

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

IN RE:

**Protection and Preservation of the Historic Sites of
Haldighati and Rakht Talai, District Udaipur.**

**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE SANJEET PUROHIT
Order**

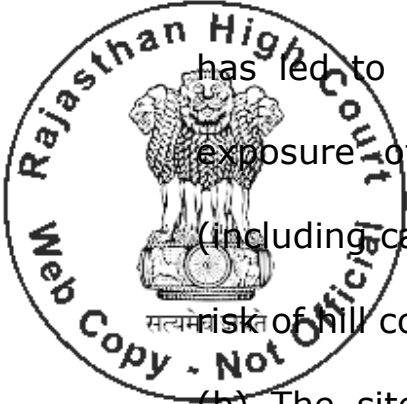


1. This Court is concerned with the grave issues of protection and preservation of the historic sites of Haldighati Pass and Rakht Talai, which have been brought to the notice of this Hon'ble Court through a news report published in *The Times of India* (Jaipur/Kota/Udaipur/Jodhpur Edition) dated 15th December, 2025, titled "Highway to Haldighati: Where Chetak's Leap Meets Truck's Roar".

2. The said report highlights the grave neglect, degradation, and encroachment upon the historic sites of Haldighati Pass and Rakht Talai (Blood Lake), which are emblematic of the valor and defiance of Maharana Pratap in the Battle of Haldighati fought in 1576 against the Mughal forces led by Emperor Akbar. These sites, once symbols of Rajput pride and national heritage, are now marred by modern encroachments, environmental pollution, littering, and administrative indifference, resulting in irreversible damage to their cultural, historical, and ecological integrity.

3. The salient features of the news report, inter alia, reveal the following distressing facts:

(a) The Haldighati Pass, historically a narrow defile allowing passage for only two horses abreast as recorded by contemporary historian Abd al-Qadir Badayuni, has been widened into a 40-meter double-lane highway through road expansion works in 2019, involving the felling of over 200 trees, flattening of hillsides, and burial of potential archaeological artifacts under asphalt. This has led to the scarring of the battlefield with bulldozer marks, exposure of iron oxide-rich yellow soil to vehicular pollution (including carbon monoxide and nitrogen oxides), erosion, and the risk of hill collapse.



(b) The site is plagued by incessant vehicular traffic, including trucks and dumpers, generating noise, diesel fumes, and safety hazards due to the absence of railings, signboards, or designated parking zones. Litter such as gutka pouches, beer bottles, potato chip packets, and plastic is strewn across the historic slopes, with tourists and pilgrims treating the blood-soaked terrain as a picnic spot, parking vehicles thereon, and engaging in activities that desecrate its sanctity.

(c) At Rakht Talai, the meadow marking the climax of the battle where legend holds the earth turned crimson with blood, the site is choked with waist-high weeds, broken beer bottles, and overgrown pathways. The memorial Chhatri for Tanwar martyrs and the grave of Hakim Khan Sur (Maharana Pratap's loyal Pathan commander) stand neglected. The sacred pond lies dry with shattered tiles, and the area is misused as a lovers' hideout by day and addicts' haunt by night. Open sewage from nearby illegal encroachments flows along boundary walls, creating a nauseating

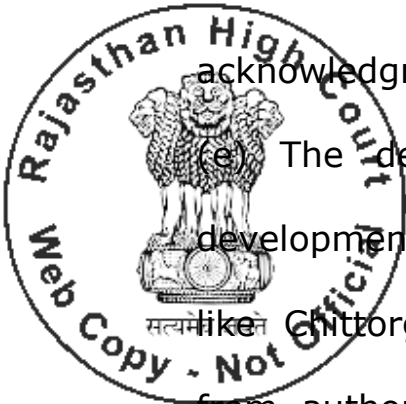
stench, while narrow lanes are clogged with open drains leading to monsoon waterlogging and inaccessibility.

(d) Encroachments include unauthorized houses and public structures such as a government school and hospital built on the Talai's land, with no visible fencing, caretakers, or enforcement by the Archaeological Survey of India (ASI) despite its acknowledgment of the site's historical significance.

