gurjar	Taleda Jamat	Lalsot	Dausa	145/09.11.2002	Vaild
34	Arjun Kumar Sharma S/o Rameshwar Prasad Sharma.	Taleda Jamat	Lalsot	Dausa	243/11.09.2002	Vaild
35	Devdas Swami S/o Sh. Dhanidas Swami,	Kothun Road, Taleda Jamat	Lalsot	Dausa	217/26.03.2002	Vaild
36	Sh. Ramful Pahadia S/o Sh. Jhuthalal	Kothun Road, Taleda Jamat	Lalsot	Dausa	206/26.03.2002	Vaild
37	Raju Khatik S/o Sh. Jhuthalal	Kothun Road, Taleda Jamat	Lalsot	Dausa	236/22.07.2002	Vaild
38	Naveen Kumar Jaimni S/o Sh. Radheshyam Sharma	Taleda Jamat	Lalsot	Dausa	202/11.09.2002	Vaild
39	Sanwalram Mali s/o Sh. Gordha Lal	Kothun Road, Taleda Jamat	Lalsot	Dausa	216/26.0.2002	Vaild
40	Ramji Lal S/o Sh. Shravan Lal Jangid	Kothun Road, Taleda Jamat	Lalsot	Dausa	211/26.03.2002	Vaild
41	Hemraj Jangid S/o Sh. Radhey Shayam Jangid	Kothun Road, Taleda Jamat	Lalsot	Dausa	210/26.03.2002	Vaild
42	Babulal Jangid s/o Sh. Ramgopal	Kothun Road, Taleda Jamat	Lalsot	Dausa	203/26.03.2002	Vaild

43	Sitaram Jangid s/o Sh. Jagannath	Kothun Road, Taleda Jamat	Lalsot	Dausa	214/26.03.2002	Vaild
44	Sh. Kishore Saini S/o Sh. Dhanna Lal Saini	Taleda Jamat	Lalsot	Dausa	37/03.04.2000	Vaild
45	Late Sh. Jalimdas Swami S/o Sh. Meetha Lal	Kothun Road, Taleda Jamat	Lalsot	Dausa	247/11.09.2002	Vaild
46	Omprakash Jangid S/o Sh. Naryan Jangid	Sanwasa	Lalsot	Dausa	234/22.07.2002	Vaild
47	Sh. Prakash das Swami S/o Sh. Kedar Swami	Taleda Jamat	Lalsot	Dausa	231/22.07.2002	Vaild
48	Sh. Babulal S/o Ramsahay Jangid	Khemawas, Taleda Jamat	Lalsot	Dausa	23/22.07.2002	Vaild
49	Sh. Ramprasad Jangid W/o Sh. Gopi lal Jangid	Kothun Road, Taleda Jamat	Lalsot	Dausa	197/26.03.2002	Vaild
50	Smt. Narmada devi W/o Sh. Badri Nath Jangid	Chandpar, Taleda Jamat	Lalsot	Dausa	199/26.03.2002	Vaild
51	Sh. Kamla Devi W/o Sh. Chitermal Saini	Taleda Jamat	Lalsot	Dausa	258/24.09.2002	Vaild
52	Sh. Rajesh kumar Jangid S/o Sh. Suvalal Jangid	Chandpar, Taleda Jamat	Lalsot	Dausa	219/26.03.2002	Vaild
53	Sh. Suresh Kumar Sharma S/o Sh. Ramjilal Sharma	Salgrampura, Taleda Jamat	Lalsot	Dausa	259/24.09.2002	Vaild
54	Sh. Manohar S/o Sh. Moolchand	Kothun Road, Taleda Jamat	Lalsot	Dausa	264/09.10.2002	Vaild
55	Sh. Ismail Khan S/o Sh. Habib Khan	Taleda Jamat	Lalsot	Dausa	244/11.09.2002	Closure Direction Issued on 22.07.2024
56	Sh. Roonarayan S/o Sh. Nandaram Koli	Didwana	Lalsot	Dausa	99/23.02.2001	Closure Direction Issued on 22.07.2024
57	Sh. Ramesh chand S/o Sh. Surajmal	Taleda Jamat	Lalsot	Dausa	198/26.03.2002	Closure Direction Issued on 22.07.2024
58	Sh. Ramkishor Jangid S/o Narayan Jangid	Kothun Road, Taleda Jamat	Lalsot	Dausa	218/26.03.2002	Closure Direction Issued on 22.07.2024
59	Radhey Shyam Sharma S/o Sh. Gangasahay,	Taleda Jamat	Lalsot	Dausa	252/11.09.2002	Closure Direction Issued on 22.07.2024
60	Ramnarayan Jangid S/o Sh. Genda Lal Sanwasa	Taleda Jamat	Lalsot	Dausa	222/26.03.2002	Closure Direction Issued on 22.07.2024
61	Sh. Ramswaroop S/o Sh. Shiv Sahay Jangid	Shyampura, Taleda Jamat	Lalsot	Dausa	261/09.10.2002	Closure Direction Issued on 22.07.2024
62	Sh. Narendra Sharma S/o Sh. Heera lal Sharma	Khan Bhankri	Lalsot	Dausa	189/26.02.2002	Closure Direction Issued on 22.07.2024
63	Sh. Babulal Jangid S/o Sh. Ramswaroop Jangid	Kaluwas, Taleda Jamat	Lalsot	Dausa	235/22.07.2002	Closure Direction Issued on 22.07.2024

64	Sh. Usman Ali S/o Sh. Abdul Gafur	Taleda Jamat	Lalsot	Dausa	263/09.10.2002	Closure Direction Issued on 22.07.2024
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Total saw Mill	64
Vaild Consent	54
Closure Direction	10

Note :- Previously State Board had issued closure directions against 11 Saw mills on 22/07/2024 , later one unit M/s Manohar S/o Moolchand(Licence no. 264/09.10.2002) has obtained CTO from the State Board after ensuring complainece. Therefore , closure direction against this unit were revoked and presently only 10 closure direction are existing.