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RAJASTHAN STATE POLLUTION CONTROL BOARD
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RPCB/RO RPCB/RAJ/NGT/ 362

Date : 26/06/2023

The Registrar General,
Hon'ble National Green Tribunal,
Copernicus Marg,
New Delhi,

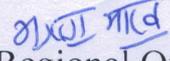
Subject:- Regarding Submission of Joint Committee Report in compliance of the order dated 27.03.2023 in OA No. – 432/2021 in the matter of Shiv Singh V/s State of Rajasthan & Ors.

Sir,

Kindly refer the subject mentioned above, in compliance of the order dated 27.03.2023 in OA No. – 432/2021 in the matter of Shiv Singh V/s State of Rajasthan & Ors. Joint Committee Report is enclosed herewith for your kind perusal and further necessary action.

Enclosed – As above

Yours Faithfully,


Regional Officer
RPCB, Rajsamand

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION No. 432/2021

In the matter of:-

Shiv Singh

Applicant

Versus

State of Rajasthan & Others

Respondent

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Factual Report of the Joint Committee Constituted by Hon'ble NGT , New Delhi order dated 27.03.2023 in OA No. 432/2021 in the Matter of Shiv Singh Vs State of Rajasthan & Others.

1. Background:

The Hon'ble National Green Tribunal, New Delhi vide its order dated 27.03.2023 in OA No.432/2021 in the matter of Shiv Singh Vs State of Rajasthan & Others directed as:

“17. In view of such denial as well as the observations by the Joint Committee, we consider it appropriate to constitute and accordingly constitute a Joint Committee comprising of (i) One Geologist-to be nominated by ACS/PS, Mining & Geology Department, Government of Rajasthan (ii) One Geologist-to be nominated by Vice Chancellor M.L. Sukhadia University, Udaipur and (iii) Regional Officer, RSPCB. The Joint Committee is directed to meet within a period of three weeks, undertake visits to the site, look into the grievances of the applicant and response of the respondent no. 5 and verify the facts and submit its report in detail with respect to all aspects including (a) whether any blasting operations were carried out by respondent no. 5 for mining of granite in the mining site in question and (b) whether the cracks in the house of the applicant and some other residents of the locality can be said to have occurred due to such alleged illegal blasting carried out by the respondent no. 5. In case the Joint Committee finds that cracks have occurred due to any such alleged illegal blasting by respondent no. 5, then the Joint Committee shall also mention as to what are the remedial measures which are required to be taken for repairs of the houses involved and what will be the estimated cost thereof.

18. The RSPCB will be the Nodal Agency for coordination and compliance. The expenditure related to transport/boarding and lodging for undertaking field visit and to attend meetings of the Joint Committee incurred by the Members shall be borne by the RSPCB.”

Copy of the Hon'ble NGT order dated 27.03.2023 is enclosed at Annexure-1.

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RSPCB
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2. Constitution of Joint Committee:

In compliance with the directions of the Hon'ble NGT, Vice Chancellor, Mohan Lal Sukhadiya University, Udaipur has nominated Dr. Ritesh Purohit, Associate Professor, Department of Geology, MLSU, Udaipur as committee member (Annexure-2), RSPCB has nominated Regional Officer, Rajsamand as member of committee and also appointed as Nodal officer on behalf of RSPCB (Annexure-3), Department of Mines and Petroleum, Govt. of Rajasthan has nominated Senior Geologist, Department of Mines & Geology, Rajsamand as committee member (Annexure-4).

3. Joint Committee Inspection: -

Accordingly, the following Joint Committee members visited the site on dated 20.06.2023.

- 1) Dr. Ritesh Purohit, Associate Professor, Department of Geology, MLSU, Udaipur .
- 2) Shri Om Prakash Jangid, Senior Geologist, Department of Mines & Geology, Rajsamand.
- 3) Shri Anurag Yadav, Regional Officer, Rajasthan State Pollution Control Board, Rajsamand.

श्री अरुण यादव
श्री ओम प्रकाश जंगिद



TECHNICAL REPORT

A. List of Photographs of Mine Site:-

S.No.	Caption of photo
01	Active Pit of M/s Gem Granite, ML No. 22/2014, Village – Kuker Kheda, Tehsil –Bhim, District –Rajsamand
02	Second view of active Pit of M/s Gem Granite, ML No. 22/2014, Village –Kuker Kheda, Tehsil –Bhim, District – Rajsamand
03	Committee members collecting information from Mine's representative, mine engineer and staff
04	Mine Office and Labour quarters constructed in mining lease area
05	Mine Office and Labour quarters constructed in mining lease area
06	plantation in mining lease area





B. LIST of PHOTOGRAPHS AT APPLICANT HOUSE

S.No.	Caption of photo
01	Committee members collecting information from Mr. Rajendra Singh
02-07	Cracks on walls near entry gate of house of shri shiv singh
08-10	Cracks on walls of Mata ji ka Devra
11-12	Cracks on walls of Mother's Room
13-14	Cracks on walls of Mata ji ka devra-II
15-16	Cracks on walls of Empty Room
17-18	Cracks on walls of Store Room
19	No Cracks on walls of Store Room-II
20	Food area outside Store Room-II
21	No Cracks on repaired back wall facing towards north
22	open varandah on first floor
23	Rajendra Singh's Room on first floor
24	Mother's Room on first floor
25-26	No Cracks in Study Room on first floor
27	Cracks in Pillar of Brick and Masonry work
28-29	Repairing at second floor roof area
30	No cracks in kitchen at first floor
31	Cracks in back side area of house
32	Showing both the mining leases operating in the area
33	Committee members discussing with both the parties(i.e. Applicant's Son and Representative of mining lease)






C. Field Visit with Photos:-

i. Mine Site Photos



Photo 01 -Active Pit of M/s Gem Granite, ML No. 22/2014, Village –Kuker Kheda Tehsil –Bhim, District –Rajsamand

Photo 02- Second view of active Pit of M/s Gem Granite, ML No. 22/2014, Village –Kuker Kheda, Tehsil –Bhim, District –Rajsamand



Photo 03 -Committee members collecting information from Mine’s representative, mine engineer and staff

Photo 04 - Mine Office and Labour quarters constructed in mining lease area

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Photo 05- Mine Office and Labour quarters constructed in mining lease area



Photo 06- plantation in mining lease area

Handwritten signatures in blue ink, including the text 'BIR INDR' and two distinct signatures.

(ii) Applicant House Photos:-



Photo 01--Committee members collecting Information from Mr. Rajendra Singh



Photo 02 - Cracks on walls near entry gate of house of shri shiv singh



Photo 03 – Cracks on walls near entry gate of house of shri shiv singh



Photo 04 - Cracks on walls near entry gate of house of shri shiv singh

Handwritten signatures in blue ink.



Photo 05 – Cracks on walls near entry gate of house of shri shiv singh



Photo 06 - Cracks on walls near entry gate of house of shri shiv singh



Photo 07 – Cracks on walls near entry gate of house of shri shiv singh



Photo 08 - Cracks on walls of Mataji ka devra

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Photo 09 - Cracks on walls of Mata ji ka devra



Photo 10 - Cracks on walls of Mata ji ka devra



Photo 11 - Cracks on walls of Mother's Room



Photo 12 - Cracks on walls of Mother's Room

Handwritten signatures in blue ink, including the name 'Jai Prakash' and other illegible marks.



