

Item No. 03

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

Original Application No. 77/2020(CZ)

Aarya Shrivastava

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 08.09.2020

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

For Applicant(s): Mr. Dharamvir Sharma, Adv. for Applicant

For Respondent (s):

ORDER

1. By way of filing the present application, Conservation of Wet land of upper lake in 11th Century, Central India largest manmade water body situated in Bhopal has been raised. Bhoj Wet Land upper lake is an international acclaimed Wetland sites declared out of international agreement at Ramsar in Iran. Under rule (4) of the Wetlands (Conservation and Management) Rules, 2018 permanent nature of construction is restricted in wetlands But, in the instant case the illegal encroachments by constructing permanent nature concrete structures, hutments, etc has reached at the banks of lake, i.e., Encroachment on Wetlands. There is grave injustice caused to the Southern part of Upper lake, properly known Bhadbhada Bridge Bhopal. The Bhopal Master Plan 2005 (still applicable) defines Lakes as sensitive Zone should be kept open upto 50 meters from the edge of Upper Lake. Since, Competent

Authority has failed to stop destruction of our lake by encroachment, humble petitioner has no option other than approaching the Tribunal in the interest of environment for present and future generation. Continuous Encroachment over wetland and Lake is substantial question relating to environment and wetland ecology falls well within the four corners and purview of this Tribunal.

2. Issue notice to the respondents. Returnable within four weeks.
3. Applicant is directed to provide copy of the application and relevant documents to the respondents within a week.
4. Applicant is also directed to take necessary steps for service to the respondents by both ways and also on available email.
5. Respondents are directed to submit their reply within six weeks by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
6. List on 1st December, 2020.

Sheo Kumar Singh, JM

Dr. S.S.Garbyal, EM

8th September, 2020
Original Application No. 77/2020 ag