

Item No. 3

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

Original Application No. 159/2023(CZ)

Nitin Saxena

Applicant

Vs.

State of Madhya Pradesh & Ors.

Respondents

Date of Hearing: **03.11.2023**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

For Applicant(s):

Mr. Nitin Saxena
(Applicant in Person)

For Respondent(s):

None.

ORDER

1. This letter petition has been filed by one Mr. Nitin Saxena, Address A-509, Ashoka Garden, Bhopal, Madhya Pradesh, with the copy of the news reporting of Dainik Jagran, dated 25th October, 2023, with the facts that due to ongoing road construction in the Kolar Road, district Bhopal, there are severe environmental pollution and violation of environmental rules by the project proponent without any control measures.
2. It is alleged that rapid urbanization and infrastructure development in recent years with road construction being an integral component of this growth, however, environmental consequences on the human health and atmosphere cannot be left without care. The construction activities have resulted in a significant increase in air and noise pollution profoundly affecting the health and well-being of the area's residents. The improper disposal of construction waste and materials is contributing to the degradation of the local ecosystem including water bodies and green spaces.

3. It is further alleged that specific measures to minimize the pollution and ecological harm has not been taken by the project proponent and environmental regulations and guidelines preventing the deterioration of air and water quality has not been taken by the authorities concerned.
4. The respondents/project proponents are required to adopt eco-friendly construction practices such as dust control, noise reduction and proper waste management and there should be a proper mechanism for continuous monitoring and reporting of pollution levels in Kolar to ensure compliance with environmental standards.
5. The applicant present in person has submitted some photographs especially the Air Quality Index installed by the MPPCB, Paryavaran Parisar, Bhopal dated 02.11.2023 at 5:25:21 which shows the air quality as 267 and is of poor quality. The Times of India on 31.08.2023 reported that the M.P. is the tenth (10th) most polluted State in India. When it comes to PM2.5 concentrations.... this worrying it has been revealed in report on air quality live index vide Energy Policy Institute, Chicago (EPIC).
6. A substantial issue of environment has been raised.
7. Since, this is a letter petition, thus the following persons should be impleaded as respondent -

1	Applicant	Address: A-509, Ashoka Garden, Bhopal, Madhya Pradesh
2	Respondent No. 1	State of Madhya Pradesh Through Collector, Bhopal
3	Respondent No. 2	Municipal Corporation, Bhopal
4	Respondent No. 3	Madhya Pradesh State Pollution Control Board
5	Respondent No. 4	Secretary, Public Works Department, Madhya Pradesh
6	Respondent No. 5	Executive Engineer, PWD Bhopal, Madhya Pradesh.
7	Respondent No. 6	Agency constructing the road from Kolar Rest House to Shayamaprasad Mukherjee Nagar.

8. Office is directed to prepare a chart and issue notice to the respondents.
9. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-
 - i. One representative from Collector, Bhopal, (M.P.).
 - ii. One representative from Madhya Pradesh Pollution Control Board
10. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.
11. The report in the matter be filed by the Committee through email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.
12. The perusal of the report reveals that simply paper reporting a letter petition as file has been attached with this O.A. and nothing has been reported by the registry. Not even a single word has been used by the registry for which registry is made. It is the duty of the Registrar with the responsibility to prepare a proper reporting with the brief of the facts, violation of rules and proposed respondents in the office note as a reporting from the registry which has not be done.
13. Registrar is directed to ensure that in all cases of petitions where there is no details, the registry shall prepare report according to the rules.

List it on **16th January, 2024.**

Sheo Kumar Singh, JM

Dr. A. Senthil Vel, EM

03rd November, 2023
O.A. No. 159/2023 (CZ)
PN