Photo 13 - Cracks on walls of Mata ji ka devra-II



Photo 14 - Cracks on walls of Mata ji ka devra-II



Photo 15 - Cracks on walls of Empty Room



Photo 16 - Cracks on walls of Empty Room

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Photo 17 - Cracks on walls of Store Room



Photo 18 - Cracks on walls of Store Room



Photo 19 – No Cracks on walls of Store Room-II



Photo 20 – Food area outside store room-II

Handwritten signature in blue ink.



Photo 21 - No Cracks on repaired back wall facing towards north



Photo 22 – open varandah on first floor



Photo 23 - Rajendra Singh's Room on first floor



Photo 24 – Mother's Room on first floor

Handwritten signatures in blue ink, including the name 'Rajendra Singh' and other illegible marks.



Photo 25 - No Cracks in Study Room on first floor



Photo 26 - No Cracks in Study Room on first floor



Photo 27 - Cracks in Pillar of Brick and Masonry work



Photo 28 - Repairing at second floor roof area

Handwritten signature in blue ink, possibly reading "S. S. S." or similar, with a date "20/08/2019" written above it.



Photo 29 - Repairing at second floor roof area



Photo 30 - No cracks in kitchen at first floor



Photo 31 - Cracks in back side area of house



Photo 32 - Showing both the mining leases operating in the area



Photo 33 - Committee members discussing with both the parties (i.e. Applicant's Son and Representative of mining lease)

Handwritten signatures in blue ink, including the name 'S. S. S.' and other illegible marks.

D. Video of Joint Meeting with both Mines representative and Applicant annexed as Annexure in CD as file name “discussion of Committee members with both Parties”.

Handwritten signatures and initials in black ink. There are three distinct marks: one at the top left, one at the top right, and one centered below them.

E. Observations of Joint Committee Visit:-

- 1) The Joint committee made a visit to the mining site of M/s Gem Granite, ML No. 22/2014, Near Village – Kukar Kheda, Tehsil –Bhim, District -Rajsamand and house of applicant Shiv Singh on 20.06.2023 which was accompanied by local mining officers of the Department of Mines and Geology, Govt. of Rajasthan.
- 2) Basic details of the mine operation from commencement (in year 2015-16) till present state of operation were taken from mine owners, staff and engineers present in the mining area.
- 3) The Mine engineers of the lessee, explained the mining process and mentioned that they were not doing any blasting during operation of mines as it would damage the granite block which they were mining. These statements were endorsed by each of the mine staff and owner representative. Appropriate photographs of the mine site visit were taken and are presented in the report in part C(i) of the Technical content.
- 4) After that the house of applicant Shri Shiv Singh was visited by the committee members where Shiv Singh's son Rajendra Singh along with other family members showed the cracks present in the house and mentioned that this was due to the blasting operations in mine. The distance of the house from mine was approximately 395m. Appropriate photographs of the mine site visit were taken and are presented in the report in part C (ii) of the Technical content.
- 5) The house was thoroughly visited by the committee members and photographs were taken from different places. Mr. Rajendra Singh showed us a video which he later shared with the members of the committee (which is also attached with the present report as annexure in CD as file name video shared by Mr. Rajendra Singh Regarding Blasting) about the blasting operation taken from his roof. The committee asked him to verify the place of video by retaking another video from same place (which is annexed as annexure in CD as file name video recorded by Mr. Rajendra Singh in Presence of Committee).

- 6) From the roof of the house another mine in close vicinity could be easily located which according to Mr. RajendraSingh, is also doing the blasting operations for mining (Photo no 32 in part C(ii) of technical report).
- 7) The cracks in the house were of variable size and dimensions. Some of the cracks were longitudinal, some horizontal and one or two diagonals also. The cracks were mostly from top to bottom i.e. from roof to downward direction. Some cracks were from base, some from side of windows. Some were semi-circular in nature and some were straight. Most of these were limited to plaster level in depth, however few were from joint and corners also. The cracks were mostly surficial and limited to plaster or putty with few going to depth of half a cm.
- 8) As per Mr. Rajendra Singh and his family members, the house was constructed almost 30 years back and some parts of the house were constructed 5-6 years back. The older parts of house were having more cracks rather than the newer parts of the house. There were some parts of house which were without cracks also. The roof of the house was of "Patti" (Sandstone) and the space between the two "Pattis" was showing leakage from roof where water seepage was quite visible. The owner has done repairing at some places.
- 9) Mr. Rajendra Singh also submitted 15 pages to the joint committee members in support of his claim which are annexed in this report as annexure no 5.
- 10) After that the committee called upon both the parties together and explained the task of coming as per the orders and both of them reiterated same claims as made by each of them in the individual meeting. The mine owners and engineers claimed that they were not doing blasting and applicant mentioned that the blasting was going on.



F. SUMMARY

Looking to the task given to the joint committee it is summarized that:

1. The house has sufficient number of cracks of variable nature which do not appear to be originating from blasting as a very few of them are diagonally originating from the base of the house. They are neither deep nor cross cutting the wall structure and limited to plaster level.
2. The nature and construction of house also shows variation in terms of time of construction (some part is nearly 30 years old and some part is 5-6 years old according to applicant's son Mr Rajendra). The frequency of cracks is seen more in older parts of the house as compared to the new constructions. Henceforth, the number of cracks can be directly linked to the quality of construction which can be better assessed by a civil engineer.
3. Near to the site of mines operation, mine office and workers quarters were also inspected which were located at a distance of 150m. The committee observed that there were no cracks present in this building even though they are close to the mine as compared with the applicant's house.
4. The members of the committee are of the opinion that cost of crack repair can be better assessed by a construction engineer.


(Anurag Yadav)
Regional Officer
RSP/CB, Rajsamand
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
राजसमन्द


(Dr. Ritesh Purohit)
Associate Professor
Department of Geology
MLSU, Udaipur

Department of Geology
M.L. Sukhadia University
UDAIPUR


(O.P. Jangid)
Senior Geologist
Rajsamand
(ओ.पी. जाँगिड़)
वरिष्ठ भू वैज्ञानिक
ज्ञान एवं भू विज्ञान विभाग
राजसमन्द

Item No.3

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 432/2021

Shiv Singh

...Applicant

Versus

State of Rajasthan & Ors.

...Respondents

Date of hearing: 27.03.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Applicant in person through V.C.

Respondents: Mr. Nishant Awana, Advocate (through VC) with Mr.
Tirupati Gaurav Shahi, Advocates for respondent no. 3-
RSPCB.
Mr. Azmat Hayat Amanullah, Advocate for Respondent
5-the Project Proponent.
None has appeared for Respondents No. 1, 2 and 4.**Application is registered based on a letter petition received by Post.****ORDER**

1. Grievance in this application is regarding damage caused by M/s J.M. Mines managed by one Mr. Bunti Jain, which is carrying on mining near village KukerKheda, Tehsil Bhim, District Rajsamand near to the house of applicant, which is located at a distance of 400 meters from the above-said mining site. It is submitted that granite is being mined by blasting which has resulted in cracks in the house of the applicant. Muck/ stones taken out from the mine are dumped in a nearby storm water drain/canal resulting in blocking of the free flow of the water.

