


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Civil Writ Petition No. 19341/2025
Dinesh Kumawat Son Of Shri Nemi Chand Kumawat
-----Petitioner

Versus

Union Of India
-----Respondent

Connected With

D.B. Civil Writ Petition No. 6539/2017
Suo Motu
-----Petitioner

Versus

State Of Raj And Ors.
-----Respondent

D.B. Civil Contempt Petition No. 988/2023
Hindustan Salts Ltd. (Hsl)
-----Petitioner

Versus

Dr. Amit Yadav
-----Respondent

For Petitioner(s) : Mr. R.B. Mathur, Senior Advocate
(Amicus Curiae) assisted by
Mr. Amit Malani, Mr. Nikhil Simlote,
Mr. Falak Mathur,
Mr. Salim Khan Gauri,
Mr. Manish Bhodiwal, Mr. Yug Singh
& Mr. Utsav Verma
Mr. Kapil Sharma

For Respondent(s) : Mr. Rajendra Prasad, Advocate General
assisted by Ms. Harshita Thakral
Mr. Bharat Vyas, Additional Solicitor
General assisted by Mr. C.S. Sinha,
Ms. Niti Jain Bhandari, Mr. Dev Yadav,
Mr. Mayank Kanwar & Ms. Divya Modi

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA

HON'BLE MRS. JUSTICE SANGEETA SHARMA

Order

22/01/2026

1. A suo motu petition was registered up by this Court in terms of order dated 03.04.2017 passed by the Hon'ble Supreme Court

in Writ Petition(s) (Civil) No(s). 230/2001, wherein the following directions were issued:

"We request the Chief Justices of the concerned High Court (including Rajasthan High Court) to treat the affidavits filed before it as suo moto public interest litigation petitions and, if necessary, appoint Amicus Curiae to assist the Court to ensure that Ramsar Convention sites within their jurisdiction are properly maintained."

2. After the Public Interest Litigation, i.e., D.B. Civil Writ Petition No. 6539/2017 was registered before this Court and the matter was pending wherein Mr. R.B. Mathur, learned Senior Advocate has been appointed as Amicus Curiae, it was brought to the knowledge of this Court by an application moved by the learned Amicus Curiae that Hindustan Salts Ltd. (HSL), which is a Government of India company, has initiated proceedings to set up a large solar plant at Sambhar Lake Area and a newspaper item was placed for drawing attention of the Court that the Government of India proposes to set up 4,000 MW solar plant at Ramsar site.

3. A copy of expression of interest published by the HSL inviting bids for setting up solar plant project was also placed, whereafter, this Court on 20.12.2021 passed following order:

"By way of an ad-interim directions it is provided that the respondents may continue to accept the bids till the last date specified in the notification, however thereafter no further steps will be taken in furtherance of the same. In other words the bids shall not be opened without leave of the court."

4. It appears that an application was moved for clarifying/modifying the said order and reply was also filed by Hindustan Salts Ltd. This Court, took notice of the contentions raised by Mr. M.S. Singhvi, learned Senior Counsel appearing on behalf of Hindustan Salts Ltd. who assured that they are only exploring the possibility of setting up the solar plant and are only

inviting expression of interest. This Court, on 25.01.2022, passed following order clarifying its earlier order as under:

"This application is filed by the amicus appointed by the Court seeking stay against establishment of the solar plant proposed by the Hindustan Salt Limited the company at Sambhar Lake. The prayer is also made to ensure maintenance of the present status at wetland side of the State such as Sambhar lake and Keoladeo National Park. On 20.12.2021 on this application the Division Bench had passed an interim order, relevant portion of which reads as under:-

"By way of an ad-interim directions it is provided that the respondents may continue to accept the bids till the last date specified in the notification, however thereafter no further steps will be taken in furtherance of the same. In other words the bids shall not be opened without leave of the court."

Reply is filed by the Hindustan Salt Limited. It is pointed out that no bids are invited for setting up of solar plant. All that a company at all done so far is to invite expression of interest from the eligible and qualified agencies. This was issued on 27.11.2021, the last date for receiving the interest online was 13.12.2021 and EOI so received were to be opened on 14.12.2021. On account of the interim order passed by this Court the Company has not taken any further steps for opening the EOI. Learned Senior Counsel Mr. M.S. Singhvi appearing for the Company submitted that at this stage the Company only wishes to explore the possibility of setting up the solar plant. For such purpose the expression of interest is invited from the eligible entities. The feasibility of setting up of such solar power plant would be judged on the basis of the EOIs received and taking into consideration the laws applicable. The State notification of bid for awarding of contract has not yet arrived.

Under the circumstances by clarifying the order dated 20.12.2021 it is provided that the Company may open the EOIs received in response to the invitation dated 27.11.2021, however the same would create no equity in favour of any party. It is reiterated that under no circumstances any bid would be accepted or contract would be awarded for setting up of solar plant at the site without the leave of the Court.

List on 23.03.2022."

5. The said writ petition has been pending thereafter and directions were issued to the State for utilization of funds relating to the protection of Sambhar Salt Lake. This Court also expressed and issued directions relating to the several encroachments being made in the Sambhar Lake Area. On 02.08.2023, a High Level

Inquiry Committee was directed to be formed by Hindustan Salts Ltd. and the compliance report was also directed to be produced.

6. Thereafter, on 12.10.2023, the Court passed following order in D.B. Civil Writ Petition No. 6539/2017:

"1. Learned Additional Advocate General has placed on record order dated 06.10.2023 vide which the Director-cum-Joint Secretary, Ministry of Environment and Climate Change has reconstituted a committee consisting of six members which has been mandated to submit the report within six weeks.

