

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
CENTRAL ZONE, BHOPAL**

Original Application No. 57/2024

IN THE MATTER OF:

Petitioner Rashid Noor Khan

Versus

Respondents Indore Municipal Corporation & Ors.

I N D E X

S. No.	Particulars	Annexure	Page No.
1.	Action Taken Report on behalf of State Wetland Authority and Environment Planning and Coordination Organization		02-09
2.	Letter dated 14.08.2024 addressed to Commissioner, Indore Municipal Corporation	R-1	10
3.	Letter dated 14.08.2024 addressed to Member Secretary, MPPCB	R-2	11

Place: Bhopal

Date: 26.08.2024

Parul

FILED BY

PARUL BHADORIA

Advocate for State Wetland Authority

Ph. No.: (+91)-80859-77111;

Email: parul.bhadoria04@gmail.com

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
CENTRAL ZONE, BHOPAL**

Original Application No. 57/2024

IN THE MATTER OF:

Petitioner Rashid Noor Khan

Versus

Respondents Indore Municipal Corporation & Ors.

**ACTION TAKEN REPORT ON BEHALF OF STATE WETLAND
AUTHORITY AND ENVIRONMENT PLANNING AND
COORDINATION ORGANIZATION**

IT IS MOST RESPECTFULLY SUBMITTED HEREINUNDER :

1. That the Madhya Pradesh State Wetland Authority (hereinafter referred as "**MPSWA**") was constituted as per Rule 5 (1) of Wetland (Conservation & Management Rules) 2017 vide letter dated 02.01.2018. Furthermore, the MPSWA is a regulatory body whose powers & functions are provided under Rule 5(4) of Wetland (conservation & Management) Rules 2017 and the authority has accordingly been performing its functions under the Rules.
2. That the issue raised in the present Original Application pertains to the alleged encroachment and permanent

construction near the Sirpur Wetland, a Ramsar site in Indore (M.P.) by the Indore Municipal Corporation, in violation of provisions of Wetland (Conservation & Management) Rules, 2017 framed under Environment Protection Act 1986. MoEF&CC in its official letter dated 09.12.2022 communicated about designation of Sirpur wetland as Ramsar site.

3. That this Hon'ble Tribunal vide Order dated 12.07.2024 directed the MPSWA to take necessary action on six points enumerated in the aforementioned Order. That for the convenience of this Hon'ble Tribunal, the relevant extract from the aforementioned Order is reproduced hereinbelow:

“4. The committee found certain construction which is within the 50 meters of Full Tank Level (FTL). There are some directions from the Member Secretary, State Wetland Authority with the protection of the site and to follow the Wetland Rules, 2017. Accordingly, Wetland Authority is directed to take necessary action on the following points :-

- i. As to whether the construction of STP is within the 50 meters of the FTL and if yes, what steps for protection has been taken by the Wetland Authority for the protection of the lake.*

- ii. *Compliance of the provisions of Wetland (Conservation and Management), Rules 2017 for future constructions.*
- iii. *Nature and future of the constructions already raised within the FTL.*
- iv. *Installation of aeration system in the Sripur Lower Lake for improvement of water quality.*
- v. *Prevention of discharge of sewage into the Sripur Lower Lake and regular removal of water and hyacinth from the lake.*
- vi. *Provision for Online Continuous Water Quality Monitoring System in the Sripur lake for improvement water quality of the lake.”*

4. In compliance of the aforementioned, it is submitted that:

S.No.	Directions of this Hon'ble Tribunal	Compliance by MPSWA
1.	As to whether the construction of STP is within the 50 meters of the FTL and if yes, what steps for protection has been taken by the Wetland Authority for the protection of the lake.	<ul style="list-style-type: none"> • Since the Sirpur Wetland is a Ramsar site, the Wetland (Conservation and Management) Rules, 2017, are applicable. However, the Zone of Influence (Zol) of the wetland and the three categories of activities, namely Prohibited, Regulated, and Permitted, have not been delineated. The Prohibited activities are specified under Rule 4 of the Wetland Rules. • The Indore Municipal Corporation and the District Administration have been advised and