2. Vide order dated 27.01.2022, this Tribunal constituted a Joint Committee with direction to submit Factual and action taken report

within three months.

3. In compliance thereof, the report of the Joint Committee was submitted by Mr. Anurag Yadav, Regional Officer, Rajasthan State Pollution Control Board (RSPCB), Rajsamand vide letter dated 02.09.2022 through email dated 13.09.2022.
4. Vide order dated 23.02.2023 notices were ordered to be issued to (1) the State of Rajasthan through Chief Secretary, Government of Rajasthan, (2) the Director, Mines and Geology, State of Rajasthan, (3) the RSPCB, (4) the District Magistrate, Rajsamand and (5) the Project Proponent-M/s Gem Granites, who were impleaded as Respondents No. 1 to 5 and the RSPCB was also directed to take appropriate remedial action.
5. Despite due service, none appeared for Respondents No. 1, 2 and 4 on the last date of hearing and none has appeared for them even today.
6. The proceedings before this Tribunal cannot be treated as part of adversarial litigation where the concerned defendants may opt out to remain absent and suffer *ex-parte* proceedings. On the other hand, the State and its instrumentalities are under constitutional and statutory obligations to ensure compliance with environmental norms and, therefore, the State and its instrumentalities have to ensure submission of their replies/response with relevant details and also their representation through duly authorised representatives/Counsel before this Tribunal. Since, State of Rajasthan and some of its instrumentalities are not generally appearing before this Tribunal and filing their replies/response in response to the notices served on them, we consider it appropriate that the matter be brought to the notice of the Chief Secretary, Government of Rajasthan and learned Advocate General, Government of Rajasthan for issuance of appropriate instructions for

compliance with notices issued by this Tribunal and submission of reply/response before this Tribunal by the concerned officers/instrumentalities of the State and ensuring their representation through their authorized representative/counsel before this Tribunal, as may be required.

7. In compliance with order dated 01.11.2022, Action Taken Report was filed by respondent no.3-RSPCB vide email dated 06.02.2023.

8. Vide order dated 08.02.2023, the Project Proponent was restrained from carrying out any further mining from the mining site in question till further order to the contrary.

9. IA No. 66/2023 was filed by the Project Proponent. Replies/response were filed by RSPCB and the Project Proponent vide email 27.02.2023. Compliance report was filed by the RSPCB vide email dated 14.03.2023.

10. Vide order dated 15.03.2023, the project proponent was allowed to resume mining operations with direction to ensure due compliance of all of relevant EC/CTE/CTO conditions/environmental norms and also furnish action plan for undertaking CSR/Environmental Management Programme with timelines and budgetary provisions.

11. In compliance of the directions in order dated 15.03.2023 respondent no. 5 has filed action plan vide email dated 27.03.2023.

12. We have gone through the action plan but we find the same to be general and vague. To illustrate, it may be observed that Respondent no. 5 has mentioned that amount of Rs. 2 lakhs is to be spent for plantation but respondent no. 5 has not mentioned the land where the plantation is

to be made, the agency who is to undertake the plantation, the species which are to be planted, the timeline when the plantation is to be done and the manner in which the budgetary allocation of Rs. 2 lakhs is to be utilized for each activities for such plantation. In the Action Plan, the position in respect of the other heads of the CSR activities is also similar.

13. Respondent no. 5 is directed to file additional affidavit containing its Action Plan with requisite details/better particulars with regard to all relevant aspects and the Action Plan regarding plantation be prepared in consultation with the concerned Divisional Forest Officer and the Action Plan regarding other CSR activities be prepared in consultation with the concerned Gram Panchayats/residents of the locality.

14. In the Original Application one of the grievances of the applicant is regarding carrying out of blasting operations by respondent No. 5 illegally which are stated to have resulted in cracks in the house of the applicant and other residents.

15. The Joint Committee noticed the cracks in the houses of the applicant and other residents but the Joint Committee expressed difficulty to conclude reasons of the cracks in absence of scientific evidence and geological study of the area and mentioned that such types of studies have been carried out in O.A. 288 of 2019 titled as Balkrishan Vyas Vs. State of Rajasthan & Ors.

16. In his reply, Respondent No. 5 has denied carrying out of blasting operations.

17. In view of such denial as well as the observations by the Joint Committee, we consider it appropriate to constitute and accordingly constitute a Joint Committee comprising of (i) One Geologist-to be

IA No. 66/2023 In OA No. 432/2021

Shiv Singh Vs.
State of Rajasthan & Ors.

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nominated by ACS/PS, Mining & Geology Department, Government of Rajasthan (ii) One Geologist-to be nominated by Vice Chancellor M.L. Sukhadia University, Udaipur and (iii) Regional Officer, RSPCB. The Joint Committee is directed to meet within a period of three weeks, undertake visits to the site, look into the grievances of the applicant and response of the respondent no. 5 and verify the facts and submit its report in detail with respect to all aspects including (a) whether any blasting operations were carried out by respondent no. 5 for mining of granite in the mining site in question and (b) whether the cracks in the house of the applicant and some other residents of the locality can be said to have occurred due to such alleged illegal blasting carried out by the respondent no. 5. In case the Joint Committee finds that cracks have occurred due to any such alleged illegal blasting by respondent no. 5, then the Joint Committee shall also mention as to what are the remedial measures which are required to be taken for repairs of the houses involved and what will be the estimated cost thereof.

18. The RSPCB will be the Nodal Agency for coordination and compliance. The expenditure related to transport/boarding and lodging for undertaking field visit and to attend meetings of the Joint Committee incurred by the Members shall be borne by the RSPCB.

19. Report of the Joint Committee be filed within 3 months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

20. It is clarified that in the eventuality of non-submission of report within the stipulated time, exemplary costs may be imposed on the State

IA No. 66/2023 In OA No. 432/2021

Shiv Singh Vs.
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of Rajasthan/RSPCB/concerned instrumentalities of the State for non-compliance with the order of this Tribunal.

21. The applicant has sent report of Tehsildar, Bhim regarding local inspection dated 13.09.2022 stated to have been conducted by Naib Tehsildar, Bhim alongwith other Revenue Officials. In the report, respondent no. 5 is alleged to have indulged in illegal mining in Khasra No. 3463.

22. In the report of the Joint Committee Khasra No. 3463 is stated to be included in the land leased out to the Project Proponent for mining and, therefore, the context and purpose of the local inspection by Naib Tehsildar, Bhim and Action Taken on the basis of the above said report is required to be explained to us.

23. In view of the facts and circumstances of the case, we consider personal appearance of the District Magistrate, Rajsamand, the District Mining Officer and the Regional Officer, RSPCB before this Tribunal physically or through V.C. to be essential for assisting this Tribunal in just and proper adjudication of the questions involved and they are accordingly directed to remain present before this Tribunal physically or through V.C. on 27.07.2023.

