

Item No.2

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

Original Application No.192/2023(CZ)

Anany Singh Pawar & Anr.

Applicant(s)

Vs.

State of Madhya Pradesh & Ors.

Respondent(s)

Date of Hearing: **02.01.2024**

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

For Applicant(s):

Mr. Dharamvir Sharma, Adv.

For Respondent(s):

ORDER

1. The grievance of the applicant in this application is encroachment on the two public parks in the Rajasva Colony, Gurunank Market Friganj, District Ujjan (M.P.), cutting of the trees which are properly grown up, violation of conditions of necessity of play grounds, parks for children as laid down by the Town and Country Planning Department, diversion of public park for building constructions in violation of Article 21, 48 (A) and Article 51 (g) of the Constitution of India. It is further alleged that open spaces are mandatory environmental safeguard, which are essential to be maintained as a green area or green belt and further construction of multi story buildings damaging the park and green belt area may cause environmental damage to the residents of the locality and also causes excess traffic load on the residential area thereby creating noise pollution and air pollution.
2. A substantial issue of environment has been raised. Issue notice to the respondents. Returnable within four weeks.

3. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
4. Respondents are directed to submit their reply within six weeks through e-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
5. We deem it just and proper to call a report on the matter in issue, in present application, from a Joint Committee consisting of:-
 - (i) Collector, Ujjain (M.P.)
 - (ii) One Representative from the Urban Development Authority, Ujjain (M.P.)
 - (iii) One representative from the State Pollution Control Board, (M.P.)
6. 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.
7. Applicant is directed to supply the required documents and copy of the application to the committee and respondents within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served on the committee and respondents.
8. 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.

List it on **19th February, 2024.**

Sheo Kumar Singh, JM

Dr. A Senthil Vel, EM

2nd January, 2024
O.A. No. 192/2023 (CZ)
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