		<p>informed from time to time to comply with the Wetland Rules and to prepare an Integrated Management Plan.</p> <ul style="list-style-type: none">• That Proceedings related to the notification under the Wetland (Conservation and Management) Rules, 2017, are also underway, which will include the delineation of the Zone of Influence (Zol) and the categorization of the three types of activities.• An Integrated Management Plan (IMP) amounting to ₹61.95 crores has been prepared by the Indore Municipal Corporation for the conservation of Sirpur Lake. The Council of Ministers has approved funding 40% of the project cost. Previously, a total amount of ₹8.31 crores was expended by the Government of India and the State Government in the form of annual plans for the conservation of the Sirpur Wetland.• The State Wetland Authority has been
--	--	--

		submitted IMP amounting to ₹61.95 crore for financial assistance to the Ministry of Environment, Forest and Climate Change (MoEFCC), Government of India, is currently underway.
2.	<i>Compliance of the provisions of Wetland (Conservation and Management), Rules 2017 for future constructions.</i>	In compliance with the Wetlands (Conservation and Management) Rules, 2017 issued by the Government of India, the Indore Municipal Corporation has been regularly informed, including being provided with a list of prohibited activities within the wetlands and their Full Tank Level (FTL) boundaries.
3.	<i>Nature and future of the constructions already raised within the FTL.</i>	In this matter, the Joint Committee has confirmed the existence of certain pre-existing constructions within the FTL, in addition to the STP and that the detailed information regarding this can be obtained from the Indore Municipal Corporation.
4.	<i>Installation of aeration system in the Sripur Lower Lake for improvement of water quality.</i>	To improve water quality, two floating fountains were installed in the Sirpur Wetland by the Indore Municipal Corporation under the annual plan approved by the Government of India and that the status of the same is being

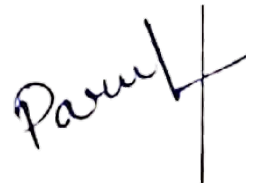
		<p>obtained from the Indore Municipal Corporation. Furthermore, MPSWA has already written a letter to Commissioner, IMC dated 14.08.2024 seeking detailed information and that the same is marked and annexed herewith as Annexure R-1</p>
5.	<p><i>Prevention of discharge of sewage into the Sirpur Lower Lake and regular removal of water and hyacinth from the lake</i></p>	<ul style="list-style-type: none"> • Under Rule 4 of the Wetlands (Conservation and Management) Rules, 2017, the discharge of sewage into the lake is classified as a prohibited activity. The Indore Municipal Corporation has been advised to ensure compliance • Under the Annual Plan 2019-20, an amount of ₹80,00,000/- was disbursed to the Indore Municipal Corporation for the removal of water hyacinth. • In addition, funds have been allocated by the Government of India from time to time under the annual plan for the removal of water hyacinth. It is noteworthy that, through the efforts of the Indore Municipal Corporation, water

		<p>hyacinth has been eradicated from the Sirpur Wetland.</p>
6.	<p><i>Provision for Online Continuous Water Quality Monitoring System in the Sirpur Lake for improvement water quality of the lake</i></p>	<ul style="list-style-type: none"> • Under the plan approved by the Government of India, the task of water quality monitoring was carried out by the Indore Municipal Corporation under the guidance of Regional Office of the Pollution Control Board, Indore. • That on the occasion of the World Wetlands Day, February 2, 2024, the Pollution Control Board has been directed to establish an Online Continuous Water Quality Monitoring System in the Sirpur Wetlands. • Furthermore, MPSWA has already written a letter to MPPCB dated 14.08.2024 seeking detailed information and that the same is marked and annexed herewith as Annexure R-2.

5. Hence, the present reply is being submitted for the kind perusal of this Hon'ble Tribunal. This Hon'ble Tribunal may, therefore, take the present reply on record and pass any appropriate order(s) that it may deem fit, which will be complied with by MPSWA.

Place: Bhopal

Date: 26.08.2024



FILED BY

PARUL BHADORIA

Advocate for State Wetland Authority

Ph. No.: (+91)-80859-77111;

Email: parul.bhadoria04@gmail.com



म. प्र. राज्य वेटलैण्ड प्राधिकरण

(म. प्र. शासन, पर्यावरण विभाग)

पर्यावरण नियोजन एवं समन्वय संगठन

पर्यावरण परिसर, ई-5, अरेरा कॉलोनी,

भोपाल - 462016

Website- www.swa.mp.gov.in

फोन : (0755)2464318, 2466970

पत्र क्र. /EPCO/2024

दिनांक :

प्रति,

आयुक्त

नगर पालिक निगम, इन्दौर

(म. प्र.)