24. The registry is directed to send a copy of the report dated 13.09.2022 of the Tehsildar, Bhim to all the respondents by email and the respondents shall be at liberty to file response thereto if so desired within one month by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

25. List for further consideration on 27.07.2023.

IA No. 66/2023 In OA No. 432/2021

Shiv Singh Vs.
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26. A Copy of this be sent to the Chief Secretary, Government of Rajasthan, Learned Advocate General, Government of Rajasthan, ACS/PS, Mining & Geology Department, Government of Rajasthan and Vice Chancellor M.L. Sukhadia University, Udaipur (for nomination of the Geologists by them), the Member Secretary, RSPCB, the District Magistrate, Rajsamand, the District Mining Officer, Rajsamand, the applicant and the respondents by email for information/compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

March 27, 2023
N



RAJASTHAN STATE POLLUTION CONTROL BOARD
 4, Institutional Area, Jhalana Doongri, Jaipur.
 Phone : 0141- 2716804, 2716811 e-mail : member-secretary@rpcb.nic.in
 Helpline No. : 0141-2716877

Email

No. F.10 (416) RPCB/Legal/NGT/2022/1712

AC(R)

ST
19/06/23

Date: 19/04/2023

Regional Officer,
 Rajasthan State Pollution Control Board,
 Rajsamand.

Sub: - Hon'ble National Green Tribunal order dated 27.03.2023 in Original application no. 432/2021 Shiv Singh Vs State of Rajasthan & Others.

Sir,

With reference to above subject matter, it is to inform that the Hon'ble NGT by order dated 27.03.2023 directed inerti-alia as follow:-

"17. In view of such denial as well as the observations by the Joint Committee, we consider it appropriate to constitute and accordingly constitute a Joint Committee comprising of (i) One Geologist-to be nominated by ACS/PS, Mining & Geology Department, Government of Rajasthan (ii) One Geologist-to be nominated by Vice Chancellor M.L. Sukhadia University, Udaipur and (iii) Regional Officer, RSPCB. The Joint Committee is directed to meet within a period of three weeks, undertake visits to the site, look into the grievances of the applicant and response of the respondent no. 5 and verify the facts and submit its report in detail with respect to all aspects including (a) whether any blasting operations were carried out by respondent no. 5 for mining of granite in the mining site in question and (b) whether the cracks in the house of the applicant and some other residents of the locality can be said to have occurred due to such alleged illegal blasting carried out by the respondent no. 5. In case the Joint Committee finds that cracks have occurred due to any such alleged illegal blasting by respondent no. 5, then the Joint Committee shall also mention as to what are the remedial measures which are required to be taken for repairs of the houses involved and what will be the estimated cost thereof.

18. The RSPCB will be the Nodal Agency for coordination and compliance. The expenditure related to transport/boarding and lodging for undertaking field visit and to attend meetings of the Joint Committee incurred by the Members shall be borne by the RSPCB."

For compliance of Hon'ble NGT order, you are hereby appointed as Nodal Officer on behalf of RSPCB with the direction to ensure compliance of Hon'ble NGT order and file the compliance report of order dated 27.03.2023.

Enclosed-As above

(Signature)
 (B. Praveen)
 Member Secretary

Copy to following for information and necessary action:-

1. Addl. Chief Secretary, Department of Mines & Geology, Secretariate, Jaipur.
2. Vice-Chancellor, M.L. Sukhadia University, Udaipur.

राजस्थान सरकार
खान एवं भू-वैज्ञानिक विभाग

क्रमांक:प-11(1)(49)खान/पूप-2/2022

उदयपुर, दिनांक: 18 APR 2023

आदेश

ओपि एच संख्या 432/2021 दिनांक 18 अप्रैल 2023 को राजस्थान सरकार में माननीय राष्ट्रीय उदयपुर अधिकरण, नई दिल्ली द्वारा पारित आदेश दिनांक 27.03.2023 से कम्पटी का पठन कर निर्देश दिये हैं कि खान विभाग द्वारा एक भू-वैज्ञानिक की नियुक्ति की जाये। अतः माननीय एन.जी.टी. के निर्देशों की पालना में, प्रकरण में माननीय अधिकरण द्वारा प्राधिकृत कार्यवाही सम्पादित करने हेतु खान विभाग की ओर से वरिष्ठ भू-वैज्ञानिक, राजसमंद को एतद्वारा नामित किया जाता है।

(नीतू बारुपाल)
शासन उप सचिव

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प्रतिलिपि निम्नांकित को सूचना एवं आवश्यक कार्यवाही हेतु प्रेषित है-

1. निदेशक खान एवं भू-विज्ञान विभाग, राजस्थान, उदयपुर।
2. जिला कलक्टर, राजसमंद।
3. प्रादेशिक अधिकारी, राजस्थान राज्य प्रदूषण नियंत्रण मंडल, राजसमंद।
4. कुलपति, एम.एस. सुखाडिया विश्वविद्यालय, उदयपुर।
5. वरिष्ठ भू-वैज्ञानिक, खान एवं भू-विज्ञान विभाग, राजसमंद को पालनार्थ।
6. अधीक्षण खनि अभियन्ता, खान एवं भू-विज्ञान विभाग, राजसमंद।
7. खनि अभियन्ता, खान एवं भू-विज्ञान विभाग, आमेट।

शासन उप सचिव

9c

Signature valid

Digitally signed by Neetu Barupal
Designation: Deputy Secretary To
Government
Date: 2023.04.18 08:22:29 IST
Reason: Approved



Annexure - 5

2

औषिक नक्सा देस ग्लाम बुकरखैडा प.क.
बुकरखैडा तह. मिक (राजसठस)



लखिता
४/०९/२०२२

P 35 कुमौक 26
परिदर्ज अण्डा) ४/०९/२०२२

बुकरखैडा
राजसठस

Page 01 of 15

राजस्थान सरकार

NIC-BHUNAKSHA

खसरा नक्शा एवं जमाबंदी(प्रतिलिपि)

