

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,
BHOPAL**

Original Application No. 128/2014 ((CZ)
Raghunath Karan Vs. Hindustan Zinc Ltd. & Ors.

and

Original Application No. 129/2014 (CZ)
Davad Neelgar & Ors Vs. Hindustan Zinc Ltd. & Ors.

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

PRESENT : Applicant : None.
Respondent No.1 : Shri K.Venugopal, Sr. Advocate
Shri U.N.Tiwari, Advocate
Shri Udai V.S.Rathore, Advocate
Respondent No. 3 & 4 : Mr. Sandeep Singh, Advocate

Date and Remarks	Orders of the Tribunal
Item No. 1&2 (Connected) 20th July, 2015	<p>On behalf of the Respondent No. 1, an affidavit along with 11 Annexures (A to K) has been filed today. As per the affidavit, it has been submitted that in compliance with the order of 23.03.2015, the Respondent No. 1 has carried out the works by way of CSR in Bherukheda – II Village as directed and in addition works indicated at Sl. No. 5 to 9 have also been carried out. Copy of the affidavit along with supporting documents have been provided to the Applicants. They may, if they so choose, file a counter to the said affidavit with supporting documents, if any.</p> <p>Learned Counsel appearing for the Applicant brought to our notice that the District Administration on 13.04.2015 expressed certain reservation with regard to providing support to the Respondent No. 1 for carrying out the works in terms of the order dated 23.03.2015. Further, it has been brought to our notice that subsequently when orders were placed for carrying</p>

out the works, the contractors engaged local persons and accordingly the cooperation of the Villages of Bherukeda-II was provided to the Respondent No. 1 which enabled them to carry out the task.

We direct the District Collector, Bhilwara to whom a copy of the affidavit filed by the Respondent No. 1 shall be made available along with the copy of the order dated 23.03.2015 to inspect the area of Bherukheda-II and file an affidavit with regard to the works undertaken by the Respondent No. 1.

The District Administration shall also apprise this Tribunal with regard to other development activity and projects / schemes which have been envisaged for the Block Hurda for the various villages regarding which the issues have been raised by the Applicant before us. The said affidavit shall be enlisting the scheme / works ought to be carried out and financial sanctions / allocations made by the Government in this behalf. This should be with particular reference to Village Kotia as well as Bherukheda-II and Agucha.

During the course of hearing, Learned Sr. Counsel appearing for the Respondent No. 1 undertook that certain issues pertaining to the following will be complied by him:

- (i) Providing protective encasing for the water pump and the cable leading to the said water pump installed in the school.
- (ii) Awarding of annual maintenance contract with the

address and contact number of the contractor with the Head Master of the school so that in case of any problem with the RO & Water Cooler may be rectified and filters replaced periodically. As also the name and designation of the Officer of the Company / Respondent No. 1 to whom he may contact in case of any requirement in this behalf. These measures shall be taken care of by Respondent No. 1 at the earliest.

Some apprehension on the part of the Applicant has been expressed with regard to the obstruction of the drain (*nali*) which has been constructed along the concrete road in Village Bherukheda-II. Learned Counsel appearing for the Respondent No.1 submitted that they would take all remedial measures in this behalf though as per their information there is no such obstruction and the water in the drain is allowed to flow freely to the conventional old designated side where drains were previously running into.

Reply / rejoinder filed by the Applicant is ordered to be taken on record.

M.A.No. 373/2015

This M.A. has been submitted on behalf Shri Pramod Nagar, Advocate appearing for the Applicant on the ground that he has been advised bed rest up to 24.07.2015. Medical certificate has also been submitted in this behalf.

In the interest justice, we are inclined to allow the M.A.

and grant exemption from personal appearance for today.

M.A.No. 373/2015 stands disposed of.

List the matters on **24th August, 2015.**

.....,JM
(DALIP SINGH)

.....,EM
(BIKRAM SINGH SAJWAN)