विषय- माननीय एनजीटी प्रकरण क्र. 57 / 2024 में दिए गए निर्देशों के परिपालन के संबंध में।

कृपया प्रकरण OA 57/2024 राशिद नूर खान विरुद्ध नगर पालिक निगम, इन्दौर एवं अन्य में माननीय एनजीटी, भोपाल द्वारा जारी आदेश दिनांक 12.07.2024 का अवलोकन करने का कष्ट करें। सुलभ सन्दर्भ हेतु आदेश प्रति संलग्न है। माननीय एनजीटी द्वारा जारी आदेश के बिन्दु क्र. 4 (i-vi) में दिये गये निर्देशों पर राज्य वेटलैण्ड प्राधिकरण द्वारा आवश्यक कार्यवाही कर आगामी तिथि के पूर्व माननीय एनजीटी में जवाब प्रस्तुत किया जाना प्रस्तावित है।

कृपया माननीय एनजीटी द्वारा जारी आदेश में उल्लेखित बिन्दु क्र. 4 (i-vi) अनुसार बिंदुवार जानकारी अविलंब उपलब्ध कराने का कष्ट करें, ताकि नियत तिथि के पूर्व जानकारी एकत्रित कर माननीय एनजीटी में जवाब प्रस्तुत किया जा सके। प्रकरण के संबंध में डॉ. दिनेश दामडे (9926343831) सहायक वैज्ञानिक एवं प्रभारी अधिकारी (प्रकरण क्र. OA 57/2024) सम्पर्क हेतु उपलब्ध है।

(संजीव सिंह)

कार्यपालन संचालक, एपको एवं
सदस्य सचिव, राज्य वेटलैण्ड प्राधिकरण

पृ. क्र. 4654 / 2024/ दिनांक 14/8/24

प्रतिलिपि:-

1. कलेक्टर, जिला इन्दौर की ओर सूचनार्थ।
2. सदस्य सचिव म.प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल को सूचनार्थ।
3. क्षेत्रीय अधिकारी, म.प्र. प्रदूषण नियंत्रण बोर्ड, क्षेत्रीय कार्यालय इन्दौर को सूचनार्थ।

कार्यपालन संचालक, एपको एवं
सदस्य सचिव, राज्य वेटलैण्ड प्राधिकरण

OC



म. प्र. राज्य वेटलैण्ड प्राधिकरण
(म. प्र. शासन, पर्यावरण विभाग)
पर्यावरण नियोजन एवं समन्वय संगठन
पर्यावरण परिसर, ई-5, अरेरा कॉलोनी,
भोपाल - 462016
Website- www.swa.mp.gov.in
फोन : (0755)2464318, 2466970
पत्र क्र. 4653 /EPCO/2024
दिनांक : 14/8/24

प्रति,


✓ सदस्य सचिव

म.प्र. प्रदूषण नियंत्रण बोर्ड,
भोपाल

विषय- माननीय एनजीटी प्रकरण क्र. 57 / 2024 में दिए गए निर्देशों के परिपालन के संबंध में।

कृपया प्रकरण OA 57/2024 राशिद नूर खान विरुद्ध नगर पालिक निगम, इन्दौर एवं अन्य में माननीय एनजीटी, भोपाल द्वारा जारी आदेश दिनांक 12.07.2024 का अवलोकन करने का कष्ट करें। सुलभ सन्दर्भ हेतु आदेश प्रति संलग्न है। माननीय एनजीटी द्वारा जारी आदेश के बिन्दु क्र. 4 (i-vi) में दिये गये निर्देशों पर राज्य वेटलैण्ड प्राधिकरण द्वारा आवश्यक कार्यवाही कर आगामी तिथि के पूर्व माननीय एनजीटी में जवाब प्रस्तुत किया जाना प्रस्तावित है।

कृपया माननीय एनजीटी द्वारा जारी आदेश में उल्लेखित बिन्दु क्र. 4 के उप बिन्दु क्रमांक vi के संबंध में जानकारी अविलंब उपलब्ध कराने का कष्ट करें, ताकि नियत तिथि के पूर्व जानकारी एकत्रित कर माननीय एनजीटी में जवाब प्रस्तुत किया जा सके। प्रकरण के संबंध में डॉ. दिनेश दामडे (9926343831) सहायक वैज्ञानिक अधिकारी एवं प्रभारी अधिकारी (प्रकरण क्र. OA 57/2024) सम्पर्क हेतु उपलब्ध है।



(संजीव सिंह)

कार्यपालन संचालक, एपको एवं
सदस्य सचिव, राज्य वेटलैण्ड प्राधिकरण

पृ. क्र. / / 2024/ दिनांक

प्रतिलिपि:-

1. कलेक्टर, जिला इन्दौर की ओर सूचनार्थ।
2. सदस्य सचिव म.प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल को सूचनार्थ।
3. क्षेत्रीय अधिकारी, म.प्र. प्रदूषण नियंत्रण बोर्ड, क्षेत्रीय कार्यालय इन्दौर को सूचनार्थ।



कार्यपालन संचालक, एपको एवं
सदस्य सचिव, राज्य वेटलैण्ड प्राधिकरण