दिनांक : 31/03/2023 04:51:02 PM

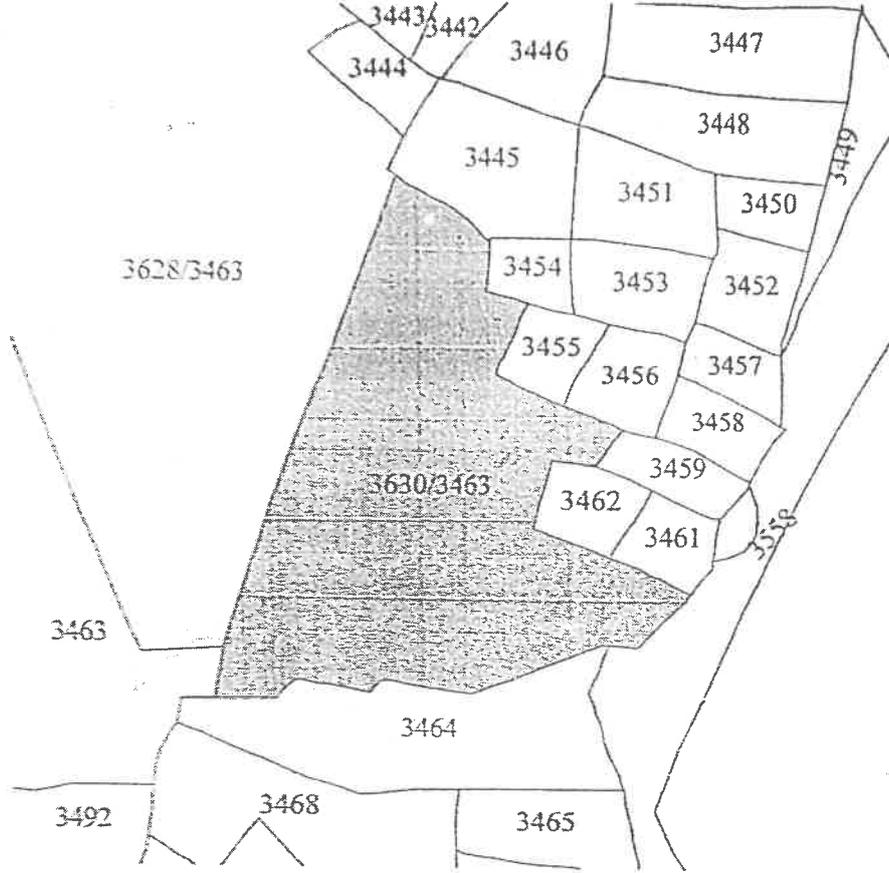
जिला : राजसमन्द

तहसील : भीम

भू. अ. नि. क्षेत्र : बरार

पटवारी इका : कूकरखेड़ा

ग्राम : कूकरखेड़ा



Scale 1:2000

खसरा नम्बर : 3630/3463 क्षेत्रफल : 0.8094 Hectare खाता संख्या : 214 पुराना खाता संख्या : 210

चूने क्लिफ (क्षेत्रफल लगान) : खनन क्षेत्र [0.8094]

1.) प्रस्तावित प्लॉट देवकरण हिस्सा- पूर्ण जादि भाभी सा. अजमेर खातेदार

अजमेर

कूकरखेड़ा

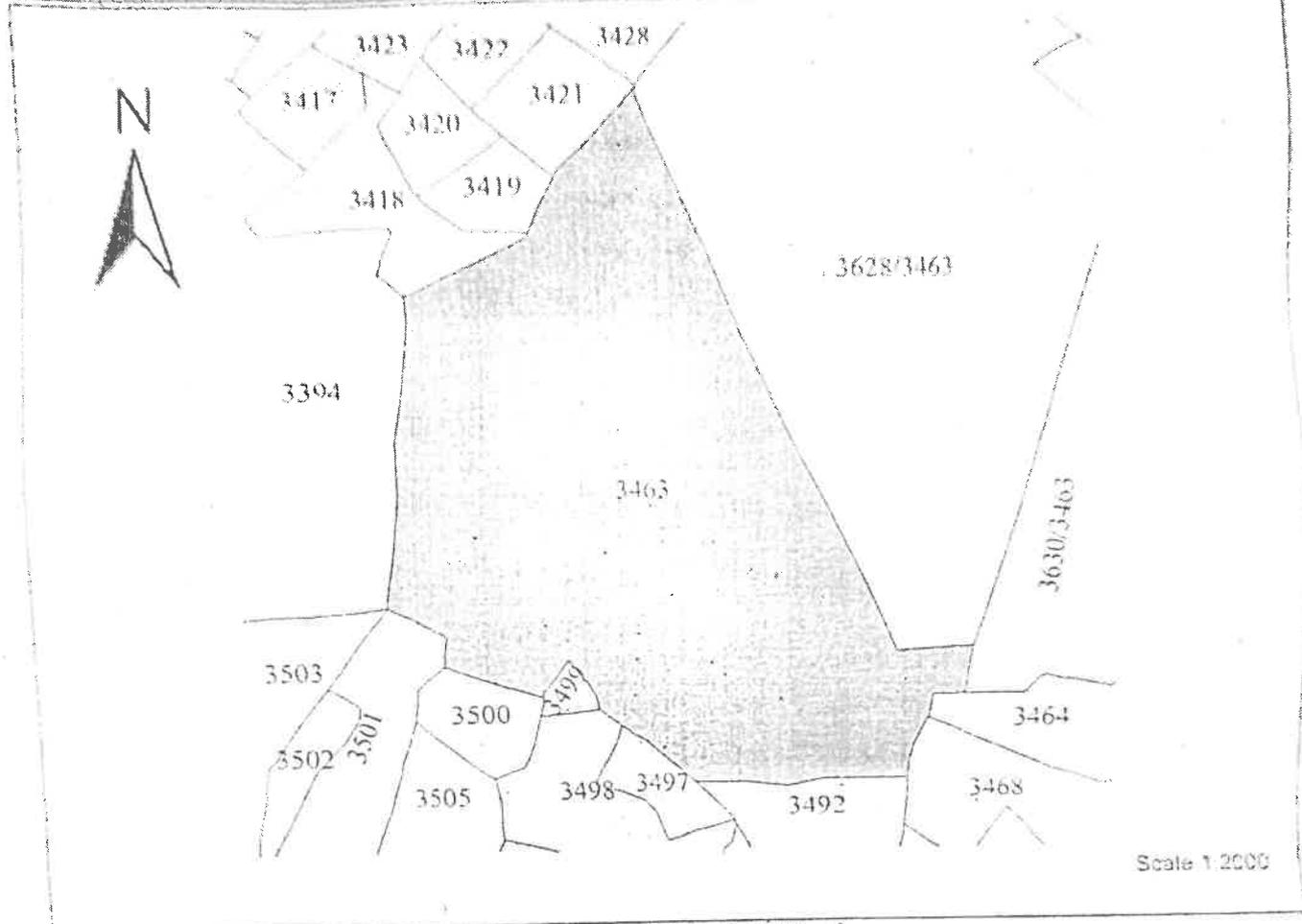
सक्षम अधिकारी के हस्ताक्षर एवं सील

नोट :- 1. यह प्रपत्र केवल प्रार्थी की जानकारी के लिए है।

2. इसका उपयोग किसी भी न्यायालय में साक्ष्य के रूप में नहीं किया जा सकता है।

3. प्रतिक्रिया में संशोधन/संशुद्धित प्रतिलिपि हेतु सम्बंधित जिला/तहसील कार्यालय में संपर्क करें। ULPIN no : null

राजस्थान सरकार
 खसत नक्शा एंव जमाबंदी (प्रतिदिशि)
 जिला : राजसमंद
 तहसील : भीम
 ग्राम : कृष्णखोडा
 दिनांक : 05/10/2022 01:18:07 PM
 भू. म. नि. क्षेत्र, बरार
 (6)



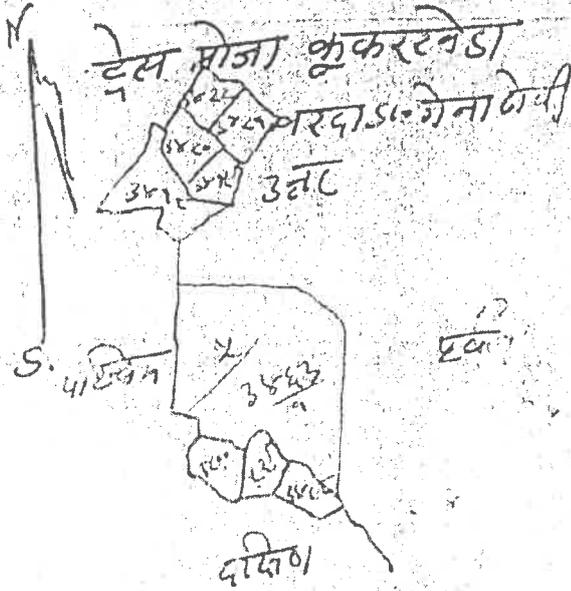
खसत नम्बर : 3463 क्षेत्रफल : 2.6871 Hectare खाता नम्बर : 1 पुराना खाता नम्बर : 1
 भूमि विस्म [क्षेत्रफल लगान] : ग.मु.मगरी [2.6871]
 ULPIN no. : null

P-35 के 01 पर है

अमानत

अनुराग

8



देल सोजा कूकरलेडा
 रुल परदा ड. गेना दोपी

गण्डी प्रतिबिंबि
 उपखण्ड बांधकार
 जिला मन्सूर (पुष्प)
 145

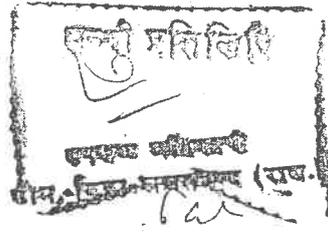
10

श. ज. ता. ५. ग्राम फेवोरी मेन्ट ग्राम नूकर खेडा त. भीम जि. पा उदयपुर.

