

Item No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL**
(Through Video Conferencing)

Original Application No. 57/2022 (CZ)

Krishna Social Awareness Welfare Society

Applicant(s)

Versus

State of Madhya Pradesh & Ors.

Respondent(s)

Date of hearing: **26.09.2022**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant (s):

Ms. Meenakshi Patidar, Adv.

For Respondent(s):

Mr. Gunjan Chowksey, Adv.

Mr. Sachin K. Verma, Adv.

Ms. Parul Bhadoria, Adv.

Ms. Samriddhi, Adv

Mr. Amit Pandey, Adv.

ORDER

1. Submissions of learned counsel for the applicant Ms. Meenakshi Patidar are that non applicant no. 4 has developed the colony in question way back in the year 1995-1996, wherein about 800 plots were demarcated and made available for the public at large. Presently, around 500 families reside in colony, who had purchased the houses/plots from the Non-Applicant No. 4 and paid the development charges alongwith the property cost but the developer malafidely misappropriated the development charges paid by the residents for getting all the essential facilities and failed to provide basic facilities and amenities of which they are entitled too.
2. The issues with regard to violation of environmental norms have been raised by the learned counsel for the applicant are :-
 - i. Untreated sewage water tends to overflow in open spaces causing nuisance and creating an unhygienic environment for the residents of Colony.
 - ii. There is no proper supply of water for residents of New Chowksey Nagar.
 - iii. There is no rain water harvesting system in the Colony for capturing the rain water and reusing it for everyday activities of the residents.

- iv. Unhealthy and poisonous environment is created due the heap of dumped garbage and debris of construction material, plastic wastes found alongside the road and in vacant plots of the New Chowksey Nagar. Subsequently, these dumped waste gets mixed with the sewage water and rainwater and make the surrounding completely unhealthy and dirty leading to breeding ground for mosquitoes and insects.
3. This Tribunal constituted a joint committee consisting representative from Municipal Corporation, Bhopal, and representative from Madhya Pradesh Pollution Control Board and directed to submit the factual and action taken report. The committee visited the site and submitted the report with the facts that there are certain violations of environmental norms and water supply is not operating in a proper way, septic tank is not properly functioning and due to blocking of the sewer line, there are discharge of untreated water into the open land. Committee has further recommended to direct the SBI Staff Grah Nirman Sehkari Sanstha Maryadit, Bhopal for operation and maintenance of the sewage line.
4. Learned counsel for the applicant has filed the objections against the Committee Report and submitted that on the basis of the photograph attached, there are violations of environmental norms and discharge of untreated water into the open land.
5. In the meantime learned counsel for the Respondent no. 4 put in appearance and sought a short time to file the objections/reply. Reply may be filed within 15 days. Rest of the respondent are directed to submit their reply within 15 days.

List it on **12th October, 2022.**

Sheo Kumar Singh, JM

Dr. Arun Kumar Verma, EM

26th September, 2022
O.A. No. 57/2022 (CZ)
PN