2. Learned Additional Advocate General therefore prays for time to comply with the order as has been passed by this court on 02.08.2023 followed by order dated 05.10.2023.

3. Prayer is granted.

4. It is made clear that in case compliance report is not submitted prior to the next date of hearing with advance copy to the learned Amicus, cost would be imposed personally upon the Director-cum-Joint Secretary, Ministry of Environment and Climate Change Enforcement and notice is also likely to be issued for non-compliance of the order.

5. List on 14.12.2023."

7. Today, the said petition came up before us along with another PIL (Writ Petition No. 19341/2025) filed by one-Dinesh Kumawat, who is resident of Nawa City, Didwana, Kuchaman and pointed out before us about the illegal falling of the trees in the area of land forming part of the forest area serving as buffer zone for the Sambhar Lake region.

8. This Court had earlier passed an order on 17.12.2025 in D.B. Civil Writ Petition No.19341/2025 and directed to tag that petition along with suo motu petition (Writ Petition No. 6539/2017). It would be apposite to quote order dated 17.12.2025 passed by this Court in D.B. Civil Writ Petition No. 19341/2025, which reads as under:

"Issue notice to the respondents.

Mr. Rajendra Prasad, learned Advocate General accepts notice on behalf of the respondent-State.

Mr. Bharat Vyas, learned Additional Solicitor General accepts notice on behalf of the respondent-UOI.

The immediate attention which requires to be noticed in the present petition is with regard to the solar power plant in the Sambhar Lake region and converting the wetland.

We also have taken note of the photographs attached along with the petition which reflect using of machines, JCB, trucks and even some gravel mix which reflect that pakka construction is being sought to be made in the protected Sambhar Lake region.

We, therefore, issue immediate restraining orders and direct the SHO, Sambhar Lake and the SP of the concerned region to take steps to remove all such machines in and around the entire Sambhar Lake region including Nawa and file a status report before this Court. Photographs and videos shall also be prepared for that region.

It is made clear that the wildlife in the area shall be properly protected and due steps shall be taken in this regard.

List this case along with D.B. Civil Writ Petition No.6539/2017 on 22.01.2026."

9. Today, learned Amicus Curiae has pointed out that in the teeth of the orders passed by this Court, without informing this Court, the respondent-Hindustan Salts Ltd. entered into an MOU with another company, namely SJVN Green Energy Limited, a wholly owned subsidiary of SJVN i.e. Satluj Jal Vikas Nigam, a Government of India company for setting up solar power project and the Sambhar Salt Ltd., in the Memorandum of Understanding, stated that it will enable SGEL to utilize its encumbrance free land suitable for solar power development with requisite clearance from Government of Rajasthan and Government of India/DHI related with the use of land for the stated purpose and will get the returns for the use of land and SGEL shall conceptualize, plan, structure, implement, operative and maintain solar power projects/park in phases at appropriate locations in the land bank of Sambhar Salts Lake.

10. We have already noticed that Sambhar Salts Ltd. leased out land for the purpose of extraction of salts and the land bank of Sambhar Salts is essentially the Sambhar Lake area.

11. Thus, we find that while this Court has been following up the directions of the Hon'ble Supreme Court with regard to the protection of the wetlands as above, the Chairman and Managing Director, namely, Commodore Kamlesh Kumar (Retd.), has entered into an MOU with SJVN Green Energy Ltd. through Mr. Ajay Kumar Singh, Chief Executive Officer of the said company on 09.08.2023. As we have noticed during the said period, the case was already pending before this Court and directions were being issued, however, this Court was not informed about the said MOU at all.

12. Surreptitiously and with a view to mislead the Court, applications were being made without informing of having already entered into an MOU.

13. Both the officers of the concerned company have thus, attempted to override the process of the Court and, *prima facie*, their actions come within the ambit of the provisions of the Contempt of Courts Act, 1971 and punishable under Section 12 of the Contempt of Courts Act, 1971 (for short 'the Act of 1971').

14. We, therefore, initiate contempt proceedings against both the officers, namely Commodore Kamlesh Kumar (Retd.) and Mr. Ajay Kumar Singh as well as the new Chief Executive Officer of Sambhar Salts Ltd., namely Mr. Harsh Verma.

15. The Registry is directed to register suo motu contempt petition and, thereafter, issue summons to those officers to remain present in the Court to explain their conduct and to show cause as

to why they should not be punished in terms of Section 12 of the Act of 1971.

16. We are conscious that SJVN is not a party before this Court, however, after noticing that it is a Government of India company, it was required to inform this Court of having entered into the agreement, especially after the Court had already taken notes and passed orders, as above.

17. Let the officers shall remain present before this Court on the next date of hearing.

18. Interim order passed in D.B. Civil Writ Petition No. 19341/2025-Dinesh Kumawat and Ors. Vs. Union of India and Ors., shall equally be applicable and be read in D.B. Civil Writ Petition No. 6539/2017-Suo Motu Vs. State of Rajasthan and Ors.

19. Mr. Rajendra Prasad, learned Advocate General, who is appearing for the State shall inform this Court relating to directions issued on 17.12.2025 as well as with regard to the report submitted by the Committee formed earlier.

20. List on 11.02.2026 along with D.B. Civil Writ Petition No.24108/2025 pending at Principal Seat of this Court at Jodhpur.

21. Interim order to continue.

(SANJEEV K/

ARMA),ACTING CJ