पुगान २०३३६९

शु.	नाम ग्राम	नाम फेवोरी	खसरा नम्बर	रकबा	विल्ला	शरह	पुगान	र. र. वि. १५
१	२	३	४	५	६	७	८	९
१	नूकर खेडा	वरदा गम ५१० ना दोपी	३४६३	५	५॥	०६०	३-०	क्री. त पु. गदी ६

गणेशाय नमः



१२ ०९ १५

11

राजस्थान सरकार

कार्यालय उपजिलाधीन भीम

राजस्व/मि.नं. 18/77

दिनांक 6.6.77

श्री पटवारी हल्का कुकरखेडा
तहसील भीम/देव

श्री वरदा रास मि. जेना जाति शक्ल देवी
निवासी कुकरखेडा को सीजा कुकरखेडा में धाराजी
नम्बर 3842 में बोधा भूमि गैर खातेदारों
हक से आवंटन को गयी है। अतः इसका अमल दरामद करे व लगान सम्बन्ध 20833
से प्रति बर्ष 2000 वसूल करे व कीमत वृक्ष व पट्टा
फीस 5/00 रुपया साथ में वसूल करे। एक प्रत रुका वाद इन्द्राज मारफत इन्तपेक्टर शोध
पेद्य करे।

उपजिलाधीन भीम

प्रतिलिपि—राजस्व लेखाकार तथा तहसीदार भीम देवगढ़ पास भेजा जावे।

नाट हमकी आजु दरामद 2-38 के नपुकांछ
लेख्या 250 परीवर्तन शीठ नम्बर 22 नामान्त S. D. O. भीम
करण लेख्या 250 पर दिखि जाये
माना उपख्या 25
25251
8-7-77

पत्नी प्रतिवाप
उपजिलाधीन भीम
पिन-राजमन् (पय)

12

प्रपत्र 5

(देखिये नियम 15)

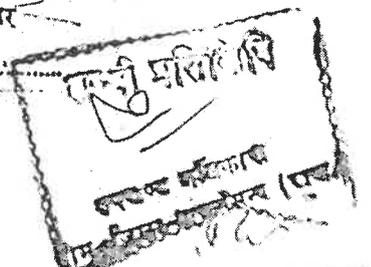
कार्यालय उप-जिलाधीश, श्री/म
 फाईल नम्बर 21/77 सन् 1977

1. आवटी का नाम श्री/म पिता का नाम श्री/म
 उम्र कितने वर्ष से तहसील का निवास है?
 जिले का नाम घन्टा
 345 () 42 N
2. प्राथना पत्र के प्राम होने की तारीख प्र. समय जैसा कि फार्म 4 में अनधिवसित भूमि आवंटन के लिए प्राथना पत्र के रजिस्टर के कॉलम 3 में उचित किया गया है।
3. आवंटन आदेश की तारीख एवं स्थान 19-2-77 श्री/म
4. आवंटन शुदा भूमि का विवरण :-
 (1) गांव का नाम
 (2) फार्म नं 0 1 की सूची के इम्प्राज का प्रसंग जो कि 30 सितम्बर सन् 1970 अनधिवसित सरकारी भूमि संशोधित शुदा है।
 (3) आवंटन शुदा भूमि का खसरा नम्बर 3863
 (4) क्षेत्रफल बीघों में जो आवंटन किया गया है
 (5) भूमि की किस्म
 (6) सिचाई का साधन, यदि है तो उसका विवरण
5. कुआँ, वर्त्तमान स्थाई निर्माण कार्य और भूमि पर उगे हुए वृक्षों की कीमत, यदि नियम 14 (5) में बंणित काई हो तो उसकी कीमत एवं उसकी कीमत आवंटन के द्वारा जना कराने की तारीख
6. सालाना लगान जो देय है
 7. आवंटन की शर्तें—
 (1) आवंटन गैर खातेदारी अधिकार से है। अन्तिम खातेदार अधिकार 10 वर्ष समाप्त होने के बाद होगा, किन्तु शर्त आवंटन की शर्त निर्धारित समय के अन्दर पूरा कर देता है। खातेदारी अधिकार दिये जाने तक आवंटन की समस्त अधिकार राजस्थान काश्तकारी अधिनियम, सन् 1955 के अन्तर्गत गैर खातेदारी काश्तकार होंगे।
 (2) आवंटन नियम 14 (2) के अनुसार भूमि का सालाना स्वीकृत रेट के अनुसार लगान का भुगतान करने हुवे है। सालाना लगान का हरसाल या उसके पूर्व भुगतान करना होगा।
 (3) आवंटन 50 प्रतिशत भूमि में काश्त आवंटन के वर्ष में हो करेगा और शेष भूमि दूसरे वर्ष में।
 (4) आवंटन तालाब, कुआँ या निवास गृह जो धारा 5 की उप धारा (19) राजस्थान काश्तकारी अधिनियम के तहत सुधार की श्रेणी में आता हो, के अलावा कोई स्थाई निर्माण कार्य खातेदारी अधिकार प्राप्त करने से पूर्व नहीं करेगा।
 (5) भूमि राज्य सरकार के द्वारा बिना एवजाना दिये अधिग्रहण योग्य होगी। यदि (ए) खासतौर से

नियम 14 (5) के अनुसार भूमिहीन व्यक्ति नहीं था, (ड) आवंटन नियम 14 के उपनियम (5) के अनुसार कीमत का भुगतान करने में असफल रहता है और या सालाना लगान या (इ) आवंटन भूमि पर आवंटन नियमों के प्रतिकूल निर्माण कार्य करता है।

दिनांक 29-10-77

सब-डिवीजनल ऑफिसर
 उप-जिलाधीश मीम



Page 18 of 15

अपना नाम लिखें

117

अर्पण-पत्र

फॉर्म नं० ३
नियम २

राजस्थान के राजस्थान लेन्ड रेवेन्यू एक्ट सन १९५६

जिसे मैंने अपने स्वयं के नाम पर निम्नलिखित भूमि पदान (एलोट) करने की कृपा करे।
 भूमि पदान का नाम जहाँ भूमि स्थित है
 सतारा नपबर
 क्षेत्रफल
 भूमि की श्रेणी
 लगान

किन्तु मैंने रेवेन्यू (एलोट) में कोई भी भू-दस्तावेज (एन-कलचर परचेज) नियम सन १९५७ के नियम २ अन्वयेन के अनुसार भूमिहीन है।
 किन्तु मेरे पास स्वयं के नाम पर या मेरे परिवार के सदस्य के नाम पर कोई भी भूमि पदान का कोई भी दस्तावेज नहीं है।

भूमि का नाम जहाँ भूमि स्थित है	सतारा नपबर	क्षेत्रफल	भूमि की श्रेणी	लगान
335 115 अर्ध	321			

मैंने मुझे स्वयं को वास्तु के लिए भूमि की आवश्यकता है।
 अतः मुझे वास्तु के लिए निम्नलिखित भूमि पदान (एलोट) करने की कृपा करें।

भूमि का नाम	सतारा नपबर	क्षेत्रफल	सिचाई के साधन विवरण सहित अगर कोई हो तो	लगान
	384-2			

राजस्थान लेन्ड रेवेन्यू
 विभागाध्यक्ष (राज.)