(e) The decline commenced in the 1960s with initial road development and has worsened due to prioritization of other sites like Chittorgarh, Kumbhalgarh, and Udaipur, while assurances from authorities, including a proposal for conservation by ASI Jodhpur Superintendent and a phased plan by Rajsamand District Magistrate, remain unfulfilled without timelines or funding. The Rajasthan Chief Minister's announcement of a Rs. 100-crore Maharana Pratap Tourist Circuit in the 2024 budget has not progressed beyond preliminary stages, with the Detailed Project Report (DPR) yet to be finalized as of 2025.

4. The aforementioned facts disclose a systemic failure on the part of the State and Central authorities to preserve these sites of immense historical and cultural value, which are integral to India's composite heritage. This Court is prima facie satisfied that the neglect constitutes:

(a) A violation of Article 49 of the Constitution of India, which enjoins the State to protect every monument or place or object of artistic or historic interest declared to be of national importance. Haldighati and Rakht Talai, as battlegrounds linked to Maharana Pratap, a figure extolled in historical accounts by scholars such as



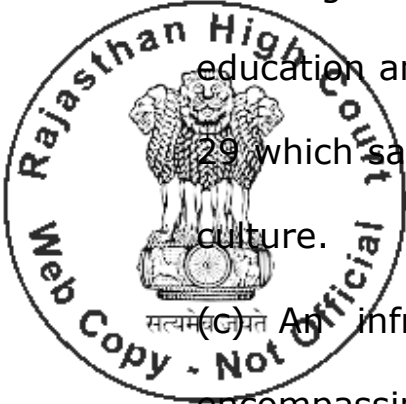
Colonel James Tod, Vincent A. Smith, and Stanley Lane-Poole, and invoked by contemporary leaders including the Hon'ble Prime Minister of India, qualify as such sites warranting protection.

(b) A breach of the Fundamental Duty under Article 51A(g) to value and preserve the rich heritage of our composite culture, as the degradation disconnects future generations from historical education and erodes cultural identity, potentially infringing Article 29 which safeguards the interests of minorities in conserving their culture.

(c) An infringement of the right to life under Article 21, encompassing the right to a clean and pollution-free environment, as evidenced by environmental hazards including soil erosion, air pollution from vehicular emissions, sewage discharge, and risks to public safety.

(d) Contraventions of statutory provisions, including Sections 3, 4, and 19 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958, prohibiting damage, alteration, or encroachment on protected monuments; the Environment (Protection) Act, 1986; the Water (Prevention and Control of Pollution) Act, 1974; the Air (Prevention and Control of Pollution) Act, 1981; the Wildlife Protection Act, 1972; and the Forest (Conservation) Act, 1980, due to unauthorized deforestation, pollution, and encroachments.

(e) Administrative apathy and failure to implement promised initiatives, amounting to a dereliction of duty that merits judicial intervention in the public interest to prevent permanent loss of this legacy.



5. Taking serious note of the alarming situation brought to the notice of this Court through the newspaper report referred to hereinabove, this Court is of the considered view that the issues disclosed therein warrant immediate judicial scrutiny in the larger public interest. Accordingly, suo motu cognizance of the matter is hereby taken to explore and secure an effective and expeditious solution to the concerns raised.

Let the matter be registered as a writ petition titled:

SUO MOTU: IN RE:

"Protection and Preservation of the Historic Sites of
Haldighati and Rakht Talai, District Udaipur"

Versus

1. Union of India, through the Secretary, Ministry of Culture, Government of India, New Delhi.
2. The Secretary, Ministry of Environment, Forest and Climate Change, Government of India, New Delhi.
3. Archaeological Survey of India, New Delhi, through its Director General.
4. Superintending Archaeologist, ASI, Jodhpur Circle, Jodhpur, Rajasthan.
5. The Chairperson, National Highways Authority of India (NHAI), New Delhi.
6. State of Rajasthan, through the Chief Secretary, Government of Rajasthan, Jaipur, Rajasthan.
7. The Principal Secretary, Department of Art, Culture and Archaeology, Jaipur, Rajasthan.
8. The Principal Secretary, Forest and Environment Department, Jaipur, Rajasthan.
9. The Principal Secretary, Public Works Department, Jaipur, Rajasthan.
10. The Secretary, Department of Tourism, Jaipur, Rajasthan.
11. Rajasthan Tourism Development Corporation, Jaipur, Rajasthan, through its Managing Director.



