

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

Original Application No.202/2016
(M.A. No. 381/2016& I.A. No. 312/2019)

With

Review Application No. 21/2017

In

M.A. No. 547/2017

In

O.A. No. 202/2016

With

Original Application No. 34/2014 (THC)
(CWP No. 2844/2011)

(M.A. No. 282/2016, 1230/2016 & I.A. No. 147/2019)

With

Review Application No. 25/2017

In

M.A. No. 1230/2016

In

O.A. No. 34/2014 (THC)

Balotra Textile Hand Processors
Association

Applicant(s)

Versus

Rajasthan State Pollution Control
Board & Ors.

Respondent(s)

And

Balotra Textile Hand Processors
Association

Applicant(s)

Versus

Rajasthan State Pollution Control
Board &Ors.

Respondent(s)

And

Digvijay Singh

Applicant(s)

Versus

State of Rajasthan& Ors.

Respondent(s)

And

Digvijay Singh

Applicant(s)

Versus

State of Rajasthan & Ors.

Respondent(s)

Date of hearing: 23.10.2019

CORAM:

**HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s) Mr. Digvijay Singh, Applicant in person
Mr. Ankit Shah and Mr. Tushar Mudgil, Advocates

For Respondent(s) Mr. Shashank Saxena, Advocate for Mr. Ardhendumauli Kr. Prasad, Advocate
Mr. Vinay Kothari, Advocate
Ms. Padhmalakshmi Iyengar, AAG, Rajasthan
Mr. Adhiraj Singh Advocate
Ms. Pusshp Gupta, Advocate and Mr. Saurabh Kumar Singh, Advocate
Mr. Rajkumar, Advocate
Mr. Ranjesh Kr. Sinha, Advocate
Mr. Ansh Deep, DM Barmer
Mr. Amit Jugal, RO, Balotra
Mr. Ashutosh Pedneka, MD RIICO

ORDER

In compliance of our order dated 23.09.2019, Collector Barmer as well as Managing Director, RIICO are present. In so far as compliance of the earlier orders with regard to shifting of industries from Gandhipura, which is a non-conforming area, we are informed by the Collector that all of them have been shut down. Water and electricity connections have also been disconnected. However, in order to ensure that these industries, after passage of time, do not revive we direct the Collector, Barmer to restore the land to its original form by having all the structures removed. In case the concerning industry fail to do so within three week's time, then the Collector shall proceed to get them removed at the cost of the industry concerned and

recover the expenses incurred under the Land Revenue Act, 1996, if required. He is also asked to give detail information in respect of 216 industries which are situated at Bituja. While doing so he may also go through the two orders passed by the Hon'ble High Court of Rajasthan in the year of 2004 and 2007.

The Learned Additional Advocate General State of Rajasthan is directed to seek instructions in respect of what is meant by conforming area and non-conforming area, as per the State Law/ Policy, on the next date of hearing.

The Collector Barmer should also go through our order dated 06.03.2019 with respect to other issues, within the District of Barmer, which had been pointed out earlier.

The Collector Barmer shall remain present before the Court on the next date of hearing, with all aforesaid information.

List these matters on 20th November, 2019.

Justice Raghuvendra S. Rathore, JM

Dr. Satyawan Singh Garbyal, EM

jg