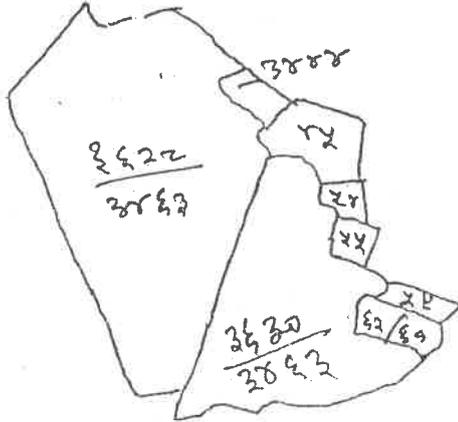
मैंने इसको द्वारा राजस्थान लेन्ड रेवेन्यू (सामान्य अधिनियम ३ सन १९५४) राजस्थान लेन्ड रेवेन्यू एक्ट सन १९५६ (सामान्य अधिनियम ३ सन १९५६) राजस्थान लेन्ड रेवेन्यू एक्ट सन १९५६ (सामान्य अधिनियम ३ सन १९५६) के नियम २ अन्वयेन के अनुसार भूमिहीन है।

जयराज सिंह

पार्सी

मैंने पंजीकृत करता हूँ कि ऊपर प्राप्ति पत्र में लिखित मेरे स्वयं के नाम पर विश्वास से सही है

31/12/13 पुणे नगरपालिका नगर कार्यपालिका नगर कार्यपालिका नगर कार्यपालिका



प्लॉट नं: 3888
 1 अंश = 25 मी
 1 मी = 132 मी

साथ प्रमाणित

6/1/13
 23/11/2013

(Signature)
 नगर कार्यपालिका-पुणे नगरपालिका
 नगर कार्यपालिका-पुणे नगरपालिका

शेखरा नाम शेखरा पटवार मण्डल, शेखरा तहसील व.म. जिला राजसमन्द

शेखरा राजस्व रिपोर्ट एम. एल. 22/2014

क्रमांक	खसरा नम्बर	भूमि किसिम (चारागाह, विला-नाम, खातेदारी)	खसरा का कुल रकबा बीघा	खसरे में आने वाला कुल रकबा (बिघा-बिन्ब)
1	3463	ख/लोह/र/	5-0	4-17
2	3464	---	2-02	2-01
3	3465	---	0-14	0-13=10
4	3466	---	0-11	0-10=10
5	3467	---	0-11	0-10=10
6	3468	---	2-04	2-03=10
7	3469	---	1-12	1-11=10
8	3470	---	0-12	0-12
9	3472	---	1-01	1-01
10	3473	---	0-14	0-8
11	3476	---	1-03	0-13
12	3477	---	2-07	2-06=10
13	3478	---	1-04	1-03
14				18-11 बिघा बिन्ब

Shekhra
आवेदनकर्ता / प्रतिनिधि

[Signature]
हस्ताक्षरकर्ता 07/01/15
पटवार/शेखरा
तह.श्रीम, जिला राजसमन्द

[Signature] (M.F.)
हस्ताक्षर सीमांकनकर्ता

[Signature]
R.S. Mentoring
SHEKHRA GRANITES

[Signature]
(गोपाल बच्छ)
खान एव भू-विज्ञान विभाग
आमेट (राजसमन्द)

PARTNER
शुभना का
के अन्त

राजस्व
14/9/22

मौका पर्चा

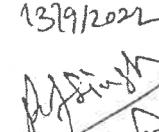
आज दिनांक 13/09/2022 को हल्का पयारी छकरखैरा
नायब तहसीलदार भीम खं ठे साथ मय राजस्व रिकॉर्ड आजाजी
खमरा नम्बर 3463 राजस्व ग्लाम छकरखैरा पर पहुंचा। राजस्व
रिकॉर्ड के अनुसार आजाजी नम्बर 3463 किस्म जै. सु. अगरी खिमा
दर्ज है। मौके पर आजाजी नम्बर 3463 पर खनन काम किया
जा रहा है मौके पर दो बड़ी ऊह अवैध खनन काम को
तत्काल समाप्त से कहवाया गया। खनन मालिक उपस्थित
नहीं मिला। वहां काम कर रहे मजदुरों को अवैध खनन न
किये जाने हेतु जाबन्दगी कर दिया गया। मौका पर्चा पर शिक्षक
कृति श्री विविध को बुलवाया गया किन्तु उनके बयान पर
उनके पुत्र श्री राजेन्द्र सिंह उपस्थित हुआ। मौका पर्चा बनाकर
भुवामा एवं उपस्थितों के हस्ताक्षर कराए।

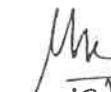
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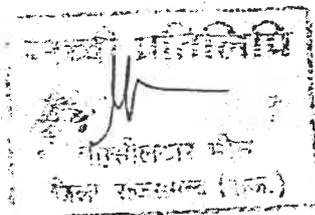
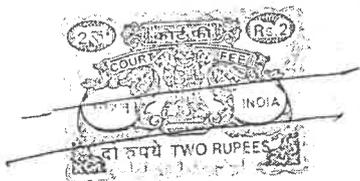
(प्रशिक्षक चौधरी)
खनन मजदूर


AT Bhim
13/9/2022

पयारी
पयारी छकरखैरा
13/09/2022


राजेंद्र सिंह प्रशिक्षक सिद्ध


13/9/22
Tds, Bhim



OR

राजस्थान सरकार

NIC-BHUNAKSHA

खसरा नक्शा एंव जमाबंदी(प्रतिलिपि)