12. Rajasthan State Pollution Control Board, Jaipur, Rajasthan, through its Member Secretary.
13. Central Pollution Control Board, New Delhi, through its Chairperson.
14. District Collector, Udaipur, Rajasthan.
15. Divisional Forest Officer, Udaipur, Rajasthan.
16. Superintendent of Police, Udaipur, Rajasthan.



All the respondents are directed to file their respective needful responses to the issues highlighted in the news report for consideration of this Hon'ble Court.

The newspaper report(s), which have been extensively referred to and relied upon herein, shall be treated as part of the pleadings and shall be addressed and responded to specifically by the concerned authorities.

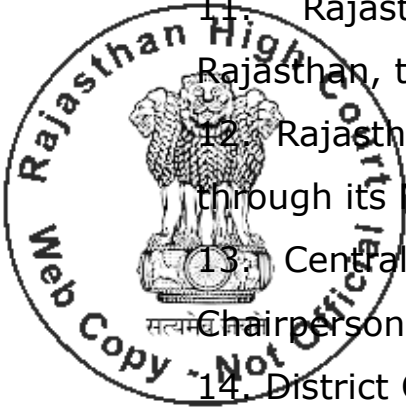
6. In view of the above, this Court deems it expedient to treat this matter as a Public Interest Litigation (PIL) under Article 226 of the Constitution of India and takes suo motu cognizance thereof.

Accordingly, the following directions are issued:

(a) Issue notices to the respondents, namely:

1. Union of India, through the Secretary, Ministry of Culture, Government of India, New Delhi.
2. The Secretary, Ministry of Environment, Forest and Climate Change, Government of India, New Delhi.
3. Archaeological Survey of India, New Delhi, through its Director General.
4. Superintending Archaeologist, ASI, Jodhpur Circle, Jodhpur, Rajasthan.
5. The Chairperson, National Highways Authority of India (NHAI), New Delhi.
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14. District Collector, Udaipur, Rajasthan.
15. Divisional Forest Officer, Udaipur, Rajasthan.
16. Superintendent of Police, Udaipur, Rajasthan.



(b) The respondents shall file affidavits detailing the steps taken hitherto for the preservation of Haldighati and Rakht Talai, including timelines for implementation of the Maharana Pratap Tourist Circuit, status of the DPR, and measures to address encroachments, pollution, and restoration. They shall also respond to the suggestions outlined in the news report, including immediate clean-up drives, installation of anti-litter bins and fines, safety railings and parking zones, soil stabilization and tree planting, clearance of encroachments, restoration of memorials and ponds, installation of interpretive signboards and guided tours, formation of oversight committees, and policy advocacy for funding and DPR finalization by 2026.

(c) As an interim measure, the respondents are directed to:

- (i) forthwith cease any further construction or expansion activities at the sites without prior approval of this Court;
- (ii) initiate a clean-up drive within 15 days to remove litter and weeds, deploying adequate personnel;
- (iii) impose a temporary ban on vehicular parking on historic slopes and enforce littering fines;
- (iv) divert sewage flows and address waterlogging issues at Rakht Talai within 30 days; and
- (v) appoint caretakers for round-the-clock monitoring to prevent misuse.



7. Mr. Lakshya Singh Udawat, Ms. Taniya Tuli and Ms. Yashvi Khandelwal – Advocates, are appointed as Amicus Curiae to assist the Court in this matter. The Registry shall provide copies of the news report and this order to the Amicus Curiae.

8. List this matter for further hearing on **28.01.2026**.

9. A copy of this order be sent to the respondents through the Registry for compliance.

(SANJEET PUROHIT),J

(DR.PUSHPENDRA SINGH BHATI),J

skant/-