दिनांक : 26/08/2022 06:24:01 PM

जिला : राजसमन्द

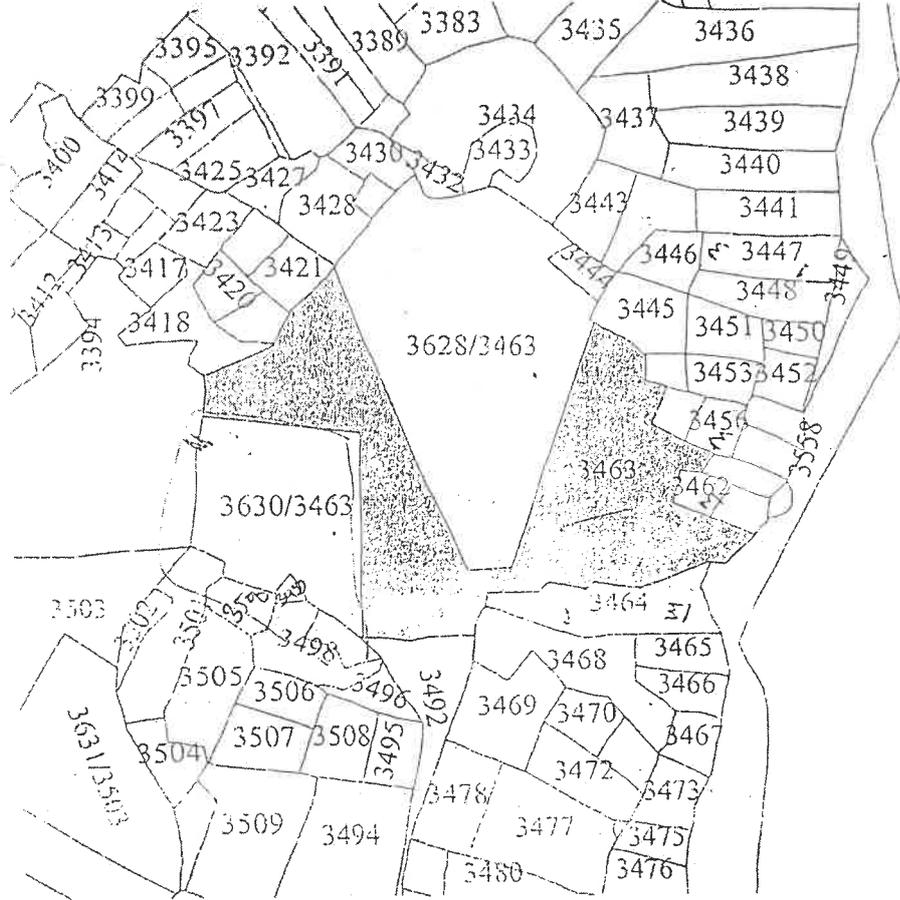
तहसील : भीम

भू. अ. नि. क्षेत्र : बरार

मालिकी तहसील : दूकरखेड़ा

ग्राम : कूकरखेड़ा

5



Scale 1:4000

खसरा संख्या : 3463 क्षेत्रफल : 2.6871 Hectare खाता संख्या : 1 पुराना खाता संख्या : 1

भूमि किस्म [क्षेत्रफल लगान] : नै.मु.मगरी [2.6871]

ULPIN no : null

P-35 क्र 04 पर दर्ज

गुणवन्ती कुमारी 12/4/2023

पटवारी ककरखेड़ा

तहसील भीम जिला राजसमन्द

सेवा में

श्रीमान् तहसीलदार महोदय जी,
भीम-जिला राजसमन्द (राज.)

प्रार्थी :- राजेन्द्र सिंह पिता श्री शिव सिंह जाति रावत निवासी-निलवा का तालाव,
थाणा तहसील करेड़ा जिला भीलवाड़ा (राज.)

Mo. No 7300118125, 7877048035
:- विरुद्ध :-

JM ग्रेनाईट कूकरखेड़ा तहसील भीम जिला राजसमन्द (राज.)

विषय :- निष्पक्ष जांच कर अवैध माईंस को बन्द कराने के सम्बन्ध में।

महोदय जी,

उपरोक्त विषयान्तर्गत मुझ प्रार्थी का सादर निवेदन है कि :-

1. यह कि राजस्व ग्राम कूकरखेड़ा, पटवार हल्का कूकरखेड़ा, तहसील भीम जिला राजसमन्द के आराजी संख्या 3463 रकबा 21 बीघा 12 बिस्वा भूमि में से वरदा पिता गौना, ढोली के नाम पर आवंटन पत्रावली संख्या 21/77 दिनांक 19.02.77 स्थान भीम पर रकबा 05 बीघा बिलानाम सरकार भूमि को आवंटन कर उप जिलाधीश भीम द्वारा दिनांक 29.10.77 को आवंटन पट्टा जारी किया गया। जिसमें मौके पर कब्जा सुपुर्द कर राजस्व रिकॉर्ड में नक्शे में तरमीम किया गया, तब आराजी संख्या 3163/1 को तरमीम करते हुए दक्षिण दिशा में पड़ोस के आराजी संख्या 3500, 3498 व 3499 से लगातार तरमीम किये गया। उसी अनुसार राजस्व रिकॉर्ड में तत्कालीन पटवारी कूकरखेड़ा एवं भू अभिलेख निरीक्षक बरार ने नक्शे में तरमीम किया गया था। जिसमें राजस्व रिकॉर्ड की जमाबन्दी संवत् 2034 से 2038 में आराजी नम्बर 3630/3463 दर्ज किए गए।
2. यह कि तत्कालीन पटवारी गिरवादार, तहसीलदार व अन्य राजस्व कर्मचारियों में मिलीभगत होकर वरदा पिता गौना के नाम से आवंटित आराजी नम्बर 3630/3463 रकबा 05 बीघा को आवंटन के समय की गई नक्शे में तरमीम दक्षिण दिशा में पड़ोस के आराजी नम्बर 3500, 3498 3499 का नक्शे के समय रिकॉर्ड खुर्द-बुर्द कर राधेश्याम पुत्र श्री पन्ना लाल जाति भाट निवासी-रेगर कॉलोनी भीम, तहसील भीम जिला राजसमन्द (राज.) व प्रताप लाल पुत्र देव करण जाति भांभी निवासी-अजमेर हाल जेम्स ग्रेनाईट कूकरखेड़ा जिला राजसमन्द को लाभ पहुंचाने की मंशा से राजस्व रिकॉर्ड के पुराने नक्शे आदि को नष्ट कर आराजी नम्बर 3630/3463 को पूर्व दिशा के पड़ोसी आराजी नम्बर 3461, 3462, 3464 के पास जानबूझकर गलत तरमीम कर माईनिंग कार्य चालू कर दिया है। और आराजी संख्या 3463 मीन रकबा को वरदा राम के पुराने नक्शा तरमीम की तरफ से हटा कर दूसरे स्थान पूरब दिशा के पड़ोसी आराजी संख्या 3461, 3462, 3464 की गलत तरमीम की है, जो कि अवैध होकर गलत है।
3. यह कि उक्त आराजी संख्या 3630/3463 के वर्तमान खातेदार प्रताप लाल पुत्र श्री देव करण जाति भांभी अनुसूचित जाति का व्यक्ति होकर उक्त आराजी पर जैम्स ग्रेनाईट के नाम से अवैध खनन किया जा रहा है, जिससे सरकार को राजस्व का नुकसान पहुंचाते हुए आवंटन की शर्तानुसार कृषि कार्य किया जाना था। जिस पर अवैध खनन का कार्य किया जा रहा है।

अतः श्रीमान् जी से निवेदन है कि उक्त माईनिंग को बन्द किया जाकर करोड़ों रूपयों की राजस्व मे नुकसान की भरपाई कराई जाए। तथा माईनिंग के व्यक्तियों के खिलाफ ठोस कार्यवाही की जाए।

स्थान :- भीम
दिनांक :- 19.10.2022

हस्ताक्षर प्रार्थी

19/10/22